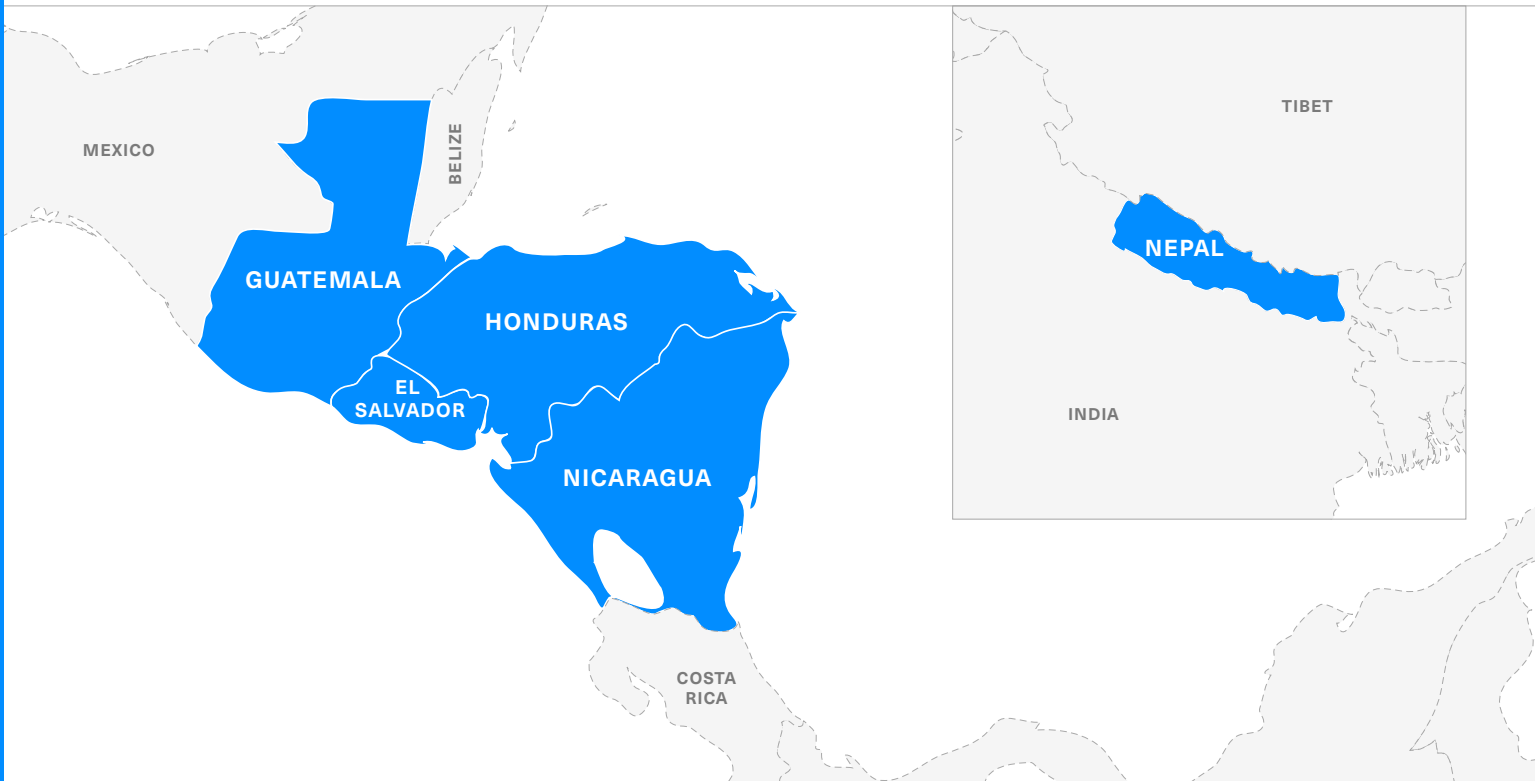


# The Urgent Need for (Re)Designating El Salvador, Honduras, Nicaragua, Nepal, and Guatemala *for Temporary Protected Status (TPS)*



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## Introduction

Congress created [Temporary Protected Status \(TPS\)](#) to provide protection from deportation and work authorization to individuals from designated countries that face unsafe conditions in their home countries due to armed conflict, natural disasters, or other extraordinary and temporary conditions. The program offers deportation protection and work authorization for individuals in the U.S. Many TPS holders are deeply ingrained into American families and communities and live with hundreds of thousands of U.S. citizens.

The Trump administration attempted to terminate TPS designations for El Salvador, Honduras, Nicaragua and Nepal, but federal courts [blocked these attempts](#), stalling their terminations and allowing current TPS holders from those countries to retain their TPS protections through auto-extension. On June 13, 2023, the Biden administration announced a rescission of the prior administration's terminations and an [extension](#) of TPS for these four countries. However, they did not issue redesignations, excluding many people from these nations who have been forced to flee their countries over the past two decades.

***“I’ve been in this country for 23 years, living in the shadows. The TPS redesignation would give my family the [peace] of mind to live and work without the fear of being deported.”***

— [Berta Sanles, a Nicaraguan mother of two U.S. citizen children, who came to the United States after the cut-off TPS date for Nicaragua](#)

The Biden administration has a unique opportunity to build on their [successful](#) use of the crucial TPS tool and redesignate TPS for El Salvador, Honduras, Nicaragua, and Nepal and provide a new TPS designation for Guatemala—an overlooked neighboring Central American country that also meets the statutory requirements for the program. Each of these countries faces extraordinary human rights challenges, widespread violence, or recent climate-related events that warrant immediate TPS redesignations and in the case of Guatemala a new TPS designation. Expanding TPS protections to more people from these countries who are already in the United States will keep hundreds of thousands of individuals and families safe, fuel stability and economic growth, support welcoming communities, and [stabilize forced migration](#).

TPS holders and TPS-eligible individuals have [lived](#) an average of 14 years in the U.S., [raising families](#) and contributing enormously to local communities across the country by providing businesses with employees with critical skills and expertise. FWD.us estimates that TPS-eligible individuals, including current TPS holders, [contribute](#) some \$22 billion in wages to the U.S. economy each year and [work](#) in more than 600,000 jobs, filling important gaps in an economy with persistent labor shortages. Further, the current labor market [participation rates](#) of current long-term TPS holders from El Salvador (82%) and Honduras (85%) are significantly higher than the U.S. general public (63%).

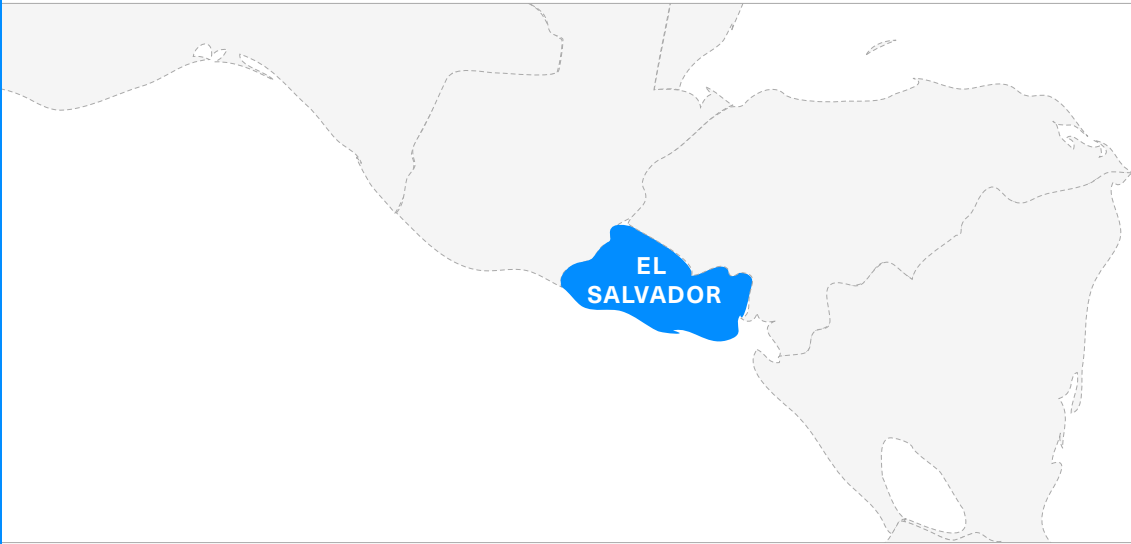
As a result, many TPS recipients are invaluable members of American families, communities, and the U.S. workforce. **TPS-eligible individuals from El Salvador, Honduras, Nicaragua, Nepal and Guatemala already contribute nearly \$50 billion to the U.S. economy annually, though many of them live with the daily fear that deportation will tear them apart from their families. The Biden administration should protect these individuals through an expansion of TPS, a move that a strong majority of the American electorate support.** In fact, [68% of battleground state voters](#) support the Biden administration's continued use of the TPS program. Below, we review why El Salvador, Honduras, Nicaragua, and Nepal merit redesignations, and why the Biden administration should also designate Guatemala for TPS.

## **The Biden Administration Must Redesignate El Salvador, Honduras, Nicaragua, and Nepal for Temporary Protected Status (TPS)**

Conditions in El Salvador, Honduras, Nepal, and Nicaragua have reached new levels of danger and instability since they were first designated for TPS—including violent authoritarian repression, war-like levels of violence, and extreme vulnerability to climate disaster and epidemics. These country conditions prevent people from returning safely. However, cut-off dates going back as far as 1999 keep hundreds of thousands at risk of imminent deportation to unsafe conditions. The Biden administration can keep Salvadoran, Honduran, Nicaraguan, and Nepali nationals safe, with their families in the U.S. and allow them to sustain themselves with the ability to work by redesignating their countries for TPS.

**68% of battleground state voters support the Biden administration's continued use of the TPS program.**

# The Case for Redesignating El Salvador for Temporary Protected Status (TPS)



El Salvador was designated for TPS in 1990 and again in 2001, following two massive earthquakes. Over two decades have passed since this last designation, with Salvadorans facing more dangers: state-sponsored repression, widespread human rights violations, and a spiraling economy paired with extreme weather. The United States has the opportunity to protect Salvadorans living in the U.S., while strengthening American communities and the economy, with a redesignation of TPS for El Salvador.

## EL SALVADOR | SYSTEMATIC HUMAN RIGHTS VIOLATIONS

Following a [series of violence involving armed groups](#)<sup>1</sup> in March 2022, El Salvador declared a “State of Exception” that remains in effect to date. This declaration grants authorities sweeping power and suspends several constitutional rights under the guise of eradicating violence. Since then, [72,000 people](#), including over [1,600 children](#), have been arrested and presumed guilty, with little to no due process. As of 2022, [2% of Salvadoran adults have been put behind bars](#) under what Amnesty International has called [systematic human rights violations](#), including [torture](#).

***“This is a clear political persecution of dissident voices that point out aspects of corruption, of crimes being committed by public security institutions. They can invent anything, they can take you to jail, and from there you can come out dead.”***

**— Marvin Reyes, who narrowly escaped arrest by the Salvadoran authorities for denouncing a pattern of arbitrary detentions**

<sup>1</sup> This report uses the term “armed groups” throughout to refer to gangs in certain Central American countries, in recognition of the fact that the term “gang” evokes the criminalization and demonization of Black and Brown people, including children and young people, in the U.S. and beyond.

Even El Salvador's own police union estimates that about [one in six people who have been imprisoned are innocent](#), while there are [thousands of documented cases of human rights violations](#) due to the "State of Exception." The State Department has recorded cases of [U.S. citizens arbitrarily detained](#), while the **U.S. Secretary of State Antony J. Blinken and the Inter-American Commission on Human Rights (IACHR) have both urged the government of El Salvador to protect due process and other basic civil and human rights.** Far from changing course, the Salvadoran government vows that thousands of people who are incarcerated as a result of this crackdown will [never be released](#). Salvadoran authorities resort to extreme tactics, recently placing Las Cabañas (a rural region larger than New York City) under [military siege](#). Thousands of people have been swept up in the dragnet of arrests and thousands of children have reportedly been [separated](#) from their parents.

**The U.S. State Department has [warned](#) U.S. citizens to reconsider travel to El Salvador due to the "State of Exception," and in its 2022 country report the DoS notes the countless attacks on human rights as a result of the declaration.**

*"Under the state of exception...Numerous reports of arbitrary arrests, invasion of homes, unfair judicial procedures, and deaths of detainees followed the declaration."*

— [U.S. Department of State's 2022 Country Report on Human Rights Practices in El Salvador](#)

## EL SALVADOR | DICTATORIAL PROPAGANDA AND REPRESSION OF DISSENT

President Nayib Bukele of El Salvador is a self-described "[dictator](#)" who already bypassed a constitutional prohibition against consecutive terms, and is currently leading polls for [reelection](#) in 2024. While leading his country to an [economic crisis fueled by Bitcoin](#), Bukele has arrested scores of critics, [anti-mining activists](#), and [political opponents](#) in the name of curbing violence involving armed groups. Rather than keep people safe, the Salvadoran police have perpetrated [12% of all violent deaths in 2022](#) and frequently arrest people to meet [quotas and crush dissent](#). Bukele's attacks have not spared the media. In 2023, the leading news agency "El Faro" moved its headquarters to Costa Rica [fearing Bukele's crackdown](#).

*"It's really hard to show what is going on in El Salvador when you have a propaganda machine making sure the reality that journalists or in fact anyone wants to say about the government is delegitimised."*

— [Mario Gómez, a Salvadoran software engineer detained by the national police after criticizing a law which obliged all Salvadorans to accept the cryptocurrency](#)

Bukele's own police force contradict his touted success that El Salvador's harsh tactics have defeated armed groups, suggesting instead that they [may be adapting](#) rather than losing control, thus continuing to be highly dangerous. El Faro released records from an extensive investigation that shows Bukele's government striking a [secret deal](#) with these groups—granting them special privileges in exchange for a temporary decline in crime to boost Bukele's popularity.

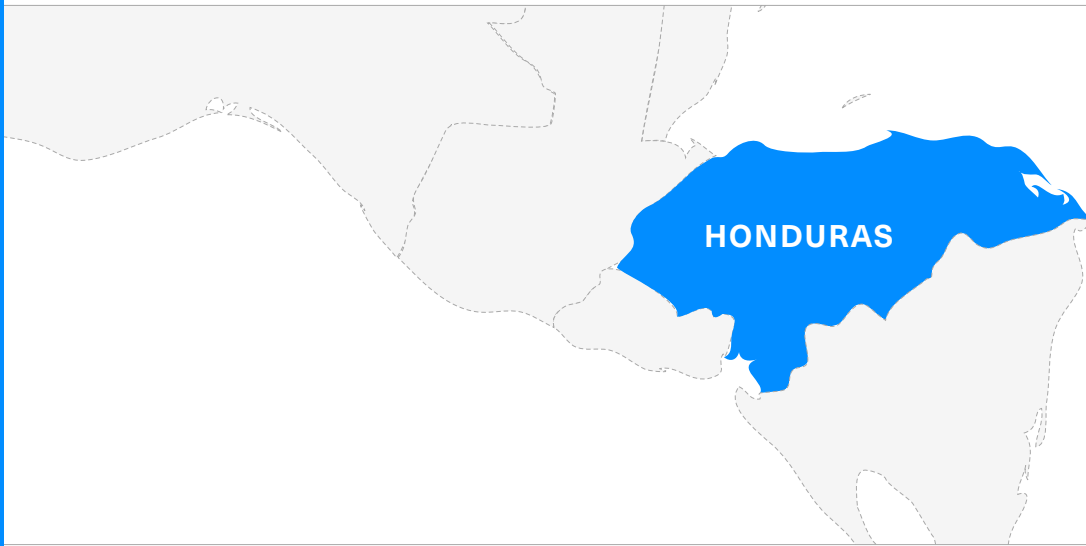
## **EL SALVADOR | COLLAPSING ECONOMY AND EXTREME WEATHER**

Since Bukele forced his country to make Bitcoin an official currency, El Salvador has [lost 37% of the value of its investments in the cryptocurrency](#)—the equivalent of \$45 million. Meanwhile, El Salvador's economy saw the greatest damage among its neighbors in Central America during the COVID-19 pandemic, with [poverty increasing by 6.5 percentage points](#). **Far from addressing the harms of the pandemic, Bukele's government underreported COVID-19 fatalities by two thirds to tout successful tackling of the virus, even though the Salvadoran public health system was collapsing.** Salvadorans continue to suffer while corruption persists in Bukele's government, with multiple members of his cabinet [sanctioned by the U.S. for money laundering, drug trafficking](#), and undermining democracy.

Democratic decline is not the only driver fueling the crisis in El Salvador, which has been [dangerously close to facing a water shortage](#). The United Nations has referred to the region spanning El Salvador, Guatemala, Honduras, and Nicaragua as the “Dry Corridor,” where [extreme weather events, displacement and insecurity have taken a heavy toll, impacting 8 million people](#). Despite El Salvador's unique vulnerability to climate disaster and displacement, the Biden administration's [extension](#) of El Salvador's TPS designation left anyone who entered after 2001 without access to this vital protection. Given the dangers Salvadoran nationals would face today if removed, it is time for the Biden administration to redesignate El Salvador for TPS.

The UN has referred to the region spanning El Salvador, Guatemala, Honduras and Nicaragua as the “Dry Corridor,” where [extreme weather events, displacement and insecurity have taken a heavy toll, impacting 8 million people](#).

# The Case for Redesignating Honduras for Temporary Protected Status (TPS)



Honduras was designated for TPS in 1999 due to Hurricane Mitch. Two decades later, Hondurans live with war-level violence, attacks on human rights and environmental defenders, and alarming rates of sexual violence and climate-fueled poverty—conditions that clearly qualify Honduras for a TPS redesignation.

## HONDURAS | “WAR-LIKE LEVELS OF VIOLENCE” AND HUMAN RIGHTS VIOLATIONS

Per the Norwegian Refugee Council, Hondurans suffer “[war-like levels of violence](#)” parallel to armed conflicts. Armed groups have forced Hondurans to face daily extreme threats or acts of violence, including sexual violence, forcible recruitment of children, and land theft.

*“The kinds of stories people have been telling me here in Honduras are similar to those from people in war-zones like Syria, Yemen, or Ukraine. Violence permeates the very fabric of life and forces tens of thousands to flee their homes.”*

— Jan Egeland, Secretary General of Norwegian Refugee Council following his visit to Honduras in April 2023

This violence is not alone in endangering lives. Per Amnesty International, Honduras’ new president, Xiomara Castro, has largely [failed to enact protections for human rights defenders](#) even in the face of a [pattern of killings of water protectors](#). From January through August 2022, the Office of the High Commissioner for Human Rights (OHCHR) reported 120 attacks on [human rights defenders, including 78 environment and land defenders](#). This rising death toll has also extended to the Honduran press, as Reporters Without Borders named Honduras one of Latin Americas’ [deadliest countries for journalists](#) in 2022.



Like El Salvador, Honduras has declared a state of emergency to curb violence that is spiraling into the “[militarization of public security](#),” per the United Nations High Commissioner for Human Rights. In parts of the country, the Honduran government also [suspended civil rights and used indefinite detention and torture](#) in the name of security.

***“Torture and cases of cruel, inhuman, or degrading treatment or punishment by government agents; harsh and life-threatening prison conditions; arbitrary arrest or detention...”***

— [Human rights issues in Honduras documented in the U.S. Department of State's 2022 Country Report on Human Rights Practices in Honduras](#)

## **HONDURAS | CLIMATE-FUELED WATER SHORTAGES AND WEAKENED STATE RESPONSE**

Climate change has had a devastating effect on Honduras' most vulnerable communities, [forcing people to migrate to avoid starvation and water shortages](#). The United Nations has also warned of Honduras' [high exposure and vulnerability to climate change, a prolonged drought that has fueled displacement, and contamination of the scarce water supplies](#) due to mining.

***“Honduras has recently experienced the worst droughts, hurricanes and floods in over 40 years.”***

— [Ian Fry, UN Special Rapporteur on the promotion and protection of human rights in the context of climate change in a statement September 27, 2023](#)

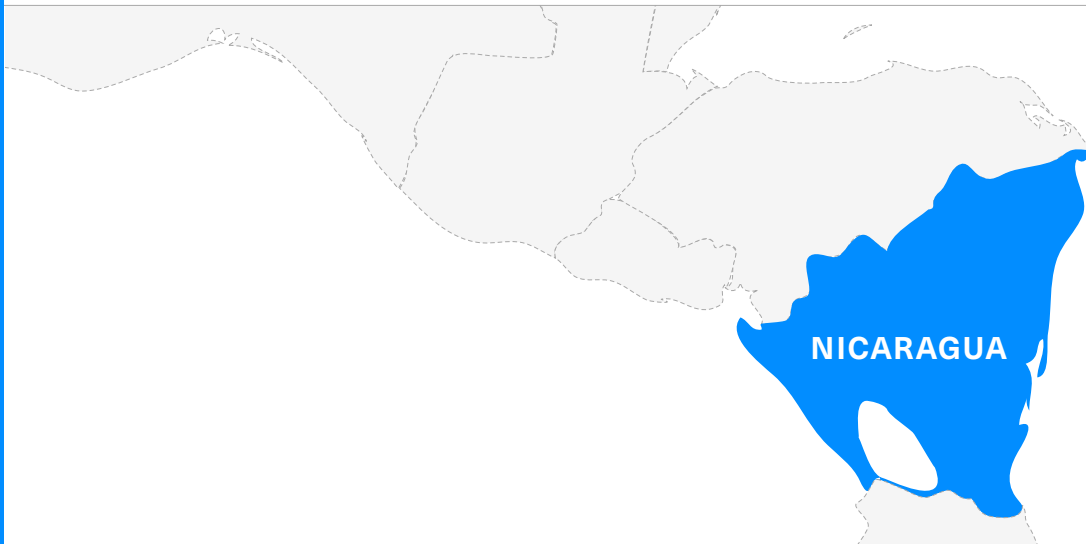
According to the [International Rescue Committee](#), Hurricanes Eta and Iota (which hit Honduras in November 2020) had a lasting impact on Honduras, leading to greater food scarcity “while weakening the state's capacity to cope with displacement.” In the face of these climate crises, stability eludes Honduras as it struggles with [endemic corruption](#). [Two ex-presidents have been indicted](#) for diverting public funds and money laundering, with one also being extradited to the United States under drug trafficking charges. Deporting Hondurans back to these circumstances all but guarantees they will face climate shocks alone, as the Honduran government continues to be unable to protect its nationals from those perils.

## **HONDURAS | FEMICIDE, FOOD INSECURITY, AND EXTREME POVERTY**

Honduras has the [highest rate of femicide in Latin America](#), with 4.6 women out of every 100,000 dying due to gender-based violence as of 2022. At the height of the COVID-19 pandemic, the UN called violence against women Honduras' “[shadow pandemic](#).” [Women are the head of households in three quarters of Honduran society](#), worsening the impact of such high levels of violence.

Honduras is also one of the poorest countries in the Western Hemisphere, with [more than half of the population living in extreme poverty](#). According to the UN in 2022, 35% of Honduras' population live in food insecurity, while [600,000 are in a situation of food emergency](#). Given these compounding crises, the International Rescue Committee classified Honduras in the [top 20 most at-risk countries](#) due to high violence, extreme climate, and the impacts of COVID-19 increasing humanitarian needs and perpetuating the displacement of individuals from their homes. [Hundreds of thousands](#) have been displaced due to these recent crises; however, none can currently benefit from the Biden administration's [extension](#) of Honduras' TPS designation, which only shields Hondurans who entered the U.S. by 1999. These conditions align with redesignation under Congress' definition of TPS, enabling the Biden administration to do so without delay.

# The Case for Redesignating Nicaragua for Temporary Protected Status (TPS)



Nicaragua was designated for TPS in 1999, like Honduras, due to Hurricane Mitch. Two decades later, Nicaragua continues to suffer environmental disaster, alongside a violent, autocratic regime and economic collapse. These dangers overwhelmingly make the case for Nicaragua’s redesignation for TPS, not merely an extension of the original 1999 designation.

## **NICARAGUA | CRIMES AGAINST HUMANITY**

In power for a decade and a half, Nicaraguan President Daniel Ortega has attacked his opponents, cracked down on all opposition, including the media, and led his nation to downfall in the face of natural disasters and economic woes. In 2018, mass demonstrations against Ortega turned deadly, when the Nicaraguan government [killed up to 535 people](#). 80,000 Nicaraguans fled for their safety, while Ortega [criminalized protesting](#). This was the first of many displacements, as hundreds of thousands have fled Nicaragua over the past few years while Ortega [stripped citizenship from hundreds](#) of political opponents before deporting them to the United States.

*“[The Nicaraguan government’s] violations and abuses are being perpetrated in a widespread and systematic manner for political reasons, constituting the crimes against humanity of murder, imprisonment, torture, including sexual violence, deportation, and politically motivated persecution. The Nicaraguan population lives in fear of the actions that the Government itself may take against them.”*

— Independent Human Rights Expert Jan Simon

Ortega's autocratic government has committed [widespread human rights violations](#). In 2018, independent experts concluded that Nicaragua's government committed [crimes against humanity](#), including [torture, arbitrary detentions, and more than a hundred executions](#). **Since then, Ortega ejected two monitoring bodies (the IACHR and UN Office of the High Commissioner for Human Rights).**

Nevertheless, the United Nations' Group of Human Rights Experts on Nicaragua continued to investigate and found that these crimes continue in 2023, while "[at least 3,144 civil society organizations have been shut down, and virtually all independent media and human rights organizations operate from abroad](#)." The ouster of media and civil society has only emboldened Ortega, who has imposed a new legal scheme "criminalizing those identified as political dissidents... and keeping dissidents in custody in dire conditions of detention" according to the [IACHR](#). The U.S. State Department has imposed sanctions on government officials in Nicaragua, including as recently as September 2023 and during a press conference on the State Department's country reports on human rights practices, Secretary Blinken [noted](#) that Ortega's "authoritarian government continues to detain political prisoners and hold them in appalling prison conditions."

*"The government of Nicaragua arbitrarily enforces laws for political purposes. Throughout Nicaragua, government officials and law enforcement continue to target those opposed to the rule of President Ortega."*

— U.S. State Department's Travel Advisory for Nicaragua

## NICARAGUA | HIGH VULNERABILITY OF HURRICANES AND CLIMATE DEVASTATION

Over twenty years after Hurricane Mitch devastated Nicaragua and displaced millions, hurricanes continue to pummel the fragile Central American nation. In 2020, two Category 4 hurricanes devastated the Central American nation within two weeks. Hurricane Eta first caused [\\$178 million in damage](#). Two weeks later, Hurricane Iota became the strongest hurricane in history to hit Nicaragua. Hurricane Iota caused such strong wind it [ripped away house](#) roofs "like they were made of cardboard."

*"We're searching for the remains of my father, who died four years ago. We feel that his soul is lost, that he keeps searching for his place of rest."*

— María Pereira, Indigenous Miskito Nicaraguan whose father's grave was upended by Hurricane Iota

Nicaraguans living in impacted communities, notably the Indigenous Miskito, wondered if rebuilding or relocating makes more sense, given the [Nicaraguan coast's high vulnerability](#) to extreme weather. Nicaragua has yet to recover from these environmental catastrophes, seeing ripple effects on its infrastructure, economy, employment, and housing. Even less severe hurricanes cause widespread disruption in Nicaragua. In 2022, Category 1 Hurricane Julia left a million Nicaraguans without power and displaced [13,000 families](#).

The Biden administration's [extension](#) of Nicaragua's TPS designation was merited but left anyone who entered after 1999 without access to this vital protection. In October 2023, [over forty members of Congress joined an urgent, bipartisan call](#) to the Biden administration to continue their successful use of TPS and to redesignate Nicaragua. Failing to redesignate Nicaragua for TPS leaves any Nicaraguan national who entered after 1999 at risk of removal to a brutal dictatorship committing crimes against humanity and ever-growing climate disasters.

# The Case for Redesignating Nepal for Temporary Protected Status (TPS)



Nepal was designated for TPS in 2015, after a massive and deadly earthquake. Today, Nepalis are subject to devastating climate shocks leading to food insecurity, a failing health system and economy, as well as political instability. Given these conditions, the Biden administration can redesignate Nepal for TPS, protecting Nepali nationals who entered after 2015 and are already contributing to U.S. communities.

## NEPAL | EXTREME CLIMATE AND COMPOUNDING FOOD INSECURITY

Since its TPS designation, Nepal has experienced multiple earthquakes in 2022 and 2023, including [six earthquakes in October 2023](#) that triggered landslides. Aftershocks have [forced people to leave their homes](#), while the full impact of the earthquakes remain difficult to assess. Tragically, on November 3, 2023 Nepal was [hit](#) with a magnitude 5.6 earthquake killing at least 157 people with many more injured and homes destroyed. Rescue operations are complicated by the fact that many of the mountainous regions afflicted by the earthquake are only reachable by foot and roads are [blocked by landslides](#). [Thousands of buildings have collapsed or become uninhabitable](#), only for a second earthquake of 5.6 magnitude to strike Nepal again days later.

*“Our situation has gotten so worse that we do not even have anything left to eat. Whatever food we had is buried underneath the rubble of our fallen house.”*

— [Samkhana Bika, who lost her home due to Nepal's November 3, 2023 earthquake](#)

Environmental hazards particularly harm [children and young people](#), who count for over half of those killed or injured in Nepal's tumultuous climate crises. During the monsoon season in 2020, Nepal experienced landslides and floods that [killed 155 people and affected](#)

6,000 families—only to experience severe drought the following year in 2021. Droughts in turn damage farmers' crops and accentuate Nepal's ongoing [food insecurity](#) and economic stability, while El Niño threatens to batter the surviving fields with erratic weather patterns.

Following 2022 predictions from the UN of up to [50% damage](#) to Nepal's paddy crops due to climate change, Nepal commissioned its first-ever nationwide survey of the impact of climate change on agriculture; a prior, more limited survey had already shown that 99% of respondents reported increased droughts in the past 25 years, while 97% reported increases in disease and sporadic rain. Indeed at the end of 2022, Nepal's paddy harvest produced 3.52 million tonnes of rice though it [needed 4 million tonnes to feed its population](#)—leading to a record deficit of 480,000 tonnes due to turbulent climate.

## **NEPAL | CRUMBLING HEALTH INFRASTRUCTURE AND MASSIVE ECONOMIC DECLINE**

Rapidly warming weather also [caused](#) Nepal's largest dengue epidemic in 2022. The World Health Organization reported that between January and September 2022, there were [28,109 suspected and confirmed cases of dengue fever including 38 confirmed deaths](#) and that the dengue epidemic had spread to all 77 districts in Nepal. Nepal's frail [health infrastructure](#) means there have been preventable deaths due to lack of timely access to healthcare. The COVID-19 pandemic already exposed how Nepal's health service was stretched [beyond breaking point](#). Following the 2022 dengue outbreak, a public health epidemiologist assessed: "The ongoing dengue epidemic shows that we [learned nothing from the Covid-19 pandemic](#)." Indeed, by October 2023, Nepal broke 2022's record with [41,857 cases of dengue reported](#) nationwide for the first 10 months of 2023, with 20 reported deaths.

***"The quality of the available health service is very poor, and in remote areas it is almost non-existent... We are not able to manage cases and prevent deaths."***

— [Dr. Keshab Deuba, an infectious disease epidemiologist](#)

During recent years, Nepal also witnessed a dramatic economic decline, with [34.6% fewer exports and 20.7% shrinking imports](#) in the 2022/2023 fiscal year so far. In 2022, Nepal's tourism revenue fell sharply while foreign reserves dropped by \$9.6 billion or 18%, prompting the government to [plead that foreign nationals deposit funds in Nepali banks](#) to mitigate the nation's economic crisis. This did not prevent Nepal's first recession in six decades in 2023, prompting the Kathmandu Post's characterization of the nation as "[technically bankrupt](#)" upon consulting with economists. According to the United Nations, Nepal is one of the many countries whose economies are highly [dependent on remittances](#) as much of its labor force sees [no economic future and faces the growing impact of climate change](#).

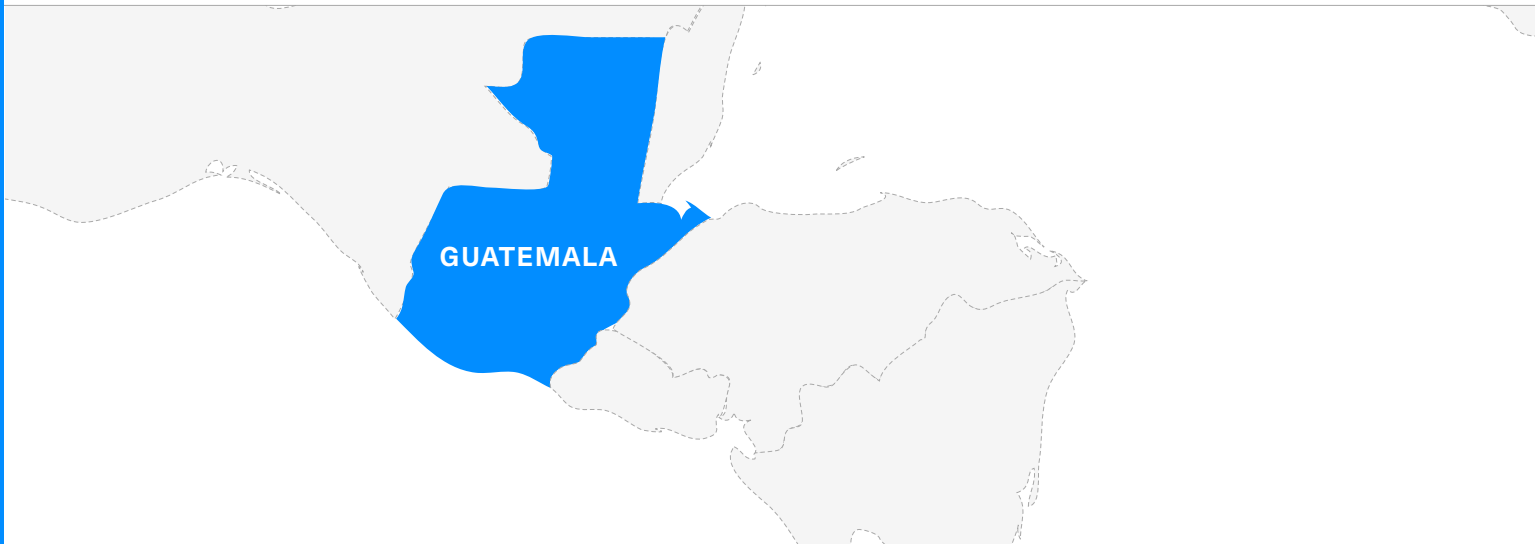
For years Nepalis have faced political instability due in part to the constant changes of government, leaving Nepalis further vulnerable to economic insecurity. In fact, Nepal has [changed government 8 times](#) in the last 10 years, and since 2008 [no government has completed its full term](#). As of December 2022, Nepal recorded a record [one million](#)

young people leaving Nepal over the prior three years. Nepal's inability to contain recent compounding crises spell deadly outcomes for countless Nepali nationals, forcing Nepalis to move to survive.

Although the Biden administration extended Nepal's TPS designation, Nepalis who have arrived since 2015 cannot seek TPS relief despite facing new, acute risks if deported back to their homeland. That is why in 2021, 81.5% of Nepali TPS holders reported concern for their and their family's physical safety if returned to Nepal, in a survey led by the Nepali community-based organization Adhikaar. The Biden administration should protect Nepali nationals in the U.S. from being returned to dangerous and unstable conditions, through a redesignation of TPS for the country.



# The U.S. Must Designate Guatemala for Temporary Protected Status (TPS)



Guatemalans in the United States have escaped persistent violence from armed groups, a deteriorating rule of law, and devastating humanitarian and natural disasters. The Biden administration should act quickly to protect these nationals through a designation of TPS.

## GUATEMALA | ARMED VIOLENCE AND IMPUNITY

Guatemala is facing widespread violence, where attacks on human rights defenders, women, Indigenous people, and individuals resisting armed groups are daily occurrences. Guatemala's impunity rate was almost **98%** in 2018 and **97%** in 2020. According to Guatemala's Unit for the Protection of Human Rights Defenders (UDEFEQUA), 2022 was the worst year on record for human rights defenders in Guatemala with **3,574 attacks against defenders, three times higher than the 1,020 reported in 2021 and the highest-ever recorded.** Among the many instances of violence against Indigenous communities, the UDEFEQUA report mentioned the attack on Q'eqchi human rights defenders and spiritual leader Adela Choc Cruz who was **taken hostage in May 2022 by armed assailants.** In a meeting with the Guatemalan Human Rights Commission, Ms. Cruz explained that the attack was likely linked to her involvement in the anti-mining movement in El Estor, a **municipality that is 90% Q'eqchi and suffers water contamination as a result of mining.**

Guatemalans continue to **lack access** to safety with a sharp increase of homicides in 2022. Individuals are often subjected to extortion, **forced affiliation** with armed groups and even murder.

***“Anyone who is considered an opponent of the regime is persecuted.”***

— Jorge Santos, Director of **Guatemala's Unit for the Protection of Human Rights Defenders following 2022 investigation into Guatemala's human rights record**

## GUATEMALA | DEMOCRATIC INSTABILITY AND CORRUPTION

Historic levels of corruption led the UN to mandate a unique anti-corruption commission for Guatemala between 2007 and 2019, the [International Commission against Impunity in Guatemala \(CICIG\)](#). The CICIG led a successful string of [prosecutions against high-level officials](#) accused of corruption, including former President Otto Pérez Molina and his vice president at the time, Roxana Baldetti, Supreme Court magistrates, and members of Congress. The recent [scrapping of the CICIG](#) has led to widespread physical danger for members of the press, human rights advocates, prosecutors and judges. Since then, Guatemala's new Attorney General Consuelo Porras has been [systematically dismantling the country's justice system](#), going as far as [suspending](#) a political party that led to the rise of President-elect Bernardo Arévalo, in an effort to set back the rule of law for decades to come. According to [Reuters](#), Porras is determined to either weaken Arévalo's presidency or prevent him from taking office altogether. The United States has sanctioned Porras for [undermining corruption investigations and democracy](#).

***“Many journalists reported being harassed, prosecuted, or having to flee the country after publishing work that was critical of influential citizens.”***

— [U.S. Department of State, 2022 Country Report on Human Rights Practices in Guatemala](#)

In October 2023, pro-democracy Guatemalans took to the street, facing [tear gas, machete attacks, and even gunshots](#) as they called for Porras' resignation and protested her attempts to undermine Arévalo's transition to presidential power. Porras, along with Guatemalan outgoing President Alejandro Giammattei called for protestors' street blockade to be met with state-sanctioned use of force. After a protester died and two were injured, the Guatemalan government's response showed no sign of de-escalation—with a [Cabinet minister resigning hours after condemning the violence](#) against protesters.

Guatemala's recent elections are not the first instance where corrupt prosecution has interfered with democracy. [Twenty-five judges and prosecutors, including the nation's lead anti-corruption prosecutor, have been forced to flee](#) Guatemala to avoid harassment, threats, or unfounded arrests. This is particularly alarming as anti-corruption prosecutors unveiled a web of illegal campaign financing schemes that [tied prominent political parties with organized crime and drug trafficking](#).

***The U.S. State Department advises Americans to reconsider travel to Guatemala, and prohibits U.S. government personnel and family from traveling throughout certain areas in the country.***

— [Guatemala Travel Advisory](#)

## GUATEMALA | CLIMATE AND HUMANITARIAN CRISES

Like El Salvador, Honduras, and Nicaragua, Guatemala is in the “Dry Corridor”—facing great risk of environmental disaster. Historically, [irregular floodings and severe droughts](#) have created extreme hardships for the regions’ inhabitants. Droughts were a pivotal factor driving large groups of families to relocate to the U.S. [between 2018 and 2019](#). Since 2020, the effects of climate change have compounded the already volatile weather conditions.

Hurricanes Eta and Iota were among [30 named storms and 13 hurricanes](#) during the 2020 Atlantic hurricane season—the most active season ever recorded. Most recently, [Tropical Storm Julia](#) in 2022 strengthened into a Category 1 hurricane causing 59,571 people to be evacuated, 1,557 houses had severe damage, 1,137 roads and 222 bridges were affected, and 20 roads and 49 bridges were destroyed. The hurricane claimed the lives of [28 Guatemalans](#). Most people are [forced](#) to leave their farms because they can no longer feed their families. In 2022, natural disasters damaged [30,000 homes](#), affected 325 schools, destroyed 20 highways and 70 bridges. **Despite facing the same climate disasters as its Central American neighbors, Guatemala has never received a TPS designation—even after the country requested one in 2005, 2008, 2010, 2013, 2018, and again in 2020 following the deadly duo hurricanes of Eta and Iota.**

Extreme weather has also affected food supplies. Between March to May 2022, over [3.9 million people](#) experienced acute levels of food insecurity. Today, Guatemala ranks among Latin America and the Caribbean region’s highest levels of poverty and inequality. [50% of the general population](#) lives in poverty: the World Food Programme approximates that [66% of civilians](#) live on less than \$2 USD per day. **Approximately 46.5% of Guatemalan children, and 80% of indigenous Guatemalan children, suffer from chronic malnutrition.** In fact, Guatemala ranks [first in Latin America and sixth in the world](#) for cases of child malnutrition. In 2022, UNICEF reported that [44% of Guatemalan children have seen their growth stunted due to malnourishment](#).

*“It is worse than ever, people in the countryside are starving.”*

— Donald J. Planty, former U.S. ambassador to Guatemala

Under these conditions, Guatemalans cannot return home safely. As Guatemala stands at the brink of political, climate, and poverty crises, its nationals in the United States urgently need TPS protections. The Biden administration must designate the country for TPS to ensure Guatemalans in the U.S. do not become entrapped in the spiraling violence and humanitarian crises that awaits them if they are deported.

## **The Biden Administration Must not Return Salvadorans, Hondurans, Nicaraguans, Nepalis, and Guatemalans to Danger**

Since the creation of the program three decades ago, TPS designations under both Democratic and Republican administrations have shielded immigrants from returning to violence, climate catastrophe, and humanitarian crisis.

The conditions in El Salvador, Honduras, Nicaragua, Nepal, and Guatemala give the Biden administration **full justification to redesignate these countries for TPS—or in the case of Guatemala, finally designate the nation for TPS.**

- A statutory ground for TPS is the presence of armed conflict or serious threats to personal safety; whether through war-like levels of violence, militarized security forces, or extrajudicial killings and arbitrary detentions. This threat is prevalent among these countries.
- Environmental disasters, including epidemics, are another basis for TPS designation—and a prominent threat to daily life for all Central American nationals of the infamous Dry Corridor and Nepal, with its extreme climate manifestations such as hurricanes, earthquakes, landslides, droughts, and dengue epidemics.
- Finally, all these nations face extraordinary human rights violations and humanitarian crises, which separately entitle them to TPS designations—from authoritarian crackdowns on media, the judiciary, and opponents; alarming rates of femicide and sexual violence; widespread attacks on environmental defenders and Indigenous people; to the collapse of health care and the economy, as well as access to food and clean water.

These grievous conditions have led scores of lawmakers to call for TPS (re)designations of these countries. [Over 100 U.S. Senators](#) and [House members](#) and the [Congressional Hispanic Caucus](#) have urged the Biden administration to (re)designate these countries. They have shown [bipartisan support](#) and joined [local mayors](#) and [elected officials](#) and over [400 civil rights and immigrant rights advocates](#) who called on the Biden administration to (re) designate all five nations.

***“We have made the U.S. our home, and we are here to stay.”***

— [Keshav Bhattarai, lead plaintiff in litigation against the termination of TPS for Nepal](#)

Expanding TPS to more people from these countries is popular with the American electorate and will provide immediate humanitarian relief to hundreds of thousands of individuals and families, while simultaneously [reducing costs](#), [fighting inflation](#), strengthening the U.S. labor force, and supporting and empowering American cities and states, while [reducing future forced migration](#).

Redesignating El Salvador, Honduras, Nicaragua, and Nepal, and designating Guatemala for TPS would bring life-saving, transformative protection in alignment with Congress’ express vision and definition of the program. The Biden administration can and must use their clear legal authority to issue these (re)designations. Morally, economically, and legally, it is the right thing to do.