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## Guatemala: 12 years after conflict, few solutions for IDPs or other victims

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*Almost twelve years after the end of Guatemala's 36-year civil war in 1996, the merit of considering internally displaced people (IDPs) separately is open to debate. Some claim that the many problems still shared by IDPs and other groups of victims render the category obsolete, but others argue that the number of forcibly displaced people still unable to regain their land or reintegrate elsewhere means the distinction remains important.*

*Over 200,000 people were killed or disappeared at the height of the conflict between 1981 and 1983, and between 500,000 and 1,500,000 people were internally displaced or fled the country. Although the majority of IDPs returned to their homes shortly after they fled, a large number of people remained displaced throughout the country. Most of these longer-term IDPs settled in the shanty towns of the capital Guatemala City, where they worked in the informal sectors as street sellers, domestic workers or in factories, or on the southern coast, where some worked as seasonal labourers on large land holdings. Many displaced people emigrated to seek work in the United States.*

*Political developments over the past decade have had little impact on the structural inequalities that triggered the armed conflict, and many Guatemalans remain among the poorest people in the western hemisphere. Crime rates have escalated since the official end of the war in 1996, and Guatemala is in 2008 among the most violent countries in the world that is at peace. The time elapsed since the end of the conflict, and the complex and protracted crisis the majority of Guatemalans face regardless of whether they were displaced are good reasons to stop counting IDPs. Yet IDP organisations claim their members are still suffering from trauma, loss of land, work and indigenous language rights, and still facing the widespread impunity of those who perpetrated abuses against them.*

*Nonetheless, no national or international institutions are specifically targeting IDPs or their organisations. In January 2008, the United Nations and the social-democratic government elected in November 2007 set up the International Commission against Impunity in Guatemala (CICIG). One of the tasks of the new Commission will be to investigate crimes and the criminal networks that emerged after the conflict, with the intention of offering some justice to the victims, whether internally displaced or not.*

# Map of Guatemala



Map No. 3834 Rev. 3 UNITED NATIONS  
May 2004

Department of Peacekeeping Operations  
Cartographic Section

Source: United Nations Cartographic Section  
More maps are available on <http://www.internal-displacement.org/>

## Background to the conflict

The exclusion from power and property of the indigenous majority by the Spanish colonisers did not end with independence from Spain in 1821. An elite of European descent has used state institutions and particularly the army to stay in power at the expense of the indigenous Mayan people, believed to represent around 60 per cent of the 12 million Guatemalans, and to a lesser degree the “Ladinos” of mixed European and indigenous descent.

The colonial concentration of wealth and power has left Guatemala today with one of the most inequitable distributions of land and resources in the world; an estimated 1.5 per cent own more than 60 per cent of the land (AI, 29 March 2006). Most indigenous people and hundreds of thousands of poor “Ladinos” work as subsistence farmers on only 20 per cent of the land (IDRC, 20 September 2002). More than 50 per cent of the population live in poverty, and infant mortality, illiteracy and chronic malnutrition rates are among the worst in the western hemisphere, particularly affecting indigenous people in rural areas (UNDP, 31 December 2007; USDOS, February 2008; CDH, 18 January 2006).

The seeds of conflict were sown in 1954 when a military coup backed by the United States ousted a democratically-elected government which had started implementing land reforms by distributing unused portions of the vast holdings of the United Fruit Company to landless peasants. The new government suspended the constitution and ruled the country brutally until 1986 (ILO, May 2000). A bloody civil war began in the early 1960s when guerrilla groups

emerged, mainly from the Ladino population. Parts of the indigenous population joined in when their communities were faced with increasing state-sponsored brutality. The regime responded with a massive counter-offensive which reached a peak of brutality between 1981 and 1983 when a scorched-earth offensive targeted anyone perceived to be supporting the guerrillas.

## Resulting displacement

Over 200,000 people were killed or disappeared, and between 500,000 and 1.5 million people were internally displaced or fled the country over the course of the conflict (CEH, 1999, Vol.3, Ch.II). More than 80 per cent of the victims of war were indigenous Mayan people. The Commission for Historical Clarification, set up in 1994 by the UN, the government and the rebels of the Guatemalan National Revolutionary Unity (URNG) to investigate human rights violations during the conflict concluded in 1999 that the campaign against the indigenous population amounted to genocide. The Commission also found that the Guatemalan armed forces together with supporting paramilitary groups were responsible for 90 per cent of the abuses committed during the war (CEH, 1999).

The army took advantage of massive displacements to gain control of territories, and forced indigenous people who did not flee to kill and commit atrocities against other indigenous people. The four regions most affected by forced displacement and violence were Quiché, Huehuetenango, Chimaltenango and Alta Verapaz. Those who stayed behind were forced into army-run villages where they were organised in Civil Defence Patrols

to fight the insurgency. Also, on many occasions, the army seized land from IDPs and handed it over to perpetrators of human rights abuses, who were often neighbours or relatives of the victims. The social divisions caused by the atrocities and the illegal land redistribution which followed continue to prevent forcibly displaced people from returning home, almost twelve years after the end of the conflict (IDMC interviews, October 2008; CEH, 1999).

### **Outstanding problems facing IDPs and other victims**

More than two decades after the peak of forced displacement and 12 years after the end of the conflict, the relevance of the IDP category is no longer clear-cut. While the category served to depict the situation faced by up to 1.5 million people in Guatemala in the 1980 and into the 1990s, some observers suggest that it is in 2008 hard to identify any socio-economic differences between IDPs and non-IDPs (Paula Worby, e-mail). The 1996 peace accord included commitments to guarantee land rights and ensure the restitution of property and the distribution of land to poor farmers. The agreement also addressed the needs of IDPs and others uprooted by the conflict, including their socio-economic and political integration, access to education and documentation, and return or resettlement.

Yet important commitments of the peace agreement, such as the resettlement of people displaced, and redistribution of land and compensation to benefit them and other victims of the conflict, have been largely ignored by successive governments. The Technical Commission for the Resettlement Accord (CTEAR) ex-

cluded hundreds of thousands of IDPs who relocated around Guatemala City and in the southern region of the country, and had only resettled around 100,000 refugees and 324,000 IDPs when it concluded its work in 2001 (JoAnn DiGeorgio-Lutz, Aaron Hale, December 2004).

Similarly, the National Reparations Programme is barely functional four years after it was set up in 2004. According to the president of the National Peace Commission set up to supervise implementation of the peace accord, the Programme has since its establishment spent most of its limited resources on administration (CoG, 25 May 2006). It has still struggled to disburse its annual allocation of around \$40 million, mainly due to the lack of clear eligibility criteria for victims of the conflict, and so has had to return almost 50 per cent of its budget to the treasury in the last years.

IDP organisations have expressed concern over the potentially socially divisive consequences of compensation which the National Reparations Programme has made to individuals as opposed to communities, and they have reported compensation conditioned on support to certain political parties. According to these organisations, the Programme had by 2007 been unable to address the culture of impunity for perpetrators, the trauma suffered by victims, or their loss of indigenous languages, land and work. As of October 2007, victims of forced displacement had submitted 14,800 applications for compensation, yet none of the IDPs had received compensation, despite the fact that forced displacement is included among the criteria (IDMC interviews, October 2007).

There have been positive developments; in January 2008, the government convened a “permanent national dialogue” to revive the commitments of the peace accord on poverty reduction, redistribution of land, provision of health care and indigenous issues. In May 2008, the government publicly recognised the state’s responsibility for atrocities committed during the conflict. But victims’ organisations said the recognition should be followed by land distribution and justice for perpetrators ([www.noticias.com.gt](http://www.noticias.com.gt), accessed 13 May 2008)

### **Obstacles to reintegration**

The land issues affecting the displaced go hand in hand with the structural inequalities at the root of the violence, displacement and social breakdown. The peace accord has been poorly implemented in this respect as governments have not created incentives to redistribute property. A market-assisted land reform has not been effective, as many landowners have deliberately overpriced their land or only sold unproductive land to FONTIERRAS, the funding agency set up to manage loans to IDPs seeking land (IDMC interviews with IDPs, October 2007). In 2007, the FONTIERRAS land acquisition programme enabled less than 2,000 hectares of land to be distributed to 450 families, while an estimated 500,000 families remained landless or did not have enough land to meet their basic needs (FONTIERRAS, accessed 1 June 2008; LRAM, 13 January 2003, p.2). Resettled IDP communities have claimed that the poor quality of the land they had bought with loans from FONTIERRAS

made it impossible to repay the loans (IDMC interviews, October 2007). As a result, they had had to stop repayments and feared losing the land they lived on.

The failure of successive governments to implement the peace accord and the deteriorating economic situation has contributed to ongoing social conflict and land disputes in rural areas. Increasing discontent has triggered numerous occupations of large landholdings by indigenous and landless people (CDH, 18 January 2006). Successive governments have responded with violent evictions, thereby fuelling social unrest (AI, 29 March 2006).

Solutions to land disputes arising from the war seem equally distant. A government institution set up to resolve land conflicts, CONTIERRA, lacks the resources to enforce decisions and remains woefully dysfunctional, according to a group of social organisations (COS, 30 March 2006, p. 46).

An obstacle to the return of IDPs has been the resistance of people or communities who never fled. This resistance has resulted from the branding of IDPs as guerrilla supporters or instigators of the civil war, and the army’s recruitment of indigenous people during the conflict and subsequent redistribution to them of seized land (IDMC interviews, October 2007; IACHR, 6 April 2001, Ch.XIV, paras.18-22). Resettled IDPs also still fear returning to their areas of origin due to the atrocities committed by the people and communities who were forced by the army to collaborate to avoid displacement themselves.

## **National and international protection for IDPs**

No international organisations were working specifically with the internally displaced in Guatemala as of June 2008, but a series of UN-sponsored initiatives has sought to support the human rights of citizens. In 2005 the Office of the UN High Commissioner for Human Rights signed an agreement with the government and set up a country office in Guatemala to monitor economic, social and cultural human rights. In January 2008, to counter the continuing pervasive culture of impunity for crimes, the government and the UN set up the International Commission against Impunity in Guatemala (CICIG). One of the tasks of the new commission is to investigate crimes and criminal networks that emerged after the conflict, in an attempt to offer some justice to the victims, whether IDPs or not.

The National Reparation Programme's decision to include forced displacement among the criteria for compensation is a welcome step in the absence of a comprehensive victim policy or response by

the government. People who were forcedly displaced make up one of the largest groups that have been excluded from the limited attempts to implement the peace accord. Their organisations, along with those of other victims, have often shown scepticism towards government attempts to establish justice, truth and reparation, in the light of the violent evictions of land occupants, the failure to hold state agents responsible for atrocities committed during the conflict, and the lack of capacity or willingness to address deteriorating social and economic conditions.

From a socio-economic perspective it may no longer be useful to distinguish those who were victims of forced displacement during the conflict, but as long as internal displacement is used by the victims themselves to draw attention to their experiences, it may be premature for people and institutions not affected to disregard it.

*Note: This is a summary of the IDMC's Internal Displacement profile. The full profile is available online [here](#).*

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## **About the Internal Displacement Monitoring Centre**

The Internal Displacement Monitoring Centre, established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people. In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

For more information, visit the Internal Displacement Monitoring Centre website and the database at [www.internal-displacement.org](http://www.internal-displacement.org)

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