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Guatemalan Indigenous Women's Rights

by LADB Staff

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Conditions for indigenous women in Guatemala continue to degenerate (see NotiCen, 2002-12-12), according to recent reports. Indigenous women continue to be discriminated against and exploited, says the Report on the Situation of Indigenous Women by the Defensoria de la Mujer Indigena, released on April 2. The report underscores an urgency to "undertake action to overcome this situation of historic disadvantage of indigenous women and make possible the conditions that will permit them to create, recreate, and utilize all their potential for development."

The Defensoria was established in 1999 as part of the requirements of the section of the 1996 Peace Accords on Identity and Rights of Indigenous Peoples (see NotiCen, 2001- 01-18). But since its creation, despite some advances, "public policies have not taken into account the real needs and feelings of indigenous women and decision-making bodies have not been sensitive to the issue."

Juana Vasquez, Defensora de la Mujer Indigena, cited exclusion, lack of educational, health, and environmental programs, as well as violence against women as the most important aspects of the problem. The report says "public policies must be generated to make gender equity and justice feasible." The report coincided with the celebration of the eighth anniversary of the Accord on Identity and Rights, but there was little to celebrate.

"Some steps have been taken, but we cannot say that there are advances," said Petrona Lainez of the Comité Pro Acuerdo Indígena (Copai). In addition to the problems cited by the Defensoria report, she cited lack of progress in the effort to legalize and normalize indigenous women's land titles. Copai organized a national strategy meeting to strengthen indigenous women's participation and a march to the Congreso Nacional and the Palacio Nacional de Cultura to present demands for compliance with the provisions of the Peace Accords. These events also roughly coincided with the International Day of the Elimination of All Forms of Racial Discrimination.

On March 21, to mark the day, President Alfonso Portillo installed a governmental commission to deal with discrimination and racism against indigenous peoples (see NotiCen, 2002-10-03). Portillo presented members of the commission to indigenous leaders, the diplomatic corps, and international officials. In his speech, Portillo said that the commission was "born of the necessity that the state incorporate in its public policies a perspective from the indigenous world. That is to say, that the policies, laws, and programs or projects must consider in their design and execution the interests, values, and felt needs of the indigenous peoples, especially the marginalized." He promised "firm steps to eradicate discrimination and racism from our social, political, economic, juridical, and cultural system."

Portillo was not without incentives to move toward resolving some of these historic stains on the Guatemalan record. His foreign minister, Edgar Gutierrez, was about to go to Geneva to the 59th Period of Sessions of the UN Commission on Human Rights (UNCHR), to defend the country

against calls for the assignment of a human rights expert to the country. The Canadian government told the commission that it had "urged the government to take measures necessary to resolve" matters related to human rights and governability "as established in the Peace Accords of 1996."

On March 24, representatives of the Inter-American Commission on Human Rights (IACHR) arrived in the country for a weeklong inspection visit. Gutierrez told the press that, among other things, the delegation would focus on violations of the rights of women, indigenous, and children. This commission is an organ of the Organization of American States (OAS) and derives its authority from the American Convention on Human Rights, to which Guatemala is signatory since 1978. The representatives looked into specific cases and met with government and leaders of nongovernmental organizations. Bad weather, however, prevented them from traveling throughout the country to get a complete picture of the situation.

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