

Tables for UN Compilation on Guatemala

I. Scope of international obligations¹

A. International human rights treaties²

International human rights treaties³

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1983)	–	ICPPED (signed, 2007)
	ICESCR (1988)		ICCPR-OP 2
	ICCPR (1992)		
	CEDAW (1982)		
	CAT (1990)		
	OP-CAT (2008)		
	CRC (1990)		
	OP-CRC-AC (2002)		
	OP-CRC-SC (2002)		
	ICRMW (2003)		
<i>Complaints procedures, inquiries and urgent action⁴</i>	CRPD (2009)		
	ICCPR-OP 1 (2000)	–	ICERD, art. 14
	OP-CEDAW, art. 8 (2002)		ICCPR, art. 41
	CAT, arts. 20 and 22 (2003)		OP-ICESCR (signed, 2009)
	OP-CRPD, art. 6 (2009)		CAT, art. 21
	ICRMW, art. 76 (2007)		OP-CRC-IC ICRMW, art. 77
<i>Reservations and / or declarations</i>	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Current Status</i>
	ICCPR-OP-1 (General declaration, 2000)	–	–
	CRC (Declaration, art.1, 1990)		
	OP-CRC-AC (Declaration, art. 3 para. 2, minimum age of recruitment 18 years (2002)		

B. Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	<p>Convention on the Prevention and Punishment of the Crime of Genocide Palermo Protocol⁵</p> <p>Conventions on refugees and stateless persons⁶</p> <p>Geneva Conventions of 12 August 1949 and Additional Protocols thereto, except Protocol III⁷</p> <p>ILO fundamental conventions⁸</p> <p>ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries⁹</p> <p>UNESCO Convention against Discrimination in Education</p> <p>Rome Statute of the International Criminal Court</p>	–	<p>ILO Convention No. 189 concerning decent Work for Domestic Workers¹⁰</p> <p>Protocol III additional to the Geneva Conventions¹¹</p>

II. Cooperation with human rights mechanisms and bodies

A. Cooperation with treaty bodies

Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	February 2010	2013	May 2015	Combined sixteenth and seventeenth reports due in December 2017
CESCR	–	2011	November 2014	Fourth report due in 2019
HR Committee	March 2012	2016	–	Fourth periodic report pending consideration in 2018
CEDAW	February 2009	2015	–	Combined eighth and ninth reports pending consideration in November 2017

CAT	–	2012 and 2017	May 2013	Seventh periodic report pending consideration
CRC	October 2010	2016	–	Combined fifth to sixth reports pending consideration in 2018
ICRMW	September 2011	–	–	Second periodic report overdue since 2016
CRPD	–	2013	August 2016	Combined second to fourth ^h reports due in 2023

Responses to specific follow-up requests from concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
CERD	2016	To give priority to the gender-based approach and take fully into account the principle of self-identification when conducting the census and compile statistical data on the population of African descent; Participation of indigenous and Afro-descendent persons in political life. ¹²	2016. ¹³ Ongoing dialogue. ¹⁴
HR Committee	2013	To ensure that the reparations measures adopted under the National Reparations Programme systematically include comprehensive care with cultural and linguistic relevance, with a focus on psychosocial support, restoration of dignity and recovery of historical memory; to investigate the whereabouts of disappeared persons and facilitate the mechanisms for truth and reparation for victims of forced disappearances; to provide effective protection for human rights defenders ¹⁵	2013 and 2014. ¹⁶ Further information requested. ¹⁷
CEDAW	2010	To ensure the provision of financial resources for the implementation of the Act on Femicide and Other Forms of Violence against Women; to implement gender-sensitive training on	Further information requested. ¹⁹

		violence against women for public officials, particularly law enforcement personnel, the judiciary and health-service providers; to modify social and cultural attitudes which are the root causes of most forms of violence targeting women ¹⁸	
CAT	2014	To ensure or strengthen fundamental legal safeguards for detainees; conduct prompt, impartial and effective investigations; prosecute suspects and sanctioning perpetrators of torture or ill-treatment ²⁰	2014. ²¹ Further information requested. ²²
CRPD	2017	To expedite the process of approval of Framework Bill No. 5125 on disability; draw up a strategy for the deinstitutionalization of persons with disabilities and allocate sufficient resources to the development of local community support services, including personal assistance, to enable all persons with disabilities, regardless of disability, gender or age, to choose freely with whom, where and in what living arrangement they wish to live ²³	–

B. Cooperation with special procedures²⁴

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitations</i>	Yes	Yes
<i>Visits undertaken</i>	Special Rapporteur on the human rights of migrants (24-28 March 2008)	Special Rapporteur on the sale of children, child prostitution and child pornography (20-29 August 2012)
	Special Rapporteur on education (21-28 July 2008)	
	Special Rapporteur on the independence of judges and lawyers (8-13 May)	
	Follow up, Special Rapporteur on the right to food (3-5 September 2009)	

	Special Rapporteur on the right to health (12-17 May 2010)	
	Special Rapporteur on indigenous people (14-18 June 2010)	
<i>Visits agreed to in principle</i>	<i>Special Rapporteur on freedom of peaceful assembly and of association</i>	<i>Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non recurrence</i>
	<i>Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment</i>	<i>Special Rapporteur on the rights to freedom of peaceful assembly and association</i>
	<i>Special Rapporteur on the sale of children, child prostitution and child pornography</i>	<i>Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment</i>
<i>Visits requested</i>	<i>Independent Expert on foreign debt (Requested 2008)</i>	<i>Independent Expert on foreign debt (Requested 2008)</i>
		<i>Special Rapporteur on the rights of indigenous peoples</i>
		<i>Working Group on discrimination against women in law and in practice</i>
		<i>Working Group on the issue of human rights and transnational corporations and other business enterprises</i>
		<i>Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination</i>

Responses to letters of allegation and urgent appeals

During the period under review, 13 communications were sent. The Government replied to all communications.

C. Status of national human rights institutions²⁵

National human rights institution

Status during previous cycle

Status during present cycle²⁶

Notes

¹ Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Guatemala from the previous cycle (A/HRC/WG.6/14/GTM/2).

² The following abbreviations have been used in the universal periodic review document:
 ICERD International Convention on the Elimination of All Forms of Racial Discrimination

ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

³ The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
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CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

⁴ Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art.

- 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.
- ⁵ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- ⁶ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.
- ⁷ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilians Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non- International Armed Conflicts (Protocol II). For the official status of ratifications, se Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.
- ⁸ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 Concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- ⁹ International Labour Organization Convention No.169, concerning Indigenous and Tribal Peoples in Independent Countries.
- ¹⁰ International Labour Organization Convention No.189 concerning Decent Work for Domestic Workers.
- ¹¹ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see at <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/vwTreaties1949.xsp>
- ¹² CERD/C/GTM/CO/14-15, para. 34. See the CERD/C/GTM/CO/14-15/Corr.1.
- ¹³ CERD/C/GTM/CO/14-15/Add.1.
- ¹⁴ Letter from CERD to the Permanent Mission of Guatemala to the United Nations Office and other international organizations in Geneva, dated 22 December 2016, available from: http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/GTM/INT_CERD_FUL_GTM_26203_E.pdf.
- ¹⁵ CCPR/C/GTM/CO/3, para. 29.
- ¹⁶ Available from http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=GTM&Lang=EN.
- ¹⁷ Letter from HR Committee to the Permanent Mission of Guatemala to the United Nations Office and other international organizations in Geneva, dated 9 June 2015, available from http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/GTM/INT_CCPR_FUL_GTM_20915_S.pdf.
- ¹⁸ CEDAW/C/GUA/CO/7, para. 47.
- ¹⁹ Letter from CEDAW to the Permanent Mission of Guatemala to the United Nations Office and other international organizations in Geneva, dated 3 September 2013, available from http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/GTM/INT_CEDAW_FUL_GTM_15069_E.pdf.
- ²⁰ CAT/C/GTM/CO/5-6, para. 28.
- ²¹ CAT/C/GTM/CO/5-6/Add.1.
- ²² Letter from CAT to the Permanent Mission of Guatemala to the United Nations Office and other international organizations in Geneva, dated 29 August 2016, available from http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/GTM/INT_CAT_FUL_GTM_25012

_E.pdf.

²³ CRPD/C/GTM/CO/1, para. 79.

²⁴ For the titles of special procedure mandate holders see:

<https://spcommreports.ohchr.org/about/abbreviations>

²⁵ According to article 5 of the rules of procedure of the Global Alliance of National Human Rights Institutions (GANHRI), the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).

²⁶ The list of national human rights institutions with accreditation status granted by the Global Alliance of National Human Rights Institutions (GANHRI), accessed at:
http://www.ohchr.org/Documents/Countries/NHRI/Chart_Status_NIs.pdf.
