



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women Eighty-sixth session

### Summary record of the 2007th meeting

Held at the Palais des Nations, Geneva, on Friday, 13 October 2023, at 10 a.m.

Chair: Ms. Peláez Narváez

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*Tenth periodic report of Guatemala*

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*The meeting was called to order at 10.05 a.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention (continued)**

*Tenth periodic report of Guatemala (CEDAW/C/GTM/10; CEDAW/C/GTM/Q/10; CEDAW/C/GTM/RQ/10)*

1. *At the invitation of the Chair, the delegation of Guatemala joined the meeting.*
2. **Ms. Aguilar Theissen** (Guatemala) introducing her country's tenth period report, said that the Presidential Secretariat for Women, the main mechanism for the advancement of women in the executive branch, had resumed its efforts at institution-building in 2021, after the current Government had taken office. The legal and political status of the Secretariat had been reviewed to meet international standards on women's human rights. The Secretariat offered a comprehensive framework for the promotion of gender equality mainstreaming in public policy.
3. The fact that, historically, gender equality and equity indicators in the country had been static signalled a need to do more to meet the guidelines laid down in the National Policy for the Advancement and Integral Development of Women. While progress had been made in the development of legal and public policy instruments, more work was needed to implement and follow up on them.
4. The national census of 2018 indicated that 51.7 per cent of the population aged 4 years and older were female, with 31.1 per cent living in rural areas. In addition, 31.2 per cent were mixed-race, 19.6 per cent were Mayan, 1.3 per cent were women of African descent, 0.1 per cent were Garifuna and 0.7 per cent were Xinca.
5. The fertility rate had fallen from 2.6 in 2018 to 2.3 in 2021, and the specific fertility rate of women aged 15–19 had reached 51.4 children per thousand women. Haemorrhages continued to be the leading direct cause of maternal mortality in the country. Maternal deaths were primarily linked to the timeliness and quality of care. In 2016 alone, there had been 37,624 registered pregnancies among adolescents aged 10–19 years, 4 per cent of which had been among girls aged 10–14 years.
6. Women accounted for 88 per cent of persons who performed unpaid work, compared to 12 per cent of men. Of all employed women, 45.3 per cent were self-employed non-agricultural workers.
7. Sexual violence continued to be a key concern, as the number of women victims of such violence had been steadily increasing since 2008, when the Act on Femicide and Other Forms of Violence against Women had come into force. Guatemala had made significant progress in access to specialized justice: there were various courts of first instance and appeal that specifically addressed cases relating to femicide and other forms of violence against women, trafficking in persons, family matters, domestic violence and juvenile justice.
8. The Government had taken a number of steps towards ensuring the protection of women human rights defenders, including the creation of new specialized prosecution service and the introduction of a new care model for human rights defenders.
9. The National Coordination Office for the Prevention of Domestic Violence and Violence against Women had coordinated efforts to push through legislative reforms, including amendments to the Domestic Violence Prevention, Punishment and Eradication Act, which aimed to strengthen the agencies responsible for the prevention of violence against women, and the guidelines for the comprehensive support centres for women survivors of violence. A total of 20,081 women, including 1,036 Mayan, Garifuna or Xinca women, had received assistance from 2021 to June 2023 through the Government's comprehensive care model for women victims of violence.
10. Guatemala was collaborating with Mexico and the Organization of American States to develop a protocol for consular care and protection for migrant women victims of violence. A Ministry of the Interior programme for the prevention of domestic violence provided social, psychological and legal care that included a "school for parents" component to help them address such violence.

11. A survey on the quality and welfare of households – the first of its kind – had been conducted with the intention of establishing the prevalence of violence against women at the national level and collecting data for the adoption of public policy measures.

12. The Government had established an intersectoral mechanism to monitor and ensure compliance with the Convention. It had also set up a mechanism to follow up on Security Council resolution 1325 (2000) on women and peace and security, which included representatives from women's and civil society organizations. The State had also made progress on policy and legislative instruments for the implementation of general recommendation No. 39 (2022) on the rights of Indigenous women and girls. However, a follow-up strategy that clearly identified lines of action and responsibilities was required, and there was a need to strengthen the Ombudsman for Indigenous Women, the Presidential Commission on Discrimination and Racism and the Indigenous Development Fund of Guatemala.

13. The Ministry of Health had developed a new holistic approach to early pregnancy and there was a technical committee for its follow up. The national plan for preventing teenage pregnancy for 2018–2022 had been updated and implemented. Decree 27-2000 had been introduced to protect the human rights of persons living with HIV/AIDS.

14. A protocol for health providers involved in treating victims of trafficking in persons, particularly among adolescents in border areas, had been developed and was widely implemented. A guide had been released on intercultural dialogues in health. The recently launched online database of midwives in Guatemala had 16,000 midwives registered. During the coronavirus disease (COVID-19) pandemic, specific guidelines had been issued to ensure culturally and linguistically relevant care for Indigenous women and the protection of their human rights.

15. A Central American Integration System agenda for the economic empowerment of rural women was being implemented in Guatemala. The Government had a national policy for decent employment for 2008–2023, and the National Commission for Decent Employment had been established in 2021. It aimed to support the integration of economic and social policies and the creation of decent jobs within the public and private sectors. During 2022 and 2023, funding had been earmarked for training in English and nursing, and 60.9 per cent of the beneficiaries were women. There were 43 technical field schools for school feeding, and 267 persons, 39 per cent of whom were women, had been certified in agricultural production.

16. The main challenges that needed to be addressed in future public policy measures were: the need to improve monitoring of public policy compliance with the Convention; the need to strengthen the coordinating role of the executive in relation to women's rights in order to advance a legislative agenda that was in line with international commitments; and the need to guarantee a basic social protection floor for all women, especially Indigenous women, young women in rural areas and women victims of violence.

17. That basic social protection floor must be accompanied by measures aimed at guaranteeing women's economic empowerment, especially in terms of employment, skills-building, access to financial services, and the recognition and redistribution of care work. Adequate planning and funding were needed to achieve those goals and to close inequality gaps. There was also a need to review and consolidate existing initiatives in relation to migrant women, with a focus on unaccompanied girls and young women.

#### *Articles 1–6*

18. **Ms. Tisheva** said that the recently held peaceful and free elections in Guatemala gave hope for reversing regressive trends in women's rights. However, given significant evidence of acts of political repression, reprisal and intimidation against voters undertaken by the Public Prosecutor, police and government-controlled institutions, she wished to know what steps were envisioned to guarantee the reversal of those acts, to end political violence and intimidation, to stop the criminal prosecution of representatives of institutions who acted independently and with integrity, and to hold perpetrators such attacks accountable.

19. She wondered when the State party would proceed to the prompt and unconditional release of Virginia Laparra, her lawyer, Claudia González, and all the arbitrarily detained persons associated with the International Commission against Impunity in Guatemala. She asked how Guatemala guaranteed safety, non-prosecution and freedom of expression for all women from the women's movement, Indigenous women and defenders of women's human rights.

20. Given the realities of violence faced by women, including sexual violence, violence related to their reproductive rights, femicide and disappearances, along with widespread impunity due to the systematic hampering of women's and girls' access to justice, she would like to know how the authorities planned to ensure freedom from fear for women in Guatemala. She asked how the rule of law, the independence of institutions and respect for the Constitution would be guaranteed and maintained to protect women's lives and bodily integrity. She also wondered what measures the State party would take to prevent discrimination, including multiple discrimination, against Indigenous and Garifuna women, women with disabilities and women in vulnerable situations in all public and private spaces. It would be useful to hear about the measures envisioned to protect women returnees and internally displaced women.

21. She would welcome information on any efforts to raise awareness of the Convention and its Optional Protocol were raised at the local level. It would be useful to have an account of the areas covered by the legal cases over the past two years that made reference to the Convention. She wondered whether the State party intended to take action on the International Convention for the Protection of All Persons from Enforced Disappearance; the Second Optional Protocol to the International Covenant on Civil and Political Rights; and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, among others.

22. **Ms. Bonifaz Alfonzo** said that the Committee was extremely concerned about the systematic harassment, criminalization and misuse of the law against former public servants, prosecutors and judges that had been highlighted by the Special Rapporteur on the independence of judges and lawyers. Given that Indigenous women often had to travel long distances to seek access to justice, she wished to know what was being done to remedy the situation for Indigenous women and women of African descent. She also wondered what was being done to ensure access to justice for persons with disabilities and migrant women.

23. **A representative of Guatemala** said that, in July 2023, the Constitutional Court had issued a decision establishing that the Movimiento Semilla and the Partido Unidad Nacional de la Esperanza must be allowed to participate in the general elections in August. The Court had issued a further decision establishing that electoral bodies and State agencies were required to recognize the results issued by the Supreme Electoral Court and oversee the transition of power on 14 January 2024. The Constitutional Court had ruled on a number of requests made by various public and civil society bodies regarding the right to protest in Guatemala. In that connection, the security forces had been informed that they must ensure not only citizens' right to freedom of movement but also their right to hold peaceful demonstrations.

24. **A representative of Guatemala** said that the deputies from the 17 legislative groups that had been elected to Congress had been invited to an induction course in which they had held a mock session of the chamber. According to persons who had attended the event, it had been a success.

25. **A representative of Guatemala** said that the National Civil Police had been continuously attempting to engage with the leaders of demonstrations. In that connection, the Ministry of the Interior was in the process of drafting a service order establishing that demonstrations must be free from violence. Efforts were being made to ensure citizens' right to demonstrate and right to freedom of movement and their protection against persons seeking to hinder their enjoyment of those rights.

26. The Unit for the Community-based Prevention of Violence of the Ministry of the Interior conducted ongoing training sessions on femicide for public officials. Local committees worked with communities to raise awareness of preventive measures and reporting mechanisms. The committees held workshops on the prevention of violence against

women and domestic violence and conducted awareness-raising campaigns to prevent violence against women.

27. The National Civil Police had set up a special department for investigating femicide. Steps were being taken to professionalize officers of the National Civil Police, specifically those working in victim support offices, to ensure their ability to receive direct complaints and refer those complaints to the agencies responsible for following up on them. The number of victim support offices around the country had been increased to 75.

28. **A representative of Guatemala** said that the woman currently occupying the post of Attorney General had been a victim of various forms of discrimination and had also faced threats to her physical integrity. Public prosecutors' offices in the 340 municipalities received complaints and forwarded them to the 27 branches of the Office of the Prosecutor for Women. A total of 19 comprehensive support models were being implemented by specialist staff. The comprehensive support module for women, which brought together 18 institutions, sought to reduce victimization and promote the economic empowerment of women. Other comprehensive support models were used to support children and adolescents, including those who were in conflict with the law.

29. The Isabel-Claudina alert system, which was activated when a woman was reported as disappeared, was used by a number of institutions that monitored cases of enforced disappearance. Referral networks in different parts of the country implemented inter-institutional agreements on the provision of support to women victims of human rights violations. Legislative measures had been taken to promote gender mainstreaming in investigations and legal proceedings relating to violations of women's rights and to establish guidelines on dealing with cases of violence against women, including cases of femicide. The measures mainstreamed a gender perspective and took account of cultural relevance and the specific needs of persons with disabilities and members of the LGBTI community. A hotline had been established to receive calls from women who were in immediate danger. An effective set of tools had also been introduced, including a mobile application with a "panic button" that gave victims immediate access to support centres and a digital platform (ayuda.gt) for reporting violence.

30. **A representative of Guatemala** said that the Directorate for the Strengthening of Peace of the Presidential Peace Commission organized training sessions for public officials and the general public to promote a culture of peace and to raise awareness of human rights, including the Convention. Since 2021, the Directorate had trained over 34,000 people.

31. **A representative of Guatemala** said that the Secretariat of Indigenous Peoples worked to protect the rights of Indigenous Women and the Garifuna people. The Secretariat had developed a policy on the provision of support for Indigenous Peoples and a protocol on the provision of support for Indigenous women. A team of 20 interpreters working in different Mayan languages provided interpreting services in court hearings. Steps were being taken to ensure that judges took account of the human rights, gender and intersectionality when ruling on cases involving violence against women.

32. The judiciary had developed a policy on the provision of support to persons with disabilities. In line with that policy, adjustments had been made to courthouses and courtrooms to ensure that persons with disabilities were able to attend and follow hearings. The judiciary's website included a section with information for persons with disabilities. That section included a screen reader that allowed persons with visual impairments to obtain the information that they required.

33. Special secretariats had been established to protect the rights of victims belonging to vulnerable groups, including Indigenous People, women and children. A monitoring and follow-up unit monitored the rulings issued by judges to ensure that they took account of the rights established in international treaties. In accordance with an advisory opinion issued by the Constitutional Court, all lower court and Supreme Court judges who currently occupied a post would remain in that post until new judges had been appointed.

34. **A representative of Guatemala** said that the Office of the Ombudsman for Indigenous Women's Rights had 13 regional offices and one central office that provided support to Indigenous women victims of violence. In response to the COVID-19 pandemic,

a multilingual hotline had been set up to support women in need of advice and assistance. The hotline had received over 4,700 calls since September 2020. The Office of the Ombudsman for Indigenous Women's Rights formed part of the comprehensive care model for women victims of violence, which was made up of 16 different institutions.

35. **A representative of Guatemala** said that coordinated measures had been taken to provide support and guidance to persons with disabilities. In that connection, an institutional cooperation agreement had been established to ensure the protection of their rights.

36. **A representative of Guatemala** said that article 201 of the Criminal Code set out a comprehensive definition of enforced disappearance. That definition established the acts that constituted the offence and the persons who could be considered to have perpetrated it. Such persons included public officials and members of organized criminal gangs. In accordance with article 201, the offence of enforced disappearance was considered to be a continuing offence that ended only when the victim had been released.

37. **Ms. Aguilar Theissen** (Guatemala) said that information on the specific legal cases involving Virginia Laparra, Claudia González and other women mentioned by the Committee would be provided in writing after the delegation had consulted with the relevant authorities in the capital.

38. **Ms. Tisheva** said that she wished to know what measures would be taken to tackle political violence and intimidation and to protect persons who sought to defend the democratic process. The delegation might also describe any measures being taken to hold the perpetrators of political violence accountable for their actions. It was still not clear when the State party would take action the International Convention for the Protection of All Persons from Enforced Disappearance and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

39. **Ms. Bonifaz Alfonzo** said that she wished to know whether the specialist staff attached to the Office of the Prosecutor for Women, and the interpreters specializing in Indigenous languages, were familiar with the Indigenous cosmovision and whether police officers, prosecutors and judges received training in gender mainstreaming.

40. **The Chair** said that she wished to know whether interpretation services, including sign-language interpretation, were made available for Indigenous women and deaf women in court hearings.

41. **A representative of Guatemala** said that the ratification of the two instruments mentioned by the Committee was addressed in bill No. 3736, which would be brought before Congress.

42. **A representative of Guatemala** said that the Constitution provided for the protection of the electoral process and the smooth transition of power. The Constitutional Court, as the guarantor of the rights enshrined in the Constitution, had sought to protect the electoral process by holding hearings in connection with the various legal actions brought by both State agencies and civil society organizations. As part of the ongoing proceedings, the investigative agencies and judicial oversight bodies would consider the various actions that had been initiated.

43. **A representative of Guatemala** said that four human rights defenders who faced threats to their personal safety had undergone risk assessments and been afforded the appropriate protection.

44. **A representative of Guatemala** said that the specialist interpreters attached to the judiciary were familiar with the Indigenous cosmovision. Duty courts had been established throughout the country, which operated round the clock throughout the year. Judges underwent initial and in-service training, including in the gender perspective. Justice officials were trained in the use of sign language.

45. **A representative of Guatemala** said that over 800 trainee officers at the National Civil Police Academy had received training in the prevention of discriminatory conduct based on ethnic affiliation, gender, disability and religious belief.

46. **A representative of Guatemala** said that the various branches of the Office of the Ombudsman for Indigenous Women's Rights were located in the different sociolinguistic communities and their staff provided support and advice in the local language. The Office had held online seminars on the origins of racism, the arguments used to justify it and the regulatory frameworks governing the rights of women and Indigenous Peoples for officers of the National Civil Police. In conjunction with mid-ranking officers of the National Civil Police, awareness-raising workshops had been held to promote a life free from violence and the detection and prevention of crime, particularly against Indigenous women.

47. **A representative of Guatemala** said that the Court, in compliance with the Constitution, had issued several rulings directing the ordinary courts to mainstream a gender perspective in their rulings. Mayan-language versions of the Constitution had been produced and disseminated and an audible version had been produced for persons with visual impairments.

48. **Mr. Safarov** said that he would like to have an account of the challenges faced in carrying out the national action plan on the implementation of Security Council resolution 1325 (2000), especially in the light of the consequences of decades of civil war. Despite its strong economic growth, the State party continued to experience high levels of poverty. He wished to know how the instability caused by the actions of criminal groups in border areas was affecting women and girls in particular. He would also like to learn about the types of assistance afforded to female victims. Given that funding for government agencies working on women's rights had decreased in 2021 and 2022, it would be helpful to know whether the State party envisaged the establishment of a ministry of women, whether staff would be recruited to the Presidential Secretariat for Women on regular contracts and whether the Office for the Defence of Indigenous Women's Rights would be strengthened, including through the recruitment of staff who spoke Indigenous languages. He would also welcome information on measures adopted in the areas of access to justice and women and peace and security, and he would like to know what policies the State party planned to adopt for the advancement of women at the ministerial level. Lastly, it would be useful to have information on any plans to implement a national action plan on women's development and on Security Council resolution 1325 (2000) after 2023.

49. **Ms. Aguilar Theissen** (Guatemala) said that while government agencies had held consultations to identify the type of mechanism for women's rights that was required at the ministerial level, no agreement had yet been reached on its role, mandate, nature or scope. There had been no increase in State funding for government bodies working in the area of women's rights, and their budgets had been supplemented by donations from international partners. The Inter-agency Committee on Women and Peace and Security had been established on the initiative of women's organizations, and the Government was being lobbied to enhance its status by ensuring the participation of all government agencies working in the area of peace and security.

50. The Government would continue to take action related to the National Policy for the Advancement and Integral Development of Women even after the Policy expired at the end of 2023. The Presidential Secretariat for Women was devising a system to follow up and evaluate activities under the Policy and would assist government institutions in carrying out internal evaluations. The National Urban and Rural Development Council had urged all public institutions to continue to implement the Policy and to contribute to its evaluation and updating, and the Secretariat would devise a road map for that purpose.

51. **A representative of Guatemala** said that the budget of the Presidential Secretariat for Women was subject to ongoing review and had recently been boosted by donations. Budgetary allocations for work on women's issues had not decreased, although some programmes had been restructured. The budgets of women's programmes of the Ministry of Health and Social Welfare had been boosted by increased revenue from taxes linked directly to them.

52. **A representative of Guatemala** said that it was anticipated that the request of the Presidential Secretariat for Women for an increase of 100 per cent to its budget for 2024 would be approved by Congress.

53. **Ms. de Silva de Alwis** said that the Committee wished to know whether a timeline was in place for adopting a conceptual and institutional framework for temporary special measures and identifying priority areas for their implementation. It would also like to know whether such measures would be introduced to achieve gender parity and the representation of minorities in the political sphere, and whether they had been adopted to strengthen women's effective participation in departmental development councils and all levels of public management. The State party should set specific goals and timelines to increase participation in public life by women belonging to minorities and introduce affirmative action measures, such as quotas, in Congress, political parties, the foreign service and senior government positions. It would be useful to have information on steps to adopt temporary special measures to increase women's participation in formal employment, as well as their access to health care. She would welcome an update on the protocol on protective measures for groups such as trade unionists, along with information on any other temporary special measures introduced to ensure the safety and protection of human rights defenders, women's organizations and civil society actors.

54. **A representative of Guatemala** said that rural women's participation in development and public and political life had been promoted through the creation of municipal women's offices in all municipalities. The incoming Congress would comprise 33 women deputies, the largest number in the country's history, and women led two of the three branches of government.

55. **The Chair** said that if temporary special measures to improve women's representation had not been adopted or planned, it would be useful to know why.

56. **Ms. Aguilar Theissen** (Guatemala) said that, although quotas to improve women's representation had been discussed by many women's organizations, there had not been a national debate on the issue. Given that there was no tradition of women's political participation in Guatemala, efforts to open the debate remained at a standstill.

57. **Mr. Safarov** asked whether legislation on the State budget contained specific indicators or provisions relating to policies on women's rights, whether there was a special budget for action plans and policies on women's rights and how women's participation in negotiations, particularly during conflict, was encouraged.

58. **Ms. Bonifaz Alfonzo** said that temporary special measures served to address a historic lack of women's political participation.

59. **Ms. Aguilar Theissen** (Guatemala) said that coordinated effort was being made to introduce women's rights indicators into the State budget. Although there was a system for gender budgeting, it did not accurately reflect investment in women's rights because ministries did not always plan their activities specifically under policies to promote the advancement of women.

60. **A representative of Guatemala** said that progress had been made towards including gender indicators in the 2024 State budget.

61. **A representative of Guatemala** said that women had comprised 53 per cent of the approximately 34,000 public officials and members of the general public who had participated in talks on themes such as building a culture of peace, dialogue for the transformation of conflict and women's political participation.

62. **A representative of Guatemala** said that women's participation in the Board of Directors of Congress and Congress itself stood at around 10 per cent. Efforts to increase their participation included changes to legislation governing political parties' election funding and leadership, and Congress was considering draft legislation, submitted by women deputies, that would require political parties to adopt effective mechanisms to promote women's participation in internal selection processes and elections. The Supreme Electoral Court had updated the gender equity policy and drafted a protocol for addressing violence against women in the political sphere.

63. **Ms. Bethel** said that she wished to know to what extent the process of reviewing government information campaigns to ensure that they did not contain discriminatory gender stereotypes had been effective; what specific measures were in place to address such

stereotypes and negative portrayals of women in the media and advertising, particularly women with disabilities; and how those measures were evaluated. She asked what steps the State party was taking to prevent and protect women and girls from the extremely high levels of gender-based violence in the country, how those steps were evaluated and what successes and challenges had emerged in their implementation. The Committee would welcome information on early intervention in cases of gender-based violence in order to prevent femicide and on measures to strengthen the capacities and coverage of specialized courts and the Public Prosecution Service to deal with femicide in areas with the highest rates of the crime.

64. It would be useful to have information on specific policies and measures to prevent, investigate, prosecute and punish crimes against lesbian, bisexual and transgender women and intersex persons; to reactivate and finalize a national policy to guarantee their human rights that had been proposed in 2017 and to collect and analyse data on gender-based violence against them. She wished to know what steps had been taken to ensure that women and girls had access to immediate, comprehensive, quality care for HIV and to methods to prevent HIV and sexually transmitted infections, and what steps had been taken to decentralize and strengthen public institutions that provided essential services and access to justice.

65. **Ms. Leinarte** said that she would like to know whether the State party had amended the definition of trafficking in persons contained in its anti-trafficking legislation, which had encompassed all forms of labour exploitation and illegal adoption not for the purpose of exploitation. She wished to know how many shelters for victims of trafficking in persons existed in the State party, whether an effective national referral mechanism was in place and what the outcome had been in cases of corruption by public officials in relation to trafficking. It would be interesting to hear how many cases of trafficking involving women and girls had been investigated and prosecuted in the previous two years and what the outcomes had been, including the sentences imposed and reparation granted. Lastly, given that prostitution was legal in the State party, she would like to hear the delegation's comments on the exploitation of prostitution, particularly in the light of the Committee's general recommendation No. 38 (2020); had public debate on the matter taken place?

66. **Ms. Aguilar Theissen** (Guatemala) said that the Government had started work on stereotypes in 2022. A media campaign had been launched to mark the International Day for the Elimination of Violence against Women. The campaign tackled the upsurge in violence against women and made it clear that violence against women was a crime and must be reported.

67. **A representative of Guatemala** said that the basic education programme was adapted to take into account different cultural and linguistic needs and appropriate teaching materials were made available to teachers.

68. **A representative of Guatemala** said that the Ministry of the Interior was developing a project to eradicate domestic violence with a budget of more than 6 billion quetzales. Campaigns on gender and intercultural understanding were targeted at the National Civil Police and other institutions. Planned campaigns included two awareness-raising campaigns on violence prevention and one campaign on migration. A tool to empower individuals in relationships was under development and programmes on masculinities had also been developed. A work plan on the rights of the LGBTI+ community addressed human rights issues in the period 2022–2023. The special units that delivered those campaigns made use of social media and broadcast media to conduct their campaigns.

69. **A representative of Guatemala** said that, in 2022, one central and three regional specialized offices of the Public Prosecution Service had been set up to tackle femicide, with three more to follow in 2023. The offices were based in the regions with the highest numbers of deaths; data from the courts indicated that one in five women died from femicide. Protocols for investigating violent deaths covered femicide and mandatory training included courses on gender stereotypes, a gender perspective on human rights and victimology, and covered issues such as persons with disabilities, linguistic and cultural sensitivity and the LGBTQI+ community.

70. **A representative of Guatemala** said that all cases of femicide were covered by the specialized justice system. Between 2017 and 2023 more than 83,000 cases of violence against women had been heard and 16,000 convictions had been obtained. Four courts that specialized in crimes of trafficking had been set up and their jurisdiction had been extended to cover crimes under the Migration Act. This was a dignified and transformative reparations policy for victims of trafficking. Staff numbers had been increased to drive forward gender equality and human rights. More than 100 magistrates had received training on specialized care in cases of domestic violence and violence against women. An institutional plan for the judiciary covered the need to ensure access to justice for all, taking into account the diversity of the population.

71. **A representative of Guatemala** said that online registers and quarterly and biannual publications provided statistical information on the crime of violence against women that had been gathered from three State bodies. A household census on violence against women provided information on the prevalence and frequency of violence against women; the most recent data available had been collected in October 2022 and would be used to inform the policy response to violence against women.

72. **A representative of Guatemala** said that, although persons living with HIV had been somewhat neglected during the COVID-19 pandemic, renewed efforts had been made in the post-pandemic period. World Hepatitis Day had been observed, with the participation of 29 women, and an awareness-raising campaign had been launched that focused on HIV prevention and sexual and reproductive health. The number of women with HIV had increased since 2020 – there were 770 women recorded as living with HIV in 2022 – in part due to efforts to diagnose HIV and provide treatment. An analysis of public health carried out between 2017 and 2020 had looked into gender-based issues, such as the use of condoms and action to combat violence and sexual violence against young women and girls. Training had been provided to health care workers on promoting sexual and reproductive health and health information for couples and parents. In 2023, a gender-inclusive analysis had been published to provide an effective response to HIV/AIDS. Strong alliances had been forged for international cooperation and antiretroviral treatment had been provided to persons living with HIV/AIDS, including those who avoided contact with the standard health-care services due to fear of discrimination. HIV screening for young women had been rolled out and high levels of positive cases had been identified in some parts of the country.

73. **A representative of Guatemala** said that time was needed to implement the commitment to draw up a public policy for the LGBTIQ+ community during the universal periodic review of his country in 2022. The Ministry of the Interior nonetheless had protocols in place to ensure differentiated care for that population group. The Public Prosecution Service had also made progress in the provision of differentiated support. Given that the right to equality was enshrined in the Constitution, the specific needs of the LGBTIQ+ community were also catered for, although there remained a need for increased action in that regard.

74. **A representative of Guatemala** said that, in 2019, a system for the provision of comprehensive care to victims had been established, which was responsible for the provision of legal aid to victims of crime. In 2023, the System had been allocated a budget of 55 million quetzales and had also taken on responsibility for the provision of legal aid to victims' families in the case of femicide. The Act on Sexual Violence, Exploitation and Trafficking in Persons, had been introduced to address trafficking in persons and amendments to the Criminal Code had diversified the sentences handed down for such crimes in order to strengthen the capacity of the legal system to address such crimes and protect victims' rights, while the Migration Code had been updated to meet international standards. Decree No. 5-2022 had amended article 103 of the Migration Act to establish sentences of up to 30 years imprisonment for the crime of trafficking in persons and establish the loss of life as an aggravating circumstance. The penalties for trafficking in persons were being increased in order to discourage migrant smuggling.

75. **Ms. Aguilar Theissen** (Guatemala) said that the Secretariat against Sexual Violence, Exploitation and Trafficking in Persons had been established under the Act on Sexual Violence, Exploitation and Trafficking in Persons. It had set up temporary shelters for women victims of trafficking, sexual exploitation and labour exploitation, which had benefited more than 1,000 women between 2021 and the first half of 2023. It had also set up a working group

on labour conditions and the prevention, detection and referral of possible cases of trafficking in persons with the participation of the Ministry of Foreign Affairs, the Ministry of Labour and Social Security, the International Organization for Migration and the International Labour Organization, and was responsible for managing data on trafficking in persons. It was responsible for a number of successful campaigns on sexual exploitation and trafficking in persons, created in cooperation with other executive bodies, and had drafted a guide on Internet safety and trafficking in persons in three Mayan languages. Other activities included establishing protocols to identify possible victims of trafficking in persons among returned migrants and the implementation of a comprehensive care model for unaccompanied young girls who had been victims of trafficking in persons.

76. The Ministry of Foreign Affairs also provided support to victims of trafficking and had identified countries where Guatemalan women had been taken as victims of trafficking and had provided repatriation support. The Guatemalan Migration Institute supported accompanied and unaccompanied migrant children who were victims of trafficking in persons and coordinated with the prosecutor's office and the Ministry of Public Health and Social Welfare on care and support activities.

77. **Ms. Bethel** said that, since the Office of the President vetted the audiovisual material for public campaigns, she wished to know how it addressed gender stereotypes, including of women with disabilities, Afrodescendant and Indigenous women, that made women vulnerable to gender-based violence and discrimination. It would also be helpful to receive details of the measures in place to challenge discriminatory gender stereotypes.

78. **Ms. Leinarte** said that she would appreciate information on the compensation provided to victims of trafficking.

79. **The Chair** said that she wished to know what steps were being taken to classify as a crime the forced sterilization of women with disabilities and how the State party ensured that the children of women with disabilities were not removed from them due to their disability.

80. **Ms. Aguilar Theissen** (Guatemala) said that harmful stereotypes continued to present a significant challenge. Despite the fact that tackling violence against women had been set as a national priority, Guatemalan society continued to believe that women could be used and murdered. The issue was being raised and consideration was being given to how to effect change in society on that topic.

81. **A representative of Guatemala** said that the Ministry of Health did not carry out forced sterilizations. A process was under way to certify persons with disabilities.

#### *Articles 7–9*

82. **Ms. González Ferrer**, speaking on behalf of Ms. Stott Despoja, said that, while she welcomed the measures taken to increase women's participation in public life, the low number of women in Congress was a cause of concern. She would like to know what percentage of women were represented in local and municipal posts and at the international level, including women working as ambassadors and consuls general, and the measures taken to increase women's representation at the local, municipal and international levels. It would be helpful to receive details of the mechanisms set out in amendments to the Elections and Political Parties Act and how they were enforced, whether further amendments to ensure gender parity were under consideration, and how the State party ensured that diverse women and Indigenous women were represented in positions of leadership. Details of the protocols to address violence against women in political spaces contained in the updated Gender Equity Policy would also be appreciated, together with information on how those protocols were enforced and their results, and whether any other measures had been introduced to reduce violence against women in politics. She would also be interested to hear about any measures taken to increase the participation in politics of women from rural and remote areas.

83. **Ms. de Silva de Alwis** said that she would like to know whether children born in Guatemala to migrants who were passing through the country had the right to Guatemalan nationality, given that the definition of residence in the country set out in the Civil Code referred to the intention of remaining in a place for one year. She wished to know how many cases of family reunification had been processed under the Regulation on the Procedure for

the Protection, Determination and Recognition of the Status of Refugees introduced in 2019; the number of cases in which refugee status had been granted on the grounds of persecution due to sexual violence or other forms of gender-based violence; whether refugees and asylum-seekers had access to legal aid; how the family reunification conformed to article 1 of the Constitution concerning the protection of the person and the family; how the State party addressed the barriers to access to personal documentation, employment services, housing and health care faced by asylum-seeking women; and what effect the Constitutional Court unit for the provision of assistance to vulnerable persons had had on the Court's work on refugees and migrant women.

*The meeting rose at 1.05 p.m.*