

### Discrimination against Women

Signed: 8 June 1981; ratified: 12 August 1982.

Guatemala's third periodic report was due 11 September 1991; the fourth periodic report was due 11 September 1995.

### Torture

Acceded: 5 January 1990.

Guatemala's second periodic report (CAT/C/29/Add.3) was considered at the Committee's May 1998 session; the third periodic report is due 3 February 1999.

### Rights of the Child

Signed: 26 January 1990; ratified: 6 June 1990.

Guatemala's second periodic report (CRC/C/65/Add.10) has been submitted and is scheduled for consideration at the Committee's May/June 2001 session.

*Reservations and Declarations:* Article 1.

## REPORTS TO TREATY BODIES

### Committee against Torture

Guatemala's second periodic report (CAT/C/29/Add.3, February 1997) was considered by the Committee at its May 1998 session. The report prepared by the government covers the period 31 June 1995 to 30 August 1996 and provides an overview of the general situation in the country in the context of human rights policy. The information included relates to, *inter alia*: measures taken to strengthen the rule of law; programmes for the intensive training of prosecutors, judges and police officers; facilities and financial resources made available to prosecutors, judges and the National Police with a view to improving law enforcement; measures taken to protect witnesses, judges and prosecutors who have been threatened or intimidated; and limitations on the application of the Convention against Torture. Among the specific areas addressed are: the Presidential Coordinating Committee for Government Human Rights Policy (COPREDEH); complaints and reports of violations received by the United Nations Observer Mission to Guatemala (MINUGUA); the Guatemalan Commission for Human Rights (CDHG); amendments to the Penal Code and the Code of Penal Procedure; and the work of the Training, Education and Human Resources Development Unit of the Public Prosecutor's Office.

The Committee's concluding observations and comments (CAT/C/GUA) welcomed, *inter alia*: the signing of the Peace Accord in December 1996; the commitment of the authorities to undertake comprehensive reforms related to the administration of justice and public security; the demobilization of the Voluntary Civil Defence Committees; the limiting of military jurisdiction to cases involving military issues and/or matters, and provisions for the ordinary courts to hear cases involving individual members of the military when appropriate; efforts to establish the National Civil Police, improvements in the training given to members of the police, efforts aimed at professionalization of the Police Academy, and inclusion of human rights training in courses for the police; efforts

to improve the training and professional status of persons working in the administration of justice; and the exclusion from law enforcement and security services of persons presumed responsible for, or to have committed, human rights violations.

The principal subjects of concern identified by the Committee included, *inter alia*: continuing impunity for those responsible for grave violations of human rights; continuing difficulties in ensuring the investigation of allegations of torture and ill treatment and the taking of appropriate action against those found responsible; the proliferation of illegal arms, the high level of criminal violence, and the resulting grave situation with regard to public security; and inconsistencies between domestic law on torture and ill treatment and provisions of the Convention.

The Committee recommended that the government, *inter alia*:

- ♦ intensify efforts to uncover past human rights violations in order to ensure that they do not recur; undertake prompt and impartial investigations into all allegations of torture;
- ♦ complete the process aimed at the creation of a unified National Civil Police force and the dissolution of the Guardia de Hacienda;
- ♦ continue efforts to limit the number of authorizations granted to carry firearms; and
- ♦ amend article 201A of the Penal Code so that the definition of torture conforms with article 1 of the Convention.

## COMMISSION ON HUMAN RIGHTS

### Mission of the Secretary-General

At its 1997 session the Commission adopted resolution 1997/51 in which it discontinued the mandate of the Independent Expert and requested the Secretary-General send a mission to Guatemala at the end of the year. The mission was requested to submit a report to the 1998 Commission on: the evolution of the situation of human rights in Guatemala in the light of the implementation of the Peace Agreements — taking into account the verification work done by the United Nations Observer Mission to Guatemala (MINUGUA) and the information submitted by the government, the follow-up Commission on the compliance with the Peace Agreements, the political organizations and the non-governmental human rights organizations, and the implementation of the agreement on the provision of advisory services in the field of human rights signed by the government and the High Commissioner for Human Rights. The 1997 resolution also anticipated, following the receipt of the mission's report by the Commission, the conclusion of consideration of Guatemala.

The report of the Secretary-General's mission (E/CN.4/1998/93) is based on a visit to Guatemala by a three-