



Plenary sitting

B9-0530/2023

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 attempted coup d'état in Guatemala
(2023/3031(RSP))

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on behalf of the S&D Group

B9-0530/2023

European Parliament resolution on the attempted coup d'état in Guatemala (2023/3031(RSP))

The European Parliament,

- having regard to its previous resolutions and in particular to its resolution of 14 September 2023 entitled ‘Guatemala: the situation after the elections, the rule of law and judicial independence’¹,
 - 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) of 21 and 28 August 2023 on the Presidential election in Guatemala 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 on 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 Rule 132(2) of its Rules of Procedure,
- A. whereas on 28 August 2023, Guatemala’s Supreme Electoral Tribunal announced the official results of the country’s presidential election run-off, where Movimiento Semilla candidates Bernardo Arévalo and Karin Herrera were elected to become President and Vice-President respectively;
- B. whereas since the results were announced, Movimiento Semilla has been subjected to selective and arbitrary legal and procedural actions by the Office of the Public Prosecutor (MP);
- 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

¹ Texts adopted, P9_TA(2023)0322.

announcement of preliminary election results;

- D. whereas the General-Prosecutor, Consuelo Porras, the Special Prosecutor against Impunity, José Rafael Curruchiche, the judge, Fredy Raúl Orellana Letona, and the prosecutor, Cinthia Edelmira Monterroso Gómez, are on the United States' Undemocratic and Corrupt Actors list;
 - E. whereas the President of the Supreme Electoral Tribunal declared that the election results were unalterable and 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';
 - F. whereas the prosecutors are continuously attempting to escalate this crisis by taking actions of their own accord, often in defiance of the will of the Guatemalan people and of this body's declarations and resolutions;
 - G. 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;
 - H. whereas the EU Election Observation Mission and other international and national observation missions 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;
 - I. whereas all candidates, political actors, state institutions and the judiciary system must accept and respect the will of the voters;
1. Condemns the attempted coup d'état and the MP's continuous efforts to overturn 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 and undermine the integrity of the electoral process as well as the separation of powers, the rule of law and democracy;
 3. Calls on the competent authorities, including incumbent President Alejandro Giammattei, to publicly condemn the prosecutors' unacceptable attempts to overturn the electoral results;
 4. Supports President-elect Bernardo Arévalo and calls for an orderly transition leading to his inauguration as the 52nd President of Guatemala on 14 January 2024;
 5. 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;
 6. Calls for the immediate and unconditional release of all those arbitrarily detained;

7. Calls on the European Council to immediately adopt targeted restrictive measures, including asset freezes and travel bans, against all individuals undermining the electoral process and systematically instrumentalising the judiciary to weaken democracy and criminalise opposition figures, including General-Prosecutor María Consuelo Porras Argueta, the head of FECI, José Rafael Curruchiche Cacul, judge Fredy Raúl Orellana Letona, FECI prosecutor Leonor Eugenia Morales Lazo and the Secretary-General of the Office of the Public Prosecutor, Angel Arnoldo Pineda Avila;
8. 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 Guatemalan voters is respected;
9. Encourages all responsible authorities to implement the EU Election Observation Mission's recommendations regarding the shortcomings in the rule of law, the separation of powers and in the promotion of human and political rights;
10. 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.