



Plenary sitting

B9-0372/2023

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

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on behalf of the Renew Group

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

The European Parliament,

- having regard to its previous resolutions on Guatemala,
- having regard to the statements by the HR/VP on the Presidential elections in Guatemala on 21 and 28th August 2023,
 - having regard to the preliminary statements by the EU EOM on 27th June and 22nd August 2023,
 - having regard to its Rule 144,
- A. whereas on 28th August 2023 the Supreme Electoral Tribunal announced the official results and declared the clear victory of Bernardo Arévalo and Karin Herrera from the Semilla Movement as elected President and Vice-President of Guatemala;
- B. whereas President Giammattei recognised the result and announced an orderly transition and transfer of power to take place on 14 January 2024; whereas Sandra Torres who lost Guatemala’s presidential election refused to accept the official result;
- C. whereas since 12th July 2023, the Semilla Movement has been subjected to selective and arbitrary legal and procedural actions, including a suspension, which “threatened the right and opportunity to participate in genuine elections and respect the will of the voters”, as stated by the EU EOM; whereas on 28th August the Semilla Movement was again provisionally suspended by the Citizen’s Registry of the SET, suspension revoked by the SET on 3rd September;
- D. whereas on 28 August lawyer Claudia Gonzalez was arrested and raids were carried out targeting justice defenders and their relatives, continuing the persistent harassment against independent judicial operators;
1. Congratulates Bernardo Arévalo on his election; calls on all state institutions and sectors of society to support an orderly transition and transfer of power as announced by President Giammattei.
 2. Deeply regrets the suspension of the Movimiento Semilla; condemns and calls for the end of any action, including from the Public Ministry, to overturn the outcome of the elections, the continued steps to criminalise independent judicial operators, and the instrumentalisation of judicial and prosecutorial institutions to undermine the rule of law.

3. Calls on the Guatemalan authorities to respect the clear will of the Guatemalan people and guarantee their civil and political rights, including the protection of elected officials, in compliance with international and regional standards, and domestic laws.
4. Expresses its concerns on the arbitrary detention of prosecutors, judges, and independent journalists, as well as former CICIG officials; calls the authorities to refrain from any attempt to obstruct the work of those involved in the fight against corruption and impunity in Guatemala.
5. Urges the release of former prosecutor Virginia Laparra, arbitrarily detained since February 2022, and her lawyer Claudia González.
6. Recalls that respect for the independence of the judiciary, political pluralism, and freedom of expression, are fundamental rights and essential pillars of democracy and the rule of law.
7. Calls on the EU EOM to continue monitoring the situation in Guatemala until there are clear and serious guarantees that the will expressed through the elections is respected.
8. Instructs its President to forward this resolution to the Council, Commission, VP/HR, OAS the EuroLat Parliamentary Assembly, Guatemalan authorities, SIECA and PARLACEN.