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ANTI-SLAVERY SOCIETY
FOR THE
PROTECTION OF HUMAN RIGHTS

REPORT FOR 1984 TO THE
UNITED NATIONS WORKING GROUP ON INDIGENOUS POPULATIONS

WJGIP 84/CAM.GTM/2

Important + urgent matter that has concerned the session in the past

1980s. I refer to the genocide of indigenous people in Guatemala. I think he will hear from a delegation of ...

Over the past year the United Nations Special Rapporteur on Guatemala, Viscount Colville of Culross, has submitted two reports to the United Nations on the situation of human rights in Guatemala. The first of these submitted to the 38th session of the United Nations General Assembly in November 1983, was described as an interim report. The second of these, submitted to the 40th session of the United Nations Commission on Human Rights in February 1984, contains his substantive conclusions and recommendations for seeking remedies to the situation in Guatemala today. The Anti-Slavery Society has, with great reluctance, to express disappointment with various aspects of this second report.

The major themes of Lord Colville's argument can be summarised briefly as follows:

- 1) the army has resorted to brutal tactics in response to wide-spread guerrilla offensives;
- 2) widespread human rights violations, including the massacre of civilians, have been perpetrated by the armed forces but their extent has been exaggerated;
- 3) there are clear signs of improvement since the army has adopted a new strategy aimed at gaining the support of the civilian population in rural areas;

- 4) while the problems of Guatemala result from inequitable land distribution, army initiatives to reform should be supported.
- 5) the choice in Guatemala today is between a leftist guerrilla victory and gradual reform through the armed forces;
- 6) critics should refrain from too much denunciation of past military atrocities and be more sympathetic to the positive measures undertaken by the army today.

In an interview given to the Wall Street Journal ^{on 30} ~~17~~ April 1984

Quoted
Lord Colville ~~summed up his approach~~ "my condemnations are interspersed with discussions of the significant progress the government has made. There are genuine reformers in the government - especially in the area of agricultural reform - and they are enormously boosted when we publicly recognise their achievements. This I have done in my report."

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Lord Colville's two reports present a picture of Guatemala remarkably different from that which has been depicted by non-governmental organizations concerned with the protection of human rights. Many non-governmental organizations, after painstaking on-the-spot research conducted over lengthy periods ~~and often by several different persons~~, have described a situation of state terrorism and of widespread human rights violations, including massacres of non-combatant civilians. [A recent report by Americas Watch (January, 1984) tells of rising violence and political assassination in urban areas, of secret and arbitrary imprisonment, of prolonged detention, of torture and of disappearances.] A member of the Anti-Slavery Society visited Guatemala two months after the latest coup that brought the incumbent President Mejia Victores to power, and shortly before Lord Colville's second visit. He could record no signs of progress. While large massacres appeared no longer to occur in

rural areas, selective killings of groups of 20 to 30 people were widely reported. There was a noticeable increase in political killings in the city, responsibility for which was attributed by the relatives of victims to the security forces. Restrictions on freedom of movement were tighter than ever and political arrests were widespread.

After studying Lord Colville's report to the Commission on Human Rights the Anti-Slavery Society has been concerned by (a) an ~~apparent~~ tendency to refrain from denunciation of specific and gross human rights violations even when the facts of these violations were evidently accepted by him (b) a tendency towards subjective judgement, which seems to ignore the antecedents to today's conflict, to misrepresent the causes of conflict, and thus lead to conclusions and recommendations which are manifestly unrealistic.

It is the view of the Anti-Slavery Society that violence begets violence, that unjust social structures are conducive to violence and that the military government of Guatemala continues to resort to wide-spread violence primarily in order to safeguard the existing unjust social structure. Even if social reforms were being enacted this would not justify the accompanying repression against indigenous people and other vulnerable sectors of the Guatemalan population.

The test of Lord Colville's report will be seen in the way that his eleven specific recommendations are received and implemented by the government. The most important of these recommendations,

No 11, states that "disappearances, killings and kidnappings must be cleared up". They have not been stopped. Another recommendation, No 10, is that "trade unions and other associations should not be restricted in their activities or their contribution to political manifestos or campaigns." In March 1984, one month after the 40th session of the Commission on Human Rights, there was a new wave of kidnappings and killings of trade unionists in Guatemala City. If progress is made in these areas, it should of course be recognised. However, the Anti-Slavery Society fears - and it shares these fears with many other human rights ^{+ I. P.} organizations - that the most recent military coup will bring about further periods of repressive government, further polarisation and a new chapter in the saga of Guatemalan violence. The Colville report to its discredit and to the discredit of the United Nations itself may well be seen as offering comfort to a brutal, military dictatorship.

A full critique -

A longer critique

I can ~~have~~ made available copies of ^{the} full critique of the report of the Special Rapporteur.

I would like to urge the Working Group to inform the Sub-Com. in its report of the very serious concerns ~~expressed unanimously~~ about acts of ~~gross~~ gross human rights violations ^{in G.} expressed unanimously by the ~~the~~ all present at this 3rd Session.