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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Thirty-first session

SUMMARY RECORD OF THE 38th MEETING

Held at the Palais Wilson, Geneva,
on Friday, 14 November 2003, at 10 a.m.

Chairperson: Ms. BONOAN-DANDAN

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Second periodic report of Guatemala

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS (continued)

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Second periodic report of Guatemala (E/1990/6/Add.34 and Rev.1; E/C.12/Q/GTM/1; CESCR/NONE/2003/4; HRI/CORE/1/Add.47)

1. At the invitation of the Chairperson, Mr. Fuentes and Ms. Soberanis (Guatemala) took places at the Committee table.
2. Mr. FUENTES (Guatemala) introducing Guatemala's second periodic report, said that his delegation's presence in the Committee testified to the ongoing efforts to improve the human rights situation in Guatemala. The Government was convinced that short-term efforts were not enough, but that medium- and long-term initiatives and decisions must also be taken in order to create a climate of trust between the State and civil society.
3. A number of measures had been taken in accordance with the Peace Agreements. The Government had recognized State responsibility in cases of serious violations of human rights. The Presidential Human Rights Commission (COPREDEH) had been working to find ways of helping the families of victims or their representatives by paying compensation and instituting legal proceedings. However, although considerable progress had been made in paying individual compensation to victims, efforts to institute legal proceedings against perpetrators had been less successful. Recognition of State responsibility had also given impetus to measures aimed at granting group compensation to victims.
4. A national compensation plan was in effect. Conception, implementation, and evaluation of the plan were the work of a joint committee comprising representatives of the Government and of civil society. The composition of the committee reflected the Government's commitment to involving all social and ethnic groups in public policy-making and implementation.
5. A committee against discrimination and racism had been established in 2003, coordinated by a representative of the President. A draft national action plan on human rights had been prepared with the help of the Office of the United Nations High Commissioner for Human Rights.
6. The Government had extended an open invitation to United Nations special rapporteurs and representatives to visit Guatemala; their recommendations would bolster national efforts to improve the human rights situation. In that connection a number of measures had been taken, including the creation of a security and human rights cabinet and the establishment of an inter-agency forum to produce studies and analyse reports by United Nations special rapporteurs and special representatives, giving particular attention to recommendations, which were submitted to the respective State bodies for implementation and follow-up.

7. He invited the members of the Committee to visit Guatemala in order to assess current conditions and make recommendations on how to improve the human rights situation in areas within its competence.
8. The Government was implementing measures to alleviate poverty, the most serious political and ethical problem facing Guatemala. In collaboration with the Human Rights Procurator, it intended to set up a committee to investigate paramilitary groups.
9. Health care had undergone considerable improvement: some 75 per cent of the population had health-care coverage under the public social security system and another 15 per cent were insured privately. Action still needed to be taken for the remaining 10 per cent of the population. The maternal mortality rate had fallen from 111 per 1,000 live births in 1999 to 83 per 1,000 in 2002. Infant mortality had declined from 98 per 1,000 live births in 1999 to 53 per 1,000 in 2002. Polio had been eradicated, and measles would be in the near future. Efforts were being made to decentralize health services and to ensure that all Guatemalans had easier access to affordable medicine. Progress had also been made in reproductive health, especially with regard to ethnic minorities. A national programme of traditional medicine had been started.
10. The minimum goals concerning public expenditure for education as set out in the Peace Agreements had been attained: textbooks had been distributed to more than 2 million children; the number of “scholarships for peace” had been increased, so that 75,000 girls had received scholarships; intercultural bilingual education had been stepped up; the entire school curriculum had been reformed; and a multicultural approach had been introduced in which human rights had pride of place.
11. An initiative was being promoted to amend the Labour Code to establish labour courts, ensure social security for all and prohibit sexual harassment and child labour. An indigenous people’s unit had been set up within the Ministry of Labour. There had been important new legislation on decentralization and on urban and rural development; a new Municipal Code set the stage for the modernization of the country.
12. The scope of action of the Office for the Defence of Indigenous Women’s Rights had been expanded. In 2000, the Office had had only one indigenous lawyer for the entire country. Since then some 30 lawyers belonging to various indigenous communities had been trained. Legislation on national languages recognized Maya, Garífuna and Xinca and required that persons belonging to those groups should receive health care, education and information on legal matters in their native languages. Other legislation prohibited discrimination in education. Radio frequencies had been assigned to programmes which promoted indigenous culture. A recently completed three-year study had provided a better idea of the needs of the various linguistic communities and helped in taking decisions on allocations for schools and human resources in the various linguistic regions.
13. Guatemala had ratified a number of international instruments on migrants. Information on the rights of migrants was being disseminated in indigenous languages.

Issues relating to the general provisions of the Covenant

Articles 1-5 of the Covenant

14. Mr. MARCHÁN ROMERO said that it was very useful that so many sectors of Government were represented in the delegation. That would contribute to a constructive dialogue.

15. He had not found any provision in the Constitution which recognized that Guatemala was a multi-ethnic, multicultural society. That was an important legal matter which needed to be addressed. Nor had the Committee received a reply to question 1 in the list of issues (E/C.12/Q/GTM/1) on the degree of autonomy and representation which the indigenous peoples enjoyed in the constitutional order of Guatemala. He would also like to know whether indigenous persons who lodged a court complaint were offered the assistance of interpreters.

16. The Committee was pleased that Guatemala had acceded to International Labour Organization (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. However, article 28 of that instrument provided that children must be taught in their own language. It would be useful to know whether any legislation to ensure that right had actually been implemented. According to information from a number of sources, the provisions of the Peace Agreements on educational reform had hardly been implemented for indigenous peoples. He sought the delegation's comments on that matter.

17. The Committee had received information that little progress had been made in agrarian reform and that the situation had even deteriorated: some plots were said to have been given to members of the military, in disregard of ancestral rights to the land. It would be useful to obtain details of how the land reform was progressing.

18. Ms. BRAS GOMES noted that, according to the second periodic report (E/1990/6/Add.34, para. 2), the realization of economic, social and cultural rights had presented particular difficulty, given the precarious economic situation the country found itself in as a result of its large fiscal and current account deficits and rises in price levels in recent years. She asked whether the situation had changed. Had the role of the State as the guarantor of economic, social and cultural rights been strengthened? How successful had the implementation of the Peace Agreements been in guaranteeing such rights?

19. She welcomed the recent approval of decentralization laws; she took it that the new Municipal Code referred to in the delegation's introduction was part of that development. What powers had actually been transferred from the central level to the local administration? Had the local authorities received adequate financial resources for their new tasks?

20. Noting that indigenous groups, which accounted for a large percentage of the total population, had often been displaced from their land and had high poverty rates, low levels of education and health coverage, unequal access to basic services and almost no social security, she wondered whether any affirmative action was planned to include the indigenous population in the national development model and ensure that indigenous persons had adequate representation in public life.

21. Although equality of the sexes was anchored in the Constitution and in a number of legislative provisions, de facto discrimination against women in everyday situations persisted. There did not seem to have been any improvement in the area of equal pay for work of equal value. Women were still overrepresented in the informal labour market and very much underrepresented in decision-making posts. Women in rural areas and indigenous women often had no access to ownership of land and resources. She asked the delegation why the State party was delaying implementation of legislation in the area of gender equality.
22. Ms. BARAHONA RIERA said that, despite the presence in the country of many indigenous peoples, which was a source of great cultural wealth, the Constitution had not recognized that Guatemala was a multi-ethnic, multicultural, multilingual country. She wondered what consequences the failure to include such a statement in the Constitution had had.
23. With regard to the implementation of the Peace Agreements, she asked whether indigenous peoples' rights and socio-economic problems were high on the Government's list of priorities. What part of the State budget went for implementing the Agreements? She would also like to know whether the Peace Agreements had any legal basis. Were they anchored in the Constitution? Could legal proceedings be instituted for failure to comply with the provisions of the Peace Agreements?
24. It appeared that provisions relating to non-discrimination were contained only in the Criminal Code and could therefore not be invoked except in relation to criminal cases. She enquired whether the Government had plans to strengthen non-discrimination so that indigenous persons had equal access to the administration of justice.
25. Mr. TIRADO MEJÍA said that insufficient progress had been made in implementing the Peace Agreements. He requested a detailed account of successes and failures in their implementation.
26. The problem of inequitable land distribution in Guatemala had historically been linked to discrimination against the indigenous peoples. It was not enough for the Government to redistribute the land if discriminatory structures were maintained. The delegation should provide information on discrimination as it related to the agrarian issue. He requested the texts of the National Languages Act and the Promotion of Education in Non-Discrimination Act.
27. Mr. SADI wished to know to what extent the Presidential Human Rights Commission complied with the Paris Principles relating to the status and functioning of national institutions for protection and promotion of human rights. He requested examples of how the Commission had made a difference to the situation of human rights in Guatemala, including what types of complaints it had received and how it had dealt with them. The delegation should also provide court decisions and other examples of implementation of the Covenant and its impact on public policy-making, particularly in the area of economic and social development.
28. He wished to know what degree of autonomy was enjoyed by indigenous peoples from perspectives other than that of their cultural identity. He understood that the National Languages Act provided for the recognition of Mayan languages, contrary to the information contained in

the written replies. He requested concrete examples of how legislation to combat racial discrimination and to promote gender equality had impacted the lives of individual men and women in Guatemala.

29. Ms. IYER requested information on the presidential commission set up to deal with discrimination. She understood that most children who did not attend school were indigenous children and wondered what steps the Government was taking to make schools more accessible to them. Was it motivating parents to send their children to school?

30. According to information she had received, displaced persons from the Maya-Achi community of Río Negro had not been properly compensated and their removal to the model village of Pacuz had been far from satisfactory. The delegation should comment.

31. Mr. CEAUSU said that the Committee had high hopes for the effective implementation of the Peace Agreements, as well as for their positive impact on the enjoyment of economic, social and cultural rights in Guatemala. He enquired whether the Unidad Revolucionaria Nacional Guatemalteca (URNG) had representatives in the highest branches of Government and if any members of the delegation belonged to it. It was important to learn how URNG viewed the implementation of the Peace Agreements.

32. He requested more information on land ownership claims and the number of estates that had been legalized under the Housing and Human Settlements Act. He wondered whether some farmers, particularly indigenous farmers, had enough land to produce food for their families.

33. It was surprising that, according to the second periodic report (E/1990/6/Add.34, para. 14), Guatemala's general budget in 1995 had represented only 1.15 per cent of gross domestic product (GDP) whereas in Europe it was not unusual for budgets to represent 30 per cent of GDP. He enquired whether social investment expenditure was included in the general budget.

34. Mr. FUENTES (Guatemala) said that the inclusion in the 1999 referendum on constitutional reform of a number of peripheral issues and campaigning by conservatives had prevented the adoption of a constitutional amendment on indigenous autonomy.

35. There was little public awareness and virtually no mention in the media of the commitments in the Peace Agreements and thus no demand for compliance with them. Moreover, the timetable for implementing the commitments had been too short. Although some progress had been made through the enactment of legislation, that did not carry the same weight as constitutional reform. Tolerance and respect for indigenous peoples were required; while, they were being promoted through educational reform, it was a long-term endeavour.

36. Although there had been a gradual increase in the number of indigenous representatives in Government, including the recent recognition given to indigenous mayorships, it was still necessary to take steps to strengthen their political participation. Through the judiciary, the Government was conducting research into alternative conflict-resolution mechanisms that took into account indigenous customary law. Human rights training was needed for judges, magistrates and legal officials in order to comply with the obligations entered into under various

international instruments. With the help of the Office of the United Nations High Commissioner for Human Rights, courses were being offered to judges and magistrates to inform them about human rights. The courts provided interpreters for persons whose mother tongue was not Spanish.

37. The Government had established legal centres to facilitate access by members of indigenous groups to the system of justice. Access to justice was monitored by a non-governmental national commission. Initiatives to reform the judicial system had included the training of legal interpreters in indigenous traditions and customary law.

38. In order to bring justice closer to persons living in extreme poverty, especially women, the Government had instituted a system whereby roving justices of the peace provided cost-free and rapid solutions to problems through mediation and conciliation. Special gender units for human rights and indigenous rights had been set up and a first detailed report on the situation of indigenous women had been prepared by the Office for the Defence of Indigenous Women's Rights. The resources allocated to the Presidential Human Rights Commission and to the Office for the Defence of Indigenous Women's Rights, established under the Commission, were vastly inadequate. The activities of both bodies needed to be strengthened.

39. The general budget included all public expenditures, including social investment and services. There had most likely been an error in the figure provided in paragraph 14 of the report corresponding to the share of GDP represented by the budget. The delegation would investigate the error and report back to the Committee.

40. A special unit within the Ministry of Culture and Sport undertook activities to protect the traditional sacred sites of indigenous peoples, and a bill on the administration of such sites had been drafted. Programmes on topics of interest to indigenous peoples were broadcast on various radio stations.

41. Regarding the return of lands to indigenous communities, in 2002, 134 estates, comprising 8,483 hectares and valued at some 95 million quetzales, had been allocated to 2,237 families in 64 communities through the Land Trust Fund. In 2003, some 99,073 hectares had been allocated to 8,891 families. To date, a total of 22,972 families had benefited from the allocation of a total of 367,480 hectares. Requests had also been received for subsidized land-lease arrangements and 13 contracts had been awarded.

42. Ms. SOBERANIS (Guatemala) said that although the 1999 referendum had not endorsed constitutional reforms recognizing the country's multi-ethnic, multicultural and multilingual nature, Guatemala's ratification of ILO Convention No. 169 meant that important principles relating to indigenous autonomy contained in the Convention now complemented the Constitution. Moreover, as an international instrument, the Convention took precedence over ordinary legislation.

43. In addition to legal interpreters, approximately 550 bilingual officials were employed in the justice system. Intercultural and bilingual education was carried out through the formulation of a culturally specific curriculum in the predominant language of each region.

44. Judicial certainty was an important issue in land ownership by indigenous peoples. In that connection, the Government had established a joint commission on indigenous peoples' land rights. The commission had participated extensively in drafting a bill on land registry information, which was currently before Congress. Another bill soon to be submitted to Congress concerned the regularization of land ownership by indigenous peoples.

45. The establishment of the Presidential Office for Women, a high-level body responsible for coordinating and defining women's policies, represented a step forward for women in Guatemala. The Women's Forum, which had been set up by the Peace Agreements, formulated proposals for policies on women's issues related to compliance with the Peace Agreements.

46. Ms. SOBERANIS (Guatemala) said that another positive development for women was the Ministry of Education's programme of scholarships for girls, which guaranteed girls, particularly from indigenous communities, access to education.

47. One result of the legislation and public policy on women was the penalization of family violence, which had resulted in the creation of specific divisions within the prosecuting authorities, human rights organizations, and the Supreme Court of Justice, and in an increase in the number of cases of family violence being reported and dealt with in the courts.

48. The Land Trust Fund guaranteed women-headed households that did not own land access to property. The protection of women's rights, particularly the work of women in the home, which until now had not been protected, was also being discussed in proposed reforms to the Labour Code. The possibility of social security for domestic workers was being considered.

49. It was clear that given the complexity of the Peace Agreements more than one government Administration would be required to implement them. Nearly half of the provisions of the Peace Agreements had yet to be implemented. The Commission to Follow up the Implementation of the Peace Agreements had initiated a participative dialogue and elaborated draft legislation to strengthen the peace institutions through the increased participation of civil society and State bodies. The draft legislation established the importance of financing the implementation of the Peace Agreements, and established a social consultation and participation agency to monitor the implementation.

50. Since the signing of the Agreements, URNG had been converted into a political party, and had had representation in Parliament. It also had representatives on the technical commission of the Commission to Follow up the Implementation of the Peace Agreements, and URNG participated in various other joint commissions for the implementation of the Peace Agreements. It was true that, initially, the provisions of the Agreements had not been prioritized, and that several hundred issues had all been given the same importance. The 1996-2000 Administration had dealt with the purely procedural aspects, and had, in joint commissions, conducted a second round of negotiations to define those issues that had not been developed in detail. The current Government had had to implement many of the agreements reached by the joint commissions, and translate them into concrete legislation and public policy.

51. Mr. FUENTES (Guatemala) said that support systems and incentives such as the provision of transport, scholarships, school lunches and books and supplies, had been put in place to encourage parents to send their children to school. In the past, the formal education

system had begun at the age of 6, and the child's first school experience had been in a different language and culture, causing major culture shock, reflected in poor performance and a high dropout rate. The current Government had implemented the first bilingual intercultural curriculum for the 0-6 age group, which had resulted in a significant reduction in the dropout rate and improved performance.

52. The Department of Intercultural Bilingual Education had been created. Some 12,100 bilingual teachers had been hired to cover 19 indigenous languages. There was now a university diploma available in bilingual curriculum and education management, and schools for teachers of the most common indigenous languages had been set up. School textbooks were available in the major indigenous languages. The process had been a complex one, as the Government had had limited information on how the various languages were distributed throughout the country, and to what extent they were spoken. In another change, indigenous children could now wear traditional Mayan dress in schools.

53. Ms. BRAS GOMES said that her question on the decentralization of power had not been addressed. What competencies had been transferred to the local level, and had the process received adequate funding?

54. Mr. MARCHÁN ROMERO asked what percentage of the land returned as part of the agricultural reform had gone to indigenous communities. What criteria were used in the distribution of land? Were the indigenous peoples assigned new land or was their ancestral ownership of the land recognized?

55. Mr. FUENTES (Guatemala) said that studies had shown that indigenous communities had historically been relegated to poor, unproductive land; efforts were therefore made to locate more productive land. Extensive consultations were held, so the negotiation process could be a lengthy one.

56. Under decentralization, the municipalities were now responsible for the collection of local taxes; municipalities were allocated a percentage of value added tax for infrastructure, water, environmental, and other local projects. Departmental development councils were responsible for departmental budgets. Health services had also been decentralized.

57. Mr. GRISSA requested inclusion in future reports of statistics on the country's linguistic groups relative to the total population.

Issues relating to specific provisions of the Covenant

Articles 6-9 of the Covenant

58. Mr. ATANGANA asked when the minimum wage had been set in Guatemala, and whether it guaranteed workers and their families an adequate standard of living. With regard to the formation of trade unions and the right to strike, the list of essential services in which workers could not form trade unions or strike seemed excessive, particularly in the case of the right to form trade unions, which did not have the same impact on the State as striking. The same restrictions should not apply for both rights.

59. Ms. BRAS GOMES said that it was still unclear whether the minimum wage applied to domestic workers. She would be interested to hear what the Government was doing to mitigate the impact of the coffee crisis, which had resulted in increased unemployment, non-payment of the minimum wage, and redundancies without compensation. Were labour inspections carried out systematically to ensure compliance of employers with minimum wage obligations and other working conditions?

60. According to the report, the aim of the social security system was to protect the contributory population. She wondered what the position was in relation to those who could not contribute, such as the unemployed. Were rural and domestic workers covered by the system? According to the written replies, the percentage of the economically active population covered by the social security system had decreased in 2000 and 2001. What were the reasons for that decrease? The percentage of GDP spent on social security had also decreased between 2000 and 2001 - had that trend been reversed? Guatemala had not yet ratified ILO Convention No. 102 concerning Minimum Standards of Social Security - what were the reasons? Did the Government intend to ratify the Convention in the near future? Did the Government envisage the privatization of the social security system, as was the trend in other Latin American countries? If so, how did it intend to guarantee the protection of the most vulnerable groups in society who could not afford to contribute to a private system?

61. Mr. KOLOSOV said that he would welcome information on the system of trade unions in Guatemala, as it appeared that workers were divided among a plethora of unions. According to the report, there were some 1,270 separate registered trade unions, federations and confederations with only 91,500 members in total. Was that an accurate reflection of the situation? How divided were workers within a single profession? What was the difference between State and private trade unions?

62. Mr. KERDOUN said that Guatemala's ratification of the International Convention on the Protection of Migrant Workers and Members of Their Families was a positive development. He would welcome information on the measures being taken to implement the Convention, and on the impact it would have on Guatemalan emigrants and migrant workers coming to Guatemala, particularly as he understood that significant numbers of Guatemalan agricultural workers emigrated to Mexico. What were the emigration and immigration statistics for Guatemala? Was there any national legislation to protect migrant workers? What structures were in place?

63. Mr. CEASU asked whether the objective of training 200,000 workers at the National Technical Institute for Training and Productivity, within the framework of the Peace Agreements, had been achieved. Were there any other professional training programmes or technical institutes for young people?

64. The International Labour Organization had received a number of complaints from the United Confederation of Trade Unions of Guatemala in relation to labour inspectors not being guaranteed the necessary employment stability and resources for them to carry out their work. What was the actual situation? Was there an independent body for labour inspection? Was the Government planning a review of the relevant legislation, or the creation of a body that conformed to ILO guidelines?

65. In accordance with ILO guidelines, the Government was obliged to establish a limit, either monthly or annual, of the amount of overtime an employee could be required to work. ILO had also received complaints of criminal acts, violence and threats against trade union leaders in Guatemala. He would welcome more information.
66. With regard to the right to strike, current legislation prohibited strike action for certain sectors, such as public transport and electricity supply, which did not form part of the essential services established by ILO. The Labour Code also prohibited strike action for agricultural workers during harvest, which was clearly the time when their strike would have most impact; therefore they were effectively being deprived of their right to strike.
67. Ms. BARAHONA RIERA expressed concern that some of the reforms being introduced into the Labour Code would make it difficult for workers to exercise their labour rights and could have an adverse effect on conditions of work.
68. Female workers in assembly plants often had no social security protection and their enjoyment of their labour rights was limited. Children were known to acquire false documents in order to be employed in such plants. She stressed the need for labour inspectors to accord due attention to those problems and asked whether there was a law on sexual harassment of women at work.
69. Labour inspectors failed to monitor the situation in rural areas. For example, assembly plant workers, especially women, were often paid less than the minimum wage. In many cases, the inspectors either did not know the indigenous language of the workers and therefore could not communicate properly, or avoided going into assembly plants altogether. She wished to know what the Government was doing to protect the labour rights of rural workers and whether it planned to increase the minimum wage.
70. Information on the steps being taken to help the estates which had been affected by the coffee crisis and to improve the situation of workers who had suffered as a result of the crisis would be welcome.
71. Mr. SADI asked what was being done to ensure that domestic workers received social security protection and the minimum wage. In the past, women seeking employment had had to undergo pregnancy tests. He wished to know whether that was still the case and whether it was true only of women of certain ages. What happened if a woman became pregnant once in employment? Finally, information on how solidarity associations competed with trade unions would be welcome.
72. Mr. MARTINOV said that, in the past, the Ministry of Labour had lacked the resources needed to enforce minimum wage requirements. Had that been true over the past three years?
73. There were significant discrepancies in social security coverage between urban and rural areas. The delegation should provide statistical information on developments in that regard over the past three years.

74. Mr. FUENTES (Guatemala) said that social security coverage was minimal. Traditionally, social security benefits had been paid only to those who contributed to the social security system. However, a project had been launched in the department of Escuintla, whereby the Ministry of Public Health and Social Welfare and the Guatemalan Social Security Institute provided coverage for the entire population, irrespective of whether they were insured under the social security system.

75. Over the past few years, the National Wage Commission, comprising government officials and representatives of employers and employees, had been examining workers' claims with a view to raising the minimum wage. If the Commission failed to reach agreement, a new minimum wage would be set by the Government. The minimum wage could be higher for rural workers since they lacked access to the services available in cities.

76. The Government had been tolerant of strikes. For example, it had not stopped protests by teachers and representatives of other professions, or punished those involved, as it recognized that the problems were real. The Government was taking steps to respond to as many claims as possible, but did not have the resources or capacity to consider all of them.

77. A joint Mexican-Guatemalan working group had been set up, inter alia, to define the powers of local and federal authorities with regard to migrant workers. For example, Guatemalan migrant workers who went to Mexico were subject to the jurisdiction of the labour authorities in the Chiapas province. Federal authorities oversaw safety in the workplace, training and hygiene.

78. Although labour conditions in assembly plants were far from satisfactory, the situation was improving. Labour laws were now being applied in the assembly plants. In 2003 collective agreements had been signed and trade unions set up for workers at several textile plants. The number of labour inspectors had been doubled over the previous year.

79. Ms. SOBERANIS (Guatemala) said that the prohibition of child labour had been included in proposals for reform of the Labour Code. The proposed reforms were designed, inter alia, to prevent sexual harassment at work and to ensure that domestic workers received social security and the minimum wage.

80. Finally, despite certain limitations on the right to collective bargaining, 38 collective agreements on labour conditions had been signed since 2002.

81. Mr. FUENTES (Guatemala) said that, under the plan drawn up in response to the coffee crisis, the Government envisaged lending land to agricultural producers and providing workers with food and subsidized housing.

82. The social security fund was financed through compulsory contributions by employers and employees. The Guatemalan Social Security Institute established percentage rates for contributions. Social security programmes were supposed to cover 26 per cent of the economically active population and 17 per cent of the entire population. However, they currently covered only 9 per cent of the entire population, with full social security coverage provided in only 11 of the 22 provinces. The programmes mostly covered non-indigenous families insured under the social security system. The Ministry of Health and Social Welfare

covered 75 per cent of the non-insured population, which was made up to a large extent of indigenous people, people living in rural areas, and women. The Government did not intend to privatize social security.

83. Mr. FUENTES (Guatemala) said that the Ministry of Agriculture, Livestock and Food, in cooperation with the Agrarian Platform, had taken steps to mobilize food providers and, as a result, over 70,000 families across the country had received food assistance since July 2003.

84. Ms. BARAHONA RIERA wished to know more about the plan which had been drawn up in response to the coffee crisis and whether it had received the backing of any political parties.

The meeting rose at 1 p.m.