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for the Universal Periodic Review of the human rights situation in Guatemala

to the **Human Rights Council**
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Justification for Submission

1. The present submission is an update to review the progress that has been made by the Government of Guatemala (hereinafter 'GoG') to end Child Sexual Exploitation¹ (hereinafter 'CSE') and assess the level of implementation of the UPR recommendations pertaining to CSE. New recommendations to end CSE in Guatemala will be made.
2. The scope of this submission is limited to CSE and its different manifestations, including exploitation of children in prostitution,² online child sexual exploitation (hereinafter 'OCSE'), 'child pornography',³ child trafficking for sexual purposes and sexual exploitation of children in the context of travel and tourism⁴ (hereinafter 'SECTT') and child marriage.

CSE in Guatemala

3. In this report the term child will mean *children and adolescents*.
4. Guatemala has a troubled recent past, with an internal armed conflict that inflicted misery on the country for 36 years until the signing of peace accords in 1996. According to the Commission for Historical Clarification ('CEH') approximately 160,000 people were executed and around 40,000 disappeared.⁵ The troublesome past contributes to the fact that Guatemala scores below average in the region on the human development index. The country has a medium human development,⁶ with 12% of the population living under the poverty line.⁷ After the peace accords, Guatemala was plagued by 'Mara' or gangs that are known to recruit new members through trafficking.⁸ The country hampers with both insecurity and impunity which reflects the weakness of public institutions. The International Commission against Impunity in Guatemala ('CICIG') says that during 2012, the level of impunity in Guatemala exceeded 72%, which is in fact a substantial improvement of previous years.⁹ Drawn by economic opportunities outside Guatemala, many parents leave their children behind in search for income. This has a detrimental effect on child protection. At least 40% of the population declared to be indigenous, a figure higher than in Bolivia and almost equal in Peru.¹⁰
5. Guatemala has a relative young population with 30% of its 16 million population under 18 years of age.¹¹ Child labour is prevalent with 26% of the children working, although there is a big gap between boys (35%) and girls (16%).¹² CSE is a complex, highly invisible crime that changes constantly with the globalisation, increased migration and travel as well as the expansion of the Internet. Vulnerability to CSE increases with poverty, social exclusion, social tolerance for CSE, impunity, unstable family situations. Migrants and indigenous people are more vulnerable to fall victim to CSE.
6. According to the Attorney General of Human Rights CSE is widespread and all segments of youth are exposed to the risk, but girls, indigenous and poor children are at the greatest risk.¹³ In a survey by ECPAT Guatemala, 36% of individuals surveyed in five cities were aware of at least one case of trafficking for sexual purposes, the majority of which (76.9%) involved a child victim.¹⁴
7. In Guatemala, the **exploitation of children in prostitution** is prevalent. The aforementioned 'Mara' or gangs have been reported in the news to recruit children and adolescents to exploit in prostitution. They consequently blackmail the 'clients' for having sex with a minor.¹⁵ An ECPAT Guatemala study conducted of 2010 in Guatemala City and Ayutla on the exploitation in

prostitution of boys, estimated the number of boys exploited in prostitution is double that of adult men who engage in prostitution. Many of these boys are sons of immigrants from other Central American countries and grow up in an atmosphere of violence, crime, drugs and gangs.¹⁶

8. **Online child sexual exploitation of children** and ‘**child pornography**’ is a problem in Guatemala with 107 mobile phones per 100 inhabitants and 23% of the population connected to the Internet.¹⁷ The production and the offering of ‘child pornography’ are prohibited in Guatemala. However, to date it is easy to obtain this material on the streets of Guatemala. Sellers, often minors, offer ‘*pirate*’ DVDs, are used as distributors of ‘child pornography’. With the increase of the use of Internet and mobile phones, distribution channels have shifted. According to the Attorney General on Human Rights, pornography involving children has been reported in the regions of Huehuetenango, Jutiapa, Retalhuleu and Guatemala City, among others.¹⁸ It is now common for male adolescents to make videos of their girlfriends and publish or sell these videos on the Internet or share them among friends.¹⁹
9. Guatemala is a source, transit, and destination country for **child trafficking for sexual purposes**. Women, girls, and boys from Guatemala and other Latin American countries are sex trafficked domestically as well as in the region, including the United States. Statistics are not collected for CSE offenses, but they are collected for trafficking cases. However, these statistics include labour trafficking and trafficking of adults. Between 2010 and 2012, there were 497 trafficking complaints.²⁰ Of the complaints received by the Ombudsman between 2007 and 2012, 52% regarded child victims.²¹
10. Tourism has been increasing steadily with 1,5 million international arrivals in 2015.²² **SECTT** is an acknowledged problem in Guatemala as an emerging destination for SECTT,²³ where foreign tourists, mostly from Canada, the United States, and Western Europe exploit child victims. However, cases do not appear in statistics. From February 2009 to July 2012 prosecutors did receive three complaints related to SECTT, but no cases were reported by the judiciary. The Special Rapporteur on the sale of children, child prostitution and child pornography found this odd as SECTT “*is prevalent in certain areas, such as Antigua, Puerto Barrios, Río Dulce, around Lake Atitlán and Tecún Umán. Child sex tourists predominately come from Canada, Germany, Spain and the United States. Child pornography and commercial sexual exploitation are often promoted and included as part of tourism packages*”.²⁴ SECTT seems often facilitated by the Internet. In the colonial city of Antigua, Guatemalan children, who work in the informal sector or brothels, are either contacted by intermediaries or via the Internet. A new trend in Guatemala is to access a tourist guide portal with tips on issues ranging from security to the price of a prostitute.
11. **Child marriage** is declining, though still prevalent with 7% of children married by 15 and 30% by 18 years of age.²⁵ The legal age to marry is 18 years according to the Civil Code. However, parents – or in their absence the court - can grant permission to a 16-year-old male and a 14-year-old female to marry. Child marriage is often utilised to improve the living conditions of the girl’s family. Coming from impoverished families, the girls are forced to abandon school upon marrying, perpetuating the cycle of poverty. This is very common in the heavily indigenous regions of Guatemala, such as Quiché, Huehuetenango and Quetzaltenango.²⁶ The Committee on the Rights of the Child has recommended the GoG to amend its legislation and raising the minimum age for marriage at 16 years for woman and only allowing exceptions in exceptional cases.²⁷ Till date, this recommendation has not been implemented by the GoG.
12. In the latter part of 2015, the GoG adopted the 2030 agenda for Sustainable Development. This framework of action commits the GoG to eliminate all forms of violence against children, including sexual abuse and exploitation.²⁸ It is therefore timely and appropriate for Guatemala to strengthen its efforts to end CSE.

General recommendations to end CSE in Guatemala

- Conduct a nationwide assessment on all CSE manifestations to develop evidence based policies and strategies.
- Raise the minimum age of marriage to 18 years of age, only allowing exemptions in exceptional, court-approved cases.

Legal framework

13. In line with the Convention on the Rights of the Child, the *Constitution* and the *Civil Code* define children as under 18 years of age. The *Law of Comprehensive Protection of Childhood and Adolescence* was adopted in 2003 to harmonise Guatemala's legal system with the Convention on the Rights of the Child. The terms "child" and "adolescent" are defined in that law. A child is a person under the age of 13 and an adolescent is from age 13 until he or she turns 18.²⁹ Section VIII contains the right protection from sexual exploitation and abuse, including "*use in prostitution, entertainment or pornographic material*".
14. The *Law against sexual violence, exploitation and trafficking in persons* was adopted in 2009, reforming the Criminal Code to include trafficking related crimes. The law defines trafficking conform the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, 2000*, although without referring to the means of trafficking. The sentences are between eight and eighteen years' imprisonment.
15. Exploitation of children in prostitution is prohibited by the *Criminal Code* with sentences from five to – in case of victims below 10 as aggravating circumstances - sixteen years.³⁰
16. Guatemala has not clearly legally defined 'child pornography' in its national legislation. A partial definition could be construed from article 194 of the Criminal Code, which prohibits the production of 'child pornography': "*Whoever produces, manufactures, or develops, in whatever form and through whatever medium, **pornographic material which contains a real or simulated image or voice, of one or many minors or of a person with a mental disability, in pornographic or erotic actions...***" (emphasis added). Not all OPSC elements are covered in the Criminal Code. Possession with the intent to sell has not been included. Also, it would be advisable to include online solicitation of children for sexual purposes and the offense of live streaming. Finally, it is not entirely clear whether article 194 of the Criminal Code could be construed as prohibiting also 'virtual child pornography' where it criminalises a 'real or simulated image or voice' of a minor.³¹
17. The Criminal Code also prohibits the facilitation and organisation of SECTT with sentences from six to ten years of imprisonment.³²
18. The *Law against sexual violence, exploitation and trafficking in persons* includes principles to protect child victims of CSE in criminal proceedings, such as confidentiality, special protection, non-re-victimisation, respect to cultural identity, information, speedy trials, presumption of underage, restoration of rights and the central principles of the best interest of the child, non-discrimination and the right to participation.
19. Victim and witness protection is laid down in the *Law for the protection of procedural subjects and persons linked to the administration of criminal justice*.

Legal recommendations to end CSE

- To better address 'child pornography' the GoG is advised to:

- Elaborate a detailed definition of “child pornography”, including all the elements set forth under the OPSC.
 - Explicitly criminalise ‘virtual child pornography’.
 - Prohibit under its domestic laws the acts of accessing or downloading ‘child pornography’, as well as online solicitation of children for sexual purposes and live streaming of ‘child pornography’.
 - Establish specialised cybercrime units within the prosecutor’s office legally mandated to investigate ‘child pornography’ offences.
 - Accede to the Convention on Cybercrime (Budapest, 23 November 2003).
 - Amend the General Law of Telecommunications to require cooperation of ISPs with public prosecutors and justice officials during investigations and prosecutions of online child sexual exploitation.
- Make CSE offences ‘non-bailable’.
 - Make it obligatory to report any suspected sexual exploitation of a child, with strong sanctions for noncompliance and develop protection mechanisms for those who report the crime.
 - Regulate the obligations of employers to obtain police clearances and implement codes of conduct for national and international employees and volunteers who have direct contact with children.

Coordination to end CSE

20. In 2007 the *Inter-Agency Commission against People Trafficking* (‘CIT’) was formed to improve cooperation and coordination across ministries. Its work is supported by the *Secretariat against Sexual Violence, Exploitation and Trafficking in Persons* (‘SVET’), created in 2009 under the auspices of the Office of the Vice-President.
21. In 2012 an *Inter-Agency Commission against Sexual Violence* was established. Members come from the Ministries of Interior, Health and Education, as well as a delegate of the prosecution office, National Civil Police, SVET, the National Institute of Statistics, the Presidential Secretariat for Women and the Coordinator to prevent domestic violence against women.
22. Till date there has not been a national action plan to combat CSE. A *National Action Plan 2007-2017 to combat trafficking* was developed by the Inter-Agency Commission against Trafficking and the Ministry of Foreign Affairs (‘MoFA’).³³ In 2013 SVET and MoFA convened regular meetings to update the National Action Plan which resulted in a new plan for the period 2013 – 2023. The plan does not sufficiently focus on children as well as CSE, which seems a missed chance.
23. The implementation of the National Action Plan for childhood and adolescence 2004 – 2015 was hampered due to a lack of budget and coordination mechanisms. Another relevant plan is the National Policy for Youth 2012 – 2020. This plan does incorporate the prevention of CSE and some aspects of recovery and reintegration services, however the budget is limited.
24. Local and international NGOs and international development partners have instated a *Network on Trafficking in Persons* to improve coordination among non-state actors. ECPAT Guatemala is an active member of this network.
25. The *Organisation of American States* (‘OAS’) convenes yearly to facilitate regional integration, coordination and cooperation of various legal State apparatuses.
26. Guatemala and El Salvador have a bilateral memorandum of understanding on the protection of victims of trafficking in persons.

27. Between 2009 and 2013 a *Regional Coalition against Trafficking in Persons* was financially supported by the Inter-American Development Bank (IDB) focused on sexual exploitation in Central America. ECPAT Guatemala, as the executing body, coordinated the development of national and regional guidelines to improve coordination in the fight against trafficking in persons for each of the five countries. Thus, the states articulated a *Regional Coalition against Trafficking in Persons* in 2011.
28. Some international aid agencies have worked with the government on anti-trafficking. Save the Children and the Spanish Agency for international co-operation for development (AECID) supported an international anti-trafficking programme for Central America between 2008-2012. *SVET* and *International Organization for Migration ('IOM')* signed an agreement of cooperation in the fight against trafficking in persons in 2012 to e.g. improve monitoring and the collection of statistics by *SVET*.
29. Despite efforts of *SVET* to bring more attention to the issue of CSE, inter-agency cooperation and coordination is still weak. As already noted in 2012 by Dr Najat Maalla M'jid, the Special Rapporteur on the sale of children child prostitution and child pornography, there is insufficient international cooperation, especially regarding extraterritorial jurisdiction, extradition, mutual legal assistance and the confiscation of the proceeds of activities related to CSE cases.³⁴

Recommendations regarding coordination

- Provide more resources to *SVET* to coordinate the actions to end CSE and to include internet-related sexual exploitation in its mandate
- Collect disaggregated data in a CSE database and use monitoring systems to inform policy and action on CSE.
- Adopt a national action plan to end CSE, or at least integrate CSE in the existing national action plans on child protection, allocate sufficient budget for implementation and include a proper monitoring and evaluation of the plan(s).
- Support the implementation the Interinstitutional Protocol for Protection and Comprehensive Care of Victims of Trafficking in Persons by providing sufficient resources, as well as monitor and evaluate the tool on regular intervals.
- Decentralisation of the government is necessary to provide more prevention, protection and recovery & reintegration services on the ground.

Prevention

30. Since 2012, the Procurator's Office on Human Rights has a Unit of Prevention of the Trafficking dedicated to the defence, protection, promotion, and education in trafficking, as well as institutional strengthening and the supervision of the public administration on trafficking issues. The work of the unit has so far been noteworthy in continuity in a non-political, non-partisan manner. The Unit published a yearly report on the state of trafficking in Guatemala. The reports unfortunately do not contain statistics on CSE.
31. In 2013 the GoG introduced a new type of personal identification document, abandoning the 82-year-old neighbourhood card system in a bid to prevent trafficking.
32. The *Code of Conduct for the protection from Sexual Exploitation in Travel and Tourism* – a worldwide tool - to prevent CSE in the context of tourism and travel.³⁵ The Code provides tools to the travel and tourism sector to prevent and intervene SECTT. The code of conduct is free and membership is voluntary. Members commit to publicly take a stance against SECTT, train their staff, adopt policies and monitor. By 2013 56 companies were member of the code of conduct. *The Guatemalan Institute of Tourism (INGUAT)*, the state entity governing the promotion and

development of Guatemalan Tourism, is also a member. To date over 4,000 staff in the travel and tourism sector have been trained.

33. Awareness raising is not implemented by the GoG in any structural manner, nor has the GoG taken on the role of coordinator, monitor and evaluator of the prevention endeavours. Most initiatives are taken by international development agencies and NGOs and most initiatives focus on trafficking. In 2013, the IOM, with funding from USAID, carried out various awareness-raising activities, mostly in the Department of San Marcos, with the authorities of eight municipalities and 499 communities. In 2013 the *MTV Exit* campaign was held to educate vulnerable children and young people. In 2013 the *Regional Coalition against Trafficking in Persons* held a campaign "*Life is not always what we think*" to alert Central American young people about the dangers of migration.
34. However, some initiatives have focussed specifically on CSE. *SVET* held an anti-SECTT campaign in 2013 at airports and border areas and included training of travel agencies and tour operators. Following the campaign the participants, including *Guatemalan Institute of Tourism* and the *Trade Union Chamber of Tourism*, the *Foundation of Hoteliers of Guatemala*, UNICEF and ECPAT Guatemala established a National Plan for the prevention of and protection against SECTT. As part of the mentioned plan, a National Bureau was established for the coordination of actions. This Bureau now also manages the *Code of Conduct*.
35. Training of stakeholders also takes place on a non-structural, ad-hoc basis and is focussed mostly on trafficking, not CSE per se. The IOM has provided trainings in 2013 to teachers in the Department of San Marcos, at the border with Mexico. Various US agencies have provided training of law enforcement officials.

Recommendations on prevention

- Raise public awareness about CSE, specifically among vulnerable groups, and the sanctions on the crime and coordinate, support, monitor and evaluate the awareness raising activities.
- Invest in child empowering prevention programmes included in the standard school curricula on CSE and its root causes.
- Establish a sex offenders register to ensure the activities of offenders are monitored/restricted and the possibility for interaction with children is reduced. The arrangements for a register should be heavily regulated, with a focus on who should be allowed access, how long an offender must register for and which crimes warrant registration.
- Promoting child protective social norms through community development projects, and the media, including social media.
- Adopt mandatory policies to protect children in new public or private tourism developments, including the obligation to conduct thorough human-rights impact assessments.
- Actively promote the *Code of Conduct for the protection from Sexual Exploitation in Travel and Tourism*.
- Put in place mechanisms to evaluate awareness-raising and prevention operations.

Protection

36. The National Civil Police has an investigation department dealing with sexual offences and trafficking of persons, including children, falling under the Sub Directorate-General for Criminal Investigations.
37. In 2012, Alliance, on behalf of the *Network on Trafficking in Persons*, requested the GoG for the creation of a public prosecutor against trafficking who was appointed in the same year. The public prosecutor can follow up on cases without complaint. The office is in the City of Guatemala, but services the whole nation. The office has 18 staff members.

38. In 2016, the Guatemalan National Police inaugurated a new Office of the Unit Against Cybercrime with the aim of strengthening actions of prevention, investigation, and attention to children victims of cybercrime.
39. Between February 2009 and July 2012, the Public Ministry (MP) reported 463 complaints for the offence of exploitation of children in prostitution, of which 123 cases were prosecuted, leading to a mere 6 convictions. In this regard the Attorney General on Human Rights stated that the low number of convictions obtained in three years is very serious and it seems to reflect social acceptance of the issue. Another issue noted by the Attorney General is the underreporting of cases of exploitation of child in prostitution and corruption hampering access to justice.³⁶ Victims do not report fearing re-victimisation or retaliation.
40. Similar patterns of impunity can be seen with other CSE offenses. Of the 497 trafficking complaints received between 2010 and 2012, 184 cases sent to the court and a mere 10 sentenced, thus resulting in an impunity of 96%.³⁷ And in the period February 2009 until July 2012 58 complaints were received on ‘child pornography’, leading to 38 prosecutions and only 4 convictions, thus an impunity of 95%.³⁸
41. In 2012 two specialized courts were created to address trafficking and violence against women: one in the criminal court of first instance and one in the High Criminal Court.
42. The Inter-Agency Committee against trafficking, coordinated by the SVET and by MoFA drafted an *Interinstitutional Protocol of Protection, Care and Repatriation for Victims of Trafficking*, including procedures for child victims. Unfortunately, the implementation of the protocol has been weak.
43. CSE trainings are not regularly given to staff in the Justice Sector. Trainings in trafficking has been given to the National Civil Police on trafficking in persons.

Recommendations on protection

- Ensure that law enforcement agencies have the resources and skills to identify, investigate and respond to CSE and are enabled to use child-friendly methods when dealing with child victims and witnesses, and that enforcement is not undermined by corruption or social tolerance for CSE.
- Invest in the development of analytical tools and new investigative techniques to enable law enforcement to identify perpetrators and rescue victims and ensure that victims are identified and treated as such and are not punished.
- Cooperate across agencies and borders among the police and judiciary to allow exchange of information for investigations and prosecution of every case where a person is suspected or accused of having sexually exploited a child in another country.
- Create incentives for companies that prioritise child protection.
- Establish and fund a nationwide hotline services, sufficiently staffed and trained, 24 hours available, with a broadly published number and toll free.
- Prioritise government officials and teachers that commit CSE offenses by prosecuting their offences vigilantly.
- Empower police to act as undercover agents online in the context of an investigation of ‘child pornography’ offences.
- Involve the private sector’s engagement, including Internet service providers to block and report CSE content on the Internet and the travel and tourism sector in reporting CSE crimes and raising the awareness of the public.

- Sign the WePROTECT government statement of action
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/484757/FINAL_Country_SOA_111215.pdf.
- Conduct a self-assessment related to their adherence to the WePROTECT Model National Response
[https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/477580/WePROTECT - Model National Response 2 .pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/477580/WePROTECT_-_Model_National_Response_2_.pdf).
- Enhance the regular exchange of up to date information about travelling child sex offenders among law enforcement agencies across jurisdictions of countries of demand, supply and victimisation, including greater use of the following tools:
 - INTERPOL 'Green Notice' for convicted sex offenders who are likely to reoffend in other countries;
 - denying entry to convicted child sex offenders who are likely to reoffend.

Recovery and reintegration

44. The *Law against sexual violence, exploitation and trafficking in persons* considers it the duty of the State to provide physical, psychological and social recovery. This duty falls mostly under the Department of Social Welfare. The Department of Social Welfare does provide temporary homes of protection and operates three shelters for children with various needs, including migrant children. Assistance programs provided by the Department of Social Welfare have been subject to constant criticism from different NGOs as the services provided are not sufficient in quality and quantity.
45. Services provided by the State are concentrated mostly in the city of Guatemala. The majority of services are provided by NGOs such as *El Refugio de la Niñez* and *La Alianza* that provides comprehensive care of child victims of trafficking and sexual violence. *Alliance* provides trainings, awareness raising about trafficking and sexual violence as well as protection, legal aid and shelter for victims.

Recommendations on recovery and reintegration

- Implement identification procedures of CSE victims within vulnerable groups.
- Offer or subsidise tailored recovery and reintegration services to all CSE victims, not just trafficking victims.
- Ensure that child-sensitive services are available and regulated by quality standards, implemented by knowledgeable, well-trained staff with adequate resources and easily accessible to all children.
- Develop emergency shelters for child victims who offer integrated services (psychological, legal, medical, etc.), pending the decision of the juvenile judge.
- Strengthen the capacities of the staff of childcare facilities that care for children who are victims of sexual CSE, including identification of victims and methods of intervention.
- Ensure that CSE victims are not treated as criminals; the burden of proof falls on the authorities and not on the victim.

Child and Youth Participation

46. The *National Youth Policy* guarantees and supports the participation of young people and the exercise of their full rights for youth defined between the ages of 13 to 29 years. Unfortunately, beyond the policy, there are few measures taken to implement these rights.

47. Different government agencies have sought to create space for participation of children, although most are more focused on awareness raising than on actual participation. The web page www.infantil.congreso.gob, created by the Congress of the Republic with the support UNDP aims to involve children in legislative activities. At local level there are the *Community Councils for Development* ('COCODES') and the *Municipal Councils for Development* ('COMUDES') where children can speak out and influence in matters relating to their own development.
48. The Association 'IDEI' created the Guatemalan Parliament for children.
49. Meanwhile, ECPAT Guatemala has been part of a worldwide Youth Partnership Programme to engage child and youth in actions against CSE developed by ECPAT International. Children and youth in Guatemala who participated in this initiative felt empowered to prevent CSE and support their peers.³⁹

Recommendations on child and youth participation

- Strengthen by creating mechanisms for the systematic participation of children within policies and programmes that affect them.
- Support the participation of children in decision-making on policies that affect them.
- Work with children as an agent for change, e.g. through social media channels and with the global Bill of Rights for Child Victims of Sexual Exploitation and Abuse. ECPAT and partners developed the Bill of Rights for Child Victims of Sexual Exploitation and Abuse with the input of 400 children and youth, most of whom are CSE survivors from 28 countries. The Bill of Rights was endorsed at the Global Forum for Survivors of Childhood Sexual Exploitation on 18 November 2016. Spanish: <http://bit.ly/BoRsp>, English: <http://bit.ly/BoReng>.



ECPAT Guatemala's work focuses on child protection and the prevention of commercial sexual exploitation of children through training sessions for officials and organisations involved in combating CSEC; coordinating programmes that provide direct care to child victims of CSEC; researching and developing literature and other materials on the subject; technical consulting; promoting public policies on social and organisational protection; and lobbying for legal reforms to help children and young people who are victims of CSEC.



ECPAT International is a global network of civil society organisations working for the eradication of all forms of sexual exploitation of children. For the past 26 years, ECPAT has acted as the international watchdog, monitoring States' response to sexual exploitation of children, and advocating for robust international measures to protect children from sexual exploitation. ECPAT International currently has 95 network members operating in 86 countries across eight regions of the world.

¹ The used term is in line with the recently widely adopted Terminology Guidelines. ECPAT International (2016), “*Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, adopted by the Interagency Working Group in Luxembourg, 28 January 2016*”, Bangkok: ECPAT, 24, accessed on 15 March 2017, <http://luxembourgguidelines.org/>.

² Ibid., 29. ECPAT prefers the term ‘exploitation of children in prostitution’ instead of ‘child prostitution’ in line with the recently widely adopted Terminology Guidelines. ECPAT International (2016).

³ Ibid., 39. ECPAT prefers the term *child sexual exploitation or abuse images*, but in a legal context still uses ‘child pornography’ in line with the recently widely adopted Terminology Guidelines.

⁴ Ibid., 54.

⁵ CEH, “*Guatemala: memory of silence*”, Chapter II, volume 3, accessed on 15 March 2017, <https://web.archive.org/web/20130506054141/http://shr.aas.org/guatemala/ceh/mds/spanish/mandato/m4.html>.

⁶ UNDP (2015), “*Human Development Report 2015*”, 48, accessed on 15 March 2017, http://hdr.undp.org/sites/default/files/2015_human_development_report.pdf.

⁷ United Nations Children’s Fund (UNICEF) (2016), “*The State of the World’s Children 2016; A Fair Chance for Every Child*”, 143, accessed on 15 March 2017, https://www.unicef.org/publications/files/UNICEF_SOWC_2016.pdf.

⁸ ECPAT (2014), “*Country Monitoring Report Guatemala*”, 13, accessed on 15 March 2017, http://www.ecpat.org/wp-content/uploads/2016/04/CMR_GUATEMALA_FINAL.pdf.

⁹ CICIG (2013), “*Sixth report of the work of the International Commission against impunity in Guatemala, (Period September 2012 - August 2013)*”, 6, accessed on 15 March 2017, <http://cicig.org/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=427&cntnt01returnid=511>

¹⁰ INE (2012), “*Statistical characterization of the Republic of Guatemala*”, 15, http://www.ine.gob.gt/sistema/uploads/2014/02/26/5eTC_cFIHERnaNVeUmm3iabXHaKgXtw0C.pdf.

¹¹ United Nations Children’s Fund (UNICEF) (2016), “*The State of the World’s Children 2016; A Fair Chance for Every Child*”, 139, accessed on 15 March 2017, https://www.unicef.org/publications/files/UNICEF_SOWC_2016.pdf.

¹² United Nations Children’s Fund (UNICEF) (2016), “*The State of the World’s Children 2016; A Fair Chance for Every Child*”, 151, accessed on 15 March 2017, https://www.unicef.org/publications/files/UNICEF_SOWC_2016.pdf.

¹³ Attorney General of Human Rights (2012), “*Report to the special UN rapporteur on the sale of children, child prostitution and the use of child pornography Ms. Najat Maalla M’jid*”, 5, accessed on 15 March 2017, <http://www.pdh.org.gt/biblioteca/file/24-informe-a-la-relatora-especial-de-naciones-unidas-sobre-la-venta-de-ninos-la-prostitucion-infantil-y-la-utilizacion-de-ninos-en-la-pornografia.html>.

¹⁴ A. Saadeh, M. Caballero (2014), “*La Trata de Personas con fines de Matrimonios Forzados, Explotación Sexual Comercial y Explotación Laboral en Huehuetanango, Quetzaltenango, Totonicapán y Quiché*,” Guatemala: ECPAT Guatemala-IBIS.

¹⁵ Strategy and business, “*Guatemala: gangs recruit children from six years*”, 2 October 2013, http://www.estrategiaynegocios.net/csp/mediapool/sites/EN/CentroAmericayMundo/CentroAmerica/Guatemala/GT_Sociedad/story.csp?cid=473011&sid=1422&fid=330 and The Viewer, “*Denounce recruitment of children to commit crimes in Guatemala*”, 30 November, 2008, <http://www.elespectador.com/noticias/elmundo/articulo94848-denuncian-reclutamiento-de-ninos-delinquir-guatemala>.

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- ¹⁷ United Nations Children’s Fund (UNICEF) (2016), “*The State of the World’s Children 2016; A Fair Chance for Every Child*”, 135, accessed on 15 March 2017, https://www.unicef.org/publications/files/UNICEF_SOWC_2016.pdf.
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