

the implementation of the peace agreements, *inter alia*, through voluntary contributions to the Trust Fund for the Guatemala Peace Process established by the Secretary-General;

7. Requests the Secretary-General to submit recommendations as soon as possible on how the structure and staffing of the Mission should be redesigned to enable the Mission to fulfil its new responsibilities after the signing of the agreement on a firm and lasting peace, and to keep the General Assembly fully informed of the implementation of the present resolution.

General Assembly resolution 51/198 A

17 December 1996 Meeting 87 Adopted without vote

20-nation draft (A/51/L.57 & Add.1); agenda item 40.

Financial implications. 5th Committee, A/51/735; S-G, A/C.5/51/41.

Meeting numbers. GA 51st session: 5th Committee 44; plenary 60, 87.

Sixth report of Mission Director (January 1997). The Secretary-General transmitted the sixth report [A/51/790] of the Director of MINUGUA covering the period from 1 July to 31 December 1996. During that time, the peace process continued with the signing of all pending agreements and culminated in the signing on 29 December of the Agreement on a Firm and Lasting Peace [A/51/796-S/1997/114]. The report presented an analysis of how the human rights situation in Guatemala had evolved and made specific recommendations designed to assist the Government in fulfilling its firm commitment to make the changes needed to improve the situation.

In carrying out its mandate, MINUGUA continued to receive complaints of alleged human rights violations and to carry out cooperation programmes aimed at strengthening the institutions responsible for protecting those rights, while the international community increased its support through contributions to the Trust Fund for the Guatemalan Peace Process and other assistance.

In the context of dismantling the counter-insurgency support structure, the Government proceeded to disarm and disband the CVDCs and the "peace and development committees", and Congress on 28 November repealed the decree which conferred legal status on such organizations.

However, progress in the peace process was limited by a lack of public safety, high levels of ordinary crime and a lack of confidence in the State institutions responsible for crime prevention, investigation and punishment. Despite the Government's efforts, kidnappings by gangs increased, affecting all social sectors. There were further lynchings of alleged criminals, and social conflicts linked to agrarian issues and labour rights persisted.

MINUGUA acceded to the authorities' request that it use its good offices to secure a peaceful resolution of such conflicts. The parties fulfilled the commitments made in March to end offensive military action and counter-insurgency operations, with the result that there were no deaths in combat. Nevertheless, URNG propaganda activities, including the holding of political rallies at which some participants were armed, were challenged by some sectors, which criticized the Government for tolerating such actions. At the end of the reporting period, armed groups of ordinary criminals emerged, masquerading as guerrillas, who committed robberies, armed assaults and acts of extortion on farms on the southern coast, which prompted the Government to authorize the deployment of troops to reinforce civilian security forces in the area.

The public debate over human rights centred on the search for a delicate balance between the demands of peace, truth, justice and national reconciliation, with a view to influencing the agreement on the legal integration of URNG, which was signed on 12 December and ratified by Congress as the National Reconciliation Act. A number of human rights groups, led by the Alliance against Impunity, criticized the Act, fearing it would become a general amnesty for human rights violators. In that connection, MINUGUA underscored the importance of excluding from the extinction of liability violations which took place outside the framework of the internal armed conflict.

The independent expert of the UN Commission on Human Rights visited Guatemala in November and drew attention to weaknesses in the justice system and public security, as well as to the need to find lasting solutions to problems affecting economic and social rights. (For details of action by the Commission and its Subcommission, see PART TWO, Chapter I.)

During the second half of the year, the number of complaints admitted and violations verified declined by comparison to the first half and concerned for the most part the right to due process. Due to the gradual cessation of the armed conflict, the number of cases of impunity and violations of the rights to life, integrity and security of person declined, as well as violations attributable to the armed forces. There were no substantiated cases of enforced disappearances and the number of such complaints declined appreciably, leading the Mission to conclude that the practice was no longer occurring. Efforts were being made, with government assistance, albeit in a limited number of cases, to find the remains of past victims. Congress adopted protective measures for members of the judiciary at the end of