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Guatemalan case study

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INTRODUCTION

This paper has been prepared for the Expert Group Meeting on “Enhancing Women’s Participation in Electoral Process in Post-Conflict Countries”, called by the United Nations Office of the Special Adviser on Gender issues and Advancement of Women, the Department of Political Affairs, and the United Nations Development Program and United Nations Development Fund for Women.

The paper contains an analysis of the participation of Guatemalan women in the two electoral processes that have taken place during the post conflict period. As a point of reference, it also includes data on the last election process held before the signing of the peace agreements. Special attention is given to the different types of strategies and activities put into practice by the women’s organizations during the 2003 electoral process aimed at strengthening women’s political participation and the advancement of gender equality and democratization.

The peace process opened spaces for the political and social participation of women. Guatemalan women were able to influence the peace negotiations in order that gender equality provisions were included into the accords. The women’s movement has also succeeded in advocating for the approval of a new legal and institutional framework for the advancement of women. At the same time, gender awareness and levels of women’s organizational participation have grown in the post-conflict period. However, women continue to be marginalized from elected bodies and high level appointed positions. The results of the 2003 electoral process evidence a negative tendency in women’s representation in the parliament. Stronger measures are needed to remove the big structural and institutional obstacles for women’s full participation in the electoral process and the political sphere as a whole.

BACKGROUND

In December of 1996, after thirty-six years of internal armed conflict, the Agreement on a Firm and Lasting Peace between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca, URNG, (Guatemalan National Revolutionary Unity), was signed, with the moderation of the United Nations' representative. The conflict arose in a context marked by a United States military led intervention that overthrew a democratically elected government, strong political repression exerted by military regimes, lack of spaces for open political and social participation, and extreme socio-economic inequalities. Internationally an acute stage of the cold war prevailed.

The signing of the final peace agreements implied not only the end of the war, but the beginning of a group of articulated agreements that addresses the political, socio-economic and ethnic discrimination problems. Those agreements comprise the most comprehensive platform for development in Guatemala. At the same time, the peace accords have given content and direction to the democratization process. They define a new vision of the Guatemalan nation for the mid and long terms.

The peace process has meant the opening of political and social spaces for actors with diverse ideological and political tendencies. However, the most significant provisions, such as the electoral, fiscal and rural-development reforms, have not been implemented. The economically ruling forces have been looking with fear and, in fact, opposing the due implementation of the agreements. However, seven years after the signing of the peace, it is hopeful that the support for the accords by diverse social and political actors has considerably increased.

One outstanding characteristic of the Guatemalan peace agreements is that they include gender equality provisions, aimed at the elimination of discrimination against women, the promotion of women's political participation and their access to education, health, housing and other resources. They also incorporate the creation of institutions to promote gender equality. The incorporation of gender commitments in the accords is the result of the influence of women's organizations through the Civil Society Assembly, and women's direct participation in the table of negotiations.

Since the signing of the peace agreements significant progress has been made in establishing a new legal and institutional framework that favors gender equality, which includes the Law for the Comprehensive Advancement of Women, the National Women's Policy and Equal Opportunity Plan, the Women's Presidential Secretariat, the Office for the Defense of Indigenous Women and the National Women's Forum. The role of the women's movement has been decisive in the creation of this framework, thus contributing to the whole process of democratization and peace building.

WOMEN'S ELECTORAL PARTICIPATION

The framework

The electoral participation of women has constraints related with the Guatemalan socio-economic conditions. 56 percent of all the population lives in poverty. 24 per cent of women are illiterate, while this figure increases to 63 per cent among some indigenous groups.² At the same time, gender-based violence associated with the increasing levels of criminality goes against women's participation in politics. During the last year violence against women, including brutal assassinations, has increased alarmingly³.

Literate women were allowed to vote in 1945, whereas women's universal right to vote was achieved in 1966. The equal political participation between women and men is recognized in the main Guatemalan legal instruments. At the same time, Guatemala has signed and ratified all the international conventions and protocols that protect women's rights.

The electoral system. In Guatemala there is a proportional representation system for the parliament and the Municipal Councils. In the parliament election, a combination of national and districts' lists is used. The electoral system as a whole has enormous obstacles for the full participation of citizens, particularly women, indigenous and the poor. A reform of the electoral and political party's law was included in the peace agreements in order to remove those obstacles and create a fair electoral system. This reform incorporates a single identity document for all citizenship matters, replacing the current unreliable local identity card, which has been used to commit many electoral irregularities. Measures to facilitate citizens' access to voter registration and voting sites were also included. Other stipulations are: equal access to the media for all political parties, and ceilings for campaign spending to ensure that "voter preference is not supplanted by spending power, as well as transparent financing of campaigns."⁴ This reform has not been approved yet due to the obstruction made by the conservative political forces in the National Congress. Consequently, the two electoral processes held during the post-conflict period (1999 and 2003) have had the same limitations of the past, thus undermining the success of alternative positions and voices in the electoral field.

System of political parties. The system of political parties is neither representative nor inclusive of women. One particular obstacle for women's representation is the process of selecting candidacies for publicly elected positions. Generally those who occupy the first places of the electoral party lists are the ones who are likely to be elected. Given that the

²Sistema de las Naciones Unidas en Guatemala. *Informe nacional de Desarrollo Humano. Desarrollo humano, mujeres y salud 2002*. Guatemala 2002.

³ Hilda Morales Trujillo, Director of the Guatemalan research and training center for women (CICAM) expresses that the advances of women in the last years, in the context of the prevailing patriarchal culture, have generated misogyny against women in some sectors of the population. [**Tertulia* No. 15 - 3 de mayo 2003*](#)

⁴United Nations. *The Guatemala peace agreements*. Agreement on Constitutional Reforms and the Electoral Regime. New York, 1998

order of candidates inside the lists is determined by the party leaders or by those who finance certain parties, women have little chance of getting winning positions in the lists, as they are usually excluded from both decision making groups. Only in one political party a woman has the position of General Secretary.⁵

The results

Elected women to the National Congress. Women's representation in the parliament has had a negative trend in the two elections that have taken place during the post-conflict period. Table 1 shows how the proportion of elected women to the National Congress decreased from 13.8% in the elections held before the peace accords (1995), to 11.5% in the following parliamentary period (1999-2003), ending in 8.9% in the last electoral process (November 2003). Although the number of elected women increased, as the Congress's seats were enlarged in each one of the two last elections, the relative representation of women decreased. The number of women candidates to the Congress remained almost the same in the three elections.

Table 1
Elected women to the National Congress in the last three elections

Year	Number of women candidates	National Congress's total seats	Elected women	Percentage of elected women
1995	139 ⁶	80	11 ⁷	13.8
1999	133 ⁸	113	13 ⁹	11.5
2003	137 ¹⁰	158	14 ¹¹	8.9

Concerning indigenous women, in the 2003 elections, only one was elected to the National Congress, thus proving that they confront more obstacles for political participation. In addition to gender inequalities and poverty, they face the burden of ethnic discrimination.

Other elected positions. At the level of presidential candidates, contrary to the previous two elections, in 2003 no woman was nominated to this highest position. Only one woman ran for Vice-President in this election.¹² In the Central American Parliament, in the 2003

⁵ Alba Estela Maldonado, General Secretary of the URNG political party.

⁶ Thillet de Solórzano, Braulia. *Mujeres y Percepciones políticas*. FLACSO, Guatemala, 2001.

⁷ Oficina Nacional de la Mujer. Proyecto Mujer y reformas jurídicas. *Democracia y participación política de las mujeres en Guatemala*. 1998

⁸ Misión de Verificación de las Naciones Unidas en Guatemala, MINUGUA. *Informe de Verificación. Los desafíos para la participación de las mujeres guatemaltecas*. Guatemala, Marzo 2001

⁹ Sistema de las Naciones Unidas en Guatemala. *Informe nacional de Desarrollo Humano. Desarrollo humano, mujeres y salud 2002*. Guatemala 2002.

¹⁰ Calculations made by Luz Mendez, based on the Electoral Supreme Court Report. 2003.

¹¹ Idem.

¹² Marithza Ruiz, candidate to the Vice-Presidency by the political party El DIA.

elections, 10%¹³ of women were elected. Compared with the 1999 electoral process, there was a decrease of 100%¹⁴ in women's representation in this regional elected body.

Women's under-representation is also a reality in high level appointed positions. In the Constitutional Court there is only one woman as Magistrate, occupying a deputy position, out of 10 members. In the Supreme Electoral Tribunal, there are two women as Magistrates, one of them in a deputy place, out of 9.¹⁵

Women elected as Mayors. In the municipal level, as table 2 shows, the number of women elected as Mayors went from 1.2%, in 1995, to 1% in 1999, increasing to 2.4% in 2003. Even though this last figure is still too low, it marks an important rise in women's access to this elected position. After the peace accords, many initiatives have been undertaken at the local and municipal levels to promote women's political participation. These include gender awareness rising and leadership skills training for women. It is necessary to do a deeper analysis of the impact of these strategies on the increase of women elected as Mayors.

Table 2
Women elected as Mayors in the last three elections

Year	Elected women	Number of municipalities	Percentage of elected women
1995	4 ¹⁶	330	1.2
1999	3 ¹⁷	330	1
2003	8 ¹⁸	331	2.4

Measures taken to promote women's participation in electoral process

Gender quota system. Affirmative actions in the legislation governing the electoral system have been promoted to increase women's representation in elected positions. The first gender quota proposal was made by the National Office for Women in 1991. Since then several initiatives have been promoted by women's organizations to achieve this goal. In the context of the general process to reform the electoral law, as part of the peace accords, in 2000 the Instance for Political Equity, a coalition made by several women's

¹³ Calculations made by Luz Mendez, based on the Electoral Supreme Court Report. 2003.

¹⁴ Calculation made by Luz Mendez based on the Electoral Supreme Court Report, *Memoria Elecciones Generales 99*.

¹⁵ Sistema de las Naciones Unidas en Guatemala. *Informe Nacional de Desarrollo Humano. Desarrollo humano, mujeres y salud 2002*. Guatemala 2002.

¹⁶ Thillet de Solórzano, Braulia. *Mujeres y Percepciones políticas*. FLACSO, Guatemala, 2001.

¹⁷ Misión de Verificación de las Naciones Unidas en Guatemala, MINUGUA. *Informe de Verificación. Los desafíos para la participación de las mujeres guatemaltecas*. Guatemala, Marzo 2001

¹⁸ Calculations made by Luz Mendez, based on the Electoral Supreme Court Report. 2003.

organizations¹⁹, presented a proposal including a 44% gender quota in the party's electoral lists and alternating positions between women and men to avoid women being placed at the bottom. This proposal has still not been approved. The stalled process of the general electoral reform has not encouraged women's organizations to resume the advocacy campaign in favor of this affirmative action. However, a consensus opinion among women's organization after the last elections, is that there is an urgent need to continue striving in favor of the quotas, although new advocacy strategies should be implemented.

Only one political party has included the gender quota as an internal policy²⁰. In practice, however, it only worked for the election of the National Executive Committee (NEC), but not in the case of candidates' lists to the elections. As the NEC left the regional leaderships to decide freely about their own candidates, very few of them respected the gender quota. So a small number of women occupied winnable positions in the districts' lists.

Voter registration. One of the obstacles for electoral participation is the complicated process for voting registration. It is particularly difficult for women, as they have higher levels of illiteracy rates and other gender constraints. Many women in the rural area do not have even birth registration. So it is common that women eligible voters, (older than 18 years) have neither identity documents nor registration in the polling lists. As part of the implementation of the peace agreements, a special temporary law was approved to facilitate the documentation of uprooted populations by the internal armed conflict, demobilized ex-combatants and other sectors of the society. At the same time, getting identification documents and voter registration campaigns, aimed at women, have been launched by women's organizations and some public institutions, with international support.²¹ Although there is still a high quantity of women without voter registration, significant advances have been made in the last years. 1,901,000 women were registered to vote in 1999, while this quantity grew to 2,252,525 in the 2003 elections, marking an increase of 18.5%.²² The lack of data segregated by sex in the electoral reports available at this moment, does not permit to know what proportion of registered women voted in the last elections.

Voting education. Since the signing of the peace agreements women have had more opportunities for education and training in topics related with women's rights and women's political participation. Considerable efforts have been made by women's organizations in this field, particularly in the rural area.²³ Voter education programs for women have been

¹⁹ Convergencia Cívico Política de Mujeres, Asociación Mujer Vamos Adelante, Fundación Guatemala, Fundación para el Desarrollo Sostenible de las Mujeres, Oficina Nacional de la Mujer, Unión Nacional de Mujeres Guatemaltecas (UNAMG).

²⁰ Guatemalan National Revolutionary Unity (URNG).

²¹ Among the organizations and institutions that have developed these campaigns are: Secretaría de la Paz (SEPAZ), Somos Muchas, Asociación Mujer Vamos Adelante, Convergencia Cívico Político de Mujeres. Some of the international institutions that have provided support for this purpose are USAID, UNICEF, UNIFEM.

²² Calculations made by Luz Mendez, based on the Electoral Supreme Court Report, *Memoria Elecciones generales 99* and the Electoral Supreme Court Report. 2003.

²³ Among the women's organizations that have undertaken political education and training for women are: Asociación de Mujeres Madre Tierra, Asociación Nuevos Horizontes, Asociación Política de Mujeres Mayas, Asociación de Mujeres Tejedoras de la Historia, Asociación Mujer Vamos Adelante, Agrupación de Mujeres

promoted by the Supreme Electoral Tribunal, stressing the right of women to vote, while less emphasis has been given to women's right to be elected.

Women's political agendas. The creation of women's political agendas, at the national and local levels, was one of the main efforts made by women to influence the 2003 electoral process. The purpose was to get the main candidates' commitment with the strategic political demands of women and the inclusion of these demands into the Governmental plans of the new elected government. At the national level those agendas were presented to the presidential candidates. This included consensus building among women's organizations, lobbying and negotiations with the candidates. At the local level the target were the Mayors and Congress candidates. One of the coalitions made with this purpose, the "Women's political agenda: Women in Diversity", which was made of 23 organizations²⁴, got 10 out of 12 presidential candidates, including the elected one, to sign in a public forum, a commitment in favor of this agenda. The follow up of this agenda is an important tool for promoting the expansion of changes in the State and the society in favor of the full participation and citizenship of women²⁵.

Publicity for women candidates. During the 2003 electoral process, publicity for women candidates, with only one exception, was extremely scarce. In this regard, one special measure carried out by women's organizations was the dissemination of media messages calling for women's participation as candidates in the elections. This has a great importance, given that the big media coverage of women candidates was practically non-existing. In this context, the National Union of Guatemalan Women (UNAMG), with the support of the United Nations Development Fund for Women (UNIFEM), launched a local level radio campaign to sensitize the population on the right of women to be elected. The messages, broadcasted in Spanish and three indigenous languages²⁶, called the communities to propose women as candidates and to vote for women.

Tierra Viva, Grupo Guatemalteco de Mujeres, Sector de Mujeres, Comité Beijing Guatemala, Consejería en Proyectos, Fundación Guatemala, Unión Nacional de Mujeres Guatemaltecas (UNAMG). These activities have been supported, among others, by BID/PROLID, UNIFEM, the Netherlands, Spain and Swedish governmental cooperation, as well as international NGOs.

²⁴ Agrupación de Mujeres Tierra Viva, Área de Género CONGCOOP, Área Mujer de FLACSO, Área Mujer INIAP, Asociación Guatemalteca de Mujeres Médicas, Asociación Política de Mujeres Mayas MOLOJ, Asociación Promujer Villa Nueva, Centro de Apoyo para las Trabajadoras de Casa Particular CENTRACAP, Centro de Reportes Informativos Sobre Guatemala CERIGUA, Colectiva para la Defensa de los Derechos de las Mujeres CODEFEM, Colectivo Voces de Mujeres, Comité Beijing Guatemala, CLADEM Guatemala, Comisión de Género San Cristóbal Totonicapán, Coordinadora ¡Sí, Vamos por la Paz!. Defensoría Maya, DECOR, Fundación para el Desarrollo Sostenible de las Mujeres, K'aslemal, Programa Interdisciplinario de Estudios de Género USAC, Facultad de Ciencias Económicas, USAC, Red de Mujeres por la Construcción de la Paz, Unión Nacional de Mujeres Guatemaltecas (UNAMG).

²⁵ Agenda política: Mujeres en la Diversidad. Guatemala, Octubre 2003.

²⁶ Q'eqchí, Kiché and Mam.

CONCLUSIONS

The peace and democratization processes have created a better political climate, as well as a legal and institutional framework, that have created a valuable framework in favor of women's political and social participation. The women's movement has played a crucial role in promoting and advocating for the establishment of this framework. At the same time, awareness of gender inequalities has increased and women have strengthened their participation in diverse type of organizations at the local and national levels.

Notwithstanding, women's representation 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. Women's under-representation is also a reality in high level appointed positions in the Executive and the Judiciary. An exception to this trend is the number of women elected as Mayors. Even though the figure is still too low, there was a notable increase in the 2003 elections.

Deep-rooted patriarchal cultural patrons, high levels of poverty and illiteracy among women as well as gender-based violence, are big obstacles for women's full political participation. At the same time, the perception that the realm of politics belongs only to men is still widely spread among the population.

The electoral and political party's system hinders women's participation in different ways. The first obstacle can be found in the complicated process for voting registration. Then, placing the polls only in the municipal capitals is an obstacle for people in the rural area, especially women, to vote as they have to move from long distances to the poll sites. This factor is deeper for indigenous women, due to monolinguisism constraints and ethnic discrimination. Additionally, many women in the rural area lack even birth registration, which makes it even more difficult to access to vote and be elected.

As there are not spending ceilings in electoral campaigns, and public financing for the political parties is minimal, the success of candidates rests mainly on private funding. Women, in the majority of the cases, do not have access to this type of resource.

RECOMMENDATIONS

The incorporation of the gender quota system into the electoral legislation is a strong measure that must be implemented to enhance the role of women in electoral processes. New strategies should be put in practice to lobby the National Congress, the leadership of the political parties and the electoral authorities. A broad and long-term media campaign for public sensitization must be launched as well, stressing how equal women's political participation is part of the democratization process in the State and the society as a whole.

There is an urgent need that the National Congress approve the electoral and political party's law reform included in the peace agreements, whose implementation has been largely delayed. This will remove big obstacles for women's political participation, particularly those related to voting registration, election sites, access to the media, as well as ceiling expenditure and public financing for electoral campaigns.

Other crucial measures that must be implemented are: a) monitoring and follow-up to the women's political agenda signed up by the elected President; b) giving direct support to women candidates, including specific training in mass media and campaign management, publicity and direct financing; and c) continuing the gender sensitization for all the population and training programs for women's empowerment and leadership at the local level.

Finally, the due implementation of the peace agreements by the recently elected authorities has the highest priority. The strengthening of women's political and electoral participation is closely linked with socio-economic development and the strengthening of the peace and democratizations processes. The peace accords provide the most comprehensive platform for development and democratization, in favor of all the Guatemalan population.

Guatemala, January 2003.