

The Esquipulas Process: A Central American Paradigm for Resolving Regional Conflict*

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Abstract

After several unsuccessful but instructive peace initiatives in the early 1980s, the presidents of the five Central American states took their fate into their own hands at an historic meeting in Esquipulas, Guatemala. In August 1987, they signed the Esquipulas II Accord. Although that document did not declare a cease-fire and end decades of fighting, it did lay the foundation for the region's future, based on the consensus of the heads of state. Each country was left to its own devices to create the conditions outlined in the accord, conditions that would open the way to democratisation and economic development.

National negotiations were slow to come, not only because the conflicts were not ripe for resolution, but also because Nicaragua was perceived as the key hurdle to regional peace. Thus, that country remained on the regional agenda while the presidents addressed the various supranational aspects of the contra war. Once that conflict had been defused, the focus shifted to the national peace processes. For the next ten years, Nicaragua, El Salvador, and Guatemala took steps to resolve their conflicts and achieve national reconciliation.

The peace process has not been perfect, and Central America continues to toe the narrow line between peace and conflict. Nonetheless, the example of the Central American presidents, as well as that of the national processes, can serve countries in other regions struggling to find peace so as to move forward together toward a brighter future.

Central America has been characterised by crisis and violence since countries of the region achieved independence in 1821, but the armed struggles that predominated in the region in the 1980s were of a markedly different nature. First, the armed opposition in all three countries—El Salvador, Guatemala, and Nicaragua—enjoyed unusual levels of organisation and mass support, complemented by external assistance, and represented the first true internal threat to face the oligarchic-military governments. Second, as a theatre for the Cold War proxy struggles between the United States and the USSR, Central America took on an international importance that it had not experienced since perhaps the late 1800s with the controversies over an inter-isthmus canal. Indeed, the Sandinista revolution in Nicaragua, which for the United States followed uncomfortably close on the Cuban Revolution, prompted the United States once again to embrace the controversial Monroe Doctrine and defend vigorously its strategic “backyard,” preventing at all costs the installation of additional communist regimes. Finally, and perhaps most importantly, the fact that three internal conflicts were raging simultaneously increased the risk that the crisis would generalise and become an inter-state war. That threat was further compounded by the Cold War context, and it was widely feared that if the internal conflicts spilled over into the other states of the region—Honduras and Costa Rica, but also Mexico, Panama, and even Colombia—the two superpowers might also jump directly into the fray.

Domestically, Central American governments and militaries with the exception of Sandinista Nicaragua, were being manipulated by the United States government, which assumed the dubious

distinction of sworn enemy. Even Costa Rica, the region's army-less oasis of peace, was being drawn into the regional conflict, acquiescing in the Nicaraguan Resistance's (commonly known as *contras*) use of the supposedly neutral territory of the country as a rearguard. Honduras had become a *de facto* military base for the United States and its "allies" in the region. The *contras* inhabited the territory along the Honduran-Nicaraguan border, and the Honduran military united with its Salvadoran counterpart to root out the latter country's rebels (Farabundo Martí National Liberation or FMLN) who had taken refuge in the shared but disputed Honduras-El Salvador border.ⁱ Economic and military aid poured into all four countries (and to the *contras*), yet the general population suffered from the highest-ever levels of poverty, malnutrition, and illiteracy. Development ceased and was even reversed by the destruction that came with the conflict: bridges and ports were destroyed, whole villages and urban neighbourhoods were burned, and all available resources were channelled into the military needs of the different governments. Even the Sandinistas recognised that their popular revolution was in danger because of the economic burden the populace was forced to bear to finance the *contra* war.ⁱⁱ By the mid-1980s, peace had become not only an idealistic goal but also a practical necessity.

Precedents for Esquipulas

Efforts to bring peace to the region began long before the crisis had reached the proportions described above. Indeed, soon after Anastasio Somoza was removed from power in Nicaragua in 1979 initiatives were launched to contain the spread of the Sandinista revolution and preclude similar insurgent victories in the rest of the region. In May 1981, Panamanian president Omar Torrijos suggested a "Global Project for Pacification of the Central America Region," which was followed by similarly oriented declarations by the presidents of Venezuela, Mexico, and Costa Rica. Diplomatic rhetoric was accompanied by more direct conciliation efforts such as the French-Mexican Declaration of August 1982, Mexican president López Portillo's February 1982 proposal, and the presidential letters from Venezuela and Mexico in September 1982. The United States also undertook various measures to end the regional crisis, including bilateral negotiations with Nicaragua and the implementation of the Caribbean Basin Initiative. Although space limitations do not allow for a detailed discussion of these efforts, they nonetheless deserve mention as each represents an important building block in the regional peace process.ⁱⁱⁱ In particular, three such initiatives merit a brief description: the Nassau Group, the Central America Democratic Community, and the Pro Peace and Democracy Forum.

In July 1981, a meeting was held in the Bahamas that brought together the highest-ranking diplomats from the United States, Canada, Venezuela and Mexico to follow up on an idea developed by Presidents Reagan and Portillo. With the goal of mitigating the effects of the regional crisis and contributing to Central America's development, it was agreed that the four countries would co-ordinate their aid, trade, and investment programs in the region. Representatives of the five Central America countries and Panama met later that month and agreed to accept the multilateral aid package; however, the effort eventually failed because the United States insisted on dictating which countries would receive aid. Nevertheless, the Nassau Group set an important precedent because it represented US recognition of Mexico, Venezuela, and Colombia (which had joined the group in 1983) as regional powers.

In January 1982, while the Nassau Group was still active, the Costa Rican government proposed an exclusively Central American entity that would create the political and economic conditions necessary for effective democracy to flourish. The Central America Democratic Community (CDC) purposefully excluded Nicaragua, aiming to counter the influence of the Sandinistas in the region. The CDC's exclusionary nature was not its only shortcoming; the organisation did not contribute anything new to regional relations since the principles it purported to uphold were already incorporated in other regional and hemispheric agreements. Never having really taken hold, the final blow to the CDC came when the Costa Rican administration switched hands and the new president opted for a different solution. But this failed effort, too, contained an important lesson for the regional peace process: any valid solution to the crisis would have to be innovative and would have to include Nicaragua.

In late 1982, Costa Rica's President Monge called for a regional, pro-democracy alliance, coinciding with US Under-secretary of State Enders's proposal for domestic reconciliation and overall demilitarisation. In October of that year, diplomats from Belize, Colombia, Costa Rica, El Salvador, Honduras, Jamaica, Panama, the Dominican Republic, and the United States met and created the Pro Peace and Democracy Forum (also known as the Enders Forum) to study the regional conflict and analyse options for peace. This time, both Nicaragua and Guatemala were excluded, although they were supposed to receive special status. The Sandinistas, however, rejected the forum outright, considering it a US ploy to impose Washington's objectives on the region. After just a year, the group began to fade, primarily because of competing proposals, the most important of them the Contadora Group initiative. This effort also had its lessons, many of them similar to those learnt with the CDC. However, the Pro Peace and Democracy Forum made it clear that any solution to the crisis would have to guarantee that Central America be a region of democratic states governed by representative, pluralistic, participatory regimes.

Contadora

The Contadora Group^{iv} emerged out of a meeting held in January 1983 between the foreign ministers of Panama, Colombia, Venezuela, and Mexico to discuss diplomatic alternatives to US policy for ending the growing Central American crisis. Following that meeting, the Contadora countries contacted the five Central American governments, and negotiations eventually began based on three points of understanding: (1) the conflicts had not only political-military but socio-economic roots as well, (2) the crisis was symptomatic of much more than the East-West conflict, and (3) a peaceful solution was the only option. Dialogue among the Central American countries and the collective mediator focused largely on security issues.^v This emphasis was a sign of the Contadora Group's main goals: to demilitarise the zone, eliminate the US military presence, and thereby lower the risk of a generalisation of the conflict which could spill over the borders of the member countries.

At the same time, however, the message inherent in this ambitious regional attempt to secure peace in Central America was that: US hegemony in the region was being challenged and an alternative was being put forth.^{vi} The members of the Contadora Group perceived themselves as mid-size regional powers with an ability to engage in collective actions that would be less threatening to the other countries of the hemisphere, allowing them to develop a sphere of influence in Central America and the Caribbean Basin.^{vii} However, to achieve their goal, the Contadora countries had to accept the political reality that the ultra-conservative regimes of Central America would not be likely to break away from the United States. Only left-of-centre governments, including revolutionary and nationalist regimes, would challenge US hegemony in the region and their own dependent status.^{viii} Legitimising the Sandinista government in Nicaragua therefore took on a double significance: it would mean an ally for the mid-level regional powers, but it would also be a snub to the United States which had as its sole goal the elimination of the region's only Marxist regime.

For their part, the Central Americans felt that if the Sandinista regime were legitimated, their young, struggling democracies would be threatened. The chance of a victory by the revolutionary movements in El Salvador and Guatemala would increase if they had not only the moral motivation of a victorious neighbour, but also the logistical and other support an allied government could provide. If the FMLN and the Guatemalan National Revolutionary Unit (URNG) were victorious, the regional balance of power might swing in favour of the three Marxist governments and perhaps force Honduras and Costa Rica to redefine their national policies as well. Thus, for the other Central American states, the key to Contadora lay not in the security aspects of the agreement, but in requiring democratisation. Although to Nicaragua's delight the Contadora Group had attempted to keep democratisation out of the forefront of discussions,^{ix} a united front from the other Central American countries and the United States, insisting that democratisation was key to an accord, forced the topic back on the agenda. Nonetheless, the experience made it clear that the Contadora Group intended to stand up for Nicaragua throughout the course of the negotiations. The fact that the other Central American states and the United States perceived Contadora as

a very pro-Sandinista endeavour created a lack of confidence in the collective mediator and its ability to be neutral in the negotiations, hindering any real chance of concluding a definitive accord within that forum.

Nonetheless, over the course of four years, the Contadora Group sought to accommodate the positions of all five countries while at the same time protecting its own often divergent interests as well. Several documents were produced that represented the culmination of distinct stages of negotiations, but a final consensus consistently eluded the Contadora Group. This in part reflected the importance that the Central American countries gave to the Contadora effort; although willing to accept the role of the Contadora Group, the Central American states never solicited its mediation and, even more importantly, never endowed the four members with any specific mandate.^x As a result, alternative solutions and different fora were frequently proposed, distracting the attention of the Central American states and diluting their commitment to Contadora and their political will to find a solution via that unique route.

Although the Contadora Group's efforts did not result in a peace treaty acceptable to all sides, the initiative was hardly a total loss. First and foremost, the Contadora negotiations kept the channels of communication open between the various Central America states at a key moment during the regional crisis. The fact that Contadora endured for four years and led to the adoption of several documents that represented a general consensus within the region demonstrated that the countries could sit down at the negotiating table together and hammer out their differences. Perhaps the Esquipulas II Accord was relatively easy to reach because consensus had long been reached on many of the substantive issues that it embraced, issues that had been debated, refined, and finally adopted during the Contadora negotiating rounds.

Important Shifts

Just when it looked like the regional peace process was at a total impasse, things began to change in the region in such a way that the process took on a new light and new leaders assumed power, full of idealism and less tarnished by the crisis than their predecessors. A shift in the regional balance of power occurred, not on the battle field but on the international law plane, reminding all five countries that they could not exclude their crisis and their actions from the overriding principles that had long been accepted to govern relations between states. Finally, a blow to the US leadership, which unfortunately had proven far too willing to disregard international law in its dealings with its Central American neighbours, opened a window of opportunity for those attempting to solve the region's crisis pacifically, in defiance of the US preference for a military victory.

Between January and May of 1986, a changing of the guard began in the region with the inauguration of three new presidents: Vinicio Cerezo (Guatemala), José Azcona (Honduras), and Oscar Arias (Costa Rica). Of these new mandates, the most noteworthy was perhaps Guatemala's President Cerezo who was that country's first democratically elected civilian president in more than three decades. Indeed, the idea for a regional summit, at which the Contadora Act and the creation of a Central American parliament could be discussed, arose during Cerezo's inauguration, and the historical encounter was eventually scheduled for 24-25 May.^{xi} The meeting of the five Central American presidents—Cerezo, Azcona, and Arias plus Napoleón Duarte (El Salvador) and Daniel Ortega (Nicaragua)—represented the first gathering of the Central American heads of state in over ten years. At the meeting, the presidents adopted the *Esquipulas Declaration* which formalised the presidential summits as the most efficient forum through which to resolve regional issues; indicated the mandates' willingness to sign the Contadora Act; and approved the creation of a Central America parliament. Thus, although the Esquipulas process was born out of the May 1986 meeting, at the time there was no actual decision to abort the Contadora process;^{xii} rather, the presidents continued to perceive Contadora as the ultimate solution to their region's crisis.

The other major shift in the regional context came with the June 1986 decision of the International Court of Justice (ICJ), which found against the United States and for Nicaragua. Among other things, the ICJ found that the United States, in supporting the *contras* and their activities against the Sandinista government, had violated several customary international law norms, including the obligations not to intervene in the internal affairs of another state, not to use force against another state, and not to violate the sovereignty of another state.^{xiii} Suddenly, Nicaragua, which had been treated like an outcast on more than one occasion, was walking the legal, if not moral, high-ground and threatened to take its precedent-setting ICJ victory and apply the same arguments in cases against Costa Rica and Honduras, the two bordering countries where the largest *contra* units were known to operate. President Ortega also took advantage of the spotlight to build international support for Nicaragua—and against the United States—ultimately getting a UN General Assembly resolution calling on the United States to comply with the Court’s decision and stop aiding the *contras*.^{xiv} The combined pressure of heightened international attention and the threat of a case before the ICJ brought the Central American presidents to redefine their position on Nicaragua and is perhaps a key element that led to their decision to include Nicaragua as an equal in later negotiations.^{xv}

Finally, as a complement to the regional changes that had occurred, a major political crisis in the United States left the Central American policy of the Reagan administration in shambles. Disclosure of the Iran-Contra scandal in November of 1986 eroded the slim margin in the US Congress that had allowed Reagan to continue supporting the *contra* forces and weakened Reagan’s popular support. The only money that Congress was willing to authorize for the *contras* was specifically for humanitarian purposes. Moreover, it had become clear that the *contras* had been strategically defeated by the Nicaraguan armed forces anyway and were not going to provide the United States with a military solution in Nicaragua. Reagan’s domestic disrepute stretched to Central America, weakening the administration’s influence over its regional allies and creating something of a vacuum, particularly since funds were no longer free-flowing. It was time for the Reagan administration to reassess its absolute refusal to pursue a diplomatic solution to the regional crisis. Fortunately, that foreign policy decision coincided with Oscar Arias’s efforts to design a more functional plan for regional peace.

The Arias Plan

As president of Costa Rica, Oscar Arias held a unique position in the region. Costa Rica had abolished its military in 1948 and since that time had been considered an oasis of peace and democracy in the middle of the troubled region. Democracy had a much stronger hold in Costa Rica, and social conditions—life expectancy, literacy, health, education, etc.—were exponentially better than elsewhere in the region. However, the Nicaraguan crisis was directly threatening the tranquillity of Costa Rica and the viability of its democratic institutions, while heavy flows of immigrants fleeing the isthmus’s other conflicts created a burden that the little country was hard pressed to handle.^{xvi} Administrations prior to Arias’s had slowly but surely shifted away from the country’s tradition of neutrality, first siding with the Sandinistas in their struggle to remove Somoza from power in the late 1970s, but then switching to support the *contras* when the Sandinistas’ radical tone did not wane. Arias campaigned on the promise to restore Costa Rican foreign policy to its traditional concepts of neutrality and pacifism, thereby restoring Costa Rica’s moral authority as well.

As one of his early acts in office, Arias closed the *contra* bases operating on Costa Rican territory, invoking the wrath of Reagan in the process. In fact, the Arias decision proved costly since in response the United States froze USAID funds destined for Costa Rica; however, it gave Costa Rica a better bargaining position vis-à-vis Nicaragua and the rest of the Central American states, demonstrating Costa Rica’s and Arias’s respect for international law. Relations between Reagan and Arias did not improve until after the Iran-Contra scandal had been made public. Once US policy in Central America had been declared an absolute failure, Reagan agreed to meet Arias, an encounter he had put off more than once because of his displeasure with the Costa Rican leader. The December meeting came at a time when the United States needed desperately to develop a new approach to Central America, one that abandoned the military option

but would still stifle the Sandinistas. Oscar Arias was equally committed to removing the Sandinistas from power so as to protect Costa Rica's democracy and avoid militarising that traditionally pacific society, but also because he considered that the lack of democracy in Nicaragua lay at the heart of the Central America crisis.^{xvii} During their meeting, Arias assured Reagan that under the terms of his peace plan, Nicaragua would be forced to engage in specific internal reforms that would lead to the democratisation of that country. Although the plan's terms and its eventual goals were acceptable, Reagan still disfavoured the Arias proposal because it would nonetheless recognise the Sandinista government for the purpose of negotiations, inherently endowing the Sandinista regime with a degree of legitimacy and acceptance by its neighbours.^{xviii}

Nicaragua was not included from the beginning, however. Arias chose to present his plan to the other three Central American presidents in a meeting held in San José in February 1987. Arias intentionally excluded Ortega from this meeting in order to build a united front among the democratically-oriented countries of the region. Although the four presidents opted to postpone final approval of the plan until Nicaragua had agreed to the terms as well, they did issue a statement that made it clear that the solution to the regional crisis depended on the Sandinistas accepting once and for all that peace would come only once they agreed to democratisation and an end to their internal conflict.

The position of the Central American states put the spotlight fully on Nicaragua, since it looked as though that country was the only potential spoiler. And the argument was reasonable: if Nicaragua had been willing to sign the Contadora Act, then the Arias Plan should be acceptable as well. That plan contained similar provisions regarding regional security and was equally capable of eliminating US aggression against Nicaragua. The only difference was that the Arias Plan enshrined democracy as the basic foundation for peace and development. The Sandinistas had always proclaimed to be democratic, arguing that it was the special circumstances created by the *contra* war that forced the regime to limit certain civil liberties and close political spaces.^{xix} Therefore, the logical conclusion was that adopting democracy as a guiding principle for the regional peace process could not prevent Nicaragua from signing the accord. Oscar Arias argued this point directly with Daniel Ortega, complementing his case with additional reasoning. Arias recognised that Nicaragua's primary objective was terminating the *contra* war and ending US aggression, and he convinced Ortega that the best way to ensure that result would be to obtain commitments from the other Central American countries that they would no longer allow the United States to operate out of their territory. Without co-operative clients and with funding cuts dramatically limiting the resources available for the region, the United States would no longer be able to prop up the *contras* and, therefore, the war would simply cease to exist.

Esquipulas II

During their February meeting in San José the four Central American presidents had called for a full regional summit in ninety days, at which time they would present the Arias Plan to Daniel Ortega. That meeting, originally scheduled for June, was postponed until August when El Salvador, under pressure from the United States, wavered, conditioning its participation on a prior meeting of the foreign ministers. This delay gave Oscar Arias more time to raise awareness of and support for his plan, and he took advantage of the extended period to continue his lobbying efforts in Europe and the United States. Immediately prior to the summit, on 3 August, Arias made an unannounced tour of the other Central American nations in order to rally the presidents behind his plan. This last minute tour was in large part inspired by the fact that two other alternatives had been proposed.^{xx} At the same time, personal diplomacy was central to Arias's negotiating style, and he believed that such face-to-face dialogue with the other heads of states was essential given what lay at stake and the commitment that he needed to obtain from them.^{xxi}

When the five presidents finally met in Guatemala City on August 6, there was more consensus on the plan than had been expected. Costa Rica and Guatemala were considered the leading proponents of

the peace process: Cerezo had initiated the presidential summits and Arias had found a workable formula. To the surprise of many, Nicaragua came prepared to accept the proposal based on Arias's persuasive arguments and on the fact that the balance of power in Washington was clearly shifting away from those forces most vehemently opposed to the Sandinistas. El Salvador, despite its initial hesitations that delayed the summit, also came to Guatemala City willing to sign the Arias Plan into force. US House Speaker Wright's open support for the Arias Plan influenced President Duarte who feared losing the support of the influential US Democrat and the essential military and economic aid that support could provide.^{xxii} For its part, Honduras, always the staunchest US ally in the region, suddenly found itself in the awkward position of being the only potential spoiler. However, given the tarnished image of the Reagan administration following the Iran-Contra scandal and the shift in policy that had been demonstrated by the Wright-Reagan plan and ensuing events, Azcona began to doubt the wisdom of tying his country's fate to US policy, particularly given the effect that the relationship was having on the international image of Honduras. Real fears about the potential national security threat posed by the *contra* forces on Honduran soil were also a powerful reason to join forces with the other Central American states to end the regional conflict once and for all.

After locking themselves away in the Hotel Camino Real in Guatemala City, cut off from their foreign ministers and other advisers, their military commanders, their constituencies, and—perhaps most importantly—outside forces, particularly the United States, the five Central American presidents signed the *Procedure for the Establishment of a Firm and Lasting Peace in Central America*, a slightly modified version of the original Arias Plan. Commonly referred to as the Esquipulas II Accord, the document contained only ten provisions and a timetable; however, in just a few pages it managed to address the region's most pressing issues in a manner that was acceptable to all involved. The document's primary focus was on the progressive democratisation of the Central American states that would in turn contribute to national reconciliation. Each of the five regimes was recognised as a legitimate government, which proved essential not only for Sandinista Nicaragua, but for El Salvador and Guatemala as well, both of which were facing internal conflicts. Finally, and perhaps most importantly, the Esquipulas II Accord found a nearly magical formula for dealing with the question of US military assistance in the region. As was already mentioned, a cessation of all US aid to the *contras* was paramount to the Sandinistas; at the same time, El Salvador and Honduras both relied heavily on US military aid and support, particularly the former in its armed conflict against the FMLN.^{xxiii} The Esquipulas II Accord addressed these issues separately. By calling for a cessation of aid to all irregular forces and their expulsion from Central American territory, the accord required that the other states of the region—particularly Honduras—eliminate *contra* camps and supply routes in their territory. At the same time, there was no prohibition on foreign militaries in Central America, as long as they were not using one state's territory to engage in aggression against another. This allowed El Salvador to maintain its large contingent of US military advisers and, through them and the aid they brought, their edge over the FMLN.

It is very important to note that the Esquipulas II Accord did not end the Central American crisis or translate into an immediate cease-fire. Indeed, it would take almost ten years, several stalemates, a series of presidential summits, and internal peace negotiations before the strife in Nicaragua (1990), El Salvador (1992), and Guatemala (1996) concluded. In reality, Esquipulas II just signified that the Central American presidents had agreed to play by the same set of rules, and each went home to attempt to implement the broad, general commitments he had undertaken. The agreement required that each country meet certain goals by a set deadline, ensuring that everyone was taking similar measures at the same time in an effort to reduce mistrust and the perceived risk involved in pursuing peace unilaterally. While the five presidents struggled to convince their constituencies and opponents of the benefits of the peace accord, the United States continued to complicate matters by refusing to stop aid to the *contras*. Not satisfied with Nicaragua's simple adherence to the regional arrangement, Reagan argued that an unrelenting military threat was necessary to force the Sandinistas' compliance. Nicaragua, too, employed its own carrot and stick, maintaining the suit pending before the ICJ against Honduras in case that country failed to live up to its commitments under the accord.^{xxiv} For its part, Honduras, under tough pressure from the United States

not to close the *contra* camps within Honduran territory, adopted a policy of contingent compliance, conditioning its fulfilment of the accord's terms with the implementation of reforms in Nicaragua.

Pacifying Nicaragua

When the Central American presidents gathered in January 1988 for the first follow-up summit (this time in Alajuela, Costa Rica), the peace process had not advanced very far. Although cosmetic measures had been taken, such as establishing the mandated National Reconciliation Commissions, no real advances had been made in terminating the various armed conflicts. The Reagan administration, eager to embrace once again a purely military solution to the Nicaraguan conflict, encouraged the presidents of the Central American states to declare Nicaragua remiss in meeting its obligations. Ironically, the verification commission established in the agreement (and a separate, independent commission as well) found that Nicaragua had implemented more of the measures required than any other country, although it was clear that compliance was far from perfect. However, discussion never focused on the failings of the other Central American governments; only Nicaragua was on trial at the Alajuela summit. In order to thwart US efforts to derail the peace process and in response to Nicaragua's isolation, Ortega made major concessions, including an immediate lifting of the state of emergency, direct talks with the *contras*, the release of political prisoners, and the holding of local elections, and indicated a willingness to go even further and address the size of the armed forces and the question of foreign military bases and advisers. Fortunately, these concessions persuaded the US Congress, which to Reagan's dismay refused an executive request for more aid to the *contras*.

Despite the provisions for simultaneity, the progress of the Esquipulas peace process relied heavily on resolving the situation in Nicaragua, as was seen at the January 1988 Alajuela summit. This was true for several reasons, but most importantly because the other Central American states continued to distrust the Marxist regime and the perceived threat that it posed. Thus, although the Esquipulas II Accord had left several topics open for future discussion, initially the presidential summits were largely dedicated to addressing the Nicaraguan conflict. Following the Alajuela summit, and frustrated at the refusal of the other states to force Honduras to close the *contra* camp, the Sandinistas opened direct negotiations with the rebels as Ortega had promised. A cease-fire was reached in March 1988 and in exchange for halting all military operations for a 60-day period, the Sandinistas promised the *contras* easy, unconditional reintegration into the country's political, economic, and social life and a chance to participate in the upcoming elections. Despite these relatively fair and generous terms, certain factions of the *contra* forces did not want to abandon the armed struggle, and the Reagan camp quickly sided with those factions, pressuring the military leaders to abandon the Sapoá Accord. At the same time, the domestic political opposition began to make demands for constitutional reform, demands that the Sandinistas were not willing to meet, and that refusal met with renewed sympathy and support for the rebel forces. A Sandinista crackdown, prompted no doubt by the government's frustration at the unwillingness of the political and military opposition to reach consensus, forced the upcoming presidential summit to be postponed. The crisis in Nicaragua spread to the regional peace process as well, and failure appeared eminent; however, the Central American countries were not ready to throw in the towel. Instead, they lay low for the rest of 1988, waiting for an appropriate moment to renew their efforts to bring peace to the region.

In February 1989, the fourth presidential summit was held in Tesoro Beach, El Salvador, more than a year after the Alajuela Summit. During that year, the peace process had faced important challenges and setbacks, but the Tesoro Beach meeting proved that the political will to achieve peace still existed. Moreover, the context was more conducive to peace due to three major developments. First and foremost, the Reagan administration had finally come to an end and George Bush was better in tune with the regional and international realities that called for a negotiated peace with Nicaragua and throughout the region. This new US stance was in part due to the major shift in global politics: Soviet leader Mikhail Gorbachev, as a prelude to the end of the Cold War, chose to end military aid to Nicaragua. Finally,

Nicaragua's domestic economic situation had become desperate. Facing a cut-off in aid from the Soviet bloc, the Sandinistas had no choice but to make major concessions within the regional peace process in order to end the burgeoning costs not only of the *contra* war but of the US embargo as well.

At Tesoro Beach, Ortega announced his startling decision to call general elections ahead of schedule and to invite international observers to verify the process (leading to the establishment of the United Nations Observer Mission for the Verification of the Elections of Nicaragua (ONUVEN). In fairness, and in recognition of Ortega's gesture in support of the peace process, the presidents agreed to develop a plan for the demobilisation of the *contra* forces still located in Honduras and called on the United Nations (through its Central American Observer Group, ONUCA) to help oversee the border between the two countries. Unfortunately, once again Honduras caved to US pressure and shirked from enforcing the demobilisation agreement, reasoning that it had the right to allow those *contras* who wished to remain on Honduran soil to do so. Honduras also refused to allow ONUCA to begin operating as long as Nicaragua maintained its suit against Honduras before the ICJ. The failure of demobilisation was not entirely the fault of Honduras, however; the *contras*, too, were hesitant to surrender their weapons as long as the elections had not been held. They felt that their security could not be guaranteed as long as the Sandinistas were in power and preferred to delay demobilisation until a new national leadership had been elected that would provide them with specific safeguards.

Given the many concessions made by Ortega and in recognition of the advances that had been made domestically in Nicaragua in preparation for the February 1990 elections, Nicaragua finally gained a certain amount of bargaining power vis-à-vis the other Central American states. Thus, at the fifth presidential summit, held in Tela, Honduras, in August 1989, Ortega was able to insist that something be done about the *contra* forces. Despite US pressure to the contrary, Honduras, too, was eager to resolve the issue of some 12,000 armed rebels that continued to operate in its territory. The five presidents called for the demobilisation of the *contra* before the end of the year and solicited the assistance of the United Nations and the Organisation of American States (OAS) to implement the plan. Those two organisations created the International Support and Verification Commission (CIAV) to oversee demobilisation, the dismantling of camps, distribution of humanitarian aid, and the decommissioning of weapons. In a quid pro quo to Honduras, Nicaragua agreed to delay its ICJ case against that country and even withdraw the case once Honduras had complied with the demobilisation plan.

Despite these advances on paper, the demobilisation of the *contras*—and therefore the peace process as a whole—stalled again due to pressure from the U.S. government and resistance from the wary *contra* forces themselves. Although Bush had adopted a much more flexible policy than his predecessor, he still believed that the key to winning the diplomatic battle was to maintain a military threat. That meant continuing to fund the *contras* and convincing Honduras to avoid complying with the terms of the Tela demobilisation agreement. In the interim between the Tesoro Beach and Tela summits, the Hondurans had accepted the US argument that continued humanitarian aid to the *contras* would ease the burden being borne by Honduras, lower the internal security risk that the *contras* posed, and not violate the terms of the Tesoro Beach agreement. After the Tela meeting, the Bush administration still refused to cut off aid to the *contras*, promising instead that aid would definitely be eliminated if the rebels failed to disband following the February 1990 elections.^{xxv} At the same time, thanks to the relative political liberalisation taking place within Nicaragua in preparation for the 1990 elections, the U.S. also undertook a massive strategy to influence the domestic opposition, helping to form a twelve-party coalition (the National Opposition Union or UNO) and funding activities, such as voter registration, to increase the fairness of the election.^{xxvi}

In the end, the Central American peace process hinged on one event: elections in Nicaragua. The Sandinistas, who were confident that they would again win a landslide victory as they had in 1984, but this time with the legitimacy that international observers would provide, saw the elections as the only way to achieve the bargaining power necessary to operate on equal footing with the other Central American leaders at the presidential summits. Oscar Arias was confident that the Sandinistas would lose the elections because he believed that Nicaraguans really craved a democratic and pluralistic regime.

Economic crisis and the moral and physical casualties of ten years of internal war had eroded passion for the revolution, despite some of the social benefits. For their part, the other presidents were taking a chance and feared that the Sandinistas could in fact win, an outcome that would force the other leaders to accept the Sandinistas as the legitimate representative of the Nicaraguan people. It must be kept in mind that the Sandinistas were themselves a revolutionary force that had triumphed against the regime in power and seized control of the government. That was an unacceptable precedent, particularly for Guatemala and El Salvador, which faced a similar threat from the URNG and the FMLN. Finally, as already mentioned, Honduras was unwilling to take any step to ease the *contra* threat as long as it—and its great ally, the United States—felt threatened by a neighbouring Marxist regime. Thus, Nicaragua was the critical link in the chain, and only democratisation and reconciliation in that country—measured in terms of free and fair elections which would nonetheless replace the Sandinistas—could unleash similar forces in the rest of Central America.

When elections were finally held in February 1990, they were defeated by the UNO candidate, Violeta Chamorro, who received a staggering 55% of the vote, to the shock of the Sandinistas. This victory immediately translated into two things: first, relations with the United States were restored virtually overnight; second, many *contras*, relieved that “their” candidate had won, immediately abandoned camp in Honduras, heading home under the conviction that the Chamorro victory inherently guaranteed their security. Ortega accepted the defeat graciously, believing that the people had spoken not necessarily against the revolution, but in favour of national reconciliation.^{xxvii} He agreed to a peaceful transition governed by a protocol, brokered between the Sandinistas and the new leadership, that prevented the total dismantling of the revolutionary government, in particular retaining Ortega’s brother as commander in chief of the armed forces. As for the Central American presidents, they were finally free to shift their attention, first briefly to the conflict in El Salvador and then on to the provisions in the agreement that addressed the region’s economic development. Indeed, in ensuing presidential summits the focus was entirely on economic and development-related issues, with only periodic declarations of support for the peace processes underway in El Salvador and Guatemala.

The Internal Peace Processes

Although the Nicaraguan conflict moved off the presidential summit agenda after the 1990 elections, internally the country still had major problems to address. Similarly, the Salvadoran and Guatemalan governments also had to initiate talks to resolve their own domestic conflicts and promote national reconciliation. Those efforts, however, were considered the internal affairs of each country. In fact, the Nicaraguan conflict had consumed two years of presidential summits only because it was perceived of as the key link in the regional conflict chain. Once the *contras* had returned home and the threat of direct US intervention in the region had dissipated, the Nicaraguan conflict was reduced to dimensions similar to those of the conflicts in the rest of the region. Newly elected President Chamorro was left to her own devices to find a solution to her country’s internal conflict. Similarly, the Guatemalan and Salvadoran governments each waited for the opportune moment to begin negotiations at home, although they were certainly influenced by international pressure and changes in the global context, particularly the end of the Cold War. In El Salvador, negotiations began in earnest in September 1989, leading to the signing of the *Chapultepec Peace Accords* in December 1992. In Guatemala, half-hearted dialogue began as early as 1987, but real negotiations were only undertaken as of March 1994, culminating in the signing of the *Accord for a Firm and Lasting Peace* in December 1996. Unfortunately, limitations of space do not allow for a detailed discussion of the individual national peace processes,^{xxviii} but it is important to make some brief comments and to compare the three processes in order to draw a few essential lessons for future peace negotiations.

First and foremost, the major factor that distinguishes the three national processes is the existence of an actual peace accord in El Salvador and Guatemala. The fact that an overarching accord was never negotiated in Nicaragua is an elemental factor in that country’s continuing crisis. Once Chamorro had been elected, she negotiated separate peace agreements with three different *contra* fronts, but those agreements were not respected, largely because of vagueness of the government’s actual commitment. A

later round of agreements contained more detailed pledges by the government, but the proposed programs had not been thought through, particularly in terms of financing, and again the *contra* forces were disappointed. The sketchy combination of various cease-fires and reintegration agreements had two additional drawbacks: first, it did not allow for the broader political demands of the *contra* to be addressed, such as an end to Sandinista control of the military and police; second, it omitted the bulk of the population from the national peace process. A major plus to the Salvadoran and Guatemalan peace processes was that it allowed the population—whether represented by the government, the rebel forces, or civil society in general—to begin to formulate a national consensus on various issues, particularly the political issues that were at the heart of the conflict,^{xxix} and the agreement itself came to represent a plan for the future of the nation. In Guatemala, where the parties had the benefit of the lessons learned in El Salvador and Nicaragua, the national project outlined in the peace accords went the furthest, defining Guatemala as a pluri-ethnic, pluri-linguistic, and pluri-cultural country. Where all three processes failed was in the socio-economic arena; the important issues of income inequality, unequal distribution of land and other resources, and how to reverse staggering and widespread poverty—issues that may not have sparked the different conflicts but definitely created a necessary condition in the broader context—were addressed only in the Guatemalan accords and those provisions leave much to be desired.

A second important feature of all three national peace processes was the involvement at some point of the United Nations and, in the case of Nicaragua, of the OAS. In fact, in Nicaragua the UN presence was limited to verification of the elections (through ONUVEN) and demobilisation of the *contras* by CIAV, a joint United Nations-OAS force, complemented by ONUCA's monitoring. The UN branch of CIAV had been given responsibility for demobilising *contra* forces in Honduras, leaving the OAS arm in charge of those rebels already present in Nicaragua. This division of labour did not plan for the fact that, upon Chamorro's victory, the majority of the expatriated *contra* forces would immediately head home. Thus, CIAV-UN had little to do, and CIAV-OAS bore the brunt of responsibility, seeing its mandate extended several times. Given the mistrust that continued to exist between the *contras* and the largely Sandinista military and police forces, it was essential that a neutral third party be brought in to carry out the demobilisation, and CIAV-OAS managed to establish essential credibility with the rebels. At the same time, that relationship was perceived by both the Sandinistas and the government as representing an OAS bias in favour of the *contras*, deepening already existing polarisation within the country. Nonetheless, the CIAV-OAS played a fundamental role in the Nicaraguan peace process, eventually helping to demobilise some 20,000 *contra* soldiers, but also mediating between the government and rearmed groups, monitoring human rights violations in the former zones of conflict, and promoting local capacities for conflict resolution.

In both El Salvador and Guatemala, the United Nations was the principal player and was invited not only to verify accords but also to help mediate the negotiations early on.^{xxx} Originally the Catholic Church had started mediating the Salvadoran negotiations with only minimal success, but the need for a stronger mediator was made evident in November 1989 when an FMLN general offensive highlighted the fact that the two sides were locked in a military stalemate. Finally willing to commit to a negotiated settlement, in December 1989 the FMLN met with the Alvaro de Soto, executive assistant to UN Secretary-General Javier Pérez de Cuéllar, and later that same month President Cristiani and the other Central American presidents, in summit in Costa Rica, and issued a statement asking Pérez de Cuéllar to get involved. Shuttle diplomacy by de Soto in the following months led to the formulation of a framework agreement signed in April 1990. De Soto continued his active role conducting the negotiations, but the Secretary-General stood on call to exercise his influence when necessary. When talks stalled in October 1990, the UN mediator was endowed with additional powers that included submitting written proposals to each side. Slowly but surely, the UN mediator was able to prod the parties along, negotiating a series of separate agreements on specific topics over the course of 1990-91. To renew confidence in the process in July 1991, the United Nations agreed to requests from both sides to deploy its human rights observer mission (ONUSAL) prior to an actual cease-fire. This proved to be an important confidence-building measure, indicating the irreversibility of the peace process. After the peace accord was signed, ONUSAL's

mission was expanded to include verification of compliance with all of the various commitments contained in the agreement.

Despite the excellent example from El Salvador, Guatemala did not commit to a UN mediator at first, although a UN observer was present at most negotiations as of 1987. Initially, talks were led by the Esquipulas-mandated National Reconciliation Commission (NRC), and in 1990 the NRC organised several talks between itself and the URNG, at times inviting political parties, academics, and civil society organisations as well. The first meeting between the URNG and COPAZ, the government's negotiating team, was held in April 1991 and resulted in an agreement that outlined the plan for future negotiations, but process was slow and difficult. That was in part due to hesitations as regarded the role of the United Nations in eventually verifying implementation of the accords. For a time, Guatemala, aware of the massive UN presence in neighbouring El Salvador, felt that a similar deployment in Guatemala would be an affront to national sovereignty.^{xxxii} A constitutional crisis and the naming of a new president in 1993^{xxxiii} opened a window of opportunity for the peace process, and the parties to the Guatemalan conflict apparently gained a new appreciation for the potential benefits of UN mediation. Negotiations resumed in January 1994 and the parties requested that the United Nations provide a mediator and verify the implementation of all agreements reached.

Unlike in El Salvador, Jean Arnault, the person named as head mediator, although talented and very capable, was a relatively junior UN official, and the negotiations were supervised not by the Secretary-General but by the Under-Secretary-General for Political Affairs, Murrack Goulding. In late 1994, when the process had stalled over indigenous rights and a timetable, Secretary-General Boutros Boutros-Ghali did get involved, issuing an effective ultimatum that brought the parties back to the negotiating table so as to avoid an embarrassing denouncement before the General Assembly and the Security Council,^{xxxiii} but for the most part the Guatemalan negotiations had a much lower profile than those in El Salvador. As for verification, despite initial hesitations, Guatemala in fact opened its peace process up to broad verification by the United Nations, requesting monitoring of compliance with all of the accords. As in El Salvador, the UN mission in Guatemala, known as MINUGUA, was deployed early in an effort to build confidence in the peace process; at the same time, installation of the mission was cautious and gradual, as it was seen as one of the few incentives that would keep the parties at the negotiating table.^{xxxiv}

The role of the United Nations and the OAS cannot be overemphasised. Without outside verification, it would have been very easy for Central America to slip back into armed conflict. International verification raised the stakes for the Central American governments, forcing them to comply as closely as possible to the letter if not the spirit of the accords that they had signed. It is important to point out that this is a role that perhaps no other entity could have fulfilled. The Central American states themselves could not be expected to police their own agreement, and the other countries of the region that had been involved in the peace process—the Contadora Group and the Grupo de Apoyo—still suffered from perceived biases. Even the OAS was not capable of playing the part of a neutral observer, and probably only had such a significant role in Nicaragua because of the quirk of fate that assigned CIAV-OAS the Nicaraguan rather than Honduran demobilisation. The United Nations was considered to be a particularly neutral forum where the hegemonic interests of the United States could be sufficiently diluted (which was not the case within the OAS). Moreover, because both Secretaries-General in office during the peace process came from the South, there was an assumption that the good offices proffered would be inherently more understanding of the region's realities and needs.

The final important factor that must be taken into account is financing of the peace accords. These three Central American countries, already classified as underdeveloped, suffered major setbacks in their development because of the destruction that came with their wars. Ambitious programs to reform crumbling institutions, reverse decades of excessive militarization, and reintegrate former combatants, both from the irregular and insurgent forces and from the national militaries and police forces, required massive funding, funding that the national governments did not possess. Nicaragua is clearly the country that

suffered the most since there was little organisation involved in preparing demobilisation and reinsertion programs, land transfer and titling efforts, and other essential projects. El Salvador, however, hailed as the most successful peace process in the region, also suffered major setbacks because of a lack of funding, not only internally but from international co-operation as well. Although it is too early to tell, there is hope that this issue was dealt with better in Guatemala, with the gift of hindsight in El Salvador and Nicaragua. Indeed, Arnault made a specific effort to co-ordinate the international financial organisations and donor agencies so that the reforms agreed to on paper in Guatemala could be made a reality. In retrospect, the lack of funding to allow the Central American governments to fulfil their commitments to their people is perhaps the biggest barrier to a firm and lasting peace in the region. Even without a coherent peace accord, Nicaragua could have made much greater advances in its peace process if it had simply been able to demobilise completely the *contra* forces and prevent the resurgence of armed groups within the country. A lack of resources made it impossible for former combatants to resume their long-abandoned civilian existences, and common crime became a source of income for many. Even in El Salvador, where a well-defined blueprint existed, limited financing has stumped attempts to correct that country's historical maldistribution of land and establish a completely new and purely civilian police force. With socio-economic provisions included in the final accord, the test for Guatemala will be the most challenging of all.

Conclusions

Many have suggested that the Central American peace process was an isolated phenomenon that relied heavily on a specific combination of personalities and a very particular set of circumstances. Specifically, it has been argued that the Esquipulas process was really only successful in the end because international events, such as the Iran-Contra scandal, the changing of the guard in the US presidency, détente and the eventual termination of the Cold War, periodically intervened to reinvigorate the failing negotiations. These views do not give due credit to the presidents of the Central American states and the challenge they undertook. Moreover, they disregard the personal diplomacy and international lobbying efforts of Oscar Arias. Perhaps most unfairly, they belittle the importance of the basic principles that the accord enshrined and upheld.

Certain factors clearly are unique to Esquipulas. Foremost, Costa Rica was a singular regional player; sadly in this day and age there are few demilitarised states that have the moral authority that Costa Rica possessed in the region, augmented by a relatively long history of democratisation and social progress. The fact that Costa Rica did not have its own military made it all the more vulnerable to the regional crisis and all the more honest as a broker of a regional settlement. It is also fair to say that bringing peace to Central America would have proven much more challenging if the Cold War had continued to rage. The fact that the two superpowers lost interest in a proxy battle in Central America opened up space for a negotiated solution. More importantly, the fact that Gorbachev chose to walk away from the region allowed the United States to ease its tenacious belief in nothing but a military victory and embrace negotiations.

What can be taken from the Esquipulas process and applied to other regions is this: any solution developed and nurtured from within has a better chance of taking root than third party options that respond to extra-regional interests. The determination of the presidents of the Central American states to formulate a grassroots solution to their common problems was a crucial factor. By excluding other parties from the negotiations, the presidents narrowed the players down to the bare minimum, eliminating in the process the mistrust and biases that grew out of the complex interaction of many states with different and often divergent interests. Although there was still bias and mistrust among the five presidents, particularly vis-à-vis Nicaragua, it was reduced to a more manageable level and did not put in doubt the intentions of the mediator. In order to gradually raise confidence, the presidents began by building consensus on the interpretation of the basic principles of international law that lay at the base of negotiations, particularly the prohibition on the use or threat of force, the principle of non-intervention, and the right of self-determination. A perfect example of this was the interpretation of non-intervention to apply to insurgent and irregular forces and their foreign allies, but not so broadly as to prevent demands for democratisation and for recognition by the governments of their country's rebel forces in cease-fire talks. In such a way, the

Central American presidents began creating the rules that would govern relations among their states in the future. This meant that they made concessions to one another on the basis of reciprocity, without having to worry that at a later date another state from outside of the region could make a similar demand.

Agreement on general principles to govern Central America was just part of the Esquipulas formula. The second major element of Esquipulas that can also serve as a model to other countries was that the accord was not overly specific or demanding. Rather than set out a detailed road map to peace that each country was obliged to follow, the presidents agreed on general objectives and goals, leaving the means to the end undefined. This meant that the presidents did not have to return home and force a specific policy through their legislatures or order their militaries to cease-fire; rather, they were given the time and space necessary to convince their constituencies of the benefits of the long-term goals. Once the argument had been made, each country was allowed to achieve the goal in the way that best corresponded to its historical, political, economic, social, and ethnic reality. This was important not only in terms of self-determination and allowing each of the very different Central American societies to define its own future, but also because rigid rules and an inflexible schedule could have generated too many expectations. If those expectations were not met, popular discouragement and disillusionment would threaten the credibility and viability of the peace process.

Finally, by far the most important factor in the success of the Esquipulas process was that the presidents of the five Central American states—as well as their successors who carried the process forward into the economic and development phase—all had great vision and true courage. They undertook to resolve a conflict that neither the military might of the United States nor the diplomatic prowess of countless other countries had been able to solve. And they did so under heightened international attention due to Reagan's dismissals of their efforts and to Arias's awareness-raising campaign. When the 1987 Nobel Prize for Peace was awarded to Arias, even more attention was focused on the region and the series of negotiations that followed the signing of the accord. The presidents also knew when to turn to neutral international actors for assistance and support. The wisdom of involving the United Nations in the regional peace process can not be denied, particularly since the UN mediators and verification missions played such fundamental roles in both El Salvador and Guatemala, as did the OAS in Nicaragua. Strong leadership is a quality that does not depend on economics, international politics, or geography. It depends only on courage and vision and a willingness to put the well being of the people before everything else.

Too many regional conflicts rage throughout the developing world, and they all share important characteristics with the Central American crisis of the 1980s. Albeit there is no longer a Cold War seething that feeds such conflicts, and international players do not bear the weight that they once did, at least not in terms of contributing to the continuation of conflict. But such a context is not the only area that offers parallels. The Central American states suffer scars from the same colonial heritage—as is true in Africa and Asia as well—but each also has its own historical peculiarities and political realities that shaped its internal conflict and its relations with its neighbours. Moreover, in Central America as in the majority of conflict-torn societies, the general populace suffered the most while the warring factions consumed vital resources and destroyed others in their pursuit of military victory. By linking peace to democracy and development, the Central American presidents created a formula that would bring not just a cease-fire but a firm and lasting peace that would allow for the creation of stable and productive societies. By recognising that their destiny was linked, the Central America presidents chose to forge a new future for their people, based on shared goals and common ground. If the ultimate prize is peace, courageous leaders in other conflict-ridden regions should be willing to follow the Central American paradigm and seek a similar solution of their own.

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Notes

- * Writing this article would have been much more time consuming if I had not had the great fortune to collaborate recently with Carlos Murillo in the preparation of a paper on the regional peace process for a project undertaken under the auspice of the Netherlands Institute of International Relations ("Clingendael"). That study, entitled "Lessons from the Central America: A Systematisation of the Regional Peace Process," will be published by Clingendael in the near future as part of a broader comparative project on Conflict Prevention in West Africa. With deep gratitude to Carlos Murillo for his mentoring on this topic and to Fernando Durán Ayanegui, Executive Director of the Arias Foundation, for his support and advice during this project and in general, I must emphasise that any mistakes or erroneous assessments in this article are entirely of my own doing.
- i. In 1969, Honduras and El Salvador briefly went to war over immigration and border issues, among other things. The war itself lasted only a few days, and the cease-fire agreement included a clause declaring the disputed border area a demilitarised zone; a peace accord, however, was not forthcoming until 1980. That peace accord in fact represented the shared need of Honduras and El Salvador to remilitarize the border area in order to root out the Salvadoran guerrillas, who had established base camps, stockpiles, and training areas in the zone. The actual border dispute has still not been fully resolved, despite a 1992 International Court of Justice decision on the issue. See *Land, Island and Maritime Frontier Dispute (El Sal. v. Hond.)*, 1992 I.C.J. 4 (Sept. 11).
 - ii. See Alejandro Bendaña, *La Firma de Esquipulas II: Una Perspectiva Sandinista*, 4, Arias Foundation Working Paper No. 3, 1992.
 - iii. For a thorough discussion of each of these initiatives, see generally Carlos Murillo, *Paz en Centroamérica: De Nassau a Esquipulas* (forthcoming Arias Foundation publication).
 - iv. The group was named for Contadora Island, off the Pacific Coast of Panama in the Gulf of Panama where the ministers first met.
 - v. The bulk of the draft agreement was dedicated to military manoeuvres, armaments and arms trafficking, foreign military bases and advisers, support to irregular forces, and terrorism, subversion, or sabotage.
 - vi. See Francisco Rojas Aravena, *Esquipulas II: Un Caso Exitoso de Negociación y de Cooperación para la Paz*, Arias Foundation Working Paper No. 1, 1992; Jack Child, "U.S. Security and the Contadora Process: Toward a CBM Regime in Central America," in Bruce Bagley (ed.), *Contadora and the Diplomacy of Peace in Central America*, 1985.
 - vii. In an effort to counterbalance US influence on the Central American governments, a support group (the Grupo de Apoyo) was created by Argentina, Brazil, Peru, and Uruguay in 1985. The addition of these four countries to the peace process further strengthened the Latin American character of the initiative, broadening the sphere of influence.
 - viii. For a complete presentation of this argument, see Dario Moreno, *The Struggle for Peace in Central America*, Chapter 3, 1994. Mexico was clearly aware that this was true, as was evidenced when it joined France in May 1981 and issued a declaration recognising El Salvador's FMLN-FDR as a "representative political force," giving the Salvadoran rebels and their struggle badly needed international legitimacy. *Joint Franco-Mexican Declaration on El Salvador*, Security Council, UN Doc. S/14659, 1981.
 - ix. See Moreno, *op.cit.*, pp 58-60.
 - x. Indeed, the only mandate that the Contadora Group ever received came from the Security Council, which in Resolution 530 of 19 May, 1983 urged the four countries to engage in "frank and constructive dialogue" with their Central American neighbours to find a solution to the regional crisis. See Francisco Villagrán Kramer, "Understanding the Crisis in Central America," in Jack Child (ed.), *Conflict in Central America: Approaches to Peace and Security*, 1986, p 15.
 - xi. The meeting was held in a small village in Eastern Guatemala named Esquipulas, famous in the region as a destination for Catholic pilgrimages to see the Black Christ. Thus, the entire regional peace process was christened "Esquipulas" even though no further meetings were held at that location.
 - xii. In April 1987, the Contadora Group and the Grupo de Apoyo met in Argentina and issued a statement expressing their support for the Central American initiative. Although the members of both groups

- would later be called on to assist in verification and other aspects of implementation, this represented the formal termination of the Contadora phase of the Central American peace process.
- xiii. Military and Paramilitary Activities (Nicar. vs. US), 1986 I.C.J. 4 (27 June), para. 292. It should be noted that the United States refused to appear before the Court and defend its case.
- xiv. UN Doc. S/18221, 1986.
- xv. For a general discussion of how the ICJ decision in favour of Nicaragua affected relations in the region, see Joaquín Tacsan, *Regional Security and the Rule of Law: Peace Negotiations in Central America (1987-90)*, Arias Foundation Working Paper No. 12, 1992.
- xvi. Once in Costa Rica, these immigrants represented a challenge for the country's health and education systems, among other things. More worrisome, however, was the fact that the refugees often continued to participate in the struggles in their homelands, using Costa Rica as a staging area. Citing William Furlong, Dario Moreno indicates that, during the 1982-83 period, nearly a dozen acts of political terrorism were recorded in the country's capital alone. That led the then-president Monge to beef up internal security forces, breaking with the country's traditional security paradigm, and certain members of the economic elite even went so far as to prepare private paramilitary forces. Moreno, *The Struggle for Peace*, *op.cit.*, p 80.
- xvii. Arias elaborated on this point in an address to the General Assembly:
 [The Sandinista's] unwanted and unforeseen political course has transformed Central America into another stage for the East-West conflict. There is no letup for anyone along the path chosen by the commandantes, who betrayed a revolution aimed at returning democracy to several generations that knew only oppression...for people who, frustrated and disappointed, have returned to civil war...for neighbouring nations that already sense the threat from a new totalitarian dogmatism and are already suffering the consequences of a frontier of sorrow and disillusionment.
- Oscar Arias, "Address to the United Nations," 24 September, 1986.
- xviii. The US Senate did not have such misgivings; in March 1987, the Arias Plan was approved by that body by a vote of 97 for and only 1 against. Oscar Arias, "Esquipulas II: The Management of a Regional Crisis," in Douglas P Fry and Kaj Björkqvist (eds), *Cultural Variation in Conflict Resolution: Alternatives to Violence*, 1997, pp 147-150.
- xix. Alejandro Bendaña insists on this point, arguing that the leaders, members and followers of the FSLN were committed to a revolutionary and democratic project. Measures limiting civil and political liberties were "bitter pills" that had to be taken because of the state of emergency, but they would gradually disappear as the country's situation normalised. Bendaña, *La Firma de Esquipulas II: Una Perspectiva Sandinista*, *op.cit.*, p 6.
- xx. The first came from the foreign ministers of El Salvador, Guatemala, and Honduras who had met in July, and the second was a half-hearted bipartisan attempt by the United States to establish a new Central American policy. The US plan, called Wright-Reagan to reflect the supposed consensus reached between House Speaker Jim Wright and the president, was presented to the press and to the Central Americans in such an ambivalent manner that Wright immediately lost hope in the proposal. Instead he sent an advisor to Guatemala to inform the Central Americans to pursue negotiations based on the Arias Plan. Moreno, *The Struggle for Peace*, *op.cit.*, pp 88-89.
- xxi. For his efforts to bring peace to Central America, Oscar Arias was awarded the 1987 Nobel Prize for Peace, which he accepted on behalf of Costa Rica and all the peoples of Central America.
- xxii. Moreno, *op.cit.*, p 89.
- xxiii. Although the Guatemalan government was also engaged in an internal conflict with the URNG, its military was much more self-sufficient, in large part because it had been cut off from US aid sources by Jimmy Carter due to an outrageous record for human rights abuses.
- xxiv. As a sign of good faith, however, Nicaragua dropped its case against Costa Rica the day that the Esquipulas II Accord was signed. Tacsan, *Regional Security and the Rule of Law*, p 11.

- xxv. Based on that condition, the US Congress authorised approximately \$50 million in humanitarian aid to be disbursed through February 1990.
- xxvi. Despite a \$9 million package and unverifiable amounts of covert aid from the United States, without mentioning other sources, the UNO campaign lacked resources, particularly since it faced the challenge of competing with the state resources (national media, public transportation, etc.) controlled by the Sandinistas.
- xxvii. Bendaña argues that the Sandinistas finally received their long sought after legitimacy by accepting their defeat and transferring power peacefully. Bendaña, *op.cit.*, p 8.
- xxviii. The above-mentioned Arias Foundation report on the regional peace process contains a systematic presentation of all three national processes. For a critical comparative analysis of the three regional peace processes (as well as those in other Latin American countries), see generally Cynthia J Arnson (ed.), *Comparative Peace Processes in Latin America*, 1999, and the specific national chapters: Rose J Spaulding, "From Low-Intensity War to Low-Intensity Peace: The Nicaraguan Peace Process," p 31; Antonio Cañas and Hector Dada, "Political Transition and Institutionalisation in El Salvador," p 65; and Dinorah Azpuru, "Peace and Democratisation in Guatemala: Two Parallel Processes," p 97.
- xxix. Negotiations in El Salvador never involved anyone but the parties to the conflict, the FMLN and the government; however, the UN mediator was authorised to consult with political parties and civil society. In Guatemala, the role of civil society was formalised in the Assembly of Civil Society, which could present non-binding recommendations to the parties and the United Nations, debate and pursue consensus on the negotiating points, and ultimately consider whether to endorse the agreement reached by the government and the URNG.
- xxx. An excellent comparison of the UN role in each of these countries can be found in Teresa Whitfield, "The Role of the United Nations in El Salvador and Guatemala: A Preliminary Comparison" in Arnson, *Comparative Peace Processes*, p 257.
- xxxi. Whitfield, "The Role of the United Nations," pp 269-270.
- xxxii. On 25 May, 1993, President Jorge Serrano executed a self-imposed *coup d'état*, suspending the constitution and closing the legislature and courts. Unable to find support among either the military or the citizenry, Serrano abandoned the presidency, and the Constitutional Court named Ramiro de León, former Human Rights Ombudsman, as the new president. The fact that the country had survived a constitutional crisis so early on in its redemocratisation process, and the great popularity and legitimacy enjoyed by de León, gave new impetus to the peace process.
- xxxiii. Whitfield, *op.cit.*, p 273.
- xxxiv. *Ibid.*, p 272.

Esquipulas II, Peace Treaty

7 August 1987

**ESQUIPULAS II: PROCEDURE FOR THE ESTABLISHMENT OF A FIRM AND
LASTING PEACE IN CENTRAL AMERICA^{xxxiv}**

“Voices calling out and hopeful winds

seeking a joyous peace for all.”
- Arturo Echeverría Loría

PREAMBLE

We, the Presidents of the Republics of Guatemala, El Salvador, Honduras, Nicaragua, and Costa Rica, meeting at Guatemala City on August 6 and 7, 1987, encouraged by the vision and continuing desire of Contadora and the Support Group in favour of peace, strengthened by the constant support of all the governments and peoples of the world, their principal international organisations, and especially by the European Economic Community and His Holiness John Paul II, inspired by Esquipulas I, and having gathered together in Guatemala in order to discuss the peace plan presented by the Government of Costa Rica, have agreed to:

- Assume fully the historic challenge to forge a destiny of peace for Central America;
- Undertake to fight to peace and eliminate war;
- Make dialogue prevail over violence and reason over rancour;
- Dedicate these peace efforts to the youth of Central America, whose legitimate aspirations for peace and social justice, for freedom and reconciliation, have been frustrated for many generations;
- Establish the Central American Parliament as a symbol of freedom and independence of the reconciliation to which we in Central America aspire;

We ask for the respect and assistance of the international community in our efforts, Central America has its own pathways to peace and development, but we need help to make them a reality. We ask for an international agreement that would ensure development so the peace we seek may be a lasting one. We firmly reiterate that peace and development are inseparable.

We express our appreciation to President Vinicio Cerezo Arévalo and to the noble people of Guatemala for having served as the host for this meeting. The generosity of the Guatemalan people and their leader has been vital in creating the climate in which the peace agreements were adopted.

PROCEDURE FOR ESTABLISHING A STABLE AND

LASTING PEACE IN CENTRAL AMERICA

The Governments of the Republics of Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua, having undertaken to achieve the objectives and develop the principles established in the United States Nations Charter, the Charter of the Organisation of American States, the Document of Objectives, the Caraballeda Message for Peace, Security, and Democracy in Central America, the Guatemala Declaration, the Punta del Este Communiqué, the Panama Message, the Esquipulas Declaration, and the draft Contadora Act for Peace and Cooperation in Central America of June 6, 1986, have agreed upon the following procedure for establishing a stable and lasting peace in Central America.

1. *National Reconciliation*

(a) *Dialogue*

To carry out urgently, in those cases in which deep divisions have occurred within a society, actions of national reconciliation to allow the people to participate, with full guaranties, in authentic political processes of a democratic nature, on the basis of justice, freedom, and democracy, and, for the purpose, to establish mechanisms for dialogue with opposition groups, in accordance with the law.

To that end, the respective governments shall initiate dialogue with all domestic political opposition groups that have laid down their arms and with those that have accepted the amnesty.

(b) *Amnesty*

In each Central American country, except in those where the International Verification and Follow-up Commission determines that it is not necessary, decrees of amnesty shall be issued, which shall establish all the provisions to guarantee the inviolability of life, freedom in all its forms, property, and the security of the persons to whom such decrees apply. Simultaneously with the issue of the amnesty decrees, the irregular forces in the respective country shall release any persons they may be holding.

(c) *National Reconciliation Commission*

In order to verify the fulfillment of the commitments undertaken by the five Central American governments upon signing this document, with regard to amnesty, cease-fire, democratisation, and free elections, a National Reconciliation Commission shall be created. Its function shall be to determinate whether the process of national reconciliation is actually under way, and whether there is absolute respect for all the civil and political rights of Central American citizens guaranteed herein.

The National Reconciliation Commission shall be composed of one regular delegate and one alternate from the Executive Branch and one regular member and one alternate suggested by the Episcopal Conference and selected by the government from a slate of three Bishops to be submitted within 15 days of receipt of the formal invitation. This invitation shall be extended by the governments within 5 working days of the signing of this document. The same nomination procedure shall be used to select one regular member and one alternate from the legally registered opposition political parties. The three-person slate shall be submitted in the same time

period as mentioned above. Each Central American government shall also select to serve on the commission one outstanding citizen who is not part of the government and does not belong to the government party, as well as one alternate. Copies of the agreements or decrees creating each National Commission shall be transmitted immediately to the other Central American governments.

2. *Urging a Cessation of Hostilities*

The governments vehemently urge that a cessation of hostilities be arranged in those states in the area currently experiencing the action of irregular or insurgent groups. The governments of such states undertake to carry out all actions necessary to achieve an effective cease-fire within a constitutional framework.

3. *Democratisation*

The governments undertake to provide the impetus for an authentic democratic process, both pluralistic and participatory, which entails the promotion of social justice, respect for human rights, sovereignty, territorial integrity of the states, and the right of all countries to choose, freely and without outside interference whatsoever, their economic, political and, where appropriate, improvement of democratic, representative, and pluralistic systems that will guarantee the organisation of political parties and effective participation by the people in the decision-making process and ensure that the various currents of opinions have free access to fair and regular elections based on the full observance of citizen's rights. To ensure good faith in the development of this process of democratisation, it shall be understood that:

- (a) There must be complete freedom for television, radio, and the press, which shall encompass the freedom for all ideological groups to open and maintain in operation communications media, and the freedom to operate such media without prior censorship.
- (b) There shall be complete pluralism of political parties. In this respect, political groups shall have broad access to the communications media and full enjoyment of the rights of association and the ability to hold public demonstrations in the unrestricted exercise of the right to publicise their ideas orally, in writing, and on television, as well as freedom of mobility for the members of the political parties in their campaign activities.
- (c) Similarly, the Central American governments that are maintaining in effect a state of siege or emergency shall abolish it and bring about the rule of law in which all constitutional guarantees are in effect.

4. *Free Elections*

Once the conditions inherent in any democracy have been created, free, pluralistic, and fair elections shall be held.

As a joint gesture of the Central American states toward reconciliation and lasting peace for their peoples, elections shall be held to select members for the Central American Parliament, which was proposed in the Esquipulas Declaration of May 25, 1986.

To that end, the Presidents have expressed their wish to move forward with the organisation of the Parliament. The Preparatory Commission of the Central American Parliament Commission of the Central American Parliament shall therefore conclude its deliberations and deliver the respective draft treaty to the Central American Presidents within 150 days.

These elections shall be held simultaneously in all the countries of Central America in the first 6 months of 1988 on a date to be agreed upon in due course by the Presidents of these states. They shall be subject to monitoring by the appropriate electoral bodies, and the respective governments agree to extend an invitation to the Organisation of American States and to the United Nations, as well as to the governments of third states, to send observers to attest to the fact that the electoral procedures have been governed by the strictest rules of equal access for all political parties to the communications media, as well as extensive opportunities for holding public demonstrations and engaging in any other kind of campaign propaganda.

In order that the elections for membership in the Central American Parliament may be held within the time period indicated in this section, the treaty establishing that body shall be submitted for approval or ratification in the five countries.

As soon as elections for membership in the Central American Parliament have been held, equally free and democratic elections shall be held in each country, with international observers and the same guarantees and within the established intervals and the timetables to be proposed under the present political constitutions, to select the people's representatives in the municipalities, congresses, and legislative assemblies, as well as the Presidents of the Republics.

5. *Cessation of Aid to Irregular Forces and Insurgent Movements*

The governments of the Central American countries shall request governments in the region or those outside it that are providing, either overtly or covertly, military, logistic, financial or propagandistic aid or assistance in the form of troops, weapons, munitions, and equipment to irregular forces or insurgent movements to cease such aid as an essential requirement for achieving a stable and lasting peace in the region.

The foregoing does not include assistance for repatriation, or, if that does not occur, relocation, and assistance needed to accomplish the reintegration into normal life of those persons who have belonged to the above-mentioned groups or forces. Similarly, the irregular forces and insurgent groups active in Central America shall be asked to refrain from receiving such aid for the sake of a genuine Latin Americanist spirit. These requests shall be made in fulfillment of the provisions of the Document of Objectives as regards elimination of the traffic in weapons within the region or from outside sources to persons, organisations, or groups attempting to destabilise the Central American governments.

6. *Non-use of Territory to Attack Other States*

The five countries signing this document reiterate their commitment to prevent the use of their own territory and to neither furnish nor allow logistical military support for persons, organisations, or groups seeking to destabilise the governments of the Central American countries.

7. *Negotiations on Security, Verification, Control, and Limitation of Weapons*

The governments of the five Central American states, with participation by the Contadora Group in the exercise of its function as mediator, shall proceed with negotiations on the points on which agreement is pending in matters of security, verification and control under the draft Contadora Act for Peace and Cooperation in Central America.

These negotiations shall also cover measures for the disarmament of those irregular forces that are willing to accept the amnesty decrees.

8. *Refugees and Displaced Persons*

The Central American governments undertake to address, with a sense of urgency the problem of the flow of refugees and displaced persons caused by the regional crisis, by means of protection and assistance, especially with regard to health, education, employment, and security and, furthermore, to facilitate their repatriation, resettlement, or relocation, provided that it is of a voluntary nature and takes the form of individual cases.

They also undertake to arrange for aid from the international community for the Central American refugees and displaced persons, whether such assistance is direct under bilateral or multilateral agreements or obtained through the United Nations High Commissioner for Refugees (UNHCR) or other organisations and agencies.

9. *Cooperation, Democracy, and Freedom for Peace and Development*

In the climate of freedom guaranteed by democracy, the Central American countries shall adopt such agreements as will permit them to accelerate their development in order to achieve societies that are more egalitarian and free from misery.

The condition of democracy entails the creation of an economy of well-being and economic and social democracy. In order to attain those objectives, the governments shall jointly seek special economic assistance from the international community.

10. *International Verification and Follow-up*

(a) *International Verification and Follow-up Commission*

An International Verification and Follow-up Commission shall be created composed of the Secretaries General of the Organisation of American States and the United Nations, or their representatives, as well as the foreign ministers of Central America, the Contadora Group, and the Support Group. The functions of this commission shall be to verify and follow-up on the fulfillment of the commitments contained herein.

(b) *Support and Facilities for Mechanisms of Reconciliation and of Verification and Follow-up*

In order to reinforce the efforts of the International Verification and Follow-up Commission, the governments of the five Central American states shall issue statements of support for its work. All nations interested in promoting the cause of freedom, democracy, and peace in Central America may adhere to these statements.

The five governments shall provide all necessary facilities for the proper conduct of the verification and follow-up functions of the National Reconciliation Commission in each country and of the International Verification and Follow-up Commission.

11. *Timetable for Implementing the Commitments*

Within 15 days from the signing of this document, the Central American foreign ministers shall meet as an Executive Commission to regulate and promote the agreements contained herein and to make their application feasible. They shall also organise the working commission so that, as from this date, the processes leading to the fulfillment of the commitments entered into within the intervals stipulated may begin through consultations, negotiations, and any other mechanisms deemed necessary.

When 90 days have elapsed from the date of the signature of this document, the commitments with regard to amnesty, cease-fire, democratisation, cessation of aid to irregular forces or insurgent movements, and the non-use of territory to attack other states, as defined in this document, shall simultaneously begin to govern publicly.

When 120 days have elapsed from the date of the signature of this document, the International Verification and Follow-up Commission shall analyse the progress made in the fulfillment of the agreements provided for herein.

When 150 days have elapsed, the five Central American Presidents shall meet and receive a report from the International Verification and Follow-up Commission and shall make pertinent decisions.

FINAL PROVISIONS

The points included in this document form a harmonious and indivisible whole. Signing it involves the obligation, accepted in good faith, to comply simultaneously and within the established time limits with the provisions agreed upon.

The Presidents of the five Central American states, with the political will to respond to our people's yearnings for peace, hereby sign this document in Guatemala City on August 7, 1987.

Oscar Arias Sánchez
President, Republic of Costa Rica

José Napoleón Duarte
President, Republic of El Salvador

Vinicio Cerezo Arévalo
President, Republic of Guatemala

José Azcona Hoyo
President, Republic of Honduras

Daniel Ortega Saavedra
President, Republic of Nicaragua

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