Chronology of Peace Talks

This chronology focuses on the agreements which marked the gradual transition away from armed conflict to a negotiated settlement in Guatemala. For the national, regional and international background to the events related below, please consult the 'Historical Background' and 'Key Actors' sections of this issue.

The 'Esquipulas II' Accord

The Procedure for the Establishment of a Firm and Lasting Peace in Central America (The 'Esquipulas II' Accord) is signed in Guatemala City by the five Central American presidents on 7th August 1987. It draws heavily on the Peace Plan submitted by Costa Rican President Oscar Arias on 15th February 1987 which evolved from a summit meeting ('Esquipulas I') attended by the presidents in May 1986.

The Esquipulas II Accord describes a number of measures to promote national reconciliation, an end to hostilities, democratisation, free elections, the termination of all assistance to irregular forces, negotiations on arms controls, and assistance to refugees. It also lays the ground for international verification procedures and provides a timetable for implementation.

The 'Esquipulas Process'

1986-87 Picking up the pieces of the failed 'Contadora Process' (see Historical Background, p. 10) Guatemalan president Vinicio Cerezo Arévalo plays a key role in expediting a series of meetings in Esquipulas, Guatemala in which Central American heads of state agree on economic co-operation and a framework for peaceful conflict resolution.

Civil Society Helps Shape the Agenda (1987-93)

In compliance with the terms of Esquipulas II, an amnesty is declared and the National Reconciliation Commission (CNR – see Key Actors) is formed. Despite strong disapproval from military hardliners, the first public contact is made between the Guatemalan National Revolutionary Unity (URNG) and government representatives in Madrid, Spain but both sides impose prohibitive conditions on further talks. The sticking points are disarmament arrangements for the rebels and the investigation of army human rights abuses.

1988 Strategically embracing the framework of the Esquipulas II Accord, the URNG presses for dialogue on a range of political and socio-economic themes. The Catholic Church also

calls for a national dialogue on peace and on the social inequities underlying the Guatemalan conflict. The URNG meets the CNR for the first time in Costa Rica.

1989 With the moral and logistic backing of the Catholic Church and the Lutheran World Federation (LWF), frequent meetings are held between the CNR and the URNG, with UN observation. The CNR also inaugurates a Grand National Dialogue to discuss Guatemala's principal problems. The dialogue involves 84 delegates from 47 civic organisations, organised into 15 commissions. Animated by the Unity of Labour and Popular Action (UASP), and despite boycotts from business, farming, and right-wing political interests, the process increases pressure on the government, army and URNG to engage in constructive consultation. However, President Cerezo continues to refuse pre-disarmament government involvement.

1990 **January-February**
The government announces its willingness to meet the rebels prior to disarmament and appoints its representative on the CNR. The Catholic Bishop of Zacapa, Msgr. Rodolfo Quezada Toruño, is invited to become official 'conciliator' and the UN Secretary-General is invited to observe the dialogue.

The Oslo Accord

The Basic Agreement on the Search for Peace by Political Means (the 'Oslo Accord'), is signed by the URNG and the CNR on 30th March 1990. It sets out arrangements for facilitation of future government-URNG dialogue, confirming the appointment and the mandate of the CNR 'conciliator'. It also confirms the invitation for UN monitoring of the peace process, and outlines plans for a series of consultations involving the URNG and a range of civil and political groups, leading to direct dialogue between the rebels and the government at an unspecified future date.

March-April

The URNG meet with members of the CNR in Norway. Under the auspices of the Lutheran World Federation, they sign the so-called 'Oslo Accord'.

June-October

As an outcome of the Oslo talks, the URNG meet with leading Guatemalan political parties in Spain, with business associations in Canada, with churchmen in Ecuador and with popular organisations and academics in Mexico. The Canadian meeting produces two separate, tactfully worded communiqués. The others produce the Escorial, Quito, Metepec and Atlixco agreements, which condemn social and economic marginalisation and support constitutional reform, respect for human rights, the removal of repressive state apparatus and direct talks between the URNG and the government.

1991 **April**
The newly elected government of President Jorge Serrano Elías publishes its 'Initiative for a Total Peace', which fails to take into account the Oslo process but gains the support of conservative civil society and leads to three-days of URNG-government talks in Mexico. The so-called 'Mexico Accord' is then signed re-incorporating all the 'substantive' issues raised through the Oslo process.

July-December

A second round of discussions opens the 11-point agenda, leading to the signing of the Querétaro Agreement. The government gradually hardens its position on human rights, however, and two further meetings in Mexico fail to reach consensus. The Mutual Support Group (GAM) and other popular organisations protest their exclusion from talks.

1992 **January**
The impasse on human rights guarantees continues through a fifth round of talks in Mexico.

The Search for Peace by Political Means

With the **Agreement on the Procedure for the Search for Peace by Political Means** ('The Mexico Accord' – 26th April 1991), the parties decide the agenda for negotiations, divided into substantive and procedural issues. The substantive issues are to be discussed first and include democracy; human rights; refugees; a truth commission; indigenous rights; the economic, social and agrarian situation; the role of the army; strengthening of civil authorities and institutions; and constitutional reform. Procedural issues are to be discussed later, covering arrangements for a cease-fire and for the demobilisation and reintegration of the URNG into normal political life. The functions of the 'Conciliator' and the UN observer are also confirmed and both parties pledge not to abandon the negotiation process unilaterally.

The Framework Agreement on Democratisation in the Search for Peace by Political Means (The Querétaro Agreement – 25th July 1991) concerns the meaning and implications of a democratic regime. Democracy is qualified as 'functional' and participative and both parties agree on the importance of definitively ending political repression, electoral fraud and illegal manipulation of elections. The parties also agree on the need to promote citizen participation in the development, implementation and assessment of government policies. However, no details are provided on implementation, a concrete timetable is not proposed, and no progress is made on core human rights issues such as the establishment of a truth commission, the abolition of the Civil Defence Patrols and forced conscription.

May-July

The URNG issues a new peace platform, omitting some contentious items of the Mexico agenda but re-emphasising such issues as constitutional reform, indigenous rights, land tenure and tax reform. The government rebuffs the proposals, hamstrung by its need to maintain strategic alliances with the army, political parties and business associations.

August-December

The URNG and government reach partial agreement on the freezing of Civil Defence Patrols (PACs) and on an investigation of their conduct. Existing PACs will remain, but new ones are to be permitted only in the event of a renewed rebel offensive. Agreement is also reached, with the intervention of the UNHCR, on the terms of return of refugees from Mexico.

1993

January-March

The URNG and President Serrano both announce new peace plans but each side rejects those of the other. Bishop Quezada declares negotiations at an impasse.

June-December

Following an attempted executive coup (see Key Actors, p. 87) by government and army hardliners, President Serrano is replaced by former Human Rights Ombudsman Ramiro de León Carpio. The CNR is then dismantled, the position of Conciliator anulled, and a Government Peace Commission (COPAZ) installed, headed by sociologist Héctor Rosada Granados, to continue negotiations with the URNG. Meanwhile, in Washington, an ecumenical alliance of church bodies, with the LWF as lead agent, sponsors the first of four consultations aimed at giving civic representatives a platform to share their visions of justice and peace with the parties to the negotiations and with the international community.

The UN-Mediated Peace Process (1994-96)

1994

January-June

With encouragement from the USA, the European Union and, in particular, Mexico, negotiations restart between the Government and the rebels. After President de León's 'Proposal for Restarting the Peace Process' is found unacceptable by the URNG, the Mexico agenda of substantive and procedural themes is recalled and progress is relatively swift, leading to the

The Accords of 1994

The Framework Agreement for the Resumption of Negotiations between the Government of Guatemala and the Guatemalan National Revolutionary Unity (Mexico City — 10th January), based on the 11-point agenda of the Mexico Accord, lays the ground rules for subsequent negotiations. Jean Arnault, the UN observer, is appointed moderator of the talks; Colombia, Mexico, Norway, Spain, the US and Venezuela are invited to be 'friendly country' guarantors of the process; The UN is assigned responsibility for verification; and a broad Civil Society Assembly (ASC) is charged with discussing the substantive themes, making recommendations to the negotiators and ratifying all accords. The Framework Agreement is only cautiously welcomed by the church and popular society, who remain sceptical concerning the depth of political will for negotiations. (for full text see p. 37)

The Agreement on a Timetable for Negotiations on a Firm and Lasting Peace in Guatemala (Mexico City — 29th March) fixes a schedule for negotiations. Although the agenda is scrupulously respected by both parties, the negotiation process extends two years beyond its anticipated completion date of December 1994.

Under **The Comprehensive Agreement on Human Rights** (Mexico City — 29th March), both parties commit themselves to fully observe human rights and to improve mechanisms for their protection, while the government assumes a range of specific responsibilities to meet these ends. The verification role of a UN mission is defined to encompass all human rights violations committed by either side after its inauguration, but the establishment of a 'truth commission' to investigate human-rights abuses is strongly opposed by the military. This is the only agreement which enters into force immediately, and popular reaction to it is broadly positive. Once the agreement is signed, Bishop Quezeda and the Catholic Church act immediately to accelerate the creation of the Civil Society Assembly (ASC).

In **The Agreement on the Resettlement of Population Groups Uprooted by the Armed Conflict** (Oslo — 17th June), the government commits itself to guarantee the conditions necessary for the safe return of the internally displaced to their places of origin or to another place of their choice, to promote the return of land abandoned by uprooted populations, and to involve them in the design and implementation of a comprehensive reintegration plan. The government also assumes responsibility for decentralising the state and strengthening municipal government, and requests UN support in the design and funding of projects resulting from the accord.

The Agreement for the Establishment of the Commission to Clarify Past Human Rights Violations and Acts of Violence that have Caused the Guatemalan Population to Suffer (Oslo — 23rd June) defines a process for investigating human rights abuses taking place between the beginning of the war and the signing of the final peace agreement, and for producing recommendations that contribute to national reconciliation. Findings will not individualise responsibility for crimes, and recommendations will not be legally binding. The Commission will not have any powers of search, seizure or subpoena and will operate behind closed doors. The content and sources of received information will not be made public. The accord draws sharp criticism from leaders of human rights groups and popular organisations. It also fails to fulfil the expectations of many URNG militants and sympathisers, producing substantial disillusionment within the organisation. (For full text see p. 39)

signing, in Mexico City and Oslo of framework and calendar agreements and three substantive accords. While the Civil Society Assembly (ASC) is founded under the provisions of the Framework Accord, the LWF ecumenical alliance convenes its second consultation in Guatemala City.

July-December

To ease rank-and-file concerns at the pace and scale of URNG concessions, rebel negotiators slow down the talks and focus on the government's failure to comply with the Comprehensive Human Rights Agreement. In September, a third ecumenical consultation in Oslo helps to revitalise the peace process, and the UN Mission to Guatemala (MINUGUA — see Key Actors, p. 87) is installed two months later. The ASC produces consensus documents on all the substantive themes of the peace process, and the URNG adopts its proposals more or less unamended in negotiations on Indigenous Rights.

1995 January-March

The URNG modifies its demands for indigenous rights and an accord is signed in Mexico with recommendations for wide-ranging political and constitutional reforms.

The Agreement on the Identity and Rights of Indigenous Peoples

The Agreement on the Identity and Rights of Indigenous Peoples (31st March 1995) includes four chapters outlining wide-ranging commitments to recognise the identity of indigenous peoples, to eliminate discrimination against them and to guarantee their cultural, civil, political, social and economic rights. The accord also establishes five commissions. Three of these are to be composed of government and indigenous representatives and tasked to develop specific proposals on educational reform, political reform and participation, and indigenous peoples' land rights. The other two, not necessarily of mixed composition, are to address the granting of official status for indigenous languages and the definition and preservation of sacred areas. All elements of this agreement that relate to human rights go into effect upon its signing, to be verified by MINUGUA. The accord, unique in the history of Latin America, receives a cautious welcome from the Co-ordination of Organisations of Mayan People of Guatemala (COPMAGUA). (For full text see p. 41)

April-December

Organised business, from outside the ASC, puts intense pressure on the government and military to ensure its interests are not undermined by negotiations on private property and land tenure, tax reform, and the economic role of the state. The URNG and political parties meet in Contadora, Panama to sign an agreement confirming that accords already signed should be considered formal state commitments. After many of its leaders leave to join the electoral campaign of the New Guatemalan Democratic Front (FDNG – see Key Actors), the profile and influence of the ASC recedes. While high-level government, URNG and civil sector representatives participate in the fourth ecumenical consultation in Costa Rica, the official talks peter out in the run-up to November's general elections.

1996 January-May

The election results increase the political influence of reform-minded business associations over that of the army, invigorating the negotiation process. The newly elected President Alvaro Arzú Irigoyen names Gustavo Porras Castejón, one-time leader of the URNG-affiliated Guerrilla Army of the Poor (EGP) as new president of COPAZ. On 30th March, the URNG announces an immediate, unilateral ceasefire and promises to end the collection of war taxes once the Socio-Economic Accord is signed.

June-November

Despite growing speculation about the existence of dissident groups within the URNG and divisions within the guerrilla leadership, the URNG General Command remains united around a strategy to push negotiations forward. The URNG and the military also become more confident that the security situation will allow significant demobilisation.

December 4th-18th

Agreements are signed around Europe and in Guatemala City covering a definitive ceasefire, constitutional reform and the reintegration of the URNG. The Law of National Reconciliation is also passed by Congress to elaborate on the reintegration accord.

December 29th

The final peace accords are signed in Guatemala City. ■

The Accords of 1996

The Agreement on Socio-economic Aspects and the Agrarian Situation (Mexico City — 6th May) contains four chapters. The first outlines commitments to effect broader civic participation at all levels of sub-national government. The second promises high levels of economic growth and a restructuring of public expenditure to increase social investment. In chapter three, the government agrees to strengthen provisions for popular consultation in rural development, to establish a trust fund to purchase underutilised and undeveloped land to re-distribute to land-hungry tenant farmers, to develop a register of land tenure, new taxes on land, and to implement just and speedy resolution of land conflicts. The final chapter promises increases in the tax base and a range of measures against tax evasion and fraud. This agreement is greeted with enthusiasm by business associations, the international community, the legislature and the army, but labour, indigenous and *campesino* movements express dissatisfaction at both the process and content of the accord. Similarly, sections of the URNG are dismayed by the concessions made by their leaders. (For full text of the Socio-Economic Accord, see p. 51)

The Agreement on the Strengthening of Civilian Power and the Role of the Armed Forces in a Democratic Society (Mexico City — 19th September) contains a comprehensive package of provisions relating to the strengthening of democratic government covering the legislature, executive and judiciary. It also emphasises the need to overhaul the security functions of the state. Under a reformed Constitution, the Civil Patrols will be abolished; the various police units will be substantially restructured and unified as the National Civil Police; reform of the Penal Code will be promoted; the operations of private security firms will be regulated; and forced conscription ended. The army will also limit its role to external defence and will adjust its doctrine, training, deployment, size and budget accordingly.

The Agreement on a Definitive Ceasefire (Oslo — 4th December) sets out a 60-day timetable for the separation and assembly of forces, and for URNG disarmament and demobilisation. The timetable is to commence with a definitive ceasefire on the date on which the United Nations verification mechanism is in place with full operational capacity.

The Agreement on Constitutional Reforms and the Electoral Regime (Stockholm — 7th December) contains a series of specific proposals for constitutional reform that the government is to place before the Congress within 60 days of the signing of the Agreement on a Firm and Lasting Peace. The proposals focus mainly on the recognition of the identity and rights of indigenous peoples and the mandate and structure of the country's security forces. The Agreement also provides for the establishment by the Supreme Electoral Council of an Electoral Reform Commission to review and modernise the electoral process.

The Agreement on the Basis for the Legal Integration of the URNG (Madrid — 12th December) provides a comprehensive programme for the integration of URNG members into Guatemalan society. It enables the establishment of a joint government/URNG "Integration Commission" to co-ordinate and facilitate integration projects and contains provisions to be included in a National Reconciliation Act that will constitute the legal framework for this integration.

The Law of National Reconciliation (18th December), developed from The Agreement on the Legal Integration of the URNG, overtly contradicts the anti-impunity undertakings of earlier accords, containing provisions for extinguishing culpability for war-related crimes. The law recognises the reparation rights of victims, and exemption from criminal responsibility is not to apply in cases of forced 'disappearance', torture and genocide. However, a way is clearly opened for members of the security forces and armed opposition groups who perpetrated deliberate and unlawful killings to be granted immunity from prosecution. Popular organisations and human rights groups strongly object to the law.

The Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements (Guatemala City - 29 December) is a detailed guide for the implementation of all the commitments undertaken since 1994. It sets out a calendar for their phased implementation from 1997 to the end of 2000 and for the establishment of a Follow-up Commission to ensure that the process is carried out effectively. The mandate of the Commission for Historical Clarification is set for six months, renewable for a further six. The Agreement also requests that the UN establish a mission to verify all the agreements, into which MINUGUA is to be absorbed.

The Agreement on a Firm and Lasting Peace (Guatemala City - 29 December) triggers implementation of all the previous agreements and binds them into a comprehensive nationwide agenda for peace.