

Annex I – Thematic Lists of Recommendations for Guatemala

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation in relation to child sexual exploitation
<b>Theme A44 Structure of the national human rights machinery</b>			
99.35. Allocate necessary financial and human resources to these mechanisms and organizations (Ministry of Social Development; Presidential Commission for Combatting Femicide; <b>Secretariat on Sexual Violence, Exploitation and Trafficking in Persons</b> ; and National Commission on Police Reforms) to ensure that their objectives are achieved (Philippines); <i>Source of position: A/HRC/22/8 - Para. 99</i>	Supported	A44 Structure of the national human rights machinery F13 Violence against women D21 Right to life D27 Prohibition of slavery, trafficking F12 Discrimination against women A63 Budget and resources (for human rights implementation) <u>Affected persons:</u> - women - law enforcement / police officials	<b>Not implemented.</b> The Secretariat on Sexual Violence, Exploitation and Trafficking in Persons (‘SVET’) require more budget to properly protect children. Please see under paras 20 and 21 of our submitted report and our recommendation regarding the budget of the SVET.
99.19. Allocate adequate financial resources and ensure effective coordination among State institutions mandated to strengthen the implementation of the rights of the child (Sweden); <i>Source of position: A/HRC/22/8 - Para. 99</i>	Supported	A44 Structure of the national human rights machinery F31 Children: definition; general principles; protection A63 Budget and resources (for human rights implementation) <u>Affected persons:</u> - children	<b>Not implemented.</b> Please see under 99.35.
<b>Theme: F13 Violence against women</b>			
99.16. Implement policies and programmes preventing violence against women and children (Switzerland); <i>Source of position: A/HRC/22/8 - Para. 99</i>	Supported	F13 Violence against women A42 Institutions & policies - General F31 Children: definition; general principles; protection <u>Affected persons:</u> - children	<b>Partly implemented.</b> Till date there has not been a national action plan to combat child sexual exploitation. 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’). In 2013 SVET and MoFA convened regular meetings to

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		<p>- women</p>	<p>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.</p> <p>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.</p>
<p>99.46. Maintain and expand the initiatives undertaken to reduce and eliminate sexual violence as well as exploitation and human trafficking while at the same time, provide services to and protect victims (Holy See);</p> <p><i>Source of position: A/HRC/22/8 - Para. 99</i></p>	<p>Supported</p>	<p>F13 Violence against women D27 Prohibition of slavery, trafficking A42 Institutions &amp; policies - General B51 Right to an effective remedy B53 Support to victims and witnesses</p> <p><u>Affected persons:</u></p> <p>- women</p>	<p><b>Not sufficiently implemented.</b> 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.</p> <p>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.</p>