



---

*Plenary sitting*

---

**B8-0153/2017**

14.2.2017

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Guatemala, notably the situation of human rights defenders  
(2017/2565(RSP))

**Ignazio Corrao, Isabella Adinolfi, Fabio Massimo Castaldo, Rolandas Paksas, Beatrix von Storch**  
on behalf of the EFDD Group

**European Parliament resolution on Guatemala, notably the situation of human rights defenders  
(2017/2565(RSP))**

*The European Parliament,*

- Having regard to prior resolutions on Guatemala, particularly the resolution of 15th of March 2007;
- Having regard to the open letter of the EU Delegation and several European and North-American embassies to the Government of Guatemala, dated 10th December 2017;
- Having regard to the Declaration of the High Representative of the European Union for the International Day of Indigenous People, of August 2016
- Having regard to the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other;
- Having regard to the political dialogue and cooperation between the European Union and its Member States with the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panamá, in place since 2014;
- Having regard to the Multiannual Indicative Programme for Guatemala 2014-2020, and its engagement to contribute to the resolution of conflicts, to peace and security;
- Having regard to the Programmes of Support of the European Union to the Justice Sector of Guatemala, particularly SEJUST;
- Having regard to the EU Guidelines for the Protection of Human Rights Defenders, the Strategic Framework on Human Rights;
- Having regard to the recent visit of the EU Special Representative on Human Rights to Guatemala;
- Having regard to the visit of a delegation of the subcommittee for human rights of the European Parliament to Guatemala in February 2016;

A. Whereas, between January and November 2016, fourteen murders and seven attempted murders of human rights defenders in Guatemala were reported, pointing to an escalation of attacks against human rights defenders (HRDs); whereas these murders seem the final blow of a long and repetitive cycle of violence against the defenders, which was not duly dealt with by the Guatemalan authorities;

B. Whereas 2016 saw a serious pattern of escalating aggression against human rights defenders in Guatemala, with overall 223 reported aggressions against HRDs, including 68 new legal cases launched against HRDs (alongside the already ongoing cases);

- C. Whereas 2017 is starting with the assassination of human rights defender Sebastián Alonso Juan, alarming levels of violence against HRDs, and the filing of several cases against HRDs;
- D. Whereas vulnerability of women defenders is bigger with respect with men, as a consequence of the context of prevailing discrimination in the country;
- E. Whereas civil society in the EU and in Guatemala welcomes the significant political and legal processes started in Guatemala to strengthen its professional justice system, reduce impunity and fight corruption;
- F. Whereas in October 2016, a proposal of constitutional reform of the justice sector based, between others, on round tables discussions of civil society, was presented to Congress by the Presidents of Executive, of the Congress and of the Justice System of Guatemala, seeking for the strengthening of the justice system based on principles like judicial career, legal pluralism and judicial independence;
- G. Whereas smear campaigns, intimidation and trumped-up legal complaints against judicial operators are reported, with intent to block any step forward in emblematic cases of corruption and transitional justice such as those of Molina Theissen and CREOMPAZ, as well as those involving corruption in the La Linea y Coparacha cases among others;
- H. Whereas the connected serious risks for justice operators put into question the very viability of the rule of law and of an independent judicial system in Guatemala;
1. Condemns in the strongest terms the recent assassination of Sebastian Alonso Juan, as well as each of the 14 further assassinations of other HRDs in Guatemala in 2016; extends its sincere condolences to the families and friends of all of those human rights defenders;
  2. Pays tribute to all HRDs in Guatemala who despite the risks and reprisals to their legitimate and commendable work, dedicate their life to the pursuit of a more democratic society and a functioning rule of law in their country;
  3. Expresses grave concern that - despite the registered high levels of violence against human rights defenders - the authorities of Guatemala have taken measures negatively affecting their security, such as the removal of precautionary measures benefitting HRDs; calls on the Guatemalan government to mobilise all the means at its disposal in order to urgently and effectively protect HRDs in Guatemala and to fully implement the laws and mechanisms already in place
  4. .Asks the government of Guatemala to publicly recognize the importance of the work of human rights defenders for a democratic state; Strongly ask to pay particular attention to the specific situation of the women HRDs, positively recognizing their work and ensuring safe and equal conditions for them;
  5. Expresses grave concern that Guatemala has not yet implemented a Public Policy for the Protection of Human Rights Defenders and calls on the Guatemalan authorities to ensure that a public policy is developed in a wide participative process and is not limited to

protection measures, addressing also the structural causes increasing the vulnerability of the defenders; appreciates the decision of the EU Delegation in Guatemala to financially contribute to the process of discussion and consultation of such a programme;

6. Calls on the General Attorney's Office to adopt as soon as possible the General Instruction on Criminal investigation of attacks against human rights defenders and to train prosecutors so they can effectively implement it;
7. Expresses its deep concern at the climate of harassment and destabilisation against justice operator involved in struggle against impunity and corruption, including the General Attorney Thelma Aldana, the judges Miguel Ángel Gálvez, Carlos Ruano and Yasmín Barrios or the lawyers Miguel Moerth, Ramón Cadena, Alejandro Rodríguez and Rafael Maldonado; calls on the Guatemalan authorities to take concrete and effective steps to guarantee the independence of the judiciary;
8. Urges the highest authorities of Judiciary of Guatemala to support and back up judicial operators from all types of pressure and intimidation, in order to guarantee that only the principles of legality and objectivity guide their judicial acts;
9. Welcomes the initiative presented by executive, judiciary and legislative powers to the Congress, in order to further develop a professional democratic justice system based on real judicial independence;
10. Calls for the EU and member states to step up political engagement with the Guatemalan authorities as regards the situation of Guatemalan HRDs and the urgent need for Independence of the judiciary, and to provide full and visible political, financial and technical support to HRDs in the country, in particular those working on issues of land, environment, justice and impunity;
11. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the parliaments and governments of the Member States, the President and the Government of Guatemala.