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COMMISSION ON HUMAN RIGHTS  
Sub-Commission on Prevention of  
Discrimination and Protection  
of Minorities  
Forty-fifth session  
Agenda item 6

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS,  
INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF  
APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL  
AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE  
SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Mr. Alfonso Martinez, Mrs. Attah, Mr. Bossuyt, Mr. Boutkevitch,  
Mr. Chernichenko, Mr. Despouy, Mr. Eide, Mr. Guissé,  
Mr. Muksum-Ul-Hakim, Mr. Heller, Mr. Joinet, Mr. Khalil,  
Mrs. Ksentini, Mr. Merrills, Mr. Ramadhane, Mr. Saboia, Mr. Sachar,  
Mrs. Warzazi and Mr. Yimer: draft resolution

1993/... Situation of human rights in Guatemala

The Sub-Commission on Prevention of Discrimination and Protection of  
Minorities,

Guided by the principles enshrined in the Charter of the United Nations,  
the Universal Declaration of Human Rights and the International Covenants on  
Human Rights, as well as by the relevant norms and principles of international  
humanitarian law,

Recalling its resolution 1992/18 of 27 August 1992,

Taking note of Commission on Human Rights resolution 1993/88 of 10 March 1993, in which the Commission took note with appreciation of the report of the independent expert on the situation of human rights in Guatemala, Mr. Christian Tomuschat (E/CN.4/1993/10) and requested the Secretary-General to extend his mandate,

Encouraged by the mobilization of the people of Guatemala in defence of democratic institutions, which made possible the restoration of constitutional order and the rule of law following the events of 25 May 1993,

Welcoming the designation of Mr. Ramiro de León Carpio as Constitutional President of the Republic, whose work as Procurator for Human Rights is widely acknowledged by Guatemalan society,

Convinced that the situation of human rights in Guatemala calls for the close attention of the authorities in order to ensure the protection and full observance of those rights,

Considering that the economic and social situation continues to have serious consequences for the most vulnerable sectors of Guatemalan society, particularly the indigenous populations, women and children,

Taking into account the fact that the continuation of the internal armed conflict is a fundamental factor affecting the human rights situation in Guatemala,

Taking into account also the initiative of the Government to resume negotiations with the Unidad Revolucionaria Nacional Guatemalteca, with a view to reaching an agreement which will bring the internal armed conflict to an end and open the way for a firm and lasting peace,

Taking note of the Government's proposal to establish the Permanent Forum for Peace to discuss national issues with the various sectors of society,

1. Expresses its firm support for the measures adopted by President Ramiro de León Carpio with a view to strengthening democratic institutions, human rights and fundamental freedoms in Guatemala;
2. Urges the Government of Guatemala to continue according special attention to the current situation of human rights in Guatemala;
3. Exhorts the Government of Guatemala to continue its action to guarantee the full observance of human rights by the authorities and the armed and security forces and, with a view to eliminating impunity, to bring to trial any person guilty of violations of human rights and guarantee the proper functioning of the administration of justice;

4. Urges the Government of Guatemala to give priority to economic and social development programmes and to strengthen in particular policies and programmes concerning the indigenous population, taking into account its proposals, respecting the country's multicultural nature and fostering the Mayan cultural heritage;

5. Exhorts the Government of Guatemala to continue its constructive dialogue with refugees and internal displaced persons in order to resolve satisfactorily the question of their resettlement in Guatemala in conditions of dignity and security;

6. Expresses the hope that the negotiations between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca will be resumed as soon as possible with a view to reaching, with the active support of the international community, in particular the United Nations and the Organization of American States, an agreement which will put an end to the internal armed conflict and open the way for a firm and lasting peace;

7. Expresses its appreciation to the independent expert, Mr. Christian Tomuschat, for the work which he has done.

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