

Resolution on the situation of human rights in Guatemala

2019/2618(RSP) - 14/03/2019 - Text adopted by Parliament, single reading

The European Parliament adopted by 553 votes to 7 with 38 abstentions, a resolution on the situation of human rights in Guatemala. The resolution was tabled by the EPP, S&D, ECR, ALDE, Greens/EFA, GUE/NGL, and EFDD groups.

Deterioration of human rights and rule of law

Parliament expressed its deep concern at the increased number of killings and acts of violence and at the lack of security for all citizens and, more specifically, for women and human rights defenders, regretting the fact that the Guatemalan Government continues to breach the rule of law and the separation of powers, which is an essential principle of liberal democracies. According to a report by the Unit for the Protection of Human Rights Defenders in Guatemala (UDEFEFUGA), the overall number of attacks against human rights defenders and indigenous people in 2018 was 391, including 147 cases of criminalisation and 26 assassinations, a 136 % increase on 2017. There were 93 attacks, including four killings, recorded in 2017. Furthermore, violence against women remains a grave problem, as evidenced by the fact that violent deaths of women rose by 8 % to 662 cases. Members pointed out that the rate of impunity for crimes in Guatemala stands at 97 %.

Parliament called on the Guatemalan authorities to cease all acts of intimidation against Guatemalan civil society, and human rights organisations in particular, to respect the constitutional order and to guarantee the fundamental rights of all Guatemalan citizens. It urged the Guatemalan Executive to immediately ensure independence of the judiciary and guarantee freedom of the press and the media. Members reiterated their request for the protection of human rights defenders, in particular female human rights defenders, welcoming and supports the action undertaken thus far by European embassies and the EU Delegation to Guatemala.

International Commission against Impunity in Guatemala (CICIG)

Members expressed deep concern about the current situation that the CICIG faces in Guatemala and asked the Guatemalan Government to cease all illegal attacks against the CICIG and its national and international staff. They recalled that in January 2019, the government unilaterally cancelled the agreement with the UN on the CICIG with immediate effect and requested that the CICIG leave the country, having prohibited the return to the country of CICIG's director and cancelling visas for 11 CICIG employees who had been investigating high-level cases of corruption.

They called for an independent study to be carried out, under the auspices of the United Nations, which should reflect the final impact of the CICIG's work on the justice system in Guatemala and its contribution to the country's political stability. In this context, they welcomed the Commission Implementing Decision from September 2018 to support the extended mandate of the CICIG with an additional EUR 5 million from the Development Cooperation Instrument (DCI) for the 2018 Guatemala Annual Action Programme, and called on the Commission to disburse the EUR 5 million as agreed as a matter of urgency, and to continue all approved programmes with the CICIG.

National Reconciliation Law

Parliament was convinced that the proposed amendment of the National Reconciliation Law poses a significant threat to the rule of law in Guatemala and would drastically undermine the important progress achieved through the work of the national courts in their fight against impunity. It recalled that this amendment would extend an amnesty for all crimes committed by the domestic security forces and individuals acting on behalf of the government, including crimes against humanity, such as torture, forced disappearance and genocide. Members urged the Guatemalan Congress not to adopt the bill and shared the view of the UN High Commissioner that the amnesty for violators of human rights, perpetrators of crimes against humanity and war criminals provided for in the bill would fuel even more violence in the country.

Elections

Noting that general and presidential elections in Guatemala are planned for 16 June and 11 August 2019, Parliament offered to send an Election Expert Mission from the EU. It urged that the elections should take place in a peaceful and transparent manner, and the Supreme Electoral Court must act independently and with no interference from state institutions or actors.

EU Association Agreement

Lastly, Parliament reminded the Guatemalan Government that the EU-Central America Association Agreement includes a human rights clause as an essential element and that membership may be suspended in the case of its violation. It called for the European Union and its Member States to use the mechanisms laid down in the Association Agreement and the Political Dialogue and Cooperation Agreement to strongly encourage Guatemala to carry out an ambitious human rights agenda and the fight against impunity.