

ADVANCE QUESTIONS TO GUATEMALA Add.1

GERMANY

- The Office of the High Commissioner in Guatemala has been reopened in October 2005. How does your Government evaluate the results of its activities? What are the achievements and where do you see necessity for improvements in cooperation between the Office and the institutions of Guatemala?
- The Special Representative of the United Nations for the Situation of Human Rights Defenders, Mr. Hina Jilani, visited Guatemala on 18-20 February 2008 and held talks with your Government, the judiciary, parliamentary institutions and non-governmental organisations. Mrs. Jilani concluded that your country is facing important challenges in the field of combating poverty, violence, organised crime, impunity and that the overall situation has contributed dramatically to the worsening of the situation of human rights defenders. She addressed a list of recommendations to your authorities. Could you specify if your government has already put in practice some of the Special Representative's recommendations and/or which of her recommendations your government intends to take up in the near future in order to improve substantially the situation of human rights defenders?
- On 8 March 2005, a Special Commission for the Investigation on Femicide in Guatemala was established, chaired by the Minister of Women's Affairs, in order to face the dramatically growing fate of more and more women in Guatemala who become victims of sexual abuse and homicide. Could you inform the Council on any concrete results of the Commission's activities including recommendations which have been taken up by your government?

Based on the fact, that domestic violence is responsible for many of the crimes committed against women, and that the penal code in Guatemala does not define violence against women in the family, including marital rape, and sexual harassment as a criminal offence, does your Government intend to propose modifying legislation in order to offer efficient protection to women?

Moreover, does the Government intend to initiate the collection of data on the indigenous (ethnic) status for investigation purposes, as it appears that a considerable number of indigenous women are affected by this phenomenon?

Does your Government intend to launch special programmes to assist and support indigenous women who are especially threatened to become victims of sexual violence?

NETHERLANDS

- Ratification of the ICC statute seems to be obstructed in Congress. What are the plans of the government to accelerate this process?
- An integral plan for the justice and security sector seems to be the key to improving the democratic security situation and the respect for human rights. Is this also the view of the Government and if so, when can such a plan be expected?
- What has been the impact of the creation of new units within state institutions on the levels of impunity around human rights violations and common crime?
- When will the Action Plan for Human Rights be operationalized and implemented?