



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

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

### Summary record of the 2008th meeting

Held at the Palais des Nations, Geneva, on Friday, 13 October 2023, at 3 p.m.

Chair: Ms. Peláez Narváez

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

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

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

1. *At the invitation of the Chair, the delegation of Guatemala joined the meeting.*

*Articles 7–9*

2. **Ms. Aguilar Theissen** (Guatemala) said that, while the proportion of women on the electoral register was consistent with the demographic composition of the country reported in the most recent national census, the proportion that participated in the elections and were elected to public office was not. However, since the 2015 elections, there had been a relative increase in the number of women running for election and the number elected.

3. As of September 2023, there were two female ministers, 10 female Secretaries of State and nine ordinary commissions led by women. The Women’s Parliamentary Forum – a meeting place for women deputies to join forces, engage in dialogue on a wide range of subjects and create better living conditions for Guatemalan women – had been recognized by Agreement No. 26/2016. For the second year in a row, Congress had been led by a woman. In 2023, women accounted for 45.67 per cent of judges of the courts of first instance, 46.42 per cent of justices of the peace, 50 per cent of judges of the Supreme Court of Justice and 40.58 per cent of Appeal Court judges. In the Public Prosecution Service, as of June 2023, women held 4,981 positions out of a total of 12,291, and 69 decision-making positions out of a total of 149 in the technical, administrative and fiscal domain.

4. Representatives of women’s organizations participated in discussions at every level of the National Urban and Rural Development Council, the highest level decision-making body on development issues in Guatemala. None of the Supreme Electoral Court’s proposed bills and reforms to achieve parity between women and men and minority groups had yet been adopted. In terms of the representation of women at the international level, as of September 2023, 365 women were currently working at the Ministry of Foreign Affairs, including 36 women in managerial positions at the Ministry headquarters.

5. The Presidential Secretariat for Women played an important role in coordinating the work of the Committee on Women of the National Urban and Rural Development Council and the Council’s departmental commissions. Furthermore, in order to establish a more robust strategy to support women’s participation in the Council, the Secretariat was developing a methodology to obtain greater insight into the quality of women’s participation, the type of participation and obstacles to their participation.

6. **A representative of Guatemala** said that article 27 of the Constitution of Guatemala governed the right to asylum and the possibility of granting asylum to nationals of other countries. The Guatemalan Migration Institute had been created to establish the guidelines, requirements and conditions for obtaining asylum. To be considered a Guatemalan national, article 144 of the Constitution stated that a person must either be born to a Guatemalan national or be born in Guatemala. Migration within Central America was facilitated by article 145, which provided for the recognition of the nationality of origin of nationals of other Central American States. There were no problems of migration mobility, as the procedures for moving within the region were relatively simple. There were no obstacles to seeking asylum or to recognizing the nationality of children born in Guatemala.

7. With regard to the question raised at the previous meeting on migration and asylum cases handled by the Gender Unit of the Constitutional Court, the Court did not form part of the judiciary and therefore did not consider specific cases of violations. Instead, it oversaw the application of Constitutional guarantees. A re-evaluation of the Gender Unit was being carried out in order to optimize the use of its resources and staff, and court rulings in which the Court had referred to compliance with the Convention were being disseminated in order to promote women’s rights.

8. **A representative of Guatemala** said that the National Refugee Commission was in charge of granting applicants for refugee status special identity documents so that they could be identified in the country while they waited for the outcome of their application. The Ministry of Labour also issued work permits to applicants, which could be obtained within four days. Upon a successful application, refugees received a personal identity document that gave them the status of “domiciled alien”, affording them the same rights as a Guatemalan national. It was also possible for them to obtain an extendable work permit, initially valid for one year. Since 1986, Guatemala had recognized 870 people as refugees, the majority of whom were from countries such as El Salvador, Honduras, Nicaragua and Venezuela. The Guatemalan Migration Institute had a Subdirectorate for the Care and Protection of Migrant Fundamental Rights, including persons applying for refugee status, which provided shelters and care for migrants.

9. The Office of the Attorney General of the Nation carried out reception and evaluation procedures for unaccompanied minors, ensured that they received priority primary care and attempted to facilitate family reunification as quickly as possible. Unaccompanied girls and adolescent women were provided with comprehensive care and their right to be heard was promoted. The Attorney General’s Office had a protocol on care for unaccompanied foreign children and adolescents who had been displaced, as well as internal regulations on special protection measures aimed at restoring the human rights of children and adolescents whose rights had been threatened or violated.

10. **Ms. Manalo** said that she wished to know when the Elections and Political Parties Act would be amended and temporary special measures would be established with a view to introducing mandatory quotas for the representation of women in decision-making positions and ensuring parity and alternation between men and women in the nomination of candidates in political parties. She also wondered how the State party would ensure that diverse women and Indigenous Peoples were represented in elected positions. Furthermore, she would be interested to hear how the State party would protect the physical and emotional integrity of all persons, especially women, who participated in the entire electoral process. It would also be useful to establish how many women were career ambassadors, how many were currently practising diplomacy and whether there were more women than men in that field. Were young people, particularly girls, taught about the profession of diplomacy?

11. **Ms. González Ferrer** said that she would like to hear more about the mechanisms that the State party had put in place to promote women’s participation in elections and how they had been implemented. She would also like to know the number of Indigenous and rural women who occupied decision-making positions.

12. **Ms. de Silva de Alwis** said that, in the light of the responsibility of the country of origin to provide protection to migrating citizens and the economic insecurity typically faced by female migrants, she would like to know how the State party addressed the structural challenges posed by the cost and effect of the migration of women outside the country.

13. **A representative of Guatemala** said that, in 2022, the Office for the Defence of Indigenous Women had launched its first virtual training course in politics and migration rights for Indigenous women. The course aimed to increase their involvement in decision-making processes in the social, political, educational, health and justice spheres.

14. **A representative of Guatemala** said that the Presidential Commission on Discrimination and Racism against Indigenous Peoples conducted meetings and training sessions on the progress and challenges of implementing the Agenda for Garifuna Women and Women of African Descent and promoting the empowerment of Mayan women. The aim of its work was to raise awareness of such challenges among gender units and municipal women’s directorates to keep a focus on the legal rights of Indigenous Peoples, especially Indigenous women, and to promote women’s participation in that area.

15. **Ms. Aguilar Theissen** (Guatemala) said that the delegation would like to respond to the question on the foreign service in writing.

*Articles 10–14*

16. **A representative of Guatemala** said that the Ministry of Labour and Social Welfare ran programmes focused on providing decent employment to reduce the causes of migration, such as workshops aimed at people with a low level of education to equip them with occupational skills, while the National Technology Institute offered grants and training for women to help them find work. Labour mobility and safe, orderly and regular migration were encouraged through the provision of temporary work visas, and employment among young people was promoted through “My First Job” grants for persons aged 18 to 24. The Ministry organized career fairs at a national level, some of which were aimed at specific population groups such as returnees, women, persons with disabilities, young people, persons aged between 30 and 59, and older adults. Lastly, the Ministry of Economic Affairs also ran programmes aimed at training women to build small and medium-sized enterprises and had a development fund for micro, small and medium-sized enterprises of more than 798 million quetzales, most of which was earmarked for women.

17. **Ms. Manalo** said that she would like to know what concrete measures the State party had taken to promote the enrolment and participation of girls in school, particularly Indigenous girls, to ensure that they had access to education and stayed in school. She would be interested to hear whether any steps had been taken to provide Indigenous women with a bilingual education and to provide the necessary resources. She also wished to establish how girls and families from poor and marginalized communities were supported in getting an education and whether any temporary special measures had been taken.

18. She wished to know when comprehensive sexuality education would be introduced, which should include teaching girls about their rights and provide them with information and skills to prevent gender-based violence, in languages they understood. Lastly, she wondered what measures had been taken to support pregnant girls in school and ensure they were not stigmatized.

19. **Ms. de Silva de Alwis** said that she would like to know what steps the State party was taking to promote women’s access to employment, especially for women in vulnerable employment. She would also like to hear the State party’s position on the fact that maquila workers in Guatemala, 80 percent of whom were women, faced widespread sex discrimination based on reproductive status. She wondered how the State party intended to address the challenges faced by domestic workers, who were denied nationally recognized labour rights, including access to the social security system.

20. Given that the rule of law guaranteed access to justice and institutions of justice, she would be interested to hear whether the State party had an equal employment opportunity commission for complaints of workplace harassment and gender-based discrimination. Had efforts been made to address the gender-based stereotypes that were perpetuated in the country’s labour law?

21. She would welcome information on the steps that had been taken to support Indigenous women weavers and their 2,000-year-old traditional craft, given that the Constitution specifically protected traditional art, folklore and handicrafts.

22. Lastly, she wondered how the recent proposed decree on the protection of life and the family (Decree No. 18-2022), which would prohibit the teaching of sexual diversity and gender equality, would affect teachers and researchers working on gender equality.

23. **A representative of Guatemala** said that educational enrolment had increased among all age groups between the pre-primary and upper secondary levels under the current Government, and there were now almost equal numbers of boys and girls enrolled in secondary education. Programmes providing food and health care to schoolchildren were among initiatives credited with helping to reduce school dropout rates. More than 11,000 renovation projects had also been undertaken, the vast majority in rural areas where most of the Indigenous population lived. Bilingual education had been extended to 16 of the country’s languages, compared with 4 under the previous Administration, and the number of State scholarships, including scholarships for children with disabilities, had more than doubled, to 72,000, since 2019. The English scholarships programme strengthened support for rural and Indigenous populations in departments disproportionately affected by irregular migration,

helping to reduce the phenomenon by creating job opportunities in those communities. A bicentenary scholarship programme supported girls in departments with the highest levels of poverty, helping improve pupil retention. Farm schools growing food for schoolchildren provided a culturally and linguistically sensitive setting that helped empower Indigenous women and promote the local economy.

24. **A representative of Guatemala** said that more than 53,000 adolescents and young people had visited the country's 777 "friendly spaces". That initiative, which had been set up by the Ministry of Public Health and Social Welfare to provide comprehensive sexuality education, had been expanded through the Ponte Pilas digital game, which was part of a campaign intended to combat youth violence that would run until 2025. A life project tool was under development and a drawing competition had been held for adolescents and young people in commemoration of International Youth Day.

25. **A representative of Guatemala** said that the measures to empower Indigenous women, including weavers, included the Innovación Artesanal programme set up by the Ministry of Economic Affairs. The programme provided technical training and assistance as well as production management to help improve the quality of products and pave the way for international exports.

26. The Office of the Inspector-General of Labour had carried out 451 inspections in the maquila industry in 2023 compared with half that number in 2021. It had worked with the Association of Women Domestic, Home-based and Maquila Industry Workers to hold employment fairs informing people of employment opportunities and their labour rights. Labour rights training and advice were also being provided to women at national level by the Working Women' Section, with a focus on domestic work, and the Indigenous Peoples Section, which also assisted in the areas of entrepreneurship and employment. Women in Guatemala were entitled to the minimum wage.

27. **Ms. Tisheva** said that she would like to know what measures the State party planned to take, during the current presidential transition process, to stop a regressive trend that had seen laws and policies based on a conservative ideology being considered and adopted and to repeal such legislation that had already been passed. The initiatives in question included the 2021–2023 Public Policy for the Protection of Life and the Institutionality of the Family, approved by the executive branch in 2021, which contravened international human rights standards and failed to comply with treaty body recommendations on the rights of women, girls and boys and lesbian, bisexual and transgender women and intersex persons; the designation of 9 March as the Day for Life and the Family with the approval of Congress, one of whose provisions opposed abortion; bill No. 5940 on the protection of children and adolescents from gender identity disorders; the shelved decree on the protection of life and family, which failed to respect the human rights of women, girls and lesbian, bisexual and transgender women and intersex persons; and a highly conservative 2022 bill in support of the dignification of fetal death.

28. She wished to know when the State party would move to decriminalize abortion; ensure free access to safe abortion procedures and post-abortion care for women and girls; and ensure the full realization of the rights of women in terms of equality and their autonomy over decisions and choices about their reproductive rights. She would welcome information about any measures that would be put in place to further counter the alarming rate of maternal mortality, including by improving access to and quality of emergency health care and reaching remote locations where the phenomenon was most apparent. She would also like the delegation to clarify how the State party ensured the rights and health-care needs of minor girls in relation to safe abortion.

29. She wondered what steps had been taken to promote and ensure women's and girls' access to sexual and reproductive health and rights, especially in order to help prevent adolescent pregnancy by providing comprehensive sexual and reproductive health education and services. She wished to know the status of the State party's legislation relating to comprehensive sexuality education. She wondered how access to modern contraception methods would be improved and how the Government planned to tackle the phenomenon of early pregnancy.

30. She would welcome information about any measures to strengthen dialogue and coordination between the traditional and national health systems, improving the access of Indigenous Peoples and persons of African descent – including the active participation of women and girls – to culturally relevant health-care services. Lastly, she wished to know of any steps to implement an effective national strategy for preventing mother-to-child transmission of HIV, involving consideration of the interests of the key stakeholders.

31. **A representative of Guatemala** said that the initiatives that had been referred to were currently in the legislative process. Given that members of Congress were elected by the citizens of Guatemala, restricting proposals of new legislation on ideological grounds could undermine the country's democratic principles. Article 83 of the Civil Code had been amended through Decree No. 13-2017 and now prohibited marriage between minors under 18 years of age, including legal unions between minors as well as between adolescents and adults.

32. **Ms. Reddock** said that she would like to know whether, in addition to short-term support designed to directly assist children and households, the State party had any plans to introduce more robust and comprehensive social support and an expanded social security system that would cover self-employed women and women employed in the informal sector. She also wondered whether any mechanisms were in place to reduce the unpaid care burden shouldered by women and girls, and to what extent men and boys were prepared to share that burden. She would be grateful for information about any free or subsidized childcare facilities provided, for example, in community centres, workplaces and housing complexes to facilitate women's income-earning activity and reduce school dropout rates among girls. She would like the delegation to provide an update on the status of bill No. 5452, which provided for the adoption of the Women's Economic Development Act and had had its first reading in April 2021, and to explain the key strategies and monitoring and evaluation mechanisms that it contained. She wondered whether there were any plans to continue with the land registration process introduced under the Land Administration Project of the World Bank Group, which had begun documenting women's access to land in an innovative manner including both individual and communal land registration. She also wished to know what steps the State party planned to take to enact legislation to monitor and address gender discrimination in the financial sector which saw women charged higher rates of interest on bank loans than men, despite being less likely to default. Could a financial services ombudsperson be instituted to ensure women enjoyed non-discriminatory access to financial services?

33. **A representative of Guatemala** said that official statistics from 2022 indicated that just over 53 per cent of the population over four years of age was female. Nearly 1.9 million of them indicated that they had at least one visual, hearing or mobility impairment. Close to two thirds of that group identified as being of Ladino ethnicity, one third as being of Maya ethnicity and the remainder identified as foreigners or persons of African descent.

34. **Ms. Aguilar Theissen** (Guatemala) said that the Government recognized that women's economic empowerment was one of the most neglected issues in the country. It was exploring the extent to which existing programmes designed by the Ministry of Economic Affairs and the Ministry of Agriculture, Livestock and Food and targeted towards women were effectively aimed at reducing inequality and poverty, focusing specifically on the livelihoods of women, especially Indigenous women in rural areas. Women's access to land was one of the most critical issues in that regard and, although her country had policy instruments and legislation that favoured that access, there were challenges when it came to applying the law, including deep-rooted stereotypes concerning women's access to property.

35. For the first time, the Presidential Secretariat for Women was participating in the Specific Cabinet for Economic Development. It had proposed an update to its earlier agenda for women's economic empowerment in order to help draw up public policies that took into account recent statistics including data reflecting the impact of the coronavirus disease (COVID-19) pandemic.

36. The first steps were being taken to put the major challenge of care work back on the public agenda as a fundamental strategic issue, not only in terms of gender equality but also as a variable for sustainable development. As one example of how women's economic empowerment was being supported by social protection programmes, the Ministry of Social

Development was already incorporating care work into its updated social development policy. Women's access to financial services was the most important strategic challenge facing the authorities, and it was crucial that legislation and decisions taken at the highest level should have an impact in that area.

37. The road map for the prevention of early unions and pregnancy among girls and adolescents and action by local governments had now been officially approved, endorsed by civil society and was now being rolled out.

38. **A representative of Guatemala** said that, under the Constitution, the State guaranteed and protected human life from the time of conception. Therefore, abortion was authorized only for therapeutic purposes.

39. Several strategies had been implemented to reduce the maternal mortality rate and, between 1989 and 2019, it had dropped continuously from 219 per 100,000 live births to 105. It continued to disproportionately affect Indigenous women and women with little or no education.

40. Family planning clinics had been implemented on a national basis since 2019 and, for the first time, the country had an agreement with the United Nations Population Fund worth 28 million quetzales to ensure the availability of contraceptive methods in the country. Agreements had also been signed with non-governmental organizations for the provision of long-acting contraceptive methods and mobile health units, bringing health services closer to the population, and condoms had been made available at hospitals. The National Family Planning Guide was being updated and educational materials developed to inform young people about contraceptive methods and the National Plan for the Prevention of Unintentional Adolescent Pregnancy had been updated and implemented.

41. Kangaroo Mother Care (Mamá Canguro) guidelines drawn up to help reduce perinatal deaths were currently being validated and strategies and actions were under way involving midwives, who attended most births in Guatemala, particularly in rural areas. For example, guidelines had been written for the issuing of accreditation cards for midwives; the Indigenous Peoples' Affairs Unit had developed a National Policy for Midwives of the Four Peoples of Guatemala; a guide for intercultural dialogues on health had been completed for use by health-care staff; a procedure for hiring intercultural health facilitators had been drawn up; a web platform had been launched enabling midwives to register on a virtual national database; and a payment system had been set up for the work of midwives for the first time in the country's history. In addition, a general plan for culturally relevant communication was being developed to recognize and disseminate midwives' knowledge and experience in maternal and neonatal health, and research was being promoted into the use of traditional medicine in the national health system in a manner that respected and recognized the knowledge and wisdom of midwives and Indigenous Peoples.

42. **A representative of Guatemala** said that the Ministry of Social Development ran a social benefit scheme with a health focus and a secondary education benefit scheme that had helped support the education of more than 3,000 females in 2023. A higher education scholarship of 1,500 quetzales had benefited more than 1,000 women in 2023 and, under the Artisan Social Grant Programme, payments of 1,200 quetzales were paid to adults, preferably women, to help support them as they learned a trade.

43. **Ms. Bonifaz Alfonzo** said that, given that climate change had a significant impact on Indigenous peoples and a disproportionate impact on women, she would like to know what measures had been taken to mainstream a gender perspective into disaster risk reduction measures at the national level, notably in relief and recovery strategies, and to ensure women's effective participation in policy formulation and implementation in that area. What practical measures were in place to permit genuine participation by rural women and Indigenous community groups in the design of policies and programmes affecting their rights?

44. She would like to know whether prior consultation procedures that conformed to international standards were being carried out with Indigenous women in the context of large infrastructure projects, particularly hydroelectric projects.

45. She would be interested to hear about any land restitution processes currently under way for Indigenous peoples and about any steps taken to put a stop to the dispossession of land belonging to Indigenous communities, which particularly affected women. What support was provided to Indigenous women survivors of forced displacement or eviction from their ancestral lands and territories? In particular, noting that the Supreme Court judgement of 2016 in the *Sepur Zarco* case had been only partially implemented, with a number of older women who were in fragile health still awaiting reparation, she would like to know what was needed in order ensure full compliance.

46. It would be useful to hear about the steps taken and the time frame envisaged for enactment or implementation of the necessary legislation and policies to fully realize the rights of women and girls with disabilities, in particular the draft legislation on persons with disabilities, on the promotion of work and employment for persons with disabilities and on recognition of Guatemalan sign language. When would the national registers and the State party's various plans and programmes begin producing statistics disaggregated by type of disability?

47. She asked when the State party intended to give consideration to the criminalization of actions that resulted in enforced internal displacement and to make provision for reparation and restitution of the rights violated, in accordance with international standards such as the Guiding Principles on Internal Displacement.

48. In each of the previous two years, around 30 persons members of the community of lesbian, bisexual and transgender women and intersex persons had been murdered. The lack of official information on the characteristics and socioeconomic situation of that population group, on their difficulties in gaining access to health care or on the risks they faced due to their sexual orientation or gender identity, meant that such violence was effectively invisible. Were any measures being taken to rectify that situation?

49. She would be interested to hear whether there were plans to reopen discussions on the bill to protect children from gender identity disorders. She would also like to know whether there was a programme in place to improve the situation of persons deprived of their liberty.

#### *Articles 15 and 16*

50. **Ms. González Ferrer** said that, notwithstanding the raising of the age of marriage to 18, the civil registry had records of over 11,000 marriages involving children aged 9 to 17 between 2010 and 2021; she would like to know if that meant that the law was not being applied. Similarly, despite the strict criteria for the recognition and registration of de facto unions, girls did in practice enter into such unions. She would like to know what measures were in place to effectively prevent girls and adolescents from entering de facto unions while also recognizing and registering such unions for adult women, in order to ensure their legal protection, including after dissolution of the union.

51. The Committee wished to know how effective the application of the road map for the prevention of early unions and pregnancy among girls and adolescents had been. She asked whether the State party planned to review the age of consent to sexual relations, currently set at 12 in the Criminal Code.

52. She would appreciate information on any plans to improve protection mechanisms for women victims of crimes of violence within the family, given that, according to information received, the Children and Family Courts were not competent to try such offences and did not apply in practice the security measures they were empowered to order. She would also welcome the delegation's comments on information indicating that the minimum child support payments ordered by those courts were not sufficient to cover basic needs. Did the State party have a system for mainstreaming gender in the sensitisation and training of judges?

53. She would like to know what steps the State party was taking to ensure that its legislation and policy, and in particular the Public Policy on Protection of Life and the Institution of the Family 2021–2023, recognized and protected the civil and family rights of lesbian, bisexual and transgender women. In accordance with the Committee's general recommendations, and with the advisory opinion of the Inter-American Court of Human

Rights, which considered sexual orientation, gender identity and gender expression as categories protected under article 1 (1) of the American Convention on Human Rights, what measures did the State party envisage to guarantee the enjoyment by that population group of all its rights without discrimination? She asked what action the State party intended to take to ensure that bill No. 5940, defining gender diversity as an identity disorder, was dismissed.

54. **Ms. Aguilar Theissen** (Guatemala) said that a national plan on climate change with a gender perspective had been adopted within the framework of the National Urban and Rural Development Council, with the Ministry of the Environment and Natural Resources as the lead agency. Women's organizations at the local and national levels had been involved in the preparation of the plan, which made provision for access to information and production of statistics regarding women's participation in the design of mechanisms and proposals, particularly at the community level.

55. **A representative of Guatemala** said that, in the context of disaster risk reduction, the National Security Council was working on a national strategic security plan that included a number of actions that mainstreamed a gender perspective. A guide to gender mainstreaming in disaster risk reduction management had been produced by the Presidential Commission for Peace and Human Rights, and a general inspectorate was responsible for oversight of all aspects of the implementation of the plan.

56. **Ms. Aguilar Theissen** (Guatemala) said that sentence enforcement and the transposition of judicial findings into public policy were major challenges for her country. There was no national strategy on that subject and more needed to be done to invest in that area.

57. **A representative of Guatemala** said that progress had been made in implementing judgments such as the Sepur Zarco judgement, but considerable challenges remained. The Ministry of Culture and Sports had signed various contracts for the provision of traditional cultural activities, such as weaving and pottery, while the Ministry of Defence was to introduce the topics of women's human rights and legislation on prevention of violence against women into its military training courses. Meanwhile, from January 2021 to October 2022, the Ministry of the Interior had carried out nearly 900 police patrols.

58. The validation of land title was one of the biggest challenges in implementing the judgement, but progress was being made. A survey had been carried out of one of the properties concerned and negotiations were under way with the owners.

59. **Ms. Aguilar Theissen** (Guatemala) said that the road map for the prevention of early unions and pregnancy among girls and adolescents had only recently been adopted. In addition, it was addressed to local authorities, which in Guatemala were responsible for action in that area. It was therefore too soon to report on outcomes. Replies to the questions referring to the lesbian, bisexual and transgender population would be supplied in writing.

60. **A representative of Guatemala** said that the bill on the protection of life and the family had been shelved by parliamentary decision because it did not meet human rights standards. Bills Nos. 5708, on women's participation and comprehensive development, and 5890, on protecting women in public institutions from sexual and psychological violence, were before Congress but had yet to be put on the legislative agenda by the committee of the heads of parliamentary groupings. As to the question of ideology in parliamentary proposals, she wished to point out that the members of Congress represented the citizens of Guatemala who had elected them and to place constraints on proposals for ideological reasons could represent a violation of democratic principles.

61. As to the marriage of minors, she wished to recall that the Civil Code had been amended in 2017 to prohibit marriage by minors under the age of 18. Sexual relations with minors were defined in the Criminal Code as a crime of rape.

62. **A representative of Guatemala** said that the Ministry of Labour and Social Security had a department specifically to deal with persons with disabilities. It organized special job fairs and assisted employers in hiring persons with disabilities and in providing for reasonable accommodation for persons with disabilities in the workplace.

63. The Ministry also provided training under the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169), to ensure that prior consultations with Indigenous peoples were duly carried out.

64. **A representative of Guatemala** said that the lead agency for implementation of the National Plan to Prevent Pregnancies in Adolescents and Young Women in Guatemala was the Ministry of Health. The Plan was currently being updated to expand coverage and improve coordination among the various authorities responsible for action in that regard, taking a comprehensive approach and aiming to provide adolescent girls with life options and opportunities for development. The responsible committee's proposals took account of the social problems commonly faced by that group, the goals and outcomes of the General Government Policy 2020–2024, the K'atún “Our Guatemala 2032” National Development Plan, the Sustainable Development Goals and sectoral and crosscutting policies. The committee also provided support for strategic action in the implementation of the Plan at the departmental and municipal levels.

65. **A representative of Guatemala** said that the Life Programme, administered by the Ministry of Social Development, provided conditional cash transfers to pregnant girls and adolescents and mothers aged under 14, who had been victims of sexual violence and whose cases were before the courts. Conditions included, for example, a requirement for beneficiaries and their children to attend a health centre. In addition, from 2018 to 2023, 7,725,000 quetzales had been made available to enable over 850 girls to continue studying.

66. **Ms. Tisheva** said that she would appreciate further information on girls' access to education. How accessible was schooling for girls from all communities and what percentage of schools were genuinely operational, with electricity, running water and sewage? She would like to know what additional measures were in place, such as security and safety measures for girls in schools, stipends for girls from poor communities and special measures for families such as assistance with transport.

67. In general, she wished to say that all the information received could form the basis for a road map for gender equality and empowerment of women and girls in Guatemala at what was a particularly important point of political change and transition.

68. **Ms. Aguilar Theissen** (Guatemala) said that that was precisely why her delegation had requested the Committee to bring forward its consideration of the State party's report: as a means of establishing an agenda based on the discussion of the achievements to date and the outstanding challenges, and on the Committee's recommendations, for presentation to the new Government following the elections.

69. The answers to Ms. Tisheva's last set of questions on education would be provided in writing. Meanwhile, she thanked the members of the Committee for their stimulating questions, the members of her own delegation, UN-Women, which had facilitated the delegation's attendance and the civil society organizations present at the discussion. It was important to bear in mind that it was not the Government but the State that was represented.

70. **The Chair**, thanking the delegation for the constructive dialogue, which had provided further insight into the situation of women in Guatemala, said that the Committee commended the State party on its efforts and encouraged it to take all necessary measures to address the various recommendations that would be issued.

*The meeting rose at 5.15 p.m.*