

*In 2016, Guatemala made a significant advancement in efforts to eliminate the worst forms of child labor. The Government drafted a Roadmap for the Prevention and Elimination of the Worst Forms of Child Labor, conducted targeted child labor inspections, and carried out five nationwide inspection plans that included identifying child labor violations. The Government re-established the Inter-institutional Committee Against Trafficking and partnered with the National Center for Missing and Exploited Children, which works directly with technology companies to obtain tips about child trafficking and pornography. The Government also passed a law restoring administrative sanction authority to the Ministry of Labor. However, children in Guatemala perform dangerous tasks in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. The lack of sufficient labor inspectors and vehicles and inability to assess fines, coupled with inadequate judicial enforcement of court orders, limited the Government's capacity 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 working in domestic service or agriculture.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

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

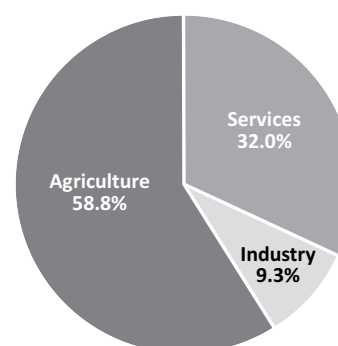
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	7 to 14	6.3 (193,917)
Attending School (%)	7 to 14	89.9
Combining Work and School (%)	7 to 14	3.5
Primary Completion Rate (%)		86.6

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Nacional de Empleo e Ingreso (ENEI) Survey, 2016.(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	Planting and harvesting coffee, sugarcane, corn, and broccoli (8-14)
	Production of rubber and timber (8, 12)
	Harvesting palm kernel† and producing palm oil† (15)
Industry	Mining,† including silver mining† (2, 16-18)
	Construction,† including as bricklayers and mason helpers (12-14, 19, 20)

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

Sector/Industry	Activity
Industry	Production of garments, activities unknown (2, 18, 21)
	Manufacturing gravel (crushed stones) <sup>†</sup> and fireworks <sup>†</sup> (2, 4, 12, 13, 16-18, 22)
Services	Domestic work <sup>†</sup> (4, 12, 13, 21)
	Street work, <sup>†</sup> including vending, <sup>†</sup> performing, <sup>†</sup> cleaning windshields, begging, and shoe shining <sup>†</sup> (2, 12-14, 17, 18, 20, 23)
	Garbage scavenging <sup>†</sup> and working in garbage dumps <sup>†</sup> (4, 12, 20)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Forced labor in agriculture, production of garments, domestic work, garbage scavenging, street begging, and vending (2, 3, 13, 14, 17, 18)
	Use in the production of pornography (2, 5, 18, 24-27)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 3, 5, 17, 28, 29)
	Use in illicit activities, including drug trafficking, and stealing and transporting contraband as a result of criminal and gang recruitment (4, 12, 18, 29)

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

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

Children as young as 5 years old work in coffee harvesting and production.(30, 31) In agriculture, working conditions for children also involve using dangerous tools, such as machetes, especially in harvesting sugarcane.(18) Children are also engaged in commercial sexual exploitation, including child sex tourism, especially in Antigua, Guatemala City, and the Department of Solola.(14)




In 2016, Guatemala, in addition to El Salvador and Honduras, continued to be a main source of unaccompanied children migrating to the United States.(14, 32-35) Such children are vulnerable to the worst forms of child labor, including human trafficking, commercial sexual exploitation, and recruitment by gangs to perform illicit activities such as theft, homicide, and drug trafficking.(4, 12, 29, 36, 37) Indigenous children are particularly vulnerable to labor trafficking.(3, 29, 38-40)

Significant barriers to accessing education remain, particularly for children in rural areas, indigenous children, and girls.(12, 18) Although basic education is free in Guatemala, there aren’t sufficient secondary public schools for children. Therefore, families feel forced to send their children to private schools where they pay school fees and supplies. In addition, due to lack of public schools in rural areas, some families have difficulty paying for transportation, and lodging.(14, 18) Because of the heightened risks that girls face traveling to schools far away, girls’ enrollment in secondary school is lower than that of boys.(18) Indigenous children also have lower enrollment rates compared to other children.(5) In addition, there are not enough qualified teachers to provide instruction in the predominant native languages or sufficient classroom materials available in these languages.(18, 41)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

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

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Guatemala's legal framework to adequately protect children from child labor.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Articles 46 and 102 of the Constitution; Articles 31 and 148 of the Labor Code; Government Accord 112-2006 (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 4 of the Constitution; Article 202 of the Penal Code; Article 51 of the Law of Integral Protection of Children and Adolescents; Article 108 of the Migration Law (43, 47-50)
Prohibition of Child Trafficking	No		Articles 189 and 194 of the Penal Code; Article 50 of the Law of Integral Protection of Children and Adolescents (47-50)
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 (51)
Prohibition of Using Children in Illicit Activities	Yes		Article 27 of the Penal Code (47)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 135(g) of the Constitution; Article 68 and 69 of the Constitutive Law of the Guatemalan Army (43, 52)
State Voluntary	Yes	18	Article 57 of the Law of Integral Protection of Children and Adolescents (48)
Non-state Compulsory	No		
Compulsory Education Age	Yes	15 <sup>‡</sup>	Article 74 of the Constitution (43, 53, 54)
Free Public Education	Yes		Article 74 of the Constitution; Article 1 of Government Agreement 226-2008 (43, 48, 55)

<sup>‡</sup> Age calculated based on available information (2, 43, 53, 54)

Although Articles 32 and 150 of the Labor Code allow the Ministry of Labor and Social Security (MTPS) to authorize children under age 14 to work under exceptional circumstances, including if the 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.<sup>(42)</sup> The President's Office and the MTPS have an agreement reiterating the Labor Code's prohibition of the employment of children under the age of 14 and committing the MTPS to grant exceptions only in very extraordinary cases.<sup>(44)</sup>

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

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Security's (MTPS) Inspection Division (IGT)	Enforce child labor laws, including prohibitions on the worst forms of child labor, by inspecting businesses and responding to child labor complaints. <sup>(2)</sup> Refer children found in child labor to government social services and complaints to the MTPS Adolescent Workers Protection Unit. <sup>(56-59)</sup> Refer 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. <sup>(2)</sup>
Secretariat of Social Welfare and Departmental Social Welfare Offices	Lead government efforts to protect children and oversee the implementation of the Protocol for Identifying and Assisting Child and Adolescent Victims of Commercial Sexual Exploitation. <sup>(60)</sup>

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

Organization/Agency	Role
Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET)	Assist child victims of commercial sexual exploitation, forced labor, and human trafficking. Receive cases from the IGT and refer them to the Public Prosecutor's Office.(2) Provide trainings to law enforcement agencies and businesses on indicators of forced labor and human trafficking and strategies for preventing the commercial sexual exploitation of children.(3)
National Civil Police ( <i>Policía Nacional Civil</i> )	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.(17, 28, 61)
Public Ministry, Special Prosecutor's Office	Receive case referrals involving the worst forms of child labor from labor inspectors.(2) Investigate cases of human trafficking and forced labor through the Special Prosecutor's Office Against Human Trafficking. In 2016, the Special Prosecutor's Office hired additional investigators and prosecutors to respond to the commercial sexual exploitation of minors.(13) By September 2016, the MP convicted abusers of 489 child victims of violence, including commercial sexual exploitation.(13)
Human Rights Ombudsman	Receive complaints regarding child victims of human trafficking.(62)
Solicitor General's Office	Receive complaints regarding the exploitation of children. Initiate legal proceedings and ensure the legal representation of children whose rights have been violated.(24, 61, 62) Maintain a Child Rescue Unit that determines safe placement for minors who have been abused.(24)

### *Labor Law Enforcement*

In 2016, labor law enforcement agencies in Guatemala took actions to combat child labor, including its worst forms (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$3,400,000 (2)	\$3,300,000 (18)
Number of Labor Inspectors	267 (2)	267 (18)
Number of Child Labor Dedicated Inspectors	12 (2)	12 (18)
Inspectorate Authorized to Assess Penalties	No (2)	No (18)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (2)	N/A
Training on New Laws Related to Child Labor	N/A	Yes (18)
Refresher Courses Provided	Yes (2)	Unknown
Number of Labor Inspections	18,286 (2)	16,083(63)
Number Conducted at Worksite	Unknown* (2)	Unknown* (18)
Number Conducted by Desk Reviews	Unknown* (2)	Unknown* (18)
Number of Child Labor Violations Found	167 (2)	97 (18)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	19 (18)
Number of Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (2)	Yes (18)
Routine Inspections Targeted	Yes (2)	Yes (18)
Unannounced Inspections Permitted	Yes (2)	Yes (18)
Unannounced Inspections Conducted	Yes (64)	Yes (18)
Complaint Mechanism Exists	Yes (2)	Yes (18)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (18)

\*The Government does not publish this information.

The number of labor inspectors is insufficient for the size of Guatemala's workforce, which includes more than 4.6 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Guatemala should employ roughly 308 labor inspectors.(65-67) In addition, even though the Government purchased additional vehicles to conduct inspections, vehicles were not distributed outside the capital, leaving inspectorates in the rest of the country without sufficient vehicles. Inspectors—especially those outside Guatemala City—also lack fuel, computers,

and paper to conduct inspections.(2, 4, 8, 17, 18, 68-70) Although the general budget for the MTPS increased slightly since 2015, the budget for inspections decreased from \$3.4 million to \$3.3 million.(18)

Although labor inspectors may conduct unannounced inspections, the timing of some inspections, which may include child labor, has become predictable, taking place during the times employers are required to pay quarterly bonuses.(17, 18) Announced inspections allow time for employers to temporarily hide or remove children that may be engaged in child labor, and are, therefore, not as effective as unannounced inspections. Some reports question the quality of child labor inspections, particularly the scope and coverage across industries.(17, 18) 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 where child labor violations are most likely to occur.(2) During the reporting period, the Ministry of Labor lacked authority to directly impose fines for labor law violations and referred cases of violations to the courts for review and possible sanction and remediation of the underlying violation, causing significant delays.(17, 18) However, in March 2017, the Guatemalan Congress passed a law restoring sanction authority to the MTPS.(71)

In 2016, the MTPS initiated plans to create a unit to address allegations of corruption or inefficiency in the filing of labor complaints, including child labor complaints.(18) The MTPS also conducted 5,872 inspections targeting child labor and carried out five nationwide targeted inspection plans that included child labor detection.(18) As a result of these inspections, the MTPS found 97 children and adolescents in child labor.(18)

### ***Criminal Law Enforcement***

In 2016, criminal law enforcement agencies in Guatemala took actions to combat the worst forms of child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor**

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (18)
Refresher Courses Provided	Yes (2)	Yes (21)
Number of Investigations	280 (3)	43 (18)
Number of Violations Found	Unknown	97 (18)
Number of Prosecutions Initiated	62 (3)	19 (18)
Number of Convictions	17 (3)	19 (18)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (18)

The Public Ministry and National Police conducted several raids against alleged online child pornography networks.(14) However, law enforcement agencies lack sufficient training and vehicles, fuel, and criminal investigators, particularly outside Guatemala City.(2, 14, 17, 24, 61) Although the Government established specialized courts—including a 24-hour court in Guatemala City—to hear cases of human trafficking and gender-based violence, judges are often unable to schedule hearings and trials in a timely manner.(3, 14, 72)

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

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

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

Coordinating Body	Role & Description
National Commission for the Eradication of Child Labor (CONAPETI)	Coordinate government policies and efforts to combat child labor.(2) Led by the vice president's office and composed of several government ministries, as well as representatives from industry associations and trade unions.(16, 73) Met four times in 2016.(18, 20, 74)

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**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Departmental Commissions for the Eradication of Child Labor (CODEPETI)	Coordinate government efforts to combat child labor at the departmental or regional level. Composed of department-level representatives of CONAPETI member agencies as well as NGO and business representatives.(2, 17) Replaced the Labor Ministry Executive Secretariats.(2) In 2016, more than half of Guatemala's 22 departments continued to have active CODEPETIs.(18)
Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET)	Coordinate 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. Operate shelters to serve minor victims of trafficking.(61, 62) Led by Vice President's Office. In 2016, led workshops in all military bases and schools, trained key regional players in the fight against human trafficking, and translated the Law Against Sexual Violence, Exploitation, and Trafficking in Persons into 17 Mayan languages.(21) Served 74 children who were trafficking victims.(21) In 2016, revised, published, and legally implemented the Inter-institutional Protocol for the Protection and Attention of Victims of Human Trafficking, raising awareness with stakeholders.(21)
Inter-Institutional Committee Against Trafficking (CIT)	Develop and manage initiatives to combat human trafficking. Relaunched by SVET in 2016. Coordinated by SVET and co-chaired by the Ministry of Foreign Affairs. Includes 28 government and civil society institutions.(24, 61, 62) Met 10 times and created a detailed work plan for CIT sub-commissions.(21)
National Working Group for the Prevention and Protection of Children and Adolescents Against Sexual Exploitation in Activities Related to Travel and Tourism (MENACESNNA)	Includes 10 government, private sector, and civil society institutions.(21) Presided by SVET. Aims to prevent sexual exploitation of children and adolescents in the travel and tourism sector. 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.(21) In 2016, developed a poster describing how to report sex tourism cases, signed 43 business onto the code, and trained 32 businesses and 2,195 individuals on the code.(21)

In 2016, SVET worked with the private sector to create internal company policies excluding forced labor from their supply chains.(21) Despite improvements in interagency coordination, Guatemala continues to lack effective coordination among government institutions and civil society actors who provide services and protection to victims of child labor.(4, 17, 24)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

**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) <sup>†</sup>	Led by CONAPETI and CODEPETI.(18, 75–77) 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.(37)
Intra-Institutional Coordination Protocol to Assist Child Laborers	Sets guidelines for MTPS inspectors to identify child laborers, remove children from the worst forms of child labor, and coordinate services for such children with other government agencies.(46) In 2016, MTPS inspectors used a specific procedure and instrument to conduct inspections on labor complaints involving child and adolescent workers.(64) The specific procedure and instrument facilitated coordination with other government agencies when protection services for such children were required.(64)
Protocol for Providing Comprehensive Health Care to Children and Adolescents in the Worst Forms of Child Labor	Requires public health workers to enter into a database information about any child whose injuries may have been labor related. Implemented by the Ministry of Public Health and Social Assistance.(16, 78) Ministry of Public Health and Social Assistance shared the protocol in 2016 with hospitals at the departmental level and with health centers at the municipal level.(64) The protocol was implemented in cases identified by health workers or MTPS.(64)
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, 60)
Inter-institutional Protocol for the Protection and Attention of Victims of Human Trafficking <sup>†</sup>	Provides instruction on how to process sex crimes, including commercial sexual exploitation of children, and assist prospective victims of trafficking in persons.(21, 63) In 2016, special procedures for LGBTI victims were included in the protocol.(21)



**Table 9. Key Policies Related to Child Labor<sup>†</sup> (cont)**

Policy	Description
Public Policy on Human Trafficking and the Comprehensive Protection of Victims (2014–2024)	Aims to guarantee protection for and comprehensive attention to trafficking victims, and promote prevention, detection, prosecution, and sanction of this crime.(37) Includes a National Plan of Strategic Action that directs the Government's actions on preventing and combating human trafficking.(17, 24, 79) In 2016, the Government developed a directory of social assistance, a compendium of instruments on human trafficking issues, and guides for identification and referral of human trafficking victims.(42)
Urban Social Protection Strategy	Seeks to prevent children from engaging in street work and to increase training and employment opportunities for youth.(16)

<sup>†</sup> Policy was approved during the reporting period.

<sup>‡</sup> The Government had other policies that may have addressed child labor issues or had an impact on child labor.(20)

In June 2016, the Government signed an agreement with the governments of Panama and the Dominican Republic to eradicate child labor by sharing information and jointly developing and implementing research projects.(80, 81)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

**Table 10. Key Social Programs to Address Child Labor<sup>‡</sup>**

Program	Description
Business Network for the Prevention and Elimination of Child Labor in Guatemala ( <i>Red Empresarial</i> )	Created in 2015; program that aims to promote prevention and eradication of child labor. Members include the ministries of Education and Agriculture, MTPS, CONAPETI, ILO, UNICEF, the UN Food and Agriculture Organization, and representatives from the private sector.(20, 82-85) In 2016, the Business Network conducted workshops to raise awareness of the Roadmap for the Prevention and Elimination of the Worst Forms of Child Labor.(64)
I Don't Allow Sexual Exploitation of Children in Tourism <sup>†</sup>	SVET-administered national campaign against the commercial sexual exploitation of children in tourism.(3) In 2016, SVET continued to run this campaign, which consisted of awareness-raising messaging displayed at airports, hotels, and restaurants; and provided a code of conduct signed and publicly displayed by businesses in the tourism industry.(21)
Human Trafficking Referral and Grant Funding <sup>†</sup>	Provides funding for NGOs to assist child victims of human trafficking for commercial sexual exploitation.(79)
Ministerio de Desarrollo Social (MIDES) Poverty Reducing Programs <sup>†</sup>	Conditional Cash Transfer Program ( <i>Mi Bono Seguro</i> ) provides cash assistance to families with school-age children, conditioned on children's school attendance (16, 59, 86). Food Assistance Program ( <i>Mi Bolsa Segura</i> ) provides food assistance to poor families, with the requirement that their children attend school (59, 87, 88). Zero Hunger Pact ( <i>Pacto Hambre Cero</i> ) combats malnutrition, increases access to education, and reduces the economic vulnerability of approximately 701,000 families (16, 89, 90). Young Protagonists ( <i>Jóvenes Protagonistas</i> ) provides at-risk adolescents with training and formative activities outside school hours (86, 91, 92). 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.(78, 86, 93) In 2016, MIDES increased funding to combat the worst forms of child labor by 12.3 percent.(18)

<sup>†</sup> Program is funded by the Government of Guatemala.

<sup>‡</sup> The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(21, 70, 94, 95)

In 2016, Guatemala became the first Central American country to partner with the National Center for Missing and Exploited Children, which works directly with technology companies like Facebook to obtain tips about child trafficking and pornography.(21) However, conditions in government-run children's shelters are not adequate. In 2016, 55 children escaped from government-run shelters due to maltreatment, including lack of adequate clothing and food, and abuse by staff.(21) The shelter housing victims of trafficking in persons held 748 minors, even though it had capacity for only 400.(21)

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—especially those of indigenous descent.(4) Research was unable to determine whether the Government took any actions toward implementing the Human Trafficking Referral and Grant Funding program in 2016.

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

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Guatemala (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law prohibits all children under age 14 from working, 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 – 2016
	Ensure that prohibitions against child trafficking including domestic and international trafficking, and trafficking for forced labor and commercial sexual exploitation of children.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
Enforcement	Increase the number of labor inspectors to meet the ILO recommendation.	2015 – 2016
	Effectively implement the labor inspectorate's new sanction authority legislation by penalizing violators of child labor laws in a timely manner.	2016
	Publish the number of inspections conducted at worksites and those conducted by desk review, and the number of financial penalties imposed that were collected.	2011-2016
	Ensure the labor inspectorate has vehicles and fuel to conduct inspections outside Guatemala City.	2009 – 2016
	Strengthen the inspection system by adopting a strategic planning methodology based on more accurate data regarding types of complaints, where and when they occur (such as harvesting season), and focusing on industries not reached previously by the inspectorate (including agriculture and informal sectors).	2015 – 2016
	Apply penalties to violators of child labor laws and compel payments and corresponding remediation.	2014 – 2016
	Dedicate more staff and training to law enforcement agencies, particularly those outside the capital, that are responsible for enforcing criminal laws related to the worst forms of child labor.	2013 – 2016
	Ensure that hearings and trials addressing human trafficking and gender-based violence in specialized courts are scheduled in a timely manner.	2016
Coordination	Ensure that the timing of labor inspections is not predictable.	2016
	Strengthen coordination efforts to institutionalize relationships between civil society representatives and government agencies that provide services to child victims of child labor.	2013 – 2016
Social Programs	Make secondary education accessible for all children, including indigenous children and girls, and children living in rural areas, by recruiting and training more teachers to provide instruction in indigenous languages and removing school fees and transportation costs.	2015 – 2016
	Build more secondary schools and expand scholarship and subsidy programs so that children can attend quality secondary schools.	2016
	Initiate social programs to address child labor, especially with a focus on indigenous children, in agriculture and domestic work, and for children who perform other types of hazardous work.	2009 – 2016
	Ensure high standards of safety and care for children in government-run shelters, including by providing them adequate clothing and food and by expanding shelter capacity to prevent overcrowding.	2016

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6. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary education, both sexes (%)*. Accessed December 16, 2016; <http://data.uis.unesco.org/>. Data provided is the gross intake ratio to the last grade of primary education. This measure is a proxy measure for primary completion. This ratio is the total number of new entrants in the last grade of primary education, regardless of age, expressed as a percentage of the population at the theoretical entrance age to the last grade of primary education. A high ratio indicates a high degree of current primary education completion. The calculation includes all new entrants to the last grade (regardless of age). Therefore, the ratio can exceed 100 percent, due to over-aged and under-aged children who enter primary school late/early and/or repeat grades. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.



7. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Encuesta Nacional de Empleo e Ingreso (ENEL) Survey, 2016. Analysis received April 13, 2017. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
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