



Plenary sitting

B8-0157/2017

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 the situation of human rights defenders in Guatemala
(2017/2565(RSP))

Charles Tannock, Karol Karski, Hans-Olaf Henkel, Angel Dzhambazki, Urszula Krupa, Arne Gericke, Ryszard Antoni Legutko, Ryszard Czarnecki, Tomasz Piotr Poręba, Raffaele Fitto, Notis Marias, Valdemar Tomaševski, Branislav Škripek, Monica Macovei
on behalf of the ECR Group

B8-0157/2017

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

The European Parliament,

- having regard to the UN Covenant on Civil and Political Rights of 1966;
 - having regard to the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms (Declaration on Human Rights Defenders), 1998;
 - having regard to the ‘EU Guidelines on Human Rights Defenders’, adopted by the General Affairs Council on 8 December 2008;
 - having regard to the 2009 Council Conclusions on Democracy Support in the EU’s External Relations;
 - having regard to the 2009 Council’s Guidelines on Human Rights and International Humanitarian Law;
 - having regard to its resolution of 11 December 2012 on the EU-Central America Association Agreement;
 - having regard to the EU Action Plan on Human Rights and Democracy (2015-2019);
 - having regard to Article 25 of the Rules of Procedure on the mechanism for precautionary measures of the Inter American Commission for Human Rights;
 - having regard to the mission report of the Delegation of the Subcommittee on Human Rights to Mexico and Guatemala on 8-12 February 2016
 - having regard to the 2014-2017 EU Roadmap for Engagement with Civil Society in Partner Countries;
- A. whereas support for human rights defenders is an integral element of the European Union’s human rights external relations policy;
- B. whereas human rights continue to be a major concern in Guatemala, particularly with regards to corruption within the justice system, combined with intimidation of justice officials and prosecutors, in spite of positive commitments taken by the government that includes inter alia the employment of the UN-backed International Commission against Impunity in Guatemala (CICIG);
- C. whereas over the past twelve months, 14 murders and 7 attempted murders, 44 cases of intimidation and 42 threats made (recorded by FIDH) illustrate a wider pattern of murders, intimidation, violence and harassment targeting human rights defenders in

Guatemala, a pattern which has increased dramatically over the past three years according to Human Rights Watch and FIDH;

- D. whereas a deeply concerning precedent for the passage of laws criminalising the activities of human rights defenders has been set with the ‘Ley de Túmulos’ (Traffic Circulation and Obstruction of Roads Law) and the ‘Ley de Terrorismo Comercial’ (Commercial Terrorism Law), both of which may have been linked with an increase in aggressions against two specific groups of defenders, those working for justice and against impunity, and those working on land rights;
- E. Whereas On 4 February 2017, Abelino Chub Caal, an indigenous and land rights defender a member of the Guillermo Toriello Foundation, promoting local development within the framework of the peace agreements, was detained by three police officers when he was in a local eatery with his family, charged with several criminal offences and sent to pre-trial detention by the Court of Carchá Verapaz; Whereas an issue of increasing importance in the country is violence against environmental activists, notably those protesting against deforestation and hydroelectric projects in the country, in particular against the project of building 25-MW Pojom hydroelectric plant; whereas it is argued that the authorities did not consult local communities, including a number of indigenous groups and dispute over the construction has left at least two people dead and several injured during peaceful demonstrations;
1. Condemns in the strongest terms all the murders of human rights defenders and specifically the recent cases of Víctor Valdés Cardona, Diego Esteban Gaspar, Roberto Salazar Barahona and Winston Leonardo Túnchez Cano;
 2. Calls on an immediate and unconditional release of Mr. Abelino Chub Caal as well as on thorough and impartial investigation, in accordance with international standards, to be carried out in the case;
 3. Calls on the Guatemalan Government to guarantee that all human rights defenders in Guatemala, particularly those working in the fields of environment protection, women’s rights and LGBTI rights, are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions;
 4. Urges the Guatemalan authorities to ensure a prompt, effective and transparent investigation of the murders in order to bring to justice the intellectual and material authors and put an end to the impunity around these crimes;
 5. Calls on the Guatemalan Government to launch wider social consultations concerning the project of the 25-MW Pojom hydroelectric plant; is of the opinion that all the basic rights of the afflicted indigenous communities, notably residents living in the area around San Mateo Ixtatan, must be guaranteed; Expresses its solidarity with the environmental activists in the country, as environmental awareness remains one of the measure of social maturity in a country;
 6. Calls on the EU Delegation in Guatemala, as well as Embassies and Consulates of EU member states in the country, to actively accompany and monitor the processes around the investigation of the murders of human rights defenders;

7. Instructs its President to forward this resolution to the Council, the Commission, the European External Action Service, the Member States, the Government of Guatemala, the Head of the EU Delegation in Guatemala, and the United Nations High Commissioner of Human Rights.