

Issues Affecting Accord Implementation:

1) **Lack of political will within government.**

The accords don't change the fact that Guatemala has been run for the few and have excluded the many. The legislature has been introducing laws on issues covered under the Accords without consultation with civil society as foreseen and established within the Accords.

2) **Lack of capacity on the part of all sectors to work towards the implementation of the Accords.** Both government and civil society actors are ill-equipped to deal with the complex issues involved in the Accords. The time needed to develop this capacity exceeds the timelines of the Accords. Civil society is at the table, but its participation is not strategic, and the playing field is uneven. The Government has a limited absorptive capacity for international support. There is a lack of mutually accountable follow-up to the work of the consultative mechanisms.

Implemented Measures:

- 1) **Land survey and registry:** There are currently four major laws under which one can hold land title. Therefore, there can be four land titles to one piece of land in addition to customary or traditional property use rights. A land registry that depends on formal legal titles and documentation will delegitimize ancestral land claims and reinforce inequity. CONTIERRA (Presidential Office on Legal Assistance and the Resolution of Land Conflicts), the entity created to settle land disputes, has identified almost 400 land disputes, yet the government is sending police out to evict thousands of people for the benefit of about ten wealthy landowners, rather than rely upon nonviolent conflict resolution. CONTIERRA can only deal with a limited range of cases which are: not in the courts; not involved in land occupancy; in the conciliation stage. Eligible cases total 45-65. The use of scarce police resources to force people off land when security is the key issue in the country, shows a clear lack of political will concerning land reform.
- 2) **Macroeconomic policy:** Privatization is a priority for the government. This year's budget was dependent on the revenue from the sale of several public entities. The government is also focussed on increasing the tax base. However, a comprehensive reform of the tax system is what is needed; wealthy people in Guatemala pay less tax than any other country in Latin America. The international financial institutions and the international community have focussed on increasing tax revenue to 12% of GDP by the year 2000, as established in the Peace Accords, without sufficient attention to the need for tax reform. This is an example of the international community looking at the letter, rather than the spirit of the Accords. There has been a lack of consultation with civil society over this aspect of the accords.
- 3) **Health and education budgets are low and underspent ever year,** owing to the limited absorptive capacity of the social sector and lack of programs. Guatemala has the lowest social spending per capita in all of Latin America. Spending will go up but the issue is how, and with what consultation, as specified in the Peace Agreements. The government is now proposing to contract out health care in rural areas to NGOs. There are similar measures in education. NGOs do not have the capacity to do this well.