On 1 June, David Stephen (United Kingdom) succeeded Leonardo Franco (Argentina) as Director of MINUGUA [A/50/954].

Human rights verification mission

Report of Secretary-General (February). In a 16 February report [A/50/881] on MINUGUA, the Secretary-General stated that the new President of Guatemala, Alvaro Arzú Irigoyen, and the URNG General Command had reaffirmed their commitment to the Framework Agreement of 10 January 1994 and expressed their wish to resume negotiations to reach a final peace agreement promptly. The United Nations convened a new round of talks in February in Mexico City.

Based on the results of its verification activities, the Mission concluded that serious and repeated violations of human rights had taken place at the hands of State agents, groups connected to the State or through URNG actions. The violations, which had been neither clarified nor punished—especially when members of the military and police were implicated—did not appear to constitute official government policy, but were due to the Government's failure to combat persistent impunity, which was considered the main obstacle to the enjoyment of human rights in Guatemala, and had increased the public's lack of confidence in the administration of justice. The Mission found both the Government and URNG, by action or by omission, responsible for the failure to comply with their commitments under the 1994 Comprehensive Agreement on Human Rights [YUN 1994, p. 407]. Nonetheless, positive steps had been taken by both towards compliance with several commitments included in the Agreement. Among the steps taken under the administration of President Ramiro de Leon Carpio were the near cessation of forcible recruitment for military service and restraint in the use of force by the authorities. The establishment of new Voluntary Civil Defence Committees (CVDCs) was no longer encouraged and the Military Commissioners were abolished; legal requirements in the detention of URNG members were being observed, including their referral to tribunals, and the Interior Ministry had increased its investigation of crimes. URNG, for its part, had pledged to refrain from certain acts of sabotage and showed restraint in military actions that endangered civilians; it also had unilaterally ceased offensive actions during the two rounds of elections and continued cooperating with MINUGUA. While noting these steps, the Mission observed that their impact on public opinion had been severely limited due to an increase in crime and the inability of government institutions to cope with it, as well as the continuation of the armed conflict.

The Secretary-General reiterated that it was incumbent on the parties to comply fully with their commitments under the Comprehensive Agreement on Human Rights and with human rights aspects of the 1995 Agreement on Identity and Rights of Indigenous Peoples [YUN 1995, p. 431]. It was critical that the Government and the URNG leadership take action to carry out the Mission's recommendations, which had too often remained unheeded. At stake was the confidence of the Guatemalan people and the international community in the peace process. Calling for an early and successful conclusion to the peace negotiations, the Secretary-General observed that the continuation of the conflict provided a pretext for human rights abuses and the culture of violence and intolerance, which thwarted efforts, including those of MINUGUA, to protect human rights and strengthen the rule of law. While compliance with the commitments regarding human rights should be improved, trends observed were encouraging. MINUGUA's active country-wide presence had played an important role, helping to place peace and human rights protection firmly at the top of the political agenda. With both the Government and URNG supporting a continuation of MINUGUA's activities, the Secretary-General recommended that its mandate be extended until 31 December. Given the cash-flow crisis afflicting the United Nations, additional funds would be necessary to cover the costs of the Mission during the new mandate period, with assurances that funds would be made available in the necessary time-frame.

Fourth report of Mission Director (February).

By a 24 February 1996 note [A/50/878], the Secretary-General transmitted the fourth report of the MINUGUA Director, describing the Mission's activities from 21 August to 31 December 1995 and evaluating its work during its first year of operation. Despite some noteworthy progress, the report stated, the overall situation continued to cause concern because of repeated human rights violations, the persistence of impunity and the growing lack of public safety. MINUGUA continued its bilateral contacts through monthly meetings with the Guatemalan President and the URNG General Command. Additional meetings were held between the Mission and its official counterparts in the Government, the Presidential Human Rights Committee (COPREDEH), ministries and State bodies. Visits were made to URNG camps to discuss matters relevant to the task of verification.

In the gruevst incident since MINUGUA's establishment, 11 people were killed by an army patrol in the community of Xamán, Aka Verapaz, on 5 October, which led to the resignation of the