

AMNESTY INTERNATIONAL'S 15-POINT PROGRAM FOR IMPLEMENTING HUMAN RIGHTS IN INTERNATIONAL PEACEKEEPING OPERATIONS

- SUMMARY -

- 1. The political role of the international community.** The UN and its Member States should give early, consistent and vigorous attention to human rights concerns when designing and implementing peace settlements and should plan for a continued human rights program in the post-peacekeeping phase. The international community must be prepared to publicly condemn human rights violations during and after the settlement process and to ensure that recommendations for institutional reform are fully and promptly implemented. Human rights protection measures should be kept under review, strengthened as necessary and properly evaluated at the end of the operation.
- 2. No international 'silent witnesses'.** All international field personnel, including those engaged in military, civilian and humanitarian operations, should report through explicit and proper channels any human rights violations they may witness or serious allegations they receive. The UN should take appropriate steps, including preventive measures, to address any violations reported.
- 3. Human rights chapters in peace agreements.** Peace agreements should include a detailed and comprehensive list of international human rights laws and standards to be guaranteed in the transitional and post-settlement phase, as well as providing for specific and effective oversight mechanisms. Peace settlements should require eventual ratification of any human rights treaties and adherence to any international systems of human rights protection to which the state concerned is not yet a party.
- 4. Effective and independent human rights verification.** A specialised international civilian human rights monitoring component should be part of all peacekeeping operations. These components should have adequate resources and staff with human rights expertise. Their mandates should include human rights verification, institution-building, legislative reform, education and training. Monitors should be trained and should operate under consistent guidelines and in conformity with international standards. Human rights components should be explicitly and structurally independent from the political considerations of the operation and on-going negotiations relating to the settlement and their decision-making mechanisms must not be constructed so as to permit parties to the conflict to obstruct investigations. Effective human rights mechanisms, such as advisers or independent jurists, should also be established in less comprehensive peace settlements and should have an oversight role in matters such as the release of prisoners and the guarantee of rights to freedom of speech and assembly.

5. Ensuring peace with justice. Peace settlements should provide for impartial investigation of past abuses, processes aimed at establishing the truth and measures to ensure that any perpetrators of human rights violations are brought to justice. Individual responsibility for human rights violations, past and present, must be made explicit and sweeping pre-conviction amnesties should not be part of peace settlements.

6. On-site human rights monitoring. Human rights monitors should be mandated out to carry out investigations and verify compliance with human rights obligations and to take corrective action in respect of violations. They should have broad access to all sectors of society and relevant institutions and the full protection of those who are in contact with them must be assured. Peace-building measures, such as institutional and legislative reform and education and training, must complement but never replace the verification role.

7. Frequent and public reporting. To guarantee the effectiveness, security and credibility of international human rights personnel there must be frequent comprehensive public reports of their activities and findings which should be broadly disseminated nationally as well as internationally.

8. International civilian police monitors. Civilian police monitors should monitor, supervise and train national police and security forces and verify their adherence to international human rights and criminal justice standards. Police monitors should cooperate fully with any human rights component or mechanisms and should themselves be trained in and fully respect international human rights and criminal justice standards at all times. There should be full public reporting of their activities.

9. Long-term measures for human rights protection. Human rights components in peacekeeping operations should assist in the establishment of permanent, independent and effective national institutions for the long-term protection of human rights and the reinstatement of the rule of law, including an independent judiciary and fair criminal justice system. Other mechanisms, such as ombudsmen or national commissions, may be encouraged to reinforce respect for human rights. Such mechanisms must be impartial, independent, and competent with the necessary powers and resources to be effective. They should conform to international guidelines and must never be a substitute for a fair and independent judicial system. While national institutions are being constituted, consideration should be given to establishing an interim relationship with relevant international tribunals.

10. Human rights education and advisory assistance programs. Public education and training on human rights standards and complaints procedures should be provided to all sectors, particularly the judiciary, lawyers and law enforcement officials. Other technical assistance programs should be provided, including drafting legislation in conformity with international standards and support for national human rights NGOs. Such programs should not be a substitute for human rights verification by a specialised monitoring component.

11. The protection of refugees, internally displaced persons and returnees. Refugee repatriation programs should include an effective monitoring and protection aspect for as long as necessary. International refugee law and protection standards must be adhered to at all times, including the principles of *non-refoulement*, the right to seek asylum and repatriation only on a voluntary basis with international supervision.

12. The gender dimension. Measures should be taken to guarantee consideration and respect for the particular needs of women in armed conflict situations. Peacekeeping personnel should receive information on local cultural traditions and should respect the inherent rights and dignity of women at all times. Human rights components should include experts in the area of violence against women, including rape and sexual abuse.

13. Adherence of international peacekeeping forces to human rights and humanitarian law standards. The UN should declare its formal adherence to international humanitarian law and human rights and criminal justice standards, including in relation to the detention of prisoners and the use of force. The UN should ensure all troops participating in international peacekeeping operations are fully trained in those standards and understand their obligation to adhere to them. There should be specific mechanisms at the international level for monitoring, investigating and reporting on any violations of international norms by peacekeeping personnel and to ensure that personnel responsible for serious violations are brought to justice in accordance with international standards.

14. Prosecution of war crimes and attacks on international peacekeeping personnel. The investigation and prosecution of violations of humanitarian and human rights law or attacks against international peacekeeping personnel should be undertaken by appropriate national authorities or under international jurisdiction. Any international mechanisms must conform to international fair trial standards and the creation of a permanent institution for the prosecution of international crimes should be encouraged.

15. Continued promotion and protection of human rights in the post-settlement phase. Effective international human rights monitoring and assistance should be continued for as long as necessary, until it is clear that the government concerned is implementing international human rights guarantees effectively. The UN's human rights bodies should develop a more effective and comprehensive role in the post-settlement phase.

AMNESTY INTERNATIONAL'S RECOMMENDATIONS: IMPLEMENTING HUMAN RIGHTS IN INTERNATIONAL PEACEKEEPING OPERATIONS

DETAILED OVERVIEW

1. The political role of the international community

Human rights considerations should be part of what informs the UN's peace-making, peacekeeping and humanitarian policy at the earliest stages. There must also be consistent and effective political support by the international community for human rights measures at the outset and for the duration of any peacekeeping operation, as well as a long-term commitment to the promotion and protection of human rights during Post-Conflict peace-building phases.

Human rights questions should be on the agenda of all peace-making processes. UN Member States, and observer governments in particular, participating in such negotiations, and the UN officials involved, should ensure effective protection and verification measures are built into peace settlements and plans for their implementation. The UN should ensure that its own human rights bodies and experts are fully involved in the design, planning, implementation and follow-up of the human rights measures decided upon. The UN should not agree to supervise such settlements if human rights safeguards are not adequately dealt with as part of settlement agreements. The UN's political organs, including the General Assembly and Security Council, as well as individual Member States, particularly those acting as observers or mediators in peace negotiations, must be prepared to follow closely the reports and activities of peacekeeping operations, civilian observer missions, and humanitarian relief operations. The international community must demonstrate serious, consistent and long-term interest in resolving conflict, and must be prepared to condemn violations of human rights and international humanitarian law.

The UN should exercise flexibility in the implementation of the human rights components of peacekeeping plans and keep them under constant review. If initial verification and protection measures are shown to be inadequate or failing, the UN should be prepared to push for the strengthening of its implementation plan. At the end of the operation it should also undertake comprehensive and frank evaluations of the implementation measures, including the human rights aspects, in order to benefit from the lessons learned in other operations. The UN should support extensive and long-term Post-Conflict and institution-building work for the promotion and protection of human rights, and it should ensure international human rights monitoring is not terminated prematurely.

The international community should ensure that human rights considerations are addressed not only in peacekeeping situations but also in the context of UN humanitarian relief operations, particularly in situations where humanitarian disaster is a product of internal strife. All UN field operations, including those involved in disaster relief, should be instructed to monitor compliance with international human rights and humanitarian law, and they should have clear channels to transmit reports on violations. International electoral verification missions should be mandated to verify conditions of free expression and assembly in the broadest sense in the period leading up to the referendum or election, and this must include access to political detainees and the ability to receive and take up complaints of human rights violations.

2. No international "silent witnesses"

UN field personnel in all sectors military, diplomatic, humanitarian, electoral and administrative should be instructed that they have a duty to report human rights violations. If there is reason to fear the occurrence of violations, the UN should take preventive steps, including maintaining an alert "dissuasive presence" by going to the sites of potential or alleged human rights violations. UN field personnel should also report any allegations of past incidents which they receive. The UN should establish proper channels for field personnel to report such information, including to the relevant human rights mechanisms established by the UN Commission on Human Rights. UN field personnel should be instructed as a matter of course to follow up allegations of human rights violations with appropriate local authorities to ensure that further inquiry and prompt corrective action is taken. The Secretary-General's various reports on peacekeeping operations should include a chapter on human rights activities and findings.

UN personnel in all sectors - military, civilian, and diplomatic - should not shy away from reminding parties of their legal obligations in the fields of international human rights and humanitarian law. In the context of the former Yugoslavia the General Assembly called upon 'all United Nations bodies, including the United Nations Protection Force and the specialised agencies', to provide human rights information on a continuing basis to the Special Rapporteur for human rights. Often personnel executing the delivery of humanitarian assistance will be confronted with evidence of human rights abuses on a daily basis. It is unacceptable that this information should be suppressed. The principle established in the context of the former Yugoslavia has to be applied universally.

3. Human rights chapters in peace agreements

At the stage when peace settlements are being negotiated, international observers and mediators should ensure that these include full human rights guarantees. Peace agreements should specify the rights and standards which the parties are to respect in the transition and post-settlement periods, and they should specify a clear and workable international human rights verification mechanism. Peacekeeping operations established to implement comprehensive settlements should always include a specific international human rights monitoring component.

Human rights chapters should be worked into renewed or renegotiated agreements if previous agreements have been weak in this area. Such human rights chapters may include a customised charter of human rights to be guaranteed in any specific context, but the emphasis must also always be on internationally accepted standards. Peace agreements should include a list of specific rights to be guaranteed, including those contained in the relevant national constitution and legislation (where these are in conformity with international standards), in international instruments to which the state concerned is a party, and in other international human rights and criminal justice standards and principles, including those listed below. Agreements should state that, in the event of any discrepancies, the provisions affording the greater protection of human rights shall prevail.

Peace settlements should require ratification of any major international and regional human rights treaties and adherence to systems of human rights protection to which the concerned state is still not a party.

4. Effective and independent human rights verification

Parties to a peace settlement should authorise the UN to play a key role in the supervision of the human rights aspects of agreements, investigate alleged human rights violations and take appropriate corrective action.

Peacekeeping operations established to implement comprehensive settlements should always include a specialised international civilian human rights monitoring component. Even in less comprehensive settlements smaller-scale human rights mechanisms, such as human rights advisers and independent jurists, should be appointed to deal with human rights issues.

Human rights components should be headed by human rights experts and must be adequately resourced and staffed. The human rights component should incorporate mechanisms for monitoring the human rights situation, receiving complaints of violations, full investigations of such complaints and the capacity for remedial action. It should also incorporate measures for establishing human rights education programs, for constitutional and legislative reform, for establishing or strengthening a fair criminal justice system, an independent judiciary and legal profession and other institutions aimed at the promotion and protection of human rights. Monitors should be trained in international human rights standards as well as in human rights monitoring, investigation and reporting. They should operate under clear and consistent guidelines and procedures. They should not be confined to urban centres but should also cover the situation in remoter areas where human rights violations are reported or are likely to occur.

Human rights verification mechanisms must be independent and impartial. International human rights missions, offices or components must be assured a high level of independence and autonomy from any ongoing political relations between the UN and the parties. If verification mechanisms or bodies established under peace agreements include parties to the conflict in their decision-making structure, none of the parties should be

able to obstruct human rights investigations. If the decisions of verification mechanisms are to be consensus-based, it should be explicitly agreed at the outset that the UN has an overriding voice to prevent the blocking of investigation or action.

All verification bodies (whether international or national) should be required to conform to UN standards for the investigation of human rights violations, including the Principles for the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions.

In situations where there may not be a comprehensive settlement, but where agreements provide for the release of prisoners and detainees, there must still be an independent verification system mandated to receive information regarding prisoners not only from the parties but also from other sources. Provisions related to prisoners should require all parties to identify by name, place of detention and dates of detention all persons detained and report the circumstances of all deaths in custody, which should be fully and promptly investigated. There must be international oversight of review procedures distinguishing prisoners-of-war, political prisoners and criminal detainees, if they are to be treated differently under the agreement. Oversight of prisoner releases could be done by a human rights monitoring component or an Independent Jurist.

5. Ensuring peace with justice

Peace settlements should include provisions for investigating past human rights abuses and ensuring that perpetrators are brought to justice. If abuses by those responsible for law and order are to be brought to an end and peace is to be better guaranteed for the future, Amnesty International believes that all governments must fulfil certain fundamental responsibilities, and these should be required in peace settlements. First, provisions for investigating past violations should be ensured in order to determine individual and collective responsibility and to provide a full account of the truth to the victims, their relatives and society. Investigations must be undertaken by impartial institutions, independent of the security forces. In the context of peacekeeping arrangements, investigations into the past should preferably include international participation. The results of the investigation must be made public. Where there has been an endemic pattern of human rights abuses, a public inquiry commission should be established to investigate the entire pattern of abuses and the reasons why they occurred. Such an inquiry should be able to examine the institutions and agencies responsible and make recommendations regarding the accountability of personnel; legislative, institutional, and procedural reforms; and human rights education and training for officials who continue in office.

Amnesty International considers that those responsible for human rights violations must be brought to justice. Those accused of human rights crimes should be tried, and their trials should include a clear verdict of guilt or innocence. Although Amnesty International takes no position on *post-conviction* pardons, where it is deemed that such a measure would be in the best interests of national reconciliation, the organisation does oppose amnesty laws which prevent the emergence of the truth of individual cases as well

as the pattern of abuses in the society, or which prevent the full completion of the judicial process.

6. On-site human rights monitoring: 'active verification', investigation and corrective action

Human rights monitors should have a clear and specific mandate to engage in 'active verification' of human rights violations, which would include a monitoring, investigatory and correctional role. They should have the authority to enter places of detention and interview prisoners in private. They should be empowered to take up incidents with local authorities and parties, and be able to follow up such approaches until cases are considered resolved. They should ensure that authorities take appropriate disciplinary and other action in respect of any offending personnel, and follow up their recommendations.

Human rights monitors should be guaranteed free and unencumbered access to the local media, non-governmental organisations and individuals seeking assistance or wishing to make complaints. Parties must undertake to guarantee that no one having contact with the human rights component, or reporting on their activities, will be threatened or harmed in any way.

Peace-building measures such as assistance with drafting or revising legislation, training the police, and conducting human rights education programs must complement, but should not replace, the essential verification role.

Where other human rights mechanisms are established, such as ombudsmen, human rights advisers, national commissioners and special prosecuting authorities, the human rights monitoring component should be cooperative but not co-opted.

7. Frequent and public reporting

Human rights components and civilian monitors should prepare periodic public reports on their work, describing allegations received regarding human rights abuses, steps the component has taken to investigate or correct them, and general recommendations made to the authorities. These reports should be readily available and widely disseminated in the host country, as well as to the relevant UN political organs. National dissemination is vital as this will have a deterrent and educational effect: first, the parties will be made more aware of the international implications of respect for human rights; second, victims and witnesses will be informed of the importance of making complaints and should be better protected by publicity; third, specific cases not resolved at the national level can be followed up at the international level; fourth, confusion and misunderstandings concerning the role and limitations of the UN operation can be diffused.

8. International civilian police monitors

In comprehensive settlements, international civilian police monitors should be deployed to monitor, supervise and train emerging police and security forces. They may also have a useful role in working with the human rights component in the investigation of violations. Their role should explicitly include monitoring police investigations and ensuring that impartial and effective complaints procedures exist and are functional and accessible.

Civilian police monitoring activity should be described in public reports on the overall peacekeeping operation. Police monitors must be prepared to work in close cooperation with any international human rights monitoring component.

International civilian police monitors must themselves have received adequate preparation and training in international human rights and criminal justice standards, and they must be prepared to exemplify and pass on this training to the national security forces they work with. Police monitors should provide technical advice on creating or improving criminal justice and investigation procedures, and they should evaluate and advise on training programs given to national security forces. Nascent and reformed national security forces should receive training in basic international human rights and criminal justice standards, including those listed below.

In some situations, such as where state structures have collapsed, consideration should be given to supplementing civilian police monitors with 'police advisers' (international experts initially to assist the UN military component and eventually organise the creation of a police training academy), such as those suggested by the UN Secretary-General in the context of Somalia.

9. Long-term measures for human rights protection: The judicial system and national human rights bodies

The UN should encourage and assist in the creation or re-building of independent and effective institutions that will be capable of ensuring that respect for human rights is fully guaranteed long after international supervision of the settlement ends. These should include an independent judiciary and a fair criminal justice system. In some cases it may be appropriate also to assist in the building of supplementary human rights mechanisms at the national level, such as ombudsmen or national human rights commissions. While Amnesty International considers that national human rights bodies, particularly commissions, can be important institutions for strengthening human rights protection, these must never replace or diminish the safeguards inherent in comprehensive and effective legal structures, enforced by an independent, impartial and accessible judiciary. It is also important to ensure that such initiatives are accompanied by a strong anti-impunity policy, in order to prevent such institutions from serving more to protect than to expose agencies which are responsible for human rights violations.

- **Ombudsmen** can play a role in investigating violations of human rights as defined in international standards, interceding with the competent national authorities, referral of matters to prosecuting authorities and follow-up of cases through the criminal justice system to see that they are conducted in accordance with international standards for fair trial.

Ombudsmen should be men or women of recognised impartiality, independence and competence. They should have the explicit duty and the necessary powers and resources to investigate, either on the basis of complaints or on their own initiative, all violations of human rights and fundamental freedoms as defined in international standards. They should also be able to take appropriate action to call for the correction or reversal of violations, including interceding with the competent national authorities and, when appropriate, providing information to international agencies such as the International Committee of the Red Cross. Each ombudsman should be empowered to refer matters to the proper judicial channels and to follow cases through the criminal justice system to see that they are dealt with fairly and in accordance with international standards.

The ombudsmen should publish regular reports on their inquiries, their recommendations and the responses of the authorities or parties. An ombudsman could be mandated to carry out a human rights education program to inform citizens of their rights and how to seek redress for violations of these rights.

Ombudsmen, preferably nationals of the country concerned, can also be established during the transitional period to work alongside the peacekeeping operation. All parties to the conflict should be able to nominate their own ombudsman and the UN operation should assist in ensuring the national publication and dissemination of the ombudsmens' reports.

- **National human rights commissions** can play a useful role to supplement and strengthen capacity at the national level for proper human rights investigations and for the hearing of complaints. The independence and impartiality of such bodies must be guaranteed and they should be staffed by independent and prominent national or international persons with experience in human rights law and protection. The UN's Principles Relating to the Status of National Institutions should serve as the basic minimum guidelines for the establishment of national institutions for the promotion and protection of human rights.
- An interim relationship with **international courts or tribunals**, including any set up by the United Nations, could also be established. Such a relationship would bring objectivity and instill confidence while national institutions are reconstituted to be impartial guarantors of the rule of law.

10. Human rights education and advisory assistance programs

Human rights monitoring components within peacekeeping operations should also take on promotional tasks, including conducting a vigorous public information and education program on human rights. This should include specific human rights training for judges, prosecutors, police, security and prison officers and other government personnel and lawyers.

Independent experts within the human rights monitoring component should be charged with giving advice and assistance in the drafting of constitutional and other legislative changes. They should advise on the incorporation of human rights guarantees and safeguards into new legislation, drawing on UN standards and norms in the field of human rights, crime prevention and criminal justice.

The human rights component should also actively encourage, strengthen and protect national non-governmental human rights organisations. This could include providing security and material support for the activities of independent national groups engaged in the promotion and monitoring of human rights.

However, promotional activity should not be allowed to be used as a way of avoiding real human rights monitoring by the international human rights component itself.

11. The protection of refugees, internally displaced and returnees

The UN High Commissioner for Refugees should be mandated to monitor the return and resettlement of refugees. In any UN peacekeeping operation in a country where the return of refugees is likely to take place, it must have a full and explicit in-country protection role. However, it must be emphasised that the international system for the protection of refugees can only work effectively if all states respect their obligations towards those who seek protection. States must abide by the principle of *non-refoulement* and not forcibly return refugees to territories where they would be at risk of human rights violations. In the context of peace-making and peacekeeping activities, it is vital that all states fully respect the fundamental principles of refugee protection and apply specific safeguards necessary to ensure any repatriation is completely voluntary and is conducted only in accordance with adequate international access and supervision. Those who do not wish to return should have their claims examined in accordance with the UN High Commissioner for Refugees' *Handbook on Procedures and Criteria for Determining Refugee Status*. States who adopt policies contrary to these principles counter the peace-making and peacekeeping efforts of the international community as a whole, as well as violating fundamental human rights principles and the international law which governs asylum.

12. The gender dimension

Human rights and police monitors need to consider the gender dimension of their work as they prepare their mission and conduct investigations. This should include consulting women's groups before and during the mission, ensuring that women's prisons and places of detention are located and investigated, and ensuring that victims of rape and other violence have suitable and confidential facilities to meet with investigators who are specially trained and experienced in this area. In addition, UN personnel must be familiar with specific international standards relating to the detention of women, including those contained in the UN's Standard Minimum Rules for the Treatment of Prisoners, and the Declaration on the Elimination of Violence Against Women.

All UN personnel, civilian and military, deployed to a country as part of a UN mission should have, as part of their training, information about local cultural traditions and their impact on women so that they can both deal properly with violations of the human rights of women, and also so that they behave (both on duty and off duty) in a way that does not actually exacerbate existing violations of the human rights of women and girl-children in the host country.

13. Adherence of international peacekeeping forces to human rights and humanitarian law standards

All international peacekeeping forces must abide by the highest standards of international humanitarian and human rights law, especially where they have enforcement authority.

In the short term, an unambiguous statement should be issued by the UN Secretary-General, as well as a declaration adopted by the General Assembly and Security Council, affirming that forces acting under UN authority are bound by international human rights standards and international humanitarian law. Public reports on how these standards are being observed should be compiled by the Secretary-General. In the longer term the UN should consider ways of becoming formally bound by the relevant legal standards, including possibly by acceding to the Geneva Conventions and their Protocols, as well as to the international human rights treaties.

Where peacekeeping forces or police monitors are carrying out policing functions such as riot control, crowd dispersal, searches, seizures, arrests, detentions or interrogations, they should abide by the international principles which cover the conduct of law enforcement, the use of force and firearms, and the treatment of prisoners (see list of basic standards below). Wherever necessary, UN forces should be properly prepared and equipped to use non-lethal crowd dispersal techniques rather than resorting to the use of their firepower in a disproportionate and indiscriminate way.

UN human rights officers or advisers should be attached to peacekeeping operations that are empowered to use force. The human rights advisers should be mandated to hear complaints and investigate allegations regarding improper behaviour of the peacekeeping forces. There should be an accessible and transparent procedure whereby individuals can

complain about violations by UN troops and receive compensation. Investigations must be timely, the results made public and disciplinary and other appropriate action must be taken against personnel who violate these norms.

Special rapporteurs and other UN investigative mechanisms appointed by the Commission on Human Rights might additionally be asked to receive complaints and follow up allegations against UN peacekeepers.

14. Prosecution of war crimes and attacks on international peacekeeping personnel

Threats against and attacks on international peacekeeping personnel and civilians working with them should be investigated by the national authorities of the host country, under the status of forces agreement between the UN and these authorities. Where the UN is mandated by the Security Council under Chapter VII to use force and ensure law and order, and sufficient national structures do not exist for such investigation and prosecution, any action taken by the UN must be in conformity with international law. Prosecution and punishment measures should be carried out by an impartial tribunal or an international court. The creation of a eventual permanent institution for the prosecution of international crimes should be encouraged. All the international standards and guarantees for fair trial and due process must be explicit in the statute of any international tribunal.

15. Continued promotion and protection of human rights in the post-settlement phase

The UN should ensure that effective international human rights monitoring and assistance continues after the elections or other agreed political measures are completed, until it is clear that the government in question is able and willing to implement international human rights guarantees effectively without international monitoring and assistance.

The commitment to human rights in the long term should be made at the time of the settlement. Well in advance of the end of the mission there should be an evaluation as to whether the human rights component ought to stay on or what other measures may be needed to ensure a complete transition to a society characterised by the rule of law. Tasks to be undertaken in this context could include: further work to strengthen the judicial system, human rights training for law enforcement officials, general human rights education programs, support for national non-governmental human rights organisations and the establishment of UN 'integrated or interim offices' to coordinate UN system-wide activities relating to issues such as human rights, development, the return of refugees, health, nutrition and the coordination of information after the withdrawal of the peacekeeping troops.

Human rights monitors who remain in the country should continue to be required to publish regular reports, and they should be requested to work closely with any other relevant UN human rights monitoring mechanisms and the UN Centre for Human Rights.

The UN Commission on Human Rights should consider in much greater depth its role in the post-settlement phase and any measures it takes or recommends should be integrated into, and coordinated with, the final stages of the peacekeeping operation. Advisory assistance programs may be particularly important in this phase but should never be a substitute for continued monitoring, investigation and other protective measures. Post settlement monitoring and assistance should be agreed and prepared in good time to ensure a smooth transition when the peacekeeping operation leaves.

It may be appropriate for the UN Commission on Human Rights to appoint its own expert rapporteur to be given a complementary task of following up the peacekeeping operation's recommendations to the parties. The mandate and role of such experts should be clear and should relate to real needs, rather than a means of paying lip-service to human rights promotion and protection. If an expert is appointed during the life of the peacekeeping mission, particular thought must be given to the integration and coordination of the expert's role with the human rights component and other aspects of the peacekeeping operation. Whenever necessary, an on-site presence should remain to continue the monitoring, investigating and reporting work initiated by the human rights component from within the peacekeeping mission.

If the recommendations of international human rights components remain unimplemented, UN bodies (the Commission on Human Rights, the General Assembly and the Security Council) as well as individual Member States must continue to maintain their involvement and press for full compliance.

LIST OF INTERNATIONAL HUMAN RIGHTS AND CRIMINAL JUSTICE STANDARDS TO BE GUARANTEED AND INCORPORATED INTO PEACE AGREEMENTS

In addition to the major international human rights treaties, Amnesty International considers that incorporation of and respect for the following non-treaty human rights standards must also be guaranteed by all parties to a conflict, reformed and nascent security forces established by virtue of peace settlements, as well as by international peacekeeping personnel involved in peace settlements.

These include:

- **Standard Minimum Rules for the Treatment of Prisoners, and the Procedures for the effective implementation of the Standard Minimum Rules for the Treatment of Prisoners** (adopted by the Economic and Social Council in Resolutions 663 (XXIV) and 1984/74, respectively)
- **Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment** (adopted by the General Assembly in Resolution 43/173)
- **Code of Conduct for Law Enforcement Officials, and the Guidelines for the Effective Implementation of the Code of Conduct for Law Enforcement Officials** (adopted, respectively, by the General Assembly in Resolution 34/169 and the Economic and Social Council in Resolution 1989/61)
- **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials** (adopted by the Eighth United Nations Congress on the Prevention of Crime and Treatment of Offenders, 1990)
- **Basic Principles on the Independence of the Judiciary and the Procedures for the Effective Implementation of the Basic Principles on the Independence of the Judiciary** (adopted, respectively, by the Eighth United Nations Congress on the Prevention of Crime and Treatment of Offenders, 1990, and the Economic and Social Council in Resolution 1989/60)
- **Basic Principles on the Role of Lawyers** (adopted by the Eighth United Nations Congress on the Prevention of Crime and Treatment of Offenders, 1990)
- **Guidelines on the Role of Prosecutors** (adopted by the Eighth United Nations Congress on the Prevention of Crime and Treatment of Offenders, 1990)

- **Principles for the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions** (adopted by the Economic and Social Council in Resolution 1989/65) and the UN's **Manual on these Principles**.
- **Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities** (adopted by the General Assembly in 1992 as resolution 47/135)
- **Declaration on the Protection of All Persons from Enforced Disappearances** (adopted by the General Assembly in 1992 as resolution 47/133)
- **Declaration on the Elimination of Violence against Women** (adopted by the General Assembly in 1993 as resolution 48/104)