



## Department of State Country Report on Human Rights Practices: Guatemala: Comparison Chart<sup>1</sup>: 2016<sup>2</sup> and 2019<sup>3</sup>

Department of State (DOS) Human Rights Reports play a critical role in immigration cases, especially applications for asylum and related humanitarian relief. However, the DOS Human Rights reports issued during the Trump administration are markedly different from those issued during past administrations. Several non-governmental organizations have critiqued the changes in DOS Human Rights Reports because of omissions relating to vulnerable groups and watered-down assessments<sup>4</sup> and a Department of Homeland Security whistleblower has testified that political considerations have influenced the reports.<sup>5</sup>

This chart compares the last DOS report under the Obama administration<sup>6</sup> with the most recent DOS report under the Trump administration with the aim of determining whether the sources have changed, which sections have reduced in scope, and the overall shift in tone and

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<sup>1</sup> This chart was created by CLINIC intern, Daria Nastasia, George Washington University, class of 2024, through the generous support of the Power Up internship of Building Movement and by Victoria Neilson, Managing Attorney of CLINIC's Defending Vulnerable Populations Program.

<sup>2</sup> Department of State Guatemala Human Rights Report 2016, [justice.gov/sites/default/files/pages/attachments/2017/03/09/dos-hrr\\_2016\\_guatemala.pdf](https://www.justice.gov/sites/default/files/pages/attachments/2017/03/09/dos-hrr_2016_guatemala.pdf).

<sup>3</sup> Department of State Guatemala Human Rights Report 2019, [state.gov/wp-content/uploads/2020/02/GUATEMALA-2019-HUMAN-RIGHTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2020/02/GUATEMALA-2019-HUMAN-RIGHTS-REPORT.pdf).

<sup>4</sup> See Amanda Klasing and Elisa Epstein, Human Rights Watch, *US Again Cuts Women from State Department's Human Rights Reports Trump Administration Removes Data on Global Reproductive Rights*, March 13, 2019, [hrw.org/news/2019/03/13/us-again-cuts-women-state-departments-human-rights-reports](https://www.hrw.org/news/2019/03/13/us-again-cuts-women-state-departments-human-rights-reports); Rebecca Cordell et al., *How Does the Trump Administration Think About Human Rights? Evidence from the State Department Country Reports*, POLITICAL VIOLENCE AT A GLANCE, June 1, 2018, [politicalviolenceataglance.org/2018/06/01/how-does-the-trump-administration-think-about-human-rights-evidence-from-the-state-department-country-reports/](https://politicalviolenceataglance.org/2018/06/01/how-does-the-trump-administration-think-about-human-rights-evidence-from-the-state-department-country-reports/); Tarah Demant, Amnesty International, *A Critique of the US Department of State 2017 Country Reports on Human Rights Practices*, May 8, 2018, [medium.com/@amnestyusa/a-critique-of-the-us-department-of-state-2017-country-reports-on-human-rights-practices-f313ec5fe8cc](https://medium.com/@amnestyusa/a-critique-of-the-us-department-of-state-2017-country-reports-on-human-rights-practices-f313ec5fe8cc).

<sup>5</sup> Whistleblower Reprisal Complaint by Mr. Brian Murphy, Principal Deputy Under Secretary, DHS Office of Intelligence and Analysis, (Sept. 8, 2020), [intelligence.house.gov/uploadedfiles/murphy\\_wb\\_dhs\\_oig\\_complaint9.8.20.pdf?fbclid=IwAR1gn8fjs2abNFSANwYrw541D1-xHPHlxoUA7qe09Vp0h6LrgujjDdnd4qs](https://intelligence.house.gov/uploadedfiles/murphy_wb_dhs_oig_complaint9.8.20.pdf?fbclid=IwAR1gn8fjs2abNFSANwYrw541D1-xHPHlxoUA7qe09Vp0h6LrgujjDdnd4qs). [Emphasis added.]

<sup>6</sup> The reports are generally released in the early spring of each year and cover the previous year. Thus, the 2016 report was actually released in early 2017 and the 2019 report was released in 2020.

language while acknowledging that some changes reflect the actual shift in conditions during the three years between the two reports. At the outset, it is worth noting that the 2016 report was 35 pages long whereas the 2019 report is 30 pages long.

In general, the 2019 report is more likely to include information from government sources rather than also including information from non-governmental organization sources. The 2019 report often minimizes the ongoing nature of human rights concerns by eliminating wording such as “continued to experience” and replacing it with “experienced.” When the 2019 report acknowledges human rights concerns, it is less likely to include specific examples and data than the 2016 report. The 2019 report entirely eliminated several substantive sections including the section on the Role of Police and Security Apparatus and the section on Reproductive Rights.

2016 Report	2019 Report	Notes
<b>Executive Summary</b>		
<p>“Civilian authorities at times did not maintain effective control over the security forces.” P. 1</p>		<p>2019 report eliminated this observation.</p>
<p>“Principal human rights abuses included widespread institutional corruption, particularly in the police and judicial sectors; security force involvement in serious crimes, such as kidnapping, drug trafficking, trafficking in persons, and extortion; and societal violence, including lethal violence against women.”</p> <p>“Other human rights problems included arbitrary or unlawful killings, abuse and mistreatment by National Civil Police (PNC) members; harsh and sometimes life-threatening prison conditions; arbitrary arrest and detention; prolonged pretrial</p>	<p>“Significant human rights issues included: harsh and life-threatening prison conditions; substantial problems with the independence of the judiciary, including malicious litigation and irregularities in the judicial selection process; widespread corruption; trafficking in persons; crimes involving violence or threats thereof targeting lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons, persons with disabilities, and members of other minority groups; and use of forced or compulsory or child labor.” P. 1</p>	<p>2016 report included a paragraph on principal human rights abuses and an additional paragraph on other human rights abuses, while 2019 report only included significant human rights abuses</p> <p>2019 report eliminated mention of lethal force against women.</p>

<p>detention; failure of the judicial system to conduct full and timely investigations and fair trials; government failure to fully protect judicial officials, witnesses, and civil society representatives from intimidation and threats; and internal displacement of persons. In addition, there was sexual harassment and discrimination against women; child abuse, including the commercial sexual exploitation of children; discrimination and abuse of persons with disabilities; and trafficking in persons and human smuggling, including of unaccompanied children. Other problems included marginalization of indigenous communities and ineffective mechanisms to address land conflicts; discrimination on the basis of sexual orientation and gender identity; and ineffective enforcement of labor and child labor laws." P. 1</p>		
<p>"Impunity continued to be widespread. Gangs, organized crime, and narcotics trafficking organizations committed numerous acts of violence; corruption and inadequate investigation made prosecution difficult." P. 1</p>	<p>"Impunity continued to be widespread for ongoing human rights abuses, endemic government corruption, and for mass atrocities committed during the 1960-1996 internal armed conflict." P. 1</p>	<p>2016 report mentioned gangs, organized crime, and narcotics trafficking organizations, while 2019 report eliminated the reference to these aspects. Furthermore, 2016 report mentioned that corruption and inadequate investigation made prosecution difficult, while 2019 report eliminated the reference to such difficulties.</p>

Section 1. Respect for the Integrity of the Person, Including Freedom from:		
a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings		
“There were several reports that the government or its agents committed arbitrary or unlawful killings.” P. 2	“There were reports that the government or its agents committed arbitrary or unlawful killings.” P. 2	There was a change from “several reports” in 2016 to “reports” in 2019
“As of August 31, the PNC and its Office of Professional Responsibility (ORP), the mechanism for investigating security force abuses, reported no complaints of homicide. The Human Rights Ombudsman’s Office (PDH), however, reported one complaint of murder, and the Attorney General’s Office, commonly known as the Public Ministry, reported one case of homicide, three cases of manslaughter, and one case of premeditated murder by PNC officers through August. Local media reported that a PNC officer killed a grocery store owner on January 4 in Santiago Atitlan, Solola. The trial was pending at year’s end.” P. 2	“As of August 31, the Public Ministry as well as the PNC and its Office of Professional Responsibility, the mechanism for investigating security force abuses, reported two complaints of homicide by police, in contrast with none in 2018.” P. 2	2016 report included information from the Office of Professional Responsibility, the Human Rights Ombudsman’s Office, the Attorney General’s Office, and local media, while the 2019 report included only information from the Office of Professional Responsibility and the Attorney General’s Office and excluded references to the Human Rights Ombudsman’s Office and local media. In the further examples of specific cases, 2016 report continued to include media information, whereas 2019 report did not but made one reference to data from the nongovernmental organization Unit for the Protection of Human Rights Defenders (UDEFEQUA)
b. Disappearance		
“On August 22, the Attorney General’s Office presented new charges against retired army general Benedicto Lucas Garcia, who was also charged in the CREOMPAZ mass graves case. On October 25, a high-risk court found sufficient evidence to charge Lucas Garcia with illegal detention, torture, and sexual	“The case known as CREOMPAZ continued of former military officers indicted in 2017 on charges of forced disappearance and crimes against humanity during the armed conflict. Several appeals and recusal motions filed in 2016 needed to be resolved before a full trial could begin.” P. 3	2016 report specifies charges of illegal detention, torture, and sexual violence, while the 2019 report does not specify the charges in the case.

violence, and it accepted new charges of aggravated sexual assault for the other four defendants. The court was to determine whether all five defendants would go to trial on January 13, 2017.” P. 3		
<b>c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment</b>		
“Although the constitution and law prohibit torture and other cruel, inhuman, or degrading treatment or punishment, there were credible reports of abuse and other mistreatment by PNC members.” P. 3	“The law prohibits torture and other cruel, inhuman, or degrading treatment or punishment, but there were reports alleging government workers employed them at the Federico Mora National Hospital for Mental Health.” P. 3	There was a change from “there were credible reports” in the 2016 report to “there were reports <i>alleging</i> ” in the 2019 report. (Emphasis added).
<b>Prison and Detention Center Conditions</b>		
“Sexual assault, inadequate sanitation and medical care, and gross overcrowding continued to place prisoners at significant risk..” P. 4	“Sexual assault, inadequate sanitation and medical care, and gross overcrowding placed prisoners at significant risk.” P. 4	There was a change from “continued to place” in 2016 to “placed” in 2019.
“Prison overcrowding continued to be a problem. According to the prison system registry, as of September 6, there were 20,743 inmates, including 1,974 women, held in facilities designed to hold 6,742 persons.” P. 4	“Prison overcrowding was a problem. As of October 1, according to prison authorities, there were 25,297 inmates, including 2,806 women, held in facilities designed to hold 6,800 persons.” P. 4	There was a change from “continued to be” in 2016 to “was” in 2019. Moreover, the 2019 report specified “despite a reduction in the overcrowding” while the data cited actually indicate an increase in overcrowding from three years earlier.
“Illegal drug sales and use continued to be widespread.” P. 4	“Illegal drug sales and use was widespread.” P. 4	There was a change from “continued to be” in 2016 to “was” in 2019
“Prison officials continued to report a loss of safety and control, including escape attempts, gang fights, inability to control the flow of contraband goods into prisons, and the fabrication of weapons. Prisoners	“Prison officials reported safety and control problems, including escape attempts, gang fights, inability to control the flow of contraband goods into prisons, inmate possession of firearms and grenades, and	There was a change from “continued to report” and “continued to direct” in 2016 to “reported” and “conducted” in 2019

<p>continued to direct criminal activity both inside and outside of prisons.” P.4</p>	<p>the fabrication of weapons. Prisoners conducted criminal activity both inside and outside of prisons.” P. 4</p>	
<p>“From January through September 5, at least 55 inmates died of unnatural causes while in prison.” P. 4</p>	<p>“According to prison authorities, from January through August 31, at least 26 inmates died of unnatural causes while in prison.” P. 4</p>	<p>2019 report specified that “according to prison authorities” 26 inmates had died of unnatural causes, while 2016 report specified a higher number of 55 inmates. It is not clear if the lowered number in 2019 reflects improved conditions or under-reporting.</p>
<p>“The Ministry of Government approved treatment standards for LGBTI prisoners in 2015, and NGOs trained authorities on their implementation during the year, although NGOs considered the improvements to be minimal.” P. 4</p>	<p>“NGOs claimed admittance procedures for LGBTI prisoners were not implemented, noting particular concern regarding procedures for transgender individuals.”</p>	<p>There was a change from a focus on treatment standards in 2016 to a focus on admittance procedure in 2019 and a change in language from “considered” to “claimed”</p>
<p>“The government’s independent Office of the Human Rights Ombudsman (PDH) and the National Office for the Prevention of Torture (NOPT), whose responsibilities include prisoner rights, received complaints and conducted oversight of the prison system. The PDH and the NOPT can submit recommendations to the prison system based on complaints. No independent agency or unit, however, had a mandate to change or implement policy or to act on behalf of prisoners and detainees. Recordkeeping remained inadequate.” P. 5</p>	<p><i>Not applicable</i></p>	<p>2016 report included a paragraph on complaints received by the independent Office of the Human Rights Ombudsman and the National Office for the Prevention of Torture, while the 2019 report eliminated this paragraph</p>

<p>“The government permitted visits by local and international human rights groups, the Organization of American States (OAS), public defenders, and religious groups. The PDH and the NOPT also periodically visited prison facilities. The PDH reported it was sometimes difficult to gain access to the juvenile detention centers administered by the Secretariat of Social Welfare.” P. 5</p>	<p>“The government permitted visits by local and international human rights groups, the Organization of American States, public defenders, and religious groups. The Office of the Human Rights Ombudsman (PDH) and the National Office for the Prevention of Torture, both independent government bodies responsible for ensuring that the rights and wellbeing of prisoners are respected, also periodically visited prison facilities.” P. 5</p>	<p>2016 report mentioned it was sometimes difficult to gain access to the juvenile detention centers, while 2019 report did not specify such difficulties</p>
<p><i>Not applicable</i></p>	<p>“The Secretariat of Social Welfare significantly reformed the four juvenile detention centers. Reform to the juvenile justice system resulted in more sentences to alternative measures such as work programs and fewer detainees, which eased prison overcrowding. The secretariat divided the juvenile prisons to ensure minors were held in separate wings from adults.” P. 5</p>	<p>2019 report included a section on improvements of prisons in Guatemala, while the 2016 report did not include such a section</p>
<p><b>d. Arbitrary Arrest or Detention</b></p>		
<p>“The constitution and law prohibit arbitrary arrest and detention, but there were credible reports of extrajudicial arrests, illegal detentions, and denial of timely access to a magistrate and hearing, as required by law.” P. 5</p>	<p>“The law prohibits arbitrary arrest and detention, but there were credible reports of extrajudicial arrests, illegal detentions, and denial of timely access to a magistrate and hearing as required by law. Suspects are entitled to challenge in court the legal basis or arbitrary nature of their detention.” P. 3</p>	<p>2019 report included a sentence specifying that “Suspects are entitled to challenge in court the legal basis or arbitrary nature of their detention.”</p>

<b>Role of Police and Security Apparatus</b>		
<p>“Civilian authorities in some instances failed to maintain effective control over the PNC, and the government lacked effective mechanisms to investigate and punish abuse and corruption. Despite a 5 percent increase in its operating budget, the PNC remained understaffed, inadequately trained, and insufficiently funded, all of which substantially impeded its effectiveness.</p> <p>There were reports of impunity involving security forces. . .</p> <p>During the year there were 747 complaints of police extortion and 206 for abuse of authority, compared with 31 and 856, respectively, in 2015. The PNC routinely transferred officers suspected of wrongdoing rather than investigating and punishing them.</p> <p>Critics accused police of indiscriminate and illegal detentions when conducting anti-gang operations in some high-crime neighborhoods. Security officials allegedly arrested and imprisoned suspected gang members without warrants or on fabricated drug charges.</p>	<p><i>2019 Report omitted this section</i></p>	<p>2019 report eliminated the whole section nearly two page section on the Role of Police and Security Apparatus in spite of the significant reporting on issues of police extortion and complaints against the police</p>

<p>The local press also reported police involvement in kidnappings for ransom. . .” pp. 5-6</p>		
<p><b>Arrest Procedures and Treatment of Detainees</b></p>		
<p>“Police may not detain a suspect for more than six hours without bringing the case before a judge. Authorities did not regularly respect this right and did not promptly inform some detainees of the charges against them.” P. 7</p>	<p>“Police may not detain a suspect for more than six hours without bringing the case before a judge. Authorities did not regularly respect this right.” P. 5</p>	<p>2019 report eliminated “and did not promptly inform some detainees of the charges against them”</p>
<p>“<u>Arbitrary Arrest</u>: There were no reliable data on the number of arbitrary detentions, although most accounts indicated that police continued to ignore writs of habeas corpus in cases of illegal detention, particularly during neighborhood anti-gang operations.” P. 7</p>	<p>“<u>Arbitrary Arrest</u>: As of August 31, the Office of Professional Responsibility had received 26 complaints of illegal detention by police. Reports indicated police ignored writs of habeas corpus in cases of illegal detention, particularly during neighborhood anti-gang operations.” P. 6</p>	<p>2016 report specified there was no reliable data, while 2019 report referred only to government data. There was a change from “continued to ignore” to “ignored.”</p>
<p>“The law establishes a three-month limit for pretrial detention but authorities regularly held detainees past their legal trial or release dates. Lengthy investigations and frequent procedural motions by both defense and prosecution often led to lengthy pretrial detentions, delaying trials for months or years.” P. 8</p>	<p>“The law establishes a one-year maximum for pretrial detention, regardless of the stage of the criminal proceeding, but the court has the legal authority to extend pretrial detention without limits as necessary. Authorities regularly held detainees past their legal trial or release dates. Lengthy investigations and frequent procedural motions by both defense and prosecution often led to lengthy pretrial detentions, delaying trials for months or years.</p>	<p>2016 report mentioned a three-month limit for pretrial detention, while 2019 report specified a one-year maximum for pretrial detention and also stated that the court has the legal authority to extend pretrial detention without limits as necessary. Moreover, 2019 report added a sentence citing the slow pace of investigations and lack of judicial resources as reasons for lengthy pretrial detention and illegal incarceration</p>

	Observers noted the slow pace of investigations and lack of judicial resources hampered efforts to reduce pretrial detention and illegal incarceration." P. 6	
"Detainee's Ability to Challenge Lawfulness of Detention before a Court: Suspects are entitled to challenge in court the legal basis or arbitrary nature of their detention. If successful, their release is not immediate and usually takes several days. There was no compensation for those ruled unlawfully detained" P. 8	<i>Not applicable</i>	2019 report eliminated paragraph on detainee's ability to challenge lawfulness of detention in court
<b>Denial of Fair Public Trial</b>		
"The judicial system failed to provide fair or timely trials due to inefficiency, corruption, insufficient personnel, and intimidation of judges, prosecutors, and witnesses." P. 8	"The judicial system generally failed to provide fair or timely trials due to inefficiency, corruption, and intimidation of judges, prosecutors, and witnesses." P. 6	There was a change from "failed" in 2016 to "generally failed" in 2019. 2019 report also eliminated "insufficient personnel"
"CICIG assisted the Ministry of Government and Public Ministry with the investigation of cases, including allegations of extrajudicial executions, extortion, trafficking in persons, improper adoptions, corruption, and drug trafficking.  The Supreme Court continued to seek the suspension of judges and to conduct criminal investigations of improprieties or irregularities in cases under its jurisdiction. The Judicial Disciplinary Unit investigated 1,178 complaints of wrongdoing against	<i>Not applicable</i>	2019 report eliminated paragraphs on investigations for extrajudicial executions, extortion, trafficking in persons, improper adoptions, corruption, and drug trafficking and on criminal investigations against judges.

<p>judges, technicians, and judiciary administrative staff through October, held hearings on 570 complaints, and applied sanctions in 360 cases, including disciplinary suspension without pay (277 cases) and recommending dismissal (34 cases).” P. 8</p>		
<p><b>Political Prisoners and Detainees</b></p>		
<p>“On July 22, a high-risk court released seven community leaders from Huehuetenango because kidnapping charges against them could not be substantiated. The seven had been arrested in 2015 for detaining 11 hydroelectric company workers in 2013 and had been held in preventive prison for 18 months. The court confirmed that the prisoners were community leaders or indigenous authorities mediating between the community and the hydroelectric company and expressed concern over criminalization of the rights to assemble and protest. Specifically, the presiding judge stated, ‘attempting to mediate a community conflict is not a crime.’ Local human rights NGO Unit for the Protection of Human Rights Defenders registered 68 cases of criminalization of human rights defenders through October. Charges included defamation, legal complaint, and arbitrary detention.” P. 9</p>	<p>“There were no reports of political prisoners or detainees.” P. 8</p>	<p>2016 report included information from court briefings about a case of criminalization of indigenous authorities kept in prison for 18 months for seeking to mediate between a hydroelectric company and the community. The 2016 report also included information from local human rights NGOs about 68 cases of criminalization of human rights defenders. The 2019 report indicated that there was no official information on political prisoners and detainees and eliminated information from court briefings or local human rights NGOs.</p>

<b>f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence</b>		
<p>“The constitution and the law prohibit such actions, and the government generally respected these prohibitions. On September 5, President Jimmy Morales dismissed Jorge Lopez, the secretary of administrative and security matters of the president, and his deputy, Cesar Sagastume, for alleged illegal surveillance. At year’s end the Public Ministry was investigating their suspected involvement in the illegal monitoring of journalists, human rights defenders, business owners, and politicians. Media sources reported that former presidential advisor and current member of congress Herbert Melgar’s name also appeared in the criminal complaint filed with the Public Ministry, but he continued to serve in congress and had not been formally charged.” P.10</p>	<p>“The constitution and the law prohibit such actions, and the government generally respected these prohibitions.” P.8</p>	<p>2019 report eliminated any information on suspected involvement of government officials in the illegal monitoring of journalists, human rights defenders, business owners, and politicians. The 2016 report included information from media sources, while 2019 report eliminated any information from such sources.</p>
<b>Section 2. Respect for Civil Liberties, Including:</b>		
<b>a. Freedom of Speech and Press</b>		
<p>“Press and Media Freedoms: There were no legal restrictions on the editorial independence of the media. Reporters covering organized crime, including its links to corrupt public officials, acknowledged practicing self-censorship, recognizing the danger investigative journalism posed to them and their families. The independent</p>	<p>“Press and Media, Including Online Media: Independent media were active and expressed a wide variety of views. Nonetheless, reporters covering organized crime, including its links to corrupt public officials, acknowledged practicing self-censorship, recognizing the danger investigative journalism posed to them and</p>	<p>2019 report eliminated the information that “freedom of expression advocates noted that difficulty obtaining licenses to operate community radio stations and obtaining some judicial information limited press freedom.” 2019 report added, “Public security forces continued imposing more</p>

<p>media were active and expressed a wide variety of views, but freedom of expression advocates noted that difficulty obtaining licenses to operate community radio stations and obtaining some judicial information limited press freedom." P. 10</p>	<p>their families. Public security forces continued imposing more stringent identification checks on journalists covering government events and activities, a practice initiated in August 2018." P. 8-9</p>	<p>stringent identification checks on journalists covering government events."</p>
<p>"Violence and Harassment: Members of the press continued to report that violence and impunity impaired the practice of free and open journalism. Members of the press reported numerous threats by public officials, and criminal organizations increased journalists' sense of vulnerability." P. 11</p>	<p>"Violence and Harassment: Members of the press reported receiving pressure, threats, and retribution from public officials regarding the content of their reporting." P. 9</p>	<p>There was a change from "continued to report" in 2016 to "reported" in 2019. There was a change from "numerous threats" in 2016 to "threats" in 2019 and eliminated reference to threats from criminal organizations.</p>
<p>"The Public Ministry employed a unit dedicated to the investigation of threats and attacks against journalists. The NGO Center for Reporting in Guatemala noted that the unit had few resources." P. 11</p>	<p>"The Public Ministry employed a unit dedicated to the investigation of threats and attacks against journalists, but the NGO Center for Reporting in Guatemala noted it had few prosecutions." P. 9</p>	<p>There was a change from "the unit had few resources" in 2016 to "it had few prosecutions" in 2019.</p>
<p>"Civil society organizations reported that sexual harassment of female journalists was widespread but rarely reported." P. 11</p>	<p><i>2019 report eliminated information about sexual harassment of female journalists</i></p>	
<p>"Censorship or Content Restrictions: Members of the press reported receiving pressure, threats, and retribution from various public officials regarding the content of their reporting. Some owners and members of media also accused the</p>	<p><i>2019 report eliminated section on censorship and content restrictions</i></p>	

<p>government of following a discriminatory advertising policy that penalized or rewarded print and broadcast media based upon whether the government perceived the news or commentary as supportive or critical.</p> <p>In September a videographer for the media outlet Nuevo Mundo was fired after he took pictures of President Morales apparently sleeping at a government event. The outlet claimed it fired him because he shared the pictures without editorial permission, but the videographer claimed to have evidence to the contrary. The PDH was investigating the motives for the videographer’s dismissal.” P. 11</p>		
<p>“Libel/Slander Laws: In June reporter Pavel Vega from the daily newspaper El Periodico attempted to interview Viviana Quinonez Paiz, legal representative of TVQ--a public relations firm with close ties to the local Guatemala City government--regarding municipal contracts TVQ received as the lone bidder. She refused the interview and accused Vega of psychological harassment, citing the Law Against Femicide and Other Violence Against Women (Femicide Law). A judge subsequently issued a restraining order against the reporter for three months,</p>	<p><i>2019 report eliminated section on libel/slander laws</i></p>	

<p>prohibiting him from approaching Quinonez. The human rights ombudsman stated the harassment charges should never have been given credence in view of the lack of relationship between the two, as well as the fact that the reporter's only action was to call Quinonez' office to ask for an interview. On July 5, Quinonez filed charges against the reporter for slander and defamation for his articles related to municipal contracts awarded to TVQ. The case was pending at year's end. Journalist associations stated that use of the Femicide Law to infringe upon press freedoms set a dangerous precedent but also noted that there were relatively few cases of the law being used in this manner." P. 12</p>		
<p><b>Internet Freedom</b></p>		
<p>"Journalists expressed concern that government officials may have used twitter accounts to harass those critical of the administration and its policies." P. 12</p>	<p>"Human rights defenders, as well as judges and lawyers on high-profile cases, reported social media attacks, including the hacking of their private accounts, publishing of stolen or falsified personal information, publishing of photographic surveillance of them and family members, and online defamation and hate speech. The government took little action to protect these individuals." P. 10</p>	<p>2019 report added information on social media attacks but excluded information about journalists' concerns that government officials may have used social media accounts to harass administration critics.</p>

<b>Internally Displaced Persons</b>		
“The country does not have laws in place to protect internally displaced persons (IDPs) in line with the UN Guiding Principles on Internal Displacement.” P. 13	<i>2019 report eliminated the information that the country does not have laws in place to protect internally displaced persons.</i>	
“UNHCR expressed concern about the internal displacement of persons in the country due to violence. . .” PP. 13-14.	“The Office of the UN High Commissioner for Refugees (UNHCR) expressed concern regarding violence against internally displaced persons (IDPs). . .” P. 11	2019 modifies the UNHCR concern from acknowledging that violence causes internal displacement to raising concern about violence against IDPs.
<b>Protection of Refugees</b>		
“ <u>Access to Asylum</u> . . . “The country approved 42 refugee applications from January through August. UNHCR, however, reported that identification and referral mechanisms for potential asylum seekers were inadequate.” P. 14	“ <u>Access to Asylum</u> . . . <i>2019 report eliminated number of refugee applicants</i>	
“Both migration and police authorities lacked awareness of the rules for establishing refugee status.” P. 14	“Migration authorities lacked adequate training concerning the rules for establishing refugee status.” P. 11	2019 report eliminated the reference to police authorities.
<b>Section 4. Corruption and Lack of Transparency in Government</b>		
“ <u>Corruption</u> : The Comptroller General’s Office and the Public Ministry are responsible for combating corruption. The comptroller general’s mandate is to	<i>Not applicable</i>	2019 report included information about corruption charges that had been brought in the past year but excluded the information about the Comptroller General’s Office and

<p>monitor public spending, and the attorney general’s mandate is to prosecute related crimes. Although both agencies actively collaborated with civil society and were relatively independent, they lacked adequate resources, which affected their ability to carry out their mandates.” P. 15</p>		<p>the Public Ministry lacking adequate resources and being affected their ability to carry out their mandates.</p>
<p><u>“Public Access to Information:</u> The law provides for the right of citizens to access public information and establishes fines for government agencies that obstruct such access. The disclosure law contains exceptions for national security, sets reasonably short timelines for disclosure, and allows for a reasonable processing fee. There are no sanctions for noncompliance. The government granted access to public information for citizens and noncitizens, including foreign media, although at times in a slow and incomplete manner. Human rights groups criticized the delay by the Ministry of Defense in releasing information related to transitional justice cases. While there was no formal mechanism to appeal denials of requests, petitioners often successfully appealed to the Office of the Human Rights Ombudsman for assistance relating to a government denial of public information.” P. 16</p>	<p><i>2019 report eliminated this section</i></p>	<p>.</p>

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations [Abuses] of Human Rights		
Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights	Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights	2019 report renamed this section, changing the word “violations” [of human rights] to “abuses”
“The Office of the Special Prosecutor for Human Rights failed to investigate the majority of complaints in a timely manner. Other cases languished in the court system.” P. 17	<i>Not applicable</i>	2019 report eliminated information on the failure to investigate the majority of complaints in a timely manner.
“Local human rights NGO Unit for the Protection of Human Rights Defenders reported 14 killings of human rights defenders through November 30, compared with 12 killings in all of 2015.” P. 17	“UDEFEQUA reported 12 killings of human rights defenders from January through July.” P. 14	2019 report eliminated the comparison with the previous year in regards to killings of human rights defenders.
<i>Not applicable</i>	<u>“The United Nations or Other International Bodies: The government had refused to renew the visas of the CICIG [commissioner and investigators since early 2018, making it difficult for CICIG [Commission Against Impunity in Guatemala] to resume normal functions.” pp. 14-15</u>	2016 report did not contain a section on United Nations or other international bodies.
Section 6. Discrimination, Societal Abuses, and Trafficking in Persons		
Women		
“The PDH Ombudsman for Women and activists agreed that full investigation and prosecution of domestic	<i>2019 report eliminated this section on rape survivors’ lack of reporting</i>	2019 report eliminated the information from ombudsman.

<p>violence and rape cases took an average of two to three years if the victims had access to quality legal representation. Impunity for perpetrators remained very high. Rape survivors frequently did not report crimes due to lack of confidence in the justice system, social stigma, and fear of reprisal." P. 18</p>		
<p>"The law prohibits domestic abuse, allows for the issuance of restraining orders against alleged aggressors and police protection for victims, and requires the PNC to intervene in violent situations in the home. The PNC often failed to respond to requests for assistance related to domestic violence, however, and women's rights advocates reported that few officers received training to deal with domestic violence or to assist survivors." P. 18-19</p>	<p><i>2019 report eliminated this information</i></p>	<p>2019 report eliminated details on police failures to respond to assistance related to domestic violence.</p>
<p>"On November 22, the Public Ministry established a special prosecutor for femicide. The Institute of Public Criminal Defense, a government institution, provided free legal, medical, and psychological assistance to survivors of domestic violence. Femicide remained a significant problem. Sexual assault, torture, and mutilation were frequently evident in killings. The NGO Mutual Support Group, using government data, reported 565 violent deaths of</p>	<p>"The law establishes penalties for femicide of 25 to 50 years in prison without the possibility of reducing the sentence; however, femicide remained a significant problem. The NGO Mutual Support Group reported that from January to August, 477 women were killed. Despite a generally decreasing homicide rate for men since 2010, the rate of femicide remained essentially the same." P. 16</p>	<p>2019 report eliminated the information about the sexual assault, torture, and mutilation frequently evident in femicide. 2019 report also excluded the information that NGOs expressed concern on femicide sentences being sometimes lenient. However, 2019 report added: "Despite a generally decreasing homicide rate for men since 2010, the rate of femicide remained essentially the same."</p>

<p>women through the end of September. As of that month, authorities convicted 56 individuals for femicide. NGOs expressed concern that sentences were sometimes lenient.” P. 19</p>		
<p>“The PDH Office of Ombudsman for Women supported survivors of domestic and social violence by accompanying them to judicial proceedings and offering some social services such as psychological support. The Office of Ombudsman for Indigenous Women also coordinated and promoted action by government institutions and NGOs to prevent violence and discrimination against indigenous women, but lacked resources to reach all areas. The office maintained no statistics on its caseload. Civil society organizations provided mediation and free legal services to low-income women.” P. 19</p>	<p><i>2019 report eliminated this information</i></p>	<p>2019 report eliminated information from ombudsmen about women survivors of domestic and social violence and the violence and discrimination against indigenous women.</p>
<p>“Although the law affords protection, including shelter, to victims of domestic violence, there were insufficient facilities for this purpose. The Ministry of Government operated eight shelters for survivors of abuse in departments with the greatest incidence of domestic violence. Due to continual budget uncertainties, the shelters’ operations were erratic. Several shelters funded by private donors or</p>	<p><i>2019 report eliminated this information</i></p>	<p>2019 report eliminated the paragraph on the insufficient facilities for victims of domestic violence.</p>

<p>municipal governments operated in cities and the countryside. Many of the centers provided legal and psychological support and temporary accommodation." P. 19</p>		
<p>"<u>Sexual Harassment</u>: No single law, including laws against sexual violence, deals directly with sexual harassment, although several laws refer to it, such as the Femicide Law. There were no reliable estimates of the frequency of sexual harassment; however, human rights organizations reported sexual harassment was widespread." P. 19</p>	<p>"<u>Sexual Harassment</u>: No single law, including laws against sexual violence, deals directly with sexual harassment, although several laws refer to it. Human rights organizations reported sexual harassment was widespread." P. 17</p>	<p>2019 report omitted the information on no reliable estimates of the frequency of sexual harassment.</p>
<p>"<u>Reproductive Rights</u>: Couples and individuals have the right to decide the number, spacing, and timing of their children and to manage their reproductive health, free from discrimination, coercion, and violence. They did not always have the information and means to do so. Cultural, geographic, and linguistic barriers hampered access to reproductive health care, particularly for indigenous women in rural areas. Discriminatory attitudes among health-care providers and a lack of culturally sensitive reproductive and maternal health-care services deterred many indigenous women from accessing these services.</p>	<p><i>Section eliminated and replaced with the following: Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization."</i> P. 17</p>	<p>The 3 paragraph section on women's access to family planning was renamed and reduced to a single sentence about coerced population control.</p>

<p>As a result of efforts to expand health services to underserved communities, the government was able to decrease the maternal mortality ratio and increase the percentage of institutional deliveries. Although the country made progress towards decreasing the maternal mortality ratio, it remained relatively high at 88 deaths per 100,000 live births. The UN Population Fund (UNFPA) reported in 2016 that skilled health personnel attended only 66 percent of births. Unsafe abortion also contributed to the country’s high maternal mortality ratio; legal abortion was tightly restricted except to save the life of the mother.” P. 20</p>		
<p>“<u>Discrimination</u>: Although the law establishes the principle of gender equality and criminalizes discrimination, women faced discrimination, particularly under family and labor law, and were less likely to hold management positions. The government’s Secretariat for Women’s Affairs advises the president on interagency coordination of policies affecting women and their development. Women were employed primarily in low-wage jobs in agriculture, retail businesses, the service sector, textile and apparel industries, and government.</p>	<p>“<u>Discrimination</u>: Although the law establishes the principle of gender equality and criminalizes discrimination, women, and particularly indigenous women, faced discrimination and were less likely to hold management positions.” P. 17</p>	<p>2019 report eliminated most of the information related to gender discrimination, reducing a 3-paragraph section to a single sentence.</p>

<p>Women also obtained employment more frequently in the informal sector, where pay was generally lower and benefits nonexistent. The 2015 Global Gender Gap Report estimated women's earned income was 56 percent that of men, and women on average received 64 percent of men's salaries for comparable work. Many women engaged in agricultural work and often reported receiving less than 50 percent of a man's salary for similar work. Women may legally own, manage, and inherit property on an equal basis with men, including in situations involving divorce.</p> <p>Economic violence is a crime under the femicide law. The law defines it as actions that deprive a woman of the economic benefits to which she is legally entitled and cause damage to her economic situation. The crime occurs most frequently during divorce when a husband refuses to pay alimony, cancels or liquidates bank accounts, or sells jointly owned property without the spouse's knowledge. A slow court system and late notifications of legal actions or notifications in Spanish to women who could not read Spanish contributed to the situation.</p>		
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<p>According to the Public Ministry, from January through September, 271 reports of economic violence were filed, and authorities obtained five convictions.” pp. 20-21</p>		
<p><b>Children</b></p>		
<p>“<u>Birth Registration</u>: Factors such as the need to travel to unfamiliar urban areas, to interact with nonindigenous male government officials, and to speak Spanish inhibited some indigenous women from registering their children. Authorities prevented foreign citizens residing in the country without appropriate documentation from registering their locally born children prior to regularizing their own immigration status. Lack of registration restricted children’s access to some public services and created conditions that could lead to statelessness.” P. 21</p>	<p>“<u>Birth Registration</u> Lack of registration restricted children’s access to some public services and created conditions that could lead to statelessness.” P. 17</p>	<p>2019 report eliminated the information that authorities prevented foreign citizens from registering their children’s births.</p>
<p>“<u>Education</u>: While compulsory through age 14, education through the secondary level is not obligatory, and less than half of eligible children attended secondary school. Also, less than half of secondary schools were public. Girls, especially girls in indigenous communities, were significantly less likely than boys to be educated to the secondary school level.</p>	<p>“<u>Education</u>: While primary education is compulsory through age 14, access was limited in many rural areas; education through the secondary level is not obligatory. Boys were prioritized for high school education in rural communities due to the need to travel long distances and girls’ perceived value in the home.” P. 17</p>	<p>2016 report specified that girls, especially girls in indigenous communities, were significantly less likely than boys to be educated to the secondary school level, whereas 2019 report modified to boys being prioritized for high school education in rural communities due to the need to travel long distances and girls’ perceived value in the home.</p>

<p>Access to compulsory education in primary school was limited in many rural areas." P. 21</p>		
<p>"<u>Child Abuse</u>: According to the Secretariat against Sexual Violence, Exploitation, and Trafficking in Persons (SVET), from January through July, 1,552 cases of pregnancies of minors 14 years old or younger were recorded nationwide, with the majority of cases coming from the departments of Huehuetenango, Alta Verapaz, Guatemala, San Marcos, and Peten. The secretary estimated that 80 percent of these cases were due to intrafamily sexual abuse. SVET launched a press campaign with special events and training sessions in rural areas to combat pregnancy of minors." P. 22</p>	<p><i>2019 report eliminated section on child pregnancies</i></p>	<p>2019 report eliminated the information on cases of pregnancies of minors 14 years old or younger.</p>
<p>"The Secretariat of Social Welfare, which oversees children's treatment, training, special education, and welfare programs, provided shelter and assistance to children who were victims of abuse but sometimes placed children in shelters with juveniles who had criminal records. The government operated a shelter for minor victims of violence, abandonment, and exploitation in San Jose Pinula and in two temporary shelters in Quetzaltenango and Zacapa. SVET had shelters for victims of human</p>	<p><i>2019 report eliminated the information on minors who were victims of violence, abandonment, and exploitation.</i></p>	

<p>trafficking and sexual violence in Coatepeque, Coban, and Guatemala City.” P. 22</p>		
<p><i>Not applicable</i></p>	<p>“NGOs supporting at-risk youth reported adolescents detained by police were subject to abusive treatment, including physical assaults.” P. 18</p>	<p>2019 report included information that police subjected adolescents to abuse</p>
<p>“<u>Early and Forced Marriage</u>: The legal age for marriage is 18. In 2015 Congress eliminated a provision that previously allowed girls to marry at 14 and boys at 16 with parental consent. There were reports of forced early marriages in some rural indigenous communities. UNICEF reported that 30 percent of women 20 to 24 years of age were first married or in union by age 18 (7 percent of them by age 15) between 2008 and 2014. In an effort to identify cases of early and forced marriage, the government instituted nationwide training programs and protocols to encourage public employees to report pregnancies and childbirth among underage mothers. The NGO Childhood Refuge reported an estimated 15,000 irregular marriages of minors had occurred since 2015, 70 percent of which took place in the western part of the country. Given the change in law raising the minimum age for marriage, the NGO also reported an increase of informal</p>	<p>“<u>Early and Forced Marriage</u>: The legal age for marriage is 18. There were reports of early and forced marriages in some rural indigenous communities and in the Lev Tahor religious community. A 2017 decree prohibits underage marriage. The National Registry of Persons reported no attempted registration of underage marriage since enactment of the decree.” P. 18</p>	<p>2019 report eliminated information on underage marriages with parental consent or the information from UNICEF and NGOs on forced or irregular marriages of minors. 2019 report added: “The National Registry of Persons reported no attempted registration of underage marriage since enactment of the decree.”</p>

<p>unions involving minors, which essentially functioned as marriages.” P. 22</p>		
<p>“The Public Ministry reported several complaints of sexual assault or rape against minors and successfully prosecuted some aggressors. The Ministry’s Office of Trafficking increased the number of investigators and prosecutors to respond to the sexual exploitation of minors, including opening an office dedicated to cybercrime. SVET broadened its coordination role by engaging directly with municipal governments and mayors to educate them on combatting sexual abuse, child abuse, and trafficking.” P. 22</p>	<p><i>2019 report eliminated the information on complaints of sexual assault or rape against minors.</i></p>	
<p>“According to figures for 2016 released by the Public Ministry’s Office of Special Prosecutor for Children, authorities received 5,257 reports of sexual violence against minors and youth up to 19 years of age by mid-September. It received 47 reports of sexual exploitation involving minors and 141 reports of trafficking in persons.” P. 23</p>	<p><i>2019 report eliminated the quantitative information on sexual violence against minors and sexual exploitation involving minors.</i></p>	
<p>“<u>Displaced Children</u>: Criminals and gangs often recruited street children, many of them victims of domestic abuse, for purposes of stealing, transporting contraband, prostitution, and conducting illegal drug activities. According to law enforcement sources, there were approximately 15,500</p>	<p>“<u>Displaced Children</u>: Criminals and gangs often recruited street children, many of them victims of domestic abuse, for purposes of stealing, extortion, prostitution, transporting contraband, and conducting illegal drug activities.” P. 18</p>	<p>2019 report reduced the two paragraphs on displaced children from 2016 report to one sentence, omitting information from NGOs on the negative impact of gangs on youth and the large number of unaccompanied children attempting to leave the country.</p>

<p>Barrio 18 gang members and 13,950 Mara Salvatrucha gang members. The NGO Mutual Support Group reported that 74 minors suffered violent deaths nationwide between January and March, a significant increase from 2015. NGOs dealing with gangs and other youth reported that youth detained by police were subject to abusive treatment, including physical assaults.</p> <p>A significant number of unaccompanied children attempted to leave the country. Polling indicated that the primary motivations for migration were a lack of economic and educational opportunity in the country, fear of violence, and family reunification. NGOs reported that the Secretariat of Social Welfare (SBS), which is responsible for the care of both returned migrant children and unaccompanied foreign migrant children, reported two cases of sexual abuse of children under its care during the year. The cases highlighted the persistent problem of overcrowding in shelters, along with security issues. For instance, according to PDH, 44 minors disappeared from secured SBS shelters from September to mid-November. One NGO provided shelter and comprehensive</p>		
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social services for unaccompanied foreign migrant children.” P. 23		
<i>Not applicable</i>	<u>Institutionalized Children</u> : . . . Overcrowding was common in shelters, and government funding for orphanages remained limited. Local and international human rights organizations, including Disability Rights International, raised concerns that child abuse was rampant. . .” pp. 18-19	2019 Report added a section on Institutionalized Children that highlighted problems in shelters and orphanages.
<b>Anti-Semitism</b>		
<p>“The Jewish population numbered approximately 1,500 persons. During a May protest against Energuate, a power distribution company purchased in December 2015 by a company with connections to Israel, protesters used a banner that had an image of Jesus Christ and stated, ‘Jews killed me on the cross. Now Jews from Energuate are killing my people in Guatemala with energy.’ Jewish community leaders filed a complaint with the PDH, which pursued the case in court. During the summer the protesting group and the Jewish community settled the matter out of court with a formal apology from the protesting group. In June the former mayor of San Juan La Laguna, Antonio Adolfo Perez y Perez, was placed under house arrest during his trial for abuse of authority and discrimination for his involvement in the</p>	<p>“The Jewish population numbered approximately 1,500 persons. There were no reports of anti-Semitic acts.” P. 19</p>	<p>2019 report eliminated information on Anti-Semitism provided by Jewish community leaders.</p>

<p>expulsion of members of the ultraorthodox Jewish sect Lev Tahor in 2014. In September authorities raided the homes of the Lev Tahor community in Guatemala City. Authorities stated they were investigating reports of child abuse; however, they found no evidence. Lev Tahor members claimed they were persecuted because of their faith." P. 24</p>		
<p><b>Trafficking in Persons</b></p>		
<p>"Late in 2015 Congress passed an antihuman smuggling law that designated migration-related smuggling as a crime." P. 24</p>	<p><i>2019 report eliminated the information on the law designating migration-related smuggling as a crime.</i></p>	<p>Both reports referred the reader to the separate Department of State's <i>Trafficking in Persons Report</i>.</p>
<p><b>Persons with Disabilities</b></p>		
<p>"The government devoted few resources to addressing the needs of persons with disabilities." P. 24</p>	<p><i>Not applicable</i></p>	<p>2019 report eliminated the information on the scarcity of the resources devoted by the government to addressing the needs of persons with disabilities.</p>
<p>"There were minimal educational resources for persons with disabilities. Most universities did not have facilities accessible to persons with disabilities. The Social Development Ministry had 23 employees with disabilities, but other ministries had very few, or no, such employees. During the year a previously ad hoc congressional committee on disabilities became permanent." P. 25</p>	<p>"Most schools and universities did not have facilities accessible to persons with disabilities, and there was no reliable data on the prevalence of disabilities in the school-age population." P. 20</p>	<p>2019 report eliminated the information on the scarcity of educational resources for persons with disabilities as well as the information about the few employees with disabilities in government organizations.</p>

<b>Indigenous People</b>		
<p>"The government's National Institute of Statistics estimated that indigenous persons from 22 ethnic groups comprised 44 percent of the population. Many experts believed the number was considerably higher." P. 25</p>	<p>"The government's National Institute of Statistics estimated indigenous persons from 24 ethnic groups comprised 44 percent of the population." P. 20</p>	<p>2019 report eliminated the information from experts on the number of indigenous persons being considerably higher than reported by officials.</p>
<p>"In some cases indigenous communities were not regularly or adequately consulted or able to participate in decisions affecting the exploitation of resources in their communities, including energy, minerals, timber, rivers, or other natural resources." P. 26</p>	<p>"In some cases indigenous communities were not able to participate in decisions affecting the exploitation of resources in their communities, including energy, minerals, timber, rivers, or other natural resources." P. 20-21</p>	<p>There was a change from "were not regularly or adequately consulted or able to participate in decisions" in 2016 report to "were not able to participate in decisions."</p>
<p>"Indigenous communities continued to report a lack of public infrastructure investment in their communities, resulting in poor roads and limited access to running water and electricity. Indigenous persons reported the need for schools with bilingual (i.e., Spanish and their indigenous language) education and cultural studies; educational scholarships; leadership training to increase indigenous persons' participation in politics; and the construction of universities (not only extension campuses), hospitals, and health clinics in their communities." P. 26</p>	<p><i>2019 report eliminated the information on the lack of public infrastructure investment in indigenous communities.</i></p>	
<p>"Indigenous rights advocates asserted that pervasive ignorance by security authorities</p>	<p>"Indigenous rights advocates asserted that security authorities lacked familiarity with</p>	<p>There was a change from "pervasive ignorance by security authorities of</p>

of indigenous norms and practices engendered misunderstandings." P. 26	indigenous norms and practices, which engendered misunderstandings." P. 21	indigenous norms and practices" to "security authorities lacked familiarity with indigenous norms and practices," eliminating the word "pervasive" and changing ignorance to lack of familiarity.
"The Department of Indigenous People in the Ministry of Labor, tasked with investigating cases of discrimination and representing indigenous rights, counseled indigenous persons on their rights. Limited resources hindered the department's effectiveness. Indigenous persons were particularly vulnerable to labor trafficking. The justice system significantly increased the number of legally mandated court interpreters for criminal proceedings and reported that it held 8,000 court proceedings in Mayan languages through August. Despite the increase, availability did not meet demand." P. 27	<i>2019 report eliminated this information</i>	2019 report eliminated the two paragraphs on investigations of cases of discrimination and representing indigenous rights, indigenous persons being particularly vulnerable to labor trafficking, and criminal proceedings in these respects.
<b>Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity</b>		
"The country's antidiscrimination laws do not apply to LGBTI individuals." P. 27	"The law does not extend specific antidiscrimination protections to LGBTI individuals." P. 22	There was a change from "antidiscrimination laws do not apply to LGBTI individuals" in 2016 to "The law does not extend specific antidiscrimination protections to LGBTI individuals" in 2019.
"According to LGBTI rights groups, gay and transgender individuals often experienced police abuse. A lack of trust in the judicial system and a fear of further harassment or	"According to LGBTI activists, gay and transgender individuals often experienced police abuse." P.22	2019 report changed LGBTI rights "groups" to "LGBTI rights "activists" potentially calling into question the objectivity of the source and eliminated the

<p>social recrimination discouraged victims from filing complaints. NGOs conducted sensitization training classes with police officials but noted that the number of trained officials remained low. The National Police and Public Ministry changed their complaint registration systems to include a field identifying whether the complainant is a member of the LGBTI community. Due to general fears of discrimination, few LGBTI community members were comfortable self-identifying to officials.” P.27</p>		<p>information about LGBTI lack of trust in the judicial system and fear of discrimination.</p>
<p><b>HIV and AIDS Social Stigma</b></p>		
<p>“The law does not expressly include HIV/AIDS status among the categories prohibited from discrimination.” P. 28</p>	<p>“The law includes HIV/AIDS status among the categories prohibited from discrimination.” P. 22</p>	<p>There was a change from “The law does not expressly include HIV/AIDS status among the categories prohibited from discrimination” in 2016 to “The law includes HIV/AIDS status among the categories prohibited from discrimination” in 2019.</p>
<p>“There was societal discrimination against persons with HIV/AIDS.” P. 28</p>	<p>“Societal discrimination against persons with HIV/AIDS remained a problem, however, despite efforts by the Ministry of Health to address it.” P. 22</p>	<p>There was a change from stating societal discrimination exists against persons with HIV/AIDS in 2016 to stating that such discrimination exists despite official efforts to address it.</p>
<p>“Discrimination against LGBTI persons with HIV/AIDS was particularly pronounced and affected their access to HIV-prevention programs.” P. 28</p>	<p>“Discrimination against LGBTI persons with HIV/AIDS was particularly common and affected access to HIV-prevention programs, especially for transgender individuals.” P.22-23</p>	<p>There was a change from “pronounced” in 2016 to “common” in 2019 and from stating that discrimination affected all LGBTI persons’ access to programs in 2016 to asserting that transgender individuals were</p>

		particularly affected by discrimination in receiving access to programs.
<b>Other Societal Violence or Discrimination</b>		
<p>“Several times vigilante mobs attacked and killed those suspected of crimes such as rape, kidnapping, theft, or extortion. The NGO Mutual Support Group reported that in the first three months of the year, five persons were killed in public lynchings, and 26 were injured. Many observers attributed the acts to public frustration with the failure of police and judicial authorities to provide justice and security. As a result local citizen security groups were formed and operated autonomously. In many instances PNC agents feared for their own safety and refused to intervene. In August a mob in Patulul set fire to and killed a man arrested as an alleged extortionist who had participated in the shooting of a microbus driver.” P. 28</p>	<p>“Several times vigilante mobs attacked and killed those suspected of crimes such as rape, kidnapping, theft, or extortion. The NGO Mutual Support Group reported three persons were lynched and 22 injured in attempted lynchings by vigilante groups from January through June.” P. 23</p>	<p>2019 report eliminated detailed information related to the motivation of the vigilante mobs.</p>
<b>Section 7. Worker Rights</b>		
<b>a. Freedom of Association and the Right to Collective Bargaining</b>		
<p>“The government did not effectively enforce the law. Due in part to inadequate allocation of resources and inefficient legal and administrative processes, government institutions, such as the Ministry of Labor</p>	<p>“The government did not effectively enforce the law. Government institutions, such as the Ministry of Labor and the labor courts, did not effectively investigate, prosecute, or punish employers who violated freedom of</p>	<p>2019 report eliminated information regarding inadequate allocation of resources and inefficient legal and administrative processes and failures to</p>

<p>and the labor courts, did not effectively investigate, prosecute, or punish employers who violated freedom of association and collective bargaining laws or reinstate workers illegally dismissed for engaging in union activities.” P. 29</p>	<p>association and collective bargaining laws.” P. 24</p>	<p>reinstate workers illegally dismissed for engaging in union activities.</p>
<p>“CICIG highlighted several factors that negatively affected investigations, including a lack of methodological planning and continuity between the prosecutors handling the case; delays in conducting the criminal investigation; and witnesses’ fear of making declarations. The government reported that, of 2,312 cases referred (including a backlog from previous years), only eight resulted in convictions, with the vast majority of cases still under investigation.” P. 30</p>	<p>“The unit reported approximately 2,000 referrals of noncompliance with labor court orders, most of which involved mass dismissals in the public sector and remained under investigation.” P. 24-25</p>	<p>2019 report eliminated information on factors that negatively affected investigations and the small number of convictions for crimes against unions.</p>
<p>“If workers joined a union or refused to disaffiliate, employers threatened not to renew their contracts or offer subcontracted workers permanent employment. There continued to be reports that management or their agents harassed and threatened workers who did not accept employer dismissals or refused to forfeit their right to reinstatement. According to government statistics, employers failed to comply with 79 percent of labor courts’ reinstatement orders. In some cases employers did not reinstate workers to their</p>	<p><i>Paragraphs eliminated</i></p>	<p>2019 report eliminated detail on unionizing retaliation and employer harassment.</p>

<p>prior positions and often failed to pay the back wages owed to them, as well as court-ordered fines.” P. 31</p>		
<p><b>b. Prohibition of Forced or Compulsory Labor</b></p>		
<p>“The government lacked sufficient resources (e.g., labor inspectors, vehicles, equipment) to conduct effective and regular inspection or to pursue remediation for forced labor cases. The government had specialized police and prosecutors to handle cases of human trafficking, including forced labor, although local experts reported some prosecutors lacked adequate training. In July the Public Ministry arrested two sisters who forced six children to beg in the streets for money. The case remained pending at year’s end. There were also other reports of forced child labor (see section 7.c).” P. 32</p>	<p>“The government had specialized police and prosecutors handle cases of human trafficking, including forced labor, although local experts reported some prosecutors lacked adequate training. There were also reports of forced child labor (see section 7.c).” P. 27</p>	<p>2019 report eliminated information on lack of resources to remedy forced labor cases.</p>
<p>“Labor inspectors reported uncovering numerous instances of overtime abuses, but effective enforcement was undermined due to inadequate fines and labor courts’ reluctance to use compulsory measures, such as increased fines and referrals to the criminal courts, to obtain compliance. Other factors contributing to the lack of effective enforcement included labor court inefficiencies, employer refusal to permit labor inspectors to enter facilities or provide</p>	<p>“Labor inspectors reported uncovering numerous instances of overtime abuse, but effective enforcement was undermined due to inadequate fines and labor courts’ reluctance to use compulsory measures, such as increased fines and referrals to the criminal courts, to obtain compliance. Other factors contributing to the lack of effective enforcement included labor court inefficiencies, employer refusal to permit labor inspectors to enter facilities or provide</p>	<p>2019 report eliminated details on failures in labor inspections.</p>

<p>access to payroll records and other documentation, and inspectors' lack of follow-up inspections in the face of such refusals. Labor inspectors were not authorized to sanction employers but had to submit alleged violations to the labor courts. Due to inefficient and lengthy court proceedings, the resolution of cases was often delayed, in many instances for years. Moreover, fines ranging from 50 to 5,000 quetzals (\$6.50 to \$650) were not sufficient to deter violations. Authorities often failed to investigate fully or assign responsibility for negligence. They also rarely sanctioned employers for failing to provide a safe workplace. Legislation requiring companies with more than 50 employees to provide onsite medical facilities for their workers was not enforced." P. 34</p>	<p>access to payroll records and other documentation, and inspectors' lack of follow-up inspections in the face of such refusals. Due to inefficient and lengthy court proceedings, the resolution of labor court cases was often delayed, in many instances for several years. Employers failing to provide a safe workplace were rarely sanctioned, and a law requiring companies with more than 50 employees to provide onsite medical facilities for their workers was not enforced." P. 34</p>	
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