



40th session of the Human Rights Council

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Item 2: Activities of the Office of the United Nations High Commissioner for Human Rights in Guatemala - Annual report of the Office of the United Nations High Commissioner for Human Rights

Mr. President,

The International Catholic Child Bureau (BICE) and the Institute of Comparative Studies in Criminal Sciences of Guatemala (ICCPG) welcome the report on the activities of the Office of the High Commissioner in Guatemala and appreciate the reference made to the rights of the child and the administration of justice.

With regard to the tragedy at the *Hogar Seguro Virgen de la Asunción* more than a year ago, the adoption of a law to provide financial support to the survivors in August 2018 as well as the declaration of 8 March as the national day to commemorate the victims of the tragedy, are positive steps towards a transformative reparation. However, some of the survivors and families of the victims have not yet received adequate psychological, legal and economic support. In addition, as the report rightly mentioned, Guatemala has yet to implement much-needed structural changes to the child protection system. **Our organizations, therefore, call on the Government to implement recommendations issues by OHCHR in its November 2018 report on the tragedy¹.**

In 2018, the Committee on the Rights of the Child (CRC) underlined with concern the systematic use of detention, including pretrial detention, and the conditions of detention. These challenges have been echoed by the OHCHR-Guatemala's report that pointed out prolonged pretrial detention, including for children.

Our organizations would like to call on Guatemala to:

- **Establish specialized juvenile court facilities across the country, in particular in remote and rural areas and prevent long pretrial transfers of children in conflict with the law from remote areas to Guatemala City;**
- **Implement non-judicial measures, including mediation and diversion, and non-custodial sanctions, such as probation, counselling or community service, and intensify its efforts to implement alternative measures at sentencing;**
- **Strengthen efforts to curb overcrowding, provide socioeducational and recreational programmes to children in detention facilities and prioritize the reintegration of children in conflict with the law into society.**

Thank you Mr President.

¹ OHCHR in Guatemala, *Las víctimas del Hogar Seguro Virgen de la Asunción: un camino hacia la dignidad (2018)*.