



Plenary sitting

B9-0368/2023

12.9.2023

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 144 of the Rules of Procedure

on Guatemala: situation after the elections, rule of law and judicial independence (2023/2831(RSP))

Tilly Metz, Francisco Guerreiro, Anna Cavazzini, Ignazio Corrao, Hannah Neumann, Nicolae Ștefănuță, Jordi Solé,
on behalf of the Verts/ALE Group

Motion for a European Parliament resolution on Guatemala: situation after the elections, rule of law and judicial independence (2023/2831(RSP))

The European Parliament,

– Rule 144 of its Rules of Procedure,

A. Whereas on August 28, Guatemala's Supreme Electoral Tribunal (TSE) announced the official results of the country's presidential election runoff, where *Movimiento Semilla* party candidates Bernardo Arévalo and Karin Herrera were elected;

B. Whereas the TSE's Citizen Registry suspended the legal status of the *Movimiento Semilla* Party; whereas on September 3, the TSE temporarily revoked this suspension order;

C. Whereas on August 24, the Inter-American Commission On Human Rights granted precautionary measures to protect Bernardo Arévalo and Karin Herrera;

D. Whereas the General-Prosecutor Consuelo Porras, the Special Prosecutor Against Impunity (FECI) Rafael Curruchiche and the judge Fredy Orellana are on the United States' Undemocratic and Corrupt Actors list and have conducted criminal investigations against *Movimiento Semilla* Party, journalists and justice operators;

E. Whereas on August 28, the Public Prosecutor's Office raided the homes of the former head of the FECI, Juan Francisco Sandoval, currently in exile, and the former FECI prosecutor Eva Siomara Sosa; whereas on August 29, Guatemalan authorities arrested Claudia Gonzalez, a lawyer for several justice operators who have faced arbitrary persecution, including Virginia Laparra, and also former member of a United Nations-backed anti-corruption mission;

1. Notes that Guatemala's President has recognized the results of the elections; urges all the Guatemalan authorities to respect these results and to ensure a peaceful and transparent transition process;

2. Rejects the suspension of the *Movimiento Semilla* Party's legal status; is particularly concerned about a possible breakdown in the constitutional order in Guatemala;

3. Urges the Guatemalan authorities to fully implement the forthcoming recommendations of the MOE EU;

4. Is concerned by the ongoing dismantling of the judiciary; condemns the instrumentalization of the judiciary to criminalise political opponents, human rights defenders, journalists and justice operators fighting corruption and impunity;

5. Calls on the Guatemalan authorities to cease immediately all arbitrary and illegal criminal prosecutions, acts of intimidation, harassment and threats against members of the *Movimiento Semilla* Party, political opponents, journalists and human rights defenders in Guatemala;

6.Calls for the immediate and unconditional release of Virginia Laparra, her lawyer Claudia González, and all people arbitrarily detained;

7.Calls on the Guatemalan authorities to take steps to restore the independence and professionalism of Guatemala's Public Prosecutor's Office and its Judicial Organ;

8.Calls on the Council to adopt targeted restrictive measures against individuals such as Consuelo Porras, Rafael Curruchiche and Fredy Orellana, who undermine electoral processes and systematically instrumentalize the judiciary to weaken the rule of law and criminalize opposition figures;

9.Calls on the EEAS, the Member States and the EU Delegation to Guatemala to actively scrutinize the situation in the country after the elections; asks the EU Delegation to provide logistical and technological support to human rights defenders and journalists; asks the MOE EU to continue monitoring efforts to violate the will of the people;

10.Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the Government and the Congress of the Republic of Guatemala.