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Guatemala

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I. Introduction

1. The State of Guatemala hereby submits its report for the fourth cycle of the universal periodic review, which contains information relating to the period 2017–2022.
2. In order to guarantee the rights of the people, the General Government Policy 2020–2024 comprises five fundamental pillars: the economy, competitiveness and prosperity; social development; governance and security in development; a responsible, transparent and effective State; and relations with the world.
3. Significant structural changes have been made, particularly with respect to the way in which public administration is carried out, through the implementation of the General Government Policy. The Policy is based on the National Innovation and Development Plan and the guidelines and strategic, coordinated public action it establishes for public institutions in the period 2020–2024, in synergy with the national development policies derived from the “K’atun: Our Guatemala 2032” National Development Plan and the Sustainable Development Goals.

II. Methodology and national consultations

4. With the objective of creating a new institutional framework for peace and human rights, the Presidential Commission for Peace and Human Rights¹ was established in 2020 to advise and coordinate with the various agencies of the executive branch to promote actions and mechanisms to ensure the effective enjoyment and protection of human rights, the fulfilment of government commitments arising from the Peace Agreements and efforts to address conflicts in the country.
5. The present report was prepared by the Presidential Commission for Peace and Human Rights, with the technical assistance of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Guatemala for the organization of national consultations.
6. Eight national consultations were held throughout the country’s 22 departments, beginning in April and ending in July 2022. The consultations were divided into two groups: (a) civil society, with the participation of at least 115 organizations; and (b) delegates from State institutions, with the participation of 98 institutions.
7. The Presidential Commission for Peace and Human Rights defined the methodology for identifying progress and challenges in the field of human rights² among eight population groups, with the following results:
 - (a) Women: They highlighted the establishment of the municipal women’s offices, the Victims Institute and the specialized courts.
 - (b) Children and adolescents: The Ministry of Education’s school meals programmes, the establishment of the courts for the protection of children and adolescents,³ and the implementation of the school insurance scheme were highlighted.
 - (c) Older persons: There was a positive evaluation of the Economic Support Programme for Older Adults and the support offices for older persons in various municipalities.
 - (d) Migrants: Offices of the National Council for Assistance to Guatemalan Migrants⁴ have been opened at the departmental level and departmental committees for support to migrants have been established.
 - (e) LGBTIQ+ persons: They highlighted the operation of the victim referral and support network of the Public Prosecution Service and⁵ the differentiated comprehensive health strategy and gave a positive assessment of the forums for participation that have been opening up in society.
 - (f) Young people: They highlighted the inclusive preparation of the Public Policy for Youth and the alternative education programme for young people over the age of 17.

(g) Indigenous Peoples: They recognized the work done on the recovery of mother tongues in the Ministry of Education's basic national curriculum, the establishment of the Office of the Deputy Minister for Bilingual and Intercultural Education, and the recruitment of interpreters in the judicial system.

(h) Persons with disabilities: They highlighted the creation of employment opportunities, the establishment of the departmental disability commissions⁶ and the fact that the Public Prosecution Service has psychologists on staff who can interpret in sign language.

8. The process of collecting information was coordinated by the Inter-Agency Human Rights Forum, which is made up of some 61 public institutions. The systematized information was uploaded to the system for monitoring the recommendations of the international human rights protection system.

III. Women, discrimination and violence

Recommendations 111.101, 111.102, 111.03, 111.98, 111.104, 111.105, 111.106, 111.108, 111.110, 111.111, 111.112, 111.113, 111.114, 111.118, 111.119, 111.120, 111.122, 111.123, 111.127, 111.132, 111.134 and 111.135

9. In 2017, the National Coordination Office for the Prevention of Domestic Violence and Violence against Women⁷ was reactivated, and in 2021 the implementation strategy for the National Plan for the Prevention and Eradication of Violence against Women⁸ 2020–2029 was updated and adopted following national consultations that involved the participation of 715 persons representing the public sector, civil society, academia, international cooperation agencies and non-governmental organizations (NGOs).

10. The Unit for the Community Prevention of Violence⁹ of the Ministry of the Interior,¹⁰ in partnership with the National Civil Police,¹¹ has raised awareness of issues related to gender equality and equity through the “No estás sola” (You Are Not Alone), “Siempre Alertas” (Always Alert), and “Ruta de Denuncia” (How to File a Complaint) campaigns, among others. The Victim Support Department has 56 victim support offices located in police stations throughout the country, with priority given to areas with the highest incidence of violence.

11. The State of Guatemala is moving from a classic system of public administration to a systemic approach. Three specialized support models have been put in place for vulnerable groups: the Comprehensive Support Model for Children and Adolescents; the I'x Kem Comprehensive Support Model for Women Victims of Violence; and the Comprehensive Support Model for Juvenile Criminal Justice.

12. The Comprehensive Support Model for Women Victims of Violence provides specialized support and brings together 16 institutions in one place to provide support to victims during criminal proceedings. Between March 2021 and March 2022, the following results were registered: assistance was provided to 10,503 women; 4,452 complaints were received, 764 arrest warrants were issued, and urgent medical care was provided in 991 cases.

13. The Public Prosecution Service has taken the following measures, among others:

(a) The implementation of the “No Más Mujeres Desaparecidas” (No More Disappeared Women) campaign in the Kaqchikel, Mam, K'iche' and Q'eqchi languages to raise awareness of the Isabel-Claudina alert, with the participation of the institutions and organizations that make up the National Coordinating Body for the Immediate Search for Disappeared Women.

(b) The establishment of a hotline (2411-8686) to receive reports of pregnancy among girls under the age of 14 from hospitals, clinics and public and private health centres throughout the country.

14. The Presidential Secretariat for Women, in partnership with the National Council for Persons with Disabilities, developed the strategic agenda for addressing the human rights of

women and girls with disabilities 2017–2023 in the framework of the follow-up to the concluding observations of the Committee on the Rights of Persons with Disabilities.

15. The Victims Institute, which began operating in 2020, aims to provide legal assistance and support to victims of crime with a view to ensuring that they receive the reparations to which they are entitled. This is done through the Comprehensive Support and Assistance Model of the Victims Institute,¹² through which urgent support, protection, legal assistance, reparations and empowerment for full recovery are provided.

16. The Secretariat against Sexual Violence, Exploitation and Trafficking in Persons¹³ contributed to the formulation of the public policy against sexual violence, which is the first national document to comprehensively address efforts to fight against sexual violence.¹⁴ Clinics specialized in victim care in hospitals throughout the country are monitored.

17. The Social Welfare Secretariat of the Office of the First Lady provides technical training services for productive projects. Between 2018 and 2022, it provided technical, productive, commercial and comprehensive development training to 246,566 women. At least 150,286 training activities were carried out between 2018 and 2022.

18. When it comes to specialized justice for the protection of the human rights of children and adolescents whose rights have been threatened or violated, the judicial system¹⁵ has 341 magistrates' courts that operate 24 hours a day, 365 days a year. Four cohorts have undertaken the master's in gender and justice, and one cohort has undertaken the doctorate programme. Materials on women's human rights have been published in a number of Mayan languages, including Mam and Q'eqchi'.

19. The Supreme Court of Justice¹⁶ has 46 specialized criminal courts. An inter-agency technical committee was established for the judicial policy of support for victims of gender-based violence related to the crimes of femicide, other forms of violence against women and sexual violence and the strategic implementation plan for the period 2019–2023.

20. The Social Welfare Secretariat of the Office of the First Lady provides comprehensive support services to children under the age of 7. Between 2018 and 2022, some 67,500 beneficiaries received 270,000 complementary and nutritional food rations in the 605 community homes and children's care and development centres.

21. There has been significant progress in terms of women's representation in public office. As of 2022, two of the three State organs are led by women – the legislative and the judicial branches (with five female judges). In the security and justice sector, the Public Prosecution Service and the Constitutional Court are led by women, and in the executive bodies seven secretaries of State and one minister are women.

22. The Supreme Electoral Court¹⁷ conducts training and capacity-building activities in rural areas, promoting voter registration, voting and other forms of citizen participation. From 2017 to 2022, a total of 680,594 women in rural areas were registered to vote. Positive results were achieved in the 2019 general elections, as 7,295 women stood for public office.

IV. Human rights in general

Recommendations 111.3, 111.4, 111.6, 111.7, 111.12, 111.28 and 111.137

23. The judiciary has implemented actions aimed at strengthening democracy, justice and respect for human rights through institutional linkage with the national development priorities, specifically the pillar of institutional strengthening, security and justice, under which the targets established in Sustainable Development Goals¹⁸ 16.5 and 16.6 have been set as strategic development goals.

24. The National Reparations Programme¹⁹ established under the Ministry of Social Development has an approved budget allocation of 13,561,323 quetzales (Q) for the 2022 tax year to make compensation payments to the victims of the internal armed conflict. The allocated budget of the National Reparations Programme increased from Q 28.9 million in 2017 and 2018 to Q 42.1 million in 2019 and 2020.

25. The Ministry of the Interior set up the Unit for the Analysis of Attacks on Trade Union Leaders and Members,²⁰ which is tasked with analysing patterns of attacks against that group using a scientific methodology defined and adopted by the members of the Unit.

26. The Social Welfare Secretariat of the Office of the President²¹ has implemented a new specialized, human rights-based residential care model for children and adolescents. The care setting resembles a home or family-type residence and provides comprehensive services during the care and protection process. It provides a comfortable and safe living environment in which the human rights of children and adolescents are guaranteed.

27. Since 2017, the Counsel General's Office for Children and Adolescents²² has been implementing the Management System for the Comprehensive Care of Children and Adolescents in nine regional offices of the Counsel General's Office. From 2017 to May 2022, a total of 22,906 administrative complaints and 10,505 judicial complaints were registered through this system, involving 43,170 children and adolescents, of whom only 937 were institutionalized, because of the absence of a suitable family or extended family environment.

28. The Comprehensive Support Model for Children and Adolescents was launched in 2019 with the aim of providing immediate and comprehensive care and a differentiated and efficient response to child and adolescent victims through intra- and inter-agency coordination that seeks to avoid secondary victimization and to improve criminal investigation mechanisms. The Model is led by the Public Prosecution Service. In addition, in coordination with the Department of Criminal Policy, continuous training has been conducted in the form of courses aimed at raising awareness of, disseminating and implementing the Human Rights Policy and disseminating the Model Protocol for a Legal Investigation of Extra-legal, Arbitrary and Summary Executions (Minnesota Protocol) and the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol).

29. Congress has presented the following bills: Bill No. 5529, providing for the adoption of the Act on the Promotion of Work, Employment and Entrepreneurship for Persons with Disabilities; Bill No. 5463, the Disability Certification Act; Bill No. 5523, on the amendment of article 6 of Decree No. 1441, the Labour Code; Bill No. 5452, the Women's Economic Development Act;²³ Bill No. 5561, containing amendments to Decree No. 9-2016, the Immediate Search for Missing Women Act; Bill No. 5890, the Act on the Prevention, Handling and Punishment of Sexual and Psychological Violence against Women in Public Institutions; Bill No. 5658, the Act on Street Harassment and Other Forms of Violence against Women; Bill No. 5848, the Transformative Reparations Framework for Girls Victims of Sexual Violence; and Bill No. 6090, the Angelina Act for Justice for Girl Survivors of Sexual Violence.

V. Human rights defenders

Recommendations 111.40, 111.42, 111.43, 111.45, 111.48, 111.49, 111.50, 111.52, 111.54, 111.55, 111.56, 111.57, 111.58, 111.59, 111.60, 111.61, 111.62, 111.63, 111.64, 111.65 and 111.67

30. The Ministry of the Interior, through the National Civil Police, has adopted the Protocol for the Implementation of Immediate and Preventive Security Measures for Human Rights Defenders, which serves as a preventive mechanism to protect the life and personal, family and material safety of human rights defenders in the exercise of their activities. Under the Protocol, risk analyses are carried out and, based on threats and the vulnerability of the individual, it is determined which institutional mechanisms are to be activated to take immediate and preventive safety measures. The Public Prosecution Service requests security measures and follows up on their implementation. The Office for Witness Protection and International Protection is part of the Public Prosecution Service.

31. The Office of the Special Prosecutor for Human Rights conducts timely, independent, impartial and effective investigations into threats and attacks against human rights defenders, with special attention being paid to environmental and land rights activists.

32. Investigations to identify perpetrators have resulted in the prevention and reduction of threats against human rights defenders, and the mechanism for personalized protection and/or international protection operates effectively.

33. The Subdirector General of Information and Communications Technology of the National Civil Police operates the 1543 telephone line for reporting complaints related to attacks against activists and human rights defenders and journalists, and the 1561 hotline for making anonymous complaints.

VI. Follow-up of complaints concerning cases of violence and organized crime

Recommendations 111.26, 111.128 and 111.29

34. Through Phase II of Comprehensive Operative Tactical Plan 13-2022, the Ministry of the Interior establishes strategic actions to be undertaken by the National Civil Police to reduce the crime rate, prevent illegal acts and strengthen security in border areas, blind spots and routes in the country. The Strategic Institutional Plan,²⁴ meanwhile, aims to strengthen security measures against organized crime, drug trafficking and gangs.

35. The Unit for the Community Prevention of Violence has conducted studies on armed violence and sexual offences at the national level, as well as an analysis of clandestine trade in firearms and ammunition used by organized criminal groups and the criminal phenomenon of gangs.

VII. The fight against impunity and corruption

Recommendations 111.68, 111.69 and 111.72

36. Between 2018 and 2022, the judicial system has operated the following specialized courts: 6 magistrates' courts, 34 courts of first instance, 10 trial courts and 2 chambers of the court of appeal. In addition, the School of Judicial Studies has incorporated various modules in its training processes that cover ethics, bioethics, transparency and the fight against corruption, and judicial independence as a guarantee against impunity and corruption.

37. In order to guarantee the economic independence of the Supreme Court of Justice, the Ministry of Finance²⁵ allocates it no less than 2 per cent of the State's ordinary budgetary revenue, as well as revenue derived from the administration of justice. In accordance with institutional policies, it has sought to strengthen the specialized justice system by promoting administrative, legal and financial measures that facilitate the effective and efficient response to the demand for justice.

38. The Public Prosecution Service, by means of Order No. 59-2019, strengthened the Office of the Special Prosecutor against Impunity by converting it to a Section Prosecutor's Office which works in coordination with the Anti-Corruption Secretariat of the Public Prosecutor's Office, resulting in an increase in the number of cases prosecuted, criminal organizations dismantled and cases investigated.

39. Since its conversion to a Section Prosecutor's Office, the Office of the Special Prosecutor against Impunity has been strengthened through the development of modules that connect with the Information System of the Public Prosecution Service; the implementation of a comprehensive case management system; and the establishment of a technical support unit composed of investigators, criminal and financial analysts, support staff and original staff members. The Office is made up of 142 persons plus a technical support unit composed of 11 investigators, 10 criminal analysts, 10 financial analysts, 6 members of support staff, 4

financial analysts from the Special Financial Intelligence Office and 19 investigators from the National Civil Police.

40. The Presidential Commission against Corruption²⁶ was established in 2020 to promote and strengthen measures to prevent and combat corruption and to promote integrity, accountability and the proper management of public affairs and public assets.

41. The Public Prosecution Service has 23 District Prosecutor's Offices and 31 Section Prosecutor's Offices and has offices and agencies in 340 municipalities across the entire country. It has more than 10,900 employees.

VIII. Equality between men and women in employment

Recommendations 111.133, 111.99 and 111.100

42. In 2017, the Ministry of Labour and Social Security officially launched the National Policy on Decent Employment 2017–2032, which is based on the principles of inclusion and gender equity. In addition, through the Division for Working Women, action has been taken on promotion, dissemination, training, awareness-raising and the provision of information. Between 2017 and 2022, services were provided to 12,617 women.

43. The National Civil Service Office²⁷ promotes the values of inclusion and openness to diversity in the institutions of the executive branch to ensure that staff recruitment processes are carried out without any discrimination. It also ensures equality among its employees and respect for all regardless of condition. It promotes a policy of zero tolerance for discrimination of any sort and treats all employees equally and with respect, regardless of their status.

IX. Domestic violence and domestic labour

Recommendations 111.115, 111.121, 111.29, 111.125, 111.129 and 111.131

44. The National Civil Police provides continuous training to its staff on the protocol on police action for dealing with victims of violence against women and domestic violence. Through the General Subdirector for Crime Prevention, awareness-raising talks have been organized for parents on the issue, and the complaints received by the various victim support departments are given appropriate follow-up.

45. The Unit for the Community Prevention of Violence publishes graphic and audiovisual material on a weekly basis in connection with the information and awareness-raising campaign on domestic violence "Más fuerte que el miedo" (Stronger than fear) on the social media accounts of the Ministry of the Interior. Each of the posts published seeks to inform the public about different types of domestic violence, such as physical, psychological and economic violence and sexual violence against women.

46. The Public Prosecution Service adopted a theoretical-conceptual guide and investigation protocol for crimes of gender-based violence against women in the public and private spheres,²⁸ which provides staff members involved in cases of violence against women with inclusive criteria and specific instruments for action developed on the basis of national and international regulatory frameworks.

47. The judiciary and the School of Judicial Studies jointly designed the strategy and methodology for workshops to disseminate the judicial policy for the courts for family matters 2018–2019. An additional judge was appointed to the Family Court of First Instance with Specific Jurisdiction for Protection in Domestic Violence Cases. In addition, a protocol for remote hearings was developed for the Court with Specific Jurisdiction for Protection in Domestic Violence Cases, the Collegiate Family Court of First Instance with Specific Jurisdiction for Maintenance Cases, and other courts with jurisdiction in family law cases.

X. Trafficking in persons

Recommendations 111.36, 111.37, 111.38 and 111.142

48. Between 2018 and 2022, the budget of the Secretariat against Sexual Violence, Exploitation and Trafficking in Persons was increased by the equivalent of 8 per cent. The “Corazón Azul” (Blue Heart), “Viajando Libre de Trata” (Travelling Free from Trafficking), and “Voy a Paso Seguro” (I Have Safe Passage) prevention campaigns have been implemented. Since 2018, inter-institutional coordinating bodies have been set up to combat trafficking in persons. The first short film on child exploitation in Guatemala was produced and distributed nationally and internationally with the support of the Ministry of Foreign Affairs.²⁹

49. The Secretariat against Sexual Violence, Exploitation and Trafficking in Persons (SVET) has set up mobile units for the prevention of sexual violence, exploitation and trafficking in persons. It also launched the “Tu amiga SVET” website and the “Me Conecto Sin Clavos” online safety app for the protection of children and adolescents. In 2018, a mini security guide was produced, an informative document aimed at preventing crimes of sexual violence, exploitation and trafficking in persons. The Secretariat against Sexual Violence, Exploitation and Trafficking in Persons and other institutions proposed amendments to the Criminal Code with a view to classifying online grooming and sextortion as crimes, which resulted in the elaboration of Decree No. 11-2022 on amendments to the Criminal Code in relation to crimes committed against children and adolescents by technological means.

50. The National Committee for the Prevention and Protection of Children and Adolescents from Sexual Exploitation in Travel and Tourism Activities³⁰ drafted the 2018 Annual Strategic and Operational Plan. An electronic media campaign on sexting (sexually explicit messages) has been launched to raise awareness of online risks.

51. The Secretariat against Sexual Violence, Exploitation and Trafficking in Persons developed the strategy for the prevention of child labour in the village of Palacal³¹ with the aim of preventing children and adolescents from becoming victims of child labour.

52. The Supreme Court of Justice introduced version 2 of the court management system in the courts with jurisdiction for children’s matters and the courts for adolescents in conflict with the law nationwide. This is a confidential specialized registration model that makes it possible to register all children and adolescents requiring special protection in order to guarantee follow-up of the measures issued, with absolute certainty as to their identity.

XI. Strengthening and independence of the justice system

Recommendations 111.70, 111.71 and 111.73

53. In 2018, the Public Prosecution Service instituted the Policy on Democratic Criminal Prosecution, which sets out the institutional action to be taken in terms of criminal investigation and prosecution, in accordance with a general criminal policy framework.

54. The judiciary has sought to strengthen the specialized justice system by promoting administrative, legal and financial measures that facilitate an effective and efficient response to the demand for justice, through the following institutional policies: (a) support for victims of gender-based violence related to the crimes of femicide, other forms of violence against women and sexual violence and the strategic implementation plan; (b) the judiciary’s policy for dignified and transformative reparations and related action plan; (c) the policy on access to justice and support for victims of trafficking in persons; (d) access to justice for Indigenous Peoples; (e) access to justice for persons with disabilities; and (f) access to justice for older persons.

55. In its judicial role, the Constitutional Court has delivered judgments in which it has protected the fundamental rights and procedural safeguards of applicants for *amparo* and the constitutional review of laws in specific cases.

56. The judiciary's Secretariat of Indigenous Peoples has incorporated the specific rights of Indigenous women into its training programme for justice officials.

57. Within the judiciary, the following instruments have been developed: (a) the protocol on victim-centred virtual hearings for magistrates' courts, in coordination with the specialized bodies for crimes of femicide and other forms of violence against women; (b) the protocol for treating the victims/survivors of violence against women and sexual violence; (c) guidelines for conducting the single interview of children and adolescents in the courts; and (d) the guide on good practices for taking the statements of children and adolescents victims or witnesses of sexual abuse and other offences for the effective protection of their rights in criminal proceedings.

58. The mechanism for the implementation and monitoring of the institutional policy of the judiciary on gender equality and the promotion of women's human rights was adopted. The specialized care model in magistrates' courts was introduced.

59. Through Congressional Decree No. 10-2019, amendments were adopted to Decree No. 51-92, the Code of Criminal Procedure, adding a sixth title that covers the special procedure for acceptance of charges, guaranteeing access to prompt and full justice.

XII. Femicide

Recommendations 111.107, 111.109, 111.116, 111.117, 111.124, 111.126 and 111.130

60. The Public Prosecution Service has introduced pedagogical mediation,³² which is made up of nine theoretical modules that allow staff members involved in the investigation of crimes of femicide and violent deaths of women to deepen their knowledge. Twenty-seven prosecutors work in the Office of the Special Prosecutor for Women, enabling it to provide nationwide coverage.

61. The Presidential Secretariat for Women adopted the Strategy for Monitoring the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women 2018–2021. An intersectoral mechanism was approved and an ad hoc mechanism for following up on the preparation of reports and constructive dialogues was established.

62. Between 2018 and 2022, the judiciary has run awareness-raising campaigns on trafficking in persons, disseminated various materials and documents on the prevention of the crimes of trafficking and violence against women, including protocols on support for the victims of violence, and on the prevention of mobbing and sexual harassment, through leaflets and a harassment check list.

63. There are specialized courts for crimes of femicide, other forms of violence against women and sexual violence in 18 of the country's departments. Each court operates a victim care system, and there is 82 per cent coverage. In recent years, the budget allocated to the specialized criminal courts of first instance and the criminal trial courts has accounted, on average, for 14.52 per cent of the judiciary's budget.

64. A budget of more than Q 69 million has been allocated to the courts for femicide, more than Q 3 million to the Department of Women's Affairs and more than Q 1,515,000 to the units for monitoring, following up and evaluating the specialized courts for femicide.

65. The General Subdirector for Crime Prevention of the National Civil Police, through its "No Estás Sola" (You Are Not Alone) campaign, distributes posters on prevention and advertising the emergency telephone numbers for filing reports confidentially (110 and 1561).

66. The National Urban and Rural Development Council³³ has incorporated the comprehensive support centres for women who are survivors of violence³⁴ into its eligible projects.

XIII. Child labour

Recommendations 111.141, 111.143, 111.144 and 111.145

67. Between 2018 and 2022, the Ministry of Labour has been implementing the comprehensive support centre³⁵ project for the prevention and eradication of child labour in the departments of San Marcos, Quetzaltenango, Sacatepéquez, Zacapa and El Progreso. A child labour risk identification model was developed with the objective of identifying and geographically characterizing the areas with the highest risk of child labour in order to focus prevention and eradication efforts. In addition, the labour inspectors of the Ministry of Labour and Social Security have strengthened their inspection, prevention and verification efforts.

68. In 2016, the Public Prosecution Service implemented the online child protection system, as part of which multidisciplinary teams deal with cases related to the online sexual exploitation of children and child pornography. The process for the regionalization of the Office of the Special Prosecutor against Trafficking in Persons has begun, and there are now three prosecution agencies in the western, north-eastern and northern regions. The chamber for the protection of children online is operational in all prosecution agencies throughout the country.

69. From 2017 to May 2022, the Counsel General's Office for Children and Adolescents undertook the following activities:

(a) It participated in various inter-institutional mechanisms that seek to improve the way in which the various modalities of trafficking in persons – primarily labour exploitation and forced labour – are handled: the National Commission for the Prevention and Eradication of Child Labour; the Inter-institutional Committee to Combat Trafficking in Persons; the Technical Committee on the Prevention of Child Labour; and the Inter-institutional Coordinating Body against Labour Exploitation and Child Labour. The Counsel General's Office for Children and Adolescents handles criminal cases involving possible trafficking in persons (of any kind) on behalf of children and adolescents. It received 163 files concerning children and adolescents between 2020 and 2022.

(b) From 2017 to May 2022, the Office rescued 730 children and adolescents linked to trafficking in persons (of any kind) and processed the following numbers of cases for rape and/or sexual assault: 843 cases in 2020, 1,189 in 2021, and 442 from January to May 2022.

70. The judiciary is implementing the judicial policy for the special protection of children and adolescents 2020–2025. It has developed the plan for the deinstitutionalization of children and adolescents. It has managed and promoted the establishment and operation of playrooms in the magistrates' courts in three of the country's departments.

XIV. Children and adolescents: health, education and food security

Recommendations 111.80, 111.81, 111.82, 111.83, 111.84, 111.85, 111.86, 111.87, 111.88, 111.89, 111.93, 111.94, 111.95, 111.96, 111.97, 111.136, 111.138, 111.139, 111.140 and 111.146

71. Between 2016 and 2019, the Secretariat for Food and Nutrition Security,³⁶ in coordination with the Ministry of Health and Social Welfare,³⁷ implemented the National Strategy for the Prevention of Chronic Malnutrition. It is also coordinating the implementation of the Great National Crusade for Nutrition. The number of prioritized departments has been increased, in addition to children under the age of 2 and other vulnerable groups. Measures under the Great National Crusade for Nutrition are implemented in 114 municipalities across 10 departments. Furthermore, the following programmes have

been implemented: the “1,000-day window” programme; breastfeeding and complementary feeding from the age of 6 months; and the plan to tackle seasonal hunger 2020–2024.

72. The Ministry of Health and Social Welfare coordinates the situation room for acute malnutrition in order for decisions to be taken in line with information from recent weeks. In order to reduce cases of severe acute malnutrition, local plans are developed in different health districts for the prevention and treatment of malnutrition, with a focus on comprehensive actions for children under the age of 5. A comprehensive plan involving various activities is in the process of being drawn up for the 29 health districts, which cover all 22 departments.

73. The child mortality rate in Guatemala has decreased as a result of targeted actions implemented by the State. In 2016, the child mortality rate was high, and by 2020 had fallen to 14.9 per cent.

74. The Ministry of Social Development’s Social Subsidies Programme is linked to the Operational Plan for Food and Nutritional Security in order to guarantee and promote food and nutritional security. Social programmes for the prevention of malnutrition have been implemented. The Fortified Complementary Food Programme is targeted at children aged between 6 and 24 months and under 59 months old with acute malnutrition and aims to contribute to their recovery. The Ministry of Health and Social Welfare, the Secretariat for Food and Nutrition Security and the Subdirectorate for Food Bags coordinated to deliver a total of 1,115,584 bags of fortified complementary food in 18 prioritized departments in 2022.

75. Through the Programme for Food Support and the Prevention of COVID-19 (2020–2021), the Ministry of Social Development had a budget of Q 350 million to provide access to food, through a single food delivery, for families in areas at risk of the spread of the pandemic.

76. Between 2019 and 2021, the Ministry of Agriculture, Livestock and Food³⁸ distributed 454,952 food rations to vulnerable families at risk of food insecurity. As of September 2022, a total of 235,984 rations had been distributed for the year.

77. The Ministry of Education has implemented support programmes for school meals, school supplies, the instructional toolkit for teachers already in service, and free tuition. In addition, in 2018 and 2019, the Public School Buildings Maintenance Programme was implemented.

78. The Ministry of Education is implementing an internal road map for dealing comprehensively with pregnancies in girls under the age of 14, which begins with the process of identifying and responding to cases detected in the national education system.

79. The measures available to support the return to education of pregnant girls include the “Me Supero” (I Am Bettering Myself) programme, which finds pregnant girls and provides them with support in the form of school and out-of-school education programmes at various educational levels, with an inclusive and culturally and linguistically appropriate approach in order to ensure that they stay in school and continue and complete their studies.

80. The illiteracy rate has been substantially decreased from 52 per cent to 17.24 per cent currently, according to data from the 2018 population and housing census, confirmed by the National Institute of Statistics and the data centre of the National Literacy Commission.³⁹ According to these data, only 5.4 per cent of young people aged between 15 and 24 self-report as illiterate. Educational instruction is provided in 17 Mayan languages as well as Garifuna, Xinka and Spanish.⁴⁰

81. A total of 475,330 bilingual materials in eight Mayan languages⁴¹ were produced and distributed. When in-person classes were interrupted during the coronavirus disease (COVID-19) pandemic, self-study guides, educational modules and educational materials in Mayan languages for the pre-primary and primary levels were distributed.

82. In order to promote access to education and retention in the education system,⁴² the Ministry of Education runs a scholarship programme for students with disabilities, which provides financial support to students in vulnerable economic situations. The aim is to support students with disabilities to graduate by providing them with the necessary support

to meet needs related to their disability, such as medical consultations, clothing, shoes and school supplies. Over the three years of the pandemic, remote, hybrid and in-person education models have been implemented, and educational television programmes have produced.

83. From 2019 to 2022, the Comprehensive Support Model for Children and Adolescents received a total of 12,289 complaints related to children and adolescents. The outcomes were as follows: 1,258 decisions bringing proceedings to a close; 739 arrest warrants requested; 250 searches; and 364 judgments. In order to guarantee the personal protection of children and adolescents and eliminate practices that lead to secondary victimization, closed-circuit television was used to take testimony in 6,824 cases. There were 11,493 hearings before duty courts, and 100 children and adolescents were admitted to the Virgen de la Asunción shelter through the Comprehensive Support Model for Children and Adolescents.

84. The Counsel General's Office for Children and Adolescents has handled the following processes for protection measures for vulnerable children and adolescents: 11,446 processes in 2020, 18,165 in 2021 and 9,462 between January and May 2022. The Office carried out 118 rescues of pregnant girls in 2017, 156 in 2018, 119 in 2019, 50 in 2020, 47 in 2021 and 24 from January to May 2022.

85. From 2018 to May 2022, the Counsel General's Office for Children and Adolescents took action in respect of a total of 155,627 children and adolescents and conducted a total of 12,746 rescues nationwide.

86. The Social Welfare Secretariat has introduced three protocols for the staff of residences: a case evaluation protocol for the transfer of children and adolescents, a psychosocial care protocol and a protocol for dealing with substance users.

87. The National Adoption Council has taken the following measures with a view to monitoring compliance and respect for the human rights of children and adolescents living in public and private protection homes:

(a) From 2017 to June 2022, a total of 2,213 supervision visits were carried out – 27 per cent to public homes and 73 per cent to private homes. Homes were encouraged to provide comprehensive care to children and adolescents in accordance with the Quality Standards for the Care of Children and Adolescents in Temporary Shelters.

(b) From 2018 to June 2022, a total of 489 guidance and follow-up sessions were organized for representatives of homes for the protection, shelter and care of children and adolescents prior to their being granted authorization or renewal of operation according to the requirements established in the law and with a view to implementing the Quality Standards. During the COVID-19 pandemic, with the support of the Ministry of Health and Social Welfare, a vaccination plan was implemented to vaccinate children aged between 12 and 17 living in private protection and shelter homes.

(c) The psychosocial and occupational treatment plan was implemented in protection homes during the pandemic with a view to providing psychosocial stability to children and adolescents and the staff caring for them.

88. Congress worked on the following reforms: Decree No. 11-2022, amending Decree No. 17-73, the Criminal Code, in relation to offences against children and adolescents committed online; Decree No. 16-2017, the School Meals Act; Decree No. 6-2018, the Act on National Autism Day; Decree No. 1-2019 approving the negotiation of Loan Agreement No. 8730-GT, to fund the "Grow Up Healthy" Nutrition and Health in Guatemala Project. It also worked on the following bills: Bill No. 5267, on the adoption of amendments to Decree No. 27-2003, the Child and Adolescent Protection Act; Bill No. 5285 on the adoption of the Act on the National System for the Comprehensive Protection of Children and Adolescents; and Bill No. 5317 on the option of the Act amending the Act on the Comprehensive Protection of Children and Adolescents.

89. The National Registry Office guarantees free, universal and timely registration of births as well as the issuance of birth certificates. To that end, it has set up a total of 408 offices, in each of the country's municipalities, located in public, private and social security hospitals and in public institutions. In addition, mobile days are conducted, during which services are provided in vulnerable communities.

XV. Persons with disabilities

Recommendations 111.147, 111.148, 111.149 and 111.150

90. The Ministry of Social Development's food bags programme catered to 2,947 adults in the 2022 fiscal year. Between January and June 2022, the social canteen programme provided services to 527,462 older persons and 1,991 older persons with disabilities.

91. In 2017, the Ministry of Labour and Social Security launched the National Policy on Decent Employment, through which the Social Inclusion Programme is being developed to promote access to competitive employment and decent work for persons with disabilities. The Section for Workers with Disabilities provided support to a total of 32,684 individuals between 2017 and 2022, and helped 181 persons with disabilities join the labour market.

92. The National Council for Persons with Disabilities has improved habilitation and rehabilitation services through the annual budget allocation for specialized services and non-governmental organizations. Training of health-care personnel in comprehensive and differentiated care for persons with disabilities has been strengthened.

93. In 2019, the judiciary's Policy on Access to Justice for Persons with Disabilities was implemented, together with its plan of action 2019–2023, the main objective of which is to facilitate access to justice for persons with disabilities.

94. In 2019, the judiciary and the Committee for the Blind and Deaf of Guatemala concluded an inter-institutional memorandum of understanding for the implementation of various service kiosks in judicial buildings. The judiciary's website has a specific section for persons with disabilities to ensure their access to information that is compatible with the JAWS screen reader.

95. The Public Prosecution Service's general instruction No. 02-2021 concerns the implementation of the Protocol for Comprehensive Services and general guidelines for investigating cases in which persons with disabilities are the victims of crime, which contains guidelines for primary attention and for dealing with persons with disabilities in investigations and litigation.

96. The judiciary's Five-Year Strategic Plan 2016–2020 provided for institutional policy No. 9 to promote specialized justice on children, adolescents, families, women, gender and victims of violence, as well as mechanisms that facilitate access based on age, ethnic-multilingual characteristics, special capacities and socioeconomic situation.

97. In 2019, the National Adoption Council and the Ministry of Education signed a cooperation agreement on the indexing of cases so that the Ministry can guarantee that children and adolescents with and without a declaration of eligibility for adoption with special educational needs that may or may not be associated with a disability have access to the school and out-of-school subsystems, among other things. Since 2019, the National Adoption Council has been strengthening processes for the supervision of protection homes with regard to education and children and adolescents with disabilities.

98. In order to include students with disabilities in the national education system, the following programmes are in operation: the Inclusive Schools Programme, resource centres for inclusive education and education resource centres for persons with visual disabilities. Furthermore, measures are implemented in compliance with the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, such as the scholarship programme for students with disabilities.

99. The Special Education Centre of the Social Welfare Secretariat implements a comprehensive, specialized and personalized system of education for students with intellectual disabilities that may or may not be associated with a physical or sensory disability.

100. In September 2022, the Ministry of Health and Social Welfare's Disability Programme established an inter-institutional committee for the implementation of the national disability certification system.⁴³ This committee will be tasked with developing the

technical and technological aspects of the implementation of the certification system and analysing and promoting the establishment of certification units in hospitals for the issuance of disability certificates to applicants. In addition, it will be responsible for defining the processes for the selection of evaluation boards and for the issuance of certificates, based on the multidisciplinary clinical evaluation procedure in line with the International Classification of Functioning, Disability and Health.⁴⁴

XVI. Persons deprived of their liberty

Recommendations 111.35 and 111.39

101. In 2018, the judiciary organized a seminar on forensic psychiatry, in response to interim measure MC-370-10⁴⁵ ordered by the Inter-American Court of Human Rights, in which judges, officials and staff of the institutions working in that area participated. In addition, dedicated holding cells for members of the LGBTIQ community and mothers with their babies have been introduced to ensure adequate protection for these vulnerable groups.

102. A bill on mental health was drafted in 2019, with the participation of personnel from the judicial, executive and legislative branches, and is in the process of being adopted.

103. In 2017, the Ministry of the Interior signed an inter-institutional technical cooperation agreement with the Ministry of Health and Social Welfare and the Public Prosecution Service for the provision of specialized medical care to persons deprived of their liberty in places of detention managed by the Directorate General of the Prison System. In addition, in 2018 the inter-institutional agreement for the care of persons deprived of their liberty in the Federico Mora National Mental Health Hospital was expanded, medical equipment was acquired, technical laboratory staff were trained and renovation works were carried out in parts of the prisons managed by the Directorate General of the Prison System.

104. In 2019, the Ministry of Health and Social Welfare and the Ministry of the Interior signed an inter-institutional cooperation agreement for the renovation and equipping of the clinics for the treatment of patients deprived of their liberty in the Prison System⁴⁶ who have tuberculosis. In 2020, a project to strengthen the prevention, diagnosis and comprehensive treatment of HIV among the prison population was conducted.

105. Special days for the timely detection of tuberculosis, COVID-19 testing and screening for HIV, Hepatitis B and C have continued to be conducted in 2022 through the mobile unit of the Ministry of Health and Social Welfare's tuberculosis programme in various pretrial detention centres and rehabilitation centres.

106. In 2013, the judiciary, the Ministry of Health and Social Welfare, the National Institute of Forensic Sciences and the Public Criminal Defence Institute, among others, signed an inter-institutional agreement for the comprehensive support of persons with mental disorders or intellectual disabilities subject to criminal proceedings and persons with these conditions subject to security measures or internment in special care centres.

107. In 2019, by Order No. 34-2019, the judiciary converted the Criminal Courts of First Instance for Drug-Trafficking and Environmental Offences into collegiate courts, with an additional judge being added to each court, making a total of 19 judges, with a budget allocation of Q 80 million. The courts can now handle a larger number of cases and resolve cases more rapidly, thus guaranteeing access to justice. In 2021, these 11 courts held more than 70,000 hearings.

108. The Supreme Court of Justice presented to Congress a bill on the acceptance of charges, which was adopted and will enter into force in June 2022. This act, which is contained in Decree No. 10-2019, establishes the special procedure for the acceptance of charges, under which defendants can voluntarily accept the charges against them by the Public Prosecution Service according to the time, manner and place of their choosing.

109. Between 2018 and 2022, the criminal courts ordered an average of 70,000 alternative measures. The Supreme Court has implemented the measures necessary to strengthen efforts to combat impunity and eliminate judicial delays in the courts.

XVII. Migrants, Indigenous Peoples, persons of African descent, the policy of coexistence and elimination of racism

Recommendations 111.8, 111.9, 111.10, 111.11, 111.13, 111.14, 111.15, 111.16, 111.17, 111.18, 111.19, 111.20, 111.21, 111.22, 111.23 and 111.24

110. With regard to migrants, the Council for Assistance and Protection was established and the Protocol for the Reception and Care of Guatemalan Migrants Returning by Air and by Land was adopted. The Guatemalan Migration Institute⁴⁷ has a subdirectorates for assistance and protection of the fundamental rights of migrants and has adapted the facilities at the centres for returnees.

111. The Health Care Unit for Indigenous Peoples and Interculturalism of the Ministry of Health and Social Welfare aims to promote cultural relevance and interculturalism. Notable highlights include: (a) the adoption of the National Policy on Midwives of the Four Peoples of Guatemala and its action plan 2021–2025; (b) guidelines on culturally relevant health care; and (c) promotion and awareness-raising on the right of persons to self-identify in health services in coordination with 29 health districts.

112. The Ministry of Education distributed more than 82,000 information documents on the Garifuna culture, 1,500 on curriculum planning for the Garifuna people, 3,000 guides on Mayan, Xinka, Garifuna and Ladino literature, and 1,000 communication and language texts in Garifuna for children in the first cycle of primary school.

113. The Land Registry⁴⁸ is undertaking a series of technical, legal and administrative activities aimed at developing a property inventory for the entire country. The land register provides the graphic and descriptive georeferenced information on each piece of land that is necessary to know the national territory. It also provides accurate spatial information to identify situations that could give rise to conflict.

114. The following bills have been drafted: Bill No. 5416 on the consultation of Indigenous Peoples, in accordance with the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169) and Bill No. 5639 providing for the adoption of an act that guarantees the right of Indigenous Peoples to free, prior and informed consultation in good faith. In addition, the Executive is working on developing the guidelines for conducting consultations with Indigenous Peoples in accordance with Convention No. 169. Cognizant of the requirement that Indigenous Peoples participate in the legislative process, it has begun a process of consultation, feedback and validation of Bill No. 5982 on digital birth registration in hospitals with relevance to Indigenous Peoples.

115. In 2016 and 2017, the Ministry of Labour led a participatory process to establish guidelines for State institutions on how to comply with the minimum standards for the consultation of Indigenous Peoples established in the ILO Indigenous and Tribal Peoples Convention, which resulted in the Operational Guide for Consultation with Indigenous Peoples.

116. The Constitutional Court has issued reasoned judgments in which it has established the criteria for consultations, noting that the Ministry of Energy and Mining is responsible for conducting consultation processes, and strengthening the Office of the Deputy Minister for Sustainable Development. Pursuant to consolidated judgments Nos. 90-2017, 91-2017 and 92-2017 (Oxec and Oxec II), the guidelines on conducting consultations with Indigenous Peoples in Guatemala were adopted. According to the Constitutional Court, the guidelines, which were to be developed in line with international standards, must be applicable not only to the case under consideration but to any future conflicts that might arise in connection with the topic.

117. With regard to the Fénix mining project, in judgment No. 697-2019, the Constitutional Court established the obligation to conduct a consultation process. Using the mechanisms available to it, the Ministry of Energy and Mining conducted consultations to identify the institutions that represent the cultural values of the Maya Indigenous People settled in the

project's area of influence. It identified the Maya Q'eqchi' Indigenous people as representatives.

118. The Ministry of Energy and Mining, the Councils of Maya Q'eqchi' Indigenous Communities of El Estor and Panzós and the Compañía Guatemalteca de Niquel signed agreements with a view to providing reparations for the damages caused and to adopting technical measures to mitigate and prevent damages related to mining activity.

119. A follow-up committee has been established to monitor compliance with the agreements. The Ministry of the Environment and Natural Resources conducts quarterly inspections of facilities at the mining project to ensure that the activities being carried out are not contaminating water tributaries. It has an obligation to report to the *amparo* court and, by order of the Constitutional Court, to set up a joint Ministry of Energy and Mining and Ministry of the Environment and Natural Resources verification commission. The Ministry of the Environment and Natural Resources ensures strict compliance with applicable environmental regulations and applies the Rules of Procedure for Environmental Assessment, Control, and Monitoring (Government Order No. 23-2003) and its amendments.

120. With regard to the El Escobal mining project, the dialogue between the Parliament of the Xinka people and the Ministry of Energy and Mining resumed in 2020, on the basis of which it was possible to carry out preparatory activities prior to the initial consultation, including reviewing progress in fulfilling commitments.

121. In 2021 and 2022, eight preliminary consultation activities were carried out, in which representatives of all the institutions ordered to be convened in the judgment participated, and eight interim joint work activities were carried out by the Ministry of Energy and Mining and the Parliament of the Xinka people.

122. The Ministry also conducted consultations on the Progreso VII Derivada mining project. In 2021 and 2022, five briefings were held, in which 140 persons representing various governmental and municipal institutions and one institution representing the Kaqchikel Indigenous people participated. It was established that the holders of the right to be consulted are the Kaqchikel Indigenous people and the representative institution is the Indigenous mayor's office of San José Nacahuil.

123. Between 2017 and 2022, the budget allocation for the various institutions of Indigenous Peoples – the Indigenous Development Fund of Guatemala, the Presidential Commission on Discrimination and Racism against Indigenous Peoples, the Office of the Ombudsman for Indigenous Women's Rights and the Guatemalan Academy of Mayan Languages – increased by 2 per cent.

124. The Public Prosecution Service establishes the criteria and general guidelines for prosecutors and staff of the victim support offices and permanent support offices⁴⁹ in order to ensure the efficient and effective criminal prosecution of discrimination offences.

125. Between 2018 and 2022, workshops were organized for judges, prosecutors and public defenders on the Manual on Culturally Relevant Criminal Justice. The Policy on Access to Justice for Indigenous Peoples 2019–2029 was adopted. Court and prosecution translation services in the languages of each region have been enhanced. Up to June 2022, the National System for Indigenous Interpreters and Languages registered 11,555 assignments in the system for the assignment of interpreters, providing services to 17,966 users.

XVIII. Torture

Recommendations 111.30, 111.31, 111.32, 111.33 and 111.34

126. The members of the national mechanism for the prevention of torture are elected and appointed by Congress.⁵⁰

127. The National Office for the Prevention of Torture⁵¹ has established standards and procedures for the implementation of the Document Management System in order to enhance

monitoring of complaints received, visit reports and recommendations and to expedite procedures. In addition, the Subcommittee's report,⁵² containing its recommendations, was published on the Mechanism's official website.

XIX. Rural development law

Recommendation 111.25

128. The following bills have been submitted to the Congress: Bill No. 5655 providing for the adoption of the Agrarian Justice Act on the establishment of agrarian courts; Bill No. 5502 providing for the adoption of the Act on Social Programmes to Eradicate Chronic Malnutrition; and Bill No. 5912 providing for the adoption of amendments to the Urban and Rural Development Councils Act.

XX. Private security companies

Recommendation 111.27

129. In 2019, the Directorate General of Private Security Services issued a total of 4,649 credentials for directors, instructors and private security agents, bringing the total number of accredited individuals to 30,143, distributed according to classification. In order to keep the register of private security service providers up to date, a virtual platform was set up in 2020.

130. An inter-institutional committee was formed, comprising representatives of the judiciary, the Directorate General of Weapons and Ammunition Control, the Directorate General of Civil Intelligence, the Public Prosecution Service and the National Civil Police, coordinated by the Ministry of the Interior, to fight against private security service providers who operate illegally.

131. In response to the COVID-19 pandemic, the Directorate General of Private Security Services resolution No. 0400-2020 was implemented in 2020, and the Methodological Plan for Virtual Training was adopted.

XXI. Access to health and education: vulnerable communities

Recommendations 111.79, 111.90, 111.91 and 111.92

132. The Ministry of Health and Social Welfare applies territorial planning in line with the Health Care and Management Model for Health Districts,⁵³ which provides population data for health care and management by sector and territory. In this context, the territorial planning tool was updated in 2017 to provide the geographical organization of sectors and territories that make up the municipal health districts in each health area.

133. Between 2017 and 2022, the Ministry of Education provided services to 332,822 young people, adults and older adults through non-formal education programmes at the primary and secondary levels and vocational training courses and certification of professional skills. Sixty-five per cent of participants were women and 35 per cent men. In 2022, the "Me Supero" (I Am Bettering Myself) programme was created with a view to including adolescents and young people who are not in the education system.

134. The Ministry of Education set up the School Health Insurance Programme⁵⁴ for students in public educational establishments at pre-primary and primary level. To date, the programme covers 301 municipalities nationwide. The insurance provides the following benefits: (a) medical costs in case of accident; (b) medical treatment for common illnesses among schoolchildren; (c) the provision of medicine; and (d) assistance with funeral costs.

135. In order to facilitate access to educational services for students with disabilities, the Government is complying with the Guatemalan Sign Language Act and the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled and operating a scholarship programme for students with disabilities in public educational establishments.

136. In 2019, regulations on equality of opportunities and equivalencies of studies at all levels of education were issued, which facilitate the rapid inclusion in the education system of all returned children and adolescents. These regulations establish the obligation to enrol these students in the educational establishments in which they will continue their studies. This also applies to migrants of other nationalities.

137. A total of 2,485 future bilingual intercultural teachers were taught basic skills to effectively teach students in keeping with the country's multi-ethnic, multilingual and multicultural characteristics.

138. The Ministry of Education established the "Acompáñame a Crecer" (Accompany Me to Grow) programme for children up to the age of 4 and their families, to enhance comprehensive early childhood development through comprehensive child development community centres in the departments prioritized by the Great National Crusade for Nutrition.

139. The Ministry of Health and Social Welfare has a network of health-care facilities providing different levels of care, in accordance with the identified needs of the population, that carry out activities on and off site for families and communities. There are 1,231 primary care facilities (health posts) and 365 secondary-level care facilities (health centres, 24-hour health centres, and maternal and child health-care centres).

140. In order to improve the national health-care system and ensure that it is accessible to everyone, the health-care budget increased by 85.7 per cent between 2017 and 2022.

XXII. Older persons

Recommendation 11.178

141. Between 2007 and 2022, the Ministry of Labour and Social Security's Economic Support Programme for Older Adults invested more than Q 6,669 million in direct support for beneficiaries (117,682 women and 106,440 men). As of 2022, there are 125,000 older persons receiving support, amounting to a total investment of more than Q 62 million.

142. The Social Welfare Secretariat of the Office of the First Lady provides comprehensive assistance at the national level to persons over the age of 60 who are living in poverty and extreme poverty through 79 day care centres and 2 permanent centres. From 2018 to 2022, services were provided to 9,157 men and 10,924 women.

XXIII. Business and human rights

Recommendation 111.5

143. In December 2021, the Presidential Commission for Peace and Human Rights initiated the process for the collection of information for the baseline assessment on business and human rights, with the cooperation and guidance of the Office of the United Nations High Commissioner for Human Rights. A four-phase methodology was developed.

XXIV. Protection of journalists

Recommendations 111.41, 111.44, 111.46, 111.47, 111.51, 111.53 and 111.66

144. The National Civil Police operates the following hotlines: Police Emergencies 110, Crime Stoppers 1561, Anti-Extortion Hotline 1574, Anti-Drug Hotline 1577 and the Confidential Hotline 1518, through which callers can request relevant assistance. The National Civil Police has also put in place a protocol on police action in relation to risk analysis, security studies and granting specific security measures for persons or facilities (Resolution No. 160-2020).

145. The Directorate General of the National Civil Police has issued instructions concerning respect for constitutional safeguards, such as the work of journalists' unions and advocacy for freedom of expression and thought, based on the applicable police protocols, guidelines and general orders. The National Civil Police is committed to enhancing the safety of journalists, human rights defenders and social actors who may be targeted because of their work.

146. The Media Secretariat of the Office of the President produced a document entitled "Advances made on the proposed System for the Protection of Journalists", which is the result of multiple efforts by State institutions, journalists, associations, organizations defending the right to freedom of thought and expression and United Nations agencies. It contains the results of the organizational and conceptual design of the proposed System for the Protection of Journalists, in the framework of the commitment made to establish a mechanism for the protection of journalists.

XXV. COVID-19

147. At the initiative of the Executive, Congress adopted Decrees Nos. 12-2020, 13-2020 and 20-2020, providing for a total investment of Q 14.5 billion. The following programmes, were adopted: the Small-scale Agriculture Programme, the Fund for Micro-, Small and Medium-sized Enterprises, the Capital Protection Fund, the Hospital and Health Centre Remodelling and Infrastructure Programme, the Food Supply Programme, the Bono Familia cash transfer programme, the Employment Protection Fund, the Electricity Subsidy, and the programme for health-care infrastructure and the acquisition of ventilators, COVID-19 tests, equipment and personal protective equipment. Food and nutritional security was guaranteed and access to health care was provided. It was ensured that children's education was not entirely interrupted, that workers received income before the suspension of their employment contracts and that companies were relieved of their obligations because their activities had been stopped. All of this was reflected in the slowest economic downturn in the region, at less than 1.5 percentage points of gross domestic product (GDP) in 2020.

148. Under the Ministry of Education's School Meals Programme, support has been provided to 2.6 million students in 29,515 schools. In 2021, the School Health Insurance Programme provided coverage to 1,942,591 students at pre-primary and primary levels. This service is provided in Kaqchikel, Mam, Q'eqchi', K'iche', Q'anjob'al and Tz'utujil.

149. Between 2020 and 2021, the Ministry of Agriculture, Livestock and Food provided bags of foods to 594,784 families in response to the COVID-19 emergency.⁵⁵

150. In response to the economic problems arising from the COVID-19 pandemic, the Ministry of Social Development created a temporary assistance programme for affected families, known as the Informal Economy Grant (Bono para la Economía Informal), which provided a single cash payment of Q 1,000 to informal sector workers in 146 municipalities in 21 departments. The programme achieved budget implementation of Q 100 million in 2020, to the benefit of 100,000 persons.

151. The decree on additional measures for the protection of the population from the effects of the COVID-19 pandemic⁵⁶ provided for economic and financial measures to enable

Guatemalan families and micro-, small and medium-sized enterprises to cope with the economic consequences of the health emergency generated by COVID-19, ensuring them access to basic services.

152. The Ministry of Health and Social Welfare has guaranteed access to the COVID-19 vaccine. Up to 15 September 2022, the following doses had been administered: 8,830,882 first doses (equivalent to 59.46 of the population), 6,918,425 second doses (46.58 per cent of the population), 3,505,153 third doses (23.6 per cent of the population), and 433,669 fourth doses (2.96 per cent of the population). This amounts to a total of 19,688,129 doses administered nationwide.

153. At the hospital level, the response to the pandemic began with 23 hospitals that had dedicated COVID-19 units before progressively expanding to include all hospitals. Five temporary hospitals were set up and were still operating at the time of drafting this report.

154. The Comprehensive Support Model for Children and Adolescents adapted its facilities, in line with World Health Organization⁵⁷ recommendations, and implemented a COVID-19 prevention and protection protocol for child and adolescent victims.

Notes

- ¹ Comisión Presidencial por la Paz y los Derechos Humanos.
- ² Seguridad, Justicia, descentralización, fortalecer el presupuesto para los programas de desarrollo, con la finalidad de identificar avances y desafíos en materia de Derechos Humanos.
- ³ Children and adolescents.
- ⁴ Consejo Nacional de Atención al Migrante de Guatemala.
- ⁵ Public Prosecution Service.
- ⁶ Comisiones Departamentales de Discapacidad.
- ⁷ Coordinadora Nacional para la Prevención de la Violencia Intrafamiliar y contra las Mujeres.
- ⁸ Plan Nacional para la Prevención y Erradicación de la Violencia contra las mujeres.
- ⁹ Unidad para la Prevención Comunitaria de la Violencia.
- ¹⁰ Ministerio de Gobernación.
- ¹¹ Policía Nacional Civil.
- ¹² Modelo de Asistencia y Atención Integral del instituto de la Víctima.
- ¹³ Secretaría contra la Violencia Sexual, Explotación y Trata de Personas.
- ¹⁴ Violencia Sexual.
- ¹⁵ Organismo Judicial.
- ¹⁶ Corte Suprema de Justicia.
- ¹⁷ Tribunal Supremo Electoral.
- ¹⁸ Objetivos de Desarrollo Sostenible.
- ¹⁹ Programa Nacional de Resarcimiento.
- ²⁰ Acuerdo Ministerial Número 288-2022.
- ²¹ Secretaría de Bienestar Social de la Presidencia.
- ²² Procuraduría General de la Nación.
- ²³ Ley de Desarrollo Económico de las Mujeres.
- ²⁴ Plan Estratégico Institucional.
- ²⁵ Ministerio de Finanzas Públicas.
- ²⁶ Acuerdo Gubernativo 28-2020 de la Presidencia de la República.
- ²⁷ Oficina Nacional de Servicio Civil.
- ²⁸ Instrucción General del MP 03-2020.
- ²⁹ Ministerio de Relaciones Exteriores.
- ³⁰ Mesa Nacional para la Prevención y Protección de Niños, Niñas y Adolescentes contra la Explotación Sexual en Actividades relacionadas con Viajes y Turismo.
- ³¹ Municipio de Nahualá, Sololá.
- ³² Instrucción 04-2020 del Ministerio Público.
- ³³ Consejo Nacional de Desarrollo Urbano y Rural.
- ³⁴ Centros de Apoyo Integral para Mujeres Sobrevivientes de Violencia.
- ³⁵ Centros de Atención Integral.
- ³⁶ Secretaría de Seguridad Alimentaria y Nutricional -SESAN-.
- ³⁷ Ministerio de Salud Pública y Asistencia Social.
- ³⁸ Ministerio de Agricultura, Ganadería y Alimentación.
- ³⁹ Comité Nacional de Alfabetización.
- ⁴⁰ A través de 22 Coordinaciones departamentales en los 340 municipios del país.

- ⁴¹ Kaqchikel, K'iche', Mam, Q'eqchi', Zutujil, Q'anjob'al, Ixil y Achi.
- ⁴² Sistema Educativo Nacional.
- ⁴³ Acuerdo ministerial MSPAS 214-2022.
- ⁴⁴ Clasificación Internacional del Funcionamiento.
- ⁴⁵ A favor de alrededor de 350 pacientes que se encuentran internados en el Hospital Nacional de Salud Mental.
- ⁴⁶ Granja Modelo de Rehabilitación Canadá, Escuintla, Centro de Detención Preventiva para Hombres, zona 18 y Granja Modelo de Rehabilitación Pavón, Fraijanes.
- ⁴⁷ Instituto Guatemalteco de Migración.
- ⁴⁸ Registro de Información Catastral de Guatemala.
- ⁴⁹ Instrucción General número 02-2014 Ministerio Público.
- ⁵⁰ Decreto 40-2010 "Ley del Mecanismo Nacional de Prevención de la Tortura y Otros Tratos o Penas Crueles, Inhumanos o Degradantes" en su Artículo 21.
- ⁵¹ Oficina Nacional de Prevención de la Tortura.
- ⁵² Subcomité para la Prevención de la Tortura y Otros Tratos o Penas Crueles, Inhumanos o Degradantes.
- ⁵³ El modelo se está implementado en Alta Verapaz y Sololá.
- ⁵⁴ Acuerdo Gubernativo No.44-2020, MINEDUC de fecha 19 de marzo de 2020.
- ⁵⁵ Decreto Gubernativo 5-2020.
- ⁵⁶ Decreto 15-2020 del Congreso de la República de Guatemala.
- ⁵⁷ Organización Mundial de la Salud.
-