Country/entity	Guatemala
Region	Americas
Agreement name	Agreement to establish Commission to clarify past human rights violations and acts of violence that caused the Guatemalan population to suffer
Date	23 Jun 1994
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) Héctor ROSADA GRANADOS; (Signed) General Carlos Enrique PINEDA CARRANZA; (Signed) Antonio M. ARENALES FORNO; (Signed) General Julio Arnoldo BALCONI TURCIOS; (Signed) General José Horacio SOTO SALAN; (Signed) Mario PERMUTH; (Signed) Amilcar BURGOS SOLIS For the Unidad Revolucionaria Nacional Guatemalteca General Command: (Signed) Carlos GONZALES; (Signed) Commander Rolando MORAN; (Signed) Commander Gaspar ILOM; (Signed) Commander Pablo MONSANTO;

Third parties	Political and Diplomatic Commission: (Signed) Luis Felipe BECKER GUZMAN; (Signed) Miguel Angel SANDOVAL; (Signed) Francisco VILLAGRAN MUÑOZ; (Signed) Luz MENDEZ GUTIERREZ Advisers: (Signed) Mario Vinicio CASTAÑEDA; (Signed) Miguel Angel REYES; (Signed) Jorge ROSAL; For the United Nations; (Signed) Jean ARNAULT, Moderator;
Description	Defined process for investing human rights abuses and for producing recommendations to contribute to national reconciliation. Agreed findings would not attribute responsibility to any individual and recommendations would not be legally binding. Proceedings would be confidential and content and sources of information would not be made public.

Agreement document	GT_940623_EstablishmentCommissionClarifyPastHumanRightsViolations.pdf (opens in new tab) | Download PDF

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)	No specific mention.
Elections	No specific mention.

Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/ religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

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 1, Untitled Preamble 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; Whereas the present-day history of our country is marked by grave acts of violence, disregard for the fundamental rights of the individual and suffering of the population connected with the armed conflict; Page 1, Untitled Preamble ... Reiterating its wish to comply fully with the Comprehensive Agreement on Human Rights of 29 March 1994; Reiterating its wish to open as soon as possible a new chapter in Guatemala's history which, being the culmination of a lengthy process of negotiation, will put an end to the armed conflict and help lay the bases for peaceful coexistence and respect for human rights among Guatemalans; Page 1, Purposes I. To clarify with all objectivity, equity and impartiality the human rights violations and acts of violence that have caused the Guatemalan population to suffer, connected with the armed conflict. III. Formulate specific recommendations to encourage peace and national harmony in Guatemala. The Commission shall recommend, in particular, measures to preserve the memory of the victims, to foster a culture of mutual respect and observance of human rights and to strengthen the democratic process.
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 1, Untitled Preamble ... Whereas the people of Guatemala have a right to know the whole truth concerning these events, clarification of which will help avoid a repetition of these sad and painful events and strengthen the process of democratization in Guatemala; Page 1, Purposes III. Formulate specific recommendations to encourage peace and national harmony in Guatemala. The Commission shall recommend, in particular, measures to preserve the memory of the victims, to foster a culture of mutual respect and observance of human rights and to strengthen the democratic process.
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	No specific mention.
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	No specific mention.
Police	No specific mention.
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
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

[Summary: The purpose of agreement is to establish truth commission; deals with purpose, operation, composition, installation and duration, report, and international verification]

Page 1, Untitled Preamble
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;

Page 1, Untitled Preamble
... Whereas the people of Guatemala have a right to know the whole truth concerning these events, clarification of which will help avoid a repetition of these sad and painful events and strengthen the process of democratization in Guatemala;

Page 1, Purposes
I. To clarify with all objectivity, equity and impartiality the human rights violations and acts of violence that have caused the Guatemalan population to suffer, connected with the armed conflict.
II. To prepare a report that will contain the findings of the investigations carried out and provide objective information regarding events during this period covering all factors, internal as well as external.
III. Formulate specific recommendations to encourage peace and national harmony in Guatemala. The Commission shall recommend, in particular, measures to preserve the memory of the victims, to foster a culture of mutual respect and observance of human rights and to strengthen the democratic process.

Page 1, Period covered
The Commission's investigations shall cover the period from the start of the armed conflict until the signing of the firm and lasting peace agreement.

Page 2, Operation
I. The Commission shall receive particulars and information from individuals or institutions that consider themselves to be affected and also from the Parties.
II. The Commission shall be responsible for clarifying these situations fully and in detail. In particular, it shall analyse the factors and circumstances involved in those cases with complete impartiality. The Commission shall invite those who may be in possession of relevant information to submit their version of the incidents. Failure of those concerned to appear shall not prevent the Commission from reaching a determination on the cases.
III. The Commission shall not attribute responsibility to any individual in its work, recommendations and report nor shall these have any judicial aim or effect.
IV. The Commission's proceedings shall be confidential so as to guarantee the secrecy of the sources and the safety of witnesses and informants.
V. Once it is established, the Commission shall publicize the fact that it has been established and the place where it is meeting by all possible means, and shall invite interested parties to present their information and their testimony.

Page 2, Composition
The Commission shall consist of the following three members:
(i) The present Moderator of the peace negotiations, whom the Secretary-General of the United Nations shall be asked to appoint.
(ii) One member, a Guatemalan of irreproachable conduct, appointed by the Moderator with the agreement of the Parties.
(iii) One academic selected by the Moderator, with the agreement of the Parties, from a list proposed by the University presidents.
The Commission shall have whatever support staff it deems necessary, with the requisite qualifications, in order to carry out its tasks.

Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	Page 1, Purposes III. Formulate specific recommendations to encourage peace and national harmony in Guatemala. The Commission shall recommend, in particular, measures to preserve the memory of the victims, to foster a culture of mutual respect and observance of human rights and to strengthen the democratic process.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory	For the United Nations; (Signed) Jean ARNAULT, Moderator;
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.
International mission/force/ similar	No specific mention.
Enforcement mechanism	Int'l Verification: implementation subject to UN verification; Commitment of the Parties: 'The Parties undertake to collaborate with the Commission in all matters that may be necessary for the fulfilment of its mandate. In particular, they undertake to establish, prior to setting up the Commission and during its operations, the necessary conditions so that the Commission may fulfil the terms of reference established in the present agreement.' Page 3, International verification In conformity with the Framework Agreement of 10 January 1994, implementation of this Agreement shall be subject to international verification by the United Nations. Page 3, Measures for prompt execution following the signing of this Agreement The Parties agree to ask the Secretary-General to appoint the Moderator of the negotiations as a member of the Commission as soon as possible. When he is appointed, he shall be authorized to proceed forthwith to make all necessary arrangements to ensure that the Commission functions smoothly once it is established and installed in conformity with the provisions of this Agreement.