

**FORMER FEMALE COMBATANTS AND THE CIVIL  
WAR PEACE PROCESS: LESSONS LEARNED IN THE  
CONTRASTING EXPERIENCES OF GUATEMALA AND  
MOZAMBIQUE**

by

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## **ABSTRACT**

Former female combatants are rarely, if ever, engaged in the negotiations of the civil war peace process, despite the existent international resolutions and rhetoric for their inclusion. There is a void in the “Gender and Development” literature, addressing the linkage between the role of former female combatants in the civil war peace process and benefits towards the engenderment of the outcomes. The question under examination, “How do former female combatants impact the civil war peace process when involved, and what were the initial outcomes of the former female combatants in different case studies (one case study with their inclusion versus one case study with their exclusion)?”, will address this issue in the context of two specific case studies Guatemala, and Mozambique. Overall, the inclusion of female former combatants within the accords, does open the space for women as key protagonists of development, but does not equate to inclusive equality post-conflict.

**Keywords:** Guatemala peace process; Mozambique peace process; Peace negotiation; Women and Peace-building; Gender and Development.

**Subject Terms:** Women in Development; Gender mainstreaming; Guatemala civil war; Mozambique civil war; Women and War.

## **DEDICATION**

I dedicate this project to a family member who is no longer living, but thought of often. My Grandmother, Evelyn McHugh, otherwise known as “Nanny”, taught me the intrinsic value of education and allowed me to acknowledge the chances and opportunities that I, and other women of my generation have been granted. As an avid reader, and “Scrabble player extraordinaire”, my Nanny would have loved to pursue a higher education, but given the limited opportunities during her generation, she fulfilled a rewarding career as a full-time mother of nine children. It was through her love of education and thirst for knowledge that I fully acknowledge how lucky I am.

I also dedicate this project to my parents, Michael and Jane McHugh. Without their constant love, support and motivation, the completion of this year would have seemed much more difficult. It was through the long distance telephone calls, emails and letters that encouraged me to face the various challenges that I have encountered along my educational journey. They have acted as my mentors, not only this year, but in previous years, allowing me to pursue any goal that I envisioned. It is through their example that I have realized the road to success, although sometimes faced with obstacles, is through persistence, and strength. I am greatly appreciative and dedicate this project to these three very special people.

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## GLOSSARY

**Civil Society:** Usually a vast array of public-oriented associations that are not formally a part of the governmental institutions of the nation, but rather, community associations, religious institutions, trade unions, nongovernmental organizations, business associations, professional associations, etc.

**Civil War:** Any armed conflict that involves (a) military action internal to the metropole; (b) the active participation of the national government; and or/ (c) resistance by the interstate or extrastate (colonial and imperial) war was the internality of the war to the territory of a sovereign state and the participation of the government as a combatant. State violence should be sustained, and reciprocated. The war results in typically more than 1,000 civilian deaths.

**Combatant:** The “Protocol Additional to the Geneva Conference of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977” (Article 43, Section II) defined it as – “1). The armed forces of a party to a conflict consist of all organized armed forces, groups, units which are under a command responsible to that party for the conduct of its subordinates, even if that party is represented by a government or an authority not recognized by an adverse party. Such armed forces shall be subject to an internal disciplinary system which, ‘inter alia’, shall enforce compliance with the rules of international law applicable in armed conflict. 2). Members of the armed forces of a party to a conflict (other than the medical personnel and chaplains covered by Article 33 of the Third Convention) are combatants, that is to say, they have the right to participate directly in hostilities. 3). Whenever a party to a conflict incorporates a paramilitary or armed law enforcement agency into its armed forces it shall so notify the other parties to the conflict.<sup>1</sup>”

**Democracy:** A concept that encompasses extensive protections for individual and group freedoms, inclusive pluralism in civil society as well as part politics, civilian control over the military, and institutions to hold office – holders accountable. A strong rule of law is secured through an independent and impartial judiciary. The process of democracy is often linked to electoral rule, accountability of all actors (organizations, non-state, and state), and representation.

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<sup>1</sup> International Committee of the Red Cross (ICRC). “Protocol Additional to the Geneva Convention of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977”. (2008), <http://www.icrc.org/> (accessed July 16<sup>th</sup>, 2008).

**Democratization:** A dynamic, nonlinear process through which previously warring elites gradually arrive at an acceptable long-term political settlement.

**DDR:** Disarmament, Demobilization and Reintegration. It involves both warring parties and often mediated by an external actor (such as the United Nations). The effective implementation of the DDR process reassures belligerent parties of the permanent cessation of hostilities, as they are often the most essential part of a peace agreement and the sustainability of the entire peace process.

**Frelimo:** Liberation Front of Mozambique – The political party formed in 1962 to fight for Mozambican independence and later took over as the ruling party in 1975, when Mozambique is granted independence. Its political ideology stems from a Marxist-Leninist position (although, it presently has transformed its political stance to Socialism).

**GAD:** The Gender and Development approach recognizes and evaluates the importance of the roles of women, poor men, and other disadvantaged groups within society. The goal of this approach is to create equitable and sustainable development with men and women as decision makers, through empowerment, and stimulating social transformations with a gender perspective (i.e. as women and men are taken into account at all states of a country project and gender is mainstreamed into various policy and programming implications).

**Gender:** The social relationships produced by cultural, social, economic and historical processes and the various roles played by men and women. It is a social category, referring to the social expectations that are developed and placed upon individuals on the basis of their biological sex.

**Gender Mainstreaming:** It is the process of accessing the implications for women and men of any planned action, including legislation [that might be required by the agreement], policies or programmes in any area and at all levels. It is a strategy for making women's concerns as well as men's concerns and experiences as integral dimension in the design, implementation, monitoring, and evaluation of policies and programmes in all political, economic and social spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal of gender mainstreaming is to achieve gender equality in the social, economic and political spheres.

**ONUMOZ:** United Nations Observation Mission in Mozambique. It was established in 1992, by Security Council Resolution 782, to monitor and verify the ceasefire, demobilization, humanitarian assistance and facilitate the implementation of the General Peace Agreement (GPA). ONUMOZ also provided security for the UN and other international actors involved in the peace process.

**Positive Peace:** This type of peace initiative involves long-term, sustainable goals. It involves the political, legal, and social structures to aid in the resolution of peace and the development of a post-conflict society.

**Peacebuilding:** It is the process of creating and strengthening democratic political institutions, encouraging sustainable development, poverty-reducing development, and fostering collaborative, non-violent social relations.

**Peace Agreement:** These are the agreements reached in violent conflicts, which document the main areas of agreement between the warring parties (i.e. the government military and the protagonist) to resolve a conflict.

**Peace negotiation(s):** This is part of the peace process. It is a process whereby the warring parties serve to define the basic power relations and to identify priorities for immediate post-war political activity. It is the official peace talks of the peace process.

**Peace Process:** This is the process to end a civil (intrastate) war usually with the involvement of the protagonists, external actors and mediators. It involves three phases (although not exclusively): 1). Pre-negotiation stage; 2). Framework or substantive agreement stage; and 3). Implementation. Peace accords are often the culminating point of the peace process.

**Post- conflict reconstruction:** The process post-war, whereby the government and international actors (such as USAID, EU, etc.) try to rebuild and re-develop various social, economic and political institutions destroyed during the war.

**Renamo (MNR):** Mozambique National Resistance- formed in 1975 as an anti-communist political organization to fight the Frelimo government (who took over the post-independent state).

**URNG:** Guatemalan National Revolutionary Unity – Formed in 1982 as a guerrilla movement (acting as an umbrella organization to merge four guerrilla factions together). It officially became a political party in 1998.

# CHAPTER ONE: WOMEN, CIVIL WAR AND THE PEACE PROCESS

Introduction:

***“Women cannot afford to stay out of politics because that is where decisions are made...women need to develop self-confidence to fight for their rights. Women should respect tradition and culture but never let it be used as a weapon against them. All issues are women’s issues”.***<sup>2</sup>(Former female combatant)

The conclusion of the Cold War spawned a new vision within the international community and the hope for the commencement of pluralistic paradigms and international cooperation. In actuality, this did not occur as “the number of nation-states [literally] increased, breaking along fault lines of ethnicity, language and religion, and fuelling more intra-state [civil]<sup>3</sup> conflicts than any time in human history”<sup>4</sup>. From the beginning of the Cold War to the early 1990s, the number of armed conflicts in the developing world rose with unprecedented lines of division<sup>5</sup>. The armed conflicts were no longer interstate wars, but ones characterized by tactics of deliberate targeting of

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<sup>2</sup> Mazurana, Dyan. “Women in Armed Opposition Groups in Africa and the Promotion of International Humanitarian Law and Human Rights”. (Geneva Call – Program for the Study of International Organizations, 2005): 46, <http://www.genevacall.org> (accessed February 15, 2008).

<sup>3</sup> Small and Singer (1982) defined a civil war as “any armed conflict that involved (a) military action internal to the metropole, (b) the active participation of the national government, and (c) effective resistance by the interstate or extrastate (colonial and imperial) war was the internality of the war to the territory of a sovereign state and the participation of the government as a combatant. Civil war was further distinguished from other forms of internal armed conflict by the requirement that state violence should be sustained and reciprocated and that the war exceeds a certain threshold of deaths (typically more than 1,000)”. See Sambanis, Nicholas. “What is Civil War? Conceptual and Empirical Complexities of an Operational Definition”. *The Journal of Conflict Resolution* 48, No. 6 (December 2004): 815. (Note: Both Guatemala and Mozambique, the case studies under analysis, can be defined as participating in lengthy civil wars).

<sup>4</sup> Anderlini, Sanam Naraghi. *Women building peace – What they do, why it matters*. (United States: Lynne Rienner Publishers, Inc., 2007), 1.

<sup>5</sup> Human Security Centre. *Human Security Report 2005 – War and Peace in the 21<sup>st</sup> Century*. (Canada: UBC/Oxford University Press), 23.

civilians and governmental infrastructure, the involvement of armed groups operating as loose factions, mass movements of people and the regional dimensions<sup>6</sup>. The conclusion of the major interstate wars saw the increased awareness of intrastate wars. This heightened awareness of intrastate wars, created new techniques for conflict resolution in the form of the peace agreement<sup>7</sup>. Not surprisingly in civil war peace agreements, “during the war, at its end, and at the time of peace negotiations, authorities mainly emphasize issues relating to the conflict itself and to the sharing of power between the belligerents”<sup>8</sup>. Since peace agreements are the main objective of the civil war peace negotiation process, “it is useful to examine how important it is for gender issues to be in the agreement. Inevitably agreements do not deal with all issues in a conflict”<sup>9</sup>, even though war and its aftermath is highly gendered.

It is evident that former female combatants (and women in general) are rarely engaged in the negotiations of the civil war peace process. This has major implications for the equality gained during the conflict, and the lack of gender-awareness in the design of the post-conflict society. Accordingly, it is imperative to understand the importance of gender within the peace process since “50 percent of wars have terminated in peace

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<sup>6</sup> International Council on Human Rights Policy. “Negotiating Justice? Human Rights and Peace Agreements”. (Switzerland, 2006): 3, <http://www.ieu.it/LAW/WGHumanRightsReportSummary.pdf> (accessed June 15th, 2008).

<sup>7</sup> Bell, Christine. “Women Address the Problems of Peace Agreements”. In *Peace Work – Women, Armed Conflict, and Negotiation*, ed. Radihika Coomaraswamy and Dilrukshi Fonseka (India: Women Unlimited, 2004), 96.

<sup>8</sup> Bop, Codou. “Women in Conflicts, Their Gains and their losses”, In *The Aftermath – Women in Post conflict transformation*, ed. Sheila Meintjes, Anu Pillay and Meredith Turshen (United States: Zed Books, 2001), 31.

<sup>9</sup> International Council on Human Rights Policy. “Negotiating Justice? Human Rights and Peace Agreements” (Switzerland 2006): 5, <http://www.ieu.it/LAW/WGhumanRightsReportSummary.pdf> (accessed June 15<sup>th</sup>, 2008).

agreements since 1990”<sup>10</sup>. Thus, there is a call among the “Gender and Development” literature for a distinct linkage between the beneficial role of females [in particular female combatants or active members of the war effort] in the political peace process and the heightened engenderment of the outcomes<sup>11</sup>.

The question under examination; **“How have former female combatants<sup>12</sup> impacted the civil war peace process (comparing a case study where former female combatants were involved in the civil war peace process, to a case study where they were excluded)? What were the initial outcomes for the former female combatants in the different case studies?”** The project attempts to gain further insight into the role that women (specifically former female combatants) have played when included in the civil war peace process and the repercussions when excluded from the process. An examination of an African case study, Mozambique’s National Resistance (otherwise known as Renamo), with the exclusion of female combatants from the civil war peace

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<sup>10</sup> Bell, Christine. “Women Address the Problems of Peace Agreements”. In *Peace Work- Women, Armed Conflict and Negotiation*, ed. Radhika Coomaraswamy and Dilrukshi Fonseka (India: Women Unlimited, 2004): 96.

<sup>11</sup> It is important to note that peace negotiation processes usually involve the warring parties, and a mediator/observer(s). Thus, it is imperative to examine the role of former female combatants, specifically in the peace process, not just women in general (since these are the actors that would have a direct impact on the peace negotiations and accords produced from such a process). Although various women’s grassroots initiatives have blossomed internationally and locally, advocating for the inclusion of rights and equality within the peace process, changes have yet to concretely occur. Because women are often excluded from the political realm, their political advocacy usually occurs within the grassroots levels, which have flourished since the 1990s. Women rely on non-governmental organizing to reach the political realm, although this is not necessarily effective for concrete solutions as the actual actors in the political realm make the final provisions (for laws, legislation, etc.). See Turshen, Meredith. “Engendering Relations of State to Society in the Aftermath”, In *The Aftermath- Women in Post Conflict Reconstruction*, ed. Sheila Meintjes, Anu Pillay and Meredith Turshen (United States of America: Zed Books, 2001): 88.

<sup>12</sup> The researcher is aware that girls are also included in the definition of former female combatant, but for reasons of simplicity, will not specify between women and girls. The definition of a girl combatant is contested within the international community and within the literature, and thus a “girl combatant”, will be included in the definition of combatant, specifically female combatant. Also the data does not distinguish between girls or women, as it is often difficult enough to obtain empirical data from a conflict situation. The definition of a “combatant” can be located in the Glossary.

process, will be contrasted to a Central American case study, Guatemala's National Revolutionary Unity (URNG), and the inclusion of female combatants in the civil war peace process. Guatemala's civil war peace process and the inclusion of former female combatants resulted in a peace agreement interwoven with gender provisions (specifically geared towards women). This is in stark contrast to the experience of the Mozambique peace process, with the exclusion of female combatants in the civil war peace process, and the lack of gender awareness within the actual peace accords. The overall objective of this project is to demonstrate that the inclusion of former female combatants, with an understanding of social justice issues (in particular gender inequality awareness), is essential for gendered provisions to be included in peace settlements. Thus, arguably the absence of female combatants from the civil war peace process results in undermining the possibilities for the sustainability of democratization and positive peace<sup>13</sup>.

### Women, War and Peace: Passive Victims Or Agents of War?

The United Nations Office of the Special Representative of the Secretary for Children and Armed Conflict has retorted that as girls [and women] are gradually receiving more attention in conjunction to their roles in the post-conflict environment, academics and other stakeholders must continuously deepen the knowledge base for suitable changes to develop<sup>14</sup>. Women's leadership and governance is essential to establish sustainable development and the female combatants "meaningful participation

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<sup>13</sup> See Glossary for further explanation of this term.

<sup>14</sup> UNICEF. *United Nations Officer of the Special Representative of the Secretary for Children and Armed Conflict* (2005), <http://www.unicef.org/> (January 16<sup>th</sup>, 2008).

in peace negotiations marks a pivotal step in setting post-conflict governance and reconstruction agendas that takes women's and girl's needs and priorities into account"<sup>15</sup>.

Researcher Cynthia Enloe, as quoted in Susan McKay's article entitled "Reconstructing fragile lives: girls' social reintegration in Northern Uganda and Sierra Leone" (2005), argues that the conclusion of a conflict is 'crowded with [a] gendered analysis'<sup>16</sup>. The reality is that few of the reconstruction outcomes in a post-conflict environment benefit or even address women's and girl's special issues and circumstances (i.e. the reintegration of former female combatants, land entitlement issues, various health issues, violence against women, etc). Since the peace negotiation process is traditionally viewed as a militaristic "male-centric", high-level activity, women are often absent (or a minimal) actor "in the involved international authorities [such as the United Nations], in negotiation teams representing the warring parties, and in any other institution invited to the negotiation table"<sup>17</sup>. Thus, it does not come as a surprise that women encounter massive barriers as soon as post-conflict reconstruction commences, despite their active role in the civil conflict<sup>18</sup>.

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<sup>15</sup> Mazurana, Dyan. "Women in Armed Opposition Groups in Africa and the Program of International Humanitarian Law and Human Rights". Geneva Call – Program for the Study of International Organizations. (2005): 5, <http://www.genevacall.org> (accessed February 15<sup>th</sup>, 2008).

<sup>16</sup> McKay, Susan. "Reconstructing fragile lives: girls' social reintegration in Northern Uganda and Sierra Leone". In *Gender, Peacebuilding and Reconstruction*, ed. Caroline Sweetman (Great Britain: Oxfam, 2005), 19.

<sup>17</sup> Bouta, Tsjeard and Georg Freks. "Women's Roles in Conflict Prevention, Conflict Resolution and Post-Conflict Reconstruction". (Netherlands Institute of International Relations, 2002), [www.peacewomen.org/resources](http://www.peacewomen.org/resources) (accessed April 22, 2008).

<sup>18</sup> Ibid. Note: Within the literature, reasons for women's exclusion or barriers to the peace process (which are not under examination in this project) are often linked to the fact that only parties to the conflict tend to be involved in the peace negotiations, but what about when females are a part of the war effort, such as the combatants in Mozambique's Renamo (non-state) and Fremilo (government)? It seems as though this is an inadequate argument for the exclusion of women.



Often illustrated as victims, it is a fallacy that women are external actors to this game called ‘warfare’, “standing somehow removed from the business of [conflict] and untainted by the complicity in it”<sup>19</sup>. Women have actively participated in fighting forces [whether in state or non-state armies] in at least 57 countries from 1990 to 2004<sup>20</sup>, with motives for joining the war effort as diverse as their male counter-parts. Female combatants<sup>21</sup> have listed determinants for joining, such as: enforced recruitment; agreements with the goals of the war; patriotism; religious, political or ideological motives, and economic necessity (to name a few)<sup>22</sup>. Women also occupy such roles as spies, porters, messengers, recruiters, political strategists, medical personnel, cooks, etc – in most cases women and girls perform numerous functions in addition to the primary role allotted within the armed group<sup>23</sup>, often acting as the cohesion for the maintenance of the group. After the conclusion of the conflict, former female combatants most often encounter difficulties, especially upon reintegration. The post-conflict construction agenda “override[s the] interests in promoting women’s equal status and opportunities

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<sup>19</sup> Sweetman, Caroline, eds. *Gender, Peacebuilding and Reconstruction*. (Great Britain: Oxfam, 2005), 3.

<sup>20</sup> Mazurana, Dyan. “Women in Armed Opposition Groups Speak on War, Protection, Obligations under International Humanitarian Law and Human Rights”. Geneva Call – Program for the Study of International Organizations ( 2004), <http://www.genevacall.org/> (accessed February 15, 2008).

<sup>21</sup> The definition of a “combatant” is outlined in the Glossary.

<sup>22</sup> Tsjeard, Bouta and Georg Freks. “Women’s Roles in Conflict Prevention, Conflict Resolution and Post-Conflict Reconstruction” (2001), <http://pdf.usaid.gov/pdf> (accessed April 22, 2008). Note: Both men and women seem to cite similar reasons to why they participated in the armed conflicts.

<sup>23</sup> Mazurana, Dyan. “Women in Armed Opposition Groups Speak on War, Protection, Obligations under International Humanitarian Law and Human Rights”. Geneva Call – Program for the Study of International Organizations (2004): 33, <http://www.genevacall.org/> (accessed February 15<sup>th</sup>, 2008).

within a society”<sup>24</sup>. Gender issues and relations are never central to the causes of a conflict, and thus, not [viewed as] relevant to its resolution<sup>25</sup>.

Although there is a lack of recognition of gender -mainstreaming<sup>26</sup> within [most] civil war peace processes’ outcomes (i.e. such as disarmament, demobilization and reintegration<sup>27</sup> of former combatants), various international resolutions and agreements drafted since the mid-70s have acknowledged the importance of the inclusion of women within this integral process. The United Nations, in particular, has played a leading role in promoting the equality of gender and women’s rights within a conflict context. Various conferences, such as the UN World Women Conference of Mexico (1975), the Copenhagen Conference (1980), Nairobi Conference (1985), and most notably, Beijing (1995)<sup>28</sup>, have been organized in order to promote the inclusion of women in all aspects of development. The Beijing Platform for Action developed at the United Nations Fourth Conference of 1995, for instance, particularly highlights the absence of women’s representation in the [civil war] peace negotiation processes. The Beijing Platform for Action states that: “*full participation [of women] in decision-making, conflict prevention*

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<sup>24</sup> McKay, Susan. “Reconstructing fragile lives: girls’ social reintegration in Northern Uganda and Sierra Leone”. In *Gender, Peacebuilding and Reconstruction*, ed. Caroline Sweetman (Great Britain: Oxfam), 19 (accessed June 15<sup>th</sup>, 2008).

<sup>25</sup> Chinkin, Christine. “Post-conflict Reconstruction and Rehabilitation”. In *Peace Work – Women, Armed Conflict and Negotiation*, ed. Radhika Coomaraswamy and Dilrukshi Fonseka (India: Women Unlimited, 2004), 13.

<sup>26</sup> A definition of gender mainstreaming: “the process of assessing the implications of women and men of any planned action, including legislation [that might be required by the agreement], policies or programmes in any area and at all levels. It is a strategy for making women’s concerns as well as men’s concerns and experiences as an integral dimension in the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and social spheres so that women and men benefit equally and inequality is not perpetuated”. From, Chinkin, Christine. “Post conflict Reconstruction and Rehabilitation”. In *Peace Work – Women, Armed Conflict and Negotiation*, ed. Radhika Coomaraswamy and Dilrukshi Fonseka. (India: Women Unlimited, 2004): 211-212.

<sup>27</sup> See Glossary for explanation of DDR (disarmament, demobilization and reintegration).

<sup>28</sup> Bouta, Tsjeard and Georg Freks. “Women’s Roles in Conflict Prevention, Conflict Resolution and Post-conflict Reconstruction”. (Netherlands Institute of International Relations, November 2002), [www.peacewomen.org/resources](http://www.peacewomen.org/resources) (accessed April 22nd, 2008).

*and resolution and all other peace initiatives [is] essential to the realization of lasting peace...and if women are to play an equal part in securing and maintaining peace, they must be empowered and represented adequately at all levels of decision-making*<sup>29</sup>.

Following the 1995 United Nations Fourth Conference of 1995, the United Nations Security Council constructed Resolution 1325 (implemented 31 October 2000). It specifically addresses the vital inclusion of women in the peace and security context, and the need to increase their role in decision-making process in regards to conflict prevention and resolution<sup>30</sup>. Despite the international rhetoric, Christine Bell (2004) points out that “ironically, however, internationally driven processes, including those driven by the United Nations itself, particularly exclude women. The difficulties for women in accessing ‘talks processes’, point to the need for some soft law standards<sup>31</sup> relating to the [civil war peace] process itself<sup>32</sup>. The question that often emerges within the debate is why the desire for women’s inclusion (specifically former female

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<sup>29</sup> Anderlini, Sanam Naraghi. “Women at the Peace Table – Making a Difference”. (The United Nations Development Fund, 2000). <http://www.un.org/> (accessed May 10<sup>th</sup>, 2008).

<sup>30</sup> Bouta, Tsjeard and Georg Freks. “Women’s Roles in Conflict Prevention, Conflict Resolution and Post-conflict Reconstruction”. Netherlands Institute of International Relations (November 2002): 23, <http://www.peacewomen.org/resources> (April 22nd, 2008).

<sup>31</sup> A ‘soft law’ is defined by Francis Snyder as “rules of conduct which in principle have no legally binding force but which nevertheless may have practical effects”. See: Trubek, David. M., Patrick Cottrell and Mark Nance, “‘Soft law’, ‘Hard law’ and European Integration: Toward a Theory of Hybridity. (United States of America: University of Wisconsin, 2005). <http://www.law.wisc.edu/facstaff/trubek/HybridityPaperApril2005.pdf> (accessed June 14th, 2008).

<sup>32</sup> Bell, Christine. “Women Address the Problems of Peace Agreements”. In *Peace Work – Women, Armed Conflict, and Negotiation.*, ed. Radhika Coomaraswamy and Dilrukshi Fonseka (India: Women Unlimited, 2004), 120.

combatants) within the political process of peace negotiations and peace building<sup>33</sup>.

Arguably, does it really matter if women, specifically former female combatants, are included in the formalities of the peace process?

According to Bouta and Freks (2002), women and men, from an equity and rights-justice standpoint, should have equal access and participation in the political affairs of the peace process<sup>34</sup>. The acknowledgement of “gender balance is a democratic principle that should apply at every stage and in the full range of peace-building activities”<sup>35</sup> [including the peace process]. Women have different needs, and certain categories of women may have specific needs that should be formally addressed (i.e. such as family subsidies, childcare, etc.), within the institutional and policy frameworks. Therefore, it is imperative to include women who have actually participated and lived through the conflict, not just women from international positions<sup>36</sup>. By addressing the post-conflict reconstruction in lieu of the peace agreement “without ‘asking the woman question’ means that those involved in the peace process failed to take seriously the call

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<sup>33</sup> Peacebuilding constitutes three main objectives: “Creating and strengthening democratic political institutions, encouraging sustainable development, poverty-reducing development; and fostering collaborative, non-violent social relations. The political, economic and social processes related to these objectives and the normative framework in which they are situated must be viewed through a gender lens in order for peacebuilding to recognize and include women as full and equal partners with men in post-conflict societies.” See: Strickland, Richard and Nata Duvvury. “Gender Equity and Peacebuilding: From Rhetoric to Reality: Finding the Way”. (International Center for Research on Women , 2002): 6, [http://icrw.org/docs/gender\\_peace\\_report\\_0303.pdf](http://icrw.org/docs/gender_peace_report_0303.pdf) (accessed May 23<sup>rd</sup>, 2008).

<sup>34</sup> Ibid: 33.

<sup>35</sup> Bunch, Charlotte. “Peace, Human Rights and Women’s Peace Activism: Feminist Reading”. In *Peace Work – Women, Armed Conflict and Negotiation*, ed. Radhika Coomaraswamy and Dilrukshi Fonseka. (India: Women Unlimited, 2004): 45.

<sup>36</sup> Chinkin, Christine. “Post-conflict Reconstruction and Rehabilitation”. In *Peace Work – Women, Armed Conflict, and Negotiation*, ed. Radhika Coomaraswamy and Dilrukshi Fonseka (India: Women Unlimited, 2004): 10.

by the Security Council in its Resolution 1325 to ‘all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective’<sup>37</sup>.

The literature acknowledges the need for the heightened inclusion of women in the peace negotiation process, but fails to demonstrate a contrasting case of when women, in particular former female combatants, were involved in the civil war peace process, and a case where they were not. The literature does not specifically address which women should be involved, but it is imperative that women who have lived through the experience of the conflict, are the actors that are vital to the inclusion of the peace process<sup>38</sup>. A useful starting point in considering the role of active members of intrastate wars, in particular females, is to examine former female combatants in juxtaposition to the civil war peace process. There is a lack of academic literature available addressing specific case studies in reference to these issues. An examination of former female combatant’s roles (or lack thereof) in the civil war peace process, is integral to understanding the underlying successes/ failures in the outcomes, and the sustainability of democratization<sup>39</sup> and peace.

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<sup>37</sup> Chinkin, Christine. “Peace Agreements as Means for Promoting Gender Equality and Ensuring Participation of Women”. United Nations Division for the Advancement of Women (31 October 2003): 8, <http://www.un.org/womenwatch/> (accessed May 15<sup>th</sup>, 2008).

<sup>38</sup> Within the peace process, the warring parties are the key negotiators and thus, the inclusion of former female combatants is specifically needed. Not just the inclusion of women from sectors of civil society or grassroots movements, even though this could prove to be beneficial in aiding the engenderment of the outcomes.

<sup>39</sup> The process of democratization is needed in order for the mainstreaming of gender to operate effectively. It involves the “hierarchical nature of state bureaucracies and political parties, the presence or lack of auditing mechanisms within state machineries, leadership commitment to gender mainstreaming and of course, increasing the presence of women within state bodies at all levels”. See, Rai, Shirin M. Chapter one: “Institutional Mechanisms for the advancement of women: mainstreaming gender, democratizing the state?”. In *Mainstreaming gender, democratizing the state? Institutional Mechanisms for the advancement of women*, ed. Shirin M Rai. (United Kingdom: Manchester University Press, 2003): 16.

## Research Design and Methodology:

In order to address the difficulty and nature of the subject enquiry, evidence and theoretical reasoning rely on taking a multi-disciplinary approach. Thus, in answering the following research question, secondary sources such as books and journals, non-governmental documents, governmental (or intergovernmental) documents, databases, policy papers, project workshops and conference papers are utilized. The research project constitutes a partial and preliminary analysis of engendering the analysis of the civil war peace process and its outcome<sup>40</sup>. In the concluding section of the report, possible gaps within the research are addressed.

The methodological framework from which this research report draws upon is the sociological “Gender and Development (GAD)” approach, which argues that women are rooted in the realm of patriarchal power in their societies at the national, community, and household level<sup>41</sup>. The Gender and Development approach examines gender<sup>42</sup> relations as the key determinant to ones position within society and acknowledges the importance of the distinct social roles of women and other disadvantaged groups. According to Luciak (2001), sustainable development and democracy requires the explicit integration of a gender perspective - women and men need to be key players<sup>43</sup>. The purpose of this

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<sup>40</sup> The research report’s structure will examine Guatemala and Mozambique’s historical legacy in order to aid in justifying the case study comparisons proceeded by an overview of the civil war’s. The author takes a unique look at the civil war peace processes of each of the case studies under scrutiny, in order to assess whether or not the female combatants had any impact on the accords. The remaining two chapters touch on the outcomes of the former female combatants and lessons learned.

<sup>41</sup> Parpart, Jane L., Patricia Connelly, and V. Eudine Barriteau, eds. *Theoretical Perspectives on Gender and Development*. (Ottawa, Canada: International Development Research Centre, 2000), 62.

<sup>42</sup> Gender is defined as “a social category, referring to the social expectations that are developed and placed upon individuals on the basis of their biological sex. Different gender roles exist for males and females.” See: Teevan, James J. and W.E. Hewitt. *Introduction to Sociology – A Canadian Focus*. (Toronto, Canada: Pearson Education Canada, Inc., 2001): 169.

<sup>43</sup> Luciak, Ilija, A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua and Guatemala*. (United States of America: John Hopkins University Press, 2001), xiii.

theoretical approach is to “[provide] a way to analyze policies and organizational effects to determine which ones will both meet short-term practical needs and help to change the structures of subordination”<sup>44</sup>.

There are limitations of a case study analysis, but general observations can be deducted from the following comparison. The purpose of any case study analysis, according to sociologist Michael Quinn Patton (2002), is “to refer to any qualitative data reduction and sense-making effort that takes a volume of qualitative material and attempts to identify core consistencies and meaning”<sup>45</sup>. As stated previously, the report will analyze Mozambique’s Renamo<sup>46</sup> and Guatemala’s URNG, with the civil war peace processes and former female combatants as the units of analysis. The structure of the report is initially explanatory, in order to educate the reader on the topic, later delving into the author’s analysis of the civil war peace processes, and the engenderment (or lack thereof) in the outcomes.

### The Case Studies and Their Rationale:

Guatemala is one of the few examples where the inclusion of former female combatants has been a part of the civil war peace negotiation process<sup>47</sup>. The phenomenon

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<sup>44</sup> Parpart, Jane L., Patricia Connelly and V. Eudine Barriteau, eds. *Theoretical Perspectives on Gender and Development* (Ottawa, Canada: International Development Research Centre, 2000), 63.

<sup>45</sup> Patton, Michael Quinn. *Qualitative Research and Evaluation Methods*. (United States of America: Sage Publications, 2002), 453.

<sup>46</sup> Renamo stands for “Mozambique National Resistance” and the URNG stands for “Guatemalan National Revolutionary Unity”. Throughout the report, these acronyms will be utilized.

<sup>47</sup> There have been civil war peace processes where women from civil society have been informally involved in the process, but the inclusion of former female combatants in the peace talks is a rarity.

of former female combatant inclusion in the civil war peace talks<sup>48</sup> has occurred within the Central American context, but is largely absent within the African civil war<sup>49</sup> context. The Mozambique civil war is the most suitable African civil war, which qualifies for comparison to a Central American civil war<sup>50</sup>. Do Guatemala and Mozambique constitute a justifiable comparison, even though they are two completely different countries, with divergent histories?

Upon examination of the colonial legacies and present social indicators of both Mozambique and Guatemala, there are induced parallels. In Mozambique, in the Portuguese colonial era, the (African) aboriginal Mozambicans had no social provisions (except for the Catholic mission schools and health facilities), and most were based in rural areas, impoverished with inadequate land<sup>51</sup>. The African Mozambicans were subject to punitive taxation, forced labour, patriarchal values, and the marginalization of women

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<sup>48</sup> The female former combatants of South Africa were included in the peace negotiation process, but for reasons of methodology, can not be compared. The reason is that South Africa fought a liberation war (which are fought to bring independence to a nation or group), and the case studies under scrutiny are civil wars, which are defined differently. See Glossary for definition of a civil war. Also, in Sierra Leone, one former female combatant was witness to the Lomé peace negotiation process, but only as a passive observer, not an actual negotiator. United Nations Development Fund for Women trained and assisted women to act only as observers to the peace process in Burundi (Arusha Accords). The All-party Burundi Peace Conference was created, which provided the main peace facilitator, Nelson Mandela with the women's recommendations. Also grassroots initiatives have been instigated within Uganda to include women in the peace process. See: International Council on Human Rights Policy. "Negotiating Justice? Human Rights and Peace Agreements". (Switzerland, 2006):35, <http://www.ieu.it/LAW/WGHumanRightsReportSummary.pdf> (accessed June 15<sup>th</sup>, 2008).

<sup>49</sup> The Mozambican civil war was representative of most civil wars that occurred between 1960 to 1999, as most resulted because of internal strife, high levels of poverty (social inequality), failed political institutions (causing dissent) and/or economic dependence on natural resources. For further reading see: Elbadawi, E. and N. Sambaris. "Why are there so many civil wars in Africa? Understanding and preventing violent conflict". *Journal of African Economies* (World Bank, 2000): 244, <http://jae.oxfordjournals.org/cgi/content/abstract/9/3/244> (accessed August 5th, 2008).

<sup>50</sup> The author is aware that the analysis of this project is context specific, and even if the case studies were located in the same region, various social, political, religious, cultural variables would still have to be considered.

<sup>51</sup> Baden, Sally. "Post conflict Mozambique: Women's Special Situation, Population Issues and Gender Perspectives: to be integrated into skills training and employment promotion". (Bridge Development Gender, June 1997): 8, <http://www.ids.ac.uk/bridge> (accessed May 23<sup>rd</sup>, 2008).



in rural areas<sup>52</sup>. Guatemala, during its struggle with the Spanish colonial rulers, and after independence was marked by authoritative rule, military regimes, forced labour among the aboriginals (in particular the Mayans) and patriarchal values<sup>53</sup>. The colonial rule had major implications on the development of both countries (even though Guatemala gained independence in the 1800s).

Mozambique and Guatemala are ranked lower on the United Nations Human Development Index scale<sup>54</sup>, with Mozambique ranked at 172<sup>55</sup> out of 177 (ranked) countries, and Guatemala at 118<sup>56</sup>. For instance, the marginalization of women in Mozambique and Guatemala, have disadvantaged the countries advancement in terms of democratic development. According to Baden (1997), “girls and women have historically been disadvantaged in access to education and are under-represented nationally at secondary, technical, and higher education levels”<sup>57</sup> within Mozambique. Guatemalan women share a similar experience to the Mozambique women, as they are the most marginalized sector of society, in education and in the labour market<sup>58</sup>.

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<sup>52</sup> Ibid.

<sup>53</sup> Nyrop, Richard F., ed. *Guatemala – A Country Study*. (United States: The American University, May 1983): 72.

<sup>54</sup> The HDI (Human Development Index) is a statistical tool that combines such developmental indicators as life expectancy, education and standard of living. It does not claim to be a comprehensive measure of human development, but rather a rough statistical tool used to access a country’s current development status.

<sup>55</sup> United Nations Development Program (UNDP). “Human Development Reports 2007-2008”. (Guatemala and Mozambique indicators), <http://hdr.undp.org/> (accessed June 15<sup>th</sup>, 2008).

<sup>56</sup> Ibid.

<sup>57</sup> Baden, Sally. “Post conflict Mozambique: Women’s Special Situation, Population Issues and Gender Perspectives: to be integrated into skills training and employment promotion”. (Bridge Development Gender, June 1997): x, <http://www.ids.ac.uk/bridge> (accessed May 23rd, 2008).

<sup>58</sup> Lorena, Meeilyn and Mejia Lopez. “Indigenous Women and Governance in Guatemala”(Canadian Foundation for the Americas, March 2006): 6, <http://www.focal.ca/> (accessed May 2008).

Another point of comparison is the length of the civil wars. Mozambique and Guatemala experienced lengthy civil wars. According to Jenny Pearce (1999), “Central America in fact shares with many contemporary African conflicts a number of characteristics: peripheral status in the global economy; dominance of agriculture; external vulnerability; colonial history; deep social divisions and high levels of poverty”<sup>59</sup>. The root causes of the Guatemalan conflict mirror similar causes within Mozambique, both, to a great degree, stemming out of Cold War politics, but ignited by internal affairs. The Guatemalan conflict, from 1960 to 1996, was spurred by a guerrilla movement fused by issues of social injustice, in particular inequitable distribution of land and wealth, and a majority of the indigenous populous living in absolute poverty<sup>60</sup>. The Mozambican civil war paralleled the timeframe of the most active part of the Guatemalan civil war (peaking in the early 1980s). The Renamo guerrillas led the Mozambican war, with ideologies such as resentment of Frelimo’s (government in power) suppression of traditional authority, religion, economic policies and land issues<sup>61</sup>. Both guerrilla movements had their main support from the peasantry classes within each country and involved female combatants.

It is difficult to obtain accurate data on the actual number of female combatants for both armies, but various sources have given accounts of their definitive involvement (in both Renamo and URNG). Mozambique’s guerrilla organization, Renamo, initially

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<sup>59</sup> Pearce, Jenny. “Peace building in the Periphery: Lessons from Central America”. (Third World Quarterly 20, No. 1, February 1999): 51-52. (accessed May 21<sup>st</sup>, 2008).

<sup>60</sup> International Council on Human Rights Policy. “Negotiating Justice? Human Rights and Peace Agreements”. (Switzerland, 2006): 131, <http://www.ieu.it/LAW/WGHumanRightsReportSummary.pdf> (accessed June 15th, 2008). This definition of poverty was contrived by the World Bank’s standards.

<sup>61</sup> Hall, Margaret. “The Mozambican National Resistance Movement (Renamo): A Study in Destruction of an African Country”. (Journal of the International African Institute 10, No. 1, 1990): 47, <http://www.jstor.org/> (accessed May 23<sup>rd</sup>, 2008).

recorded 40 percent<sup>62</sup>, of the minors as females (those under the age of 18). Renamo female combatants were largely absent from the demobilization camps and constituted less than 2 percent<sup>63</sup> of the demobilized, but the actuality of their involvement, according to researcher, Tsjeard Bouta (2005), armies, and guerrilla armies involve 10 to 30 percent of female combatants<sup>64</sup>. The Guatemalan female combatant involvement falls within this range – 15 percent<sup>65</sup> (are approximated) to have been involved within the URNG over the lengthy civil war.

Further justification for the comparisons of Guatemala and Mozambique are deducted from the analysis of the formalities of the peace process and when the peace negotiations concluded<sup>66</sup>. Both Guatemala and Mozambique's peace process resulted in territorial power sharing among the warring parties of the negotiations, whereby provision for "formal autonomy such as federalism and informal arrangements such as

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<sup>62</sup> McKay, Susan and Dyan Mazurana. "Where are the Girls? Girls in the Fighting Forces in Northern Uganda, Sierra Leone, and Mozambique: Their Lives During and After War". (International Centre for Human Rights and Democratic Development, 2004): 34, [http://www.ichrdd.ca/site/\\_PDF/publications/women/girls\\_whereare.pdf](http://www.ichrdd.ca/site/_PDF/publications/women/girls_whereare.pdf) (accessed May 8th, 2008).

<sup>63</sup> Baden, Sally. "Post conflict Mozambique: Women's Special Situation, Population Issues and Gender Perspectives: to be integrated into skills training, and employment promotion". (Bridge Development Gender, June 1997): viii, <http://www.ids.ac.uk/bridge> (accessed May 23rd, 2008).

<sup>64</sup> Bouta, Tsjeard. "Gender and Disarmament, Demobilization and Reintegration – Building Blocs for Dutch Policy". (Conflict Resolution Unit, March 2005): 5. <http://www.iansa.org/women/documents/ddr-gender-report.pdf> (accessed June 28<sup>th</sup>, 2008).

<sup>65</sup> Luciak, Ilja A. "Gender Equality, Democratization and the Revolutionary Left in Central America: Guatemala in Comparative Context". In *Radical Women in Latin America – Left and Right*, ed. Victoria González and Karen Kampwirth (United States of America: The Pennsylvania State University Press, 2001): 194.

<sup>66</sup> The Mozambican agreement was signed in 1992, and the Guatemalan agreement signed four years later in 1996. They occurred within only four years of each other, thus furthering the argument that these are adequate comparisons of analysis.

ceasefires...leave the armed forces of each side in control of their respective territories<sup>67</sup>”.

The United Nations played a major role in Guatemala, acting as a mediator<sup>68</sup>, and within Mozambique, acting as the observer<sup>69</sup>, with the aid of various other external actors. The United Nations was invited to participate in the peace process by Renamo (of Mozambique) and the Guatemalan government to perform various duties. For instance, the UN oversaw the implementation of the peace accords (after the conclusion of the negotiations) and was instrumental in the elaboration of the ceasefire technicalities<sup>70</sup> in both Mozambique and Guatemala. The services of external actor Santo Egidio, a Vatican linked organization that mediates peace negotiations, and the Catholic Church, were utilized as well by both Guatemala and Mozambique, to a lesser and greater extent<sup>71</sup>. The case study analysis of Mozambique and Guatemala, is justified by these extraneous variables, and the fact that the unit of analysis, the peace negotiations, commenced and concluded within the same decade (in 1992 the accords were finalized for Mozambique, and in 1996 for Guatemala).

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<sup>67</sup> Hoodie, Matthew and Caroline Hartzell. “Chapter three: Power Sharing in Peace Settlements: Initiating the Transition from Civil War”. In *Sustainable Peace – Power and Democracy after Civil Wars*. (United States of America: Cornell University Press): 87.

<sup>68</sup> In Guatemala, the United Nations acted as a mediator, therefore having negotiating power over both warring parties. This was an active role in the process. In Mozambique, the Catholic Church organization, Santo Egidio, was the main mediator, with the United Nations acting as an observer that each side was allowed representative negotiating power. Both Guatemala and Mozambique utilized the United Nations as a main mediator in overseeing the implementation of the peace accords after the conclusion of the negotiations.

<sup>69</sup> Short, Nicola. *The International Politics of Post-conflict Reconstruction in Guatemala* (United States of America: Palgrave-Macmillan, 2007): 25. Note: In Mozambique, Santo Egidio was the main mediator of the civil war peace process, whereas in Guatemala, the United Nations fulfilled this role. The United Nations still had a large presence within Mozambique, despite its observer status.

<sup>70</sup> Conciliation Resources. “General Peace Agreement for Mozambique/ Guatemalan Peace Accord”. <http://www.c-r.org/> (accessed May 15<sup>th</sup>, 2008).

<sup>71</sup> Chan, Stephen and Moisés Venâncio. *War and Peace in Mozambique*. (United States of America: St. Martin’s Press, Inc, 1998): 20.

## Concluding Remarks:

In conclusion, this project will examine the experiences of non-state<sup>72</sup> former female combatants included in the civil war peace process in Guatemala, and not included within Mozambique, and seek to identify the relevancy of women at the peace table, as exemplified in Guatemala. Chapter One, “Women, Civil War and The Peace Process”, developed a brief overview of the importance of gender when examining development issues, in particular the importance within the peace process. It also outlined the importance of the inclusion of women, specifically former female combatants, within the formal peace process. The role of female combatants is more extensive than the classic imagery of “combatant”, and should be viewed as a necessary variable in the outcome of positive peace<sup>73</sup> and the growth of democratization.

To reduce further biases and treatment of all women as identical, the researcher is aware that not all women will necessarily be “gender aware” within peace negotiations. The proceeding section will outline a brief macro overview of Guatemala and Mozambique to further develop a concrete foundation as to why these specific countries can justifiably be compared.

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<sup>72</sup> Non-state actors/agents can be defined as agents not operating on behalf of a national government or an intergovernmental organization. See: Risse-Kepper, Thomas., ed. *Bringing Transnational Relations Back In – Non-State Actors, Domestic Structures and International Institutions*. (United Kingdom: Cambridge University Press, 1995): 3.

<sup>73</sup> For clarification, see Glossary for the definition of “positive peace”.

## **CHAPTER TWO: AN OVERVIEW OF MOZAMBIQUE AND GUATEMALA**

The aim of “Chapter Two: An Overview of Mozambique and Guatemala”, is to provide further clarification and a brief historical insight into the case studies under examination. A brief overview of the civil war that plagued Guatemala and Mozambique will be reviewed proceeding the macro overview of each country. Women and girls were active combatants in Guatemala’s and Mozambique’s government forces and opposition groups under scrutiny. Various parallels can be illustrated providing justification for the analysis and comparison of a country within Central America and one located within Southern Africa. Mozambique and Guatemala have experienced repressive colonial rule, and authoritative political rule (post-independence), resulting in insufficient economic and political development. These two ethnically diverse societies with deep religious affiliations between Church and State have experienced bloody civil wars, including the participation of female combatants<sup>74</sup>.

### **A Macro Framework of Mozambique’s Historical Roots:**

Mozambique, a former colony of Portugal, gained independence in June 1975, but soon after, was torn by internal strife. Frelimo<sup>75</sup>, headed by Samora Moises Machel, supported in part by the Soviet Union and Cuba, and the anticommunist forces (Renamo),

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<sup>74</sup> The overview does not claim to be comprehensive in any fashion. It simply provides a tool to give the reader a brief insight into the history and culture of the case studies under scrutiny.

<sup>75</sup> Frelimo was the main governmental power during the civil war and during the peace process. Frelimo stands for the “Liberation Front of Mozambique”. Renamo represents the guerilla, non-state organization which stands for the “Mozambique National Resistance”. Also see Glossary.

headed by Afonso Dhlakama, fought for control over the country<sup>76</sup>. Mozambique's historical legacy was one plagued with war, repression and civil unrest.

Mozambique is bordered by Tanzania, South Africa, Zimbabwe (formerly Rhodesia), Swaziland, Zambia, and Malawi. The Portuguese tried to control trade in Mozambique by the 1880's, in order to gain supremacy within the Southern African region. During the colonial rule, "between 1890's and the 1930's, Portuguese rule in Mozambique was characterized by the exploitation of African people through slavery and resources by private parties, whether they were foreign company shareholders or colonial bureaucrats and settlers"<sup>77</sup>. This had major repercussions for the economic, social and political development post-independence.

A glimpse into Mozambican culture reveals an ethnically diverse population. For instance, the Portuguese officials of the colonial era, divided the Mozambicans into ten ethnically divided groups based on language, cultural and historical commonalities<sup>78</sup>. Today, there exist the Makuana, Makua, Tsongo, Sena, Lomwe, Tswa, Chwabo, and "other" ethnicities<sup>79</sup>, with varying traditional religious beliefs, but mainly bound by Christian roots<sup>80</sup>. Prior to independence, almost one third of the population was

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<sup>76</sup> Encyclopedia Britannica. "Mozambique", *Encyclopedia Britannica Online* (2008), <http://www.britannica.com/> (accessed June 5<sup>th</sup>, 2008).

<sup>77</sup> Ibid.

<sup>78</sup> Nelson, Harold D, ed. *Mozambique – A Country Study*. (United States of America: The American University Press, April 1984): xi.

<sup>79</sup> The ethnic clans are divided between the north and the south regions, who traced their heritage in a patrilineal fashion. Although matrilineal practices are existent within Mozambique, it is classified as a patriarchal society, and "throughout the 20<sup>th</sup> c, ... many matrilineal groups adopted patrilineality and virilocal settlement, with new families settling in a household of the husband's lineage rather than his wife's". See: Encyclopedia Britannica. "Mozambique". *Encyclopedia Britannica Online* (2008), <http://www.britannica.com/> (accessed June 5<sup>th</sup>, 2008).

<sup>80</sup> Ibid.

nominally Christian, and a small number were of Muslim descent<sup>81</sup>. Present day Mozambique, is characterized by approximately 50 percent of the inhabitants following traditional religious beliefs, 30 percent Roman Catholic, and 20 percent Muslim beliefs<sup>82</sup>. Throughout the colonial era, the exploitation of labour and resources of Mozambique was the “norm”, mirroring Guatemala’s experience with the Spanish colonizers. The colonial economy was “characterized by private monopolies, central planning, and state marketing of key products”<sup>83</sup>, mostly after independence. The Frelimo (Marxist-oriented) government, tried to nationalize key properties, promote education, and emphasize national commercial ownership (as opposed to the Portuguese and South Asian hold on commercial distribution). The Frelimo government’s undertakings proved disastrous to Mozambique, as the economy collapsed with the extraction of external merchants and the guerrilla warfare added turmoil to the strife.

Frelimo’s initiation into post-independence governance was already marked with internal strife that would prove detrimental to the development of the country. The government “had mixed success with its social and economic policies during its first decade of rule. Forced cultivation, forced labour, and ethnic discrimination were ended, but the party’s commitment to communal, cooperative and state-run agriculture antagonized many African farmers, who had hoped to see land returned to their families”<sup>84</sup>. It was not until 1985, that the Frelimo government realized the incentive to invest in the education, health care, and social services towards the Mozambicans.

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<sup>81</sup> The Columbia Encyclopedia. “Mozambique 1”. *Columbia Encyclopedia Online 2004*, <http://www.credoreference.com/entry/4288804> (accessed July 15<sup>th</sup>, 2008).

<sup>82</sup> Ibid.

<sup>83</sup> Encyclopedia Britannica. “Mozambique”. *Encyclopedia Britannica Online (2008)*, <http://www.britannica.com/> (accessed June 5<sup>th</sup>, 2008).

<sup>84</sup> Ibid.



Unfortunately, the initial gains made were undermined by the Renamo guerrilla movement (spawned and supported by Rhodesia [now Zimbabwe] and South Africa). A civil war would plague the country for the next decade.

### A Macro Overview of Guatemala's Historical Legacy:

Guatemala has a colonial history parallel to Mozambique – intermittent conflict and exploitation has plagued Guatemala since its Spanish conquerors, and after independence in 1821<sup>85</sup> political unrest continued. A diverse and mostly Roman Catholic<sup>86</sup> society, Guatemala's ethnic composition includes Ladinos (mixed European and aboriginal ancestry), Mayan speaking aboriginals, Black Caribs, and those classified as “other”<sup>87</sup>. The economic differentiation and stratification emerged during the colonial period, with a marked contrast among the Ladinos – they span the social hierarchy from the national elite to the landless populous of workers<sup>88</sup>. Most of the Guatemalan population still lives rurally, although urbanization is accelerating in the 20<sup>th</sup> century.

The agriculturally- based economy<sup>89</sup> was run by mercantilist rule, implemented by the colonial government, the “Audiencia” (a five-member government with the President as the ruling head)<sup>90</sup>. The initial period of European occupation had left the

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<sup>85</sup> Nyrop, Richard F., ed. *Guatemala – A Country Study*. (United States of America: The American University, May 1983): 19.

<sup>86</sup> The Columbia Encyclopedia. “Guatemala 1”. *Columbia Encyclopedia Online 2004*, <http://www.credoreference.com/entry/4276424> (accessed July 15th, 2008). Note: There is also Protestant (30 percent), traditional Mayan religions. Spanish is the language of about 60 percent of the people.

<sup>87</sup> Nyrop, Richard F., ed. *Guatemala – A Country Study*. (United States of America: The American University, May 1983): 3.

<sup>88</sup> The Columbia Encyclopedia. “Guatemala 1”. *Columbia Encyclopedia Online 2004*, <http://www.credoreference.com/entry/4276424> (accessed July 15<sup>th</sup>, 2008).

<sup>89</sup> Guatemala is still heavily dependent upon agriculture for economic subsistence. It is classified as an agricultural society, as it is the primary basis for exportation and national revenue.

<sup>90</sup> Nyrop, Richard F., ed. *Guatemala – A Country Study*. (United States of America: The American University, May 1983): 3.

aboriginals with the least valued land for agricultural production. The post-independence period left them [African Caribs and aboriginals] disadvantaged, not only because of land “but also the harsh labour laws that were designed to force them to work on coffee plantations”<sup>91</sup> (similar to the slavery of the indigenous African Mozambican experience). Guatemala is still marked with social inequalities and extremes<sup>92</sup>. The inequality of resources, income distribution, land distribution (it is the most unevenly distributed in all of Central America), low social indicators (such as quality of life, infant mortality, etc.) and the rates of poverty, in particular of the indigenous (Mayan) population, reveals an underdeveloped nation<sup>93</sup>.

After the independence struggle from Spain in 1821, Guatemala was marked with authoritarian rule and military regimes until it came under democratic rule in 1985<sup>94</sup>. While the liberal rhetoric glossed over the economic exploitation and social inequalities, the indigenous Guatemalans continued to work under harsh labour laws, and marginalization. Commencing in 1954, Guatemala endured internal strife between the various guerrilla sectors (stemming in part from the peasantry and indigenous citizens, and later forming the URNG) and the various governments in power. The government’s response was unprecedented vicious warfare to depopulate areas where the guerrillas were operating. A brutally violent thirty- six year civil war killed approximately 200,000

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<sup>91</sup> Ibid: 19.

<sup>92</sup> The literacy rate and per income are extremely low, as is Mozambique’s. Both countries are classified as Third World/Developing countries. See: The Columbia Encyclopedia. “Guatemala 1”. *Columbia Encyclopedia Online 2004*, <http://www.credoreference.com/entry/4276424> (accessed July 15th, 2008).

<sup>93</sup> Jonas, Susanne. *Of Centaurs and Doves – Guatemala’s Peace Process*. (United States of America: Westview Press, 2000): 27.

<sup>94</sup> Encyclopedia Britannica. “Guatemala”. *Encyclopedia Britannica Online* (2008), <http://www.britannica.com/> (accessed June 5<sup>th</sup>, 2008).

people<sup>95</sup>, until the cessation of the peace process in 1996<sup>96</sup>, which resulted in ambitious, inclusive, and wide-ranging accords.

Not only has the indigenous population been marginalized, an historical account of Guatemalan women reveals a patriarchal marginalization that is mirrored within the Mozambican case study. Guatemala<sup>97</sup> and Mozambique<sup>98</sup> are countries with patriarchal norms, issues revolving around land (as they are agriculturally subsistent economies) and countries plagued with inadequate post-independence institutional reforms. The following section will provide insight into the context of the civil wars, before commencing a gendered analysis of the peace processes that endured in the same decade in both countries.

The Mozambican and Guatemalan Civil Wars resulted, in part, from the externality of Cold War politics, characterized by lengthy conflicts, destroying any hope for political, economic and/or social stability. A brief examination of the Mozambican and Guatemalan conflicts will establish the basis for the analysis of the civil war peace process that both countries experienced in the 1990s. The agents of importance for the

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<sup>95</sup> Ibid.

<sup>96</sup> A more descript analysis of the civil war proceeds this section.

<sup>97</sup> The Guatemalan women defer all, if not most, of all the major decisions to her husband. Lorena and Lopez state: "Historically, Guatemalan women, particularly the Mayan, Garífuna, and Xinka (aboriginal) women, have been the most discriminated against, marginalized and excluded from the [political and economic] sectors of society and denied the most basic human rights". See Lorena, Meeylyn and Mejia Lopez. "Indigenous Women and Governance in Guatemala". *Canadian Foundation for the Americas* (March 2006): 6, <http://www.focal.ca/> (accessed May 15<sup>th</sup>, 2008).

<sup>98</sup> The interconnectedness of women and domestic labour is deeply entrenched within the Mozambican society. Only a "small minority of women had gained employment in factories and domestic services since the 1950s" and gender discrimination still prevails today in the form of wage inequalities and the sex-typing of jobs. Both Mozambique and Guatemala are societies deeply entrenched with patriarchal norms, even in the matrilineal communities within Mozambique. See: Baden, Sally. "Post conflict Mozambique: Women's special situation, Population Issues and Gender Perspectives: to be integrated into skills training and employment promotion". (Bridge Development-Gender, June 1997): 21, <http://www.ids.ac.uk/bridge> (accessed May 23rd, 2008).

analysis are the non-state armies, Renamo (Mozambique National Resistance), and the URNG (Guatemala National Revolutionary Unity).

## Mozambique 1975 to 1992: A Civil War Explodes

***“People were living under harsh conditions, no food. They have to fetch for everything, even [if] food in store, nobody has money...the Renamo say that all this would be over, okay...People would be free. People would have everything they need and they would... handle the socialists and the country would be changed”<sup>99</sup> (Carolyn B. – Former Female Combatant of Renamo).***

The civil conflict in Southern Africa grew out of Cold War politics, perpetuated by the stamp of independence from Portugal (in 1975) and the emergence of the Frelimo power to its governmental reign<sup>100</sup>. Shortly after independence, blood was drawn and guns emerged from the guerrilla movement of Renamo. Despite the nationalistic efforts and Marxist-Leninist rhetoric of the Frelimo government, certain groups had received

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<sup>99</sup> Carolyn B., a former female combatant, tries to articulate why she decided to join the Renamo counter insurgency. She also mentioned in the interview conducted October 2, 2001, by Susan McKay and Dyan Mazurana, that the material (i.e. such as the promised food, educational scholarships, etc.) incentives and promise of change were added reasons for joining. See: McKay, Susan and Dyan Mazurana. “Where are the Girls? Girls in Fighting Forces in Northern Uganda, Sierra Leone, and Mozambique: Their Lives During and After War” (International Centre for Human Rights and Democratic Development, 2004): 108, [http://www.icrw.org/docs/gender\\_peace\\_report\\_0303.pdf](http://www.icrw.org/docs/gender_peace_report_0303.pdf) (accessed June 15<sup>th</sup>, 2008).

<sup>100</sup> Frelimo won the war of independence against Portugal, and thus naturally becoming the first political party to govern Mozambique. The extreme measures such as transforming the party into a Marxist-Leninist government, outlawing traditional rulers, private law and medical practices, and nationalizing land and property rentals was found extreme amongst some Mozambicans. For further reading see: Manning, Carrie L. *The Politics of Peace in Mozambique – Post Conflict Democratization* (United States of America: Praeger Publishers, 2002): 50.

preferential treatment, spurring tensions in the rural areas<sup>101</sup>. State farms, for instance, received insurgent financial funding, while the rural farms received minimal investments<sup>102</sup>. It was an atrocious war “marked by extreme brutality against civilians, committed by both sides, [with] large-scale displacement and refugee movements, and destruction of the physical, economic and social infrastructure”<sup>103</sup>. The post-independence civil strife was between the government Frente de Libertação (Frelimo) forces, headed initially by President Samora Machel (and predecessor Joaquim Chissano), and the guerrilla movement of Resistência Nacional de Mozambique (Renamo), headed by Afonso Dhlakama<sup>104</sup>.

In the late 1970s, Renamo was founded by the Rhodesian (now Zimbabwe) Central Intelligence organization, in the face of Frelimo President Machel’s growing

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<sup>101</sup> According to Martin Rupiya, “in the midst of political and administrative disarray, Frelimo asserted its own vision of national unity, swiftly consolidating one-party rule and implementing a range of other measures to limit opposition and establish control over the populace”. Under the 3<sup>rd</sup> Party Congress in 1977, Frelimo set up developmental programmes, and nationalized the educational system to pave the way for a “radical transition” according to the government. This met with oppositional ideologies within Mozambique, eventually assimilating under the umbrella of Renamo. See Rupiya, Martin. “Historical Context: war and peace in Mozambique”. (United Kingdom: Conciliation Resources, 1998), <http://www.c-r.org/our-work/accord/mozambique/historical-context.php> (accessed June 16th, 2008).

<sup>102</sup> Armon, Jeremy et al. “The Mozambican Peace Process in Perspective” (Conciliation Resources, 1998), <http://www.c-r.org/our-work/accord/mozambique/contents.php> (accessed June 8<sup>th</sup>, 2008).

<sup>103</sup> Baden, Sally. “Post conflict Mozambique: Women’s special situation, Population Issues and Gender Perspectives: to be integrated into skills training and employment Promotion” (Bridge Development-Gender, June 1997): 20, <http://www.ids.ac.uk/bridge> (accessed May 23rd, 2008).

<sup>104</sup> McKay, Susan and Dyan Mazurana. “Where are the Girls? Girls in the Fighting Forces in Northern Uganda, Sierra Leone, and Mozambique: Their Lives During and After War”. (International Centre for Human Rights and Democratic Development, 2004): 31, [http://www.icrw.org/docs/gender\\_peace\\_report\\_0303.pdf](http://www.icrw.org/docs/gender_peace_report_0303.pdf) (accessed May 8th, 2008). Note: Renamo was initially created and backed by the Rhodesian government (now Zimbabwe), and later by post-apartheid government of South Africa. Various sources funded the ideology and monetary subsistence of Renamo, such as right-wing groups in Europe and the USA, the Portuguese community and military intelligence unit in South Africa, anti-Frelimo groups in Portugal, and Germany’s intelligence units. For further reading see: Chan, Stephen and Moisés Venâncio. *War and Peace in Mozambique*. (United States of America: St. Martin’s Press, Inc., 1998): 17.

support for the National Liberation Army of Rhodesia<sup>105</sup>. The initial reasons for the formation of Renamo was the destruction of the Mozambican government under Rhodesian puppetry (played out by Frelimo dissidents and former combatants of the war of independence), but as the war progressed, Renamo gained peasantry grassroots support and became its own functioning army in 1980 onwards<sup>106</sup>. The war waged between the Frelimo government and Renamo until October 1992, when the General Peace Accord (GPA) was completed and ceasefire officially formalized<sup>107</sup>.

The creation of Renamo, was facilitated and supported from external and internal actors. South Africa and Rhodesia (Zimbabwe), two powerful actors during the time of Mozambican independence, had incentives to financially invest in the guerrilla movement, in order to “prevent Mozambique from giving shelter to insurgency movements that presented a threat to these actors”<sup>108</sup>. The dissatisfaction with Frelimo,

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<sup>105</sup> Armon, Jeremy et al. “The Mozambican Peace Process in Perspective”. (Conciliation Resources, 1998), <http://www.c-r.org/our-work/accord/mozambique/contents.php> (accessed June 8<sup>th</sup>, 2008).

<sup>106</sup> Ibid. Renamo’s tactics included specific targeting of civilians, health posts, schools and any other structure associated with the government. The guerilla movement tried to appeal to “those aspects of the existing system that bothered people the most in the areas where it operated”, and thus, used universal anti-Frelimo rhetoric. The ideologies were built upon democratic freedom and non-state market ownership. For further reading see: Manning, Carrie L. *The Politics of Peace in Mozambique – Post Conflict Democratization*. (United States of America: Praeger Publishers, 2002): 85.

<sup>107</sup> Baden, Sally. “Post conflict Mozambique: Women’s Special Situation, Population Issues and Gender Perspectives: to be integrated into skills training and employment promotion” (Bridge Development Gender, June 1997): 6, <http://www.ids.ac.uk/bridge> (accessed May 23rd, 2008).

<sup>108</sup> Ibid: 41. South African support was reduced after 1984, with attempts to initiate peace negotiations but still provided mass quantities of arms to the Mozambican Renamo bases. For further reading see: Rupiya, Martin. “Historical Context: war and peace in Mozambique”. (United Kingdom: Conciliation Resources, 1998), <http://www.c-r.org.our-work/accord/mozambique/historical-context.php> (accessed June 16th, 2008).

was supported by a diverse range of Mozambican actors<sup>109</sup>, with a core of its members originating from the Sofala, Manica, Zambezia and Nampula regions<sup>110</sup>. Overall, the defining feature of the organizational structure, according to researcher Anders Nilsson, was that “individuals who ended up with Renamo tended to be those with lower levels of education and lower standards of living. Many of those who were economically better off fled to safer areas before Renamo arrived”<sup>111</sup>. The recruitment strategy of the guerrilla movement changed in the late 1980s, with an incentive to recruit members (including girls) with secondary school education to fill post-war political roles<sup>112</sup>. The role of female combatants, within Renamo, were integral to the functioning of the group, acting as commanders, porters, cooks, medics, and fulfilling various other roles<sup>113</sup>.

Not only do fighting forces depend upon girls and women to provide essential services for the maintenance of the organization (such as food production, washing clothes, etc.), but also to contribute significantly to the roles within the armed combat on the battlefield<sup>114</sup>. Researcher Tsjard Bouta (2005) states that “although the proportion of female participation in national armies, guerrilla or armed liberation movements varies, it

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<sup>109</sup> Renamo recruits came from a mixture of ethnicities and classes, from disgruntled Portuguese and black Mozambicans, dissidents of Frelimo, some intellectuals, traditional chiefs (regulos), middle class citizens, and veterans of the colonial army. Both male and females were members of this guerrilla organization. The traditional authorities were incorporated into the decision making process of Renamo. Open reciprocation of all religious sects was practiced. For further reading see: Chan, Stephen and Moises Venancio. *War and Peace in Mozambique*. (United States of America: St. Martin’s Press, Inc., 1998): 3.

<sup>110</sup> Manning, Carrie L. *The Politics of Peace in Mozambique – Post Conflict Democratization* (United States of America: Praeger Publishers, 2002): 41.

<sup>111</sup> Ibid: 88.

<sup>112</sup> McKay, Susan and Dyan Mazurana. “Where are the Girls? Girls in the Fighting Forces in Northern Uganda, Sierra Leone and Mozambique: Their Lives During and After War”. (International Centre for Human Rights and Democratic Development, 2004): 110, [http://www.ichrdd.ca/site/\\_PDF/publications/women/girls\\_whereare.pdf](http://www.ichrdd.ca/site/_PDF/publications/women/girls_whereare.pdf) (accessed May 8<sup>th</sup>, 2008).

<sup>113</sup> Ibid.

<sup>114</sup> McKay, Susan. “Reconstructing fragile lives: girls’ social reintegration in Northern Uganda and Sierra Leone”. In *Gender, Peacebuilding and Reconstruction*, ed. Caroline Sweetman. (Great Britain: Oxfam, 2005): 22. (accessed June 15<sup>th</sup>, 2008).

generally ranges from 10 percent to 30 percent of combatants”<sup>115</sup>. In Renamo, the *de jure* number of female combatants is not officially recorded (by the government or ONUMOZ<sup>116</sup>), but is believed to have fallen within the 10 to 30 percent range<sup>117</sup>. The justification of this *de facto* finding is that “there seems to be a tendency to recruit more women and children [which Renamo is accused of as well] if the conflict drags on and the availability of male recruits becomes more scarce”<sup>118</sup>. Illiterate women were assigned to such roles as porter, combatant duties, slave labour, or sexual servitude, and those with (some) education, had positions of higher authority such as intelligence officers, or medics<sup>119</sup>. There also is evidence that women acted as arms and tactics instructors within Renamo during the civil war<sup>120</sup>, demonstrating the active and important duties of female combatants within the non-state army. There is evidence that the reasons for the female Renamo participation ranged from reasons of joining with family members, lack of educational experience, or the promised opportunities (such as educational scholarships)

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<sup>115</sup> Bouta, Tsjeard. “Gender and Disarmament, Demobilization and Reintegration – Building Blocs for Dutch Policy”. (Conflict Research Unit, March 2005): 5, <http://www.iansa.org/women/documents/ddr-gender-report.pdf> (accessed June 28th, 2008).

<sup>116</sup> ONUMOZ – The United Nation Operation in Mozambique which was in charge of mediating and implementing the disarmament, demobilization and reintegration of former combatants.

<sup>117</sup> Bouta, Tsjeard. “Gender and Disarmament, Demobilization and Reintegration – Building Blocs for Dutch Policy” (Conflict Resolution Unit, March 2005): 5, <http://www.iansa.org/women/documents/ddr-gender-report.pdf> (accessed June 28<sup>th</sup>, 2008). NOTE: Also, there are unofficial reports that have documented that 40 percent of females were located at the Renamo base camps at ceasefire. Although, these girls and women were not considered for the reintegration and rehabilitation that occurred in later stages of the peace process (only 1.48 percent were officially demobilized according to the records). For further reading see: McKay, Susan and Dyan Mazurana. “Where are the Girls? Girls in the Fighting Forces in Northern Uganda, Sierra Leone, and Mozambique: Their Lives During and After War”. (International Centre for Human Rights and Democratic Development, 2004): 34, [http://www.ichrdd.ca/site/\\_PDF/publications/women/girls\\_whereare.pdf](http://www.ichrdd.ca/site/_PDF/publications/women/girls_whereare.pdf) (accessed May 8th, 2008).

<sup>118</sup> Ibid: 6. The Mozambican civil war waged for over a decade, costing many civilians lives and immense infrastructural damage. The date of initiation is contested. Some authors state 1975, others as late as 1977. It concluded in 1992 with the negotiations of peace.

<sup>119</sup> Ibid: 109.

<sup>120</sup> Ibid.



being offered<sup>121</sup>. The advocacy of gender rights was not an indicator for joining the war effort.

The Mozambican civil war, which continued from 1975<sup>122</sup>, to 1992, not only included women in the state and non-state war effort, but women with combatant duties and other roles such as medics, or intelligence officers to list a few. The war, initially formed by external sources, later restructured around nationalistic ideologies, such as anti-Frelimo policies and state repression. It was not until 1992, that the warring parties had reached an agreement in order to commence a ceasefire and rebuild their society.

### Guatemala 1960 to 1996: Thirty-six Years of Civil Strife

***“The bullets were raining down. Oh Lord! The bullets were raining. Tree branches broke and fell in front of me. We were getting up. I ran behind my family...We passed by some houses, and there were dead people inside. There were children, pregnant women whose stomachs were torn open<sup>123</sup>.”(10 year old, Juana Tzoc, witness of the Guatemalan civil war atrocities)***

Guatemala endured a thirty-six year civil war, from 1960 to 1996, stemming in part from the Cold War, as it was “ideologically, politically, militarily part of the U.S. Cold War confrontation with the Soviet Union and communist forces (real or labelled as such) in the Third World”<sup>124</sup>. The conflict was typical during the Cold War era, as it

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<sup>121</sup> Ibid: 108. Such as educational scholarships, food and monetary incentives.

<sup>122</sup> This date is contested. Some authors believe that the actual civil war did not commence until 1977.

<sup>123</sup> Maller, Jonathan. *Our Culture is Our Resistance*. (New York, United States: Powerhouse Books, 2004): 34.

<sup>124</sup> Jonas, Susanne. *Of Centaurs and Doves – Guatemala’s Peace Process*. (United States of America: Westview Press, 2000): 17. Note: Mozambique had Cold War roots as well, making Guatemala and Mozambique equitable comparisons from two distinct regions. According to Jonas, there were various phases of the Guatemalan conflict. The Guatemalan Revolution of 1944 to 1954 and “its overthrow created the conditions for the [civil war’s] first phase: the armed insurgency during the early 1960s...and the second phase of the war... [reaching] genocidal proportions in the early 1980s” (p. 17).

developed in the 1960s as a struggle between the America-supported Guatemalan military and a plethora of rebel and guerrilla forces that eventually merged in 1982<sup>125</sup>, forming the Guatemalan National Revolutionary Unity (URNG – Unidad Revolucionaria Nacional Guatemalteca).

The Revolution of 1944-1954, sparked by American influences (and headed by Central Intelligence Agency initiatives), had the objective to overthrow Jacobo Arbenz's government (1945-1950), because "Guatemala [apparently] served as a beach-head for Soviet expansion"<sup>126</sup>. The Arbenz government passed agrarian reform laws, which sought to redistribute to landless farmers all unused land. At this time, the American United Fruit Company, Guatemala's largest land- owner, had no more than 15 percent<sup>127</sup> of Guatemala's land under cultivation. The government sought to expropriate and redistribute this land, and because of this venture, a Central Intelligence Agency (CIA)-sponsored mercenary army was constructed to overthrow the government<sup>128</sup>. Arbenz was removed from office and military rule took over again (with General Romeo Lucas Garcia in 1978 – 1982, and proceeded by General Efraim Rios in 1982 - 1983). With the brokered remnants of the peasant economic disparity and political upheaval (i.e. the

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<sup>125</sup> Anderlini, Sanam Naraghi. "Women at the Peace Table – Making a Difference". (The United Nations Development Fund, 2000): 17. <http://www.un.org/> (accessed May 10<sup>th</sup>, 2008).

<sup>126</sup> Jonas, Susanne. *Of Centaurs and Doves – Guatemala's Peace Process*. (United States of America: Westview Press, 2000): 19. Note: The United States was angry with President Arbenz because of the expropriation of unused land that the U.S.-based United Fruit Company (the largest land owner in Guatemala) had owned, and the agrarian reform his progressive government instituted to aid the peasants in Guatemala. The goal of the Revolution, backed by the United States, was to put into place a pro-US counterrevolutionary regime – unlike, the democratic and progressive legislation that Arbenz introduced during his term.

<sup>127</sup> Costello, Patrick. "Historical Background- Guatemala". In *Negotiating Rights – The Guatemalan Peace Process*, ed. Jeremy Armon, Rachel Sieder and Richard Wilson. (1997), <http://www.c-r.org/our-work/accord/guatemala/historical-background.php> (accessed May 23<sup>rd</sup>, 2008).

<sup>128</sup> Ibid.

illegitimacy of the pro-American government<sup>129</sup>), social injustice (in particular the uneven distribution of land and income), and most of the population living in abject poverty, the seeds of the conflict were already implanted<sup>130</sup>. The Guatemalan guerrillas could only grow stronger if they incorporated the efforts of the indigenous populous, rooting their war effort in the struggles of marginalization and anti-Guatemalan government discourse<sup>131</sup>. Enlisting the efforts of the marginalized indigenous population, the guerrilla war effort was expanded, especially inspired by the neighbouring Sandinista uprising in Nicaragua.

In the years that followed, the government intensified its efforts to eradicate the guerrilla insurgency. By 1985, the composition of the URNG was weakened, with the encouragement of the United States, the government held an election to formulate an illustration that the termination of the war was in sight<sup>132</sup>. The peace negotiations commenced in 1987, with the conclusion of the peace talks in 1996 – thirty- six years of conflict came to a negotiated end.

Ilja Luciak, purports that the “original nucleus of what became the URNG emerged in 1960, when a group of army officers started to form a guerrilla movement, as

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<sup>129</sup> This government created no room for political opposition, as the imposition of fraudulent elections and corruption were closely tied to the “new” Guatemalan government.

<sup>130</sup> International Council on Human Rights Policy. “Negotiating Justice? Human Rights and Peace Agreements” (Switzerland, 2006):103, <http://www.ieu.it/LAW/WGHumanRightsReportSummary.pdf> (accessed June 15th, 2008).

<sup>131</sup> Costello, Patrick. “Historical Background – Guatemala”. In *Negotiating Rights – The Guatemalan Peace Process*, ed. Jeremy Armon, Rachel Sieder and Richard Wilson (1997), <http://www.c-r.org/our-work/accord/guatemala/historical-background.php> (accessed May 23rd, 2008). NOTE: Gender advocacy was not a part of the guerilla organizations mandate or purpose of formation.

<sup>132</sup> Anderlini, Sanam Naraghi. “Women at the Peace Table – Making a Difference” (The United Nations Development Fund, 2000): 17, <http://www.un.org/> (accessed May 10<sup>th</sup>, 2008).

they were protesting corruption in the military and the government”<sup>133</sup>. The two main founders of the guerrilla insurgency in Guatemala were, Yon Sosa and Turcios Lima, who were joined by students<sup>134</sup>, peasants, and workers, creating the first guerrilla group, the Fuerzas Armadas Revolucionarias (FAR) in 1963<sup>135</sup> (and subsequently three other groups before the official formation of the URNG occurred). The various guerrilla sectors eventually constructed the Guatemalan National Revolutionary Unity. Luciak (2001) purports that “during the war, the two key URNG structures had been the “Commadnanica”, consisting of the Commanders of four groups, and the National Directorate, made up of seven representatives from each group”<sup>136</sup>.

The height of the guerrilla movement was in the early 1980’s, “gaining [approximately] 6,000 to 8,000 armed fighters and 250,000 and 500,000 active collaborators and supporters and operating in most parts of the country”<sup>137</sup>. The majority of the guerrillas recruited in the late 1970’s to 1980’s were from the western highlands, and of Mayan and Ladino peasants<sup>138</sup>. The original nucleus of the guerrilla movement was composed of four main guerrilla groups, eventually forming the Guatemalan

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<sup>133</sup> Luciak, Ilja A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua and Guatemala*. (United States of America: John Hopkins University Press, 2001): 130.

<sup>134</sup> The socioeconomic profile of the URNG was drastically different than the rest of the Guatemalan populous (although similarities remained in other areas). For instance, only 16 percent of the former combatants were illiterate, and an equally large group had some form of education (whether technical, high school or university). The Guatemalan population at this time had an illiteracy rate of 44 percent. In terms of similarities, the URNG was mainly of peasant background, no access to land and worked within the agricultural sector. For further reading see: Luciak, Ilja A. “Gender Equality, Democratization and the Revolutionary Left in Central America: Guatemala in Comparative Context”. In *Radical Women in Latin America – Left and Right*, ed. Victoria González and Karen Kampwirth (United States of America: The Pennsylvania State University Press, 2001): 1988

<sup>135</sup> Ibid: 130.

<sup>136</sup> Luciak, Ilja A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua and Guatemala*. (United States of America: John Hopkins University Press, 2001): 134.

<sup>137</sup> Jonas, Susanne. *Of Centaurs and Doves – Guatemala’s Peace Process*. (United States of America: Westview Press, 2000): 23.

<sup>138</sup> Hauge, Wenche. “The Demobilization and Political Participation of Female Fighters in Guatemala”(March 2007): 9, <http://www.humansecuritygateway.info/> (accessed May 23<sup>rd</sup>, 2008).

National Revolutionary Unity. The three (other) factions of the URNG: Partido Guatemalteco de Trabajo (PGT); the Organización del Pueblo en Armas (ORPA); and the Ejército Guerrillero de los Pobres (EGP)<sup>139</sup> eventually merged to form the URNG. After various governmental attempts to dissipate and dissolve the guerrilla movement in the early eighties, did the creation of an executive national structure<sup>140</sup>, formalize the existence of the URNG and its threat to the Guatemalan government. The majority of URNG members were between the ages of sixteen to thirty<sup>141</sup>, demonstrative of the average age of combatants in a guerrilla war movement, with women acting as an integral part of the composition.

Female combatants participating in the Guatemalan National Revolutionary Unity (URNG) joined the war-effort for various reasons (Parenthesis: similar to those cited by the female members of Renamo). In Guatemala and Mozambique, reasons of promoting gender awareness and advocacy played an absent role in the decision to join the non-state army<sup>142</sup>. The various incentives to join ranged from social concerns, to safety, to material gains and promises. Ilja Luciak (2001) states, “Many women joined out of conviction that

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<sup>139</sup> Luciak, Ilja A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua and Guatemala*. (United States of America: John Hopkins University Press, 2001): 131.

Note: The ORPA and the EGP guerilla members were originally and mainly from the peasant population of the indigenous community.

<sup>140</sup> Ibid: 132.

<sup>141</sup> Luciak, Ilja A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua and Guatemala*. (United States of America: John Hopkins University Press, 2001): 29.

<sup>142</sup> This statement is illustrated in a few of the literary works. See: Luciak, Ilja A. “Gender Equality, Democratization, and the Revolutionary Left in Central America: Guatemala in Comparative Context”. In *Radical Women in Latin America – Left and Right*, ed. Victoria González and Karen Kampwirth. (United States of America: The Pennsylvania State University Press, 2001)., Hauge, Wench. “The Demobilization and Political Participation of Female Fighters in Guatemala”. (March 2007), <http://www.humansecuritygateway.info/> (accessed May 23<sup>rd</sup>, 2008) and, McKay, Susan and Dyan Mazurana. “Where are the Girls? Girls in the Fighting Forces in Northern Uganda, Sierra Leone, and Mozambique: Their Lives During and After War: International Centre for Human Rights and Democratic Development” (2004), [http://www.ichrdd.ca/site/\\_PDF/publications/women/girls/\\_whereare.pdf](http://www.ichrdd.ca/site/_PDF/publications/women/girls/_whereare.pdf) (accessed May 8<sup>th</sup>, 2008).

conditions had to change, some sought greater safety following the assassination of family members, while others joined the guerrilla together with their family”<sup>143</sup>. In the early stages of the civil war, female participants were a rarity, but as the war progressed, the number of female combatants increased. For instance, “Alba Estela Maldonado (Commandante Lola) the most senior female commander, recounted that when she joined the EGP in 1974 she found only two women in her group”<sup>144</sup>. This initial pattern changed between 1978 and 1980, as more women became involved with the URNG. It is pertinent to understand that female participation was significant within the URNG, but at no time did the number of women constitute more than 25 percent of the membership<sup>145</sup>.

### Concluding Remarks:

Chapter Two provided a brief overview, essential to understanding the warring parties involved in the peace process. The civil war peace agreements occurred within four years of each other, and with the involvement of the United Nations (acting either as an observer or mediator), but involved divergent warring party actors and outcomes. Guatemalan and Mozambican former female combatants shared similar importance and roles within both warring parties and were integral to the functioning of the organization.

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<sup>143</sup> Luciak, Ilja A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua and Guatemala*. (United States of America: John Hopkins University Press, 2001): 26.

<sup>144</sup> Luciak, Ilja A. “Gender Equality, Democratization and the Revolutionary Left in Central America: Guatemala in Comparative Context”. In *Radical Women in Latin America – Left and Right*, ed. Victoria González and Karen Kampwirth (United States of America: The Pennsylvania State University Press, 2001): 197.

<sup>145</sup> Luciak, Ilja. A. “Gender Equality, Democratization and the Revolutionary Left in Central America: Guatemala in Comparative Context”. In *Radical Women in Latin America – Left and Right*, ed. Victoria González and Karen Kampwirth (United States of America: The Pennsylvania State University Press, 2001): 194. According to Luciak, there were approximately 15 percent recorded female combatants in a European Union study conducted at demobilization. The study was examining the socioeconomic background of the combatants, not the gender breakdown. This percentage of total women fits within Bouta et. al figure (of 10 to 30 percent) of female participation in non-state armies.

An examination of the civil war peace accords, which are a part of the peace process, follows with specific references to the accords analyzed through a gendered lens.

## CHAPTER THREE: A COMPARISON OF THE CIVIL WAR PEACE PROCESS IN MOZAMBIQUE AND GUATEMALA

*“The peace arena offers a space and an opportunity for women to access the public sphere. Societies emerging from conflict are often more porous to change, and ripe for advancing the cause of women, not simply in relation to peace, but politics in general”*<sup>146</sup> (Radhika Coomoraswamy and Dilrukshi Fonseka).

The civil war peace process, since the 1990s, has culminated in peace agreements ending over 50 percent of all civil wars<sup>147</sup>. The post-Cold War geopolitical forces, shifted the international paradigm from interstate wars to intrastate wars, and the need for the civil war peace process was formulated. Logically, “given that peace agreements are the prevalent focus of negotiations, it is useful to examine how important it is for gender issues to be in the agreement”<sup>148</sup>. Within the civil war peace process, men and women have unequal access to the peace dialogue (negotiations) that construct future forums for development. Former female combatants, in particular, are “not included in mobilizing constituencies for peace, negotiating peace agreements (where resource distribution, leadership roles and other social changes are agreed upon)”<sup>149</sup>. In order to analyze the role of gender in the civil war peace process, an examination of what is negotiated in the

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<sup>146</sup> Coomaraswamy, Radhika, and Dilrukshi Fonseka, ed. *Peace Work – Women, Armed Conflict and Negotiation*. (India: Women Unlimited, 2004): 6.

<sup>147</sup> International Council on Human Rights Policy. “Negotiating Justice? Human Rights and Peace Agreements”. (Switzerland, 2006): 1, <http://www.ieu.it/LAW/WGHumanRightsReportSummary.pdf> (accessed June 15<sup>th</sup>, 2008).

<sup>148</sup> Ibid: 2.

<sup>149</sup> Morton, Al. “Africa Bureau – Fragile States Framework: Gender Issues and Best Practice Examples”. (USAID – Gender and Conflict Africa, August 2005): <http://usaid.gov/policy/> (accessed February 18<sup>th</sup>, 2008).



Mozambican<sup>150</sup> and Guatemalan peace agreements will be explored, including what is left out, and whether the URNG female combatants in the Guatemalan peace negotiating process actually achieved any definitive outcomes in securing gender rights<sup>151</sup>.

Christine Chinkin(2003), in “Peace Agreements as Means for Promoting Gender Equality and Ensuring Participation of Women”, acknowledges the fact that “typically peace agreements are framed in a gender-neutral language, [thus,] they are assumed to be equally applicable to, and equally appropriate for, the needs of both women and men within the society in question”<sup>152</sup>. Thus, even though gender neutrality [may be] assumed in the documents, this does not address or acknowledge the specificity of women’s needs in the post-conflict reconstruction stage. It is not surprising then that “negotiators usually focus on a narrow, ‘male’, conception of the problem, namely a dispute over access to power and/or territory”<sup>153</sup>. Julie Mertus (2004) has labelled this phenomenon the “tyranny of emergency” - emphasis placed only on the parties of the conflict, neglecting other peace-building initiatives in the aftermath<sup>154</sup>. In circumstance where the tyranny of emergency prevails, the goal of the negotiation process is simply to resolve the conflict, and re-establish the peace.

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<sup>150</sup> See Appendix A: “The Mozambican General Peace Agreement” for an exact replica of the accords and Appendix B: “Gender Provisions within the Guatemalan Peace Agreement” for parts of the Guatemalan peace accords.

<sup>151</sup> The civil war peace process has various stages, and (usually) occurs over many years. Both case studies, Mozambique and Guatemala, follow the protocol that Christine Bell outlines.

<sup>152</sup> Chinkin, Christine. “Peace Agreements as Means for Promoting Gender Equality and Ensuring Participation of Women”. (United Nations Division for the Advancement of Women, October 31, 2003): 2, <http://www.un.org/womenwatch/> (accessed May 15<sup>th</sup>, 2008).

<sup>153</sup> Bell, Christine. “Women Address the Problems of Peace Agreements”. In *Peace Work – Women, Armed Conflict and Negotiation*, ed. Radhika Coomaraswamy and Dilrukshi Fonseka (India: Women Unlimited, 2004): 99.

<sup>154</sup> Chinkin, Christine. “Post- conflict Reconstruction and Rehabilitation”. In *Peace Work – Women, Armed Conflict and Negotiation*, ed Radhika Coomaraswamy and Dilrukshi Fonseka (India: Women Unlimited, 2004): 210.

The civil war peace process is essential to establishing what happens in the post-conflict setting, as it includes conflict resolution, peace negotiations, reconciliation, and the disarmament, demobilization and reintegration (DDR) of former combatants. This process is of particular importance to the warring parties and the outcomes, which result thereafter. The “[United Nations] categorizes [the] DDR of former combatants as a crucial continuum that is part of an entire peace process. Effective DDR can substantially reduce the change of armed violence re-emerging and help the foundations for social and economic development to take root”<sup>155</sup>. Various stages occur for an effective peace process to take place and for positive peace<sup>156</sup> to linger within the post-conflict future.

Christine Bell (2004) addresses the three malleable (and generalized) stages of a civil war peace process: Pre-negotiation stage; Framework (Substantive) agreement stage; and the Implementation<sup>157</sup>. The various stages of the peace process, although not necessarily representative of all civil war peace processes are representative of the stages that transpired in Mozambique and Guatemala, in 1992 and 1996 respectively. The first stage, the pre-negotiation agreements, is often not inclusive, nor definitive, but sets the framework. Often the agreements crafted at this early stage have the objective to build an official ceasefire that will enable the substantive (formal) peace talks to commence. It focuses on who will negotiate in the substantive stage, and the range of participants (such

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<sup>155</sup> Dzinesa, Gwinyayi. “Post conflict Disarmament, Demobilization, and Reintegration of Former Combatants in Southern Africa”. (*International Studies Perspective*, 8, 2007): 74, <http://www.jstor.org/> (accessed June 2008).

<sup>156</sup> Definition of “positive peace” can be located within the Glossary.

<sup>157</sup> Bell, Christine. “Women Address the Problems of Peace Agreements”. In *Peace Work – Women, Armed Conflict and Negotiation*, ed, Radhika Coomaraswamy and Dilrukshi Fonseka (India: Women Unlimited, 2004): 96 to 126.

as external mediators)<sup>158</sup>. The next stage is the framework (substantive) agreements<sup>159</sup>, which tend to be more inclusive of the warring parties involved in the conflict<sup>160</sup>.

The framework (substantive) agreement, according to Bell (2004, 101), “establish[es] or confirm[s the] mechanisms for demilitarization and demobilization intended to end military violence, by linking them to new constitutional structures addressing governance, elections and legal and human rights institutions”<sup>161</sup>. Often the framework agreements are initiated in an unknown location, often far removed from the site of the conflict – often referred to as a ‘hot house’, where international pressures mediate the agenda<sup>162</sup>. This stage is not a single event, as the “wide spectrum of issues covered under the agenda of peace negotiations can include: power-sharing agreements, economic reconstruction, demobilisation and reintegration of soldiers, legislation on human rights”<sup>163</sup> and the surmountable list continues.

The final stage of the civil war peace process is the implementation agreement, again involving the warring parties of the conflict. The involvement of external mediators, such as the United Nations, “appears to bring some normative constraints as to

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<sup>158</sup> Bell, Christine. “Peace Agreements: Their Nature and Legal Status”. (The American Journal of International Law, 100, No. 2, 2006): 377, <http://www.jstor.org/> (accessed June 2008).

<sup>159</sup> The civil war peace process may actually have numerous framework agreements, thus the distinction between the pre-negotiation agreement and the framework/substantive agreements could be hard to distinguish.

<sup>160</sup> In this case, Renamo and Frelimo were the warring parties negotiating the peace accords in Mozambique, and in the Guatemalan case study, the URNG and the government.

<sup>161</sup> Bell, Christine. “Women Address the Problems of Peace Agreements”. In *Peace Work – Women, Armed Conflict and Negotiation*, ed. Radhika Coomaraswamy and Dilrukshi Fonseka (India: Women Unlimited, 2004): 101. Note: The agreements objectively try to resolve the substantive issues and consequences of the conflict, setting an agenda for reaching sustainable peace and security.

<sup>162</sup> Ibid: 109.

<sup>163</sup> Anderlini, Sanam Naraghi. “Women at the Peace Table – Making a Difference”. (The United Nations Development Fund, 2000): 5, <http://www.un.org/> (accessed June 2008).

the content of [the] peace agreements”<sup>164</sup>, such as military disarmament and the political process in the post-conflict society, but does not specifically guarantee the inclusion of specific gender provisions within the peace accords.

### Mozambique- An Analysis of the General Peace Agreement (1992):

Frelimo’s President, Chissano, came under increasing pressure from the international community to negotiate peace with the Renamo rebels<sup>165</sup>. The Mozambican peace negotiation process commenced on 8th July 1990<sup>166</sup> in Rome, Italy, and concluded two years later, in October of 1992<sup>167</sup>. President Chissano of Mozambique (Frelimo) and Renamo leader Dhlakama signed the Rome General Peace Agreement, constructing a framework, which intended to aide Mozambique’s post-conflict re-development. The goal of the Agreement was the “superior interest and willingness in making every effort to implement a constructive search for lasting peace in the country and for the Mozambican people”<sup>168</sup>, through the transformation of a political and military reform. The General Peace Agreement’s main objectives were, foremost, the ceasefire between

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<sup>164</sup> Bell, Christine. “Peace Agreements: Their Nature and Legal Status”. (The American Journal of International Law, 100, No. 2, 2006): 401, <http://www.jstor.org> (accessed June 2008). Note: External actors do no guarantee that gender provisions will be included in the Accords as the United Nations was involved with the peace process in Mozambique and the Italian charity Sant’ Egidio.

<sup>165</sup> At Frelimo’s 5<sup>th</sup> Congress in July 1989, the party moved to a Socialist stance as opposed to the former Marxist-Leninist position it took. The principle of negotiating with Renamo was also understood. Kenyan President Daniel arap Moi, and Zimbabwe President Robert Mugabe facilitated talks between Renamo and Frelimo in Nairobi in 1989. The talks largely failed but this outlined future forums for the peace negotiations. See: Armon, Jeremy et al., eds. “The Mozambican Peace Process in Perspective”, Conciliation Resources, 1998, <http://www.c-r.org/> [accessed June 8<sup>th</sup>, 2008] ).

<sup>166</sup> Before the first “official” peace negotiations began, previous attempts occurred within Malawi, with Zimbabwe and Kenya acting as mediators. The talks failed because of the regional proximity to the conflict and the linkage to the state actors involved. See: Chan, Stephen and Moises Venacio. *War and Peace in Mozambique*. (United States of America, St. Martins Press, Inc., 1998): 24.

<sup>167</sup> Vines, Alex. *From Terrorism to Democracy in Mozambique?* (United Kingdom: Centre for Southern African Studies, 1996): 131-139.

<sup>168</sup> Vines, Alex. *Terrorism in Mozambique*. (United Kingdom: Centre for South African Studies, 1991): 129.

Frelimo and Renamo, proceeded by the formation of Renamo as a political party and the formation of multiparty elections<sup>169</sup>.

The Rome peace negotiation were hosted and mediated by the Italian government and the Vatican-linked Santo Egidio community<sup>170</sup> of Italy, and were observed by governmental representatives from countries such as the United States, Britain, Germany, Portugal, France, Botswana, Zimbabwe, South Africa, Kenya and Russia/USSR<sup>171</sup>. The United Nations played a vital role, acting as the observer to the peace negotiation process and overseeing the implementation of the accords after the conclusion of the negotiation process.

Whether holding a rifle or not, operating under the Renamo organization, women had multiple roles within the structure of the organizations functioning during the conflict, but were denied a role and recognition in the civil war peace process. The warring parties, the non-state Renamo and governmental party, Frelimo, did not have any female representatives (specifically former female combatants) at the negotiating table. Jacobson notes “the notion of Mozambican women having an autonomous political agency was largely nonexistent and there were no women involved at any stage in the actual

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<sup>169</sup> International Council on Human Rights Policy. “Negotiating Justice? Human Rights and Peace Agreements”. (Switzerland, 2006): 126, <http://www.ieu.it/LAW/WGHumanRightsReportSummary.pdf> (accessed June 15<sup>th</sup>, 2008).

<sup>170</sup> Santo Egidio was founded in the 1960s to express the social concerns of Catholic students. The President is André Riccardi, engaging in international mediation and various social services. The Rome venue proved beneficial to Renamo, as it enhanced their international legitimacy through increasing the politico-diplomatic visibility which they began to acquire as early as 1989. The reason that the Santo Egidio community was chosen as the site of negotiations lied simply in the reason that it is had long standing personnel connections to both warring parties. For further reading see: Chan, Stephen and Moises Venacio. *War and Peace in Mozambique*. (United States of America, St. Martin’s Press Inc., 1998): 27.

<sup>171</sup> Vines, Alex. *From Terrorism to Democracy in Mozambique?* (United Kingdom: Centre for Southern African Studies, 1996): 130.

negotiations”<sup>172</sup>. The leaders of each party, President Joaquim Chissano of the Republic of Mozambique (Frelimo), and Afonso Macacho Marceta Dhlakam, President of Renamo, acted as the negotiators and signatories of both parties (with help of male delegates from each party)<sup>173</sup>. A Commission comprised of the Frelimo government, Renamo, the United Nations (Operation Mozambique), the (then) Organization of African Unity (OAU) and other countries, agreed to supervise the beginning of the cease-fire, and monitor the respect for the agreement signed in 1992<sup>174</sup>. A closer examination of the General Peace Agreement discloses that the accords were simply fashioned under the “tyranny of emergency”, dealing only with the cessation of ceasefire and short term goals, directly relating to the warring parties (i.e. such as ceasefire, political party formation, etc.). Post-conflict development strategies within the social spheres were largely by-passed by all actors at the peace negotiation table.

The General Peace Agreement (GPA) signed in 1992, by the Mozambican government, Frelimo and then guerrilla organization (now political party), Renamo, marked a milestone for the termination of a lengthy civil war. The denial of the Frelimo and Renamo female combatants’ participation by definition, largely contributed to their exclusion in the civil war peace process (and the beneficiaries in the post-conflict

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<sup>172</sup> Jacobson, Ruth. “Complicating Complexity: Integrating Gender into the Analysis of the Mozambican conflict”. (Third World Quarterly 20, No 1, February 1999): 141, <http://www.jstor.org/> (accessed May 8<sup>th</sup>, 2008).

<sup>173</sup> Chan, Stephen and Moisés Venâncio. *War and Peace in Mozambique*. (United States of America: St. Martin’s Press, Inc., 1998): 148- 150. Note: The other Frelimo actors included are: Armando Emilio Guebuza, Aguir Mazula, Teodato Hanguana, and Francisco Madeira. The other Renamo actors included are: Raul Manuel Domingos, Vicente Zacarias Ululu, Agostinho Semende Murrial and João Francisco Almirante (each actor was not necessarily in attendance of each protocol meeting in the creation of the accord).

<sup>174</sup> International Council on Human Rights Policy. “Negotiating Justice? Human Rights and Peace Agreements”. (Switzerland, 2006): 25, <http://www.ieu.it/LAW/WGHumanRightsReportSummary.pdf> (accessed June 15<sup>th</sup>, 2008).

environment)<sup>175</sup>. The issue of gender rights and issues was clearly absent from the framework of the accords because gender was not included within the warring parties' male-representation during the peace negotiations.

The General Peace Agreement consisted of seven protocols<sup>176</sup>, addressing the termination of the Mozambican civil war, and the establishment of a new political (multiparty democracy) and a revised military system<sup>177</sup>. Protocol I (October 1991), termed "Basic Principles", outlines the commitment of the warring parties, Renamo and Frelimo, to the peace process and the implementation of the accords for the necessary process of post-conflict reconstruction<sup>178</sup>. The second Protocol (November 1991), "Criteria and Arrangements for the Formation and Recognition of Political Parties", specifically addresses the democratic nature of the political parties (Frelimo and Renamo) and various general principles that should be included. For instance: "They must pursue democratic purposes; they must pursue national and patriotic interests; the political objectives pursued must be non-regional, non-tribal, non-separatist, non-racial, non-ethnic and non-religious..."<sup>179</sup>. The actors of importance were the warring parties and the

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<sup>175</sup> Although most of the international community ignored and failed to recognize the role of women in the armed conflict, it was common knowledge amongst most Mozambicans. Renamo even had women act as commanders. See: McKay, Susan, and Dyan Mazurana. "Where are the Girls? Girls in the Fighting Forces in Northern Uganda, Sierra Leone, and Mozambique: Their Lives During and After War". (International Centre for Human Rights and Democratic Development, 2004: 109, [http://www.ichrdd.ca/site/\\_PDF/publications/women/girls\\_whereare.pdf](http://www.ichrdd.ca/site/_PDF/publications/women/girls_whereare.pdf) (accessed May 23rd, 2008).

<sup>176</sup> The following documents constitute the GPA: 1. Protocol I (Basic principles); 2. Protocol II (Criteria and arrangements for the formation and recognition of political parties); 3. Protocol III (Principles of Electoral Act); 4. Protocol IV (Military Questions); 5. Protocol V (Guarantees); 6. Protocol VI (Cease fire); 7. Protocol VII (donors' conference).

<sup>177</sup> Manning, Carrie L. *The Politics of Peace in Mozambique- Post conflict Democratization*. (United States of America, Praeger Publishers, 2002): 28.

<sup>178</sup> Chan, Stephen and Moisés Venâncio. *War and Peace in Mozambique*. (United States of America: St. Martin's Press, Inc, 1998): 149.

<sup>179</sup> Ibid: 150-151.

commencement of a ceasefire, with no specific mention of the involvement of female combatants, or women in the party formation after the conclusion of the accords.

The third (March 1992) and fourth (October 1991) protocols outline the electoral process, and the formation of the police and national defence force. Most importantly, for purpose of this analysis, the economic and social reintegration strategies of the former combatants, are outlined in Protocol IV, Section VI. It establishes that the “United Nations shall assist in the implementation, verification, and monitoring of the entire demobilization process”<sup>180</sup>, formulating ONUMOZ (United Nations Operation in Mozambique). The concept of “demobilization” in the peace accord, defined by both warring parties, is “the process whereby, at the decision of the respective Parties, soldiers who on E-Day<sup>181</sup> were members of those forces revert for all purposes to the status of civilian”<sup>182</sup>. The terminology is elusive and alludes to the practice of including “all” combatants in the process (not specifically taking into account the gender-specific needs of former female combatants, such as provisions for childcare, or land ownership for example). Section VI of the GPA, also clarifies who constitutes a “demobilised soldier”. It is an individual who: “Up until E-Day was a member of the FAM or the Renamo forces; subsequent to E-Day was demobilized at the decision of the relevant command, and handed over the weapons, ammunition, equipment, uniform and documentation in his possession; has been registered and has received the relevant identity card; [and] has received the demobilization certificate”<sup>183</sup>. The peace agreement rhetoric is male biased

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<sup>180</sup> Chan, Stephen and Moisés Venâncio. *War and Peace in Mozambique*. (United States of America: St. Martin’s Press, Inc, 1998): 166.

<sup>181</sup> E-Day is a term used in conjunction with the beginning of the cease-fire.

<sup>182</sup> Ibid: 166.

<sup>183</sup> Ibid: 167. The Reintegration Commission was set up (CORE) to aid in this technical process. It consisted of members from Frelimo and Renamo.



(with specific reference to male combatants in the demobilization and reintegration framework), with no specific mention of the role of former female combatants. As part of the peace agreement, the combatants had to 'hand over weapons' in order to be qualified for the official DDR process, further excluding the former female combatants in the peace process of Mozambique, who did not have weapons at the time of demobilization.

Protocol V (October 1992), outlines the timetable for the cessation of the accords, the electoral process and the creation of the constitution post-conflict. The last two Protocol's, VI (October 1992) and VII (October 1992), of VII, lay out the operational timetable for the ceasefire and the financing of the post-conflict electoral process, emergency programmes/humanitarian aid, and the reintegration of the displaced persons, refugees and the demobilized combatants of Renamo and Frelimo<sup>184</sup>. Clearly, the militaristic and political agenda of both parties was the key to their priorities, and the creation of Mozambican security.

The Mozambique General Peace Agreement signed in 1992, not only failed to create an agreement with long-term reconstruction objectives (i.e. health, education, etc) but it also largely ignored human rights in general, specifically the acknowledgement of former female combatants and specific needs and rights of the women of Mozambique. The Mozambican peace accords do not directly address the post-conflict social or economic reconstruction issues within an engendered paradigm. There is a failure to acknowledge gender-specific and/or gender-inclusive obligations of Renamo and Frelimo account. Rather, emphasis is placed on such issues as the formation of political parties, the electoral process, media access, liberty of movement and freedom of residence,

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<sup>184</sup> Chan, Stephen and Moisés Venâncio. *War and Peace in Mozambique*. (United States of America: St. Martin's Press, Inc. 1998): 168-183.

formation of the Mozambican Defence Force, the commencement of cease-fire, and most importantly for this analysis, the reintegration of former combatants<sup>185</sup>. The actors of importance within the agreement seem to be the two warring parties (specifically the male combatants), and the methodology to which they come to peace and security in Mozambique. The substantive issues, such as social institutional reforms, are excluded within the accord documents, resulting in a narrowly defined, restrictive operational - framework of the post-conflict reconstruction. The lack of gender mainstreaming is apparent in the Mozambique General Peace Agreement. The Guatemalan Peace Agreement and the involvement of former female combatants, resulted in documents quite divergent than those produced in Mozambique.

#### Guatemala – An Analysis of the Guatemalan Agreement (1996):

The Guatemalan Peace Agreement process occurred over seven years<sup>186</sup>, involving three successive governments, and the aid of international initiatives. The last peace accord signed on 29 December 1996, under Alvaro Arzú's government, and appropriately titled, 'Agreement for a Firm and Lasting Peace'<sup>187</sup>, marked the end of thirty-six years of intrastate conflict. The Guatemalan Agreement "brought into effect a number of previous agreements negotiated between the Government and the URNG encompassing political, military, legislative, social, economic, agrarian, cultural and

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<sup>185</sup> Chan, Stephen and Moisés Venâncio. *War and Peace in Mozambique*. (United States of America: St. Martin's Press, Inc., 1998): 147-183.

<sup>186</sup> Luciak, Ilja. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua and Guatemala*. (United State of America: John Hopkins University Press, 2001): 35.

<sup>187</sup> International Council on Human Rights Policy. "Negotiating Justice? Human Rights and Peace Agreements". (Switzerland, 2006): 131, <http://www.ieu.it/LAW/WGHumanRightsReportSummary.pdf> (accessed June 15th, 2008).

ethnic issues, and bound them into a comprehensive nation-wide agenda for peace”<sup>188</sup>.

The Guatemalan agreements were not limited to “the usual agreement on peace matters – the reintegration of combatants into civil life, prospects for political participation by all parties and accountability for human rights violations that occurred during the internal conflict”<sup>189</sup>.

The evolution of the Guatemalan peace accords were rooted in the previous negotiations between the Central American presidents (the “Contadora group” – Mexico, Venezuela, Colombia, and Panama), held in Esquipulas, Guatemala in 1986<sup>190</sup>. The previous “Contadora” initiatives (1983) failed to resolve the conflicts of El Salvador, Nicaragua and Guatemala, but did highlight the seriousness of the Central American conflicts to the international community and the need to intervene<sup>191</sup>. The Contadora group laid the foundations for the “Esquipulas II”<sup>192</sup> peace initiatives in 1986-87, headed by Costa Rican President, Oscar Arias<sup>193</sup>, and from the backing of the Guatemalan President, Cerezo, and his progressive administration.

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<sup>188</sup> United Nations Department of Public Information. *The Guatemala Peace Agreements*. (New York, United States of America: United Nations, 1989): 1.

<sup>189</sup> Pásara, Luis. “The Guatemalan Peace Process: The Accords and Their Accomplishments”. (Kroc Institute Occasional Paper No. 21, December 2001): 12, [http://www.kroc.nd.edu/ocpapers/op\\_21\\_3.PDF](http://www.kroc.nd.edu/ocpapers/op_21_3.PDF) (accessed May 7th, 2008).

<sup>190</sup> Luciak, Ilja, A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua and Guatemala*. (United States of America: John Hopkins University Press, 2001): 35. Note: It is important to highlight that the historic Central American Peace Accords were signed here, but Defense Minister Héctor Gramajo, made it clear that the accords did not apply to the Guatemalan civil war. It was military government of General Efraín José Ríos Montt, that made the first attempt to negotiate with the guerillas.

<sup>191</sup> Costello, Patrick. “Historical Background – Guatemala”. In *Negotiating Rights – The Guatemalan Peace Process*. (Conciliation Resource, 1997): <http://www.c-r.org/our-work/accord/guatemala/historical-background.php> (accessed May 23rd, 2008).

<sup>192</sup> The Central American Peace Accords established at Esquipulas (II), effectively ended the Nicaraguan war, and established peace frameworks for El Salvador and Guatemala.

<sup>193</sup> Costello, Patrick. “Historical Background – Guatemala”. In *Negotiating Rights – The Guatemalan Peace Process*. (Conciliation Resources, 1997), <http://www.c-r.org/our-work/accord/guatemala/historical-background.php> (accessed May 23rd, 2008).

The URNG eventually recognized that conquering the government in a militaristic approach was inefficient, and thus, moved toward a strategy of persuasion to initiate political negotiations<sup>194</sup>. The birth of international pressure and the realization that the societal and political problems were not resolvable in a militaristic fashion, led both the Guatemalan government and the URNG, to pursue formal discussions. Thus, “the implicit admission that the war could not be ‘won’ militarily by either side created the conditions, for the first time beginning in the spring of 1990, for the negation of the war: serious discussions about ending it”<sup>195</sup>.

The initial dialogues occurred from 1986 to 1990, in Oslo and Madrid, between the URNG and the National Reconciliation Commission (CNR), previously constructed in the Central America peace accords in 1987<sup>196</sup>. Besides the support from the Catholic Church, the pro-peace sentiment within the government was scarce, and President Cerezo concluded his term (1991) without any formal peace talks commencing. Between 1991 and 1993, under the Serrano government, peace talks ceased to exist, as a political crisis erupted (called “The Serranazo” – the president’s attempt to seize absolute power, dissolve Congress, and suspend the Constitution)<sup>197</sup>. In 1991, in Queretaro, Mexico, peace negotiations commenced between the warring parties of the Guatemalan

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<sup>194</sup> In the wake of the peace accords, the URNG started the process of becoming a legal political party. This was a request by the guerilla movement in preceding the peace talks. See: Luciak, Ilja A. “A Gender Equality, Democratization and the Revolutionary Left in Central America: Guatemala in Comparative Context”. In *Radial Women in Latin America – Left and Right*, ed. Victoria González and Karen Kampwirth (United States of America: The Pennsylvania State University Press, 2001): 190.

<sup>195</sup> Jonas, Susanne. *Of Centaurs and Doves – Guatemala’s Peace Process*. (United States of America: Westview Press, 2000): 31. The previous attempted negotiations had clearly failed, as the Guatemalan military and civilian elites insisted that they would never negotiate with the leftist insurgents. Initial dialogues commenced in 1986.

<sup>196</sup> Ibid: 39. The CNR was headed by Msgr. Rodolfo Quezada Toruño of the Catholic Church Bishops’ Conference.

<sup>197</sup> Ibid: 41.

government and the URNG concerning a process of democratization, but halted due to political strife<sup>198</sup>. It was not until 1994-1995, that the peace negotiation process was formalized under the government of Ramiro de León Caprio, and finally under the guidance of the United Nations<sup>199</sup>, constructing the Framework Accords (with the formalization of the Assembly of Civil Society's<sup>200</sup> [ASC] role as an observer and the Group of Friends). Throughout the peace process, the Catholic Church played a central role, along with other religious affiliations (among them the Santo Egidio community in 1995-1995<sup>201</sup>, and coalitions of progressive Protestant denominations). This process dragged on for another four years, and with the installation of a third Guatemalan government, under President Alvaro Arzú, the peace process finally ended<sup>202</sup>. The incentive for the Alvaro Arzú government was that "the peace process offered a political strategy that might [have] overcome the tremendous resistance to social, economic, and institutional change that is characterized by the Guatemalan political system"<sup>203</sup>.

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<sup>198</sup> President Serrano and his government instigated a coup to abolish all power within Guatemalan Congress and suspended the Guatemalan constitution. His attempt was to win the popular vote from the masses of Guatemala, but his presidential autogolpe attempt largely backfired. Serrano was overthrown from power. Luciak, Ilja A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua and Guatemala*. (United States of America: John Hopkins University Press, 2001): 38.

<sup>199</sup> President Jorge Serrano was removed from power in 1993 and replaced by his right-hand man, Ramiro de León Carpio. Before the United Nations took over as mediator, there was great resistance by the government (although it proved beneficial for both parties).

<sup>200</sup> The ASC was headed by Rodolfo Quezada Toruño and was constructed to produce recommendations to the peace accords and oversee the implementation of the agreement after the negotiation process concluded. These terms of obligation were included in the 1994 Framework Agreement. See: Stanley William and David Holiday. "Broad Participation, Diffuse Responsibility: Peace Implementation in Guatemala", eds. John Stephen Stedman, Donald Rothchild and Elizabeth M Cousins. (United States of America: Lynne Rienner Publishers, Inc., 2002): 433.

<sup>201</sup> Ibid: 433. Santo Egidio was a key player in the Mozambique peace process.

<sup>202</sup> Luciak, Ilja A. *After the Revolution- Gender and Democracy in El Salvador, Nicaragua, and Guatemala*. (United States of America: John Hopkins University Press, 2001): 38.

<sup>203</sup> Stanley, William and David Holiday. "Broad Participation, Diffuse Responsibility: Peace Implementation in Guatemala", eds. John Steven Stedman, Donald Rothchild, and Elizabeth M. Cousins. (United States of America: Lynne Rienner Publishers Inc., 2002): 430.

The Guatemalan peace process involved the URNG, the Guatemalan government, mediators such as the United Nations, and the Friends of the Government (United States of America, Colombia, Venezuela, Mexico, Norway and Spain) to aid in the facilitation and negotiations of the peace agenda<sup>204</sup>. The role of civil society was also institutionalized in one of the earlier accords, which formed the Assembly of Civil Society (Asamblea de la Sociedad Civil)<sup>205</sup>, consisting of ten organizations representing the main sectors (one being various non-governmental organizations comprising the Women's Sector<sup>206</sup>) of Guatemalan society<sup>207</sup>. The standards were set, and the warring parties constructed a peace agreement that is strikingly different from the Mozambique General Peace Agreement as disclosed by an examination of the Guatemalan peace accords with specific attention to an engendered analysis.

The Guatemalan peace process commenced in 1987 and endured over a seven-year period, constructing substantive and operative steps. The accords were unique in the sense that they specifically addressed the inclusion of women's rights within an

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<sup>204</sup> Jonas, Susanne. *Of Centaurs and Doves – Guatemala's Peace Process*. (United States of America: Westview Press, 2000): 39.

<sup>205</sup> Each sector within the ASC had its own organizational structure for defining priorities and the power to formulate proposals to address to the two warring parties at the negotiating table. The negotiators (URNG and Guatemalan government), with the assistance from the external actors, drafted the peace accords based on the issues, deemed important to them, presented by the ASC, either rejecting or accepting them. Therefore, I purpose that the participation of the female combatants aided in the process of gender provisions as these actors are the ones directly involved in the actual construction of the documents. For further reading see: Alvarez, Enrique. "The Civil Society Assembly: Shaping Agreement" (United Kingdom: Conciliation Resources, 2002), <http://www.c-r.org/> (accessed July 30<sup>th</sup>, 2008).

<sup>206</sup> The Women's Sector was comprised of over 30 women's groups including representatives of trade unions, academia, feminist groups, human rights and indigenous organizations specifically geared towards advocating for women's rights. The ASC was made up of representatives from the National University of Guatemala, political parties, research centres, indigenous organizations, women's organizations, media, human rights groups, development non-government organizations, unions, religious institutions, and uprooted populations. See: Loughna, Sean. "FMO Country Guide: Guatemala", <http://www.reliefweb.int/library/> (accessed July 30<sup>th</sup>, 2008).

<sup>207</sup> Luciak, Ilja A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua and Guatemala*. (United States of America: John Hopkins University Press, 2001): 38.

institutional and policy context<sup>208</sup>. Women's rights were acknowledged in four of the seven substantive agreements in the Guatemalan peace accords<sup>209</sup>, incorporating a wide range of issues critical to women's development in peacebuilding. The first set of accords were signed in July 1991 at Queretaro, Mexico, with democratization being the main issue of negotiation; "It accepted the existing constitutional order as legitimate but emphasized the establishment of a functional and participatory democracy", and emphasizing the importance of civil society within the construction of a democratic society and the rule of law<sup>210</sup>. It was not until January 1994 that the framework accord was established, elevating the role of the United Nations from observer status to one of moderator (with Jean Arnault as the head moderator), formalizing the Group of Friends and the Assembly of Civil Society, and the "Comprehensive Accord on Human Rights" was established<sup>211</sup>.

The June 1994 agreements, "Resettlement of Population Groups Uprooted by Armed Conflict", with the negotiating role of Luz Méndez (a former female combatant of the URNG), had provisions relating specifically to women<sup>212</sup>. For instance, Section II., Part II states: "Special emphasis should be placed on protecting female-headed families

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<sup>208</sup> Ibid: 57. The Guatemalan Peace Agreement includes such accords as: Democratization agreement; Framework accord; Comprehensive Accord on Human Rights; Resettlement of Population Groups Uprooted by Armed Conflicts; Historical Clarification Commission; Identity and Rights of Indigenous Peoples; Social and Economic Aspects and Agrarian Situation; and the Strengthening of Civilian power and role of the armed forces in a democratic society.

<sup>209</sup> Ibid: 55.

<sup>210</sup> Jonas, Susanne. *Of Centaurs and Doves – Guatemala's Peace Process*. (United States of America: Westview Press, 2000): 70.

<sup>211</sup> Ibid: 70-71.

<sup>212</sup> The inclusion of specific provisions for the inclusive and rights of indigenous population is of importance too, but not for the purpose of this analysis.

and widows and orphans, who have been most seriously affected”<sup>213</sup> by the displacement that war causes. Also included in the June 1994 agreements are provisions relating to women’s rights and violence in the Guatemalan society. Section III, Part VIII, refers to the government’s commitment to “eliminate any form of de facto or *de jure* discrimination against women with regard to access to land, housing, credits and participation in development projects. The gender-based approach shall be incorporated into the policies, programmes and activities of the comprehensive development strategy”<sup>214</sup>. This clearly exemplifies the gender awareness and mainstreaming commitments that the warring parties were theoretically and practically able to implement in the agreements. With the inclusion of women, and the awareness of women’s rights<sup>215</sup>, the provisions of the Guatemalan peace accords were moulded into progressive liberal ideals, drastically different from the operational accords of Mozambique.

The agreement of the “Identity and Rights of Indigenous Peoples” signed March 1995, proposes to define Guatemala as a multi-ethnic nation, and it recognizes the rights of women, but specifically the most marginalized - the indigenous women. The warring parties recognized that “being confronted with twofold discrimination both as women and indigenous peoples, and also having to deal with a social situation characterized by

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<sup>213</sup> United Nations Department of Public Information. *The Guatemalan Peace Agreement*. (New York, United States of America: United Nations, 1998): 41.

<sup>214</sup> Ibid: 46-47.

<sup>215</sup> The literature acknowledges the United Nations Beijing Conference of 1995 as having an influence upon the Guatemalan Peace Accords. Interestingly enough, women’s rights were included pre-conference. Luz Méndez, the former female combatant involved in the peace process, positively contributed to the outcomes of these accords and the inclusion of women’s rights.



intense poverty and exploitation”<sup>216</sup> the government was committed to various institutional reforms. Such actions included: 1). the creation of an Office for the Defence of Indigenous Women’s Rights (with the participation and employment of women in these services; commitment to the Convention of the Elimination of All Forms of Discrimination Against Women; and the promotion of legal reforms to classify sexual harassment as a criminal offence<sup>217</sup>. The Guatemalan negotiation process not only proposed changes for women in the rights-based realm of society, but also within the economic and social spheres. The “Social and Economic Aspects and Agrarian Situation” accords, designed in May 1996, were the most all-encompassing accords for the recognition of gender mainstreaming in all of the peace negotiations.

The “Social and Economic Aspects and Agrarian Situation” accord has given recognition to the special situation of women after a conflict. The Government of Guatemala and the URNG included gender-specific language in the accord, distinguishing between the Guatemalan citizen and women (and sometimes specifically indigenous women). There is particular focus on the need to promote women’s participation in the social and economic spheres of Guatemalan society, as they are the most marginalized sector of the population. Section I, Part 12 states: “Recognizing women’s undervalued contributions in all spheres of economic and social activity, and particularly their efforts towards community improvement, the Parties agree that there is a need to strengthen women’s participation in economic and social development on equal

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<sup>216</sup> United Nations Department of Public Information. *The Guatemalan Peace Agreement*. (New York, United States of America: United Nations, 1998): 63.

<sup>217</sup> Ibid: 63.

terms”<sup>218</sup>. This specific accord also distinguishes between the equal rights of men and women in the public and private spheres of production, social and political life and in access to resources (such as credit, technology, and most importantly land credit)<sup>219</sup>. Provisions relating to education and training (equity and the reduction of discrimination from the curriculum), housing, health and labour are inclusive within the accords, recognizing progressive legislative revisions.

It also is essential to highlight the political importance of all Guatemalan women within the peace accords. Not only are Guatemalan women guaranteed the social and economic rights of men, but also the political freedoms and inclusion in the political realm as well (this is important, as the political realm is often highly gendered). Section I, Part (f) and (g) states that; “Guaranteeing women’s right to organize and their participation, on the same terms as men, at the senior decision-making levels of local, regional and national institutions”<sup>220</sup> and including women within political administration (i.e. policy formations) is vital for eradicating injustice. This recognition of women fulfils the United Nations Resolution 1325, and indicative of the acknowledgement of women as key players to post-conflict development.

Within the last substantive accords (differentiated from the operational accords), entitled “Strengthening Civilian Power and the Role of the Armed Forces in a Democratic Society”, provisions relating specifically to women’s civilian power and women’s organizations are acknowledged. For instance, “to this end, the government promised to undertake educational campaigns against the previously existing limitations

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<sup>218</sup> Ibid: 92.

<sup>219</sup> Ibid: 93.

<sup>220</sup> Ibid: 94.

on women's roles and to strengthen women's participation in all organizations of civil society, as well as to promote organizations specifically concerning women's issues"<sup>221</sup>.

Gender provisions were even re-acknowledged post-substantive agreements during the signatory period of the operational accords (which commenced March 1996). Although, the ceasefire, constitutional reforms, electoral regime and political party formation, codified within the operational accords<sup>222</sup>, do not specifically address women. For instance, women are not specifically mentioned in the "Agreement on Constitutional Reforms" and the "Electoral Regime", nor in the "Comprehensive Agreement on Human Rights". Accordingly, gender-neutral rhetoric is utilized. The "Timetable for the Peace Accords", a part of the operational process, reiterated the creation of a Women's Forum, which would deal specifically with women's rights set out in the accords. The final Guatemalan accord, "A Firm and Lasting Peace" (December 29<sup>th</sup>, 1996), makes "reference to the need for full participation of '*ciudadanos y ciudadanas*' (citizens, both men and women) in achieving the goals of the accords"<sup>223</sup>, summarizing the importance of mainstreaming gender into Guatemalan society.

The former female combatants, in particular one key player, Luz Méndez, positively contributed to the inclusion of gender mainstreaming within the Guatemalan peace process. Although the international communities attention to gender issues was at its peak in 1995, with the creation of the United Nations 4<sup>th</sup> World Women's Conference in Beijing (with Luz Méndez in attendance), this cannot be the sole contributing factor as to why women's rights were given special recognition. Preceding the Mozambican and

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<sup>221</sup> Jonas, Susanne. *Of Centaurs and Doves – Guatemala's Peace Process* (United States of America: Westview Press, 2000): 87.

<sup>222</sup> Ibid: 89.

<sup>223</sup> Ibid: 87.

Guatemalan peace processes was the United Nations Convention on the Elimination of All Forms of Discrimination against Women (1979) and the UN Nairobi Forward-looking strategies for the Advancement of Women (1985)<sup>224</sup> conference. Accordingly, gender provisions within the Guatemalan Peace Agreement, pre-Beijing conference, were included in the “Resettlement of Population Groups Uprooted by Armed Conflict” (in June 1994) and in the “Identity and Rights of Indigenous Peoples” accords (commencing early 1995). The gender provisions are then attributed to the key female combatants, who were directly involved in the peace process and the formalities of the negotiations.

#### The Role of Female Combatants in Guatemala’s Peace Process:

***“The direct participation of women at the peace table is the only way to ensure that women’s demands are incorporated in the agreements”***<sup>225</sup> ( URNG former female combatant, Luz Méndez, participant of the peace negotiations).

The awareness and advocacy of gender was not a part of the URNG’s initial mandate, nor a part of the issues at the roots of the intrastate conflict<sup>226</sup>. A key member of the Guatemalan peace negotiating process was Luz Méndez, a former female combatant, who unlike her fellow URNG members at the table, advocated for the necessity of

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<sup>224</sup> There also exists other declarations which deal with the rights of women in general, such as the United Nations Declaration of Human Rights (1948), Office of the UN High Commissioner for Human Rights Covenant on Economic, Social and Cultural Rights (1966), and the Office of the United Nations High Commissioner for Human Rights Declaration on the Protection of Women in Emergency and Armed Conflict (1974).

<sup>225</sup> Anderlini, Sanam Naraghi. “Women at the Peace Table- Making a Difference” (The United Nations Development Fund, 2000): 36, <http://www.un.org/> (accessed May 10<sup>th</sup>, 2008).

<sup>226</sup> Luciak, Ilja, A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua, and Guatemala*. (United States of America: John Hopkins University Press, 2001): 55.

women's rights and recognition within the accords<sup>227</sup> (even though gender advocacy was not a part of the conflict or the reason for female participation in the conflict). Alba Estela Maldonado (otherwise known as Commandante Lola the most senior commander in the URNG) stated, in regards to the lack of gender awareness during the conflict; "It wasn't that we didn't consider gender issues important, but that our life was very hard, full of activity directly related to combat, to military activities, to the recruitment for military units"<sup>228</sup>. This is parallel to the situation in Mozambique, where the female combatants did not fight for reasons of gender equality issues, therefore discounting the argument that gender was a part of the conflict ideology within Guatemala, therefore aiding gender provisions within the peace process.

Luz Méndez joined the peace negotiation process in 1991<sup>229</sup>, initially unaware of the importance of her future role of being a women's advocate within the peace accord framework. Méndez (2005) states: "From my personal experience and with the support of a women's association that I joined – I realized that women... face a specific type of inequality: 'gender oppression'"<sup>230</sup>. The support through civil society, and later on, the international meetings for gender awareness (United Nations 4<sup>th</sup> World Conference in Beijing), which Méndez attended<sup>231</sup>, aided her in furthering the provisions in the peace

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<sup>227</sup> Méndez examined the failure of the previous Central America peace accords, and the former female combatant's roles, and realized that a concrete framework needed to exist during the negotiation process, in regards to mainstreaming gender into the documents. From, Luciak, Ilja A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua, and Guatemala*. (United States of America: John Hopkins University Press, 2001): 55.

<sup>228</sup> Ibid: 184.

<sup>229</sup> Méndez, Luz. "Chapter 6: Women's Role in Peacemaking: Personal Experiences". In *Listening to the Silence: Women and War*", ed, Helen Durham and Tracey Gurd. (USA: Martinus Nijhoff, 2005): 45.

<sup>230</sup> Ibid: 45.

<sup>231</sup> It can be hypothesized that through the international advocacy and the attendance by Méndez to these various meetings (held by the United Nations) in accordance to women's rights, aided her to pursue a strategy which indeed fought for the inclusion. Previously, like most women, the possibilities for gender inclusion into politics, society and the economy, is often unquestioned.

accords with specific reference to women's rights<sup>232</sup>. According to Anderlini (2007), "too often, international actors intervening on behalf of women raise the issue of women's needs and rights, which can overshadow those who use their identities and roles as women in their society to resolve conflicts"<sup>233</sup>. The Women's Sector, under the Assembly of Civil Society, was allowed to infer recommendations to the warring party's negotiations (not guaranteeing the inclusion of gender mainstreaming in the final provisions). Thus, it was ultimately the role of the warring parties, specifically former female combatants, to make sure that the gender provisions were included at the peace table. For instance, Méndez (2007) stated that, "the circumstances under which the negotiations were taking place did not permit me to establish a direct communication with the leaders of the women's groups. Notwithstanding, I made a tacit commitment to them to support their points at the negotiating table"<sup>234</sup>. Ultimately, when the peace accords were formally agreed to (at the peace table), only those present were able to request and guarantee inclusion of the women's issues<sup>235</sup>.

The role of civil society (i.e. the Assembly of Civil Society and the creation of the Women's Forum), aided the former female combatants in securing women's issues on the agenda. According to Anderlini (2007), "...women's civil society organizations are also critical to the development and the realization of women's full capabilities for

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<sup>232</sup> Although, stated previously, these external aids cannot be the sole reasons for the inclusion of gendered provisions within the accords. These were supplementary devices to aid Méndez to advocate for women's rights.

<sup>233</sup> Anderlini, Sanam Naraghi. *Women Building Peace – What they do, why it matters*. (United States of America: Lynne Rienner Publishers, Inc., 2007): 75.

<sup>234</sup> Ibid: 45.

<sup>235</sup> The 1995 4<sup>th</sup> World Conference and the Women's forum (under the ASC) were beneficial, but as pointed out by Christine Bell, the warring parties are the only actors actually negotiating and documenting the peace agreements.

leadership”<sup>236</sup>, drawing upon strength from the women’s movement within Guatemala. The Assembly of Civil Society<sup>237</sup> consisted of ten organizations (one of which was the Women’s Sector), deriving its legitimacy from the 1994 Framework Agreement, and officially recognizing it as an interlocutor<sup>238</sup>. It was imperative for the former female combatants to look externally in order for guidance in the inclusion of women’s issues and rights incorporated into the peace accords<sup>239</sup>. Civil society is one mechanism that has the possibility to open the social and political space for the women involved with the formalities of the peace process<sup>240</sup>, acting to promote governmental transparency and accountability<sup>241</sup>.

Neither the URNG organization, nor the Guatemalan government, were committed to gender mainstreaming prior to the process<sup>242</sup>, nor during the initial negotiations. Luz Méndez also recognized the role of the international climate during the negotiation period<sup>243</sup>, as the “Social and Economic Aspects and Agrarian Situation” (May

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<sup>236</sup> Anderlini, Sanam Naraghi. “Women at the Peace Table – Making a Difference”. (The United Nations Development Fund, 2000), <http://www.un.org/> (accessed May 10<sup>th</sup>, 2008).

<sup>237</sup> The ASC was headed by Msgr. Quezada Turuño, former president of the National Reconciliation Commission of the pre-formal peace negotiations. The ASC operated from the margins, and utilized the grassroots voices in order to cultivate circumventing issues within Guatemala.

<sup>238</sup> Luciak, Ilja A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua and Guatemala* (United States of America: John Hopkins University Press, 2001): 38.

<sup>239</sup> In order for former female combatant, Luz Méndez to gain support to put women’s issues on the negotiating agenda, she had to reach externally to the Assembly of Civil Society b/c the URNG and the Guatemalan government were not consciously aware of gender issues, or advocating for their inclusion. The URNG did not have gender provisions within its party mandate until its official formation, after the peace process.

<sup>240</sup> Anderlini, Sanam Naraghi. *Women Building Peace – What they do, why it matters*. (United States of America: Lynne Rienner Publishers, Inc., 2007): 135.

<sup>241</sup> Civil Society does not always act accordingly (promoting transparency and accountability). It is not necessarily true that all civil society representatives aid in the promotion of democratic ideals. See: Scholte, Jan Aart. “Chapter Five: Civil Society and Democratically Accountable Global Governance”. In *Global Governance and Public Accountability*, ed. David Held and Mathias Koenig Archibugi. (Australia: Blackwell Publishing, 2005): 93.

<sup>242</sup> Luciak, Ilja A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua and Guatemala* (United States of America: John Hopkins University Press, 2001): 55.

<sup>243</sup> Ibid: 56.

1996) included an all- encompassing gender agenda. Méndez had succeeded, prior to the 1995 UN 4<sup>th</sup> World Conference on Women, in addressing women as the main protagonists to development and the importance of gender inclusion within peace-building (although the “Social and Economic Aspects and Agrarian Situation” accords, created in 1996, included further provisions detailing the rights of women in the economic, social and political spheres).

### Divergent Outcomes: The Frameworks Contrasted

The Guatemalan and Mozambican final peace accords resulted in divergent documents. The Guatemalan Peace Agreement was more inclusive of substantive social and economic issues, and included the mainstreaming of gender issues in the provisions of the official documents. The Guatemalan and Mozambican peace processes both relied upon support from the Catholic Church (and other religious affiliations) and relied upon the aid the Vatican-linked charity, Santo Egidio for the negotiation process (for Mozambique this organization was the key external actor for mediating the process). Guatemala enlisted the aid of the United Nations, initially as an observer, and in the latter portion of the process, as the main moderator (with UN facilitator, Jean Arnault leading the process). With the aid of external actors, and the importance of the United Nations in both processes, one may suspect similar outcomes in the accords of the Guatemalan and Mozambican civil war peace agreements. In actuality, this was not the case.

The Guatemalan Peace Agreement, with the inclusion of women, demonstrated that the scope of discussions were widened, encompassing issues within the parameters of mainstreaming of gender, focusing particularly on women’s rights in the social, economic and political spheres. The lack of gender awareness during the Guatemalan



conflict made it imperative for the URNG former female combatants to seek support from actors and sectors (such as the women's grassroots movement and civil society) external to the actual negotiation process<sup>244</sup>. Luz Méndez, a member of the negotiating team for the URNG, was conscious of the importance of incorporating women's issues on the agenda within the Guatemalan peace accords. Although the Assembly of Civil Society opened the negotiation agenda, for the inclusion of gender issues (by the Women's Sector), the former female combatants of the URNG actually opened the political space within the formal negotiations.

The Mozambican General Peace Agreement, with the exclusion of former female combatants and recognition of their participation in the war effort, led to the neglect of gender specific provisions within the agreement documents. The Mozambican agreements were conducted over a shorter duration than the Guatemalan peace accords, but with a process virtually unhindered<sup>245</sup> (unlike in Guatemala). In the General Peace Agreement of 1992 the terminology and framework was limited, specifically conceptualizing the militaristic and political operations of post-conflict Mozambique. The main objective of the agreement was to establish political party formation, and multi-party elections for the sustainability of peace. There was no acknowledgement of any substantive development issues or mechanisms within the peace negotiation process, and the denial by Renamo and Frelimo of female combatants led to their exclusion from the negotiating process (with repercussions for the outcomes). The Mozambican General Peace Agreement of 1992, and the Guatemalan Peace Agreement of 1996, resulted in

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<sup>244</sup> Luciak, Ilja A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua and Guatemala*. (United States of America: John Hopkins University Press, 2001): 55.

<sup>245</sup> The Guatemalan peace accords were conducted over a lengthier period, but with various halted negotiations over the years.

different provisions and opportunities for the former female combatants of Renamo and the URNG. Therefore, the outcomes for the combatants of each guerrilla organization differed, but some commonalities surface, impeding upon gender mainstreaming within Guatemala and Mozambique.

An examination of the short-term outcomes, such as the resulting disarmament, demobilisation and reintegration of former combatants, may be analysed from a gendered perspective (furthering the analysis of the peace process in Guatemala and Mozambique). Some questions arise before the commencement of this brief examination: Did the exclusion of women from the peace accords and the mainstreaming of gender have repercussions for the outcomes of the former female combatants in Mozambique? Did the inclusion of former female combatants in the peace negotiation process actually make a difference in the post-conflict context of Guatemala?

## **CHAPTER FOUR: AFTER THE CIVIL WAR PEACE PROCESS – THE OUTCOMES OF THE FORMER FEMALE COMBATANTS:**

The Mozambican and Guatemalan peace agreements, with the exclusion of former female combatants in the former case study and inclusion in the latter, resulted in divergent outcomes within the official accords. One of the main objectives of a peace process, after the negotiating stage between the warring parties, is the disarmament, demobilization and (collective) reintegration<sup>246</sup> of the former combatants. This often proves to be the most difficult stage of the entire peace process, as it is often the “achievement of security and the return to normalcy”<sup>247</sup>. Although Security Council Resolution 1325, clearly outlines the “special rights of women and girls during the repatriation, reintegration and post-conflict”<sup>248</sup> situation, this is often widely ignored by the warring parties in the peace process.

Former female combatants often face discrimination upon reintegrating back in to post-conflict society<sup>249</sup>, and thus, are affected differently than their male counterparts.

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<sup>246</sup> As opposed to individual reintegration, as some combatants for individualistic reasons do not want to be a part of the collective/official reintegration process. This will have effects on the outcomes of the individual combatants, but as a whole, generalizations can be made looking at the collective reintegration data.

<sup>247</sup> Hauge, Wenche. “The Demobilization and Political Participation of Female Fighters in Guatemala”. (March 2007): 5, <http://www.humansecuritygateway.info/> (accessed May 23<sup>rd</sup>, 2008).

<sup>248</sup> Ibid: 4.

<sup>249</sup> The author is aware that male combatants also face discriminations and difficulties when reintegrating back into the post-conflict society, but the challenges seem to be greater for women, as most are not a part of the “official” reintegration process. Also the stigma of women participating in war effort has greater consequences for the female combatants.

This is partially due to the acquired gender consciousness born during the war<sup>250</sup>. Most former female combatants are excluded or do not participate in the “official” DDR process, because they are tied to their home or families once the conflict concludes, or the traditional “trade in” concept, whereby the combatants must hand in a weapon for assistance<sup>251</sup>, does not perceive female combatants, sans weapons, as an immediate security threat. Elise Barth, in her comprehensive study of African female combatants, found that women often have positive experiences within the conflict, often developing a positive identity – it is most often post-conflict that the women reintegrate into impoverishment and traditional gender relations<sup>252</sup>.

Upon scrutiny of the analysis of Guatemala and Mozambique, various questions emerge pertaining to the post-conflict climate: What were the initial reintegration outcomes, post-peace negotiations for the former female combatants of Renamo and the URNG? Did the inclusion of gender mainstreaming within the accords by the former female combatants of the URNG actually result in beneficial opportunities for the Guatemalan female combatants post-conflict? Does gender (specifically female combatants) presence lead to more gender equality after the conflict?

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<sup>250</sup> Luciak, Ilja A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua, and Guatemala*. (United States of America: John Hopkins University Press, 2001): 30.

<sup>251</sup> Bouta, Tsjear. “Women’s Roles in Conflict Prevention, Conflict Resolution, and Post-conflict Reconstruction”. (Netherlands Institute of International Relations, November 2002): 46, <http://www.peacewomen.org/resources> (accessed April 22nd, 2008).

<sup>252</sup> Hauge, Wenche. “The Demobilization and Political Participation of Female Fighters in Guatemala”. (March 2007): 6, <http://www.humansecuritygateway.info/> (accessed May 23<sup>rd</sup>, 2008).

## The Case of Guatemala and the Female URNG Combatants:

The URNG agreed to demobilize its combatants commencing March 1997, continuing over a two to three month period<sup>253</sup>, with a goal to implement all of the accords, operational and substantive, by 2004<sup>254</sup>. The Guatemalan Peace Agreement contained measures within the economic, social and security (judicial) sectors to assist in the DDR process<sup>255</sup>. The demobilization process, financed in part by the United Nations Development Program (and MINUGUA<sup>256</sup>), USAID, and the European Union, contributed ‘exit grants’ and input packages to the former combatants. Reports have revealed that the majority of the URNG political cadres and combatants, between 1997 and 1998, received “some benefits under the reinsertion programs. Overall the international community pledged close to \$2 billion to aid Guatemala with the [financial] implementation of the peace accords”<sup>257</sup>. Despite the acknowledgement, by both warring parties of the female combatant’s active role in the civil war conflict, one question remains. Did the involvement of former female combatants within the peace process actually benefit the female members of the URNG (and women within Guatemala) economically, socially, and politically in the post-conflict Guatemala?

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<sup>253</sup> Luciak, Ilja A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua, and Guatemala*. (United States of America: John Hopkins University Press, 2001): 24.

<sup>254</sup> Short, Nicola. *The International Politics of Post-conflict Reconstruction in Guatemala*. (United States of America: Palgrave-Macmillan, 2007): 100. NOTE: Originally the accords were to be implemented by December 2000, but this timetable was revised in 1999.

<sup>255</sup> Hauge, Wenche. “The Demobilization and Political Participation of Female Fighters in Guatemala”. (March 2007): 15, <http://www.humansecuritygateway.info/> (accessed May 23<sup>rd</sup>, 2008).

<sup>256</sup> MINUGUA: UN Missions for Human Rights Verification in Guatemala. It oversaw the implementation and facilitation of the agreement.

<sup>257</sup> Luciak, Ilja A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua and Guatemala*. (United States of America: John Hopkins University Press, 2001): 59. Note: Approximately 2,940 combatants were “officially” demobilized.

Various positive outcomes initially did occur, although with varying results amongst the female combatants. A survey conducted by the URNG of the former female combatants revealed an improvement in their situation for land entitlement and ownership. The 1997 survey states: “Only 79 women report to have owned land [pre-demobilization], whereas with the acquisition of the *fincas* (rural property, especially a large farm or ranch) [partnered with] the collective reintegration, this figure increased to 142 women”<sup>258</sup>. Many former female combatants of the URNG, received educational stipends as well, in recognition that many lacked the financial capabilities to support the technical training needed for employment. The data supports the claim that “women [who] could continue to increase their academic education [,] had the most success in finding employment”<sup>259</sup> in the post-conflict Guatemala context. The employment sectors that these combatants worked in were located within what sociologist’s label, “the pink ghetto” – working as secretaries, teachers, social workers, and domestic labourers<sup>260</sup>. It is important to note that the female combatants who participated in the collective reintegration, pursued less gendered types of work<sup>261</sup> because of the peace agreement framework and the various programmes for reintegration funded by the external donors (such as USAID) in the post-conflict society.

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<sup>258</sup> Hauge, Wenche. “The Demobilization and Political Participation of Female Fighters in Guatemala”. (March 2007): 20, <http://www.humansecuritygateway.info/> (accessed May 23<sup>rd</sup>, 2008).

Note: This is NOT common in Guatemala as women are not the main owners of land (they usually co-own if granted permission by their husband. Female combatants residing in three of the reintegration *fincas*, El Horizonte, Santa Anita, and Las Tecas, had been granted land titles.

<sup>259</sup> Ibid: 18. Coupled with the educational attainment, the skills and duration of participation were also related to the ease of reintegration for the former female combatants. Also the project assistance and educational possibilities offered at each camp differed, and thus on an individual basis so too did the outcome. Generally, the women who had higher education, or obtained higher education b/c of the assistance, were more likely to have a positive reintegration experience.

<sup>260</sup> Ibid: 18.

<sup>261</sup> Ibid: 21. By “less gendered”, the work was outside the domestic/private sphere.

The advantages of collective reintegration into Guatemalan society were numerous for the former female combatants. They benefited from the possibilities of childcare, diverse types of occupations, social activities, and a “continuation of the more female friendly gender dynamics in the guerrilla organizations from the war”<sup>262</sup>. Even though gender discrimination was addressed in the Guatemalan Peace Agreement, most of the female combatants complained about the patriarchal barriers and norms restricting their social and political participation, exemplifying the institutional barriers the accords could not overcome. According to Hauge (2007), “some of the women said that their husbands had slipped back into traditional attitudes and that they missed the equality they had experienced in the guerrilla [movement]”<sup>263</sup>. Violence against women is also still prevalent within Guatemalan society and the trends are not decreasing, creating increased barriers for women’s empowerment<sup>264</sup>.

The peace process widened the spaces for the Guatemalan female combatants within the political field, specifically the formally educated former female combatants of the URNG. In 1998, and the initiation of the official URNG political party formation, the party agreed that neither gender’s participation should exceed 70 percent, and the formation of the Women’s Committee of Political Affairs (under the National Executive Committee - CEN)<sup>265</sup> would be constructed. The URNG political party has not lived up to its mandate of complete gender inclusion (with the 70 percent quota allocated after the conclusion of the accords), but the political space for women’s participation has opened.

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<sup>262</sup> Ibid: 21.

<sup>263</sup> Ibid: 26.

<sup>264</sup> Pásara, Luis. “The Guatemalan Peace Process: The Accords and Their Accomplishments”. (Kroc Institute Occasional Paper No. 21, December 2001): 4, [http://www.kroc.nd.edu/ocpapers/op\\_21\\_3.PDF](http://www.kroc.nd.edu/ocpapers/op_21_3.PDF) (accessed May 7th, 2008).

<sup>265</sup> Hauge, Wenche. “The Demobilization and Political Participation of Female Fighters in Guatemala”. (March 2007): 22, <http://www.humansecuritygateway.info> (accessed May 23<sup>rd</sup>, 2008).

Accordingly, some improvements within the participation of women at the municipal level of politics have occurred. For instance, in Ixcán and Chiché, the vice mayor's are female URNG representatives, and women's offices have been established<sup>266</sup>. In 1997, the formation of the Women's Space for female militants, and the Secretariat for Women's Political Matters (headed by Commandante Lola) were established<sup>267</sup>. Former female combatant, Alba Estela Maldonado, was elected to Congress<sup>268</sup>, but this is not illustrative of the entire political situation. For instance, female under-representation is rampant at the URNG national level, with only two women (out of fifteen men) comprising the URNG's National Executive Committee<sup>269</sup>. Former female combatant, Luz Méndez, recently commented in January 2004<sup>270</sup> that; "Women's representations in elected bodies and other power positions remains extremely weak. Their representation in the parliament has had a negative trend during the electoral processes held during the post-conflict period"<sup>271</sup>. Accordingly, this demonstrates that the Guatemalan accords,

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<sup>266</sup> Hauge, Wenche. "The Demobilization and Political Participation of Female Fighters in Guatemala". (March 2007): 23, <http://www.humansecuritygateway.info/> (accessed May 23<sup>rd</sup>, 2008).

<sup>267</sup> Luciak, Ilja A. *After the Revolution – Gender and Democracy in El Salvador, Nicaragua, and Guatemala*. (United States of America: John Hopkins University Press, 2001): 185.

Note: The objective of the Women's Secretariat was to strengthen the participation of female combatants in the construction of the URNG as a political party. The other objective was to promote the implementation and realization of the accords fulfilling the democratic ideals of economic and social development for the women, and to strengthen political participation.

<sup>268</sup> Congress is comprised of one male and one female (it consists of 2 members, and therefore there is a 50:50 representation).

<sup>269</sup> Hauge, Wenche. "The Demobilization and Political Participation of Female Fighters in Guatemala" (March 2007): 22-23, <http://www.humansecuritygateway.info/> (accessed May 23<sup>rd</sup>, 2008).

<sup>270</sup> Luz Méndez spoke at the United Nations Office of the Special Advisor on Gender Issues and Advancement of Women (OSAGI) Expert Group Meeting which was formulated around the topic of "Enhancing Women's participation in electoral processes in post-conflict countries". Her presentation was specifically on women in post-conflict Guatemala.

<sup>271</sup> Méndez, Luz. "Guatemala Case Study". (United Nations Office of the Special Advisor on Gender Issues and Advancement of Women", January 2004): 3. <http://www.un.org/womenwatch/osagic/meetings/2004/EGMelectoral/EPZ-Mendez.PDF> (accessed June 5<sup>th</sup>, 2008).



although inclusive of gender provisions, have faced obstacles in implementation in the post-conflict context.

Overall, the inclusion of women in the peace process is demonstrative that there were some gains, despite the barriers entrenched within a patriarchal post-conflict environment. Thus, the situation would have been less favourable for the former female combatants if they were not included in the peace process (as demonstrated in Mozambique). Institutional foundations are key to the sustainability of gender provisions and democratic ideals, and the various barriers, such as deep-rooted patriarchal values, poverty, illiteracy and gender-based violence, are all impediments to the advancement of the women's empowerment<sup>272</sup> and the recognition of complete equality within the URNG party and Guatemalan society.

### Mozambique – The Renamo Female Combatants in a Post-conflict Context:

The Mozambican General Peace Agreement provided for the collective (community-based) reintegration of the non-state Renamo<sup>273</sup> and state Frelimo armies - a methodology parallel to that of the Guatemala experience, but differences, within the actors included. Under the stipulations of the GPA and ONUMOZ, the termination of the conflict would pass through the following four phases: 1). Ceasefire; 2). Separation of forces; 3). Concentration of forces; 4). And, Demobilization – with the goal to complete the process by October 1993, quickly proving to be unrealistic<sup>274</sup>. The exclusion of

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<sup>272</sup> Ibid: 9-10.

<sup>273</sup> Approximately 21,000 Renamo combatants were demobilized. For further reading see: United Nations Office of the Special Advisor on Africa. "Disarmament, Demobilization and Reintegration (DDR) and Stability in Africa". (New York, USA: United Nations, June 2005): 19.

<sup>274</sup> Vines, Alex. *From Terrorism to Democracy in Mozambique?* (United Kingdom: Centre for Southern Africa Studies, 1996): 149.

female combatants, or gender issues within the peace accords would prove detrimental to the recognition of their role in collective reintegration into the post-conflict society. The programme placed emphasis on the warring party's disarmament and demobilization needs, but failed to acknowledge the importance of long-term social and cultural reintegration. According to Manning (2002), the demobilized (male) combatants were "guaranteed eighteen months pay by donors (in addition to six months' pay provided by the government), transportation for themselves and their families to the destination of their choice within Mozambique, three months' supply of food, seek and tool packages, and access to various vocational training and micro credit schemes"<sup>275</sup>. Former female combatants of Renamo were largely absent from the official DDR process. It was not only the lack of recognition from the Mozambican government but international agencies as well. According to Agostinho Mamabe (local Mozambican and director of a national non-governmental organization): "At the time we [humanitarian workers] talk[ed] about the demobilization in this country, no one talked about that [the inclusion of women] – just [they talked about the] men"<sup>276</sup>. Agostinho claims that the UN failed to recognize the importance of reintegrating the female combatants, and it was in their power (coincident with the Mozambican government) to acknowledge their inclusion<sup>277</sup>.

Individual reintegration was most common for the Renamo female combatants.

Accordingly, "in Mozambique, as in other places, DDR has been overwhelmingly aimed

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<sup>275</sup> Manning, Carrie L. *The Politics of Peace in Mozambique – Post conflict Democratization*. (United States of America: Praeger Publishers, 2002): 30.

<sup>276</sup> McKay, Susan and Dyan Mazurana. "Where are the Girls? Girls in Fighting Forces in Northern Uganda, Sierra Leone, and Mozambique: Their Lives During and After War". (International Centre for Human Rights and Democratic Development, 2004): 109, <http://www.unicef.org/> (accessed May 23<sup>rd</sup>, 2008).

<sup>277</sup> In reference to this statement, the United Nations could specifically enforce the soft law standards in which they promote and act as an advocate of gender inclusion.

at boys and men, who are perceived to be the key actors within a force”<sup>278</sup>. The DDR programme driven by political and military concerns, paralleled the concerns outlined in the peace process - lack of gender mainstreaming was absent from the entire peace process. According to Baden (1997), “priority has been given to physical and economic aspects of rehabilitation (e.g. reconstruction, employment, and training), with less attention to social, institutional, and psycho-social aspects”<sup>279</sup>. This was no parallel to the experience within Guatemalan, which had a specific focus on the inclusion of women within the accord documents, and within the reintegration period.

Gender- based violence and the patriarchal traditional roles (within the public and private sector), continues to subordinate the former female combatants and the women within Mozambique. The General Peace Agreement (GPA) implicitly states that “there [are to] be no human rights investigations” limiting the conviction and legal prosecution of violence against women as a human rights abuse<sup>280</sup>. The employment opportunities for the former female combatants when involved in the collective reintegration has been low, and the skills offered often gender – segregated (e.g. a group of 24 favoured female combatants from Renamo and Frelimo were trained in sewing and embroidery at the Centro de Formação des Belas Artes in Maputo)<sup>281</sup>. According to Barth (2002), the vocation training was initially non-existent, and even the minimal participants who were

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<sup>278</sup> McKay, Susan. “Reconstructing fragile lives: girls’ social reintegration in Northern Uganda and Sierra Leone”. In *Gender, Peacebuilding and Reconstruction*, ed. Caroline Sweetman. (Great Britain: Oxfam International, 2005): 23.

<sup>279</sup> Baden, Sally. “Post conflict Mozambique: Women’s Special Situation, Population Issues and Gender Perspectives: to be integrated into skills training and employment promotion”. (Bridge Development Gender, June 1997): xi. <http://www.ids.ac.uk/bridge> (accessed May 23rd, 2008).

<sup>280</sup> Ibid: ix.

<sup>281</sup> Ibid: 61.

afforded the training did not actually benefit economically<sup>282</sup>. For women in Mozambique, the cultural rules and formal (customary) laws tend to impinge upon their social and political empowerment, thus maintaining a culture of subordinate status<sup>283</sup>.

The presence of former female combatants in politics differs from the Guatemalan experience. Although there is no formal exclusion of women from the electoral process, “the structural nature of women’s subordination and of constraints to women’s political participation were not addressed”<sup>284</sup> by either of the warring parties in the peace accords. Overall, the DDR and peace accords failed to privilege the former female combatants and the inclusion of gender mainstreaming post-conflict.

### Concluding Remarks:

Chapter Four, entitled “After the Civil War Peace Process – The Outcomes of the Former Female Combatants”, supports the argument that former female combatants are necessary within the peace process for gendered provisions with the peace accords and the improvement of their situation after the conflict. The Guatemalan peace accords opened spaces for the political party participation of the former female combatants (although mostly educated female URNG members) and the inclusion within the DDR process. Although there was the formal inclusion of women within the Guatemalan peace accords and the mainstreaming of gender issues within certain sections of the accords, the

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<sup>282</sup> Barth, Elise Fredrikke. “Peace as Disappointment: The Reintegration of Female Soldiers in Post-conflict Societies: A Comparative Study from Africa”. (International Peace Research Institute- PRIO, August 2002), <http://www.peacewomen.org/resource/DDR/AfricaBarth.html> (accessed July 15th, 2008).

<sup>283</sup> McKay, Susan. “Reconstructing fragile lives: girls’ social reintegration in Northern Uganda and Sierra Leone”. In *Gender, Peacebuilding and Reconstruction*, ed. Caroline Sweetman. (Great Britain: Oxfam International, 2005): 20.

<sup>284</sup> Baden, Sally. “Post conflict Mozambique: Women’s special situation, Population Issues and Gender Perspectives: to be integrated into skills training and employment promotion”. (Bridge Development Gender, June 1997): 67, <http://www.ids.ac.uk/bridge> (accessed May 23rd, 2008).

outcome for the former female combatants cannot affirmatively, nor wholly be labelled “successful”. Female leaders within the Guatemalan political system and the URNG, affirm the lack of gender awareness in post-conflict Guatemala, even though institutional mechanisms with gender provisions are clearly documented within the accords<sup>285</sup>. Compared to Mozambique, with the exclusion of Renamo female combatants from the peace negotiation process, and the majority excluded from the official DDR process, Guatemala’s outcome is preferable. The Guatemalan accords at least recognize and permit gender equality, whereas the Mozambican peace accords do not. The case of Guatemala demonstrates that even if women are included in the formalities of the peace process, various institutional barriers, such as violence against women or patriarchal norms, are impediments to fostering the gender-mainstreaming guarantee in the post-conflict society. With the exclusion of women from the entirety of the peace negotiations and process, inclusive democracy will not be achieved.

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<sup>285</sup> Luciak, Ilja A. “Gender Equality, Democratization, and the Revolutionary Left in Central America: Guatemala in Comparative Context”. In *Radical Women in Latin America – Left and Right*, ed. Victoria González and Karen Kampwirth. (United States of America: The Pennsylvania State University Press, 2001): 207.

## CHAPTER FIVE: INTERPRETATIONS AND LESSONS LEARNED

The project, with the intention to expand upon the existing “Gender and Development” literature, analyzed women, specifically former female combatants, to be involved in the civil war peace processes of Guatemala and Mozambique. Although external actors (such as the United Nations) or the involvement of civil society can aid in advocating for the inclusion of gendered provisions in the civil war peace accords, the actors directly involved in the negotiations of the peace process are the only ones who can make a difference to the provisions within the accords.

The Guatemala case study demonstrates that where conscious female actors (i.e. Luz Méndez and the URNG former female combatants) are included in the peace process, and are key protagonists in constructing the peace agreement, gender issues are more likely to be included in the resulting peace agreement documents. Researcher Sanam Anderlini (2007) retorts, that when women have an understanding of “social justice [issues] and [understanding of] ways that gender inequality hinders human development, ... peace negotiations [can be] more constructive, more inclusive and more sustainable”<sup>286</sup>. The Guatemalan Peace Agreement include specific (gender) commitments on issues such as housing, rights and violence, credit and land, childcare,

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<sup>286</sup> Anderlini, Sanam Naraghi. *Women Building Peace – What they do, why it matters*. (United States of America: Lynner Rienner Publishers, Inc., 2007): 6.

social, economic and political inclusion, and specifically, the creation of a National Women's Forum<sup>287</sup>.

Mozambique exemplifies the lack of recognition of women within the inclusion of the peace process, and the detrimental outcomes for the former female combatants in the post-conflict society, since the outcomes do not legitimate or permit equality. The female combatants (of Renamo), were excluded from the militaristic and politically driven peace process, and therefore, were not acknowledged in the post-conflict reintegration and reconstruction process. Most of the former female combatants of Renamo did not reintegrate "officially" within the DDR process, therefore subverting back into a life of poverty and marginalization.

Even though Guatemala's Peace Agreement addressed gender issues, various other post-conflict structural barriers have impaired the complete realization of gender mainstreaming. For instance, rampant trends of violence and discrimination against women in Guatemala are evidently in existent (acting as barriers for the former URNG female combatants and Guatemalan women in general). . Institutional foundations are key to the sustainability of gender provisions and democratic ideals, and the various barriers such as deep-rooted patriarchy, illiteracy, poverty, and gender-based violence, are all impediments of complete equality within Guatemala. Accordingly, the inclusion of women, specifically former female combatants, is only one variable towards the

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<sup>287</sup> The Women's Forum is a pluralistic agency compiled of women in Guatemala, and former female combatants to follow up on the implementation of policies and programs in favour of women linked to the Peace Agreements. The creation of the Agency for the Defense of the Indigenous Women (part of the Presidential Commission coordinating policy of the Executive Branch in the area of human rights), legislation (i.e .the Law to Further the Dignity and the Integral Promotion of Women) were all designed to favour the position of the Guatemalan women within society. See: Munduate, Cristian. "Guatemala". Twenty-third Session of the General Assembly of the United Nations. (June 5<sup>th</sup>, 2000), <http://www.un.org/womenwatch/daw/followup/beijing+5stat/statements/guatemala5.htm> (accessed July 30<sup>th</sup>, 2008).

achievement of greater gender equality. Although gender inequality is still prevalent in Guatemala, the social and political positions of the former female URNG, and their contribution to society, is recognized and given formal status (within the mandates of the URNG political party). Therefore, the benefits of the inclusion of women, demonstrated by the case study of Guatemala, outweigh the costs of exclusion, exemplified by the female combatants of Mozambique.

The “Gender and Development” literature evidently needs further exploration, examining the role of specific women within conflict dynamics. Questions arise such as; “How does the structure of the peace process impede women, specifically former female combatants, from participating? Are there institutional barriers that restrict the women from entering the peace process? Lastly, does the mobilization of women, pre-conflict, aid in their inclusion in the post-conflict peace process in the peace process?” Certain variables or commonalities may arise that would assist in understanding why the phenomenon of women’s exclusion still occurs today, despite the international resolutions and rhetoric on women’s rights.

A specific examination of the framework of the peace process needs to be analysed through a gendered lens. The peace process, with the aim of security and peace, is inherently male-centric, with negotiations commencing in other countries. Is the framework of the peace process a structural impediment for these women? Ideally all research undertaken in the gender and development area will be motivated by the desire to expand upon understanding the role of women and men in achieving greater gender equality (in all sectors), and promoting development that equates to democratic ideals.



## **APPENDIX A: THE MOZAMBICAN GENERAL PEACE AGREEMENT**

**By Permission of:** © Conciliation Resources. “General Peace Agreement for Mozambique”. (1998-2008). United Kingdom, <http://www.c-r.org/our-work/accord/mozambique/rome-process.php> (accessed May 10th, 2008).

### Protocol I

#### Basic principles

On 18 October 1991, the delegation of the Government of the Republic of Mozambique, headed by Armando Emilio Guebuza, Minister of Transport and Communications, and composed of Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, and Francisco Madeira, Diplomatic Adviser to the President of the Republic, and the delegation of Renamo, headed by Raul Manuel Domingos, Chief of the External Relations Department, and composed of Vicente Zacarias Ululu, Chief of the Information Department, Agostinho Semende Murrial, Deputy Chief of the Political Affairs Department and João Francisco Almirante, member of the President's cabinet, meeting at Rome in the context of the peace talks, in the presence of the mediators, Mario Raffaelli, representative of the Government of the Italian Republic and coordinator of the mediators, Jaime Goncalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi of the Community of Sant' Edigio,

Determined to secure the higher interests of the Mozambican people, reaffirm that dialogue and collaboration are the indispensable means of achieving a lasting peace in the country.

Accordingly:

1. The Government undertakes to refrain from taking any action that is contrary to the provisions of the Protocols to be concluded and from adopting laws or measures or applying existing laws which may be inconsistent with those Protocols.
2. Renamo, for its part, undertakes, beginning on the date of entry into force of the ceasefire, to refrain from armed combat and instead to conduct its political struggle in conformity with the laws in force, within the framework of the existing State institutions and in accordance with the conditions and guarantees established in the General Peace Agreement.
3. The two parties commit themselves to concluding as soon as possible a General Peace Agreement, containing Protocols on each of the items of the agenda adopted on 28 May 1991 and to take the necessary steps to that end. In that connection, the Government shall

endeavour not to hamper international travel by representatives of Renamo and external contacts of Renamo in connection with the peace negotiations. Contacts within the country between Renamo and the mediators or the members of the Joint Verification Commission shall likewise be permitted for the same purpose. Specific arrangements for such contacts shall be made on a case-by-case basis in response to requests by the mediators to the Government.

4. The Protocols to be concluded in the course of these negotiations shall form an integral part of the General Peace Agreement and shall enter into force on the date of signature of the Agreement, with the exception of paragraph 3 of this Protocol, which shall enter into force immediately.

5. The parties agree on the principle of establishing a commission to supervise and monitor compliance with the General Peace Agreement. The commission shall be composed of representatives of the Government, Renamo, the United Nations and other organizations or Governments to be agreed upon between the parties.

**For the delegation of the Government of the Republic of Mozambique:**

(Signed) Armando Emilio Guebuza

**For the delegation of Renamo:**

(Signed) Raul Manuel Domingos

**The mediators:**

(Signed) Mario Raffaelli

(Signed) Jaime Goncalves

(Signed) Andrea Riccardi (Signed) Matteo Zuppi

Done at Sant' Edigio, Rome, on 18 October 1991

Protocol II

Criteria and arrangements for the formation and recognition of political parties

On 13 November 1991, the delegation of the Government of the Republic of Mozambique, headed by Armando Emilio Guebuza, Minister of Transport and Communications, and composed of Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, and Francisco Madeira, Diplomatic Adviser to the President of the Republic, and the delegation of Renamo, headed by Raul Manuel Domingos, Chief of the External Relations Department, and composed of Vicente Zacarias Ululu, Chief of the Information Department, Agostinho Semende Murrial, Deputy Chief of the Political Affairs Department and, João Francisco Almirante, member of the President's cabinet, meeting in Rome in the context of the peace talks, in the presence of the mediators, Mario Raffaelli, representative of the Government of the Italian Republic and coordinator of the mediators, Jaime Goncalves, Archbishop of Beira,

Andrea Riccardi and Matteo Zuppi of the Community of Sant' Edigio, took up item 1 of the Agreed Agenda of 28 May 1991, concerning "Criteria and arrangements for the formation and recognition of political parties".

At the conclusion of their talks, the parties agreed on the necessity of guaranteeing the workings of a multi-party democracy in which the parties would freely cooperate in shaping and expressing the will of the people and in promoting democratic participation by the citizens in the Government of the country.

In this connection, and bearing in mind the provisions of Protocol I on "Basic principles", the parties have agreed on the following principles:

### **1. The nature of political parties**

(a) Political parties shall be independent, voluntary and free associations of citizens, national in scope, whose primary purpose shall be to give democratic expression to the will of the people and to provide for democratic participation in the exercise of political power in accordance with the fundamental rights and freedoms of citizens and on the basis of electoral processes at all levels of State organization.

(b) Associations whose primary purpose is to promote local or sectoral interests or the exclusive interests of a given social group or class of citizens shall be different from political parties and may not enjoy the status provided for by law for such parties.

(c) The Political Parties Act shall determine the conditions for the acquisition of the status of juridical person by political parties.

(d) Political parties shall be granted specific privileges, which shall be guaranteed by law.

(e) For the operation and full development of a multi-party democracy based on respect for and guarantees of basic rights and freedoms and based on pluralism of democratic political expression and organization under which political power belongs exclusively to the people and is exercised in accordance with principles of representative and pluralistic democracy, the parties must have fundamentally democratic principles by which they must abide in practice and in their political activities.

### **2. General principles**

In their formation, structure and operations, political parties shall observe and apply the following general principles with the aim of controlling their actions:

(a) They must pursue democratic purposes;

(b) They must pursue national and patriotic interests;

- (c) The political objectives pursued must be non-regional, non-tribal, non-separatist, non-racial, non-ethnic and non-religious;
- (d) The members of political parties must be citizens of Mozambique;
- (e) The parties must have a democratic structure and the bodies must be transparent;
- (f) The parties must accept democratic methods for the pursuit of their aims;
- (g) Joining a political party must be a voluntary act reflecting the freedom of citizens to associate with others who share the same political outlook.

### **3. The rights of parties**

The purpose of the Political Parties Act shall be to protect the freedom of action and operation of political parties, with the exception of those which espouse anti-democratic, totalitarian or violent aims, or which conduct their activities in a manner contrary to law.

Parties shall enjoy the following rights:

- (a) Equal rights and duties before the law;
- (b) Every Party shall have the right freely and publicly to propound its policies;
- (c) Specific guarantees shall be provided with respect to access to the mass media, sources of public funding and public facilities, in accordance with the principle of non-discrimination and on the basis of criteria of representativeness to be specified in the Electoral Act;
- (d) Exemption from taxes and fees as provided for by law;
- (e) No citizen shall be persecuted or discriminated against because of membership in a political party or political opinion;
- (f) Other aspects specific to individual political parties shall be determined in their respective statutes or regulations, which must conform with the law. Public notice shall be given of such statutes or regulations.

### **4. Duties of parties**

Political parties shall fulfil the following requirements:

- (a) They shall be identified by name, acronym and symbol. The use of names, acronyms or symbols which may be considered offensive by the inhabitants or which incite to violence and may have divisive connotations based on race, region, tribe, gender or religion shall be prohibited;

- (b) They shall not call into question the country's territorial integrity and national unity;
- (c) They must establish their organs and organize their internal structure on the basis of the principle of democratic election and responsibility of all individuals holding party office;
- (d) They must ensure that their statutes and programmes are approved by a majority of their members or by assemblies representing those members;
- (e) As regards their internal organization, Parties must fully respect the principle of free adherence of their members, who may not be compelled to join or remain in a party against their will;
- (f) They must be registered and disclose annually their accounts and sources of funding.

## **5. Registration**

- (a) The purpose of registration is to certify that the founding and existence of parties is in accordance with the applicable legal principles and, consequently, to confer on parties the status of juridical person;
- (b) For the purposes of registration, each Party must have collected at least 2,000 signatures;
- (c) Responsibility for registering parties shall rest with the Government;
- (d) The Commission provided for in paragraph 5 of Protocol I on basic principles shall consider and settle any disputes which may arise in connection with the registration of parties. For that purpose the Government shall make available to the Commission the documents required by law.

## **6. Implementation**

- (a) The Parties agree that, immediately following the signature of the General Peace Agreement, Renamo shall commence its activities as a political party, with the privileges provided for by law; it shall, however, be required to submit at a later date the documents required by law for registration;
- (b) Pursuing the method of dialogue, collaboration and regular consultation, the parties agree to establish, in connection with the discussion of item 5 of the Agreed Agenda, the timetable of activities necessary for the proper implementation of this Protocol.

In witness whereof, the Parties have decided to sign this Protocol.

**For the delegation of the Government of the Republic of Mozambique:**  
(signed) Armando Emilio Guebuza

**For the delegation of Renamo:**  
(signed) Raul Manuel Domingos

**The mediators:**  
(Signed) Mario Raffaelli  
(Signed) Jaime Goncalves  
(Signed) Andrea Riccardi (Signed) Matteo Zuppi

Done at Sant' Edigio, Rome, on 13 November 1991

### Protocol III

On 12 March 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emilio Guebuza, Minister of Transport and Communications, and composed of Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, and Francisco Madeira, Diplomatic Adviser to the President of the Republic, and the delegation of Renamo, headed by Raul Manuel Domingos, Chief of the organization Department, and composed of Vicente Zacarias Ululu, Chief of the Information Department, Agostinho Semende Murrial, Deputy Chief of the organization Department, and Virgilio Namalue, Director of the Information Department, meeting in Rome in the context of the peace talks, in the presence of the mediators, Mario Raffaelli, representative of the Government of the Italian Republic and coordinator of the mediators, Jaime Goncalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi of the Community of Sant' Edigio, took up the item of the agenda signed on 28 May 1991 concerning the Electoral Law and agreed as follows:

This Protocol sets forth the general principles which should guide the drafting of the Electoral Act and any possible amendments to the laws in connection with the conduct of the electoral process.

The Electoral Act shall be drafted by the Government, in consultation with Renamo and all other political parties.

#### **I. Freedom of the press and access to the media**

(a) All citizens shall enjoy the right of freedom of the press and freedom of information. These freedoms shall encompass, specifically, the right to establish and operate newspapers and other publications, radio and television broadcasting stations and other forms of written or sound communication, such as posters, leaflets and other media. These rights shall not be abridged by censorship;

(b) Administrative and tax regulations shall in no case be used to hamper or prevent the exercise of this right on political grounds;

(c) Freedom of the press shall also include freedom of expression and creation for journalists and the protection of their independence and professional secrecy;

(d) The Government-controlled mass media shall enjoy editorial independence and shall guarantee, in accordance with the specific regulations envisaged in section V.3.b.1 of this Protocol, the right of all parties to access without political discrimination. Provision should be made in such regulations for access by all parties free of charge;

(e) Advertisements which conform to the prevailing commercial practice may not be refused on political grounds;

(f) the mass media may not discriminate against or refuse on political grounds any party or its candidates the exercise of the right of reply or the publication of corrections or retractions. Access to the courts shall be guaranteed in cases of defamation, slander, libel and other press offences.

## **II. Freedom of association, expression and political activity**

(a) All citizens shall have the right to freedom of expression, association, assembly, demonstration and political activity. Administrative and tax regulations shall in no case be used to prevent or hamper the exercise of these rights for political reasons. These rights shall not extend to the activities of unlawful private paramilitary groups or groups which promote violence in any form or terrorism, racism or separatism;

(b) Freedom of association, expression and political activity shall encompass access, without discrimination, to the use of public places and facilities. Such use shall be conditional on submission of an application to the competent administrative authorities, who must give a decision within 48 hours after the submission of the application. Applications may be rejected only for reasons of public order or for organizational considerations.

## **III. Liberty of movement and freedom of residence**

All citizens shall have the right to move about throughout the country without having to obtain administrative authorisation.

All citizens have the right to choose to reside anywhere in the national territory and to leave or return to the country.

## **IV. Return of Mozambican refugees and displaced persons and their social reintegration**

(a) The parties undertake to cooperate in the repatriation and reintegration of Mozambican refugees and displaced persons in the national territory and the social integration of war-disabled;

(b) Without prejudice to the liberty of movement of citizens, the Government shall draw up a draft agreement with Renamo to organize the necessary assistance to refugees and displaced persons, preferably in their original places of residence. The parties agree to seek the involvement of the competent United Nations agencies in the drawing up and implementation of this plan. The International Red Cross and other organizations to be agreed upon shall be invited to participate in the implementation of the plan;

(c) Mozambican refugees and displaced persons shall not forfeit any of the rights and freedoms of citizens for having left their original places of residence;

(d) Mozambican refugees and displaced persons shall be registered and included in the electoral rolls together with other citizens in their places of residence;

(e) Mozambican refugees and displaced persons shall be guaranteed restitution of property owned by them which is still in existence and the right to take legal action to secure the return of such property from individuals in possession of it.

## **V. Electoral procedures: system of democratic, impartial and pluralistic voting**

### **1. General Principles**

(a) The Electoral Act shall establish an electoral system which is consonant with the principles of the direct, equal, secret and personal ballot;

(b) Elections to the Assembly of the Republic and for President of the Republic shall be held simultaneously;

(c) The elections shall take place within one year after the date of the signing of the General Peace Agreement. This period may be extended if it is determined that circumstances exist which preclude its observance.

### **2. The right to vote**

(a) Mozambican citizens 18 years of age and over shall have the right to vote, with the exception of individuals suffering from certified mental incapacity or insanity;

(b) As envisaged by item 4 (a) of the Agreed Agenda, Mozambican citizens who are detained or have been sentenced to a prison term for a criminal offense under ordinary law shall not have the right to vote until they complete their sentence. In any event, this restriction shall not apply to individuals belonging to the Parties in respect of acts committed in the course of military operations;

(c) Exercise of the right to vote shall be conditional on registration in the electoral rolls;



(d) With the aim of promoting the broadest possible participation in the elections, the parties agree to encourage all Mozambican citizens 18 years of age and over to register and to exercise their right to vote.

### **3. National elections commission**

(a) For the purpose of organizing and conducting the electoral process, the Government shall set up a National Elections Commission, composed of individuals whose professional and personal qualities afford guarantees of balance, objectivity and independence vis-à-vis all political parties. One third of the members to be appointed to the Commission shall be nominated by Renamo;

(b) The Commission shall have the following functions:

1. To draw up, in consultation with the political parties, regulations governing election campaigning, regulations on the distribution of broadcast air time and regulations on the utilization of public and private places and facilities during the election campaign;
2. To oversee the compilation of electoral rolls, the legal filing of candidacies, the public announcement of candidacies and checking and recording the election results;
3. To monitor the electoral process and ensure compliance with the laws;
4. To ensure equality of treatment for citizens in all acts relating to the elections;
5. To receive, consider and settle complaints with respect to the validity of the elections;
6. To ensure equal opportunity and treatment for the different candidates;
7. To review the election accounts;
8. To draw up and have published in the national gazette (Boletim da Republica) the lists of the results of the final vote tally.

### **4. Voting Assemblies**

(a) At each polling place there shall be a Voting Assembly composed of:

- All citizens who are to exercise their right to vote at the given polling place;
- Representative of the various candidates and parties.

(b) Each Voting Assembly shall be presided over by a Ballot Board composed of a Chairman, a vice-chairman-cum-secretary and tellers which shall oversee the electoral operations;

(c) The members of the Ballot Board shall be appointed from among the voters belonging to the Voting Assembly in question, with the agreement of the representatives of the various candidates;

(d) The ballot boards shall be responsible for monitoring all electoral operations and transmitting the results to the National Elections Commission;

(e) Delegates of the candidates or parties in the Voting Assembly shall have the right:

1. To monitor all electoral operations;

2. To examine the rolls compiled or utilized by the Board;

3. To be heard and to receive clarifications with respect to all matters relating to the conduct of the Assembly;

4. To submit complaints;

5. To occupy the places closest to the Assembly Board;

6. To initial and sign the official records of the Assembly and to monitor all acts related to the electoral operations.

(f) Any complaints shall be included in the official records and transmitted to the National Elections Commission.

## **5. Election to the Assembly of the Republic**

(a) The country's provinces shall constitute electoral districts. The National Elections Commission shall decide on the apportionment of seats to each electoral district on the basis of population;

(b) The Electoral Act shall provide for an electoral system based on the principle of proportional representation for election to the Assembly;

(c) Parties which intend to stand jointly for elections to the Assembly must submit lists under a single emblem;

(d) Once the election campaign has begun, the combining of electoral lists for the purpose of pooling votes shall not be permitted;

(e) Citizens 18 years of age and over shall be eligible to stand for election to the Assembly of the Republic. The parties agree, however, on the desirability of raising the minimum age to 25 for the forthcoming elections as a transitional measure;

(f) A minimum percentage of votes cast nationwide shall be established, below which competing political parties may not have a seat in the Assembly. This percentage shall be agreed in consultation with all political parties in the country and shall not be less than 5 per cent or more than 20 per cent;

(g) Representatives of the parties in each electoral district shall be elected in the order in which they appear on the lists.

## **6. Election of the President of the Republic**

(a) The President of the Republic shall be elected by an absolute majority of ballots cast. If no candidate obtains an absolute majority, a second ballot shall be held restricted to the two candidates who have received the highest number of votes;

(b) The second ballot shall take place within one to three weeks after the announcement of the results of the first ballot. Having regard to organizational considerations, the date of the ballot shall be indicated before the commencement of the election campaign;

(c) Individuals 35 years of age and over who are citizens and registered voters shall be eligible to stand for election to the office of President of the Republic;

(d) Candidacies for President of the Republic must have the support of at least 10,000 signatures of Mozambican citizens 18 years of age and over who are currently registered voters.

## **7. Financing and facilities**

(a) The National Elections Commission shall guarantee the distribution to all parties competing in the elections, without discrimination, of subsidies and logistic support for the election campaign apportioned on the basis of the number of each party's candidates and under the supervision of all parties competing in the elections;

(b) The Government undertakes to assist in obtaining facilities and means so that Renamo may secure the accommodation and transport and communications facilities it needs to carry out its political activities in all the provincial capitals, and in other locations to the extent that the available resources so permit;

(c) For these purposes the Government shall seek support from the international community and, in particular, from Italy.

## **VI. Guarantees for the electoral process and role of international observers**

(a) Supervision and monitoring of the implementation of this Protocol shall be guaranteed by the Commission envisaged in Protocol I on basic principles;

(b) With a view to ensuring the highest degree of impartiality in the electoral process, the parties agree to invite as observers the United Nations, OAU and other organizations, as well as appropriate private individuals from abroad as may be agreed between the Government and Renamo. The observers shall perform their function from the commencement of the electoral campaign to the time when the Government takes office;

(c) With the aim of expediting the peace process, the parties also agree on the necessity of seeking technical and material assistance from the United Nations and OAU following the signature of the General Peace Agreement;

(d) The Government shall address formal requests to the United Nations and OAU in pursuance of the provisions of this section.

In witness whereof, the parties have decided to sign this Protocol.

**For the delegation of the Government of the Republic of Mozambique:**

(Signed) Armando Emilio Guebuza

**For the delegation of Renamo:**

(Signed) Raul Manuel Domingos

**The mediators:**

(Signed) Mario Raffaelli

(Signed) Jaime Goncalves

(Signed) Andrea Riccardi

(Signed) Matteo Zuppi

Done at Rome, on 12 March 1992

Protocol IV

On 4 October 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emilio Guebuza, Minister of Transport and Communications, and composed of Mariano de Araujo Matsinha, Minister without Portfolio, Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, Lieutenant-General Tobias Dai, Francisco Madeira, Diplomatic adviser to the President of the Republic, Brigadier Aleixo Malunga, Colonel Fideles De Sousa, Major Justino Nrepo, Major Eduardo Lauchande, and the delegation of Renamo, headed by Raul Manuel Domingos, Chief of the organization Department, and composed of José De Castro, Chief of the External Relations Department, Agostinho Semende Murrial, Chief of the Information Department, José Augusto Xavier, Director-General of the Internal Administration Department, Major-General Herminio Morais, Colonel Fernando Canivete, Lieutenant-Colonel Arone Julai, Lieutenant António Domingos, meeting at Rome in the presence of the mediators, Mario Raffaelli, representative of the Italian Government and coordinator of the mediators, Jaime Goncalves, Archbishop of Beira,

Andrea Riccardi and Matteo Zuppi of the Community of Sant' Edigio, and the observers of the United Nations and the Governments of the United States of America, France, the United Kingdom and Portugal, took up item 3 of the Agreed Agenda of 28 May 1991, entitled "Military questions", and agreed as follows:

## **A. Formation of the Mozambican Defence Force**

### ***i. General principles***

1. The Mozambican Defence Force (FADM) shall be formed for service throughout the national territory.

2. The FADM:

(a) Has as its general purpose the defence and safeguarding of the country's sovereignty, independence and territory. During the period between the ceasefire and the time when the new Government takes office, the FADM may, under the FADM High Command, act in cooperation with the Police Command to protect civilian inhabitants against crime and violence of all kinds. Additional functions of the FADM shall be to provide assistance in crisis or emergency situations arising in the country as a result of natural disasters and to provide support for reconstruction and development efforts;

(b) Shall be non-partisan, career, professionally trained, and competent: it shall be made up exclusively of Mozambican citizens who are volunteers and are drawn from the forces of both Parties. It shall serve the country with professionalism and respect the democratic order and the rule of law. The composition of the FADM should preclude all forms of racial or ethnic discrimination or discrimination based on language or religious affiliation;

3. The process of forming the FADM shall begin after the entry into force of the ceasefire immediately following the inauguration of the Commission provided for in Protocol I of 18 October 1991, to be called the Supervisory and Monitoring Commission (CSC). This process shall be completed prior to the commencement of the election campaign;

4. The process of forming the FADM shall be conducted simultaneously with the concentration, disarmament and integration into civilian life of the personnel demobilised in stages as a result of the ceasefire. The Government and Renamo shall be responsible for contributing units drawn from the existing forces of each side; this process shall proceed until the new units of the FADM have been formed, with all existing units being demobilised when the FADM has reached full strength;

5. The neutrality of the FADM during the period between the ceasefire and the time when the new Government takes office shall be guaranteed by the Parties through the Commission referred to in section I.iii.1.a of this Protocol;

6. By the time of the elections, only the FADM shall exist and shall have the structure agreed upon between the Parties; no other forces may remain in existence. All elements of the existing armed forces of the two Parties which are not incorporated into the FADM shall be demobilised during the period envisaged in section VI.i.3 of this Protocol.

***ii. Personnel***

1. The Parties agree that the troop strength of the FADM up until the time when the new Government takes office shall be as follows:

(a) Army: 24,000

(b) Air Force: 4,000

(c) Navy: 2,000

2. The personnel of the FADM in each of the service branches shall be provided by the FAM and the forces of Renamo, each side contributing 50 per cent.

***iii. FADM command structures***

1. The parties agree to establish a Joint Commission for the Formation of the Mozambican Defence Force (CCFADM) on the following basis:

(a) CCFADM shall have specific responsibility for overseeing the process of forming the FADM and shall operate under the authority of CSC;

(b) CCFADM is the body responsible for the formation of the FADM until the time when the new Government takes office. FADM shall be headed by a High Command (CS), which shall be subordinate to CCFADM. After the new Government takes office, the FADM shall be placed under the authority of the new Ministry of Defence or any other body which the new Government may establish;

(c) CCFADM shall be composed of representatives of the FAM and the Renamo forces as members, who shall be assisted by representatives of the countries selected by the Parties to advise in the process of forming the FADM. CCFADM shall be inaugurated on the date of the entry into force of the ceasefire (E-Day);

(d) CCFADM shall draw up directives on the phasing of the establishment of the FADM structures and shall propose to CSC:

- The rules governing the FADM;

- The budget to be provided for the FADM until the new Government takes office;

- The criteria for selection and the selection of FAM personnel and Renamo forces for the formation of the FADM;

- The names of the commanding officers of the main commands.

## 2. FADM High Command

(a) The general mission of CS shall be to act on the directives issued by CCFADM, taking into account the establishment of the FADM structures and support for the FADM;

(b) Until the new Government takes office, the command of FADM shall be exercised by two general officers of equal rank, appointed by each of the Parties. Decisions of the command shall be valid only when signed by these two general officers;

(c) The FADM command structure shall be strictly non-political and shall receive directives and orders only through the appropriate chain of command;

(d) The FADM shall have a single logistics service for all three branches. To that end, a Logistics and Infrastructure Command shall be established under the authority of the FADM High Command;

(e) Appointments to the FADM High Command and the commands of the three branches of the FADM and the Logistics Command shall be proposed by CCFADM and approved by CSC;

(f) Until the new Government takes office, the FADM High Command shall be assisted by the General Staff, with departments headed by general officers or senior officers proposed by CCFADM and approved by CSC.

## 3. Command of the Army, Air Force and Navy and the Logistics Command:

The FADM High Command shall have authority over the Commands of the three service branches (Army, Air Force and Navy) and the Logistics Command, which shall be organized as follows:

### (a) Army Command

1. The structure of the Army Command shall encompass the military regions under the direct authority of the Army Commander, whose functions are to be determined but which may include the organization and preparation of forces, training, justice, discipline and logistic support to assigned forces.

2. Each military region shall have a commanding officer holding the rank of general, who shall be assisted by a deputy commander.

3. The headquarters of the military regions shall be proposed by the Commander of the Army and approved by CS.

(b) Air Force Command

The Air Force shall be formed having regard to the training and skills of the personnel of the existing Air Force and the existing Renamo forces, in accordance with the provisions of the directives issued by CCFADM;

(c) Navy Command

The Navy shall be formed having regard to the training and skills of the personnel of the existing Navy and the Renamo forces, in accordance with the provisions of the directives issued by CCFADM;

(d) Logistics and Infrastructure Command

1. A Logistics and Infrastructure Command shall be set up under the direct authority of the FADM High Command.

2. The Logistics and Infrastructure Command shall have the overall mission of planning and providing administrative and logistic support for the FADM (Army, Air Force and Navy) and ensuring delivery of such support through the FADM General Services. It shall, in particular, be responsible for production and procurement logistics.

3. The Logistics and Infrastructure Command shall be headed by a general, assisted by a deputy commander and a general staff which shall, initially, include the following sections:

- Infrastructure;

- General services;

- Equipment;

- Finance.

4. The Logistics and Infrastructure Command shall have authority over such support units as may be assigned to it.

***iv. Timetable for the process***

(a) The formation of the FADM shall commence with the appointment of the following:

- CCFADM, prior to the entry into force of the ceasefire (E-Day);



- The FADM High Command on E-Day + 1;
- The commanders of the three service branches and the logistics command;
- The commanders of the military regions;
- The unit commanders.

(b) General staffs shall be organized immediately following the appointment of each command;

(c) The system of administrative and logistics support shall be organized taking into account the new size of the FADM, in accordance with the principle of utilizing or transforming existing structures on the basis of the plans of the FADM High Command, as approved by CCFADM.

***v. Technical assistance of foreign countries***

The parties shall inform the mediators within 7 (seven) days after the signing of the ceasefire Protocol the countries which are to be invited to provide assistance in the process of forming the FADM.

**II. Withdrawal of foreign troops from Mozambican territory**

1. The withdrawal of foreign troops from Mozambican territory shall be initiated following the entry into force of the ceasefire (E-Day).

The Government of the Republic of Mozambique undertakes to negotiate the complete withdrawal of foreign forces and contingents from Mozambican territory with the Governments of the countries concerned.

The modalities and time-frame for the withdrawal shall not contravene any provision of the ceasefire Agreement or the General Peace Agreement.

2. The Government of the Republic of Mozambique shall submit to CSC the deadlines and plans for implementation of the withdrawal, specifying the exact numbers of troops present in Mozambican territory and their location.

3. The complete withdrawal of foreign forces and contingents from Mozambican territory shall be monitored and verified by the ceasefire Commission (CCF) referred to in paragraph VI.(i).2 of this Protocol. CCF shall inform CSC of the conclusion of the complete withdrawal of foreign forces from the national territory.

4. In accordance with its mandate CSC, through CCF, will, following the withdrawal of the foreign troops, assume immediate responsibility for verifying and ensuring security of strategic and trading routes, adopting the measures it deems necessary for the purpose.

### **III. Activities of private and irregular armed groups**

1. Except as provided in paragraph 3 below, paramilitary, private and irregular armed groups active on the day of entry into force of the ceasefire shall be disbanded and prohibited from forming new groups of the same kind.
2. CCF shall monitor and verify the disbanding of the private and irregular armed groups and shall collect their weapons and ammunition. CSC shall decide the final disposition of the weapons and ammunition collected.
3. CSC may as a temporary measure organize the continued existence of security organizations for the purpose of ensuring the security of specified public or private infrastructures during the period between the ceasefire and the time when the new Government takes office.
4. These security organizations may be authorised to use weapons in the discharge of their duties. The activities of these organizations shall be monitored by CCF.

### **IV. Functioning of the National Service for People's Security**

1. The parties agree that it is essential that the State information service should continue to function during the period between the entry into force of the ceasefire and the time when the new Government takes office, in order to ensure that the strategic information required by the State is made available and for the purpose of protecting the sovereignty and independence of the Republic of Mozambique.
2. For the purposes indicated above, the Parties agree that the State Information and Security Service (SISE) established by Act No. 20/91 of 23 August 1991 shall continue to perform its functions under the direct authority of the President of the Republic of Mozambique and subject to the following principles:
3. SISE shall:
  - (a) perform its duties and functions strictly in accordance with the spirit and the letter of internationally recognized democratic principles;
  - (b) respect the civil and political rights of citizens, as well as the internationally recognized human rights and fundamental freedoms;
  - (c) be guided in the performance of its functions by the interests of the State and the common welfare, in a manner free from any partisan or ideological considerations or regard for social standing and from any other form of discrimination;
  - (d) act at all times and in all respects in conformity with the terms and spirit of the General Peace Agreement.

4. SISE shall be composed, at all levels of the service, of citizens selected on the basis of criteria that are in conformity with the principles specified above.

5. (a) The measures taken by SISE, as well as all actions of its agents, shall at all times be governed by the law in force in the Republic of Mozambique and by the principles agreed upon in the General Peace Agreement;

(b) The activities and prerogatives of SISE shall be confined to the production of information required by the President of the Republic, within the limits authorised by the juridical order and in strict respect for the principles of the State ruled by law and for human rights and fundamental freedoms. The information thus obtained may in no case be used to limit the exercise of the democratic rights of citizens or to favour any political party;

(c) In no case may police functions be assigned to SISE.

6. The Director-General and Deputy Director-General of SISE shall be appointed by the President of the Republic of Mozambique.

7. (a) For purposes of verifying that the actions of SISE do not violate the legal order or result in violation of the political rights of citizens, a National Information Commission (COMINFO) shall be established;

(b) COMINFO shall be composed of 21 members whose professional and personal qualities and past record afford guarantees of balance, effectiveness and independence vis-à-vis all political parties;

(c) COMINFO shall be established by the President of the Republic of Mozambique within 15 days following the entry into force of the General Peace Agreement and shall be composed of six citizens nominated by Renamo, six nominated by the Government, and nine selected as a result of consultations to be held by the President of the Republic with the political forces in the country from among citizens meeting the requirements specified in subparagraph (b);

(d) COMINFO shall have full powers to investigate any matter relating to the activity of SISE that is held to be contrary to the legal order and to the principles specified in paragraphs 1, 2, 3, and 5. A request for investigation may be rejected only by a two-thirds majority of its membership;

(e) COMINFO shall provide CSC with the reports and clarifications called for by the latter Commission;

COMINFO shall inform the competent State authorities of any irregularities detected, in order that they may take the appropriate police or disciplinary measures.

## **V. Depoliticisation and restructuring of the police forces**

1. During the period between the entry into force of the ceasefire and the assumption of power by the new Government, the Police of the Republic of Mozambique (PRM) shall continue to perform its functions under the responsibility of the Government.

2. The Police of the Republic of Mozambique shall:

(a) perform its duties and functions strictly in accordance with the spirit and the letter of internationally recognized democratic principles;

(b) respect the civil and political rights of citizens, as well as the internationally recognized human rights and fundamental freedoms;

(c) be guided in the performance of its functions by the interests of the State and common welfare, in a manner free from any partisan or ideological considerations or regard for social standing and from any other form of discrimination;

(d) act at all times in conformity with the terms and spirit of the General Peace Agreement;

(e) act at all times with impartiality and independence vis-à-vis all political parties.

3. The PRM shall be composed of citizens selected on the basis of criteria that are in conformity with the principles specified above.

4. The basic tasks of the PRM shall be:

(a) to ensure respect for and defence of the law;

(b) to maintain public order and tranquility and to prevent and suppress crime;

(c) to guarantee the existence of a climate of social stability and harmony.

5. (a) The measures taken by the PRM, as well as all actions of its agents, shall at all times be governed by the law and the legislative provisions in force in the Republic of Mozambique and by the principles agreed upon in the General Peace Agreement;

(b) The activities and prerogatives of the PRM shall be exercised within the limits authorised by the juridical order, but with strict respect for the principles of the State ruled by law and for human rights and fundamental freedoms. These activities may not be directed towards limiting the exercise of the democratic rights of citizens or favouring any political party.

6. The Commander and Deputy Commander of the PRM shall be appointed by the President of the Republic of Mozambique.

7. (a) For purposes of verifying that the actions of the PRM do not violate the legal order or result in violation of the political rights of citizens, a National Police Affairs Commission (COMPOL) shall be established;

(b) COMPOL shall be composed of 21 members whose professional and personal qualities and past record afford guarantees of balance, effectiveness and independence vis-à-vis all political parties;

(c) COMPOL shall be established by the President of the Republic of Mozambique within 15 days following the entry into force of the General Peace Agreement and shall be composed of six citizens nominated by Renamo, six nominated by the Government, and nine selected as a result of consultations to be held by the President of the Republic with the political forces in the country from among citizens meeting the requirements specified in subparagraph (b);

(d) COMPOL shall have full powers to investigate any matter relating to the activity of PRM that is held to be contrary to the legal order and to the principles specified in paragraphs 1, 2, 4 and 5. On being apprised of a matter, the Commission shall conduct a preliminary internal analysis in order to determine whether it falls within the sphere of police activities. The Commission shall decide to proceed with the investigations if more than half of its members so agree;

(e) COMPOL shall submit systematic reports on its activities to CSC;

(f) COMPOL shall inform the competent State authorities of any irregularities detected, in order that they may take the appropriate judicial or disciplinary measures.

## **VI. Economic and social reintegration of demobilised soldiers**

### ***(i) Demobilisation***

1. Demobilisation of the FAM and the forces of Renamo means the process whereby, at the decision of the respective Parties, soldiers who on E-Day were members of those forces revert for all purposes to the status of civilians.

#### 2. ceasefire Commission

(a) On E-Day, the ceasefire Commission (CCF) shall be established and begin its functions under the direct supervision of CSC;

(b) CCF shall be composed of representatives of the Government, Renamo, the invited countries and the United Nations. CCF shall be presided over by the United Nations;

(c) CCF shall be based in Maputo and shall be structured as follows:

- Regional offices (North, Centre and South);

- Offices at the assembly and billeting locations of the two Parties.

(d) CCF shall have, inter alia, the function of implementing the demobilisation process, with the following tasks:

- Planning and organization;

- Regulation of procedures;

- Direction and supervision;

- Registration of troops to be demobilised and issue of the respective identity cards;

- Collection, registration and custody of weapons, ammunition, explosives, equipment, uniforms and documentation; destroying or deciding on the other disposition of weapons, ammunition, explosives, equipment, uniforms and documentation as agreed by the Parties;

- Medical examinations;

- Issue of demobilisation certificates. (e) The United Nations shall assist in the implementation, verification and monitoring of the entire demobilisation process.

### 3. Timetable

E-Day: Installation of CCF and commencement of its functions

E-Day + 30: Definition by both Parties of the troops to be demobilised; activation of demobilisation structures and initiation of the process

E-Day + 60: Demobilisation of at least 20 per cent of the total troops to be demobilised

E-Day + 90: Demobilisation of at least a further 20 per cent of the total troops to be demobilised

E-Day + 120: Demobilisation of at least a further 20 per cent of the total troops to be demobilised

E-Day + 150: Demobilisation of at least a further 20 per cent of the total troops to be demobilised

E-Day + 180: End of demobilisation of the troops to be demobilised.

#### ***(ii) Reintegration***

1. The term "demobilised soldier" means an individual who:

- up until E-Day was a member of the FAM or the Renamo forces;
- subsequent to E-Day was demobilised at the decision of the relevant command, and handed over the weapons, ammunition, equipment, uniform and documentation in his possession
- has been registered and has received the relevant identity card
- has received the demobilisation certificate.

For all purposes, demobilised soldiers of both Parties shall become civilians and shall be accorded equal treatment by the State.

## 2. Reintegration Commission

(a) A Reintegration Commission (CORE) shall be established. CORE shall operate under the direct authority of CSC and shall initiate its functions on E-Day;

(b) CORE shall be composed of representatives of the Government and Renamo, representatives of the invited countries, a representative of the United Nations, who shall preside, and representatives of other international organizations;

(c) CORE shall be based at Maputo and shall be structured as follows:

- Regional offices (North, Centre and South);
- Provincial offices in each provincial capital.

(d) The assignment of CORE shall be to effect the economic and social reintegration of demobilised soldiers, and it shall for this purpose conduct the following tasks:

- Planning and organization;
- Regulation of procedures;
- Direction and supervision:
- Monitoring.

## 3. Resources

The economic and social reintegration of demobilised soldiers (demobilisation allowances, technical and/or vocational training, transport, etc.) will depend on the resources made available within the framework of the Donors Conference as referred to in item 6 of the Agreed Agenda of 28 May 1991.

In witness whereof, the Parties have decided to sign the present Protocol.

**For the delegation of the Government of the Republic of Mozambique:**

(Signed) Armando Emilio Guebuza

**For the delegation of Renamo:**

(Signed) Raul Manuel Domingos

**The mediators:**

(Signed) Mario Raffaelli

(Signed) Jaime Goncalves

(Signed) Andrea Riccardi

(Signed) Matteo Zuppi

Sant' Edigio, Rome, 4 October 1992

Protocol V

On 4 October 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emilio Guebuza, Minister of Transport and Communications, and composed of Mariano de Araujo Matsinha, Minister without Portfolio, Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, Lieutenant-General Tobias Dai, Francisco Madeira, Diplomatic adviser to the President of the Republic, Brigadier Aleixo Malunga, Colonel Fideles De Sousa, Major Justino Nrepo, Major Eduardo Lauchande, and the delegation of Renamo, headed by Raul Manuel Domingos, Chief of the organization Department, and composed of José De Castro, Chief of the External Relations Department, Agostinho Semende Murrial, Chief of the Information Department, José Augusto Xavier, Director-General of the Internal Administration Department, Major-General Herminio Morais, Colonel Fernando Canivete, Lieutenant-Colonel Arone Julai, and Lieutenant António Domingos, meeting at Rome in the presence of the mediators, Mario Raffaelli, representative of the Italian Government and coordinator of the mediators, Jaime Goncalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi of the Community of Sant' Edigio, and the observers of the United Nations and the Governments of the United States of America, France, the United Kingdom and Portugal, took up item 5 of the Agreed Agenda of 28 May 1991, entitled "Guarantees", and agreed as follows:

**I. Timetable for the conduct of the electoral process**

1. The elections to the Assembly of the Republic and the post of President of the Republic shall be held simultaneously and shall take place one year after the date of signature of the General Peace Agreement, as provided for in Protocol III.
2. Further to the provisions set forth in Protocol III, the Parties also agree as follows:



(a) By E-Day + 60, the Government shall establish the National Elections Commission provided for in Protocol III;

(b) Immediately following the signature of the General Peace Agreement, the Government, for purposes of the provisions of Protocol III, shall request technical and material support from the United Nations and OAU;

(c) The Government shall draft the Electoral Act in consultation with Renamo and the other parties within at most two months from the adoption by the Assembly of the Republic of the legal instruments incorporating the Protocols and guarantees, as well as the General Peace Agreement, into Mozambican law. The approval and publication of the Electoral Act shall take place within at most one month following the completion of its drafting;

(d) Within 60 days following the signature of the General Peace Agreement, the Government and Renamo shall agree on the observers to be invited for the electoral process. The Government shall draw up the corresponding invitations;

(e) The election campaign shall begin 45 days before the date of the elections;

(f) By the date of commencement of the election campaign, all parties taking part must have been registered and have submitted their lists of candidates as well as their respective symbols;

(g) By the date of commencement of the election campaign, the candidates for the Presidency of the Republic must have submitted their candidacies in conformity with the legally prescribed requirements;

(h) The election campaign shall conclude 48 hours before the start of voting;

(i) The elected Assembly of the Republic shall take office 15 days after the publication of the lists giving the results of the election. The lists giving the results of the election shall be published not more than eight days after the closure of voting;

(j) The investiture of the elected President of the Republic shall take place one week after the elected Assembly of the Republic has taken office.

## **II. Commission to supervise the ceasefire and monitor respect for and implementation of the agreements between the Parties within the framework of these negotiations: its composition and powers**

1. Pursuant to Protocol I, the Supervisory and Monitoring Commission (CSC) is established, which shall begin operating upon appointment of its Chairman by the Secretary-General of the United Nations.

2. This Commission shall be composed of representatives of the Government, Renamo, the United Nations, OAU and the countries to be agreed upon by the Parties. The Commission shall be chaired by the United Nations and shall be based at Maputo.

3. The decisions of CSC shall be taken by consensus between the two Parties

4. CSC shall draw up its own Rules of Procedure and may whenever it sees fit establish sub-commissions additional to those provided for in paragraph II.7 of the present Protocol.

5. CSC shall in particular:

(a) Guarantee the implementation of the provisions contained in the General Peace Agreement;

(b) Guarantee respect for the timetable specified for the ceasefire and the holding of the elections;

(c) Assume responsibility for the authentic interpretation of the agreements;

(d) Settle any disputes that may arise between the Parties;

(e) Guide and co-ordinate the activities of the subsidiary commissions referred to in paragraph II.7 of this Protocol.

6. CSC shall cease to function when the new Government takes office.

7. CSC shall have under it the following Commissions:

(a) The Joint Commission for the Formation of the Mozambican Defence Force (CCFADM) Its powers shall be those specified in Protocol IV, paragraph I (iii) on the formation of the Mozambican Defence Force. CCFADM shall be composed of representatives of the Parties and of the Governments selected by the Parties before the signing of the General Peace Agreement to provide assistance in the process of formation of the FADM in conformity with the provisions of Protocol IV, section I;

(b) The ceasefire Commission (CCF) Its composition and powers shall be those indicated in Protocol IV, section VI and Protocol VI, section I;

(c) Reintegration Commission (CORE) Its composition and powers shall be those specified in Protocol IV, section VI.

### **III. Specific guarantees for the period from the ceasefire to the holding of the elections**

1. The Government of the Republic of Mozambique shall submit a formal request to the United Nations for its participation in monitoring and guaranteeing the implementation of the General Peace Agreement, in particular the ceasefire and the electoral process, with immediate priority to co-ordinating and making available food, medical attention and all other forms of support necessary at the assembly and billeting locations for the forces as provided in Protocol VI.

2. With the means available to it and with the assistance of the international community, the Government of the Republic of Mozambique shall make available to CSC and its subsidiary commissions the logistical support required for their functioning.

3. The Government of the Republic of Mozambique shall send formal requests to the Governments and organizations selected by the two Parties to participate in the commissions agreed upon above.

4. The resources and facilities specified in Protocol III, paragraph 7 (b) shall be made available by the Government of Mozambique as from the date of incorporation of the General Peace Agreement into Mozambican law by the Assembly of the Republic. The major part of this process shall have been concluded by E-day.

5. The committee provided for in the Joint Declaration of 16 July 1992 shall exercise its functions before CSC takes office. CSC may if necessary decide to extend the activities of that committee, and establish guidelines for its operations to that end.

6. The Government of the Republic of Mozambique shall draw up in agreement with Renamo and the relevant United Nations agencies, in accordance with Protocol III, the plan for assistance to refugees and displaced persons, which shall be submitted to the donors' conference the holding of which is agreed upon in Protocol VII.

7. Between the entry into force of the ceasefire and the time when the new Government takes office, the entry of foreign troops or contingents into Mozambican territory shall not be permitted except in the cases agreed to by CSC.

8. Renamo shall be responsible for the immediate personal security of its top leaders. The Government of the Republic of Mozambique shall grant police status to the members of Renamo assigned to guarantee that security. 9. Guarantee of legality, stability and tranquillity throughout the territory of the Republic of Mozambique.

(a) The Parties recognize that the public administration in the Republic of Mozambique during the period between the entry into force of the ceasefire and the time when the new Government takes office will continue to obey the law in force and to be conducted through the institutions provided for by law;

(b) The public administration shall guarantee public tranquility and stability, and seek to ensure the maintenance of peace and the creation of the climate required for the holding of fair and free general and presidential elections in accordance with the provisions of the General Peace Agreement and the Electoral Act;

(c) The two Parties undertake to guarantee that the laws and legislative provisions of the Republic of Mozambique, as well as the civil and political rights of citizens and human rights and fundamental freedoms, shall be respected and guaranteed in all parts of the national territory in conformity with Protocol I of 18 October 1991;

(d) In order to ensure greater tranquility and stability in the period between the entry into force of the ceasefire and the time when the new Government takes office, the Parties agree that the institutions provided for by law for the conduct of the public administration in the areas controlled by Renamo shall employ only citizens resident in those areas, who may be members of Renamo. The State shall accord such citizens and the institutions staffed by them the respect, treatment and support required for the discharge of their duties, on the basis of strict equality and without any discrimination in relation to others performing similar functions and institutions at the same level in other areas of the country.

The relationship between the Ministry of State Administration and the administration in the areas controlled by Renamo shall be conducted through a National Commission constituted by the Parties for the purpose of facilitating collaboration and good understanding. This Commission shall be composed of four representatives of each of the Parties and shall begin operating 15 days after the signature of the General Peace Agreement;

(e) The Government undertakes to respect and not antagonize the traditional structures and authorities where they are currently de facto exercising such authority, and to allow them to be replaced only in those cases where that is called for by the procedures of local tradition themselves;

(f) The Government undertakes not to hold local, district or provincial elections or elections to administrative posts in advance of the forthcoming general elections;

(g) The Parties undertake to guarantee throughout the national territory the exercise of democratic rights and freedoms by all citizens, as well as the performance of party work by all political parties;

(h) The Parties guarantee access by the Commissions provided for in the General Peace Agreement, the representatives and officials of the State institutions provided for by law and their officials to any part of the national territory to which they may need to proceed on official business, as well as the right to freedom of movement in all locations not restricted by any legislative measure, instrument or rule.

#### **IV. Constitutional issues**

The joint declaration of 7 August 1992 signed by Joaquim Alberto Chissano, President of the Republic of Mozambique, and Afonso Macacho Marceta Dhlakama, President of Renamo, constitutes an integral part of the General Peace Agreement. Accordingly, the principles embodied in Protocol I shall also apply with respect to the problem of constitutional guarantees raised by Renamo and illustrated in the document submitted to the President of the Republic of Zimbabwe, Robert Gabriel Mugabe, at Gaborone, Botswana, on 4 July 1992. To this end, the Government of the Republic of Mozambique shall submit to the Assembly of the Republic for adoption legal instruments incorporating the Protocols, the guarantees and the General Peace Agreement into Mozambican law.

In witness whereof, the Parties have decided to sign the present Protocol.

**For the delegation of the Government of the Republic of Mozambique:**

(Signed) Armando Emilio Guebuza

**For the delegation of Renamo:**

(Signed) Raul Manuel Domingos

**The mediators:**

(Signed) Mario Raffaelli

(Signed) Jaime Goncalves

(Signed) Andrea Riccardi

(Signed) Matteo Zuppi

Sant' Edigio, Rome, 4 October 1992

Protocol VI

On 4 October 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emilio Guebuza, Minister of Transport and Communications, and composed of Mariano de Araujo Matsinha, Minister without Portfolio, Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, Lieutenant-General Tobias Dai, Francisco Madeira, Diplomatic Adviser to the President of the Republic, Brigadier Aleixo Malunga, Colonel Fideles de Sousa, Major Justino Nrepo and Major Eduardo Lauchande, and the delegation of Renamo, headed by Raul Manuel Domingos, Chief of the organization Department, and composed of José de Castro, Chief of the External Relations Department, Agostinho Semende Murrial, Chief of the Information Department, José Augusto Xavier, Director-General of the Internal Administration Department, Major General Herminio Morais, Colonel Fernando Canivete, Lieutenant Colonel Arone Julai and Lieutenant António Domingos, meeting at Rome in the presence of the mediators Mario Raffaelli, representative of the Italian Government and coordinator of the mediators, Jaime Goncalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi, of the Community of Sant' Edigio, and observers

from the United Nations and the Governments of the United States of America, France, the United Kingdom and Portugal, took up item 4 of the Agreed Agenda of 28 May 1991, entitled "ceasefire", and agreed as follows:

## **I Cessation of the armed conflict**

1. The cessation of the armed conflict (CAC) is a brief, dynamic and irreversible process of predetermined duration which must be implemented throughout the national territory of Mozambique.

The implementation of the process shall be the responsibility of the Government of the Republic of Mozambique and of Renamo, acting within the framework of the ceasefire Commission (CCF). The CCF is answerable to the CSC, the organ responsible for the overall political supervision of the ceasefire. The CCF shall be composed of representatives of the Government and of Renamo, representatives of countries accepted by them and a representative of the United Nations, who shall preside.

2. The CCF, which shall be structured as stipulated in Protocol IV, paragraph VI.i.2, shall have the following functions:

- to plan, verify and guarantee the implementation of the ceasefire rules; - to set itineraries for the movement of forces, in order to reduce the risk of incidents; - to organize and implement mine-clearing operations;
- to analyse and verify the accuracy of the statistics provided by the Parties on troop strength, arms and military equipment
- to receive, analyse and rule on complaints of possible ceasefire violations;
- to ensure the necessary co-ordination with organs of the United Nations verification system;
- the functions provided for in sections II, III and VI of Protocol IV.

3. The CAC shall begin on E-Day and end on E-Day + 180.

4. The CAC consists of 4 (four) phases:

- ceasefire;
- separation of forces;
- concentration of forces;
- demobilisation.

## 5. The ceasefire

The Parties agree that:

(a) the ceasefire shall enter into force on E-Day

E-Day is the day on which the General Peace Agreement is adopted by the Assembly of the Republic and incorporated into Mozambican law. The deployment of United Nations personnel in Mozambican territory to verify the ceasefire shall begin the same day;

b) As of E-Day, neither of the Parties shall carry out any hostile act or operation by means of forces or individuals under its control. Accordingly, they may not:

- carry out any kind of attack by land, sea or air;
- organize patrols or offensive maneuvers;
- occupy new positions;
- lay mines and prevent mine-clearing operations;
- interfere with military communications;
- carry out any kind of reconnaissance operations; - carry out acts of sabotage and terrorism;
- acquire or receive lethal equipment
- carry out acts of violence against the civilian population;
- restrict or prevent without justification the free movement of persons and property;
- carry out any other military activity which, in the opinion of the CCF and the United Nations, might jeopardise the ceasefire.

In performing their functions, the CCF and the United Nations shall enjoy complete freedom of movement throughout the territory of Mozambique;

(c) On E-Day, the United Nations shall begin official verification of compliance with the undertaking described in paragraph (b), investigating any alleged violation of the ceasefire. Any duly substantiated violation shall be reported by the United Nations at the appropriate level;

(d) During the period between the signing of the General Peace Agreement and E-Day, the two Parties agree to observe a complete cessation of hostilities and of the activities

described in paragraph (b), in order to allow the United Nations to deploy its personnel in the territory to verify all aspects of the CAC as of E-Day.

## 6. Separation of forces

The Parties agree that:

(a) The purpose of the separation of forces is to reduce the risk of incidents, to build trust and to allow the United Nations effectively to verify the commitments assumed by the Parties;

(b) The separation of forces shall last 6 (six) days, from E-Day to E-Day + 5;

(c) During this period, the FAM shall proceed to the barracks, bases, existing semi-permanent facilities and other locations listed in annex A;

(d) During the same period, the Renamo forces shall proceed to the locations listed in annex B;

(e) The locations listed in the above-mentioned annexes shall be those agreed to between the Parties and the United Nations no later than 7 (seven) days after the signing of the General Peace Agreement. The lists shall specify the name and site of the 29 assembly and billeting points for the FAM and the 20 such points for the Renamo forces;

(f) Accordingly, by 2400 hours on E-Day + 5, the FAM and the Renamo forces must be in the locations listed in annexes A and B respectively;

(g) All movements shall take place under the supervision and co-ordination of the United Nations. Neither Party may prevent or jeopardise, the movements of the other Party's forces. The United Nations shall supervise all the locations listed in annexes A and B and shall in principle be present 24 hours a day in each of those locations as of E-Day;

(h) During this period of 6 (six) days, no force or individual shall be able to leave assembly and billeting points except to seek medical care or other humanitarian reasons, and then only with the authorisation and under the supervision of the United Nations. In each location, the commander of the troops shall be responsible for maintaining order and discipline and for ensuring that the troops conduct themselves in accordance with the principles and the spirit of this Protocol.

## 7. Concentration of forces

The Parties agree that:

(a) The concentration of forces shall begin on E-Day + 6 and end on E-Day + 30;



(b) During this period, the FAM shall concentrate in the normal peacetime barracks and military bases listed in annex C;

(c) During the same period, the Renamo forces shall go to the assembly and billeting points listed in annex D;

(d) All movements shall take place under the supervision and co-ordination of the United Nations and shall be subject to the same conditions as those established for the separation of forces;

(e) All the main military facilities of the two Parties which cannot be moved to assembly and billeting points, such as military hospitals, logistical units and training facilities, shall be subject to verification in situ. These locations must also be specified no later than 7 (seven) days after the signing of the General Peace Agreement;

(f) Each assembly and billeting point shall be run by a military commander appointed by the corresponding Party. The military commander is responsible for maintaining the order and discipline of troops, distributing food and ensuring liaison with the organs for the verification and supervision of the ceasefire. In the event of an incident or a ceasefire violation, the military commander must take immediate steps to avoid an escalation and put a stop to the incident or violation. Any incident or violation shall be reported to the senior level of the command structure and to the ceasefire verification and supervision organs;

(g) Arrangements for the security of each assembly and billeting point shall be agreed between the corresponding commander and the CCF, with the knowledge of the United Nations. The military unit stationed in each location shall provide its own security. Each assembly and billeting point shall cover an area with a maximum radius of five kilometres. Individual weapons and the necessary ammunition shall be distributed only to the security staff of assembly and billeting points;

(h) Each location must have the capacity to accommodate at least 1,000 soldiers.

## 8. Demobilisation

Shall take place as stipulated in section VI of Protocol IV.

## 9. Formation of the FADM

Shall take place as stipulated in section I of Protocol IV.

## 10. Miscellaneous provisions.

(a) The Parties agree to the following:

1. To supply the United Nations with complete inventories of their troop strength, arms, ammunition, mines and other explosives on E-Day-6, E-Day, E-Day + 6, E-Day + 30 and, thereafter, every 15 days;
2. To allow the United Nations to verify the aspects and data referred to in the preceding paragraph;
3. As of E-Day + 31, all collective and individual weapons, including weapons on board aircraft and ships, shall be stored in warehouses under United Nations control;
4. (a) As of E-Day + 6, troops shall be able to leave their respective assembly and billeting points only with the authorisation and under the supervision of the United Nations;
- (b) As of E-Day, the naval and air force components of the FAM shall refrain from carrying out any offensive operation. They may carry out only such non-hostile missions as are necessary for the discharge of their duties unrelated to the armed conflict. All air force flight plans must be communicated in advance to the United Nations. Aircraft may not, in any case, be armed and may not overfly assembly and billeting points,
- (c) The foreign forces currently present in the territory of Mozambique must also respect the agreed ceasefire as of E-Day. In accordance with section II of Protocol IV, on E-Day the Government of the Republic of Mozambique shall communicate to the United Nations and the CSC the plans for the withdrawal of foreign troops from Mozambican territory. These plans shall include the numbers and equipment of such troops. the withdrawal shall begin on E-Day +6 and end on E-Day +30. All movements must be coordinated and verified by the CCF;
- (d) The Parties agree that, as of E-Day, they shall end all hostile propaganda, both internal and external;
- (e) Border control as of E-Day shall be provided by the immigration services and the police.

## **II. Operational timetable for the ceasefire E-Day:**

Entry into force of the ceasefire and beginning of United Nations verification Beginning of the cessation of the armed conflict (CAC) Beginning of the separation of forces phase

E-Day +5: End of the separation of forces phase

E-Day +6: Beginning of the concentration of forces phase Beginning of the withdrawal of foreign forces and contingents from the country

E-Day +30: End of the concentration of forces phase End of the withdrawal of foreign forces and contingents from the country

E-Day +180: End of the demobilisation phase and of the CAC

### **III. Release of prisoners, except for those being held for ordinary crimes**

1. All prisoners who are being held on E-Day, except for those held for ordinary crimes, shall be released by the Parties.

2. The International Committee of the Red Cross, together with the Parties shall agree on the arrangements for and the verification of the prisoner release process referred to in paragraph 1 above.

In witness whereof, the Parties have decided to sign this Protocol.

For the delegation of the Republic of Mozambique: (Signed) Armando Emilio Guebuza

For the delegation of Renamo: (Signed) Raul Manuel Domingos

The Mediators: (Signed) Mario Raffaelli (Signed) Jaime Goncalves (Signed) Andrea Riccardi (Signed) Matteo Zuppi

Sant' Edigio, Rome, 4 October 1992

### Protocol VII

On 4 October 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emilio Guebuza, Minister of Transport and Communications, and composed of Mariano de Araujo Matsinha, Minister without Portfolio, Aguiar Mazula, Minister of State Administration, Teodata Hunguana, Minister of Labour, Lieutenant-General Tobias Dai, Francisco Madeira, Diplomatic Adviser to the President of the Republic, Brigadier Aleixo Malunga, Colonel Fideles De Sousa, Major Justino Nrepo and Major Eduardo Lauchande, and the delegation of Renamo, headed by Raul Manuel Domingos, Chief of the organization Department, and composed of José De Castro, Chief of the External Relations Department, Agostinho Semende Murrial, Chief of the Information Department, José Augusto Xavier, Director-General of the Internal Administration Department, Major General Herminio Morais, Colonel Fernando Canivete, Lieutenant Colonel Arone Julai and Lieutenant António Domingos, meeting at Rome in the presence of the mediators, Mario Raffaelli, representative of the Italian Government and coordinator of the mediators, Jaime Goncalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi, of the Community of Sant' Edigio, and observers from the United Nations and the Governments of the United States of America, France, the United Kingdom and Portugal, took up item 6 of the Agreed Agenda of 28 May 1991, entitled "Donors' conference", and agreed as follows:

1. The Parties decide to request the Italian Government to convene a conference of donor countries and organizations to finance the electoral process, emergency programmes and programmes for the reintegration of displaced persons, refugees and demobilised soldiers.

2. The Parties agree to request that, of the funds provided by donor countries, an appropriate share should be placed at the disposal of political parties to finance their activities.

3. The Parties appeal for the donors' conference to be convened no later than 30 days after E-Day. In addition to donor countries and organizations, the Government and Renamo shall also be invited to send representatives.

In witness whereof, the Parties have decided to sign this Protocol.

**For the delegation of the Republic of Mozambique:**

(Signed) Armando Emilio Guebuza

**For the delegation of Renamo:**

(Signed) Raul Manuel Domingos

**The mediators:**

(Signed) Mario Raffaelli

(Signed) Jaime Goncalves

(Signed) Andrea Riccardi

(Signed) Matteo Zuppi

Sant' Edigio, Rome, 4 October 1992

## **APPENDIX B: GENDER PROVISIONS WITHIN THE GUATEMALAN PEACE AGREEMENT**

**By Permission of:** © United Nations Department of Public Information. *The Guatemala Peace Agreement*. New York, United States of America: United Nations, 1998.

A Selection of the Guatemalan Peace Accords:

### **Agreement of Resettlement of the Population Groups Uprooted by the Armed**

#### **Conflict**

##### Preamble

REITERATING their commitment to put an end to the armed conflict through a negotiation process which lays the bases for a firm and lasting peace in Guatemala,

CONSIDERING the national, traumatic dimensions of the uprooting that occurred during the armed conflict in the country, in human, cultural, material, psychological, economic, political and social terms, which caused violations of human rights and great suffering in the communities which forced to abandon their homes and ways of life, and in the populations which remained in those areas,

CONSIDERING the commitment of the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca [URNG] to contribute constructively, together with the rest of Guatemalan society, to finding a lasting solution and to facilitating the process of resettling the uprooted population groups in a framework of social justice, democratization and sustained, sustainable and equitable national development.

CONSIDERING that the resettlement of these uprooted population groups should be a dynamic factor in the economic, social, political and cultural development of the country and, consequently, an important component of a firm and lasting peace.

RECOGNIZING the indispensable role of the participation of the affected population groups in taking decisions concerning the design and implementation of an effective resettlement strategy.

BEARING in MIND the statements and proposals for consensus elaborated on this topic by the civil Assembly, which includes the specific demands of organizations representing the various uprooted groups,

REITERATING that the present Agreement together with those to be signed on the other agenda items in the negotiation process form a part of an agreement on a firm and lasting

peace and shall enter into force at the time of the signing of such agreement, with the exception of matters relating to the Technical Committee referred to in section V of this agreement and in paragraph 4 of that section,

The Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (hereinafter referred to as 'the Parties') agree as follows:

## II. Guarantees for the Resettlement of Uprooted Population Groups

2. Special emphasis should be placed on protecting female headed families and widows and orphans, who have been the most seriously affected.

## **III. Productive Integration of Uprooted Population Groups and Development of Resettlement Areas**

8. The Government undertakes to eliminate any form of de facto or *de jure* discrimination against women with regard to access to land, housing, credits and participation in development projects. The gender-based approach shall be incorporated into the policies, programmes and activities of the comprehensive development strategy.

## **Agreement on the Identity and Rights of Indigenous Peoples**

### **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:

(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 women;

(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

(c). Promote the dissemination and faithful implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

### **G. Educational 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.

## **F. Rights relating to land of the indigenous peoples**

9. (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.

### **Agreement on Social and Economic Aspects and the Agrarian Situation**

WHEREAS: A firm and lasting peace must be consolidated on the basis of social and economic development directed towards the common good, meeting the needs of the whole population,

This is necessary in order to overcome the poverty, extreme poverty, discrimination and social and political marginalization which have impeded and distorted the country's social, economic, cultural and political development and have represented a source of conflict and instability.

Socio-economic development requires social justice, as one of the building blocks of unity and national solidarity, together with sustainable economic growth as a condition for meeting people's social needs,

Rural areas require an integral strategy that facilitates access by small farmers to land and other production resources, offers juridical security and promotes conflict resolution,

It is essential, both for the realization of the production potential of Guatemalan society and for the achievement of greater social justice, that all sectors of society participate effectively in finding a way to meet their needs, particularly in setting public policies that concern them,

The State should pursue democratization in order to expand those possibilities for participation and strengthen its role as a leader of national development, as a legislator, as a source of public investment and a provider of services as a promoter of consensus-building and conflict resolution,

This Agreement seeks to create or strengthen mechanisms and conditions to guarantee the effective participation of the people and contains the priority objectives for Government action to lay the foundations of this participatory development,

The implementation of this Agreement should enable all the country's social and political forces to face together, in a cooperative and responsible way, the immediate tasks of combating poverty, discrimination and privilege, thus building a united, prosperous and just Guatemala that will afford a dignified way of life to its people as a whole,

The Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (hereinafter referred to as 'the Parties') have agreed as follows:

## **B. Participation of women in economic and social development**

11. The active participation of women is essential for Guatemala's economic and social development, and the State has a duty to promote the elimination of all forms of discrimination against women.

12. Recognizing women's undervalued contributions in all spheres of economic and social activity, and particularly their efforts towards community improvement, the Parties agree that there is a need to strengthen women's participation in economic and social development on equal terms.

13. To this end, the Government undertakes to take the specific economic and social situation of women into account in its development strategies, plans and programmes, and to train civil servants in analysis and planning based on this approach. This undertaking includes the following:

(a). Recognizing the equal rights of women and men in the home, in the workplace, in the production sector and in social and political life, and ensuring that women have the same opportunities as men, particularly with regard to access to credit, land ownership and other productive and technological resources;

### **Education and training**

(b). Ensuring that women have equal opportunities for education and training in the same conditions as men, and that any form of discrimination against women that may be found in school curricula is eliminated;

### **Housing**

(c). Ensuring that women have equal access to housing of their own by eliminating the obstacles and impediments that affect women in relation to rental property, credit and construction;

### **Health**

(d). Implementing nationwide comprehensive health programmes for women, which involves giving women access to appropriate information, prevention and health care services;

### **Labour**

(e). Guaranteeing women's right to work, which requires:

(i). Using various means to encourage vocational training for women;

(ii). Revising labour legislation to guarantee equality of rights and opportunities between men and women;

(iii). In rural areas, recognizing women as agricultural workers to ensure that their work is valued and remunerated;

(iv). Enacting laws to protect the rights of women who work as household employees, especially in relation to fair wages, working hours, social security and respect for their dignity.

### **Organization and participation**

(f). Guaranteeing women's right to organize and their participation, on the same terms as men, at the senior decision-making levels of local, regional and national institutions;



(g). Promoting women's participation in public administration, especially in the formulation, execution, and supervision of government plans and policies;

**Legislation**

(h). Revising national legislation and regulations to eliminate all forms of discrimination against women in terms of economic, social, cultural and political participation, and to give effect to the government commitments deriving from the ratification of the Convention on the Elimination of All Forms of Discrimination against Women.

**VI. The Role of Women In Strengthening Civilian Power**

59. In order to increase opportunities for women to participate in the exercise of civilian power, the Government undertakes to:

(a). Set up nationwide public awareness campaigns and educational programmes with a view to increasing public awareness of women's rights to participate actively and decisively, both in rural areas and in the cities, in the process of strengthening civilian power, fully and equally and without any discrimination;

(b). Ensure that social and political organizations adopt specific policies to enhance and promote the role of women in the process of strengthening civilian power;

(c). Respect, promote, support and institutionalize women's organizations in rural areas and in the cities;

(d). Ensure that at all times in the exercise of power, women, whether organized or not, are provided with and guaranteed opportunities to participate.

60. The Parties appreciate the work undertaken at the national level by various women's organizations and encourage them to work together to make their contribution to the process of implementing the agreements on a firm and lasting peace, especially those undertakings most directly related to women.

**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 a 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:

### **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.
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 the nation.
6. Firm and lasting peace must be based on participatory socioeconomic 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 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 the 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.

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