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Working with a team of international correspondents, we chronicle global migration movements, provide perspectives on current migration debates, and offer the tools and data from numerous global organizations and governments needed to understand migration. We do this in a way that is accessible to researchers, policy makers, journalists, and other opinion shapers.

Our advisory board and other prominent migration scholars who contribute to The Source include some of the most respected voices in the migration and refugee fields. The Source also relies on the good will of several global organizations and governments who make their data and research publicly available on our site.

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Table of Contents

FEATURE STORIES

Central America: Crossroads of the Americas Sara J. Mahler and Dusan Ugrina	3
Mexico: Caught Between the United States and Central America Manuel Ángel Castillo	16
Canada: A Northern Refuge for Central Americans María Cristina García	22
Migration and Development in El Salvador: Ideals Versus Reality Katharine Andrade-Eekhoff	30
Remittance Trends in Central America Dovelyn Agunias	38
CAFTA: What Could It Mean for Migration? Salomon Cohen	45
Central Americans and Asylum Policy in the Reagan Era Susan Gzesh	52
National Policies and the Rise of Transnational Gangs Mary Helen Johnson	59
<u>SPOTLIGHT</u>	
The Central American Foreign Born in the United States Megan Davy	68
<u>COUNTRY PROFILE</u>	
Guatemala James Smith	74

Central America: Crossroads of the Americas

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April 1, 2006

Central America has been a locus of migration for generations. It is characterized by rural-to-urban and regional migration as well as emigration abroad, particularly to the United States. A relative unknown in hemispheric migration matters until recent decades, Central America transformed from a minor to a major player during a decade of armed conflicts in the 1980s. In this period the region also became a geographic bridge to North America for migrants from South America seeking to enter the United States, while Mexico has become the main transit country for Central Americans headed north. In short, Central America is a crossroads of many migratory streams.

However, migration does not affect the region uniformly. Some countries and communities have seen high rates of emigration or immigration. For example, civil strife in El Salvador, Nicaragua, and Guatemala produced significantly higher rates of emigration than rates in the more stable countries of Panamá and Costa Rica. Similarly, the most conflictive zones in each country are also more represented in the migratory streams.

Emigration abroad has produced an array of profound changes within the region. A quick list includes rising economic dependency on remittances, an exponential increase in the volume of international phone calls, and the importation of outside tastes in everything from fashion to governance.

Historical Background

Central America was colonized by the Spaniards in the 1500s. A largely subsistence agricultural zone, the "Kingdom of Guatemala" provided far fewer riches than other Spanish colonies and, not surprisingly, garnered less attention.

Though independent as of 1821, the region's livelihood did not change substantially until the late 19th century when coffee and then other export crops were introduced. The "liberal" reforms at that time privatized communal lands, displacing thousands of peasants and initiating a pattern that endures to this day — an oligarchy in control of both the land (dedicated to export over subsistence crops) and the armed forces, and a majority population battling perpetual poverty. This combination of agricultural labor needs with people displaced from the land produced seasonal, rural-to-rural migration, a configuration that endured into the second half of the 20th century.

In the 1960s, several countries in the region attempted industrialization largely through



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import substitution. However, the divided class structure endured and became the basis for revolutionary and counter-revolutionary, insurgency and counter-insurgency movements, and civil warfare in the region during the 1970s through the early 1990s.

Warfare not only killed thousands and displaced millions, it also institutionalized a migration pattern that heretofore had been very minor: emigration to *El Norte*. Massive refugee flows moved through the isthmus into the United States and, to a lesser extent, Mexico, Costa Rica, Canada, and Belize. Until then, Central American emigration had consisted of only a small number of professionals and skilled laborers and domestics. However, the region's conflicts and generalized insecurity made internal labor migrations increasingly dangerous and economies suffered, provoking combatants and noncombatants alike to flee.

The United States sided with conservative governments in El Salvador and Guatemala, labeling its actions anticommunist, and invested billions of dollars. When hundreds of thousands of Salvadorans and Guatemalans fled their homelands and sought asylum in the United States, this aid became the primary reason for denying the refugees' tales of torture, forced recruitment, and other crimes. To accord them political asylum would have undermined the US government's policies (see [Central Americans and Asylum Policy in the Reagan Era](#) article for more).

As the peasantry and working classes left en masse, the predominantly middle-class nature of the migration shifted (see the [Spotlight on Central American Foreign Born](#)). A conservative estimate of this exodus, derived largely from the 1990 US census, is that more than a million Central Americans fled their homelands and sought safe haven in the United States during the tumultuous decade of the 1980s. Most would not find a legal safe haven, however.

Regional Migration Issues

In 1970, according to the work of demographer Alicia Maguid, half of all Central American emigrants (those moving into other countries) relocated to other Central American countries while half moved out of the region. Their regional movements typically traced coffee and other export crop seasons; in some cases, more permanent migration occurred among peasants seeking greater access to land. By 1980, the proportions had altered dramatically, with 80 percent leaving the region. Extraregional migration claimed 93 percent of all emigrants by 1990.

Given this latter statistic, it should be no surprise that the academic literature on Central American migration pays less attention to intraregional flows, with the notable exception of Nicaraguan migrants to Costa Rica and, to a lesser degree, migrations of Guatemalans and Salvadorans to Belize. Though less studied, intraregional migration is not insignificant.

For example, there is growing evidence of migrations of Nicaraguans and Hondurans into El Salvador spurred by the late 1990s post-war economic recovery in that country, a rebound financed in large part by remittance dollars from Salvadorans living in the United States.

And the Panamanian economy attracts a modest number of Central American migrants; the number of Central American foreign born rose 11 percent between the 1990 Panamanian census (11,600) and the 2000 census (12,898). More problematic for Panama has been the flow of asylum seekers from neighboring Colombia.

Nicaraguan Migration to Costa Rica

Nicaraguan migration to Costa Rica, like many regional migrations, has deep historical roots in agricultural labor. Since the early 20th century, thousands of male Nicaraguans have migrated seasonally to Costa Rica to assist in the banana industry, and later in coffee and other export-commodity industries. This pattern is still evident today, though overshadowed by newer political and economic refugee flows.

The character of Nicaraguan migration to Costa Rica has changed dramatically in the past 30 years, beginning with the 1972 earthquake, followed by the 1970s civil war to overthrow the Somoza dictatorship, and continuing into the 1980s with the Sandinista government and the Contra war. During these tumultuous years, rising streams of Nicaraguans sought refuge in Costa Rica. Some political leaders were granted political asylum by the Costa Rican government while the general population received refugee assistance from international agencies as well as the government. In the 1990s, voluntary return to Nicaragua was implemented and encouraged.

This refugee migration is the main reason behind the two-fold increase in Nicaraguans living in Costa Rica between the national censuses of 1973 and 1984, from 23,347 to 45,918. The 1984 figure for foreign-born Nicaraguans pales in comparison, however, with the 226,374 recorded in the 2000 census, constituting three-quarters of all foreigners in that country and six percent of the entire country's population.

Of the Nicaraguans surveyed, two-thirds reported arriving during the 1990s, a number that peaked in 1998. This ten-fold increase over 1973 reflects the fact that Nicaraguans also migrate to Costa Rica because of greater employment opportunities, higher wages and, to a lesser extent, more generous social benefits such as state-subsidized medical care.

As the Nicaraguan migration to Costa Rica has matured, the seasonal agricultural worker profile of previous generations no longer fits well. Rather, Nicaraguans' insertion into the Costa Rican economy is now much more urban and diverse.

Although a third of male Nicaraguans continue to work in the agricultural sector, that percentage has been in decline while urban occupations in construction, manufacturing, and informal retail have risen to constitute 48 percent of their employment. The percentage of the migrant population that is female is now on par with males; driving this increase has been sustained demand for domestics, constituting nearly half of all employment for Nicaraguan women.

Projections suggest that Nicaraguan migration will account for one-quarter to one-half of Costa Rica's population increase. However, Nicaraguan immigration rates declined quickly in the late 1990s with no single cause. Rather, the slightly improved economy in Nicaragua and declining opportunities in Costa Rica explain some of the shift; there is also evidence that increasing numbers of Nicaraguans have begun to look for work in El Salvador because of improvements in the Salvadoran economy.

Moreover, relations between Costa Rica and Nicaragua continue to be strained owing to long-standing border disputes, and these have translated into popular anti-Nicaraguan sentiment. This has consequences for Nicaraguan migration; for example, the Costa Rican government recently passed a punitive immigration law to become effective in August 2006 that raises penalties for smugglers, facilitates deportations of undocumented immigrants, and transforms various aspects of legal residency, making them more restrictive.

Regional Migration to and from Belize

Another site of significant regional migration is English-speaking Belize, a former British colony that has a population of 250,000. Serving as a transit country for a small percentage of Central Americans headed north, it has also been impacted by both immigration and emigration, processes that are "Latinizing" the nation's ethnic mix.

There was an "implicit" policy in the Belizean government to accept migrants, especially Salvadorans and Guatemalans, during the conflicts of the 1980s. These Latin newcomers, many of them refugees, have largely settled in rural areas; they provide agricultural labor in jobs unattractive to urbanized Afro-Belizeans (both creoles and Garifuna).

A census in 2000 recorded 34,276 foreign born, up 34 percent from 25,548 in 1991. Central Americans represent three-quarters of these foreigners, 42.5 percent of which were from Guatemala (mainly indigenous people), 17.6 percent from El Salvador, and nine percent from Honduras. Consequently, the percentage of foreign born in the total population has risen from eight percent in 1980 to 13 percent in 1991 and 14 percent in 2000.

The influx of Central Americans is complemented by an emigration of Afro-Belizeans to the United States. The yearly rate of emigration fell by nearly a third during the 1990s to a total of 2,181 per year, down from an average of 3,050 in the 1980s. Eighty-four percent leave for the United States, a figure comparable to 1991, while five percent move to other Central American countries, slightly higher than in the past.

Though the emigration rate has fallen, its effects may have become more pronounced since more educated Belizeans are leaving. As noted in the country's official census report, half of emigrants held high school degrees while the percentage with post-high school education rose 64 percent above the rate recorded in 1991, signifying an accelerating brain drain.

Rural-to-Urban Migration

Population projections for all of Central America indicate the continuation of a historical trend toward greater urbanization. According to 2004 United Nations Population Division (UNPD) estimates, by the year 2015 every Central American country's urban population will exceed its rural population. The urban populations in El Salvador, Costa Rica, Panama, and Nicaragua are expected to rise to around two-thirds of their total populations, approximately a 10 percent increase from 1995. Meanwhile, urban populations in Guatemala, Honduras, and Belize will reach a slight majority, an increase of nine percent for the first two countries and four percent for Belize.

Numerous factors contribute to urbanization, not the least of which is declining opportunities in rural areas. With a few minor exceptions, such as bananas and products marketable in overseas ethnic markets, the growth prospects for agricultural products appear very poor, particularly in comparison to other sectors.

Another related, though less recognized, factor influencing rural-to-urban migration is environmental degradation. Deforestation, loss of topsoil, contamination of ground water with fertilizers, and other environmental problems imperil subsistence agriculture. Declines in small-scale farming also induce peasants to leave the countryside for urban areas, capital cities in particular. Once in urban areas, research shows higher tendencies for these rural-to-urban people to emigrate, a process referred to as "step migration."

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The drop in export commodities during the years of warfare in Guatemala, Nicaragua, and El Salvador also affected the rural peasantry, depriving them of seasonal agricultural wages that enabled them to pay for everything from fertilizer to clothing to medical care. In recent years, the coffee sector has been in particular crisis, depriving small producers and seasonal laborers of income.

Unevenly distributed regional economic opportunities are also attracting migrants to urban areas. These opportunities include jobs in manufacturing (particularly *maquilas*), services, tourism, and, to some degree, agribusiness. Financial services, such as accounting, customer orders, payroll, and software support for such services, are prospering in countries like Costa Rica, which has the region's highest levels of human capital. These stable and relatively well-paying jobs are stimulating demand for secondary services — such as domestic labor — which, in turn, attract less skilled labor from the countryside or from neighboring countries.

The need for medical care also brings rural people to cities, as do educational opportunities since many areas do not offer schooling past the elementary level.

Even remittances play a role in spurring rural-to-urban migration. These funds sent from migrants abroad finance enhanced access to education and medicine and, consequently, greater urbanization. They also have allowed more families in some areas to purchase tracts of land, pushing up real estate prices and exacerbating existing land scarcity problems that contribute to migration.

Lastly, natural disasters greatly influence the course of both regional and international migration for Central Americans. Hurricane Mitch blasted the Caribbean coast of the isthmus in late fall 1998, killing an estimated 11,000 people, devastating subsistence and export crops, and destroying infrastructure. Two major earthquakes rocked El Salvador in January and February 2001, causing at least 1,000 deaths.

Both Mitch and the earthquakes crippled the region's recovery from civil warfare and sent new streams of migrants into the cities and across borders. The US Border Patrol recorded a 28 percent rise in interdictions of Central Americans in the first months after Mitch and a 61 percent increase in Hondurans specifically.

Emigration to Mexico

Central American migrants overwhelmingly travel to the United States and Canada by land, making Mexico a transit country. This fact is reflected in Central Americans' unsavory stories of traversing Mexico — typically their harrowing encounters with Mexican officials.

During the 1980s, Mexican officials maintained a laissez-faire attitude toward interdiction and deportation. Since the 1990s, however, and under pressure from the United States, Mexico has drastically increased its efforts; on average over 100,000 Central Americans per year are apprehended and returned, the largest numbers from Guatemala, Honduras, and El Salvador, compared to only 10,000 per year repatriated in the 1980s.

The administration of Vicente Fox, hoping that the United States would offer a similar humanitarian measure for Mexicans in the US, also extended its "Beta Groups" (special police who assist migrants and protect them from abuse) to the Guatemalan border and provided a "regularization" program in 2001. Only 6,500 applied, the vast majority from Central America.

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Less well known than its interdiction role is that Mexico has been a destination for a small percentage of Central American emigrants. In 2000, Central Americans constituted nine percent of foreigners in Mexico. Guatemalans, largely seasonal agricultural workers and refugees in the southern state of Chiapas, are by far the largest group at 27,600, followed by Salvadorans (5,500).

Government statistics report that tens of thousands of farm workers enter Mexico from its southern border each year. In 2000, the number peaked at 69,000 but has declined in recent years to around 40,000 per year. Good statistics on Central Americans residing permanently in Mexico are difficult to find. Mexican census figures, which report only legal immigrants, document a mere 14,000 in 1970 and 1980 but a major increase to 59,000 in 1990, followed by a drop to 44,300 in 2000.

Repatriation programs for Guatemalan refugees, run by the United Nations High Commissioner for Refugees (UNHCR) and other international organizations since the late 1990s, are the likely cause of this decline.

Emigration to the United States and Canada

The overwhelming majority of Central American emigrants have relocated to the United States. As of the 2000 US census, over two million foreign-born from Central American countries — about 40 percent from El Salvador — were living in the United States. According to Statistics Canada, about 70,000 Central Americans resided in Canada in 2001.

The causes of the rise in Central American migration to Canada during the 1980s and 1990s parallel those for migration to the United States. Because US asylum policy toward Guatemalans and Salvadorans was so harsh, thousands of would-be settlers continued on to Canada, a country whose asylum policies were more generous (see [Canada: A Northern Refuge for Central Americans](#)).

Canada dramatically increased its refugee quota for Latin America from 2,000 in 1981 to 25,000 by 1984; two-thirds of these visas went to Central Americans primarily from El Salvador, Guatemala, and Nicaragua. Canada also passed a moratorium on deportations for Salvadorans and Guatemalans. In the late 1980s, Canada overhauled its asylum system, resulting in a 77 percent approval rate for Salvadorans (as opposed to two percent in the United States), and all those approved received comprehensive assistance services.

Most Central Americans settled in Montreal and Toronto, which still attract most Central Americans who settle in Canada. During the 1990s, and under pressure from the US government, Canada debated returning to the United States asylum applicants who had transited through there. This policy did not become effective until 2004, due in large part to heightened, post-9/11 concerns about border security.

In recent years, Canada has attracted few, if any, new immigrants from the region (see Table 1). Canada's landed immigrant policies (those establishing criteria for permanent immigration) favor educated, highly skilled immigrants — uncommon characteristics among most Central Americans.

Table 1. Foreign-Born Central Americans in Canada, 1996 and 2001

Country	1996	2001
El Salvador	39,025	38,460
Guatemala	13,270	13,680
Nicaragua	8,545	9,375
Other Central America	9,025	10,350
TOTAL	69,865	71,865

Ottawa: Statistics Canada, January 21, 2003. 2001 Census of Canada. Catalog number 97F0009XCB2001003.

The situation of Central Americans in the United States is much more dynamic. A comparison of US census figures from 1970 to 2000 illustrates the dramatic rise in their numbers (see Table 2).

Table 2. Foreign-Born Population from Central America in the United States, 1970 to 2004

Country	1970	1980	1990	2000	2004*
Belize	8,860	14,436	29,957	40,150	46,517
Costa Rica	16,691	29,639	43,530	71,870	120,316
El Salvador	15,717	94,447	465,433	817,335	1,201,002
Guatemala	17,356	63,073	225,739	480,665	698,745
Honduras	19,118	39,154	108,923	282,850	407,994
Nicaragua	16,125	44,166	168,659	220,335	248,735
Panama	20,046	60,740	85,737	105,175	113,053
TOTAL	113,913	345,655	1,127,978	2,018,380	2,836,362

Source: US Bureau of the Census 2000; *American Community Survey

Between 1970 and 1980, the number of foreign-born Central Americans living in the United States tripled and then nearly tripled again during the 1980s because of the ongoing conflicts in the region. It is important to note that US Census Bureau figures have been shown to underestimate Central Americans, particularly the unauthorized. The United States had approximately 1.3 million unauthorized Central Americans as of March 2005, according to recent estimates (based on the US Census Bureau's Current Population Survey) from the Pew Hispanic Center.

Over 50 percent of all Central Americans live in just five US metropolitan areas, according to the 2000 census: Los Angeles (23 percent), New York (14 percent), Miami (eight percent), and Houston and San Francisco (five percent). As is true more generally for Latin American immigrants, Central Americans are increasingly relocating outside these principal cities; an important new region is North Carolina, where the robust demand for workers in construction and services requires steady increases in low-cost labor. Since many Central Americans in the 1980s did not have legal status, the 1986 Immigration

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Reform and Control Act (IRCA) had profound effects on this population thanks to its legalization program for unauthorized migrants already in the country. Well over 200,000 Central Americans benefited from IRCA according to statistical yearbooks from the former Immigration and Naturalization Service (INS), most notably 146,000 Salvadorans.

This new population was able to legally bring over hundreds of thousands of family members during the early 1990s (see Table 3).

Table 3. US Legal Immigration Rates from Central America by Decade (1970s to 1990s) and by Year (2000 to 2004)

Country	1970s	1980s	1990s	2000	2001	2002	2003	2004
Belize	na	18,070	9126	760	939	974	591	865
Costa Rica	na	15,490	13704	1,324	1,744	1,602	1,253	1,754
El Salvador	34,436	214,574	217,394	22,578	31,272	31,168	28,296	29,795
Guatemala	na	87,939	103,105	9,970	13,567	16,229	14,415	17,999
Honduras	na	49,496	66767	5,939	6,615	6,461	4,658	5,505
Nicaragua	na	44,139	97713	24,029	19,896	10,850	4,174	4,000
Panama	na	29,095	24029	1,843	1,881	1,695	1,178	1,415
TOTAL	134,640	458,803	531838	66,443	75,914	68,979	54,565	61,333

Source: *Yearbook of Immigration Statistics, 2004*, Department of Homeland Security

Since US citizens do not face the same per-year limits on family migration as permanent residents, legalization has led to a dramatic rise in naturalizations among Central Americans (see Table 4).

Table 4. Naturalization Rates for Central Americans in the United States, 1995 to 2004

Country	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Belize	874	1,831	1,353	988	2,079	1,802	1,015	774	666	664
Costa Rica	1,138	2,759	1,574	1,103	2,087	1,895	1,146	1,002	869	970
El Salvador	13,702	35,478	18,273	12,267	22,991	24,073	13,663	10,716	8,738	9,602
Guatemala	5,093	13,933	7,914	5,534	11,031	11,488	6,281	5,455	4,564	5,080
Honduras	2,954	7,881	4,318	2,752	5,294	5,188	3,257	3,505	3,011	3,455
Nicaragua	3,950	11,135	4,409	3,359	6,651	5,426	3,564	3,794	3,054	3,444
Panama	1,756	3,344	2,044	1,502	3,094	2,916	1,587	1,597	1,253	1,462
TOTAL	29,467	76,361	39,885	27,505	53,227	52,788	30,513	26,843	22,155	24,677

Source: *Yearbook of Immigration Statistics, 2004*, Department of Homeland Security

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The second major event affecting Central Americans' fates in the United States was a class-action lawsuit, *American Baptist Churches v. Thornburgh* (ABC), filed in 1985. The case successfully challenged the US government's inequity in hearing asylum cases and made it possible for thousands of Salvadorans and Guatemalans to file new applications.

The Nicaraguan Adjustment and Central American Relief Act (NACARA) of 1997 was a special legalization program for Nicaraguans and Cubans living continuously in the United States since 1995 with their families. It continued the government's tradition of favoring Nicaraguans over other Central Americans. This unevenness in policy toward different Central American groups led to a campaign aimed at extending NACARA to Salvadorans and Guatemalans. They were not added to the legalization program but were permitted to follow a complex process toward permanent legal status.

Hurricane Mitch and the Salvadoran earthquakes helped write yet another chapter in Central Americans' legal history in the United States. In December 1998, the US government accorded temporary protected status (TPS) to some 86,000 Hondurans and Nicaraguans while deportation proceedings were temporarily suspended for Salvadorans and Guatemalans. Following the earthquakes, Salvadorans were granted TPS status as well.

Owing to political pressure from immigrants, immigrant advocacy groups, and Central American governments, TPS has been repeatedly renewed, most recently to July 2006 for Hondurans and Nicaraguans, and September 2006 for Salvadorans.

Remittances

Before the 1980s, most countries derived the majority of their foreign exchange from commodity exports. In the 1990s, El Salvador, Nicaragua, and Honduras saw this relationship shift to an increasing dependency upon remittances as key sources of foreign currency, up to 20 percent of GDP (see Table 5). Cash remittances from Central Americans living abroad have become extremely significant to families' survival and to regional reconstruction and economic development in the post-war era (see [Remittance Trends in Central America](#)).

Table 5. Central American Economic Indicators for 2003, US\$ millions

	Guatemala	El Salvador	Honduras	Nicaragua	Costa Rica	Panama
Remittances	2,681	2,548	1,134	810	306	231
Merchandise exports*	1,448	171	377	122	4,636	756
International Tourism	646	514	341	155	1,424	na
Maquiladora	223	1,873	655	433	1,465	na
Non-traditional exports	965	1,092	300	50	-	na
Official Development Assistance	247	192	389	833	28	30
GDP current	24,730	14,879	6,978	4,083	17,427	13,800
Remittances as % of GDP	11%	17%	16%	20%	2%	2%

Source: Inter-American Development Bank, 2004

* not including maquiladora

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Surveys show that migrants send home between \$150 and \$350 per month on average, typically enough to cover recipients' basic necessities with about five to 10 percent used to finance small businesses or to be invested in savings. These relatively small family transfers together form the single largest pool of hard currency in the region, and it is growing.

In 1996, remittances equaled foreign direct investment (FDI) in the region, but, by 2003, they had grown to three times the FDI figure — \$6.4 billion versus \$2.0 billion, according to the World Bank — which also far exceeded official development assistance. In some countries, remittances rival all income from exports.

Clearly, remittances have become an integral feature of Central American economies in the past decade, a fact that has been a key motivation for governments to play increasingly activist roles vis-à-vis their expatriate communities.

For example, in 2000, El Salvador established a General Directorate within the Ministry of Foreign Affairs (DGACE) to attend to expatriates. DGACE, along with the national agency for development (FISDL), created a program that matches funds raised by hometown associations (HTAs) to underwrite community projects (a phenomenon sometimes referred to as “collective remittances”).

This effort mimics the Mexican government's two-for-one (later three-for-one) matching program. The Salvadoran government distributed some \$7 million in government resources by early 2004, and an additional \$3.1 million to fund 12 new projects has been approved more recently (see [Migration and Development in El Salvador: Ideals Versus Reality](#)).

However, Central American policy makers have engaged in a variety of strategies — such as adding government ministries for expatriate affairs — to reach out to their citizens abroad. In a critical public relations shift, emigrants who in the 1980s were disdained for abandoning their homelands became recast as national heroes in the 1990s as their remittances fueled economic recoveries.

Additionally, since 1996, Regional Migration Conferences have focused governmental and academic attention on a multitude of migration-related themes and processes; their modest accomplishments include getting to the United States to notify governments that deportees are being sent back.

Transnational Migration: Impacts and Issues

The effects of large-scale migrations to North America have brought palpable changes to the isthmus, some welcomed and others disparaged. Much of Central America looks, feels, and sounds like a cultural crossroads, a blend of *lo centroamericano* and *lo gringo*. Upon arrival at the international airport in El Salvador, for example, the traveler is greeted with huge billboards advertising remittance services and international direct dialing to the United States and Canada.

Newspaper headlines in Nicaragua scream the latest information about the plight of Nicas in Costa Rica; and along the Guatemala-Mexico border, young Mayas have forsaken traditional employment in agriculture for quick money assisting streams of migrants headed for *El Norte* who need to cross Central America's northern river border.

In many hamlets in the countryside, sparkling new brick homes with tiled roofs and satellite dishes contrast sharply against neighboring wattle and daub huts with thatched roofs that

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feature a mule, not a new Toyota pickup truck, in front. These migration prizes are enjoyed by the migrants themselves, particularly once they have legalized their status up north.

Emigrants' return visits constitute a key percentage of every country's tourism industry except Costa Rica. Indeed, 40 percent of El Salvador's tourists are returning migrants. During their visits, migrants share their knowledge of life abroad, stimulating discussions about everything from better road construction to responsive governments.

Sections of *El Norte* have also become Central Americanized. Entire swaths of commercial thoroughfares in Los Angeles, Houston, Washington, DC, and even suburban New York feel more like Guatemala City or San Salvador than they do Main Street USA; a *pupusa* or a *tamal* is easier to find than a hamburger and fries. And "Spanglish," a blend of Spanish and English, is becoming the *lingua franca* of these neighborhoods as well as in pockets of Central America.

What these brief descriptions portray is the blending of once distinct places and ways of life into a new reality. In academic terms, this is known as "transnational migration," a phenomenon understood as the processes through which migrants maintain and promote ties between the countries where they reside and their homelands and home communities.

It is important to repeat here that migrations and the cultural transformations they bring with them do not affect each country, region, or locality equally, and that people migrate along networks of contacts such that some communities have a high proportion of migrants while other communities remain almost unaffected.

One of the most well-known aspects of transnationalism are transnational enterprises, small to medium-sized businesses that operate across borders and are frequently run by migrants themselves. For example, the Tapachulteca supermarket chain has a store in Los Angeles as well as stores in El Salvador. The passage of the Central America Free Trade Act (CAFTA) would likely benefit these firms while nontransnational firms are likely to encounter greater competition (see [CAFTA: What Could It Mean for Migration?](#)).

These businesses thrive off of meeting the needs and desires of a migrant clientele, often aided by Central American governments that have also become transnational actors. An example is the Salvadoran government's *Programa Nacional de Competitividad* (National Competitiveness Program). The program works with migrant communities to assist in expanding Salvadoran exports. In a similar vein, Salvadoran and Guatemalan governments and business organizations have established trade fairs in Los Angeles.

Central American Gangs

The explosive rise in transnational gangs and gang violence in the past decade is a sobering reminder that not all transnational ties are beneficial or desirable. Widely recognized as originating in the north, Central American gangs have flourished in the isthmus owing largely to deportations of thousands of members who have committed crimes in the United States and served time in prison — arguably universities for gangs (see [National Policies and the Rise of Transnational Gangs](#)).

Deportees find themselves disoriented, dispossessed, and with few prospects for employment in the "homelands" they might not have seen since childhood. Despite efforts by grassroots organizations — such as Los Angeles- and San Salvador-based Homies Unidos and government-sponsored programs such as El Salvador's *Bienvenido a Casa* (Welcome Home) — to assist these gang members and their families in leaving gang life and

reintegrating into society, the Mara Salvatrucha (MS-13), its rival, 18th Street, and other gangs continue to grow and terrorize even small towns and middle-class suburbs. Thus, as sociologist Andrew Papachristos argued in an article for *Foreign Policy*, "US immigration policy has amounted to unintentional state-sponsored gang migration."

Though their violent reputation overwhelms other perspectives, gangs can also be viewed as creative cultural responses to the pressures of immigrant life. Indeed, gang culture contributes to Central Americans' literary, artistic, and musical expressions across borders.

Conclusion

Central America is a migration crossroads. The region's marginalization in the world economy and growing populations assure that migration will remain an enduring feature of Central American life into the foreseeable future.

It is now clear that this fact brings both challenges and opportunities. Among the greatest challenges is rapid cultural change, including shifting employment and class structures, rapidly changing consumer habits, increasing numbers of transnational families, and growing cross-border criminal organizations.

Additionally, as increasing percentages of Central Americans live outside the region, their political and economic loyalties become evermore complicated. Governments and NGOs are straining to find creative ways to endear *hermanos lejanos* (distant brothers) to their homelands. They also seek to translate migration into prosperity for those who do not migrate.

Among the most debated subjects is how to improve the productivity of remittances through creating new investment options and "banking the unbanked." These are the same questions facing peoples around the globe, helping Central Americans to find a more significant place in world affairs.

Related Articles:

- **Central Americans and US Asylum Policy in the Reagan Era**
- **Mexico: Caught Between the United States and Central America**
- **Remittance Trends in Central America**
- **National Policies and the Rise of Transnational Gangs**
- **Transnational Migrants: When "Home" Means More Than One Country**

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Mexico: Caught Between the United States and Central America

By Manuel Ángel Castillo
El Colegio de México

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Mexico, the southernmost country of North America, borders the northern countries of Central America, Guatemala, and Belize. However, the main flows of Central American nationals headed to the United States usually cross Mexico's border with Guatemala. The most trafficked part of the border is along the Mexican state of Chiapas, a predominantly agricultural and impoverished area home to a large indigenous population.



Photo credit: Instituto Nacional de Migración, Mexico

Migration between Mexico and its Central American neighbors were negligible until the 1970s, except for the seasonal, annual movement of Guatemalan peasants working on coffee plantations in Chiapas. As a result of the civil wars in Central America, Mexico became home to refugees and served as a transit country for Central Americans seeking to reach the United States.

Today, Mexico faces increased pressure from the United States to enforce its southern border. Mexico has participated in multilateral efforts aimed at reducing poverty and decreasing migration, and, more recently, has joined a regional initiative that aims to influence the debate on US immigration reform.

Historical background

After Mexico and Central America gained independence from Spain, in 1821, the Central American states came briefly under Mexican rule before separating in 1823 and creating a unified nation called the United Provinces of Central America. In the process, the province of Chiapas was annexed to Mexico.

The modern-day border between Mexico and Guatemala was finally determined in 1882, after both countries signed the Treaty of Limits.

Seasonal Migration

The seasonal migration of Guatemalan peasants (including families and children) to Chiapas since the early 20th century is not surprising, given the history of the state. Although most peasants initially worked on coffee plantations, they later participated in the planting and harvest of sugar cane, bananas, and other produce. The earnings from working in Mexico have long complemented income from subsistence farming on small plots of land in Guatemala.

To date, there has been no bilateral agreement to organize this movement or to ensure the validity and protection of the rights of workers and their families. It is difficult to calculate their volume, since an indeterminate proportion is undocumented. Estimates fluctuate within a wide margin of 45,000 to 75,000 people annually, distributed over the year and peaking at harvest time.

Policies Toward Guatemalan Refugees

Although Mexico had received small numbers of Spaniards in the 1940s and South Americans in the 1970s fleeing civil wars, the first challenge to Mexico's migration policies were the flows of Guatemalans who entered between 1981 and 1983 in search of protection. According to the United Nations High Commissioner for Refugees (UNHCR), about 200,000 Guatemalans fled to Mexico; only 46,000 were officially registered and assisted by UNHCR.

At the time, Mexico was not a signatory to the 1951 UN Convention or the 1967 Protocol Relating to the Status of Refugees. Some of the first arrivals were granted protection, but many others were turned back to their country of origin. Local authorities were not prepared to manage the flows, nor were they trained to recognize those in need of protection.

Civil society organizations and the international community, however, helped ensure the adoption of a humanitarian policy of protection and assistance, a position that was confirmed and supported by the Cartagena Declaration of 1984, which Mexico strongly supported. To this end, Mexico sought support from UNHCR and from various Mexican and foreign nongovernmental organizations. These groups initially contributed to refugees protection and emergency assistance — including health services, children care and education, among others — but later promoted development projects that promoted refugee self-sufficiency.

Subsequently, the Mexican government also participated in the search for solutions for repatriation, but the Guatemalan government could not meet the refugees' demands for resettlement, which related to security and land for farming.

This issue was eventually resolved in the form of voluntary, collective, and organized return of about 43,000 refugees, a process that required the joint action of UNHCR, the Mexican government, and civil organizations in Mexico as well as the support of the Guatemalan government and UNHCR offices in Guatemala. The latter conducted an unusual repatriation program, which helped both the return and the resettlement of Guatemalans in difficult conditions. The process took place between 1993 and 1999, when it was formally declared to have concluded.

A program of migratory stabilization was implemented for the 22,000 remaining refugees who decided to remain in Mexico. This group included adults and children born in Guatemala, whose legal status, in contrast to children born in Mexico and therefore entitled to Mexican citizenship, was not guaranteed. Indeed, the first stage involved a naturalization program for Guatemalan-born refugees, some of whom had arrived in Mexico during their youth; many now hold Mexican citizenship.

Since then, a little-known process of integration has taken place, mainly under the direction of COMAR, the Mexican Commission for the Aid of Refugees, which coordinates with federal and local institutions, depending on the jurisdictions involved. Prior to 1999, the refugee camps — in Chiapas as well as in the states of Campeche and Quintana Roo — had their own system of organization, which included direct links to federal agencies and the civil and international organizations that supported them. As these camps were turned into villages, their system of government was incorporated into the political-administrative systems of the municipalities in which they were located.

Since Mexico became a signatory to the 1951 Convention and the 1967 Protocol in 2000, it has passed laws and created new institutional frameworks, entities, and procedures for handling asylum applications. It is likely that the country's experience with Guatemalan

refugees, especially along its southern border, will influence its position if confronted with refugee flows in the future.

Central American Population Today

Immigrants have never composed a large portion of Mexico's population. In the last three decades, the percent of foreign born has hovered around 0.5 percent. The 2000 census recorded 492,617 foreign born out of about 100 million inhabitants.

Of those foreign born, the majority (69 percent) were from the United States; most of those are thought to be the American-born children of Mexican migrants or of Mexican border residents. Just 5.6 percent (about 27,600) were born in Guatemala, putting it in second place, and 1.1 percent (about 5,420) were born in eighth-ranked El Salvador. Many observers and the media believe the actual number of Central Americans in Mexico could be much higher than reported in the 2000 census.

The Chiapas side of the Mexico-Guatemala border is likely home to the majority of Guatemalans residing in Mexico, as the 2000 Census sample estimates that 55 percent live in that state. That number most likely includes former refugees born in Guatemala. Their communities, built on both social and economic networks, are typical of many border regions, where border crossings eventually turn into permanent settlements.

Transit Migration and Border Policy

In the 1980s, the Mexican government purposely chose not to enforce its southern border with physical barriers because it wanted to facilitate cross-border markets and family interactions, among other reasons. Migrants' journeys were — and still are — far from easy, however, as they often suffer abuses and eventually have to pay bribes to local authorities and also deal with being robbed and raped by criminals.

Although some Central American migrants in the 1980s attempted to find low-wage work in Mexico, they quickly learned that local labor markets were quite limited and earnings were not high enough to consider settling. Therefore, the flow continued north to the United States, with Mexico becoming a transit country.

Early on, the differences between asylum seekers and those motivated by labor and economic reasons were blurred. Many scholars argued that in the context of crises, such as the civil wars in Central American countries, it was hard to distinguish between refugees and economic migrants, and that such a distinction was inappropriate in the case of Central American migrants. Only when the conflicts ended in the early 1990s was it clear that transit migrants were headed north in search of better opportunities.

Mexico has not erected physical barriers in response to the economically driven flows and pressure from the United States (especially since 9-11), but it has reaffirmed its interest in stopping unauthorized migrants from reaching its northern border.

To achieve its goal of containment, control operations and mechanisms were implemented at strategic points in the 1990s, particularly along the highway routes migrants and their guides favor. Migratory agents and members of the Federal Preventive Police perform control and verification activities, such as asking to see identification, at specific points but also in any location they choose. They stop buses and other vehicles as well as people walking or staying in certain areas or routes that migrants frequent. A number of agents from other governmental agencies also participate in these checks although the law has not

authorized them to do so.

Given the increasing difficulty of avoiding controls on highways, alternative routes and means of transport have opened up, such as freight trains, an extremely hazardous choice; migrants have died trying to jump on and off moving trains.

New routes have also been opened up along quiet roads and paths that are nonetheless dangerous because they have become the operating territory of criminals and organized gangs. These people regard migrants as an easy target, not only because of the few though attractive resources they possess, but also because of their unfamiliarity with the area.

Deportation Policy

Once unauthorized migrants from Central America are apprehended, Mexico — per its last agreement signed in December 2003 with Guatemala to ensure the safe, orderly repatriation of undocumented Central American migrants — deports them to Guatemala; however, the agreement has been written to allow for periodical revision. From there, Guatemala takes them to their borders with El Salvador and Honduras.

With a few exceptions, the number of deportations has steadily increased each year since the 1990s. In 2004 and 2005, the yearly average exceeded 200,000 deportation events. It's important to keep in mind that this number is an indirect measurement; it records only those who failed to cross on their way to the United States. Also, since Mexico — as other countries do — records apprehension and deportation events, it is possible that the same person was deported multiple times.

Most of the deportees have been Guatemalans, followed by migrants from Honduras, El Salvador, and Nicaragua. Groups of persons from more distant countries, not only in South America but also from Asia, have also been recorded; they must be deported directly to their countries of origin, which requires not only consular arrangements with their governments but also a budget to fund travel expenses.

Mexico temporarily halted deportations after Hurricane Stan devastated Central America and the Yucatan Peninsula in October 2005. Since then, the press office of the National Institute of Migration has reported that the number of deportations has bounced back to pre-Stan levels; for instance, the number of deportations in January 2005 was 16,441 compared to 20,241 in January 2006.

Multilateral Efforts

Within the multilateral sphere, Mexico has been involved in the Regional Conference on Migration (RCM, initially known as the Puebla Process), which began in 1996. Although its membership initially was limited to North and Central American countries, it was later widened to include the Dominican Republic as a regular member and some South American nations as observers.

RCM was set up as a forum for exchanging experiences and information. As part of its Plan of Action, it has organized workshops, seminars, and meetings on certain topics that have mainly helped to link migration to development and to improve the mechanisms for protecting the human rights of migrants and their families. Mexico was a vigorous member of the original group of countries and led its first initiatives. However, since 2001, increasing concerns about security and terrorism altered RCM's agenda, stalling the process and diminishing Mexico's ability to push that agenda.

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More recently, foreign secretaries of Mexico and countries in Central and South America have come together to show a "face of Latin unity" and oppose restrictive immigration legislation currently before the US Congress. The "Pro-Migratory Alliance" faces numerous pressures and will have a difficult time influencing the US legislative process.

The group's main achievement so far, the creation of a Working Party on Migration, will have to overcome the common characteristics of reactive proposals whose first achievement has usually been to resort to the traditional practice of creating commissions with doubtful outcomes. Some of the foreign secretaries will tour Washington, DC, in May 2006 to lobby for reform that legalizes the unauthorized and creates opportunities for their citizens to work legally.

Looking Ahead

It is hard to predict the future of Central American migration towards the north, just as predictions about the migration of Mexicans to the United States are open to debate. Consequently, forecasting what path Mexican policies towards immigrants and transmigrants will follow is also difficult.

The current migration debate in Mexico overwhelmingly revolves around the importance and need to influence the immigration reform in the United States, which is also a concern of its Central American neighbors. Any US immigration reform will affect Central American migration, but US reform will also create a new context for migratory policymaking in Mexico.

The document "Mexico and the Migration Phenomenon," issued in 2006 by Mexican legislators and federal government officials with the support of academics, foreign policy experts, and civil-society organizations, provides a platform for discussion.

Mexico is beginning to see itself as a country of emigration, immigration, and transmigration, a realization that requires it to shape and adopt an integral and coherent migration policy, not just react to the United States. Such a policy will need to be based on principles that allow both developed and developing countries to engage in rational discourse.

Related Articles:

- [Central America: Crossroads of the Americas](#)
- [Guatemala: Economic Migrants Replace Political Refugees](#)
- [Mexico: A Crucial Crossroads](#)

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Canada: A Northern Refuge for Central Americans

By María Cristina García
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Central American migration to Canada is a fairly recent development. Until the 1960s, the country's climate, geographic distance, and cultural unfamiliarity discouraged migration from Central and South America. However, as Canadian involvement in Latin American affairs expanded during the administration of Prime Minister Pierre Trudeau — through trade, investment, and diplomatic representation — so did its visibility and lure.

Canada's generous accommodation of thousands of Cuban and Chilean refugees during the 1960s and 1970s made it an attractive option for would-be immigrants and refugees from throughout the Americas over the next few decades. At the same time, US and Mexican policies toward some Central American refugees also helped push those flows further northward.

Canada: A "Natural Haven"

Canada's response to the revolutions in Central America, which differed in significant ways from the United States, made it a natural haven for those displaced by the political upheaval. While the Reagan and Bush administrations saw the Central American revolutions as a strategic Cold War struggle for control of regional allies, Canada's position was more in line with the countries that supported the Contadora peace process, viewing the conflicts as homegrown, and the logical consequence of the unequal distribution of economic resources and political power.

While the United States regarded it their historic right and duty to "protect" the region, Canada opposed military aid or any actions that might perpetuate the wars. Instead, Canada stepped up its relief efforts in the region, channeling funds through the United Nations High Commissioner for Refugees (UNHCR), the Red Cross, and Canadian NGOs to provide emergency aid such as food, medicine, and clothing as well as assistance in finding durable solutions and relocating displaced people.



Canada enacted a variety of measures to protect the displaced. Through UNHCR, Canadian officials facilitated the immigration of Guatemalan refugees living in Costa Rica and Mexico.

Canadian consulates in the United States were instructed to issue visas to Central Americans facing deportation. And the government established a moratorium on the deportation of Salvadorans and Guatemalans, even if they entered the country illegally.

Between 1982 and 1987, Canada admitted 15,877 refugees from Central America, the majority of them Salvadoran (11,251). Under a special program, 4,444 family members were allowed entry, bringing the five-year total to 20,955. By the end of the decade, Salvadorans had replaced Chileans as the principal immigrant group from Latin America.

The Central Americans' Path to Canada

Overland migration from Central America to Canada also increased as the violence in the region escalated, refugee camps filled up, and more restrictive immigration policies were enacted in Mexico and the United States.

Interviews with landed claimants revealed that most had spent some time in Mexico and/or the United States before moving on to Canada. A 1992 profile of Salvadorans in Montreal, for example, found that 40 percent had lived in the United States for at least one year before moving to Canada; 33 percent had lived in Mexico for at least six months before moving to Canada; and the rest had chosen Canada as the country of first asylum.

The Salvadorans moved further northward because the approval rate for asylum applications was generally much higher than in the United States. From 1980 to 1986, for example, between 21 and 60 percent of Salvadoran applications were approved; and between 28 and 71 percent of Guatemalan applications were approved. By comparison, only three to five percent of Salvadoran and Guatemalan petitions in the United States were successful during this period.

Central American Numbers

By the end of the 1980s, Salvadorans were the largest group of Central Americans — legal and undocumented — in Canada. In 1987, there were 22,283 Salvadorans living legally in Canada, and thousands more were believed to be working in the underground economy (see Table 1). Most were young, single males.

Table 1. Flow of Central American Immigrants to Canada, 1961 to 2001

	before 1961	1961- 1970	1971- 1980	1981- 1990	1991- 2001	1991- 1995	1996- 2001
Belize	30	120	295	575	360	85	280
Costa Rica	30	60	75	850	1,220	610	605
El Salvador	15	60	1,145	23,780	13,455	10,690	2,770
Guatemala	40	125	930	6,215	6,360	4,360	2,000
Honduras	0	50	355	1,190	2,735	1,690	1,050
Mexico	1,445	2,140	4,865	9,660	18,115	6,650	11,465
Nicaragua	0	45	125	4,695	4,510	3,560	950
Panama	30	60	220	640	1,450	1,130	325
Central America Total	1,595	2,660	8,015	47,610	48,210	28,765	19,445

Source: Statistics Canada

Like their conationals in Mexico and the United States, they had urban, working-class backgrounds and averaged 10 years of schooling. And, as in these other countries, the young migrants came with a variety of skills and life experiences, or human capital, and came to occupy important niches in the Canadian economy.

Guatemalans and Nicaraguans were comparatively fewer in number. In 1987, there were

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7,700 Guatemalans and 7,081 Nicaraguans. Some attributed the smaller numbers of Guatemalans to UNHCR policies that encouraged them to remain closer to their country of origin to facilitate repatriation. Indeed, Guatemalans living in Mexico, Honduras, and Costa Rica were more likely to repatriate in the 1990s than those living in northern countries.

The settlement patterns established by the first refugees in the early 1980s — most of whom settled in Mexico — also affected the destinations of those who followed later in the decade. Early Nicaraguan migrants, in turn, settled largely in the United States and Costa Rica, and these communities served as magnets for those who emigrated later in the decade.

Nicaraguans who traveled to Canada found it slightly easier than other Central Americans to receive asylum but, as in the United States, after the defeat of the Sandinistas in 1990, Nicaraguan petitions were increasingly denied since the justification for migration was believed to no longer exist.

Central Americans in Canada as a whole were concentrated in two cities. In 1987, roughly 15,000 Central Americans lived in Montreal and some 6,000 lived in Toronto. Over half of the men were employed in construction, manufacturing, and service occupations. One-third of women were employed in service occupations, and another third were employed in managerial, clerical, or professional occupations.

IRCA's Effect on Canadian Policy

A change in US immigration policy forced the Canadian government to adjust its own immigration policies reciprocally, demonstrating the impact that policy changes in one state can have on its neighbors. In 1986, the US Congress passed the Immigration Reform and Control Act (IRCA), which created a series of measures to restrict the number of undocumented workers in the country, among them an expanded border patrol, tougher status verification criteria, and penalties on employers who knowingly hired undocumented workers.

As a result, Canada experienced a dramatic rise in the number of petitions for asylum as immigrants of many different countries left the United States and traveled northward in search of work and safe haven. In just one year, the Canadian consulate in Los Angeles saw a 500 percent increase in the number of Central Americans seeking assistance to come to Canada. Others asked for asylum at border points or entered illegally.

From December 1986 to February 1987, 10,000 refugees, most of them Central Americans, entered Canada, encouraged in part by the Spanish-language press, immigration lawyers, and sanctuary workers in the United States who alerted them to Canada's more generous policies. Church, Salvation Army, and Red Cross shelters on both sides of the border — Montana/Alberta, North Dakota/Manitoba, New York/Ontario-Quebec — hosted thousands of refugees awaiting their hearings.

The increased number of asylum seekers focused attention on the limitations of Canada's asylum determination process. The 1976 Immigration Act had created a bureaucratically cumbersome process under the Refugee Status Advisory Committee (RSAC) and the Immigration Appeals Board (IAB). These were adequate in the 1970s when inland applications stood at only 200 to 400 per year.

But the architects of the Immigration Act never envisioned that one day thousands of people would ask for asylum at border checkpoints at Windsor, Niagara Falls, or Lacolle. By

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the end of the 1980s, Canada had a backlog of 121,000 asylum cases.

Over the next few years, a series of bills were introduced into parliament to reform the immigration and refugee bureaucracy, exert better control of the border, and discourage "frivolous claims." While Central American refugees were not the specific targets of these bills, the so-called "border rush" of the late 1980s was a one of a series of high-profile incidents that contributed to the intolerance towards immigration.

Public opinion polls demonstrated a growing opposition to Canada's more generous policies even though yearly immigrants consistently numbered less than one percent of the total population. Bill C-55, passed in 1988, established a new tribunal, the Immigration and Refugee Board (IRB), to streamline the processing of asylum claims, eliminate the backlog, and facilitate deportation.

Bill C-84 introduced new "detention and deterrence" measures, among them tougher criminal penalties on those who "smuggled" or aided the undocumented. In 1993, the passage of Bill C-86 established tougher criteria for asylum, resettlement, and detention, including an expanded list of criteria by which an applicant might be determined inadmissible.

Some of the bills' more restrictive measures were mediated or eliminated in part due to pressure from immigration and refugee advocates who lobbied and threatened lawsuits in order to keep the determination system fair and accessible. These advocates — affiliated with church groups, charitable and professional organizations, universities, labor groups, and other NGOs — staged rallies, demonstrations, letter-writing campaigns, and various forms of civil disobedience to remind the state of its humanitarian and international obligations. Although a minority viewpoint, they were influential in countering the anti-immigrant backlash.

Many of these advocates were actively involved in assisting the Central American refugees and in protesting US militarization of the region. Through articles, editorials, and testimonies, they documented the abuses of war and helped keep attention focused on Central America.

Central American Migration Post-1996

After the elections and peace settlements of the 1990s, Central America's refugees ceased to occupy a prominent role in Canadian public discourse. It is unclear how many Central Americans living in Canada actually returned to their homelands after the peace accords were signed.

Based on anthropological studies that have examined links between immigrant communities in North America and the homeland, it is probable that those who legalized their status in Canada have maintained a transnational existence. This means they have likely invested in a variety of capital in both old and new homelands and blurred the borders in spite of state policies to reinforce them.

Migration from Central America continued after civil war ended in 1996 but for different reasons. From 1996 to 2001, Central Americans emigrated to escape ongoing criminal and political violence, as well as natural disasters that disrupted the economy and exacerbated the poverty. Migration from Honduras and Nicaragua to North America increased as a result of Hurricane Mitch (1998), and from El Salvador after the earthquakes of 2001.

The 2001 Canadian Census showed 39,200 Salvadoran immigrants and nonpermanent residents; 14,095 Guatemalans; and 9,535 Nicaraguans (see Table 2). Like many immigrants, the majority were concentrated in the provinces of Ontario and Quebec.

Table 2. Central American Population in Canada by Country of Birth and Status, 2001

	Immigrants	Nonpermanent Residents	Total Immigrants and Nonpermanent Residents
Belize	1,385	10	1,395
Costa Rica	2,230	270	2,500
El Salvador	38,460	740	39,200
Guatemala	13,680	415	14,095
Honduras	4,340	170	4,505
Mexico	36,225	6,525	42,740
Nicaragua	9,380	155	9,535
Panama	2,400	125	2,520
Central America total	108,085	8,405	116,500

Source: Statistics Canada

These numbers were small compared to US figures. By 2004, Salvadoran officials estimated that nearly one-fourth of all Salvadorans lived in the United States alone, and sent close to US\$2 billion in remittances each year.

Central Americans who now wish to enter Canada legally generally do so as landed immigrants rather than as refugees or "protected persons." However, since Canadian legislation favors immigrants with certain skills and work experiences, and who can speak English or French, this excludes many Central Americans.

Those who legally immigrate tend to enter as members of the "family class," which reunites Canadian residents with their family members. Adoption is another means by which Central Americans — in this case, children — have become permanent residents.

Conclusion

Since the terrorist attacks on the United States on September 11, 2001, it is much more difficult to immigrate or receive asylum in North America. The United States, Mexico, and Canada have all revamped their immigration bureaucracies, increased security personnel at airports and border checkpoints, and enacted new — and highly controversial — detention and deportation procedures in order to discourage terrorists from establishing a foothold in their societies. Unfortunately, immigrants and refugees have become casualties of these new policies.

As a result of all these new measures, the number of overall refugee claims in Canada fell from a record high of 44,063 in 2001 to less than half that number in 2003. Immigration

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numbers also failed to reach government targets.

Central American petitions for both asylum and landed status have been affected. Theoretically, Central Americans are still able to receive refugee or protected status if they are able to prove a credible risk to their lives. IRB regularly updates its country profiles to help evaluate such claims. However, it has become increasingly difficult to receive a favorable verdict through the refugee bureaucracy. Landed immigration is considered the only realistic means to enter the country legally but eligibility is also limited.

For those willing to take the risk, illegal immigration along the porous US-Canada border is an option. News stories in the Mexican press report the many dangers that the *transmigrantes* face in reaching the United States and Canada, and hundreds die each year at the hands of gangs, corrupt police forces, and smugglers.

Some argue that a guest worker program in Canada, recently proposed by Mexican President Vicente Fox, would help Mexicans and Central Americans find employment and address some of the economic problems that propel them northward.

María Cristina García, a professor in the history department at Cornell University, recently published Seeking Refuge: Central American Migration to Mexico, the United States, and Canada, published by University of California Press. Information on the book is available [here](#).

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Migration and Development in El Salvador: Ideals Versus Reality

By Katharine Andrade-Eekhoff

April 1, 2006

What is the relationship between migration and human development for a country? This was the question the United Nations Development Program (UNDP) in El Salvador confronted with its December 2005 human development report for the Central American country, which has seen high levels of emigration to North America since its civil war in the 1980s. The 10-chapter report, [*A look at the New 'Us': The Impact of Migration*](#), is the most comprehensive analysis to date on El Salvador and migration.

UNDP starts with the idea that a nation's principal resource is its population. Thus, migration to another country is considered a drain on human development. In some cases, such as El Salvador, where at least 20 percent of the population lives abroad, this drain can be described as a hemorrhaging of the country's most valuable resource.

Yet the El Salvador report also analyses how migration has led to important improvements in human development. UNDP measures a country's human development with the human development index (HDI), which includes life expectancy at birth, adult literacy, school enrollment, and standard of living. According to their HDI, Salvadorans in the United States have obtained a high level of human development (0.851), much higher than that of Salvadorans who remain within their country (0.731) but still lower than that of native-born US citizens (0.944).

At the same time, remittances — over \$2.5 billion in 2004 based on Central Reserve Bank estimates — play a significant role in the national economy. Remittances are the single most important source of income, and are more than six times foreign direct investment (see Table 1). At the same time, on a microeconomic level, more than a fifth of all households receive remittances.

Evidence from the National Household Survey (EHPM — *Encuesta de Hogares de Propósitos Múltiples*, in Spanish) shows that Salvadorans abroad have helped their families at home improve their incomes and housing, ensure that children obtain higher educational levels, and provide a "retirement fund" for the elderly. On a national level, they have reduced inequality.

Table 1. Migrant Remittances and Their Importance Relative to Other Economic Indicators, 2004

Remittances (data for 2004)	\$2,548 million
% of households that receive remittances	22%
Remittances as a percentage of GNP	16%
As a percentage of all exports	133%
As a percentage of all imports	52%
As a percentage of foreign direct investment	655%
As a percentage of the National Budget	91%
As a percentage of social expenses	202%

Source: Central Reserve Bank of El Salvador

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In fact, it can be easily argued that migration is El Salvador's principal gateway to globalization. And this is due not only to the volume of remittances but also to a myriad of other economic activities that have increased because of migration.

According to data from the US Federal Communications Commission, telephone calls between the United States and El Salvador rose 570 percent from 99.9 million minutes in 1992 to 669 million minutes in 2002 as families made use of increased access to land lines as well as cell phone expansion to keep in touch.

Information from the US Bureau of Transport Statistics shows that air traffic between El Salvador and the United States increased exponentially from 123,846 passengers in 1990 to more than 1.3 million in 2004. The principal cities of destination (Los Angeles, Washington, DC, Houston, New York, and San Francisco) coincide with the largest concentrations of Salvadorans in the United States.

Linked to air traffic is ethnic tourism. Salvadorans who live outside the country and come to visit stay longer and spend more per day than tourists of other nationalities. According to the Ministry of Tourism, on average, Salvadoran visitors stay 19 days and spend \$97 per day while other tourists stay only eight days and spend \$87 per day.

Yet migration has enormous costs, both economic and social, and migration has transformed the country's communities, and not always for the better.

Background on Salvadoran Migrants

The number of Salvadorans residing in the country totals about 6.2 million. But it is estimated that anywhere from 817,000 to 2.7 million Salvadorans, or another 13 to 40 percent, live outside the country. While Salvadorans can be found in almost any part of the world, an overwhelming majority migrate to the United States (see Table 2). According to US census data, they are predominantly of working age and a high percentage are women. In fact, analysis published in the UNDP report shows that Salvadoran women dominated migration flows to the United States in the 1960s and 1970s.

With the outbreak of civil war in the 1980s, not only did migration increase significantly, but men started to migrate in far greater numbers than women. Despite the onset of peace in 1992, migration to the United States has continued. Evidence from recent field work in 18 municipalities of El Salvador indicates that, after the earthquakes of 2001, young people from the countryside have been migrating to the United States at a faster rate than ever before.

Table 2. Estimates of Number of Salvadoran Migrants and Their Characteristics, 2000

Estimated number of Salvadorans in the Americas	817,000 to 2,680,000
% in the United States	90%
% in Canada	6%
% in Mexico and rest of Central America	3%
As a percentage of Salvadorans in El Salvador	13 to 40%
Characteristics	
% in US that are age 44 and younger	80%
% in US that are women	48%

Source: US Census, Salvadoran Foreign Affairs Ministry, Salvadoran Ministry of the Interior

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At the same time, deportations of Salvadorans have risen from a total of 4,216 in 1999 to 36,689 in 2004, as documented by the Salvadoran Ministry of the Interior. From 1999 through 2001, the majority of these deportations came from the United States, but, as of 2002, the vast majority of deportees are returned from Guatemala and, even more importantly, Mexico.

Within El Salvador, major concern has arisen concerning the criminal activities of deportees, especially their affiliation with youth gangs (see **National Policies and the Rise of Transnational Gangs**). Drug offenses, armed robbery, drunk driving, and domestic violence are also some of the other crimes deportees have committed. The growing debate around deportees and crime requires a deeper understanding of transnational relationships and migration. In some cases, deportees with serious criminal offenses may be more a product of US society than El Salvador's, but this is clearly one public policy challenge that transcends borders.

Economic Costs

The financial costs of migration vary from migrant to migrant, depending on their socioeconomic status in El Salvador. "Middle-class" migrants are more likely to obtain a tourist visa and travel north on an airline ticket, either returning home before their visa expires or overstaying their visa and becoming undocumented.

The poorest migrants tend to pay the most, often embarking without proper documentation and few monetary resources in a journey that involves hitching a ride on a moving freight train or enduring rape and many other forms of violent crime in Mexico. Others are guided northward and into the United States by a network of coyotes that charge anywhere from \$6,000 to \$8,000 for their services.

In order to come up with the funds, Salvadorans have proven to be extremely resourceful. Family and friends in the United States often help out, or livestock is sold and land titles mortgaged to cover this "investment."

Others resort to local microlending programs to finance migration, causing some of these programs to reevaluate loan amounts and criteria for lending. And while personal loans to pay the coyote are not part of the mission of these initiatives, which are designed to support small entrepreneurs, they have saved some families from foreclosure on their land or exorbitant interest rates coyotes charge.

Social Costs

Although much academic research has focused on transnationalism (the phenomenon of being part of two societies at the same time), families living in different territories and realities easily incur social costs that are not always discussed. Spouses live apart for extended periods of time; children and young people grow up in the care of extended family; and the elderly lose their network of family support.

One of the most striking changes in Salvadoran family life has been the shift from male to female-headed households. Nationwide, data from the EHPM shows that households headed by women have risen from 26 percent in 1992 to 32 percent in 2004.

The impact this has on a community can best be seen by comparing two municipalities. According to data from the EHPM from 2004, Concepción de Oriente, in the far eastern part of El Salvador, is the municipality with the highest rate of households receiving remittances

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(63 percent); Santa Catarina Masahuat, in Sonsonate department in the western part of the country, is the least impacted by international migration with less than one percent of households receiving remittances.

But the differences do not stop there (see Table 3). The poverty rate in Concepción de Oriente is almost half that of Santa Catarina Masahuat.

Even more striking are the demographic changes to these two communities. In Concepción de Oriente, for every 100 women there are only 76 men; the gap widens for those ages 15 to 24, to just 66 men for every 100 women. The masculinity index in Santa Catarina Masahuat is essentially one to one. Concepción de Oriente also has larger portions of younger and older people compared with Santa Catarina Masahuat, and almost three times the percentage of households headed by women.

Essentially, the migration of young men from Concepción de Oriente to the United States has meant that their families back home live in better homes and have more income. But it is altering the social and demographic composition of the community.

Table 3. Comparison of Remittances, Poverty, and Demographics in Santa Catarina Masahuat and Concepción de Oriente, 2004

	Santa Catarina Masahuat, Sonsonate	Concepción de Oriente, La Unión
Remittances and Poverty		
Percentage of households that receive remittances	0.6	63.0
Poverty rate	74.5	39.1
Demographics		
Masculinity index	1.02	0.76
Masculinity index (ages 15 to 24)	1.00	0.66
Percentage of the population under age 18	42.6	47.1
Percentage of the population over age 44	15.9	24.3
Percentage of households headed by women	15.7	41.5

Source: EHPM, 2004

The households that receive remittances may be less likely to face poverty, but migration does not appear to have led to an equaling of the playing field between men and women, since migration tends to reproduce social inequalities. Women and men still carry out traditional roles: men tend to be seen as the bread winners while women take care of domestic responsibilities.

What seems to be shifting are generational responsibilities as tasks that adults have been responsible for become part of the duties of older or younger members of families. Thus grandmothers, aunts, or sisters take care of young children, wash clothes, and prepare food while grandfathers, uncles, or brothers take care of things such as housing improvements and repairs.

Those inequalities have followed Salvadoran women in the United States, who still lag behind Salvadoran men in English proficiency, educational attainment, and income (see Figures 1 and 2).

Figure 1. English-Language Proficiency of Salvadoran Men and Women in the United States, 2000

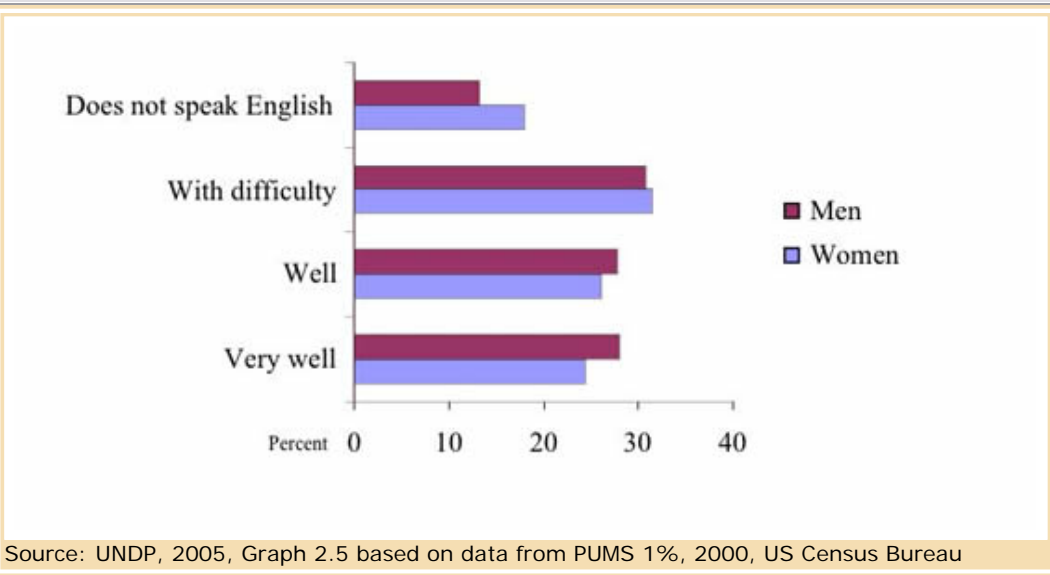
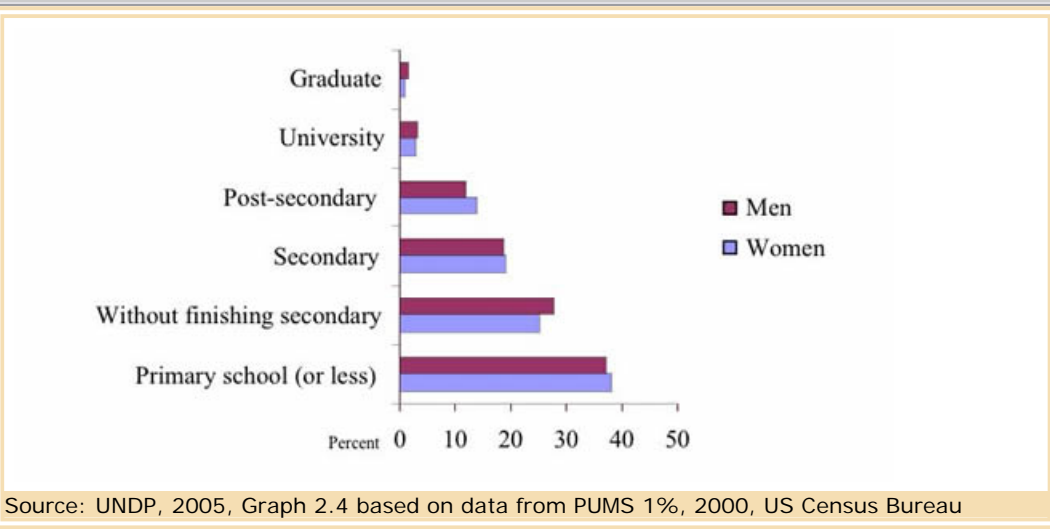


Figure 2. Education Levels of Salvadoran Men and Women in the United States, 2000



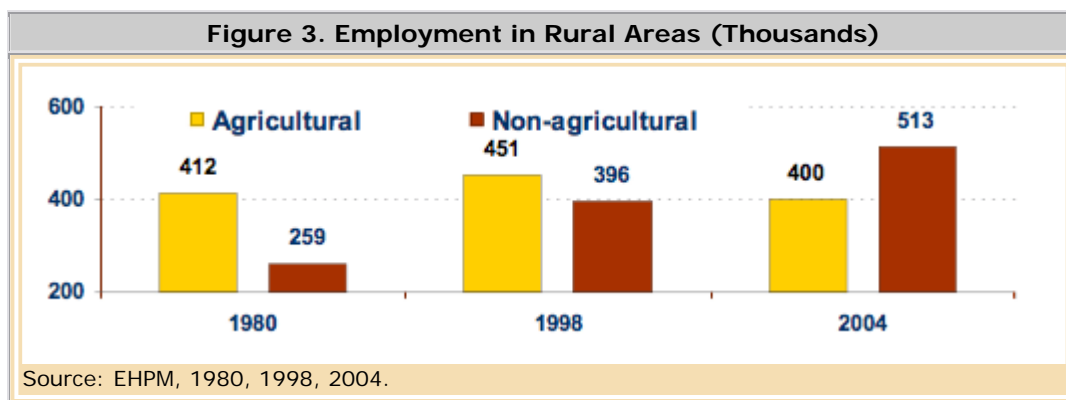
The US labor market for Salvadorans is highly differentiated by gender; Salvadoran women continue to work in traditional gendered activities, namely cleaning services and child care, while Salvadoran men are employed in a wider variety of jobs, including construction, transportation, cooking, and gardening services.

What this essentially means for many Salvadoran households in the United States as well as El Salvador is that family decisions, discussions, and experiences take place between two

countries, often with enormous difficulties and sacrifices. Children are raised by grandmothers or aunts while parents agonize over the choice they have made in leaving them behind; the elderly no longer have to work because they get remittances from their migrant daughters, but they do not have the emotional and physical support of their children; and as young people come of age, they face this period of enormous transition without the same sort of guidance that a parent might provide.

Economic Effects at the Local Level

Migration-related changes in culture and the structure of social life depend on the particulars of each community and evolve as international migration unfolds, sometimes at an astounding pace. In many parts of the country, for instance, rural life is no longer synonymous with agriculture. Employment in the countryside is less linked to farming as structural adjustment has led to policies that have strangled the peasant economy, making it economically impossible for small farmers to produce beans and corn for the national market (see Figure 1).



In rural areas, remittances are used to purchase land and animals and to stimulate nonagricultural activities such as commerce and services; those involved in these activities have fewer ties to the land. Yet a large number of rural families still depend on the production of basic grains for their subsistence, and these are often the households without migrants. They depend more on the land but have less access to it, and the land that they do use is generally of very poor quality, which further deepens the processes of environmental degradation.

At the same time, dramatic changes in small towns can be seen in the materials used for construction of homes built with remittances. Even more dramatic are the changes in architectural styles and the use of space in some parts of the country, reflecting the influence of the US labor market.

Many Salvadorans from the eastern part of the country live or have lived in the Washington, D.C. area, where they work in suburban home construction. They often build "replicas" in their communities back home as they plan for retirement. These homes include front lawns and gardens, back patio spaces, flush toilets, and hot water systems, sometimes in communities where running water is nonexistent. At the same time, land prices have increased, essentially making it next to impossible for families without remittances to realize their "American dream" in El Salvador without engaging in migration.

Social Effects at the Local Level

Families that do not have a household member working abroad and sending them remittances feel the pressure of ever widening gaps in social and economic status. So while remittances are closing economic gaps on a national level, on a local level they may be part of new processes of exclusion and inequality. A family living in a traditional adobe home may not be poorer but may feel poorer when a neighbor builds a two-story cinderblock house with numerous amenities, according to research by the Latin American social sciences organization FLACSO.

However, migration and remittances can also undermine already weak communities, generating a vicious cycle that drains the local economy of young people, its most valuable resource. Research in El Salvador has shown that young people are able to continue their studies partly due to remittances their families receive. The remittances provide financial stability, allowing children to stay in school rather than go to work.

Yet, in obtaining a higher level of education, their aspirations also change; they do not wish to live the peasant lifestyle of their parents but rather they aspire to professional jobs. However, opportunities for work and better pay remain essentially unchanged. The façade of their community has changed but not the economic opportunities.

Further complicating the picture are the flow of information and social networks that make migration possible. For example, young women in northern El Salvador who have friends or family living in Washington, DC, are more likely to find a job there than they would in San Salvador. The social networks linking them to the United States are probably stronger and denser than their connections to other parts of the country.

Conclusion

The migration-induced changes taking place in El Salvador today are profoundly transforming the country's economy and society. Yet over the last two decades analysts and policymakers did not sufficiently take into account the impacts, and thus continued to plan for a country that no longer exists. Essentially, El Salvador cannot be understood as a country of 6.2 million people living in 21,000 square kilometers, but rather as a nation with more than eight million citizens living inside and outside the national borders.

Many policymakers continue to try and find ways for migration and remittances to develop immigrant-sending areas, especially on the local level. The UNDP El Salvador report concludes, however, that migration and remittances can contribute to local development (and in fact are already doing so) but they cannot be the motor that drives either the national or local economy.

In short, migration processes alone cannot solve all of El Salvador's economic problems. Local and national development requires local agendas for improving the social, cultural, political, and economic fabric of a community.

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Return migrants can contribute with skills learned abroad, and migrant associations in the United States can make investments that stimulate local economic activity or support social services such as education, health care, and recreational activities. The challenge is ensuring that all Salvadorans, not just households with migrants abroad, can benefit from improvements.

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Remittance Trends in Central America

By Dovelyn Agunias
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April 1, 2006

Recent years have seen an impressive surge in official remittance flows to Central America. The Inter-American Development Bank (IADB) estimates the region received US\$7.8 billion through official channels in 2004, a 17 percent increase from the 2003 figure of US\$6.7 billion.



Although a huge portion of remittance flows to Latin America and the Caribbean (LAC) still goes to countries outside of Central America — almost 60 percent reportedly just to Mexico, Brazil, and Colombia — Central America's slice of the remittance pie has nonetheless been growing. It now accounts for 17 percent of the official flow to LAC, up from just 15 percent in 2001 according to IADB.

Reporting almost US\$2.7 billion in official flows in 2004, Guatemala topped the list, followed closely by El Salvador, with US\$2.5 billion (see Table 1). These two countries, which account for nearly two-thirds of the two million Central Americans counted in the 2000 US census, receive almost 64 percent of total remittance flows to Central America, and they are the fourth- and fifth-largest remittance-receiving countries in LAC. Remittance growth in Guatemala tripled from 2001 to 2004.

Honduras and Nicaragua followed at some distance, at around the US\$1 billion mark, while Panama, Costa Rica, and Belize trailed with less than US\$325 million in remittances in 2004. The low levels of the latter three reflect the fact that they have relatively few emigrants in the United States.

Not surprisingly, the dominant source of these remittance flows is the United States. A good proportion, however, is also believed to be sent from other LAC countries. Despite the attention given to remittances from developed countries, particularly the United States in the case of Latin America, these so-called South-South remittance flows are far from negligible.

A 2003 study of Costa Rica and Nicaragua suggests that about one-third of remittances received in Nicaragua are actually sent from Costa Rica. Given that Mexico is the second-largest destination of Guatemalan workers after the United States, it can also be assumed that at least some of the remittances going to Guatemala are coming from Mexico. Indeed, research conducted for IADB estimated that, in 2002, about US\$1.5 billion of the US\$32 billion remitted to LAC were actually interregional.

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In interpreting these numbers, it is critical to realize they are official estimates and, thus, do not take into account remittances flowing through informal channels, such as those hand carried by migrants on visits home. Given the predominance of informal transfer mechanisms in Central America, it is safe to assume these figures are, more probably than not, underestimates.

Indeed, evidence from household surveys suggests widespread use of informal remittance channels to Central America, as in many other regions. The World Bank estimates, for example, that informal remittances account for about five percent of the actual remittance flow to Guatemala and almost 15 percent to El Salvador.

Remittances and the Macroeconomy

The importance of these huge remittance flows to the economies of Central America becomes very visible once they are compared to key economic aggregates such as gross domestic product (GDP), foreign direct investment (FDI), official development assistance (ODA), and exports.

In all but three Central American countries, remittances are equivalent to at least 10 percent of GDP, suggesting a heavy dependence on remittances as an engine of economic activity. Figures from Nicaragua, El Salvador, and Honduras are particularly high (see Table 2).

Table 1. Remittances to Central American Countries in Millions of US Dollars, 2001 to 2004

Country	2001	2002	2003	2004
Guatemala	584	1,690	2,106	2,681
El Salvador	1,911	2,206	2,316	2,548
Honduras	460	770	862	1134
Nicaragua	660	759	788	810
Costa Rica	80	135	306	320
Panama	--	--	220	231
Belize	--	--	73	77

Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of data from the Inter-American Development Bank/Multilateral Investment Fund (IADB/MIF)

Table 2. Remittances to Central America as a Percentage of GDP, FDI, ODA, and Tourism Receipts (2004)

Countries	GDP	FDI	ODA	Tourism
Guatemala	10%	2145%	3052%	348%
El Salvador	16.10%	655%	6620%	756%
Nicaragua	17.80%	310%	127%	432%
Honduras	15.10%	582%	385%	286%
Costa Rica	1.70%	55%	7960%	24%
Panama	1.80%	49%	6435%	35%
Belize	6.80%	253%	1556%	58%

Source: Inter-American Development Bank, 2005

Except in Costa Rica and Panama, remittances also far outweigh both private capital flows and official development assistance. Particularly remarkable in this regard is Guatemala, where remittances are 21 times greater than FDI and 30 times greater than ODA.

Figures from the rest of Central America are no less striking. As share of FDI and ODA, remittances also scored very high in El Salvador, Honduras, and Nicaragua. Interestingly, Belize's remittance flows, although low in absolute value, are two and a half times greater than FDI and 15 times greater than ODA. Indeed, in Guatemala, El Salvador, Honduras, and Belize, remittances are far larger than ODA and FDI combined.

Remittances also made up for the shortfall in exports of some traditional products, dwarfing coffee exports in Guatemala, El Salvador, and Nicaragua, and banana exports in Honduras and Panama. Remittances, again with the exception of Costa Rica, Panama, and Belize, are also at least three times greater than tourism receipts.

For political scientist Manuel Orozco, a long-time analyst of remittances, this dominance of remittance flows over traditional export receipts signals that Central American countries are in the midst of a transition away from "agro-exporting economies" and toward "transnationally integrated households" that are mainly exporting labor to the United States.

Remittances and Development

Despite remittances increasing in magnitude and importance for the majority of Central American countries today, it is interesting to note that their impact on development is far from clear. For decades now, the perception has lingered that remittances are used mostly for consumption by individual households and rarely, if at all, invested in productive enterprises. Thus the developmental potential of remittances is generally thought to be low. In fact, it has been argued that remittances lead not to long-term economic growth but to a passive and dangerous dependency.

Recent household surveys do show that Central Americans who receive remittances mainly use them to cover basic necessities. According to the World Bank, about 77 percent of remittances, on average, are believed to be spent on immediate needs, such as food. At 84 percent of total expenditures, consumption spending is particularly high in El Salvador while Honduras (77 percent) and Guatemala (68 percent) are not far behind.

More recently, however, an increasing number of studies suggest a more positive developmental role for remittances. Although a big chunk of the literature on this topic is concentrated on other countries and regions, a relatively small number of studies focus on some Central American countries.

For example, economist Richard Adams found that, contrary to common perception, Guatemalan households receiving remittances actually spend slightly less, at the margin, on consumption — food and consumer goods and durables — than do households receiving no remittances. For Adams, this rather surprising result may be explained by Guatemalan households' tendency to view their remittances as a temporary stream of income thus precluding more spending on consumption.

Adams further found that although remittances only had a limited role in reducing the number of poor people in Guatemala, they do reduce the depth of poverty and are therefore particularly beneficial for the poorest of the poor. According to his calculations, remittances reduced extreme poverty by almost 22 percent.

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A study on child schooling in El Salvador also found that remittances have a large and significant effect on school retention. From a development standpoint, this finding is clearly promising. Since the increased investments in education contribute to human capital formation, it is likely that remittances may benefit developing countries' long-term growth prospects.

Remittances have also been found to rise when the recipient economy suffers a downturn in activity or macroeconomic shocks due to financial crisis, natural disaster, or political conflict. By compensating for foreign-exchange losses due to these events, World Bank economist Dilip Ratha has found that remittances may smooth consumption and thus contribute to the stability of recipient economies. Indeed, emigration from Central America and the remittances that soon followed were mainly a response to the political turmoil of the 1980s and early 1990s as well as to natural disasters such as Hurricane Mitch in Honduras in 1998.

Very recently, the Economic Commission for Latin America and the Caribbean (ECLAC) released the findings of a comprehensive, region-wide study of the impact of remittances on poverty and inequality. This study included the top four remittance-receivers in Central America — Guatemala, El Salvador, Honduras, and Nicaragua. In this study, however, the results were mixed and prone to different interpretations.

On one hand, the ECLAC study reported that remittances' impact on poverty, indigence rates, and income distribution is very limited. The study revealed that remittances reduced poverty rates in Central America by only 2.2 percentage points. It is important to note that this average is skewed because of El Salvador, which registered a particularly high decline of 4.5 percentage points (see Table 3).

Remittances' impact on indigence is much higher but still limited to a 2.7 percentage-point reduction. This average is skewed, once again, by El Salvador, which registered a higher reduction of 5.4 percentage points.

Remittances' effect on income distribution, though perceptible, is also very limited. El Salvador registered the most significant improvement with an almost five percent reduction in the value of the Gini index, the most commonly used measure of inequality, while Guatemala and Nicaragua were at the far lower end of the scale. Remittances were associated with a small increase in inequality in El Salvador.

Table 3. Impact of Remittances on Poverty and Indigence Rates on Select Central American Countries, 2002

Country	Year	Indigence without Remittances (percent)	Indigence with Remittances (percent)	Absolute Variation	Poverty without Remittances (percent)	Poverty With Remittances (percent)	Absolute Variation
El Salvador	2001	27.5	22.1	-5.4	53.4	48.9	-4.5
Guatemala	2002	33	30.9	-2.1	61.8	60.2	-1.6
Honduras	2002	55.9	54.5	-1.4	78.5	77.3	-1.2
Nicaragua	2001	44.5	42.5	-2	70.9	69.4	-1.5

Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

On the other hand, however, the study also found that if the analysis focused only on remittance-receiving households, remittances enabled many recipients to escape poverty. The Central American countries in the study recorded, on average, a 20 percent decline in poverty rates among these households. El Salvador registered the highest drop in Central America with a 39 percent poverty-rate reduction and was followed by Honduras, Guatemala, and Nicaragua.

The impact of remittances on indigence in receiving households is even more dramatic. ECLAC found that 64 percent of Salvadoran households receiving remittances were lifted out of extreme poverty. Corresponding figures for Guatemala (43 percent), Honduras (28 percent) and Nicaragua (27 percent), although smaller, are still very significant.

These numbers can mean different things to different people. They can affirm what skeptics have been pointing out for decades — that the benefits of remittances do not accrue beyond the households receiving them. They can even contribute to inequality, as the case of Honduras revealed.

Others, however, might look at the same numbers and emphasize the significant number of remittance-receiving households that managed to improve their living conditions and escape poverty. Further, it can be argued that the dismal impact of remittances on aggregate poverty and indigence figures stems from the fact that the number of households receiving these transfers is still small. In other words, if more households received remittances, then the impact on poverty would be much more pronounced.

The authors of the ECLAC study clearly take the latter view. They emphasize that remittances would lift 2.5 million Latin Americans above the poverty line. They further suggest that if, as they suspect, the data utilized in their study came from a source that underreported remittances received, then several million more persons in Latin America have been lifted out of poverty.

Ultimately, however, the developmental impact of remittances on Central American economies can only be ascertained from empirical studies based on more accurate data.

Migrant, Government, and Private Sector Initiatives

As the discussion on the costs and benefits of remittances occupy the academic literature and professional circles, key stakeholders have already launched initiatives aimed at maximizing the benefits of remittances. This is hardly surprising given that the ongoing debate on the impacts of remittances is occurring at a time when the perceived developmental potential of remittances has never been greater.

One of the most well known of such initiatives started with the migrants themselves. Like their counterparts from the rest of LAC, Central Americans have organized hometown associations, or HTAs.

Members of these associations pool their financial resources and send money or goods back to their hometowns. These so-called collective remittances are used to finance infrastructure and social projects, such as remodeling churches and schools. Guatemalan HTAs, for example, have been involved in purchasing small fire trucks for their hometowns, mobilizing support for their country after the 1996 peace agreements, and even in raising money for crises such as Hurricane Mitch.

Although, at present, only one percent of all remittances in Central America come from HTAs, the International Fund for Agricultural Development recently estimated that their

contribution could rise to between three and five percent in 10 years if their management and institutional capacity improves.

Central American governments have also taken initiatives to maximize the benefits from remittances. El Salvador is particularly noteworthy in this regard. Almost six years ago, it created an office that coordinates governmental outreach efforts to Salvadorans living abroad. El Salvador's decision in 2000 to adopt the US dollar as its legal tender was also widely acknowledged to be related to the nation's heavy reliance on foreign exchange coming from remittances.

Taking its cue from Mexico, El Salvador also launched a \$300,000 matching fund in 2003 to implement joint partnership activities with HTAs. This grant will act as an incentive for HTAs to start and/or broaden development initiatives for their hometowns. Unlike in Mexico, however, the Salvadoran government is offering a one-to-one match with HTA money. Interestingly, related initiatives in Guatemala reportedly fell short in gaining government support and never took off.

Members of civil society, including international organizations, have also taken an interest in remittances. Through its Multilateral Investment Fund (MIF), IADB has been particularly active in the region. One of its rallying cries — bank the unbanked — is especially important in Central America given that only two out of 10 Central American migrants have bank accounts. This figure is significantly lower than LAC's ratio of six out of 10.

Credit unions in El Salvador, Guatemala, Honduras, and Nicaragua were instrumental in the creation of the International Remittance Network (IRnet) in July 1999. The network, which facilitates remittance flows from the United States to Latin America, reportedly lowered remittance costs not only by generating competition but also through raising customer awareness of remittance fees.

The private sector has also become more involved. Notably, several banks in Central America have been able to raise relatively cheap and long-term financing from international capital markets via securitization of future remittance flows. The volume of remittance securitization has grown rapidly since Mexico made the first transaction in 1994.

These initiatives are just a sample of an increasing array of activities, programs, and policies different actors have taken to maximize the benefits of remittances. Unfortunately, the effectiveness of these initiatives is unknown because evaluations are either incomplete or unavailable for public consumption.

What is clear, however, is that remittances do play an increasingly significant role in Central America, a role that, given current remittance flow projections, will only increase in the years ahead. Whether remittances will be able to lift this region of almost 40 million people out of poverty is a question only time can truly answer. If empirical findings from other regions are indicative of what is happening in Central America, then the skeptics are bound to be disappointed.

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- [Migration and Development in El Salvador: Ideals Versus Reality](#)
- [Guatemala: Economic Migrants Replace Political Refugees](#)
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CAFTA: What Could It Mean for Migration?

By Salomon Cohen

April 1, 2006

A number of factors can influence the connection between free trade and migration, particularly between developed and less developed countries. Yet it is believed that more trade can lead to less international migration as the less-developed country increases its exports and its economy expands.

However, trade and economic opportunities in general do not automatically spur development in poor nations where migration can mean a search for well being driven by economics as well as deeply rooted cultural, social, and psychological causes.

Indeed, in the case of Central America, the reasons for high rates of emigration to the United States began with devastating civil wars in the late 1970s and early 1980s but have become more complex over time (see [Central America: Crossroads of the Americas](#)).

The Central America Free Trade Agreement (CAFTA) between the United States, five Central American countries, and the Dominican Republic may be the most important economic event in the region in 20 years. The agreements could allow some of the poorest Central American countries to combine their existing benefit from remittances (one of the "profits" of migration) with the job creation and investment opportunities free trade can offer.

CAFTA Basics

CAFTA, after a few years of discussion, took a leap forward in August 2004 when Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica, and, later, the Dominican Republic, agreed to establish with the United States stable and permanent regulations, based on reciprocity, for trading both goods and services in areas such as telecommunications, finance, insurance, and consulting, among others.

The new rules also would make it easier for US companies and others from the rest of the world to invest in CAFTA countries, and CAFTA countries would see improvements in current tariff preferences, including the elimination of US quotas for all products except sugar.

The CAFTA process started when Costa Rica, which signed free-trade agreements with Mexico in 1995 and Canada in 2002, proposed bilateral trade negotiations with the United States. However, the United States was only willing to negotiate with a block of Central American countries.

CAFTA's implementation requires every country's legislature to ratify the agreement; only Costa Rica's legislature has not done so (the US Congress approved CAFTA in July 2005). However, CAFTA came into force for El Salvador on March 1, 2006, because the Office of the US Trade Representative (USTR) determined that El Salvador had taken sufficient steps to complete its commitments under the agreement, including adopting new laws and regulations where necessary.

The US government will put CAFTA into effect on a rolling basis for the remaining signatory countries — Costa Rica, the Dominican Republic, Guatemala, Honduras, and Nicaragua — as they meet the agreement's requirements, for which they have a maximum period of two years as of March 1, 2006.

Arguments for and Against CAFTA

With their high rates of poverty, CAFTA's Central American member countries — including leader-of-the-pack Costa Rica — are in need of foreign direct investment (see Table 1). The World Bank and others believe CAFTA would make it easier for Central America to obtain capital and that free trade would also modernize economies and societies as well as reduce poverty.

Table 1. Economic Indicators in Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua (2004)

	Costa Rica	El Salvador	Guatemala	Honduras	Nicaragua
GDP per capita (in US dollars)	9,606	4,781	4,184	2,665	3,262
Percent below national poverty line	22%	48.3%	56.2%	53%	47.9%
Human Development Index Ranking (from 1 to 177)	47	104	117	116	112

Source: UN Human Development Report, 2004

Also, CAFTA could strengthen an already solid trade relationship. No other market in the world is as important to Central America as the United States. In 2001, the value of trade between the United States and the six CAFTA countries totaled US\$32 billion, US\$15 billion in exports and US\$17 billion in imports — more than the trade between the United States and Russia, India, and Indonesia together. Over 15,000 US companies have operations in the region, and Central America, with over 40 million consumers, is the second-largest market in Latin America after Mexico.

Not surprisingly, the agreement has strong opponents. In Central America, some believe it would exacerbate poverty and hurt small farmers. Still others believe it would make medicines more expensive, cripple social security systems and impair public services like insurance and telecommunications for low-income consumers.

Central American Integration

Coordinated trade and integration measures date back to December 1960, when four countries — El Salvador, Nicaragua, Guatemala, and Honduras — established the Central American Common Market (CACM, *Mercado Común Centroamericano*) trade organization; Costa Rica joined two years later. CACM's aim was to set up a common market and customs union within five years. In the years leading up to CACM, a number of bilateral trade agreements between Central American countries had been signed.

The United States, interested in countering the threat of communist Cuba, was eager to see economic integration and development in Latin America. In early 1961, US President John F. Kennedy announced the Alliance for Progress, an ambitious, 10-year plan that sought to bring to all the people of the Americas homes, work, land, health, and schools.

At this time, there was minimal migration from Central America to the United States with the exception of Honduran migration to New Orleans. This migration flow began with the close trading relationship between New Orleans-based Standard Fruit Company and banana growers in Honduras. By mid century, the relationship had led to the settlement of many

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Hondurans of all socioeconomic backgrounds. In 1970, Hondurans represented 12.8 percent of Louisiana's foreign-born population.

Although Central American countries saw improvement in some economic indicators during the 1960s, by the early 1970s both CACM and the Alliance for Progress, for various reasons, had fallen short of their long-term goals of creating greater economic and political cooperation (CACM) and in bringing Latin America out of poverty and establishing democratic governments (Alliance for Progress).

CACM collapsed in 1969 because of war between Honduras and El Salvador but was reestablished in 1991, once the region had become more peaceful. The Organization of American States (OAS), a regional agency whose members include all countries in the Western Hemisphere, dismantled its permanent committee on the Alliance for Progress in the 1970s.

By the 1980s, Central American countries had begun a process to open trade with the rest of the world, dismantling unilaterally the high tariffs crafted for CACM 20 years earlier.

In 1983, 24 countries around the Caribbean basin, including five in Central America and some in South America, signed the Caribbean Basin Initiative (CBI) with the United States. CBI allowed these countries to export commodities, including fresh produce, fresh and frozen seafood, specialty foods, medical and surgical supplies, and other goods to the United States without paying tariffs. The program also included US government assistance for economic development.

CBI was expanded in 2000 to include the US-Caribbean Basin Trade Partnership Act (CBTPA), which allows "import sensitive" articles such as apparel and footwear to enter the United States free of quota and duty. Because, in 1994, the North America Free Trade Agreement (NAFTA) gave advantages to Mexico in areas such as apparel, CBI countries experienced some disinvestment and slower growth of their exports. CBTPA is meant to level the playing field with Mexico and also to help countries devastated by Hurricanes Mitch and Georges in 1998.

CBI and the CBTPA provisions have been very successful in promoting new and more Central American exports to the US market, which in turn has created many local jobs in the apparel industry and nontraditional agriculture and promoted the modernization needed in any development process, particularly in agricultural and rural areas. For example, small entrepreneurs in the region have been able to abandon subsistence agriculture because they face few hurdles in sending new products to the United States.

Table 2. Exports to the United States from Central American Countries with CBI Designation, 2004

	Total Exports to the United States	CBI Exports	Percent of CBI exports receiving CBTPA preference
Honduras	\$3.6 billion	\$2.3 billion	92 percent
Costa Rica	\$3.3 billion	\$1.1 billion	35 percent
Guatemala	\$3.1 billion	\$1.2 billion	76 percent
El Salvador	\$2.1 billion	\$1.1 billion	97 percent
Nicaragua	\$990.5 million	\$330.4 million	59 percent
Panama	\$316.1 million	\$32.8 million	1 percent
Belize	\$107.1 million	\$44.5 million	33 percent

Note: All countries listed here also export goods to the United States under other tariff-preference categories, not just CBI/CBTPA.

Source: Office of the US Trade Representative, Sixth Annual Report to Congress on the Operation of the Caribbean Basic Economic and Recovery Act (December 2005). [Available online](#).

At the same time, CBI and CBTPA also have limitations that have hindered development. As a unilateral instrument of the United States, the US president has the authority to "withdraw, suspend, or limit benefits if he determines that the country is not meeting designation criteria." Consequently, such uncertainties have made businesses more cautious.

From CBI to CAFTA

CBTPA is set to operate until September 30, 2008, unless the United States signs another trade agreement with any of the beneficiary countries. While most analysts believe the Free Trade Area of the Americas (FTAA), in discussion since the mid 1990s, could replace CBI/CBTPA, CAFTA's implementation will also affect CAFTA countries that belong to CBI. As of March 1, El Salvador became ineligible for duty-free treatment under CBTPA, but some temporary adjustments will have to be made prior to others countries receiving full CAFTA status.

In the long-term, once all the CAFTA-signatory countries that belong to CBI become full-fledged CAFTA countries, the process of modernization and change could be accelerated. Unlike CBTPA, CAFTA implies a set of permanent and lasting rules. Businesses that were previously hesitant to invest in Central America because of the threat of unilateral suspension could become more willing to make economic commitments.

What CAFTA Says About Migration

Unlike some of the other trade agreements the US has signed (notably NAFTA and Chile), CAFTA explicitly avoids linking trade provisions with temporary migration or visas. In fact, the agreement includes an understanding that states, "No provision of the Agreement shall be construed to impose any obligation on a Party regarding its immigration measures."

In the case of services provided across borders, chapter 11 of CAFTA says that workers providing those services will be subject to the laws of the host country. The Office of the US Trade Representative (USTR) gives the example of a Costa Rica musician who wants to bring his services to the United States. The musician would have to pursue a visa through existing US channels; he would not be eligible for any special consideration because of CAFTA.

At the same time, no CAFTA country would be allowed to limit the number of "natural persons" (individuals) that may be employed in any kind of cross-border service. In addition, all parties have agreed to work together to set standards for education and experience requirements in certain professions; all members would recognize these standards, eliminating the basis for discrimination.

NAFTA and Migration

To understand what CAFTA may mean for migration, it's instructive to look at the effects of NAFTA.

When the US Senate debated NAFTA in the mid 1990s, the argument of "more trade and less international migration" was used convincingly. Mexico also believed that NAFTA would create new jobs at home and decrease the pressure to migrate.

Ten years later, different evaluations support different results. According to USTR, migration flows from the areas in Mexico that received NAFTA-related investment have decreased. Yet, although the number of Mexican jobs in manufacturing increased, net job gains have been either modest or flat, depending on the measurement and its timing; wages in the United States and Mexico are not close to converging.

Most notably, Mexican immigration, particularly of unauthorized immigrants, increased sharply after NAFTA went into effect. As already noted, NAFTA allows for temporary migration but only of certain professionals under strict guidelines; no provisions were made for the temporary movement of low-skilled workers.

Some analysts have argued that NAFTA cannot be blamed for increased migration. Rather, Mexico's financial crises and restructuring efforts, the booming US economy, and strong migration networks, among other factors, have had more powerful effects on migration.

A reasonable conclusion could be that, although international trade can create some economic conditions that eventually reduce migration trends, migration does not depend only on trade-agreement provisions. Also, reducing poverty requires a comprehensive strategy that can include trade but cannot be built on trade alone.

CAFTA's Possible Effects on Migration

Today, approximately five million people from Central America — about 50 percent of them without legal status — live in the United States, according to estimates from the International Organization for Migration (IOM). While the first large wave arrived in the 1980s after fleeing civil war at home, others came after natural disasters, such as Hurricane Mitch in 1998.

Over the last 25 years, the United States has become the top destination of those seeking to escape persecution and those wanting a better life. At the same time, many Central American immigrants maintain close ties to their home countries, sending remittances and returning frequently to visit.

The effects of CAFTA on these migration patterns will depend on the intensity with which the agreement can induce economic growth in both marginal urban areas and rural areas. It will also depend on how economic growth affects social development. Studies by the University of Michigan and the World Bank indicate that the agreement could create more than 300,000 new jobs and could increase the region's GDP by US\$5.3 billion.

If the agreement does not succeed in reducing poverty, then it should not be expected to reduce migration. Additionally, if the US economy continues to grow and laws regarding legal, work-based migration are not changed, then the United States will likely continue attracting workers from Central America.

In other words, the sole existence of CAFTA, as with NAFTA, will not reverse established migration patterns.

Looking Ahead

CAFTA was a key issue in Costa Rica's hotly contested presidential elections in February 2006. Pro-CAFTA candidate (and former president and Nobel Peace Prize laureate) Oscar Arias was named the winner in March, and Costa Rica is expected to make the needed legal reforms to comply with CAFTA's terms of negotiations.

Except for El Salvador, the rest of the CAFTA countries still need to institute legal changes, including reforms on local intellectual property, labor, and services laws.

At this time, only Honduras' legislature has taken the necessary steps for compliance. Nicaragua, the Dominican Republic, and Guatemala will definitely take more time.

Considering the history of Central American economic integration, the established migration patterns between the region and the United States, and the slow roll out of CAFTA, no major changes, either in economics or migration, can be expected in the near future.

This article is based on Salomon Cohen's report for the IOM office in Guatemala entitled "The Effects of the Free Trade Agreement Between Central America, the United States and the Dominican Republic in Central American Migratory Processes." The report is available [here](#).

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Central Americans and Asylum Policy in the Reagan Era

By Susan Gzesh
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April 1, 2006

The year 1980 marked the opening of a decade of public controversy over US refugee policy unprecedented since World War II. Large-scale migration to the United States from Central America began, as hundreds of thousands of Salvadorans, Guatemalans, and Nicaraguans fled north from civil war, repression, and economic devastation. That same year, in the last months of the Carter administration, the US Congress passed the Refugee Act, a humanitarian law intended to expand eligibility for political asylum in the United States.

The Refugee Act brought US law into line with international human rights standards, specifically the 1951 UN Convention and the 1967 Protocol Relating to the Status of Refugees. The United States had ratified the Protocol in 1968, thus becoming bound by the Convention's provisions. While the previous law recognized only refugees from Communism, the Refugee Act was modeled on the convention's non-ideological standard of a "well-founded fear of persecution."

The coincidence of the Central American exodus with the passage of the Refugee Act set the stage for a decade-long controversy that ultimately involved thousands of Americans. The protagonists in the controversy included, on one side, immigrants' rights lawyers, liberal members of Congress, religious activists, and the refugees themselves. On the other side were President Reagan and his administration, the State Department, the Department of Justice (including the Immigration and Naturalization Service (INS) and the Federal Bureau of Investigation (FBI)), and conservative members of Congress. The first group invoked international human rights and humanitarian and religious principles, while the Reagan administration's arguments centered on national security and the global fight against Communism.

The public debate took place in a number of arenas and with several sets of participants. The federal courts were the venue for class-action cases contesting systemic INS violations of refugee rights, as well as for the criminal prosecution of religious humanitarians.

Unprecedented numbers of Americans became involved through their churches and synagogues, which proclaimed themselves "sanctuaries," as well as in bar association efforts to provide pro bono representation to Salvadorans and Guatemalans. Throughout the decade, in hundreds of individual immigration hearings, lawyers for asylum applicants and INS lawyers waged a low-intensity struggle over the nature of the conflict in Central America and the rights of individual Central Americans to asylum status.

In Congress, members debated the war and laws aimed at helping Central Americans rejected as refugees. The refugees themselves became a voice in the US public debate. They formed their own community assistance groups and advocacy centers, which worked with lawyers, religious groups, and the movement against United States involvement in Central America.

Significant Court Decisions Affecting Central Americans

Orantes-Hernandez v. Meese
685 F Supp 1488 (U.S. D.C., C.D. Cal. 1988)
Entry of permanent injunction; decision includes lengthy findings of fact regarding human rights violations by government of El Salvador and abuses of rights of Salvadorans by INS.

Orantes-Hernandez et al. v. Richard Thornburgh
919 F. 2d 549 (9Cir, 1990)
Upheld entry of permanent injunction ordering INS to inform all Salvadoran detainees of their right to apply for political asylum and to permit them contact with legal representatives, etc.

American Baptist Churches et al., v. Richard Thornburgh, et al.
760 F. Supp. 796 (U.S. D.C. N..D.Cal., 1991)
Settlement decree in national class-action regarding biased adjudication of Salvadoran and Guatemalan asylum applications and ordering reconsideration of applications by approximately 250,000 class members.

Cold War by Proxy and Human Rights in Central America

In El Salvador and Guatemala, civil war had been years in the making, as oligarchies supported by corrupt military leaders repressed large sectors of the rural population. In Nicaragua, the socialist revolutionary Frente Sandinista had ousted the brutal right-wing dictator Anastasio Somoza in 1979. The civil war in El Salvador increased in intensity in early 1980. Government-supported assassins gunned down Archbishop Oscar Romero at the altar shortly after he had publicly ordered Salvadoran soldiers to stop killing civilians. In December 1980, four US churchwomen were assassinated in El Salvador, an act of brutality that brought the violence "home" to the US public.

The administration of President Ronald Reagan, who came to power in January 1981, saw these civil wars as theaters in the Cold War. In both El Salvador and Guatemala, the United States intervened on the side of those governments, which were fighting Marxist-led popular movements. In Nicaragua, however, the United States supported the contra rebels against the socialist Sandinista government.

During much of the early 1980s, international human rights organizations (such as Amnesty International and Americas Watch — later part of Human Rights Watch) regularly reported high levels of repression in El Salvador and Guatemala, with the vast majority of human rights violations committed by military and government-supported paramilitary forces.

In El Salvador, the military and death squads were responsible for thousands of disappearances and murders of union leaders, community leaders, and suspected guerilla sympathizers, including priests and nuns. In Guatemala, the army's counter-insurgency campaign focused on indigenous communities, resulting in thousands of disappearances, murders, and forced displacements.

The Intersection of Foreign Policy and Asylum Policy

It is estimated that between 1981 and 1990, almost one million Salvadorans and Guatemalans fled repression at home and made the dangerous journey across Mexico, entering the United States clandestinely. Thousands traveled undetected to major cities such as Washington, DC, Los Angeles, San Francisco, Boston, New York, and Chicago. However, thousands were also detained at or near the Mexico-US border.

The Reagan administration regarded policy toward Central American migrants as part of its overall strategy in the region. Congress had imposed a ban on foreign assistance to governments that committed gross violations of human rights, thus compelling the administration to deny Salvadoran and Guatemalan government complicity in atrocities. Immigration law allowed the attorney general and INS officials wide discretion regarding bond, work authorization, and conditions of detention for asylum seekers, while immigration judges received individual "opinion letters" from the State Department regarding each asylum application. Thus the administration's foreign policy strongly influenced asylum decisions for Central Americans.

Characterizing the Salvadorans and Guatemalans as "economic migrants," the Reagan administration denied that the Salvadoran and Guatemalan governments had violated human rights. As a result, approval rates for Salvadoran and Guatemalan asylum cases were under three percent in 1984. In the same year, the approval rate for Iranians was 60 percent, 40 percent for Afghans fleeing the Soviet invasion, and 32 percent for Poles.

The Justice Department and INS actively discouraged Salvadorans and Guatemalans from applying for political asylum. Salvadorans and Guatemalans arrested near the Mexico-US border were herded into crowded detention centers and pressured to agree to "voluntarily return" to their countries of origin. Thousands were deported without ever having the opportunity to receive legal advice or be informed of the possibility of applying for refugee status. Considering the widely reported human rights violations in El Salvador and Guatemala, the treatment of these migrants constituted a violation of US obligations under the 1951 Refugee Convention.

As word of the conditions in Central America and the plight of the refugees began to come to public attention in the early 1980s, three sectors began to work in opposition to the de facto "no asylum" policy: the religious sector, attorneys, and the refugees themselves.

Although a number of Congressmen and women were influenced by the position of religious organizations, the administration thwarted their efforts. In 1983, 89 members of Congress requested that the attorney general and Department of State grant "Extended Voluntary Departure" to Salvadorans who had fled the war. The administration denied their request, stating such a grant would only serve as a "magnet" for more unauthorized Salvadorans in addition to the hundreds of thousands already present. In the late 1980s, the House of Representatives passed several bills to suspend the deportation of Salvadorans, but none passed the Senate.

The Sanctuary Movement

The network of religious congregations that became known as the Sanctuary Movement started with a Presbyterian church and a Quaker meeting in Tucson, Arizona. These two congregations began legal and humanitarian assistance to Salvadoran and Guatemalan refugees in 1980.

When, after two years, none of the refugees they assisted had been granted political asylum, Rev. John Fife of Southside Presbyterian Church in Tucson announced — on the anniversary of the assassination of Salvadoran Archbishop Oscar Romero — that his church would openly defy INS and become a "sanctuary" for Central Americans. The Arizona congregations were soon joined by networks of religious congregations and activists in Northern California, South Texas, and Chicago.

At the Sanctuary Movement's height in the mid 1980s, over 150 congregations openly defied the government, publicly sponsoring and supporting undocumented Salvadoran or Guatemalan refugee families. Another 1,000 local Christian and Jewish congregations, several major Protestant denominations, the Conservative and Reform Jewish associations, and several Catholic orders all endorsed the concept and practice of sanctuary. Sanctuary workers coordinated with activists in Mexico to smuggle Salvadorans and Guatemalans over the border and across the country. Assistance provided to refugees included bail and legal representation, as well as food, medical care, and employment.

The defense of the Salvadorans and Guatemalans marked a new use of international human rights norms by US activists. Citing the Nuremberg principles of personal accountability developed in the post-World War II Nazi tribunals, religious activists claimed a legal precedent to justify their violation of US laws against alien smuggling. Other activists claimed that their actions were justified by the religious and moral principles of the 19th-century US abolitionist movement, referring to their activities as a new "Underground Railroad." Many US religious leaders involved in the Sanctuary Movement had prior experience in the 1960s civil disobedience campaigns against racial segregation in the American South.

The Department of Justice responded by initiating criminal prosecutions against two activists in Texas in 1984, followed by a 71-count criminal conspiracy indictment against 16 US and Mexican religious activists announced in Arizona in January 1985. The Texas trials resulted in split verdicts, one conviction and one acquittal.

The Arizona trial became a major focus of organizing and publicity for the Sanctuary Movement, attracting a stellar team of volunteer criminal defense attorneys. Although the Department of Justice maintained the case was an ordinary alien-smuggling prosecution, the general counsel of INS attended sessions of the lengthy trial.

Despite the judge's order barring the defense from presenting evidence of conditions in El Salvador or Guatemala, the Sanctuary Movement managed to turn the publicity surrounding the trial into an indictment of the Reagan administration's war in Central America and its treatment of the refugees. All the Arizona defendants were convicted, but none were sentenced to jail time. After the Arizona trials, the movement continued to attract more congregations.

The Department of Justice did not bring any more criminal indictments of sanctuary activists after the Texas and Arizona cases.

The Lawyers

Along the US-Mexico border, from the Rio Grande Valley to San Diego, local lawyers and religious activists set up new legal services projects to help detained refugees. In Los Angeles, Boston, San Francisco, Washington, DC, Chicago, and other cities, existing nonprofit legal services projects and lawyers in private practice started representing individual refugees. Pro bono panels put together by local and national bar groups — including the National Lawyers Guild Immigration Project, the American Immigration

Lawyers Association, and the American Bar Association — supplemented their work.

Through coordinated strategies in individual cases, these lawyers began to address detention conditions as well as develop the new case law of the Refugee Act. In California and Texas, civil rights lawyers filed class-action cases to establish basic due process rights. While some of the cases (regarding work authorization, translation assistance, and transfer of detainees between facilities) were not successful, other decisions established national standards for the treatment of detained Salvadoran and Guatemalan asylum seekers.

The refugees and their lawyers faced enormous challenges in asylum hearings, as the required opinion letters from the Department of State, which greatly influenced immigration judges, uniformly denied the existence of human rights violations in El Salvador and Guatemala. However, in some cases, attorneys won important victories before the Board of Immigration Appeals and in the federal circuit courts that established precedents helpful to all asylum applicants. Other efforts, such as an attempt to establish that all Salvadoran civilian young men were a social group persecuted by the government, were less successful.

Finally, a group of lawyers from the National Lawyers Guild, the American Civil Liberties Union, and other organizations brought a major, national class-action case on behalf of religious organizations, legal services projects, and Salvadoran and Guatemalan refugees, claiming that the administration's wholesale denial of political asylum claims and prosecutions of those who assisted refugees violated their constitutional, statutory, and internationally recognized human rights.

In the case, known as *American Baptist Churches v. Thornburgh*, the federal courts had dismissed religious organizations' claims. However, in 1991 the US District Court in San Francisco approved a settlement that allowed the reopening of denied political asylum claims and late applications by refugees who had been afraid to apply. The decision also granted class members work authorization and protection from deportation.

The settlement agreement between the plaintiffs and the government (by that time the Bush administration) included language stating that government decisions on political asylum cases would not be influenced by foreign policy considerations.

The Refugees

In many cities, Salvadoran and Guatemalan refugees formed mutual assistance organizations. Projects such as Casa Guatemala, Casa El Salvador, Comite El Salvador, and others gave the community the ability to get legal advice and information about conditions back home as well as to learn about local health care and food assistance. These groups also worked with local lawyers' organizations and religious and antiwar activists, who assisted in decisions regarding class-action litigation and supported individual asylum applicants.

Over 20 years later, a number of these immigrant-led projects, including Centro Presente in Boston, Centro Romero in Chicago, and El Rescate in Los Angeles, still exist as full-service, nonprofit legal and community services centers. Many of the leaders of these efforts remain active in the immigrants' rights movement, as well as in other social justice projects in the United States, El Salvador, and Guatemala.

Congress

In 1990, after its earlier frustrations to address the Central American asylum seekers, Congress finally passed legislation allowing the president to grant Temporary Protected Status (TPS) to certain groups in need of a temporary safe haven. The first TPS legislation contained one provision (never codified as part of the Immigration and Nationality Act) explicitly designating Salvadorans for TPS.

Through the early 1990s, Salvadoran and Guatemalans who had arrived in the 1980s were able to stay in the country under a series of discretionary measures and under the terms of the 1991 settlement in the *American Baptist Churches* litigation. It was not until the late 1990s that their status was finally settled in a legislative agreement with the supporters of the anti-Sandinista Nicaraguans. The passage of the 1997 Nicaraguan Adjustment and Central American Relief Act finally allowed Salvadorans and Guatemalans protected under the *American Baptist Churches* settlement to apply for permanent residence.

Conclusion

What spurred the activism of the Sanctuary Movement and Central American refugees and their lawyers was the manner in which the Reagan administration linked the fate of individual asylum seekers to its foreign policy interests. Today, the use of immigration enforcement as a "magic bullet" for national security concerns requires close examination by the US public.

Immigrant communities, members of Congress, policy analysts, religious leaders, and legal experts must determine whether the human rights of individual immigrants and asylum seekers are being trampled in a rush to create a public perception of effective security.

The development of a stronger anti-immigrant grassroots movement in certain areas of the country presents new challenges. Similarly, restrictions on access to the federal courts for review of certain immigration decisions create new obstacles for advocates to overcome. However, at the same time, immigrant-led organizations and immigrants' rights coalitions have become more sophisticated in their lobbying and public education efforts.

The proimmigrant religious sector (particularly the Catholic Church) is vocal once again, as humanitarian assistance to the undocumented may be criminalized in proposed legislation. Whether the current decade will end with even limited victories for the human rights of immigrants is as yet unknown.

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Related Articles:

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National Policies and the Rise of Transnational Gangs

By Mary Helen Johnson
Migration Policy Institute

April 1, 2006

Transnationalism, the term used to describe migrants who are "at home" in more than one country thanks to cheaper forms of communication and travel, is usually discussed in positive terms. In particular, many migrant-sending countries benefit from migrants who regularly remit money and return "home" to visit family and friends, spending their currency earned abroad.

Yet transnationalism, coupled with immigration policies, can have negative outcomes. The gang Mara Salvatrucha, also known as MS-13, is a transnational criminal organization that started in the United States and is now active in the United States and many Central American countries. Most of its members are people from El Salvador, Honduras, and Guatemala who have lived most of their lives in the United States. Brutal violence, robbery, drug-trafficking, extortion, and human smuggling are among the gang's activities.



Gang members' participation is not limited to defending a neighborhood territory. They may join cliques in disparate cities or countries using their initial gang affiliation as an entry point. Estimates place MS-13 membership in the United States between 8,000 and 10,000 individuals across 33 states.

The growth of MS-13 has caught the attention of the media and law enforcement. The US government, as well as the governments of El Salvador, Honduras, and Guatemala, are enacting tough measures to target such gangs. But the migration factors that made the growth of the gangs possible — most importantly US deportation policy — have been overlooked.

In combination with poor social and economic prospects back "home," deportation of gang members has allowed US-based gangs to establish themselves in Central America and subsequently funnel both new and old members back to the United States through illegal channels.

Background

Los Angeles was the destination of thousands of people from Central America fleeing conflict and civil war in the 1980s. According to the 1990 US Census, approximately 70 percent of all Central Americans in the United States arrived after 1980. Some estimates place the Salvadoran population alone in Los Angeles at 300,000 by the decade's end, representing a tenfold increase during the 1980s. Significant numbers of Central American immigrants also settled in the Washington, DC, area during this period.

Although many applied for asylum, few had legal status. It is worth noting that certain communities, such as Nicaraguans, had high rates of asylum approvals and were offered opportunities to adjust their status while other communities, such as Hondurans, were

routinely denied refugee status and remained largely undocumented ([see Central Americans and US Asylum Policy in the Reagan Era](#)).

The Central American population in the United States, according to the 1990 census, was generally not highly educated. Approximately 46 percent of the population held a high school degree and only nine percent held a bachelor's degree or higher. Central Americans were also overrepresented in low-wage work (such as service and manufacturing jobs) and 21 percent of Central American families lived below the poverty line.

In the late 1970s and early 1980s, Asian, African-American, and Mexican gangs in Los Angeles all began to emerge as organized groups carrying out criminal activities and general acts of violence. Because Central American immigrants were living in some of the toughest areas of Los Angeles, they were frequent targets for existing gangs, and the community's youth became ripe for gang recruitment.

As youth gang expert Dr. Malcom Klein noted in a recent lecture on Central American youth gang violence, gangs tend to "originate in communities characterized by poverty, racism, disenfranchisement, deprivation, and low levels of social control." Another risk factor predisposing new Central American immigrants to gang affiliation was their exposure to and participation in violence during the brutal conflicts in their home countries.

MS-13 and its main rival, the 18th St. gang, first appeared in Los Angeles in the late 1980s. Although the precise origins of MS-13 are not well documented, some accounts state that Mexican gangs (often composed of second- or third-generation immigrants by the 1980s) rejected any participation by newly arrived Salvadoran immigrants and actually targeted them as victims.

For new immigrant children, banding together was initially a way to protect themselves in these rough neighborhoods, and such groups quickly turned into organized and violent youth gangs.

MS-13 members use a combination of methods to identify members including clothing, hand signals, and tattoos. They are especially known for having highly visible tattoos, often covering their face, neck, and torso, all of which clearly demonstrate their gang and clique affiliation. Like many other gangs, MS-13 also uses graffiti to mark its territory.

However, MS-13 is not a tightly structured organization. While some cliques have strong leadership, others may be groups of individuals who are united by participation in criminal activities or residence in a common neighborhood. Unlike the traditional structure of organized crime in the United States, these cliques are each unique and only loosely affiliated.

US Deportation Policies

Municipal policies in Los Angeles in the 1990s allowed for cooperation between the Los Angeles Police Department (LAPD) and the Immigration and Naturalization Service (INS) in dealing with immigrants identified as career criminals. These policies allowed INS to work cooperatively with LAPD to intervene and place immigrants in deportation proceedings when they deemed necessary.

Before 1996, individuals could be deported on a myriad of offenses, including theft, alien smuggling, bribery, fraud, vehicle trafficking, obstruction of justice, perjury, and other offenses but only if their sentence was five years or longer; the length of the sentence qualified it as an "aggravated felony."

Several key policies played a consistent role in increasing deportations. The 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) included two provisions that affected Central American gang members, a non-citizen population that had frequent contact with the criminal justice system.

The first was the expansion of the definition of an "aggravated felony" and the application of that expanded definition retroactively. IIRAIRA reduced the length of the term of imprisonment for many crimes to be considered an "aggravated felony" from five years to one year. As a result, IIRAIRA changed the nature and seriousness of crimes that qualified as deportable offenses (see Table 1).

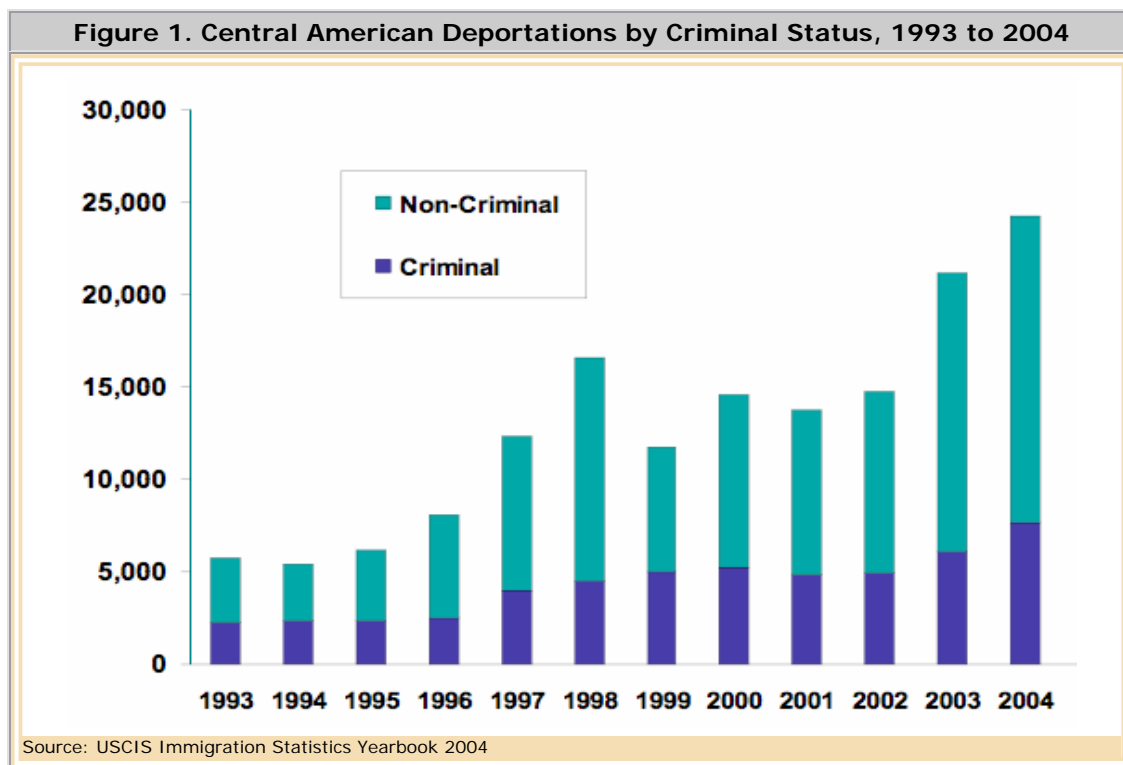
Table 1. Conditions Qualifying for an Aggravated Felony Before and After the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA)

Crimes	Qualifying Conditions	
	Pre-IIRAIRA	Post IIRAIRA
	Term of Imprisonment*	
Violent Offenses	5 years	1 year
Theft offenses	5 years	1 year
Alien Smuggling	5 years	0 years
Bribery, Counterfeiting, Forgery, and Vehicle Trafficking	5 years	1 year
Obstruction of Justice, Perjury, and Bribery of a Witness	5 years	1 year
Gambling and Racketeering Offenses	5 years	1 year
Passport, Visa, and Document Fraud Offenses	18 months	1 year
	Monetary Damages to Government or Victim*	

* Term of Imprisonment is calculated upon the sentence that was issued regardless of any suspensions granted.
 Note: IIRAIRA added rape and sexual abuse of a minor as an aggravated felony regardless of the sentence issued.
 Source: "The Evolving Definition of an Aggravated Felony" by Socheat Chea, findlaw.com

Gang members with legal permanent residence (LPR) status convicted of any such "aggravated felony" faced jail time and were considered deportable. Gang members with no legal status were placed in removal proceedings either immediately or after serving a sentence for any convictions. Immigrants with criminal convictions that previously presented no threat to their legal status suddenly became subject to deportation under the new law.

This policy increased the number of potential deportees at the same time that local law enforcement had increased gang suppression efforts, both of which could have contributed to the sharp rises in deportations in 1997 and 1998 (see Figure 1). Since 1996, there has also been a more concerted effort to identify and deport unauthorized immigrants in prisons after they have completed their sentences.



The second IIRAIRA provision that played a key role in deportations was the elimination of "suspension of deportation," which allowed eligible individuals in removal proceedings to adjust to LPR status based on seven years of continuous presence in the country and demonstration of hardship if made to return to their home country.

Under IIRAIRA, suspension of deportation was replaced with "cancellation of removal," which required nonpermanent residents in removal proceedings to show good moral character, 10 years of continuous presence in the United States, and to demonstrate that a US citizen or legally resident spouse or other family member would suffer exceptional and extremely unusual hardship if the applicant were made to return to their home country.

With the passage of the Nicaraguan Adjustment and Central American Relief Act (NACARA) in 1997, Nicaraguans were offered an opportunity to adjust their status to LPR, and certain Guatemalans and Salvadorans became eligible to have their cases reviewed under pre-IIRAIRA standards, which only required seven years of presence in the country and demonstration of hardship to the individual.

However, even with the relief NACARA offered, total annual deportations of Central Americans still tripled in the late 1990s, rising from 8,057 in 1996 to 24,285 in 2004 (see Figure 1). Despite the fact that NACARA allowed many Central Americans to adjust to LPR status, the stricter qualifying conditions for an aggravated felony remained in place.

Charging and convicting apprehended gang members of crimes has proven to be difficult. The Immigration and Customs Enforcement Division (ICE) of the Department of Homeland Security (DHS) confirms that approximately 70 percent of foreign gang members who are apprehended cannot be charged with a crime and are therefore deported on immigration violations rather than on criminal grounds. This trend is reflected in the sharp increases in noncriminal deportations compared to smaller increases in criminal deportations during this period.

In addition to receiving criminal deportees (including but not limited to gang members), a portion of non-criminal deportations to Central America are known gang members or associates. El Salvador alone received 1,900 deported gang members in 2005.

Today, when local law enforcement apprehends or detains gang members who are not US citizens, ICE can become involved at any time. If an alien is charged and convicted of a crime, the individual could potentially serve time in a county jail or in state prison first, and, after serving time, be handed over to ICE.

ICE and local law enforcement work together to determine at what point in the process a suspect will be transferred to ICE custody for removal proceedings. Alien suspects who were apprehended but not charged with a crime can also be turned over to ICE. The LAPD, like many police departments nationwide, receives information on individuals who have been deported previously and have existing warrants for illegal reentry.

No Warm Welcome "Home"

Deported gang members, after living a significant portion of their lives in the United States, are often unprepared for and unfamiliar with their home country and its language and culture. According to research by sociologist Elana Zilberg, the experience of forced transnationalism is disorienting, evident in the comments of one gang member who stated that, upon arriving in El Salvador, he felt he had been sent to "Mars."

More importantly, a constant influx of deportees from the United States has created a climate of fear and a strong stigma around gang membership and culture in many Central American communities. For individuals wanting to leave the gang or start over after deportation, the tattoos that touted their gang affiliation serve as barriers to employment and societal acceptance and make them targets for violence.

Faced with few opportunities, deported gang members in the 1990s set up outposts of the Los Angeles-based gangs in communities across El Salvador, Guatemala, and Honduras.

There are conflicting reports about the timing of the first appearance of gangs in Central America. Some contend that this phenomenon is something that has occurred only in the past 15 years while others link the current situation to homegrown gangs from the 1960s. Whatever the case, ongoing deportations have created new opportunities for gang members to network with one another and recruit new members in Central America. The presence of deported gang members has even spurred the rise of new, homegrown rival gangs.

Indeed, many Central American communities are fertile ground for gang recruitment. El Salvador, Honduras, and Guatemala have been most affected by the rapid and violent rise of gangs in their urban communities. Approximately one-third of the populations in these countries are between the ages of 12 and 25, and the average age of the total population does not exceed 21. In addition, large portions of their populations live below the poverty line: 36 percent in El Salvador, 53 percent in Honduras, and 75 percent in Guatemala.

Gangs Go Transnational

After being deported, harsh policies combined with unfamiliar and difficult conditions in their home countries encouraged gang members to return to the United States in the 1990s, establishing a continuous cycle of migration between these regions. The homegrown groups have also moved into the United States, often using the well-established channels of illegal entry, in an effort to establish their own territory.

Since MS-13, 18th Street, and the homegrown gangs have become transnational, their rivalries have also transcended borders. Members of rival gangs in Los Angeles, once deported back to El Salvador, for example, are bound to their US gang affiliation rather than united by a common nationality. The rivalries in Los Angeles and Washington, DC, are therefore inextricably linked to the rivalries in Tegucigalpa and San Salvador, and, in many cases, the actors are the same.

Both as a means of transport and revenue, the gangs have become involved in human smuggling, substantiated by their presence along migrant routes through Central America and into the Mexican states of Chiapas, Oaxaca, Veracruz, and Aguascalientes. The facility and rapidity of return to the United States after deportation is also evidence of this extensive transnational network.

Central American Governments' Response

In response to the arrival of deportees with suspected, but unproven, criminal activities, the governments of El Salvador, Honduras, and Guatemala have all enacted laws that target youth gang violence and, in some cases, allow the unconditional detention of individuals suspected of gang affiliation. A person's tattoos are usually enough to meet the burden of suspicion in the eyes of local law enforcement. The increase in detentions has put an added strain on the already ailing prison systems in these countries.

In El Salvador, the evolution of government policies over a three-year period perhaps best demonstrates the difficulty many governments have had in balancing enforcement with prevention and rehabilitation. In 2003, the government introduced a plan targeting gang violence known as *Mano Dura* (Firm Hand), which attempted to reform the penal code to facilitate the arrest of gang members. It criminalized gang affiliation and made it punishable with a prison sentence of six to 12 years.

Many critics have questioned the constitutionality of the plan, and courts have been cautious about convicting individuals purely for gang affiliation. In subsequent years, newly elected Salvadoran President Antonio Saca expanded the program, labeling it *Super Mano Dura*.

Despite this expansion, recent figures show mixed results in curbing violent crime. Although apprehensions of suspected gang members have increased, homicide rates in El Salvador have risen from seven to 10 homicides per day in the past three years. In 2005, the government created an additional set of programs, frequently referred to as *Mano Amiga* and *Mano Extendida* (Friendly Hand and Outstretched Hand), which seek to break the cycle of violence by addressing prevention and rehabilitation, respectively, through development and funding of nongovernmental organizations (NGOs) and public-sector initiatives.

In 2003, Guatemala and Honduras both launched their own initiatives to target gangs (*Plan Escoba* or Plan Broom and *Operación Libertad* or Operation Liberty, respectively). Operation Liberty specifically included measures to make gang membership and affiliation illegal and punishable with mandatory prison sentences.

Many critics have voiced concern over these heavy-handed government policies, alleging that they amount to "social cleansing." In one well-known incident in 2004, more than 100 inmates died from a fire in a Honduran prison cell block that housed 186 members of MS-13. Many of these inmates, though born in Honduras, had spent most of their lives in the United States.

Though there were conflicting accounts of the circumstances of the fire, the lack of a transparent investigation led several members of the US Congress to write an open letter to Honduran President Ricardo Maduro in 2005, encouraging him to enact policies that address youth gang violence by focusing on prevention and rehabilitation, rather than enforcement alone.

Steps toward a coordinated regional effort in Central America have been made since 2003. Governments are beginning to realize that in order to address a transnational and constantly morphing threat they must be able to respond and cooperate beyond their own borders. Central American governments have signed bilateral cooperation agreements that target drug trafficking and other illegal activities on their shared borders.

US Law Enforcement Response

In February 2005, ICE launched Operation Community Shield, an antigang initiative that uses the agency's immigration and customs authorities to dismantle and prosecute violent organizations. As of March 10, 2006, ICE had apprehended 2,388 foreign gang members through Community Shield, about 922 of whom were involved in MS-13. Of the total, 533 have been charged criminally and 1,855 have received administrative immigration charges.

Also in 2005, the Federal Bureau of Investigation (FBI) created the MS-13 National Gang Task Force and established a National Gang Intelligence Center, both of which are designed to provide support to law enforcement and facilitate information sharing between federal, state, and local agencies. ICE has been coordinating all of its gang targets with the FBI and its MS-13 National Gang Task Force prior to arrest.

Recognizing that the gang problem is transnational, the FBI's Intelligence Center and ICE's Operation Community Shield have begun collaborating with counterpart agencies in Central America. As part of these coordinated efforts, in 2005 US authorities in Texas apprehended a suspect in a 2004 Honduran bus bombing that killed 28 people. The suspect had escaped from a Honduran prison weeks earlier and was fleeing to the United States.

ICE has also worked with US Citizenship and Immigration Services (USCIS), also part of DHS, to identify MS-13 members who had applied for immigration benefits. Recently, ICE compared its list of thousands of gang targets against the USCIS database of immigration benefit applicants. This effort led to the arrest in February 2006 of four MS-13 members and the placement of immigration detainers on eight MS-13 members in custody.

In 2005, USCIS identified and referred more than 4,000 cases involving fraud to ICE. USCIS Director Emilio Gonzalez characterizes their joint antifraud and national security effort as "a major priority for the Department of Homeland Security."

NGO Response

Because the Central American government-sponsored initiatives to prevent and rehabilitate gang members have been limited, nongovernmental organizations have stepped in. Several of these organizations have become transnational, much like the phenomenon they are tackling.

Homies Unidos, an organization founded in San Salvador in 1996 with a branch that opened in Los Angeles in 1997, offers programs for the prevention of youth violence and rehabilitation, including alternative education, leadership development, and tattoo removal.

Other organizations working on youth gangs and violence include Alliance for the Prevention of Crime (APREDE) in Guatemala and Jóvenes Hondureños Adelante (Onward Honduran Youth) in Tegucigalpa.

Conclusion

Although a byproduct of changing immigration policies during the 1990s, deportations have played a key role in the growth of transnational gangs. As a law enforcement strategy, incarceration and subsequent deportation have not succeeded in permanently removing a gang population that, although foreign born, has been essentially US raised.

Further, these policies have exported a violent population to some of the most vulnerable communities in Central America. Rather than curbing the threat gangs pose, deportations have helped members establish, reinforce, and expand ties across Central America and the United States.

It seems clear that the spread of such transnational gangs can no longer be effectively addressed by simply expelling "problematic" populations with the hope that they will never return. Any long-term solutions will need to take into account the large population of youth involved and the underlying causes of such a phenomenon. Enforcement, though necessary, by itself will not stop the recruitment of new members nor will it help integrate former members back into society.

Related Links

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- **[Central America: Crossroads of the Americas](#)**
- **[Central Americans and US Asylum Policy in the Reagan Era](#)**
- **[Spotlight on US Immigration Enforcement](#)**
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The Central American Foreign Born in the United States

By Megan Davy
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April 1, 2006

In the United States, more attention is paid to migration from Mexico than from the Central American countries south of Mexico.

Although Mexico is often considered part of Central America in data collection (the US Census Bureau and the United Nations Population Division consider Mexico part of Central America while the US Office of Immigration Statistics does not), this Spotlight treats Central America as separate for two reasons. First, immigration patterns are markedly different from those of the Mexican foreign-born population, and second, US foreign policy response in the region requires consideration.

This Spotlight looks at both the political developments shaping the immigration of Central Americans to the United States as well as statistics representing their impact.

With the exception of estimates of Central Americans residing in the United States under the Temporary Protected Status (TPS) program, all numbers come from the 2004 Yearbook of Immigration Statistics and the 2000 census; all years are government fiscal years (October 1 to September 30).

Click on the bullet points below for more information:

Developments Shaping Immigration from Central America and Policies Toward the Region

- [Political events and natural disasters have shaped immigration from Central America.](#)
- [In the 1980s, decisions on asylum applications from Nicaragua and El Salvador were influenced by US foreign policy toward the home country.](#)
- [The United States drafted specific immigration policies for Guatemalans, Salvadorans, and Nicaraguans in the 1990s.](#)
- [An estimated 374,000 Central Americans are living in the United States under Temporary Protected Status \(TPS\), which the attorney general granted in 1998 and 2001 after natural disasters in the region.](#)

A Statistical Overview of Central American Foreign Born in the United States

- [There are over two million Central American foreign born in the United States.](#)
- [Over half of all foreign born from Central America are from El Salvador and Guatemala.](#)
- [California, Florida, New York, Texas, and New Jersey are the top five states in which the Central American foreign born reside.](#)
- [The Central American foreign born compose at least 10 percent of the foreign-born populations of the District of Columbia, Virginia, and Maryland.](#)
- [A discretionary immigration provision accounted for almost half of all new legal permanent residents from Central America in 2004.](#)
- [Of the Central American born age 25 and older, less than half have a high school diploma.](#)

- The Central American born from El Salvador, Guatemala, and Honduras have the lowest high school graduation rates while Belize, Costa Rica, and Panama have the highest.

Political events and natural disasters have shaped immigration from Central America.

Significant legal and illegal immigration to the United States began in the 1980s when civil wars in Nicaragua, El Salvador, and Guatemala, combined with already weak economies, created an exodus to the United States. Other periods of increased immigration have followed natural disasters, such as Hurricane Mitch in 1998, two earthquakes in El Salvador in 2001, and Hurricane Stan in 2005.

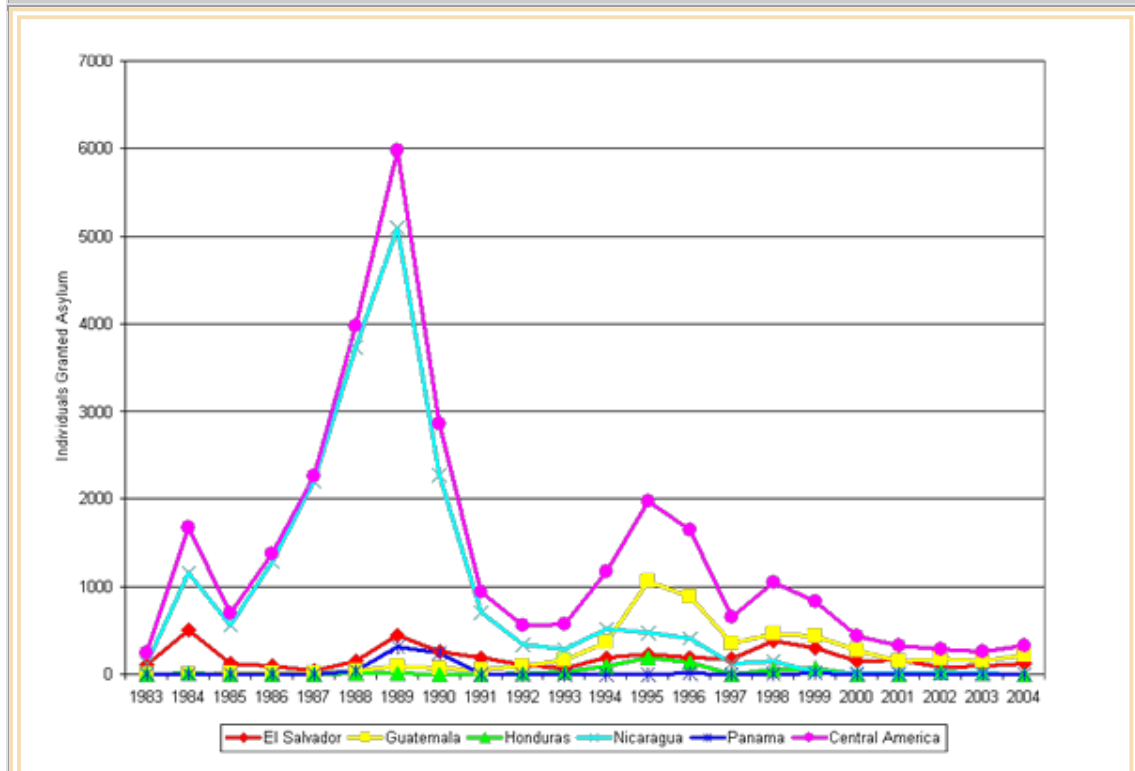
Countries Included in Central America
Belize
Costa Rica
El Salvador
Guatemala
Honduras
Nicaragua
Panama

[Back to the top](#)

In the 1980s, decisions on asylum applications from Nicaragua and El Salvador were influenced by US foreign policy toward the home country.

From 1984 to 1990, the United States granted asylum to 25 percent of the 48,000 asylum applicants from Nicaragua, compared with only 2.6 percent of the 45,000 claims from Salvadorans and 1.8 percent of the 9,500 claims from Guatemalans. Most observers attribute this discrepancy to the US policy of supporting anti-communist activity. In the late 1980s, Nicaraguans were fleeing communist oppression, while the United States was supporting the Salvadoran government against a Marxist insurgency (See Figure 1).

Figure 1. Individuals from Central America Granted Asylum Status, 1983 to 2004



Source: US Department of Homeland Security, Office of Immigration Statistics, *Yearbook of Immigration Statistics, 1983-2004*

The United States drafted specific immigration policies for Guatemalans, Salvadorans, and Nicaraguans in the 1990s.

In 1991, the US government and attorneys settled the *American Baptist Churches (ABC) v. Thornburgh* class-action suit, which alleged that the government engaged in discriminatory treatment of asylum claims made by Guatemalans and Salvadorans. As a result, Guatemalans and Salvadorans physically present in the United States before October 1, 1990 and September 19, 1990, respectively, were granted a new interview and asylum decision, irrespective of any prior decisions on the asylum claim.

In 1997, President Clinton signed the Nicaraguan Adjustment and Central American Relief Act (NACARA), which provides various forms of immigration benefits and relief from deportation to certain Nicaraguans, Salvadorans, and Guatemalans, as well as certain Cubans and nationals of former Soviet bloc countries and their dependents. Instead of having to prove 10-year residency and hardship to US citizen or legal permanent resident family members as a result of their deportation, as was stipulated under new legislation in 1996 (Illegal Immigration Reform and Immigrant Responsibility Act or IIRAIRA), citizens of these countries only have to have seven years of residency and prove hardship to themselves.

NACARA also grants legal permanent resident (LPR) status to Nicaraguans continually present in the United States since 1995 who applied before March 31, 2000. Salvadorans and Guatemalans who applied for benefits under the ABC case (prior to October 31, 1991 and October 1, 1991, respectively) are eligible for LPR status adjustment under the more lenient qualifications.

[Back to the top](#)

An estimated 374,000 Central Americans are living in the United States under Temporary Protected Status (TPS), which the attorney general granted in 1998 and 2001 after natural disasters in the region.

According to a Congressional Research Service (CRS) Report for Congress, it is estimated that, as of November 2004, over 290,000 Salvadorans, 80,000 Hondurans, and 4,000 Nicaraguans were benefiting from TPS.

TPS grants beneficiaries from a given country work authorization and protection from deportation for a time period designated by the attorney general. TPS does not include a path to permanent residency.

After Hurricane Mitch hit Honduras, Nicaragua, Guatemala, and El Salvador in 1998, the Immigration and Naturalization Service (INS) announced TPS for citizens from these countries already living in the United States. TPS for Guatemalans and Salvadorans ended in March 1999 while TPS for Hondurans and Nicaraguans is currently extended until July 2007.

The attorney general announced TPS for El Salvador following two earthquakes in 2001; the status, recently extended, is valid until September 2007.

[Back to the top](#)

There are over two million Central American foreign born in the United States.

According to the 2000 census, there were 2,026,150 Central American foreign born in the United States.

[Back to the top](#)

Over half of all foreign born from Central America are from El Salvador and Guatemala.

Of the two million foreign born from Central America, 817,336 were from El Salvador and 480,665 were from Guatemala, according to Census 2000 (see Table 1).

Country	Number	Percent
Central America	2,026,150	100.0
El Salvador	817,336	40.3
Guatemala	480,665	23.7
Honduras	282,852	14.0
Nicaragua	220,335	10.9
Panama	105,177	5.2
Costa Rica	71,870	3.5
Other Central America	47,915	2.4

Source: US Census Bureau, Census 2000

[Back to the top](#)

California, Florida, New York, Texas, and New Jersey are the top five states in which the Central American foreign born reside.

Over 70 percent of the Central American foreign born lived in five states according to Census 2000.

California was home to 725,339 (36 percent), Florida to 241,703 (12 percent), New York to 207,828 (10 percent), Texas to 184,707 (nine percent), and New Jersey to 89,722 (or four percent).

[Back to the top](#)

The Central American foreign born compose at least 10 percent of the foreign-born populations of the District of Columbia, Virginia, and Maryland.

While the Central American foreign born compose 6.1 percent of the total foreign-born population, according to Census 2000 they represent 28.1 percent of the 73,561 foreign born in the District of Columbia, 15.0 percent of the 570,279 foreign born in Virginia, and 12.8 percent of the 518,315 foreign born in Maryland.

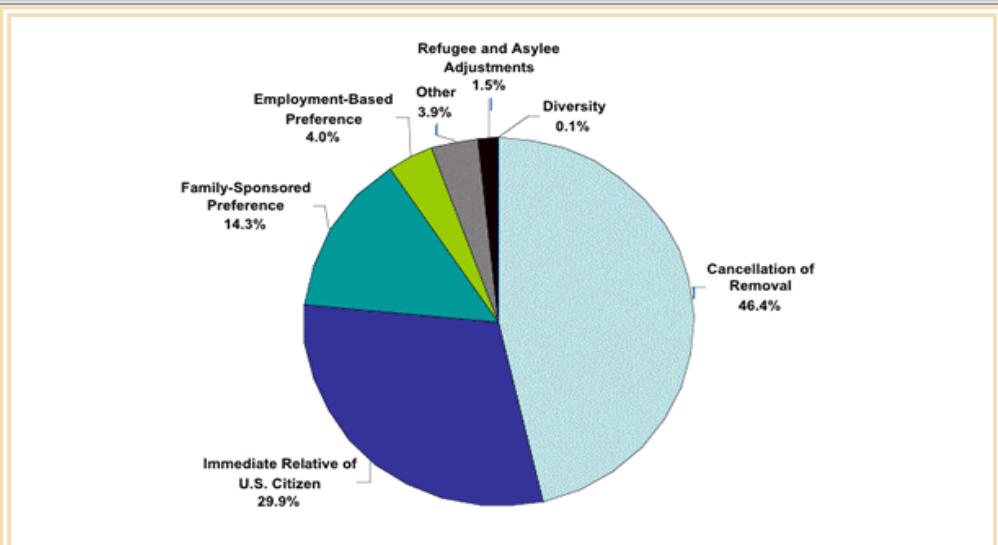
[Back to the top](#)

A discretionary immigration provision accounted for almost half of all new legal permanent residents from Central America in 2004.

Of the 61,333 Central American foreign born who received legal permanent resident status in 2004, 28,456 (46 percent) were classed as "cancellation of removal" admittances, more than any other entrance category (see Figure 2).

According to US Citizenship and Immigration Services (USCIS), cancellation of removal is "a discretionary benefit adjusting an alien's status from that of deportable alien to one lawfully admitted for permanent residence. Application for cancellation of removal is made during the course of a hearing before an immigration judge."

Figure 2. Immigrants from Central America by Class of Admittance, 2004



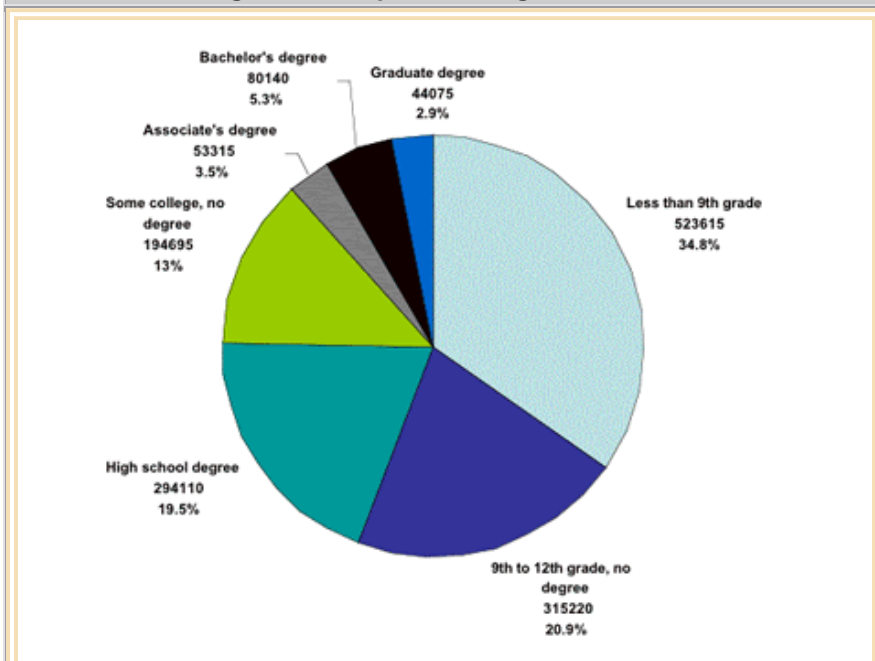
Source: Department of Homeland Security, Office of Immigration Statistics, *2004 Yearbook of Immigration Statistics*

[Back to the top](#)

Of the Central American born age 25 and older, less than half have a high school diploma.

According to Census 2000 data, 44.3 percent (or 838,835) of Central American born age 25 and older have at least a high school diploma. Only 8.3 percent have a bachelor's degree or higher (see Figure 3). [Back to the top](#)

Figure 3. Educational Attainment of the Central American Foreign Born Population Age 25 and Older



Source: US Census Bureau, Census 2000

The Central American born from El Salvador, Guatemala, and Honduras have the lowest high school and college graduation rates while Costa Rica and Panama have the highest.

The foreign born from El Salvador have the lowest high school graduation rate (34.8 percent) and the lowest percentage of those age 25 and older with a bachelor's degree (4.9 percent). For Guatemalan foreign born, high school and college graduation rates are 37.3 percent and 3.0 percent, respectively; for Honduran foreign born, the rates are 44.4 percent and 8.1 percent.

Of those born in Panama, 82.7 percent have a high school diploma or higher and 22.9 percent a bachelor's degree. Among the Costa Rican foreign born, 68.9 percent have a high school diploma and 18.1 percent a bachelor's degree.

[Back to the top](#)

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- **[Guatemala: Economic Migrants Replace Political Refugees](#)**
- **[Foreign-Born Hispanics in the United States](#)**
- **[Spotlight on Refugees and Asylees in the United States](#)**

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Guatemala: Economic Migrants Replace Political Refugees

By James Smith
Inforpress Centroamericana

April 2006

Guatemala, with a population of about 14 million, has a common Central American recipe for high rates of emigration: political instability, natural disasters, and a lack of economic opportunity. The country's 36-year civil war, which ended in 1996, caused thousands of political refugees to flee to Mexico, the United States, and Canada, though many in Mexico returned once the war was over. Migration to the United States recorded a steep rise after the 1976 earthquake and rose still further during the 1980s, remaining at a steady rate of about 40,000 per year throughout the 1990s, according to the International Organization for Migration (IOM) in Guatemala.



The 2000 US census counted 480,665 foreign born from Guatemala, but IOM data suggest that approximately one million Guatemalans now live in the United States. Although the IOM estimates that around 200,000 Guatemalan migrants living in the United States are undocumented, some civil society organizations believe the actual figure is higher. In March 2006, the Pew Hispanic Center, estimated 320,000 undocumented immigrants from Guatemala, based on results of the US Census Bureau's March 2005 Current Population Survey.

IOM also estimates that between 6,000 and 12,000 new Guatemalan migrants arrive in the United States via Mexico each year. Their remittances, which are used for a variety of short-term needs and long-term purposes, have yet to decisively reduce poverty levels.

Guatemalans who enter both Mexico and the United States illegally are subject to deportation. Each year, IOM estimates that some 60,000 Guatemalans are deported from Mexico, and an average of 2,500 are deported from the United States, including gang members who have helped gang violence flourish back at home.

Guatemala's government is concerned with the reintegration of deported migrants and its role as a transit country for migrants from Central and South America — as well as Asia, particularly India — seeking to enter Mexico and eventually the United States. Regional migration policy efforts have produced some results, yet the main concern of Guatemalans in the United States and at home is the direction of US immigration reform.

Historical Migration Trends

Guatemala's first European immigrants were the Spanish, who conquered the country's indigenous Mayan population in 1524 and ruled them for almost 300 years. Although the Spaniards' conquest was mainly the result of their technical superiority, they were helped by the fact that the Mayans were already involved in bitter infighting. European epidemics the conquistadors brought over are estimated to have reduced the indigenous population from 14 million at the arrival of the Spanish to two million in two generations.

Migration Information Source Selected Readings on Central America

Despite being greatly outnumbered by the Maya — historians estimate that only a few thousand Spaniards settled in Guatemala before independence — the latter were able to impose their colonial system through a reign of terror. Since Guatemala had few get-rich-quick resources, such as gold and silver, the Spanish conquest focused on forced labor of the indigenous population.

The Spanish set up a system of domination that ensured slaves worked the land and paid taxes in the form of goods. The system was structured to exploit the indigenous population without destroying it. In 1663, the Spanish king tried to abolish slavery in the colonies, but the *criollo* (creole) class, those of Spanish descent born in Guatemala, fought fervently to ensure that forced labor continued to be practiced well into the 20th century.

Following its independence from Spanish colonialists in 1821, the indigenous population continued to be exploited by the *criollos* and the *mestizos* (those of Spanish and indigenous blood, known in Guatemala as Ladinos), who had risen into the elite. One of the enduring legacies of the conquest was the forced appropriation of all land for the Spanish crown; indigenous Guatemalans, granted communal lands to sustain themselves, were still dependent on working Spanish land.

However, when legislation safeguarding these lands was abolished in the 19th century, *criollos* (from Spain, Germany, and Switzerland) and Ladinos soon moved in and set up plantations to produce export crops, thus turning the rural population into an unemployed mass of migrant farm workers.

In 1821, the Guatemalan Republic — which included the Soconusco region (now part of Southern Mexico), as well as what are now the countries of El Salvador, Honduras, Nicaragua, and Costa Rica — had a mere 1.5 million inhabitants, mostly concentrated in the urban centers of the young republic. In 1823, following a brief period as part of the Mexican Empire, the republic became known as the United Provinces of Central America.

After a politically unstable period aggravated by the collapse of the world market for indigo, the region's main export to Europe, each province separated itself from the federation, beginning with Costa Rica. The federation fell apart between 1838 and 1840, when Guatemala became an independent nation.

Migration to Mexico

Guatemalans have sought employment abroad since the 19th century, when significant numbers made their way to work on the coffee plantations in Soconusco, now part of Chiapas, Mexico. Traditionally, most of those who emigrated to Mexico were male and young. Once established, their families would often join them.

From the early 1980s to the late 1990s, seasonal migration to Chiapas during the coffee harvest grew significantly — not surprising given that Mexican wages are estimated to be some 50 percent higher than those within Guatemala. In 1992, a joint study of the Ministry of Labor and IOM found that over 87,000 Guatemalan workers had legally undertaken migrant labor in Mexico during that year.

Yet the Guatemalan government has estimated that the number of undocumented migrants to Mexico may be as high as 250,000. In the mid 1990s, the Guatemalan government, under a bilateral agreement with the state government of Chiapas and with support from the International Labor Organization (ILO), established a system of identity cards for the migrant workers to encourage more of them to migrate through official channels. The Ministry of Health has also established binational programs to provide primary health care for Guatemalan migrant workers in Mexico.

Emigration During the Civil War

Modern history in Guatemala dates back to 1944, the year when long-time dictator General Jorge Ubico retired and a successor regime was overthrown by a reformist alliance of military officers, students, professionals, businessmen, and politicians.

For 10 years, Guatemala experimented with democracy, social reforms, and economic modernization. A violent coup — supported by the US Central Intelligence Agency (CIA), right-wing politicians, the Catholic hierarchy, and the oligarchy — brought that period to an abrupt end in 1954. The ensuing political exclusion and corruption resulted in a military uprising in 1960, which marked the beginning of a long civil war between the government and left-wing guerrilla groups.

Between 1960 and 1996, when the civil war formally ended, over 400,000 Guatemalans fled their country's repressive military dictatorships and armed conflicts. Those fleeing included political, union, and student leaders, as well as intellectuals critical of the region's autocratic regimes. While the vast majority left during the 1980s, when the violence was at its peak, emigration rates actually accelerated after the war (see Table 1).

Thousands of Guatemalans sought safety in Mexico, which struggled to handle the flow; about 46,000 eventually received protection from the United Nations High Commissioner for Refugees (see **Mexico: Caught Between the United States and Central America**).

Guatemalans' asylum applications were routinely rejected in the United States, their main destination. The politicization of the asylum process reached a peak during the Reagan years. During the 1980s, the US government denied the majority of Guatemalan asylum applications, despite the country's civil war. At the same time, Washington granted over 50 percent of applications from people fleeing countries whose governments the Reagan Administration opposed, such as Nicaragua and Cuba (see **Central Americans and US Asylum Policy in the Reagan Era**).

Table 1. Emigration Flows from Guatemala, 1960s through 2005

Time Period	Number of emigrants
1960s	6,700
1970s	56,843
1981-85	84,897
1986-90	159,809
1991-94	141,755
1995-00	558,776
Total (through 2005)	1,364,546

Source: International Organization for Migration, Guatemala

Canada, in contrast, saw the region's conflicts as the consequence of inequality and opposed military aid or any actions that might perpetuate Central America's wars. Between 1982 and 1987, Canada admitted 15,877 refugees from Central America, including Guatemalans (see **Canada: A Northern Refuge for Central Americans**).

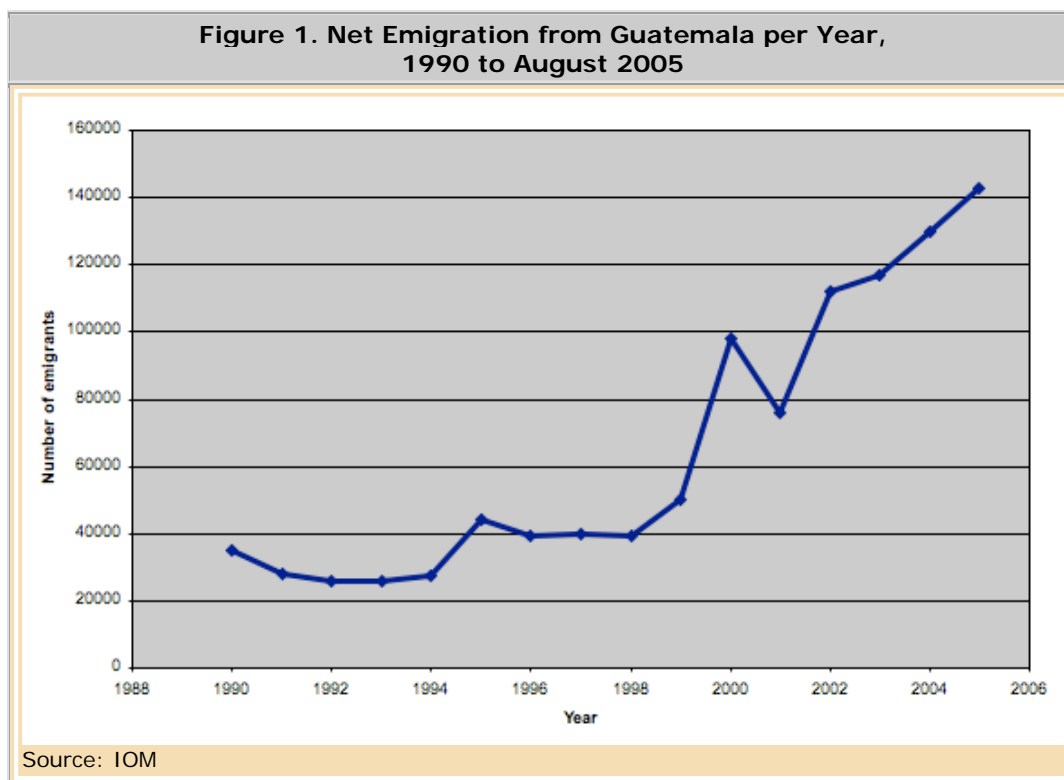
Many Guatemalans who remained in the United States illegally were later able to legalize their status. The settlement from the class-action suit *American Baptist Churches (ABC) v. Thornburgh* in 1991 allowed them to reapply for asylum, and the 1997 Nicaraguan Adjustment and Central American Relief Act (NACARA) allowed Guatemalans and Salvadorans protected under ABC to apply for permanent residence. Also, in 1986, the Immigration Reform and Control Act (IRCA), which allowed undocumented aliens who had resided in the United States for a certain period of time to apply for legal permanent resident status, benefited 59,863 Guatemalans.

Emigration Since 1996

With the signing of the Peace Accords in 1996, many thought return migration would increase and emigration would slow down as Guatemalans set about reconstructing their devastated country. Thousands of refugees who had been living in Mexico began returning home in 1995, when the peace process was still being negotiated, and, by 1999, 43,000 Guatemalans had made the journey back.

However, the war left the national economy in shambles. While the official unemployment rate in 1994 was relatively low at 4.9 percent, a more accurate indicator of the country's economic plight was its level of underemployment. Since 1994, economists have estimated this figure to be between 30 and 40 percent. Agriculture and foreign direct investment were particularly hard hit. From the mid 1970s until 1987, agricultural productivity recorded negative growth.

Guatemalans from all backgrounds and with various education levels have continued to emigrate in search of opportunity, and the rate of emigration has steadily accelerated since 1999 (except for a post-September 11 dip in 2001) (see Figure 1).



In 2005, hundreds of thousands of Guatemalans left the country legally, according to official government figures, 95 percent of whom went to the US; the net number who left (which takes into account the number who returned) was about 140,000. While it is impossible to know how many migrants entered the United States illegally, the number of migrants the United States deported by air in 2005 was only 11,512.

According to the 1990 US census, about 226,000 Guatemalans were living in the United States, the destination of the majority of Guatemalan who emigrated during the 1990s. They chose the United States because of perceived economic opportunities and because friends or family were already living there.

IOM's 2005 "Survey on Remittances and Micro-enterprises" reported a total of 1,136,175 Guatemalan citizens living abroad, of whom 97 percent lived in the United States. They were concentrated in Los Angeles (36.3 percent), New York (10.6 percent), and Miami (8.3 percent), but they were also present in Washington, DC (4.1 percent); Houston (3.8 percent), Boston (3.6 percent), and Chicago (3.2 percent). Altogether, these six cities are home to 70 percent of Guatemalan emigrants.

Guatemalans abroad come from all over the country but mainly from the departments of Guatemala (20.6 percent), San Marcos (9.7 percent), Huehuetenango (9.7 percent), Quetzaltenango (6.3 percent), Jutiapa (5.0 percent), Alta Verapaz (4.9 percent), Chiquimula (4.1 percent) and Escuintla (3.9 percent).

In recent years, increasing poverty among rural families has led to the "feminization" of emigration, with growing numbers of women moving northward in order to maintain their families back home. According to a report in 2006 by the Economic Commission for Latin America and the Caribbean (ECLAC), most women emigrants are young single mothers or heads of family looking to help their families.

The United States' tougher border enforcement policies since September 11 mean that most Guatemalans pay coyotes between \$5,000 and \$10,000 to get to the border, and an additional \$1,500 to cross it. The journey is fraught with danger, and most migrants are robbed by their own "guides" or suffer some kind of physical abuse by street gangs or security officials. The Guatemalan and Mexican media are also full of stories about migrants illegally transported in containers, who die from asphyxiation or dehydration.

At the same time, economic migration to southern Mexico continues. According to official figures from the Guatemalan Ministry of the Exterior, around 50,000 Guatemalans travel to the Mexican state of Chiapas every year to work on a temporary basis. The men — who make up 90 percent of these temporary workers — mainly work in harvesting coffee (70 percent), papaya (15 percent), plantains and bananas (six percent), sugarcane (six percent), mango and other crops (three percent), while the women work as small traders, domestic help, or prostitutes. Both men and women are often awaiting opportunities to move further north.

Remittances

Remittances from Guatemalan emigrants have been and will continue to be a fundamental pillar of economic support for hundreds of thousands of urban and rural families. As remittances have grown — in 2005 they topped US\$3 billion for the first time ever — their macroeconomic impact has begun to be felt nationwide, but especially in those departments which have experienced the largest emigration.

According to IOM, almost all (97.6 percent) are sent from the United States, and each household received, on average, about US\$306 per month. Guatemala's remittances now exceed the total volume of its annual exports or income from tourism.

In 2004, the population residing abroad and sending remittances back home was approximately 1,049,349; 71.5 percent were men and 28.5 percent were women. Around 3.7 million Guatemalans (around a third of the population) now receive remittances; 57 percent of them live in rural areas. Four departments — Guatemala, San Marcos, Huehuetenango, and Alta Verapaz — receive almost half of all remittances.

Migration Information Source Selected Readings on Central America

Initially, remittances were used to purchase basic goods such as food and clothing, but more recently, families have started spending the extra money on "luxury" items such as televisions, cookers, irons, and electrical goods, according to a 2006 study by the *Centro de Estudios de Guatemala* (CEG). More recently, remittances have been invested (largely through hometown associations) in housing projects, water and drainage systems, schools, health centers, and other communal services. Thus, argue many civil society organizations, the government has been freed up from its traditional responsibilities.

The latest IOM survey on remittances and microenterprises conducted in 2005 found that 48.7 percent of remittances are used to supplement household budgets, mainly for food; 20.6 percent are spent on other goods and services; 15.2 percent are invested or saved; and 15.4 percent go toward "social investment" (education and health).

Those who emigrate are normally between 20 and 45 years old — something that is reflected in the demographic benefiting from remittances (see Figure 2). According to the IOM survey, Guatemalans living abroad and sending remittances are mainly the sons or daughters of the surveyed heads of family (51.6 percent) and spouses (17.4 percent).

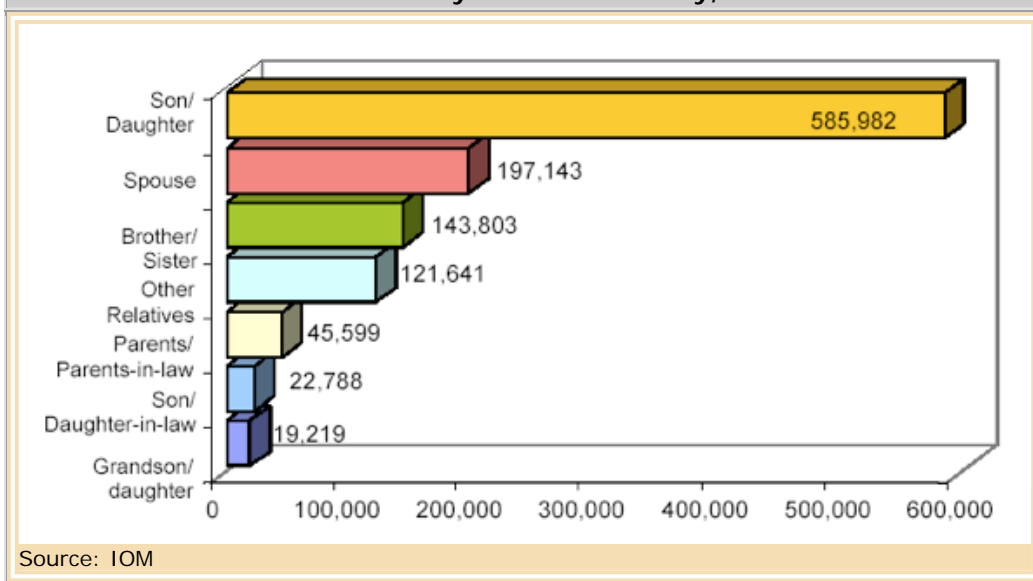
Almost 22 percent of remittance recipients are heads of household, of whom 23.3 percent are indigenous and 76.7 percent nonindigenous. Other groups benefiting from remittances are spouses (11.8 percent), children (48.7 percent), grandchildren (10 percent), parents and parents-in-law (1.5 percent), brothers and sisters (1.4 percent), and other relatives.

Table 2. Distribution of Remittances by Department, 2005

Department	Percent of Total
Guatemala	21%
San Marcos	9.6%
Huehuetenango	9.1%
Alta Verapaz	5.1%
Izabal	4.5%
Jutiapa	4.3%
Quiché	4.1%
Escuintla	4.1%

Source: IOM

Figure 2. Guatemalans Who Receive Remittances by Family Relationship with the Surveyed Head of Family, 2005



Thus far, the evidence seems to indicate that remittances are not reducing overall poverty levels at the rate expected. In 2002, remittances composed 6.8 percent of Guatemala's GDP. By 2005, that proportion had risen to 9.5 percent, a 40 percent increase. According to a 2003 World Bank report on the effect of remittances worldwide, the remittance effect

alone would have contributed to reducing poverty levels by 6.4 percent in this period, but poverty actually only fell by two percent.

A 2005 report by the Inter-American Development Bank (IADB) made three key points regarding public policies towards remittance flows in the region, including Guatemala. First, the cost of remitting money keeps decreasing but is still too high, considering the widespread use of electronic transfers. Second, data collection is improving but needs to be made more systematic in order to formulate well-based policies. Finally, financial institutions, both public and private, need to provide more options for investing remittances.

Migrants and Guatemalan Policy

The biggest problem facing the Guatemalan government regarding migration has been the reintegration of returning refugees who have a hard time finding jobs and housing. Meanwhile, many deportees who tried to enter the US illegally are also stigmatized for "failing" to make a new life abroad.

A further problem for Guatemala is the increasing US policy of deporting *mareros* (criminal gang members) who bring their newfound gang activity back to Guatemala (see **National Policies and the Rise of Transnational Gangs**).

In 1996, US immigration authorities began aggressively targeting illegal immigrants within the US prison system for deportation. The Guatemalan deportees, usually young men who came to the United States in the 1980s with their parents, usually did not have familial connections in Guatemala, and in some cases did not even speak proper Spanish. Society offered them few opportunities since their criminal past stigmatized them.

Guatemala currently registers over 100 homicides per 100,000 inhabitants. Many of those killed are young men believed to be associated with street gangs. In 2004, some 5,553 youths were killed in Guatemala, according to Emilio Goubaud, director of the Association for the Prevention of Crime, a Guatemalan organization.

Until now, the Guatemalan government has only implemented ad-hoc policies concerning the reintegration of deported migrants. The most recent Guatemalan legislation on the issue passed in 2001, when the government of Alfonso Portillo approved the Social Development Act (*Ley de Desarrollo Social*, Decree 42-2001). This led to the approval of a state policy on social and population development (*Política de Desarrollo Social y Población*) in April 2002. Both measures, together with repatriation programs to encourage the return of refugees, help to protect the human rights of all returning migrants.

Guatemalan civil society has developed other initiatives to deal with the issue of resettlement more comprehensively, including the establishment in 1999 of the National Forum on Migration in Guatemala (MENAMIG), where civil society organizations draft public policy proposals based on a humanitarian view of migration. MENAMIG worked on the first draft of the legislation mentioned above.

A number of civil society organizations have also set up refuges for migrants on their way to and from the United States, including the Center for Assistance to Migrants and the House of the Migrant (established in 1994 and 1997, respectively), both in the border city of Tecún Umán.

One Guatemalan-American organization deeply concerned about migration policy's effects on Guatemalans has already demonstrated its influence at home. Founded in 1998, the National Coalition of Guatemalan Immigrants in the United States (CONGUATE) aims to

influence migrant-related policy in both countries. In Guatemala, CONGUATE is working toward economic development and the strengthening of democracy in Guatemala, including giving Guatemalans abroad the right to vote.

Thanks in part to CONGUATE's efforts, the Guatemalan government has created a Deputy Ministry for Human Rights and Migrant Affairs that publicizes the difficulties facing potential migrants going to the United States. Also, the Guatemalan Congress formed a Commission for Migrant Affairs, which regulates migration laws and tries to support migrants in their efforts at repatriation. Finally, the Office of the Human Rights Ombudsman signed an agreement with CONGUATE to monitor and protect migrant's rights. The Guatemalan government has also agreed to set up a modest fund of US\$50,000 to repatriate the remains of immigrants who die in the United States when their families cannot afford the bill.

Guatemala's role as a transit country for migrants trying to reach the United States is also a concern for the government. Throughout the 1990s, nearly one million migrants were deported from Mexico to Guatemala, including 100,000 Central Americans in 1999. Mexico's deportation policy has created complex financial, humanitarian, and public security problems, especially in border areas and cities. According to official government figures, 83,890 Guatemalan migrants were deported from Mexico in 2005.

Policies in Central America and the United States

At the regional level, the Central American Commission of Migration Directors (OCAM) — founded in 1990 by the region's governments in the context of the Central American Integration system, with technical support supplied by the Central American Secretariat for Economic Integration (SIECA, in Spanish) — deals with matters relating to the transit of Central American nationals through the region. The commission makes proposals to improve the country's migration systems and trains local government personnel in migration issues.

One of OCAM's key achievements has been to push through proposals for a Central American passport, expected to become available by early 2007. Initially the passport will allow free movement between the C4 countries (Guatemala, Honduras, El Salvador, and Nicaragua), with Costa Rica and Panama entering the scheme at a later date.

The organization also has implemented the Electronic Network for Communications among Migration Directorates (RECAM), which helps coordinate the government migration departments of each country.

Meanwhile, bodies such as IOM and international civil society organizations hold an annual Regional Conference on Migration, informally known as the Puebla Process. In 2005, the conference's latest action plan proposed a series of development policies to reduce migration, promote respect for human rights, stop illegal trafficking of migrants, and provide technical cooperation to returnees. Each Central American state has taken steps to implement these policies. In the case of Guatemala, the government has begun forging closer links with state authorities and employers in Mexico (particularly in Tecún Umán and El Carmen) in order to ensure the labor and human rights of migrant workers are upheld.

Both the Guatemalan government and migrant advocacy organizations in the United States and Guatemala would like to see unauthorized Guatemalans receive temporary protected status (TPS) from the US government. TPS allows migrants from a designated country to live and work legally in the United States but does not provide a path to permanent residence; it is intended as a temporary relief measure for those suffering from natural disasters, ongoing conflicts, or other extraordinary and temporary conditions. Once TPS is

terminated, migrants revert back to the status they held before receiving TPS.

The United States granted TPS in 1998 to migrants from Nicaragua and Honduras after Hurricane Mitch, and, in 2001, TPS was granted to migrants from El Salvador. Following Hurricane Stan in October 2005, the Guatemalan government tried to convince the United States that Guatemalans should also receive TPS status, but those efforts have so failed and are considered unlikely to succeed.

The outcome of current immigration debates in the US Congress could well affect Guatemalan migrants who reside in the country illegally. Civil society organizations in Guatemala and the United States, as well as the Central American Parliament (PARLACEN), which lobbies on behalf of migrants throughout the region, are concerned that legislation focused only on border enforcement would undermine basic due process protections, human rights obligations, and principles of fundamental fairness.

CONGUATE has joined efforts with other Latino immigrant groups to bring about US immigration reform that would regularize unauthorized migrants. Their main strategies: community organizing, leadership development, lobbying Congress, and working with the media.

Looking Ahead

Neighboring El Salvador received Central America Free Trade Agreement (CAFTA) status on March 1, 2006. The agreement is likely to go into effect for Guatemala and other CAFTA countries after they make necessary legal changes (see [CAFTA: What Could It Mean for Migration?](#)).

US President George W. Bush has said that CAFTA will help forestall illegal immigration to the US by creating new job opportunities in the region. However, some analysts believe that tariff-free US agricultural products could undercut the sale of locally produced goods and lead to the loss of agricultural jobs, thereby spurring more emigration.

While the possible effects of CAFTA remain uncertain, IOM studies have revealed that after seven years the amount of remittances sent home decreases significantly. Therefore, it is in the Guatemalan government's interest to maintain emigration flows.

Related Articles:

- [Central America: Crossroads of the Americas](#)
- [CAFTA: What Could It Mean for Migration?](#)
- [Central Americans and US Asylum Policy in the Reagan Era](#)
- [Mexico: Caught Between the United States and Central America](#)
- [Remittance Trends in Central America](#)

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