



Convention on the Elimination of All Forms of Discrimination against Women

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**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

Replies of Guatemala to the list of issues and questions in relation to its tenth periodic report*

[Date received: 3 February 2023]

1. Guatemala hereby submits its response to the list of issues and questions in relation to its tenth periodic report. The Presidential Secretariat for Women, the advisory and coordinating body for public policies to promote the comprehensive development of women, under the direct leadership of the President of the Republic, coordinated the preparation of this report in a participatory manner, requesting information from various institutions.

2. Regarding the legislative framework, in 2022 the Congress of the Republic of Guatemala adopted Decree No. 11-2022, introducing amendments to its Decree No. 17-73 – the Criminal Code – addressing the grooming of children and adolescents and extortion carried out using information and communications technology or other technological means.

3. With regard to the visibility of the Convention, the Optional Protocol thereto and the Committee's general recommendations, the Presidential Secretariat for Women is institution-building by developing continuous training programmes for existing staff, new recruits and departmental delegates from the Secretariat on the Convention and other international instruments on the protection of women's human rights that support the implementation of the Convention.

4. The regulatory framework for compliance with the Convention was disseminated to 55 public institutions as part of the Secretariat's provision of inter-institutional technical support for the preparation of the report on the implementation of the Convention. Subsequently, the tenth report was shared with public institutions and civil society organizations through the Intersectoral Mechanism for Follow-up to the Convention, the Inter-agency Committee on Women and Peace and Security, the Thematic Committee on Women of the Special Social

* The present document is being issued without formal editing.



Development Cabinet and the Advisory Council of the Presidential Secretariat for Women. General Recommendation No. 39 (2022) on the rights of Indigenous women and girls was also shared.

5. Informational guides on the Convention, which are designed to provide information on the content of the Convention, the responsibilities of the Government of Guatemala, monitoring and accountability processes and linkages with other international instruments on the protection of women's human rights, were updated.

6. Furthermore, support, advice and technical assistance was provided to the public institutions of the executive agencies, legislative bodies and the judiciary on the international responsibility to implement the Convention and the implications for planning and budgeting, and also on processes for raising awareness and enhancing visibility with regard to the monitoring of compliance with the Convention.

7. As part of the support provided by the Office of the United Nations High Commissioner for Human Rights to the Presidential Secretariat for Women, international experts provided staff with training on the Convention, the Optional Protocol thereto, the Committee's general recommendations and the functioning of the Committee.

8. In 2021, the Presidential Commission on Discrimination and Racism held virtual forums on the right to self-identification, the strengthening of the cultural identity of Garifuna women and women of African descent and ways to prevent racism in municipal public policies. These were aimed at public servants of the executive agency, municipal offices for women's affairs, organizations of the Garifuna people, departmental development councils and Mayan, Garifuna and Xinka leaders. In 2022, a meeting on the topic "Progress and challenges in the implementation of the Agenda for Garifuna Women and Women of African Descent" was held.

9. The Guatemalan Academy of Mayan Languages carried out training in 22 linguistic communities on the linguistic rights of Indigenous Peoples, the Convention, the role of women in the transmission of language and cultural identity, the historical importance of women as the foundation of Mayan culture, methods developed by Mayan women for the transmission and preservation of language and culture, women's fight to protect Mayan dress, and the importance of language in maintaining linguistic loyalty and culture. A total of 1,774 young women and adult women participated.

10. The National Council for Persons with Disabilities held forums and diploma courses for persons with disabilities on the prevention of sexual violence and trafficking in women and girls, the right to culturally relevant health care for the Indigenous population, the human rights of young people, experiences with an inclusive approach, a comprehensive approach to disability through human rights-based health care, and issues related to violence against women.

11. The Guatemalan Migration Institute held a seminar-workshop on migration in the context of the coronavirus disease (COVID-19) pandemic, with a view to enhancing participants' knowledge and skills in relation to the challenges and strategies involved in upholding and protecting the fundamental rights of persons in situations of human mobility in Quetzaltenango and Petén.

12. In November 2021, the Protocol on the Care and Reception of Guatemalan Migrants Returned by Air and the Institutional Protocol on the Care and Reception of Guatemalan Migrants Returned by Land were adopted.

13. In 2022, the Presidential Secretariat for Women, as part of the Council of Ministers of Women's Affairs of Central America, made social media posts about the

They are My Rights (Son Mis Derechos) campaign, which was focused on migrant women.

14. International standards contained in treaties to which Guatemala is a party were applied by the courts in the analysis of evidence and the classification of crimes in 45 per cent of the court judgments reviewed by the judiciary. Seventy per cent of those judgments were handed down by the chambers of the Court of Appeals of the specialized justice system for the crime of femicide and other forms of violence against women and sexual violence. In 73 per cent of the judgments, the courts provided for measures for dignified and transformative reparation, which included not only compensation but also measures related to well-being, rehabilitation, care for victims and non-repetition.

15. The Constitutional Court, in the context of its observance of the international framework for the protection of the human rights of women, made reference to the Convention in 43 cases between 2017 and 2022. In five, it referred to the Optional Protocol and the Committee's general recommendations (cases Nos. 3239-2017, 1729-2018, 4644-2020, 5734-2021, and 6218-2022).

16. The Public Prosecution Service has established specialized care systems for receiving complaints of violence against women, providing psychological, medical and legal assistance to victims and conducting investigations. They operate 24 hours a day and can be accessed by pressing a panic button in a mobile phone application.

17. In 2022, the judiciary issued 651 acquittals and 1,936 convictions in cases concerning the crimes of femicide, violence against women, sexual violence and aggravated violence. With regard to the sentences, 912 offenders were sentenced to prison between 1 January and 31 August. A total of 103,417 safety measures were granted, comprising 3,999 protective measures and 99,418 security measures for victims.

18. Across the country there were 24,818 cases concerning domestic violence, with 16,090 domestic violence cases heard by courts of first instance, 31,613 violence against women cases heard by magistrates' courts and 12,988 violence against women and sexual violence cases heard by criminal courts of first instance.

19. 5,551 judgments were handed down in cases concerning the crimes of violence against women and sexual violence by the criminal courts of first instance and the sentencing criminal courts, comprising 1,077 acquittals and 4,474 convictions.

20. As part of the effort to provide legal assistance to victims, the judiciary refers women who lack financial resources to firms that provide legal aid or to the Institute for Victim Care and Assistance for assistance.

21. The Office for the Defence of Indigenous Women's Rights provided assistance to 10,112 women victims of violence through its legal, social and psychological support units. In the light of the collateral effects of the social isolation caused by the COVID-19 pandemic, the Office established an emergency hotline number, 1529, to strengthen assistance for Indigenous women victims of violence. In 2022, 5,782 calls were handled.

22. The budget allocated by the judiciary to ensure access to justice for women has increased by 31.61 per cent. In 2022, the allocated budget amounted to 960.3 million quetzales, of which 88.83 per cent was executed through the gender-based budget classifier system.

23. In 2022, as part of the implementation of the judiciary's gender equality policy, it held working meetings with members of the Mechanism for the Implementation and Monitoring of the Institutional Policy of the Judiciary and the authorities of its component agencies, where information was shared about progress regarding policy

benchmarks, the sharing of good implementation practices and the incorporation of gender-sensitive services in annual workplans. Visits were conducted to Mechanism agencies in order to coordinate actions and provide advice and support for the implementation of the policy, and conferences were held for Mechanism members and alternates.

24. To ensure that judicial officials take gender issues into account, in 2022 the judiciary's School for Judicial Studies provided training for 1,064 officials (739 women and 325 men) on topics related to violence against women, women's human rights, the importance of self-esteem for victims of violence against women, women's empowerment, care for victims of violence, and sexual violence against women, children and adolescents.

25. The judiciary's Secretariat for Women held conferences and courses to provide training for 2,462 people (1,653 women and 809 men) on the inter-American human rights system and monitoring compliance with conventions in the protection of women's rights; women's equality under the constitutional framework of Guatemala; and access to justice for women under the universal and regional human rights system. It also held conferences on public and institutional gender equality policies, the establishment of real equality for women and measures to eliminate discrimination against women, the gender-based budget classifier system, and the importance of the Follow-up Mechanism to the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belém do Pará Convention).

26. In 2022, the Public Prosecution Service, through its Training Unit, delivered 84 training courses, with the participation of 24,552 prosecutorial, technical and administrative staff (12,581 men and 11,971 women) on the topics of criminal prosecution with a gender perspective; human rights; gender and intersectionality; victims' rights; the system of security measures for women who are victims of violence; care for victims; dignified and transformative reparation; the basic gender programme; sexual-harassment-free spaces in the Public Prosecution Service; and the investigation and criminal prosecution of violence committed by women and femicide.

27. The judiciary implements strategies to facilitate access to justice for each population group. It approves specific instruments, such as the policy on access to justice and care for victims of the crime of trafficking in persons for the period 2020–2024; The policy on access to justice for Indigenous Peoples for the period 2019–2029; the protocol to assist Indigenous women in accessing justice; the policy on access to justice for persons with disabilities and the related action plan for the period 2019–2023; the policy on access to justice for older persons for the period 2019–2023. the special policy for the judicial protection of children and adolescents for the period 2020–2025; and the judiciary's policy on open justice and the related action plan for the period 2020–2023.

28. The judiciary also promotes Mayan language programmes for judicial officials and assistants and administrative staff. The Mayan grammar training programme (Q'eqchi', Kaqchikel, Q'anjob'al and K'iche' languages) seeks to improve the quality of interpretation and translation services in court proceedings.

29. The judiciary ran a specialized diploma course on the human rights of Indigenous Peoples, aimed at men and women law officers, judges, prosecutors and public defence lawyers. Between 2017 and 2022, 289 participants nationwide received this training.

30. The Public Prosecution Service implemented a series of mechanisms that enable victims to receive care that takes into account vulnerabilities associated with gender, age, ethnic and/or cultural identity, disability and migration status. Between

September 2020 and October 2022, the National Network of Indigenous Language Interpreters and Translators provided interpretation services on 149,601 occasions, in 20 Indigenous languages.

31. In April 2021, the Public Prosecution Service established a specialized care unit for victims of crime from vulnerable groups, which is responsible for providing comprehensive care to older persons and persons with disabilities, among others.

32. Various regulations have been developed to strengthen care for victims, including a protocol on culturally and linguistically relevant care for Indigenous women using the public prosecution service (2020) and guidelines for receiving and processing reports of violence against women and sexual violence during the state of public disaster declared as a result of the COVID-19 pandemic.

33. Guidelines and protocols for prosecutors, psychologists and social workers on requests for and the preparation of reports from the Public Prosecution Service have been updated. Furthermore, a theoretical and conceptual guide and protocol for the investigation of offences of violence against women in the public and private spheres, guidelines and care pathways for the specialized care unit for victims of crime from vulnerable groups (2021), a technical guide on care for victims of crime in crisis and a guide on the evaluation of levels of risk in cases of violence against women have been developed.

34. The following general instructions have been issued: No. 04-2020, containing guidelines for the investigation and prosecution of femicide; No. 09-2020, on the establishment of a hotline (24118686) for hospitals, clinics and public and private health centres throughout the country to report cases of pregnancy in girls under the age of 14; No. 02-2021, on the implementation of the comprehensive care protocol and general investigation guidelines for cases concerning persons with disabilities who are victims of crime; and No. 9-2021, amending General Instruction No. 07-2020 on urgent investigative procedures that must be taken within 6, 48 and 72 hours of an Isabel-Claudina alert.

35. In order to improve access to justice, the Public Prosecution Service inaugurated the following specialized prosecutorial agencies in 2021: prosecutorial agencies for women in Cuilapa, in the department of Santa Rosa, Totonicapán, El Progreso and Coatepeque; prosecutorial agencies of the Office of the Prosecutor for the Crime of Femicide in the departments of Chiquimula, Quetzaltenango, Jalapa, Jutiapa, Santa Rosa, Escuintla, Suchitepéquez, Retalhuleu and Coatepeque; and prosecutorial agencies of the Office of the Prosecutor for the Crime of Trafficking in Persons in the departments of Alta Verapaz and Chiquimula.

36. The Institute for Victim Care and Assistance provides legal assistance and care for victims using its comprehensive support and assistance model. It has a multidisciplinary team made up of lawyers, psychologists, social workers and interpreters working in the Mam and Q'eqchi' languages.

37. The Presidential Secretariat for Women, as coordinator of the Committee on Women of the National Urban and Rural Development Council, conducted elections of representatives from women's organizations, through 24 election assemblies in 22 departments, resulting in the election of 44 women representatives (22 regular representatives and 22 alternates). Of the regular representatives, 50 per cent are Ladino, 1 per cent is Xinka and 49 per cent are Maya. The representative from the department of Zacapa is a woman with a disability.

38. According to the Presidential Secretariat for Executive Coordination, which keeps track of the representation of women in the 10 working committees of the National Urban and Rural Development Council, women's representation amounts to 23.76 per cent overall and has reached 38.5 per cent in the national-level Special

Committee on Women. The Presidential Secretariat for Women coordinates the regional and departmental committees on women, 83 per cent of whose members are women.

39. Pursuant to agreement No. 69-2019, the Public Prosecution Service established the Office of the Prosecutor for Crimes against Journalists to receive complaints and conduct investigations and criminal prosecutions in relation to crimes committed against journalists with a view to limiting the enjoyment of their human rights in the exercise of their functions. It also established a division to handle crimes against human rights activists, justice officials and trade unionists.

40. Through its General Instruction No. 05-2018, the Public Prosecution Service implemented the protocol for the investigation of crimes against human rights defenders, which is aimed at providing those involved in investigating such crimes and handling the criminal cases with specific criteria and tools for action. It incorporates the gender perspective as early as in the definition of “victim” and the identification of the vulnerabilities of women human rights defenders.

41. Through the Office of the Prosecutor for Human Rights, in coordination with the Training Unit of the Public Prosecution Service, training has been conducted to raise awareness of the work of human rights defenders and the relevant international rules. Four cohorts have received training on the protocol for the investigation of crimes committed against human rights defenders. Training on topics related to the work of human rights defenders has also been delivered.

42. The judiciary has 48 courts for handling crimes of femicide and other forms of violence against women, covering 95 per cent of the country.

43. In accordance with article 12 of Decree No. 114-97, the Executive Branch Act, the Media Secretariat of the Office of the President transmits information to the mass media and formulates, coordinates and implements the communications policy of the Government of the Republic of Guatemala. It has an internal production and dissemination policy requiring that all information campaigns and audiovisual communication elements be reviewed to ensure that they do not contain any discriminatory gender stereotypes. With regard to forms of objectification of women in the media and advertisements, the Secretariat promotes the responsibility to protect the right of women to a life free of violence through official media such as the Guatemalan News Association and the Government’s television channel and social network accounts, taking particular care when disseminating government information.

44. Through its resolution No. 51-2021, the Media Secretariat adopted the protocol for the prevention, handling and punishment of sexual and workplace harassment, in order to set out the types of conduct that constitute harassment, measures to prevent harassment, ways to report it, the criteria for assessing behaviour that has led to a complaint and, where appropriate, the punishments that may be imposed.

45. With regard to harmful practices, in particular early and/or forced marriage or other forced unions, non-consensual or forced sterilization, and early and/or forced pregnancy, these practices are criminalized under Guatemalan law as aggravated rape and rape with special aggravating circumstances. According to the Public Prosecution Service, there were 7,426 aggrieved persons nationwide between 1 January and 19 December 2022. 20.4 per cent were girls between the ages of 0 and 13; 28.7% were girls between the ages of 14 and 17 years; 30.6 per cent were 18 or over; and the ages of 20.3 per cent were not recorded. 912 persons were convicted of the crime of rape of a woman, 244 were convicted of rape and 155 were convicted of aggravated rape.

46. The Ministry of Education has incorporated the topics of gender equity and equality, gender and self-esteem, sexual education, HIV and AIDS into the basic national curriculum at all levels of teaching on sexual and reproductive health and the prevention of violence. There are 15 related competencies that students must achieve by the end of their time in the educational system. These include respect for and the practice of individual and collective health standards and social and environmental security, grounded in their world views and national and international standards.

47. Draft law No. 5511 was presented to the plenary of the Congress of the Republic of Guatemala on 11 February 2019 and referred to the Committee on Women and the Committee on Health and Social Security for their review and feedback. Draft law No. 5890 was presented to the plenary in March 2021 and is currently under consideration by the Committee on Women, for its feedback.

48. In 2022, the Presidential Secretariat for Women developed three instruments to implement the National Plan for the Prevention and Eradication of Violence against Women: (a) a social protection road map to lay the foundations for the institutionalization of a systemic and structural concept of a social protection system for women, adolescents and girls who are victims/survivors of violence against women; (b) a road map for the prevention of early unions and pregnancy among girls and adolescents and action by local governments, the objective of which is to identify and link public policy actions that, within the framework of a local/municipal system for the prevention of early unions and pregnancy among girls and adolescents, lay the foundations for the institutionalization of actions within the central Government and local governments and for public participation; (c) the baseline and targets for the indicators for use in the monitoring and evaluation of the National Plan (32 of the 47 indicators that are part of the strategic framework).

49. In December 2022, the President of the Republic of Guatemala, Dr. Alejandro Giammattei Falla, established a high-level round table under the umbrella of the National Coordination Office for the Prevention of Domestic Violence and Violence against Women, which he chairs. It comprises representatives of the executive agency and the Public Prosecution Service. Its purpose is to monitor the implementation of the national action plans to be implemented in 2023 in response and follow-up to the actions set out in the National Plan for the Prevention and Eradication of Violence against Women for the period 2020–2029. It seeks to ensure the institutionalization of the State's response to violence against women through the strengthening of the comprehensive support centres for women survivors of violence, the allocation of specific vouchers, on a temporary basis, for victims of violence against women and the application of the dedicated survey on violence against women, among other things.

50. Within the framework of the National Plan for the Prevention and Eradication of Violence against Women, the Ministry of the Interior has implemented campaigns, cultural activities and courses to promote institutional awareness of gender-related and multicultural issues. These include: (a) a refresher course on gender-based violence, run in coordination with the University of San Carlos of Guatemala; (b) awareness-raising activities at prevention events held as part of the campaign to eliminate human trafficking, aimed at informing families and minors about how trafficking in persons takes place (3,000 persons reached); (c) the projects entitled “The Powers of Prevention (“Los Poderes de la Prevención”) and “We All Have the Power” (“Todas Tenemos el Poder”), implemented in cooperation with 271 community committees on the prevention of violence against women (17,118 beneficiaries).

51. The Ministry of the Interior held three violence prevention events in Guatemala City, which reached 444 people, including children and adolescents. It also carries out activities at the local level with civil society organizations and violence

prevention committees, in coordination with government institutions and non-governmental organizations, to promote a culture of reporting crimes against women, children and adolescents.

52. The Secretariat against Sexual Violence, Exploitation and Trafficking in Persons carried out 21 activities, including communications campaigns, training workshops and the development of institutional strategies for the prevention of sexual violence. Notable initiatives include the strategy for the prevention of sexual violence on public transportation, developed in coordination with the public transportation authority, and the review and updating of the instrument for monitoring specialized clinics for survivors of sexual violence, with technical assistance from the United Nations Children's Fund (UNICEF), through the Fundación Sobrevivientes (Survivors Foundation).

53. In its circular No. 07-2020, the Public Prosecution Service issued guidelines for receiving and processing reports of violence against women during the COVID-19 state of public disaster.

54. The comprehensive care model of the Public Prosecution Service continued to guarantee the nationwide provision of its services 24 hours a day, with the support of judicial support personnel, psychologists, doctors, babysitters and staff of the Criminal Investigations Directorate. In addition, there are drivers to transfer victims to the National Institute of Forensic Sciences clinic.

55. To ensure the follow-up and conclusion of cases, duty prosecutors were assigned to carry out proceedings and take action when an arrest warrant or summons to make an initial statement is required.

56. To ensure that prosecutions continued during the pandemic, in 2020 the judiciary held virtual sessions in a number of special courts that deal with femicide and other forms of violence against women and sexual violence. It also implemented automatic extensions of security measures for women survivors of violence.

57. With respect to the prevention of gender-based violence against women in detention centres, the Ministry of the Interior conducted workshops to raise awareness of the human rights of women deprived of liberty who are in vulnerable conditions in the detention centres administered by the Directorate General of the Prison System. For women deprived of liberty who belong to Indigenous Peoples or women with disabilities, among other groups, two psychology professionals are assigned to provide individual and group attention.

58. The Ministry of the Interior, through the Post-Release Prevention Section, implemented the Be Part of Prevention project, under which 640 people have received training. It provides specialized technical assistance in rehabilitation and reinsertion to persons formerly deprived of liberty who obtained a remission of their sentence, aimed at developing and strengthening resilience and at ensuring attitudinal, behavioural and educational transformation and insertion into the labour market to reduce criminal recidivism. It also introduced the Psychosocial Strengthening Programme to centres for persons deprived of liberty, benefiting 1,578 people through the promotion of the tertiary prevention of violence.

59. The Social Welfare Secretariat implemented programmes that cover topics and include activities related to the prevention of gender-based violence against women, such as working with adolescents in conflict with law enforcement agencies who have been referred to the Directorate of Socioeducational Measures; and Schools for Parents, the Crime and Violence Prevention Project in prioritized educational centres, the Comprehensive Training and Education Programme in municipalities and the Extracurricular Education Programme in Extracurricular Education Centres.

60. In 2021, the Social Welfare Secretariat of the Office of the First Lady trained 179 women on topics concerning violence against women, specifically trafficking in persons, domestic violence and sexual violence. In 2022, it trained 183 women.

61. Through the Life Programme, the Ministry of Social Development provides assistance to women whose cases have been prosecuted who are covered by the comprehensive approach to pregnancies in girls and adolescents under 14 years of age and who are victims of sexual violence of the Secretariat against Sexual Violence, Exploitation and Trafficking in Persons. In 2022, it benefited 154 users with conditional cash transfers of 1,500 quetzales, delivered periodically to a victim's legal representative.

62. The judiciary, through the specialized care model implemented in magistrates' courts, provides victims and survivors of violence with specialized gender-, culture- and age-relevant care, based on due diligence in cases of violence against women and domestic violence for persons in vulnerable conditions. There are currently 48 courts for femicide and other forms of violence against women in operation, covering 95 per cent of the country.

63. In March 2022, representatives of each of the institutions that make up the National Coordination Office for the Prevention of Domestic Violence and Violence against Women were appointed to the six working commissions established under the institutional strategic plan: (a) education and training; (b) institutional strengthening of the State; (c) advice and verification; (d) prevention and communication; (e) research, analysis and statistics; and (f) national and international relations and missions.

64. According to National Civil Police data provided to the National Statistical Institute, in the first half of 2022 there were 6,864 assaults by men in cases of violence against women. Of those, 46.3 per cent were cases of psychological violence, 3.1 per cent involved physical violence and 0.9 per cent were cases of sexual violence, the rest were related to economic violence and cases in which the type of violence was not specified. Women between 20 and 34 years of age reported the highest number of assaults, mainly psychological violence (1 in 4 victims). A total of 77.2 per cent of crimes of violence against women were perpetrated by Ladino/mestizo men and 22.7 per cent by Mayan men. Fifty per cent of crimes of violence against women were perpetrated by partners and spouses while 23.1 per cent were committed by other close relatives. In 0.3 per cent of crimes of violence against women, the victims were women with disabilities.

65. In order to offer information on legal resources that is accessible to women with disabilities, the National Council for Persons with Disabilities provides accessibility services through sign language interpreters, Braille materials and support through assistants.

66. Regarding shelters for women and girls, the Social Welfare Secretariat, through the three protection and shelter homes under its responsibility, provides temporary residential protection to children and adolescents under 18 years of age who have been separated from their parents or guardians as a result of the violation of their rights and who are subject to a court order.

67. The Secretariat against Sexual Violence, Exploitation and Trafficking in Persons has a specialized temporary shelter for women victims of sexual violence, exploitation and trafficking in persons that can receive children who are subject to court-ordered protection measures, providing, *inter alia*, housing; food; psychological, medical and psychosocial treatment; and education or vocational training.

68. Through the Directorate General of Private Security of the Ministry of the Interior, training courses were held in 2022 for a total of 86 directors and instructors graduating from the training centres of private security companies.

69. The Secretariat against Sexual Violence, Exploitation and Trafficking in Persons conducts talks, workshops and training for the prevention of crimes of sexual violence, exploitation and trafficking in persons in the following Mayan languages: Q'eqchi', K'iche', Mam, Q'anjob'al, Achí, Kaqchikel, Pocomchi, Ixil, Tz'utujil and Chuj. It has also worked in coordination with municipal authorities, public and private educational centres and departmental networks for the prevention of crimes of sexual violence, exploitation and trafficking in persons.

70. In 2022, the National Plan for the Prevention of Crimes of Sexual Violence, Exploitation and Trafficking in Persons was established and implemented in order to cut local rates of such crimes, focused mainly on prevention, protection and care for children and adolescents and women at risk nationwide.

71. In 2018, the Public Prosecution Service, as part of the Ibero-American Network of Prosecutors Specialized in Trafficking in Persons and Smuggling of Migrants of the Ibero-American Association of Public Prosecution Services signed the Protocol of Inter-Institutional Cooperation to strengthen the investigation of these crimes and the care and protection of the victims.

72. In coordination with the Public Prosecution Services of Central America, it signed a memorandum of understanding to improve and promote regional investigations into the crime of trafficking in persons. In 2018, the Network of Prosecutors Specialized in Trafficking in Persons was established, comprising El Salvador, Honduras, Guatemala, Costa Rica, Panama and the Dominican Republic.

73. The Secretariat against Sexual Violence, Exploitation and Trafficking in Persons chairs the Regional Coalition against Trafficking in Persons and Smuggling of Migrants, a regional action framework for coordination and cooperation among countries to ensure a comprehensive approach to those crimes. It has produced regional infographics, campaigns, international symposiums and training seminars and revisions, layouts and print-runs of regional strategies, and a web page was created to disseminate and highlight national and regional information related to legislation, complaints, activities, operations and success stories. In 2021, a joint working committee was established between the Regional Coalition against Trafficking in Persons and Smuggling of Migrants and the Central American Integration System.

74. The judiciary approved the policy on access to justice and support for victims of the crime of trafficking in persons, with the objective of facilitating and promoting access to justice and support for the victims of this crime in its different modalities, with a victim-centred approach and guaranteeing due process and effective judicial protection, in accordance with international standards.

75. The School of Judicial Studies of the judiciary institutionalized the training programme for aspiring justices of the peace, an initial training programme that includes a module on the judicial approach to cases of domestic violence and violence against women with a gender perspective and, for aspiring judges of courts of first instance, an initial training programme that has a module on the judicial scope of the application of the Act on sexual violence, exploitation and trafficking in persons.

76. The judiciary has signed a letter of understanding with the International Justice Mission, concluding an interinstitutional cooperation and coordination agreement between the Secretariat against Sexual Violence, Exploitation and Trafficking in Persons and the Refugio de la Niñez (Children's Refuge), which will be in force until

2025, and a letter of understanding with the National Centre for Economic Research, signed in March 2022 and valid for one year.

77. The shelter of the Secretariat against Sexual Violence, Exploitation and Trafficking in Persons has a comprehensive care model for adult migrant victims of sexual violence, exploitation and trafficking in persons that establishes basic principles of care based on the characteristics of the victimization involved in these crimes, in accordance with the international instruments to which Guatemala is a party. The programmes provided by the shelter include medical and nutritional care, psychological care, food, recreational activities, technical and vocational training activities, construction of a life plan, legal advice and coordination with other institutions to provide support in cases of repatriation and also implement COVID-19 prevention plans.

78. With regard to Guatemalan child and adolescent migrant victims of sexual violence, exploitation and trafficking in persons, the Social Welfare Secretariat, through protection and shelter homes, implements specialized and differentiated programmes for support in relation to the right to identity, preventive emergency and specialty health care, social and family studies and the promotion of family ties; as well as municipal networks for children and adolescents, formal education and life projects, sports and cultural recreation, inter-institutional legal support in the complaint process, psychological and nutritional care, inter-institutional coordination for the care of victims when they reach the age of majority, and first- and second-order care services.

79. Through residential care programmes, primary and first-order care was provided to adolescent girls in the shelters by the multidisciplinary team, which is made up of psychologists, medical professionals, social workers, teachers and legal specialists.

80. In response to precautionary measure No. 958-16 issued by the Inter-American Commission on Human Rights under resolution No. 8/17, the Social Welfare Secretariat closed the Virgen de la Asunción Safe Home, which applied a macro institutional model, and implemented a residential model with a focus on human rights. By instituting the model in residential foster care units based on the principle of reparation to avoid repetition, the residential model that has been introduced focuses on applying specialized care for children and adolescents in line with their profile, characteristics, needs and interests.

81. In 2022, the Department for the Political Advancement of Women of the Supreme Electoral Court held nationwide training workshops to strengthen women's political, electoral and civic skills and knowledge through training and support provided by the Network of Women Multipliers to promote civic participation.

82. It implemented the education and training programme for the election process aimed at promoters of political participation from the Moloj and Indigenous Observatory organizations and members of the Departmental Network of Women of the Supreme Electoral Court interested in serving on voting boards or as desk observers and/or monitors during the 2023 general elections.

83. On 7 April 2021, bill No. 5893 was submitted to the plenary of the Congress of the Republic of Guatemala, which referred it to the Congressional Committee on Elections for review and the corresponding opinion. The purpose of this bill is to add article 212 bis to the Electoral and Political Parties Act, in order to include issues related to parity, alternation and the representation of Indigenous Peoples.

84. In November 2022, to commemorate the International Day for the Elimination of Violence against Women, the Supreme Electoral Court presented the updated Gender Equality Policy, which involves two complementary actions: enhanced training on the impact and differentiated effects of violence against women and the

establishment of the protocol to address violence against women in the political and electoral sphere.

85. In 2018 the Ministry of Education established the Public School Buildings Maintenance Support Programme through Ministerial Decision No. 1059-2018 to ensure decent and healthy spaces, which included steps to maintain and repair damage to public school buildings to keep them in good condition and prevent further deterioration.

86. As part of its annual programmed activities, the Ministry of Education conducts evaluation and intervention work related to the repair of educational centres and activities to prevent violence that cover the topics of, *inter alia*, school bullying and physical and psychological violence.

87. According to Ministry of Education data, the net rate of girls and women enrolled in school at the pre-primary level was 65 per cent, 96 per cent at the primary level, 49 per cent at the lower secondary level and 26 per cent at the upper secondary level. At all levels, the net enrolment rate for girls and women was above the total net rate. In 2018, the literacy rate among girls and women aged 7 years or older stood at 78.3 per cent, almost 7 percentage points below the rate observed among boys and men (see table 2).

88. The school dropout rate among girls and women was 2 per cent in pre-primary, 3 per cent in primary, 5 per cent in lower secondary, 5 per cent in upper secondary and 13 per cent in adult primary education. At all educational levels, it was at the same level as or below the total dropout rate, with the exception of adult primary education, where it was above the total dropout rate (see table 3).

89. Towards the end of 2020, the 2021–2025 “Prevention through Education” agreement was signed with the objective of strengthening coordination between the Ministry of Education and the Ministry of Health and Social Welfare and of enhancing intersectoral cooperation for the implementation of processes related to comprehensive sexuality education, health promotion, disease prevention and sexual and reproductive health care, health services with a gender perspective, rights and interculturality. The Ministry of Education coordinates its efforts with the Ministry of Health and Social Welfare activities to prevent adolescent pregnancies.

90. The suspension of face-to-face classes due to the COVID-19 health emergency meant that activities related to sexual and reproductive health were suspended in the different levels of the educational system. In 2023, with the return to face-to-face classes, it is planned to resume those activities.

91. According to the Ministry of Health and Social Welfare, in 2019 the number of family planning consultations for new users stood at 437,413, a figure that fell progressively until 2021, when it reached 371,472. For those years, the numbers for subsequent consultations were 961,806 and 711,809, respectively.

92. The National Secretariat of Science and Technology, through its ComunicaCTi science, innovation and technology popularization programme, which provides a forum for scientific dissemination, innovation and technology transfer, held conferences and seminars on engineering, mathematics and the use of digital tools.

93. According to the 2021 national employment and income survey, 1,512 women have studied for a technical diploma or degree in the field of information and communications technology, 2,996 in the field of engineering and 1,349 in the field of mathematics.

94. The Ministry of Education, through special needs schools, promotes efforts to ensure the harmonious coexistence of students in educational centres by planning

annual violence prevention activities that are coordinated with the parents of children with disabilities.

95. Together with the various economic sectors, the Ministry of Labour and Social Security provided information on advice, guidance, training and education, in virtual and face-to-face modalities, related to labour rights issues. In 2022, 3,240 people benefited, 72.9 per cent of whom were women.

96. The Ministry undertook activities covering training, dissemination and application related to the rights contained in the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169), in the areas of labour rights, equal pay, non-discrimination in the workplace, entrepreneurship, employability and the rights of Indigenous Peoples. In 2022, 4,750 women benefited, 65 per cent of whom were Mayan, Garifuna or Xinka.

97. It also contributed to the knowledge of people with disabilities, with such actions as the presentation of the social inclusion “Employ Yourself with Inclusion” (Empléate Inclusivo) programme to 62 public and private institutions; training for 9,020 employers and workers in disability issues and the inclusion in employment of people with disabilities (5,228 women); two job fairs; and follow-up of labour inclusion processes, in which profiles have been distributed and people with disabilities have been placed in jobs.

98. As part of the implementation of the National Policy for Decent Employment, the following activities were carried out: the Order of Labour Excellence medal was awarded to 25 women who have excelled in their professional area; breastfeeding in the workplace was promoted, and nine breastfeeding spaces were opened in various public and private institutions; 3,240 people were trained in the rights of working women; and 171 beneficiaries of the I’x Kem Comprehensive Support Model for Women Victims of Violence received assistance in 2022.

99. The Ministry of Labour and Social Security provides support to women victims of violence referred by the I’x Kem Comprehensive Support Model for Women Victims of Violence programme as their cases progress, with the goal of improving their social and economical empowerment within the framework of the services offered. In 2022, it supported 171 women, 19 of whom are currently working.

100. To contribute to the overall situation of domestic workers, the Ministry has conducted activities related to the issues addressed in ILO Convention No. 189 (2011) concerning decent work for domestic workers, through the Working Women Section of the Directorate General of Social Welfare, including coordination with the Association of Women Domestic, Home-based and Maquila Industry Workers and the drafting of a working agenda to address issues such as the Protection Programme for Domestic Workers of the Guatemalan Social Security Institute and steps to expand coverage. Other items on that agenda were follow-up to the bill that regulates domestic work through the ratification of ILO Convention No. 189 on domestic workers; support, training, advice and information for women domestic workers; and preparation of the Training Working Plan for Women Domestic Workers and leaders of local groups in the Huehuetenango, San Marcos and Quetzaltenango Departments.

101. Within the framework of ILO Convention No. 190 on violence and harassment, the Ministry of Labour and Social Security has trained personnel in charge of dealing with cases of violence and harassment in the workplace, within the framework of the internal protocols or pathways for prevention, detection and reporting in public institutions.

102. In line with article 10 of ILO Convention No. 183 on maternity protection, the Ministry of Labour and Social Security has promoted the Breastfeeding-Friendly

Spaces in the Workplace initiative and the corresponding guide for its implementation in public and private institutions.

103. The Ministry of Labour and Social Security has a strategy for communication, counselling and guidance on respecting the specific labour rights of Mayan, Garifuna, Xinka and Mestizo women, in the areas of maternity, breastfeeding, occupational safety, social security and family responsibilities.

104. To enable mothers to obtain employment in productive activities, generate income and improve the conditions of their family group, the Social Welfare Secretariat of the Office of the First Lady administers child care and comprehensive development centres that provide supplementary food, preventive healthcare, recreational activities and classes in early childhood and preschool education for boys and girls. Service is currently provided to 13,502 boys and 603 girls.

105. The Directorate for the Improvement of the Socioeconomic Status of Women helps strengthen the productive organization and participation of women through the establishment of productive units and the development of capacities and skills, with the aim of improving women's incomes. In 2022, the initiative benefited 31,515 women through 2,306 productive units and 146 marketing events.

106. With regard to comprehensive sexuality education, the health service network of the Ministry of Health and Social Welfare creates and distributes relevant educational and promotional material, including on contraception and the prevention of sexually transmitted infections, including HIV and AIDS. In addition, the local health departments conduct communication campaigns and workshops to reach rural and remote areas, and there is guide to contraception for persons over 14 years of age.

107. The National Reproductive Health Programme is developing guidelines for the distribution of contraception in adolescent- and youth-friendly spaces, including through the balanced counselling strategy. Furthermore, family planning standards are being developed and implemented for health service providers who exchange knowledge with traditional midwives in order to provide women in rural and remote areas with counselling and access to both modern and traditional methods.

108. The Guatemalan Social Security Institute, through its health education programmes, runs promotional, preventive and educational events on issues related to maternity, illness, paediatrics and accidents, targeting specific population groups. Through the information, education and communication strategy, educational activities and counselling, as well as organized groups and support groups, are organized view to strengthening access to appropriate information and enhancing knowledge of natural, barrier, temporary and permanent methods of contraception. Information and guidance is provided on the methods available through the social security units. Between January and November 2022, medical units that had a health educator as a resource held a total of 175 family planning training events, with 1,678 participants, and 172 counselling sessions, with 172 participants.

109. The Ministry of Education, through its Directorate General for Intercultural Bilingual Education, produced two videos, in the Mayan languages Q'eqchi' and Mam, on the prevention of violence against children. The objective is to make children aware of the care they should take of their bodies, through the contextualization and production of culturally relevant educational videos for elementary school students on the prevention of violence against children.

110. The Guatemalan Academy of Mayan Languages translated the National Policy for Midwives of the Four Peoples of Guatemala: Maya, Garifuna, Xinka and Mestizo into Achi, Itza', Jakalteko y Q'anjob'al.

111. The Ministry of Economic Affairs is implementing the following: (a) the Female Entrepreneurship programme, which promotes the commercialization of products and services by women (143 beneficiaries); (b) the Economic Revitalization and Female Empowerment programme, which provides entrepreneurship support to women by building their vocational and administrative skills in the areas of makeup artistry, massage, pastry-making, barista skills and dressmaking, among others; (c) a programme to provide advice for women entrepreneurs and women-run micro-, small and medium-sized enterprises on marketing, business design, finance, corporate image, business plans and sales (700 beneficiaries); and (d) the Community Garden Project, which provides organized groups of women with advice on increasing agricultural production for self-consumption (719 beneficiaries).

112. The Office of the Superintendent of Banks continued to disaggregate banking system information by gender. In 2021, approximately 4 of every 10 loans granted went to women, at an interest rate of 21.3 per cent, which is 1.5 percentage points higher than the rate for loans granted to men. The default rate for loans granted to women was 2.1 per cent, while for men it was 2.9 per cent.

113. Improved access to justice for women, the Indigenous population, children and persons with disabilities was promoted through coordinated actions between the administrative and procedural departments of the judiciary, with an emphasis on providing people with access to justice in their own languages and the use of interpreters and translators (there were 14,001 translations involving Mayan languages). Access to justice was strengthened through the establishment of courts for children, adolescents and adolescents in conflict with criminal law.

114. In the first phase of the Drinking Water and Sanitation for Human Development Programme, implemented by the Municipal Development Institute, 40,235 rural women, including 12,996 minors, benefited from the improvement and expansion of public drinking water and sanitation services. Capacity-building and information on health and water quality have also been promoted.

115. In 2022, the Land Fund benefited 10,073 peasant families with access to land through credit and subsidies for the purchase of land; 432 with technical assistance, subsidies for the purchase of food and working capital for the execution of productive projects and 1,168 with legal certainty through regularization and allocation of State land. It also benefitted 899 holders of State land, who were provided with public deeds of allocation.

116. The Presidential Commission on Discrimination and Racism, as part of the Agenda for Garifuna Women and Women of African Descent, established a technical committee to follow up on bill No. 5398, for an Act on the National Day of Recognition and Affirmative Actions for Garifuna Women and Women of African Descent, made up of two representatives from each municipality where there is a Garifuna and Afrodescendant population.

117. The Office for the Defence of Indigenous Women's Rights implemented pilot plans to ensure the economic empowerment of Garifuna and Maya K'iche' women, in four departments, that promote employment opportunities and economic empowerment for Indigenous women, in addition to training on their rights.

118. The National Committee for Disaster Reduction updated and launched the National Recovery Framework, bringing together cross-cutting issues such as gender, to incorporate the gender perspective into national strategies. It also served to identify gender-specific recovery needs and ensured the generation of data disaggregated by sex, socioeconomic level, ethnic origin and geographic location.

119. The Institutional Policy on Gender Equality and Equity, as it applies to integrated disaster risk management, and the National Policy for Disaster Risk

Reduction in Guatemala were updated. Women's participation was promoted in each of the processes.

120. The Ministry of the Environment and Natural Resources, through Ministerial Decision No. 11-2020, promotes the strategy to mainstream gender in matters related to climate change, it being understood that women play a key role in contributing to risk management and reduction.

121. The gender approach was included in the National Response Plan; national hazard protocols (geological, hydrometeorological, sanitary, hazardous materials and socio-organizational); the humanitarian aid management protocol for disaster requests and exceptions; and the damage assessment and needs analysis form.

122. As part of the measures adopted to ensure the food security of rural women, the Secretariat of Food and Nutrition Security coordinates and monitors the implementation of the protocols to address threats and vulnerabilities that allow for the identification of the population groups that are at the greatest risk of food and nutritional insecurity owing to the effects of climate change and damage caused by natural disasters, in order to ensure prevention, mitigation, preparedness, response and recovery in the event of food crises.

123. According to official statistical data for the year 2018, from the twelfth national population census and seventh housing census of the National Statistical Institute, in Guatemala, 51.73 per cent of the population aged 4 years and older are women. Among this sector of the population, 752,154 said they had at least one disability (related to seeing, hearing, walking or climbing stairs, remembering or concentrating, personal care or dressing, or communicating), accounting for 10.71 per cent of all women in the country and 53.39 per cent of all people with disabilities in Guatemala (1,408,736 persons).

124. Of the total number of women with disabilities, 62.5 per cent (470,151) self-identify as Ladina; 36.9 per cent (277,633) as belonging to a Mayan, Garifuna or Xinka people; and the remaining 0.6 per cent (4,370) as foreigners or of African descent.

125. Of the total number of women with disabilities, 38 per cent have completed no formal education (285,571 women with at least one disability), 36.4 per cent (274,043) have completed at least one year of pre-primary or primary school, 19.6 per cent (147,173) have completed an intermediate level, either lower or upper secondary, and only 6 per cent (45,367) have completed studies at the higher education level (bachelor's, master's or doctorate). Of women with disabilities, 62 per cent can read and write.

126. Under the heading of employment, 23 per cent of women with disabilities reported that they had worked in the week prior to the census. The rest were mostly engaged in unpaid activities within their homes or communities.

127. In the area of tertiary prevention, in 2022, the Ministry of the Interior's Unit for Community-based Prevention of Violence, through the Post-Release Prevention Section, provided guidance for social reinsertion through the Women Deprived of Liberty Psychosocial Strengthening Programme, benefiting a total of 1,882 women.

128. The Psychosocial Strengthening Programme supported a total of 377 adolescents in conflict with the law.

129. Through its "Let's Prevent Together" information stand, the Gender, Multiculturalism, Youth and Children Unit provided guidance to 15 migrant women accompanied by minors, who were referred to the International Organization for Migration for information on the services it provides so that they could return safely to their countries of origin.

130. In November 2021, the Guatemalan Migration Institute adopted the Protocol on the Care and Reception of Guatemalan Migrants Returned by Air and the Institutional Protocol on the Care and Reception of Guatemalan Migrants Returned by Land.

131. The Congress of the Republic of Guatemala establishes in article 173 of Decree Law No. 106, the Civil Code, that a de facto union of a man and a woman, who are legally able to contract marriage, may be declared by the parties concerned in the presence of the local mayor or a notary for it to have legal effect, as long as they have lived in a shared home constantly for more than three years, with the knowledge of their relatives and community, fulfilling the purposes of procreation, feeding and educating children and providing mutual support. Article 70 (b) of Decree No. 90-2005, the National Registry Office Act, regulates the civil registration of de facto unions.

132. The Congress of the Republic of Guatemala, in its legislative role, adopted Decree No. 13-2017, with the intention of banning marriages of persons under 18 years of age. In observance of the principle of legality and in accordance with Board of Directors Decision No. 104-2015, the regulation on registrations, the National Registry Office, through the Civil Registries of Persons, is responsible for the registration of births, marriages, divorces, deaths and other events and acts that modify the civil status and civil capacity of natural persons, as well as judicial and related extrajudicial decisions subject to registration and other acts indicated by law.

Annex

Table 1

Constitutional Court cases related to the Convention on the Elimination of all forms of Discrimination against Women, by year

2017	2018	2019	2020	2021	2022	<i>Optional Protocol and recommendations of the Committee on the Elimination of Discrimination against Women</i>
4931-2016	5055-2017	4475-2018	4847-2019	682-2019	6218-2021	3239-2017
1660-2017	5318-2016	639-2018	1559-2018	1214-2019	6777-2021	1729-2018
11-2016	624-2018	6135-2018	5308-2019	869-2021	6795-2021	4644-2020
3999-2017	5067-2017	1248-2019	4-2020	1514-2017	6796-2021	5734-2021
	5426-2017	1413-2019	938-2020	2886-2020	6030-2021	6218-2021
	1749-2017		6291-2019	2505-2021		
	443-2017		559-2020			
	4384-2017		754-2020			
			890-2020			
			3428-2020			

Source: Presidential Secretariat for Women, with Constitutional Court data, 2022.

Table 2

Education, girls and women

Year	2018	2018	2019	2019	2020	2020	2021	2021	2022	2022
Level	Net rate, per cent	Net rate, women, per cent	Net rate, per cent	Net rate, women, per cent	Net rate, per cent	Net rate, women, per cent	Net rate, per cent	Net rate, women, per cent	Net rate, per cent	Net rate, women, per cent
Pre-primary	64	64	62	62	61	61	63	63	65	65
Primary	93	93	93	93	94	94	95	95	95	96
Lower secondary	49	49	49	49	49	49	48	48	48	49
Upper secondary	26	27	26	27	26	27	25	27	24	26

Source: Ministry of Education, 2022.

Table 3

School dropout rate, women, 2018–2022

	2018	2019	2020	2021	2022
Pre-primary	12.256	10.676	7.572	7.710	7 976*
Primary	51.954	44.555	16.123	31.986	36 808*
Lower secondary	22.385	21.714	13.916	23.971	
Upper secondary	10.710	11.423	9.483	12.556	

* Preliminary.

Source: Ministry of Education, 2022.