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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Twenty-eighth session**  
Geneva, 6-17 November 2017

### **Draft report of the Working Group on the Universal Periodic Review\***

#### **Guatemala**

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\* The annex to the present report is circulated as received.

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-eighth session from 6 November to 17th November 2017. The review of Guatemala was held at the 6<sup>th</sup> meeting on 8 November 2017. The delegation of Guatemala was headed by the President of the Presidential Coordinating Commission on the Executive Policy on Human Rights, Jorge Luis Borrayo Reyes. At its 14th meeting held on 14 November 2017, the Working Group adopted the report on Guatemala.
2. On 13 February 2017, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Guatemala: Croatia, Ecuador and India.
3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Guatemala:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/28/GTM/1);
  - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/28/GTM/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/28/GTM/3).
4. A list of questions prepared in advance by Belgium, Brazil, Liechtenstein, Norway, Portugal, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, and Uruguay was transmitted to Guatemala through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The delegation of Guatemala reiterated its firm commitment to respect, guarantee and promote human rights. It recalled the historic result of peaceful demonstrations at the national level by the Guatemalan people in September 2015, which provoked, without the shedding of a single drop of blood, the resignation of the President and Vice President of the Republic of Guatemala after being denounced for corruption, processes that are currently being clarified before national courts.
6. The capacity of Guatemala to overcome this political crisis showed the consolidation of the Constitution and the proper functioning of State powers. Congress appointed a transition Government that maintained governability and the sovereign expression of the people culminated with the election of the current and fiftieth President of Guatemala, Mr. Jimmy Morales Cabrera, for the period 2016-2020.
7. The delegation expressed its gratitude to all the States that had participated in the second cycle UPR of Guatemala, noting that 111 recommendations were accepted in the last evaluation, 27 were noted and 5 voluntary commitments were assumed. The delegation expressed its desire to report on relevant and important actions to comply with these recommendations.
8. Regarding the National Legal Framework and Public Policies, out of the 63 policies in force, 33 had been approved between 2012 and 2017. The National Human Rights Policy 2017-2021 was currently being drafted.
9. The delegation underscored aspects of Guatemala's compliance with international commitments related to the submission of periodic reports to treaty bodies and visits of special procedures, among others.

10. Since 2005, under the initiative of the Government of Guatemala, the Office of the High Commissioner in the country had been in operation and its mandate was renewed by the President of the Republic in September 2017. Guatemala was pleased by the visit that the United Nations High Commissioner for Human Rights will make to Guatemala in the coming days.
11. The delegation highlighted the signing of the Tripartite Agreement between the State, the representatives of the workers and employers sectors, which overcame the complaint raised in light of article 26 of the Constitution of the International Labour Organization.
12. On equality and non-discrimination, Guatemala highlighted that in May 2014, the Public Policy for the Coexistence and Elimination of Racism and Racial Discrimination and the institutionalization of spaces with specialized mandates to address the rights of indigenous peoples were approved.
13. Regarding trafficking in persons, the delegation underscored several instruments adopted, such as in 2015 the Inter-institutional Coordination Protocol for the Protection and Attention to Human Trafficking.
14. On enforced disappearance, the delegation underscored that Guatemala was immersed in an evolutionary process of national reconciliation. The approval of the initiative of Law 3590 of the National Commission of Search of Disappeared Persons, and the ratification of the International Convention for the Protection of All Persons against Enforced Disappearances, already had favourable opinions in Congress.
15. Meanwhile, there were national mechanisms such as the Special Investigation Procedure of the Human Rights Ombudsman, and cases under investigation by the Public Prosecutor's Office through the Human Rights Section.
16. Regarding the fight against impunity, the Anti-Corruption Section of the Public Prosecutor's Office had increased to 12 agencies, one of which was installed within the Comptroller General of Accounts. There had been an increase in complaints regarding acts of corruption between 2012 and June 2017, and 247 sentences were obtained.
17. Regarding the International Commission Against Impunity in Guatemala (CICIG), the Government renewed, for two more years, its mandate to continue the investigation of parallel bodies and clandestine security apparatuses. Guatemala acknowledged the support that CICIG has provided to the Public Prosecutor's Office and the National Civil Police, in the transfer of capacities in the processes of investigation and criminal prosecution.
18. In relation to the right to identity, the National Registry of Persons -RENAP- promoted in 2015 the "Pilot Plan for the Early Warning System for Life" and, due to its positive impact, since 2016 it had already been implemented as a system. Between 2013 and 2016, 239 registration tables were installed to locate children who did not have registration and the registration of 443,774 people was carried out.
19. In terms of adoptions, the adoption process was approved and from 2012 to 2014 the responsible institutions reviewed 116 adoption records in transition. They found that 4 of these were pending completion, and having found anomalous processes, the arrest of people involved was achieved.
20. On November 3, 2014, the Chixoy Policy was approved, which installed the Verification and Follow-up Board in 2015. The implementation of individual compensation was agreed and between 2015 and 2016 the payment to 1929 families was made effective.
21. In response to the precautionary measure issued by the Inter-American Commission on Human Rights, in favour of the patients of the National Mental Health Hospital "Federico Mora", several actions were highlighted, including the withdrawal of the National Civil Police within the facilities and the review and updating of protocols for admission, management and treatment of patients with mental health problems.
22. Guatemala noted that the Instance for the Analysis of Attacks against Human Rights Defenders in Guatemala is coordinated by the Vice Ministry of Security of the Ministry of the Interior, with the participation of judges, journalist, union leaders and LGBTI persons.

23. As a follow-up to the recommendations of the Committee on the Rights of Persons with Disabilities, the Action Plan 2017-2021 was launched.
24. Guatemala underscored its commitment to the Sustainable Development Goals. The Conditional Monetary Transfers on Education and Health was one of the social programs which was aimed at implementing policies in the field of education, health, nutrition and productivity for people living in poverty and extreme poverty. Guatemala also highlighted the Family Farming Program for the Strengthening of Peasant Economy.
25. The new Migration Code entered into force in April 2017, which established aspects such as the strengthening of migratory security, recognized the full right to migrate and the respect for the rights of migrants.
26. The Institute of Public Criminal Defence led two cases before the Inter-American Court of Human Rights that allowed the Supreme Court of Justice to review and commute the death penalty by imprisonment of prior and subsequent cases. The Constitutional Court upheld on October 24, 2017 the unconstitutionality action brought against the application of the death penalty contained in the Criminal Code and the Law against Drug Trafficking.
27. Fighting violence against women, the Supreme Court of Justice expanded to 29 specialized justice bodies in 12 departments.
28. The Judicial Branch, the Public Prosecutors Office and the Institute of Public Criminal Defence established Gender Equality and Access to Justice Policies in each of the institutions, and have monitoring mechanisms set up for their implementation. In March 2017, the Public Prosecutors Office created the Women's Secretariat, as the unit responsible for promoting gender equality policies within the Institution.
29. The Judicial Branch has strengthened the Unit for Control, Monitoring and Evaluation of the specialized bodies in femicide and other forms of violence against women. In August 2016, the Public Prosecutors Office created the Crime of Femicide Section.
30. To meet the basic needs of the people and families affected by the judicial eviction provisions, the government is launching a humanitarian program that, based on respect for international protocols, provides comprehensive care to said populations.
31. In response to recommendations from the States in previous reports, Guatemala had promoted actions to deinstitutionalize children, taking into account the best interest of the child. The Government regretted the tragedy in the Virgen de la Asunción Children's Home, and reported that it has taken urgent measures so that the relevant institutions can better articulate their plans, programs and actions in favour of vulnerable and unprotected children.
32. The delegation stated that Guatemala continued to carry out actions for the implementation of the Follow-up System for Recommendations called -SIMORE-, which consisted of a public online platform to monitor the implementation of international recommendations on Human Rights. Under the lead of the Presidential Human Rights Commission, this system will work with the participation of all State institutions, which will include their actions that respond to recommendations issued by human rights protection bodies. With the support of the State of Paraguay, the process will be finalized during 2018. This system will also seek to strengthen the spaces for participation of civil society organizations at the national level to follow-up the recommendations of the Universal Periodic Review and other bodies for the protection of Human Rights.

## **B. Interactive dialogue and responses by the State under review**

33. During the interactive dialogue, 68 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.
34. Egypt commended the efforts made by the government to improve the human rights situation of Guatemala and the implementation of recommendations made during the last cycle. The delegation also welcomed, among others, how they bolstered economic, social and cultural rights.

35. El Salvador congratulated Guatemala for ratifying most human rights instruments and for incorporating their principles into national law. It welcomed its implementation of best practices to improve integration and protection of vulnerable groups and of policies to counter human trafficking and torture.
36. Finland agreed with need to decentralise the International Commission against Impunity in Guatemala to all regions and to protect justice officials and human rights defenders. It noted that violence against women remains alarmingly high and awareness-raising is urgently required.
37. France welcomed Guatemala's adoption of judicial reforms and its advances in combatting impunity through the work of the International Commission against Impunity in Guatemala. It welcomed its strengthening of the Prosecutor's Office and the 2016 reform establishing judicial independence.
38. Georgia noted with appreciation Guatemala's significant results in the fight against corruption and impunity, and it highlighted cooperation between the CICIG and Guatemala's Office of the Attorney-General.
39. Germany commended Guatemala's achievements concerning the rights of indigenous peoples and children. It appreciated that civil society stood against corruption and impunity, taking note of Guatemala's request to renegotiate the CICIG mandate. It was concerned about serious human rights issues.
40. Ghana welcomed the efforts to strengthen the Special Criminal Investigation Division within the national police and noted with concern that the Advisory Council of the National Office to Prevent Tortures is yet to be operational.
41. Greece noted with appreciation positive steps taken by Guatemala to combat illiteracy, to provide adequate housing for all as well as to elaborate the Policy on Gender Equality and Promotion of Women's Human Rights.
42. Haiti welcomed Guatemala's progress in the fight against impunity, abolition of the death penalty in civil cases as well as its adoption of the National Strategy for the Prevention of Chronic Malnutrition 2016-2020.
43. The Holy See took note of the efforts to strengthen healthcare, social and housing programmes for all as well as to enhance literacy among children and adults, therefore establishing multicultural society. It highlighted initiatives to ensure food security for children.
44. Honduras welcomed the adoption of the Public Policy on Coexistence and Racial Discrimination and the elaboration of the National Strategy to Prevent Chronic Malnutrition 2016-2020.
45. Iceland stated that while welcoming the progress made in the protection and promotion of human rights since Guatemala's second UPR review, there was still room for important improvements.
46. India noted with appreciation Guatemala's implementation of the Zero Hunger Pact Initiative and encouraged it to remain steady on the path towards promotion of human rights in their country.
47. Indonesia welcomed creation of Guatemala's child protection system and its programmes addressing racial discrimination. It considered that the cooperation with national human rights institutions is essential in this regard.
48. Iraq commended Guatemala's progress in combatting corruption, impunity and criminal organisations. It welcomed its Public Policy for Coexistence and Eliminating Racial Discrimination and its National Strategy for the Prevention of Malnutrition, and its establishment of a cabinet of indigenous populations and inter-culturalism.
49. Ireland encouraged Guatemala to continue addressing the continued inequality and exclusion of indigenous people. It welcomed its publication of a procedural guide for consulting peoples. It noted that harassment, intimidation, attacks and criminalisation of human rights defenders remained issues of grave concern in Guatemala.

50. United Kingdom of Great Britain and Northern Ireland welcomed efforts to protect women from violence and tackle impunity and corruption. It expressed concern over the lack of progress on justice reform and urged Guatemala to protect rights of human rights defenders and freedom of press.
51. Italy commended Guatemala's positive developments in justice reform and appreciated its efforts to address violence against women and children.
52. Libya welcomed Guatemala's efforts to implement previous recommendations, notably in promoting human rights and rule of law. It commended Guatemala for the adoption of the Policy for Coexistence and Elimination of Racism and protection of justice officials and human rights defenders.
53. Lithuania noted with appreciation the voluntary commitments taken by Guatemala as well as the efforts and results achieved in the fight against impunity.
54. Luxemburg welcomed the National Dialogue on the justice reform and noted that this was an important step to ensure access to justice and independence of judiciary. It expressed concern over the situation with human rights defenders and journalists.
55. Malaysia praised Guatemala's efforts to address chronic malnutrition through its Zero Hunger Pact initiative, to enhance productive capacities of women by helping them to establish small and micro-enterprises. It also commended Guatemala's training programmes for indigenous women.
56. Maldives welcomed Guatemala 2016-2020 policy aligned with "Our Guatemala 2032" National Development Plan as well as the National Strategy to Prevent Chronic Malnutrition. It recognised an inclusive model to develop and strengthen the network of health services and human resources.
57. Mexico commended Guatemala for the establishment of the Inter-Institutional Commission against Human Trafficking and progress made within the Literacy Committee, programmes on nutrition and care of women in vulnerable situations.
58. Montenegro acknowledged progress in combatting corruption and impunity and encouraged Guatemala to intensify efforts to create an enabling environment for children, prohibiting corporal punishment. It raised concern over high rates of violence against women, asking Guatemala to elaborate on planned activities to raise awareness on this matter.
59. Morocco welcomed Guatemala's efforts on human rights, noting measures to guarantee the right to food, reduce mother and child mortality, combat violence against women and promote women's political participation, protect children and promote the rights of children with disabilities.
60. The Netherlands welcomed efforts made to promote human rights in the police and judiciary, and highlighted the importance of CICIG to combat organized crime. The delegation was concerned about remaining challenges and mistreatment of certain groups (human rights defenders, journalists...).
61. New Zealand highlighted the National Preventive Mechanism against torture was still not operational. The delegation also showed concerns regarding high rates of gender-based violence and the legal status of death penalty, while commending Guatemala's agreement to consider abolishing it.
62. Nicaragua acknowledged progress since last review. It particularly welcomed Guatemala's legislative and political efforts to combat human trafficking and to eradicate racism and racial discrimination.
63. Norway commended Guatemala on the progress made by the Public Prosecutor to advance justice and reduce impunity. The delegation also showed its concern about increased levels of poverty (especially affecting indigenous peoples), which need to be addressed with coherent strategies.
64. Pakistan appreciated Guatemala's adoption of the "Public Policy for Coexistence and Elimination of Racism and racial Discrimination". It commended its efforts against human

trafficking, its adoption of the "Protocol for Inter-agency Coordination on Protection and Assistance for Victims of Human Trafficking".

65. Panama acknowledged Guatemala's challenges related to organized crime. It commended efforts to strengthen the human rights legal and institutional framework, and welcomed the national agreement to protect labour rights, including the right to form trade unions.

66. Paraguay raised concern about the high rate of femicides and violence against women, and the indigenous women's vulnerability. It welcomed measures to empower vulnerable groups, promote indigenous women's rights, prevent domestic violence, and promote gender equality, including the legal age marriage increase.

67. Peru commended Guatemala's efforts to implement previous recommendations. It highlighted progress to combat corruption and impunity as well as measures to promote the right to health, education and culture of indigenous people.

68. The Philippines commended Guatemala for measures to advance women's rights, encourage participation of women in society and promote their empowerment through its Policy on Gender Equality and Promotion of Women's Human Rights. It welcomed its policies to protect the rights of migrants.

69. Portugal commended Guatemala for its efforts to address violence and insecurity, resulting in fewer violent deaths during the last two years.

70. The Republic of Korea commended the Guatemalan Government's active role in increasing access to public education and its focus on providing public health services. It welcomed its progress in judicial reform.

71. Serbia commended Guatemala for its efforts in the empowerment of women, specifically those in rural areas and indigenous women. It welcomed its adoption of the Policy on Gender Equality and Promotion of Women's Human Rights in line with international instruments.

72. Sierra Leone commended Guatemala for its National Development Plan and national prison reform policy. It applauded its efforts to tackle malnutrition through its National Strategy to Prevent Chronic Malnutrition and its Zero Hunger Pact. It asked for information on its action concerning Afro-Guatemalans.

73. Singapore welcomed Guatemala's reactivation of the National Coordinating Body for the Prevention of Domestic Violence and Violence against Women. It acknowledged its efforts to improve public health, education, housing and employment programmes and commended its "My Golden Years" programme for the elderly.

74. Slovakia regretfully noted that the death penalty is still legal in Guatemala. It commended it for its Roadmap for the Prevention and Elimination of the Worst Forms of Child Labour and. However, child labour cases are still reported despite targeted inspections.

75. Slovenia encouraged Guatemala to implement measures to prevent violence against women and girls and to bring perpetrators to justice through allocation of sufficient resources to ensure access to justice for women victims. It commended it on recent progress in extrajudicial killings and corruption.

76. Spain commended Guatemala's efforts to fulfil previous recommendations, improvements within human rights institutions, and progress in combatting violence against women. It raised concern about cohabitation of minors with delinquents in some State-driven care institutions. It referred to the situation of human rights defenders.

77. Sweden noted that gender-based and LGBTI-related violence is frequent in Guatemala despite measures taken to strengthen the legal framework and create institutions. Human rights and gender perspective in ordinary court judgments are noted in some cases but prevention, resource allocation and implementation remain challenges.

79. Switzerland welcomed the Guatemalan Constitutional Court's decision on unconstitutionality of the death penalty for civil offences and hoped that this would prompt



abolition of capital punishment. It was concerned by the intimidations, attacks and reprisals against human rights defenders and by discrimination against indigenous populations.

80. Timor-Leste commended Guatemala for holding national consultations to prepare for the UPR. It appreciated the adoption of a new hospital care protocol for victims of sexual violence and the establishment of a Child Protection System.

81. Ukraine welcomed Guatemala's efforts to adopt the National Strategic Plan, to extend the National Reparations Programme and to sign an agreement with Uruguay to install SIMORE system. It noted that reports on attacks on journalists and lack of accountability for human rights violations are a matter of concern.

82. Israel welcomed Guatemala's establishment of the "Our Guatemala 2032" National Development Plan, the Comprehensive Differentiated Health Strategy for Transgender Persons in Guatemala 2016-2030, the National Strategy to Prevent Chronic Malnutrition 2016-2020, the Telematic Surveillance Act, the Inter-Agency Commission against Trafficking in Persons, the Child Protection System and Child Pornography Unit.

83. United States of America commended Guatemala's efforts to combat impunity and ensure institutional continuity, expressing concern over the ousting of the CICIG Commissioner and criminalisation of and violence against human rights defenders, journalists and justice sector actors.

84. Uruguay welcomed the national consultation undertaken with civil society organizations, which identified as Guatemala's priorities the need to address violence against women and the situation of indigenous people. It praised the establishment of an Ombudsman on Sexual Diversity.

85. The Bolivarian Republic of Venezuela took note of Guatemala's efforts related to human rights. It referred to the lack of independency of the judiciary, allegedly permeated by criminal organizations, which resulted in impunity. It urged to investigate cases of killings, intimidation, violence, arbitrary detentions and defamation against human rights defenders and journalist. It raised concerns about violence against children and youths within State-driven care institutions.

86. Algeria welcomed the progress made by Guatemala on the promotion and protection of human rights, in particular in the areas of development, racial discrimination, human trafficking, penitentiary reforms, child protection, and sexual violence.

87. Angola commended Guatemala for the progress made in the social and economic sectors. It, however, noted with concern the difficulties on access to health and education, and on the mechanisms for the protection of minors, regarding child labour.

88. Argentina welcomed the ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.

89. Armenia appreciated Guatemala's voluntary submission of the midterm reports and steps to adopt the Public Policy for Coexistence and Elimination of Racism, to reduce malnutrition, especially in rural areas, and to establish the protection mechanisms for vulnerable groups.

90. Australia welcomed Guatemala's progress in ensuring gender equality and improving health and wellbeing of LGBTI. It was concerned by reports of the lack of independence of the judiciary and that women, transgender and transsexual people faced violence, while human rights activists faced threats and were heavily penalised.

91. Azerbaijan commended Guatemala's commitment to the UPR process, noting progress achieved since the previous cycle. It praised Guatemala for building constructive cooperation with the UN human rights mechanisms.

92. Bahrain noted with satisfaction the implementation of the strategy to completely eliminate hunger and raised concern over the spread of violence against women, racism, discrimination against, particularly, indigenous and Afro-descendant women. It called on Guatemala to swiftly resolve this issue.

93. Belgium acknowledged that positive steps were taken by Guatemala regarding the implementation of recommendations accepted during its second review. However, it was convinced that further progress could still be achieved to prevent and address violence against women and the fight against impunity.
94. The Plurinational State of Bolivia welcomed the Inter-institutional Forum and the National Consultation with organizations of civil society and expressed concern about the lack of consultation to indigenous peoples, and the obstacles for them to access their rights.
95. Burkina Faso congratulated Guatemala for the progress it had made since the last review. However, it noted that several concerns remained, in particular in the areas of security, justice, violence against women, and the rights of children and indigenous peoples.
96. Canada urged Guatemala to fulfil its commitment to reduce chronic malnutrition by 10% including through the development of a comprehensive policy to address food insecurity. It welcomed that the Constitutional Court found death penalty unconstitutional.
97. Chile expressed concern about the fact that indigenous peoples continue being victims of racial discrimination, inequality and exclusion and that – as long as inequalities between men and women persist – the indigenous women will suffer from a double discrimination.
98. Costa Rica stated that despite measures adopted, the rates of chronic malnutrition among children, particularly in rural zones, continue to be very high. It also expressed concern about discrimination against indigenous peoples.
99. Côte d'Ivoire welcomed the adoption of legislative and institutional reforms with a view to protecting and promoting human rights in the country. It encouraged Guatemala to continue its efforts in the field of human rights.
100. Denmark stated that protecting the sexual and reproductive health and rights of women and girls was of paramount importance. It took note that Guatemala had established a national mechanism for the prevention of torture, which was however not operating.
101. Ecuador welcomed efforts to implement recommendations of the second cycle of the UPR, particularly the adoption of the Institutional Strategic Plan 2017-2021, envisaged to articulate public policies and national legislation in order to consolidate the strengthening and institutional development.
102. Brazil welcomed Guatemala's efforts to ensure the enjoyment of human rights by all citizens. It suggested that Guatemala adopt effective measures to protect the life and physical integrity of lesbian, gay, bisexual and transgender persons.
103. As part of the delegation of Guatemala, a number of State institutions presented their statements. The Judicial Branch and the Supreme Court of Justice of Guatemala welcomed the boost given to the Law initiative on the National Sex Offender Registry and the Genetic Data Bank and the security measures granted to victims of domestic violence and femicide. It underscored among other actions the removal of judicial measures to safeguard the freedom of individuals and combat overcrowding in prisons through alternative mechanisms to incarceration, as well as the follow-up to the cases of victims in the Virgen de la Asunción Children's Home.
104. The Institute of Public Criminal Defence of Guatemala, referred to its National Coordination of Human Rights that addresses gender issues, underscoring its work on women, human rights and disadvantaged groups including intern patients at the Federico Mora National Mental Health Hospital. It underscored the National Coordination of Free Legal Assistance to Victims and their families and highlighted the use of cultural expertise to train judges on the subject of Indigenous Law, and the early releases carried out as a means of combating prison overcrowding.
105. The Public Prosecutors Office of Guatemala highlighted the creation of the Prosecution against Trafficking in Persons Section, the creation of the Protocol for the Attention to Victims, the General Instruction that regulates mechanisms for the attention, coordination and intervention regarding victims, and the strategy for criminal prosecution of the crime of Trafficking in Persons. It underscored the system of Child Protection and the

work of the Unit against Child Pornography as well as the creation of the Childhood and Adolescence Section.

106. The Ministry of the Interior of Guatemala, highlighted the creation of the Specialized Unit for Sexual Offences and the Anti-Human Trafficking Unit, the ratification of the Arms Trade Treaty, the financial support aimed at preventing family violence and violence against women, the improvement of internal and external security according to the new model of Penitentiary Management and the creation of the first detention center for women under this model. The Government was committed to continue complying with the protection of life and physical integrity of human rights defenders and journalists.

107. The Ministry of Labour and Social Welfare of Guatemala highlighted the construction of the National Employment Policy, the promotion of the strategy "Friendly spaces of breastfeeding in the workplace" and "Inclusive Employment" for people with disabilities. It reported on progress achieved in the eradication of child labour, the reform of the Labour Code granting sanction capacity to the Labour Inspection, and the draft Law 5199 sent to Congress to adapt national legislation to international treaties, particularly ILO Convention 87.

108. The Presidential Commission Against Discrimination and Racism of Guatemala, underscored the incorporation of the rights of Indigenous Peoples through, inter alia, the coordination between Indigenous and Official Legal System. It highlighted the promotion of the Education Strategy 2012-16 and the National Education Strategy for Peaceful Coexistence. It referred to conditions of permanent dialogue within the framework of democratic institutions, the creation of the Women's Unit for the care of indigenous women, the issuance of the Protocol for the care of Women Victims of Violence, and the development of defence strategies observing legal pluralism and the comprehensive care for indigenous women deprived of liberty.

109. The Ministry of Public Health and Social Assistance of Guatemala, through the Protocol of Attention to Victims of Sexual Violence, authorized the opening of several public prosecutor's offices in hospitals, trained servers and health providers on the use of the Comprehensive Care Guide for pregnant women under 14 years old, and incorporated actions aimed at comprehensive sexual education and the prevention of teenage pregnancies. The delegation indicated that technical-normative guidelines were elaborated within the National Reproductive Health Protocol.

110. The Presidential Secretariat for Food and Nutritional Security of Guatemala stated it had developed the National Strategy for the Prevention of Chronic Malnutrition, collecting the recommendations of the Impact Assessment of the Zero Hunger Pact Plan. The Law on School Feeding was adopted with the aim of guaranteeing nutrition and health to children that attend schools.

111. Finally, the delegation of Guatemala stated it had acknowledged the recommendations that deserve more attention from its point of view, to correct errors and carry out new actions. It valued international cooperation, both bilateral and multilateral, and expressed they should under no circumstance be deviated towards private interests or others which are not to safeguard fundamental rights and liberties. It expressed its will to accept those recommendations which truly would contribute to the human rights protection system. It acknowledged all the gestures of support to the efforts done by Guatemala under the vision that development is the best way to achieve human rights for peace.

## **II. Conclusions and/or recommendations\*\***

**112. The recommendations formulated during the interactive dialogue listed below have been examined by Guatemala and enjoy the support of Guatemala:**

**112.1. Establish a systematic consultation and follow-up mechanism with civil society and non-governmental organizations on the implementation of**

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\*\* The conclusions and recommendations have not been edited.

**recommendations formulated in the framework of the universal periodic review (Haiti);**

**112.2. Keep its standing follow up mechanism of the recommendations (Paraguay);**

**112.3. Continue the good cooperation with the Office of the High Commissioner for Human Rights at country level which has generated concrete results including the development of new jurisprudence in the field of human rights (Norway);**

**112.4. Continue internal institutional processes to strengthen democracy, justice and respect for human rights (El Salvador);**

**112.5. Finalize and implement a national action plan to follow-up the UN Guiding Principles on Business and Human Rights (Norway);**

**112.6. Continue to provide sufficient funding for its human rights programs and activities (Philippines);**

**112.7. Increase funding and political support for government human rights institutions and programs, including the Presidential Commission on Human Rights, the Human Rights Ombudsman's office, and the National Reparations Program (United States of America);**

**112.8. Strengthen national efforts to combat discrimination, xenophobia and racism, in particular discriminatory practices against indigenous people, migrants, refugees, and people of African descent (Egypt);**

**112.9. Explicitly incorporate the approach based on gender rights and sensitivity, the Public Policy for Coexistence and Racial Discrimination and the Plan for its implementation so that, in line with the 2030 agenda, no one is left behind (Honduras);**

**112.10. Continue efforts to ensure the promotion of the rights of indigenous peoples (Armenia);**

**112.11. Continue efforts to facilitate and promote indigenous peoples' access to education, sanitation, property and public positions (Holy See);**

**112.12. Continue its efforts in taking steps to eliminate further racial discrimination, in consultation with national human rights institutions and all other relevant stakeholders (Indonesia);**

**112.13. Continue implementing effective actions to combat discrimination and guarantee indigenous people's rights, by improving access to public services, life expectancy, education -including comprehensive sexual education-, infrastructure and salary (Mexico);**

**112.14. Continue and double the efforts to combat racism, racial discrimination and other related forms of intolerance, placing particular attention to the structural elements of discrimination that might affect the effective exercise of the rights to health, education, decent work and participation in decision-making processes, by indigenous people and people of African-Descent (Nicaragua);**

**112.15. Expedite the implementation of the Public Policy for Coexistence and Elimination of Racism and Racial Discrimination (Sierra Leone);**

**112.16. Put in place effective measures and policies to address discrimination against indigenous peoples (Sierra Leone);**

**112.17. Strengthen the System of Development Councils in order to improve the participation of the indigenous population in the public management (Plurinational State of Bolivia);**

**112.18. Intensify efforts to put an end to racial discrimination, and to this end, fill the legal vacuum by adopting a law that sanctions it (Burkina Faso);**

- 112.19. **Persist in its efforts to combat the structural causes of racial discrimination against indigenous peoples, in order to ensure access to quality education and health services (Costa Rica);**
- 112.20. **Continue its efforts to establish effective consultation processes with indigenous communities (El Salvador);**
- 112.21. **Strengthen national efforts to prevent land conflicts between indigenous peoples and farmers (Iraq);**
- 112.22. **Ensure that the requirement to consult with indigenous peoples on decisions concerning lands traditionally owned by them is enshrined in law, and that every effort is made by the Government to ensure that this instrument complies with international standards (Ireland);**
- 112.23. **Ensure the full participation of indigenous peoples in decision-making processes which concern them, and ensure that they are consulted in the context of the planning and implementation of large scale economic projects (Switzerland);**
- 112.24. **Substantially increase state spending on programs for indigenous peoples and institutions. This can help address poverty while ensuring the meaningful participation of, and consultation with, indigenous peoples in decisions affecting them and their rights (Canada);**
- 112.25. **Adopt a law on rural development, followed by a comprehensive policy and an increase of the budget of the Ministry of Social Development (Honduras);**
- 112.26. **Continue strengthening measures to address cases of violence and organized crime (Indonesia);**
- 112.27. **Ensure that all private security companies are registered and that their activities are properly monitored (Portugal);**
- 112.28. **Investigate fully allegations of serious acts of violence, including numerous murders, against trade union officers and their members, and bring their perpetrators to justice (Greece);**
- 112.29. **Strengthen the role and capacity of the National Civil Police with a view to reducing the role of the armed forces in the maintenance of public order (Portugal);**
- 112.30. **Appoint independent and qualified members to the whole national preventive mechanism to enable the institution to function in accordance with the aims and objectives of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Ghana);**
- 112.31. **Take necessary action to publish the report of the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment in order to assist a dialogue on the implementation of the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment's recommendations (Ghana);**
- 112.32. **Appoint independent and qualified members to its National Preventive Mechanism to enable it to function in accordance with the objectives of the Optional Protocol to the Convention Against Torture (New Zealand);**
- 112.33. **Strengthen the framework of the National Office for the Prevention of Torture to ensure it is fully functional and able to investigate all reported cases (Sierra Leone);**
- 112.34. **Appoint without further delay independent and qualified members of the whole National Preventive Mechanism to enable the mechanism to function in accordance with the aims and objectives of the Optional Protocol of the Convention against Torture (Denmark);**

- 112.35. **Take necessary steps to guarantee the life, physical integrity and health of persons held in detention facilities, shelters or psychiatric hospitals (Algeria);**
- 112.36. **Take all necessary steps to ensure that key government institutions responsible for tackling human trafficking – especially of women and children – are properly funded (United Kingdom of Great Britain and Northern Ireland);**
- 112.37. **Pursue efforts to combat human trafficking (Libya);**
- 112.38. **Pursue efforts to prevent and combat human trafficking, exploitation of persons and other contemporary forms of slavery, including sexual exploitation, and provide support and protection to victims, paying particular attention to vulnerable groups such as indigenous people, children, women, people with disabilities and non-nationals (Nicaragua);**
- 112.39. **Implement foster care programmes and alternatives to the penalty of deprivation of liberty (Spain);**
- 112.40. **Strengthen protection measures for human rights defenders (El Salvador);**
- 112.41. **Strengthen the protection for journalists, which is essential to the full respect of fundamental freedoms, in particular by rapidly realizing the programme of protection for journalists, for which many efforts have already been spent (France);**
- 112.42. **Further strengthen measures to protect human rights defenders (Georgia);**
- 112.43. **Support the work of civil society by implementing public policies to protect it and end the misuse of penal and administrative law against human rights defenders, including indigenous human rights defenders, especially in the context of hydroelectric and mining projects (Germany);**
- 112.44. **Adopt a mechanism for the protection of journalists and release all journalists detained for exercising their freedom of expression (Greece);**
- 112.45. **Ensure prompt, thorough and impartial investigations regarding attacks against human rights defenders and adopt a public policy on their protection (Greece);**
- 112.46. **Continue efforts to promote freedom of expression and information by protecting journalists (Holy See);**
- 112.47. **Continue its efforts in developing a system to protect journalists and safeguard freedom of expression (Indonesia);**
- 112.48. **Take all necessary measures to protect human rights defenders through the removal of legal and policy measures which inhibit the ability of defenders to carry out their vital work in safety, without fear of interference, obstruction or harassment of any kind, including by finalising the Public Policy for the Protection of Human Rights Defenders with strong participation by civil society and an adequate budgetary allocation (Ireland);**
- 112.49. **Safeguard the activities of human rights defenders, introducing national laws and policies to protect them (Italy);**
- 112.50. **Foresee protection measures for human rights defenders in accordance with international commitments (Lithuania);**
- 112.51. **Adopt a framework for the protection of media professionals, based on the UN Plan of Action on the Safety of Journalists and the Issue of Impunity (Lithuania);**
- 112.52. **Implement a protection policy for human rights defenders, in coordination with civil society (Luxembourg);**

- 112.53. Approve and implement the Programme for the Protection of Journalists, in consultation with the latter (Luxembourg);
- 112.54. Take all necessary steps to work towards diminishing threats and violence against human rights defenders, especially women and journalists, and to implement an effective mechanism to protect them from these threats (Netherlands);
- 112.55. Initiate timely, independent, impartial and effective investigations into threats and attacks against human rights defenders, particularly indigenous defenders, to ensure their effective protection (Republic of Korea);
- 112.56. Ensure that thorough and impartial investigations are carried out on allegations of attacks against human rights defenders (Sierra Leone);
- 112.57. Adopt appropriate measures to ensure safety and protection of human rights defenders and take all necessary steps to ensure prosecution of all those responsible for violation of their rights (Slovakia);
- 112.58. Implement public policies so as to protect the work of human rights defenders in line with international standards, and implement measures aimed at the effective reduction of attacks and at their independent and effective investigation (Spain);
- 112.59. Adopt and ensure full implementation of the Public Policy of the Protection of Human Rights Defenders as well as the Protocol of the Public Prosecutor's Office on the Investigation of Cases against Human Rights Defenders (Sweden);
- 112.60. Implement effective protection measures and undertake an immediate and systematic investigation of abuses committed against human rights defenders, as previously recommended. (Switzerland);
- 112.61. Strengthen the protection measures for human rights defenders, taking due account of gender and cultural aspects (Ukraine);
- 112.62. In consultation with civil society groups across Guatemala, finalize and implement a public policy for a human rights defenders protection (United States of America);
- 112.63. Implement safeguards for human rights defenders by introducing legislation to protect freedom of association and assembly (Australia);
- 112.64. Initiate or pursue timely, independent, impartial and effective investigations into threats and attacks against human rights defenders and bring those responsible to justice (Belgium);
- 112.65. Develop a gender and culturally differentiated public policy for the protection of human rights defenders, and ensure adequate political support and resources for its implementation (Canada);
- 112.66. Lift restrictions on freedom of expression and adopt legal and regulatory measures for the protection and safety of journalists against persecution, intimidation and harassment (Chile);
- 112.67. Ensure that human rights defenders can carry out their legitimate activities without fear or undue impediment, obstruction, or legal or administrative harassment (Chile);
- 112.68. Strengthen the independence and effectiveness of the judiciary and adopt all necessary measures to consolidate recent efforts in the fight against impunity (Germany);
- 112.69. Increase efforts in the fight against impunity and corruption, through increasing the financial resources for the judiciary and through the implementation of judicial reforms aimed at fully ensuring the independence of the judiciary (Netherlands);

- 112.70. Continue with its efforts to strengthen the effectiveness and independence of the justice system (Republic of Korea);
- 112.71. Continue the policy agenda to strengthen the specialized justice system to protect women (Ukraine);
- 112.72. Dismantle groups of power and other clandestine structures of corruption that prevent to guarantee fair trials and due process, in line with international standards (Bolivarian Republic of Venezuela);
- 112.73. Adopt measures to ensure the sustainability of efforts to fight corruption, such as legal and public policy reforms, to improve public confidence in the justice system and to increase its independence (Canada);
- 112.74. Ensure that the International Commission Against Impunity in Guatemala is able to perform its work effectively (United Kingdom of Great Britain and Northern Ireland);
- 112.75. Closely cooperate with the International Commission against Impunity in Guatemala (Lithuania);
- 112.76. Fully cooperate with the International Commission Against Impunity in Guatemala in all aspects of its mandate (Sweden);
- 112.77. Cooperate with, and support the work of, the International Commission Against Impunity (Australia);
- 112.78. Continue to invest resources to expand social programmes that promote and protect the human rights of older persons in Guatemala, in particular those living in poverty, to allow them to age with dignity (Singapore);
- 112.79. Implement measures to facilitate access to health care and education, particularly for the most vulnerable population (Angola);
- 112.80. Back efforts to counter child malnutrition and continue to strengthen programmes to eradicate poverty and extreme poverty (Germany);
- 112.81. Assign the necessary human and financial resources for the prompt implementation of the National Strategy to Prevent Chronic Malnutrition 2016 – 2020 (Honduras);
- 112.82. Ensure that community development councils channel funds for their projects to address the problem of chronic malnutrition, particularly among the indigenous and rural population (Malaysia);
- 112.83. Develop and implement comprehensive and efficient policies to fight poverty and in particular chronic and acute malnutrition (Norway);
- 112.84. Continue to work for implementation of its National Strategy to Prevent Chronic malnutrition 2016-2020 and strengthen its Food Aid Program to prevent food insecurity (Pakistan);
- 112.85. Intensify efforts to prevent and eradicate chronic malnutrition, especially among children living in rural and remote areas (Panama);
- 112.86. Continue the efforts to fight against child malnutrition, particularly among indigenous people (Peru);
- 112.87. Intensify its efforts to combat and prevent malnutrition among children (Timor-Leste);
- 112.88. Address the structural causes of poverty faced by the most economically vulnerable communities, in particular regarding chronic malnutrition (Algeria);
- 112.89. Strengthen policies and programs to combat chronic malnutrition and ensure food security (Costa Rica);



- 112.90. **Take specific measures to promote access to health-care services, especially in rural areas (India);**
- 112.91. **Increase resource allocation and accessibility to public health services (Republic of Korea);**
- 112.92. **Increase the budget allocated to health care and take all necessary measures to strengthen a national health care system accessible to all, without discrimination (Côte d'Ivoire);**
- 112.93. **Adopt effective measures to address widespread child pregnancy and ensure access to sexual and reproductive health rights, as well as education programmes (Germany);**
- 112.94. **Continue its efforts for providing universal good quality education for all children, especially girls (Pakistan);**
- 112.95. **Continue the efforts to reduce the illiteracy rate (Peru);**
- 112.96. **Implement compulsory primary education, providing resources to ensure the quality and infrastructure of the education system (Portugal);**
- 112.97. **Take further measures to ensure children's access to education, particularly of those with disabilities and living in remote communities (Armenia);**
- 112.98. **Elaborate and implement programs and initiatives to encourage the sharing of the domestic responsibilities and child care with a view to eliminating gender stereotypes (Haiti);**
- 112.99. **Actively work towards equal remuneration for men and women by taking credible steps (India);**
- 112.100. **Continue the efforts to promote gender equality, by promoting the balanced representation in decision-making positions, equality in the work market and entrepreneurship, including equal pay and equal access to credit and other financial services, among other measures, paying particular attention to girls and women from indigenous people and people of African-Descent (Nicaragua);**
- 112.101. **Strengthen strategies so as to combat stereotypes and all forms of discrimination against women and persons with disabilities (Panama);**
- 112.102. **Ensure the inclusion of women and girls with disabilities in all policies and programs on equality and gender discrimination (Paraguay);**
- 112.103. **Adopt measures to combat violence and discrimination against women and indigenous communities (Uruguay);**
- 112.104. **Continue to enact laws and promote policies aimed at protecting women and enhancing their roles in society (Bahrain);**
- 112.105. **Strengthen the "Creciendo Segura" Program, aimed at low-income women, with an emphasis on women living in rural areas (Plurinational State of Bolivia);**
- 112.106. **Strengthen efforts to combat violence against women (Egypt);**
- 112.107. **Intensify awareness-raising measures against femicide and violence against women as well as for the recommendations of the Committee on the elimination of Discrimination against Women (Finland);**
- 112.108. **Combat violence against women by putting an end to impunity in this area (France);**
- 112.109. **Intensify efforts to tackle femicide and violence against women (Georgia);**

- 112.110. **Implement effective and co-ordinated measures to prevent violence against women, especially against young women and girls (Iceland);**
- 112.111. **Strengthen efforts to carry out prompt, impartial and effective investigations into all forms of violence against women and to bring those responsible to justice (Iceland);**
- 112.112. **Strengthen efforts to prevent and combat all forms of discrimination and violence against women and children, adopting comprehensive legislation and launching awareness-raising campaigns. Ensure that women victims of violence receive appropriate help and perpetrators are brought to justice (Italy);**
- 112.113. **Ensure, through a coordinated and comprehensive institutional effort, access to justice for women who have been victims of violence (Lithuania);**
- 112.114. **Strengthen the fight against all forms of violence against women and girls, by ensuring effective implementation of relevant laws and policies, and ensure access to justice and care (Luxembourg);**
- 112.115. **Continue efforts to address the problem of domestic violence against women (Malaysia);**
- 112.116. **Pursue efforts to fight against femicide and violence against women, and provide for specialized care centers for victims of this violence (Morocco);**
- 112.117. **Allocate sufficient resources to specialized courts and tribunals with jurisdiction over femicide and other forms of violence against women (Paraguay);**
- 112.118. **Open up and strengthen specialized centers providing care to women victims of violence (Paraguay);**
- 112.119. **Carry out awareness-raising campaigns on all matters related to gender violence (Paraguay);**
- 112.120. **Enhance the promotion and protection of the rights of women and girls including through the elimination of violence against them (Portugal);**
- 112.121. **Continue to raise awareness regarding the criminal nature of domestic violence and bringing those responsible before the courts (Serbia);**
- 112.122. **Implement more measures to prevent violence against women, such as the training workshops conducted by the Office for the Defence of Indigenous Women's Rights on the protection of indigenous women (Singapore);**
- 112.123. **Establish a mechanism for improving coordination and strengthening of various institutions dealing with violence against women (Slovenia);**
- 112.124. **Allocate sufficient resources to specialized courts and tribunals with jurisdiction over femicide and other forms of violence against women as well as move towards the full implementation of the Law against Femicide and Other Forms of Violence against Women (Spain);**
- 112.125. **Continue to raise awareness regarding the criminal nature of domestic violence and take measures to prosecute those responsible for such actions (Israel);**
- 112.126. **Further enhance the promotion and protection of women's rights, including addressing violence against women and femicide (Azerbaijan);**
- 112.127. **Implement effective and coordinated measures to prevent violence against women, especially against young women and girls, and ensure that perpetrators of violence are brought to justice (Belgium);**
- 112.128. **Address the structural causes of organized crime, including those relating to sexual violence (Burkina Faso);**
- 112.129. **Pursue raising-awareness activities on domestic violence, including prosecution and sentencing of the perpetrators (Burkina Faso);**

- 112.130. **Allocate appropriate resources for the effective application of the law against femicide and other forms of gender-based violence, including better access to services for victims (Canada);**
- 112.131. **Strengthen initiatives to sensitize the population about the criminal nature of domestic violence and bring those responsible for this crime to justice (Ecuador);**
- 112.132. **Promote large scale registration campaigns for women voters, in particular in rural areas, and notably for indigenous women, with a view to ensuring their full participation in the political and public life (Haiti);**
- 112.133. **Continue to combat gender stereotypes by promoting equal representation of men and women in public office (Timor-Leste);**
- 112.134. **Take measures to improve women representation in decision-making positions in the public sector and reduce the gender pay gap (Israel);**
- 112.135. **Establish a mechanism to increase the participation of women, particularly indigenous women, in key positions of the three powers of the Republic and in the decision-making processes (Costa Rica);**
- 112.136. **Ensure free, universal birth registration and provide all children born in the territory - particularly those born in indigenous communities - with a birth certificate (Portugal);**
- 112.137. **Strengthen further the child protection system in the country through the necessary reforms that adopts a human-rights based approach (Maldives);**
- 112.138. **Pursue efforts to train personnel for the optimal care of children in the context of access to education and health care, and within the implementation of effective social programs in these areas (Morocco);**
- 112.139. **Guarantee the life, integrity and physical safety of children and adolescents placed in State shelters; provide adequate reparation for the damages caused; prohibit corporal punishment of children in all settings; and repeal the legal exemptions endorsed in the Civil Code and Law (Bolivarian Republic of Venezuela);**
- 112.140. **Put in place a policy for the protection of children and adolescents, with a view to better protecting them against acts of violence and crimes committed against them, as well as in relation to the large number of early pregnancies (France);**
- 112.141. **Increase efforts to abolish child labour, also by conducting systematic labour inspections (Greece);**
- 112.142. **Maintain and expand those existing initiatives to fight against trafficking in children, child labour, and protect children from sexual exploitation and other forms of modern slavery, especially by enhancing services of registration at birth (Holy See);**
- 112.143. **Strengthen the system for protecting children from exploitation (Libya);**
- 112.144. **Adopt concrete measures aimed at reducing the vulnerability of children to child labour and sexual exploitation, so as to ensure that Guatemala is a country free from child labour and its worst forms. (Panama);**
- 112.145. **Intensify labour inspections focusing on child labour and prosecution of violators of child labour legislation (Slovakia);**
- 112.146. **Strengthen legislation to protect children from all forms of violence (Bahrain);**
- 112.147. **Further develop economic assistance programs to the elderly and persons with disabilities (Libya);**

112.148. **Maintain the commitment to ensure that people with disabilities fully enjoy all their rights (Peru);**

112.149. **Ensure equal access to justice and the exercise of political rights to people with disabilities (Israel);**

112.150. **Integrate children with disabilities in a national education system (Bahrain).**

**113. The recommendations formulated during the interactive dialogue listed below have been examined by Guatemala and have been noted by Guatemala:**

113.1. **Ratify the Second Optional Protocol to the International Covenant on Civil and Political rights, aiming at the abolition of the death penalty (Montenegro);**

113.2. **Consider ratifying the Second Optional Protocol to the ICCPR (Georgia);**

113.3. **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, in order to abolish the death penalty (Spain);**

113.4. **Ratify the Second Optional Protocol to the ICCPR and the International Convention for the Protection of All Persons from Enforced Disappearance (Ukraine);**

113.5. **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Bolivarian Republic of Venezuela);**

113.6. **Consider the ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Uruguay);**

113.7. **Ratify the Optional Protocol to the Convention on the Rights of the Child (Azerbaijan);**

113.8. **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Iraq); (Montenegro); (Sierra Leone);**

113.9. **Consider the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (Uruguay);**

113.10. **Consider the possibility of ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and adapting its national legislation to this instrument (Ecuador);**

113.11. **Consider ratifying ILO Convention 189 (Philippines);**

113.12. **Ratify the ILO Convention 189 (Bolivarian Republic of Venezuela);**

113.13. **Adopt an open, merit-based selection process when selecting national candidates for UN Treaty Body elections (United Kingdom of Great Britain and Northern Ireland);**

113.14. **Create a National Search Commission for Victims of Enforced Disappearance and other Forms of Disappearance (El Salvador);**

113.15. **Amend the legislation to penalize hate crimes and crimes of intolerance based on discrimination, especially in cases of race, sexual orientation, gender identity or expression (Israel);**

113.16. **Adopt raise-awareness measures to guarantee that people belonging to the LGBTI community are not discriminated against on grounds of their sexual orientation and gender identity (Uruguay);**

113.17. **Better ensure respect for the human rights of lesbian, gay, bisexual, transgender and intersex persons, who are sometimes victims of discrimination, or even of hate crimes (France);**

- 113.18. **Create a legislative framework and implement public policies and social awareness campaigns to eliminate violence and discrimination based on sexual orientations and gender identity (New Zealand);**
- 113.19. **Amend the Criminal Code to penalise hate crimes and crimes of social intolerance based on sexual orientation, gender identity and sexual characteristics (Slovenia);**
- 113.20. **Adopt measures to ensure the protection of the life as well as the physical and psychological integrity of lesbian, gay, bisexual, transgender and intersex persons (LGBTI) (Chile);**
- 113.21. **Apply the methodological proposal to implement the consultation accepted by the Quiché indigenous authorities on those matters related to indigenous people (Peru);**
- 113.22. **Set up a legal framework to recognize the indigenous people's rights to have access to and manage their territories of origin and their natural resources, and to participate in the decision-making processes on those matters concerning them (Bolivarian Republic of Venezuela);**
- 113.23. **Adopt legislation to criminalize any diffusion of ideas based on racial superiority or hatred, any incitement to racial discrimination or any act of racially motivated violence (Brazil);**
- 113.24. **Establish an official moratorium on execution and abolish the death penalty for all crimes (Iceland);**
- 113.25. **Consider to take steps with a view to abolishing the death penalty (Italy);**
- 113.26. **Introduce a moratorium on the use of the death penalty and work towards its abolition, including by ratifying the Second Option Protocol to the International Covenant on Civil and Political Rights (New Zealand);**
- 113.27. **Abolish the death penalty (Portugal); (Costa Rica); (Venezuela (Bolivarian Republic of ));**
- 113.28. **Abolish the death penalty, as previously recommended (Slovakia);**
- 113.29. **Establish de jure moratorium on executions and abolish the death penalty for all crimes and consider to ratify the Second Optional Protocol to the ICCPR (Slovenia);**
- 113.30. **Abolish the death penalty in all cases (Timor-Leste);**
- 113.31. **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, in the context of the abolition of the death penalty (Angola);**
- 113.32. **Formally abolish the death penalty and accede to the Second Optional Protocol of the ICCPR (Australia);**
- 113.33. **Abolish the death penalty in national legislation by adopting Law No. 5100 on the final abolition of the death penalty (Côte d'Ivoire);**
- 113.34. **Enact the draft law N° 3590 related to the Commission on the search for people victims of enforced disappearance and other disappearances, which is currently under consideration by the Congress (Mexico);**
- 113.35. **Put an end to the use of the criminal justice system to intimidate, threat, marginalize and stigmatize journalists, social organizations and human rights defenders engaged with the defence of economic, social, cultural and environmental rights and of indigenous people's rights (Bolivarian Republic of Venezuela);**
- 113.36. **Implement the outcomes of the national dialogue for Constitutional reform in the field of justice, that was initiated in February 2016, whose purpose**

was to hold consultations with all stakeholders regarding actions to further the strengthening of the justice system in Guatemala (Mexico);

113.37. Establish mechanisms for selection of judges which allow to rule out any risk of politization or conflict of interest, and ensure that the principle of separation of administrative and judicial functions of the Supreme Court guarantee the full independence and impartiality of the judiciary in Guatemala (Switzerland);

113.38. Take steps to approve and implement the 2016 Constitutional reform on the appointment of the judiciary as this would help to ensure its independence (Australia);

113.39. Decentralize the International Commission against Impunity in Guatemala to all regions (Finland);

113.40. Ensure that the International Commission Against Impunity in Guatemala is able to operate without interference and that government institutions key to anti-corruption efforts continue to be adequately funded with dedicated leadership (United States of America);

113.41. Deepen the measures aimed at speeding up the progress of trials to the perpetrators of acts of genocide and crimes against humanity and provide due protection to the judges involved in these investigations (Argentina);

113.42. Consider the possibility of establishing a universal basic income with a view to further reducing poverty and inequality levels, for improving the existing social protection system (Haiti);

113.43. Adopt an intercultural health policy and strategy with an approach based on gender rights and sensitivity ensuring, inter alia, universal access to sexual and reproductive health, particularly in rural areas (Honduras);

113.44. Adopt effective measures to address the high levels of pregnancies among girls and adolescents, and ensure their effective access to sexual and reproductive health care and services and education programs (Iceland);

113.45. Guarantee respect of sexual and reproductive rights and take measures to prevent early pregnancies, particularly through awareness-raising and sexual education (Luxembourg);

113.46. Take measures to prevent child pregnancies by providing access to comprehensive sexuality education and integral sexual and reproductive health services for teenagers (Sweden);

113.47. Adopt effective measures to address the high level of pregnancies among girls and adolescents and ensure their effective access to sexual and reproductive health services (Belgium);

113.48. Adopt practical measures to promote equal representation of men and women in elected public office and to guarantee equal remuneration and satisfactory working conditions to all citizens (Portugal);

113.49. Take all necessary measures towards rigorous implementation of all legislation on gender equality (Burkina Faso);

113.50. Develop government programs and strategies to prevent, investigate and punish human rights violations against women, in particular lesbian women, according to existing laws ratified by the State (New Zealand);

113.51. Take steps to place higher priority on the prosecution of violence and discrimination against women, transgender and transsexual people, as well as access to justice for victims of these crimes (Australia);

113.52. Decriminalize and eliminate all punitive measures related to termination of pregnancies in cases of rape, incest and severe foetal impairment (Denmark);

113.53. **Strengthen preventive, protective and rehabilitative measures for women and girls victims of sexual violence, through specialized psychosocial, legal and health services (Brazil);**

113.54. **Expedite the adoption process of the initiative 5125 of the framework Law on Disability, in order to contribute to the due implementation and fulfilment of the Convention on the Rights of Persons with Disabilities (Spain);**

113.55. **Ensure that the rights and fundamental freedoms of persons with disabilities are respected by abolishing all practices of forced sterilization and coercive abortions of women and girls with disabilities, and by investigating and punishing their perpetrators (Argentina).**

**114. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

## Annex

*[Spanish Only]*

### Composition of the delegation

The delegation of Guatemala was headed by Dr. Jorge Luis Borrayo Reyes, President of the Presidential Coordinating Commission on the Executive Policy on Human Rights and composed of the following members:

- Embajadora Carla María Rodríguez Mancia, Representante Permanente de Guatemala ante la Organización de las Naciones Unidas y otras Organizaciones Internacionales en Ginebra;
- Licda. Aura Leticia Teleguario, Ministra de Trabajo y Previsión Social;
- Licenciada María Eugenia Morales Acena, Magistrada de la Corte Suprema de Justicia;
- Sra. Silvia Patricia Valdes Quezada, Magistrada de la Corte Suprema de Justicia;
- Dr. Rubén González Valenzuela, Viceministro de Atención Primaria en Salud Pública y Asistencia Social;
- Licenciado Juan Pablo López Díaz, Comisionado Presidencial contra la Discriminación y Racismo (CODISRA);
- Licenciada Ofelia González, Secretaria Privada y de Asuntos Estratégicos Ministerio Público;
- Licenciado Carlos Hugo Avila, Director de Derechos Humanos Ministerio de Relaciones Exteriores;
- Licenciado René Armando Lam España, Director de Asuntos Jurídicos Ministerio de Gobernación;
- Ingeniero Otto Estuardo Velásquez Vasquez, Director de Planificación y Monitoreo Secretaría de Seguridad Alimentaria y Nutricional (SESAN);
- Licda. Claudia Lorena Sigienza Alvarado, Investigación e Informes de Comisión Presidencial Coordinadora de la Política del Ejecutivo en Materia de Derechos Humanos (COPREDEH);
- Licenciada María José del Águila Castillo, Ministro Consejero de la Misión Permanente de Guatemala ante la Oficina de las Naciones Unidas en Ginebra;
- Doctor Gabriel Orellana Zabalza, Consejero de la Embajada de Guatemala en Bruselas, Bélgica;
- Srita. Cecilia Beatriz Csiceres Valdez, Primer Secretario de la Misión Permanente de Guatemala ante la Organización de las Naciones Unidas y otras Organizaciones Internacionales en Ginebra;
- Sr. Luis Erick Gudiel Pineda, Primer Secretario de la Misión Permanente de Guatemala ante la Organización de las Naciones Unidas y otras Organizaciones Internacionales en Ginebra;
- Srita. Alicia María Marroquín Mogollón, Segundo Secretario de la Misión Permanente de Guatemala ante la Organización de las Naciones Unidas y otras Organizaciones Internacionales en Ginebra;
- Licenciado Rolando Antonio Castillo López, Ministerio de Gobernación;
- Licenciado William Oswaldo Ramírez Quiñonez, Asesor Técnico de la Comisión Presidencial Coordinadora de la Política del Ejecutivo en Materia de Derechos Humanos (COPREDEH);



- Licda. Nydia Lissette Arevalo Flores de Corzantes, Directora General, Instituto de la Defensa Pública Penal;
- Licenciado Esteban Mollinedo, Director Fortalecimiento Institucional Instituto Defensa Pública Penal.

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