Resolution on the situation of the rule of law and human rights in the Republic of Guatemala

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The European Parliament adopted a resolution on the situation of the rule of law and human rights in the Republic of Guatemala.

In 2019, the government of the Republic of Guatemala unilaterally decided to terminate the mandate of the International Commission Against Impunity in Guatemala (CICIG), which had operated for 12 years in the country. During the period when the authorities collaborated with the CICIG, Guatemala demonstrated continuous progress in prosecuting human rights and corruption cases.

Since then however, Guatemala has suffered a continuous process of institutional co-optation and the dismantling of the rule of law, the systematic obstruction and harassment of the legitimate work of judges and prosecutors, smear campaigns, arrests and intimidation of justice operators, in particular those from the CICIG, the Human Rights Prosecutor's Office, and the Special Prosecutor's Office against Impunity (FECI), and an intensification and increase of aggressions against, as well as the criminalisation of, civil society organisations and human rights defenders.

In 2021, the Office of the UN High Commissioner for Human Rights (OHCHR) documented 103 attacks against human rights defenders and six killings, as well as 33 attacks against journalists. Environmental and land defenders, indigenous people and communities and women rights defenders face serious threats.

Parliament is concerned about the deterioration of the rule of law in Guatemala and the legal actions initiated by the Supreme Court of Justice and the prosecutor general against independent judges, lawyers and prosecutors who investigate or prosecute criminal structures with ties to high-ranking state officials and business owners.

The Guatemalan authorities are called on to:

- put an end to the criminalisation and detention of, and the discrediting media campaigns, threats and acts of harassment against, judicial operators involved in prosecuting corruption cases and combating impunity, as well as those against human rights defenders and journalists;

- conduct immediate, thorough and impartial investigations into the threats, acts of harassment and stigmatisation campaigns against justice officials and civil society actors, in order to identify those responsible and bring them before competent, independent and impartial tribunals;

- urgently take the necessary measures to ensure the safety and integrity of judges, prosecutors, lawyers – including former CICIG lawyers – and human rights defenders, and of those being detained, and to safeguard their right to due process;

- guarantee the fair election of judges, in particular regarding the election of the prosecutor general and the human rights ombudsperson;

- take the necessary measures to strengthen legislation and policies to protect human rights defenders, including environmental defenders and journalists.