



Plenary sitting

B9-0529/2023

12.12.2023

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 132(2) of the Rules of Procedure

on the attempt of a coup d'Etat in Guatemala
(2023/3031(RSP))

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on behalf of the Renew Group

European Parliament resolution on the attempt of a coup d'Etat in Guatemala (2023/3031(RSP))

The European Parliament,

- having regard to its previous resolutions on Guatemala and in particular to its resolution of 14 September 2023 on Guatemala: the situation after the elections, the rule of law and judicial independence¹,
 - having regard to the statements by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP / HR) on the Presidential election in Guatemala of 21 and 28 August 2023 and to his statement on the latest developments in Guatemala of 8 December 2023,
 - having regard to the preliminary statements by the EU Election Observation Mission of 27 June and 22 August 2023, and to its final report presented in Guatemala City on 13 November 2023,
 - having regard to the statement of 8 December 2023 attributable to the Spokesperson for the UN Secretary-General on recent developments in Guatemala's democratic transition,
 - having regard to the statement of 9 December 2023 by the UN High Commissioner for Human Rights, Volker Türk, deploring the persistent attempts to undermine the outcome of elections,
 - having regard to the Organization of American States General Secretariat statement of 8 December 2023 condemning the coup attempt in Guatemala,
 - having regard to the statement of 8 December 2023 by the Alliance for Development in Democracy censuring the actions that seek to annul the general elections, interfering with and ignoring the democratic electoral process,
 - having regard to the statement of 8 December 2023 by the Guatemalan Coordinating Committee of Chambers of Commerce, Industry and Finance (*Comité Coordinador de Cámaras Comerciales, Industriales y Financieras, CACIF*) in support of democracy, the rule of law, the President-elect, the Vice-President-elect and all officials elected in the 25 June 2023 elections,
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas on 28 August 2023, the Supreme Electoral Tribunal announced the official results of the peaceful and well organised elections and declared Bernardo Arévalo and Karin Herrera from the *Semilla* Movement as elected President and Vice-President of Guatemala following the 20 August 2023 presidential run-off;

¹ Texts adopted, P9_TA(2023)0322.

- B. whereas the *Semilla* Movement has been subjected to selective and arbitrary legal and procedural actions by the Office of the Public Prosecutor (MP) since Bernardo Arévalo was certified as one of the two presidential candidates with the most votes in the first presidential round held on 25 June 2023;
- C. whereas on 8 December 2023, the MP of Guatemala, in particular the head of the Special Prosecutor's Office against Impunity (FECI), José Rafael Curruchiche, and prosecutor Leonor Morales Lazo, declared they would seek to annul the results of the 25 June 2023 elections, citing alleged irregularities in the polling station tally sheets (*acta 4*) of all five electoral races and in the system for the transmission and announcement of preliminary election results;
- D. whereas the prosecutors have also requested that Guatemala's President-elect Bernardo Arévalo be stripped of his immunity;
- E. whereas President-elect Bernardo Arévalo forcefully rejected the manoeuvre from prosecutors to invalidate his election victory, calling the MP's actions 'perverse' and an 'attempted coup';
- F. whereas Blanca Alfaro, the President of the Supreme Electoral Tribunal, whose role it is to resolve such situations, immediately responded to the MP that the election results were unalterable, that they are 'valid and certified' and stated that 'the people (who won their races) are necessarily accredited and must take office on the 14 January 2024';
- G. whereas the President of the Supreme Electoral Tribunal remarked that any attempt to prevent elected officials from taking office 'would be a breakdown of the constitutional order';
- H. whereas on 1 December 2023, four Supreme Electoral Tribunal magistrates left the country hours after Congress voted to strip them of their immunity, in a clear attempt by the losing parties in the presidential elections to further interfere with the results, completely disregarding the will of the voters as expressed at the polls;
- I. whereas Parliament, the EU and other international partners have denounced the ongoing attempts to overturn the outcome of the elections, the continued steps to criminalise independent judicial operators and the instrumentalisation of judicial and prosecutorial institutions;
- J. whereas the EU Election Observation Mission observed the entire electoral process at the invitation of the Guatemalan authorities and concluded that the elections were transparent and well organised, finding no grounds whatsoever to allege fraud;
- K. whereas other international and national observation missions reached similar conclusions;
- L. whereas in recent years in Guatemala, freedom of expression has been undermined and the Guatemalan authorities have put in place institutional checks on the abuse of power to prevent accountability for widespread high-level corruption;
- M. whereas several journalists have faced politically motivated criminal investigations,

including José Rubén Zamora, the editor of El Periódico de Guatemala, who has been in prison since July 2022;

1. Condemns the attempted coup d'état and the MP's continuous efforts to nullify the results of the general and presidential elections in Guatemala, based on unsubstantiated allegations of fraud and calls for an immediate end to these actions;
2. Rejects all politically motivated actions of some authorities, which clearly violate the Guatemalan Constitution, undermine the integrity of the electoral process and breach the separation of powers, the rule of law and democracy;
3. Calls on the competent authorities, including incumbent President Alejandro Giammattei and the judiciary, to take action to preserve the constitutional order and the rule of law, reject the unacceptable attempts to overturn the electoral results, ensure respect of the will expressed by Guatemalan citizens through their votes and to guarantee their civil and political rights, including the right of elected officials to be duly installed in office in compliance with international and regional standards, and the Guatemalan laws;
4. Stresses the importance of holding those obstructing democracy to account; calls on the Council, in this regard, to immediately adopt targeted restrictive measures, including asset freezes and travel bans, against (but not limited to) General Prosecutor María Consuelo Porras Argueta, the head of FECCI, José Rafael Curruchiche Cacul, judge Fredy Raúl Orellana Letona, FECCI prosecutor Leonor Eugenia Morales Lazo and Secretary-General of the Office of the Public Prosecutor, Angel Arnoldo Pineda Avila, who are undermining the 2023 electoral process in Guatemala and systematically instrumentalising the judiciary to weaken the rule of law and criminalise opposition figures;
5. Recalls that respect for the independence of the judiciary, political pluralism and freedom of expression for all Guatemalans, are fundamental rights and essential pillars of democracy and the rule of law;
6. Expresses its concerns about the arbitrary detention of prosecutors, judges and independent journalists; calls on the Guatemalan authorities to refrain from any attempt to obstruct the work of human rights defenders, judicial operators and journalists who have investigated and exposed corruption, human rights violations and the abuse of power;
7. Calls on the European External Action Service, the Member States and the EU Delegation to Guatemala to continue monitoring the situation in Guatemala until there are clear and serious guarantees that the will of the voters, as expressed in the 25 June 2023 general elections and the 20 August 2023 presidential run-off, is respected;
8. Encourages the authorities to implement the EU Election Observation Mission's recommendations, in particular those addressing the assessed shortcomings in the rule of law, the separation of powers and the promotion of human and political rights;
9. Instructs its President to forward this resolution to the Council, the Commission, the

Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Organization of American States, the UN, the Guatemalan authorities and the Central American Parliament.