



# Human Rights Advocates

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## **THE RIGHT TO THE TRUTH: BEYOND THE ARMED CONFLICTS**

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## INTRODUCTION:

Historically the right to the truth has been approached from its narrow dimension: a remedy provided to the victims of gross human rights violations occurred during repressive regimes or armed conflicts. Nevertheless the recent reports and resolutions of the Human Rights Council and the General Assembly have shown that the aforementioned approach is about to change. In a recent report, the Office of the High Commissioner for Human Rights concluded that the right to the truth is evolving steadily thanks to the laws adopted by the States Members and the body of jurisprudence developed by international organizations and national courts which is helping to “flesh out the meaning of the right”.<sup>1</sup> HRA considers that the most important of such developments is the expansion of the scope of protection of the right to the truth which is now “one of the mainstays of action to combat impunity for grave human rights violations” as was noted by Human Rights Council in October 2009.<sup>2</sup>

But how many people know about this? The victims of the cases that we will address in this report do not know about it. From the most recent Human Rights Council’s resolution on the subject, it is inferred that the right to the truth may be used today as a tool to combat impunity in all cases of gross human rights violations.<sup>3</sup> The resolution acknowledged that the assessment of the interrelationship between the right to the truth, the right to access to justice, and the right to obtain effective remedy and reparation would be a valuable tool for the study of gross human rights violations. It also recognized the importance of the international community in the realization of the right to the truth. The Office of the United Nations High Commissioner for

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<sup>1</sup> Report of the Office of the United Nations High Commissioner for Human Rights on the right to the truth A/HRC/5/7 (7 June 2007)

<sup>2</sup> Human Rights Council Resolution 12/12. A/HRC/RES/12/12 (1 October 2009)

<sup>3</sup> Ibid 2

Human Rights reported that the right to access to justice plus the right to a remedy and reparation constitute the means that the States may use domestically to ensure the right to the truth.<sup>4</sup>

This report focuses on the importance of the right to the truth in addressing issues of corporate accountability, as exemplified in the following cases.

## **A. LAS BRISAS COMMUNITY, EL SALVADOR: TWO DECADES LIVING WITH TOXAPHENE**

### **A. Introduction:**

El Salvador is a Central American country with a population that in its rural areas mostly subsist from its own crops. During the 60's and 70's its western departments of Usulután and San Miguel dedicated a large extension of their cultivable lands to the production of cotton. During the 1980's a pesticide called Toxaphene was used to combat the plagues that attacked the cotton plantations. AGROJELL, S.A. de C.V. is a Salvadoran agrochemical company that during those days was in the business of producing Toxaphene and other chemicals required for said industry. Toxaphene has been prohibited in the United States since 1982 by the United States Department of Health and Human Services under suspicion of being carcinogen; additionally it was banned or severely restricted for health or environmental reasons by the Rotterdam Convention of 1998.

In 1998, AGROJELL closed the warehouse Mayula – Mosantos located in the department of San Miguel, leaving behind 92 barrels of said pesticide. This warehouse neighbors the communities Las Brisas, Palo Blanco, Santa Julia, Carillo y La Pradera which domicile more than 10,000 persons. Las Brisas is a poor community settled at the boundaries of the train lines consisting of approximately 200 families and also is the closest one to the warehouse, less than 15 meters separate them.

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<sup>4</sup> Ibid 1

The chemicals have lain in the warehouse since 1986 after its importation from Mexico.<sup>5</sup> The communities presented numerous claims to the authorities about strong smell of the air and the yellowish color of the waters of their wells. Finally, in 2000 the environmental division of the local police confirmed that the pesticide had leaked out of the barrels. After said confirmation, no measures were taken to the authorities to isolate the access to the barrels, the health authorities denied the contamination despite the results of other studies executed.<sup>6</sup>

By 2002 the barrels' condition was deplorable, gangs that operate in the zone dismantled the warehouse leaving the barrels unprotected, and some of them have rotted due the pass of time and the extreme heat of the zone which at noon may reach more than 40 C. On February 2003 the Environmental Protection Agency of the United States of America (EPA) carried out a study released on January 2004 in which it was established the pollution of the soil, subsoil and probably the underground water of the zone due to an explosion in one of the pipelines of the underground tanks of solvent used of the preparation of the Toxaphene. The report emphasized the deterioration of the barrels, one of which was already empty and many others had only 1/3 of its content remaining.<sup>7</sup>

## **B. Human Rights Violations:**

Several human rights have been violated as a result of the storage and abandonment of the toxics in Mayula-Mosantos. This section will address to those affecting the right to life, the right to health, the right of an adequate standard of living, and the right to access to drinkable water.

### **a. Right to life and right to health:**

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<sup>5</sup> Concluye juicio por tóxicos, Liliana Fuentes Monroy, La Prensa Grafica (March 19, 2004)

<sup>6</sup> Tóxicos en San Miguel, negligencia de muchos, Liliana Fuentes Monroy, La Prensa Grafica (April 29, 2002)

<sup>7</sup> E.U.A. confirma derrame de tóxicos, Liliana Fuentes Monroy, La Prensa Grafica (January 29, 2004)

The pollution affected more than 10,000 members of poor communities that inhabit the surrounding: the chemical has filtered into the underground water polluting the wells used for consumption and household activities; more than 250 m<sup>2</sup> of soil where the people sow their subsisting crops have been contaminated. Health consequences include kidney, lungs and skin diseases. The local clinic reports abortions, child malformations and an increasing number of cancer cases.<sup>8</sup> Despite this systematic violation to the right to life and the right to health, the right of an adequate standard of living and the right to access to drinkable water, the first suit presented by the General Attorney's Office presented against AGROJELL was based on the crimes of disobedience and breach to the security rules: on March 15<sup>th</sup> of that year the Ministry of Environment requested the company the cleansing of the polluted areas, said order was not followed by the company in the period required and consequently the suit was presented. No compensation for the victims or special medical attention was requested.

**b. Right to access to water:**

The trial against AGROJELL for the crime of disobedience and breach of the security rules lasted more than 3 years, during this period the members of the community with the support of the Salvadoran Ombudsman Office requested from the Government the installation of the infrastructure required to supply them with drinkable water. However, the National Administration of Aqueducts and Sewers (ANDA) denied its responsibility to supply said communities with drinkable water and stated that it was the responsibility of the Health Ministry to assure the health of the persons. Later on 2006 the Ministry of Health made a recommendation

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<sup>8</sup> Tóxicos de la muerte siguen contaminando, Liliana Fuentes Monroy, La Prensa Grafica (February 11, 2005);  
Condena al MARN por Toxafeno en San Miguel, Liliana Fuentes Monroy, La Prensa Grafica (April 13, 2009)

to ANDA for the supplying of drinkable water to the communities but once again the request was denied.<sup>9</sup>

**c. Right to remedy and reparation:**

On September 2005 after many trial postponements, sentence invalidations and a retrial, a final judgment was issued by a court in San Miguel. AGROJELL was condemned to a fine of US\$150,000 to be paid to the Ministry of Environment to be used in the removal and disposal of the barrels containing the pesticide. The company had one year term to execute the payment. To this date no payment has been enforced. The General Attorney's Office was not satisfied with the sentence and requested to the Supreme Court of El Salvador, the revision of the trial in order to find the legal representatives of AGROJELL criminally responsible. To this date the Supreme Court has not issued a resolution. In April 2009, the Salvadoran Ombudsman stated that said delay in the issuance of the resolution by the Supreme Court constituted a violation to the right to access to justice.<sup>10</sup> This situation provides a clear example of the violation to the access to justice and the negligence that the Salvadoran State has demonstrated in addressing this issue and the violations to the human rights derived from it.

**C. The need for International Cooperation:**

As the Special Representative of the Secretary-General on the issue of human rights and transitional corporations and other business enterprises stated un its report to the Human Right Council, the term International Cooperation in the business and human rights context, involves States working together through awareness-raising, capacity-building and joint problem-

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<sup>9</sup> Todos evaden responsabilidad, Liliana Fuentes Monroy, La Prensa Grafica (March 7, 2003); Veneno sin antídoto, Liliana Fuentes Monroy and Evelyn Machuca, La Prensa Grafica (March 21, 2006)

<sup>10</sup> Procurador visita zona tóxicos, Liliana Fuentes Monroy, La Prensa Grafica (April 20, 2009)

solving.<sup>11</sup> The importance of international cooperation acquires substantial relevance when the States do not have the capacity, resources and technology necessary to provide a remedy to gross human rights violations caused by business enterprises. Moreover said cooperation must be effective and efficient.

In the case of Las Brisas, the two major arguments that the Government has consistently argued during the more than 10 years of inactivity have been: the lack of funds, and the lack of technology to execute the removal, transportation, treatment and disposal of the Toxaphene. The amount required varies according to the agency or institution that executed the studies: the Major's Office of San Miguel in 2002 calculated more than US\$200,000;<sup>12</sup> the EPA reported on 2003 at least US\$90,000;<sup>13</sup> the court that decided the case estimated the amount in US\$150,000. Whatever the cost may be the government recurrent statement is that it does not have the funds to solve this situation.

Las Brisas has received limited international cooperation, the question remains on its effectiveness and efficiency. Back in 2003 the Ecological Unit of El Salvador identified that the treatment of the barrels required high technology in the subject that only countries like Denmark, Holland and Finland possessed.<sup>14</sup> The same year the Ministry of Environment of El Salvador required the assistance of the governments of Mexico and the United States of America on the packaging and transportation of the toxic, nevertheless the answer was not positive.

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<sup>11</sup> Promotion of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the right to Development. Business and human rights: Towards operationalizing the protect, respect and remedy framework. Report of the Special Representative of the Secretary – General on the issue of human rights and transnational corporations and other business enterprises. A/HRC/11/13 (April 22, 2009)

<sup>12</sup> Citan titular del MARN por tóxicos en San Miguel, Liliana Fuentes Monroy, La Prensa Grafica (July 29, 2002)

<sup>13</sup> Barriles con tóxicos se deterioran mas, Carlos Hernandez and Liliana Fuentes Monroy, La Prensa Grafica (August 14, 2003)

<sup>14</sup> Ibid 8

It was not until 2007 that the problem in Las Brisas was supposed to have been resolved. The Ministry of Environment carried out a public tender offer to contract with an international company to execute the transportation and disposal of the pesticides. A Colombian company dedicated to the disposal of hazardous substances TREDI, S.A. was awarded the contract. On May 2007 French technicians from the company performed an inspection in situ of the pesticide. TREDI informed that at least 283.25 square meters of the area where the barrels are located were polluted and that the removal procedure would start in less than 1 month. The plan consisted in packaging the barrels and transporting them to Santo Tomas de Castilla in Guatemala, then to Rotterdam in the Netherlands, and finally to Germany. The US\$136,000 awarded to the company for the cleansing, packaging and destruction of the pesticide would be assumed by the Pan American Health Organization, the Inter-American Development Bank and the Government of Taiwan.<sup>15</sup>

The first stage of the process was carried out in October 2007 when the packaging of the toxics performed by TREDI. However, it was the only work carried out. In April 2008 the Ministry of Environment acknowledged that they had lost contact with TREDI, after the Ministry had made an advance payment of US\$54,000. In July 2008 the Ministry of Environment reported that the delay in the transportation of the toxics was due to the fact that the authorization required by the countries through which the pesticide will be sent was still in process. It was not until January 2009 that the Ministry of Environment started to be concerned about TREDI's breach of contract. To this date the pesticide has not been removed and no sentence has been issued from the administrative procedure initiated against the company for the breach of contract.

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<sup>15</sup>Una condena que la corte todavía no resuelve firme, Liliana Fuentes Monroy, La Prensa Grafica (May 8, 2007); Colombianos inician embalaje de Tóxicos. Liliana Fuentes Monroy, La Prensa Grafica, (October 13, 2007)

The elements of the international cooperation (awareness-raising, capacity-building and joint problem-solving) mentioned by the special representative have not been achieved in the case of Las Brisas. Funds were provided but no solutions were achieved. Joint solving problems require further steps in cases where the State has repeatedly demonstrated negligence and incapacity to deal with it; stronger measures are required both in pressing the State to act and taking the initiative by offering viable solutions from countries with true capacity to solve the problem.

In the meantime, the members of the affected communities, the victims of these gross and systematic violations to the human rights continue to suffer the consequences: on March 2008 a wildfire sprung in the zone burning the bags that contained the pesticide and leaving it exposed to the elements. Facing this dire situation the Government of El Salvador is planning to adopt a solution that is not the most environmentally viable: the incineration of the toxics. Up to this date the toxics remains in Mayula-Mosantos and the members of the community are still suffering the violations of their rights.

## **B. Somalia: Lack of remedy and accountability**

### **A. Introduction:**

The indiscriminate fishing and toxics' dumping in Somalia presents another example of systematic and continuous violations of various human rights, including the right to life, the right to health, and the right to an adequate standard of living, that have escaped remedy and accountability. The application and enforcement of the right to the truth in this case presents a challenge that, considering the political, administrative and economical weakness of the Somali government, can only be achieved with a true commitment of the international community in the

identification and trial of the perpetrators and in providing a remedy and reparation to the victims.

Somalia has been in chaos since 1991 when the support that the government received from the United States of America in the context of the Cold War was cut off. Nowadays Somalia lacks a central government and it is administrated by a weak transitional federal government that survives on foreign donations<sup>16</sup>.

Since then two major problems have affected the Somali coast damaging the already impoverished economy of the communities of the area: the illegal commercial fishing and the toxic dumping. Somali's economy relies heavily in the Agriculture which is the most important sector its economy, with livestock normally accounting for about 40% of GDP and more than 50% of export earnings. Livestock, hides, fish, charcoal, and bananas are Somalia's principal exports.<sup>17</sup>

Despite the seriousness of the matter, the international community paid little or no attention to the situation of Somalia until piracy cases in the Gulf of Aden start to grow early in the 21<sup>st</sup> century. More than 54% of the pirate attacks occurred during 2009 were committed by Somali pirates.<sup>18</sup>

## **B. Violations:**

### **a. Illegal fishing, violation to the right to work:**

This situation has seriously violated the right to work and the right to an adequate standard of living of the people who inhabit the coastal shore of the country who have lost their principal source of income by not being able to compete with the high technology used by the

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<sup>16</sup> UK wastes money on failed Somalian State, RT, (June 07, 2008) [http://rt.com/Top\\_News/2008-06-](http://rt.com/Top_News/2008-06-)

<sup>17</sup> CIA - The world factbook – Somalia, updated Feb 16, 2010 available at <https://www.cia.gov/library/publications/the-world-factbook/geos/so.html#Econ>

<sup>18</sup> Global pirate attacks on the increase, Saeed Ahmed, CNN (October 21, 2009) <http://www.cnn.com/2009/CRIME/10/21/world.piracy.increase/index.html?iref=allsearch>

foreign fishing expeditions. Since the fall of the last functional government in 1991, the country's coastline has been pillaged by foreign vessels. An UN report in 2006 said that the absence of a coastguard has contributed the plundering of Somali's fish stocks by international fishing fleets and has freeze out the country's own rudimentary equipped fisherman. Another UN report estimated that US\$300 million worth of seafood is stolen from the country's coastline each year.<sup>19</sup>

Those who have tracked pirate activity say it started in Somalia in the 1980s, when the pirates claimed they were aiming to stop the rampant illegal fishing and dumping that continues to this day off the Somali coast.<sup>20</sup> According to one report, some 700 vessels were illegally operating in the region and fishing the local stock to near depletion. In 2006 Somali fishermen complained to the U.N. that illegal fishing was driving them to the brink of economic collapse.<sup>21</sup>

**b. Waste dumping, violation to the right to life and the right to health:**

The situation worsened when the 1,880 – mile Somali coastline became a recurrent area for nuclear waste dumping. For years foreign ships have been accused by local fishermen of dumping toxic and nuclear waste off Somalia's shores

The violation to the right to life and right to a health environment of the people that lives in the Somali coast line became evident when in 2005 the Indian Ocean tsunami cracked barrels containing illegally dumped nuclear waste spreading toxic waste on Somalia' coast. The situation was widely reported by internationally with virtually no consequences.<sup>22</sup>

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<sup>19</sup> How Somalia's Fishermen Became Pirates, [Ishaan Tharoor](http://www.time.com/time/world/article/0,8599,1892376,00.html), Time, (April 18, 2009) available at <http://www.time.com/time/world/article/0,8599,1892376,00.html>

<sup>20</sup> Ibid 15

<sup>21</sup> Commentary: A lesson of Somali pirate attacks, William Jelani Cobb, CNN (April 19, 2009) <http://www.cnn.com/2009/WORLD/africa/04/19/cobb.somalia.piracy/index.html?iref=allsearch>

<sup>22</sup> Ibid16

A 2005 United Nations Environmental Program report cited uranium radioactive and other hazardous deposits leading to a rash of respiratory ailments and skin diseases breaking out in villages along the Somali coast.<sup>23</sup>

Both illegal fishing and waste dumping are the arguments claimed by pirates to justify their activities. The Puntland pirate bosses insist they are ready to call it quits, if the sheiks find jobs for their young underlings and help the pirates form a coast guard to protect Somalia coastline from illegal fishing and dumping.<sup>24</sup> However the situation is more complex, the incentives are high in this impoverished region where a pirate can earn up to US\$40,000 a year.<sup>25</sup> Without the participation of the international community in the creation and application of sustainable development programs that strength the Somali government and economy there will not be a real progress in the eradication of that problem.

### **c. Right to remedy and reparation**

Accountability problems: The forgotten victims in this situation are the people living along the poisoned and depleted Somali coast. To this date no one has been held accountable for the dumped nuclear waste that has massively violated the rights to the health, safety environment, right to life and right to an adequate standard of living of thousands.<sup>26</sup> The application of the right to the truth may provide the tools necessary for the remedy and accountability required. The most difficult task to be faces will be identification of the perpetrators. In 1997 Greenpeace reported that the dumping started in the late 1980's; European companies were exposed as brokers for the transportation of hazardous waste. A large investigation was prompted in Italy

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<sup>23</sup> Ibid 20

<sup>24</sup> The Pirate Chronicles, Jeffrey Gettleman, NY Times (May 8, 2009)  
<http://www.nytimes.com/2009/05/09/world/africa/09pirate.html?scp=2&sq=somalia+dumping&st=nyt>

<sup>25</sup> Ibid 15

<sup>26</sup> Somalia used as toxic dumping, Chris Milton, The Ecologist.org (March 1<sup>st</sup> 2009)  
[http://www.theecologist.org/News/news\\_analysis/268581/somalia\\_used\\_as\\_toxic\\_dumping\\_ground.html](http://www.theecologist.org/News/news_analysis/268581/somalia_used_as_toxic_dumping_ground.html)

where it was concluded that around 35 millions tons of waste has been exported to Somalia for only \$6.6 billions.<sup>27</sup> Nevertheless no company was held accountable.

### **C. The Need for International Cooperation:**

There is no hope for accountability and remedy coming from the Somali government. The statement of Human Rights Watch, London provides a light to the reasons of it: “Somalia has been an accountability free zone now for over a decade and this is part of the problem, one of the reasons why Somali warlords, Somali leaders feel that they can get away with very serious human rights abuses is because there has been no accountability for so many years. And it seems to us that the Americans and the British and other external actors including the Ethiopians have been legitimizing and empowering exactly those leaders who have been responsible for some of the worst human rights abuses in Somalia over the last decade and a half.”<sup>28</sup>

In light of all this, it is evident that only with the cooperation and involvement of the international community and the United Nations it will be possible to identify the perpetrators and therefore provide a remedy to the victims of these gross violations to the human rights. The use and enforcement of the right to the truth, among others, provides a suitable mechanism to achieve that goal. The solution of the problem will grant not only hope and compensation to the victims directly affected by the illegal fishing and the dumping of toxic wastes but also will offer some relief to the victims of piracy.

As it was stated in a recent report about the subject: No matter what we think of the pirate’s current methods, it’s impossible to solve the piracy problem without addressing the issues of illegal fishing and toxic dumping.<sup>29</sup>

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<sup>27</sup> Ibid 27

<sup>28</sup> UK wastes money on failed Somalian State, RT, (June 07, 2008) [http://rt.com/Top\\_News/2008-06-07/UK\\_wastes\\_money\\_on\\_failed\\_Somalian\\_state.html?gclid=CNOP\\_fL\\_iKACFRoragodZzSaYA](http://rt.com/Top_News/2008-06-07/UK_wastes_money_on_failed_Somalian_state.html?gclid=CNOP_fL_iKACFRoragodZzSaYA)

<sup>29</sup> Ibid 17

## **D. Other Examples**

### **a. Cote d'Ivoire**

A positive example of the achievement of the right to the truth derives from the outcome of the Abidjan disaster in Côte d'Ivoire. Thanks to the international cooperation and the involvement of the Special Rapporteur,<sup>30</sup> the general bases of the right to the truth were achieved: the perpetrators were identified, the victims had access to justice from an impartial court and remedy was provided. Nevertheless claims about possible fraud in the management of the indemnification and the possibility that many of the victims will not receive any compensation threaten to jeopardize the effectiveness of these measures.<sup>31</sup>

### **b. Gabon:**

New situations keep arising that claims the attention and application on the right to the truth. On December 2009 it was revealed that a French mining company was being accused of dumping millions of tons of radioactive material in south east Gabon. A report by the Commission for Independent Research and Information on Radioactivity - CRIIRAD - says that the Uranium Mining Company of Franceville left the locals of Mounana exposed to higher than normal levels of radiation that were unsafe. Long term exposure could lead to cancer.<sup>32</sup> It is critical that steps be taken to stop this situation: local authorities and the international community are required to work together in the investigation of these events in order to hold accountable the perpetrators of these human rights violations and provide an effective remedy to the victims affected.

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<sup>30</sup> Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights

<sup>31</sup> BBC News Friday, 22 January 2010; <http://news.bbc.co.uk/2/hi/africa/8475362.stm>

<sup>32</sup> BBC News [http://www.bbc.co.uk/worldservice/specialreports/000000\\_december\\_timeline.shtml](http://www.bbc.co.uk/worldservice/specialreports/000000_december_timeline.shtml)

### **E. Right to the truth as a tool of addressing Corporate Accountability**

The right to access to justice and the right to a remedy and reparation constitute the means that the States may use domestically to ensure the right to the truth<sup>33</sup>. The aforementioned cases illustrate situations of gross human right violations involving corporate accountability issues where the right to the truth may provide a proper framework to obtain an adequate remedy when national systems are not able to address them.

The benefits of applying the right to the truth on corporate accountability cases are many. Proper application methods should be developed to maximize said benefits, specifically in the following areas:

1. Identification of perpetrators: One of the most important elements of the right to the truth is the identification of the perpetrators of human rights violations and the causes surrounding said violations. In the case of Las Brisas, El Salvador; the Attorney General's Office found serious obstacles to bring the corporate representatives to the courts due to the corporate shield advantages, the government bureaucracy and the slow burdensome court procedures. Somalia's case faces similar situation, even if previous Somali governments authorized the dumping, the evidence has long been lost; the identification of the perpetrators in the current situation is extremely difficult and requires full cooperation and assistance from the international community.
2. Prosecution problems: TREDI, S.A., an international company dedicated to the disposal of hazardous substances, was hired by the Salvadoran Government to execute the removal of the pesticide, receiving an advance payment of US\$58,000. The company never performed the required procedure. The Salvadoran Government has been unable to

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<sup>33</sup> Ibid 1

hold accountable the aforementioned company. In Somalia the weakness of the transition government provides no guarantee that in the near future the perpetrators (if identified) may be prosecuted and fined in the local courts. Both cases demonstrate the importance of the International Cooperation when the local government fails to held accountable the perpetrators of gross human rights violations and in addition is not able to provide to the victims the instruments required to obtain and adequate remedy and reparation.

3. Remedy and Reparation: To this date the Toxaphene has not been cleaned. No reparation for the victims has been considered in said judicial procedures and no compensation has been required directly from the shareholders. The court award of 2005 was limited to a fine of US\$150,000 for the disposal of the pesticide, an amount that recent studies have found insufficient.<sup>34</sup> The fine has not been executed.

#### **F. Recommendations**

HRA encourages the Office of the United Nations High Commissioner for Human Rights to take in consideration the situations herein presented for the preparation of its following reports on the right to the truth to be presented to the HRC, including in it the importance to use the right to the truth in cases dealing with corporate accountability.

HRA urges the special rapporteurs and other mandate holders to follow the example set by the Rapporteur on the independence of judges and lawyers on the recognition of the right to the truth, its scope and implementation in relation to their mandates.

HRA specifically requests that the Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises investigate the cases

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<sup>34</sup> Una condena que la corte todavía no resuelve firme, Liliana Fuentes Monroy, La Prensa Grafica (May 8, 2007)

addressed above and include an analysis of the right to the truth in relation to the human rights violations addressed.

HRA urges the HRC to oversee the reparation process in Côte d'Ivoire, in order to guarantee the transparency in the delivery of the compensation awarded to the victims of the Abidjan disaster and therefore assuring their right to obtain effective remedy and reparation.

HRA compels the HRC to explicitly analyze the scope of the right to the truth in order to expressly include in its framework the capacity to address human rights violations involving corporate accountability.

HRA urges the HRC to create an office for a Special Rapporteur on the right to the truth in order that it may be defined, promoted, and enforced.