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THE SITUATION IN CENTRAL AMERICA:
PROCEDURES FOR THE ESTABLISHMENT
OF A FIRM AND LASTING PEACE AND
PROGRESS IN FASHIONING A REGION
OF PEACE, FREEDOM, DEMOCRACY AND
DEVELOPMENT

Identical letters dated 5 February 1997 from the
Secretary-General addressed to the President of
the General Assembly and to the President of the
Security Council

I have the honour to transmit herewith the texts of the last two agreements pertaining to the Guatemala peace process, which were signed by the Peace Commission of the Government of Guatemala (COPAZ) and the General Command of the Unidad Revolucionaria Nacional Guatemalteca (URNG) under the auspices of the United Nations on 29 December 1996.

The Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements (annex I) was signed by the parties at Guatemala City on 29 December 1996 in the presence of the United Nations Moderator, Mr. Jean Arnault. The Agreement is a detailed guide for the implementation of all the commitments undertaken by the parties in agreements signed since 1994. It sets out a calendar for the phased implementation of those commitments from 1997 to the end of 2000 and for the establishment of the Follow-up Commission to ensure that the process is carried out effectively. The Agreement also requests the Secretary-General to establish a mission to verify all the agreements, into which the current United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA) is to be absorbed.

The Agreement on a Firm and Lasting Peace (annex II) was signed in the National Palace of Guatemala City on 29 December 1996, in a formal ceremony

attended by President Alvaro Arzú, by the Heads of State of numerous nations and by my predecessor, Mr. Boutros Boutros-Ghali, who was, in addition, a signatory to the Agreement. The Agreement brings into effect all the previous agreements encompassing military, political, social, economic and environmental issues and binds them into a comprehensive nationwide agenda for peace. It is a milestone for Guatemala, where it ends 35 years of internal conflict, and for Central America, where it ends the last war in the region and thus completes the principal task which the Presidents of the region set themselves when they signed the Esquipulas II Agreement in 1987.

As requested by the General Assembly in its resolution 51/198 of 17 December 1996, I shall submit recommendations shortly to the Assembly on how the structure and staffing of the current MINUGUA should be redesigned to allow the new mission to fulfil the new responsibilities arising from the signing of the peace agreements.

I should be grateful if you could issue the text of the present letter as a document of the General Assembly, under agenda item 40, and of the Security Council.

(Signed) Kofi A. ANNAN

ANNEX II

Agreement on a firm and lasting peace

Whereas:

The signing of this Agreement puts an end to more than three decades of armed conflict in Guatemala and thus to a painful era in our history,

In recent years, the search for a political solution to the armed conflict has created new opportunities for dialogue and understanding within Guatemalan society,

The country now faces the task, in which all Guatemalans must share, of preserving and consolidating peace,

To this end, the Peace Agreements provide the country with a comprehensive agenda for overcoming the root causes of the conflict and laying the foundations for a new kind of development,

Compliance with these Agreements is an historic, unavoidable commitment,

Present and future generations must be made aware of the full implications of the peace commitments,

The Government of the Republic of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG) have agreed as follows:

I. CONCEPTS

1. The Peace Agreements reflect a national consensus. They have been endorsed by the various sectors represented in the Assembly of Civil Society and outside it. Their progressive implementation must fulfil the legitimate aspirations of Guatemalans and, at the same time, unite the efforts of all behind these common objectives.
2. The Government of the Republic reaffirms its adherence to the principles and norms aimed at guaranteeing and protecting full respect for human rights, and its political determination to enforce them.
3. Population groups uprooted by the armed conflict have the right to reside and live freely in Guatemalan territory. The Government of the Republic undertakes to ensure their return and resettlement in conditions of dignity and security.
4. The Guatemalan people are entitled to know the full truth about the human rights violations and acts of violence that occurred in the context of the internal armed conflict. Shedding light objectively and impartially on what happened will contribute to the process of national reconciliation and democratization in the country.

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5. Recognition of the identity and rights of indigenous peoples is essential for building a multi-ethnic, multicultural and multilingual country of national unity. Respect for and the exercise of the political, cultural, economic and spiritual rights of all Guatemalans is the foundation for a new coexistence reflecting the diversity of their nation.

6. Firm and lasting peace must be based on participatory socio-economic development that is geared to the common good and to the needs of the entire population. Such development requires social justice, as one of the cornerstones of national unity and solidarity, and sustainable economic growth as a prerequisite for meeting the population's social demands.

7. The genuine participation of citizens - both men and women - from all sectors of society is essential for achieving social justice and economic growth. The State must broaden these opportunities for participation and strengthen its own role as guiding force of national development, lawmaker, source of public investment, provider of basic services and promoter of social consensus and settlement of disputes. To that end, it must raise fiscal revenues and, as a matter of priority, channel public spending towards social investment.

8. In the search for growth, economic policy must be directed towards preventing processes of economic exclusion, such as unemployment and impoverishment, and towards optimizing the benefits of economic growth for all Guatemalans. Raising the standard of living and ensuring health care, education, social security and training for Guatemalans are preconditions for achieving sustainable development in Guatemala.

9. The State and organized sectors of society must join forces to find a solution to agrarian problems and promote rural development, both of which are the key to improving the situation of the majority of the population living in rural areas - the population group most seriously affected by poverty, inequity and the weakness of State institutions.

10. The strengthening of civilian power is an essential prerequisite for the existence of a democratic regime. The ending of the armed conflict affords an historic opportunity to renew the country's institutions so that, working in coordination, they can guarantee Guatemalans the rights to life, liberty, justice, security, peace and the full development of the individual. The Guatemalan armed forces must adjust their functions to the new era of peace and democracy.

11. The legal integration of URNG, in conditions of security and dignity, is in the national interest and is directly related to the objective of reconciliation and the consolidation of a democratic system open to all.

12. The constitutional reforms set out in the Peace Agreements provide the fundamental substantive basis for the reconciliation of Guatemalan society within the framework of the rule of law, democratic coexistence and the full observance of and strict respect for human rights.

13. Elections are essential for Guatemala's current transition to a functional, participatory democracy. Improving the electoral regime will help to strengthen the legitimacy of public authority and facilitate the country's democratic transformation.

14. The implementation of the national agenda arising out of the Peace Agreements is a complex, long-term undertaking requiring the determination to fulfil the commitments made and the involvement of State bodies and of the country's various social and political forces. This undertaking calls for a strategy that sets realistic priorities for the gradual fulfilment of commitments, thereby ushering in a new chapter in Guatemala's history - one of development and democratic coexistence.

II. ENTRY INTO FORCE OF THE PEACE AGREEMENTS

15. All agreements signed on the basis of the Framework Agreement on Democratization in the Search for Peace by Political Means, signed at Querétaro, Mexico, on 25 July 1991, and those concluded since the Framework Agreement for the Resumption of the Negotiating Process, signed at Mexico City on 10 January 1994, are hereby incorporated into this Agreement on a Firm and Lasting Peace. Those agreements are:

(a) The Comprehensive Agreement on Human Rights, signed at Mexico City on 19 March 1994;

(b) The Agreement on Resettlement of the Population Groups Uprooted by the Armed Conflict, signed at Oslo on 17 June 1994;

(c) 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 at Oslo on 23 June 1994;

(d) The Agreement on Identity and Rights of Indigenous Peoples, signed at Mexico City on 31 March 1995;

(e) The Agreement on Social and Economic Aspects and the Agrarian Situation, signed at Mexico City on 6 May 1996;

(f) The Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society, signed at Mexico City on 19 September 1996;

(g) The Agreement on the Definitive Ceasefire, signed at Oslo on 4 December 1996;

(h) The Agreement on Constitutional Reforms and the Electoral Regime, signed at Stockholm on 7 December 1996;

(i) The Agreement on the Basis for the Legal Integration of URNG, signed at Madrid on 12 December 1996;

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(j) The Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements, signed at Guatemala City on 29 December 1996.

16. With the exception of the Comprehensive Agreement on Human Rights, which has been in force since it was signed, all the agreements incorporated into the Agreement on a Firm and Lasting Peace shall enter into force formally and in full when the present Agreement is signed.

III. EXPRESSION OF GRATITUDE

17. Upon completion of the historic negotiating process in the search for peace by political means, the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca wish to place on record their gratitude for the national and international efforts that have contributed to the conclusion of the Agreement on a Firm and Lasting Peace. They emphasize the role played by the National Reconciliation Commission, the Conciliation, the Assembly of Civil Society and United Nations Moderation. They also express appreciation for the support provided by the Group of Friends of the Guatemalan Peace Process, consisting of the Republic of Colombia, the United Mexican States, the Kingdom of Norway, the Kingdom of Spain, the United States of America and the Republic of Venezuela.

IV. FINAL PROVISIONS

First. The Agreement on a Firm and Lasting Peace shall enter into force when it is signed.

Second. This Agreement shall be widely publicized, especially through formal education programmes.

Guatemala City, 29 December 1996.

For the Government of Guatemala:

(Signed) Gustavo PORRAS CASTEJÓN

(Signed) Otto PÉREZ-MOLINA
Brigadier-General

(Signed) Raquel ZELAYA ROSALES

(Signed) Richard AITKENHEAD CASTILLO

For the Unidad Revolucionaria Nacional Guatemalteca:

(Signed) Ricardo RAMÍREZ DE LEÓN
(Commander Rolando MORÁN)

(Signed) Jorge Ismael SOTO GARCÍA
(Commander Pablo MONSANTO)

(Signed) Ricardo ROSALES ROMÁN
(Carlos GONZÁLES)

(Signed) Jorge Edilberto ROSAL MELÉNDEZ

For the United Nations:

(Signed) Boutros BOUTROS-GHALI
