

103^D CONGRESS
2^D SESSION

S. CON. RES. 64

Expressing the sense of the Congress regarding the Guatemalan peace process and the need for greater protection of human rights in Guatemala.

IN THE SENATE OF THE UNITED STATES

MARCH 24 (legislative day, FEBRUARY 22), 1994

Mrs. MURRAY (for herself, Mr. JEFFORDS, and Ms. MOSELEY-BRAUN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

CONCURRENT RESOLUTION

Expressing the sense of the Congress regarding the Guatemalan peace process and the need for greater protection of human rights in Guatemala.

Whereas, following more than a year's hiatus, formal negotiations to bring an end to the 33-year armed conflict in Guatemala and establish conditions for democracy in Guatemala have resumed under United Nations mediation between the Government of Guatemala and the armed opposition, the Guatemalan National Revolutionary Union;

Whereas systematic human rights violations are committed with impunity against Guatemalan civilians, especially members of the indigenous population, by government se-

curity forces and by the Civil Self-Defense Patrols acting under their authority;

Whereas the Organization of American States has found that the Civil Self-Defense Patrols are a “source of human rights violations” and should be “disbanded or reorganized”;

Whereas the Organization of American States has found that in Guatemala there have been serious “cases of arbitrary arrest, illegitimate deprivation of liberty, isolation, and torture and execution without trial” of individuals, including the husband of United States citizen Jennifer Harbury and other members of the Guatemalan National Revolutionary Union who are held by various government security forces;

Whereas the Organization of American States has determined that the Communities of Populations in Resistance, which have been harassed by government armed forces and the Civil Self-Defense Patrols, are civilian communities;

Whereas the Organization of American States has called on the Government of Guatemala to “take a clear stand on the grave problems that obstruct the full observance of human rights, set well-defined goals, and schedule policies for attaining them”;

Whereas the security of repatriated refugees in Guatemala, of internally displaced civilians, and of the Communities of Populations in Resistance remains at risk due to continued military attacks; and

Whereas there has been little substantive progress in bringing to justice all of those responsible for the murder of United States citizen Michael Devine, the abduction and

torture of United States citizen Dianna Ortiz, and the murder of anthropologist Myrna Mack Chang: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
2 *concurring)*, That the Congress—

3 (1) commends the President of Guatemala,
4 Ramiro de Leon Carpio, and the leaders of the Gua-
5 temalan National Revolutionary Union for establish-
6 ing a framework for formal negotiations, under the
7 mediation of the United Nations, designed to bring
8 an end to more than 30 years of internal armed con-
9 flict and set Guatemala on the road to democracy;

10 (2) commends the leaders of the various seg-
11 ments of civilian society, under the leadership of
12 Bishop Rodolfo Quezada Toruno, for their role in
13 articulating the concerns of all sectors of Guate-
14 malan society and for bringing critical issues onto
15 the agenda of the peace negotiations;

16 (3) calls on President de Leon Carpio and all
17 parties in the negotiation process to proceed in the
18 spirit of the Oslo Accords to achieve peace by politi-
19 cal means, to the end that a final, binding, and veri-
20 fiable agreement will be attained before the end of
21 1994;

22 (4) calls on the Group of Friends of the peace
23 negotiations (Colombia, Mexico, Spain, Venezuela,

1 Norway, and the United States) to continue and in-
2 tensify their support of the peace negotiations
3 through diplomatic initiatives and dialogue with all
4 parties;

5 (5) calls on President de Leon Carpio to imme-
6 diately develop a measurable and substantive plan to
7 end grave human rights abuses, in compliance with
8 internationally recognized human rights standards,
9 Guatemala's national constitution, and the rec-
10 ommendations of the Inter-American Commission on
11 Human Rights, a part of the Organization of the
12 American States;

13 (6) calls on President de Leon Carpio, as a sign
14 of good faith and a contribution to peace, to imme-
15 diately disband the Civil Self-Defense Patrols, which
16 are one of the major sources of human rights viola-
17 tions in Guatemala;

18 (7) calls on President de Leon Carpio to ensure
19 the safety of the returnees, recognizing their rights
20 to reintegrate into Guatemalan society, in full com-
21 pliance with the Accord of the Permanent Commis-
22 sions of the Guatemalan Refugees in Mexico and the
23 Government of the Republic of Guatemala, signed in
24 Guatemala on October 8, 1993, that determines the

1 conditions and understandings under which certain
2 Guatemalan refugees may be repatriated;

3 (8) calls on President de Leon Carpio to recog-
4 nize the civilian character of the Communities of
5 Populations in Resistance, ensuring their security
6 and their right to peaceful integration into Guate-
7 malan society with the full exercise of rights and lib-
8 erties guaranteed under Guatemala's national con-
9 stitution; and

10 (9) calls on the Executive Branch of the United
11 States Government to condition all assistance to
12 Guatemala, with the exception of humanitarian and
13 development assistance, on achieving concrete and
14 significant progress with respect to—

15 (A) full compliance with the recommended
16 precautionary measures of the Inter-American
17 Commission on Human Rights, a part of the
18 Organization of American States, including
19 resolution of concerns involving clandestine
20 prisons;

21 (B) the continuation of the peace process;

22 (C) substantive improvement in the protec-
23 tion of human rights;

24 (D) the dissolution of the Civil Self-
25 Defense Patrols;

1 (E) the guaranteed safety of refugees, re-
2 turnees, and the internally displaced;

3 (F) verifiable resolution of the Devine,
4 Ortiz, Harbury, and Mack cases; and

5 (G) the strengthening of the various seg-
6 ments of civilian society, which are essential to
7 the establishment of genuine democracy in
8 Guatemala.

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