



---

*Plenary sitting*

---

**B9-0377/2023**

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))

**Željana Zovko, , Leopoldo López Gil, David Lega, Isabel Wiseler-Lima, Janina Ochojska, Andrey Kovatchev, Vangelis Meimarakis, Ivan Štefanec, Vladimír Bilčík, Michaela Šojdrová, Tomáš Zdechovský, Eugen Tomac, Jiří Pospíšil, Peter Pollák**  
on behalf of the PPE 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 Rules 144(5) and 132(4) of its Rules of Procedure,
- A. whereas on 20 August 2023, the second round of the elections in Guatemala took place and Bernardo Arevalo of the ‘*Movimiento Semilla*’ won the majority;
- B. whereas throughout the process, the Judicial branch, and the office of the Prosecutor General (*Ministerio Público*) interfered in the electoral process by prosecuting political candidates including the ‘*Movimiento Semilla*’, and a number political parties that have been denied the possibility to run prior to the first round that took place on 25 June;
- C. whereas the office of the Prosecutor General began to investigate and pursue the ‘*Movimiento Semilla*’ only once it made it to the second round and had a chance to win the elections;
- D. whereas several Prosecutors of the *Ministerio Público* are on the US Engel List, including Prosecutor General María Consuelo Porras, Jose Rafael Curruchiche, chief of the Public Ministry's Office of the Special Prosecutor Against Impunity (FECI), and Judge Fredy Orellana;
- E. whereas the EU deployed an Election Observation mission but it has not presented its final report given that the process finishes on 31 October 2023;
- F. whereas incumbent President Alejandro Giammattei congratulated Bernardo Arevalo and committed to recognise the results and provide the necessary grounds for an orderly transition, to both the European Parliament Delegation of the EOM, as well as publicly;
- G. whereas the Supreme Electoral Tribunal has restored the legality of the ‘*Movimiento Semilla*’ that was initially discarded from the register of the Tribunal;
- H. whereas the prosecutor for electoral crimes has asked the Supreme Court of Justice to strip five magistrates of the country’s top electoral authority of their immunity so they can be investigated on fraud allegations made by the loser of the 20 August presidential election;
1. Takes note of the results of the elections that took place on 20 August;
  2. Calls on all parties and on the Guatemalan authorities to recognise the result of the elections;

3. Is concerned with continued actions by that undermine Guatemala's democracy; believes that such anti-democratic behaviour, including efforts by the Public Ministry and other actors to suspend the President-elect's political party and intimidate election authorities, undermines democratic standards;
4. Condemns the interferences perpetrated by the Judicial branch as well as by the Prosecutor's office throughout the process; urges these institutions to stop the interferences of the electoral process;
5. Commends the fact that incumbent President Alejandro Giammattei has committed to an orderly transition; calls on Guatemalan authorities to uphold democratic standards and throughout the transition in order to ensure the Guatemalan people's civic and political rights;
6. Encourages the Guatemalan authorities to take into account the recommendations that will be laid out in the report of the EU EOM;
7. Instructs its President to forward this resolution to the Council, the Commission, the VP/HR, the Secretary-General of the OAS, the Secretary-General of the UN, and to the government of Guatemala.