



**Convention on the  
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD  
Forty-fifth session  
21 May- 8 June 2007

**OPTIONAL PROTOCOL ON THE INVOLVEMENT  
OF CHILDREN IN ARMED CONFLICT**

**List of issues to be taken up in connection with the consideration  
of the initial report of GUATEMALA (CRC/C/OPAC/GTM/1)**

**The State party is requested to submit in written form additional and updated  
information, if possible, before 2 April 2007.**

1. Please clarify to the Committee the status of the Optional Protocol in relation to domestic legislation, including the Constitution, and whether it can be directly invoked before the courts and applied by the national authorities.
2. Please inform the Committee of the intention of the State party to include in the Criminal Code a provision that expressly prohibits the recruitment of children under 18 years.
3. Please inform the Committee of the status of the children attending military schools, in particular whether they can be enlisted in the armed forces in cases of emergency or armed conflict.
4. The Committee would like to receive information about impartial complaints and investigations mechanisms available for children attending military schools, and on how frequently such mechanisms are used.
5. Please inform the Committee whether Guatemala intends to become a State party to the Rome Statute of the International Criminal Court.
6. Has Guatemala assumed extraterritorial jurisdiction over war crimes that involve conscripting or enlisting children under the age of 15 in the armed forces or using them to participate actively in hostilities?

7. Also in relation to extraterritorial jurisdiction, please indicate whether Guatemalan courts may establish their jurisdiction in case of forced recruitment or involving in hostilities of a person under 18 if committed outside Guatemala by or against a Guatemalan citizen.
8. Please provide information on measures adopted with regard to physical and psychological recovery and social reintegration of refugee, asylum-seeking and migrant children entering Guatemala who may have been involved in armed conflict abroad.
9. Please update the Committee on the work of the National Commission for the Search of Disappeared Children, especially regarding the financial and human recourses available to it and the progress made in holding accountable those responsible for forced recruitment of children during the armed conflict. Also, inform the Committee regarding the possibilities to provide this Commission with access to relevant military files and documents in order to identify and allow for full compensation of all children victims of the armed conflict in the period between 1960 and 1996.
10. Please update the Committee on the activities of the National Reparations Programme that are of specific relevance to children affected by armed conflict.
11. Please provide information on children victims of police activities of military forces and measures to abolish these practices.

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