

In 2018, Guatemala made a significant advancement in efforts to eliminate the worst forms of child labor, and The Public Ministry created a new regional Anti-Trafficking Unit in Quetzaltenango to improve and expedite the prosecution of trafficking cases. The government also published a functioning guide for the Departmental Committees for the Prevention and Eradication of Child Labor and launched 21 committees. In addition, the government reactivated its National Working Group for the Prevention and Protection of Children and Adolescents against Sexual Exploitation in Activities Related to Travel and Tourism and conducted a population and housing survey with updated data on child labor that will be published in 2019. 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. The lack of a sufficient number of labor inspectors and resources limited the Ministry of Labor and Social Security's (MTPS) 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. (1-5) The Guatemalan Government's National Statistics Institute collected data for a population and housing census in 2018 that includes up-to-date statistics on child labor, but the census will not be published until 2019. (1) Table 1 provides key indicators on children's work and education in Guatemala.

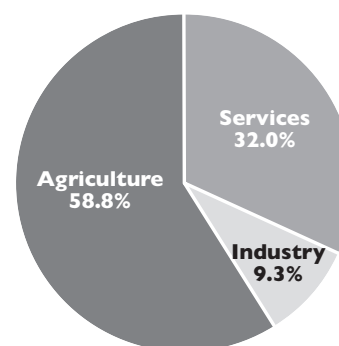
**Table 1. Statistics on Children's Work and Education**

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 (%)		79.9

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Nacional de Empleo e Ingreso I, 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	Picking macadamia nuts and tea leaves (8)
	Planting and harvesting coffee, sugarcane, corn, broccoli, bananas, plantains, and flowers (1,8-13,14)
	Harvesting palm kernels and producing palm oil (11,15,16)
	Ranching (1)

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

Sector/Industry	Activity
Industry	Mining, <sup>†</sup> including silver mining <sup>†</sup> (2,17,18)
	Construction, including as bricklayers and mason helpers (1,19,20)
	Production of garments, activities unknown (2,18)
	Manufacturing gravel (crushed stones) <sup>†</sup> and fireworks <sup>†</sup> (1,12,18,21,22)
Services	Domestic work and house-sitting <sup>†</sup> (4,11,12,23,24)
	Street work, <sup>†</sup> including vending, <sup>†</sup> performing, <sup>†</sup> cleaning windshields and windows, <sup>†</sup> begging, and shoe shining <sup>†</sup> (2,11,17-19,23,25,26)
	Making corn tortillas (12,27-29)
	Working as store clerks in small family-owned corner stores ( <i>abarroterías</i> ) (11-13,29)
	Garbage scavenging <sup>†</sup> and working in garbage dumps <sup>†</sup> (4,19)
	Working as servers in restaurants ( <i>comedores</i> ) (11)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Forced labor in agriculture, production of garments, domestic work, street begging, making corn tortillas, and vending (1,26,27,29-31)
	Use in the production of pornography (1,2,5,18)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4,11,26,27,31)
	Use in illicit activities, including drug trafficking, and stealing and transporting contraband as a result of criminal and gang recruitment (4,18,23,26,27,29)

<sup>†</sup> Determined by national law or regulation as hazardous and, as such, relevant to 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.

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. (32,33) In agriculture, working conditions for children involve using machetes and other dangerous tools. (18) Children as young as age 5 work in coffee fields picking coffee beans and mixing and applying pesticides. (34,35)

Children, both Guatemalan-born and from other countries, are engaged in commercial sexual exploitation, including in sex tourism. (31) Girls, LGBTI persons, and indigenous Guatemalans are particularly vulnerable to trafficking. (31) Traffickers are increasingly using social media to recruit children. (30) Multiple sources indicate that children are recruited into gangs to serve as lookouts, couriers, and drug dealers. (1)




Significant barriers to accessing education exist in Guatemala, particularly for girls, indigenous children, and children in rural areas. (1,18) Education is free in Guatemala, although only through grade 6 and there is an insufficient number of primary and secondary schools. (36) A lack of teachers, schools, transportation, and sanitary facilities at public schools, as well as fees charged at private schools, all create barriers to education. (1)

Reports conclude that there is a high degree of illiteracy among girls. (5,37,38) Due to the heightened security risks for girls traveling alone, girls in rural areas have lower enrollment rates in secondary school than boys. (27) 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. (18,38,39) Furthermore, the education system is also unable to address the needs of students with disabilities. (1,27)

## 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	14	Articles 31 and 148 of the Labor Code; Government Accord 112-2006 (40,41)
Minimum Age for Hazardous Work	Yes	18	Article 148 of the Labor Code; Article 1 of Government Accord 250-2006 (40,42)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 4 of Ministerial Accord 154-2008 (43)
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 (44-46)
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 (44,47,48)
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 (47)
Prohibition of Using Children in Illicit Activities	Yes		Article 27 of the Penal Code (44)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 57 of the Law of Integral Protection of Children and Adolescents (45)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 68–69 of the Constitutive Law of the Guatemalan Army (49)
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; (45,50,51)
Compulsory Education Age	Yes	15‡	Article 74 of the Constitution; Article 33 of the National Education Law; Ministerial Agreement 1055-2009 (50,52,53)
Free Public Education	Yes		Article 74 of the Constitution; Article 1 of Government Agreement 226-2008 (50,54)

‡ Age calculated based on available information (2,50,55,56)

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. (40) MTPS indicated that no such exceptions have been granted since 2016. (1,57)

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### 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 Security'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) Refers children found in child labor to government social services and complaints to the MTPS Adolescent Workers Protection Unit. (58-60) 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	Investigates cases of child trafficking through the Trafficking in Persons and Forced Labor Unit located within the Special Investigation Police, and operates a hotline to receive reports of suspected child trafficking cases. (17,61)
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 and ensures the legal representation of children whose rights have been violated. (61)

#### Labor Law Enforcement

In 2018, 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	2017	2018
Labor Inspectorate Funding	\$803,588 (27)	\$601,687 (1,62)
Number of Labor Inspectors	219 (63)	234 (62,64)
Inspectorate Authorized to Assess Penalties	Yes (27)	Yes (1)
Initial Training for New Labor Inspectors	Yes (27)	N/A (1)
Training on New Laws Related to Child Labor	Yes (27)	Yes (1)
Refresher Courses Provided	Yes (65)	Yes (1)
Number of Labor Inspections Conducted	25,614 (1)	34,035 (1)
Number Conducted at Worksite	16,656 (66)	17,851 (1)
Number of Child Labor Violations Found	108 (67)	10 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	103 (27)	10 (1)
Number of Child Labor Penalties Imposed that Were Collected	0 (27)	Unknown
Routine Inspections Conducted	Yes (27)	Yes (1)
Routine Inspections Targeted	Yes (27)	Yes (62)
Unannounced Inspections Permitted	Yes (27)	Yes (1)
Unannounced Inspections Conducted	Yes (27)	Yes (1)
Complaint Mechanism Exists	Yes (27)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (27)	Yes (1)

In 2018, MTPS' Ministerial Accord 285-2017 entered into effect. The accord contains instructions for the imposition of administrative sanctions for labor violations by the General Labor Inspectorate. (64,68) The accord supports implementation of Decree 7-2017, which re-established the Ministry of Labor's authority to impose sanctions for labor law violations, including child labor violations. (1,69) Guatemala's Law of the National System of Protection for Children and Adolescents, which aims to overhaul the country's child protection system, received a second reading during the reporting period but requires several more procedural steps before possible approval. (1)

MTPS published on its website 2018 labor inspectorate data that included plans for localized and regional inspections specific to the worst forms of child labor. (1) However, 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. (70,71) In addition, the ratio of inspectors to number of inspections conducted suggests that each inspector carried out approximately 163 inspections during the year, which may be high and impact the quality of inspections conducted. (1)

Although labor inspectors may conduct unannounced inspections, reports indicate that the timing of some inspections has become predictable, taking place when employers are required to pay quarterly bonuses. (17,18) Announced inspections, or inspections that occur at a predictable time, are more likely to allow time for employers to temporarily hide or remove children who may be engaged in child labor. In addition, 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. (1,2,27)

Some reports question the quality of inspections for child labor violations, particularly the scope and coverage across industries. (17,18) Civil society organizations state that, during worksite inspections, labor inspectors often meet only with business owners or supervisors and bypass conducting worker interviews. (8,72) Inspectors conducted 1,406 child-labor specific inspections in 2018, but civil society organizations also report that labor inspectors are not appropriately trained to perform inspections for child labor. (1,11,13)

Although the government has created a mechanism for filing complaints regarding child labor, reports state that the mechanism is not efficient in responding to those complaints. (1,27)

### **Criminal Law Enforcement**

In 2018, 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	2017	2018
Initial Training for New Criminal Investigators	Yes (27,65)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (1)
Refresher Courses Provided	Yes (27,65)	Yes (1,64)
Number of Investigations	Unknown	112 (1)
Number of Violations Found	140 (27)	44 (62)
Number of Prosecutions Initiated	4 (27)	55 (1)
Number of Convictions	Unknown	12 (1)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (31)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (27)	Yes (1)

In 2018, the labor exploitation unit in the Attorney General's Office conducted 41 investigations, with 95 percent related to child labor crimes. Details about the cases were not available. (1) The Attorney General's Office prosecuted 50 individual defendants in cases related to the use of children for commercial sexual exploitation, including prostitution, pornographic performances, and pornography. Twelve individuals were convicted for child labor crimes, including crimes related to the worst forms of child labor. (1) Despite the convictions, Guatemala's Penal Code allows for the commutation of sentences of less than 5 years, and all individuals who were sentenced to fewer than 5 years were released from detention after paying a fine. (1) ) In addition, although the government established specialized courts—including a 24-hour court in Guatemala City—to hear cases of human trafficking of adults and children and gender-based violence, judges are often unable to schedule hearings and trials in a timely manner. (72)

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During the reporting period, the Solicitor General's Office reported two cases of forced child labor and two cases of forced child begging, but details about these cases were not available. The Ministry of Labor reports that in 2018, 102 child and adolescent victims were removed from situations of exploitation and referred to social services. (1) The Attorney General's Office indicated that criminal investigators received training on child labor issues and on current laws, and regional staff in Quetzaltenango received training on trafficking in persons. USAID also noted that child labor trainings and trainings on new laws were held in several municipalities along border regions where child exploitation is common. (1) However, local NGO reports indicate that training is insufficient outside the capital. (1,27) The Public Ministry has noted a need for training on the recruitment of children by criminal groups. (65) Law enforcement agencies also lack sufficient vehicles, fuel, and criminal investigators, particularly outside Guatemala City. (18,73) The Public Ministry created a new regional Anti-Trafficking Unit in Quetzaltenango as part of efforts to improve and expedite the prosecution of trafficking cases. (31) However, the Ministry of Labor 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
National Commission for the Eradication of Child Labor (CONAPETI)	Coordinates 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. (26) Held four regular sessions during the reporting period, including one session in which it approved the Departmental Committees for the Prevention and Eradication of Child Labor (CODEPETI)'s Functional Guide, which sets the criteria for how departmental committees should function and how child labor cases specifically should be handled. (1,73,74)
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) In 2018, the government provided training to institutions that are part of CONAPETI and CODEPETIs, and socialized the 21 CODEPETIs on principles outlined in Guatemala's Roadmap for the Prevention and Elimination of the Worst Forms of Child Labor. (1)
Intra-Institutional Coordination Protocol to Assist Minor Working Persons	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. (43,62) Research was unable to identify specific implementing activities carried out under the protocol during the reporting period.
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 trafficking and a hotline to file child sex tourism complaints. Led by the Vice President's Office. (61) In 2018, transferred management of its three shelters for victims of trafficking in persons, sexual violence, and exploitation to the Secretariat of Social Welfare to improve the quality of specialized assistance for victims. In 2018, SVET also reactivated its National Working Group for the Prevention and Protection of Children and Adolescents against Sexual Exploitation in Activities Related to Travel and Tourism (MENACESNNA). (31) In addition, SVET published a protocol for providing specialized attention to children in trafficking in persons shelters and distributed the protocol to public and private shelters nationwide. (31)
CIT	Develops and manages initiatives to combat human trafficking. Relaunched by SVET in 2016, co-chaired by the Ministry of Foreign Affairs, and includes 28 government and civil society institutions. (61) In 2018, expanded its membership by eight government institutions and civil society organizations. (31)
MENACESNNA	Targets sexual exploitation of children and adolescents in the travel and tourism sector. (24) 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. (24) In 2018, MENACESNNA continued to implement its 2018–2022 strategic plan and developed an annual operation plan for 2019 that seeks to expand program efforts. MENACESNNA also conducted public awareness campaigns, such as trainings for the national taxi association, and targeted advertisements at Guatemala City movie theaters during popular children's films. (31)



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In 2018, the Office of the Vice President of the Republic issued resolution 01 2017 for enforcement of protocols pertaining to the operations of the Departmental Committees for the Prevention and Eradication of Child Labor and the Intra-Institutional Coordination Protocol to Assist Child Laborers. (1)

Despite improvements in interagency coordination to address 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. (4,17,75)

## 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. Led by CONAPETI and CODEPETIs. (21,75–78) The government launched its Public Policy for the Comprehensive Protection of Children and Adolescents in March 2018 as part of the Roadmap. The policy includes a section addressing child labor and designates CONAPETI as the entity in charge of the issue. (1) As part of the Roadmap, the government swore in 21 CODEPETIs and developed working plans for the committees. (1)
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. (2,79) Research did not reveal whether any actions were taken under this policy in 2018.
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. (24,43,80) In 2018, SVET carried out actions to strengthen the standards and operations of the three shelters for victims of human trafficking, including training for workers who are part of the multidisciplinary teams. (62)
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. (81) Includes a National Plan of Strategic Action that directs the government's actions on preventing and combating human trafficking. (17,31,82) In 2018, SVET developed a monitoring exercise of the Public Policy. (31) SVET also provided trainings to local institutions in Spanish and four Mayan languages, as well as developed and distributed informational materials related to the prevention of human trafficking. (62)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (19)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, 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
Business Network for the Prevention and Elimination of Child Labor in Guatemala (Red Empresarial)	Program that aims to promote prevention and eradication of child labor. Created in 2015, and members include the ministries of Education and Agriculture, MTPS, CONAPETI, ILO, UNICEF, the UN Food and Agriculture Organization, and representatives from the private sector. (19,83–86) The network held eight coordinating meetings in 2018. (87)
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 of children and adolescents between ages 10 and 15 for sexual abuse and “Protecting Our Greatest Treasure” to create awareness of sexual exploitation of children in tourism and travel activities. (30,88) SVET reported that it updated the intra-institutional detection and action protocol for immediate response on cases of sexual exploitation against children and adolescents in travel and tourism in August 2018. (62)

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**Table 10. Key Social Programs to Address Child Labor (Cont.)**

Program	Description
Human Trafficking Referral and Grant Funding†	Program that provides funding to NGOs to assist child victims of human trafficking for commercial sexual exploitation. (82) Research did not identify actions undertaken during the reporting period to carry out this program.
Committed to First (Comprometidos con Primero) Program (2017–2019)	Program that seeks to decrease school dropout rates and increase enrollment and advancement to the next grade at a national level. (27) Goals include generating conditions to achieve competency in reading and writing, providing teacher training, conducting diagnostic evaluations, and supplying educational materials and pedagogical support. (89,90) Aims to serve 35,000 first grade students. (90) Though approved in 2017, Guatemala began enacting the program in 2018. (1)
Ministerio de Desarrollo 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. (27,60,91) Food Assistance Program ( <i>Mi Bolsa Segura</i> ) provides food assistance to poor families, with the requirement that their children attend school. (27,60,92) Young Protagonists ( <i>Jóvenes Protagonistas</i> ) provides at-risk adolescents with training and formative activities outside school hours. (27,91,93) My Secure Dining Hall ( <i>Mi Comedor Seguro</i> ) provides access to food to people in situations of poverty, crisis, and emergency, including children. (94) 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. (27,91) 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. (94) The government continued to fund the conditional cash transfer programs and increased funding in 2018 by 9.4 percent. (1)

† 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. (24,95-97)

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) 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)

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. (37) 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. (98)

## 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	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 – 2018
	Criminally prohibit the recruitment of children under 18 into non-state armed groups.	2016 – 2018
Enforcement	Increase the number of labor inspectors to meet the ILO's technical advice and ensure the ratio of inspections conducted per inspector does not impact quality.	2015 – 2018
	Ensure that labor inspectors and criminal investigators have sufficient resources and staff to conduct inspections and investigations in all geographical areas of the country.	2009 – 2018
	Ensure that inspectors carry out inspections in the informal sector, an area in which child labor is known to occur.	2018



**Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Improve the quality of inspections by ensuring that inspectors receive adequate training, meet with all relevant parties, including workers, and dedicate the necessary time to carry out more comprehensive inspections, including in informal workplaces.	2017 – 2018
	Ensure that the timing of labor inspections is not predictable so that they can be truly unannounced as recommended by international standards.	2016 – 2018
	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 – 2018
	Make publicly available the total amount of child labor penalties collected, and the number of routine child labor inspections targeted, as well as the number of violations for the worst forms of child labor.	2018
	Ensure that hearings and trials addressing human trafficking and gender-based violence in specialized courts are scheduled in a timely manner.	2016 – 2018
	Improve adequacy of child labor complaint mechanism to ensure timely responses to complaints.	2018
Coordination	Strengthen coordination efforts to institutionalize relationships between civil society representatives and government agencies that provide services to victims of child labor.	2013 – 2018
Government Policies	Undertake activities to implement the Protocol for Identifying and Assisting Child and Adolescent Victims of Commercial Sexual Exploitation.	2017 – 2018
Social Programs	Conduct research on child labor activities in the production of garments and make the information public.	2018
	Make education accessible 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, and removing school fees and transportation costs.	2015 – 2018
	Ensure that social programs are implemented, well-funded, able to carry out their objectives, and reach populations outside urban centers, and report on yearly activities.	2018
	Initiate social programs to address child labor in agriculture and domestic work, and for children who perform other types of hazardous work.	2009 – 2018
	Ensure high standards of safety and care for children in government-run shelters and expand shelter capacity to prevent overcrowding.	2016 – 2018
	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 – 2018

### REFERENCES

- U.S. Embassy- Guatemala City. Reporting. February 28, 2019.
- U.S. Embassy- Guatemala City. Reporting. January 20, 2016.
- U.S. Embassy- Guatemala City. Reporting. February 2, 2016.
- UN Human Rights Council. Information presented by the Guatemalan Human Rights Ombudsman's Office. Prepared by the Government of Guatemala, Universal Periodic Review - Midterm Report. Geneva, June 22, 2015. Source on file.
- UNICEF. Human trafficking for sexual exploitation purposes in Guatemala. 2016. [http://www.cicig.org/uploads/documents/2016/Trata\\_Ing\\_978\\_9929\\_40\\_829\\_6.pdf](http://www.cicig.org/uploads/documents/2016/Trata_Ing_978_9929_40_829_6.pdf).
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received January 12, 2018. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- NGO official. Interview with USDOL official. April 4, 2018.
- Leiva, P Garcia de. Opciones productivas para el fin del trabajo infantil en Chilascó. November 12, 2015. Source on file.
- The Coca-Cola Company. Review on Child and Forced Labor and Land Rights in Guatemala's Sugar Industry. March 15, 2015. Source on file.
- NGO official. Interview with USDOL official. April 2, 2018.
- NGO official. Interview with USDOL official. April 3, 2018.
- UN Office of the High Commissioner for Human Rights official. Interview with USDOL official. April 6, 2018.
- U.S. Department of State. "Guatemala," in Country Reports on Human Rights Practices- 2015. Washington, DC. April 13, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dld=253017>.
- Verité. Labor and Human Rights Risk Analysis of the Guatemalan Palm Oil Sector. Amherst, March 31, 2014. <http://www.verite.org/sites/default/files/images/RiskAnalysisGuatemalanPalmOilSector.pdf>.
- Human Rights Ombudsman (PDH) official. Interview with USDOL official. April 4, 2018.
- U.S. Embassy- Guatemala City. Reporting. January 15, 2015.
- U.S. Embassy- Guatemala City. Reporting. February 7, 2017.
- Government of Guatemala. Annual Report on Child Labor. December 14, 2016. Source on file.
- U.S. Embassy- Guatemala City. USDOS Email Communication from USDOS to USDOL Official. March 5, 2015.
- Arias, Rodrigo. Al menos 790 mil menores trabajan en Guatemala. El Siglo, June 12, 2017. <http://s21.gt/2017/06/12/790-mil-menores-trabajan-en-guatemala/>.
- NGO official. Interview with USDOL official. April 2, 2018.
- U.S. Department of State. Trafficking in Persons Report- 2016: Guatemala. Washington, DC, June 30, 2016. <https://2009-2017.state.gov/j/tip/rls/tiprpt/2016/index.htm>.

## SIGNIFICANT ADVANCEMENT

- 24 U.S. Embassy- Guatemala City. Reporting. February 7, 2017.
- 25 Sapalu, Lucero. Alto número de niños aún trabaja. Prensa Libre, March 17, 2015.  
<http://www.prensalibre.com/guatemala/totonicapan/alto-numero-de-ninos-aun-trabaja>.
- 26 SVET official. Interview with USDOL official. April 3, 2018.
- 27 U.S. Embassy- Guatemala City. Reporting. January 18, 2018.
- 28 Agence France-Presse. Police rescue 22 children from forced labor in Guatemala. May 31, 2017. Source on file.
- 29 Special Prosecutor Against TIP official. Interview with USDOL official. April 3, 2018.
- 30 U.S. Embassy- Guatemala City. Reporting. February 16, 2018.
- 31 U.S. Embassy- Guatemala City Reporting. April 12, 2019.
- 32 Instituto Nacional de Estadística Guatemala. Encuesta Nacional de Empleo e Ingresos. May 2016.  
<https://www.ine.gob.gt/sistema/uploads/2016/06/29/P8nxydeYs0lhaBHFRqgPDSp5dCeJj5yY.pdf>.
- 33 Government of Guatemala. Annex I--ENEI Statistical Information on Child Labor 2015-2017. 2019. Source on file.
- 34 Danwatch. Bitter Coffee II. September 2016.  
<https://www.danwatch.dk/wp-content/uploads/2016/09/Bitter-coffee-Guatemala-2016.pdf>.
- 35 Brown, Nick. Danwatch Casts Troubling Labor Allegations in Guatemala Coffee Report. Daily Coffee News, September 20, 2016.  
<http://dailycoffeenews.com/2016/09/20/danwatch-casts-troubling-labor-allegations-in-guatemala-coffee-report/>.
- 36 Ministry of Education official. Interview with USDOL official. April 6, 2018.
- 37 Alianza Estrategica Mujeres CEDAW Guatemala. 8° y 9° Informe Alternativo. October 2017.  
[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT/CEDAW/NGO/GTM/29172&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT/CEDAW/NGO/GTM/29172&Lang=en).
- 38 Government of Guatemala. Guatemala Annual Report. May 2017. Source on file.
- 39 U.S. Embassy- Guatemala City official. Email communication to USDOL official. March 9, 2015.
- 40 Government of Guatemala. Código de Trabajo de la República de Guatemala. Enacted: 1995.  
<http://www.lexadin.nl/wlg/legis/nofr/oeur/arch/gua/ct.pdf>.
- 41 Government of Guatemala. Acuerdo Gubernativo No. 112-2006 (Protección Laboral de la Niñez y Adolescencia). Enacted: 2006.  
[http://www.ilo.org/dyn/travail/docs/2098/Protección laboral de la niñez y adolescencia.pdf](http://www.ilo.org/dyn/travail/docs/2098/Protección%20laboral%20de%20la%20niñez%20y%20adolescencia.pdf).
- 42 Government of Guatemala. Acuerdo Gubernativo No. 250-2006. Enacted: May 18, 2006.  
[http://www2.congreso.gob.pe/Sicr/Comisiones/2007/ComRevNinAdo.nsf/34069c3bb71c123b05256f470062fea7/04BDED74D31FD9F3052574640067D12D/\\$FILE/GuatemalaAcuerdoGubernativo250Convenio182.pdf](http://www2.congreso.gob.pe/Sicr/Comisiones/2007/ComRevNinAdo.nsf/34069c3bb71c123b05256f470062fea7/04BDED74D31FD9F3052574640067D12D/$FILE/GuatemalaAcuerdoGubernativo250Convenio182.pdf).
- 43 Government of Guatemala. Intrainstitutional Protocol, No. 154-2008. Enacted 2008. Source on file.
- 44 Government of Guatemala. Código Penal, Decreto No. 17-73. Enacted: 1973.  
[http://www.oas.org/JURIDICO/MLA/sp/gtm/sp\\_gtm-int-text-cp.pdf](http://www.oas.org/JURIDICO/MLA/sp/gtm/sp_gtm-int-text-cp.pdf).
- 45 Government of Guatemala. Ley de Protección Integral de la Niñez y Adolescencia. Enacted: 2003. Source on file.
- 46 Government of Guatemala. Decreto Número 10-2015. Enacted: December 8, 2015.  
<http://www.acnur.org/fileadmin/scripts/doc.php?file=fileadmin/Documentos/BDL/2016/10462>.
- 47 Government of Guatemala. Ley contra la Violencia Sexual, Explotación y Trata de Personas, No. 9-2009. Enacted: March 20, 2009. Source on file.
- 48 Government of Guatemala. Ley de Migración, Decreto No. 95-98. Enacted: November 26, 1998.  
[https://www.oas.org/dil/Migrants/Guatemala/Decreto N° 95-98 -Ley de Migración de Guatemala.pdf](https://www.oas.org/dil/Migrants/Guatemala/Decreto%20N%C2%BA95-98-Ley%20de%20Migraci%C3%B3n%20de%20Guatemala.pdf).
- 49 Government of Guatemala. Ley Constitutiva del Ejército de Guatemala, Decreto No. 72-90. Enacted: 1990.  
<https://archivos.juridicas.unam.mx/www/bjv/libros/5/2048/8.pdf>.
- 50 Government of Guatemala. Constitución Política reformada por Acuerdo Legislativo No. 18-93 del 17 de Noviembre de 1993. Enacted 1985, Reformed: November 17, 1993.  
<http://pdba.georgetown.edu/Constitutions/Guate/guate93.html>.
- 51 Government of Guatemala. Ley Contra la Violencia Sexual, Explotación y Trata de Personas Decreto 9-2009.  
[http://www.sipi.siteal.iipe.unesco.org/sites/default/files/sipi\\_normativa/ley-contra-la-violencia-sexual-explotacion-y-trata-de-personas\\_-\\_decreto\\_9-2009\\_-guatemala.pdf](http://www.sipi.siteal.iipe.unesco.org/sites/default/files/sipi_normativa/ley-contra-la-violencia-sexual-explotacion-y-trata-de-personas_-_decreto_9-2009_-guatemala.pdf).
- 52 Government of Guatemala. Decreto Legislativo No. 12-9, Ley de Educación Nacional. Enacted: January 12, 1991.  
[http://www.sipi.siteal.iipe.unesco.org/sites/default/files/sipi\\_normativa/guatemala\\_decreto\\_legislativo\\_nro\\_12\\_1991.pdf](http://www.sipi.siteal.iipe.unesco.org/sites/default/files/sipi_normativa/guatemala_decreto_legislativo_nro_12_1991.pdf).
- 53 Government of Guatemala. Acuerdo Ministerial 1055. 2009.  
[http://www.mineduc.gob.gt/asignacioncodigopersonal/contenido/docs/MINEDUC\\_ACUERDO1055-2009.pdf](http://www.mineduc.gob.gt/asignacioncodigopersonal/contenido/docs/MINEDUC_ACUERDO1055-2009.pdf).
- 54 Government of Guatemala. Acuerdo Gubernativo 226-2008. Enacted: 2008. Source on file.
- 55 UNESCO. EFA Global Monitoring Report: Education for All 2005-2015: Achievements and Challenges. Paris, 2015.  
<http://unesdoc.unesco.org/images/0023/002322/232205e.pdf>.
- 56 Ministerio de Educacion. Sistema Nacional de Indicadores Educativos. February, 2013.  
<http://estadistica.mineduc.gob.gt/PDF/SNIE/SNIE-GUATEMALA.pdf>.
- 57 Ministry of Labor official. Interview with USDOL official. April 3, 2018.
- 58 Government of Guatemala. Acuerdo Ministerial 128-2009. Enacted: July 8, 2009.  
[http://www.ilo.org/dyn/travail/docs/2092/ACUERDO\\_Ministerio\\_128-2009.pdf](http://www.ilo.org/dyn/travail/docs/2092/ACUERDO_Ministerio_128-2009.pdf).
- 59 Government of Guatemala. Protocolos de Inspección Guatemala: Buenas Prácticas, Verificación, Investigación. 2008. Source on file.
- 60 U.S. Embassy- Guatemala City official. Email communication to USDOL official. April 10, 2015.
- 61 U.S. Embassy- Guatemala City official. Email communication to USDOL official. May 16, 2014.
- 62 U.S. Embassy- Guatemala City. Official Email communication to USDOL official. July 2, 2019.
- 63 Government of Guatemala, Ministry of Labor. Informe Anual sobre la Labor de los Servicios de la Inspección General del Trabajo, Año 2017. Source on file.
- 64 Government of Guatemala, Ministry of Labor and Social Welfare. Informe Anual General sobre la Labor de los Servicios de Inspección General de Trabajo. 2018.  
[https://www.mintrabajo.gob.gt/images/Descargas/IGT/INFORME\\_ANUAL\\_IGT\\_2018.pdf](https://www.mintrabajo.gob.gt/images/Descargas/IGT/INFORME_ANUAL_IGT_2018.pdf).
- 65 Government of Guatemala official. Personal communication to USDOL official. February 16, 2018.
- 66 U.S. Embassy- Guatemala City official. Email communication to USDOL official. February 20, 2018.
- 67 U.S. Embassy- Guatemala City official. Email communication to USDOL official. June 26, 2018.
- 68 Government of Guatemala Ministry of Labor. Acuerdo Ministerial Numero 285-2017. January 18, 2018. Source on file.
- 69 Government of Guatemala. Decreto-No.-7-2017. April 6, 2017.  
<http://www.asomet.org/wp-content/uploads/2016/06/Decreto-No.-7-2017-reformas-al-Dto.-No.-1441-Código-de-Trabajo.pdf>.
- 70 CIA. The World Factbook. Accessed March 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.  
<https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.

- 71 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.  
[https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp\\_full\\_en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf).
- 72 U.S. Department of State. Country Reports on Human Rights Practices-2016: Guatemala. Washington, DC, March 3, 2017.  
<https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/guatemala/>.
- 73 Government of Guatemala. Guía de Funcionamiento con Enfoque de Pertinencia Cultural. 2018. Source on file.
- 74 IV Global Conference on the Sustained Eradication of Child Labour. Pledges. 2017.  
<http://childlabour2017.org/en/resources/updates/pledges>.
- 75 Contacto Hoy. Gobierno de Guatemala Define Hoja de Ruta Para Erradicar El Trabajo Infantil. April 6, 2016.  
<https://contactohoy.com.mx/gobierno-de-guatemala-define-hoja-de-ruta-para-erradicar-el-trabajo-infantil/>.
- 76 Yelmo, Jarbin. El Gobierno Acciona para Erradicar el Trabajo Infantil. Diario de Central America, April 7, 2016.  
<https://dca.gob.gt/noticias-guatemala-diario-centro-america/gobierno-acciona-para-erradicar-trabajo-infantil/>.
- 77 Government of Guatemala. Response to USDOL Request for Information. December 9, 2016. Source on file.
- 78 Government of Guatemala. Hoja de Ruta Para Hacer de Guatemala un País Libre de Trabajo Infantil y Sus Peores Formas (2016-2020). December 12, 2016. Source on file.
- 79 Secretaria de Bienestar Social, ILO-IPEC, and ECPAT Guatemala. Protocolo para la detección y atención integral a niñas, niños, y adolescentes víctimas de explotación sexual comercial. January 4, 2007.  
<http://www.ilo.org/ipcinfo/product/viewProduct.do?productid=6621>.
- 80 U.S. Embassy- Guatemala City official. Email communication to USDOL official. June 22, 2017.
- 81 Government of Guatemala. Política Pública contra la Trata de Personas y Protección Integral de las Víctimas (2014-2024) 2014.  
[http://190.111.13/CAPP/documentos/19/Política Trata de Personas.pdf](http://190.111.13/CAPP/documentos/19/Política%20Trata%20de%20Personas.pdf).
- 82 U.S. Embassy- Guatemala City. Reporting. February 17, 2015.
- 83 Masaya, J. “Firman compromiso para prevenir y erradicar trabajo infantil.” República, Accessed March 3, 2015.  
<http://republica.gt/2015/03/03/firman-compromiso-para-prevenir-y-erradicar-trabajo-infantil/>.
- 84 Vásquez, Byron and Edwin Pitán. “Cámara del Agro pretende que se eleve la edad para trabajo de menores.” Prensa Libre, March 3, 2015.  
<http://www.prensalibre.com/guatemala/comunitario/camara-del-agro-pretende-que-se-eleve-la-edad-para-trabajo-de-menores>.
- 85 ILO. Lanza red empresarial para prevenir y erradicar el trabajo infantil. San Jose. March 19, 2015: Press Release.  
[http://www.ilo.org/sanjose/sala-de-prensa/WCMS\\_356360/lang-es/index.htm](http://www.ilo.org/sanjose/sala-de-prensa/WCMS_356360/lang-es/index.htm).
- 86 Cámara del Agro. Declaración del Compromiso de la Red Empresarial para la Prevención y Erradicación del Trabajo Infantil en Guatemala: “Los niños y las niñas a la Escuela”. March 3, 2015.  
<https://www.camaradelagro.org/wp-content/uploads/sites/24/2017/12/Declaración-Red-Empresarial-Contra-el-Trabajo-Infantil.pdf>.
- 87 Cámara del Agro. Estrategia de prevención de trabajo infantil en el sector agrícola. 20018. Source on file.
- 88 U.S. Embassy- Guatemala City official. Email communication to USDOL official. April 25, 2018.
- 89 Government of Guatemala - Ministry of Education. Estrategia Comprometidos con Primero. April 2017.  
[http://www.mineduc.gob.gt/portal/documents/estrategias/Estrategia\\_Comprometidos\\_con\\_Primer.pdf](http://www.mineduc.gob.gt/portal/documents/estrategias/Estrategia_Comprometidos_con_Primer.pdf).
- 90 Empresarios por la Educación. El MINEDUC presentó el programa “Comprometidos con primero”. Accessed January 29, 2018.  
<http://www.empresariosporlaeducacion.org/content/mineduc-lanza-comprometidos-con-primero>.
- 91 Government of Guatemala. MINDES Social Program Information. Guatemala City, February 23, 2015. Source on file.
- 92 Government of Guatemala. Gobierno beneficia a 430 mil familias con Mi Bolsa Segura en siete meses del año. 2014. Source on file.
- 93 Government of Guatemala. Jóvenes Protagonistas llega a 75 mil asistencias. 2014. Source on file.
- 94 MIDES official. Email communication to USDOL official. May 3, 2018.
- 95 U.S. Embassy- Guatemala City official. Email communication to USDOL official. May 25, 2016.
- 96 IOM. IOM and Indigenous Teens Encourage Dialogue on Migration in Guatemala. Guatemala, September 25, 2015: Press Release.  
<http://www.iom.int/news/iom-and-indigenous-teens-encourage-dialogue-migration-guatemala>.
- 97 ILO-IPEC Geneva official. Email communication to USDOL official. February 9, 2017.
- 98 U.S. Department of State. Country Reports on Human Rights Practices-2017: Guatemala. Washington, DC, April 20, 2018.  
<https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/guatemala/>.