

Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>

Country/ entity Guatemala

Region Americas

Agreement name El Escorial Agreement

Date 1 Jun 1990

Agreement status Multiparty signed/agreed

Interim arrangement Yes

Agreement/ conflict level Intrastate/intrastate conflict (Guatemalan Civil War (1960 - 1996))

Stage Framework/substantive - partial

Conflict nature Government

Peace process Guatemala peace process

Parties POR LA INSTANCIA DE PARTIDOS POLITICOS: Ingeniero CARLOS ENRIQUE CHAVARRIA, Secretario General del Partido Revolucionario PR; Doctor LUIS FLORES ASTURIAS, Secretario General del Partido de Avanzada Nacional PAN; Licenciado ABUNDIO MALDONADO, Secretario General del Partido Frente de Avance Nacional FAN; Doctor MIGUEL ANGEL MONTEPEQUE, Secretario General en funciones del Movimiento de Accion Solidaria MAS; Licenciado RENAN QUINONES, Secretario General del Partido Nacional Renovador PNR; Licenciado MARIO SANDOVAL ALARCON, Secretario General del Partido, Movimiento de Liberacion Nacional MLN; Licenciado CARLONS FERNANDO RIVERS SANDOVAL, Movimiento de Liberacion Nacional, MLN; Doctor MARIO SOLORZANO MARTINEZ, Secretario General del Partido Socialista Democratico, PSD; Licenciada CATALINA SOBERANIS, Secretaria General en funciones, Partido Democracia Cristiana Guatemalteca, DCG; Licenciado OLIVERIO GARCIA RODAS, Partido Union del Centro Nacional, UCN, COMISION NACIONAL DE RECONCILIACION (CNR); Ingeniero JORGE SERRANO ELIAS, Delegado Titular de los Partidos Politicos de Oposicion;

UNIDAD REVOLUCIONARIA NACIONAL GUATEMALTECA:

Comandante PABLO MONSANTO;
Comandante, GASPAR ILOM;
CARLOS GONZALEZ, Secretario General del Comite Central del Partido Guatemalteco del Trabajo;
LUIS BECKER;
MIGUEL ANGEL SANDOVAL;
FRANCISCO VILLAGRAN MUNOZ;

Third parties OBSERVADOR REPRESENTANTE DEL SECRETARIO GENERAL DE LAS NACIONES UNIDAS, FRANCESC VENDRELL; Periodista TERESA B. DE ZARCO, Ciudadana Notable Titular; Doctor EDUARDO MEYER MALDONADO, Delegado Suplente del Gobierno; COMISION NACIONAL DE RECONCILIACION (CNR): Monsenor GERARDEI CONDERA, Delegado Suplente de la Conferencia, Episcopal de Guatemala; Coronel FRANCISCO LUIS GORDILLO, Delegado Suplente de los Partidos, Politicos de Oposicion; Licenciado MARIO PERMUTH, Ciudadano Notable Suplente; Licenciado LUIS MORALES CHUA, Asesor Juridico; CONCILIADOR: Monsenor RODOLFO QUEZADA TORUNO, Presidente de la CNR;

Description A short agreement focused on encouraging political participation by all parties, and makes reference to the need for associated political and institutional reforms.

Groups

Children/
youth No specific mention.

Disabled
persons No specific mention.

Elderly/age No specific mention.

Migrant
workers No specific mention.

Racial/
ethnic/
national
group No specific mention.

Religious
groups No specific mention.

Indigenous
people No specific mention.

Other
groups No specific mention.

Refugees/
displaced
persons No specific mention.

Social class No specific mention.

Gender

Women, girls and gender	No specific mention.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

State definition

Nature of state (general)	No specific mention.
State configuration	No specific mention.
Self determination	No specific mention.
Referendum	No specific mention.
State symbols	No specific mention.
Independence/ secession	No specific mention.
Accession/ unification	No specific mention.
Border delimitation	No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) Governance→Political institutions (new or reformed)→General references
Page 2, They agree:
3. The need is recognized to promote a process of revision and institutional reform that includes the legal order of the country, with the commitment to promote reform of the Political Constitution of the Republic by the mechanisms established therein and with the aim of achieving the goals of peace and the enhancement of functional and participative democracy, by efforts towards:

Elections Page 3, ACKNOWLEDGEMENT BY THE DELEGATION OF THE POLITICAL PARTIES
The Delegation of the Political Parties accepts with satisfaction the statement of the Unidad Revolucionaria Nacional Guatemalteca (URNG) that it is not opposed to the 1990 electoral process and the decision:
(a) Not to carry out-actions against the electoral process of the country at the time of the elections;
(b) To suspend acts of sabotage throughout the duration of the electoral campaign.

Electoral commission No specific mention.

Political parties reform Governance→Political parties reform→Rebels transitioning to political parties
Page 3, They agree:
4. Note is taken of the will of the parties to this Agreement to promote political means that will contribute to the solution of national problems and make feasible the incorporation of Unidad Revolucionaria Nacional Guatemalteca (URNG) in the political process of the country, by establishing the legal-procedures for that incorporation so that they can participate in the National Constituent Assembly to be inaugurated by the legally registered parties in 1991.

Civil society Page 2, They agree:

2. That, in order to achieve peace and the enhancement of the democratic system, it is necessary to promote the participation of all forces and political and social sectors in the definition of the whole body of institutional changes that will make it possible to achieve the full operation of the civic and political rights of organisation and expression; independent economic development, general well-being, social justice and unrestricted respect for the independence of the powers of the State, in order to secure and guarantee the application of justice, respect for the integrity of the individual, honesty and probity in public administration and the defence and safeguarding of national sovereignty.

Page 3, They agree:

5. With the aim of ensuring as soon as possible actions that will make it possible to achieve the goals of the process of peace and the enhancement of the democracy, it is decided to hold periodical meetings between the Delegation of the Political Parties and the Unidad Revolucionaria Nacional Guatemalteca (URNG), within the framework of the Oslo, Norway, and Esquipulas II Agreements, using the same mechanisms for the appointment, verification and mandating Of the Conciliator as are established in the first-mentioned Agreement and United Nations observers.

Traditional/
religious
leaders No specific mention.

Public
administration No specific mention.

Constitution Governance→Constitution→Constitutional reform/making

Page 2, They agree:

3. The need is recognized to promote a process of revision and institutional reform that includes the legal order of the country, with the commitment to promote reform of the Political Constitution of the Republic by the mechanisms established therein and with the aim of achieving the goals of peace and the enhancement of functional and participative democracy, by efforts towards:

Power sharing

Political
power
sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general Page 2-3, They agree:
3. The need is recognized to promote a process of revision and institutional reform that includes the legal order of the country, with the commitment to promote reform of the Political Constitution of the Republic by the mechanisms established therein and with the aim of achieving the goals of peace and the enhancement of functional and participative democracy, by efforts towards:
(c) Unrestricted respect for and application of the law.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy Page 2, Untitled Preamble

The Delegation of the Political Parties of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNO), in the presence of the Conciliator, Monsignor Radolfo Quesada Torulio of the National Reconciliation Commission of Guatemala (CNR), and the Observer designated by the Secretary-General of the United Nations, Dr. Francesc Vendrell, meeting from 27 May to 1 June 1990, for the purpose of implementing the decisions taken in the city of Oslo, Norway, and contained in the "Basic Agreement for the Search for Peace by Political Means" and with the aim of specifying actions and political means for the peaceful solution of the national problems and the enhancement of functional and participatory democracy in Guatemala,

Page 2, They agree:

2. That, in order to achieve peace and the enhancement of the democratic system, it is necessary to promote the participation of all forces and political and social sectors in the definition of the whole body of institutional changes that will make it possible to achieve the full operation of the civic and political rights of organisation and expression; independent economic development, general well-being, social justice and unrestricted respect for the independence of the powers of the State, in order to secure and guarantee the application of justice, respect for the integrity of the individual, honesty and probity in public administration and the defence and safeguarding of national sovereignty.

Page 2-3, They agree:

3. The need is recognized to promote a process of revision and institutional reform that includes the legal order of the country, with the commitment to promote reform of the Political Constitution of the Republic by the mechanisms established therein and with the aim of achieving the goals of peace and the enhancement of functional and participative democracy, by efforts towards:

(b) The ending of the internal armed confrontation and the peaceful solution of national problems by political means;

Page 3, They agree:

5. With the aim of ensuring as soon as possible actions that will make it possible to achieve the goals of the process of peace and the enhancement of the democracy, it is decided to hold periodical meetings between the Delegation of the Political Parties and the Unidad Revolucionaria Nacional Guatemalteca (URNG), within the framework of the Oslo, Norway, and Esquipulas II Agreements, using the same mechanisms for the appointment, verification and mandating Of the Conciliator as are established in the first-mentioned Agreement and United Nations observers.

Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/ access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law	No specific mention.
State of emergency provisions	No specific mention.
Judiciary and courts	No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 2, They agree:
2. That, in order to achieve peace and the enhancement of the democratic system, it is necessary to promote the participation of all forces and political and social sectors in the definition of the whole body of institutional changes that will make it possible to achieve the full operation of the civic and political rights of organisation and expression; independent economic development, general well-being, social justice and unrestricted respect for the independence of the powers of the State, in order to secure and guarantee the application of justice, respect for the integrity of the individual, honesty and probity in public administration and the defence and safeguarding of national sovereignty.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/
rights No specific mention.

Pastoralist/
nomadism
rights No specific mention.

Cultural
heritage No specific mention.

Environment No specific mention.

Water or
riparian
rights or
access No specific mention.

Security sector

Security
Guarantees No specific mention.

Ceasefire Security sector→Ceasefire→General commitments
Page 3, ACKNOWLEDGEMENT BY THE DELEGATION OF THE POLITICAL
PARTIES
The Delegation of the Political Parties accepts with satisfaction the statement
of the Unidad Revolucionaria Nacional GUatemalteca (URNG) that it is not
opposed to the 1990 electoral process and the decision:
(a) Not to carry out actions against the electoral process of the country at the
time of the elections;
(b) To suspend acts of sabotage throughout the duration of the electoral
campaign.

Police No specific mention.

Armed
forces No specific mention.

DDR No specific mention.

Intelligence services No specific mention.

Parastatal/
rebel and
opposition
group
forces Page 3, They agree:
4. Note is taken of the will of the parties to this Agreement to promote political means that will contribute to the solution of national problems and make feasible the incorporation of Unidad Revolucionaria Nacional Guatemalteca (URNG) in the political process of the country, by establishing the legal-procedures for that incorporation so that they can participate in the National Constituent Assembly to be inaugurated by the legally registered parties in 1991.

Page 3, They agree:
5. With the aim of ensuring as soon as possible actions that will make it possible to achieve the goals of the process of peace and the enhancement of the democracy, it is decided to hold periodical meetings between the Delegation of the Political Parties and the Unidad Revolucionaria Nacional Guatemalteca (URNG), within the framework of the Oslo, Norway, and Esquipulas II Agreements, using the same mechanisms for the appointment, verification and mandating Of the Conciliator as are established in the first-mentioned Agreement and United Nations observers.

Page 3, ACKNOWLEDGEMENT BY THE DELEGATION OF THE POLITICAL PARTIES

The Delegation of the Political Parties accepts with satisfaction the statement of the Unidad Revolucionaria Nacional GUatemaltec (URNG) that it is not opposed to the 1990 electoral process and the decision:

- (a) Not to carry out-actions against the electoral process of the country at the time of the elections;
- (b) To suspend acts of sabotage throughout the duration of the electoral campaign.

Withdrawal of foreign forces No specific mention.

Corruption No specific mention.

Crime/
organised
crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional
justice
general No specific mention.

Amnesty/
pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner
release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing
persons No specific mention.

Reparations No specific mention.

Reconciliation Page 2-3, They agree:

3. The need is recognized to promote a process of revision and institutional reform that includes the legal order of the country, with the commitment to promote reform of the Political Constitution of the Republic by the mechanisms established therein and with the aim of achieving the goals of peace and the enhancement of functional and participative democracy, by efforts towards:

(a) The reconciliation of all Guatemalans;

Implementation

UN
signatory No specific mention.

Other
international
signatory No specific mention.

Referendum
for
agreement No specific mention.

International
mission/
force/similar No specific mention.

Enforcement
mechanism No specific mention.

Related
cases No specific mention.

Source UN Peacemaker. Available at: <https://peacemaker.un.org/guatemala-escesorialagreement90> (Accessed 6 October 2020).
