

In 2014, Guatemala made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government signed the Alliance for Prosperity in the Northern Triangle, a development initiative that includes among its many goals increasing educational and vocational training opportunities for youth and combatting human trafficking. The Government also implemented the Public Policy on Human Trafficking and Comprehensive Protection of Victims (2014–2024), establishing government-run shelters for victims of human trafficking. The Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons' (SVET) budget reached \$2 million, the highest in its history. Also, for the first time in Guatemala, six individuals were prosecuted by the Public Ministry and convicted of trafficking for labor purposes. However, children in Guatemala are engaged in child labor, including in agriculture and in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking. The lack of government resources, inability of the labor inspectorate to impose fines, and inadequate judicial enforcement of court orders remain key challenges for enforcement efforts to combat the worst forms of child labor. The Government delayed payments to recipients from the conditional cash transfer program, Mi Bono Seguro, and there is a lack of social programs targeting sectors in which children are known to engage in exploitative labor, such as domestic work and agriculture, as well as other sectors.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guatemala are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking.(1) Table 1 provides key indicators on children’s work and education in Guatemala.

According to the 2014 National Survey of Employment and Earnings (ENEI), in Guatemala, approximately 66 percent of child labor occurs among males and 65 percent of overall child labor is found in agriculture. The ENEI also indicates that 69.2 percent of child labor is found among indigenous children.(1)

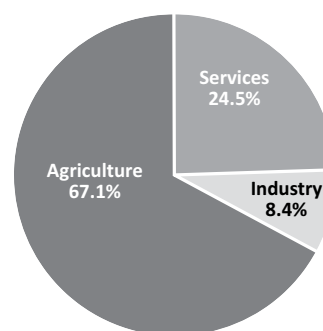
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	7-14 yrs.	19.2 (597,561)
Attending School (%)	7-14 yrs.	90.1
Combining Work and School (%)	7-14 yrs.	14.6
Primary Completion Rate (%)		87.7

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015.(2)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from ENEI Survey, 2012.(3)

Figure 1. Working Children by Sector, Ages 7-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Planting and harvesting coffee, sugarcane, corn, beans,* and broccoli (4-7)
	Production of rubber* and timber* (6)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Agriculture	Harvesting palm kernels* and producing palm oil* (8)
	Mining*† (1, 9)
Industry	Construction,* including as bricklayers and mason helpers (9, 10)
	Production of garments,* activities unknown (11)
	Manufacturing gravel† and fireworks† (1, 6, 9, 12)
Services	Domestic work† (5, 6, 9)
	Street work,† including vending,† performing,*† begging,* and shoe shining† (1, 6)
	Garbage scavenging*† and working in garbage dump† (6, 9)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, production of garments,* domestic work, garbage scavenging,* street begging* and vending (1, 6, 11)
	Used in the production of pornography* (13-16)
	Commercial sexual exploitation sometimes as a result of human trafficking (1, 11, 17)
	Used in illicit activities, including stealing* and transporting contraband as a result of criminal and gang recruitment* (6, 11)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined hazardous by national law or regulation as understood under Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3 (a)–(c) of ILO C. 182.

Approximately 40 percent of Guatemalans belong to three different ethnic groups representing more than 26 linguistic communities, among which the majority are indigenous.(18, 19) Government data indicate that more than two-thirds of working children in Guatemala are of indigenous heritage.(1) Traditionally, indigenous Guatemalan children have traveled to the Mexican border region of Guatemala to work; however, more recently, minors from other Central American countries have also migrated to the Mexican border for work, often times as a stop before they migrate farther north.(20)

In 2014, there was a steep increase in unaccompanied children from Guatemala, El Salvador and Honduras, leaving their countries to travel to the United States. These children often lack economic and educational opportunities and are vulnerable to the worst forms of child labor, including commercial sexual exploitation and recruitment by gangs.(21, 22) Gangs in Guatemala, including transnational criminal organizations, use children to commit illegal acts such as stealing and transporting contraband; some of these children are reported to be victims of human trafficking.(11) Children often emigrate to escape such violence and extortion by gangs, in addition to searching for economic opportunities and family reunification. Once *en route*, they are also vulnerable to human trafficking and commercial sexual exploitation.(17, 23, 24)

Reports indicate that children in Guatemala are victims of commercial sexual exploitation in the tourist areas of Antigua, Puerto Barrios, Rio Dulce, Lake Atitlan communities, Peten, and Guatemala City.(25)

In the last several decades, the Government has improved access to education for children; however, many significant challenges still remain. In 2014, only 60 percent of children completed the sixth grade in Guatemala.(26) In the Western Highlands, indigenous children only complete an average of 5.6 years of school. Moreover, there are still not enough qualified teachers who can speak and teach in all of the children’s native languages in the country nor are there classrooms materials available in all languages.(10)



II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Guatemala has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓

Table 3. Ratification of International Conventions on Child Labor (cont)

Convention	Ratification
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 102 of the Constitution; Articles 31 and 150 of the Labor Code; Government Accord 112-2006 (27-29)
Minimum Age for Hazardous Work	Yes	18	Article 148 of the Labor Code; Article 1 of Government Accord 250-2006 (27, 30)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 4 of Ministerial Accord 154-2008 (31)
Prohibition of Forced Labor	Yes		Article 4 of the Constitution; Article 202 of the Penal Code (28, 32)
Prohibition of Child Trafficking	Yes		Articles 47 and 49 of the Law against Sexual Violence, Exploitation, and Trafficking in Persons No. 9-2009; Article 50 of the Law of Integral Protection of Children and Adolescents, No. 27-2003 (33, 34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 36-42 of the Law against Sexual Violence, Exploitation, and Trafficking in Persons, No. 9-2009 (33)
Prohibition of Using Children in Illicit Activities	Yes		Article 27 of the Penal Code (32)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 57 of Law of Integral Protection of Children and Adolescents, No. 27-2003 (34)
Minimum Age for Voluntary Military Service	Yes	18	Article 57 of Law of Integral Protection of Children and Adolescents, No. 27-2003 (34)
Compulsory Education Age	Yes	15	Article 74 of the Constitution (28, 35)
Free Public Education	Yes		Article 74 of the Constitution; Article 1 of Government Agreement 226-2008 (28, 36)

Guatemalan law is not fully consistent with international standards regarding child labor. Article 150 of the Labor Code allows the Ministry of Labor and Social Security (MTPS) to authorize children under age of 14 to work under exceptional circumstances, including if the MTPS determines that children must work to support their family due to poverty.(27) However, in 2006, the President's Office and the MTPS signed an agreement reiterating the Labor Code's prohibition of the employment of children under the age of 14 and committing the MTPS to grant exceptions to the minimum age for work only in very special cases.(29)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security's (MTPS) Inspection Division (IGT)	Enforce child labor laws, including prohibitions on the worst forms of child labor.(37) Inspect businesses to find cases of the worst forms of child labor and respond to child labor complaints and refer children to government social services. Refer complaints to the MTPS Adolescent Workers Protection Unit. Refer children to government social services.(10, 38-40) Establish periods for employers to remedy the violations found. Refer cases of violations that are not remedied within the specified time periods to labor courts, which review the cases and impose sanctions, as appropriate.(9, 27)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Secretariat of Social Welfare and Departmental Social Welfare Offices	Establish and manage a national protocol for identifying and assisting child victims of commercial sexual exploitation.(41) In the case of Departmental Social Welfare Offices, coordinate services for children outside of Guatemala City.(40)
National Civil Police (PNC)	Maintain Trafficking in Persons and Forced Labor Unit located within the Special Investigation Police, and a hotline to receive reports of suspected child trafficking cases. Investigate cases of child trafficking.(1, 11, 24)
Public Ministry, Public Prosecutors' Office (MP)	Maintain an Anti-Human Trafficking Unit, which conducts investigations on all forms of trafficking in persons.(13, 24, 42)
Human Rights Ombudsman	Receive complaints regarding child victims of trafficking in persons.(23)
Solicitor General's Office (PGN)	Receive complaints regarding the exploitation of children. Also initiate legal proceedings to protect children in cases of violation of criminal law and ensure the legal representation of children whose rights have been infringed.(13, 23, 24) Maintain a Child Rescue Unit that assesses the risk of children whose rights have been violated, including making a determination on whether the children should remain with family members, and request appropriate protection measures.(13)

Law enforcement agencies in Guatemala took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2014, the MTPS employed approximately 300 inspectors throughout Guatemala; however, 40 of the inspectors do not conduct inspections, but rather serve as conciliators who attempt to address and resolve labor violations rather than forwarding them for judicial review and potential sanction.(1, 10) There are no inspectors specifically dedicated to child labor, but there are approximately 20 “emergency” inspectors. These inspectors are employed full time to respond to complaints from minors or those received on behalf of minors.(1, 10, 43) However, all labor inspectors were trained in child labor in 2014. The Labor Inspectorate had a budget of approximately \$3.7 million in 2014, which is a small increase from \$3.6 million in 2013.(1) Only 3 percent of the MTPS's budget is allocated for carrying out inspections. Labor inspectors, especially outside of Guatemala City, still lack the necessary resources, such as vehicles and fuel, to carry out inspections.(1, 6, 44)

According to the MTPS, in 2014, 161 inspectors conducted a total of 30,552 inspections, 5,823 of which were in industries and areas that are at high risk of employing children, including in agriculture, manufacturing, textiles, and the service industry. This represents a 22 percent decrease from 2013 in inspections in such high-risk industries and areas.(10) The MTPS holds press conferences announcing certain sectors it will target, after which these sectors undergo random inspections. Inspections are generally announced, but inspectors also may conduct unannounced inspections, such as in response to a child labor complaint.(1) There are reports that question the quality of child labor inspections, in particular the scope and coverage across industries.(1)

In 2014, the MTPS received and investigated 102 child labor complaints. During the reporting period, 101 children were found in the worst forms of child labor. In 11 cases of child labor in violation of the labor code, inspectors chose to conciliate with employer instead of referring the case to the court.(1) Approximately 59 of the 102 cases are still pending. During inspections, 87 adolescents and 14 children were found in unlawful child labor.(1, 10) The children were referred to social services, including to the MP and the PGN.(1, 10)

As a result of these inspections, the MTPS referred 18 cases of child labor violations to labor courts. Research did not uncover whether the 18 cases were a result of complaint-driven inspections or total child labor inspections.(10) In total, \$1.19 million was assessed by the labor courts for labor law violations in 2014, of which only \$486,000 was collected. Information is not available on the amount assessed and collected specifically for child labor violations, however.(1) In general, there are significant delays in penalizing employers for labor law violations, in large part because the MTPS cannot directly impose fines and must transfer cases of violations to the labor courts for their review and sanction, as appropriate.(1, 40, 45)

In 2013, the Guatemalan Government and the United States Government signed an Enforcement Plan to resolve a labor law enforcement case brought by the United States under the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR). The Plan specified a set of actions for the Government of Guatemala to undertake in order to improve the enforcement of its labor laws.(1, 46) The Enforcement Plan included passage of legislation that would allow the MTPS to

recommend sanctions to the labor courts and for the courts to adopt those sanctions through an expedited process. Enforcement of child labor laws would also be expedited with this legislation.(1, 46) However, Guatemala failed to fully implement the Enforcement Plan within the prescribed timeframes, including enacting the referenced sanction legislation.(1, 47) As a result, in September 2014, the United States announced that it would proceed with the case before a CAFTA-DR arbitral panel and has been in dispute settlement proceedings.(47)

Criminal Law Enforcement

In 2014, the National Civil Police maintained a team of approximately 45 investigators for crimes against children and adolescents, and the Special Investigative Police maintained a team of approximately 50 investigators specializing in human trafficking. The 50 investigators participated in a 1-month course on human trafficking.(1) In addition, the MP increased the size of its Anti-Trafficking Unit to 32 staff members, and the number of prosecutors from three to seven. The MP funded a certification program on gender issues for every member of the Trafficking in Persons (TIP) Prosecutors Office.(1, 25) The Anti-Trafficking Unit Office received additional vehicles in 2014, which assisted in conducting investigations outside of the capital. However, limited resources still present challenges for both inspecting cases and processing violations outside of the capital.(1)

In 2014, there were 402 new human trafficking investigations, which involved 539 suspected or convicted perpetrators. As a result of the investigations, 50 trafficking cases (involving 62 perpetrators) were brought to trial.(25) Two of the cases involved the commercial sexual exploitation of young girls. These cases are currently in the prosecution phase. Eight cases involved trafficking for labor purposes.(25) Seven of these cases are still pending; however, charges have been filed for these cases. Six of the cases involved victims under the age of 18.(10) In one investigation, 44 indigenous children trafficked from rural areas to the city for forced begging were rescued.(1)

There were 20 convictions for trafficking offenses in 2014. This includes the first 6 convictions of individuals for trafficking for labor purposes ever in Guatemala.(25) In the 6 convictions, children were forced to work in a bar serving alcohol to customers and drinking alcohol with them. The average penalty for each conviction was 21 years in prison with a fine of \$90,000.(10, 25) No information is available on the number of complaints received involving child victims of trafficking.

The National Civil Police still needs additional staff and resources to effectively enforce criminal laws related to the worst forms of child labor.(1, 24) Additionally, inadequate training and lack of resources for investigations outside of Guatemala City further negatively impact the Government's response to these crimes. However, there are reports that indicate that the quality of investigations may be improving.(1, 13, 24)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission for the Eradication of Child Labor (CONAPETI)	Coordinate government policies and efforts to combat child labor. Led by the Vice President's Office and composed of several government ministries, including the MTPS and the Ministry of Social Development (MIDES), as well as representatives from industry associations and trade unions.(9, 37, 43)
Departmental Commissions for the Eradication of Child Labor (CODIPETIs)	Coordinate government efforts to combat child labor at the departmental or regional level. Composed of department-level representatives of the agencies that form the CONAPETI.(1)
MTPS Executive Secretariats	Operate nine Executive Secretariats throughout the country to coordinate the efforts of NGOs and local government agencies on child labor.(37)
Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET)	Coordinate all government efforts against trafficking in persons (TIP), including for commercial sexual exploitation of children and forced child labor. Operate under the auspices of the Vice President's Office.(23, 24) Establish and oversee TIP networks in all departments that respond to trafficking cases and provide support for victims.(25)
Inter-Institutional Commission Against Trafficking (CIT)	Develop and manage initiatives to combat human trafficking. Coordinated by SVET and co-chaired by the Ministry of Foreign Affairs; includes 28 government and civil society institutions.(13, 23, 24)

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In 2014, the National Commission for the Eradication of Child Labor (CONAPETI) met twice, and a technical-level secretariat within CONAPETI met every month. During the year, the Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) received a budget of approximately \$2 million, an increase from \$1.1 million in 2013, and the Inter-Institutional Commission against Trafficking met on a monthly basis.(1, 25, 48) SVET launched networks in 10 additional departments, and there are now a total of 32 networks, reaching every department in Guatemala. As part of its \$2 million budget, SVET received more than \$700,000 for the operation of three new trafficking shelters.(25) In February 2014, SVET hosted a regional anti-trafficking in persons conference for civil society and other governments in the region.(11) During the reporting period, SVET trained 148,598 government and non-government staff in prevention of trafficking in persons.(25)

Although there have been improvements in interagency coordination, research found that Guatemala continues to lack effective coordination among government institutions and civil society actors who provide services and protection to children whose rights have been violated.(1, 13)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Guatemala has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
Roadmap toward the Elimination of Child Labor in Guatemala	Aims to eliminate the worst forms of child labor in Guatemala by 2015 and integrate child labor issues into anti-poverty, education, and health programs. Calls for legal reform to remove exceptions to the minimum age in the Labor Code.(45)
Alliance for Prosperity in the Northern Triangle†	Aims to create economic growth, increase educational and vocational training opportunities for youth, and reduce violence in Honduras, Guatemala, and El Salvador, in part to reduce the number of unaccompanied minors who leave Guatemala and other Central American countries for the United States and who are vulnerable to human trafficking. Signed by the presidents of each country in 2014.(49-51)
Action Plan to Make Guatemala Free From the Worst Forms of Child Labor (2013–2015)	Specifies actions for government agencies to implement the Roadmap toward the Elimination of Child Labor in Guatemala. Includes three advisors in Guatemala City and one in each departmental capital.(1)
Protocol for Providing Comprehensive Health Care to Children and Adolescents in the Worst Forms of Child Labor	Requires public health workers to input information about any child whose injuries may have been labor-related into a database. Implemented by the Ministry of Public Health and Social Assistance.(9, 52)
Intra-Institutional Coordination Protocol to Assist Child Laborers	Sets guidelines for the MTPS inspectors to identify child laborers, remove children from the worst forms of child labor, and coordinate services for such children with other government agencies.(31)
Public Policy on Human Trafficking and the Comprehensive Protection of Victims (2014–2024)†	Includes a National Plan of Strategic Action that directs the Government's actions on preventing and combatting human trafficking.(13) Replaces the Public Policy on Human Trafficking and the Comprehensive Protection of Victims (2007–2017) Plan and includes the creation of SVET-run TIP shelters, and in 2014, 2 new shelters were launched.(1, 25)
Central American Regional Coalition to Combat Human Trafficking	Aims to improve government and civil society efforts to combat human trafficking in Central America. Includes the participation of civil society organizations and the national police and public prosecutor's offices in Central America, including those of the Government of Guatemala.(13, 53) Includes MOU Between El Salvador and Guatemala on Protecting Trafficking Victims and the Illicit Trafficking of Migrants which Establishes actions for the Governments of Guatemala and El Salvador to improve the protection of trafficking victims and reduce the trafficking of migrants along the Guatemala-El Salvador border. Includes a focus on improving services for children.(13, 54)
Urban Social Protection Strategy	Seeks to prevent children from engaging in street work and to increase training and employment opportunities for youth.(9)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013) and signed by Guatemala at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(55-57)

† Policy was approved during the reporting period.

In September 2014, Guatemala participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown,

Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(58)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Guatemala funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
Conditional Cash Transfer Program (<i>Mi Bono Seguro</i>)*‡	MIDES program that provides cash assistance to families with school-aged children, conditioned on children's school attendance. Served nearly 772,000 beneficiaries in 2014.(9, 10, 59)
Food Assistance Program (<i>Mi Bolsa Segura</i>)*‡	MIDES program that provides food assistance to poor families, with the requirement that their children attend school. During 2014, assisted approximately 225,000 families, a moderate increase from 197,000 families in 2013. (10, 60, 61)
Young Protagonists (<i>Jóvenes Protagonistas</i>)*‡	MIDES program that provides at-risk adolescents with training and formative activities outside of school hours. Regularly attended by 55,000 youth in 2014, a significant increase from 36,000 in 2013.(59, 62, 63)
Over-Age Population Educational Program	Office of Bilingual Education program for child workers ages 12 to 17. Allows children who started school late due to work to finish 6 years of schooling in 2 years.(10)
My First Employment (<i>Mi Primer Empleo</i>)*‡	MIDES program that places working-age youth in apprenticeship programs and grants them on-the-job training and a monthly stipend. In 2014, served 665 youth.(52, 59, 64)
Zero Hunger Pact (<i>Pacto Hambre Cero</i>)*‡	Government programs to combat malnutrition, increase access to education, and reduce the economic vulnerability of approximately 701,000 families. In 2014, the Zero Hunger Pact had an annual budget of \$102 million from \$252.7 million in 2013.(9, 10, 65)
TIP Referral and Grant Funding‡	Government program that provides funding to NGOs to provide shelter and services to child victims of trafficking for commercial sexual exploitation. In 2014, the Government provided \$1.1 million to two NGOs.(25)
Education and Monitoring Program for the Eradication of Child Labor (2012–2014)	\$1.3 million Government of Spain-funded, 2-year project implemented by ILO-IPEC that aims to strengthen public policies and government capacity to combat child labor in 19 countries in the Americas, including Guatemala. In 2014, carried out several activities to strengthen the work of the CONDEPTIs, which included developing information systems on the worst forms of child labor in Guatemala.(66)

*The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Guatemala.

In 2014, budget shortfalls prevented the Government from providing funding on-time to beneficiaries of the conditional cash transfer program (*Mi Bono Seguro*). As a result, by the end of October 2014, only 43% of *Mi Bono Seguro*'s budget had been distributed to beneficiaries.(67) There is some evidence that, due to irregular disbursement of funds, many parts of the country did not receive payments for *Mi Bono Seguro* in the last quarter of 2014.(10) However, a report indicates that despite the delayed funding issue during the last quarter of 2014 with *Mi Bono Seguro*, the Government provided program beneficiaries payments outside of Guatemala City, reaching hundreds of thousands of families in all 22 departments, with the highest participation in Quiché, Alta Verapaz, Huehuetenango, and San Marcos.(10, 68)

In 2014, the Government increased funding for assistance to child victims of trafficking for the purpose of commercial sexual exploitation. However, a source indicates that government-run shelters for vulnerable children, including child trafficking victims, lacked sufficient translators for children who speak roughly two dozen Mayan languages, causing difficulties in service provision.(11)

Additionally, although the Government of Guatemala has implemented programs to assist children and families with conditional cash transfers, food assistance, and education services, research found no evidence that there are Government programs to specifically design to assist children, especially indigenous children, in domestic work, agriculture, and children who perform other types of hazardous work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Guatemala (Table 9).

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Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Remove exceptions to the minimum age for work within Article 150 of the Labor Code that are inconsistent with international standards.	2010 – 2014
Enforcement	Increase resources for labor inspections, including vehicles and fuel, particularly for inspections outside of Guatemala City and ensure that inspections are conducted across all industries.	2009 – 2014
	Apply penalties to violators of child labor laws.	2014
	Make information publicly available on whether employers have been sanctioned for child labor violations, have paid the fines imposed, and have remedied the underlying violations.	2011 – 2014
	Authorize the MTPS legislatively to issue sanctions for labor law violations, including in cases of child labor or at a minimum, enact legislation to allow the MTPS to recommend sanctions to the labor courts for the courts to review and adopt through an expedited process.	2014
	Eliminate significant delays in the process for penalizing labor law violators, including in cases of child labor, at a minimum, by enacting legislation authorizing the MTPS to make fine recommendations and expediting the process for the judiciary to adopt such recommendations, issue fines, order and enforce remediation of labor law violations.	2012 – 2014
	Make information publicly available on the number of complaints received involving child victims of trafficking.	2014
	Increase resources for the law enforcement agencies responsible for receiving complaints and investigating child commercial sexual exploitation, forced labor, trafficking, and violations of child labor laws.	2013 – 2014
	Dedicate more resources and staff to the PGN to improve service provision for child trafficking victims and also to the National Civil Police to improve enforcement of criminal laws related to the worst forms of child labor.	2013 – 2014
Coordination	Strengthen coordination efforts to institutionalize relationships between civil society representatives and government agencies that provide services to child victims of the worst forms of child labor.	2013 – 2014
Social Programs	Ensure that there is geographical coverage of existing anti-poverty programs to guarantee that the programs reach families living in both urban and rural areas.	2013-2014
	Initiate social programs to address child labor, especially with a focus on indigenous children, in agriculture, domestic work, and for children who perform other types of hazardous work.	2009 – 2014
	Assess the impact that existing social programs may have on addressing child labor.	2009 – 2014

REFERENCES

- U.S. Embassy- Guatemala City. *reporting, January 15, 2015.*
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed January 16, 2015]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Original data from ENCOVI Survey, 2012. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- Catholic Relief Services. *Informe: Linea de Base.* Baltimore; 2010.
- UNICEF. *Guatemala: the Perfect Storm: Impact of Climate Change and the Economic Crisis on Children and Adolescents.* Guatemala City; 2010. <http://bit.ly/AjQ1Wy>.
- U.S. Department of State. “Guatemala,” in *Country Reports on Human Rights Practices- 2013.* Washington, DC; 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
- Verite. *Research on Indicators of Forced Labor in the Supply Chain of Coffee in Guatemala.* Amherst; 2012. <http://bit.ly/1d6gake>.
- Verite. *Labor and Human Rights Risk Analysis of the Guatemalan Palm Oil Sector.* Amherst; March 31, 2014. <http://www.verite.org/sites/default/files/images/RiskAnalysisGuatemalanPalmOilSector.pdf>.
- Government of Guatemala. *Response to USDOL Request for Information.* Guatemala City; February 1, 2013.
- U.S. Embassy- Guatemala City official. E-mail communication to USDOL official. March 12, 2015.
- U.S. Department of State. “Guatemala,” in *Trafficking in Persons Report- 2014.* Washington, DC; June 19, 2014; <http://www.state.gov/j/tip/rls/tiprpt/2014/>.
- ILO Committee of Experts. *Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Guatemala (ratification: 2001) Published: 2013;* accessed December 3, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>.
- UN Human Rights Council. *Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maalla M’jid: Addendum: Mission to Guatemala.* New York; January 21, 2013. Report No. A/HRC/22/54/Add.1. http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-54-Add1_en.pdf.

14. “Estructuras difícilmente son identificadas.” La Hora, Guatemala, August 5, 2013. <http://www.lahora.com.gt/index.php/nacional/guatemala/reportajes-y-entrevistas/181798-desde-el-2009-solo-se-han-emitido-dos-sentencias-por-pornografia-infantil>.
15. Castañón, M. “Prolifera pornografía infantil ‘Made in Guatemala’.” La Hora, Guatemala, February 13, 2012. <http://www.lahora.com.gt/index.php/nacional/guatemala/reportajes-y-entrevistas/153040-por-q25-se-consiguen-tres-discos-de-pornografia-infantil-guatemalaca>.
16. Rodríguez, M. “Perciben incremento de pornografía infantil.” La Hora, Guatemala, October 29, 2013. <http://www.lahora.com.gt/index.php/nacional/guatemala/actualidad/186004-perciben-incremento-de-pornografia-infantil>.
17. Asociación para la Eliminación de la Prostitución, P, Turismo, Tráfico Sexual de Niñas, Niños y Adolescentes-ECPAT. *La trata de personas con fines de matrimonios forzados, explotación sexual comercial y explotación laboral en Huehuetenango, Quetzaltenango, Totonicapán y Quiché*; 2013. [source on file].
18. UNICEF. *Guatemala: Country programme document 2015-2019*; 2014. [source on file].
19. Lewis, MP, Gary F. Simons, and Charles D. Fennig (eds.). *Ethnologue: Languages of the World, Seventeenth edition*. [cited November 21, 2014]; <https://www.ethnologue.com/country/gt>.
20. ILO-IPEC. *Niños, niñas y adolescentes migrantes trabajadores en zonas fronterizas en Centroamérica y Panamá*; 2014. [source on file].
21. Dennis Stinchcomb and Eric Hershberg. *Unaccompanied Migrant Children from Central America: Context, Causes, and Responses*. Center for Latin American & Latino Studies, American University; 2014 November. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2524001.
22. United States Conference of Catholic Bishops. *Mission to Central America: The Flight of Unaccompanied Children to the United States*; November 2013. <http://www.usccb.org/about/migration-policy/upload/Mission-To-Central-America-FINAL-2.pdf>.
23. U.S. Embassy- Guatemala City. *reporting, February 19, 2013*.
24. U.S. Embassy- Guatemala City official. E-mail communication to USDOL official. May 16, 2014.
25. U.S. Embassy- Guatemala City. *reporting, February 17, 2015*.
26. Government of Guatemala. *Sistema Nacional de Indicadores Educativos-Guatemala*, [cited March 21, 2015]; <http://estadistica.mineduc.gob.gt/>.
27. Government of Guatemala. *Código de Trabajo de la República de Guatemala*, enacted 1995. <http://www.lexadin.nl/wlg/legis/nofr/oeur/arch/gua/ct.pdf>.
28. Government of Guatemala. *Constitución de 1985 con las reformas de 1993* enacted May 31, 1985, reformed November 17, 1993. <http://pdba.georgetown.edu/Constitutions/Guate/guate93.html>.
29. Government of Guatemala. *Acuerdo gubernativo 112-2006*, enacted 2006. <http://www.ilo.org/dyn/travail/docs/2098/Protecci%C3%B3n%20laboral%20de%20la%20ni%C3%B1ez%20y%20adolescencia.pdf>.
30. Government of Guatemala. *Acuerdo gubernativo 250-2006*, enacted 2006. <http://www2.congreso.gob.pe/Sicr/Comisiones/2007/ComRevNinAdo.nsf/34069c3bb71c123b05256f470062fea7/04BDED74D31FD9F3052574640067D12D/SFI/LE/GuatemalaAcuerdoGubernativo250Convenio182.pdf>.
31. Government of Guatemala. *Intrainstitutional Protocol*, No. 154-2008, enacted August 14, 2008. http://white.oit.org.pe/ipecc/documentos/protocolo_intrainstitucional_atencion_guatemala.pdf.
32. Government of Guatemala. *Código Penal*, enacted 1973. http://www.oas.org/JURIDICO/MLA/sp/gtm/sp_gtm-int-text-cp.pdf.
33. Government of Guatemala. *Ley contra la Violencia Sexual, Explotación y Trata de Personas*, No. 9-2009, enacted March 20, 2009. <http://www.acnur.org/biblioteca/pdf/7047.pdf>.
34. Guatemala *Ley de Protección Integral de la Niñez y Adolescencia*, enacted hardcopy on file.
35. UNESCO. *World Data on Education*. Paris; 2010. http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Guatemala.pdf.
36. Government of Guatemala. *Acuerdo gubernativo 226-2008*, enacted 2008. http://colectivoceptguatemala.org/jla/index.php?option=com_content&view=article&id=8&Itemid=109.
37. U.S. Embassy- Guatemala City. *reporting, February 4, 2010*.
38. Government of Guatemala. *Protocolos de Inspección Guatemala: Buenas Prácticas, Verificación, Investigación*. Guatemala City; 2008.
39. Government of Guatemala. *Acuerdo Ministerial 128-2009*, enacted July 8, 2009. http://www.ilo.org/dyn/travail/docs/2092/ACUERDO_Ministerio_128-2009.pdf.
40. Government of Guatemala. *Peores Formas de Trabajo Infantil*. Submitted in response to U.S. Department of Labor Request for Information on Child Labor and Forced Labor. Guatemala City; February 21, 2012.
41. Secretariat of Social Welfare, ILO-IPEC, and ECPAT Guatemala. *Protocolo para la detección y atención integral a niñas, niños, y adolescentes víctimas de explotación sexual comercial*. Guatemala; 2007. <http://www.ilo.org/ipeccinfo/product/viewProduct.do?productId=6621>.
42. U.S. Embassy- Guatemala City. *reporting, February 2, 2011*.
43. U.S. Embassy- Guatemala City. *reporting, February 15, 2012*.
44. USDOL official. *Observation Report, July 19, 2013*. Washington, DC.
45. ILO-IPEC. *Hoja de Ruta para hacer de Guatemala un país libre de trabajo infantil y sus peores formas*. Geneva; 2009. <http://www.ilo.org/ipeccinfo/product/download.do?type=document&id=12432>.
46. Office of the United States Trade Representative. *Mutually Agreed Enforcement Action Plan between the Government of the United States and the Government of Guatemala (“Enforcement Plan”)*. Washington, DC; 2013. <http://www.ustr.gov/sites/default/files/04292013%20Guatemala%20Enforcement%20Plan.pdf>.
47. Office of the United States Trade Representative. *In the Matter of Guatemala – Issues Relating to the Obligations Under Article 16.2.1(a) of the CAFTA-DR*, [cited January 26, 2015]; <http://www.ustr.gov/trade-topics/labor/bilateral-and-regional-trade-agreements/guatemala-submission-under-cafta-dr>.
48. U.S. Embassy- Guatemala City official. E-mail communication to USDOL official. May 23, 2012.
49. Governments of El Salvador Guatemala and Honduras. *Plan of the Alliance for Prosperity in the Northern Triangle: A Road Map*; September 2014. <http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=39224238>.
50. The White House - Office of the Press Secretary. “Fact Sheet: Support for the Alliance for Prosperity in the Northern Triangle.” [online] March 3, 2015 [cited March 24, 2015]; <https://www.whitehouse.gov/the-press-office/2015/03/03/fact-sheet-support-alliance-prosperity-northern-triangle>.
51. Inter-American Development Bank. “Presidentes de El Salvador, Guatemala y Honduras presentan plan de Alianza para Prosperidad en Triángulo Norte.” *iadb.org* [online] November 14, 2014 [cited November 17, 2014]; <http://www.iadb.org/es/noticias/comunicados-de-prensa/2014-11-14/presidentes-del-triangulo-norte-presentan-plan.10987.html>.
52. U.S. Embassy- Guatemala City. *reporting, February 22, 2013*.
53. EFE. “Instan a Centroamérica a articular medidas contra la trata de personas.” *abc.es* [online] September 9, 2013 [cited April 14, 2014]; <http://www.abc.es/agencias/noticia.asp?noticia=1492206>.
54. Government of Guatemala and the Government of El Salvador. *Memorandum de Entendimiento entre la República de El Salvador y la República de Guatemala para la Protección de las Víctimas de la Trata de Personas y del Tráfico Ilícito de Migrantes*. Guatemala City and San Salvador; 2011. https://www.oas.org/dil/esp/Memorandum_de_Entendimiento_Guatemala_El_Salvador_Trata_de_Persona.pdf.
55. ILO. “18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour.” October 17, 2014, [cited November 17, 2014] http://www.ilo.org/caribbean/WCMS_314428/lang-en/index.htm.
56. UN News Centre. “At UN-backed forum, Latin American, Caribbean nations pledge robust efforts against child labour.” [cited <http://www.un.org/apps/news/printnews.asp?id=49082>].
57. “Declaración de Constitución de la Iniciativa Regional América Latina y el Caribe Libre de Trabajo Infantil, signed at the ILO’s 18th Regional Meeting of the Americas, October 14, 2014.” *wordpress.com* [online] October 14, 2014 [cited November 17, 2014]; https://iniciativaregionalcontraeltrabajoinfantil.files.wordpress.com/2014/10/declaracion3b3n-ir_espac3b1ol.pdf.
58. OAS. *Agenda, First Meeting of the Working Group of the XVIII IACML*; 2014. https://www.oas.org/en/sedi/dhdec/labor_and_employment/pages/cpo_trab_WG1XVIII_IACML.asp.

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59. Government of Guatemala. *MINDES Social Program Information*. Guatemala City February 23, 2015. hardcopy on file.
60. Alvarado, C. "Mides dará carné a beneficiarios de Mi Bolsa Segura." *Diario de Centro América*, Guatemala, May 23, 2013; Nacionales. <http://www.dca.gob.gt/index.php/template-features/item/19067-mides-impulsa-crear-carn%C3%A9-para-la-entrega-de-bolsas-seguras.html>.
61. Government of Guatemala. *Gobierno beneficia a 430 mil familias con Mi Bolsa Segura en siete meses del año*; 2014. <http://www.guatemala.gob.gt/index.php/2011-08-04-18-06-26/item/9174-gobierno-beneficia-a-430-mil-familias-con-mi-bolsa-segura-en-siete-meses-del-año>.
62. Morales, M. "Programa Jóvenes Protagonistas disminuye inserción de menores a pandillas." *Agencia Guatemalteca de Noticias*, Guatemala, August 23, 2013; Portada. <http://www.agn.com.gt/index.php/world/item/7726-programa-j%C3%B3venes-protagonistas-disminuye-inserci%C3%B3n-de-menores-a-pandillas>.
63. Government of Guatemala. *Jóvenes Protagonistas llega a 75 mil asistencias* 2014. <http://www.mides.gob.gt/noticias/item/1054-jovenes-protagonistas-llega-a-75-mil-asistencias>.
64. Castillo, D. "Sistema de becas Mi Primer Empleo atenderá a 50 mil jóvenes." *El Periódico*, Guatemala, February 18, 2013; Nación. <http://www.elperiodico.com.gt/es/20130218/pais/224926>.
65. SESAN. "Secretario de SESAN impulsa el compromiso con el país en la reducción de la desnutrición." *sesan.gob.gt* [online] January 9, 2015 [cited April 13, 2015]; <http://www.sesan.gob.gt/index.php/noticias/region-central/item/1521-secretario-de-sesan-impulsa-el-compromiso-con-el-pais-en-la-reduccion-de-la-desnutricion>.
66. ILO-IPEC Geneva official. E-mail communication to USDOL official. January 9, 2015.
67. Prensa Libre. "Disminuye inversión de Mi Bono Seguro." *prensalibre.com* [online] November 10, 2014 [cited November 14, 2014]; http://www.prensalibre.com/noticias/politica/Nacionales-disminuye-inversion-de-Mi-Bono-Seguro-programa-de-gobierno_0_1246075387.html.
68. Government of Guatemala. *Reactivan pagos de Mi Bono Seguro en dos departamentos* 2014. <http://www.mides.gob.gt/noticias/item/1055-reactivan-pagos-de-mi-bono-seguro-en-dos-departamentos>.