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Easy Prey: Criminal Violence and Central American Migration

Massive deportations from Mexico and the U.S. have not stopped Central Americans fleeing endemic poverty and epidemic violence. Erecting more barriers and forcing migrants and refugees underground deepens the humanitarian crisis - and strengthens the illegal networks turning much of Central America into a criminal battleground.



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Executive Summary

Massive deportations from Mexico and the U.S. have failed to stem the tide of Central Americans fleeing endemic poverty combined with epidemic violence. Stepped up enforcement has diverted undocumented migration into more costly, circuitous and dangerous channels. Criminal gangs and the corrupt officials who enable them are the beneficiaries of a policy that forces desperate people to pay increasing sums to avoid detention, extortion or kidnapping. Beefed-up border control inadvertently fuels human smuggling and fortifies criminal gangs that increasingly control that industry. Governments must guarantee those

fleeing violence the opportunity to seek asylum through fair, efficient procedures, while launching a major regional effort to provide security and economic opportunity in home countries. Central American leaders, especially in the northern triangle of El Salvador, Guatemala and Honduras, must in turn address chronic insecurity more effectively while monitoring and assisting those deported, especially children and adolescents, so they have an option other than fleeing again.

The humanitarian crisis of 2014, when the U.S. struggled to cope with a surge of undocumented migrants, especially unaccompanied children, was never resolved. It was just pushed southwards. In fiscal year 2015, Mexico returned 166,000 Central Americans, including some 30,000 children and adolescents, while the U.S. deported over 75,000. But the Mexican government's capacity to control the flow of migrants and refugees is reaching its limit. Many see Mexico as their destination, not just the country they cross in transit to the U.S. Asylum petitions have more than doubled, straining capacity to process them fairly and efficiently. Though the acceptance rate has increased in 2016, it remains inadequate to protect the men, women and children whose lives and livelihoods are threatened by the criminals who dominate many impoverished communities.

“Beefed-up border control inadvertently fuels human smuggling and fortifies criminal gangs that increasingly control that industry.”

Migrants from both Mexico and the northern triangle of Central America (NTCA) region have long fled poverty to seek a better life abroad, sending home remittances that are a major source of foreign exchange and a crucial prop for their home countries' economies. However, Mexico and the U.S. treat what is now in large part a violence-driven refugee crisis as if it were still solely an economic migration problem. Many victimised today by economic deprivation and social exclusion also face persecution by organised criminal groups, from neighbourhood gangs to transnational drug traffickers. Forced displacement is increasingly widespread, as violence reaches civil-war levels. About 150,000 people have been killed in the NTCA since 2006, an average of more than 50 homicides per 100,000, more than triple the rate in Mexico (where killings have soared since 2007) and more than ten times the U.S. average.

El Salvador became the most violent country in the western hemisphere in 2015 with a staggering murder rate of 103 per 100,000 people, while

Honduras suffered 57 per 100,000 and Guatemala 30 per 100,000. Young people are the most vulnerable to violence, as both perpetrators and victims. The proportion of homicide victims under age twenty in El Salvador and Guatemala is higher than anywhere else in the world. No wonder that 35,000 children and adolescent migrants were detained in Mexico in 2015, nine times more than in 2011.

Those escaping violence at home are targeted again as they flee. Ideal victims, many have relatives who can be stung for ransom payments; lacking legal status, they are less likely than locals to report serious crimes like assault, extortion or kidnapping. They are also vulnerable to trafficking: the sex industry along the Mexican/Guatemalan border is largely driven by supply of migrants, especially adolescents, some of whom are held in virtual debt bondage to traffickers. A recent study, estimating that for every reported case there were 30 hidden victims, put sexually-exploited victims in Guatemala alone at nearly 50,000.

Guatemala has acted against human trafficking, including creating a special prosecutorial unit that, however, lacks staff and resources to be effective beyond the capital. Mexico has specialised units to investigate crimes against migrants, including a new one in the federal prosecutor's office, but lack of information and resources again hampers efforts. Prosecutors should work with migrant shelters and other NGOs to encourage violent crime and official abuse victims to come forward, with guarantees of humanitarian protection and financial aid.



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Past 3 yrs: some 50k murdered in Northern Triangle. More homicides than #US, which has more than 10 times pop. - @MarkLSchneider #ICGReport

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The region already has relatively robust legal frameworks to protect refugees: the countries of Central and North America either signed the 1951 convention on refugees or its 1967 protocol and have asylum systems in place. Mexico has been at the forefront of international efforts to protect refugees: its diplomats promoted the 1984 Cartagena Declaration on Refugees, which expands the definition to those fleeing “generalised violence”. To offer effective protection, however, capacity must be expanded to process asylum requests quickly and fairly. The countries should also refrain when possible from holding asylum-seekers in detention, which can deter those most in need – families and unaccompanied children – from seeking help.



1 AUGUST 2016

“Undocumented migrants make perfect victims. Fearful of authorities, they are highly unlikely to report even violent crimes, such as robbery or rape.”

Los Angeles Times [🔗](#)

Mary Speck
Former Senior Analyst, Mexico

Mexico cannot shoulder the refugee problem alone; genuine regional sharing of responsibility is essential. Guatemala must also provide better safety and shelter to those in transit and combat human trafficking. The U.S. should step up legal, economic, medical and psychosocial support for international agencies, government institutions and local NGOs that work with refugees. Despite unabashed hostility from some political sectors to migration from Central America and Mexico, it should explore bringing more refugees, especially children, directly to the U.S., so they avoid a dangerous journey, and consider temporarily halting deportations of youths who risk becoming victims or members of gangs. Erecting more barriers and forcing migrants and refugees further underground has exacerbated the humanitarian crisis, strengthening the illegal networks that have turned much of Central America into a criminal battleground.

Recommendations

To protect the lives and rights of Central American migrants

To the government of Mexico:

1. Recognise that migrants, especially children and families, must not be returned to Central American communities where their lives and freedom could be in danger; so expand the capacity of the Commission for Refugee Assistance (COMAR) to evaluate asylum petitions, based on the 1951 Refugee Convention and 1984 Cartagena Declaration, as incorporated in Mexican law.
2. Work with the UN High Commissioner for Refugees (UNHCR) to implement protocols allowing migration agents and other government officials to seek out those needing protection, especially in border areas and migrant

detention centres.

3. Provide alternatives to detention in consultation with civil society and community leaders, so families seeking refugee status can remain together and vulnerable groups – such as unaccompanied minors, women and lesbian, gay, bi- trans- or inter-sexual (LGBTI) individuals – receive adequate assistance and protection.
4. Offer “Visitor for Humanitarian Reasons” status, commonly known as humanitarian visas, to applicants for asylum, allowing them to accept formal employment and move freely within the country.
5. End the impunity of criminals and corrupt officials who target migrants by:
 - a. working with humanitarian agencies, shelters, and other NGOs to protect migrants who have been victims of or witnesses to violent crime, abuse or corruption, encouraging them to report crimes and serve as witnesses and informing them of their right to humanitarian parole and protection; and
 - b. expanding special state and federal prosecutorial units to investigate crimes against migrants, and working with shelters and human rights groups to identify victims of violent crime or official abuse; such units should also work closely with state special prosecutors for migrants and the federal organised crime unit, prioritising and monitoring the investigation of official corruption and violent crime, such as kidnapping.

To the governments of Guatemala, Honduras and El Salvador:

6. Provide adequate support for and monitoring of deported migrants, especially children, including security and enhanced screening to identify and provide follow-up aid to those needing particularly education and job opportunities.
7. Work with the UNHCR to establish in-country centres in Mexico and other transit and destination countries, where those fleeing violence can petition for refugee recognition

and be screened for third-country resettlement.

8. Expand prosecutorial capacity in Guatemala to investigate human trafficking for sexual exploitation, especially in border areas; and work with shelters and human rights groups to encourage Central American victims of trafficking networks to report abuse.
9. Protect trafficking victims from involuntary deportation, providing resettlement assistance and counselling when necessary; and reunite children and adolescents with their families, if feasible, or refer them to specialised institutions able to provide the required medical and psychosocial care.

To the government of the U.S.:

10. Step up and expand in-country processing for refugee status or humanitarian parole of Central Americans with protection needs, particularly minors; explore accelerating the asylum process; and give adequate shelter to those awaiting decisions.
11. Work with the UNHCR to establish processing centres in Mexico and Central America so that those forcibly displaced can seek U.S. refugee recognition from the safety of neighbouring countries.
12. Give COMAR financial help and training, especially to expand regional offices; and set up mobile units along the border and migration routes.
13. Assist Mexican authorities and NGOs with programs to help integrate refugees, including initiatives to help them find health care, training, employment and psychosocial support, when necessary.
14. Address the push factors that impel Central Americans to leave the northern triangle by extending support for the Alliance for Prosperity for five years, with targeted programs to address community violence prevention, institutional reform and poverty.
15. Help regional governments replicate effective community-based violence prevention programs, partner with the

private sector to create jobs and undertake police and justice sector reforms like those exemplified by the International Commission Against Impunity in Guatemala.

16. Halt deportation of undocumented youths by offering Temporary Protected Status (TPS) until countries of origin have effective education and job training programs; and provide resources to that end, so as to avoid sending them back to violent neighbourhoods where they risk forced gang recruitment.

Mexico City/Guatemala City/Bogotá/Brussels, 28 July 2016



In fiscal year 2015, Mexico returned 166,000 Central Americans, including some 30,000 children and adolescents, while the U.S. deported over 75,000. PIXABAY/tmeier1964

I. Introduction

One of the world's busiest migration corridors runs from Central America through Mexico to the U.S. Some twelve million Mexicans live abroad – the largest diaspora in the world after India's – alongside 1.5 million migrants from the countries of the northern triangle of Central America (NTCA): Guatemala, Honduras and El Salvador.¹ Most of these expatriates reside in the U.S., sending home remittances that provide much of the region's foreign exchange. While Mexican migration has slowed in recent years (with more returning than leaving), Central American migration into Mexico has surged. Many are in transit, pulled toward the U.S. by the lure of family reunification and the hope of better-paying jobs. Increasing

numbers, however, say they are running from soaring criminal violence that has turned much of Central America's northern tier into a virtual war zone in which traffickers compete to control drug smuggling routes, and street gangs fight to dominate the retail drug trade and extortion rackets.

Over the past decade, about 150,000 people have been killed in the NTCA, making the region one of the world's most violent. El Salvador had the highest murder rate in 2015: 103 per 100,000 people. ² After a truce between major gangs started to collapse in 2013, the numbers shot up, doubling in two years, although violence has declined in 2016. ³ Honduras faces a combination of street gangs in urban areas and drug traffickers along the Atlantic coast and northern border who transport South American cocaine en route to the U.S. Though murders have declined over the past two years, they remain among the world's highest at 57 per 100,000. Youths are the most vulnerable to violence. El Salvador and Guatemala, according to a 2014 study, have the world's highest homicide rates among children and adolescents. ⁴

Guatemala has seen sustained progress, with a rate that has declined by one-third since 2009. Even so, it has 30 homicides per 100,000. On average, the three countries suffer over 50 homicides per 100,000, more than triple the rate in Mexico (where killings have soared since 2007) and more than ten times the U.S. average. ⁵ Violence is combined with pervasive poverty: more than half the population in Guatemala (62 per cent) and Honduras (59 per cent) and about a third (31 per cent) in El Salvador live on less than \$4 a day. ⁶

This report examines one of the most tragic human consequences of the NTCA's social, institutional and economic failures: the massive emigration of citizens who leave not just seeking a better life, but in many cases to save their lives. It is based on dozens of interviews with officials and experts in Mexico and Guatemala, including with aid workers, activists and local officials along the common border. It is also based on testimony of migrants themselves about the dangers in their countries of origin and on their journeys. The first section explores conditions along a historically porous border, the estimated dimensions of the flow of irregular migrants and refugees and the push/pull factors behind Central American migration, including how organised crime generates forced displacement. Then it looks at how criminal groups, including human trafficking networks, exploit migrants and refugees on their way through Guatemala and Mexico. The final sections analyse the region's response to the humanitarian crisis, whether through inadequate asylum systems or meagre protection for deported migrants. ⁷

II. The Open Border

Central America and Mexico share a 1,149km frontier that stretches from the Pacific Ocean to the Caribbean Sea, through some of the region's most impoverished territory, where there is little infrastructure or formal employment. Part of the 956km Mexico/Guatemala border winds along two narrow rivers, the Suchiate to the south west and the Usumacinta further north. The remaining 193km follow the Rio Hondo River, which divides Mexico from Belize. ⁸ Mexico has four states along its southern border, of which Chiapas is the largest and the country's poorest: approximately half its population survives on daily income of less than \$2.60. ⁹ The departments on the Guatemalan side (San Marcos, Huehuetenango, Quiché, Alta Verapaz and Petén) are also predominantly poor, suffering from high rates of extreme poverty and malnutrition. ¹⁰ In both countries, poverty is most prevalent in rural, indigenous areas. The border region is largely Maya, with residents on both sides sharing common native languages, especially Mam.

A. Documenting the Undocumented

Up to 400,000 irregular migrants cross from Central America into southern Mexico each year. ¹¹ Exact numbers are difficult to determine. A network of shelters, largely funded by religious and other civil society organisations that operate along migrant routes, provide some monthly data, but only a portion of those traveling north stay in shelters. Another source are the monthly numbers provided by Mexico's National Migration Institute (INM in Spanish), which registers all those detained and deported. In theory, massive deportations from Mexico and the U.S. – along with information campaigns in Central America aimed at dissuading would-be migrants from a long, costly and dangerous trek north – should be reducing the numbers entering Mexico. ¹²



"La Bestia"

A campaign by the U.S. Customs and Border Protection included producing a hit 'corrido' (ballad) about the dangers faced by migrants.
YouTube

The number of undocumented migrants detained in Mexico has soared over the past four years, however, rising to 190,366 in 2015 from 66,583 in 2011. Nearly 90 per cent of those detained in 2015 were from the NTCA. Increasingly they are women: 14 per cent of the total in 2011 and 24 per cent in 2015. Most alarming are the large numbers of undocumented NTCA migrants younger than eighteen. In 2011, Mexico apprehended some 4,000 adolescents and children from northern Central America. That rose to about 23,000 in 2014 and nearly 35,000 in 2015. An

increasing proportion are girls: 24 per cent in 2011 and 35 per cent in 2014. About half these children were registered as travelling through Mexico unaccompanied, ie, without an adult relative or other guardian. ¹³

Some of these numbers may represent migrants who have made multiple attempts to enter Mexico. However, massive deportations – justified by the U.S. and Mexican governments as necessary to prevent uncontrolled population movements and deter future clandestine migration – are not significantly stemming the flow. More than 80 per cent of those detained by Mexico's INM since 2011 have been returned to countries of origin. In 2015, such deportations of Guatemalans, Hondurans and Salvadorans exceeded 165,000, more than twice the number the U.S. deported to the NTCA that year. ¹⁴

Nonetheless, the flows continue. Shelters in both Tabasco and Chiapas reported that the number of migrants by mid-2016 was approaching or exceeding levels seen during 2014. ¹⁵ The flood strains Mexican authorities' capacity. Their largest migrant detention centre, Siglo 21 in Tapachula, is built for about 960 but often houses more than 1,000, according to human rights activists. ¹⁶ Mexico detained tens of thousands of migrants in the first four months of 2016, including about 54,000 adults and 9,900 children. That is down 14 per cent from the same months in 2015 but well above the 34,000 detained in the same period of 2014. ¹⁷ Unaccompanied minors and families declined sharply on the U.S. border in late 2014 and early 2015 but began to rise again in 2016. As of June, U.S. agents had apprehended 196,000 irregular migrants on the south-west border, including nearly 56,000 unaccompanied children and family members, considerably more than the 166,000 undocumented persons detained in 2015's first semester, but lower than the 285,000 in the same 2014 period when the surge was peaking. ¹⁸

B. Everyday Contraband

Contraband is a way of life on the border, which in addition to eight official posts has more than 50 unofficial vehicular crossings and uncounted pedestrian pathways. ¹⁹ Depending on variations in the Mexican peso's value and the Guatemalan quetzal's, residents smuggle a variety of basic goods. Inner-tube rafts shuttle all day through the busiest crossing, Ciudad Hidalgo/Tecún Umán. From Mexico, they are loaded with beer and soft drinks, sacks of rice, cartons of toilet paper and disposable diapers. From Guatemala, they carry passengers, including shoppers, informal day-labourers and street vendors, who pay fifteen pesos (about \$0.80) to cross

illegally. On a June 2016 morning, more than two dozen rafts poled across the shallow river, while sparse traffic used the nearby pedestrian and vehicular bridge that was the official crossing. ²⁰

To the north east, at El Ceibo, a station between Mexico's Tabasco state and Guatemala's Petén department, it was similarly easy to bypass official procedures on a May afternoon. Offices on the Guatemalan side were in a trailer, powered by a sputtering generator. On the Mexican side, newly built immigration and customs offices were nearly empty. Two migration agents watched as people crossed a field below the station and through some jungle into Mexico. "They're Guatemalans walking to Mexico to buy something or visit family", one shrugged. "They could get a visitor's pass, but they don't bother". ²¹

For residents on both sides, "the border doesn't exist". ²² Migration and customs officials seem to turn a blind eye to the bustling traffic and undocumented migrants who slip across among the smugglers and day-labourers. Instead of policing the frontier, Mexican enforcement tightens further inside Tabasco and Chiapas states, where the federal government is building five customs, migration and security check-points. ²³ For migrants, the greatest threats are the INM mobile units, paddy wagons known as "volantas". By law, only unarmed migration agents, not police, are allowed to detain undocumented migrants, unless they are caught or suspected of committing a crime. Police can also be called in for backup, if migrants resist detention. ²⁴



Tecún Umán, Guatemala's Busiest Border Crossing

In this video, Crisis Group Guatemala Analyst Arturo Matute shows how the inner-tube rafts shuttle all day through Guatemala's busiest border crossing, Tecún Umán. CRISIS GROUP

In contrast to Mexico's northern border, where traffickers have engaged in brutal turf wars, the southern border is relatively peaceful. ²⁵ Because it is easy to move drugs through sparsely populated, heavily forested areas, there is little need for traffickers to defend their clandestine routes. Nor is there a large retail market for drugs, defended by well-armed, local street gangs. ²⁶ The ingredients that have led to criminal explosions in certain regions of Mexico and Central America – sudden supply or demand changes, a competitive retail market, increased military or police enforcement – are largely absent in south-eastern Mexico/north-western Guatemala. There is no need to fight for control of a porous border, said a former Mexican intelligence official, where there is ample space for competing smugglers to operate quietly without drawing unnecessary attention. ²⁷

That translates into homicide rates in these border states or departments that are below national averages in Mexico and Guatemala. Some observers, however, believe violent crime there may be severely underreported, first, because the largely indigenous population distrusts the authorities, and secondly, because many victims are outsiders: the scores of thousands or hundreds of thousands of undocumented migrants who cross into Mexico annually. Fearful of detection, few migrants report assaults, extortions or kidnappings.

C. Detention or Shelter

A top INM official said the institute put a high priority on human rights protection, including providing UN information on the right to asylum (see below). Women with small children are housed apart from men; unaccompanied minors receive shelter from the federal family development agency. But, he admitted, institute resources were “not sufficient” to deal with the numbers now crossing the border. Others, such as Humberto Roque Villanueva, deputy interior minister responsible for migration, also warned Mexico was “at the limit of our resources”. ²⁸

Instead of discouraging undocumented migrants, said a shelter director, deportations have made them even more afraid of migration agents and other authorities, forcing them onto more isolated and potentially more dangerous routes. Migrants reported walking for hours along remote paths

from the border to avoid migration authorities. ²⁹ What enforcement has done, according to a shelter director, is “make migrants more vulnerable, more invisible, more trafficked”. Nonetheless, many feel not migrating is even more dangerous. “We can’t forget what has happened in their own countries, where the social fabric is broken. However dangerous the journey, it is safer than staying home”. More families are leaving together because they are “afraid to leave their children behind”. ³⁰

Those who escape detention can rely on a network of shelters funded by Catholic religious orders and parishes. Some of the larger, such as La 72 in Tenosique, Tabasco, receive funding and services from international agencies and NGOs. Others depend on donations from locals as poor as the migrants themselves. Farmers in Macuspana, Tabasco, set up a shelter next to the chapel, along a bend where the cargo trains tend to slow down, allowing migrants to get on and off. When the shelter began in 2006, it gave food to perhaps ten migrants at a time; by 2014, it was hosting dozens almost nightly. Many now arrive after walking days for fear of being caught by authorities or extorted by criminals on the train. Most meals consist of plantains, yucca and beans grown by local ejidatarios (communal land holders) or donated by the parish. They get a pallet to sleep on, a place to wash and two meals a day, according to María Antonia Falcón González, who, with her daughter, cooks every day for migrants, often using food grown on her family’s plot. “We are just doing what the Bible says: welcoming strangers”. ³¹



The cargo train known as "La Bestia" departs Tenosique in the southern Mexican state of Tabasco with Central American migrants heading further north. CRISIS GROUP/Mary Speck

III. Push and Pull

Central American migrants express multiple reasons for leaving: most want better jobs so they can support family members at home. Many want to join parents or other close relatives in the U.S. The majority are young men of working age, often with families to support at home. Some are agricultural workers seeking seasonal work. Others intend to move abroad for a few years, earn enough to put children through school and then return. Violence was a recurring theme in the stories of migrants interviewed in three shelters along the Mexico/Guatemala border. Poverty was “bearable”, said a woman, but “you can’t live in fear”.

“It used to be peaceful in the cantones (small towns), said Reina, a woman that fled from central El Salvador with her sister and their three young children. “Now there are gangs everywhere. Only the rich people are safe”.”



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- **Cindy**, 23, from San Pedro Sula, walked all night from the Mexican/Guatemalan border, through thick brush that left her neck and arms covered in scratches. Her father was unemployed and her mother had kidney disease, leaving the single mother the family’s sole breadwinner. She hoped to bring her children, four and five, from Honduras once she finds work in Mexico or the U.S. Gangs recruit children as young as six or seven as lookouts, she said. “They go for the brightest boys and prettiest girls. It breaks my heart”.
 - **Aracely**, 25, left five- and seven-year old sons with relatives in the Atlantic-coast department of Colón, Honduras on a third attempt to reach the U.S. after deportations from Mexico. Her family’s troubles began after relatives got involved with illegal drugs. Rival traffickers murdered an uncle, a drug transportista (courier), then shot her brother and husband. She knows who did it, but will not report them: “When narcos kill, no one can say anything”.
 - **Maynor**, 30, walked for nearly two days through jungle before reaching a shelter. The trek destroyed his shoes,

forcing him to hobble during the final hours on blistered, bleeding feet. He drove a Tegucigalpa taxi, but half his income went to gangs for protection. “We taxistas are screwed”, he said. “You either pay the marerros (gangsters) or they kill you”.

“Violence was a recurring theme in the stories of migrants interviewed in three shelters along the Mexico/Guatemala border.”

- **José, 21**, left San Salvador with his nineteen-year-old wife and year-old son. A street vendor, he witnessed a gang shooting. “They told me to get out”. The family sold their most valuable possessions – a bed and a motorbike – but the money only got them to southern Mexico. “We’ll stay here if we can. We don’t have any family up there [in the U.S.]”.
- **Alex, 46**, worked in construction in Sonsonate, El Salvador, but when jobs dried up in his home town, he feared looking for work elsewhere in the country. “You can’t work anywhere without permission from the local gang”. So he plans to move to New Jersey, where he lived more than a decade ago, sending money home to raise his now-grown children. “I never wanted to go back”, he said, citing the journey’s increased costs and dangers.
- **Diana, 31**, a transsexual, has fled twice: from San Salvador to escape a violent ex-lover with gangster connections, and from a neighbouring town after witnessing the murder of a fellow transsexual. Since arriving in Mexico – working at bars to support herself – she has been beaten and robbed three times.
- **Reina, 30**, fled from a small town in central El Salvador with her sister and their three young children. Problems began after gangs moved in, taking control by terrorising residents. The gang threw a homemade bomb into a neighbour’s house, killing four. It shot her brother, considered an “enemy” as a former soldier, and warned the rest of the family to scatter. It used to be peaceful in the cantones (small towns), she said. “Now there are gangs everywhere. Only the rich people are safe”. 32





Voces rescatadas de Tapachula, Mexico CRISIS GROUP/ Rafael Rodríguez

These accounts are typical for many who flee. A 2015 UN survey of 160 Central American and Mexican women seeking U.S. asylum found 85 per cent described living in neighbourhoods controlled by gangs; 64 per cent had been targeted by direct threats or attacks or lost a close relative; 62 per cent said they regularly saw dead bodies in their neighbourhoods. About 60 per cent said they had reported attacks to police or other authorities, though none expected adequate protection from authorities, and 10 per cent felt government officials were liable to cause harm. The report warned that lesbian, gay, bisexual, trans- or inter-sexual (LGBTI) individuals may be especially vulnerable targets for gang violence. 33

A 2014 UN study of more than 400 unaccompanied or separated migrant Central American and Mexican children held in U.S. detention found more than half cited violence as a reason for leaving home, predominantly criminal violence but also domestic abuse. Those most likely to cite violence in society were Salvadoran and Mexican children (69 and 60 per cent respectively), followed by Honduran (43 per cent) and Guatemalan (20 per cent). The report concluded that while the children cited multiple reasons for leaving their countries, most also needed international protection from violence. 34 While children may cite their desire to reunite with parents as the primary reason for emigrating, fear of violence is often the immediate cause, a study of Salvadoran children found: “Most referenced fear of crime and violence as the underlying motive for their decision to reunify with family now rather than two years in the past or two years in the future”. 35

Analysis of 2014 data from the Latin American Public Opinion Project (LAPOP) also found a strong relationship between crime victimisation and migration intentions from El Salvador and Honduras. Only in Guatemala, where violence has recently declined, was there no significant correlation.

Even so, Guatemalans who had been victims more than once were more likely to plan to migrate in the near future. Those intending to go to the U.S. were well aware of risks. A survey found that 85 per cent of 3,000 Hondurans believed crossing the border was more dangerous than previously; 79 per cent knew deportations had increased. Knowledge of the risks “played no significant role in who had plans to migrate and who did not have such plans”. The “critical predictor” of intentions was “direct experience with crime”, especially in Honduras and El Salvador. ³⁶



Migrants, especially women and children, are especially vulnerable to sexual exploitation by criminal networks. FLICKR/Víctor Hugo García Ulloa

IV. Dangerous Passage

Migrants have long clambered aboard aging cargo trains known collectively as “La Bestia” (the Beast) that head from southern Mexico toward the U.S. ³⁷ The tracks lead north from the southern border states of Chiapas and Tabasco, converge in the Gulf Coast state of Veracruz, then split again in Mexico City on their way toward the border cities of Nogales, Ciudad Juárez and Reynosa. ³⁸ On a typical May 2016 morning, about two dozen migrants, mostly men but also a few women, including a mother with an infant, could be seen climbing onto the train in Tenosique, Tabasco, standing on small platforms between the cargo cars or perched precariously on the roof. ³⁹ La Bestia is the last-resort transportation for the poorest travellers, who pay gangsters some \$100 each to board. Some migrants said Central American maras (street gangs) controlled access to the train along the border. Others spoke of members of the Zetas, a hyper-violent drug cartel that dominates drug trafficking and other rackets along much of the Gulf Coast. ⁴⁰

La Bestia carries far fewer undocumented passengers than two or three years ago, when its roofs were jammed. Migrants say riding it is now riskier: police and migration agents monitor the route more closely, and the locomotives often run faster, making it more dangerous to get and stay on. More than 100 migrants have lost limbs in accidents since 2012.⁴¹ Though the trains have come to symbolise the hazards of Central American migration, they were never the only or even principal means for traversing Mexico.⁴² Most migrants use a variety of other means – buses, private vehicles, truck trailers – to journey north. Some veteran migrants say that a decade ago they only needed to contract a guide to slip over the U.S. border.⁴³ Today, crossing Mexico requires a network of guides and informants, able to navigate through both official obstacles and criminal territories.⁴⁴

A. People Smuggling

Migrant smugglers – called coyotes or polleros (chicken herders) – were often trusted members of the local community who worked for a relatively modest fee.⁴⁵ Today they are part of a larger structure that may move up to 200 migrants at a time, though in smaller groups of ten or so. Some migrants say these networks charge about \$5,000-\$7,000 to reach the U.S. That price often includes three attempts, in the event that the client is detected by the INM and deported. Migrants with deeper pockets – such as Asians attempting to enter the U.S. from Mexico – might pay double or triple.⁴⁶ Central American families pool resources and go into debt to send children and women by safer routes, paying for travel by car or bus, sometimes with false documents.⁴⁷ The higher price may even include a guarantee the child will be delivered to a family member. To pay off that debt, other family members may feel impelled to make the same journey.⁴⁸

The network stays in contact via cell phone, providing information about avoiding migration agents or police and military roadblocks.⁴⁹ It also has contacts to provide migrants a safe place to stay, and it insures against the greatest danger: kidnapping. According to Rodolfo Casillas, an expert on migration and organised crime, migrant smugglers have been “subsumed, subordinated or used by networks dedicated to migrant kidnapping”. Smugglers are forced to pay protection, \$600-\$1,000 for each migrant. Those kidnapped may end up among the 26,000 registered as missing in Mexico, about 10 per cent of whom may be foreigners, mostly migrants.⁵⁰

According to Rodolfo Casillas, an expert on migration and organised crime, migrant smugglers have been “subsumed, subordinated or used by networks dedicated to migrant kidnapping”.

B. Invisible Victims

How many migrants are kidnapped because they cannot or will not pay for protection is unknown. Mexican federal agencies offer wildly different statistics: the INM registered only 590 migrant kidnappings between 2000 and mid-2014; the Federal Police said they rescued 71,415 migrants from kidnappers, 2007-2014, about one-quarter in Chiapas state. ⁵¹ The National Human Rights Commission, the government ombudsman, said in 2013 there were about 11,000 kidnappings a year. ⁵² Very few resulted in criminal proceedings, however. Federal prosecutors opened only 48 preliminary investigations into migrant kidnappings between 2010 and mid-2014. ⁵³ Moreover, human rights groups say that authorities quickly deport migrants reportedly rescued from kidnappers, instead of offering them humanitarian parole so they can help prosecutors investigate the crime.



Representative from Casa del Migrante (Migrant’s House) welcomes a deported migrant that just arrived by bus from Mexico to Tecun Umán, Guatemala.

CRISIS GROUP/Arturo Matute

A special unit of the federal prosecutor’s office (Prosecutor-General of the Republic, PGR), created in December 2015, could expand access to justice for migrants in Mexico and the relatives of those who disappear in transit. As of May 2016, the unit included five prosecutors to handle some 130 cases sent by district offices around the country and civil society organisations. However, it has no jurisdiction over serious cases involving organised crime and does not investigate corruption and abuse by immigration agents, police or other officials. ⁵⁴

“Moreover, human rights groups say that authorities quickly deport migrants reportedly rescued from kidnappers, instead of offering them humanitarian parole so they can help prosecutors investigate the crime.”



C. The Zeta Franchise

Just one major Mexican drug cartel appears to have entered the lucrative migrant protection racket, but it is one of the most violent, the Zetas. Unlike other transnational drug organisations, which tend to be family-based mafias that control territory and specialise in certain criminal activities, the Zetas are a “postmodern” group without “family ties, territory or tradition”. Beginning as enforcers for the Gulf cartel, they operate more like franchisers, lending expertise and brutal reputation to local groups along the Gulf of Mexico, while also engaging in human trafficking in Guatemala, according to the International Commission Against Impunity in Guatemala (CICIG).⁵⁵ They are responsible for mass kidnappings and executions of migrants along the northern U.S. border, including the 2010 massacre of 72, mostly Central American migrants, in San Fernando, Tamaulipas.⁵⁶ They or their affiliates also operate in the southern state of Tabasco, where migrants dread the infiltration of criminals among them to scope out possible kidnapping targets.



The Independent
@Independent

'Police involved in mass kidnap and massacre of 193 people in Mexico travelling towards US'
<http://t.co/mdzjPvAoTZ>
<http://t.co/hJT7akzGhS>

<https://twitter.com/Independent/status/547349897364910081>

Mass kidnappings no longer take place, said Fray Tomás Gonzalez, director of “La 72” shelter, but criminals still grab individuals for ransom with little fear of response by police, who are either intimidated or corrupt. The shelter (named for the 72 victims in San Fernando) has also received written and telephone threats from criminals claiming to be Zetas.⁵⁷

Migrants are not just abused and exploited by criminal gangs. A survey of 31,000 conducted by a network of civil society groups that work with undocumented migrants in Mexico found that 20 per cent said they had suffered various crimes at the hands of authorities, including robbery, extortion, beatings and illegal detentions.⁵⁸ Police, including federal forces, were most commonly accused of stealing, while migration officials and members of the military (soldiers and marines) were accused of extortion. Central American migrants have spurred creation of a vibrant underground economy that “revolves around” providing food, shelter and transport at highly inflated prices.⁵⁹ As a result, migrants complain that drivers of taxis and “combis” – public transportation vans in rural areas – charge up to ten times the normal fare, which they pay for fear of being turned over to “la migra” (migration agents).

“The most recent report by REDODEM points to an increase in crimes against migrants by state officials alongside a reduction in abuses by organised criminal groups.”



D. Human Trafficking

There are tens of thousands of human trafficking victims in Central America and Mexico, though quantitative estimates vary widely. A recent study put the number of sexually-exploited victims in Guatemala alone at 48,500, estimating that for every reported case there were 30 hidden victims. Studies, based on the relatively few cases investigated, suggest that two-thirds are female. Adolescents, between twelve and seventeen, are the most vulnerable, though traffickers sometimes recruit even younger children. ⁶⁰ In Mexico, estimates of sexual trafficking victims range from 50,000 to 500,000. Conservative official estimates put the number of exploited children at 16,000. One study estimated the total at about 70,000, including some 50,000 minors exploited in border regions. ⁶¹

Migrants, especially women and children, are especially vulnerable to sexual exploitation by criminal networks. Transporting women to work as prostitutes is far from new or limited to impoverished migrants. Networks catering to VIP customers (including drug traffickers) pay thousands of dollars to bring women from South America, sometimes pretending to be modelling agencies. Often women are held virtually captive, passports confiscated, forced to work in spas or massage parlours from morning until late at night. At the other extreme are small, roadside bars or cafeterias, often in impoverished border towns, that offer drinks and quick, cheap sexual encounters. Prostitutes, often teenagers, may see up to 30 customers a day with “serious consequences for their health”. ⁶²

“Along the Mexican/Guatemalan border, the sex industry is a “direct by-product of migrant smuggling”. Women on their way north may end up stuck along the border after being robbed or because they ran out of money.”



Along the Mexican/Guatemalan border, the sex industry is a “direct by-product of migrant smuggling”.⁶³ Women on their way north may end up stuck along the border after being robbed or because they ran out of money. Others work as prostitutes after being deported from Mexico, preferring to stay near the border rather than return home. Some unscrupulous “coyotes” abandon clients or trade them to another smuggling network, which forces the women into prostitution.⁶⁴ Though major drug trafficking groups may not run the sex trade, they profit indirectly by charging for protection. The routes used for smuggling people and drugs are lined with “brothels, strip joints and night clubs”, where migrants may be held in virtual “debt bondage”, struggling to repay their exploiters.⁶⁵

Some brothels on both sides of the Guatemala/Mexico border recruit girls from neighbouring countries, offering families cash advances that become debts difficult or impossible to pay off. The recruiters (enganchadoras, literally “hookers”) are often young women from the same town who need to fulfil a “quota”. “They show off their new clothes, new cell phones” said a shelter official in Tapachula. “It doesn’t take much”. Others are escaping domestic violence or, increasingly, criminal threats. Nuns working with prostitutes in Tecún Umán noted increasing numbers who say they are escaping Honduras and El Salvador gangs.⁶⁶

Guatemala has legislation to combat trafficking, including the 2009 Law against Sexual Violence, Exploitation and Human Trafficking, which established a secretariat (under the vice president) to coordinate anti-trafficking activity, and three government-run shelters, where child victims receive short-term lodging but few specialised services. To investigate trafficking networks, the public ministry (public prosecutor’s office) established a special section in 2012. It has investigated more than 400 reports of human trafficking since April 2015, but since it lacks a significant presence outside Guatemala City, it has difficulty operating in border departments where much trafficking occurs.⁶⁷

V. Border Control

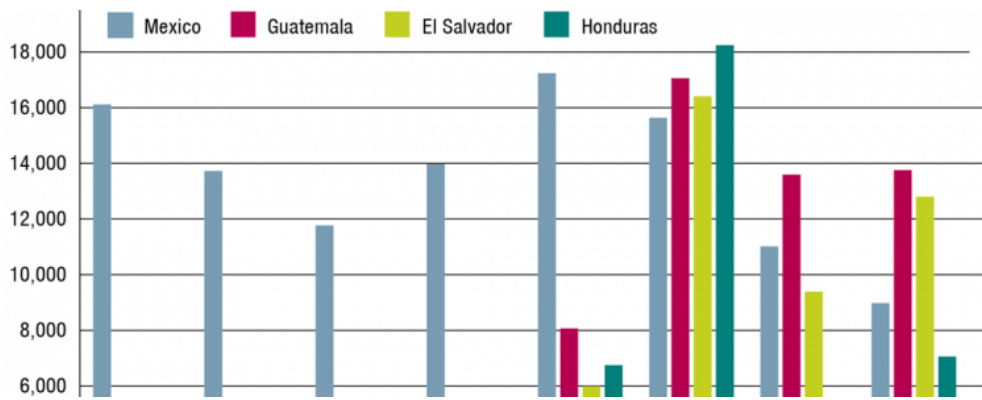
Presidents Enrique Peña Nieto of Mexico and Otto Pérez Molina of Guatemala launched a joint program in 2014 to promote “orderly flow” of migrants across their common border. “Instead of putting up walls, obstacles and difficulties”, said Pérez Molina, the countries would promote

“cooperation, development and commerce”. “I am sure that we can improve the conditions of regional migration”, said Peña Nieto, if united behind a “transnational effort to guarantee that migrants receive dignified and humane treatment”. Its five points called for expanding temporary work and visit permits for Guatemalans (and Belizeans) in Mexican border states, improved infrastructure and security, medical care for migrants, increased bilateral coordination and inter-agency coordination led by a new office in the government secretariat. ⁶⁸ The U.S. welcomed the initiative, calling Peña Nieto’s strategy a “welcome step toward improving Mexico’s ability to exercise greater control along its border” and promising \$86 million to support it, while continuing work with Guatemala to build joint border-control task forces. ⁶⁹

A. The Humanitarian Crisis

The backdrop of the initiative was a crisis on Mexico’s other border: a surge in apprehensions of unaccompanied migrant children, mostly from the NTCA countries, into the U.S. In June 2014, U.S. President Barack Obama issued a memorandum labelling the “influx of unaccompanied alien children” an “urgent humanitarian situation” requiring a coordinated interagency relief effort. By year’s end, the U.S. had detained nearly 70,000 unaccompanied children, up from about 39,000 in 2013 and 24,500 in 2012. ⁷⁰ Recognising that some were entitled to protection, it established child and family migration court dockets and special detention facilities, but also dispatched more law enforcement to block a further influx. ⁷¹ The State Department promised an information campaign to deter migration and to help Guatemala and Mexico interdict migrants and enhance the NTCA source countries’ capacity to receive and reintegrate those deported. ⁷²

At first the strategy appeared to be working. U.S. apprehensions of children and families declined in the second half of 2014 and early 2015, but by late 2015, the numbers were rising again. Between October 2015 and May 2016, they more than doubled from the same period a year before, rising to about 32,000 from 14,000. Fewer children were travelling without adult family members, however. Monthly apprehensions of unaccompanied children dropped below the early-2014 levels, totalling 4,224 in March 2016 compared to 7,176 in March 2014. ⁷³



Unaccompanied alien children encountered by fiscal year 2009-2016.
US Customs & Border Protection; FY 2016 up to 30 April.

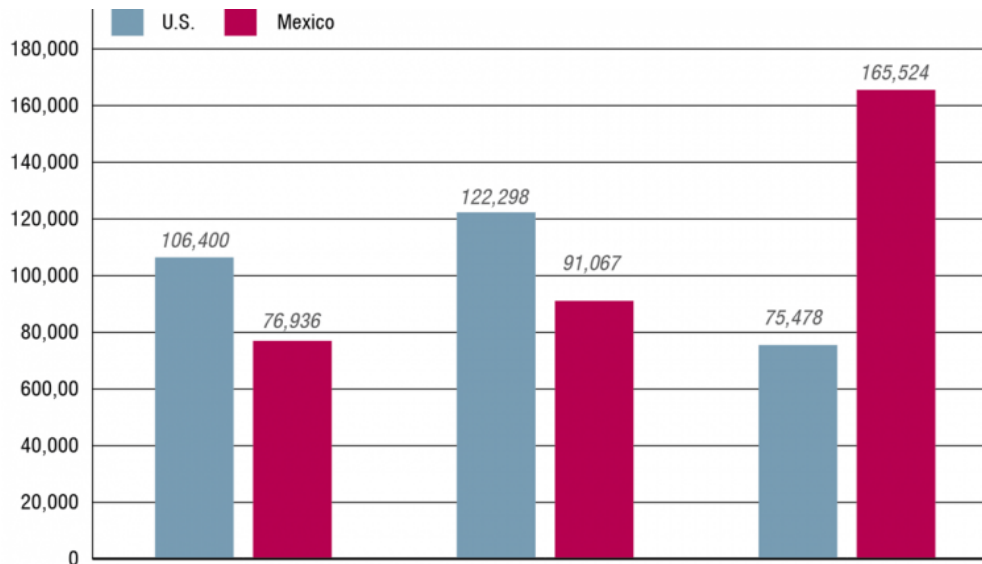
The government's "Dangers Awareness" campaign – including billboards plus print, radio and TV ads – may have discouraged some Central Americans from sending their children to the U.S. alone (or with smugglers), but many families seem to have preferred to face risks en route over risks at home (see above).⁷⁴ Absent from the U.S. strategy was support in Mexico for refugee protection, not just migrant interdiction. Mexico is not only a transit country for Central American refugees, say UNHCR officials; it is also a destination, but its capacity to cope with the influx is under strain.

B. Seeking Safety in Mexico

Asylum petitions have risen in Mexico from 1,296 in 2013 to 3,423 in 2015. In 2015, 92 per cent of claimants came from the northern triangle, especially Honduras (1,560) and El Salvador (1,475). Only 102 were Guatemalan.⁷⁵ The increase is largely the result of a campaign by the UNHCR and human and migrant rights activists to publicise the rights of those fleeing violence. Posters telling migrants, "When you flee your country, you have the right to claim refugee status", adorn shelters, detention centres and other areas where migrants are known to gather. Still, these numbers are only a small fraction of 170,000 NTCA migrants detained in 2015 by Mexican authorities and of those who should be eligible for protection, according to the UNHCR and human rights defenders. Moreover, about 30 per cent of the 2015 asylum applicants never concluded the process. Of those who did, about 45 per cent (930) received refugee or protected status.⁷⁶

But the numbers of those applying and the percentage recognised have increased sharply in 2016. In the first three months, the Commission for Refugee Assistance (COMAR) received 1,470 applications, and 652 (62 per

cent) of the 1,048 who finished the process received refugee or protected status. ⁷⁷ However, the migrants most likely to need protection – unaccompanied children – are especially unlikely to ask for it. Some 35,000 NTCA minors were detained by Mexican authorities in 2015, about 18,000 of whom were travelling without a parent or guardian. UNHCR officials estimate that as many as half had plausible claims to international protection because of threats to their lives and safety, but only 138 applied for refugee recognition. Only 56 received asylum or protected status allowing them to remain in Mexico. ⁷⁸



Total Deportations of Northern Triangle of Central America Citizens from the U.S. and Mexico

Crisis Group using data from ICE Immigration Removals FY 2013-1015 and Mexican Government.

“Asylum petitions have risen in Mexico from 1,296 in 2013 to 3,423 in 2015.”

Why do so few migrants from the violence-torn NTCA seek formal refugee status in Mexico? Many prefer to reach the U.S., where they may have relatives or hope for better jobs, but the UNHCR and shelter officials say increasing numbers want to stay in Mexico, especially given the high costs and risks of reaching the U.S. and the increased danger of being deported once there. Several of those interviewed at shelters along the border said they had been detained before in the U.S. and preferred to try their luck in Mexico. Leonel, a 24-year-old Honduran from San Pedro Sula, said he had a good job delivering dairy products but fled to avoid gang recruitment. Having been detained once in Brownsville, Texas, he had no desire to undertake the hazardous journey north again, especially with his wife and three-year-old son. “I don’t want to be locked up”, he said, so he is weighing the risks: completing the asylum process, though success is unlikely, or finding informal work as

an undocumented migrant in Mexico. Returning to Honduras is not an option: “when the maras (gangs) say they will kill you, they mean it”. 79

C. Barriers to Refugee Recognition

Would-be refugees must ask for asylum within 30 days of crossing the border. They may either apply after being apprehended or approach authorities voluntarily, in which case they can await the results outside detention, but about a third abandon the three-month process. 80 Those who are not detained sometimes give up because they are not allowed to work, cannot travel and must report weekly to local authorities. Those detained in INM facilities may request deportation because they cannot endure the prison-like conditions. The largest, best-equipped longer-term detention centre – Siglo XXI in Tapachula, Chiapas – forces migrants to sleep on bunk beds and sometimes on thin mattresses in corridors. There are separate areas for men, women, and youths aged thirteen to seventeen (younger, unaccompanied children are turned over to child protection officials). Families are generally separated, except for mothers with children twelve and younger, or adolescent daughters. 81

Detention is especially hard on teenagers, for whom months in hot, crowded facilities is “an eternity”. 82 Though unaccompanied youths are supposed to be transferred whenever possible to special shelters run by child protection officials, the “detention of [undocumented] children and adolescents [is] routine and widespread”. 83 Youths do not attend classes or have access to adequate psychological or medical care. Violence has traumatised many; some may be ex-gang members; few understand their rights. Tension can be high within areas reserved for teenage boys. Not only are they endangered by each other, but some report beatings by security forces or migration agents. A human rights centre in Chiapas said it had reported numerous cases of abuse in detention facilities without “so much as a reprimand or administrative, much less criminal, sanction”. 84

To provide protection and dissuade migrants from continuing on a dangerous journey north, advocates say that authorities must offer alternatives to detention, including special shelters or foster care for unaccompanied minors and work permits for adults. Under Mexican law, migration authorities could issue humanitarian visas, which allow employment and freedom of movement, to migrants seeking refugee recognition and those who have been victims of or witnesses to serious crimes. INM issued about 1,000 in 2015, nearly double the number

authorised in 2014, but advocates say many more should be eligible for them. 85

“To provide protection and dissuade migrants from continuing on a dangerous journey north, advocates say that authorities must offer alternatives to detention, including special shelters or foster care for unaccompanied minors and work permits for adults.”

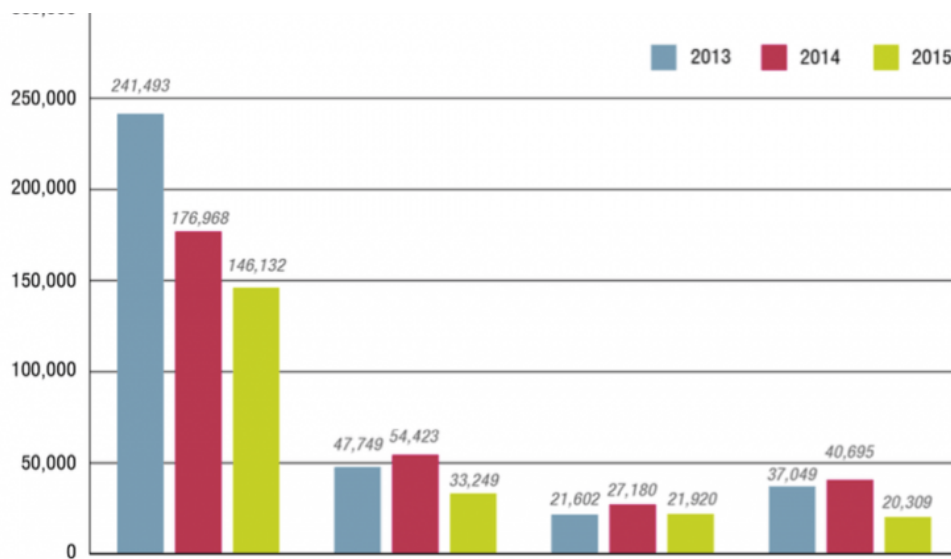


A major deterrent to seeking asylum is the difficulty of obtaining it. Mexico has been an advocate for refugee and other human rights on the international stage. Its 2011 Law on Refugees and Complementary Protection incorporates good practices, such as permission to work and access to education, health care and other public services. It follows the 1951 Convention, which defines a refugee as someone with a well-founded fear of persecution because of race, religion, nationality, membership of a particular social group or political opinion. Mexican law adds a sixth category – persecution due to gender – and goes further, incorporating language from the 1984 Cartagena Declaration on Refugees, which protects people fleeing “generalised violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order”. 86

Fear of “generalised violence”, however, is not used to grant blanket refugee recognition to Central Americans fleeing gangs. Each applicant is interviewed, often several times, and psychologists are consulted, if necessary. COMAR officials also consult Mexican embassy officials about conditions in the country of origin. But COMAR has only fifteen analysts to handle thousands of cases. Though officials insist they are able so far to handle the workload efficiently and fairly, they admit that further increases could strain their capacity. 87

Refugee advocates, on the other hand, say COMAR issues “copy-paste” decisions, designed to exclude rather than protect. “They act like detectives interrogating a suspect”, searching for inconsistencies in order to reject applications as “lacking credibility”. 88 Most applicants are poorly educated and easily intimidated; relatively few have legal help. Many

applications are rejected on grounds of an “internal flight alternative”, ie, the individual or family could have fled to safer areas within their own country, though in the small NTCA countries, gangs dominate large cities and have moved into many smaller towns. Turf is fiercely protected, and strangers are treated as possible enemies. In more rural areas there may be no jobs or access to education or health care. “There are few internal flight alternatives” in the northern triangle, commented a UNHCR official. 89



Deportations from the US by Citizenship.

Produced by Crisis Group using data from ICE Immigration Removals FY 2013-2015.

D. The Revolving Door

About seven buses travel each weekday between Tapachula and Tecún Umán, carrying repatriated migrants back to Guatemala from Mexico. Some 5,000 arrive monthly at the border town, and another 4,000 fly into Guatemala City from the U.S. on twice daily flights that operate four days a week. Returnees are registered on arrival, given snacks and offered medical attention, if necessary. In both the capital and on the border, migrants are given lodging for one night and help finding transportation home. Unaccompanied children are taken to shelters overseen by the Social Welfare Secretariat, one in the capital, another in the western city of Quetzaltenango, until they can be turned over to parents or guardians.

90

Like Guatemala, the other NTCA countries have improved the reception of repatriated citizens, especially children. Honduras has centres for returnees in San Pedro Sula and along the Guatemalan border, including specialised

shelters for children. El Salvador has renovated a reception centre for unaccompanied children in its capital and introduced three reintegration programs aimed at migrant returnees. ⁹¹ But after returning home, most migrants, including children, are on their own. Many may try again. About half the returnees on a June U.S. to Guatemala flight raised their hands when a migration official asked if they had been deported before. ⁹²

Not even those most vulnerable – such as families and unaccompanied children – are monitored after repatriation. None of the NTCA “governments have effective means of tracking deported children”; nor do they have the “capacity to reintegrate children in a safe manner”. Some studies have also documented the killing of deported migrants. Little has been done to make sure that repatriation is not simply a revolving door for Central Americans desperate to escape violence and poverty. ⁹³ “It is alarming”, said a 2015 report on child returnees, that migration policy remains focused on security and control, “leaving on the back burner the State’s obligation to protect and respect the rights of girls and boys”. ⁹⁴



Rally for Immigration Reform in Ann Arbor, Minnesota.
FLICKR/Sasha Kimel

VI. U.S. Response and Responsibility

The U.S. has a special responsibility for the migration calamity across Central America and Mexico, where violence is partly a legacy of the armed conflicts that raged in much of the region during the 1970s and 1980s under military-dominated governments Washington supported. The fragile democracies that



Mary Speck
@speckmary

The human cost of the
Supreme Court's decision

emerged after these Cold War confrontations struggled to bring security to polarised, impoverished, still heavily-armed populations. ⁹⁵ Then in the 1990s and 2000s, the U.S. deported more than 250,000 convicted criminals, including many gang members, to El Salvador, Guatemala and Honduras.

⁹⁶ At the same time, U.S. consumption of illegal drugs – especially South American cocaine – has fuelled the growth of powerful organised criminal groups that control and fight for territory along drug routes in Mexico and Central America. ⁹⁷ Against this background, calls from Republican Party presidential candidate Donald Trump for the construction of a wall to seal the U.S.-Mexico border against migration have been met with disapproval and derision across much of Latin America. ⁹⁸

on Migrant Families
<https://t.co/xbEHPDG4cd>
<https://t.co/GataWMXvQL>

<https://twitter.com/speckmary/status/748625083032166402>

A. Stalled Reform

Migration to the U.S. has been a highly uncertain safety valve. Some eight million Mexicans and Central Americans are reported to live there without legal status, facing discrimination and risk of deportation. ⁹⁹

Immigration reforms to give these irregular migrants legal status have been stalemated for nearly three decades. ¹⁰⁰ To provide security for a portion of this population, President Obama established in 2012 the Deferred Action for Childhood Arrivals (DACA) program that would allow 1.2 million individuals brought to the U.S. as children to regularise their status.

¹⁰¹ In November 2014, he created the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA), intended to expand DACA and permit another 3.6 million to regularise their status. ¹⁰² The short-handed Supreme Court divided four-four in June 2016, however, thus leaving in force an appeals court decision on a case brought by 25 states that blocks implementation of these programs. ¹⁰³

Another new program, which addresses the problem of minors likely to emigrate to join their parents abroad, was unaffected by the Supreme Court decision. In December 2014, the U.S. established an in-country refugee program in the NTCA countries. The purpose of the Central American Minors (CAM) Refugee/Parole is to provide a “safe, legal, and orderly alternative to the dangerous journey” undertaken by unaccompanied children seeking family reunification. So far, it has had little impact. It must be initiated in the U.S. by parents who are “lawfully present”, so excludes children with other close relatives in the U.S., as well as those related to millions of undocumented Central Americans. Most importantly, because it requires multiple interviews, medical and security

clearances and DNA testing, it takes six months to a year to complete, so does not protect those facing immediate danger. ¹⁰⁴ Only about 600 of 9,000 CAM applicants had been admitted to the U.S. as of July 2016. ¹⁰⁵

To offer genuine protection for endangered minors, CAM would have to speed up processing and provide in-country shelter for those under imminent threat. To ease the burden on neighbouring countries, especially Mexico, it should be extended to genuine refugees, ie, children and adolescents who have already fled home countries. The UNHCR, which has expanded its presence along the Mexico/Guatemala border, could publicise the program and give initial screening and referrals. The IOM could continue to provide help with transportation, as it does for CAM beneficiaries traveling from Central America. Those petitioning for U.S. refugee recognition should be housed in shelters equipped to provide classes and psycho-social support for traumatised children. The U.S. is able to give migrants facing possible deportation relief by assigning them Temporary Protected Status (TPS). This can be offered in cases of armed conflict, environmental disaster, epidemics or “other extraordinary and temporary conditions”. ¹⁰⁶ It has been extended repeatedly for Salvadorans since 2001 earthquakes and Hondurans since Hurricane Mitch in 1998. Providing TPS to NTCA nationals facing surging criminal violence would be a reasonable step to protect individuals, especially youths, vulnerable to attacks or recruitment.

B. The Alliance for Prosperity

In the aftermath of the 2014 surge in unaccompanied minors arriving at the U.S. border, the Obama administration decided to help countries address the push factors of violence and lack of economic opportunity.

¹⁰⁷ With Vice President Joe Biden in the lead, it pressed the countries to come together with a targeted economic development and governance proposal that became the Alliance for Prosperity. ¹⁰⁸ Congress approved a \$750 million assistance package for FY2016, and President Obama has requested a similar amount for FY2017. Those funds and the accompanying policy advice were designed to press the NTCA governments to focus on poverty reduction, as well as anti-corruption measures and justice reforms of the sort that have been spearheaded by the CICIG in Guatemala – all of which are largely absent from their original proposals.

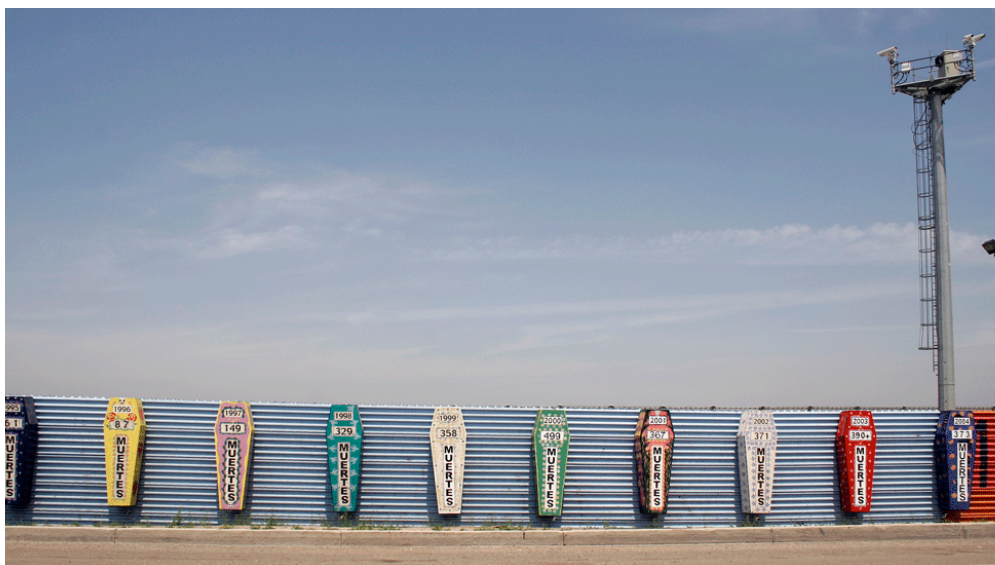
¹⁰⁹ At a February 2016 meeting with Biden, the three governments promised to allocate some \$2.6 billion from their national budgets to support the plan’s goals. ¹¹⁰

“It is essential that the U.S. extend its support to the Alliance for Prosperity for a further five years and include targeted programs to address community violence prevention.”



It is essential that the U.S. extend its support to the Alliance for Prosperity for a further five years and include targeted programs to address community violence prevention. However, U.S. aid does not compensate for the region’s historically low investment in its children: NTCA governments have spent much less on programs for youth, especially education, than Latin America’s average 2.6 per cent of GDP, according to 2012 estimates. Guatemala spent 1.8 per cent, El Salvador 1.6 per cent and Honduras 0.5 per cent. ¹¹¹ The Alliance for Prosperity equals only a fraction of the some \$13 billion NTCA migrants send home in remittances each year. Migrants’ earnings are 17 per cent of the national income in Honduras and El Salvador and 10 per cent in Guatemala.

Though ending criminal violence in Central America – estimated to cost nearly 8 per cent of its GDP – would help the regional economy, emigration itself is an economic boon in the short run, despite the long-term costs in human capital. Preventing migration is not a “priority on the political agenda” of most Central American countries, said a Guatemalan economist, because it is “functional” to each country’s interests. ¹¹²



Monument for those who have died attempting to cross the US-Mexican border at the Tijuana-San Diego border. WIKIMEDIA/Tomas Castelazo

VII. Conclusion

The surge of irregular migrants through Central America's northern triangle into Mexico is both consequence of criminal violence and opportunity for criminals to exploit vulnerable people in transit. By forcing migration underground with harsh enforcement measures, regional authorities put men, women and children, many fleeing violent gangs at home, at risk of victimisation by criminals and corrupt state authorities as they seek safety abroad. When irregular migrants and refugees are forced to stay invisible to avoid deportation, they become easy prey. Massive, undocumented migration also opens spaces for discretionary actions by local officials, often in border regions, spurring corruption and undermining the institutions charged with assuring public security and combating impunity.

The results are visible in the multiple abuses suffered by those in transit and the failure of border enforcement, deportation and migration deterrence programs. Rather than stop the migrant flow, each measure to toughen the barriers has empowered criminal groups to traffic and exploit ever more desperate people.

“By forcing migration underground with harsh enforcement measures, regional authorities put men, women and children, many fleeing violent gangs at home, at risk of victimisation by criminals and corrupt state authorities as they seek safety abroad.”



The region is only beginning to grapple with what most of its leaders now recognise as a humanitarian crisis with multiple causes, including socio-economic factors and high levels of violence and insecurity. At a UNHCR roundtable in July 2016, NTCA countries agreed to address the root causes of forced displacement, while destination countries promised to enhance asylum and protection responses. Mexico agreed to explore alternatives to detention for asylum seekers and refugees, strengthen programs to protect children and increase asylum officers' capacity and presence. The U.S. pledged to step up “efforts to address underlying factors” that cause Central Americans to abandon their homes and additional aid for UNHCR operations in the region and training for regional asylum officers. ¹¹³

If these steps are taken, they may mark the onset of a mature, cooperative approach to migration in the region. Perhaps most importantly, regional leaders recognised joint responsibility for both addressing the causes of criminal violence and protecting the victims. Yet, the lessons since the 2014 surge in unaccompanied children are cautionary, and Central American countries remain dependent on migrants' remittances. Until concrete action proves otherwise, the promises of all governments to protect those fleeing persecution and violence will continue to appear hollow.

Mexico City/Guatemala City/Bogotá/Brussels, 28 July 2016