

In 2020, Guatemala made moderate advancement in efforts to eliminate the worst forms of child labor. The government created the Inter-Institutional Coordinating Entity Against Labor Exploitation and Child Labor, a new coordinating body aimed at identifying and providing support to victims of human trafficking. It also publicized a WhatsApp number and e-mail address for reporting concerns related to human trafficking, labor exploitation, and the worst forms of child labor. In addition, the government prosecuted 36 cases of alleged child labor crimes and obtained 12 convictions. Guatemala also completed the implementation of the first phase of the Child Labor Risk Identification Model, which is designed to identify child labor vulnerabilities and develop strategies in response. As a result, analysis on risk and protection factors associated with the probability of child labor were developed for the 340 municipalities of the country. However, children in Guatemala are subjected to 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, including in the production of coffee. The insufficient 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 subjected to 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, including in the production of coffee. (I-6) Table I provides key indicators on children's work and education in Guatemala.

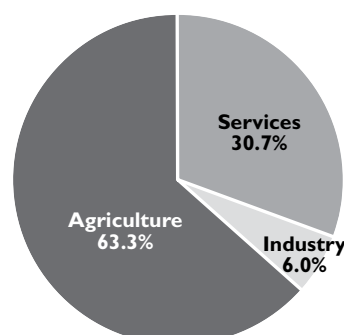
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	7 to 14	6.5 (203,265)
Attending School (%)	7 to 14	90.2
Combining Work and School (%)	7 to 14	3.3
Primary Completion Rate (%)		79.1

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (7)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Nacional de Empleo e Ingreso I (ENEI I), 2019. (8)

Figure I. 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 (9)
	Planting and harvesting coffee, sugarcane, corn, broccoli, bananas, plantains, and flowers (1,5,9-12)
	Harvesting palm kernels and producing palm oil (9,10,13)

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

Sector/Industry	Activity
Agriculture	Ranching (1)
Industry	Mining,† including silver mining† (2,14)
	Construction, including as bricklayers and mason helpers (1,15,16)
	Production of garments, activities unknown (2,14)
	Manufacturing gravel (crushed stones)† and fireworks† (1,5,11,14,15,17,18)
Services	Domestic work and house-sitting† (10,11,19,20)
	Street work,† including vending,† performing,† cleaning windshields and windows,† begging, and shoe shining† (2,10,14,15,21,22)
	Making corn tortillas (5,11,16,23-25)
	Working as store clerks in small family-owned corner stores (<i>abarroterías</i>) (10-12,25)
	Garbage scavenging† and working in garbage dumps† (15)
	Working as servers in restaurants (<i>comedores</i>) (10)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, production of garments, domestic work, street begging, making corn tortillas, and vending (1,5,6,21-23,25-28)
	Use in the production of pornography (1,2,4,14,22)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,5,6,10,21-23,27,28)
	Use in illicit activities, including drug trafficking, and stealing and transporting contraband as a result of criminal and gang recruitment (5,14,21-23,25)

† 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. (22,29,30) In agriculture, working conditions for children involve using machetes and other dangerous tools, including in the cultivation of sugarcane. (14,31) Children as young as age 5 work in coffee fields picking and carrying heavy loads of coffee beans and mixing and applying pesticides. (32-34) Recently corroborated reports indicate that children are often sent into 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 paint, which is often toxic, to attract more attention as they perform in the streets. (22)

Children, both Guatemalan-born and from other countries, are victims of commercial sexual exploitation, including in sex tourism. (20,27) Guatemala is a destination country for child sex tourists from Canada, the United States, and Western Europe. (5,6) Departments with high numbers of commercial sexual exploitation victims include Alta Verapaz, Escuintla, Guatemala, Huehuetenango, Quiché, and Quetzaltenango. (16) Girls, LGBTQI persons, and indigenous Guatemalans are particularly vulnerable to human trafficking. (27) Children are exploited for forced labor in Guatemala, particularly in agriculture and domestic work. (20) They are also forced to engage in street begging and vending in Guatemala City and along the border with Mexico. (6,28) Traffickers are increasingly using social media and online game applications to recruit children. (6,26) 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. (1,20,22)

Guatemalan children often emigrate to escape violence, extortion, and forced recruitment by gangs, in addition to seeking economic opportunities and family reunification. Human trafficking is also a driver of child migration. (35,36) Gangs target adolescent girls for forced commercial sex, causing them and sometimes their entire families to flee Guatemala in fear. (36,37) Once en route, however, girls and other children from Guatemala remain vulnerable to human trafficking and commercial sexual exploitation. (35-37)

Significant barriers to accessing education exist in Guatemala, particularly for girls, indigenous children, and children in rural areas. (1,14) Education is free in Guatemala, although only through grade six, and there is an insufficient number of primary and secondary schools. (22,38) A lack of teachers, schools, transportation, and







sanitary facilities at public schools, and fees charged at private schools, all create barriers to education. (1,16,22) Over 70 percent of secondary schools are private, requiring families to pay school fees, transportation costs, supplies, and lodging when necessary. (16,22) The Ministry of Education does not supply textbooks to most public schools. (16) All these factors contribute to poor outcomes, high dropout rates, and high opportunity costs. (16) The education system is also unable to address the needs of students with disabilities, and the few existing education programs for children with disabilities rely mainly on non-profit support. (1,16,22,23) During the reporting period and as a result of the COVID-19 pandemic, an additional barrier to education was the lack of access of students to personal computers and Internet services, as schools in the country ceased in-person educational programs after March 2020. Many private school students also dropped out of school due to the deteriorating economic situation of their families. (16) Some reports estimate that 106,000 children left school in 2020. (39)

Reports indicate that there is a high degree of illiteracy among girls. (4,40,41) 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. (16,22,23) Indigenous children in general have lower enrollment rates compared to other children. (4) There are not enough qualified teachers to provide instruction in the predominant native languages, and classroom materials available in these languages are insufficient. (14,41)

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 in the 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 (42-44)
Minimum Age for Hazardous Work	Yes	18	Article 148 of the Labor Code; Article 1 of Government Accord 250-2006 (42,45)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 4 of Ministerial Accord 154-2008 (46)
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 (47-49)

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Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
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 (47,50,51)
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 (50)
Prohibition of Using Children in Illicit Activities	Yes		Article 27 of the Penal Code (47)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 57 of the Law of Integral Protection of Children and Adolescents (48)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 68–69 of the Constitutive Law of the Guatemalan Army (52)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 57 of the Law of Integral Protection of Children and Adolescents; Article 245 of the Constitution (48,53)
Compulsory Education Age	Yes	15‡	Article 74 of the Constitution; Article 33 of the National Education Law; Ministerial Agreement 1055-2009 (53-55)
Free Public Education	Yes		Article 74 of the Constitution; Article I of Government Agreement 226-2008 (53,56)

‡ Age calculated based on available information (2,53,57)

Although Articles 32 and 150 of the Labor Code allow the Ministry of Labor and Social Welfare (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. This is inconsistent with international standards on light work. (42) MTPS indicated that no such exceptions have been granted since 2016. (1,58)

MTPS previously 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 ages 15 and 18 and ensuring that they do not participate in the worst forms of child labor. (22,44) However, the agreement does not explicitly cover children age 14, who are allowed to work under Guatemala's Labor Code (or children under age 14 who are allowed to work in exceptional circumstances). Therefore, it is unclear if this mechanism effectively raises the minimum age for work to age 15.

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 enforcement agencies 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. (2,22) It also refers children found in child labor to government social services and refers complaints to the MTPS Adolescent Workers Protection Unit. (59,60) 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	Investigate 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. (22)

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

Organization/Agency	Role
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. (22)
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. (61,62)

Labor Law Enforcement

In 2020, 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	2019	2020
Labor Inspectorate Funding	\$3.57 million (22)	\$3.70 million (63)
Number of Labor Inspectors	203 (64)	171 (16)
Inspectorate Authorized to Assess Penalties	Yes (42)	Yes (42)
Initial Training for New Labor Inspectors	Yes (22)	No (16)
Training on New Laws Related to Child Labor	Yes (31)	N/A (16)
Refresher Courses Provided	Yes (22)	Yes (16)
Number of Labor Inspections Conducted	34,439 (22)	27,537 (16)
Number Conducted at Worksite	18,426 (22)	15,433 (16)
Number of Child Labor Violations Found	10 (22)	14 (16)
Number of Child Labor Violations for Which Penalties Were Imposed	3 (22)	1 (16)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (22)	0 (16)
Routine Inspections Conducted	Yes (22)	Yes (16)
Routine Inspections Targeted	Yes (22)	Yes (16)
Unannounced Inspections Permitted	Yes (42)	Yes (42)
Unannounced Inspections Conducted	Yes (22)	Yes (16)
Complaint Mechanism Exists	Yes (22)	Yes (16)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (22)	Yes (16)

In 2020, the General Labor Inspectorate conducted 421 child labor-specific inspections. The inspections were designed to target sectors in which children are the most vulnerable for work or the worst forms of child labor, such as small convenience stores, corn tortilla making, small bakeries, agriculture, fireworks confection, and informal work. (16) The government reported making an effort to inspect all sectors in which children work, particularly those related to the worst forms of child labor. (16) During the reporting period, 14 violations of child labor laws were found. As of November 2020, 14 children and adolescents were removed from child labor as a result of inspections, with 10 of those receiving social services. (16) MTPS reported that as of October 2020, it had imposed eight penalties, but that they were designed to be collected at the end of the administrative procedures. MTPS also reported that investigators were still conducting inspections in December 2020 and, therefore, were unable to provide updated information to be included in the report regarding the total number of penalties imposed or specific penalties for labor law violations issued for the reporting period. (16) Information regarding how much was collected in penalties in 2020 for child labor violations was still not available during the reporting period.

MTPS indicated that while there are seven inspectors designated to deal with child labor cases in the Department of Guatemala, all labor inspectors throughout the country carry out specific child labor

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inspections. (16) Yet, MTPS stated that the number of labor inspections was insufficient. This situation worsened during the pandemic, since some inspectors affected by pre-existing medical conditions or other vulnerabilities to COVID-19 had to be excused from work. (16)

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. A comprehensive training plan for inspectors on human rights and labor rights started in November 2020 with support from the ILO and will last for 1 year. (16)

Guatemala's General Labor Inspectorate received less funding in 2020 compared to 2019, and MTPS has indicated that the funding level was insufficient to cover the inspectorate's needs, particularly for transportation, fuel, and per diem costs. (16) 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. (65,66)

During the year, 27,537 labor inspections were conducted, representing approximately 161 inspections carried out by each inspector. (16) This is a high number of inspections conducted by each inspector, and it is likely that this high number impacts the quality of such inspections.

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. (1,2,16,22,23) Some reports question the quality of inspections for child labor violations, particularly the scope and coverage across industries. (14) Civil society organizations state that, during worksite inspections, labor inspectors often meet only with business owners or supervisors and bypass conducting worker interviews. (9,67) Research indicates that labor inspectors are not appropriately trained to perform inspections for child labor. (1,10,12)

Furthermore, MTPS reported that inspectors conducted site visits in Spanish only, the language in use at worksites, but this may hinder inspections when encountering indigenous language speakers. (16)

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. (1,22,23) Furthermore, while Guatemala has established a referral mechanism between responsible agencies in cases of child labor, coordination between these agencies remains a challenge and requires the intervention of NGOs or international missions. (22) After the creation of the Inter-Institutional Coordinating Entity Against Labor Exploitation and Child Labor (CICELTI) during the reporting period, complainants can now file concerns related to trafficking in persons (forced labor and labor exploitation modalities) and the worst forms of child labor through a WhatsApp number and an e-mail address. (16) 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. (22)

Criminal Law Enforcement

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	N/A (22)	Yes (16)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (22)	N/A (16)
Refresher Courses Provided	Yes (22)	Yes (16)
Number of Investigations	Unknown (22)	Unknown (16)
Number of Violations Found	Unknown (22)	Unknown (16)

Table 7. Criminal Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Criminal Law Enforcement	2019	2020
Number of Prosecutions Initiated	67 (22)	36 (16)
Number of Convictions	20 (22)	12 (16)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (22)	Yes (16)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (22)	Yes (16)

In 2020, the Public Ministry's prosecution office responsible for trafficking in persons crimes reported that it investigated 59 new cases related to commercial sexual exploitation, 79 cases related to pornographic performances and pornography, and 39 cases related to forced child labor, labor exploitation, and related crimes. Unfortunately, they were unable to indicate the specific number of cases that involved children, as the system used does not allow any demographic breakdown of cases by age. (16) Thus, the total number of investigations involving the worst forms of child labor is unknown.

The government reported prosecuting 36 cases involving the worst forms of child labor. Of these, 10 were related to child pornography. There were 12 convictions related to child labor. (16) Of these, seven convictions were on crimes related to sexual exploitation and five convictions were for crimes related to child pornography. Meanwhile, two people convicted for trafficking in persons crimes received prison sentences between 8 to 13 years and 4 months in prison, and fines of \$38,960. (16) There were also three people convicted for possession of pornographic material involving minors and the sale and dissemination of pornography involving minors. (16) The total number of child labor violations found during the reporting period was unknown, as the government does not disaggregate its criminal law enforcement data by age.

Guatemala made efforts to increase anti-trafficking in persons resources and capacity outside of Guatemala City, and the Public Ministry continued making social workers and psychologists available to human trafficking victims to serve as liaisons as victims navigated proceedings and sought medical care. (5) In 2020, criminal law enforcement investigators received training on issues related to trafficking in persons, including the issue of child labor. (16) However, the Public Ministry's Office Against Trafficking in Person Crimes stated that the training was insufficient regarding forced labor and investigation techniques for forced labor. The training during the reporting period was provided virtually due to the pandemic. (16)

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. (28,67)

Although the Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) is the primary institution charged with raising awareness on human trafficking, it has no authority to bring cases to the justice system and its small budget limits its reach beyond urban areas. (28) Local NGO reports indicate that training is insufficient outside the capital. (1,23) Law enforcement agencies also lack sufficient vehicles, fuel, and criminal investigators, particularly outside Guatemala City. (14,68) MTPS has noted that resources are still inadequate to carry out complex criminal investigations. (1) This is supported by the Public Ministry, which noted that due to the complexity of these investigations and crimes, more resources are necessary to conduct investigations. The Public Ministry also noted that the Special Prosecutor's Office Against Human Trafficking does not have an assigned budget and that it depends on the overall budget allocated to the Public Ministry. (16)

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.

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

Coordinating Body	Role & Description
Specific Cabinet on Social Development (GEDS for 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. Established via Agreement 2-2019, the Thematic Working Group for the Prevention and Eradication of Child Labor assumed the National Commission for the Eradication of Child Labor's (CONAPETI) duties of coordinating government policies and efforts to combat child labor. (22) During the reporting period, efforts included: conducting two workshops to begin drafting the National Strategy for the Eradication of Child Labor and Protection of Adolescent Workers for 2021–2025; beginning the final evaluation of the Roadmap to Make Guatemala a Place Free from Child Labor and Its Worst Forms 2016–2020 through regional meetings to measure achievements; and opening a comprehensive care center for the prevention and eradication of child labor in the municipality of San Marcos that seeks to reintegrate children and adolescents who were victims of child labor. This care center was opened in coordination with institutions that are part of Departmental Committees for the Eradication of Child Labor (CODEPETI). (16) Also in 2020, conducted an in-person meeting and three webinars to follow up on actions related to the Child Labor Risk Identification Model (MIRTI), providing results and information fact sheets at the national, departmental, and regional levels, and socializing the implementation and progress on phase II of the MIRTI model. (16)
Departmental Committees for the Eradication of Child Labor (CODEPETI)	Coordinates government efforts to combat child labor at the departmental or regional level. Comprising department-level representatives of member agencies of the Thematic Working Group for the Prevention and Eradication of Child Labor, and NGO and business representatives. (2) In 2020, some of these institutions coordinated with GEDS in the opening of the comprehensive care center for the prevention and eradication of child labor in the municipality of San Marcos. (16)
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. (69) In 2020, provided support to informational and prevention activities on the issue of human trafficking. It also coordinated with local organizations and community leaders through the work of departmental and community consultants hired for 2020. Provided training on trafficking in persons crimes to public servants and staff who worked with vulnerable sectors of the population, including children and adolescents, during the reporting period. (16) In 2016, SVET relaunched the Inter-Institutional Commission Against Trafficking-in-Persons (CIT), which is co-chaired by the Ministry of Foreign Affairs and includes 32 government and civil society institutions. CIT develops and manages initiatives to combat human trafficking. (28,70) In February 2020, it held a high level meeting in which they discussed the actions planned for 2020 to advance the government's efforts in the area of human trafficking. (70) In November 2020, CIT held its last meeting of the year during which they presented a situational analysis of the disappearances of women, children, and adolescents in the country. (71)
Inter-Institutional Coordinating Entity Against Labor Exploitation and Child Labor (CICELTI)*	Aims to identify victims of human trafficking, make anti-trafficking in persons institutions more effective, provide support to victims to prevent them from being targeted again, and encourage the strengthening of government mechanisms to prevent labor exploitation, forced labor, and other forms of human trafficking. It also coordinates efforts to combat labor exploitation, forced labor, and child labor. (16) Launched in October 2020 by MTPS, the Solicitor General's Office, the Public Ministry, and SVET. Established as part of the amendments to the Agreement for Inter-Institutional Coordination for the Comprehensive Approach of Trafficking in Persons in the Modality of Labor Exploitation and Forced Labor that was signed on July 30, 2019. (16) In 2020, 21 child and adolescent victims were removed from situations of exploitation through CICELTI's coordination efforts, with 10 of these victims being referred to social services. (16)
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. (19) 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. (19) Research was unable to determine whether the coordinating body was active during the reporting period.

* 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. (46,72)

In 2020, MTPS reported that it worked jointly with the Thematic Working Group for the Prevention and Eradication of Child Labor, the ILO, and the Economic Commission for Latin America and the Caribbean to complete the first phase of implementation of the Child Labor Risk Identification Model (MIRTI). MIRTI is a tool that will allow MTPS to design and implement preventive strategies at the local level by identifying the areas of greatest child labor vulnerability. (16) Participant institutions began implementing MIRTI's second phase in the municipality of San Pedro Sacatepéquez in the department of San Marcos as part of a pilot plan to map programs and services aimed at children and adolescents engaged in child labor and its worst forms. Implementation of

the second phase will allow identification, design, and adjustment of multi-sector interventions in the community to strengthen preventive protection services against child labor and reduce the risk of exposure of children, adolescents, and communities to child labor. (16)

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. (73) 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. (28) 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. (28)

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 policy implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap to make Guatemala a Country Free of Child Labor and Its Worst Forms 2016–2020	Aimed 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. (17,73-76) 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 ILO, developed the MIRTl tool. During the reporting period, it completed the first stage of implementation of the MIRTl model. (16) As a result, vulnerability maps for the 8 regions and 22 departments of the country were developed, as well as a map at the national level. Each of these maps included a respective analysis on risk and protection factors associated with the probability of child labor in the 340 municipalities of the country in 2020. (16)
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. (77,78) Research did not reveal whether any actions were taken under this policy in 2020.
Inter-Institutional Detection and Action Protocol For Immediate Response to Cases of Sexual Exploitation Against Children and Adolescents in Travel and Tourism	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. (2,61) Research did not reveal whether any actions were taken under this policy in 2020.
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. (19,46,78) The government reported that in 2020 the protocol was still active and that shelters coordinated with government entities and civil society organizations provision of basic services to cover the needs of sheltered victims. As established in the protocol, virtual training was provided to public employees on the procedures for the protections and care of victims of human trafficking. (16)
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. (79) Includes a National Plan of Strategic Action that directs the government's actions on preventing and combating human trafficking. During the reporting period, institutions responsible for the implementation of the protocol continued conducting actions related to prevention, detection of victims, care and protection, and prosecution and punishment of crimes. (16)

In the reporting period, SVET launched and carried out the 2020 National Plan for the Prevention of Crimes of Sexual Violence, Exploitation and Trafficking in Persons. (80) Its objective is to prevent the commission of these crimes and reduce the number of victims. To do this it implemented awareness-raising campaigns, trainings, and prevention strategies about these crimes. (80) In 2020, the government managed to reach a total of 363,326 people in 10 languages throughout the entire country, including 3,294 populated areas and 1,881 public and private education centers. (81)

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 Social</i>) provides cash assistance to families with school-age children, conditioned on children's school attendance. (23,82) <i>Mi Bolsa Social</i> provides food assistance to poor families, with the requirement that their children attend school. (23) <i>My Secure Dining Hall</i> (<i>Mi Comedor Social</i>) provides access to food for people in situations of poverty, crisis, and emergency, including children. (16,83) The government reported these programs all remained active in 2020.
Care Strategy for School Success in First Grade (<i>Estrategia de Atención para el Éxito Escolar en Primer Grado de Primaria</i>)	Seeks to decrease school dropout rates and increase enrollment and advancement to the next grade at a national level. (23,84) Goals include generating conditions to achieve competency in reading and writing, providing teacher training, conducting diagnostic evaluations, and supplying educational materials and pedagogical support. (84,85) Aims to serve 35,000 first grade students. (85) Relaunched in 2019 through Ministerial Accord 2669-2019 with a focus on improving indicators of success and conditions for learning for first graders. (86) In 2020, distributed student books and diagnostics tests in an effort to guarantee quality education for first grade students. As part of the response to the pandemic, the Ministry of Education also distributed guidelines on how to care for students during the pandemic and how to orient parents on the teaching of reading and writing. (16) The government reported that 439,818 first grade students benefited directly from the Care Strategy for School Success in 2020. (16)
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. (26,77) 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 campaigns that aim to educate the public about trafficking in persons issues. (28) In 2020, as part of its <i>Corazon Azul</i> (Blue Heart) campaign, the Guatemalan president signed 11 commitments of the government to eradicate human trafficking, by spreading the message "Human Beings Are Not for Sale". (87) As part of World Day Against Trafficking in Persons in 2020, the judges of the Criminal Court of First Instance and of the Sentencing Court with Specialized Competence in Crimes of Trafficking in Persons of the Department of Guatemala and Quetzaltenango joined the <i>Corazon Azul</i> campaign. They also signed the <i>Corazon Azul</i> Pact to symbolize their adhesion to the campaign, which calls signers to carry out concrete actions to prevent and combat human trafficking. (88)
Business Network for the Prevention and Elimination of Child Labor in Guatemala (<i>Red Empresarial</i>)	Aims to promote prevention and eradication of child labor. Members include the ministries of Education and Agriculture, MTPS, the Thematic Working Group for the Prevention and Eradication of Child Labor, ILO, UNICEF, the UN Food and Agriculture Organization, and representatives from the private sector. (15,89) Reports indicate this program was active in 2020, and continued to implement a variety of health, nutrition, education, and awareness programs in a variety of agricultural sectors, although operations were adjusted during the pandemic. The nature of these adjustments is unknown. During the reporting period, the Business Network held virtual meetings once a month. (90)

† 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. (19,91,92)

Despite the cessation since March 2020 of in-person educational programs in the country due to the pandemic, the Ministry of Education reported spending approximately \$255.8 million to continue the school feeding program through the distribution of non-perishable food to 2.5 million public school students in 2020. (16)

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. (1,16,22) 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 work. Reporting also indicates that SVET and the Office of the Human Rights Ombudsman fail to regularly monitor the effectiveness of awareness campaigns beyond tracking the number of individuals reached. (28)

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. (28,40) 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. (93)

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 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Criminally prohibit the recruitment of children under age 18 into non-state armed groups.	2016 – 2020
	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 – 2020
	Clarify whether Ministerial Agreement 260-2019 raises the minimum working age to 15.	2019 – 2020
Enforcement	Collect and report data on the total amount in fines collected in relation to child labor violations.	2019 – 2020
	Provide sufficient funding and resources to the labor inspectorate to ensure operational needs are met.	2017 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2020
	Ensure that inspectors carry out inspections in the informal sector, an area in which child labor is known to occur.	2018 – 2020
	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 – 2020
	Ensure that labor inspectors are able to communicate with indigenous language speakers, including those who may be underage, to adequately conduct inspections for child labor violations.	2020
	Improve effectiveness of child labor complaint and referral mechanisms to ensure timely responses to complaints.	2018 – 2020
	Disaggregate enforcement data to identify child labor-related investigations and report on the number of violations for the worst forms of child labor.	2018 – 2020
	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 – 2020
	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 – 2020
	Ensure that criminal investigators have sufficient resources and staff to conduct quality criminal investigations in all geographical areas of the country.	2009 – 2020
Coordination	Ensure actions are taken to carry out the mandates of the National Platform for the Prevention and Protection of Children and Adolescents against Sexual Exploitation in Travel and Tourism.	2020
	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 – 2020
	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 – 2020
Government Policies	Publish activities undertaken to implement the Protocol for Providing Comprehensive Health Care to Children and Adolescents in the Worst Forms of Child Labor, and the Inter-Institutional Detection and Action Protocol For Immediate Response to Cases of Sexual Exploitation Against Children and Adolescents in Travel and Tourism during the reporting period.	2017 – 2020
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, providing textbooks to all public schools, and removing school fees and transportation costs.	2015 – 2020
	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 – 2020
	Initiate social programs to address child labor in agriculture and domestic work, and for children who perform other types of hazardous work.	2009 – 2020
	Regularly monitor the effectiveness and impact of social programs such as awareness campaigns beyond number of citizens reached.	2017 – 2020
	Ensure high standards of safety and care for children in government-run shelters.	2016 – 2020
	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 – 2020

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