



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

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## Committee on the Elimination of Discrimination against Women Sixty-eighth session

### Summary record of the 1558th meeting

Held at the Palais des Nations, Geneva, on Friday, 10 November 2017, at 10 a.m.

Chair: Ms. Leinarte

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(continued)

*Combined eighth and ninth periodic reports of Guatemala*

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

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

*Combined eighth and ninth periodic reports of Guatemala (CEDAW/C/GTM/8-9; CEDAW/C/GTM/Q/8-9 and CEDAW/C/GTM/Q/8-9/Add.1)*

1. *At the invitation of the Chair, the delegation of Guatemala took places at the Committee table.*
2. **Ms. Aguilar Theissen** (Guatemala), introducing her country's combined eighth and ninth periodic reports (CEDAW/C/GTM/8-9), said that, despite the progress that had been made by Guatemala since its ratification of the Convention, many challenges remained with regard to the full exercise of the human rights of Guatemalan women. The Government was committed to the adoption of a comprehensive approach to the structural obstacles that it faced.
3. In 2016, the principal body working in the area of women's rights, the Presidential Secretariat for Women, had begun a reassessment of its role in addressing the national development priorities contained in the National Development Plan *K'atun, Nuestra Guatemala 2032* ("K'atun, Our Guatemala 2032"). The Secretariat was working towards the inclusion of gender equality as a cross-cutting issue in public policies, including the National Policy for the Advancement and Integral Development of Women.
4. The Government had established a mechanism to coordinate the identification and implementation of gender-specific budget lines. The mechanism, which included civil society representatives, intended to achieve that task through the application of the Gender Issue Classifier tool.
5. Women, particularly indigenous and rural women, faced disadvantages in many areas. For example, 88 per cent of unpaid work was carried out by women. The maternal mortality rate had decreased to 113.4 in 2013, but still stood well above the average of 77 for Latin America and the Caribbean. Of particular concern was the high rate of teenage pregnancies, 37,624 of which had been recorded in girls aged between 10 and 19 years in 2016 alone. Violence against women was another priority issue: since the adoption in 2008 of the Act on Femicide and Other Forms of Violence against Women, 1,988 cases of femicide had been recorded and the number of cases of sexual violence had risen steadily.
6. The Government recognized the urgent need to establish a national mechanism for gender equality that would coordinate the follow-up to national human rights legislation and to the international conventions to which Guatemala was a party. As part of that work, the National Coordination Office for the Prevention of Domestic Violence and Violence against Women had been reactivated and its mandate strengthened. Strategic plans were under development to address the needs of specific groups, including women with disabilities, women living with HIV, sex workers, the lesbian, gay, bisexual, transgender and intersex (LGBTI) population, indigenous women and migrant women, and would be implemented progressively.
7. The Government had identified two priority groups to whom the content of the Convention and its Optional Protocol and the recommendations issued by the Committee should be disseminated, namely public officials and women's organizations participating in urban and rural development councils.
8. While the legal prohibition of early marriage represented a step in the right direction, there was still work to be done at the practical level to address the causal factors of such marriage, including poverty and lack of access to education in general and to sex education in particular.
9. The Government was working to identify who held criminal responsibility for a tragedy that had occurred in the Virgen de la Asunción children's home on 8 March 2017, in which some 40 girls had lost their lives and a number of others had been seriously injured. In the wake of the incident, the authorities had drawn up minimum standards for the protection of girls who were in the care of the State.

*Articles 1 to 6*

10. **Ms. Schulz** said that, while she acknowledged the challenges that had faced the State party during and after its long civil war, she remained concerned at the stark inequalities that persisted between the rich and the poor. She would appreciate an account of the obstacles to the application of the definition of discrimination contained in article 1 of the Convention. She wished to hear about any measures that the Government was taking to allocate the necessary financial resources and provide appropriate capacity-building in order to improve the implementation of legislation.

11. She would be interested to learn whether the Government intended to pursue its efforts to institute a normative framework on gender equality and the justice system, the previous iteration of which had not been supported by Parliament. She would appreciate an indication of whether plans were under way to give constitutional or legal recognition to indigenous peoples and to include Guatemalans of African descent in data-collection exercises, including the census.

12. In the area of the rights of LGBTI persons, she would welcome an update on the progress that had been made in the initiatives described in paragraphs 9 (a) and (b) of the State party's replies to the list of issues ([CEDAW/C/GTM/Q/8-9/Add.1](#)), namely the inter-agency agreement on technical follow-up of the international human rights commitments made by Guatemala and the public policy to guarantee the rights of LGBTI persons, including protection against discrimination on the basis of sexual orientation.

13. Regarding access to justice, it was unclear whether the National Reparations Programme for women affected by the conflict addressed all pending claims for reparations in a manner that was culturally appropriate for indigenous women. She would also like to hear whether money was still available to finance the reparations following the severe cuts that had been made to the Programme's budget in 2016.

14. She would be grateful for information on the mechanisms that had been established to ensure real protection for human rights defenders and journalists, notably those working in the areas of environmental and indigenous issues and the rights of lesbian, bisexual and transgender women, following the State party's acceptance of the recommendation made in that connection as part of its universal periodic review in 2012. She wished to learn whether the institutions mentioned in paragraph 62 of the replies to the list of issues covered the whole of the territory of the State party and whether they had been provided with the human and financial resources that they required to fulfil their mandate.

15. **Ms. Ochoa** (Guatemala) said that a number of rulings by the Constitutional Court had taken into account the provisions of the Convention. The authorities were committed to developing appropriate jurisprudence in that regard.

16. **Ms. Morales Aceña** (Guatemala) said that, throughout the judiciary and the executive, gender units ensured the implementation of gender equality. Discrimination was criminalized under the Criminal Code and specific legislation enshrining the principle of non-discrimination had been adopted. Significant progress had been made in gathering and analysing data disaggregated by age, origin and gender.

17. **Ms. Aguilar Theissen** (Guatemala) said that the entrenched attitudes of some civil servants, members of the judiciary and law enforcement officers still led them to discriminate against women. The Ministry for Women was therefore conducting awareness-raising campaigns about the provisions of the Convention and women's rights in general throughout the country. In cooperation with the United Nations Population Fund, the Ministry was also working with the authorities that were preparing the 2018 census to ensure that the census included a gender perspective and would produce data on women who identified as members of specific groups, such as indigenous communities and persons of African descent.

18. **Mr. Borrero Reyes** (Guatemala) said that the Government was well aware of the difficulties facing human rights defenders, particularly journalists. It had therefore decided to set up a mechanism for the protection of their rights. The budget of the Ministry of the Interior had been increased in order to ensure that the mechanism would be truly effective. Efforts had also been made to introduce a policy on the protection of the rights of LGBTI

persons, since historically they had been marginalized. One of the issues that had hindered those efforts had been the fact that several bodies in both the public and the private sectors had failed to recognize that international instruments to which Guatemala was a party took precedence over national legislation. That was being overcome through awareness-raising work carried out by several universities, which were providing training on human rights and the relevant instruments of international law. Under the new approach adopted by the Presidential Commission for Coordinating Executive Policy in the Field of Human Rights, development was the top priority, as it was the best way to achieve peace.

19. **Ms. Morales Aceña** (Guatemala) said that civil servants were held accountable for their actions. It was appropriate that their conduct should be scrutinized by civil society, which was, fortunately, becoming increasingly vocal. The justice system was gradually accommodating the needs of all the population by, for example, providing interpreters where necessary in judicial proceedings and ensuring a gender-sensitive approach. There was already a protocol in place on access to justice for indigenous women and plans had been made to take ethnic and sociocultural factors into account when reaching judgments, as of 2018. Members of the judiciary were currently being trained to that end.

20. **Ms. Teleguario Sincal** (Guatemala) said that the Government was currently in the process of finalizing the national policy on indigenous communities, which included the Maya, Garifuna and Xinka peoples, as well as persons of African descent. Many civil society stakeholders, particularly indigenous peoples, had participated in the preparation of the policy. The current government programme focused on addressing the needs of women, indigenous peoples, persons with disabilities and other vulnerable groups. Annual meetings were organized within the context of the International Decade for People of African Descent in order to promote the rights of persons of African descent.

21. **Ms. Schulz** asked whether the State party planned to develop indicators to analyse whether the judicial system and the police were accessible to the people who would need to have their cases reviewed by civil, criminal, administrative or social courts. It would appear that many people in the State party were unable to obtain access to justice because they lived far away from a police station or a court or for other reasons, including a lack of money. She enquired whether the Office for the Defence of Indigenous Women's Rights was able to provide legal assistance to indigenous women. In that connection, it would be interesting to know whether the State party was taking into account the Committee's general recommendation No. 33 (2015) on women's access to justice.

22. Given the reports that the Committee had received of massive prison overcrowding, deplorable conditions and the abuse of preventive detention, with over 50 per cent of the people in jail awaiting trial, she asked how the State party planned to reform the system in order to abide by the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). She wished to know whether the State party planned to do away with preventive detention for all non-violent offences by women and to review the cases of women in preventive detention to ensure that they remained in such detention in exceptional cases only.

23. The Committee shared the delegation's view that development was the best path to peace, with the important proviso that women were fully associated with all development and peace efforts.

24. **Ms. Morales Aceña** (Guatemala) said that part of the plan to establish indicators included the development of a web-based system that would enable those concerned to track the progress of their cases, obviating the need for them to travel long distances to go to court. As of 2014, in accordance with a ruling from the Supreme Court, less use was being made of pretrial detention.

25. **Mr. Romero García** (Guatemala) said that the Ministry of the Interior was in the process of designing a reform of the prison system, in accordance with which detainees would be categorized according to the danger they posed. Under the new model, attention to the needs of women detainees was a priority and, to date, 64 women had been channelled into the pilot project, which focused on rehabilitation. The pilot would be extended to a further four prisons in 2017. Efforts had been made to ensure that judges helped to

implement that paradigm shift away from a punitive approach to detention. Steps were also being taken to address the needs of children who had a parent in prison and to create better conditions for women with children under the age of 4 years, who were allowed to have their children with them in prison. In addition, measures were being taken to improve prison conditions and to introduce alternatives to detention, such as electronic bracelets.

26. **Ms. Teleguario Sincal** (Guatemala) said that the Office for the Defence of Indigenous Women's Rights had 14 regional centres that provided counselling and legal aid to indigenous women, particularly in cases involving violence against women and access to justice. In 2016, some 3,700 indigenous women had been helped in those centres.

27. **Ms. Bethel** commended the State party for the initiatives that it had taken prior to 2012 to set up mechanisms to enhance equality between women and men. However, the Committee regretted that, between 2012 and 2014, the three principal mechanisms for the advancement of women's rights had been significantly weakened and there had been a serious setback to the road map for the implementation of the National Policy for the Advancement and Integral Development of Women (2008-2023), owing to the limited allocation of human, technical and financial resources. Given that, in 2016, the Special Cabinet for Women, the Office for the Defence of Indigenous Women, the Women's Commission in the National Urban and Rural Development Council, the National Coordination Office for the Prevention of Domestic Violence and Violence against Women, the advisory board of Presidential Secretariat for Women and the Inter-agency Committee on Budgeting for Gender Equity had been reactivated, she asked how the State party planned to increase the capacity of those mechanisms and ensure that they coordinated their work more effectively. It would be useful to have details of the budget allocation for the Presidential Secretariat for Women for 2018. She asked how the Secretariat would manage the different strategic agendas in order to meet the needs of women living with HIV, LGBTI persons, elderly women, migrant women, women with disabilities and sex workers.

28. It would be interesting to learn about the role and function of the Presidential Secretariat for Women with regard to the implementation of the Sustainable Development Goals. She would appreciate the delegation's comments on whether there was sufficient political will and adequate resources to implement the 2030 Agenda in the State party. She asked why the State party was not prioritizing sexual and reproductive health for women and girls, in line with target 5.6 of the Goals.

29. The Committee would welcome information on why the budget of the National Coordination Office for the Prevention of Domestic Violence and Violence against Women had been moved from the Presidential Secretariat for Women to the Ministry of the Interior. It would be useful to know whether there would be more funding for programmes to prevent violence against women and whether the laws on gender-based violence would be effectively enforced. She asked whether the staff of the Ministry of the Interior were receiving gender-sensitive training.

30. She wished to know how many more gender units needed to be established within ministries and departments, and what strategic programmes the units would implement in order to advance women's human rights. How were gender-mainstreaming and gender-budgeting programmes being implemented in those units? She asked why the bill on establishing a ministry for women had not been brought before a plenary session of Congress for decisive action and what specific challenges were being faced in that regard.

31. She requested information on the status of the US\$ 250 million policy-based loan from the Inter-American Development Bank, which would help the State party improve its tax management and financial sector transparency, raise much-needed tax revenue and strengthen its procedures for the prevention of money-laundering.

32. **Ms. Manalo** asked in what fields the State party had applied or intended to apply temporary special measures to accelerate gender equality and non-discrimination in order to improve the situation of indigenous women and women of African descent.

33. **Ms. Aguilar Theissen** (Guatemala) acknowledged the weakening of the mechanisms for the advancement of women under the previous administration. The current Government was committed to redressing that situation and had been focusing on

strengthening the Presidential Secretariat for Women. Currently, efforts were being made to ensure that its expenditure was effective, rather than increasing the budget, which stood at 28.5 million quetzales for 2018.

34. The Government was developing strategic agendas on the rights of vulnerable groups of women, such as women living with HIV, women with disabilities and lesbian, bisexual, transgender and intersex women in order to bring them to the forefront of public attention. Those groups had suffered structural discrimination and exclusion for many years.

35. The implementation of the Sustainable Development Goals was an integral part of the national development strategy. While the Presidential Secretariat for Women had begun to play an important role in developing the strategy over the previous year, it had been unable to participate in the discussions that had resulted in the lack of priority being placed on sexual and reproductive health for women and girls, under target 5.6 of the Goals. It was now working hard to remedy that situation. The 2030 Agenda had the backing of the highest levels of Government. There were no specific resources to implement it; the budget for the Sustainable Development Goals was part and parcel of the budget for the national development agenda.

36. To restructure the National Coordination Office for the Prevention of Domestic Violence and Violence against Women was a major undertaking, which had begun only in 2016. The Government was working with all the public bodies that made up the Office and with civil society to set goals and time limits to ensure that the Office became fully functional and was adequately resourced.

37. Consideration was being given to taking temporary measures to develop a mechanism that would ensure the improved production of gender indicators by the National Institute of Statistics. Such measures could also be adopted in connection with unpaid work and the country's upcoming population census.

38. **Ms. Matías Santiago** (Guatemala) said that a women's caucus had recently been created in the Guatemalan Congress. It would work, in consultation with civil society organizations, to address issues that had often been neglected in the past and thus improve the lives of the country's women and girls. The caucus was also working to ensure that the bill on the establishment of a ministry of women's affairs, currently in committee, was submitted to the full Congress. Women accounted for 16 per cent of the members of Congress.

39. **Ms. Bethel** said that she wished to know what the specific shortcomings of the National Coordination Office for the Prevention of Domestic Violence and Violence against Women had been and what was being done to address them. In particular, she asked whether the Office's move to the Ministry of the Interior was likely to make efforts to combat violence against women more effective.

40. She would welcome an indication of how the Special Cabinet for Women and the Presidential Secretariat for Women worked together to advance the rights of women. Lastly, she would appreciate knowing why the State party, within the framework of its partnership with the Inter-American Development Bank, appeared not to be making every effort to raise much-needed tax revenue.

41. **Ms. Manalo** said that anyone who wished to fully understand temporary special measures should read article 4 (1) of the Convention in conjunction with articles 1, 2, 3, 5 and 24, and also general recommendation No. 24, on article 12. Reading general recommendations Nos. 5, 8 and 23 would be similarly enlightening.

42. **Ms. Arocha Domínguez** asked whether the State party had developed a mechanism to ensure that women themselves, and their representative organizations in particular, were involved in efforts to develop the new strategies that would be implemented as part of the National Policy for the Advancement and Integral Development of Women 2008-2023.

43. **Ms. Aguilar Theissen** (Guatemala) said that the composition and nature of the Special Cabinet for Women had been changed. Whereas it had previously included representatives of institutions that had not necessarily been involved in implementing policies for women, it currently comprised representatives of the ministries that carried out

the policies of the Planning and Programming Secretariat of the Office of the President. It was the country's highest-level body for policy matters relating to the promotion of women's rights and the Presidential Secretariat for Women was its technical secretariat.

44. One of the challenges taken on by the Inter-agency Committee on Budgeting for Gender Equity was to identify areas where it should make proposals, not least in connection with such matters as the distribution of tax receipts. The Inter-agency Committee's work had begun only recently, however.

45. **Mr. Romero García** (Guatemala) said that the decision to transfer responsibility for the National Coordination Office for the Prevention of Domestic Violence and Violence against Women to the Ministry of the Interior had met with considerable opposition. As a result, the Office had gone more than three years without working. In 2016, it had resumed meeting, and both the State and civil society were making efforts to re-establish the rapport that had been damaged with its move to the Ministry of the Interior several years earlier.

46. Steps were being taken to strengthen the Office as an institution. While the Presidential Secretariat for Women would reassume responsibility for acting as its technical secretariat, the Office of the Third Deputy Minister for the Prevention of Violence and Crime, an office of the Ministry of the Interior, would be its executive secretariat. Although moving it to the Ministry of the Interior in 2013 had been a blunder, efforts were under way to restructure it and restore it to its original status.

47. **Ms. Aguilar Theissen** (Guatemala) said that the bill on the establishment of a ministry for women's affairs had received a favourable opinion but had not yet been passed by Congress. It was a controversial bill opposed by a fair number of lawmakers, many of whom had retrograde ideas about fairness and equality. The Presidential Secretariat for Women was working with civil society organizations to study possible alternatives to the establishment of a ministry for women's affairs. Information on how the country's partnership with the Inter-American Development Bank could be leveraged to increase tax receipts would be provided in writing in due course.

48. **Ms. Rana** said that she wished to know what measures were being taken to ensure that a thorough investigation of the incident in March 2017 that had resulted in the deaths of 41 girls from the Virgen de la Asunción shelter was conducted and that the persons responsible for those deaths were brought to book.

49. She asked what training medical personnel received to counter the stereotypes that sometimes led to the forced sterilization of women with disabilities and what penalties were in place for anyone who coerced a woman into undergoing sterilization. In addition, she called on the State party to ensure that LGBTI persons were not subject to discrimination on account of their sexual orientation or gender identity. She would welcome information on the mechanisms in place to make it easy and safe for such persons to report sexual and gender-based violence, in particular when they were deported to the State party after fleeing such violence.

50. She wondered whether the State party had assessed the impact of the "Less Victimization, More Empowerment" media campaign and of the efforts that had been made to eliminate stereotypes in social science and civics courses and, if not, whether any plans had been made to produce such an assessment. The delegation should provide information on any new media campaigns aimed at combating gender stereotypes. In that connection, it would be interesting to know whether a code of ethics in respect of racism in the media had been adopted. She also wondered whether any efforts were made to reach out to men and boys.

51. **Ms. Jahan** said that she would be grateful for an update of the State party's plans to amend Decree No. 9-2009, the Act on Sexual Violence, Exploitation and Trafficking in Persons. The otherwise commendable regulatory framework that had been developed to combat sexual exploitation and trafficking in persons seemed to have an insufficient focus on women. It could even be said to be gender neutral. The Committee was also concerned about a number of other shortcomings in the framework, especially in such areas as victim identification and assistance, investigation, prosecution and witness protection.

52. In view of the vulnerability of Guatemalan girls to internal trafficking, she wondered what measures were being taken to increase the number of the country's labour inspectors and give them the training they would need to identify victims of trafficking and exploitation in such sectors or activities as domestic work, the textile industry and the tourist industry. Similarly, she asked what efforts were being made to train judicial and law enforcement personnel, including border guards, in gender-sensitive identification of victims of trafficking and exploitation. She also asked whether female police officers were specifically assigned to cases involving sexual exploitation and what role, if any, civil society played in providing assistance to victims. In addition, she wished to know what steps were taken by the State party to ensure that child victims of trafficking were not simply trafficked again when they were returned to their families. An indication of the efforts that were made to ensure that international adoptions were carried out transparently and in accordance with the law would also be welcome.

53. Although the tragedy that had taken place at the Virgen de la Asunción shelter had already been mentioned, she wished to remind the delegation that a proper prosecution would require a thorough investigation. Lastly, she wondered what opportunities the State party provided to help girls and women leave prostitution, which was not addressed in the State party's report, although it was evidently widespread in Guatemala and reportedly even involved girls as young as 12.

54. **Ms. Morales Aceña** (Guatemala) said that the Guatemalan authorities had already begun the process of finding non-institutional homes for the children and adolescents living in the country's institutions when tragedy had struck the Virgen de la Asunción shelter in San José Pinula. The girls, who had been caught by police officers and locked in a schoolroom after having run off, had set fire to a mattress when they had not been allowed out to use the toilets. The authorities had asked for forgiveness nationally and internationally.

55. She and another Supreme Court judge had proceeded immediately to the shelter, where, with a view to returning the surviving girls to their families, they had begun contacting the judges responsible for the girls' cases. The State, as part of a new model of residential care, had established six new family-style shelters for the children and adolescents from the Virgen de la Asunción shelter who had not returned to their biological families or elsewhere. The Supreme Court was involved in inter-institutional efforts to monitor the cases of the hundreds of children who had left the shelter for other forms of accommodation.

56. **Ms. Hernández Herrera** (Guatemala) said that a bill on combating and punishing obstetric violence was currently under consideration by a working group of the Congressional Committee on Health. The Act on Sexual Violence, Exploitation and Trafficking in Persons had been adopted and a number of amendments had been made to the Criminal Code and the Civil Code. In the past, for example, underage girls could marry with the authorization of a judge, but currently the age of marriage was 18 years for both sexes.

57. The purpose of a bill on amending the Act on Sexual Violence, Exploitation and Trafficking in Persons was to criminalize sexual harassment, grooming and sexting. Other bills, which were still in committee, dealt with such issues as sex education, child prostitution, child pornography and the establishment of a congressional committee for the promotion of civil society. A bill on the comprehensive protection of children and adolescents, introduced after the fire at the Virgen de la Asunción shelter, had been submitted for second reading with a view to its adoption by Congress. Efforts to combat trafficking in persons had led to considerable progress.

58. **Ms. Teleguario Sincal** (Guatemala) said that the national policy on decent work, which had been informed by the principle of gender equality, had been launched and a road map for the prevention of child labour had been developed. There were challenges, but progress towards eliminating child labour had been made, as had been noted by the Department of Labour of the United States of America. Labour inspectors had rescued more than 100 children from situations of forced labour in 2017 alone. In addition, Congress had restored the Labour Inspectorate's enforcement powers and authorized the

hiring of additional inspectors, while also approving an increase in the Inspectorate's 2018 budget. The Ministry of Labour and Social Welfare, for its part, had been working with women's organizations, labour inspectors and media outlets with a view to combating forced child labour in Guatemala.

59. **Ms. Morales Aceña** (Guatemala) said that the judiciary was reviewing the regulations governing juvenile courts and had produced manuals for judges based on the principle of non-institutionalization. A number of court cases had been brought against central authorities in that connection. Between 2010 and 2017, 168 judgments had been handed down for trafficking, 99 of them convictions.

60. **Ms. Teleguario Sincal** (Guatemala) said that a union of sex workers had been recognized for the first time and Congress had been asked to regulate the sex work sector.

61. **Ms. Rana** said that the Committee hoped that the adoption of the national action plan would ensure that the commitments under the National Agreement for the Advancement of Security and Justice would be incorporated in the work of institutions for the protection of women's rights. Referring to the Committee's general recommendation No. 30, she asked the delegation to provide information on the measures in the national action plan that would put an end to impunity for violence against women, including sexual violence, committed both during and after the conflict. She would like to know what mechanisms were in place to ensure the meaningful and inclusive participation of women at all stages of implementation and what dedicated budget had been allocated for the implementation of the plan.

62. **Ms. Jahan** said that she would like to know whether the State party intended to specifically include a gender perspective in the draft legislation currently being evaluated.

63. From the State party's report, she understood that there were no centres for victims of sexual violence and human trafficking and only three temporary shelters. She wondered what was being done to increase that number, for example in coordination with non-governmental organizations (NGOs). It appeared that funding for the only NGO-run shelter for trafficking victims had been cut in 2017 and she hoped the State party would look into the question of adequate provision for such women. She would like to know what oversight mechanisms were in place to monitor illegal international adoption and what special measures had been taken to support women wishing to leave prostitution.

64. **Ms. Aguilar Theissen** (Guatemala) said that there were 77 temporary shelters for women victims.

65. **Ms. Acosta Vargas** said that she was concerned that some of the draft legislation seemed to roll back some of the progress already made in women's rights. Stereotyping was a relevant factor and it was a phenomenon that would not be eliminated by mere campaigns. She would be interested to know how the delegation believed progress could be made in that regard. Lastly, it was her understanding that "internally displaced persons" did not constitute a recognized category of the population in the State party and she would appreciate the delegation's comments.

66. **Ms. Aguilar Theissen** (Guatemala) said, on the question of the range of mechanisms to deal with women's issues, that the Secretariat for Women was making efforts to put the question back on to the public agenda. There had been a resurgence of conservative stereotyping and entrenched mindsets within the legislature and the judiciary, and among members of the executive, which saw women's role as limited to reproduction and caregiving rather than political participation and decision-making. The issue needed to be tackled gradually, first laying foundations that would foster an understanding that the problem of exclusion and oppression of women concerned not only the Government or the Secretariat for Women but the State as a whole, which would then make it possible to talk about equality. It was necessary to redesign and strengthen the existing mechanisms for women, otherwise the stereotypes would only grow stronger. It was not just a matter of training in the gender perspective; it was also important to show officials that they had a duty to apply not only domestic law but also binding international standards such as the Convention.

67. As for Security Council resolution 1325 (2000), the Secretariat for Women was responsible for coordinating the Inter-agency Committee on Women and Peace and Security and also for institutionalizing the action to be taken under the national action plan by ensuring that all relevant institutions incorporated the priorities set in the plan into their own plans and budgets.

68. **Ms. Morales Aceña** (Guatemala) said that, for the Guatemalan judiciary, the endorsement of resolution 1325 represented not only a major commitment but also an opportunity to take a clear look at current suffering deriving from past violations. Training was under way to ensure the application of the gender perspective in the administration of justice, with emphasis on the dignity of the individual rather than simply financial reparation. A focus was also placed on stereotyping, with a view to preventing a recurrence of the kind of cases that had come before the Inter-American Court of Human Rights, such as that of Claudia Isabel Velásquez Paiz.

69. **Ms. Teleguario Sincal** (Guatemala) said that the Ministry of Labour and Social Security provided support for women wishing to leave sex work. Training was provided under municipal programmes to enable them to move into other income-generating activities. Where sex workers lodged specific complaints, they received comprehensive support, not only medical and psychological but also to help them change occupations. Efforts were made to raise awareness within private companies and encourage them to offer openings to such women.

#### *Articles 7 to 9*

70. **Ms. Manalo** said that the figures on women's representation in political life, given in the State party's report and the replies to the list of issues, led her to conclude that there was no real participation. Efforts to improve women's exercise of their civil rights had led to an increase in the number of women registered to vote, but, at 61 per cent, that still left many excluded from participation in public and political life. She had read that the process of obtaining identity documents as a basis for civil and political representation was costly and she would like to know whether women had universal access to such documentation. Since it was possible to apply special measures in order to set quotas for women's representation, she would like to know why Congress was reluctant to do so. She wondered what steps the Presidential Secretariat for Women and other agencies were taking to encourage legislative reform to ensure parity and the alternation of men, women and indigenous peoples in elections.

71. She would appreciate disaggregated data on the numbers of women heads of embassies or diplomatic missions and employed in United Nations bodies and the Organization of American States (OAS).

72. **Ms. Aguilar Theissen** (Guatemala) said that the Ministry of Foreign Affairs promoted the inclusion of women and women had been well represented in recent years; indeed, the two top posts in the Ministry were currently held by women. The challenge was to establish a specific strategy to encourage women to take up diplomatic posts. Nevertheless, 49 per cent of diplomatic posts were held by women and there were 16 women in very senior positions in the foreign service.

73. **Ms. Manalo** said that, if there were 16 women in the most senior positions in the diplomatic service, she would be interested to know how many similar posts were occupied by men.

74. **Ms. Hernández Herrera** (Guatemala) said that it had not been possible to maintain the principles of parity and alternation between women and men in the Elections and Political Parties Act in a Congress of 158 seats of which only 26 were held by women. No progress had been made on the introduction of quotas, although the issue was still under discussion. Moreover, women who wished to participate in politics had to overcome their fear of the prevailing political violence.

75. **Ms. Matías Santiago** (Guatemala) said that, as a result of the efforts of the Congressional Committee on Women, in cooperation with civil society, it had been possible to put in place a framework act on political violence. The aim was for all women

to be able to participate in the next elections without fear of violence and to exercise their right to vote and stand for election.

76. **Ms. Acosta Vargas** said that, under the regulations on nationality, a Guatemalan woman who married a foreigner and took her husband's nationality would lose Guatemalan nationality if there was no bilateral agreement permitting dual nationality. She would like to know whether the same applied to Guatemalan men who married foreign women. Could a Guatemalan woman automatically confer her nationality on her child if it was born abroad? More generally, she would be interested to know how many children were not included in the civil registers and what facilities existed to enable women, particularly indigenous women, to register their children.

77. **Mr. Romero García** (Guatemala) said that dual nationality for both women and men was recognized and a child's Guatemalan nationality was recognized on registration at the relevant embassy.

78. **Ms. Aguilar Theissen** (Guatemala) said that women's lack of access to civil registers, particularly in indigenous communities, meant that there had been around 37,000 late registrations. One major barrier was linguistic, so instructions in the various community languages had been issued to registrars. Between 2013 and 2017, 239 committees had been formed to locate unregistered children and over 400,000 registrations carried out as a result.

79. Transgender women found it particularly difficult to exercise their political rights, as their official identity did not match their real identity. In order to correct that problem, a bill on gender identity was in the pipeline.

80. **Ms. Teleguario Sincal** (Guatemala) said that she wished to draw attention to the fact that, for the first time in Guatemalan history, the Minister of Labour and Social Security was an indigenous woman. Women made up 68 per cent of her staff.

81. **Mr. Borrero Reyes** (Guatemala) said that Guatemala had ratified the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption in 2002, but within a year the Constitutional Court had struck it down and it had taken six years to incorporate it once more into the legal order. That setback had nevertheless had the effect of prompting the establishment of the National Adoption Council and the adoption system. Guatemala had subsequently become the world leader in international adoptions. However, many of the adoptions that had taken place had subsequently been found to be illegal. Investigations conducted between 2012 and 2014 had led to the arrest of a number of people who had engaged in illegal adoptions in Guatemala; of the 116 case files that had been reviewed, 4 were still pending.

*The meeting rose at 1 p.m.*