

EUROPEAN PARLIAMENT

2004



2009

Session document

25.10.2006

B6-0554/2006 }
B6-0560/2006 }
B6-0561/2006 }
B6-0564/2006 }
B6-0569/2006 } RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rule 115(5) of the Rules of Procedure, by

- Charles Tannock and Bernd Posselt, on behalf of the PPE-DE Group
- Pasqualina Napoletano and Luis Yañez-Barnuevo García, on behalf of the PSE Group
- Marios Matsakis, on behalf of the ALDE Group
- Raül Romeva i Rueda and Alain Lipietz, on behalf of the Verts/ALE Group
- Willy Meyer Pleite and Marco Rizzo, on behalf of the GUE/NGL Group

replacing the motions by the following groups:

- PSE (B6-0554/2006)
- Verts/ALE (B6-0560/2006)
- PPE-DE (B6-0561/2006)
- GUE/NGL (B6-0564/2006)
- ALDE (B6-0569/2006)

on the proceedings against Rios Montt

RC\637252EN.doc

PE 379.721v01-00}
PE 379.727v01-00}
PE 379.728v01-00}
PE 379.731v01-00}
PE 379.736v01-00} RC1

EN

EN

European Parliament resolution on the proceedings against Rios Montt

The European Parliament,

- having regard to its resolutions of 18 May 2000, 14 June 2001, 11 April 2002, 10 April 2003 and 7 July 2005 on Guatemala,
 - having regard to the ICC Statute, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the European Convention on Human Rights,
 - having regard to its firm and permanent commitment to ensuring compliance with the peace agreements and with human rights in Guatemala,
 - having regard to Rule 115(5) of its Rules of Procedure,
- A. having regard to the allegations of crimes against humanity and genocide during the armed conflict in Guatemala, according to which 83% of the victims of the conflict were of Mayan ethnic origin, 200 000 people were murdered and 45 000 suffered enforced disappearances, 10% of the population was displaced and entire indigenous communities were eradicated; whereas, as the European Parliament has gradually come to acknowledge, these crimes cannot go unpunished,
- B. whereas those accused of plotting and committing the above crimes have never been brought before a court and some of them continue to hold high political office,
- C. whereas in December 2006 the 10th anniversary of the peace accords will be commemorated, while the Global Agreement on Human Rights has still not been implemented: the victims have not obtained suitable reparation, either material or symbolic; the perpetrators of the crimes have never publicly apologised; and the whereabouts of most of the disappeared people are still not known,
- D. whereas on 7 July 2006 a judge at the Spanish Audiencia Nacional issued an international warrant for the arrest of seven former Guatemalan dictators and military officers accused of genocide, torture and illegal detention,
- E. whereas before issuing the warrant, the judge travelled to Guatemala to carry out investigations which he was unable to conduct following appeals to the Guatemalan Constitutional Court and the Court for Conflicts of Jurisdiction by the accused persons' defence lawyers,
1. Urges the Guatemalan institutions fully to cooperate and do everything in their power to shed light on the human rights violations and to ensure that those responsible are brought to justice and that the findings of the investigations are made public, as called for in the international arrest warrant issued by the Spain Audiencia Nacional on 7 July 2006 against Jose Efraín Rios Montt, Oscar Humberto Mejía Vítores, Angel Anibal Guevara Rodriguez, German Chupina Barahona, Pedro Garcia Arredondo and Benedicto Lucas Garcia, all of whom are accused of crimes of genocide, torture, terrorism and illegal detention;

RC\637252EN.doc

PE 379.721v01-00}
PE 379.727v01-00}
PE 379.728v01-00}
PE 379.731v01-00}
PE 379.736v01-00} RC1

2. Asks the governments concerned and the management of the relevant banking entities concerned to cooperate in the seizure of the goods and property of the accused, in order to ensure that they discharge their financial and civil responsibilities;
3. Urges Interpol and Europol, in the event of a request being made by the appropriate authorities, to provide the necessary means to ensure extradition;
4. Reaffirms its commitment to ensuring that those accused do not go unpunished;
5. Welcomes the progress made in the application of the principle of universal jurisdiction in respect of crimes against humanity, genocide and torture;
6. Considers that, should these proceedings be brought to a successful conclusion, the same procedure should be followed under similar circumstances in taking action against dictators and persons responsible for mass human rights violations;
7. Expresses its support for the Guatemalan people and authorities, with a view to their continuing to uphold the rule of law and foster economic, social and political development, which will contribute to peace and national reconciliation;
8. Instructs its President to forward this resolution to the Council and Commission, the Government of Guatemala, the governments of Central American countries, the Government of the United States and PARLACEN.