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**NATIONAL REPORT SUBMITTED IN ACCORDANCE WITH PARAGRAPH 15(a)  
OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1\***

**Guatemala**

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\* The present document was not edited before being sent to the United Nations translation services.

## I. DESCRIPTION OF METHODOLOGY

1. In accordance with the general guidelines for the preparation of national reports under the universal periodic review established by the Human Rights Council, the present report was drawn up within the framework of a broad consultation process involving all three branches of State.
2. Civil society was not involved in this initial exercise, since the focus was placed on State institutions, taking into account that civil society has prepared its own report and already has an established role in the process. However, consideration is being given to sharing this report with civil society, so that the latter can contribute to implementing the results of the universal periodic review.
3. The process was conducted at two levels, at a technical level, under the responsibility of the Presidential Commission for Coordinating Executive Policy in the field of Human Rights (COPREDEH), involving technical representatives of the three branches of State; and at a policy level, under the coordination of the Ministry of Foreign Affairs, involving the most senior representatives of the executive, legislative and judicial branches, and officials from decentralized, autonomous State institutions.
4. It is worth noting that both levels benefited from the help and technical support of the Office of the United Nations High Commissioner for Human Rights in Guatemala.
5. As part of the preparatory work prior to the consultation of institutions an information seminar for government institutions was given in December 2007 by experts from the Office of the United Nations High Commissioner for Human Rights in Guatemala, which led to closer contacts with the executive branch.
6. In January 2008 a methodology was implemented for the process of drawing up the technical report involving the following actions: (a) a meeting at which the institutions concerned were provided with a matrix for compilation of relevant information; (b) a workshop, in which thematic working groups were set up to analyse and discuss the information that had been gathered, and which concluded with a plenary meeting to reach a consensus on the information and consolidate the preliminary report for final revision.
7. After that two meetings were held in the High-Level Commission on human rights,<sup>1</sup> in order to revise and adopt the final report.
8. It is important to note that this commission is a standing body which, once the present report has been dispatched, will be responsible for coordinating the official delegation that will represent the State during the interactive dialogue phase of the universal periodic review that is due to take place in Geneva, Switzerland, on 6 May. The commission will also be in charge of following up whatever results and recommendations emerge from the universal periodic review.
9. The State of Guatemala wishes to point out that the above preparations provided an important opportunity for internal review (identification of achievements, challenges and outlook) of the institutional human rights machinery, in relation to the mandate and sphere of competence of the institutions involved in the work. This ensures that human rights continue to feature in the State's plans and programmes, and that actions planned for the short, medium and long term are duly implemented.

10. This inclusive and participatory approach made it possible to incorporate the different points of view of contributors and consequently resulted in greater institutional awareness of the importance of human rights and the need to promote, protect and enforce them in the different areas of institutional work.

## **II. BACKGROUND AND NORMATIVE AND INSTITUTIONAL FRAMEWORK FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS**

### **A. Background**

11. Guatemala has a population of approximately 12 million inhabitants, with a rich cultural diversity deriving from 23 peoples of Mayan descent, including the Garífuna and Xinka peoples. It is a country with a young population, since over 80 per cent of its inhabitants are under the age of 40.

12. The country's political history includes a regrettable 36-year period of internal armed conflict that started in the early 1960s and ended in December 1996, with the signing of the Agreement on a Firm and Lasting Peace.

13. The process of democratization in Guatemala began with the promulgation and implementation of the Political Constitution of the Republic of Guatemala, passed by the Constituent National Assembly in May 1985, which came into force in January 1986. It is based on human principles and values and incorporates an entire section on human rights, including civil, political, economic, social and cultural rights.

14. This Constitution brought about a restructuring of the legal institutional framework and led to the creation of new constitutional entities with the aim of strengthening democracy under the rule of law. These include: (a) the Constitutional Court, which is the highest body monitoring conformity with the Constitution, and whose case-law in recent years has strengthened the legal framework of human rights; (b) the Supreme Electoral Tribunal, the highest authority in electoral matters, whose mission is to safeguard the right to organize and to political participation of citizens and to strengthen the culture of democracy in Guatemala; (c) The Congressional Human Rights Committee, a pluralist body which is responsible for promoting the study and updating of human rights legislation in Guatemala, and for dealing with laws, agreements, treaties, provisions and recommendations for the defence, dissemination, promotion and enforcement of fundamental rights relating to human beings, their dignity, physical and mental integrity, and the improvement of their quality of life, as well as the achievement of the common good and peaceful coexistence in Guatemala; (d) the Human Rights Procurator, who is a Congressional Commissioner for the protection of the human rights guaranteed by the Political Constitution of the Republic of Guatemala, the Universal Declaration of Human Rights, and the international treaties and conventions accepted and ratified by Guatemala.

15. The 1996 Agreement on a Firm and Lasting Peace incorporates the 10 peace agreements<sup>2</sup> signed on the basis of the Framework Agreement on Democratization in the Search for Peace by Political Means, signed at Querétaro, Mexico, on 25 July 1991. Within the framework of these agreements the State has entered into a number of commitments related to the exercise and protection of human rights, in particular the Comprehensive Agreement on Human Rights, which has been in force since 1994.

16. These commitments, initially of a political nature and based on good will, were made legally binding by Legislative Decree No. 52-2500, the Framework Law concerning the Peace Agreements, the aim of which is to establish norms and mechanisms to regulate and guide the process of implementation of the peace agreements, as part of the State's constitutional obligations to protect individuals and their families, achieve the common good and guarantee its inhabitants life, freedom, justice, security, peace and full personal development, which must be conducted as part of a participatory process, promoting the common good and devoted to meeting the needs of the population.

17. In 1994, prior to the signature of the Agreement on a Firm and Lasting Peace, the United Nations Verification Mission in Guatemala (MINUGUA) was established with the support of the United Nations, and played an important role in achieving the peace agreements and in guiding the State's fulfilment of the resulting commitments, during the 10 years of its operation in Guatemala, before the expiry of its mandate in 2004.

18. When MINUGUA's mandate<sup>3</sup> expired, on 31 May 2005, the Congress approved the Agreement<sup>4</sup> to establish an Office of the United Nations High Commissioner for Human Rights in Guatemala, which plays a twofold role of technical cooperation and supervision, and whose mandate expires in September 2008.

19. One positive outcome of the end of the internal armed conflict was the establishment of an institutional structure for peace, a noteworthy feature of which was the important work carried out by the Historical Clarification Commission. At the end of its mandate, the Commission issued a report containing a number of recommendations, which have been gradually implemented by the State.

20. In addition, joint bodies with specific mandates were established, which have contributed to the promotion of human rights in Guatemala. These include the Committee on Educational Reform, whose work has been useful in bringing about a culture of peace in Guatemala and in placing the focus on human rights, gender equality and multiculturalism in the national formal and non-formal education system, and the Committee to Support the Strengthening of the Justice Sector (now the Committee for Reform of the Justice Sector), which has helped to strengthen the rule of law.

21. In a further step towards the consolidation of democracy, on 14 January 2008, following free, transparent and popular elections, the third Government to be democratically elected since the signing of the peace agreements took office; its priorities include rural development, education and health, public safety, the fiscal pact and indigenous peoples.

22. It is worth noting, in the context of this change of Government, that the outgoing Government took the unprecedented step of launching a process of "institutional transition", with the aim of ensuring the continuity of, and follow-up to, the measures taken over the previous four years, which had a positive social impact on Guatemalans.

## **B. Normative framework**

23. Guatemala has gradually consolidated a legal infrastructure with an increasingly specific focus on respect for human rights, as enshrined in particular in article 46 of the Constitution, on the primacy of international law: "It is established as a general principle that, in matters of human rights, treaties and conventions accepted and ratified by Guatemala take precedence over internal law."

24. Also, in the international context, Guatemala is party to the United Nations International Bill of Human Rights, the body of United Nations human rights treaties, and other universal and regional instruments.

25. With regard to convention mechanisms, with the exception of the Committee on the Elimination of Racial Discrimination, which is in the process of being approved at national level, the State has accepted the competence of all the committees established under treaties providing a mechanism of individual complaints that allow the committees to hear cases against the State.

26. In the regional context, Guatemala is party to the American Convention on Human Rights, and has recognized the jurisdiction of the Inter-American Court of Human Rights. Guatemala is also party to other regional conventions such as the Inter-American Convention to Prevent and Punish Torture and the Inter-American Convention on Forced Disappearance of Persons.

27. The adoption of international human rights norms initiated a process of ratification and alignment of existing domestic legislation. Important national laws have been adopted, such as the Comprehensive Child Protection Act,<sup>5</sup> complying with the Convention on the Rights of the Child, which establishes the primacy of the best interests of the child.

28. Another such law is the Prison Regime Act,<sup>6</sup> which incorporates international principles and norms concerning persons deprived of liberty, such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and which states, in article 2, that: “the prison system must aim at the social rehabilitation and reformation of prisoners and must comply with the relevant norms established by the Political Constitution of the Republic and the international human rights agreements and treaties to which Guatemala is party, and with the provisions of ordinary laws”.

29. In compliance with the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, the National Adoption Act was adopted in December 2007.

30. With regard to domestic legislative reform, the Criminal Code has been amended in the following areas: (a) qualification of the crime of trafficking in persons, in line with the United Nations Convention against Transnational Organized Crime and its supplementing protocols: Protocol against the Smuggling of Migrants by Land, Sea and Air, and Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children. This measure was strengthened by the adoption of a National Policy Against Trafficking in Persons and an Action Plan 2007-2017; (b) qualification of the crime of racial discrimination, in line with the peace agreements and the Convention on the Elimination of All Forms of Racial Discrimination.

31. In order to continue strengthening the national legal framework for human rights, the State of Guatemala is currently, via the Ministry of Foreign Affairs, carrying out a process of internal consultation, with the aim of submitting the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the Rights of Persons with Disabilities to the Congress for adoption. To this end, two working groups have been set up in order to speed up the process. A similar procedure took place for the adoption of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which will be deposited as soon as possible.

32. Still within the internal legal framework, a number of national policies and plans have been adopted, which have an impact on the exercise of human rights. These include: the National Human Rights Policy and associated National Action Plan; the National Human Rights Education Policy;

the National Policy on the Prevention of Juvenile Violence; the Public Policy against Trafficking in Persons and on Comprehensive Care for Victims; the Public Policy for Peaceful Co-Existence and the Elimination of Racism and Racial Discrimination; and the National Policy for Promoting Equality of Guatemalan Women.

33. Other legislative and public policy initiatives are currently being discussed in different forums, with a view to their subsequent adoption. These include: the Public Policy on Human Rights Defenders; draft legislation on the National Compensation Plan; and draft legislation on the establishment of a National Commission to Locate Disappeared Persons.

34. There is also a range of draft legislation and amendments to existing legislation on matters that are of great importance for the exercise of women's human rights, including: qualification of the crime of femicide; the qualification of domestic violence; and legislation on sexual assault and domestic work.

35. With regard to the strengthening of bodies responsible for public safety, a draft Security System Framework Act is at the final stage of examination by the Congress, with a view to its adoption.

### **C. Institutions for the protection and promotion of human rights**

36. Guatemala's efforts in building an institutional structure for human rights have resulted to date in: (a) the establishment in 1985 of the Office of Human Rights Procurator, who is a Congressional Commissioner for the protection of human rights; (b) the establishment in 1992 of the Presidential Commission for Coordinating Executive Policy in the field of Human Rights (COPREDEH), at the recommendation of the then United Nations independent expert for Guatemala, Christian Tomuschat, with the aim of establishing a national mechanism at the level of the executive for monitoring human rights issues. Currently this commission is in the process of merging with the Peace Secretariat, with the aim of strengthening its mandate and improving coordination of domestic human rights issues with Guatemala's international commitments in this area, and providing appropriate advice to the President of the Republic, on issues of national impact in this area.

37. One of the fundamental aspects of developing human rights institutions in Guatemala has been to increase knowledge and awareness of the importance of the State itself respecting, promoting and implementing human rights.

38. This has resulted, in the last five years, in the establishment of human rights units, sections or working groups within State bodies and structures. These include: the Human Rights Unit within the Ministry of Defence; the Human Rights Unit within the Office of the National Procurator-General; and the Human Rights Defenders, Journalists and Judges Unit within the Presidential Human Rights Commission.

39. Further bodies include the units for human rights, domestic violence, gender and the defence of indigenous rights within the structure of the Public Criminal Defence Institute; the Office of the Special Prosecutor for Human Rights; the Office of the Special Prosecutor for Offences Against Life; the Office of the Divisional Prosecutor for Offences Against Human Rights Activists; and the Special Unit for Trafficking and Irregular Adoptions within the Public Prosecutor's Office.

40. At the specific recommendation of the Office of the United Nations High Commissioner for Human Rights in Guatemala, a Unit for the Analysis of Attacks against Human Rights Defenders in Guatemala was established by Government Agreement No. 103-2008 within the Criminal

Investigation Division (DINC). Within this division, the following units also operate: the Human Rights Office, which directly supports the unit of the Public Prosecutor's Office for Offences Against Human Rights Activists; the Human Rights and Victim-care Unit; and the Multiculturalism Division, which operates within the Subdirector General for Crime Prevention. Recently, preparatory work was started on the establishment of special units for human rights and indigenous peoples within the Ministry of Foreign Affairs, in order to improve the handling of those issues.

41. For the protection of particularly vulnerable groups, bodies such as the following have been set up: the Food Security Secretariat (SESAN); the Presidential Secretariat for Women (SEPREM); the National Commission for the Prevention of Domestic Violence (CONAPREVI); the Presidential Commission on Discrimination and Racism against Indigenous Peoples in Guatemala (CODISRA); the National Adoption Council; the National Commission for Children and Young Persons; National Commission for Migrants; and, recently, the Council for Social Cohesion, for the coordination of measures to care for the most vulnerable groups.

42. Similarly, other bodies for the promotion and respect of human rights were set up in accordance with the commitments arising from the peace agreements, including: the Peace Secretariat (SEPAZ); the National Council for Peace Agreements; the Office of the Ombudsman for Indigenous Women (DEMI); the National Compensation Plan; the Guatemalan Fund for Indigenous Development (FODIGUA); and the National Fund for Peace (FONAPAZ).

43. In the area of international humanitarian law, the Guatemalan Commission for the Promotion of International Humanitarian Law (COGUADIH) was set up as a multidisciplinary, inter-institutional body established by legislative decree of the Congress to advise the Government in the area of international humanitarian law and to promote national and international norms in this field.

### **III. PROMOTION AND PROTECTION OF HUMAN RIGHTS IN THE FIELD**

44. One of the main challenges the State has had to overcome in order to achieve effective protection of human rights concerns the strengthening of the State's institutional structure, particularly in the area of public safety and the administration of justice.

45. In this connection, important measures have been adopted to strengthen national bodies responsible for public safety, such as the gradual purging, professionalization and equipment of the National Civil Police, including amendments to the disciplinary regulations of this institution to establish provisions for the prohibition of the practice of torture and cruel, inhuman or degrading treatment against persons handled by the police or who are in their custody or under their protection.

46. As part of the effort to combat impunity in Guatemala, the International Commission against Impunity in Guatemala (CICIG) was established, following a heated internal debate between various sectors of society, continuous lobbying and the achievement of a consensus for its adoption, with the support of the United Nations. Few examples of this type of mechanism exist in the world, but the State was determined to adopt it in order to comply with its obligation to guarantee and protect human rights.

47. One of the actions that has had a major impact on respect for human rights has been the establishment by the judiciary of rota courts<sup>7</sup> in the department of Guatemala,<sup>8</sup> as one of the measures the judiciary has taken to ensure people's access to the permanent justice system, thereby

guaranteeing due process and avoiding the possibility of human rights violations. This initiative is being implemented gradually, starting with rota courts in the capital city, but the aim is to extend its coverage, to which end the necessary resources are being secured for its extension to national level.

48. It is worth noting that the establishment of these rota courts has considerably reduced the risk of abuse of authority against detained persons, ensuring swifter proceedings and better respect for their human rights, particularly in relation to their physical integrity.

49. In the same area, the Public Criminal Defence Institute also has regional offices that work on a 24-hour basis to provide public criminal defence.

50. With regard to the access to justice of indigenous peoples, there are currently translators and interpreters of Mayan languages in 62 out of 360 courts in the Republic of Guatemala, which amounts to 17.22 per cent coverage, although in some cases interpreters may provide their services to another court when necessary and requested by the judge.

51. In order to promote measures to help improve the human rights situation in the field, through the active participation of all government institutions, an Inter-institutional Standing Human Rights Forum was established in 1997, under the coordination of COPREDEH. Participants include institutional delegates from all ministries, secretariats, social funds and autonomous and decentralized bodies, with the aim of promoting and providing follow-up to the State's commitments in the area of human rights.

#### **A. Actions undertaken for the protection of human rights**

52. A National Human Rights Policy was published in December 2005, and the National Human Rights Action Plan in December 2007, in fulfilment of the commitments undertaken under the Vienna Programme of Action. Both of these are in the process of being adopted by Government Agreement with a view to their institutionalization.

53. Thanks to the State's "open-door policy towards international human rights monitoring mechanisms", adopted in 2001, approximately 18 visits to Guatemala by extra-conventional mechanisms have so far taken place. These visits include those carried out by thematic rapporteurs and field visits by experts of the inter-American human rights system.

54. It is also important to note that the State has appeared before various United Nations treaty monitoring bodies, at dates set by those bodies, for the evaluation of its reports as a State party. This in turn has led to a series of actions by State institutions aimed at follow-up to, and implementation of, the recommendations made by each of the committees.

55. Over the last five years Guatemala has adopted important international human rights instruments.

56. These include the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the objective of which is to establish a national mechanism for visits to places where people are deprived of their liberty; the two Optional Protocols to the Convention on the Rights of the Child; the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. It accepted the competence of the Committee on Migrant Workers to hear individual complaints.<sup>9</sup> It established the Register of Guatemalans Abroad,<sup>10</sup> designed to provide accurate, quantifiable data on Guatemalan migrants, and introduced the consular registration card to provide proof of registration. It also



ratified the Protocol on Explosive Remnants of War (Protocol V)<sup>11</sup> to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

### **B. Actions for the promotion of human rights**

57. Under the Constitution, competence for human rights education in Guatemala falls to the Office of the Human Rights Procurator, which coordinates the process of human rights training and awareness-raising for public officials with other State bodies.

58. COPREDEH participates in the council of the National Civil Police Academy and has worked on curriculum subjects in the Ministry of National Defence with the aim of including human rights issues as specific or cross-cutting courses. It has also participated in other areas of work with the Ministry of Education.

59. The School for the Judiciary has systematically incorporated human rights and international humanitarian law issues in its curriculum, with special emphasis on vulnerable population groups such as women and children.

60. National awareness-raising campaigns in the area of racial discrimination have been conducted by the Presidential Commission on Discrimination and Racism against Indigenous Peoples (CODISRA), COPREDEH and the Office of the Ombudsman for Indigenous Women.

61. In the area of torture, COPREDEH, in conjunction with the Office of the United Nations High Commissioner for Human Rights, organized activities to promote the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, with civil society, the Congress of the Republic and national institutions.

## **IV. IDENTIFICATION OF ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS**

62. Some of the most sensitive problems faced by the State of Guatemala are related to the task of ensuring that human rights are guaranteed, respected, defended and protected. It is recognized that the high level of violence and impunity in Guatemala affects the population at an individual and collective level and, as such, constitutes one of the main difficulties in this respect. Nevertheless, a number of actions have been implemented that constitute progress in guaranteeing these rights, including the following:

- Establishing the National Forensic Science Institute (INACIF),<sup>12</sup> which started partial operation in 2007 with the aim of carrying out independent scientific investigations and issuing technical scientific opinions, and with competence at national level for strengthening criminal investigation
- Drafting of the strategic sectoral plan for criminal justice reform for the period 2006-2010 by the Coordinating Authority for the Modernization of the Justice Sector, which is comprised of State and civil society institutions, and establishes action lines and outcome indicators for measuring impact in strategic areas such as access to justice and transparency
- Establishing the International Commission against Impunity in Guatemala (CICIG)<sup>13</sup> with a view to strengthening the justice sector and assisting the competent national bodies responsible for identifying and prosecuting groups that operate illegally and commit

serious human rights violations. This measure has resulted in the signing of a Comprehensive Agreement on Human Rights between the United Nations and the State of Guatemala

- Adopting the National Security System Framework Act, which ends an intensive process of discussion and consensus-building initiated years ago. This Act has established the State Intelligence Department which, through an inter-agency system, will coordinate the activities and policies of all agencies involved in intelligence work. A new Legislative Commission has also been set up to monitor the national security system

63. With regard to best practices, Guatemala has maintained an open-door policy towards international human rights monitoring mechanisms, which has contributed to building inter-institutional momentum at the State level to promote human rights activities.

64. This policy has also opened up the opportunity for other important visits to Guatemala, in order to place greater emphasis on human rights issues. For instance, the visit in May 2006 by Louise Arbour, the United Nations High Commissioner for Human Rights, was aimed at establishing direct relations with the country after the opening of the United Nations Office of the High Commissioner for Human Rights in Guatemala in September 2005.

65. The country considers the joint effort between the Government of Guatemala and the United Nations High Commissioner for Human Rights in Guatemala an important step towards assessing the State's fulfilment of the recommendations issued by the treaty monitoring bodies. The results of this assessment will be transmitted in due course to the Government by the Office of the High Commissioner in Guatemala, with a view to developing a road map to refocus activities in that area.

66. In general terms, we may note that one of the most important challenges we must address as a country is achieving viability and sustainability of present and future activities and efforts in the field of human rights with a view to: (a) Combating impunity through the dismantling of transnational organized criminal groups that operate in the country and commit a great number of human rights violations; (b) Strengthening institutions responsible for public safety and justice administration in order to combat impunity; (c) Achieving an appropriate legal framework that provides better protection for vulnerable groups such as women, children, migrants and persons with special needs. With regard to economic, social and cultural rights, challenges include: (a) Generating sustainable sources of employment; (b) Expanding coverage of and greater investment in basic service provision; and (c) Reducing levels of malnutrition and chronic malnutrition.

67. In concrete terms, challenges include strengthening the institutional aspect and pursuing the modernization of the justice system, in order to contribute to the decentralization of services and to expand coverage in accordance with the cultural and linguistic characteristics of each of the country's regions.

68. With regard to criminal investigation prosecution, the challenges are to: (a) Continue establishing the National Forensic Science Institute (INACIF); (b) Effectively operate the DNA laboratory; (c) Progressively rebuild all existing 29 morgues in the country; (d) Establish adequate coordination between national bodies and the International Commission against Impunity in Guatemala in order to achieve better results; (e) Facilitate the establishment of 2,000 investigator posts with a view to strengthening and improving the responsiveness of the Office of the Public

Prosecutor, since there are currently only 200 investigators. This is a process that will require much funding, so that another obstacle to be overcome will be the limited economic resources available.

69. In order to achieve effective public safety, the process of purging and professionalizing the National Civil Police must be continued and institutional capacity must be established to meet the population's needs. In this regard, it is necessary to: (a) Ensure the preparation, discussion, and approval by the Cabinet of the initiative to reform the National Civil Police Organization Act (introducing popular election of senior police officers, official profiles, recruitment, etc.); (b) Recruit at least 800 new National Civil Police officers and 200 assistant investigators, with the required equipment (weapons, patrols, motorbikes and so forth); (c) Strengthen the Office of Professional Accountability of the National Civil Police to combat internal corruption; (d) Establish a professional counter-intelligence group under the auspices of the Ministry of the Interior; (e) Complete the registration of persons placed in temporary detention and the sentences being served; (f) Implement the prison system's computing system with a view to providing the country's prisons with accurate information so that the duration of sentences may be monitored adequately; (g) Take steps to reduce and prevent overcrowding in prisons.

70. With a view to strengthening domestic human rights legislation, it is necessary to: (a) Ensure the adoption by Government Agreement of the National Human Rights Policy and National Human Rights Action Plan, which were made public in 2005 and 2007 respectively; (b) Proceed with the revision and discussion of the inventory of measures to protect human rights defenders, and validate it through a Government Agreement; (c) Continue to promote measures for the adoption of the International Convention for the Protection of all Persons from Enforced Disappearance and the Convention on the Rights of Persons with Disabilities, and for acceptance of the competence of the Committee on the Elimination of Racial Discrimination.

71. In the context of the peace agreements, a comprehensive approach to reparation should be ensured for all victims.

### **State commitments for the promotion, protection and enforcement of human rights**

72. In order to improve the effective enjoyment of human rights in the field, the State of Guatemala undertakes to:

- Ratify the open-door policy towards international human rights monitoring mechanisms
- Renew the mandate of the Office of the United Nations High Commissioner for Human Rights established in Guatemala, for the period from September 2008 to September 2011, taking into account that its mandate ends in September of this year
- Promote effective follow-up to the recommendations issued by the international monitoring mechanisms to the country in the field of human rights
- Encourage the legislature to adopt international instruments and other human rights initiatives
- Enter into other commitments considered necessary for the promotion, protection and enforcement of human rights in the country

## **V. EXPECTATIONS REGARDING CAPACITY-BUILDING AND POSSIBLE REQUESTS FOR TECHNICAL ASSISTANCE**

73. With a view to strengthening national efforts to improve the effective enjoyment of human rights in the field, the State of Guatemala considers that both technical assistance and financial cooperation in this area should focus on:

- (a) Strengthening the existing capacity of human rights institutions in the country;
- (b) Contributing to the development of the National Human Rights Policy and National Human Rights Action Plan, with a view to fulfilling the State's international human rights commitments;
- (c) Supporting initiatives for the implementation of the recommendations of the treaty monitoring bodies, other international human rights monitoring mechanisms and other bodies contributing to the effective enjoyment of human rights in the country;
- (d) Providing technical and financial support to strengthen the national initiatives to modernize the justice sector and public safety outlined in the chapter on challenges faced by the State in the field of human rights;
- (e) Providing technical and financial support to strengthen national food safety measures.

**PRINCIPAL HUMAN RIGHTS TREATIES TO WHICH  
GUATEMALA IS A PARTY**

	<i>Name of the Agreement</i>	<i>General information on the Agreement</i>
1	UNIVERSAL DECLARATION OF HUMAN RIGHTS	New York, 10 December 1948.
2	AMERICAN DECLARATION OF THE RIGHTS AND DUTIES OF MAN	Adopted at the Ninth International Conference of American States, Bogotá, 1948.
3	DECLARATION ON THE RIGHTS OF THE CHILD	New York, 20 November 1959.
4	DECLARATION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN	New York, 7 December 1967.
5	PROCLAMATION OF TEHRAN	Iran, Tehran, 13 May 1968.
6	SLAVERY CONVENTION	Date of signature: 25 September 1926. Decree-Law No. 110-83 of 16 September 1983. Declaration of accession: 16 September 1983. Date of deposit: 11 November 1983, United Nations. Date of publication: 7 December 1983
6.1	PROTOCOL AMENDING THE SLAVERY CONVENTION	Date of signature: 7 December 1953. Decree-Law No. 110-83 of 16 September 1983. Declaration of accession: 16 September 1983. Date of deposit: 11 November 1983, United Nations. Date of publication: 7 February 1984.
6.2	SUPPLEMENTARY CONVENTION ON THE ABOLITION OF SLAVERY, THE SLAVE TRADE, AND INSTITUTIONS AND PRACTICES SIMILAR TO SLAVERY	Date of signature: 7 September 1956. Decree-Law No. 111-83 of 16 September 1983. Date of ratification: 16 September 1983. Date of deposit: 11 November 1983, United Nations. Date of publication: 8 December 1983.
7	CONVENTION ON ASYLUM	Date of signature: 20 February 1928. Legislative Decree No. 1716 of 18 May 1931. Date of ratification: 20 May 1931. Date of deposit: 28 September 1931, United Nations. Date of publication: 11 June 1931.
8	CONVENTION ON POLITICAL ASYLUM	Date of signature: 26 December 1933. Legislative Decree No. 2068 of 22 April 1935. Date of ratification: 28 April 1935. Date of deposit: 3 July 1935, United Nations. Date of publication: 20 June 1935.
9	CONVENTION ON TERRITORIAL ASYLUM	Date of signature: 28 March 1954. Decree-Law No. 13-83 of 24 February 1983. Date of ratification: 28 February 1983. Date of deposit: 13 May 1983, United Nations. Date of publication: 13 May 1983.

	<i>Name of the Agreement</i>	<i>General information on the Agreement</i>
10	CONVENTION ON DIPLOMATIC ASYLUM	Date of signature: 28 March 1954. Decree-Law No. 16-83 of 24 February 1983. Date of ratification: 3 March 1983. Date of deposit: 13 May 1983, United Nations. Date of publication: 16 June 1983.
11	CONVENTION ON THE NATIONALITY OF WOMEN	Date of signature: 26 December 1933. Legislative Decree No. 2130 of 25 March 1936. Date of ratification: 6 April 1936. Date of deposit: 17 July 1936, United Nations. Date of publication: 19 May 1936.
12	INTER-AMERICAN CONVENTION ON THE GRANTING OF CIVIL RIGHTS TO WOMEN	Date of signature: 2 May 1948. Legislative Decree No. 805 of 9 May 1951. Date of ratification: 17 May 1951. Date of deposit: 7 September 1951, Organization of American States (OAS). Date of publication: 28 May 1951.
13	INTER-AMERICAN CONVENTION ON THE GRANTING OF POLITICAL RIGHTS TO WOMEN	Date of signature: 2 May 1948. Legislative Decree No. 805 of 9 May 1951. Date of ratification: 17 May 1951, OAS (with reservation). Date of publication: 28 May 1951.
14	FREEDOM OF ASSOCIATION AND PROTECTION OF THE RIGHT TO ORGANIZE CONVENTION (No. 87)	Date of signature: 9 July 1948. Legislative Decree No. 843 of 7 November 1951. Date of ratification: 28 January 1952. Date of deposit: 13 February 1952, International Labour Organization (ILO). Date of publication: 11 February 1952.
15	CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE	Date of signature: 22 June 1949. Legislative Decree No. 704 of 30 November 1949. Date of ratification: 13 December 1949. Date of deposit: 13 January 1950, United Nations. Date of publication: 6 January 1950.
16	CONVENTION (No. 98) CONCERNING THE APPLICATION OF THE PRINCIPLES OF THE RIGHT TO ORGANIZE AND TO BARGAIN COLLECTIVELY	Date of signature: 1 July 1949. Legislative Decree No. 843 of 7 November 1951. Date of ratification: 28 January 1952. Date of deposit: 13 February 1952, ILO. Date of publication: 12 February 1952.
17	GENEVA CONVENTION FOR THE AMELIORATION OF THE CONDITION OF THE WOUNDED AND SICK IN ARMED FORCES IN THE FIELD	Date of signature: 12 August 1949. Legislative Decree No. 881 of 16 April 1952. Date of ratification: 21 April 1952. Date of deposit: 14 May 1952, United Nations. Date of publication: 3 September 1952.
18	GENEVA CONVENTION FOR THE AMELIORATION OF THE CONDITION OF THE WOUNDED, SICK AND SHIPWRECKED MEMBERS OF THE ARMED FORCES AT SEA	Date of signature: 12 August 1949. Legislative Decree No. 881 of 16 April 1952. Date of ratification: 21 April 1952. Date of deposit: 14 May 1952, United Nations. Date of publication: 3 September 1952.

	<i>Name of the Agreement</i>	<i>General information on the Agreement</i>
19	GENEVA CONVENTION RELATIVE TO THE TREATMENT OF PRISONERS OF WAR	Date of signature: 12 August 1949. Legislative Decree No. 881 of 16 April 1952. Date of ratification: 21 April 1952. Date of deposit: 14 May 1952, United Nations. Date of publication: 1 and 2 September 1952.
20	GENEVA CONVENTION RELATIVE TO THE PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR	Date of signature: 12 August 1949. Legislative Decree No. 881 of 16 April 1952. Date of ratification: 21 April 1952. Date of deposit: 14 May 1952, United Nations. Date of publication: 2 and 3 September 1952.
21	CONVENTION (No. 100) CONCERNING EQUAL REMUNERATION FOR MEN AND WOMEN WORKERS FOR WORK OF EQUAL VALUE	Date of signature: 29 June 1951. Congress Decree No. 1454 of 8 June 1961. Date of ratification: 22 June 1961. Date of deposit: 2 August 1961, ILO. Date of publication: 21 September 1961.
22	CONVENTION RELATING TO THE STATUS OF REFUGEES	Date of signature: 28 July 1951. Decree-Law No. 34-83 of 29 March 1983. Date of accession: 29 March 1983. Date of deposit: 22 September 1983, United Nations. Date of publication: 25 November 1983.
22.1	PROTOCOL RELATING TO THE STATUS OF REFUGEES	Date of signature: 31 January 1967. Decree-Law No. 34-83 of 29 March 1983. Date of accession: 29 March 1983. Date of deposit: 22 September 1983, United Nations. Date of publication: 25 November 1983.
23	CONVENTION ON THE INTERNATIONAL RIGHT OF CORRECTION	Date of signature: 1 April 1953. Congress Decree No. 11 of 5 September 1955. Date of ratification: 9 September 1955. Date of deposit: 7 May 1957, United Nations. Date of publication: 20 September 1957.
24	CONVENTION ON THE POLITICAL RIGHTS OF WOMEN	Date of signature: 31 March 1953. Congress Decree No. 1307 of 26 August 1959. Date of ratification: 18 September 1959. Date of deposit: 7 October 1959, United Nations. Date of publication: 16 October 1959.
25	CONVENTION ON THE RECOVERY ABROAD OF MAINTENANCE	Date of signature: 26 December 1956. Legislative Decree No. 1157 of 29 March 1957. Date of ratification: 2 April 1957. Date of deposit: 25 April 1957, United Nations. Date of publication: 12 April 1957.
26	CONVENTION ON THE NATIONALITY OF MARRIED WOMEN	Date of signature: 20 February 1957. Congress Decree No. 1368 of 14 June 1960. Date of ratification: 27 June 1960. Date of deposit: 13 July 1960, ILO. Date of publication: 16 July 1960.

<i>Name of the Agreement</i>	<i>General information on the Agreement</i>
27 CONVENTION (No. 105) CONCERNING THE ABOLITION OF FORCED LABOUR	Date of signature: 25 June 1957. Congress Decree No. 1321 of 7 October 1959. Date of ratification: 10 November 1959. Date of deposit: 9 December 1959, ILO. Date of publication: 19 December 1959.
28 CONVENTION (No. 111) CONCERNING DISCRIMINATION IN RESPECT OF EMPLOYMENT AND OCCUPATION	Date of signature: 25 June 1958. Congress Decree No. 1382 of 31 August 1960. Date of ratification: 20 September 1960. Date of deposit: 11 October 1960, ILO. Date of publication: 26 October 1960.
29 CONVENTION AGAINST DISCRIMINATION IN EDUCATION	Date of signature: 14 December 1960. Decree-Law No. 112-82 of 20 December 1982. Date of ratification: 21 December 1982. Date of deposit: 4 February 1983, United Nations. Date of publication: 10 March 1983.
30 PROTOCOL INSTITUTING A CONCILIATION AND GOOD OFFICES COMMISSION TO BE RESPONSIBLE FOR SEEKING A SETTLEMENT OF ANY DISPUTES WHICH MAY ARISE BETWEEN STATES PARTIES TO THE CONVENTION AGAINST DISCRIMINATION IN EDUCATION	Date of signature: 10 December 1962. Decree-Law No. 112-82 of 20 December 1982. Date of ratification: 21 December 1982. Date of deposit: 4 February 1983, United Nations. Date of publication: 10 March 1983.
31 CONVENTION ON CONSENT TO MARRIAGE, MINIMUM AGE FOR MARRIAGE AND REGISTRATION OF MARRIAGES	Date of signature: 10 December 1962. Decree-Law No. 99-82 of 15 November 1982. Date of accession: 17 December 1982. Date of deposit: 18 January 1983, United Nations. Date of publication: 23 February 1983.
32 EMPLOYMENT POLICY CONVENTION (No. 122)	Date of signature: 9 July 1964. Congress Decree No. 41-88 of 4 August 1988. Date of ratification: 19 August 1988. Date of deposit: 12 September 1988, ILO. Date of publication: 19 October 1988.
33 INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION	Date of signature: 21 December 1965. Decree-Law No. 105-82 of 30 November 1982. Date of ratification: 30 November 1982. Date of deposit: 18 January 1983, United Nations. Date of publication: 6 January 1984.
34 INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS	Date of signature: 19 December 1966. Congress Decree No. 69-87 of 30 September 1987. Date of accession: 6 April 1988. Date of deposit: 19 May 1988, United Nations. Date of publication: 8 August 1988.
35 AMERICAN CONVENTION ON HUMAN RIGHTS	Date of signature: 22 November 1969. Congress Decree No. 6-78 of 30 March 1978. Date of ratification: 27 April 1978. Date of deposit: 25 May 1978, OAS. Date of publication: 13 July 1978.



	<i>Name of the Agreement</i>	<i>General information on the Agreement</i>
36	PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949, AND RELATING TO THE PROTECTION OF VICTIMS OF INTERNATIONAL ARMED CONFLICTS (PROTOCOL I) AND PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949, AND RELATING TO THE PROTECTION OF VICTIMS OF NON-INTERNATIONAL ARMED CONFLICTS (PROTOCOL II)	Date of signature: 8 June 1977. Congress Decree No. 21-87 of 23 April 1987. Date of accession: 21 September 1987. Date of deposit: 19 October 1987, United Nations. Date of publication: 6 September 1988.
37	INTERNATIONAL CONVENTION AGAINST THE TAKING OF HOSTAGES	Date of signature: 17 December 1979. Decree-Law No. 118-82 of 30 December 1982. Date of ratification: 30 December 1982. Date of deposit: 11 March 1983, United Nations. Date of publication: 10 June 1983.
38	CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN	Date of signature: 18 December 1979. Decree-Law No. 49-82 of 29 June 1982. Date of ratification: 8 July 1982. Date of deposit: 12 August 1982, United Nations. Date of publication: 6 September 1982.
39	INTER-AMERICAN CONVENTION TO PREVENT AND PUNISH TORTURE	Date of signature: 9 December 1985. Congress Decree No. 64-86 of 11 November 1986. Date of ratification: 10 December 1986. Date of deposit: 29 January 1987, OAS. Date of publication: 24 February 1987.
40	OPTIONAL PROTOCOL TO THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN	Date of signature: 7 September 2000. Decree-Law No. 59-2001 of 22 November 2001. Date of ratification: 30 April 2002. Date of deposit: 9 May 2002. In force since: 8 August 2002. Date of publication: 17 September 2002.
41	AMENDMENT TO ARTICLE 20, PARAGRAPH 1, OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN	Date of signature: 22 May 1995. Decree-Law No. 67-97 of 6 August 1997. Date of ratification: 5 December 1997. Date of deposit: 3 June 1999. In force since: 3 June 1999. Date of publication: 20 January 1999.
42	CONVENTION RELATING TO THE STATUS OF STATELESS PERSONS	Date of signature: 28 September 1954. Adoption Decree: 5-96 of 20 February 1996. Date of ratification: 29 June 2000. In force since: 26 February 2001. Date of publication: 26 June 2003.
43	CONVENTION ON THE REDUCTION OF STATELESSNESS	Date of signature: 30 August 1961. Adoption Decree: 100-2000 of 19 December 2000. Date of accession: 20 March 2001. In force since: 23 August 2001. Date of publication: 20 August 2001.

<i>Name of the Agreement</i>	<i>General information on the Agreement</i>
44 PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR, SUPPLEMENTING THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME	Date of signature: 15 November 2000. Adoption Decree: 36-2003 of 19 ... 2003. Date of accession: 4 February 2004. In force since: 1 May 2004. Date of publication: 21 May 2004.
45 PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN, SUPPLEMENTING THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME	Date of signature: 15 November 2000. Adoption Decree: 36-2003 of 19 ... 2003. Date of accession: 4 February 2004. In force since: 1 May 2004. Date of publication: 5 May 2004.
46 INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS	Date of signature: 19 December 1966. Congress Decree No. 9-92 of 19 February 1992. Date of accession: 1 May 1992. Date of deposit: 5 May 1992, United Nations. Date of publication: 11 September 1992.
47 OPTIONAL PROTOCOL TO THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS	Date of signature: 19 December 1966. Congress Decree No. 11-96 of 14 March 1996. Date of accession: 19 June 2000. Date of deposit: 28 November 2000, United Nations. Date of publication: 3 January 2001.
48 INTER-AMERICAN CONVENTION ON FORCED DISAPPEARANCE OF PERSONS (BELÉM DO PARÁ)	Date of signature: 24 June 1994. Congress Decree No. 18-96 of 28 March 1996. Date of ratification: 27 July 1999. Date of deposit: 25 February 2000, OAS. Date of publication: 19 November 2001.
49 CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT. Ratified without reservations	Date of signature: 10 December 1984. Congress Decree No. 52-89 of 12 October 1989. Date of accession: 14 February 1990. Date of deposit: 5 January 1990, United Nations. Date of publication: 26 April 1990.
50 ADDITIONAL PROTOCOL TO THE AMERICAN CONVENTION ON HUMAN RIGHTS IN THE AREA OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS (PROTOCOL OF SAN SALVADOR)	Date of signature: 17 November 1988. Congress Decree No. 127-96 of 27 November 1996. Date of ratification: 30 May 2000. Date of deposit: 5 October 2000, OAS. Date of publication: 11 October 2001.
51 CONVENTION ON THE RIGHTS OF THE CHILD	Date of signature: 26 January 1990. Congress Decree No. 27-90 of 10 May 1990. Date of ratification: 22 May 1990. Date of deposit: 6 June 1990, United Nations. Date of publication: 25 February 1991.

	<i>Name of the Agreement</i>	<i>General information on the Agreement</i>
52	INTER-AMERICAN CONVENTION ON THE PREVENTION, PUNISHMENT AND ERADICATION OF VIOLENCE AGAINST WOMEN (BELÉM DO PARÁ CONVENTION)	Date of signature: 6 September 1994. Congress Decree No. 69-94 of 15 December 1994. Date of ratification: 4 January 1995. Date of deposit: 4 April 1995, OAS. Date of publication: 11 January 1996.
53	AMENDMENT TO ARTICLE 20, PARAGRAPH 1, OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN	Date of signature: 22 May 1995. Congress Decree No. 67-97 of 6 August 1997. Date of accession: 5 December 1997. Date of deposit: 3 June 1999, United Nations. Date of publication: 20 January 1999.
54	AMENDMENT TO ARTICLE 43, PARAGRAPH 2, OF THE CONVENTION ON THE RIGHTS OF THE CHILD	Date of signature: 12 December 1995. Congress Decree No. 77-2001 of 13 December 2001. Date of accession: 10 June 2002. Date of deposit: 26 December 2002, United Nations. Date of publication: 8 July 2003.
55	CONVENTION ON PROTECTION OF CHILDREN AND COOPERATION IN RESPECT OF INTERCOUNTRY ADOPTION	Date of signature: 29 May 1993. Congress Decree No. 50-2002 of 13 August 2002. Date of ratification: 17 October 2002. Date of deposit: 26 November 2002, the Netherlands. Date of publication: 4 March 2003.
56	INTERNATIONAL CONVENTION ON THE PROTECTION OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES	Date of signature: 7 September 2000. Congress Decree No. 61-97 of 23 July 1997. Date of ratification: 7 March 2003. Date of deposit: 14 March 2003, United Nations. In force since: 1 July 2003. Date of publication: 4 July 2003.
57	CONVENTION (No. 182) CONCERNING THE PROHIBITION AND IMMEDIATE ACTION FOR THE ELIMINATION OF THE WORST FORMS OF CHILD LABOUR	Date of signature: 1 June 1999. Congress Decree No. 27-2001 of 23 July 2001. Date of ratification: 21 August 2001. Date of deposit: 11 October 2001, ILO. In force since: 11 October 2002. Date of publication: 17 October 2002.
58	INDIGENOUS AND TRIBAL PEOPLES CONVENTION (No. 169)	Date of signature: 7 July 1989. Congress Decree No. 9-96 of 5 March 1996. Date of ratification: 10 April 1996. Date of deposit: 5 June 1996, ILO. In force since: 5 June 1997. Date of publication: 24 June 1997
59	OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY	Date of signature: 7 December 2000. Congress Decree No. 76-2001 of 11 December 2001. Date of ratification: 30 April 2002. Date of deposit: 9 May 2002. In force since: 8 June 2002. Date of publication: 19 September 2002.

<i>Name of the Agreement</i>	<i>General information on the Agreement</i>
60 OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT	Date of signature: 25 May 2000. Congress Decree No. 01-2002 of 23 January 2002. Date of ratification: 30 April 2002. Date of deposit: 9 May 2002. In force since: 8 June 2002. Date of publication: 18 September 2002.
61 AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS BETWEEN THE MINISTER FOR FOREIGN AFFAIRS OF MEXICO AND THE MINISTER FOR FOREIGN AFFAIRS OF GUATEMALA, CONCERNING PROTECTION	Date of signature: 18 August 1989. Date of ratification: 20 April 1990. In force since: 18 August 1989. Date of publication: 25 May 1990.
62 CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION (adopted in The Hague on 25 October 1980)	Congress Decree No. 24-2001 of 16 July 2001. Date of accession: 21 August 2001. Date of deposit: 5 February 2002. In force since: 1 May 2002. Date of publication: 24 April 2002.
63 MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF THE REPUBLIC OF GUATEMALA AND THE GOVERNMENT OF THE REPUBLIC OF MEXICO ON THE PROTECTION OF WOMEN AND CHILDREN FROM SMUGGLING AND TRAFFICKING ON THE BORDER BETWEEN GUATEMALA AND MEXICO	Date of signature: 23 March 2004. Date of ratification: 11 January 2005. In force since: 22 February 2005. Date of publication: 2 March 2005.
64 TECHNICAL AND FINANCIAL COOPERATION AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF GUATEMALA, THROUGH THE MINISTRY OF FOREIGN AFFAIRS OF GUATEMALA, AND THE INTERNATIONAL ORGANIZATION FOR MIGRATION, FOR THE DIGNIFIED AND SAFE RETURN OF DECEASED GUATEMALANS AND GUATEMALANS IN A VULNERABLE SITUATION ABROAD	Date of signature: 13 October 2004. Date of ratification: 10 January 2005. In force since: Date of publication: 11 February 2005.
65 INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID, ADOPTED BY THE UNITED NATIONS GENERAL ASSEMBLY ON 30 NOVEMBER 1973	Congress Decree No. 39-2005 of 12 May 2005. Date of accession: 31 May 2005. Date of deposit: 15 June 2005. Date of publication: 8 July 2005. In force since: 15 July 2005.

<i>Name of the Agreement</i>	<i>General information on the Agreement</i>
66 AGREEMENT BETWEEN THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS AND THE GOVERNMENT OF THE REPUBLIC OF GUATEMALA ON THE ESTABLISHMENT OF AN OFFICE IN GUATEMALA	Date of signature: 10 January 2005. Congress Decree No. 40-2005 of 31 May 2005. Date of ratification: 23 June 2005. In force since: 19 September 2005. Date of publication: 19 October 2005.

## Report from the international treaty archive

### Notes

<sup>1</sup> Instancia coordinada por el Ministerio de Relaciones Exteriores desde 2005, con el propósito de lograr una mejor articulación y coordinación en materia de derechos humanos entre los tres Organismos del Estado, particularmente para la adopción de medidas y posturas consensuadas con una visión de País.

<sup>2</sup> Acuerdo Global sobre Derechos Humanos, (Firmado en México, D.F. el 29 de marzo 1994); Acuerdo sobre el Establecimiento de la Comisión para el Esclarecimiento Histórico de las Violaciones a los Derechos Humanos y los hechos de violencia que han causado sufrimiento a la población Guatemalteca (firmado Oslo, Noruega 23 de junio 1994); Acuerdo para el Reasentamiento de las Poblaciones Desarraigadas por el Enfrentamiento Armado (Firmado en Oslo, Noruega 17 de julio 1994); Acuerdo Sobre Identidad y Derechos de los Pueblos Indígenas (Firmado en México, D.F. 31 de marzo 1995); Acuerdo sobre Aspectos Socioeconómicos y Situación Agraria (firmado en México D.F., 6 de mayo de 1996; Acuerdo sobre el Fortalecimiento del Poder Civil y Función del Ejército en una Sociedad Democrática (firmado en México, D.F. 19 de septiembre 1996); Acuerdo sobre el Definitivo Cese al Fuego (firmado en Oslo, Noruega 4 de diciembre 1996); Acuerdo sobre Reformas Institucionales y Régimen Electoral (firmado en Estocolmo, Suecia 7 de diciembre 1996); Acuerdo sobre Bases para la Incorporación de la Unidad Revolucionaria Nacional Guatemalteca a la Legalidad (firmado en Madrid, España 12 de diciembre 1996); Acuerdo sobre el Cronograma para la Implementación, Cumplimiento y Verificación de los Acuerdos de Paz Ciudad de Guatemala, (firmado 29 de diciembre 1996).

<sup>3</sup> Inició sus labores en abril de 1994, hasta la entrega de su noveno y último informe en septiembre del 2004.

<sup>4</sup> Decreto 40-2005 emitido el 31 de mayo de 2005.

<sup>5</sup> Decreto 02-04 emitido el 7 de enero de 2004.

<sup>6</sup> Decreto 33-06 emitido el 5 de octubre de 2005.

<sup>7</sup> Los juzgados de turno trabajan las 24 horas del día.

<sup>8</sup> Durante el 2007, se instalaron cuatro juzgados de turno distribuidos de la siguiente manera: Un juzgado de Paz Penal de Turno en la Torre de Tribunales, Un juzgado de Primera Instancia Penal de Turno en la Torre de Tribunales, Un Juzgado de Paz Penal de Turno en Mixto, Un Juzgado de Paz Penal de Turno de Villa Nueva.

<sup>9</sup> Decreto 384-2007 emitido en octubre de 2007.

<sup>10</sup> Decreto 18-05 emitido el 8 de febrero de 2005.

<sup>11</sup> Decreto 54-07 emitido el 7 de noviembre de 2007.

<sup>12</sup> Decreto 32-2006 emitido el 31 de agosto de 2006. Ley Orgánica del Instituto Nacional de Ciencias Forenses del Instituto Nacional de Guatemala.

<sup>13</sup> Decreto 35-07 emitido el 1 de agosto de 2007.

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