



International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General
2 March 2015
English
Original: Spanish
English, French and Spanish only

Committee on the Elimination of Racial Discrimination

Eighty-sixth session

27 April–15 May 2015

Item 4 of the provisional agenda

**Consideration of reports, comments and information submitted
by States parties under article 9 of the Convention**

List of themes in relation to the combined fourteenth and fifteenth periodic reports of Guatemala (CERD/C/GTM/14- 15)

Note by the Country Rapporteur

At its seventy-sixth session the Committee on the Elimination of Racial Discrimination decided (A/65/18, para. 85) that the Country Rapporteur would send a short list of themes to the State party concerned with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. This document contains a list of such themes. This is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.



1. Scarcity of reliable indicators of demographic composition

Information on statistical data on the demographic composition of the Guatemalan population. Information on methodology for collecting data and on the frequency of censuses. Detailed information on the outcomes of the projects on strengthening the National Institute of Statistics in mainstreaming the gender and peoples perspectives in statistical data processing, and on improving the availability of population statistics for the promotion of human development (CERD/C/GTM/CO/12-13, para. 6, and CERD/C/GTM/14-15, paras. 293 to 297).

2. The legal, institutional and public policy framework for combating racial discrimination (arts. 2 to 7)

(a) Information on the measures taken to implement the peace accords, and in particular the following: the Agreement on Identity and Rights of Indigenous Peoples, the Agreement on Socio-economic Aspects and the Agrarian Situation and the Comprehensive Agreement on Human Rights;

(b) Information on the steps taken in relation to the declaration under article 14 of the Convention, and specifically on the current status of Bill No. 2699 on recognition of the competence of the Committee on the Elimination of Racial Discrimination under article 14 of the Convention (CERD/C/GTM/CO/12-13, para. 18, and CERD/C/GTM/14-15, para. 133);

(c) Measures and steps taken to adopt legislation that specifically defines the various manifestations of racial discrimination as punishable acts, and in particular information on the current status of Bill No. 4539 on adoption of the amendments to Congressional Decree No. 17-73 (art. 4) (CERD/C/GTM/CO/12-13, para. 7, and CERD/C/GTM/14-15, para. 135);

(d) Information on the activities and initiatives of the Office for Indigenous Peoples and Multiculturalism to ensure the effective participation of, and consultation with, indigenous peoples;

(e) Further information on the activities undertaken by the Observatory on Racism in the Media to monitor the print media. Information on the mechanisms used to monitor other media and social networks for racially discriminatory content (CERD/C/GTM/CO/12-13, para. 17, and CERD/C/GTM/14-15, para. 77).

3. Situation of the indigenous peoples (arts. 1 to 7)

(a) Information on the current status of proposed legislation linked to the development of the rights of the indigenous peoples, specifically Bill No. 3684 and Bill No. 4051 on consultation with indigenous peoples; Bill No. 3590 on the commission on the search for victims of forced and other forms of disappearance; Bill No. 3835 on recognition of the sacred sites of the indigenous peoples; Bill No. 3513 on bilingual, multicultural and intercultural education; Bill No. 3946 on the indigenous legal system; Bill No. 4047 on the rights of the indigenous peoples; Bill No. 4048 on the national system for comprehensive rural development; Bill No. 4087 on community media; and Bill No. 4320 on indigenous dress (CERD/C/GTM/14-15, para. 137);

(b) Information on the activities and programmes implemented or planned with regard to the Xinca and Garifuna languages. Detailed information on the results of the bilingual education policies and the financial resources allocated to those policies. Information on the illiteracy rate, particularly among the indigenous population (CERD/C/GTM/CO/12-13, para. 15, and CERD/C/GTM/14-15, paras. 271 to 273);

(c) Further information on the results achieved by the Under-Secretariat for Conflict Resolution and round-table dialogues in resolving agrarian disputes (CERD/C/GTM/CO/12-13, para. 11, and CERD/C/GTM/14-15, paras. 210 to 213);

(d) Information on measures adopted to ensure access to drinking water for all indigenous communities, particularly in the areas of San Marcos, Huehuetenango, Quiché and Sololá (CERD/C/GTM/CO/12-13, para. 14);

(e) Further information on the development of an appropriate and comprehensive strategy to ensure that the indigenous peoples receive quality health care, and also on the participatory process for drafting of that strategy (CERD/C/GTM/CO/12-13, para. 13, and CERD/C/GTM/14-15, paras. 214 to 219).

4. Human rights defenders (art. 5)

Information on measures adopted to provide protection for defenders of the rights of indigenous peoples who are threatened or persecuted. Information on the mechanisms in place for investigating such offences. Detailed information on the punishments imposed for attacking or threatening human rights defenders (CERD/C/GTM/CO/12-13, para. 9, and CERD/C/GTM/14-15, paras. 260 and 261).

5. Justice system and measures to combat racial discrimination (arts. 5 and 6)

(a) Further information on investigations into offences of racial discrimination, the number of cases and the sentences imposed, and on the compensation obtained by victims. Detailed, accurate information on the work of the National Reparations Commission, particularly in relation to the victims of the events of 4 October 2012 in Totonicapán (CERD/C/GTM/CO/12-13, para. 16, and CERD/C/GTM/14-15, paras. 235 ff.);

(b) Information on measures taken to recognize the indigenous legal systems (CERD/C/GTM/CO/12-13, para. 8, and CERD/C/GTM/14-15, para. 247).
