



Stabilisation Unit

**Elite Bargains and Political Deals Project:
Guatemala Case Study**

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Background to Elite Bargains and Political Deals Project

This case study is one of a series commissioned to support the Stabilisation Unit's (SU) development of an evidence base relating to elite bargains and political deals. The project explores how national and international interventions have and have not been effective in fostering and sustaining political deals and elite bargains; and whether or not these political deals and elite bargains have helped reduce violence, increased local, regional and national stability and contributed to the strengthening of the relevant political settlement. Drawing on the case studies, the SU has developed a series of summary papers that bring together the project's key findings and will underpin the revision of the existing 'UK Approach to Stabilisation' (2014) paper. The project also contributes to the SU's growing engagement and expertise in this area and provides a comprehensive analytical resource for those inside and outside government.



Executive Summary

From 1960 until 1996, Guatemala witnessed a conflict between the state and a left-wing guerrilla insurgency. The conflict was felt throughout the country to varying degrees and at different times, and peaked in military intensity in the 1960s and 1980s.

Structural and proximate causes of conflict

Poverty, inequality, the absence of political freedoms, and long periods of direct Army rule characterised Guatemala prior to and during the conflict. Alongside these structural causes were a number of proximate causes, most notably that the conflict operated firmly within the narrative of the Cold War, which meant that state doctrines of national security equated any opposition with international communism. The guerrillas sought support from Cuba and Nicaragua (post-1979), while the state had continued, albeit varying, support from the US.

The conflict itself was at times brutal, and war crimes, including genocide, enforced disappearances and massacres of the civilian population, took place. Although the Army was blamed for the vast majority of these abuses, the guerrillas were also deemed responsible for war crimes and human rights abuses in some instances.

Prior to the mid-1980s, a negotiated end to the conflict did not appear to be a priority for either side. However, regional peace initiatives, culminating in the mid-1980s, provided a framework for ending the conflict. After years of negotiation, the belligerent parties signed the 1996 Peace Accords, which brought a permanent ceasefire followed by a period in which the guerrillas were demobilised and reintegrated into civilian society.

The build-up to an elite bargain

The key to ending the Guatemalan conflict was the transition that civilian elites, the Army and the guerrillas made, away from a position in which they all saw peace negotiations as 'surrender'. The Guatemalan elections of 1985, 1990 and 1995 all resulted in members of the elite's 'modernising wing' assuming the presidency, without which the eventual signing of the Peace Agreement would have been unlikely. In time, the Army and elites came around to accepting a peace agreement that contained a number of important gains for the guerrillas but stopped short of a commitment to address structural causes.

Some of the guerrillas' gains were specific to the consequences of the conflict (for example, the return of refugees and a Truth Commission to investigate war crimes), while others focussed on the setting up of mechanisms to address structural causes (for example, the setting up of a land bank and a dedicated office to resolving land conflicts). Other gains took the form of commitments set out in the Peace Agreement (including on changes to the structures around political and cultural rights for indigenous people, and limiting the role of the Army exclusively to one of external defence) *but* they were conditional on the approval in a nationwide referendum to be held two years later.

The nature of an elite bargain

The reluctance to address the structural causes of the conflict resulted in a Peace Agreement that did little to address structural drivers of poverty and inequality, and that left the interests of the country's elites largely untouched. Issues of indigenous rights and the role of the Army, which could prove harmful to various elite interests, had been 'kicked into the long grass'. Two and half years after the Peace Agreement had been signed, a popular referendum failed to approve constitutional reforms that would have given indigenous people more rights and restrained the role of the Army in the future. In addition, in negotiating the mandate of the Truth Commission the Army ensured that none of its officers would be named as individual perpetrators. Combined, these factors enabled the



emergence of a peace deal that the Army and elites were willing to accept, despite the longstanding opposition of hard-line elements.

As a result, the peace process in Guatemala was largely one of 'elite capture', in which the willingness of the Army and elites to embrace peace was largely predicated on the fact that their interests were not challenged or eroded through this transition.

The role of external actors

The regional context proved crucial to kick-starting the Guatemalan peace process. A regional agreement set up a dialogue mechanism in which the first contact between the state and the guerrillas was made. In addition, the conflicts in Nicaragua and El Salvador came to an end, which provided more impetus for the end of the Guatemalan conflict. All parties (the guerrillas, the Army and civilian modernisers) took advantage of the regional context to start and then re-energise the peace process at key junctures.

Criminalised peace: The durability of the bargain?

Although there has not been a return to conflict as such, the peace accords have not resulted in any fundamental transformation of Guatemalan society and the underlying drivers that generated the conflict in the first place. For many, the peace accords ended up being simply a vehicle for a cease-fire and subsequent demobilisation of the guerrillas. For others, there has been some change over and above the demobilisation of the URNG, albeit change that is not substantial.

Although the political conflict ended in 1996, violence still plagues the country as a result of the spread of street gangs and organised crime. The criminal justice system is also very weak. In 2007, Guatemala accepted UN help and delegated some power to UN officials to investigate and support prosecutions of common crimes. However, poverty, inequality and disputes around land, amongst other problems, continue to characterise modern Guatemalan society.

That said, the peace achieved in 1996 has been sustained, and in the years since there has been no realistic prospect of any armed insurgency again challenging the state. Furthermore, arguably, the most positive outcome of the Peace Agreement was the opening up of political space for civil society groups to organise and mobilise. Indigenous groups, women's rights groups, rural workers, those opposed to mining projects, urban groups opposed to corruption, human rights organisations, are beginning to challenge some of Guatemala's socio-economic inequalities.



List of acronyms

ASC, *Asamblea de la Sociedad Civil*, Civil Society Assembly.

CACIF, *Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras*, Coordinating Committee of Agricultural, Commercial, Industrial and Financial Associations.

CEPAZ, *Comisión Empresarial de Paz*, Business Peace Commission.

CICIG, *Comisión Internacional Contra La Impunidad in Guatemala*, International Commission Against Impunity in Guatemala.

CNR, *Comisión Nacional de Reconciliación*, National Commission for Reconciliation.

CONAGRO, *Coordinadora Nacional Agropecuaria*, National Agricultural and Cattle Coordinator.

COPAZ, *Comisión de Paz del Gobierno de Guatemala*, Guatemalan Government Peace Commission.

CUC, *Comité de Unidad Campesina*, Committee of Rural Unity.

DTOs, Drug Trafficking Organisations

EGP, *Ejército Guerrillero de los Pobres*, Guerrilla Army of the Poor.

EMP, *Estado Mayor Presidencial*, Presidential Military Staff

FMLN, *Frente Farabundo Martí para la Liberación Nacional*, Farabundo Marti National Liberation Front.

FAR, *Fuerzas Armadas Revolucionarias*, Revolutionary Armed Forces.

MINUGUA, *Misión de Verificación de las Naciones Unidas en Guatemala*, United Nations Verification Mission in Guatemala.

ORPA, *Organización del Pueblo en Armas*, Revolutionary Organisation of the People in Arms.

PACs, *Patrullas de Autodefensa Civil*, Civil Defence Patrols.

PGT, *Partido Guatemalteco de Trabajo*, Guatemalan Workers Party

PNC, *Policía Nacional Civil*, National Civilian Police.

UNAGRO, *Unión Nacional Agropecuaria*, National Agricultural and Cattle Union.

URNG, *Unidad Nacional Revolucionaria Guatemalteca*, Guatemalan National Revolutionary Unity.



I: Introduction

The 36-year Guatemalan internal armed conflict was one of the most brutal and longest conflicts in Latin America. It left an estimated 160,000 dead, and 40,000 people victims of enforced disappearance (almost certainly dead). In addition, over a million people were internally and externally displaced.

After approximately six years of negotiations, the conflict finally ended on 29 December 1996 when the Government of Guatemala and the guerrilla group *Unidad Nacional Revolucionaria Guatemalteca* (URNG, Guatemalan National Revolutionary Unity) signed the final document in a series of peace accords.¹

The conflict had deep roots, arguably going back to the formation of the state at the time of the country's independence from Spain. Patterns of poverty, exclusion and racism towards indigenous peoples and the non-indigenous poor can be identified in every period of the country's history and in present day Guatemala. Endemic poverty, exclusion and racism have led to opposition to the state in different forms (violent and non-violent) throughout Guatemalan history.

Guatemala is particularly unique in Central America in that approximately 60 per cent of its population is of indigenous descent, including Maya (the overwhelming majority of indigenous peoples), Xinka and Garifuna.

The conflict, described as a 36-year conflict, had peaks in the periods 1965-68 and 1978-84. Large parts of the conflict were marked by a military stalemate in which the guerrillas were on the defensive but could project enough force to avoid being defeated. From the mid-1980s, the dynamics began to shift in favour of peace. In 1986, following elections and a new constitution, the Army handed over the presidency to a civilian. Regional efforts which led to the end the Contra war in Nicaragua and the Salvadorian conflict also provided a framework for dialogue between the URNG and the government. Contact between the government and guerrillas gradually increased as the military stalemate was increasingly acknowledged on both sides. By the early 1990s, the Army agreed to take part in peace negotiations.

Political and economic elites had long resisted any concessions to the URNG and traditionally backed the Army's hard-line stance. However, during the early 1990s the elites were increasingly internally divided, between a hard-line camp and a 'modernising' camp that saw the peace accords as something more than simple mechanism for the guerrillas to surrender. The internal divisions within the elites and Army were in flux with different 'wings' being able to impose themselves at different times, though with the modernising camp gaining in influence towards the middle of the decade.

In 1994, both parties requested the intervention of the UN – which, until then, had only been observing – in a more proactive moderating role. In 1994, the UN agreed to send a verification team to be based in Guatemala. Additionally, in early 1996 President Arzu, a moderniser, came to power and managed to secure enough support within the Army and elites to push forward the peace process.

The contours of the elite bargain were not determined in the accords themselves. The accords left open a number of issues which were to be decided via the implementation of the accords and, in

¹ Rather than negotiating towards one overall comprehensive final agreement, the Guatemalan government and the URNG negotiated 13 separate agreements which came into force (except one) on the date of the signing of the final agreement. The one exception was the human rights agreement which came into force some two years before the end of the conflict. See chapter 5 The Peace Accords for the detail of the individual agreements



particular, in the approval (or not) of constitutional reforms that would be put to a nationwide referendum. The accord-mandated reforms sought to improve the position of indigenous peoples and limit the role of the Army to external defence.

In the run-up to the referendum, held in May 1999, the 'modernising' wing of the elites failed to sufficiently support the campaign for the proposed reforms, returning to its traditional position of supporting the Army and maintaining the socio-economic status quo. The reforms failed to be approved by the electorate.

Despite the referendum result, arguably the most significant and lasting impact of the peace accords has been the opening up of political space for civil society organisations. Many of the structural problems – poverty, exclusion, racism – remain in modern-day Guatemala, but they are increasingly being confronted by a civil society that is able to organise and mobilise with much more freedom than would have been the case prior to the accords.

This paper maps the context of the armed violence, including describing the structural and proximate causes of the violence, sets out the conditions for resolution, describes the key features of the peace accords, and offers insights into the sustainability of the peace process. The paper draws on an extensive bibliography of published academic books, academic articles, as well as the author's extensive knowledge of the region.

II: The Context of the Conflict

Since before independence from Spain in 1821, Guatemala has been marked by inequality in the distribution of wealth and political repression, particularly directed at the Maya and non-Maya poor. Arguably, the 'Liberal Revolution' of the 1870s set the foundations for the structure of the political economy and the governing elites which is still recognisable today. The 'Liberal Revolution' introduced coffee as an export crop, requiring large tracts of land for its cultivation. Such land was often obtained from Maya communities by force or by lawful but unjust means.² It is in this context that *Fincas*, large farms, came to prominence along with *Finqueros*, the owners of such farms. *Finqueros* would go on to play a central role in Guatemala's elites.

The 1870s onwards also saw the start of a period in which foreign interests gained control of important economic sectors, including transport and basic public services; and racism and exclusion were formalised in state efforts to erode Maya culture via the imposition of the Spanish language and elimination of communal lands. The Maya population was also legally forced to work on large plantations.³ The government was marked by dictatorships, with military officers regularly taking turns to hold the presidency. The curtailment of political freedoms continued until 1944.⁴

The governments of Manuel Estrada Cabrera (1898-1920) and Jorge Ubico (1931-44) stand out among the dictatorships as periods in which poverty and marginalisation of the poor grew, in favour of the coffee producing elites. The government of Cabrera was marked by the use of political repression to avoid or hit back at any opposition, real or perceived. His government continued to enforce laws to ensure forced labour on coffee plantations. Jorge Ubico placed the Ministry of Labour under the authority of the National Police, and passed laws which gave *Finqueros* police functions, thus giving them control over large rural populations (laws which remained in place until

² Luján 1998.

³ Luján, 1998; Gálvez, 2008.

⁴ Cassaús, 1995; Gálvez, 2008.



Stabilisation Unit

1973).⁵ During the Ubico administration, arbitrary detention, torture and extrajudicial killings were the norm.

Although forced labour did not originate in the Ubico administration, the Maya and non-Maya poor populations were particularly affected by his passing of laws such as the 1934 *Ley de Vialidad* and *Ley contra la Vagancia*, the Road Law and Law Against Vagrancy, respectively, which ensured free and abundant labour for road building and working on plantations. The laws effectively forced anyone stopped by the authorities to 'prove' they had a formal job with income, otherwise they were forced to provide their free labour.

Minimal or nil access to education ensured the poorest remained marginalised and excluded from political participation. Unequal distribution of land also remained an important factor throughout this period in maintaining the Maya and non-Maya poor in poverty and exclusion.⁶

Ten years of spring: 1944-1954

Protests and strikes brought down the Ubico government in July 1944. After a few months with a temporary President another coup in October 1944 led to the *Junta Revolucionaria de Gobierno*, the Revolutionary Government Junta, ushering in a period of relative political freedoms and progressive reforms in social, economic and cultural spheres, lasting until 1954 – a period often referred to in Guatemala as the 'ten years of spring'.

Laws were passed and institutions created to ensure free elections, a minimum wage, and rights for rural and industrial workers. Forced labour was also abolished thereby freeing, by that time, nearly the entirety of the Maya population from such. Various institutions were founded, many of which still exist today, including: the Guatemalan Institute of Social Security, which provides healthcare to workers, and the Guatemalan central bank. Laws were also passed to ensure a multi-party political system, and voting rights were extended to all men over 18, and women over 18 who could read and write.⁷ Foreign investment was regulated and priority given to national industries.⁸

In the first years of this period the unequal distribution of land remained stark. In 1950, large landowners (representing 2.1 percent of all landowners) owned 72 percent, whereas small holders (representing 88 percent of landowners) owned 15 percent of the land.⁹ In June 1952, the government approved the Law of Agrarian Reform which expropriated 156,000 hectares¹⁰ of land from the United Fruit Company, amounting to some 85 percent of its unused land stock.¹¹ Owners of confiscated land were paid the value they had declared the land to be worth for tax purposes and, as a result of undervaluing, received less money than they might have received.

As a consequence of the changes implemented, and in particular the expropriation of land from the United Fruit Company (a large US multinational), the United States supported and directed a coup which brought this period to an end. The CIA's operation PBSUCCESS ended with the overthrow of the democratically elected Arbenz government in June 1954.¹²

⁵ CEH, 1999.

⁶ CEH, 1999.

⁷ CEH, 1999; Valenzuela, 2009.

⁸ Jonas, 2000: 53-54.

⁹ UNDP, 2001.

¹⁰ There is dispute over the amount expropriated company land. The estimates oscillate between 10,000 hectares, to 10 per cent of the company's land to 156,000 hectares.

¹¹ CEH, 1999; Jonas, 2000; Gálvez: 2008; Sanford, 2004.

¹² Gleijeses, 1991; Schlesinger & Kinzer, 2005.



The ideological framework of the 1954 coup has been deemed by some as a turning point in the country's history, as it relied on the context of the Cold War: the coup's supporters, the US, justified the coup as 'stemming the red tide' in Latin America. The coup's Guatemalan implementers accused the Arbenz government of serving Soviet communist interests, a narrative that was to remain a way of framing the opposition (armed and unarmed) and explaining the conflict, including justifying the support given to the Guatemalan government to defeat the insurgency.¹³

Figuroa¹⁴ has described the immediate post-1954 years as the first of three waves of terror. The first wave had the aim of destroying the protest organisations led mostly by rural and industrial workers. The elimination of political freedoms brought on by the coup, in a context of continued and extensive poverty and marginalisation, saw some uprisings, mostly coup attempts, but these were quickly quelled.

From 1956 onwards, students and workers protested against the military regimes that followed, in particular that of Colonel Castillo Armas who led the coup and was in power from 1954 to 1957. Many of these protests were violently put down. Following the coup, 78 percent of land confiscated and distributed to Maya communities and rural workers was returned to its original owners. Other strikes aimed at keeping the gains achieved during the 'ten years of spring', such as strikes by the workers of the Guatemalan Institute of Social Security and Guatemala City municipal workers, were also put down.

The conflict begins: 1960

In November 1960, under the administration of General Ydígoras Fuentes, a group of young Army officers attempted a coup, which failed. What sparked the officers to rebel, in addition to political repression and social discontent, was the use of Guatemalan territory to stage and train fighters for the then upcoming Cuban Bay of Pigs invasion, considered by many officers as affront to their country's sovereignty.¹⁵ After initially fleeing into exile after the failed coup, some officers returned to set up the *Fuerzas Armadas Revolucionarias* (FAR, Revolutionary Armed Forces). 1960 is thus generally viewed as the start of the conflict.

The *Partido Guatemalteco de Trabajo* (PGT, Guatemalan Workers Party), decreed unlawful after the 1954 coup owing to its communist ideology and its members either in exile or living clandestinely, switched to a strategy of military confrontation with the state in 1961.

The guerrilla's presence was mostly in the east of the country, the capital and south coast, involving none of the Maya population concentrated in the highlands.¹⁶ The FAR sought to obtain political power and, in the words of one its leaders writing decades later, defeat "forces that opposed democracy and the revolution".¹⁷

The guerrillas and their supporters (real and presumed) were dealt with severely and, by 1968, were considered strategically defeated – if not completely eliminated. There are still communities that recall that era, but there is little by way of evidence and testimony other than references to the 'Motagua River being full of bodies'.¹⁸ Over a three-day period in March 1966, 28 members of revolutionary organisations were forcibly disappeared, described by the CEH as the first mass

¹³ Jonas, 2000:54.

¹⁴ Figuroa 2011.

¹⁵ CEH, 1999.

¹⁶ Jonas, 2004,

¹⁷ Monsanto, 2009: 11.

¹⁸ CEH, 1999.



enforced disappearance in Latin America. The Guatemalan Army received support and advice from the US in the 1960s, including in the form of Green Beret advisors accompanying field level commanders. Histories of the era make references to death squads, although the scale of their operations would be dwarfed by activities in the late 1970s and early 1980s.¹⁹ Figueroa has termed the period between 1966 and 1971 as the second wave of terror that sought to destroy the nascent insurgency.²⁰

The second phase of the conflict: change of approach in the early/mid 1970s

Regrouping after defeats in the 1960s, in 1971 a FAR splinter group formed the *Organización del Pueblo en Armas* (ORPA, Revolutionary Organisation of the People in Arms); and in 1972 the *Ejército Guerrillero de los Pobres* (EGP, Guerrilla Army of the Poor) emerged. Together, the FAR, PGT, ORPA and EGP would go on to form the URNG in 1982.

This next stage of the guerrilla strategy saw a move to Maya areas, moving away from the non-indigenous areas in which it was largely defeated in the 1960s. In Maya areas, the organisations were to find support as a consequence of land struggles faced by those communities. Many communities survived off small holdings and often had to carry out seasonal work in southern cotton and sugar plantations, often in appalling physical conditions and without labour rights.

The late 1970s and early 1980s also saw the birth of a new rural grassroots movement, in the form of the *Comité de Unidad Campesina* (CUC, Committee of Rural Unity). The CUC were effective in organising mass protests, and its leadership were the target of repression and enforced disappearances. By this time, parts of the Catholic Church had also become more progressive and embraced liberation theology, often providing a focal point for local communities. Other parts of the Catholic Church remained (and still remain) conservative and adopted the narrative of anti-communism.

Between 1978 and 1983, during the governments of Generals Lucas García and Ríos Montt (who replaced Lucas García via coup in March 1982), state repression was at its highest, in particular under Ríos Montt. Atrocities were carried out on a massive scale by the Army's Special Forces and intelligence units.²¹ Of all the state-committed human rights violations recorded by the truth commission set up by the peace accords, the *Comisión de Esclarecimiento Histórico* (CEH, Historical Clarification Commission), 91 percent occurred in the period 1978 to 1983. Figueroa has termed this approximate period (1978-1980) as the third and final wave of terror, seeking to eliminate all forms of non-violent opposition and protest (trade unions, student organisations) before taking on the guerrilla in its territories. The opportunity for political protest all but disappeared by 1981 as a result of the killing and disappearance of the majority of leaders of civil society organisations.²²

In urban areas, the Army managed to nullify the URNG threat (albeit not eliminate it). This was an important factor that distinguished the Guatemalan insurgency from its neighbours in El Salvador, and impacted on how willing the elites were in later years to engage in the peace process. It also affected intra-elite dynamics, the conflict being largely absent from the big cities and considered by some as something that happened 'far away in the highlands'. Remarking on the Army's success in raiding guerrilla safe houses in urban areas, Hunter²³ notes the Israeli advice and support the Army

¹⁹ Ibid.

²⁰ Figueroa 2011.

²¹ Stanford, 2004.

²² Figueroa, 2011: 160.

²³ Hunter, 1987.



received, in particular the provision in the very early 1980s of computers, capable of monitoring utilities usage indicating, for example, night time printing presses.

In rural areas, the Army identified the Maya population as the population base of the URNG and, in turn, as the “internal enemy”. The concept of an internal enemy as applied to the Maya was coined in Guatemala by the anthropologist Myrna Mack (herself assassinated in 1990) to explain the savagery with which the Army pursued Mayan communities. Maya leaders were systematically kidnapped and disappeared, something the CEH viewed as evidence of Army’s genocidal intent, which encompassed breaking down the social structure of Mayan communities.²⁴

The coup of March 1982 has been interpreted as a realignment of powers among different factions in the Army, as well as different factions of the elites. Since 1981, there had been discontent in the Army owing to the abnormally high levels of corruption in the Lucas government, in addition to concerns at the inability to defeat the guerrillas.²⁵ As noted, Ríos Montt’s administration, in particular, is considered to have been the most brutal period of the conflict. He pursued the strategy of ‘taking the water away from the fish’ as part of his *Victoria 82* (Victory 82) military campaign. The campaign, in essence, consisted of using scorched earth tactics against Maya communities, either destroying them in situ or forcing their displacement so they could no longer serve as population base for the guerrillas. His next campaign plan *Firmeza 83* (Firmness 83), had the aim of destroying any sources from which the civilian populations could feed itself and survive. In practice, *Firmeza 83* meant burning or destroying crops, harvests, and grain stores, as well as burning farms and destroying cookware and tools. The aim was to give no other option than for the civilian population to leave areas in which the guerrillas operated, and move to government controlled areas.

The state and political economy

From 1960-1986, the presidency was held by an Army officer with one short exception. In 1986, following the passing of a new constitution, Vinicio Cerezo, a civilian, became president, and a civilian has held the presidency ever since. As a result, 1986 is often referred to as ‘the year democracy returned to Guatemala’. The immediate return of a civilian to the presidency, however, did not impact on the conflict. The worst atrocities had occurred in the 1978-1983 period and, by 1986, the guerrillas were on the strategic defensive again.

The alliance between Guatemala’s traditional elites and the Army marked the country’s power structures throughout the conflict. Until 1986 the elites largely took a back-seat role in governing, although their alliance with the Army ensured the Army would act to defend the interests of the elites. Since 1986, the elites have occupied formal positions of power, including the presidency itself.

The 1986 transition to civilian power represented a more fundamental shift: having a civilian president was no longer simply a façade. The 1986 transition represented a shift in the Army’s strategy moving from total dominance of the State and mass killings to a form of co-governance (with elites) and selective repression.²⁶ The internal logic of the Army (or rather, the faction of the Army in power at that time) appears to have been to accept that a governance model in which the Army formally controlled the executive branch, where no elections took place and Presidents rotated as and when military coups occurred, was not sustainable. There was recognition within the Army that elections, civilians and, at least a form of democracy, was needed if the Army was to remain central in Guatemalan affairs and if the national interest (as defined by the Army, essentially not permitting change in the status quo) was to be protected in the long-term. The basic principles of this

²⁴ CEH, 1999.

²⁵ Figueroa, 2011: 175.

²⁶ Schirmer, 1998.



new strategy were to keep the Army in a place of central power and oversight, maintain an alliance with the elites and continue fighting the guerrillas and their perceived allies in civil society.

Schirmer has termed the post-1986 form of government a “counterinsurgent constitutionalist state”.²⁷ Jonas uses the more visual description of “[...] “centaurization” of the Guatemalan state, that is, its domination by a counterinsurgency apparatus that was half-beast, half-human, a mix of civilian and military power, with the prevalence of the military component. [Centaurization ...] refers to a creation by the entire ruling coalition, composed of the bourgeoisie or large propertied interests, the army, and its civilian allies in the state apparatus”.²⁸

The economy grew from 1950 to 1980, arguably due to the measures imposed during the ten years of spring which led to diversification in both agriculture and industry, increases in agricultural exports, and regulation of foreign investment. The economy’s growth, however, did not reach either the rural or urban poor. Social spending and tax collection remained the lowest in Central America from 1960 to 1980.²⁹ Jonas has described the Guatemalan state as being strong enough to prevent a revolt but unable (even if it had been willing) to address the sources of the revolt.³⁰

Corruption has always been a major obstacle to the rule of law in Guatemala (as recently as late 2015, President Otto Pérez Molina, a former general, was ousted from office after anti-corruption protests) and the conflict years were no different. Throughout the conflict, Army officers were accused of amassing personal fortunes and benefiting from government policies, in particular the push to develop a northern strip of the country known as the *Franja Transversal del Norte*, wealthy in natural resources.

Main actors and motives

The URNG proclaimed itself an organisation which wanted to achieve “equality between indigenous and non-indigenous peoples, end the repression, and build a democratic society”.³¹ The organisations’ leaderships were nearly entirely non-Maya men although some Maya reached mid-ranking positions, and they recruited mostly from the urban left-wing elites, working class organisers (e.g. trade unionists) and Maya communities. The EGP and ORPA decided early on to make efforts to mobilise Maya support, locating in areas where Maya communities resided.³² One survey carried out at the time of demobilisation in 1997 found that 81.5 percent of those combatants present in the designated zones identified as Maya. Of those not present in the designated zones (i.e. urban areas) 49.7 percent identified as Maya. Each organisation had its own structure and battlefronts. Operational unity between the four organisations was limited, but the organisations appeared to achieve a higher degree of unity during the peace process. The organisation was inspired in its early stages by the Cuban revolution and later by the Nicaraguan, two countries which it also assisted at various stages of the conflict. At the peak of its strength in the early 1980s, URNG membership was estimated to be circa 6,000. In 1997, the URNG officially demobilised 3,614 combatants.³³

The CEH states that in 1993 the URNG formally recognised that a negotiated outcome was the only possible outcome to the conflict.³⁴ However it has been suggested that the guerrillas had come to

²⁷ Schirmer, 1998: 258.

²⁸ Jonas, 2000: 11.

²⁹ Jonas, 2000:54; CEH, 1999:86.

³⁰ Jonas, 2000.

³¹ Fundación Social, 2006: 262.

³² Saenz, 2008.

³³ Carrillo, 2008.

³⁴ CEH, 1999: 242.



accept much earlier than that that it could not take power militarily.³⁵ Arguably, by the mid-1980s there was an acceptance within the URNG that the adverse military conditions were such that it could not realistically expect a military victory. As to what message the guerrilla commanders conveyed to their rank and file, it would appear that at least by the early 1990s there was a willingness to open discussions within the organisation around a possible negotiated solution to the conflict.

The Army had a leading role in nearly every aspect of Guatemalan life, even after the return of civilian rule in 1986. The Army provided the majority of Guatemala's presidents prior to 1986, obtaining power either via coups or via elections in situations where political freedoms were non-existent or fragile.³⁶ Throughout the years, with the exception of the "ten years of spring", the Army's hierarchy adopted a repressive approach to social and political discontent. The Guatemalan state during the conflict has been described as counterinsurgency state,³⁷ evidenced not only by the type of military operations carried out, but also by the nature of the apparatus constructed to fight the insurgency.

In addition to the Army, the *Patrullas de Autodefensa Civil* (PACs, Civil Defence Patrols) were created in rural areas, into which local residents were forcibly recruited. They acted to support the Army and to provide intelligence and also a means of controlling the local population. Death squads and paramilitary groups such *Mano Blanco* (White Hand) operated freely, committing enforced disappearances and extrajudicial executions. In particular the intelligence apparatus owed its nomenclature to a state of mind of permanent counterinsurgency. The Guatemalan military intelligence apparatus has been described by Schirmer³⁸ as medusa-headed and clandestine bureaucracy within the state itself and as being the 'heart of the heart of the repressive democracy' that is Guatemala. G2, the 'normal' military intelligence branch, was complemented by the *Estado Mayor Presidencial* (EMP, Presidential Military Staff) which protected the President and ran intelligence operations. The EMP was responsible for some of most high-profile killings. EMP operators were eventually – after many years and more deaths linked to the trials themselves – convicted of the murders of Myrna Mack and of Bishop Juan José Gerardi, the head of the Catholic Church's human rights office, who was assassinated in 1998 two days after presenting a report on human rights violations committed during the conflict.

As to the internal dynamics of the Army, by the mid-1980s two factions appear to have taken hold: one 'hard line', intent on purely military solutions, against even the most timid or basic of socioeconomic reforms and against negotiations with the URNG; and a second faction, termed 'modernising' or *institucionalista*, 'institutionalist', more accepting of the role politics had to play in Guatemalan society and the need for a negotiated solution to the conflict (albeit the latter simply as a mechanism to accept the surrender of the URNG). Some claims have been made that the institutionalist faction came to power in 1982, with the ascendancy of Ríos Montt.³⁹ That assertion would seem counterintuitive considering the nature of the Ríos Montt Government (perhaps the most hard line of all the military governments) and in any event is difficult to verify. What does appear more credible is the claim that the insitutionalist faction came to power in 1986 in tandem with the arrival of President Cerezo and may have facilitated the transition to a civilian presidency.

³⁵ Jonas, 2000: 31.

³⁶ Gálvez: 2008.

³⁷ Jonas, 2000.

³⁸ Schirmer, 1998: 274.

³⁹ Schirmer, 1998, citing an interview with a former Minister of Defence and leader of institutionalist faction, General Gramajo Morales.



The traditional elites in Guatemala owe their origins to the coffee plantations and were the original *finqueros*. All non-Maya, over the decades they have branched out into other areas and dominate all areas of the Guatemalan economy, dominating industry, agriculture, media, retail and finance. Their business association, the *Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras* (CACIF, Coordinating Committee of Agricultural, Commercial, Industrial and Financial Associations) is composed of industry-specific business associations (e.g. construction, finance, tourism) and is widely accepted as a key player in Guatemalan national life, politically and economically. Elites have traditionally supported the Army and in turn the Army has protected their interests. The divide within the elites during the conflict and peace negotiations has been most keenly expressed by the divide within CACIF between the *Unión Nacional Agropecuaria* (UNAGRO, National Agricultural and Cattle Union) and the other associations. UNAGRO were considered to be hard line, opposing any negotiations with the URNG and any substantial concessions on issues such as taxation and wages.

Civil society organisations during the conflict years operated in a tightly constrained political space, and trade and student unions were the subject of continued repression in the 1970s and 1980s. Rural Maya organisations did not fare any better during the height of the conflict. Human rights organisations were prominent in the 1980s, and continued to denounce extrajudicial executions and disappearances while still bearing the brunt of state repression. However, with the advent of the peace accord negotiations civil society organisations did achieve a higher profile and assumed in some aspects a prominent role in the negotiation process.

Main drivers of the conflict

The principal root causes of the conflict were the lack of independence and imbalance between the different branches of government before 1944 and after 1954 (the judicial and legislative branches rarely holding the executive to account); the constant erosion of political freedoms and human rights violations as well as the curtailment in particular of political rights of the Maya population in the a context of their exploitation, exclusion and marginalisation; and, arguably the most important cause, the acute inequality in the distribution of wealth, in particular land.⁴⁰

Proximate causes were initially the overthrow of the Arbenz government in 1954, followed by the political repression and elimination of any space for dissent. The anti-communist ideology of the Army and elites, including large parts of the Catholic Church, was instrumental in framing any opposition to the state as either influenced by international communism or being directed by such. Support from the United States, although varying throughout the years, ranged from the 1960s when advisors accompanied field troops, to the late 1970s when President Carter curtailed aid was important to the Army. Cuban and Nicaraguan support was important to the guerrillas.

The brutality of the conflict

In 1999, the CEH reported on widespread human rights abuses and war crimes that occurred during the conflict. The Commission concluded *inter alia* that 626 massacres had occurred and blamed the majority of human rights abuses and war crimes on the state – including its having being responsible for genocide.

The CEH concluded that 83 percent of the victims of the conflict were Maya, which amounts to an estimated 132,800 dead and 33,200 disappeared of the total 200,000 victims of the conflict. The CEH concluded that genocide had occurred. It was the designation by the Army of entire groups of Mayas

⁴⁰ Gálvez, 2008; Jonas, 2000; Luján, 1998; Cassaús, 2010.



as the 'internal enemy' that *inter alia* served as the basis for that conclusion. The CEH also concluded that rape had been used systematically by the Army as a weapon of war. Finally, the CEH found the guerrillas responsible for three percent of the human rights violations occurred during the conflict, including such things as kidnapping for ransom, and some massacres. It concluded that state forces, primarily the Army, was responsible for 93 percent of war crimes and human rights abuses.

Although the CEH registered 626 massacres, since the end of the conflict there have been numerous exhumations mostly carried out by the Guatemalan Forensic Anthropology Foundation, an NGO. In light of this more recent work, the CEH report's estimates of massacres and of overall victims are considered by some to be low.

One of the worst hit areas by the Army campaigns was the department of El Quiché, predominantly populated by the Ixil-Maya, which the Army had identified as supporting the URNG. The massacres would, in May 2013, be the subject of the country's first trial for genocide and war crimes, in which Ríos Montt was found guilty, a conviction overturned 10 days later on a technicality by the Constitutional Court in what was widely seen as a political judgment in response to an outcry by elites.

The story of massacres such as that of Dos Erres, the Petén department, is all too familiar in the pages of the CEH report. On 5 December 1982, Guatemalan special forces entered Dos Erres. Over the course of three days, they killed and tortured an estimated 250 men, women and children, raping the women and girls, eventually burning the village to the ground. Pedro Pimentel Ríos was convicted for his role in the massacre in a Guatemalan court in March 2012. He had been extradited from the US, where he had been detained on immigration charges, having confessed to the US authorities that he personally had thrown a baby into the village well.

III: The Peace Process – Antecedents, Processes and Key Features

The international dimension

The international context post-WW2 was marked by the Cold War, and the Central American region was no different. The United States had considerable influence on Central American affairs, as noted for example in playing a central role in the 1954 coup in Guatemala. After the Cuban revolution in 1959 the Cold War narrative took on the form of the USA supporting efforts in the early 1960s (mostly via President Kennedy's Alliance for Progress) to address some of the underlying causes of social discontent. While the impact of these efforts is beyond the scope of this paper, arguably the Central American contexts remained largely the same until 1979: with the exception of Costa Rica (and excluding Panama and Belize), the other Central American countries were governed by combination of Army officer-presidents, supported by an alliance with national elites, and were societies in which political freedoms were severely curtailed.

In 1979, the Nicaraguan revolution changed the dynamics of the region leading to the 'Contra war' in Nicaragua, the war in El Salvador, an iron-fist rule in Honduras and the 'second phase' of the conflict in Guatemala.

Although the Central American armies were formally allied via their participation in the Central American Defence Council, in reality the alliances had been frayed by the 1969 war between El Salvador and Honduras. Guatemala adopted an outwardly neutral stance vis-à-vis the conflicts in El Salvador and Nicaragua, refusing to support the Contras in Nicaragua or their Salvadorian military colleagues as they battled the *Frente Farabundo Martí para la Liberación Nacional* (FMLN, Farabundo Martí National Liberation Front).



Throughout the conflict the main international supporter of the Guatemalan state was the United States. Although from the late 1970s, direct military support was curtailed owing to the Guatemalan Army's dismal human rights record, the United States never suspended or threatened to break off relations altogether or, crucially, impose economic sanctions – although it did come close in the context of *Serranazo* in 1993 (see below).

Without practical or technical support from the United States, the Guatemalan Army turned to Israel for support. It is likely that the support was given by Israel with the tacit consent of the United States. Israel sold Guatemala tens of thousands of weapons, ranging from infantry rifles to communications equipment and aircraft.⁴¹ The Israeli embassy itself was attacked in January 1982.

In political terms, the Central American context was more important to the end of the conflict, in effect, kick-starting the Guatemala Peace Process via Esquipulas I and II (addressed below).

As noted, the Cuban and Nicaraguan revolutions provided inspiration to the Guatemalan guerrillas. There were also similar insurgencies happening in Argentina, Bolivia, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay, Venezuela and southern Mexico at various times during the conflict, also providing a source of inspiration. The assistance provided by Cuba and Nicaragua was mostly in the form of supplying arms and training, and providing a measure of political support where possible.

Changing military positions

The early to mid-1980s was a period without prospect of securing any kind of negotiated end to the conflict. The coups of March 1982 and August 1983 put hard-line military commanders in the presidency, leaving little scope for the state to adopt any position other than seeking the total military defeat of the insurgency.

By the second-half of the 1980s, the conflict had reached a stalemate phase. The Army launched 'final' offensives and declared victory but never managed to eliminate all the guerrillas on the various fronts. The URNG had presence in 16 of 22 departments and the capital, with strongholds in El Petén, El Quiché and San Marcos, but was not able to dispute the Army's control of territory. The Army was still able to enter those areas when operating in large units, preventing the guerrillas from holding 'liberated areas'. The guerrillas were on the strategic defensive but could do enough to render hollow the Army's various declarations of 'final victory'.

As noted, Jonas argues that by the mid-1980s there was acceptance among the guerrillas' leadership that taking power militarily was no longer viable or realistic.⁴² Various former commanders have, since the conflict, agreed in part, with that view. It may be that by the mid-1980s the more realistic among the guerrillas' military commanders may have accepted an outright victory was unrealistic, but it would appear their definitive acceptance of negotiated settlement (as opposed to a tactic that would assist a military victory) did not come until the early 1990s. The former head of the EGP, for example, wrote that he considered military struggle as the way to obtain power, but that negotiation was another form of struggle.⁴³ The former head of ORPA wrote that he considered that political action from social movements was not realistic in the constrained political space in Guatemala, and that negotiations served to open that political space.⁴⁴ What he meant, it is suggested, was that in a context where social movements sympathetic to the goals of the URNG were constantly under threat and repressed, the only way those movements could organise and mobilise freely (and thus, in the

⁴¹ Hunter, 1987.

⁴² Jonas, 2000.

⁴³ Fundación Guillermo Toriello, 2002.

⁴⁴ Sáenz, 2007: 130.



Stabilisation Unit

view of the head of ORPA, assist the guerrillas' ultimate goals of societal transformation) was via the peace process. It would be the peace process that shielded the social movements from the repression experienced in the 1960s, 1970s and the first half of the 1980s.

The military stalemate does not appear to have been significantly affected by the ongoing negotiations (the negotiations mostly occurring in the 1994-1996 period). There were no guerrilla offensives in a similar vein to the Salvadorian insurgency, which launched another offensive in November 1990 (following from its November 1989 offensive) with the aim of affecting the military balance of power so as to influence the peace negotiations. The CEH references Army offensives in 1989 and 1990, specifically stating that in respect of the 1990 offensive that both sides sought to shore up their negotiating positions by achieving military gains.⁴⁵ It is suggested that the actual consequential effect upon the negotiations is unclear.

The international and regional context was rapidly changing. The beginning of the end of the Cold War began to take shape with the fall of the Berlin Wall in November 1989. Regionally, Esquipulas II had resulted in cessation of hostilities in Nicaragua, and, particular after the guerrilla offensive in El Salvador in November 1989, the Central America context favoured peace negotiations over continued conflict. The US invasion of Panama in December 1989 also impacted leftist movements across the region, signalling the willingness of the US to use military might if necessary. The invasion had less impact on the Guatemalan context but quite a significant impact on the Nicaraguan and Salvadorian context, and the URNG still drew support from the Nicaraguan government and the Salvadorian insurgency.

⁴⁵ CEH, 1999: 216, referencing the Army's *Operación Avance 90*, Operation 90 Advance.



The Peace Accords signed between the Government of Guatemala and the URNG:

The Framework Agreement on Democratization in the Search for Peace by Political Means, signed in Queretaro, Mexico, on 25 July 1991,

The Framework Agreement for the Resumption of the Negotiating Process, signed in Mexico City on 10 January 1994.

The Comprehensive Agreement on Human Rights, signed in Mexico City on 19 March 1994.

The Agreement on Resettlement of the Population Groups Uprooted by the Armed Conflict, signed in Oslo on 17 June 1994.

The Agreement on the Establishment of the Commission to Clarify Past Human Rights Violations and Acts of Violence that Have Caused the Guatemalan Population to Suffer, signed in Oslo on 23 June 1994.

The Agreement on Identity and Rights of Indigenous Peoples, signed in Mexico City on 31 March 1995.

The Agreement on Social and Economic Aspects and the Agrarian Situation, signed in Mexico City on 6 May 1996.

The Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society, signed in Mexico City on 19 September 1996.

The Agreement on the Definitive Ceasefire, signed at Oslo on 4 December 1996.

The Agreement on Constitutional Reforms and the Electoral Regime, signed in Stockholm on 7 December 1996.

The Agreement on the Basis for the Legal Integration of URNG, signed in Madrid on 12 December 1996.

The Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements,

The negotiations

Central American regional peace talks began in the context of the Contadora process around 1983 – named as such after the Panamanian island where representatives from Colombia, Mexico, Panama and Venezuela met. The Contadora process, lasting from approximately 1983 to 1986, did not result in a concrete regional peace agreement but did lay the groundwork for the first meeting of Central American presidents in May 1986 which sought to address the crisis in the region. The meeting resulted in the Esquipulas I agreement (named after the town in Guatemala where the meeting took place). Esquipulas I set out general statements of intention of all Central American countries to work towards peace and continue to the dialogue rather than being a workable agreement. The meeting had been called by President Cerezo and supported by Oscar Arias the Costa Rican President (who went on to win the 1987 Nobel peace prize for his efforts).

Seeing a chance to kick-start talks, in late 1986 the URNG publicly proposed talks with the government. The proposal was ignored by the government.

The Central American presidents met again in August 1987 and signed the Esquipulas II agreement. Esquipulas II was a far more comprehensive agreement that, in essence, brought about an end to the



Stabilisation Unit

Nicaraguan contra war (by April 1988 a cease fire had been agreed, the final demobilisation of the Contras occurred in 1990).

In what turned out to be a key development for Guatemala, Esquipulas II created a dialogue mechanism in each country called *Comisión Nacional de Reconciliación* (CNR, National Commission for Reconciliation). The CNR in Guatemala was chaired by a Catholic Church leader and in October 1987 the CNR hosted the first meeting between representatives of both the Government of Guatemala and the URNG in Madrid.

The Guatemalan delegation was composed of four civilians and four Army officers. The fact that the Army had agreed to be part of the delegation was explained by the then Minister of Defence as a consequence of the Army's acceptance of the transition to civilian power (Schirmer, 1998). At the time, the Army viewed negotiations as simply a mechanism for the surrender of the guerrillas. Nothing came of the October 1987 talks and by early 1988 the Government announced it would not be continuing with any more dialogue with the guerrillas.

Two years into the civilian presidency, the Army faced its first major internal crisis which put the transition under challenge. In May 1988, a group of hard-line officers attempted a coup. The group calling themselves the *Oficiales de Montaña*, Officers of the Mountain (i.e. combat commanders) attempted unsuccessfully to oust the institutionalist faction from Army leadership. The Officers of the Mountain issued a communique in which they blamed the need for a coup on corruption and communist infiltration of the state, referring to President Cerezo as 'Commander Ramón' (i.e. a member of the URNG).⁴⁶ The Minister of Defence at the time, General Gramajo Morales, put the attempted coup down to hard-line officers being unhappy about three things: the 1987 dialogue with the URNG, the failure to support the Nicaraguan contras, and finally – the principal reason in the view of the former Minister – President Cerezo's policies and positions including attempts to reform tax, modernise the land registry, engage with trade unions and his acceptance of the arrival back of Rigoberta Menchú who was spearheading opposition (outside of Congress).⁴⁷ The former Minister laid the blame for the attempted coup squarely at the feet of UNAGRO, the hard-liners within CACIF. UNAGRO had strongly opposed President Cerezo's policies, in particular in respect of tax reform and the land registry, and when the organisation failed to stop the reforms (both politically and legally, having launched a failed lawsuit) it had turned to allies within the Army.⁴⁸

In May 1989, a year later nearly to the day, another coup attempt was quelled. This time General Gramajo Morales put the causes of the attempted coup down to purely internal issues, in other words, it had not taken place at the behest of UNAGRO or other groups representing elite interests, but rather at the behest of hard-line officers wanting to oust the institutionalists and thus regain power within the Army.

Both attempted coups were an important juncture for the peace process. In suppressing the coups the institutionalists within the Army and President Cerezo remained in place, which in turn meant they could continue what dialogue efforts existed. Although the 1987 direct dialogue between the Government and the URNG had not prospered, the CNR continued to exist and went on to develop proposals and push for consensus. Had the coups been successful it is highly likely, arguably certain, that the CNR would have been closed down. The suppression of the coups were also key in that they allowed the institutionalists to expel or neutralise hard liners from the Army (either ejecting from the Army or 'banishing' key and high ranking hard liners by making them military attaches abroad). It was

⁴⁶ Schirmer, 1998: 296.

⁴⁷ Schirmer, 1998.

⁴⁸ Schirmer, 1998: 209; CEH, 1999: 218.



the strengthening of the positions of the institutionalists which would years later make any kind of peace agreement with the guerrillas possible.

By 1989, the CNR process had achieved consensus among civil society organisations in favour of a negotiated settlement to the conflict. However, the Guatemalan government and elites maintained that a pre-condition for any negotiations should be the surrender of the guerrillas, something unacceptable to the URNG.

Despite the direct talks between the government and the URNG not prospering, the government did let the CNR meet with the URNG, paving the way for a meeting in Oslo in March 1990, which the UN Secretary General was invited to observe. The result was the Basic Agreement on the Search for Peace by Political Means. In turn, the Oslo Accord called for a series of meetings between the URNG and representatives of Guatemalan society but not the government (termed the 'Oslo Consultations').

As part of the Oslo Consultations, from June to August 1990 the URNG met with representatives of political parties represented in Congress in Madrid; with the business elite (represented by their business association CACIF) in Ottawa; with religious representatives in Quito; with trade union and 'popular' leaders in Puebla, Mexico; and with the *Instancia Multisectorial* (the multi sector group – an ad hoc name given to academics, think tanks, professional bodies, and other groups) in Atlixco, Mexico.

The key agreements of this process were that the guerrillas would not disrupt the presidential elections due to be held in November 1990, and that changes to the constitution would be a required for a negotiated settlement to the conflict. Most of the meetings ended with a joint declaration. References to commitments to peace pepper the various declarations. However, CACIF refused to sign any joint declaration. The decision not to sign any declaration was a decision taken internally in the organisation prior to their attendance in concession to those CACIF members who opposed the organisation talking to the URNG or any negotiated settlement of the conflict. The very fact of their attendance was considered a milestone by many observers.

The November 1990 elections were won by Jorge Serrano Elías. He had been a member of the CNR and, as a candidate Serrano had committed himself to negotiations with the guerrillas. While Serrano is largely remembered for the *Serranazo* (see below), arguably he achieved one of the most important steps in the peace process early on: he convinced the Army to agree to negotiations with the URNG without the pre-condition of surrender. General García Samayoa, a former deputy Chief of Staff and Minister of Defence during the Serrano administration, placed the decision to agree to the direct negotiations with the URNG within the context of the post-1986 transition to civilian power. In response to being asked by the Army to take part in the negotiations, the General stated "because the dialogue is now part of the government. Ministers went, Advisors went, officers went – but we were not alone. We formed one governmental commission [...]"⁴⁹

In addition, the regional context certainly favoured a peace process or, at the very least, shifted the underlying dynamics within the internal political settlement such that an adjusted elite bargain and peace process became possible: a right-wing government had been elected in Nicaragua after the Sandinista defeat, and whatever support the Sandinistas gave the URNG would be reduced and likely disappear altogether; the second Salvadorian offensive had ended (in November 1990) and by the time Serrano assumed office (mid-January 1991) that conflict would only last 11 months longer, the negotiation process being well advanced; CACIF had already met with the URNG; and, finally, the

⁴⁹ Schrimmer, 1998: 251.



guerrillas remained militarily on the strategic defensive, thus the Army's leadership likely considered it did not stand to lose much from entering a negotiating process. The Army's decision to agree to direct negotiations should also be placed in its proper context: at the time (1990) it was far from clear that the peace process would result in a series of agreements that went beyond simply the surrender of the guerrillas. Indeed, General García Samayoa also noted in his response to question of why the Army had agreed to negotiate that "the demobilization of the terrorist delinquency was anticipated."⁵⁰

President Serrano ignored the Oslo Accord⁵¹ and instead, in July 1991 in Mexico, the government and guerrillas agreed the Framework Agreement on Democratization in the Search for Peace by Political Means ('the Mexico Accord'). The Mexico Accord was the first time the government and guerrillas had met officially and agreed to set out a roadmap to end the conflict.

By 1992, a few months after the Mexico Accord, the regional context had shifted further and more fundamentally in favour of peace. The Salvadorian conflict had formally ended and Rigoberta Menchú had won the Nobel Peace Prize. The impact of the latter on the government and the elites should not be underestimated: a Maya woman on the world stage as a result of her denunciations of human rights violations committed by the Army and the everyday racism faced by Maya communities at the hands of *finqueros* and the authorities was an important development. However, the next two years saw a virtual impasse in the peace process. There were more meetings in Mexico but no progress was made. Although the UN was an observer, the process was firmly a bilateral Guatemalan one: the URNG on one side, the government on the other, with the chair of the CNR acting as conciliator.

In 1993, the peace process drew to a halt as a result of the 'self-coup' carried out by President Serrano. Known as the *Serranazo*, in May 1993 the President suspended the Constitution and Congress. The *Serranazo* resulted from a domestic crisis which saw growing protests against the President's policies and his isolation by former political allies. The President also publicly fell out with the media, CACIF and the Catholic Church, amongst others. The Army maintained a 'wait and see' approach, not ruling out support for the President prior to the *Serranazo* but quickly making it clear to him that he lacked their support once the tide had turned against him some seven days into the 'coup', after which President Serrano fled to Panama. Negotiations between the Government and the URNG were *de facto* suspended as a result of the *Serranazo*.

Even after the *Serranazo* crisis, the impasse in negotiations remained. One of the reasons for the impasse was the entrenchment of positions within the military determined not to repeat the mistakes (as they saw them) of their Salvadorian colleagues. The Salvadorian peace accords contained a specific agreement to demobilise certain military units deemed responsible for the most egregious human rights violations (e.g. the Immediate Reaction Battalions or BIRIs), to 'cleanse' (*depurar*) the Army of those officers linked to human rights violations, and for the report of the truth commission to name individual perpetrators. By early 1993, the reality of those agreements dawned on the Salvadorian military leadership. Throughout the course of 1992, the BIRIs were demobilised and many officers had been removed from the Army. But above all, individual officers were named in the Salvadorian Truth Commission's Report in March 1993. The Report caused such backlash – described as a coup-like atmosphere – that the Salvadorian legislative passed an amnesty law five days after its publication, guaranteeing that no officers would be prosecuted. The lessons were not lost on the Guatemalan military leaders and consequently the individual accords that dealt with the future role of the military (left to September 1996, one of the last substantive accords) and human

⁵⁰ Ibid.

⁵¹ Which may account for why the Oslo Accord was not formally included or referred to in the final peace accord.



Stabilisation Unit

rights proved to be the hardest to agree – and, in the end, in the Guatemalan peace accords there was no similar provisions to demobilise certain units (with one exception: the EMP) or ‘cleanse’ officers or name individual perpetrators of human rights abuses (which prompted the Catholic Church’s human rights office to organise its own report which did name individuals and eventually led to the murder of Bishop Gerardi).

It was not until 1994 that the peace process effectively restarted. Both sides agreed that UN mediation was necessary if progress was to be made. The CNR had been replaced by *Comisión de Paz del Gobierno de Guatemala* (COPAZ, Guatemalan Government Peace Commission). The peace process was restarted formally with the signing in Mexico City of the Framework Agreement for the Resumption of the Negotiating Process in January 1994. The ‘Resumption Agreement’ proved key to the progress of the peace process itself and indirectly key to overcoming the substantive issues. In the Resumption Agreement, the two sides appointed the UN as moderator and invited friendly countries (Colombia, Mexico, Spain, Venezuela and the USA) to be guarantors of the process. In addition, the *Asamblea de la Sociedad Civil* (ASC, Civil Society Assembly) was formed to allow civil society organisations to discuss in a parallel fashion the various peace accords as they were signed. The ASC could not veto the accords but would be invited to make recommendations and could endorse individual accords. One former member of the ASC reflected that before Vinicio Cerezo came to power the only civil society organisations were “[...] the human rights and victims’ organisations, but then others came out, the trade unions, churches, indigenous, the universities. The Civil Society Assembly was probably the best thing to happen during the peace negotiations”.⁵²

The human rights agreement (signed in Mexico in March 1994) created the *Misión de Verificación de las Naciones Unidas en Guatemala* (MINUGUA, the United Nations Verification Mission in Guatemala). MINUGUA set up offices in the capital as well as the regions, and reported specifically on compliance with the peace accords and human rights. The presence and visibility of UN officials certainly helped the peace process move forward, creating a momentum for peace. The agreements on refugees and creating the CEH, which followed shortly after, were both signed in June 1994 in Oslo.

The ASC, as a mixture of civil society groups, proved to be very valuable to the peace process as it made many proposals and gave impetus to the individual agreements, in particular those focussed on the rights of the Maya population (signed in March 1995) and agrarian issues. The ASC also proved valuable to the organisations themselves, in particular those focussed on indigenous people rights and women’s human rights, to establish themselves. The issue of gender discrimination was only briefly touched upon in the accord on socio-economic issues, and the topic is often referred to as ‘the missing accord’.

The ASC was discredited by those opposed to the peace process (as a façade of the guerrillas). However, the FRG, the political party of General Ríos Montt, participated in the ASC and making it difficult for the peace resisters to completely delegitimise it.

Those opposed to the peace process, in addition to attempting to discredit the ASC, also had their sights set on MINUGUA. Various direct threats were made against MINUGUA (including threats to its staff and shooting at one its offices) as well as discrediting the organisation by accusing it of siding with the guerrillas. MINUGUA quickly identified the major human rights challenges to the country, namely entrenched impunity and discrimination, thereby earning itself the enmity of the military and large sections of the elite.

⁵² CEG, 2016: 15, citing a March 2016 interview of Rosa Maria Watland.



Stabilisation Unit

The elites, in the form of CACIF, dealt with a schism within the organisation represented on the one hand by the agricultural sector, and on the other hand the self-called 'modernising' sector composed mostly of industry and finance members who to some degree accepted the damage the conflict had done and would continue to do to the country's reputation. The agricultural sector or the traditional *finqueros*, viewed the conflict as having been won militarily and were more supportive of the Army, less willing to challenge its leadership role and viewed the peace process as something imposed by the international community. Many in the elite did not consider that the conflict constituted an obstacle to economic activity⁵³ The *finqueros* withdrew from CACIF despite obtaining concession including the exclusion of CACIF from the ASC in which it never participated. Some of the obstacles within CACIF were overcome with the creation of the *Comisión Empresarial de Paz* (CEPAZ, Business Peace Commission) which was composed of modernisers and created for the pro peace business lobby to have a body to interact in the peace process, less hamstrung by the internal CACIF dynamics.⁵⁴ However, those who did want a negotiated solution to the conflict, the modernising sector, had not asserted definitively themselves over the *finqueros* in the period 1994-1995.

In October and November 1995, the *Finqueros* filed two lawsuits to stop the peace process. The gist of the lawsuits was that the URNG was a proscribed organisation and negotiating with them was therefore a criminal act. The filing of the lawsuits was denounced broadly for what it clearly was: an attempt to derail the process and end any hope of reaching an agreement of any kind. The lawsuits were formally filed by the *Coordinadora Nacional Agropecuaria* (CONAGRO, National Agricultural and Cattle Coordinator). CONAGRO, not part of CACIF – which disassociated itself from the lawsuit – represented the hard-line views within the elites. The fact that CONAGRO was not formally within CACIF was itself a result of the intra-elite dynamics, the hard liners not being satisfied with concessions of the approach of CACIF, hoped that in being outside of CACIF they could do more to stop the peace process than within CACIF.

By 1996, intra-elite dynamics had fundamentally shifted in favour of peace. Key to this was the election of Alvaro Arzú to the presidency, he assumed office in mid-January 1996. A member of one of traditional elite families he was firmly in the modernising wing of CACIF and in due course 'modernisers' were named to his cabinet. Although there was never much enthusiasm in the Army for the peace process he is credited for effectively channelling what enthusiasm there was by naming supportive officers to key posts. The Constitutional Court dismissed the CONAGRO lawsuits in February.

The shift led to the signing of the agreement on socio-economic and agrarian issues and the agreement on the role of the Army in May and September 1996 respectively. The agreement on socioeconomic and agrarian issues had been a thorny subject for CACIF. Issues such as the country's tax burden and the prospect of agrarian reform were (and remain) sensitive topics in Guatemala. The country has one of the lowest tax burdens in Latin America and the lack of public funds is often credited as being one of the causes of the poverty in the country, the state lacking the capacity (even if it wanted to) to improve health, education and other basic public services. Similarly, land reform, not only the issue of redistribution of land but also the mechanisms of resolving conflicts over land which plague the country, are at the heart of both the Maya and rural worker organisations' demands and the elites' priorities.

The agreement on socio economic and agrarian issues was endorsed by CACIF and it is not difficult to see why. There was a commitment to set up a land bank (what became *FONTIERRAS*) and an executive agency dedicated to resolving land disputes (what became *CONTIERRAS*) but no mandated

⁵³ Rettberg, 2007.

⁵⁴ Ibid.



land reform. In respect to taxation, the state committed to increase the tax to GDP ratio (then at eight percent) by 50 percent within 14 years (in other words, to increase the tax to GDP ratio to 12 percent of GDP by the year 2000). CACIF enthusiastically adopted the agreement which reinforced the view of many civil society organisations that the agreement lacked any substantive measures which would do anything to reduce poverty or inequality. Krznaric concludes that “with the socioeconomic accord the full power of CACIF in the political and economic system became evident. CACIF achieved its major aims: to protect private property by preventing substantial land reform, to prevent any radical changes to the regressive taxation system, and to produce a document that was sufficiently vague not to tie down future governments to very specific reforms. CACIF’s influence in this accord easily outweighed that of the ASC”.⁵⁵

Various authors agree that the possibility of trade liberalisation that might come with a final peace agreement was an important incentive for the elites.⁵⁶ The elites did expect a peace agreement to bring economic modernisation, via accessing new and free markets or assistance from international financial institutions. However, it seems that for the elites it was an even higher priority to prevent the peace accords from resulting in any change to the underlying status quo, in particular with regard to tax and land. That was because “the potential costs associated with the guerrillas’ political and economic demands made during the peace talks outweighed the potential benefits of a comprehensive peace process for large parts of the private sector and were fundamental for the business community’s overall recalcitrant attitude towards the negotiations.”⁵⁷

The shift towards peace may also have been assisted by two scandals that further eroded the reputation of the Guatemalan Army. In 1995, it was revealed that an officer presumed to be responsible for the killing of Michael Devine, a US citizen, had been a paid CIA informant. In addition, the US lawyer Jennifer Harbury had brought attention to the enforced disappearance of her husband, Efraín Bámaca Velásquez, a URNG commander who had been taken prisoner and forcibly disappeared. The work of Harbury led to the revelation that the CIA knew that he had been taken alive and that the Guatemalan Army operated death squads. Both cases increased the pressure internationally on the government and Army.

Also in 1995, the Army carried out one of its last massacres in October of that year. In Xamán, in the department of Alta Verapaz, soldiers killed 11 inhabitants of a community of returned refugees (the relevant accord having been signed in June 1994, see box of specific accords). The Army said the incident was isolated. Some of the perpetrators were convicted in 2003.

In September 1996, the agreement on the Army was signed. The agreement sets out a change from the mission of the Army focused on external and internal defence to purely external defence, curtailment of the Army’s intelligence function and reduction in numbers. Since the constitution established the Army’s internal function, the agreement provides for a change to the constitution via referendum to be held in the future (the agreement on rights of the Maya too provided for constitutional change via a referendum). The agreement represented a sea change from the traditional military view that the Army would not accede to any demands that affected it. The change was due to many factors, Arzú’s pro peace stance, the context of the Guatemalan Army’s reputation and the detail of the concessions made (the Army likely thought it would reduce its numbers anyway if the conflict ended and there remained the question of whether the constitutional reforms would be approved in the future).

⁵⁵ Krznaric, 1999: 13.

⁵⁶ Rettberg, 2007; Krznaric, 1999; Joras, 2007.

⁵⁷ Joras, 2007: 181.



The final challenge to the peace process was what became known as the 'October surprise'. In October 1996, ORPA decided to carry out a kidnapping/ransom operation. Likely in response to the signing of the agreement on the role of the military – which, in essence, eliminated the last major obstacle to ending the conflict – the organisation decided to benefit financially before it lost the opportunity to do so. ORPA targeted a member of one of Guatemala's traditional elite families, Olga Novella. In response, the EMP kidnapped two members of ORPA, eventually exchanging one for Olga Novella and forcibly disappearing the other. The kidnapping allowed the peace resisters on the right to accuse the URNG of not having changed – the organisation's leadership denied all knowledge of the operation saying it had been carried out autonomously, something subsequently the CEH found to be not true. The episode also allowed critics on the left to point out that the Army was still engaged in forcibly disappearing its opponents. The lasting effect of the October surprise was that the URNG went into the final months of the peace process in a significantly weakened position (the head of ORPA was excluded from the URNG's negotiating commission). However, although the peace process came close to being derailed, the Agreement on a Firm and Lasting Peace, which brought to an end the 36 year long conflict was signed in Guatemala City at the end of December 1996.

Overall, two principal international mechanisms were used to support the reaching of an agreement. First, the UN intervened to directly facilitate negotiations between the parties. From 1994 onwards both parties sought the UN's facilitation officers and the UN intervened directly in the country in the form of the MINUGUA presence. Second, in the approximate period of 1992- 1993, at a time when the negotiations were at an impasse, with the assistance of Norway and Israel, Track II negotiations were kept open. These negotiations were not designed to replace the formal negotiations but simply to ensure a channel would be kept open for the eventual resumption of formal talks.⁵⁸ Track I diplomacy was significant in the 'Esquipulas era', that is, prior to the creation of the CNR which turned out to be a significant milestone in the peace process.

IV: The Sustainability of the Peace Accords and the Post-Conflict Period

One measure of success of the peace accords, in fact perhaps the most significant indicator, is that the conflict did not return. The demobilisation process was largely uneventful: the concentration of URNG forces and subsequent handover of weapons and reintegration of its combatants was complied with. In the post-accord pre-demobilisation period, there were no military confrontations that threatened to derail the accords. The final URNG combatant demobilised in May 1997. In the nearly 21 years since the end of the conflict, there has never been a realistic prospect or concern that an armed political group – whether connected to the URNG or not – would form and seek to take power by military means.

However, the peace accords have not resulted in any fundamental transformation of Guatemalan society and the underlying drivers that generated the conflict in the first place. For many, the peace accords ended up being simply a vehicle for a cease-fire and subsequent demobilisation of the guerrillas. For others, there has been some change over and above the demobilisation of the URNG, but not substantial.

The most significant setbacks to the implementation of peace accords as they pertained to transforming key aspects of Guatemalan society have arguably been in two respects: the failure of the 1999 referendum to approve the constitutional amendments, and the deterioration of public security and the increased role of the Army as a consequence. The constitutional amendments proposed as a result of the peace accords, principally in respect of the recognition of indigenous

⁵⁸ Jonas, 2000.



peoples' rights and the limiting the Army's role to external defence, were put to the country in a referendum in May 1999.

After the signing of the accords, 'peace resisters' appeared to gain the upper hand, no longer resisting the peace but resisting the change that the peace accords represented to alter some of the socio-economic fundamentals. Much of the modernising elite shifted from supporting the signing of the peace accords to opposing the approval of the constitutional reforms envisaged by the accords. The pro-constitutional reforms camp faced a tactical challenge in that an additional 37 amendments were added to the original 13 amendments proposed in the peace accords, with the result that 50 individual constitutional reforms were put to the electorate. The population had approximately 60 days in between the finalisation of proposed reforms and the vote itself. The practical result was confusion, which assisted both the 'no' vote and resulted in a high number of abstentions. In addition, the URNG seemed to dedicate little priority to the pro-reform campaign. Arguably this turned out to be a costly mistake, as by opting to prioritise their own affairs (consolidating themselves as a political party and gearing up for the November 1999 elections) they missed the opportunity to see the reforms approved.

Principally, however, it was the organised and disciplined campaign against the reforms which was mostly responsible for the final result. Crucially, the division among the elites between those opposed to signing to the peace accords and the 'modernisers' seem to become less clear. The modernisers did not see the approval of reforms in quite the same way as the ending of the conflict itself. Jonas describes their position as 'backsliding' towards the more traditional position of their group, that is, opposing change and the empowerment of the Maya and supporting the continued role of the Army.⁵⁹ The latter, in particular, had an impact in view of the ever worsening public security situation (see below).

The 'no' vote won the referendum by 55 to 45 percent, with a turnout of 18.5 percent, a low turnout, even by Guatemalan standards, which appeared to result from confusion about what the vote was about. Broadly, those areas more affected by the conflict voted to approve the reforms whereas those less affected voted against. The effect of the result was significant. The Army, which had largely taken a backseat, was fortified by the result. Meanwhile, the elites – even those who had supported a peace process – had managed to minimise socio-economic change that they saw as likely to harm their immediate interests.

Since the peace accords, the Army has had a less visible role, and there have been no attempted coups. However, it still remains one of the country's most important institutions and its alliance with the economic elites is still broadly intact. In the post-accord period there is little sign that the Army (or the elites) has ever come close to recognising its responsibility for past human rights violations. The Army refused to cooperate with the CEH, which expressed its disappointment at the lack of cooperation (by failing to provide any documents) repeatedly and throughout its report. Neither has the Army cooperated with any of the ongoing prosecutions in the Guatemalan courts of officers and soldiers for war crimes and genocide. There have been questions about its continued influence in political violence and intelligence gathering. As noted, in 1998, a member of the EMP assassinated Bishop Gerardi. The EMP was demobilised in 2003, but approximately 50 per cent of its members went on to form the organisation that replaced it tasked with protecting the president. In 2008, over a dozen listening devices were found in the offices of President Alvaro Colom, who came from a social-democratic background.

⁵⁹ Jonas, 2000.



Stabilisation Unit

In addition to the role of the Army remaining formally one of internal and external defence, the deterioration in public security in 1996-1998 led to a 'new' role in internal security. Although, of course, the Army had been involved in internal security for centuries, in the post-accords era, formal joint patrols were established between the Army and the new *Policía Nacional Civil* (PNC, National Civilian Police) set up as a result of the accords. There was much opposition to the Army being used in this manner, but the patrols were implemented in a shifting context in which a traditionalist pro-Army view gained the upper hand. They remain a feature of Guatemalan society today.

In other areas Guatemala remains beset by many of the same problems that it faced before and during the conflict. There remains an acute concentration of land in the hands of the elites, leaving the predominantly Maya rural communities in what has often been described as semi-feudal conditions. The empowerment of civil society organisations since the time of the ASC has, arguably, had its most visible manifestation in the mobilisation of Maya organisations. These have organised and mobilised continuously in the past two decades demanding land reform, in opposition to mining or hydroelectric projects located on their traditional lands and to demand recognition of their political and cultural rights.

The public security situation still remains dire and is unlikely to improve in the near future. In 2016 there were approximately 4,700 homicides, equivalent to roughly 27 homicides per 100,000 inhabitants (for comparison, in the UK there were approximately 570, equivalent to 0.9 homicides per 100,000 inhabitants).

The Guatemalan criminal justice institutions are often criticised as inefficient and corrupt. Violence against women, in particular, is prominent and led Congress in 1998 – entirely the result of the efforts of women's human rights organisations – to establish the criminal offence of femicide (the killing of a woman because of her gender). Street gangs known as *maras* are prevalent in the country as are drug trafficking organisations (DTOs) such as the Zetas and the Sinaloa Cartel, both of which (i.e. *maras* and DTOs) have taken on a transnational character encompassing Mexico and the 'northern Central American triangle' of Guatemala, Honduras and El Salvador.

The prevalence of violent crime is such that comparisons with the conflict are often made. Such is the topic of violence in Guatemala that it is well beyond the scope of this paper to examine in detail the characteristics and dynamics of violence prevalent in modern-day Guatemala. However, the consequences of the conflict in the context of violent crime and violence in present-day Guatemala can be seen in three areas. First, a central aspect of the public security crisis is the inefficiency of the criminal justice system. Guatemala's criminal justice institutions have been unable to provide a deterrent effect, in particular the PNC and Public Prosecutor's Office (which under the Guatemalan system conducts criminal investigations). The likelihood of a crime being thoroughly investigated resulting in a prosecution and conviction is low. In 2007 the UN Special Rapporteur on Extrajudicial Executions wrote that "Guatemala has a single-digit conviction rate for murder. The implication is obvious and disturbing: Guatemala is a good place to commit a murder, because you will almost certainly get away with it."⁶⁰

While the situation appears to have improved since 2007 (largely due to a UN sponsored effort, see below), the Guatemalan criminal justice system is undoubtedly one that struggles to bring perpetrators to account. Arguably, a large part of the reason for the failure to investigate and prosecute properly is as a consequence of the conflict. Impunity was a way of life for Guatemala during and before the conflict. The findings of the CEH are not only testament both to widespread occurrence of war crimes but also that nobody was ever held to account. A criminal justice system

⁶⁰ UN, 2007: 17.



that did not function effectively (or at all) throughout the conflict is unlikely to suddenly start functioning effectively once the conflict ends. Impunity was and still is embedded within Guatemalan institutional culture as a result of the many years of conflict and the free hand given to the Army. Second, the nature of the violence in present day Guatemala often replicates the violence of the conflict. Particularly gruesome incidents of throwing bodies (or more precisely heads) in front of the Congress building, something blamed on *maras*, or massacres in rural areas and leaving threats written in blood on walls, something blamed on DTOs, is eerily reminiscent of the type of violence that occurred in the conflict. It is hard to precisely or definitively explain this type of violence, but it suggested that this type of violence does not occur in a vacuum, and rather, occurs in a context in which memories of very similar violence are still fresh. Finally, serving and former Army personnel are routinely accused of – and sometimes prosecuted for – being involved with DTOs and other types of organised crime. The US Drugs Enforcement Agency has, for example, concluded that at least one DTO had targeted members of Guatemala's special forces for recruitment, who themselves, as noted above, were responsible for many of the war crimes documented by the CEH.⁶¹

The prevalence of impunity was such that the country took the unprecedented step of agreeing to the establishment of an international commission under the auspices of the UN with quasi-legal powers to investigate and prosecute organised crime. The *Comisión Internacional Contra La Impunidad in Guatemala* (CICIG, International Commission Against Impunity in Guatemala) was established in the tail end of President Óscar Berger's administration after a particularly high profile example of impunity: three members of the Central American parliament (and their driver) were assassinated in 2007 by four police officers who were then subsequently assassinated themselves a few days later by an armed group that was permitted entry to the jail in which they were being held.

In respect of the alliance between the Army and elites, it is difficult to envisage the Army having any other natural allies in Guatemala. The expression of that alliance in the post-conflict period is less obvious, formal and constant than in the conflict period, but it is still evident. As noted above the conviction of General Ríos Montt in 2013 for genocide and war crimes was rejected by elites. The rejection came in the form for a press conference organised by CACIF's, the day after the conviction, in which its fully attended coordinating committee vocally and angrily denounced the conviction. More widely, the Army had been visible and active in protecting the mining and hydroelectric industry. Those industries are nearly all located in predominantly rural Mayan areas and in the post conflict period led to mobilisation and protest against their presence, impact and lack of consultation by Mayan groups and other civil society groups.

Conclusion

The peace accords have often been described as a missed opportunity to achieve structural and sustainable change in the country's unjust socio-economic structures. As a result, the rights of indigenous peoples, the human rights of women, and the distribution of wealth all remain unaddressed. It is unlikely they will be voluntarily addressed by the state in the foreseeable future.

The URNG was not able to make the transition to a political party that could challenge the parties of the elites (perhaps unfairly it is often compared to the FMLN, the Salvadorian former insurgents who have held the presidency of that country since 2009). At present, the URNG as one member of

⁶¹ The National Security Archive, *Mexico's San Fernando Massacres: A Declassified History "Near total impunity" for Mexican Cartels "in the face of compromised local security forces," according to U.S. DEA Linked Zetas to Guatemalan Special Forces in Weeks Prior to San Fernando Migrant Massacre, National Security Archive Electronic Briefing Book No. 445.* November 6, 2013. <http://nsarchive.gwu.edu/NSAEBB/NSAEBB445/>



Stabilisation Unit

Congress and since the peace accords that number has oscillated between one and two (Guatemala's Congress has 158 members).

Although the URNG was not able to establish itself in mainstream Guatemalan politics, civil society organisations have grown, mobilised and further opened the country's political space. It would appear therefore that the lasting legacy of the peace accords is the direct and formal end of the conflict. That is, of course, a laudable achievement and arguably the one true measure of success. However, the legacy of the accords envisaged as something more than the end of the conflict, the demobilisation of the insurgents and the 'return to barracks' of the Army is less clear. The accords arguably did not result in any change to the country's socio-economic structures. However, it did allow for the opening of political space, which, placed in its historical context, is certainly an achievement and one that may still bring about change.



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