

- ♦ the programme for the reintegration of former members of the army into society be stepped up and expanded;
- ♦ steps be taken on an urgent basis to combat extreme poverty and enhance rural development, including by making the land market more flexible, establishing a land stock and reassigning land to those who need it;
- ♦ appropriate legal and technical tools be provided to the Tax Administration Supervisory Board to combat tax evasion;
- ♦ the process of adopting the constitutional and legal reforms related to the identity and rights of indigenous peoples be speeded up and used as a standard for the redefinition of policies and attitudes;
- ♦ the Commission to Clarify Past Human Rights Violations be given the cooperation and information needed from all actors concerned and, in particular, the army; and
- ♦ the government give special attention and consideration to the recommendations of the Commission to Clarify Past Human Rights Violations, particularly with regard to compensation of the victims of the violence and human rights violations.

Resolution of the Commission on Human Rights

At the 1998 session the Commission adopted a resolution by consensus (1998/22) in which it, *inter alia*: acknowledged that there no longer exists an established state policy that violates human rights or individual guarantees; congratulated the government and the URNG on the implementation of all aspects of the Agreement on a Firm and Lasting Peace related to the termination of the internal armed conflict; stated that firm and important decisions are necessary related to implementation of the Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces, the Agreement on Social and Economic Aspects and the Agrarian Situation and the Agreement on the Identity and Rights of Indigenous Peoples; requested all political parties represented in parliament to implement as soon as possible proposals for constitutional reforms; noted that the redefinition of a multicultural, multilingual and multiethnic nation necessitated the constitutional reforms set out in the peace agreements; called on the government to intensify the policies aimed at improving public security and the administration of justice, especially in the fight against impunity; acknowledged the citizen security problem; noted the statement by the Executive branch of government that the participation of the armed forces with the National Civil Police and the Public Prosecutor's Office will be temporary and subject to civilian authority; expressed concern at the difficulties encountered in bringing into force the Childhood and Youth Code; declared its support for MINUGUA and recommended the extension of its mandate; encouraged the government to intensify policies to improve public security con-

ditions and the administration of justice, in particular with regard to impunity; expressed support for the work of the Commission for Historical Clarification and urged the government to adopt and promote the recommendations formulated in the Commission's final report; recalled the importance of provisions in the Comprehensive Agreement on Human Rights related to compensation and/or assistance for victims of human rights violations, with priority given to those in greatest need; recommended that the government ratify all international standards for the protection of human rights and establish all the necessary mechanisms for active participation in their application; requested the OHCHR to provide assistance, when appropriate, to the Office of the Ombudsman, governmental bodies and non-governmental organizations for the protection of human rights, of women and of indigenous populations; expressed support for the proposals and measures related to the structure and goals of tax and fiscal reform as well as reform of the judicial system; requested acceleration of the mechanisms to facilitate the full integration of all demobilized persons into civilian and productive life; and, concluded consideration of the human rights situation in Guatemala.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Arbitrary detention, Working Group on: (E/CN.4/1998/44, paras. 19, 21)

An urgent appeal was sent to the government on behalf of one person and the government responded, noting that the person named was not in detention. No details of the case were provided.

Disappearances, Working Group on enforced or involuntary: (E/CN.4/1998/43, paras. 13, 24, 25, 29, 37, 42, 47, 59, 183–190)

In the section on compensation, the report refers to information provided by the government noting, *inter alia*: the offence of enforced disappearance has been established in law, and the court hearing the case has the power to set compensation where a criminal indemnification action has been brought in a criminal case; exhumations have been carried out to determine the identity of persons who disappeared; and, at the time the report was prepared, no judgements had been handed down establishing state responsibility in a case involving the offence of enforced disappearance, and therefore no compensation had been paid.

No new cases of disappearance were transmitted by the Working Group (WG), and 17 cases were clarified on the basis of information previously provided by the government. In 11 of the cases the persons concerned were found living at liberty, and in six other cases the corpses of the persons were located. The majority of the 3,151 reported cases of disappearance in Guatemala occurred between 1979 and 1986, mainly under the military