Women, Peacebuilding, and Economic Empowerment: A Case Study of the Guatemalan Peace Accords (1996)

by

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Widespread conflict often mirrors and exacerbates the power structures and inequalities within a society, yet it can also challenge these traditional power structures. Consequently, the subsequent peacebuilding process can create unique political openings for marginalized groups to challenge existing hierarchies. This thesis investigates the conditions under which women can leverage the political openings arising from large-scale conflict and peacebuilding to advance gender equity, specifically looking at women's economic empowerment in a post-conflict context. Utilizing a mixed-methods approach, this study examines the case of Guatemala following its 36-year long civil war which took place from 1960 to 1996. The qualitative analysis reviews the inclusion of women in the 1996 Guatemalan Peace Accords and the subsequent legal mechanisms established to promote gender equity, such as the Presidential Secretariat of Women (SEPREM), the Office of the Ombudsman for Indigenous Women (DEMI), and the PNPDIM-PEO 2008-2023. In addition, the quantitative analysis of this thesis evaluates tangible economic shifts from 1990 to 2024 by measuring indicators such as labor force participation, employment, and income shares.

The findings of this thesis reveal that although the Guatemalan women's movement successfully utilized growing domestic liberalization and shifting international norms to secure revolutionary language on women's rights within the Guatemalan Peace Accords, these gains have not translated into tangible advancements in Guatemalan women's economic status. The qualitative results of this study indicate that the legal mechanisms produced from the language included in the agreements of the accords faced a plethora of barriers that hindered their ability to economically empower women. Further, quantitative results demonstrate the lack of advancements that have been the result of the limitations and weaknesses that these subsequent legal mechanisms face; there has been minimal growth in women's labor force participation, women continue to be underemployed compared to men, they disproportionately rely on more precarious forms of employment, and there is still a considerable income gap. This study concludes that the existence of legal language and institutional frameworks is insufficient to achieve economic empowerment for women. Without sustained political will, public support, adequate resource allocation, proper government coordination, and robust enforcement mechanisms, it becomes nearly impossible to leverage the existing legal language and frameworks to effectively empower Guatemalan women economically and advance gender equity. The case of Guatemala serves as a critical example of how political openings created by peacebuilding may foster institutional inclusion on paper yet still fail to dismantle the structural barriers to true economic equity in practice.

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Chapter 1: Introduction

Conflict is often a reflection of the power structures and inequalities within a society. The chaos created by armed conflict challenges the socio-economic and political structures of society, allowing for previously marginalized groups to make real, impactful waves. Further, the aftermath period creates an environment for change to occur, as well as for institutions and structures to be reshaped. Women are disproportionately affected by the destruction and violence caused by conflict. As men go off to fight, women are often left with the duties of providing and caring for the weak and vulnerable populations left behind. Yet, as women take on larger roles in society, this shift in gender norms challenges the patriarchal hierarchy of society. Although they tend to bear the brunt of the violence and displacement caused by war, conflict also provides them with new roles in society, offering new openings to push for greater rights and opportunities. As a result, the conflict resolution process can also provide women with the space and power to ensure that their problems are given the visibility to be properly addressed. Yet it is only when women are included in peacebuilding processes that significant advancements have been made. Even so, inclusion alone does not guarantee success. This raises a critical question regarding the true applicability of gender equality legislation in a post-conflict environment: Under what conditions can women leverage political openings created by widescale conflict and peacebuilding efforts to advance gender equity?

This thesis looks at these broader ideas of gender, conflict, and peacebuilding through analyzing levels of gender equity in the context of peace. Drawing upon the growing body of research that links women's empowerment to peacebuilding, my research explores the conditions under which women can utilize the political opportunities that arise during major conflict and

subsequent peacebuilding efforts to advance gender equity. Past literature on women, peacebuilding, and empowerment has demonstrated that widespread conflict can reorganize gender roles, often give rise to women's movements that push for peace, and create potential openings for inclusion of gender equity in the context of peace negotiations and the drafting of new constitutions, particularly when conflicts ended after the Fourth World Conference on Women in Beijing (1995), when gender equity had been internationally prioritized (citations). This literature has largely focused on conflicts in Sub-Saharan Africa, leading to questions about how these trends play out in other world regions. It has largely focused on reforms related to women's political representation and legislation related to violence against women and girls (VAWG), neglecting issues of economic wellbeing and equity which are critical to women's daily wellbeing. Perhaps most critically, the existing literature has also focused more on the passage or creation of formal institutions, and less on the implementation of those reforms or their long-term on-the-ground effects of women's inclusion. These gaps in the literature lead to a number of questions that this thesis addresses: Does the trend of gender equity gains following conflict in the 1990s only apply to certain world regions or only to the political realm? And have these legal changes created tangible results that affect the average woman's everyday life?

My research aims to address these gaps in the existing research by seeking to identify the conditions that enable women to capitalize on political openings during conflict and peacebuilding to improve gender equity through the economic empowerment of women and to create enduring change. To explore this, I will be looking at the case of Guatemala, as the country experienced a widespread, devastating civil war from 1960 to 1996 and would therefore be expected to fit the trend of increased gender equity provisions in contexts transitioning from wide-scale conflict in the post-Beijing period. The case of Guatemala offers a rich context to

explore these dynamics and contribute to a deeper understanding of the interplay between women, economic empowerment, and peacebuilding. My examination will look at the Guatemalan women's movement, Guatemala's inclusion of women in the resolution process, the inclusion of legal language regarding women's economic rights in the Guatemalan Peace Accords, and the creation of legal mechanisms to enforce and implement these agreements on the unique economic issues Guatemalan women face in the accords. In addition, I will look at how these legal mechanisms worked in practice, as well as their strengths and weaknesses.

Building on and extending the foci of previous literature on women and peacebuilding, this thesis will focus on the legal advancements made regarding women's economic rights after the resolution period, and explore how these formal changes were implemented and their impacts for Guatemalan women. By focusing on women's economic empowerment, there is significant quantitative data that can be examined to demonstrate Guatemalan women's economic status prior to the signing of the peace accords and after, allowing me to assess the impacts of legal and policy changes for economic equity. In addition, my focus on Guatemala addresses the regional gap of past literature by shifting the focus from Africa to Latin America. Through this examination of the Guatemalan peace process and post-conflict development efforts, we can begin to understand how women's participation in post-conflict efforts mirrors their status in the larger political economy.

Chapter 2: Literature Review and Theory

Following the 1995 Fourth World Conference on Women in Beijing, there has been growing research on women's empowerment and its links to peacebuilding. This literature review first introduces the broader topic of gender and conflict, focusing on past research and literature on gendered effects of widescale conflict, how conflict can lead to systemic and institutional reorganization, and the role of shifting international norms. The following section looks at gaps left by previous literature, specifically looking at how there are significant regional gaps and how women's economic empowerment and reforms' impacts have both been understudied in the existing research on this topic. The last section of this chapter identifies the significance of my research question, as well as my hypothesis for the results of my analysis.

The Gendered Effects of Conflict

Women face distinct challenges from men during conflict because "War is a gendered activity."[1] Conflict occurs where culture and norms have already been established and assigned to differentiate men and women. Consequently, the concept and practice of warfare is often gendered through the ascribed gender norms that idealize men as warriors and fighters yet devalue women as passive victims. As a result, the impacts of conflict can materialize in different forms for women, as compared to men. Men are often charged with taking part in the fighting of the conflict, whereas women are placed with the responsibility of taking care of the children, the sick, and the injured, in addition to maintaining the domestic sphere. However, this does not mean that women never participate in the fighting that occurs. For example, in El

[1] Dijkema, "Why Study Gender and Conflict Together?".

Salvador, female insurgents had a large role in Salvadoran Civil War (1979-1992), constituting up to 40% of forces, 30% of combatant forces, and 20% of military leadership.[2] Even so, women have historically participated in combat at significantly lower levels than men.

Women's traditional role in the private sphere becomes exacerbated by conflict as the breakdown of political and economic structures heightens women's vulnerability.[3] This can be observed through an increased reliance on women during conflict because men have gone off to war or were killed, which, in turn, also affects the sources of income and resources for women and their families. As a result, women find themselves in extremely vulnerable positions during conflict. Furthermore, because women and their issues are often limited to the private sphere, their specific vulnerabilities and problems during conflict are overlooked.[4] For these reasons, feminist scholars in conflict and peacebuilding argue that it is vital that gender and conflict be studied together. The impacts of conflict on women are distinct from those on men, which is why the unique issues they face must be addressed as well during both the resolution process and subsequent peacebuilding efforts. [5] Continuing to ignore the gendered dimensions of society makes it nearly impossible to properly address crucial components of conflict resolution.

Reorganization During Reconstruction

In addition to the disproportionate impacts women experience during conflict, conflict also creates fractures in societal gender relations, often forcing women to take on new roles in their homes, communities, and general society. Understanding the relationships between conflict and gender can allow for conflict to be analyzed as not just a "destructive force," but as an

[2] Ortega, "Untapped Resources for Peace:", 233.
[3] Dijkema, "Why Study Gender and Conflict Together?".
[4] Reynolds, "Women at Work and War:", 198-202.
[5] Byrne, "Towards a Gendered Understanding of Conflict", 35-39."

opportunity to challenge the dominant structures of power in a society.[6] For this reason, there has been a growing amount of literature on how the ending of conflict creates conditions for advancements in women's equality to occur.[7]

Ali Mari Tripp has been a trailblazer in the study of conflict and gender. Tripp focused her research on women's movements in African countries that have experienced civil war and the role they have had in post-conflict constitution-making. In her research, she found that the decline of conflict presented the necessary opening to allow for autonomous women's movements and organizations to push for constitutional changes. In many instances, women's movements stemmed from broader peace movements and mobilized around peace issues. Women's movements in Africa mobilized around peace issues and, in many instances, stemmed from broader peace movements that were taking place.[8] In African countries coming out of conflict, greater constitutional changes for women's rights were observed in comparison to African countries not exiting conflict. Conflict was observed to create major disruptions in gender relations and in gender roles as women took on new leadership roles and began to participate and engage in parts of society that they had previously been barred from. These challenges to the traditional gender hierarchy allowed women to engage in more political and economic activities. Consequently, this incentivized women to demand greater rights and representation.

Most countries emerged from conflict in Africa between the late 1990s and the early 2000s. This was the period following the 1995 Fourth World Conference on Women in Beijing,

[6] Hughes and Tripp, "Civil War and Trajectories of Change", 1518.
[7] Arostegui, "Gender, Conflict, and Peace-Building"; Hughes and Tripp, "Civil War and Trajectories of Change"; Berry, *War, Women, and Power*; Tripp, "Legislating Gender-Based Violence in Post-Conflict Africa"; Tripp, *Women and Power in Post Conflict Africa*.
[8] Tripp, "Legislating Gender-Based Violence in Post-Conflict Africa", 14.

when there was an international push for the recognition of the unique issues women face. The shifting international norms in the 1990s and 2000s led to an increased demand for women's issues to be addressed through peacebuilding efforts, which women's movements were able to use to their advantage.[9] In Africa, women's movements were able to use increasing international recognition of women's rights to pressure countries to increase their political representation. The support from international actors assisted women in having an official seat at the negotiating table, which allowed for women's issues to be included in a formal capacity. The 1995 Beijing Conference was revolutionary for putting women's issues onto the international agenda. The following mobilization of a global women's networks only served to increase the pressure for the formal recognition of women's rights. Women's issues being discussed on an international platform gave women a better position to involve themselves in formal peacebuilding activities.[10]

In the years following the Beijing Conference, UN Security Council Resolution 1325 (UNSCR 1325) was passed. This resolution was the first formal recognition between women, conflict, and peace. UNSCR 1325 specifically called for women's active participation in peacebuilding and post-conflict reconstruction. This formal recognition of the need to include women in both the peace process and post-conflict transition period legitimized women's spot at the negotiating table. In her exploration of how women have leveraged the opportunities made available in the aftermath of conflict to advance women's issues, Julie Arostegui examined how the establishment of an international framework on women, peace, and security provided women in the Great Lakes Region of Africa with opportunities to increase their legal rights. Arostegui highlights that the international legitimization of women's inclusion created necessary pressure

[9] Hughes and Tripp, "Civil War and Trajectories of Change," 1519
[10] Hughes and Tripp, Civil War and Trajectories of Change", 1515.

from the top (international pressure), with simultaneous pressure from the bottom (autonomous domestic women's movements), for women to create impactful changes to society through formal institutions they previously did not have access to.[11] Therefore, both of these conditions must exist and work together to take advantage of the opportunities for change offered by the conflict resolution process.[12] During this time, countries that did not experience conflict were being confronted with similar pressures from women's movements and shifting international norms as post-conflict countries. Ironically, post-conflict countries not only benefited from reorganized gender roles and the presence of women's movements (often born in the push for peace), but also from political openings in the form of peace accords and new constitutions being drafted during this period.

In their research on how civil war created prospects for change in women's political representation in countries exiting armed conflict in Africa, Melanie Hughes and Ali Mari Tripp highlight the opportunities for substantial change that arise out of the ending of widespread conflict. In their analysis, they focused on how the ending of major armed conflicts in many countries in Africa brought about structural changes that increased women's political participation and representation.[13] Hughes and Tripp claim that the end of armed conflict produced an increase in women's representation in legislatures that went beyond what was expected from the impact of electoral rule changes and democratization. Their findings showed that countries emerging from conflict exhibited a distinct trend in the advancement of women's representation that was unique compared to other African countries.[14] In Africa, the increase in women's political representation was shown to impact women's civic engagement, their self-

[11] Arostegui, "Gender, Conflict, and Peace-building", 535-536.
[12] Tripp, *Women and Power in Post Conflict Africa*.
[13] Hughes and Tripp, "Civil War and Trajectories of Change", 1515.
[14] Hughes and Tripp, "Civil War and Trajectories of Change", 1531.

esteem, and men's beliefs concerning women's capabilities. The increased attention to women's issues in legislation was observed to challenge inequalities in other areas of formal politics and created new openings that allowed for broader advancements.

To recover and reconstruct society in a post-civil war context, countries often write new constitutions, peace agreements, and implement new rules of governance. The need to create new institutions and practices can foster an environment where more radical language has a higher chance of making it on paper. In Africa, women's organizations were able to take advantage of these periods of transition to demand greater political representation, typically through gender quotas.[15] In their research, Hughes and Tripp observed African countries transitioning from civil war to begin to expand civil liberties as they began to democratize. Women's movements took advantage of these expanding civil liberties to push for greater formal political representation.

The work done by Arostegui, Hughes, and Tripp demonstrates how women can make substantial changes in gender equality through the political openings created in a post-conflict environment. As Tripp has observed, "Some of the most explicit wording about women's rights can be found in post-conflict constitutions."[16] The strong language on women's rights in post-conflict constitutions demonstrates that the resolution period of conflict offers a unique environment for women to make significant advancements in gender equity. However, for substantial change to occur, a strong autonomous women's movement must exist domestically to take advantage of these opportunities. Without simultaneous top-down (international) and bottom-up (domestic) pressure, it is unlikely that substantial change would result for women.

[15] Hughes and Tripp, "Civil War and Trajectories of Change", 1517.
[16] Tripp, "Legislating Gender-Based Violence in Post-Conflict Africa", 8.

Gaps in the Research

While the above literature made important advances in the study of the gendered impacts of conflict, it often focused more on the passage of legislation and reforms and less on the long-term effects of these measures. This is a weakness because the passage of legislation does not always result in proper, agreed-upon implementation, nor does it automatically translate into on-the-ground changes for women. In addition, the focus of past research on the political realm of women's rights has neglected to look at how conflict can also create opportunities or challenges to economically empower women. It is just as important for women to take advantage of both the political and economic openings produced by conflict. Afterall, if women's basic economic needs are unfulfilled, they will be unlikely to fully be able to enjoy new-found political rights.

Further, there have also been regional gaps in the research, as most of the existing literature on this subject has focused on Africa. As a result, this has left out the different experiences of other conflict-affected regions. Sub-Saharan Africa as a region has experienced the highest rates of civil war in the world. Most countries exited conflict in Africa during the mid-1990s to early 2000s. As a region, Latin America has also seen significant, though less frequent, internal conflict. Most major civil conflicts in Latin America ended between the late 1980s and mid-1990s. Therefore, much of the conflict resolution that occurred in Sub-Saharan Africa and Latin America experienced a similar global environment.

My research aims to bridge these gaps by analyzing the degree to which Guatemalan women were able to capitalize on the political openings created by the Guatemalan Civil War (1960-1996) and peacebuilding efforts to not only empower women politically, but also to empower them economically.

Theory and Hypotheses

The Guatemalan Civil War officially ended in 1996, when the peace accords were officially signed. Guatemala's autonomous women's movement established a significant role in the resolution process and in the drafting of the accords that opened new spaces for greater advancements to be made in the post-conflict period. A good portion of the language included in the accords on women's issues was centered on the specific economic barriers that women faced. Though these efforts have established new openings for women, I predict that formal changes alone codified in peace accords and post-conflict legislation were insufficient to effect significant change on the ground due to other barriers that continued to hinder advancements in gender equity. The existence of legal language does not promise that there will be proper implementation and enforcement.

Since the ending of the civil war, Guatemala continues to have a weak government with limited resources and uneven commitment to women's rights. As a result, it is unlikely that the State will put time, resources, and proper effort into advancing gender equity in the economic realm. In addition, many factors contribute to women's economic marginalization, and it is unclear the degree to which legal changes could impact them. Women's disadvantaged economic status is rooted in deeply held societal beliefs, widespread discrimination in hiring and compensation practices, lack of government enforcement of women's economic rights (e.g. rights to property, equal rights, etc.), and women's disproportionate domestic burdens. Legal changes on paper, especially if not fully implemented, are unlikely to lead to equity on their own if they do not address these additional factors, some of which are viewed as outside of the scope of the law. Instead, I predict that there will be a significant gap between the existing legal language, formal institutions, and the actual implementation and enforcement of the peace

accords and the legal mechanisms formed from its agreements, resulting in lackluster effects for Guatemalan women in the post-conflict period.

Although women may have been able to make great strides on paper, it is improbable that there have been significant advancements in the economic status of Guatemalan women for them to be considered 'economically empowered'. For women to be able to take advantage of the increased legal recognition of their economic rights, these legal mechanisms must exist in a State that offers them proper support and resources, have a strong enough political will to prioritize the development of women, and women's agencies must have the autonomy and authority to implement and enforce policies concerning gender equity. If these factors are absent, as is likely the case with Guatemala, it is unlikely that any noteworthy change in women's economic status has resulted from the political openings and advancements in gender equity coming out of the Guatemalan Civil War.

Chapter 3: Methodology

This thesis examines what conditions provide women with the opportunity to leverage political openings created by conflict and peacebuilding to advance gender equity through a case study of the Guatemalan Civil War (1960-1996), its resolution process, and the aftermath. In my research, I will specifically focus on the period from 1986–when a new constitution was being created, levels of violence were declining, and a strong women's movement was emerging–to today. To analyze how conflict and peacebuilding processes impact women's economic status and how women's inclusion in the peace process can create openings to economically empower women, I will be conducting a mixed-methods approach of quantitative and qualitative data.

Case Selection

The Guatemalan Civil War

Located in Central America, Guatemala is a country with a rich but also devastating history. Guatemala has one of the largest indigenous populations in Central America and Latin America, with around 60% of the population belonging to the Maya (including their 22 ethnic groups), the Garifuna, and the Xinca peoples. The large indigenous population in Guatemala, as well as its abundance of natural resources, made it an attractive spot for Spanish colonialists in the early 16th century. Although there has always been a majority indigenous population, the Ladino (*mestizo* people who identify with Spanish cultural heritage) elite has dominated the political and socio-economic structures because of its colonial history and power structures.

Historically, Guatemala has been ruled by the old, landed elite and the military. Consequently, Guatemala's history has been littered with systemic oppression, inequality, and

corruption. Aside from a brief democratic opening, referred to as the 'ten years of spring', from 1944 to 1954, which was crushed by a US-sponsored invasion, Guatemalan citizens, especially indigenous citizens, were largely blocked from participating politically.[17] The armed insurgency originally arose from the ranks of the military as a reaction to the 1954 counter-revolution that reversed much of the political, economic, and social progress achieved during the 'ten years of spring'. In 1960, a group of officers instigated an unsuccessful uprising, causing them to flee to exile. Later, they returned and joined together with other groups, such as the communist party, to form a leftist guerrilla movement. As a result, in 1960, a civil war began in Guatemala between the government's military forces and various left-wing guerrilla groups that would go on for 36 years. During the conflict, more than 200,000 Guatemalans were 'disappeared' or killed by state forces. The conflict itself was rooted in the nation's rich history of violence, repression, inequality, and ethnic exclusion and discrimination that had been exacerbated by the country's anti-democratic politics and disparate economic system.

In the late 1970s and into the early 1980s, the armed conflict entered its most intense phase. In the 1970s, many Mayan activists joined, causing Mayan communities to become a target of the military's campaigns. Then, in 1982, the various leftist guerrilla groups united under the Guatemalan National Revolutionary Unity (Unidad Revolucionaria Nacional Guatemalteca, URNG). As the URNG began to gain more power through its unification of different leftist groups, the Guatemalan Government initiated its 'scorched earth' campaign–specifically targeting rural regions where indigenous communities largely resided. This campaign resulted in the genocidal massacres of many Mayan communities. From mid-1981 to 1983, more than 440

[17] Alvarez & Prado, "Guatemala's Peace Process", 39.

villages were destroyed, around 150,000 civilians died, and more than a million people were displaced.[18]

Due to the escalation of the conflict and the international shift occurring as the Cold War was ending, there was a growing international response to the human rights abuses taking place and increasing international pressure on the Guatemalan Government to begin negotiations. Further, the Guatemalan citizenry was becoming increasingly dissatisfied with the lack of negotiations, only adding to the pressures for peace. In 1984, the military took steps to return the country to civilian rule. Although still under military power, civilian authorities began to take over the governance of the country. Many view the mid-1980s as the beginning of the democratic transition. However, others view the signing of the peace accords in 1996–almost ten years later–as the real transition point.

Guatemalan Women and the Civil War

In 1999, a report was published by the Commission for Historical Clarification (CEH), appointed by the United Nations (UN), on the history of events of the Guatemalan Civil War. In the report, it stated that a quarter of the direct victims of human rights violations and acts of violence were women, a majority of whom were indigenous.[19] Women were among the worst victims of the armed conflict, the other being children, and were subjected to 99% of the sexual violence that occurred; in addition to losing fathers, husbands, sons, property, and employment.[20] This was a result of the common use of mass rape and femicide during Government military incursions. Even so, the CEH also reported that women played a vital role in defending human rights during the conflict and promoting social mobilization.

[18] Alvarez & Prado, "Guatemala's Peace Process", 39.
[19] CEH, "Guatemala: Memory of Silence", 23.
[20] Villarreal, "Women in Peace Building in Guatemala", 1-2.

The mobilization of a strong, autonomous women's movement was crucial for the official inclusion of women in the peace negotiations and the drafting of the peace accords. Although, because of the disappearances and use of sexual violence as a weapon of war that disproportionately affected women, Guatemala's autonomous women's movement did not emerge until the mid-1980s, when strides were being made in political liberalization. Guatemala's women's movement emerged following the UN Decade for Women (1975-85), where there was a growing recognition of women's rights and political liberalization.[21] During the peace negotiations in the early to mid-1990s, the women's movement began to gain more strength and status. The women's movement took advantage of the peace negotiations (1994-1996) to strengthen its positions and better establish its autonomy. In addition, the women's movement used the resolution process to institutionalize some of its goals to create more political openings in the future.

Guatemala as a Useful Case for Exploring Peacebuilding and Women's Economic Empowerment

Guatemala's women's movements mobilized similarly to women's movements in sub-Saharan African countries in the reconstruction period after conflict. In sub-Saharan Africa, women's movements were able to strengthen and gain more leverage during peace negotiations in a shifting international context.[22] As Tripp and Hughes' research demonstrates, the strength of an autonomous women's movement is necessary for propelling women's issues onto the formal political stage. The sustained pressure from women's organizations in Guatemala at the end of the conflict and following the resolution period makes it a worthy case study.

[21] Beck, "The Long-Term Struggle", 1052.
[22] Beck, "The Long-Term Struggle", 1052; Tripp, *Women and Power in Postconflict Africa*.

As exemplified in the previously discussed literature, international pressure is also necessary for women's issues to be included and acknowledged in the resolution process. The role of international pressure was just as important in the case of women's inclusion at the negotiating table in Guatemala. Primarily, the Guatemalan peace process occurred after the UN Decade for Women (1975-85) and roughly coincided with the Beijing Conference of 1995, which led an international push for increasing recognition of women's distinct challenges and their inclusion in formal decision-making. This international environment allowed women in Guatemala, like those in post-conflict African countries in the mid-1990s and 2000s, to leverage new and existing international frameworks and growing discourse to bring their issues to the table and push for their inclusion.

The UN oversaw peace accord negotiations in Guatemala (1994-96).[23] It provided a framework for negotiations including an agenda for the peace talks and the establishment of a Civil Society Assembly (Asamblea de la Sociedad Civil; ASC). The ASC was created to include different impacted populations in the peace process, allowing different sectors to provide recommendations on the topics under negotiation. During the resolution process, 32 women's organizations groups came together to form the Women's Sector in the ASC to provide recommendations on behalf of women for peace negotiations.[24] Combined, top-down UN pressure and bottom-up pressure from the women's movement organized into the Women's Sector ensured that women's issues were considered throughout peace negotiations and that several measures related to women's rights were included in the final peace accords. In particular, the inclusion of women in peace negotiations resulted in Section I, Part B of the Guatemalan Peace Accords, which focused on the participation of women in economic and

[23] Villarreal, "Women in Peace and Transition Processes", 3.
[24] Villarreal, "Women in Peace and Transition Processes", 4.

social development.[25] The addition of gender equity measures makes their peace agreement ideal to analyze whether women were able to take advantage of these provisions to promote economic empowerment.

Defining Women's Economic Empowerment

In her analysis of different measurements of women's empowerment, Naila Kabeer, an expert scholar on gender and development, defined empowerment as "the expansion in people's ability to make strategic life choices in a context where this ability was previously denied to them."[26] Further, Kabeer identified three interdependent dimensions to reflect the ability to exercise choice: *resources* (social, material, etc.), *agency* (specifically in decision-making, at all levels), and *achievements* (well-being outcomes). Measuring empowerment thus entails assessing gender equity across resources, agency, and achievements. *Resources*, according to Kabeer, are the "conditions of choice," and consist of material/economic resources, human resources, and social resources.[27] *Agency* refers to "the ability to define one's goals and act upon them."[28] This includes decision-making power, mobility, autonomy, voice, and the ability to participate. Lastly, Kabeer defines *achievements* as "capabilities," focusing on the outcomes related to changes in resources and agency. More specifically, Kabeer looks at outcomes related to strategic life choices, meaning those that are necessary for people to live the lives they want. Triangulating these three dimensions provides a more complete assessment of empowerment than exploring any one dimension alone, as each dimension interacts with the others and contributes to women's abilities to make life choices.[29]

[25] UNGA and UNSC, "Agreement on a Firm and Lasting Peace", 56-57.
[26] Kabeer, "Resources, Agency, Achievements", 437.
[27] Kabeer, "Resources, Agency, Achievements", 436.
[28] Kabeer, "Resources, Agency, Achievements", 438.
[29] Kabeer, "Resources, Agency, Achievements", 452.

In the economic realm, gender inequality is rooted in a gendered division of labor in both public and private spheres, in which men are granted a higher socioeconomic status because they have access to more economic opportunities and benefits than women and expected to take on less reproductive labor than women. As described in reports by UN Women, gender discrimination creates environments in which women end up in insecure, low-wage jobs, with little to no women in high-level positions.[30] In addition, because women's role in the private sphere depends on them doing most of the domestic work, there is little time available for them to pursue economic opportunities. These limitations in the workforce also create further barriers to women's participation in the formation of social and economic policies because women lack the necessary social and economic capital.

Armed conflict also has economic consequences that have distinct effects on men and women. During periods of conflict, economic livelihoods of all people are disrupted by violence and instability. Additionally, women often become charged with the role of the primary or sole income earner when men are required to fight, are injured, or are killed in warfare. This is a clear economic burden placed upon women, but it is also a challenge, as the jobs that women are most likely to get opportunities in are often low-paying or informal forms of employment. As a result, women are more likely to experience poverty and extreme poverty in conflict zones.[31] Just as other gender inequalities can be heightened by the presence of conflict, women's economic inequality can be exacerbated by war. However, as previously discussed, conflict can also create a more open environment for these systemic inequalities to be addressed at the formal decision-making level and for advancements in gender equity to come to fruition.

[30] UN Women, "What We Do: Economic Empowerment".
[31] Raven-Roberts, "Women and the Political Economy of War", 44-46.

Drawing on Kabeer's framework, women's economic empowerment implies guaranteeing that women can access and benefit equally from economic opportunities, social protections, and financial resources. This includes, but is not limited to, access to markets, access to economic assets (land, loans, etc.), opportunities for decent employment, access to financial services, and having control over resources–including their own time, lives, and bodies. The concept of women's economic empowerment also includes issues of voice, agency, and participation because women cannot be economically empowered without being involved in the economic decision-making at all levels.[32] There are three areas where major advancements need to be made to economically empower women: 1) women need skills and resources to compete in markets; 2) women need fair and equal access to economic institutions; 3) women need to be able to make and act on decisions and control resources and profits.[33] For progress to be made in the broader socio-political economy, women need to be able to succeed and advance economically, and they need the power to make and act on economic decisions.

Research Approach: Mixed Methodology

Based on Kabeer's framework for measuring empowerment, this project examines Guatemalan women's economic empowerment drawing on indicators across the three dimensions using both qualitative and quantitative methods.

Qualitative Analysis

For my qualitative analysis, I investigated the resolution process, the language on women's issues in the agreements of the peace accords, the policies and institutions that were established for women after the signing of the peace accords, and the different perceptions,

[32] DCED, "Introducing Women's Economic Empowerment".
[33] Golla et al., "Understanding and Measuring Women's Economic Empowerment", 4.

narratives, and reports on those legal mechanisms. This part of my analysis examines the first and second dimensions of Kabeer's framework of triangulation, *resources* and *agency*:

Resources

1. The Guatemalan Peace Accords and the Inclusion of Women
2. The Legal Mechanisms Established for Women Following the Signing of the Accords
    a. Decreto Número 7-99: the Law for the Dignification and Comprehensive Promotion of Women (Ley de Dignificación y Promoción Integral de la Mujer)
    b. The Office of the Ombudsman for Indigenous Women (La Defensoría de la Mujer Indígena, DEMI)
    c. The Presidential Secretariat of Women (La Secretaría Presidencial de la Mujer, SEPREM)
    d. The National Policy for the Promotion and Development of Guatemalan Women (Política Nacional de Promoción y Desarrollo Integral de las Mujeres, PNPDIM) and Equal Opportunity Plan (Plan de Equidad de Oportunidades, PEO)

As defined by Kabeer, *resources* refers to the "conditions of choice", including social resources. Through including agreements on women's rights in the peace accords, it became a new resource for women to establish more mechanisms to assist in the advancement of their rights. The new legal mechanisms created from the language included in the peace accords established new 'conditions of choice' for women to utilize. Yet, looking at resources alone does not reflect the whole story. The agency of the peace accords and subsequent legal mechanisms must also be looked at to gain a comprehensive analysis.

Agency

1. Reports on the Strengths and Weaknesses of the Legal Mechanisms
    a. UN Reports
    b. News Reports
    c. Government Reports

To analyze agency, I will examine the advancements made by the accords and the institutions and policies that have stemmed from its agreements, as well as their constraining factors and weaknesses. This will assist in understanding the abilities of these mechanisms and how they may have been limited in their ability to act and successfully economically empower women.

My analysis reviewed the peace accords, policy reviews, CEDAW periodic reviews, other UN reports, and secondary sources. In this section of my research, I looked at the period from the beginning of the resolution process in the late 1980s/early 1990s to today. By beginning with an analysis of the peace accords, then progressing through the different legal mechanisms created to support and implement its measures on women's economic status over the years, we can begin to gain a comprehensive understanding of the advancements and shortcomings of the peace accords and its subsequent legal mechanisms.

My qualitative analysis will begin with a comprehensive summary of the Guatemalan peace accords' inclusion of women, in addition to the legal mechanisms that were established following the signing of the accords. This includes an analysis of the important role of Guatemala's autonomous women's movement, in addition to international pressures, that resulted in a more inclusive peace process. This will provide the necessary background information to form a thorough understanding of the openings that women were able to leverage to create space for the recognition of women's unique issues within the peacebuilding process. In addition to looking at women's participation in the peacebuilding process, I also looked at the measures within the peace accords on women's economic situation. This comprehensive analysis of women's participation in the resolution process, in addition to the actual measures included in the peace accords, serves to demonstrate how the accords were formed and how their measures were meant to work in theory. My background on the subsequent policies and institutions formed

following the peace accords to advance women's specific economic issues aims to show how they came from the language of the peace accords and the efforts of Guatemala's women's movement.

Following the comprehensive summary and background, I analyze the implementation of the agreements included in the peace accords and the legal mechanisms stemming from them. This includes two sub-sections on the advancements made and progress observed, and the weaknesses and shortcomings. This section focuses on the impact made by the inclusion of women in the peace process and how these legal mechanisms worked in practice. Although these legal mechanisms may exist on paper, to examine the advancements, or lack thereof, made in Guatemalan women's economic empowerment, the implementation and effect of these mechanisms must be studied to gain a comprehensive understanding of their impact.

Quantitative Analysis

My quantitative analysis focused on analyzing different indicators of economic advancements that allowed me to gauge the level of women's economic empowerment. Looking at the third dimension of Kabeer's framework, *achievements*, I determined the different indicators I looked at:

Achievements

1) Employment Levels
    a) Self-Employment Rates (Figure 1)
    b) Informal Employment Rates
    c) Vulnerable Employment Rates (Figure 2)
    d) Wage and Salaried Workers (Figure 3)
    e) Unemployment Rates (Figure 4)
    f) Rates of Employment in Agriculture (Figure 5)
    g) Rates of Employment in Industry (Figure 6)

h) Rates of employment in Services (Figure 7)

2) Labor Force Participation
   a) Labor Force Participation Rate (LFPR), Aged 15+ (Figure 8)
   b) Employment to Population Ration (EPR), Aged 15+ (Figure 9)
   c) Number of Workers in the Labor Force (Figure 10)
   d) Female Percentage of Total Labor Force (Figure 11)
   e) Ratio of Female to Male Labor Participation Rate (Figure 12)
3) Income Levels
   a) Female Labor Income Share, Pre-tax Labor Income Ranking (Figure 13)

Kabeer defines *achievements* as outcomes related to changes in resources and agency. Focusing on the agreements in the accords and subsequent legal mechanisms to promote women's economic empowerment, these economic indicators aim to reflect the economic status of women. Therefore, this part of my analysis will show if there have been significant 'achievements' made in economically empowering women resulting from the peace accords and subsequent legal mechanisms.

To analyze these economic indicators, I looked at data from Guatemala's National Institute of Statistics (INE), the International Labor Organization's database, and the World Inequality Database (WID). My analysis looked at the period from 1990/1991 to 2023/2024 and included a general look at women's economic advancements over time, as well as women's advancements relative to those of men, and the total population. This section of my research aims to demonstrate the real, tangible impacts made on the economic opportunities and status of Guatemalan women. In looking at the period prior to the signing of the accords to the most recent available data, I can begin to examine to what extent the peace accords inclusion of women's economic issues in its agreements, and the legal mechanisms established to enforce those agreements, have economically empowered Guatemalan women.

Chapter 4: Analysis

Legal Mechanisms

The Guatemalan Civil War had a lengthy resolution process, during which women gained new political status, giving them a greater role at the decision-making table. The strong autonomous women's movement in Guatemala pushed for women's inclusion in peace negotiations, as well as in the formal resolution process. The inclusion of women in official peacebuilding processes enabled them to incorporate women's issues into subsequent peace accords, some of which addressed the unique economic barriers that women face. These agreements included in the Accords led to the creation of institutions and policies with a focus on empowering women based on the language included in the peace accords, including economically empowering women. Through the language included in the Accords, and the institutions and policies that arose from it, women were provided new resources to advance their economic status. Yet, looking at the resources alone does not reflect their true abilities to act. In this section, I will look at the Guatemalan women's movement, the language of the peace accords, the subsequent legal mechanisms created, the implementation and enforcement of these mechanisms, and the resulting progress, or lack thereof.

Guatemala's Autonomous Women's Movement

In the late 1970s and early 1980s, Guatemalan women began to participate in social movements that they had previously been restricted from. As domestic and international factors began to open up new political and economic spaces to women, Guatemalan women began to

take advantage of these openings to address their unique needs as women.[34] In addition, the number of women in the labor force was growing during this time, as women were often left alone as sole caretakers and providers for children and the elderly. This began to break down certain relational expectations of the Guatemalan family and other socially constructed gender roles and identities. As women began to have a larger presence in these spaces as the civil war went on, they began to participate more in the public sphere. With their newfound status in the public sphere, women began to mobilize more around certain issues and established a larger presence in unions, student associations, and other various revolutionary fronts.

As was previously mentioned, Guatemala's autonomous women's movement emerged in the mid-1980s, following the UN Decade for Women (1975-1985) and when there was a growing international recognition of women's rights. In the mid-1980s, the Guatemalan Government was also beginning to transition back from military rule to civilian rule. The civil war continued during this period, but progress was being made in shifting some power back to civilians from the repressive military rule. Although women began to mobilize more, not many Guatemalan women were mobilizing around women's specific issues. Consequently, due to the lack of pressure from a strong autonomous women's movement, the constitutional and legal frameworks developed during this time prioritized the family as a unit, rather than looking at women's rights. As Dr. Erin Beck highlights in her article on the Guatemalan women's movement, Guatemalan women were barred from seeking employment without their husband's permission until 1998. Although international norms at the time were promoting women's economic participation, Guatemala was not advancing women's rights at the same rate.[35]

[34] Berger, *Guatemaltecas*, 19.
[35] Beck, "The long-term struggle for violence against women legislation", 1054.

Having emerged in the context of the civil war, women's mobilization focused on addressing wartime violence rather than women's rights specifically.[36] In 1984, the Mutual Support Group (GAM) was formed to demand information about disappeared relatives. Although this was a mixed-gender group, it was formed in large by women. Most of the women and the organizations they joined during this time did not actively pursue gender equality, but their focus on social justice and human rights started to bring the structures of the old regime into question. Soon after the establishment of GAM, women began to organize at new levels, focusing more on the unique issues of women. Mobilization grew as a result of the new regional connections formed between Guatemalan women, as well as growing international funding for groups and programs focused on promoting women's rights. In the context of a liberalizing Guatemala, autonomous women's movements were able to find the necessary political footing to become established and to push for advancements in women's rights.

In the years after 1986, although the State was transitioning toward democratization, it provided little to no financial assistance for women's organizations and was often found to be hostile towards their efforts.[37] This caused women's organizations to be largely dependent on international funding and support. By the mid-1990s, the State began to depend on women's organizations to provide services that it no longer did. Even so, the State did not increase funding for women's groups or agencies–such as the National Women's Office (Oficina Nacional de la Mujer; ONAM), which was established in 1981 as the State's overseer on women's issues. Though, overtime, it began to be less antagonistic as it began to rely more on women's organizations to do the jobs it couldn't do or wouldn't prioritize.

[36] Beck, "The long-term struggle for violence against women legislation", 1054.
[37] Berger, *Guatemaltecas*, 32.

The emergence of the Guatemalan women's movement in the mid-1980s led to the inclusion of women in the peace building process. The role of women as organizing leaders during the last years of the civil war that coincided with the expansion of international feminism led to a major domestic and international push for women to be included in peace negotiations and restructuring. Guatemalan women's autonomous organizations were often supported by international nongovernmental organizations and funds.[38] They also worked with other political groups and state agencies to achieve their goals. Women were able to take advantage of the liberalizing international environment, as well as the liberalization efforts occurring domestically, to make space for their inclusion in the peace process and call for legislation and institutions focused on gender equality.

The Accord for a Firm and Lasting Peace 1996 (Guatemalan Peace Accords)

After more than three decades of conflict, the Guatemalan Civil War came to an end following years of peace negotiations. Guatemala's peace process was extensive in its inclusion of the many groups impacted by the conflict. The negotiation framework of the accords called for a Civil Society Assembly (ASC). The ASC was composed of groups representing different impacted populations of Guatemala, who were then organized into sectors to offer recommendations on topics being negotiated.

Initially, women were not given their own autonomous sector but could participate in mixed-gender sectors. It was not until a plethora of women's organizations began to campaign for their own sector that the Women's Sector was established in the ASC. The resulting Women's Sector represented women from 32 organizations, bringing together women of

[38] Berger, *Guatemaltecas*, 13.

different classes, regions, ethnicities, and political beliefs.[39] The participation of the Women's Sector in the ASC served to increase the national visibility of the women's movement, strengthened the internal organization of the movement, and provided the necessary framework based on a multicultural, multiclass analysis of gender.[40] Not only did the participation of women place gender identity politics on the formal political agenda for the first time in Guatemala, but it also convinced many women that working with or within state agencies for gender reform could have substantial results.

The Accord for a Firm and Lasting Peace (1996), more commonly referred to as the Guatemalan Peace Accords, was unique in its inclusion of women's rights, reflecting the organizing efforts of women in the last years of the conflict. Further, the only female member of the rebel group URNG delegation, Luz Mendez, was made a female representative in the peace process and was a signatory to many agreements throughout the resolution period. Mendez also collaborated with women's civil society organizations that did not have access to the formal peace process.[41] In addition, the top-down pressure from international institutions created a global environment that advocated for the inclusion of women in the peace process. As a result, women's issues were given space in the agreements laid out in the peace accords. The connections formed between Mendez and the efforts of women's organizations led to revolutionary commitments to gender equality in the accords, which created new opportunities for advancements in women's economic, social, and political rights. The inclusion of women in the resolution process and the accords officially put women's issues and issues of gender inequality into a legal agreement, providing a new level of visibility.

[39] Beck, "The long-term struggle for violence against women legislation", 1057.
[40] Berger, *Guatemaltecas*, 35.
[41] Krause et al., "Women's Participation in Peace Negotiations".

The Peace Accords included 13 thematic accords, 11 of which included language on gender equality or women's rights. Furthermore, five of the accords included specific provisions on the recognition and protection of women's rights.[42] In Section I of the accords, centered around democratization and participatory development, Part B explicitly focuses on the participation of women in economic and social development.[43] The opening language for this part of the accords begins by stating:

> "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 programs, 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;"

This part emphasized the importance of women's active participation in Guatemala's economic and social development, as well as placed responsibility on the state to eliminate all forms of discrimination against women that prevented their active participation. Not only did it acknowledge that women's efforts were undervalued in all sectors of the economy and society, but that there was a need to strengthen women's participation. The accords claim that the Government of Guatemala is obligated to ensure that women have the same opportunities as

[42] Zachariassen, "Case Study Series - Women in Peace and Transition Processes" 6.
[43] UNGA and UNSC, "Agreement on a Firm and Lasting Peace", 55-57.

men. This section of the peace accords focused on six different areas to promote women's participation in economic and social development: education and training, housing, health, labor, organization and participation, and legislation. Each area is important for the government's efforts to include women in the development and social strategies resulting from the resolution process and provide them with equal access to these opportunities in the post-conflict era.

Unlike the previous legislation derived from the 1985 Constitution, the area centered on women's labor rights focused on guaranteeing women's right to work rather than creating protections only for women already participating in the workforce. This area included four specific issues to focus on:

> "Labor
>
> e) Guaranteeing women's right to work, which requires:
>
> (i) Using various means to encourage vocational training for women;
>
> (ii) Revising labor 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;"

Not only did the peace accords bring visibility to the gender disparities in employment opportunities and the workforce, but they also acknowledged the lack of regulations for jobs that women dominate. Although it more specifically calls for legislation regarding women workers in the agricultural and household sector, this was a recognition of the type of work in which women experience high levels of discrimination and lack protection. Through this language being included in the peace accords, it exemplified how the accords were an attempt to acknowledge the specific working conditions of women and the gender-specific issues they face.

The peace accords went beyond the issues women face in the labor force and also included other areas where women lack equal access or opportunity, which, as a result, impede their ability to participate in development efforts. An important area they focused on was housing, which concentrated on eliminating the many obstacles that bar women from having equal access to housing of their own:

> "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;"

The inclusion of this area was crucial, as it recognized how women do not have the same opportunities to own property or have credit that men do. Not only was it an acknowledgement of the barriers women face to own capital, but it was a legal recognition of this inequity.

The last two areas of focus included in Part B are "organization and participation" and "legislation

> "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."

The language used in both areas of focus established the need for women to be included in formal decision-making and to have a larger role in government. These additions were crucial for the creation of legal mechanisms for the creation of institutions and policies to ensure that the agreements on women included in the peace accords are being addressed and enforced. There

was not only a call to guarantee women's equal rights and opportunities to promote their participation in Guatemala's post-conflict development, but also to create legal mechanisms to support their active participation. This was a significant addition to the resources available for women to push for greater advancements in gender equity. The legal language acknowledging their disparate position that had previously been missing was now available for women to take advantage of.

Decreto Número 7-99: Ley de Dignificación y Promoción Integral de la Mujer

Referred to as the Law for the Dignification and Comprehensive Promotion of Women, Governmental Decree 7-99 was fundamental for establishing the legal framework necessary to promote the development of women, as well as ensuring their equal rights and opportunities in the public and private spheres.[44] In 1999, the law was passed three years after the signing and ratification of the peace accords. Chapters II and V of the decree specifically focus on the challenges women face in employment and economic policies that disadvantage women. Under Chapter II, the government must adopt policies to eliminate workplace discrimination against women. This included providing social security for women, calling for equal employment conditions (promotions, job stability, fair working hours, equal benefits, etc.), generating new sources of employment for women–placing an emphasis on women's access to non-traditional jobs, and requiring employment protections for pregnant and married women.[45] In addition, under Chapter V, the State is directed to work with women's organizations to review and propose changes to economic policies that limit women's access to economic resources and opportunities–such as access to credit, mortgages, and land.[46]

[44] "Decreto Número 7-99 (on Gender Equity)".
[45] *Decreto Número 7-99*, 4.
[46] *Decreto Número 7-99*, 7.

Both chapters were a clear attempt to address the agreements made in the peace accords regarding women's labor and housing opportunities. Governmental Decree 7-99 was a landmark law that established numerous goals for achieving gender equality in Guatemala and was a clear advancement in the legal resources available for women. The call for women's inclusion in political and economic sectors was vital for the creation of follow-up bodies and the implementation of policies on gender equality tasked with the role of enacting the framework.

La Defensoría de la Mujer Indígena (DEMI)

The Office of the Ombudsman for Indigenous Women (DEMI) was formed in 1999 as a response to the peace accords' call for more protections and visibility for indigenous women. During the conflict, indigenous communities were disproportionately impacted by the violence that occurred, and indigenous women suffered the worst of it all. Women became targeted victims of rape as a tactic of war, as well as other forms of sexual violence. Since indigenous women suffered the brunt of the violence, the peace accords made sure to take this into account and called for extra steps to be taken to acknowledge the extreme brutalities they faced during the Civil War and their lack of political, economic, and social status and power. In Section II of the accords, which focuses on issues of discrimination, Part B looks explicitly at the rights of indigenous women, including the need to establish an office for the defense of indigenous women's rights.[47] Further, it calls for the creation of an office once again in the timetable of the accords.[48]

The creation of DEMI was a response to these calls. DEMI was established as a department of the Presidency of the Republic to address the "particular situations of

[47] UNGA and UNSC, "Agreement on a Firm and Lasting Peace", 36-37.
[48] UNGA and UNSC, "Agreement on a Firm and Lasting Peace", 157.

vulnerability, defenselessness, and discrimination faced by indigenous women…".[49] As a governmental department, DEMI has administrative and technical abilities, as well as financial management execution capacity, to facilitate actions for the defense and full exercise of indigenous women's rights. Some of the key roles DEMI plays in facilitating these actions are promoting and developing public policy proposals, plans, and programs to combat all forms of violence and discrimination against indigenous women. They also channel complaints from indigenous women and provide legal, social, and psychological support services, as well as counseling to indigenous women who are victims of any form of violence, as well as ethnic discrimination.[50] As an institution, DEMI often works with the Presidential Secretariat of Women to promote the advancement of the rights of all Guatemalan women. DEMI aims to make sure indigenous women have a place at the table and that their issues are recognized as distinct from those of all Guatemalan women.

La Secretaría Presidencial de la Mujer (SEPREM)

Following the establishment of DEMI in May of 2000, the Government of Guatemala established the Presidential Secretariat of Women (SEPREM) by means of Governmental Agreement No.200-2000. The creation of the SEPREM was a result of the inclusion of women's issues in the Peace Accords to enact its goals, laid out to promote gender equality. More specifically, the language used in Section I, Part B of the accords discussing the promotion of women's organization and participation called for the inclusion of women in public administration and decision-making The SEPREM also resulted from the adoption and ratification of international instruments concentrated on women's issues, such as the Convention

[49] DEMI, "Acuerdo Gubernativo No. 525-99".
[50] DEMI, "¿Quiénes Somos?".

on the Elimination of All Forms of Discrimination Against Women (CEDAW), which the peace accords address in Section I, Part B under legislation. Further, Decree 7-99's agenda, which laid out a framework for addressing issues of gender equality included in the agreements of the accords, required that a government body be created for its implementation and enforcement.

SEPREM operates under the direct supervision of the Office of the President of the Republic as a part of the executive branch. The institution serves as an advisory and coordinating body for public policies to promote the development of Guatemalan women and gender equity.[51] The SEPREM works in conjunction with other public institutions at all levels to assist in and oversee the development and management of public policy instruments centered on the promotion of equity between men and women. Therefore, the institution was established as an advisory institution and not as an enacting entity.[52]

As the highest-level mechanism of the State focused on promoting equity and equality between men and women, the main role of SEPREM is to ensure that all other government branches include women's needs in their budgets and plans. Additionally, it oversees the implementation of public policies to verify that the proper steps are being taken and followed to advance equity between men and women. Its key responsibilities include policy coordination, technical assistance by providing training and methodology to public institutions and local municipalities to assist in closing gender gaps, advocating for and representing Guatemalan women at a political level, and establishing spaces for women in government. One of the core areas of focus of SEPREM is the economic empowerment of women. Working with governmental and non-governmental agencies, SEPREM has proposed many reforms to promote the economic empowerment of women in several areas: equal pay; the rights of working women

[51] SEPREM & COPREDEH, "Fifth Periodic Report of States Parties, Guatemala.", 10.
[52] SEPREM, "Acerca de SEPREM."

and their families; measures to prevent and punish sexual harassment; women and agricultural workers; the regulation of work in private homes; the social recognition of motherhood; and equal rights in the workplace for parents of either sex.[53]

The institutional processes of the SEPREM concentrate on sectoral and territorial management and the monitoring and evaluation of public policies for gender equity.[54] To ensure that public institutions incorporate guidelines and action plans focused on closing gender inequality gaps, the SEPREM provides advice during the planning and budgeting cycle. The National Policy for the Promotion and Integral Development of Women (PNPDIM) and Equity Opportunity Plan (PEO) have been the core tools for this work done by SEPREM. SEPREM also analyzes the progress and fulfillment of the goals set by the peace accords, Decree 7-99, the PNPDIM-PEO, as well as other important legislation, in part by collecting, monitoring and analyzing data related to gender equity.

In sum, the core function of SEPREM was to promote gender equity by providing women a voice in policymaking and creating new mechanisms to document and analyze progress reducing gaps between women and men. This not only opened new spaces for women in positions of political power but also established new requirements for women's inclusion in other political processes. Now with institutional power and procedures in place to ensure that issues of gender equity were being included at the decision-making table, women's issues were finally given visibility at a high political level. Through SEPREM, women now had far more resources at a high political level to promote women's economic empowerment than ever before.

[53] SEPREM, "Reply to the Questionnaire on the Implementation of the Beijing Platform for Action," 5.
[54] SEPREM, "Servicios Institucionales".

Política Nacional de Promoción y Desarrollo Integral de las Mujeres (PNPDIM) y Plan de Equidad de Oportunidades (PEO)

Alongside the creation of new institutions like the DEMI and SEPREM, peace accords and Guatemala's ratification of international agreements such as CEDAW and the Beijing Platform for Action spurred the drafting of new policies to promote and protect women's rights in various spheres. These policies represented significant steps forward and demonstrated the benefits of including women's voices in decision making, but were also undercut by uneven government commitment and implementation.

Most notable among post-conflict policies were the National Policy for the Promotion and Development of Guatemalan Women (PNPDIM) and Equal Opportunity Plan (PEO), which both went through different iterations over time. The Ministry of Labor and Social Welfare (Ministerio de Trabajo y Previsión Social, MINTRAB) and an agency established to oversee the national implementation of CEDAW, the National Women's Office (Oficina Nacional de La Mujer, ONAM), drafted the first version of this plan (1998-2001), which would have been the first to focus specifically on creating equitable opportunities for women. This plan centered key areas of interventions such as economic development and labor equity, and estimated the financial resources necessary for its proper implementation, but was never adopted.[55]

Subsequent iterations were more successful in part because they benefited from the creation of SEPREM (2000), which successfully reworked and implemented the first policy for women's rights in Guatemala. The 2001-2006 National Policy for the Promotion and Development of Guatemalan Women (PNPDMG) and Equal Opportunity Plan (PEO) underwent a similar process to the peace accords, as various women's organizations, groups, and

[55] SEPREM, "Estudio de Balance de Implementación de la PNPDIM Y PEO 2008-2023," 10.

governmental bodies were involved in the drafting process. The policy focused on nine key areas: education, health, violence against women, economic development, land and housing, employment, legal equity, institutional mechanisms for the advancement of women, and socio-political participation. It mandated that relevant government agencies incorporate an analysis of gender inequality in their planning around these issues. Despite the successful adoption of this policy framework, evaluations in 2003 showed that many government institutions had failed to meaningfully apply this strategic framework to their practices and thus failed to produce tangible results, revealing an ongoing gap between policies on paper and implementation in practice.[56]

Through the PNPDMG-PEO (2001-2006) it became clear that the existence of new public institutions like SEPREM enhanced women's agency and provided a bridge between women's civil society groups and formal politics. However, they still faced broader government reluctance in terms of implementation. Learning from these past shortcomings, a new version of the policy was drafted in 2007, PNPDIM-PEO (2008-2023) in coordination with SEPREM, DEMI, and a National Updating Committee, which included representatives from state institutions, networks, and coordinating bodies of women's organizations, as well as communities of the Maya, Garifuna, Xinka, and Mestizo peoples.[57] The inclusion of indigenous women and indigenous organizations in the consultation and drafting process created a more comprehensive policy. The PNPDIM-PEO aimed not only to focus on the advancement of women but also to recognize the diversity and diverse experiences of Guatemalan women. The policy also identified priority populations, those being rural women–specifically those in poverty or extreme poverty, survivors of the armed conflict, and female heads of household.

[56] SEPREM, "Estudio de Balance de Implementación de la PNPDIM Y PEO 2008-2023," 10.
[57] SEPREM, "Estudio de Balance de Implementación de la PNPDIM Y PEO 2008-2023," 11.

The PNPDIM-PEO policy was structured around twelve pillars, incorporating areas of concern of the Global Platform for Action, the Millennium Development Goals, the Declaration on the Rights of Indigenous Peoples, and the commitments contained in the peace accords.[58] Each focus area contained indicators and objectives to monitor implementation. For the proper implementation of its list of actions and goals, the policy claimed it to be crucial to establish institutional mechanisms for the advancement of women within the State, the various ministries, secretariats, and institutions of the executive, legislature, and judiciary, and networks of women's organizations.[59] In addition, to improve the monitoring techniques used in the 2001-2006 policy, the updated PNPDIM-PEO defined 380 indicators to monitor policy actions. Essentially, the PNPDIM-PEO built upon the framework of earlier policies, creating a more detailed, structurally integrated, and culturally sensitive strategic framework for achieving equity and promoting the comprehensive development of Guatemalan women.

Three key pillars of the PNPDIM-PEO focus on women's economic empowerment: 1) economic and productive development with equity; 2) natural resources, land, and housing; and 3) labor equity. Each of these pillars aimed to create, promote, and develop economic initiatives for women at all levels.[60] The strategic framework of the policy's economic strategies relies on inter-institutional coordination with the Ministry of Economy (MINECO) and the Ministry of Agriculture, Livestock, and Food (MAGA) for the institutional incorporation of the 2008-2023 PNPDIM-PEO. The pillar of economic and productive development with equity is the most important of these pillars concerning the socioeconomic status of women. This pillar emphasizes the importance of actions focused on addressing the disadvantaged macroeconomic and

[58] Rouanet Guzmán de Núñez, "Género, Equidad y Paz en Guatemala," 305.
[59] Government of Guatemala, Acuerdo Gubernativo Nº 38-2013.
[60] Government of Guatemala, Acuerdo Gubernativo Nº 38-2013.

microeconomic situation women face.[61] Its specific objectives are ensuring women can participate independently in all levels of the economy, guaranteeing their access to productive resources (credit, assistance, technology, etc.), mitigating macroeconomic impacts, quantifying "unpaid work", and supporting women's entrepreneurial initiatives. The pillar of labor equity is also incredibly crucial for promoting women's economic empowerment. This pillar promotes the rights of and maternity benefits for domestic workers, directs government institutions to monitor and work to reduce the wage gap between men and women in the same positions, and aims to challenge gender stereotypes of certain forms of employment. Through these pillars, SEPREM and DEMI have promoted the economic autonomy of women through the proposition of legislation and programs, stressing the significance of strengthening their access to economic opportunities, resources, goods, and services.

Analysis of Legal Mechanisms

Advancements in Gender Equity

Through the inclusion of women in the resolution process, the peace accords put women's issues, and more specifically women's economic empowerment, onto the national political agenda. One key aspect included in the peace accords was its recognition of gender discrimination as an impediment to development and lasting peace. This resulted in a growing number of laws, institutions, and policies for more comprehensive approaches to the recognition of women's economic rights, at least on paper.

Stemming from the provisions included in the peace accords, the advisory bodies of SEPREM and DEMI were established to oversee and ensure their implementation. The creation

[61] SEPREM, "Informe: Undécima Conferencia Regional," 9.

of SEPREM and DEMI signaled that the government intended to uphold the agreements in the Peace Accords regarding women's issues. SEPREM has been the leading entity in public policies for the development of women.[62] The agency has been key in the advancement of women's economic empowerment at the national level. Under SEPREM, there have been a number of advancements: the establishment of public policies for women's economic rights; creation of spaces for gender issues to be acknowledged within economic and development-oriented government ministries–such as MINTRAB, MINECO, and MAGA; the inclusion and representation of women's organizations at national and local levels of government; and the development of monitoring and evaluation techniques for the implementation of public policies for gender equity. SEPREM has also advocated for a gender perspective in the national budget, which has led to more attention on the allocation of the budget and resources to ensure that women's programs and initiatives do not get overlooked.[63] Through this role, SEPREM was able to help channel international funding into public programs for women.

In addition, DEMI, often working in tandem with SEPREM, has had a similar role in and impact on the advancements of women's economic rights. The key difference is that DEMI works to ensure that indigenous women's unique experiences and situations are considered. SEPREM and DEMI were also the advising and coordinating bodies for the drafting of the PNPDMG-PEO (2001-2006), as well as the PNPDIM-PEO (2008-2023). Within these policies, the agencies prioritized equitable economic and productive development and put the issue of women's economic empowerment onto the national political agenda. Even with the limited power of an advisory and coordinating board, both institutions have still managed to make some significant advancements in women's economic empowerment.

[62] Rouanet Guzmán de Núñez, "Género, Equidad y Paz en Guatemala," 303.
[63] SEPREM, "Reply to the Questionnaire on the Implementation of the Beijing Platform for Action," 3.

In response to the Peace Accords, policies were also drafted to implement their agreements. Governmental Decree 7-99 was the first piece of legislation regarding the distinct inequalities women face. This decree was a vital legal response to the commitments made in the accords, aiming to address the systemic exclusion, discrimination, and violence experienced by women. Concerning women's economic empowerment, Decree 7-99 brought discussions of workplace discrimination and harassment to the national level. Additionally, the law ensured that women were allowed by their families to work, moving issues of the private sphere into the public.[64] This policy created a foundation for women's advancements and recognized their disadvantaged position in the economy and workforce, paving the way for more progress to be made.

The other set of policies that have been essential to the promotion of women's economic empowerment have been the National Policy and Equal Opportunity Plan (1998-2001), the PNPDMG-PEO (2001-2006), and the PNPDIM-PEO (2008-2023). The first policy (1998-2001) aimed to reduce gender-based discrimination in the economy by promoting equal rights in the workplace. Although its impacts were limited, the drafting process of the policy established the importance of the inclusion and role of women's organizations and groups alongside government bodies in the drafting process, especially those where women have been historically and systemically underrepresented. The PNPDMG-PEO (2001-2006) also made significant advancements. Learning from the faults of the 1998-2001 policy, the PNPDMG-PEO pushed for the development of sex-disaggregated statistics within the INE. This created better indicators to monitor the implementation of policies related to gender issues, as well as made it possible to properly analyze the specific conditions of women in the economy. Additionally, the PNPDMG-

[64] Berger, *Guatemaltecas*, 51.

PEO was coordinated by SEPREM and DEMI, specifically including indigenous women and their perspectives in a development plan for women.

The most recent policy, the PNPDIM-PEO, expanded the area of focus from the past policies. This policy didn't just include indigenous women in its framework, but identified specific priority populations–those being indigenous women living in rural areas. Further, it formed a more explicit framework for monitoring and implementation, developed from the framework established in the PNPDMG-PEO. A unique aspect of the PNPDIM-PEO was that it aimed to bring visibility to women's unpaid work, bringing the topic of unpaid care work into the national political dialogue. The policy also defined specific roles and goals of other government institutions, creating space for women to have positions in higher government institutions and pushing for their inclusion in other legislation. Specifically, women's increased involvement in MINECO and MINTRAB was significant in promoting women's inclusion in development projects, as well as economic and labor-focused policies.

Constraining Factors and Weaknesses

SEPREM and DEMI have been the institutions at the forefront of promoting women's rights in Guatemala after the Civil War. The pressure from the Guatemalan women's movement and international organizations to include women's issues in the peace accords served to legitimize the creation and actions of these institutions. Both DEMI and SEPREM have made women's economic empowerment through equitable economic and productive development a vital area of focus through the PNPDIM-PEO (2008-2023). Via these legal advancements resulting from the agreements of the peace accords, major progress has been made in the recognition of women's issues and their political inclusion. However, the results of these legal mechanisms have been lackluster at most. According to a report from the National Statistical

Institute (Instituto Nacional de Estadística, INE), the statistics agency of the Government of Guatemala, conducted in 2018, 80% of men were found to participate in the labor market. This was significantly higher than the participation levels of women, where it was found that only 50% of urban women and 20% of rural women participate in the labor market.[65] The disparate economic situation that Guatemalan women continue to face today demonstrates that there is still a significant gap between the resources available and their agency.

Although there have been major efforts made and advancements achieved in the promotion of women's economic empowerment in the post-conflict era, there have also been significant barriers to these actions. Despite progress in terms of creating institutions, passing policies, and recognizing women's economic rights in legal terms, in practice there have been a number of factors that undermined the impacts of these for women: 1) weak political will meant that there was limited implementation of policies/laws passed; 2) women's agencies lacked political power and suffered from a lack of coordination; 3) tax collection was insufficient, leading to a systemic underfunding of agencies; and 4) there was a lack of public knowledge and support. All of these contributed to a lack of progress in Guatemalan women's economic status and opportunities, even with the existing legal language and mechanisms available.

(1) Weak Political Will

The peace agreement resulted in thirteen thematic accords, eleven of which included language on gender equality and women's rights. Of those eleven, five included specific provisions on the recognition and protection of women's rights. However, members of the Women's Sector of the ASC contended that these provisions did not have the strength and depth to be implemented or enforced effectively. Guatemala's peace accords were revolutionary for

[65] Huyer & Twyman, Closing the Gender Gap in Agriculture, 3.

many reasons, one of which being its inclusion of women in the resolution process, as well as in the drafting process and signing of the accords. The inclusion of women's organizations in the peace negotiations through the ASC was critical for getting their issues included, and formal negotiators had agreed to consider their recommendations. However, the Guatemalan Government and the URNG were not required to implement these recommendations in the final accords. As a result, many of these recommendations were disregarded. Specifically, reforms on socio-economic and agricultural issues appeared to be omitted. This was largely a result of elite resistance, as powerful landowners began to lobby against these reforms. The elite's desire to maintain the status quo and existing weak political will meant that certain women's issues, especially those concerning their socio-economic rights and status, faced major pushback that resulted in their lack of implementation.

Elite resistance continued to be a barrier to efforts made by women's groups and other civil society groups following the signing of the accords. In 1999, a constitutional referendum was introduced that included many reforms to the current system of government upheld by the 1985 Constitution. One of the main goals of the referendum was to codify the peace accords. In doing so, the peace accords' principles on women's rights would be embedded directly into national law and policy, making them legally binding and ensuring their implementation. However, the proposals of the 1999 constitutional referendum were rejected by voters. This was a result of mixed issues, including low voter turnout and elite resistance.[66]

(2) Lack of Power and Coordination Amongst Women's Agencies

Certain barriers to progress impact each of the legal mechanisms created following the signing of the peace accords, one of these being the number of mechanisms created. Although

[66] Zachariassen, "Case Study Series - Women in Peace and Transition Processes" 8.

these institutional mechanisms focused on the promotion of gender equality have made some important progress, they have consistently lacked proper coordination with one another.[67] There have been major issues in the communication and coordination between women's agencies. With the number of programs created, such as ONAM, DEMI, and SEPREM, in addition to programs created within other ministries, there has been an issue of national organization of these efforts. Without a national program to coordinate these efforts, there has been considerable overlap among institutions.

The many institutions created to coordinate and oversee these efforts have experienced many hindrances to their efforts in addressing women's issues. SEPREM, specifically, was established as a weaker institution due to it being established by legislative agreement and not by statute.[68] This is a major weakness of the institutions because it makes it extremely vulnerable to political shifts and limits its authority. Since SEPREM was established by executive order, it has reduced autonomy as an institution under the President. As a result, it has limited legal authority under the executive power, hindering its ability to enforce public policies. Policies like the PNPDIM-PEO have suffered from under-implementation, as well as a lack of effective monitoring in part because of SEPREM's limited power. This means that laws to promote gender equality cannot be implemented effectively due to the absence of a governing body or authority to execute the law. Consequently, there is limited accountability for officials who failed to enforce the anti-discrimination laws defined in the PNPDIM-PEO.

SEPREM is the highest-level institution for women's issues, yet it still lacks the authority to enforce the law. This is a key problem for the promotion of women's economic empowerment. Only if it achieves a ministerial status can SEPREM enforce gender equality

[67] UNCEDAW, "Committee Experts Voice Concern over Guatemala's Multiple Women's Agencies."
[68] SEPREM, "Reply to the Questionnaire on the Implementation of the Beijing Platform for Action," 14.

policies, since a ministry has the power to draft, execute, and administer government policies.[69] Although there have been initiatives to adopt legislation to elevate SEPREM to ministerial status, they have been unsuccessful. There has been a bill to elevate the status of the agency, but it has been pending in Congress since 2016.[70] Without a legitimate authority enforcing the policies created to promote women's economic empowerment, the State cannot guarantee the protection of women's labor rights. Further, women's groups had almost no role in the formation of SEPREM, and a large portion of them were dissatisfied with the institution. This was in part because they believed SEPREM to be a dependency of the President and, as a result, would have limited abilities.

The obstacles faced by SEPREM are also incredibly relevant to DEMI. DEMI, as a specialized government agency, has less power than SEPREM and less of an influence over national policy. One of DEMI's main mandates is to assist indigenous women who have experienced racism or discrimination based on their gender and/or ethnicity. In this area, the underfunding and lack of administrative power of DEMI are particularly important in regard to workplace discrimination. Further, DEMI is tasked with assisting indigenous women in the unique problems they face, which means they deal with a plethora of issues. The large number of issues they deal with, and their limited resources and power make it especially difficult to effectively address indigenous women's economic empowerment when they are already stretched thin in other areas. DEMI receives many legal cases related to child support and violence against women, which are already overburdened, further limiting their ability to address discrimination cases.

[69] Navas & Siriwato, "Examining Gender Equality in Guatemala," 32.
[70] OHCHR, "UN Experts Concerned by Guatemala's Proposed 'Backward Step' for Women's Rights."

Although there are existing policies to address women's disparate economic status and opportunities, there are still many gaps in the legal frameworks on economic equity. The majority of women who work in the domestic or textile (maquila) sector suffer from inadequate protection under the law. There are many abuses of the laws in place that occur in these sectors, resulting from a lack of monitoring, enforcement, and accountability. This is a further consequence of the limited authority of institutions like SEPREM and DEMI that lack the authority and resources to properly oversee and enforce the implementation of these policies. Additionally, there is a lack of indicators in most policies for monitoring and evaluating the advancement of women.[71] Without proper monitoring, it makes it incredibly difficult to ensure that the policy is being implemented, and its subsequent laws are being followed.

(3) Underfunding and Inefficient Resource Allocation

The Guatemalan Government has historically had issues with corruption, a weak rule of law, and budgeting issues. Guatemala collects the lowest amount of taxes compared to all Latin American countries.[72] The tax system relies heavily on value-added tax, which is the taxing of goods and services, placing a disproportionate burden on low-income Guatemalan families. The system also suffers from widespread evasion–around 80 percent for corporate income tax–and a lack of enforcement. [73] With incredibly low tax revenues due to the unwillingness of the wealthiest sectors of society to provide more resources, the country's development has faltered. As a result, their low collection rate has limited the country's ability to make social investments, such as investing in institutions and policies focused on the development of Guatemalan women.

[71] Rouanet Guzmán de Núñez, "Género, Equidad y Paz en Guatemala," 306.
[72] IBP, "Guatemala: Playing the 'Insider-Outsider' Game to Reform Tax Administration."
[73] IBP, "Guatemala: Playing the 'Insider-Outsider' Game to Reform Tax Administration."

With an already existing financial issue, the Guatemalan Government does not appear to have the ability to ensure the financial resources necessary for so many agencies. For example, the government has set aside relatively limited budgets for SEPREM and DEMI, even though they have extensive mandates.[74] The large number of offices, agencies, and groups created following the signing of the peace accords has created an issue of how to allocate resources properly and fairly.[75] Due to weak funding, agencies like SEPREM and DEMI have become dependent on the international community to finance many of their projects.[76] Additionally, because DEMI works with indigenous women who experience unique obstacles, a specialized staff is needed for the proper implementation of their programs and policies. However, due to the insufficient number of human resources available in the Guatemalan Government, they experience many operational challenges in their ability to meet the nuanced issues of indigenous women.

(4) Lack of Public Knowledge and Support

Another key issue in the promotion and enforcement of these legal mechanisms is the lack of public buy-in. This was an issue for the implementation of the agreements in the peace accords, as well as their subsequent legal mechanisms. Low levels of public awareness of the law and the general public's lack of knowledge about women's rights heavily constrain implementation. There was a failure to promote public awareness during the resolution process, which led to the wider public not being aware of the important political developments taking place. This was reported by the CEH when it travelled around Guatemala collecting testimonies of human rights violations that occurred during the Civil War between 1997 and 1999. The CEH

[74] SDG Fund, "Case Study: Strengthening the Institutional Environment," 2.
[75] UNCEDAW, "Committee Experts Voice Concern over Guatemala's Multiple Women's Agencies."
[76] Berger, *Guatemaltecas*, 55-56.

claimed that residents in some of the most remote areas of Guatemala were not even aware that the armed conflict had finished.[77] This continued to be an issue with the legal mechanisms resulting from the peace accords; if portions of the population were not aware that the Civil War had ended, they were not likely to be aware of any subsequent advancements made. This resulted in the poor dissemination of advancements made in gender equality. Consequently, this meant that many women were not aware of the progress made in their economic rights or the existing institutions and programs to assist them. Therefore, the exercise of these rights remains low, particularly among rural indigenous women who face an undue burden of barriers as a result of language gaps, lack of education, and geographical isolation.

(5) Conclusion

There have been many efforts to promote gender equity and women's economic empowerment. However, it is apparent that these efforts have faced many setbacks and impediments. The obstacles faced during the drafting of the Peace Accords, as well as in the attempt to codify them, made it incredibly difficult to adequately implement the agreements on gender equity. The legal mechanisms formed from the agreements have faced significant impediments to their efforts. With limited resources, budgets, low public awareness, poor coordination, limited ability for enforcement, and insufficient monitoring, the policies and institutions deriving from the accords appear to lack the ability to make sufficient progress in economically empowering Guatemalan women. The new resources made available to economically empower women have lacked the necessary agency to see substantial results. Without the proper ability to act to meet their goals, it is unlikely that they will have made any significant advancements in gender equity.

[77] Bloomfield et al., Reconciliation After Violent Conflict, 142.

Quantitative Results

In addition to analyzing the institutions and policies that emerged from the peace accords' inclusion of language on women's economic empowerment, I also examined the outcomes of these legal mechanisms. To analyze the effects, I investigated different measurements of employment, labor force participation, and income shares. By analyzing these different economic indicators, I will be able to look at the last dimension of Kabeer's framework of triangulation, *achievements*. By examining what the actual data says about women's economic status after the conflict and after the creation of legal mechanisms to promote their empowerment, I will be able to observe the tangible effects of the institutions and policies created to support the economic empowerment of Guatemalan women. Through this, we can begin to understand how changes in resources and agency have impacted Guatemalan women's economic situation.

Of course, there are many factors that shape women's employment, income, and economic livelihoods beyond government policies including overall macroeconomic trends. That is why I focus not just on how women's economic wellbeing changes over time, but also how indicators of women's wellbeing change relative to indicators related to men's economic wellbeing. If change over time is slow but the gap between and men is gradually reducing, that may indicate that public policies are having some effect. If, on the other hand, the gaps between women and men's economic wellbeing remains consistent over time, this indicates that public policies aimed at promoting gender equity are not producing meaningful effects.

A longitudinal analysis of employment, labor force participation, and income shares reveals that these attempts are yet to produce tangible, large-scale progress for Guatemalan women. While some measures show marginal growth, overall, the data indicates that significant

gender disparities remain deeply entrenched in the national economy. The following sections provide a detailed examination of these metrics to illustrate how the lack of resources and enforcement mechanisms continues to limit the economic agency of women in Guatemala. Guatemalan women continue to rely on unsustainable, vulnerable employment that lacks protections and benefits and participate in the labor force at lower rates than men. Any progress that has occurred has been too slow to make any transformative advances. The lack of progress observed in each section further demonstrates how the openings created by the peace accords allowed for the recognition of women's rights on paper, but that the broader context undermined on-the-ground progress in economically empowering Guatemalan women.

Employment

A large portion of the Guatemalan population relies on informal employment and self-employment. As defined by the ILO, self-employment includes those who are own-account workers, employers, members of producers' cooperatives, contributing family workers, and workers not classified by status. Regarding self-employment, informality is associated with the exclusion of the self-employed from social protection programs. Self-employment rates display the extent to which the workforce is utilizing or relying on non-traditional employment structures. A high or rising self-employment rate may reflect a lack of traditional jobs, therefore forcing workers into self-employment that lacks social security, healthcare, and pensions. There is also considerable gender disparity in the quality of self-employment. Women's self-employment tends to be of lower quality, reflected by their average lower pay, rougher work conditions, and relatively little income security. For self-employed workers in Latin America, the

earnings of women were found to be a little less than half of those of men. In addition, the formal and informal earnings gap among self-employed women is just over 50%.[78]

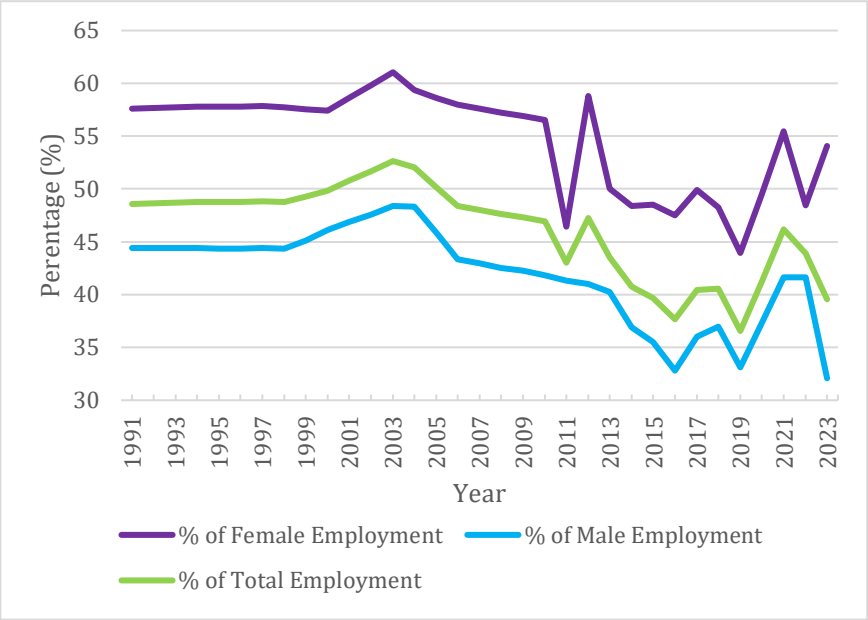

Figure 1: Rates of Self-Employment, 1991-2023 (Modeled ILO Estimate); Percentage of Male Employment, Percentage of Female Employment, and Percentage of Total Employment.

In Guatemala, from 1991 to 2023, on average, 46.2% of total employment was categorized as self-employment. This increases to around 54.8% for average female employment and lowers to about 41.9% for average male employment. This means that there is an average difference of 12.9% between male and female self-employment, indicating that Guatemalan women rely on self-employment at a higher rate than men. As exemplified in Figure 1, trends show that male self-employment has decreased significantly over the years. However, female self-employment has not so steadily decreased but rather has increased over recent years. In 2023, female self-employment was 54.1%, while male self-employment stood at 39.5%. The gender gap in 2023 was higher than the average difference between men and women by 1.7%. Guatemalan women continue to participate and rely on self-employment at higher rates than men. Recent increases in

[78] Barrientos, "Women, Informal Employment, and Social Protection," 11.

their rates of self-employment indicate that attempts after the signing of the peace accords to include women in formal employment have not had substantial results, demonstrating how there has been a lack of achievements in this area.

Guatemala has one of the largest shares of informal workers in Latin America.[79] Informal employment refers to working arrangements that are in practice or by law not subject to national labor legislation, income taxation, or entitlement to social protection or other employment guarantees.[80] Essentially, informality is measured through the proportion of the labor force that is not included within formal social protection programs. Although there are a few exceptions, in general, informal employment has much lower earnings than formal employment.[81] In a study on gender earnings gap in formal and formal employment in Central American countries in 1996, it was discovered that the gender earnings gap was significantly larger in informal than in formal employment.[82] In formal employment, the gender gap ranged from 10% to 16% in Guatemala. For informal employment, the gender gap increased and is between 26% to 56%. Over the years, the informal employment rate has ranged from around 75% to 80%.[83] In 2022, the ILO reported that 77.8% of Guatemala's adult workforce was employed informally, 21.5% higher than the regional median.[84] As for women, their informal employment rate was higher at 81.2% in 2022, 28.3% higher than the regional median for women. This was significantly different for men, whose informal employment rate stood at 75.7%, only 16.6% higher than the male regional median.

[79] IMF European Dept., "Addressing Guatemala's Informality Challenge," 31.
[80] ILO, "What Is Informal Employment?" 1.
[81] Ñopo, *New Century, Old Disparities: Gender and Ethnic Earnings*, 14-16.
[82] Barrientos, "Women, Informal Employment, and Social Protection," 16.
[83] ILO "Informal Employment as a Share of Total Employment in Guatemala."
[84] World Bank, "Guatemala: Human Capital Index".

Women have relied on informal employment at higher rates than men as a result of fewer job opportunities and discrimination in the formal workforce. This means that women disproportionately rely on employment that is often lower pay, less secure, and lacks benefits like social security and healthcare. The lack of improvements in women's self-employment and informal employment rates shows how attempts to advance women's economic condition have not made much headway in bringing secure and sustainable employment to women. This only further shows how the increase in resources has been undermined by their lack of agency, resulting in a lack of achievements in formal employment for women.

Another important area to look at is vulnerable employment rates. Vulnerable employment is defined as the total of own-account workers (self-employed without employees) and contributing family workers.[85] Workers in vulnerable employment are less likely to have formal work arrangements and, as a result, are more likely to lack decent working conditions, security, and representation (e.g., trade unions). Vulnerable employment is often observed to have inadequate compensation, low productivity, and difficult working conditions. As a result, those categorized as vulnerable employed workers are more likely to fall into poverty.

[85] Johnson, Vulnerable Employment and Poverty on the Rise, Interview.

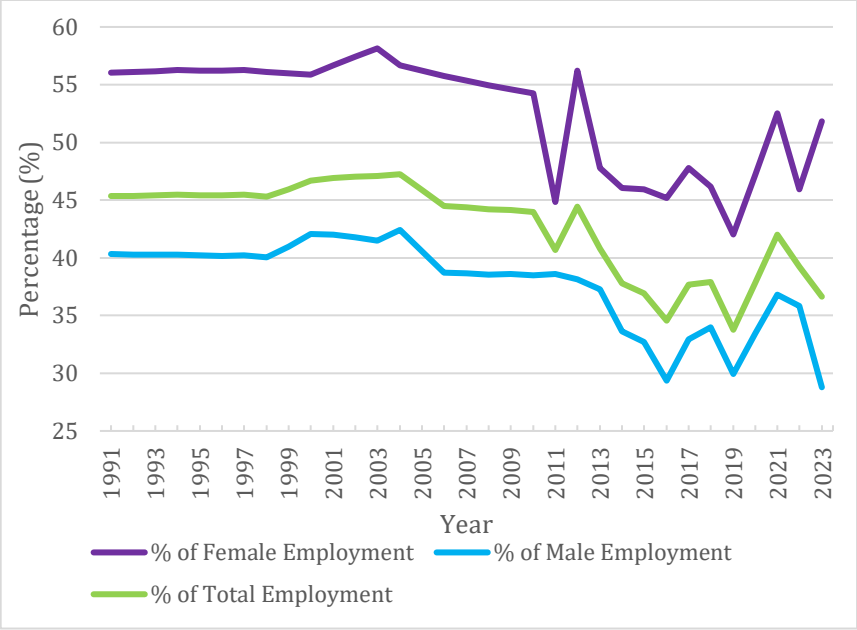

Figure 2: Rates of Vulnerable Employment, 1991-2023 (Modeled ILO Estimate); Percentage of Male Employment, Percentage of Female Employment, and Percentage of Total Employment.

Guatemala has a high rate of vulnerable employment, with an average percent of workers in vulnerable employment from 1991 to 2023 being around 42.85. The average rate for male employment during this period was around 37.8%, while the average rate for female employment increased by 14.9%, standing at a rate of around 52.7%. As observed in Figure 2, the rate of male vulnerable employment has been on a gradual decrease since 1991, taking into account spikes in the rate of vulnerable employment around the COVID-19 Pandemic in 2020. Yet, after the Pandemic, it has continued to decrease significantly since 2020. However, the rate of female vulnerable employment has not so steadily decreased and has substantially increased since 2020. In 2023, the rate of male vulnerable employment was at an all-time low, standing at 28.783%. That same year, the rate of female vulnerable employment increased by about 6% from 2022, with 51.841% of Guatemalan women working in and relying on precarious jobs. This only further demonstrates how a disproportionate number of women in Guatemala rely on employment that is not secure, sustainable, and puts them at higher risk of falling into poverty.

Wage and salaried workers refer to employees who hold jobs defined as "paid employment jobs". This means that those employed hold explicit (written or oral) or implicit employment contracts to receive a set salary or wage that is not dependent on business profits.[86] The majority of wage and salaried workers work in the industrial and service sectors, where labor productivity and labor standards are often better assured. A higher percentage of wage and salaried workers indicates a more advanced economy, while a low percentage often signifies a large informal economy. The difference in rates of wage and salaried work between men and women highlights disparities in economic security, job stability, and earnings.

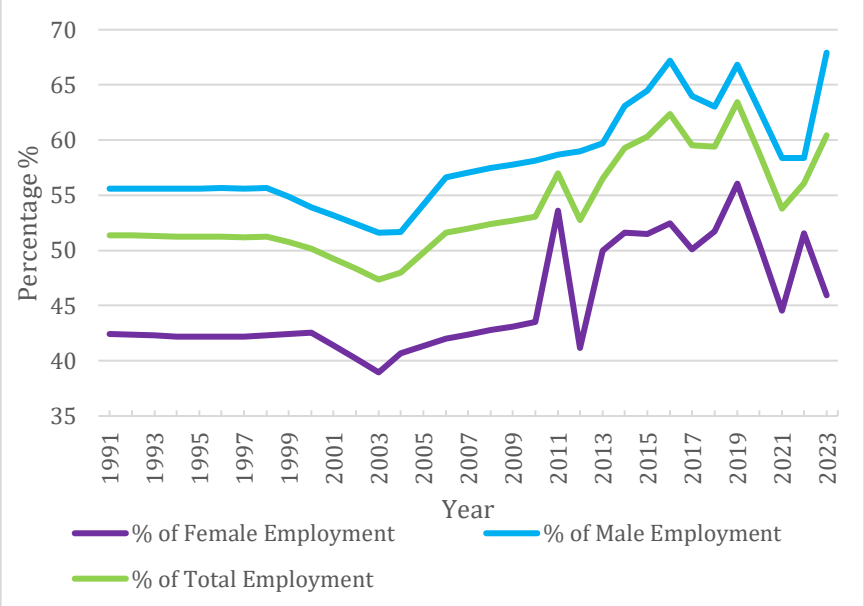

Figure 3: Rates of Wage and Salaried Workers, 1991-2023 (Modeled ILO Estimate); Percentage of Male Employment, Percentage of Female Employment, and Percentage of Total Employment.

The average difference between male and female wage and salaried workers between the years 1991 to 2023 was around 12.9%. As for the average female rate, it was around 45.2%, while the average male rate stood at about 58.1%. In 2023, the gender gap in rates of wage and salaried workers stood at about 21.983%, significantly higher than the average gender gap. The rate of

[86] World Bank, "Vulnerable Employment".

female wage and salaried workers has fluctuated more over the years than the average male rate. Aside from a couple of drops in 2012 and 2020, in which women also experienced decreases in the rate of wage and salaried workers, the male rate has gradually increased over the years and has recovered since the drop in 2020.[87] However, the rate of female wage and salaried workers has not been so stable in its progress and has not been able to fully recover since 2020, as it decreased by a little over 6% from 2022 to 2023. Efforts to promote women's participation in the formal economy have clearly failed to increase the number of female workers in wage and salaried positions, meaning that women rely on precarious forms of employment at a disproportionate rate compared to men. It's apparent that there have not been any significant achievements made in providing more secure employment opportunities to Guatemalan women. Though there are new resources available meant to assist women and economically empower them, the achievements made reflects their agency, which is incredibly lacking.

[87] Figure 3

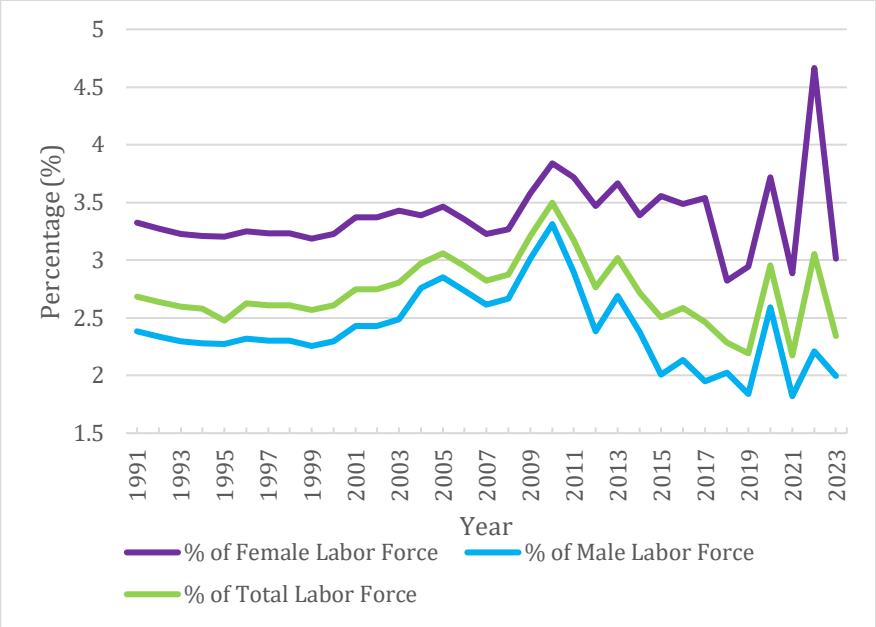

Figure 4: Unemployment Rates, 1991-2023 (Modeled ILO Estimate); Percentage of Male Employment, Percentage of Female Employment, and Percentage of Total Employment.

The average unemployment rate in Guatemala from 1991 to 2023 was around 2.7%, with the average male rate standing at 2.4% and the average female rate at 3.4%. The unemployment rate reflects the share of unemployed persons as a percent of the labor force; an unemployed person must not have a job, be actively seeking work, and be currently available to start work.[88] In Guatemala, the average parity ratio stands at 1.42, indicating that there is a gender gap in unemployment in favor of men.[89] In 2023, it was reported that in Latin America and the Caribbean, the gender gap in unemployment had a parity of 1.51.[90] Although little progress has been made in bringing women's unemployment rate down to match that of men's, the average parity in Guatemala is below the regional average. Nevertheless, in Figure 4, it is observed that women's unemployment spiked considerably after the COVID-19 Pandemic, reflecting the fewer protections women have in the labor force, as well as the higher rates of informality they face.

[88] ILO, "Unemployment Rate."
[89] Parity Ratio = Female Unemployment Rate/Male Unemployment Rate
[90] WEF, "Global Gender Gap Report," 35.

This demonstrates how the resources meant to economically empower them have not had the agency necessary to achieve their goals. Women clearly continue to have less employment protections than men, and the resources meant to assist Guatemalan women have not lived up to their goals.

Figure 5: Rates of Employment in Agriculture, 1991-2023 (Modeled ILO Estimate); Percentage of Male Employment, Percentage of Female Employment, and Percentage of Total Employment.

In Guatemala, 9.4% of the GDP comes from agriculture, and around 33% of the country is employed in the agricultural industry; in rural areas, this can reach as high as 65%. The average percentage of male employment from 1991 to 2023 was around 43.6%, while that of women was close to 13.6%. Although the agricultural industry has a large presence in Guatemala, only 1 out of 10 of those employed in agriculture are women.[91] Globally, women make up around 40% of the agricultural labor force; in Latin America, they participate at a significantly lower level of around 20%.[92] Guatemalan women's employment in the agricultural industry not only falls short

[91] Hernandez et al., "Cultural and Economic Barriers and Opportunities," 1.
[92] Hernandez et al., "Cultural and Economic Barriers and Opportunities," 2.

at the global level, but also regionally. This is an area that SEPREM, DEMI, and the PNPDIM-PEO have made efforts to address, following the peace accords' calls to ensure recognition and pay for female agricultural workers, specifically in rural areas.

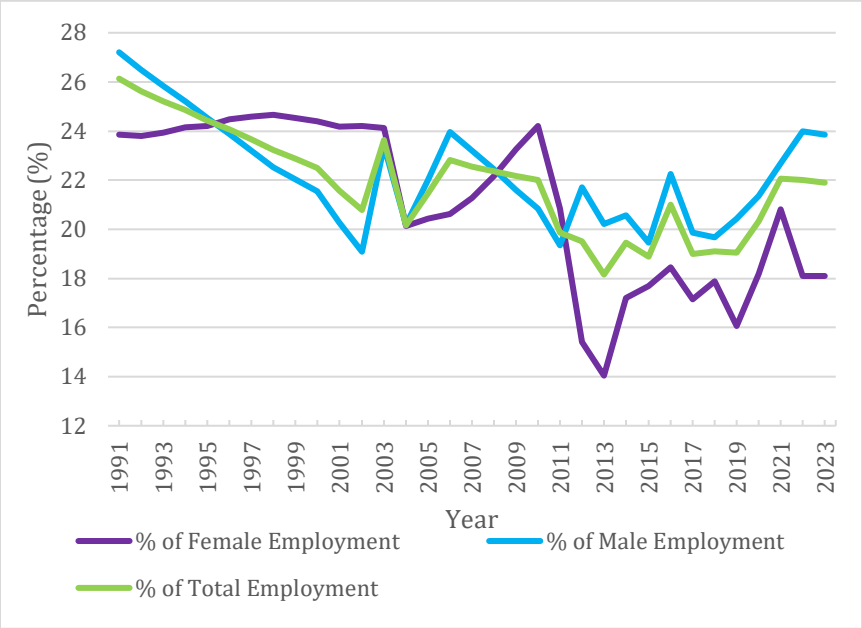

Figure 6: Rates of Employment in Industry, 1991-2023 (Modeled ILO Estimate); Percentage of Male Employment, Percentage of Female Employment, and Percentage of Total Employment.

The only sector that does not appear to have a distinct difference in levels of employment for men and women is the industrial sector. According to the ILO, the industrial sector consists of mining, quarrying, manufacturing, construction, and public utilities (electricity, gas, and water). The average total employment in industry between the years of 1991 and 2023 was around 21.9%, with the male employment average being around 22.3% and the female average being close to 21.1%. On average, the gender gap in employment in industry is about 1.2%, significantly lower than the gender gap in other sectors. Employment rates in industry have fluctuated over time, with women having larger shares of employment than men at times. Yet, employment for women in industry has appeared to be less stable, with large drops in

employment occurring in 2003, as well as in 2012.[93] Although women do not make up a large portion of those employed in mining, quarrying, construction, or public utilities, they do have a large presence in the manufacturing industry, specifically in the maquila sector.

When the presence of manufacturing companies began to grow in Guatemala in the 1980s, Guatemalan women's participation in the formal sector increased. This was particularly due to the rise in offshore apparel assembly firms, referred to as the maquila sector in Guatemala, as well as in other parts of Latin America. A majority of the maquila workers are women due to employer preferences for female laborers, as well as the appeal for young women who do not wish to work in the domestic sector and are excluded from the agricultural sector. The large fluctuations in female employment in the industrial sector are in part a result of the weak laws and enforcement of the labor code in the maquila sector. The Guatemalan Labor Code, through article 151, includes language to protect the rights of women workers, focusing on maternity protection, non-discrimination against married women, and worker rights for female and pregnant workers. Although there are laws in place to protect women workers' rights, they are rarely enforced in the maquila sector. In addition, Guatemalan law allows maquila factories to close and easily reopen under a new name, meaning the number of maquilas operating in the country can change rapidly. Although the maquilas offered women a new opportunity for employment in the industrial sector, they did not offer stable employment. Even with legal measures in places and institutions created to enforce these policies, reports indicate that failures in implementation and enforcement have resulted in very little change.

[93] Figure 6

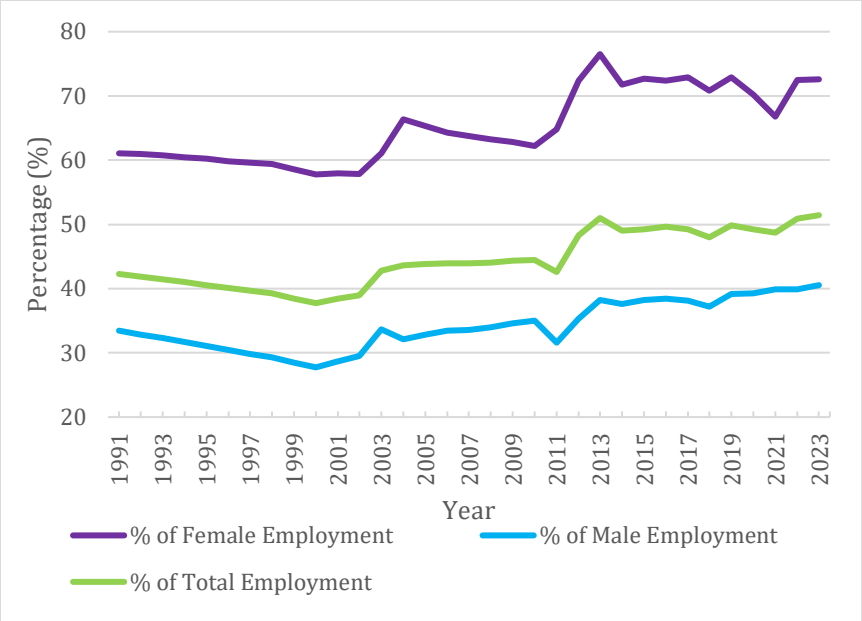

Figure 7: Rates in Employment in Services, 1991-2023 (Modeled ILO Estimate); Percentage of Male Employment, Percentage of Female Employment, and Percentage of Total Employment.

A key sector of employment that Guatemalan women dominate is the service industry. As is the case around the world, women in Guatemala dominate the domestic service industry, which consists of a large portion of the work done in the service sector.[94] In particular, the work is strongly associated with indigenous women, as Mayan women have made up a large portion of the domestic service labor force. The service industry constitutes around 44.5% of employment in Guatemala. The average male employment from 1991 to 2023 in this sector was close to 34.2%, a large difference from the average female employment, which stood at around 65.2%. This indicates an average difference of 31% between male and female employment in the service industry, with women significantly dominating those employed in this sector.

Domestic work takes place in the private sphere, meaning that workplace conditions and practices and practices are largely unregulated. As a result, domestic servants tend to enjoy fewer legal protections than other workers. Since this work takes place in the home, it is

[94] Figure 7

overwhelmingly performed by women and is often non-remunerated. Due to the overrepresentation of female workers, this type of work suffers from being considered unskilled and menial labor. The belief that this work is of lower status results in lower pay and fewer guarantees for women who depend on the domestic service industry for pay. When Guatemalan women, and indigenous Guatemalan women who are the most vulnerable, increasingly depend on the domestic service industry for employment, it limits their future opportunities in the workforce. Additionally, it causes them to rely on an industry that consistently underpays and lacks proper protections, regulations, and security.

It is apparent that there has been little progress made in creating sustainable employment opportunities for women. Not only is the employment rate of Guatemalan women significantly lower than that of Guatemalan men, but the types of employment they often are able to find have less protections, less benefits, less pay, and lack security. Although the language used in the peace accords to bring women's unique economic issues visibility at the national political level, the subsequent mechanisms created have not fulfilled its goals. Especially in employment rates and the types of employment women are more likely to participate in, there does not appear to have been any significant advancements made. The lack of agency of the resources available has proved to be an extreme impediment to their potential achievements. Without the necessary abilities to fulfill their goals, these resources cannot be utilized to their full potential, as observed in the lack of achievements in employment.

Labor Force Participation

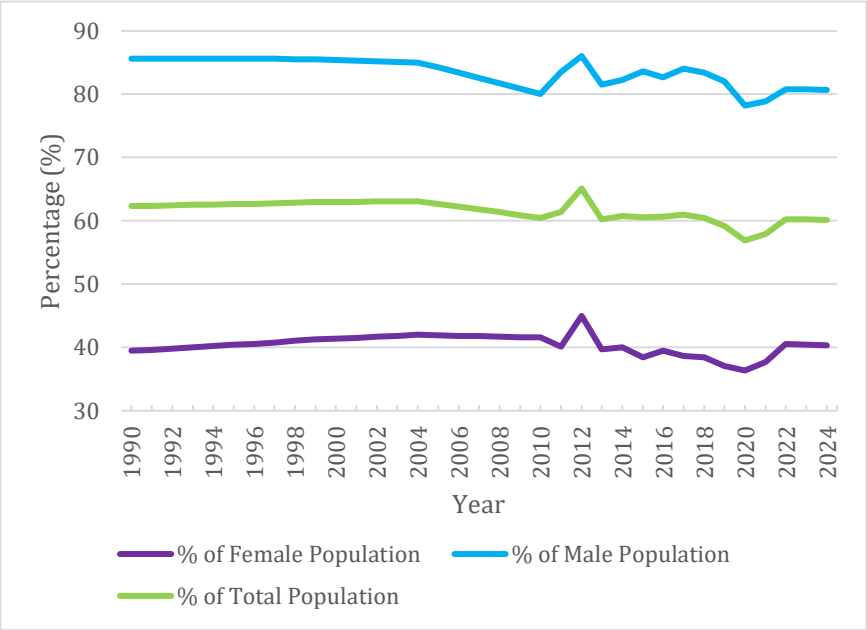

Figure 8: Labor Force Participation Rate for Ages 15+, 1990-2024 (Modeled ILO Estimate); Percentage of Male Employment, Percentage of Female Employment, and Percentage of Total Employment.

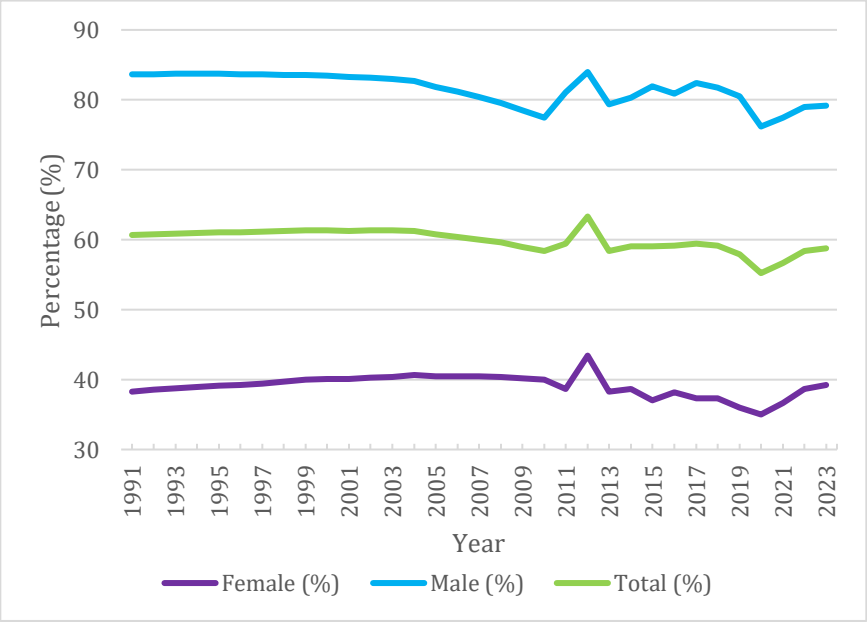

Figure 9: Employment to Population Ratio, Aged 15+, 1991-2023 (Modeled ILO Estimate); Percentage of Male Employment, Percentage of Female Employment, and Percentage of Total Employment.

The labor force participation rate (LFPR) is defined by the ILO as the percentage of a country's working-age population (aged 15 and older) that is actively engaged in the labor market, meaning they are employed or actively seeking work.[95] In Guatemala, the LFPR has remained relatively stagnant since 1990.[96] The average LFPR from 1990 to 2024 for ages 15 and up is around 61.6%. This increases to 83.5% for the average male LFPR and decreases to 40.4% for the average female LFPR. The LFPR has a significant gender gap of around 43.1%. In 1996, when the peace accords were officially signed, the female LFPR was 40.537%. However, in 2024, the female LFPR lowered slightly to 40.383%. Although the female LFPR has fluctuated over time, reaching as high as 41.948% in 2005, and going as low as 36.358% in 2020, the rate of change has been miniscule. Since there has been little change in the LFPR in Guatemala, the significantly lower rate of participation by women in the labor market has stayed relatively stagnant and the gender disparity in the LFPR does not appear to have been addressed. There is a clear gender disparity in the LFPR in Guatemala, and the lack of change demonstrates the lack of resources and inadequate efforts to properly address this issue.[97] The lack of stable growth demonstrates that the legal mechanisms formed from the language of the peace accords have not had any major advancements in LFPR. The clear lack of agency of these mechanisms continues to be observed in the absence of achievements for women in the labor force.

[95] World Bank, "Employment in Industry."
[96] Figure 8
[97] This is further supported by the employment to population ratio (EPR), as demonstrated in Figure 9. The EPR indicates the proportion of the population that is directly involved in market-related activities, meaning those who are currently employed. The global average EPR for women is slightly below 50%, while that for men is around 70%. In Guatemala from 1991 to 2023, the average total EPR was 59.9%, while the average male EPR was 81.6%, and the average female EPR was 39.1%. Guatemalan men have a significantly higher EPR than Guatemalan women, with an average gender gap of 42.6%. Although the average global gender gap in EPR is around 20%, Guatemala doubles that statistic. Little progress has been made since the signing of the accords in 1996, as the EPR at the time of the signing was 32.219%, and today the EPR is 39.195%.

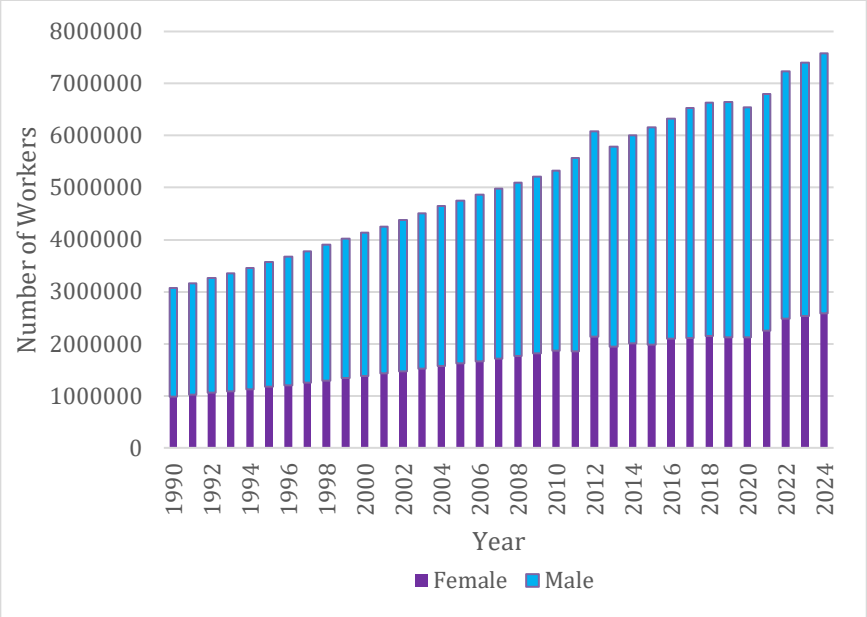

Figure 10: Number of Workers in the Labor Force, 1990-2024 (National Estimate); Number of Female Workers and Number of Male Workers.

In looking at the number of workers in the labor force by gender, as demonstrated in Figure 10, female workers appear to make up about 50% of the male labor force. Further, male workers appear to constitute nearly two-thirds of the total labor force. It is clear that men have historically, and continue to, dominate the Guatemalan labor force.

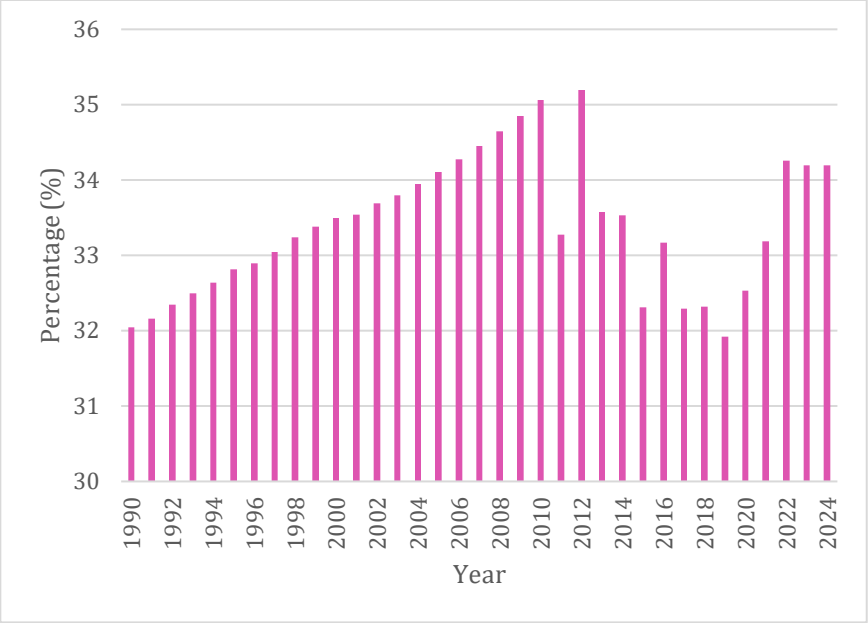

Figure 11: Female Percentage of Total Labor Force, 1990-2024 (National Estimate).

The female percentage of the total labor force measures the gender composition of the workforce by looking at the share of women (aged 15 and older) who are employed or actively seeking employment compared to the total labor force. Currently, women account for roughly 40% to 47% of the global labor force. In Guatemala, the rates of women in the labor force have consistently been lower than global averages, with the average percentage from 1990 to 2024 standing at around 33.4%. This only serves to prove how little progress has been made since the signing of the peace accords, even with certain legal mechanisms in place meant to promote women's comprehensive development.

Figure 12: Ratio of Female to Male Labor Participation Rate, 1990-2024 (Modeled ILO Estimate).

The ratio of female to male labor force participation measures gender equality in economic activity.[98] A ratio of 100 indicates equality, while lower values reflect fewer women in the labor force in comparison to men. Therefore, higher ratios reflect a higher rate of economic opportunity for women. In Guatemala, the average ratio of the female to male labor participation from 1990 to 2024 is around 48.1%.[99] This indicates that women generally participate in the labor force at a rate less than half that of men.

The little growth that has occurred in the female labor force is not enough to counter the stagnant levels of female labor force participation. The peace accords included language on revising labor legislation to guarantee equal opportunities and rights between men and women. Following the signing of the peace accords in 1996, legal mechanisms were created to revise the labor legislation that was in place, establish new policies like Decree 7-99 and the PNPDIM-

[98] Parity Ratio (%) = (Female Labor Force Participation Rate/Male Labor Force Participation Rate) x 100
[99] Figure 12

PEO (2008-2023), and enforce the language of the peace accords and its subsequent mechanisms. However, these mechanisms are yet to make waves in the labor force participation of women and that the policies and institutions coming from the peace accords.

The resources provided by the peace accords and following policies and institutions have failed to make significant achievements in women's participation in the labor force, as men's dominant role has clearly not been challenged by the existence of these resources. Whether it is because they lack the necessary power, resources, public support, or political will, institutions like SEPREM and the policies they are meant to enforce have made little impact in Guatemalan women's participation in the labor force. This lack in achievements in the labor force only further shows how the lack of agency of these resources has led to an absence of achievements.

Income

The World Inequality Database (WID) defines the female labor income share as the measure of the total labor compensation paid to women.[100] This measurement provides a comprehensive, systemic look into gender inequality through the combination of labor force participation rates and wage gaps.[101] Therefore, the value is lower than the gender pay ratio, as it accounts for differences in earnings and labor force participation. The female labor income share is vital for assessing economic empowerment, evaluating progress in closing the parity gap, and understanding structural barriers. The data from WID on Guatemala's female labor force income share looks at the pre-tax income ranking specifically. This is incredibly important for providing an accurate snapshot of the high levels of informal labor and self-employment in Guatemala that are not accounted for in taxed labor income rankings.

[100] World Inequality Lab, "Female Labor Income Share," 2.
[101] Female Labor Income Share = Labor Income Received by Women/Total Labor Income
Labor Income = Wage Income + 0.7 x Self Employment Income

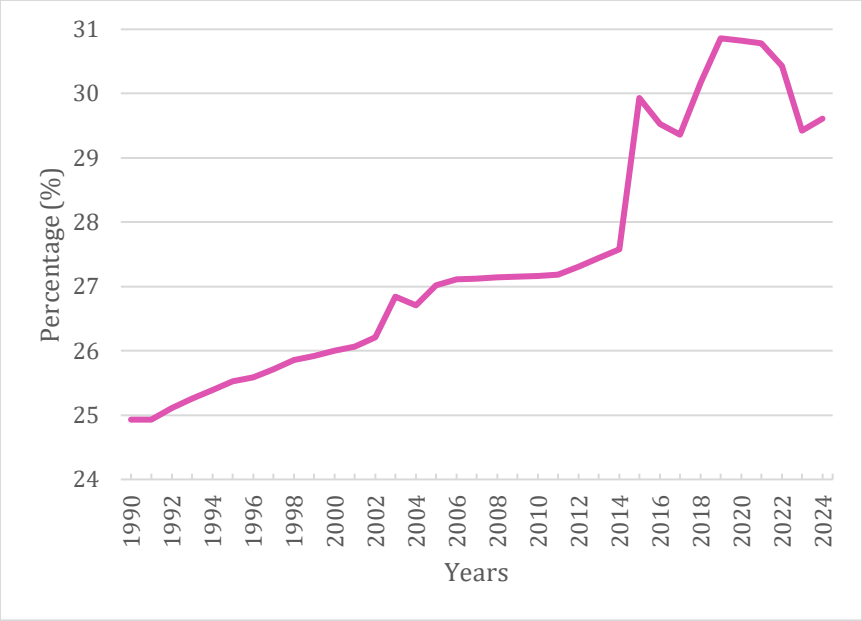

Figure 13: Female Labor Income Share (Pre-tax Labor Income Ranking), 1990-2024 (Modeled WID Estimate).

In 2022, the global female labor income share was just under 35%, increasing from 31% in 1990.[102] In Guatemala, the female labor income share has consistently remained considerably lower than the global average; in 1990, it stood at 24.93%, and in 2022, it was 30.43%.[103] The compound annual growth rate (CAGR) calculates the constant annual percentage increase of a measurement over a period, ignoring yearly fluctuations.[104] The CAGR for the female labor income share from 1990 to 2024 is 0.493%. Since the growth rate is positive, it indicates that women have been making progress towards parity. Even so, the growth rate is still considerably low and demonstrates slow progress. Further, the CAGR for the average national income was considerably higher, standing at 0.779%. The CAGR for the average national income looks at the growth rate of the total economy, while the CAGR for the female labor income share looks at the speed at which women are claiming a larger portion of the economy. Due to the growth rate of

[102] Chancel et al., "World Inequality Report," 17.
[103] Figure 13
[104] CAGR = ((Ending Value/Beginning Value) ^ (1/Number of Years)) - 1

the female labor income share being lower than the growth rate of the national income, it indicates that women are moving toward parity, but not at a transformative speed.

Although progress has been made in this area, it has been slow and women's economic status appears to be advancing at a slower rate than the total economy. The slow progress has made little impact on the lives of most Guatemalan women, especially those who are more vulnerable. The insufficient agency of the resources available has made it nearly impossible for true achievements to be made. Though the institutions and policies arising from the language included in the peace accords on women's economic empowerment have made some advancements, it's clear that they have not made any noteworthy progress.

Chapter 5: Discussion & Conclusion

The Guatemalan Civil War was defined by widespread violence and forced erasure of indigenous communities and culture. The 36-year long conflict left considerable marks on the nation that has continued to define its present-day state. Women experienced the worst of the violence that occurred during the civil war. Yet, the civil war also broke down traditional gender structures and roles, as women took on a larger presence in public society. As women found themselves in new roles and areas that had previously been occupied by men who went to fight, women began to participate in civil society at higher rates than ever before. This newfound visibility and presence fostered an environment where Guatemalan women were able to push for further inclusion and recognition of their unique issues. The growing recognition of women's rights would only achieve so much without legal mechanisms existing for women to take effective action. Even so, the existence of legal mechanisms concerned with the promotion and development of Guatemalan women does not ensure that significant change will occur.

As Guatemala entered the last years of the civil war, this occurred in tandem with the democratization and liberalization of the State as the ruling military began to cede power, as it began to relinquish some of its power back to civil society. At the same time, the Guatemalan women's movement was beginning to form as a collective movement and growing in size and strength. In addition, the women's movement began to establish itself in an international context that was beginning to highlight the unique issues women face and increasingly promoting women's rights and gender equality. As the conflict entered its resolution period, the presence of a strong, autonomous women's movement in an international environment with growing support for women's rights led to the inclusion of women in the formal negotiation process and of

women-specific issues in the agreements of the peace accords. If the Guatemalan women's movement had not utilized the liberalizing domestic and international environment to bring recognition to the unique issues they face, it is unlikely that such language on women's rights would have been included in the accords. The inclusion of language on women's rights was a massive stride in the resources available for empowering Guatemalan women and, more specifically, economically empowering them. The resolution process of the civil war produced new political openings for women to mobilize and establish legal language at a national level on the specific issues Guatemalan women face.

Guatemalan women have consistently been excluded from participating in the formal economy due to gender discrimination and a lack of opportunity. Consequently, their economic status is significantly lower than that of Guatemalan men. The peace accords included an entire sub-section in Section I on the participation of women in economic and social development. The inclusion of this agreement was an attempt to recognize the disparate economic situation of Guatemalan Women and empower them to further promote development efforts in the post-conflict era. This language led to the creation of legal mechanisms focused on women and gender equality to implement and enforce the agreements included in the accords (Governmental Decree 7-99, DEMI, SEPREM, and the PNPDIM-PEO 2008-2023). These new resources made available to Guatemalan women appeared to offer new avenues for them to further promote and pursue economic empowerment. However, the agency of these new resources must be questioned to see if women were actually able to take advantage of these new opportunities.

It is apparent that the ending of the civil war fostered an environment for women to make significant legal advancements in the existing language concerning gender equality to empower Guatemalan women who had been disenfranchised by the conflict. The legal mechanisms that

stemmed from the agreements within the peace accords offered women new positions in the Government and provided them with policies and institutions to assist in promoting the economic empowerment Guatemalan women. The involvement of women in the drafting (via the Women's Sector of the ASC) and signing (via Luz Mendez of the URNG) of the accords led to the inclusion of legal language that challenged the traditional gender expectations of society, which had previously been supported and upheld by the law. Furthermore, the existence of these policies and institutions put women's issues onto the national political agenda and ensured that women's issues would be considered in future legislation as well.

Even so, the legal mechanisms that have resulted from women's efforts during the resolution period have not fulfilled their intended roles and have left much to be desired. There have certainly been some advancements in gender equity resulting from the agreements in the accords and their subsequent legal mechanisms. However, these legal mechanisms have continuously faced a considerable number of constraining factors and weaknesses that have substantially limited their impact. It has become apparent that these new resources lack the necessary agency to make real change and produce significant outcomes. The weak political will to implement the agreements of the accords and the ruling elite's desire to maintain the status quo has made it difficult to ensure the plethora of agreements of the peace accords. It is hard to imagine women's issues would be given priority if there is already push back surrounding non-gender related agreements. The agencies tasked with implementing and enforcing the agreements on women's issues have also lacked the power and coordination to do so properly. Institutions, such as SEPREM, were established under executive power, heavily limiting their autonomy and, consequently, their legal authority to effectively implement, monitor, and enforce legislation. As a result, legislation on women's rights lacks proper monitoring, enforcement, and accountability

to make significant changes. There has also been considerable overlap among the different institutions established, leading to ineffective resource allocation. In addition, the large number of women's agencies created have only served to strain the already limited resources provided for women's issues. The already weak institutions further suffer from weak funding and resource allocation, only making the task at hand even more of a challenge. Lastly, there is a lack of public knowledge and support for the promotion of Guatemalan women and the legal mechanisms that exist to do so. If those who they aim to assist and empower are not aware of the available resources, their job becomes even more of a challenge.

The available data on women's economic status from the resolution period (1990/1991) to present day has also mirrored the constraints and minimal effect of the legal mechanisms resulting from the language included in the peace accords. The achievements of the resources available mirrors the lack of agency of these institutions and policies focused on women's rights and gender equity. In employment, women continue to constitute the largest share of those working in informal and vulnerable employment. Little change has occurred since the signing of the accords in their participation in the formal economy, demonstrating the lack of change that has been produced from these legal mechanisms. Guatemalan women continue to be more likely to be unemployed, self-employed, and reliant on vulnerable, as well as informal employment, at higher rates than men. The legal mechanisms meant to promote women's participation in the formal economy have clearly failed to carry out this task.

Further, the sector that women have consistently dominated in Guatemala is poorly regulated, leading to poor workplace conditions, low pay, and little to no benefits. The institutions tasked with monitoring and enforcing the implementation of legislation on gender discrimination in the workplace and proper workplace conditions have lacked the power and

resources to do so properly and effectively. Therefore, the high rates of women who continue to work in this sector continue to work in poor working conditions with poor remuneration. Overall, the employment that Guatemalan women continue to rely on at high rates has not served to create future opportunities for them but keeps them subjugated to a lower economic status. When women become reliant on jobs that does not offer opportunities for upward economic mobility, economically empowering them becomes an extremely challenging task. This is another area that there have not been significant advancements in, once again reflecting the weaknesses and limitations of the legal mechanisms available.

Regarding labor force participation, women have consistently participated at lower rates than men. Guatemalan women's participation in the labor force has also remained fairly stagnant since 1990, six years prior to the signing of the accords. In Guatemala, the gender gap of the rate of employment is double that of the average global gender gap. Although women's rate of employment has increased since 1991, the gender gap has remained relatively the same. This exemplifies how women may be making waves in the economy, but their position relative to men has not been changed. Moreover, the female percentage of the labor force and the ratio of female to male labor force participation have not appeared to have any consistent growth. The lack of stable growth in women's participation in the labor force and in their rate of employment demonstrates that the legal mechanisms meant to address women's lack of economic opportunity relative to men's have clearly failed to do so, reflecting the absence of agency of these resources. Further, the slow growth that has occurred in this area has exemplified that efforts to bring more women into the labor force have not had a significant impact.

The income share of Guatemalan women has exhibited similar findings to those in employment and labor force participation. Guatemalan women have remained below the global

average since 1990 and the average annual growth rate from 1990 to 2024 has been significantly low. Additionally, the average annual growth rate has been considerably low and has remained lower than the average annual growth rate of the average national income. This demonstrates that although the female income share has experienced growth since 1990, it has not been increasing at the same rate of the average national income, leaving a gap between the growth in income of Guatemalan women and the entire population. Though the positive growth rate indicates that women are moving toward parity, it is not at a rate that will show significant results. This further demonstrates the lack of real advancements that women have experienced in their economic status post-conflict. Without any significant achievements post-conflict, it is obvious that the new resources stemming from the inclusion of language on women's rights in the peace accords have faced major setbacks in economically empowering women; strong language does not ensure substantial outcomes.

It is apparent that the inclusion of women's issues in the peace accords and the creation of legal mechanisms to promote these agreements have not resulted in substantial change in Guatemalan women's economic status. Though women were able to use the openings created by conflict to establish the necessary legal language to push for gender equality in the broader socio-political economy, the simple existence of this language on paper clearly does not ensure tangible results. Women may make significant strides in the legal language available to promote their economic empowerment, but this does not ensure proper implementation or enforcement. These resources, though major advancements in the social resources available for women, did not have the proper agency to see any significant achievements in the economic empowerment of Guatemalan women. The reports available on the implementation and enforcement of legislation regarding women's economic issues and the institutions tasked with doing so have displayed that

they face several constraining factors that have hindered their ability to produce significant advancements. The available data has only served to show that the agreements on women's issues and their subsequent legal mechanisms have not produced any significant tangible advancements. Although legal language and mechanisms exist, the significant barriers they face have resulted in the failure of the State and women's movement to take advantage of them properly.

The case of Guatemala demonstrates how widespread conflict can produce newfound political openings for women to leverage to advance the legal language and mechanisms available to promote their economic empowerment. Yet it also exemplifies how there needs to be proper resources, coordination, and support for real progress and change to take place. The ending of the Guatemalan Civil War presented women with the opportunity to get official legal recognition of the unique issues they face at a national level. The drafting and signing of the Guatemalan Peace Accords were revolutionary for the inclusion of women in the conflict resolution process and in the agreements of the accords. Even so, it is apparent they could not sustain this momentum, as they faced major setbacks due to the lack of legal authority, resources, and support of women's agencies and the implementation and enforcement of policies. Simply establishing new resources is not enough, the State must ensure that these resources have the necessary agency to set and achieve their goals if they want to see significant achievements made in women's rights and gender equity.

For true advancements to be made in gender equity, the mechanisms intended to promote women's economic empowerment must have proper power, resources, and status to do so. The existence of legal language does not economically empower women, but the efforts taken to implement and enforce policies can. If this effort is lacking, then the likelihood of any significant

progress being made is low. In Guatemala, this was observed in the lack of economic developments for women in employment, labor participation, and income. Even with the necessary legal frameworks and institutions to do so, the revolutionary inclusion of women in the Guatemalan peace accords has not proved to result in any noteworthy advancements in the economic empowerment of women. Rather, their economic status has stayed stagnant and, in some cases, has worsened since 2020 due to the COVID-19 pandemic. Though the legal language exists, Guatemalan women have yet to see any serious efforts regarding their economic empowerment, resulting in an absence of developments. If Guatemalan women are to be economically empowered, the mechanisms meant to promote their development need to have public support, political support, coordination among agencies, increased autonomy and authority, as well as proper resource allocation and funding. If legal mechanisms are missing these necessary tools to take effective action, efforts to economically empower Guatemalan women will continue to fall short.

This research has demonstrated that there has been an absence of research and literature on the implementation and enforcement of legal mechanisms created in a post-conflict context. Although there is a plethora of research available on how post-conflict environments often create greater opportunities for women to advance legislation on women's rights, they have failed to look at the long-term effects of this legislation. In addition, they have not focused on the creation of legal mechanisms concerned with women's economic status. My research has observed that post-conflict legal reforms in Guatemala concerned with economically empowering women have lacked the necessary agency to produce significant achievements. Though language may exist on paper, it does not ensure that any results will be observed. Yet, economic empowerment may be particularly difficult to achieve using legal reforms. This may be due to the difficult of certain

countries to regulate the economy, as has been the case in Guatemala, or a consequence of the gender hierarchy and stereotypes embedded within the economy. It doesn't help that there is also a general lack of public will to economically empower women. Even so, other reforms in other contexts might also produce lackluster results in practice due to the same barriers. If true achievements in women's rights are to occur, the resources provided in a post-conflict context must have the necessary agency to do so. If not, the resources available simply become words on a page.

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