



Plenary sitting

B9-0379/2023

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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Leitão-Marques**
on behalf of the S&D 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, and in particular that of 14 March 2019 on the situation of human rights in Guatemala and 7 April 2022 on the situation of the rule of law and human rights in the Republic of Guatemala;
- having regard to the Statement by the Chairman of the European Parliament Election Observation Delegation on 21 August 2023 on the General Elections in Guatemala;
- having regard to the statement by the UN High Commissioner for Human Rights on 27 August 2023 expressing “deep concern at attempts to undermine the electoral process in Guatemala”;
- having regard to the statement by the Organization of American States (OAS) on 31 August 2023;
- having regard to the statement by the Inter-American Commission on Human Rights (IACHR) on 31 August 2023;
- having regard to Rules 144(5) and 132(4) of its Rules of Procedure;

A. whereas the EU EOM concluded that despite judicial actions attempting to disrupt the electoral process, Election Day on 20 August was peaceful and well organised;

B. Whereas on 28 August the Guatemala’s TSE announced the official results of the country’s presidential election runoff, where the Semilla Party candidates Bernardo Arévalo and Karin Herrera were elected to become president and vice-president;

C. Whereas the TSE’s Citizen Registry decided on the same day to suspend the Semilla party’s legal status, a decision that violates the temporary protection granted to the party by the Guatemala’s Constitutional Court, issued without the grounding and due process required by the Elections and Political Parties Act and seeking to prevent the president-elect, the vice-president-elect and other elected officials from taking office;

D. Whereas on 3 September the TSE declared that the legal status of the Semilla Party cannot be suspended while the electoral process is in force because it is neither reasonable nor prudent;

E. Whereas all contenders, political actors, State institutions and the judiciary system must accept and respect the choice of voters;

1. Calls on all Guatemalan political parties, branches of government and institutions to respect the integrity of the electoral process and its outcome as clearly expressed by Guatemalan

citizens with their votes;

2. Is concerned by the apparent instrumentalisation of Guatemalan judicial institutions;

3. Calls for a peaceful and orderly transition process without further intimidations and raids targeting justice defenders and their relatives;

4. Calls for all political parties, institutions and authorities to respect the will of the citizens and refrain from unfounded accusations of fraud and intimidation of electoral and political actors;

5. Warns that the efforts to overturn the outcome of the elections and continued instrumentalisation of judicial and prosecutorial institutions to undermine the rule of law will inevitably have an impact on Guatemala's international relations;

6. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the Organization of American States, the Central American Parliament and the Government and Parliament of the Republic of Guatemala.