

SIGNIFICANT ADVANCEMENT

In 2019, Guatemala made a significant advancement in efforts to eliminate the worst forms of child labor. The government introduced new protections for adolescent workers to ensure that they do not participate in the worst forms of child labor. Guatemala also adopted the new Model for Comprehensive Care for Children and Adolescents, a multi-agency mechanism designed to provide care for child trafficking victims. In addition, government agencies began implementing the Child Labor Risk Identification Model, which is designed to identify child labor vulnerabilities and develop strategies in response. Furthermore, Guatemala developed a monitoring and evaluation tool in anticipation of a new national action plan to combat child labor and launched the next phase of its Blue Heart campaign to raise awareness about human trafficking. However, children in Guatemala are engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture, such as in the production of coffee. The lack of a sufficient number of labor inspectors and resources limited the Ministry of Labor and Social Welfare's ability to combat the worst forms of child labor. In addition, existing social programs are insufficient to reach all children engaged in exploitative labor and, in particular, do not target children engaged in domestic work or agriculture.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guatemala are engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture, such as in the production of coffee. (1-5) Table 1 provides key indicators on children's work and education in Guatemala.

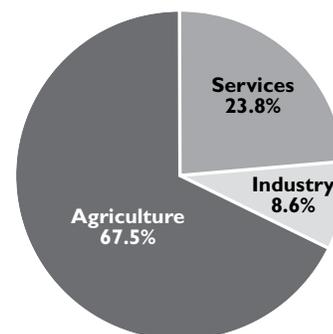
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	7 to 14	9.3 (286,823)
Attending School (%)	7 to 14	89.9
Combining Work and School (%)	7 to 14	5.6
Primary Completion Rate (%)		79.7

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Nacional de Empleo e Ingreso I (ENEI I), 2017. (7)

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	Picking macadamia nuts and tea leaves (8)
	Planting and harvesting coffee, sugarcane, corn, broccoli, bananas, plantains, and flowers (1,8-13)
	Harvesting palm kernels and producing palm oil (8,11,14)
	Ranching (1)

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

Sector/Industry	Activity
Industry	Mining,† including silver mining† (2,15,16)
	Construction, including as bricklayers and mason helpers (1,17,18)
	Production of garments, activities unknown (2,16)
	Manufacturing gravel (crushed stones)† and fireworks† (1,12,16,17,19,20)
Services	Domestic work and house-sitting† (4,11,12,21,22)
	Street work,† including vending,† performing,† cleaning windshields and windows,† begging, and shoe shining† (2,11,15-17,23-25)
	Making corn tortillas (12,26-28)
	Working as store clerks in small family-owned corner stores (<i>abarroterías</i>) (11-13,28)
	Garbage scavenging† and working in garbage dumps† (4,17)
	Working as servers in restaurants (<i>comedores</i>) (11)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, production of garments, domestic work, street begging, making corn tortillas, and vending (1,24-26,28-31)
	Use in the production of pornography (1,2,5,16,25)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,4,11,24-26,30,31)
	Use in illicit activities, including drug trafficking, and stealing and transporting contraband as a result of criminal and gang recruitment (4,16,24-26,28)

† Determined by national law or regulation as hazardous and, as such, relevant to 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.

Indigenous children account for more than half of child laborers in Guatemala, and children in rural areas are more likely to work than children in urban areas. Most of these children are engaged in agricultural activity. (25,32,33) In agriculture, working conditions for children involve using machetes and other dangerous tools, including the cultivation of sugar. (16,34) Children as young as age 5 work in coffee fields picking and carrying heavy loads of coffee beans and mixing and applying pesticides. (35-37) In 2019, a 9-year old child died on a coffee plantation in Baja Verapaz, though reports were conflicting as to the cause of death. (38) Recently corroborated reports indicate that children are often sent into the cities by their parents to work as street performers or beggars. Some of these children are sold to criminal organizations, work very long hours, and are at times forced to wear toxic paint to attract more attention. (25,39)

Children, both Guatemalan-born and from other countries, are victims of commercial sexual exploitation, including in sex tourism. (22,30) Girls, LGBTI persons, and indigenous Guatemalans are particularly vulnerable to human trafficking. (30) Children are exploited for forced labor in Guatemala, particularly in agriculture and domestic work. (22) Children are also forced to engage in street begging and vending in Guatemala City and along the border with Mexico. (31) Traffickers are increasingly using social media to recruit children. (29) Multiple sources indicate that children are recruited into gangs to serve as lookouts, couriers, and drug dealers, or to commit extortion. Criminal organizations, including gangs, also exploit girls in sex trafficking. (1,22,25)

Significant barriers to accessing education exist in Guatemala, particularly for girls, indigenous children, and children in rural areas. (1,16) Education is free in Guatemala, although only through grade 6, and there is an insufficient number of primary and secondary schools. (25,40) A lack of teachers, transportation, and sanitary facilities at public schools, and fees charged at private schools, all create barriers to education. (1,25) Over 70 percent of secondary schools are private, requiring families to pay school fees, transportation costs, and for supplies and lodging. (25)

Reports conclude that there is a high degree of illiteracy among girls. (5,41,42) Due to the heightened security risks for girls traveling alone and cultural norms that prioritize boys’ education over that of girls, girls in rural areas have lower enrollment rates in secondary school than boys. (25,26) Indigenous children in general have lower enrollment rates compared to other children. (5) There are not enough qualified teachers to provide instruction in the predominant native languages and classroom materials available in these languages are

insufficient. (16,42,43) Furthermore, the education system is unable to address the needs of students with disabilities. (1,25,26)

II. LEGAL FRAMEWORK FOR 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	✓
 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 (Table 4). However, gaps exist in Guatemala's legal framework to adequately protect children from the worst forms of child labor, including provisions for light work for children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Articles 31 and 148 of the Labor Code; Article 6 and 32 of Government Accord 112-2006; Ministerial Agreement Number 260-2019 (44,46)
Minimum Age for Hazardous Work	Yes	18	Article 148 of the Labor Code; Article 1 of Government Accord 250-2006 (44,47)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 4 of Ministerial Accord 154-2008 (48)
Prohibition of Forced Labor	Yes		Article 202 of the Penal Code; Article 51 of the Law of Integral Protection of Children and Adolescents; Decree 10-2015 (49-51)
Prohibition of Child Trafficking	Yes		Article 202 <i>bis</i> and <i>quater</i> of the Penal Code, as amended by Articles 47–48 of the Law against Sexual Violence, Exploitation, and Trafficking in Persons, No. 9-2009; Article 108 of the Migration Law (49,52,53)
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 (52)
Prohibition of Using Children in Illicit Activities	Yes		Article 27 of the Penal Code (49)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 57 of the Law of Integral Protection of Children and Adolescents (50)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 68–69 of the Constitutive Law of the Guatemalan Army (54)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 245 of the Constitution; Article 57 of the Law of Integral Protection of Children and Adolescents (50,55)
Compulsory Education Age	Yes	15‡	Article 74 of the Constitution; Article 33 of the National Education Law; Ministerial Agreement 1055-2009 (55-57)
Free Public Education	Yes		Article 74 of the Constitution; Article 1 of Government Agreement 226-2008 (55,58)

‡ Age calculated based on available information (2,55,59,60)

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In 2019, the Ministry of Labor and Social Welfare (MTPS) approved Ministerial Agreement Number 260-2019, “Procedure for the effective application of Convention 138 of the International Labor Organization, regarding the Convention on the Minimum Age for Admission of Employment,” which sets forth procedures for protecting adolescents between 15 and 18 years of age and ensuring that they do not participate in the worst forms of child labor. The agreement also establishes procedures for protecting adolescent workers and for improving coordination between MTPS’s Unit for the Protection of Working Adolescents and the General Labor Inspectorate (UPAT). (46,61) However, the agreement does not explicitly cover children 14 years of age, who are allowed to work under Guatemala’s Labor Code (or children under 14 who are allowed to work in exceptional circumstances). Therefore, it is unclear if this mechanism effectively raises the minimum age to 15.

Although Articles 32 and 150 of the Labor Code allow MTPS to authorize children under age 14 to work under exceptional circumstances—including if MTPS determines that children must work to support their family due to poverty—the law does not define the total number of hours, kinds of tasks, or age range applicable for this exception, which is inconsistent with international standards on light work. (44) MTPS indicated that no such exceptions have been granted since 2016. (1,62)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of MTPS that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Welfare’s (MTPS) Inspection Division	Enforces child labor laws, including prohibitions on the worst forms of child labor, by inspecting businesses and responding to child labor complaints. (2,25) Refers children found in child labor to government social services and refers complaints to the MTPS Adolescent Workers Protection Unit. (63-65) Refers cases of worst forms of child labor to the Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) and unresolved cases to labor courts for review and sanctions, as appropriate. (2)
National Civil Police	Investigates cases of child trafficking through the Trafficking in Persons and Forced Labor Unit located within the Special Investigation Police, and operate a hotline to receive reports of suspected child trafficking cases. Also conduct welfare inspections in child labor cases and refer cases to civil court. (15,25)
Public Ministry, Special Prosecutor’s Office	Receives case referrals involving the worst forms of child labor from labor inspectors. Investigates cases of human trafficking and forced labor through the Special Prosecutor’s Office Against Human Trafficking. (2)
Solicitor General’s Office	Receives complaints regarding the exploitation of children. Initiates legal proceedings, refers cases to the National Civil Police, and ensures the legal representation of children whose rights have been violated. (25)
Secretariat of Social Well-Being	Establishes procedural guidelines for government agencies and NGOs responsible for the protection and care of child and adolescent victims of commercial sexual exploitation via the Protocol for Identifying and Assisting Child and Adolescent Victims of Commercial Sexual Exploitation. Administrative unit under the Executive branch charged with formulating, coordinating, and executing public policies related to the protection of children and adolescents. (66,67)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Guatemala took actions to combat child labor (Table 6). However, gaps exist within the operations of MTPS that may hinder adequate labor law enforcement, including financial resource allocation and inspection planning.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$601,687 (1,68)	\$402,597 (25)
Number of Labor Inspectors	234 (68,69)	203 (70)
Inspectorate Authorized to Assess Penalties	Yes (1,44)	Yes (25,44)
Initial Training for New Labor Inspectors	N/A (1)	Yes (25)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2018	2019
Training on New Laws Related to Child Labor	Yes (1)	Yes (34)
Refresher Courses Provided	Yes (1)	Yes (25)
Number of Labor Inspections Conducted	34,035 (1)	34,439 (25)
Number Conducted at Worksite	17,851 (1)	18,426 (25)
Number of Child Labor Violations Found	10 (1)	10 (25)
Number of Child Labor Violations for Which Penalties Were Imposed	10 (1)	3 (25)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (25)
Routine Inspections Conducted	Yes (1)	Yes (25)
Routine Inspections Targeted	Yes (68)	Yes (25)
Unannounced Inspections Permitted	Yes (1)	Yes (25)
Unannounced Inspections Conducted	Yes (1)	Yes (25)
Complaint Mechanism Exists	Yes (1)	Yes (25)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (25)

In 2019, the General Labor Inspectorate conducted 2,580 child labor-specific inspections, an increase from 2018, all at worksites. The inspections were targeted at sectors in which children are most vulnerable to exploitative labor, such as in agriculture, construction, street work, and other informal work. (25) In addition, from December 9 through December 13, 2019, the inspectorate cooperated with UPAT to carry out planned inspections targeting the worst forms of child labor in the manufacturing and handling of explosive and pyrotechnic substances. (25) MTPS removed 14 children from child labor as a result of inspections, while the Public Ministry's (MP) unit against trafficking in persons reported removing 40 children from child labor who were all referred to the Solicitor General's Office for social services. (25)

All of Guatemala's inspectors received training during the reporting period, including in the enforcement of laws related to child labor and the worst forms of child labor. Eleven new inspectors hired in 2019 began initial training in December and 60 inspectors participated in an Office of the United Nations High Commissioner for Human Rights training titled "International Standards on Human and Labor Rights: Trafficking in Persons for Purposes of Labor Exploitation and Other Contemporary Forms of Slavery." (25) Sixty inspectors also took part in a mediation techniques training offered by the U.S. Federal Mediation and Conciliation Service, with select inspectors receiving follow-up "train the trainer" courses. (25)

Guatemala's General Labor Inspectorate received less funding in 2019 compared to 2018 and MTPS has indicated that the funding level was insufficient to cover the inspectorate's needs, particularly for transportation, fuel, and per diem costs. (25) Furthermore, the number of labor inspectors is likely insufficient for the size of Guatemala's workforce, which includes more than 4.6 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing countries, Guatemala would employ about 308 labor inspectors. (71,72)

Although laws governing the minimum age for work and hazardous work apply in both the formal and informal sectors, labor inspectors rarely inspect informal workplaces in which child labor violations are most likely to occur. (1,2,25,26) Some reports question the quality of inspections for child labor violations, particularly the scope and coverage across industries. (15,16) Civil society organizations state that, during worksite inspections, labor inspectors often meet only with business owners or supervisors and bypass conducting worker interviews. (8,39) Civil society organizations also report that labor inspectors are not appropriately trained to perform inspections for child labor. (1,11,13)

The government has created a mechanism for filing complaints regarding child labor, but reports state that the mechanism is not efficient in responding to those complaints. (1,25,26) Furthermore, while Guatemala has established a referral mechanism between responsible agencies in cases of child labor, coordination between

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these agencies remains a challenge and requires the intervention of NGOs or international missions. (25) In 2017, the General Labor Inspectorate regained the authority to impose penalties for labor law violations, and it began implementing this authority in 2018, including for child labor law violations. While MTPS reported it issued 1,374 fines to non-compliant companies between 2018 through the end of 2019 for all violations, information regarding how much was collected in penalties in 2019 for child labor violations was still not available during the reporting period. (25)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Guatemala took actions to combat child labor (Table 7). However, gaps exist within the operations of the National Civil Police that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (1)	N/A (25)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (1)	N/A (25)
Refresher Courses Provided	Yes (1,69)	Yes (25)
Number of Investigations	112 (1)	Unknown (25)
Number of Violations Found	44 (68)	Unknown (25)
Number of Prosecutions Initiated	55 (1)	67 (25)
Number of Convictions	12 (1)	20 (25)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (30)	Yes (25)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (25)

In 2019, Guatemala's Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) rescued 154 child and adolescent victims of human trafficking. Of these cases, 48 involved commercial sexual exploitation of children as a result of human trafficking. (25) The total number of child labor violations found during the reporting period was unknown, however.

The Attorney General's Office reported 13 convictions in 2019 related to the commercial sexual exploitation of children, including for use in pornographic performances and for online sexual exploitation. Individuals convicted in 2019 for trafficking in persons crimes received non-commutable prison sentences between 8 to 14 years and fines of \$38,960. (25) Notably, eight prison guards were convicted in February 2019 for their role in facilitating the trafficking of a girl aged 17, and were sentenced to 3 years in prison, while two other individuals were charged with human trafficking and have cases pending. (22) The government reported 221 investigations but did not clearly indicate which of these involved minors in labor exploitation. Thus, the total number of investigations involving the worst forms of child labor is unknown. (25)

Guatemala made efforts to increase anti-trafficking resources and capacity outside of Guatemala City, and the MP began making social workers and psychologists available to human trafficking victims to serve as liaisons as victims navigated proceedings and sought medical care. (22) The MP established two new Special First Instance criminal courts in Quetzaltenango and Guatemala City specialized in prosecuting trafficking in persons and trafficking in persons-related crimes. (31) In 2019, criminal law enforcement investigators received training on issues related to forced labor and labor exploitation, including child labor. (25) However, the Attorney General's Office noted that training was insufficient regarding laws against sexual violence, exploitation, and trafficking in persons, particularly in relation to the recruitment of minors by organized criminal organizations. (25)

The government has established specialized courts to hear cases of human trafficking of adults and children and gender-based violence. Despite this, judges are often unable to schedule hearings and trials in a timely manner and often lack sufficient training to properly identify trafficking in persons cases. (31,39) However, during the

reporting period, the MP and the Judiciary developed the Model for Comprehensive Care for Children and Adolescents, a cooperative initiative that brings 11 government institutions under one mechanism to provide specialized, 24/7 care to child victims of trafficking during the investigative process. The model is also designed to significantly reduce case processing times. (31)

Although SVET is the primary institution charged with raising awareness on human trafficking, it has no authority to bring cases to the justice system and a small budget that limits its reach beyond urban areas. (31) Local NGO reports indicate that training is insufficient outside the capital. (1,26) Law enforcement agencies also lack sufficient vehicles, fuel, and criminal investigators, particularly outside Guatemala City. (16,73) MTPS has noted that resources are still insufficient to carry out complex criminal investigations. (1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that may hinder the effective coordination of efforts to address child labor, including coordination between agencies and civil society.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Specific Cabinet on Social Development (GEDS in its Spanish initials)*	Coordinates, articulates, and manages policies related to development, social protection, and violence prevention for vulnerable populations such as children, women, indigenous populations, the elderly, individuals with disabilities, and people from rural areas. Created in 2019 through Government Agreement 11-2019, which transferred the National Commission for the Eradication of Child Labor (CONAPETI) to GEDS. (25) Established via Agreement 2-2019 the thematic working group “Prevention and Eradication of Child Labor,” which assumes CONAPETI’s duties of coordinating government policies and efforts to combat child labor. (25) The working group began the implementation process of the Child Labor Risk Identification Model, a tool to design and implement preventative strategies at the local level based on prior identification of child labor vulnerabilities. The tool is being implemented with support from ILO and the Economic Commission for Latin America and the Caribbean. (25)
Departmental Committees for the Eradication of Child Labor (CODEPETIS)	Coordinate government efforts to combat child labor at the departmental or regional level. Comprising department-level representatives of CONAPETI member agencies and NGO and business representatives. (2,15) As part of the CONAPETI restructuring, the Thematic Working Group for the Prevention and Eradication of Child Labor in 2019 voted to continue the work of the CODEPETIS. In Quetzaltenango and San Marcos, comprehensive care centers were established to remove child and adolescent laborers from exploitative child labor situations. (25)
Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET)	Coordinates all government efforts against human trafficking, including for commercial sexual exploitation of children and forced child labor, by responding to cases and providing support for victims. Operates shelters to serve minor victims of human trafficking and a hotline to file child sex tourism complaints. Led by the Vice President’s Office. (74) In 2019, coordinated with the Ministry of Interior and MTPS to train National Civil Police staff on “Prevention and Fighting of Exploitation and Trafficking in Persons as one of the Worst Forms of Child Labor.” (25) During the reporting period, developed a mobile app to provide emergency attention to trafficking in persons victims and created a virtual reality video game designed to teach children and adolescents about the dangers of trafficking in persons. (31)
Inter-Institutional Commission Against Trafficking-in-Persons	Develops and manages initiatives to combat human trafficking. Relunched by SVET in 2016, co-chaired by the Ministry of Foreign Affairs, and includes 28 government and civil society institutions. (31) During the reporting period, under SVET’s lead, developed the National Database of Trafficking in Persons Victims, creating the first detailed Trafficking in Persons victim information system in Central America. (31)
National Platform for the Prevention and Protection of Children and Adolescents against Sexual Exploitation in Travel and Tourism	Targets sexual exploitation of children and adolescents in the travel and tourism sector. (21) Oversees the Code of Conduct Against Sex Tourism, a mandatory code for trade group membership that forbids providing services to customers believed to be engaging in commercial sexual exploitation of children. Presided over by SVET and includes 10 government, private sector, and civil society institutions. (21) Held its inaugural yearly meeting in January of 2019 to review successes from 2018 and to establish an operating plan for 2019. (75) In October, partnered with the Guatemalan Airline Association to train airline industry professionals on detecting cases of exploitation in travel and tourism. (76)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

‡ The government had other mechanisms that may have addressed child labor issues or had an impact on child labor. (48,68)

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In 2019, SVET established the Inter-Agency Commission for Information Technology and Communication via Secretarial Agreement 66-2019. The commission, which is tasked with preventing the violence and sexual exploitation of children and adolescents through trafficking in persons crimes that utilize technology, will serve as a forum for consultation, coordination, policy development, consensus building, and action planning among 11 government institutions. (31,77)

Despite improvements in inter-agency coordination to address human trafficking, there continues to be a lack of effective coordination among other government institutions and civil society actors who provide services and protection to victims of child labor. (4,15,78) Some civil society organizations have indicated that despite being members of the Inter-Institutional Commission Against Trafficking in Persons, the commission is not fully inclusive of civil society perspectives and that they participate primarily as observers on the commission. (31) Furthermore, although it plays a significant role in combating human trafficking in Guatemala, reporting suggests that SVET lacks political support from other parts of the government. (31)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that may hinder efforts to address child labor, including the implementation of several policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap for the Prevention and Elimination of the Worst Forms of Child Labor (2016–2020)	Aims to prevent and eradicate child labor by addressing poverty; guaranteeing rights to health for children and adolescents; guaranteeing access to education, especially for children in or at risk of child labor; coordinating and enforcing child labor laws; raising awareness regarding risks and consequences of child labor; and implementing a system to monitor and evaluate child labor. (19,78-81) In anticipation of the effective end of the Roadmap in 2020, MTPS and the Thematic Working Group for the Prevention and Eradication of Child Labor, in cooperation with the ILO, developed a tool to enable the monitoring and evaluation of the roadmap. (25)
Protocol for Providing Comprehensive Health Care to Children and Adolescents in the Worst Forms of Child Labor	Requires public health workers to enter information into a database about any child whose injuries may have been labor related. Implemented by the Ministry of Public Health and Social Assistance. (82-84) Research did not reveal whether any actions were taken under this policy in 2019.
Protocol for Identifying and Assisting Child and Adolescent Victims of Commercial Sexual Exploitation	Establishes procedural guidelines for government agencies and NGOs responsible for the protection and care of child and adolescent victims of commercial sexual exploitation. Overseen by the Secretariat of Social Welfare and Departmental Social Welfare Offices and implemented by SVET. (2,66) Research did not reveal whether any actions were taken under this policy in 2019.
Inter-Institutional Protocol for the Protection and Attention of Victims of Human Trafficking	Provides instruction on how to process sex crimes, including commercial sexual exploitation of children, and how to assist prospective victims of trafficking in persons. (21,48,84) Research did not reveal whether any actions were taken under this policy in 2019.
Public Policy on Human Trafficking and the Comprehensive Protection of Victims (2014–2024)	Aims to guarantee protection for and comprehensive attention to human trafficking victims, and promote prevention, detection, prosecution, and sanction of this crime. (85) Includes a National Plan of Strategic Action that directs the government's actions on preventing and combating human trafficking. (15,30,86) The government noted that as part of the policy, since 2016 officials have identified 232 victims and provided services to 750 individuals, and brought charges against 508 individuals and sentenced 113 of them. During the reporting period, the government further implemented the policy by launching the second phase of the <i>Corazon Azul</i> (Blue Heart) public awareness campaign. (31,87)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Ministry of Development Social Poverty Reducing Programs†	Conditional Cash Transfer for Education and Health Program (<i>Mi Bono Seguro</i>) provides cash assistance to families with school-age children, conditioned on children's school attendance. (26,65,88) Food Assistance Program (<i>Mi Bolsa Segura</i>) provides food assistance to poor families, with the requirement that their children attend school. (26,65) Young Protagonists (<i>Jóvenes Protagonistas</i>) provides at-risk adolescents with training and formative activities outside school hours. (26,88) My Secure Dining Hall (<i>Mi Comedor Seguro</i>) provides access to food to people in situations of poverty, crisis, and emergency, including children. (89) My First Employment (<i>Mi Primer Empleo</i>) places working-age youth in apprenticeship programs and grants them on-the-job training and a monthly stipend. (26,88) My Middle School Scholarship (<i>Mi Beca Educación Media</i>), for children between ages 11 and 24, and My College Scholarship (<i>Mi Beca Educación Superior</i>), for children between ages 16 and 28, promote access to school and college through cash assistance to children who are in situations of poverty and extreme poverty in rural and urban areas. (89) In 2019, the Ministry of Development modified its direct assistance programs to increase payments to certain families and to prioritize certain departments. The Ministry also renamed the programs as <i>Mi Bono Social</i> , <i>Mi Comedor Social</i> , <i>Mi Bolsa Social</i> , and <i>Mi Beca Social</i> . (90,91)
Committed to First (<i>Comprometidos con Primero</i>) Program (2017–2019)	Seeks to decrease school dropout rates and increase enrollment and advancement to the next grade at a national level. (26,92) Goals include generating conditions to achieve competency in reading and writing, providing teacher training, conducting diagnostic evaluations, and supplying educational materials and pedagogical support. (92,93) Aims to serve 35,000 first grade students. (93) Relaunched in 2019 through Ministerial Accord 2669-2019 with a focus on improving indicators of success and conditions for learning for first graders. (94)
I Don't Allow Sexual Exploitation of Children in Tourism†	SVET-administered national campaign against the commercial sexual exploitation of children in tourism. (3) SVET launched the campaigns "Be Careful with Grooming" to prevent online grooming for sexual abuse of children and adolescents between ages 10 and 15, and "Protecting Our Greatest Treasure" to create awareness of sexual exploitation of children in tourism and travel activities. (29,82) Research could not identify actions undertaken during the reporting period to carry out this program.
Human Trafficking Awareness Campaigns*	SVET and Office of the Human Rights Ombudsman (PDH) campaigns that aim to educate the public about trafficking in person issues. (31) As part of World Day Against Trafficking in Persons in 2019, SVET launched the second phase of its <i>Corazon Azul</i> (Blue Heart) campaign, which raises awareness about human trafficking and coordinates government and social responses to trafficking in persons crimes. (31) PDH meanwhile held 46 trafficking in persons-related training sessions for a variety of audiences in 2019, including for professionals and potential victims of human trafficking, as part of its public awareness campaign. (31)
Business Network for the Prevention and Elimination of Child Labor in Guatemala (<i>Red Empresarial</i>)	Program that aims to promote prevention and eradication of child labor. Created in 2015, members include the Ministries of Education and Agriculture, MTPS, CONAPETI, ILO, UNICEF, the UN Food and Agriculture Organization, and representatives from the private sector. (17,95 -98) The network continued to implement a variety of health, nutrition, education, and awareness programs in a variety of agricultural sectors. The Agricultural Chamber of Commerce meanwhile coordinated with the ILO during the reporting period to update the Strategy for the Prevention and Eradication of Child Labor in the Private Sector. (99)

† Program is funded by the Government of Guatemala.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (21, 100-102)

Preliminary data from the Finance Ministry indicates that social program funding in 2019 fell by 6.8 percent compared to 2018. (25) Civil society organizations indicate that social programs are inadequately funded, are susceptible to local political influences, and fail to reach the rural interior of the country outside urban areas. (1,25) Although the government has implemented programs to assist children and families, research found no evidence of government programs specifically designed to assist children engaged in hazardous work, including those in agriculture and domestic service. (4) Reporting also indicates that SVET and PDH fail to regularly monitor the effectiveness of awareness campaigns beyond tracking the number of individuals reached. (31)

Conditions in government-run children's shelters are not adequate, and the government has not ensured the protection and safety of children under its care. (31,41) In addition, the environment for the implementation of social programs that address child labor remains unsafe, and the government has done little to investigate or prevent further instances of threats, intimidation, and violence—such as the murders of individuals working on social programs, including NGO officials, human rights workers, judges, and labor activists. (103)

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Guatemala (Table II).

Table II. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Eliminate the exception allowing some children under age 14 to work, or establish a light work framework for children ages 12 to 14 outlining restrictions on working conditions, type of work, and number of hours of work.	2010 – 2019
	Criminally prohibit the recruitment of children under age 18 into non-state armed groups.	2016 – 2019
	Clarify whether Ministerial Agreement 260-2019 raises the minimum working age to 15.	2019
Enforcement	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2019
	Collect and report data on the total amount in fines collected in relation to child labor violations.	2019
	Provide sufficient funding and resources to the labor inspectorate to ensure operational needs are met.	2017 – 2019
	Ensure that criminal investigators have sufficient resources and staff to conduct quality criminal investigations in all geographical areas of the country.	2009 – 2019
	Ensure that inspectors carry out inspections in the informal sector, an area in which child labor is known to occur.	2018 – 2019
	Improve the quality of inspections by ensuring that inspectors receive effective training, meet with all relevant parties, including workers, and dedicate the necessary time to carry out more comprehensive inspections.	2017 – 2019
	Dedicate more staff and train criminal law enforcement officials, particularly those outside the capital, on laws related to the worst forms of child labor.	2013 – 2019
	Disaggregate enforcement data to identify child-labor related investigations and report on the number of violations for the worst forms of child labor.	2018 – 2019
	Ensure that hearings and trials addressing human trafficking and gender-based violence in specialized courts are scheduled in a timely manner and that judges are trained in trafficking in persons concepts.	2016 – 2019
	Improve effectiveness of child labor complaint and referral mechanisms to ensure timely responses to complaints.	2018 – 2019
Coordination	Strengthen coordination efforts to institutionalize relationships between civil society representatives and government agencies that provide services to victims of child labor, for example by fully incorporating civil society participation in the Inter-Institutional Commission Against Trafficking in Persons.	2013 – 2019
	Ensure the Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons has the resources, authority, and political support necessary to combat human trafficking countrywide.	2019
Government Policies	Undertake activities to implement the key policies related to child labor.	2017 – 2019
Social Programs	Remove barriers to education for all children, including girls and indigenous children, children with disabilities, and children living in rural areas, by recruiting and training more qualified teachers, providing instruction in indigenous languages, building additional schools with appropriate facilities, and removing school fees and transportation costs.	2015 – 2019
	Ensure that social programs are implemented, well funded, able to carry out their objectives, reach populations outside urban centers, and report on yearly activities.	2018 – 2019
	Regularly monitor the effectiveness and impact of social programs such as awareness campaigns beyond number of citizens reached.	2017 – 2019
	Initiate social programs to address child labor in agriculture and domestic work, and for children who perform other types of hazardous work.	2009 – 2019
	Ensure high standards of safety and care for children in government-run shelters.	2016 – 2019
	Ensure the safety of NGO officials, human rights workers, judges, and labor activists to facilitate a secure environment for the implementation of social programs that address and prevent child labor.	2017 – 2019

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