

Country/entity	Guatemala
Region	Americas
Agreement name	Agreement on the Identity and Rights of Indigenous Peoples
Date	31 Mar 1995
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Guatemalan Civil War (1960 - 1996)

Civil war broke out in Guatemala when numerous leftist and agrarian groups took up arms in 1960 in face of the repression from the conservative regime of Carlos Castillo Armas. The Armas regime came to power in 1954 following a CIA-backed coup against the leftist government of Jacobo Arbenz. The main rebel umbrella was the Guatemalan National Revolutionary Unity (URNG). During the civil war numerous counts of genocide and mass disappearances occurred. In the late 1980s, when a civilian government came to power, the URNG changed tactics when releasing that they wouldn't come to power through armed conflict. The war came to an end on December 29, 1996, and since then URNG converted to an official political party.

Close
Guatemalan Civil War (1960 - 1996)

Stage	Framework/substantive - partial
Conflict nature	Government
Peace process	Guatemala peace process

Parties

For the Government of the Republic of Guatemala,
Signed by:

Heñtor ROSADA GRANADOS
Antonio ARENALES FORNO
Mario PERMUTH
Brigadier General, Carlos Enrique PINEDA CARRANZA
Brigadier General, Julio Arnolde BALCONI TURCIOS
Brigadier General Jose ´ Horacio SOTO SALAN
Rubeñ Amilcar BURGOS SOLIS
Manuel SALAZAR TETZAGUIC

For the Unidad Revolucionaria Nacional Guatemalteca:
General Command

Commander Gaspar ILOM
Commander Rolando MORAN
Commander Pablo MONSANTO
Carlos GONZALES

Third parties

Political and Diplomatic Commission,
Signed by:

Luis Felipe BECKER GUZMAN
Miguel Angel SANDOVAL
Francisco VILLAGRAN MUNÖZ
Luz MENDEZ GUTIERREZ

Advisers:

Mario Vinicio CASTANÉDA

Miguel Angel REYES

For the United Nations:

Gilberto Bueno SCHLITTLER-SILVA, Director, Guatemala Unit
Jean ARNAULT, Moderator

Description

Outlined wide-ranging commitments to recognise the identity of indigenous peoples, to eliminate discrimination against them, and to guarantee their cultural, civil, political, economic and social rights. Provided for establishment of three joint commissions on education reform, participation and on rights relating to land with equal numbers of Government and indigenous peoples representatives. Also provided for establishment of two commissions to address granting of official status of indigenous languages and definition and preservation of sacred areas.

Agreement document	GT_950331_AgreementIdentityAndRightsOfIndigenousPeoples.pdf (opens in new tab) Download PDF
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Women, girls and gender

Participation No specific mention.

Equality Equality→Social equality
Page 4-5, Annex, II. STRUGGLE AGAINST DISCRIMINATION, B. Rights of indigenous women
1. It is recognized that indigenous women are particularly vulnerable and helpless, being confronted with twofold discrimination both as women and indigenous people, and also having to deal with a social situation characterized by intense poverty and exploitation. The Government undertakes to take the following measures:
...
(b) Establish an Office for the Defence of Indigenous Women's Rights, with the participation of such women, including legal advice services and social services; and

Page 16, Annex, II. STRUGGLE AGAINST DISCRIMINATION, IV. CIVIL, POLITICAL, SOCIAL AND ECONOMIC RIGHTS, F. Rights relating to land of the indigenous peoples, Legal protection of the rights of indigenous communities
9. In order to facilitate the defence of the aforementioned rights and to protect the communities effectively, the Government undertakes to adopt or promote the following measures:
...
(g) Eliminate any form of discrimination against women, in fact or in law, with regard to facilitating access to land, housing, loans and participation in development projects.

Particular groups of women	<p>Particular groups of women→Indigenous/nomadic women</p> <p>Page 3, Annex I. IDENTITY OF INDIGENOUS PEOPLES, Article 1</p> <p>...</p> <p>(c) A view of the world based on the harmonious relationship of all elements of the universe, in which the human being is only one additional element, in which the earth is the mother who gives life and maize is a sacred symbol around which Mayan culture revolves. This view of the world has been handed down from generation to generation through material and written artifacts and by an oral tradition in which women have played a determining role;</p> <p>Page 4-5, Annex, II. STRUGGLE AGAINST DISCRIMINATION, B. Rights of indigenous women</p> <p>1. It is recognized that indigenous women are particularly vulnerable and helpless, being confronted with twofold discrimination both as women and indigenous people, and also having to deal with a social situation characterized by intense poverty and exploitation. The Government undertakes to take the following measures:</p> <p>(a) Promote legislation to classify sexual harassment as a criminal offence, considering as an aggravating factor in determining the penalty for sexual offences the fact that the offence was committed against an indigenous woman;</p> <p>(b) Establish an Office for the Defence of Indigenous Women's Rights, with the participation of such women, including legal advice services and social services; and</p> <p>(c) Promote the dissemination and faithful implementation of the Convention on the Elimination of All Forms of Discrimination against Women.</p>
International law	<p>International law→General IHRL, IHL and IL</p> <p>Page 5, Annex, II. STRUGGLE AGAINST DISCRIMINATION, B. Rights of indigenous women</p> <p>2. The communications media and organizations concerned with the promotion of human rights are urged to cooperate in the attainment of the objectives listed in this section.</p> <p>International law→International human rights standards</p> <p>Page 4-5, Annex, II. STRUGGLE AGAINST DISCRIMINATION, B. Rights of indigenous women</p> <p>1. It is recognized that indigenous women are particularly vulnerable and helpless, being confronted with twofold discrimination both as women and indigenous people, and also having to deal with a social situation characterized by intense poverty and exploitation. The Government undertakes to take the following measures:</p> <p>...</p> <p>(c) Promote the dissemination and faithful implementation of the Convention on the Elimination of All Forms of Discrimination against Women.</p>
New institutions	<p>No specific mention.</p>
Violence against women	<p>Violence against women→Sexual violence</p> <p>Page 4, Annex, II. STRUGGLE AGAINST DISCRIMINATION, B. Rights of indigenous women</p> <p>1. It is recognized that indigenous women are particularly vulnerable and helpless, being confronted with twofold discrimination both as women and indigenous people, and also having to deal with a social situation characterized by intense poverty and exploitation. The Government undertakes to take the following measures:</p> <p>(a) Promote legislation to classify sexual harassment as a criminal offence, considering as an aggravating factor in determining the penalty for sexual offences the fact that the offence was committed against an indigenous woman;</p>

Transitional justice No specific mention.

Institutional reform No specific mention.

Development Development→General
Page 3, Annex I. IDENTITY OF INDIGENOUS PEOPLES, article 1
...
(c) A view of the world based on the harmonious relationship of all elements of the universe, in which the human being is only one additional element, in which the earth is the mother who gives life and maize is a sacred symbol around which Mayan culture revolves. This view of the world has been handed down from generation to generation through material and written artifacts and by an oral tradition in which women have played a determining role;

Page 16, Annex, II. STRUGGLE AGAINST DISCRIMINATION, IV. CIVIL, POLITICAL, SOCIAL AND ECONOMIC RIGHTS, F. Rights relating to land of the indigenous peoples, Legal protection of the rights of indigenous communities
9. In order to facilitate the defence of the aforementioned rights and to protect the communities effectively, the Government undertakes to adopt or promote the following measures:
...
(g) Eliminate any form of discrimination against women, in fact or in law, with regard to facilitating access to land, housing, loans and participation in development projects.

Development→Education
Page 10, Annex, II. STRUGGLE AGAINST DISCRIMINATION, III. CULTURAL RIGHTS, G. Education reform
...
4. In order to facilitate access by indigenous people to formal and non-formal education, the system of scholarships and student grants shall be strengthened. Teaching materials containing cultural and gender stereotypes shall also be revised.

Implementation No specific mention.

Other No specific mention.
