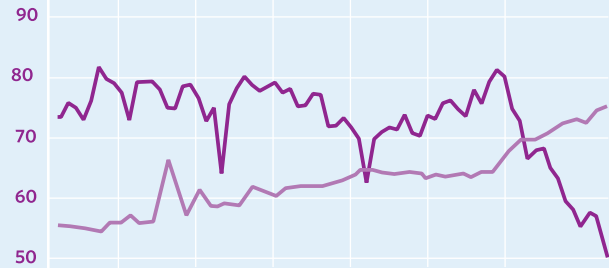


GUATEMALA



Center for Economic and Social Rights

FACT SHEET NO. 3

Making Human Rights Accountability More Graphic

This fact sheet focuses on the rights to health, food and education in Guatemala. In light of Guatemala's appearance before the Committee on the Elimination of Discrimination against Women (CEDAW) and the Committee on the Rights of the Child (CRC) in 2009, it analyzes data relevant to the human rights treaties monitored by these Committees.

Combating child malnutrition and mortality, maternal mortality, primary school incompletion and youth illiteracy have been stated priorities of successive governments in Guatemala since the signing of the 1996 Peace Accords. The CRC, CEDAW and other international human rights bodies have made repeated recommendations to the Guatemalan authorities on these issues, some of which are referenced in this fact sheet. Nevertheless, Guatemala still has some of the worst indicators in Latin America regarding the right of women and children to health, education and food. The data highlighted in this fact sheet suggests that the high levels of deprivation and inequality do not result solely from lack of resources, but from the absence of public policies to realize the basic economic and social rights of all Guatemalan people.

About This Fact Sheet Series

This series is intended to contribute to the ongoing monitoring work of UN and other intergovernmental human rights mechanisms to monitor governments' compliance with their economic, social and cultural rights obligations. It is also intended to contribute to strengthening the monitoring and advocacy capabilities of national and international NGOs. Drawing on the latest available socioeconomic data, the country fact sheets display, analyze and interpret selected human development indicators in the light of three key dimensions of governments' economic and social rights obligations.

Firstly, indicators such as maternal mortality or primary completion rates are used to assess the extent to which the population is deprived of **minimum essential levels** of the right to health, education, food and other economic and social rights. Secondly, data tracking progress over time can help to assess whether a state is complying with its obligation to **realize rights progressively** according to maximum available resources. Comparisons within the same region provide a useful benchmark of what has been achieved in countries with similar resources. Finally, data disaggregated by gender, ethnicity, geographical location and socio-economic status is used to identify disparities and assess progress in **eliminating discrimination** and unequal enjoyment of these rights.

The fact sheets are not meant to give a comprehensive picture, nor provide conclusive evidence, of a country's compliance with these obligations. Rather, they flag some possible concerns which arise when development statistics are analyzed and visualized graphically in light of international human rights standards.

VISUALIZING RIGHTS

Child Malnutrition and the Right to Food

“The Committee expresses its deep concern that there are no governmental policies to reduce and combat malnutrition among babies and children under five.” (CRC Concluding Observations: Guatemala 2001)

The Highest Child Malnutrition Rate in Latin America

One in two children under five years of age in Guatemala is chronically malnourished, the highest rate in Latin America and the Caribbean, and the fifth highest rate in the world. This is almost twice the rate of Ecuador and almost ten times that of Jamaica, both countries with a similar GDP per capita. (SEE FIGURE 1.)

Ethnic and geographic disparities are striking: 70 percent of indigenous children are of stunted height for their age (a measure of chronic malnutrition). This is almost double the rate for non-indigenous children (36 percent). Chronic malnutrition is twice as prevalent among children in the predominantly indigenous northwest region as in the metropolitan area around the capital. Though gender differences are less marked, stunting is more prevalent among girls (50 percent) than boys (48.6 percent).

Bucking the regional trend towards progress

Guatemala’s progress in reducing chronic malnutrition over the past decades has fallen far behind the achievements of other Central American countries, including Honduras and Nicaragua, which both have a lower GDP per capita. The gap between Guatemala and its neighbors is now much wider than in the 1970s. Indeed it is the only country to have experienced a deterioration in the last decade. (SEE FIGURE 2.)

Progress in lowering chronic malnutrition rates for indigenous children has been slower than for non-indigenous children. The rate for non-indigenous children decreased by 13 percent between 1987 and 2002, compared to just 2 percent for indigenous children (ENSMI 1987,

2002). It was the predominately indigenous regions of the north and northwest that experienced a deterioration from 1999.

Although recent governments have declared combating malnutrition a national priority, none has published updated national data on the issue since 2002.

Nutrition Programs Do Not Target Children Most in Need

In recent years, Guatemala has instituted various food assistance programs to address child malnutrition. But a disproportionate amount of these programs’ resources go to children who do not need them the most.

Figure 1 Chronically Malnourished Children in Latin America Relative to GDP Per Capita (most recent comparative data)

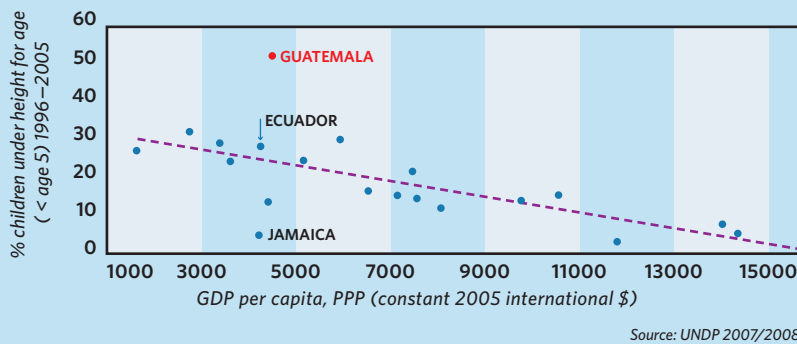
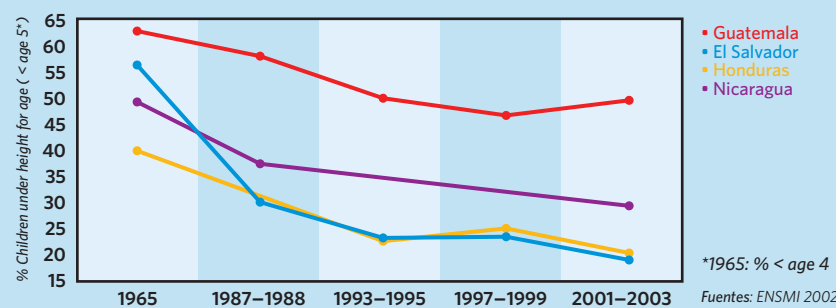
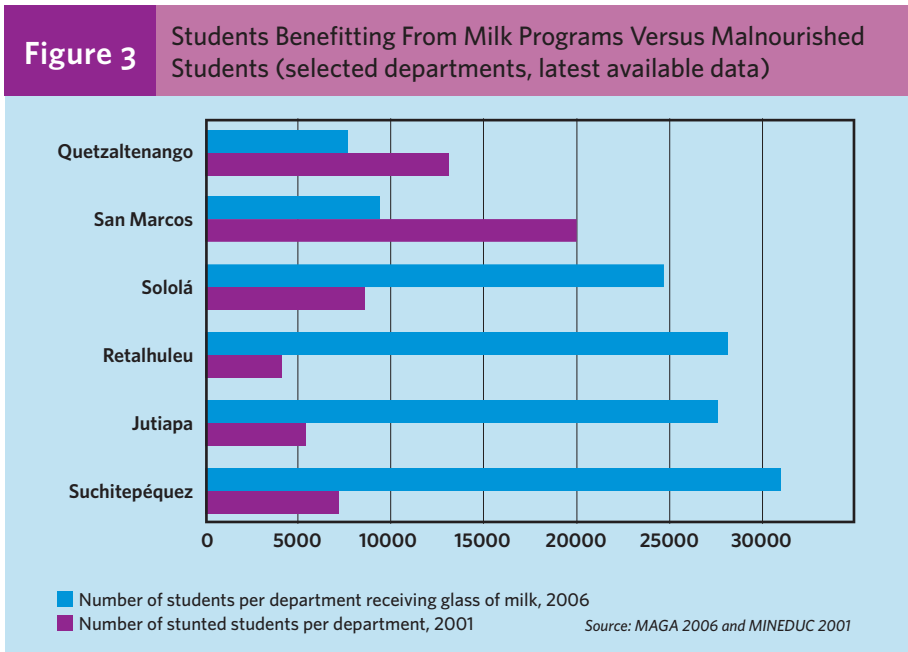


Figure 2 Progress in Reducing Chronic Malnutrition in Central America, 1965–2003



Guatemala’s “Glass of Milk” program provided areas that have low rates of stunted students with disproportionately larger amounts of milk program resources than areas with higher rates. (SEE FIGURE 3.) Frequently this benefited the milk industry more than the students.



Child Mortality and the Right to Health

“[The Committee] notes in particular the high infant mortality rates due, inter alia, to nutritional deficiencies, lack of sanitation facilities and limited access to preventive and curative health services, with wide differences between urban and rural areas and between the different ethnic groups.” (CRC Concluding Observations: Guatemala 2001)

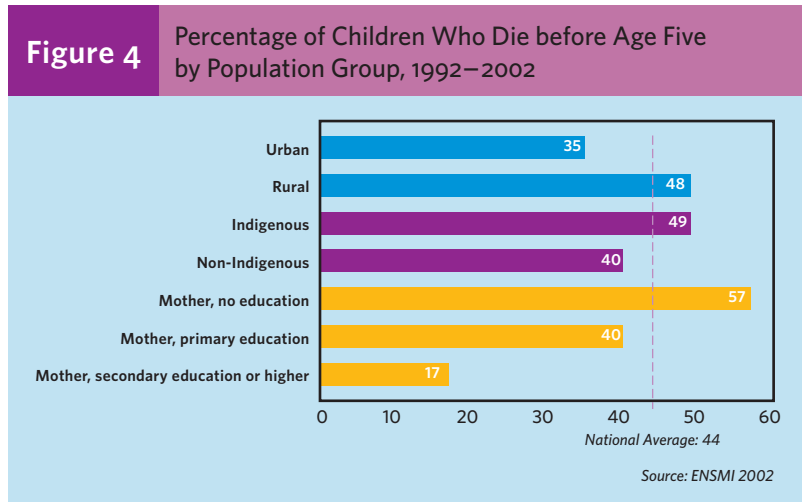
Significant Disparities in Children’s Chances of Survival

Child and infant mortality rates in Guatemala are among the highest in Latin America. Rural and indigenous children, and children whose mother had limited or no access to education, have a notably higher chance of dying before age five. (SEE FIGURE 4.)

Progress in child survival rates has mostly benefited the non-indigenous population. Between 1987 and 2002, the gap between the proportion of indigenous and non-indigenous children who died before age five widened dramatically.

Immunization Rates Decline

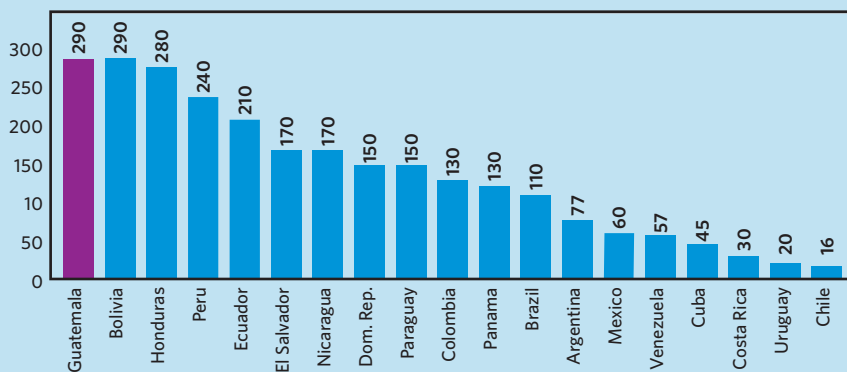
Guatemala has the highest percentage in Central America of child deaths from easily preventable diseases. An important factor in combating child mortality is ensuring that children are immunized against the most prevalent diseases. However, a recent household survey revealed that the number of children under two who were completely immunized fell from 49 percent in 2000 to 39 percent in 2006.



Maternal Mortality and the Right to Health

“The Committee is concerned about the persistent high levels of poverty among women... reflected in their . . . poor access to health care, including sexual and reproductive health, leading to high rates of maternal mortality.” (CEDAW Concluding Comments: Guatemala 2006)

Figure 5 Maternal Mortality Rate, Latin America* 2005 (modeled estimate, per 100,000 live births)[†]



* Does not include Caribbean †MMR adjusted to take into account underreporting Source: World Bank 2008

Guatemalan women at increased risk of maternal death

Guatemala has the highest estimated rate of women who die from pregnancy and child-birth-related causes in Latin America along with Bolivia. (SEE FIGURE 5.)

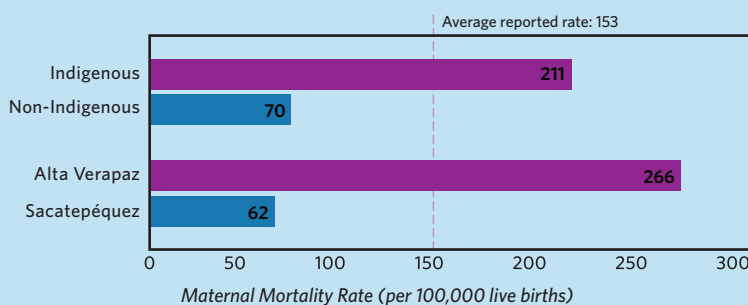
In 2005, 290 mothers were estimated to have died for every 100,000 live births (WHO/ UNICEF adjusted for underreporting).

Indigenous women at far greater risk

The latest officially reported figures (not adjusted for under-reporting) reveal that indigenous Guatemalan women are three times more likely to die during pregnancy and childbirth than non-indigenous women. (SEE FIGURE 6.)

Women living in the predominantly poor and indigenous department of Alta Verapaz are over four times more likely to die in childbirth than women in Sacatepéquez department, near the capital.

Figure 6 Maternal Mortality Rate by Ethnicity and Selected Region



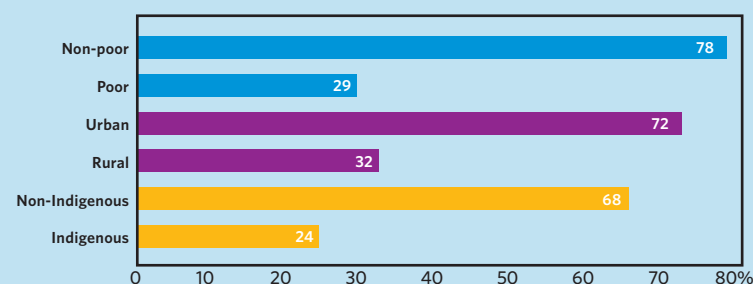
Source: MSPAS 2003

Unequal and inadequate access to reproductive health services

Maternal mortality rates are largely affected by a woman’s access to quality obstetric care. The great disparities between income levels, geographic areas and ethnic groups in the number of births attended by skilled health personnel raises concerns about Guatemala’s efforts to ensure the rights of women and girls from the most disadvantaged groups. (SEE FIGURE 7.)

Lack of access to family planning services, including for adolescent women, is a serious denial of women’s sexual and reproductive rights. It also contributes to high rates of maternal mortality, as teenagers and mothers who bear numerous children are at greater risk of delivery complications (UN Millennium Project 2005). Guatemala has among the highest rates of adolescent fertility and unmet contraceptive need in Latin America and the Caribbean (World Bank 2008). Eighteen percent of all births are to teenage mothers (UNICEF 2007) and 28 percent of married Guatemalan women report unmet contraceptive needs (ENSMI 2002).

Figure 7 Births Attended by Skilled Health Professionals, by Population Group



Source: ENCOVI 2006

School Desertion and the Right to Education

“The Committee is nevertheless concerned about the high repetition and drop-out rates . . . The Committee recommends that the State party undertake appropriate measures to increase budgetary allocations for education, ensure regular attendance at schools and the reduction of drop-out rates.” (CRC Concluding Observations: Guatemala 2001)

Too few children complete primary education

Despite improvement in primary enrolment, the rate of children who complete primary education is the second lowest in Latin America, and significantly lower than that found in Honduras and Bolivia, countries with lower GDP per capita. (SEE FIGURE 8.)

Gender and other disparities persist

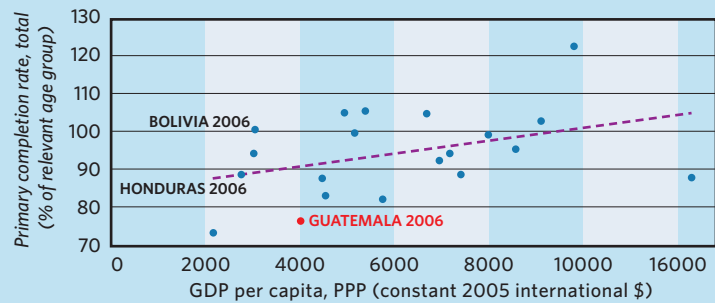
Guatemala is one of the few countries in the region where fewer girls than boys complete primary school. (SEE FIGURE 9.) Children from the wealthiest 20 percent of society are more than twice as likely to finish primary school as the poorest 20 percent of children. Only 42 percent of rural children are likely to finish primary school, almost half the rate of urban children (ENEI 2004, cited in SEDLAC).

Skewed targeting of school assistance programs fails to address widening gender disparities

While Guatemala has seen positive results in increasing its aggregated primary completion rates from 1991 to 2006 (from 39 percent to 73 percent), the difference between the rates of boys and girls who finish primary school grew over this period from 6.4 to 6.9 percent.

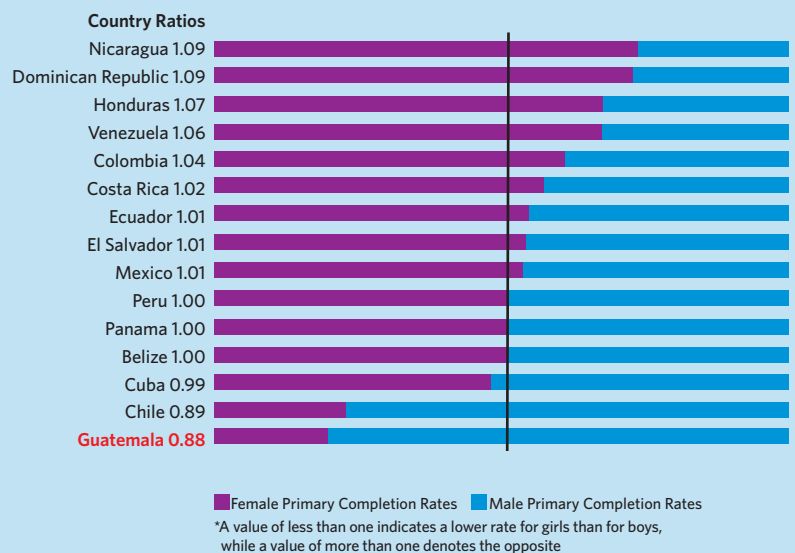
The measures put in place to combat these inequalities are not well targeted. Scholarships for girls, for example, have not been allocated to the areas where female desertion rates are highest. (SEE FIGURE 10.)

Figure 8 Primary Completion Rates in Latin America and the Caribbean, Most Recent Comparative Data



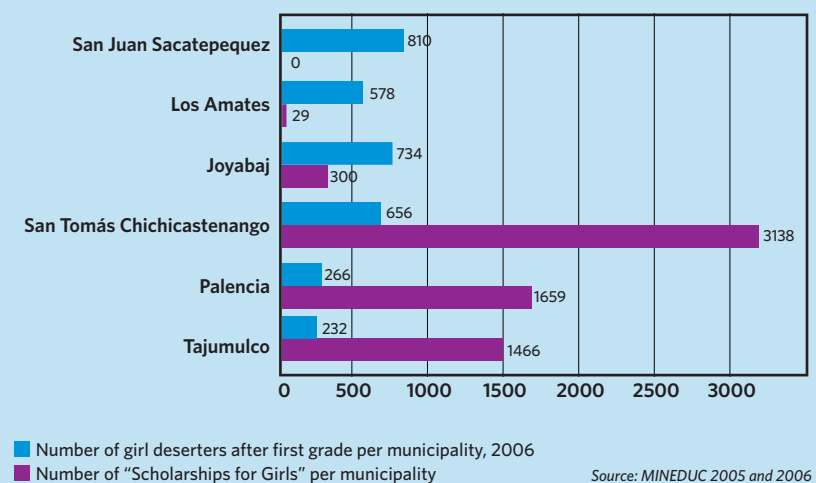
Source: World Bank 2008

Figure 9 Primary Completion Female-Male Ratios*



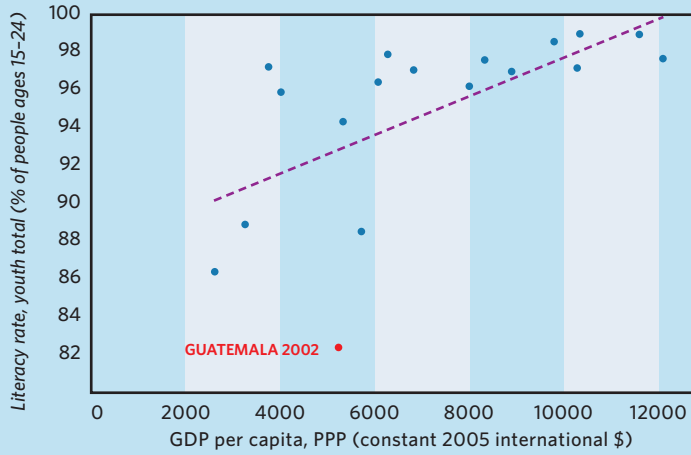
Source: World Bank 2008

Figure 10 “Scholarships for Girls” and Primary School Drop-Out Rates in Selected Municipalities



Source: MINEDUC 2005 and 2006

Figure 11 Youth Literacy in Latin America and the Caribbean, Most Recent Comparative Data



Source: World Bank 2008

Youth Illiteracy and the Right to Education

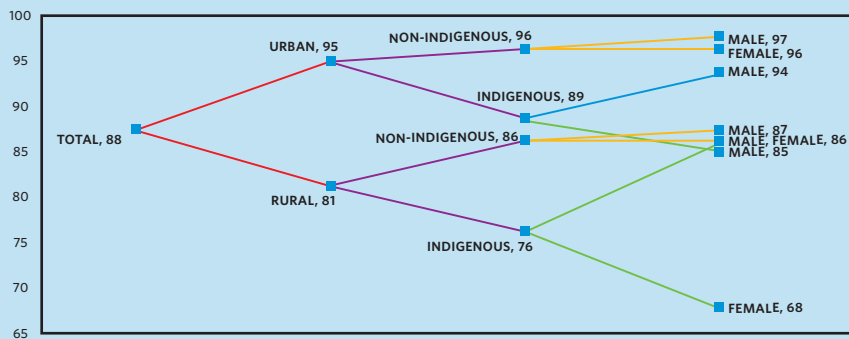
“The Committee is concerned that the principle of non-discrimination (Art. 2) is not fully implemented for children belonging to indigenous groups, urban and rural poor children, girls . . . especially with regard to their access to adequate health and educational facilities.” (CRC Concluding Observations: Guatemala 2001)

Persistently low literacy rates

The percentage of literate Guatemalans aged 15–24 was the lowest in Latin America and the Caribbean during 2001–2005. (SEE FIGURE 11.)

Since 2002, Guatemala managed to increase its literacy rate among 15–24-year-olds to 88 percent in 2006. But this rate is still the lowest among countries with similar GDP per capita.

Figure 12 Youth Literacy Rates (ages 15–24) Disaggregated by Geographic Area, Ethnicity and Gender



Source: ENCOVI 2006

Intersecting social disparities

Not only is the rate of literate youths the lowest in the region, the rates vary enormously by gender, ethnicity and location within Guatemala. (SEE FIGURE 12.) While 97 percent of urban, non-indigenous young men are literate, only 68 percent of rural, indigenous young women are. The metropolitan area around the capital has the highest literacy rate in Guatemala (96.5 percent), comparable to the average national literacy rate in Brazil. Meanwhile, the department with the lowest literacy rate, Quiché, has a literacy rate of 73.4 percent, approximately that of Burundi.

Distribution of Resources in Guatemala: A Reflection of Human Rights Obligations?

“The Committee continues to be deeply concerned that the uneven distribution of wealth and land and the high level of social exclusion, in particular among indigenous and rural populations, hinder the full enjoyment of economic, social and cultural rights” (CESCR Concluding Observations: Guatemala 2003)

The mismatch between allocation of resources and human rights needs

Programs put in place by various Guatemalan governments since the 1996 Peace Accords to increase health and education access have been constantly undermined by the inadequacy of resources. Guatemala has among the lowest levels of health and education spending relative to GDP in Latin America and the Caribbean, despite steps taken since the 1996 Peace Accords to increase social spending. (SEE FIGURES 13 AND 14.)

The Accords also included commitments to expand the tax base so as to generate the additional resources required for increased social spending. Yet Guatemala still has one of the lowest tax bases in the region and among the most generous tax exemptions and fiscal incentives for business. (SEE FIGURE 15.) Guatemala’s tax base of 12 percent was below the Central American average of 16 percent in 2006. Guatemala’s main source of income into the public

budget—indirect taxation (VAT)—falls disproportionately on the poor.

Tax and land policies perpetuate inequalities in human rights outcomes

Failure to implement redistributive tax and land policies has undermined any meaningful progress in addressing poverty and inequality in Guatemala. More than half the population lives in poverty (ENCOVI 2006), while the richest 10 percent of the population accounts for 43 percent of the country's income (UNDP 2007/2008). Three quarters of Guatemala's indigenous population is poor, double the proportion of non-indigenous poor.

Land concentration is among the most unequal in the region. Large commercial farms make up less than 2 percent of Guatemalan farms, but occupy 57 percent of the land. And although subsistence farmers make up the vast majority of all farms in Guatemala, they only occupy one-fifth of agricultural land (CENAGRO 2003).

Unless effective policies are put in place to address social exclusion and the uneven distribution of wealth and land, little progress will be made in eliminating gross disparities in the enjoyment of economic and social rights in Guatemala.

A note on the data

Data is from the most recent and reliable sources available, including national household surveys and official statistics published by relevant ministries and government institutions, as well as academic studies. When making international comparisons, the latest available comparative data has been used from inter-governmental agencies such as the World Bank and the United Nations Development Program. In some cases, international comparative statistics include data for Guatemala which do not correspond to the most recent data at national level. "CESR would like to thank the Central American Institute for Fiscal Studies (ICEFI) for its invaluable assistance with this factsheet.

Figure 13

Government Spending on Education, Total, Latin America and the Caribbean (% of GDP, Latest Available Data)

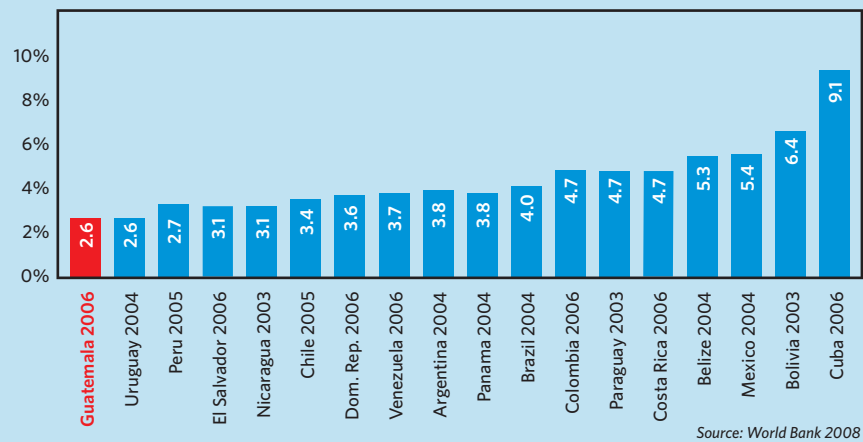


Figure 14

Government Spending on Health, Total, Latin America and the Caribbean (% of GDP, Latest Available Data)

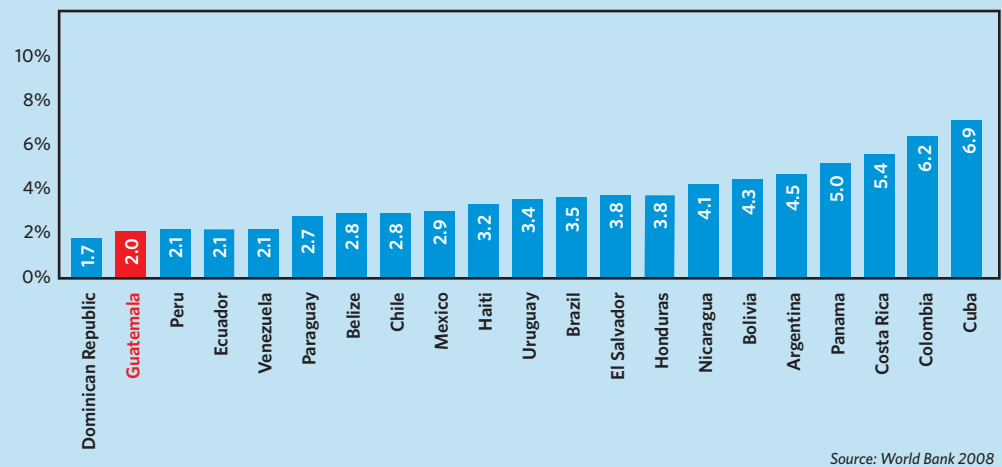
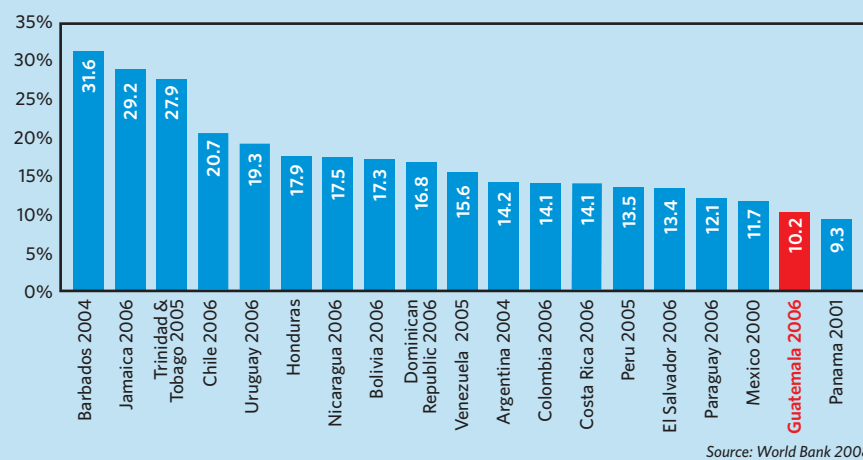


Figure 15

Tax Revenue in Latin America and the Caribbean, (% of GDP, Latest Available Data)





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ABOUT CESR

The Center for Economic and Social Rights (CESR) was established in 1993 with the mission to work for the recognition and enforcement of economic, social and cultural rights as a powerful tool for promoting social justice and human dignity. CESR exposes violations of economic, social and cultural rights through an interdisciplinary combination of legal and socio-economic analysis. CESR advocates for changes to economic and social policy at the international, national and local levels so as to ensure these comply with international human rights standards.

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