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Summary record of the 42nd meeting*

Held at the Palais Wilson, Geneva, on Monday, 3 October 2022, at 3 p.m.

Chair: Mr. Abdel-Moneim

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The meeting was called to order at 3 p.m.

Consideration of reports *(continued)*

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant *(continued)*

Fourth periodic report of Guatemala (E/C.12/GTM/4; E/C.12/GTM/Q/4; E/C.12/GTM/RQ/4)

1. *At the invitation of the Chair, the delegation of Guatemala joined the meeting.*
2. **Mr. Contreras Escobar** (Guatemala), introducing the fourth periodic report of Guatemala (E/C.12/GTM/4), said that his country's progress with regard to human rights was reflected in macroeconomic and social statistics that demonstrated the nation's resilience. Efforts to counter the worst effects of the coronavirus disease (COVID-19) pandemic, for example, had resulted in a decline of only 1.5 percentage points in gross domestic product (GDP) in 2020. That had been made possible through the application of Decrees Nos. 12-2020, 13-2020 and 20-2020, under which, in addition to the measures mentioned in the State party's replies to the list of issues (E/C.12/GTM/RQ/4, paras. 3–5), action had been taken to protect food security, employment, electric power supplies, health and education.
3. In 2021, in part thanks to the Guatemala Is Not Stopping (Guatemala no se detiene) Plan that had been incorporated into the Government's general policy for 2020–2024, GDP had risen by a record 8 per cent, an improvement that, coupled with responsible macroeconomic policies, had increased the country's attractiveness to foreign direct investment, bringing the prospect of new jobs in the formal sector.
4. To counter the economic impact of the Russian invasion of Ukraine, his Government had implemented the Russia/Ukraine Conflict Emergency Programme. A technical working group set up under the Food Security Secretariat had decided to devise various strategies to mitigate the effect of rises in the price of food, fuel and fertilizers, including grants to small farmers for soil conservation; health brigades to provide vaccinations, care for pregnant women and care for children under the age of 5 years; a food voucher for families with children under the age of 5; and a strategic grain store.
5. The National Climate Change Council had been revived and had updated the country's nationally determined contribution to the reduction of greenhouse gases by 2030 in accordance with the Paris Agreement. As a climate-change mitigation strategy, 550,000 hectares of forestry concessions had been granted to communities, thereby boosting economic development at the local level. An insurance scheme for farmers had been implemented to support small producers who risked losing everything in the case of drought or flooding and being forced to emigrate.
6. To protect water resources, the position of Deputy Minister for Water had been instituted and a water testing laboratory created.
7. His Government had launched the Great National Crusade for Nutrition, which placed particular emphasis on vulnerable groups including women, children under the age of 5 years and rural, poor and indigenous populations. A multisectoral initiative, the Crusade attempted to tackle the multiple causes of the problem by focusing on the accessibility of healthy food, social security, safe water and sanitation, and publishing messages from various State and non-State bodies with a view to changing attitudes and behaviours. The initiative was coordinated by the President and backed by investment in the amount of 10,200 million quetzales.
8. Guatemala had made progress towards Sustainable Development Goal 16, on promoting peace, justice and strong institutions. Full and equal access to justice for all citizens was now guaranteed and all three institutions of the justice system, namely the police, the public prosecution service and magistrates' courts, were represented in all parts of the country. In addition, under a new comprehensive and systemic approach to dealing with victims of crime, victims who belonged to one of the three most vulnerable sectors of the population, namely women, children and adolescents and adolescents in conflict with the

law, could expect to receive immediate support specifically tailored to their particular group, 24 hours a day, 365 days a year.

9. In recent years, Congress had passed some 45 laws on social welfare, subsidies, action in emergencies and investment in recovery in order to guarantee the population's resilience following the pandemic. Measures included temporary help for propane gas and diesel fuel users, incentives for the use of electric vehicles, facilitated access to social housing and incentives for foreign investment.

10. **Mr. Mancisidor de la Fuente** (Country Rapporteur) said that he would like to know whether, as well as the ministries and government institutions mentioned in the State party's report, the legislature and civil society had been involved in the report's preparation.

11. He would be interested to know whether the Covenant was directly applicable in the domestic legal order and if so, whether it prevailed over the national legislation. He would appreciate receiving some examples of court judgments referring to the Covenant. Did the State party envisage ratifying the Optional Protocol to the Covenant? Had that question been raised in Congress or in the Government?

12. With regard to the work of civil society organizations, he drew attention to a joint statement made in May 2021 by the Inter-American Commission on Human Rights (IACHR) and the Organization of American States (OAS) Office of the Special Rapporteur for Freedom of Expression, urging the State party to repeal Decree No. 4-2020 reforming the Act on Non-Governmental Organizations for Development (NGOs Act) and the Civil Code, on the grounds that, among other things, the reforms contravened the right to freedom of expression and disproportionately hampered public participation and the defence of human rights. He would be interested to hear the delegation's views on that interpretation of the Decree.

13. Referring to the recent communiqué by the Office of the United Nations High Commissioner for Human Rights (OHCHR), which mentioned intimidation and criminalization of judges and prosecutors in Guatemala, an increase in the number of attacks on prosecutors in the Office of the Special Prosecutor against Impunity and reprisals against a former Constitutional Court judge, he asked whether the delegation believed that the safety of members of the judiciary was in fact at risk.

14. He would welcome the delegation's reaction to information received by the Committee to the effect that indigenous communities in the State party found themselves generally in a situation of serious inequality and were even subjected to practices that might amount to racism. Could the delegation indicate what measures had been taken to avoid or at least reduce the occurrence of such incidents? He would also appreciate a description of the regulatory framework governing prior consultations with indigenous communities in accordance with the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169).

15. He would like to know what progress was being made on Bill No. 5452 on women's economic empowerment, currently before Congress, and when it was likely to be enacted.

16. Referring to paragraph 10 of the Committee's concluding observations on the State party's previous report (E/C.12/GTM/CO/3), he said that he would like to know what progress had been made in combating gender-based violence and the climate of impunity and fear that discouraged victims from reporting incidents. Similarly, with reference to paragraph 9 of the concluding observations, he would be interested to hear about progress made towards preventing discrimination against lesbian, gay, bisexual and transgender persons on account of their sexual orientation or gender identity. Could the delegation also provide more information on Bill No. 5940, on protecting children from gender identity disorders, which seemed more likely to reinforce stereotyping than to support lesbian, gay, bisexual and transgender persons?

17. Noting that the State party had ratified the Convention on the Rights of Persons with Disabilities, he suggested that it might wish to update its legislation on persons with disabilities, which was apparently 25 years old.

18. He would appreciate hearing the delegation's comments on the information in the International Monetary Fund's World Economic Outlook to the effect that Guatemala ranked third lowest in the world in terms of State expenditure as a proportion of GDP. It appeared that only a very small proportion of public resources – 2 per cent and 3 per cent respectively – went to health and education. Did those figures seem reliable? He would be interested to hear more about the State party's ability to obtain resources and to allocate the maximum available in order to prioritize economic, social and cultural rights.

The meeting was suspended at 3.40 p.m. and resumed at 3.55 p.m.

19. **Mr. Contreras Escobar** (Guatemala) said that national consultations involving civil society organizations had been held for the first time during the drafting of the country's most recent report to the Human Rights Council for the third cycle of the universal periodic review process. The preparations for its report to the Committee on Economic, Social and Cultural Rights had included the convening of an interinstitutional forum, with the participation of more than 70 State institutions drawn from all three branches of government, in line with the methodology used by the Presidential Commission for Peace and Human Rights. The Guatemalan system for monitoring implementation of the recommendations of the international human rights protection system, known as SIMOREG, had also been used.

20. **A representative of Guatemala** said that article 46 of the Constitution established the principle of the pre-eminence of international law, providing that the human rights treaties ratified by Guatemala prevailed over domestic law. The Constitutional Court had applied that principle in a number of its rulings, including in cases Nos. 1264-2017, 859-2020, 860-2020 and 879-2020. In its judgment No. 3418-2016, for example, the Court had made a finding of unconstitutionality on the basis of the American Convention on Human Rights and the State's obligation to comply with the rulings of the Inter-American Court of Human Rights.

21. **A representative of Guatemala** said that Decree No. 4-2020 reforming the NGOs Act provided for a series of mechanisms designed to increase transparency in the use of funds by registered organizations and to ensure that all necessary registers were kept in accordance with the applicable legal framework. There were more than 1,900 registered NGOs in Guatemala, of which only 204 had complied with the obligation to update the information on file in the registry of legal entities. NGOs that had not updated their information were still able to operate legally in the country.

22. **A representative of Guatemala** said that a number of civil society organizations had filed actions of unconstitutionality before the Constitutional Court in respect of the Decree as a whole and specific articles thereof. Pending the outcome of proceedings, the provisions of the Decree that had been challenged by civil society had been suspended and were not currently in force.

23. **A representative of Guatemala** said that, under the Constitution and national laws, equality before the law was guaranteed without any distinction on the basis of race, religion, sexual orientation or any other circumstance. Individuals could lodge a criminal complaint if they believed that their rights had been violated. The Public Prosecution Service was responsible for the objective and impartial investigation of all such complaints. With regard to the Committee's concern regarding the possible prosecution of human rights defenders and members of vulnerable groups, it should be noted that there was no targeted prosecution of any particular group of individuals. The investigating authority had a duty to establish the truth in each case and, if there was sufficient evidence to suggest that a crime had been committed, it submitted the case to the judge responsible for procedural safeguards for proceedings to be brought against the individual concerned. All defendants were guaranteed procedural safeguards, including the presumption of innocence and the right to a defence. If one of the parties disagreed with the outcome, the judgment could be appealed before a higher court for a review of its legality. All institutions in the justice sector had drafted internal protocols for the specialized and differentiated handling of cases involving human rights defenders, trade unionists and members of vulnerable groups.

24. **A representative of Guatemala** said that the principle of the independence of the judiciary was recognized in the Constitution and the Judicial Service Act, which also contained provisions guaranteeing judges' security of tenure. The performance of judges was evaluated by a unit attached to the Judicial Service Council. The judges serving on the

Council – a justice of the peace, a judge of a court of first instance, a judge of a court of appeal and a judge of the Supreme Court – were elected by assemblies of their peers.

25. **A representative of Guatemala** said that, in order to compensate for the lack of specific legislation on the consultation of indigenous peoples, the Constitutional Court had developed extensive case law establishing guidelines for such consultations. Those guidelines had provided the legal framework within which the Government, under the leadership of the Ministry of Energy and Mines, had been able to hold the consultations with indigenous peoples on the Oxec I and Oxec II hydroelectric projects in 2017 and on the Fénix mining project in 2021. The Court's guidelines were currently being used to conduct consultations in relation to a number of mining projects, including Tres Juanes and Amanecer, and a transmission line and electrical substation project. Since 2020, the Ministry of Energy and Mines had received support from the United Nations Development Programme, the German Agency for International Cooperation, OHCHR and ILO to ensure that consultations were conducted in accordance with national law, international standards and best international practice. The executive branch was working with the participation of indigenous peoples to develop the necessary legislative framework to ensure that the Government fulfilled its obligation of prior consultation of indigenous peoples on all administrative decisions that might affect their rights, as required under the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169). It was hoped that the legislation would be finalized during the term of office of the current Government.

26. **A representative of Guatemala** said that, as part of efforts to ensure respect for indigenous peoples and for the country's linguistic and cultural diversity, bilingual and intercultural education was being implemented through the national basic curriculum for the four peoples of Guatemala. A range of both print and interactive materials was available in 15 national languages, including Kaqchikel, K'iche', Mam, Q'eqchi', Tz'utujil, Q'anjob'al, Ixil, Garifuna, Xinca and Spanish. Various programmes, including programmes offering scholarships, were run for the different linguistic communities, and school meals took account of the students' cultural identity. Work was also being done to develop the values of respect and solidarity with all the country's peoples and cultures. Teachers played an active role in adapting the curriculum to specific linguistic communities. Gender, ethnic and social equity was also a cross-cutting theme in the national basic curriculum. The Ministry of Education had developed a national strategy for the prevention of violence and the promotion of harmonious and peaceful coexistence in schools.

27. **A representative of Guatemala** said that there had previously been a very large backlog of cases concerning gender-based violence. In 2019, a new case management model had been introduced, establishing timelines for the measures to be taken by the prosecutors' offices for the initial investigation. The implementation of the Comprehensive Support Model for Women Victims of Violence had yielded impressive results, as prosecutors now not only dealt with all new cases but had also started to clear the backlog. In 2019, for example, only 7,443 new cases had been received, but 20,603 cases had been concluded. To date in 2022, 4,794 cases had been received and 8,264 had been concluded. In the four years since the model had been introduced, the backlog of cases concerning gender-based violence had been reduced by 34 per cent. Similar results had been achieved in relation to cases involving child victims.

28. **A representative of Guatemala** said that her country had made significant progress since its ratification of the Convention on the Elimination of Discrimination and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women. Developments included the establishment of a specialized court to hear cases involving femicide, the adoption of the Act on Femicide and Other Forms of Violence against Women, and the development of a protocol enabling all judges to adopt a gender perspective in their decisions. The specialized courts provided women victims of violence with support from psychologists and social workers. Guatemala had taken a strong stance against gender-based violence and had played a pioneering role in that regard in Latin America.

29. **A representative of Guatemala** said that the Office for the Defence of Indigenous Women participated in inter-institutional efforts to provide quality services for women survivors of violence. The Office took culturally appropriate measures to protect and restore the rights of indigenous women, such as providing psychological support services and legal

advice in relation to civil and criminal cases. The Office's actions were carried out nationwide through various departmental offices located in linguistic communities.

30. **Mr. Contreras Escobar** (Guatemala) said that progress had also been made in the area of disability rights. In 2018, amendments had been made to the law on copyright following ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled. Through Decree No. 3-2020, the law recognizing Guatemalan Sign Language and regulating all aspects of its development, use and promotion, had been approved. The overall objective was to eliminate barriers and discrimination against persons with disabilities and give full effect to the Convention on the Rights of Persons with Disabilities. The National Policy on Decent Employment 2017–2032 included a programme on inclusive employment. Awareness-raising and training activities were conducted on disability matters, and work was under way on compiling a guide for inclusive companies that wished to employ persons with disabilities.

31. **Mr. Uprimny** (Country Task Force) said that, according to data from the Inter-American Development Bank and the World Bank, Guatemala had one of the lowest rates of tax collection in Latin America and the world. In its replies to the list of issues, the State party had acknowledged that tax revenue amounted to only 10 per cent of GDP. Social spending was also very low. The Guatemalan tax structure was also regressive, in that it was based primarily on indirect taxes, which resulted in very high levels of inequality. He would therefore be interested to hear how the Government planned to collect sufficient taxes to guarantee the human rights of the population, to combat the high levels of tax evasion and to develop a more redistributive tax system.

32. In April 2021, the Special Rapporteur on the independence of judges and lawyers had expressed serious concerns about the refusal of Congress to swear in Gloria Porras – a judge renowned for her decisions regarding protection and guarantees of human rights and the rule of law – to Guatemala's Constitutional Court. In that regard, he would like to know what steps the State party was taking to ensure the effective separation of powers and the independence of the judiciary.

33. **Ms. Saran** said that she would be interested to hear why Government expenditure on the social sector had consistently fallen in recent years. In addition, she would like to know what steps the State party was taking to address income disparity in the country, given that the highest-earning and lowest-earning deciles of the population owned around 40 per cent and less than 2 per cent, respectively, of total national wealth.

34. She was eager to learn what efforts were being made to ensure that businesses considered, and were held accountable for, the impact of their activities on the economic, social and cultural rights of indigenous peoples. In particular, she wished to know how the State party ensured the recognition of indigenous peoples' traditional land tenure and ownership rights. Lastly, she would like to know whether, in determining its maximum available resources within the meaning of article 2 of the Covenant, the State party took account of the contributions received from its external development cooperation partners. Did the State party have to meet certain conditions in order to receive those contributions?

35. **Mr. Mancisidor de la Fuente** said that he would be interested to hear the State party's view on the IACHR-OAS joint statement pertaining to Decree No. 4-2020 on the reform of the NGOs Act. He would also welcome information on any measures taken to prevent discrimination against indigenous peoples that could amount to racism. Given that corruption could severely diminish a country's maximum available resources, he would like the State party's opinion on its ranking of 150 out of 180 countries in the Transparency International Corruption Perceptions Index, as well as information on the efforts being made to counter corruption in the country.

The meeting was suspended at 4.50 p.m. and resumed at 4.55 p.m.

36. **A representative of Guatemala** said that improvements to tax collection and inspection services – including the introduction of electronic invoicing and the arrangement of appointments with debtors as an administrative measure prior to the institution of legal proceedings – had enabled the Office of the Superintendent of the Tax Administration to recover arrears from some 6,000 debtors. Customs revenue had grown significantly, and,

since 2019, tax revenue had increased by approximately 25 billion quetzales, or 40 per cent. Overall, tax revenue had risen from 10 to 11.7 per cent of GDP. For the sake of transparency, the Ministry of Public Finance published details of its spending on a number of online portals.

37. **A representative of Guatemala** said that, in addition to the administrative measures taken by the relevant authorities, criminal proceedings were also initiated, where necessary, by the Public Prosecution Service with the support of the National Civil Police. Specialized courts had been set up to hear tax fraud and contraband cases, and a new management system had been introduced to help to clear the backlog of cases. Since 2019, 226 tax fraud cases had been registered and 646 had been processed.

38. **A representative of Guatemala** said that the proportion of GDP allocated to education was 3 per cent, or 3.3 per cent, including higher education. The Ministry of Education had secured loans from the German State-owned development bank KfW and the Inter-American Development Bank, of €21 million and \$150 million, respectively, to improve education infrastructure and coverage. The Ministry's other international cooperation partners included the United States Agency for International Development, the United Nations Children's Fund and the European Union.

39. **A representative of Guatemala** said that, due to seasonal hunger, the number of persons in the country who were classified as at risk of food insecurity had risen from 3.5 million in May 2022 to 4.6 million in September 2022. Of those, around 500,000 were considered urgent cases. Conversely, between 2020 and 2021, the number of cases of acute malnutrition had fallen by around 3,000, or 18 per cent. In 2022, as part of the Great National Crusade for Nutrition – a national strategy focusing on malnutrition as a humanitarian emergency – 35 mobile health units had been launched to provide assistance throughout the country. Each unit cost around 600,000 quetzales per year to run. The Government had increased the annual budget for combating food and nutrition insecurity from 6 billion to 10.5 billion quetzales for 2022.

40. **A representative of Guatemala** said that the Congress, whose representatives were elected by public vote, had passed a whole host of laws aimed at protecting economic, social and cultural rights, including, most recently, laws providing for subsidies on fuel and energy costs and access to social housing. Legislative proposals 46–56, to approve the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and 54–52, to approve a law on women's economic development, were currently under review. There was no predetermined time frame for the enactment of the legislation.

41. **Ms. Lemus de Vásquez** (Country Task Force) said that, in the light of estimates that around 70 per cent of workers in Guatemala were employed in the informal sector, she wished to know what regulatory and other steps the State party was taking to promote a sustainable transition to the formal economy, including by simplifying and reducing the cost of accessing formal work. She also wished to know whether the State party provided training and development services to help businesses to raise their productivity levels to fund that cost, or incentives to encourage individuals and businesses to make the transition.

42. Tripartite social dialogue played a vital role in protecting workers' rights and upholding international labour standards. In that regard, she would like to know what tangible progress had been made, in cooperation with ILO, in strengthening the National Tripartite Commission on Labour Relations and Trade Union Freedom. Against the backdrop of reports that the minimum wage varied from one sector to another and could be negotiated according to local conditions, she was eager to learn what measures the State party was taking to ensure that all workers received the legal minimum wage; that the wage was sufficient to at least meet the workers' subsistence needs; and that any variation in the minimum wage between rural and urban areas did not disproportionately affect rural workers.

43. The average monthly salary of domestic workers, of whom there were over 300,000 in Guatemala, reportedly amounted to less than half the lowest minimum wage in the country. In that context, she wondered whether the State party could confirm reports that only 324 persons had been enrolled in the Special Programme for the Protection of Domestic Workers in 2021. Moreover, she would appreciate information on progress made towards ratifying the ILO Domestic Workers Convention, 2011 (No. 189), and on the measures taken to provide

social security coverage for domestic workers, as well as a living wage that at least covered the cost of the basic food basket.

44. The number of complaints received by the Government regarding equal pay for men and women was very low, particularly given the wage gap in the country, which, according to data from the United Nations Office in Guatemala, stood at 32 per cent – well above the global average of 24 per cent. It would be useful to know what steps the State party was taking to protect whistle-blowers and to enable women to make complaints without fear of reprisals from employers, as well as to recognize the contribution to the national economy of unpaid work performed by women.

45. She understood that only one in three women of working age in Guatemala was working or actively seeking employment, which was one of the lowest rates in the world. The underutilization of the female labour force came at great cost to the country's socioeconomic development. She would appreciate information on the measures being taken to encourage female participation in the labour market, such as improving working conditions and pay and increasing the availability of preschool and afterschool childcare.

46. According to information received by the Committee, palm oil plantation workers in the north of the country frequently received low, performance-based wages, lacked social security and occupational health benefits and were prohibited from unionizing. She would be grateful for information on the specific actions being taken to improve the situation of those workers, such as whether labour inspectors visited the plantations and, if so, how many workers had submitted complaints and received adequate reparation. In addition, she would welcome information on the steps taken to increase the number of labour inspectors, given that, according to the data available to the Committee, there was currently only one inspector for every 13,000 rural workers in the country.

47. She wished to know how many trade unions had been formed and how many collective bargaining agreements were in force in the agriculture and maquila sectors. She would like, furthermore, to know on what grounds applications for trade union registration could be rejected and whether the State party provided advice to trade union movements to enable them to advance their applications. Given reports that nine trade unionists had been assassinated in the previous two years alone, and many others had been attacked, threatened, intimidated and harassed, she was keen to know what efforts were being made to investigate promptly all acts of violence and threats against union leaders and members.

48. The Committee had received reports that, under Guatemalan law, strikes could only be called when supported by an absolute majority of workers rather than a majority of those workers who cast votes and that, in practice, trade unions – especially those with large memberships – struggled to meet that requirement. She would therefore be grateful to know what measures the State party was taking to ensure that the right to strike could be exercised freely, without reprisals, in all economic sectors, and particularly in the agricultural and maquila sectors.

49. It would be useful to receive information on social protection measures introduced in the context of the COVID-19 pandemic, broken down by level of coverage and the age and location of beneficiaries. She wished to know more about the measures taken to ensure a targeted approach to the provision of social protection that guaranteed access to social services for vulnerable groups, including persons living in poverty, indigenous peoples, women and persons with disabilities. She would also be grateful for further information on the impact of the Institutional Strategic Plan 2018–2022 on the introduction of universal social security coverage. It would be interesting to learn more about the measures taken to mitigate the economic crisis that had resulted from the COVID-19 pandemic and about the budgetary allocations set aside for those measures. In addition, it would be useful to receive further information on the foreign direct investment attracted and jobs created through the Guatemala Is Not Stopping Plan. She wondered whether those jobs were equitably distributed throughout the country and equally accessible to all sectors of the population.

50. **A representative of Guatemala** said that, between 2018 and 2022, almost 40,000 people had attended job fairs, including some designed specifically for vulnerable groups, such as persons with disabilities. According to data provided by those businesses that had submitted reports, more than 4,500 persons had been recruited after attending a job fair over

those four years. During the COVID-19 pandemic, rather than hold in-person job fairs, the Ministry of Labour had carried out labour intermediation activities in collaboration with businesses in local communities; more than 1,500 positions had been filled in that way. In total, over the reporting period, the Government's employment initiatives, including the activities of the employment exchange, had helped more than 54,000 persons into jobs. In 2021, numerous grants had been awarded to jobseekers who had committed to taking intensive English-language classes and nursing courses. Additional resources, including Internet-enabled devices, had been made available to the Technical Institute of Training and Productivity to allow for remote training courses during the pandemic.

51. Special measures had been taken to promote the economic reintegration of Guatemalan returnees; almost 10,000 returnees had received vocational training over the reporting period. The Government was cooperating with the Governments of Canada and the United States of America to promote circular migration. The number of persons participating in the Government's labour mobility programme had increased from only 15 persons in 2019 to just over 2,300 persons as at August 2022.

52. There were no plans to reduce the current minimum wage. The number of joint minimum wage commissions had recently doubled from three to six, with three commissions covering the non-agricultural sector, the agricultural sector and the export and maquila industry, respectively, in two newly formed economic districts – the Department of Guatemala and the rest of the country. The two districts had been established in recognition of the fact that the economic situation in the Department of Guatemala was different from that in other parts of the country, in particular in terms of the informal employment rate, which was much higher in rural areas, resulting in poorer compliance with minimum wage requirements. Such disparities required a differentiated approach.

53. The Ministry of the Economy and the Ministry of Labour had concluded an agreement with the indigenous business network, which comprised more than 13,000 micro- and small businesses owned by indigenous persons, on the provision of training on how to navigate the social security system. The budgetary allocation earmarked for labour inspections had risen from 28 million quetzales in 2017 to 42 million quetzales in 2022. Steps had been taken to ensure that the sanctions handed down by the Inspectorate General of Labour were effectively implemented by the courts. In 2021, a total of 4.9 million quetzales had been collected through fines imposed by labour inspectors; as at May 2022, around 3.6 million quetzales had been collected. Each inspection unit had recently been given access to a vehicle, which had made it possible to inspect the premises of businesses located in remote and rural areas. There were currently 181 labour inspectors, and 50 new positions would be filled in the near future. Each inspector conducted an average of four inspections per day.

54. **Mr. Uprimny** said that it would be useful to receive information about the outcomes of court cases involving violence against women and children, including data on the number of convictions secured against perpetrators. He would welcome further information on the State party's poverty reduction strategies, as well as on its efforts to address the root causes of malnutrition, in particular among children and indigenous groups. Further information on the State party's measures to guarantee access to water for everyone would be welcome. In that connection, he wished to know more about the State party's policy on access to land and territory for indigenous and campesino communities and would be interested to learn whether the Government had considered taking steps to bring national legislation on evictions into line with international standards in that regard. He would also be grateful for further information on the measures taken to address regional and income-related disparities in the maternal and neonatal mortality rates and in terms of access to health insurance. Lastly, it would be useful to learn whether the State party had considered decriminalizing illegal-drug use, thereby bringing its policy in that regard into line with international human rights law, and reviewing its policies on abortion and sexual and reproductive rights to ensure their compliance with the standards established by the Committee in its general comment No. 22 (2016) on the right to sexual and reproductive health.

The meeting rose at 6.05 p.m.