



The Realities of Returning Home: Youth Repatriation in Guatemala

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In the summer of 2014, record numbers of migrants from Central American countries, many of them unaccompanied minors, were intercepted at the U.S.-Mexico border. In the United States, much of the debate in the media and in Congress focused on how to process and return these migrants to their countries of origin—but what happens to these migrants after they are returned? This report provides a brief background on the contemporary socioeconomic issues facing the countries of the Northern Triangle, particularly Guatemala. The study examines the repatriation of Guatemalan migrants, both in practice and theory, and concludes with a series of policy recommendations for Guatemalan civil society and government to improve repatriation policies and practice. The authors chose Guatemala as the focus of this report because of the country's initial lead on repatriation services as compared to its neighbors, evidenced by investments and programs instituted by organizations such as Kids in Need of Defense (KIND) and the International Organization on Migration (IOM).

Central America's Northern Triangle

Central America's Northern Triangle includes El Salvador, Guatemala—where we chose to focus our fieldwork—and Honduras. As of 2013, the Northern Triangle had a population of 30 million inhabitants, with Guatemala the most populous

About This Project:

This research initiative is the culmination of the authors' Master's Capstone Project conducted during the spring of 2015. As graduate students at the George Washington University's Elliott School of International Affairs, the researchers partnered with the Latin American Program at the Woodrow Wilson International Center for Scholars to carry out research and present a report on youth repatriation in Guatemala. Fieldwork and research were carried out to answer the question: *What happens to repatriated Guatemalan migrant youth after they are returned?* The authors traveled to both Guatemala City and Quetzaltenango over the course of two weeks to interview Guatemalan government agencies and civil society organizations that work with repatriated migrants. A critical goal was to include a wide perspective on youth repatriation, encompassing different demographics and organizations.

of the three countries with 15.5 million residents.¹ The distribution of income is largely unequal in the Northern Triangle and a significant portion of the population in each country lives below the international poverty line of \$1.25 per day; in 2013 this was 9 percent of the population in El Salvador, 14 percent in Guatemala, and 18 percent in Honduras.² In addition to high indices of poverty, the region struggles with low levels of educational attainment. The average years of schooling for an individual in El Salvador is 6.5 years; in Guatemala, 5.6 years; and Honduras, 5.5 years.³ In regards to employment, most Central Americans work in the informal sector, meaning their work is not monitored or sanctioned by the government and thus not subject to taxation.⁴ A job in the informal economy is also an unstable and, usually, low paying source of income.

In Guatemala, people of indigenous descent make up roughly 40 percent of the population.⁵ Indigenous peoples are disproportionately affected by poverty and in 2011 made up 67 percent of those living in extreme poverty in Guatemala.⁶ The indigenous populations in El Salvador and Honduras are smaller and more difficult to quantify. Nevertheless, they are also heavily affected by poverty and a lack of opportunities.

Demographically speaking, Guatemala has a very young population. Youth under 19 years of age comprise about half of the country's inhabitants.⁷ Endemic poverty

1 "Guatemala-Data," The World Bank, accessed March 2015, <http://data.worldbank.org/country/guatemala>

2 "Information by Country," UNICEF, accessed March 2015, <http://www.unicef.org/infobycountry/latinamerica.html>

3 "Mean years of school (of adults) (years)," UNDP, accessed March 2015, <http://hdr.undp.org/en/content/mean-years-schooling-adults-years>

4 "Central America: Investing in People to Create Better Jobs," The World Bank, June 27, 2012, <http://www.worldbank.org/en/news/feature/2012/06/27/Centroamerica-el-rol-del-capital-humano>

5 Instituto Nacional de Estadística de Guatemala, *Caracterización-República de Guatemala*, Guatemala City, Government of Guatemala, 2011: 8. <http://www.inecib.gob.gt/sistema/uploads/2014/02/26/L5pNHMXzy5FFWmk9NHCrK9x7E5Qgvvy.pdf>

6 Ibid.13.

7 "Guatemala," CIA World Factbook, last modified March 30, 2015, <https://www.cia.gov/library/publications/the-world-factbook/geos/gt.html>

leads many Guatemalan children to drop out of school to work in agriculture, or help their family financially in other ways. There are nearly two million youth between the ages of 15 and 24 who are not in school and lack any vocational or other types of skills to enter the workforce.⁸

Indigenous people have faced a great deal of economic and social hardship throughout the course of Guatemala's history, including during the Spanish conquest, the period of colonialism, and the civil war that ravaged the country in the 1980s. While the Peace Accords of 1996 acknowledge the rights of indigenous communities, many still experience large-scale marginalization and political oppression today.⁹ As we conducted our fieldwork in the Western Highlands, several Guatemalans of indigenous descent emphasized that one of the principle reasons for deciding to emigrate is the lack of opportunities in their communities.¹⁰ Violence, in addition to economic struggles, continues to be a significant push factor for many Guatemalans who live in a more urban environment.

Criminal Networks and Violence

The Northern Triangle differs from the rest of Central America in that it suffers from both extreme levels of violence and high emigration rates. Recently, the countries of the Northern Triangle have caught the attention of international news organizations for their inordinate levels of crime and large number of emigrants heading north. In the mid-1990s, the United States began to deport thousands of non-citizens with criminal records or prison sentences, many of which were deported back to the Northern Triangle. Many of these deportees originally migrated as young children to the United States to escape the civil wars of the 1980s. Once back in Central America, the deportees, many of whom had grown up in the United States and did not speak fluent Spanish and had few legitimate opportunities in their country of origin, began to replicate the criminal networks that they left behind in the United States. Gangs known as MS-13 and Calle 18 quickly established themselves in urban areas. In addition to the growth of these domestic criminal groups, Mexican drug trafficking organizations expanded trade routes in the region, pushed southward as a consequence of more hard-line drug enforcement policies under the Calderón administration in Mexico. Often hiring local gangs as foot soldiers or mercenaries, these trafficking organizations expanded their operations in the Northern Triangle and have diversified into additional lucrative illicit activities, such as kidnapping,

8 "Education - Guatemala: Situation Analysis," USAID, last modified November 20, 2014, <http://www.usaid.gov/guatemala/education>

9 Hilde Salvesen, "Guatemala: Five Years After the Peace Accords. The Challenges of Implementing Peace," International Peace Research Institute, Report 1, 2002: 15, accessed March 2015, <https://www.prio.org/Projects/Project/?x=600>

10 Notes from Asociación Para el Desarrollo Sostenible de la Juventud (ADESJU), Personal interview, 5 March 2015.

human smuggling, and arms trafficking.¹¹

The presence of drug trafficking organizations and gangs has greatly contributed to skyrocketing of homicide rates in the Northern Triangle. In 2013, there were 14,989 total murders in the Northern Triangle, giving the region a combined homicide rate of 49.5 per 100,000 inhabitants. By country, the homicide rates (per 100,000 inhabitants) for that year were 39.6 in El Salvador, 75.1 in Honduras, and 39.3 in Guatemala.¹² Sadly, murder rates in El Salvador skyrocketed in the first six months of 2015, while rates in Guatemala and Honduras have declined slowly. Nevertheless, the three Northern Triangle countries together are still listed among the most murderous in the world, well above average (6.2 per 100,000 is the world average for 2013¹³). The pervasiveness of crime in the region has led to widespread feelings of insecurity among the populace. In 2012, an AmericasBarometer poll conducted by the Latin American Public Opinion Project found that 43 percent of Salvadorans, 32 percent of Guatemalans, and 23 percent of Hondurans felt insecure in their neighborhoods.¹⁴

Immigration

Approximately 96,813 individuals emigrated from Central America's Northern Triangle in 2013,¹⁵ but large-scale emigration is not just a recent phenomenon. There have been several previous waves of Central American immigration, particularly among those headed to the United States. Most Central American countries, and especially those in the Northern Triangle, have pre-established migration networks that were formed in the 1970s and 1980s. In 1990, there were already over 800,000 Central Americans from the Northern Triangle living in the United States.¹⁶ Today, 1 in 5 Salvadorans, 1 in 10 Hondurans, and 1 in 15 Guatemalans live in the United States, making family reunification a strong driver of migration.¹⁷

11 Douglas Farah and Pamela Phillips Lum, "Central American Gangs and Transnational Criminal Organizations: The Changing Relationship in a Time of Turmoil," IBI Consultants, March 28, 2013, accessed March 2015, http://www.strategycenter.net/docLib/20130224_CenAmGangsandTCOs.pdf

12 Roberto Valencia, "El Triángulo Norte seguirá siendo la región más violenta del mundo," *El Faro*, January 3, 2014, <http://www.elfaro.net/es/201401/internacionales/14364/>

13 UNODC, *Global Study on Homicide 2013*, United Nations, 2014.

14 Jonathan Hiskey, Mary Malone, and Diana Orces, "Violence and Migration in Central America," *AmericasBarometer Insights* 101, 2014: 5. <http://www.vanderbilt.edu/lapop/insights/IO901en.pdf>

15 Manuel Orozco and Julia Yansura, "Understanding Central American Migration: The crisis of Central American child migrants in context," *InterAmerican Dialogue*, 2014: 5, http://www.thedialogue.org/PublicationFiles/FinalDraft_ChildMigrants_81314.pdf

16 Marc R. Rosenblum and Katie Brick, "U.S. Immigration Policy and Mexican/Central American Migration Flows: Then and Now," *Migration Policy Institute & Woodrow Wilson International Center for Scholars*, 2011: 15. <http://www.migrationpolicy.org/research/RMSG-us-immigration-policy-mexican-central-american-migration-flows>

17 Migration Policy Institute. *Child and Family Migration to the United States: Continuing Flows and Evolving Responses* Webinar, March 31, 2015.

Guatemalan Child Migration

Guatemala's Structural Problems—Drivers of Migration

Precarious living conditions and limited opportunities make migration an attractive alternative for Central American youth. Guatemala suffers from structural problems very similar to those faced in El Salvador and Honduras. There are several push and pull factors behind this migration flow: poverty, chronic violence, lack of educational and economic opportunities, as well as inadequate healthcare and social services. These factors present a bleak future for many young Guatemalans and give them an incentive to migrate to the United States.

How these issues affect Guatemala is discussed in more detail below:

Poverty is the principal factor that pushes Guatemalan children and youth to migrate. Adolescents and even young children from large and poor households are compelled to work in order to help their families survive. The average size of a family in rural areas is between seven to eight members, and they survive on less than US\$2 per day.¹⁸ Usually, the oldest children help parents sustain the household; thus they prioritize work over their education. When youth in Guatemala cannot find livelihood opportunities, they leave their communities hoping to find work elsewhere. Many seek jobs in the informal sector or unskilled labor opportunities in Mexico and the United States.

Violence is a serious concern in Guatemala. In 2014, the country reported a homicide rate of 31 per 100,000 inhabitants, among the highest in Latin America.¹⁹ The impunity rate for crimes against life stood at 72 percent in 2012.²⁰ The high levels of crime cause a great deal of insecurity among the population. Children are particularly vulnerable to forced gang recruitment.²¹

Education: The Guatemalan government's investment in education is quite low. According to United Nations Development Programme's *Human Development Report for 2013*, a country with a very high human development index rank invests about 5.3 percent of GDP on public education; Guatemala's expenditure

18 Notes from Fe y Alegria, Personal Interview, March 2, 2015.

19 David Gagne, "InSight Crime 2014 Homicide Round-up," *InSight Crime*, January 2015, <http://www.insightcrime.org/news-analysis/insight-crime-2014-homicide-round-up>

20 The International Commission against Impunity in Guatemala (CICIG), *Sixth Report of Activities of the International Commission Against Impunity in Guatemala*, August 2013: 6. <http://www.cicig.org/uploads/documents/2013/COM-045-20130822-DOC01-EN.pdf>

21 Marc R. Rosenblum, "Unaccompanied Child Migration to the United States: The Tension Between Protection and Prevention," Migration Policy Institute, April 2015: 2, <http://www.migrationpolicy.org/research/unaccompanied-child-migration-united-states-tension-between-protection-and-prevention>

on education is approximately 2.8 percent.²² Less than 40 percent of children are estimated to reach an educational level beyond primary education.²³ Furthermore, schools with poor infrastructure and high dropout rates do not necessarily receive the most government aid. Finally, households with the lowest levels of formal educational attainment rates are most heavily reliant on remittances.²⁴ For many children and adolescents, especially in rural areas, reaching the closest school is a challenge. Some must walk up to three hours a day to reach the nearest school, possibly exposing themselves to risks because of distances from one community to another.²⁵

Economic opportunities are limited in Guatemala for a significant segment of the population. Generating jobs is essential to alleviating poverty and it is one of the major challenges Guatemala's government faces. The Guatemalan labor market is dominated by the informal sector, accounting for 70 percent of workers.²⁶ In 2013, 17 percent of Guatemalans were underemployed, meaning they worked fewer hours than desired or had a skill set beyond the requirements of their job.²⁷ Underemployment is most prevalent among women and the indigenous populations.²⁸

Health services in Guatemala are unreliable. The country suffers from high rates of chronic under-nutrition and maternal mortality.²⁹ Half of all children in Guatemala are undernourished, and 70 percent among indigenous children.³⁰ Studies by the World Health Organization (WHO) reveal that health care challenges are most severe among indigenous populations and rural areas.³¹

22 "Expenditure on education, Public (% of GDP)," United Nations Development Programme, November 2013. <http://hdr.undp.org/en/content/expenditure-education-public-gdp>

23 Notes from Fe y Alegria, Personal Interview, March 2, 2015.

24 "Guatemala Economic DNA, Harnessing Growth with a Special Focus on Jobs," The World Bank, First Edition, August 2014: 32, http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2014/09/10/000442464_20140910115052/Rendered/PDF/904910WP-0Guate00Box385319B00PUBLIC0.pdf

25 Juan José Hurtado Paz y Paz, Carol L. Girón Solórzano and Golda Ibarra González, "Chapter 3: Guatemala," in *Childhood and Migration in Central and North America: Causes, Policies, Practices and Challenges*, Center for Gender and Refugee Studies, UC Hastings and National University of Lanús, Argentina (2015): 144.

26 "Guatemala Economic DNA," 37.

27 Ibid, 38.

28 Ibid, 38.

29 "Country Cooperation Strategy at a Glance – Guatemala," World Health Organization, last modified May 2014, http://www.who.int/countryfocus/cooperation_strategy/ccsbrief_gtm_en.pdf

30 "Guatemala – Overview," World Food Program, accessed March 2015. <https://www.wfp.org/countries/guatemala/overview>

31 "Country Cooperation Strategy at a Glance – Guatemala," World Health Organization, May 2014. http://www.who.int/countryfocus/cooperation_strategy/ccsbrief_gtm_en.pdf

Family reunification is another factor in child migration. Many families are separated as a result of migration, and many children come to the United States to reunite with mothers, fathers, siblings, or other relatives. In 2014, at least 85 percent of Central Americans arriving at the border had parents or other relatives living in the United States.³²

Table 1: Motives Behind Migration*

Motivation	Number of Children Responding
Better Economic Conditions	760
To Find Employment	1,064
Family Reunification	859
Violence	0

*Based on SBS interviews with repatriated children in 2013

Source: SBS - <http://www.sbs.gob.gt/nmg.pdf>

There are some distinguishing factors that set youth migration from Guatemala apart.

The country's large indigenous population has suffered from systematic (at times violent) social exclusion and repression. Many of the structural problems mentioned above are most evident and severe among Guatemala's indigenous communities and children, who regularly suffer discrimination and exclusion.³³ The heaviest migration flows originate from departments in the predominantly rural, poor, and indigenous Western Highlands of Guatemala—San Marcos, Huehuetenango, Quetzaltenango, and Quiché.³⁴ Although organized crime and gang violence play a role in the plight of children and adolescents, domestic or intra-family violence are also issues at the forefront. Women, adolescents, and girls are predominantly the victims of this type of abuse. Often the abuse remains unreported, because children and adolescents are fearful and ashamed.³⁵ Finally, sexual abuse, incest and high rates of child-bride marriages and early pregnancies are prevalent in rural areas, where about 53 percent of married women entered into marriage before the age of

32 Rosenblum, "Unaccompanied Child Migration to the United States," 13.

33 Alvaro Caballeros, "Avances investigativos: Migración con rostro de niños, niñas y adolescentes," *Encuentro* 90 (2011): 91.

34 Carol L. Girón Solórzano, *ACTUALIZACIÓN: Diagnóstico Nacional Sobre la Situación de Niños, Niñas y Adolescentes Migrantes no Acompañados, en el Proceso Migratorio*, Guatemala City: Pastoral de Movilidad Humana, Conferencia Episcopal de Guatemala (2014):7.

35 Karen Musalo and Pablo Ceriani Cernadas, ed., executive summary to *Childhood and Migration in Central and North America: Causes, Policies, Practices and Challenges*, Center for Gender and Refugee Studies, UC Hastings and National University of Lanús, Argentina (2015): 14.

18.³⁶ Indigenous women and girls find themselves in very marginal positions, facing additional drivers of migration because of their gender and ethnicity. According to the Population Council, “Mayan girls are the most disadvantaged group in the country; early school dropout, early marriage, early and unwanted pregnancy, illiteracy, and limited life opportunities are all common features of their transition to adulthood.”³⁷

Although indigenous girls and adolescents are among the most marginalized, only about one in four unaccompanied migrant children is a girl, according to the Secretaría de Bienestar (SBS), a Guatemalan government institution charged with tackling social issues.³⁸ Those that choose to migrate encounter another layer of danger in their journey to *el norte* (the United States). During the exceptionally dangerous journey, young women and girls are particularly vulnerable to abuse and exploitation; it has become such a common occurrence that many take contraceptives prior to leaving.³⁹

Indirectly, corruption and lack of investment in the development of rural areas, specifically those with little support for the ruling party, creates another push factor. National plans for development or job creation often suffer from a lack of continuity between successive presidential administrations.

Pull factors toward the United States include improved living conditions and greater job opportunities thanks to a larger and more dynamic economy.

The Surge

In 2014, the intense media coverage of the surge of unaccompanied Central American children crossing the U.S. southern border brought to the forefront the dangerous conditions youth face in Central America. By the end of the summer, newspapers and newscasts were saturated with images of children in overcrowded detention centers and the treacherous journey to *el norte*. In fiscal year 2014 (October 1, 2013- September 30, 2014), the United States Border Patrol apprehended 17,057 unaccompanied Guatemalan children and 12,006 Guatemalan family units.⁴⁰ For calendar year 2014, the United States deported 50,963 Guatemalans over the age

36 Saja Amin, “Programs to Address Child Marriage: Framing the Problem,” *The Population Council* (2011): 3.

37 Amin, “Programs to Address Child Marriage,” 3.

38 Secretaría de Bienestar de la Presidencia de la República. *Segundo Foro Regional: Niñez y Adolescencia Migrante*. Washington, DC, April 15, 2015.

39 Girón Solórzano, *ACTUALIZACION*, 26.

40 United States Border Patrol, *Southwest Border Sectors – Family Unit and Unaccompanied Alien Children Apprehensions FY 14 compared to FY 13*, accessed April 2015, http://www.cbp.gov/sites/default/files/documents/BP%20Southwest%20Border%20Family%20Units%20and%20UAC%20Apps%20FY13%20-%20FY14_0.pdf

of 18, and 194 minors.⁴¹ The amount of Guatemalan children apprehended at the U.S. border in the first seven months of the 2015 fiscal year stood at 6,607.⁴²

It is important to keep in mind, however, that the recent crisis is really the peak of a longer migration trend. The number of migrant children emigrating from the Northern Triangle has been on the rise since 2011. While data from the first months of 2015 indicate the number of unaccompanied minors crossing the border has decreased, the rate is still higher than 2013 and previous years.⁴³ The surge is the result of patterns that have been intensifying for several years and is a culmination of these forces. Several of Guatemala's structural problems, discussed above, have gone unabated for years. The end of the civil war and subsequent reforms have not brought about the transformation and restructuring needed to remedy socio-economic gaps, social exclusion, violence, and poverty.

Table 2: Unaccompanied Alien Children Encountered by Fiscal Year

Country	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015*
El Salvador	1,221	1,910	1,394	3,314	5,990	16,404	2,788
Guatemala	1,115	1,517	1,565	3,835	8,068	17,057	5,465
Honduras	968	1,017	974	2,997	6,747	18,244	1,549
Mexico	16,114	13,724	11,768	13,974	17,240	15,634	5,572
Total	19,418	18,168	15,701	24,120	38,045	67,339	15,374

*Fiscal Year 2015 to date (October 1, 2014- March 31, 2015)

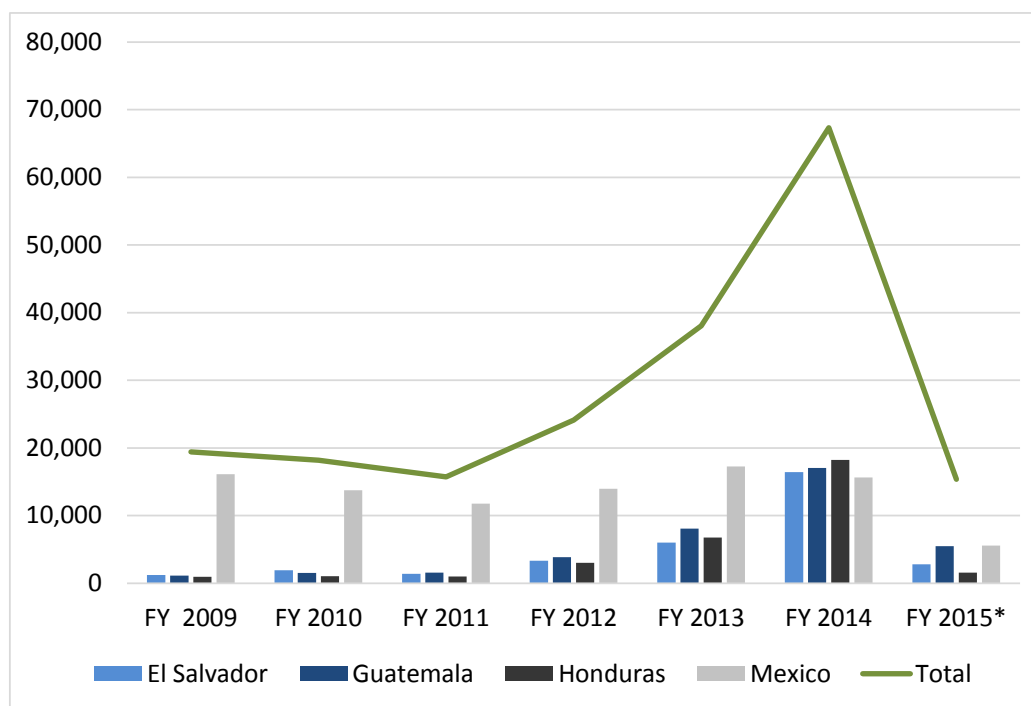
Source: CBP - <http://www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children>

41 Government of Guatemala, *Estadísticas Migratorias 2009-2015*, Guatemala City, Dirección General De Migración, accessed March 2015, <http://www.migracion.gob.gt/index.php/root1/estadisticas.html>

42 U.S. Customs and Border Protection, *Southwest Border: Unaccompanied Alien Children*, accessed April 2015, <http://www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children>

43 Rosenblum, "Unaccompanied Child Migration to the United States," 2.

Figure 1: Unaccompanied Children by Country and Fiscal Year



*Fiscal Year 2015 to date (October 1, 2014- March 31, 2015)

Source: CBP - <http://www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children>

Nonetheless, more recent factors have led to an intensification of child migration. Notably, the long lag time of removal proceedings in the under-resourced U.S. immigration court system has resulted in the misconception that women and children are receiving some type of *permiso*, or legal authority, to remain in the United States.⁴⁴ Immigrant smugglers, popularly referred to as *coyotes*, attempting to take advantage of the growing misperception adjusted their marketing strategies accordingly by perpetuating the myth and promising special services for children (door-to-door services, multiple attempts, and other guarantees). Several people we spoke with told us *coyotes* were even promoting their services on the radio. The United States has countered these radio announcements by airing some of its own, discouraging migrants from trying to cross the border by making them aware of the dangers and by informing the migrants that there is no *permiso* program.

The exponential increase of children now petitioning for humanitarian relief in the U.S. immigration system will have repercussions on the still nascent repatriation capacity of Guatemalan agencies. While the United States is trying to expedite the adjudication of these cases, many are still pending. Some estimates indicate adjudication times could take up to two years.⁴⁵ Given that U.S. immigration law currently describes narrow grounds for asylum and Special Immigrant Juvenile visas,

⁴⁴ Rosenblum, "Unaccompanied Child Migration to the United States," 13-4.

⁴⁵ Ibid, 2.

it is likely that few will qualify for relief. Many will eventually receive deportation orders and be repatriated. Given the information and opinions gathered through our fieldwork, the repatriation system in Guatemala is not prepared to adequately receive a large number of children. Yet, it is crucial that these children return to something different—to better opportunities. Otherwise, they will face the same conditions that caused them to migrate in the first place.

Policy on Repatriation for Adults and Minors

The juxtaposition of theory versus practice provides a useful framework to examine the action that civil society takes in parallel with state institutions. Several state institutions provide repatriation services for deportees in Guatemala. The role of each agency depends on whether the deportees are adults or minors and whether they have returned to Guatemala by air or over land. In an effort to coordinate this work, the Guatemalan Congress created the Consejo Nacional de Atención al Migrante de Guatemala (CONAMIGUA, National Council for Services to the Guatemalan Migrant) in 2007.⁴⁶

CONAMIGUA does not execute or implement policy; instead it advises and directs other implementing agencies on policy.⁴⁷ Their scope of influence applies both to migrants inside of Guatemala and to Guatemalans abroad. The purpose of CONAMIGUA is to unify the various government authorities that are responsible for attending to the needs of migrants, ensuring their protection and guaranteeing their human rights. CONAMIGUA serves to coordinate inter-institutional collaboration in order to fulfill the laws created by the state, as well as to fulfill the country's laws and legal obligations based on treaties and other international obligations relating to the issue.⁴⁸ (See text box on next page for more information on CONAMIGUA.)

46 Erick Mauricio Rios Maldonado, *Marco General y Descripción de Acciones del Estado de Guatemala en Materia Migratoria*, Guatemala City, Consejo Nacional de Atención al Migrante de Guatemala (2010): 10, <http://www.conamigua.gob.gt/download/Marco%20General%20%20y%20Descripci%C3%B3n%20de%20Acciones%20del%20Estado%20de%20Guatemala%20en%20Materia%20Migratoria.pdf>; Congreso de la República de Guatemala. Consejo Nacional de Atención al Migrante de Guatemala. *Ley del Consejo Nacional de Atención al Migrante de Guatemala- CONAMIGUA- Decreto 46-2007* (Ciudad de Guatemala, Consejo Nacional de Atención al Migrante de Guatemala, 2007): 3. <http://www.conamigua.gob.gt/download/Ley%20del%20CONAMIGUA.pdf>

47 Rios Maldonado, 50; *Ley del Consejo Nacional de Atención al Migrante de Guatemala- CONAMIGUA- Decreto 46-2007*, 4.

48 Rios Maldonado, 50; *Ley del Consejo Nacional de Atención al Migrante de Guatemala- CONAMIGUA- Decreto 46-2007*, 6-9.

About CONAMIGUA¹

CONAMIGUA's function as defined by law is to oversee plans and policies as they relate to Guatemalan migrants, and to recommend actions to protect civil liberties, working rights, and human rights of Guatemalans working abroad. CONAMIGUA also evaluates policy and projects that provide services to citizens abroad as well as to communities in Guatemala where migrants have family. Finally, the institution carries out studies and discussions of the causes and motivations for Guatemalan migration and how it impacts the migrant's community in terms of economic development. In addition, all Guatemalan government institutions are to cooperate and collaborate with CONAMIGUA so that it may carry out its mission to defend the rights of Guatemalans abroad. The law also obliges state agencies to inform CONAMIGUA of any change in policy that may relate to Guatemalan migrants or other issues that may affect the work and objectives of the council.

The Consejo Asesor (advisory council) of CONAMIGUA is made up of representatives from governmental institutions with broad responsibilities that pertain to migrants. The Consejo Asesor is presided over by the Ministro de Relaciones Exteriores (Minister of Foreign Relations). The other members include a legislator elected from Congress, as well as representatives from the following institutions: the Secretario de la Secretaría de Planificación y Programación de la Presidencia (SEGEPLAN, Secretary of the Secretariat for Planning and Programming of the Presidency); the Procurador Adjunto de los Derechos Humanos a cargo de la atención a los derechos humanos de los migrantes (Assistant Attorney General for Human Rights in charge of the rights of migrants); the Viceministro de Economía a cargo de la política económica exterior de Guatemala (Vice Minister of the Economy in charge of economic policy abroad); the Viceministro de Trabajo y Previsión Social a cargo de la atención a los trabajadores guatemaltecos en el extranjero (Vice Minister of Labor and Welfare for Guatemalans working abroad); the Gerente General del Banco de Guatemala (the Director General of the Bank of Guatemala); and finally the Secretary of CONAMIGUA. These council members are responsible for carrying out the mission of CONAMIGUA and have voting rights within the council, with the exception of the Secretary of CONAMIGUA.

CONAMIGUA's coordination with other government institutions is explained in a 2010 document, titled "Marco General y Descripción de Acciones del Estado de Guatemala en Materia Migratoria" (General Framework and Description of Actions by the Guatemalan State on Migration Matters). The document also outlines the responsibilities of government bodies as related to the repatriation of deportees.

1 Congreso de la República de Guatemala. Consejo Nacional de Atención al Migrante de Guatemala. *Ley del Consejo Nacional de Atención al Migrante de Guatemala- CONAMIGUA- Decreto 46-2007*, Ciudad de Guatemala, Consejo Nacional de Atención al Migrante de Guatemala (2007), <http://www.conamigua.gob.gt/download/Ley%20del%20CONAMIGUA.pdf>

Table 3: Returned Guatemalans from the United States via Air (2015)

Month	Adult		Minors	
	Male	Female	Male	Female
January	2,629	368	8	7
February	2,100	307	5	8
March	2,228	253	8	4
TOTAL	6,957	928	21	19

Source: Division de Operativos, Oficina de Estadística, Dirección General De Migración de Guatemala

Table 4: Returned Guatemalans from Mexico via Land (2015)

Month	Adult		Minors	
	Male	Female	Male	Female
January	4,104	848	504	217
February	4,070	848	592	248
March	4,741	942	566	247
TOTAL	12,915	2,638	1,662	712

Source: Division de Operativos, Oficina de Estadística, Dirección General De Migración de Guatemala

Repatriated Guatemalans are classified as either adults or minors and returned by land or air. If returned by land, the migrant is coming from Mexico; if by air the migrant is coming from the United States. Guatemala's Procuraduría General de la Nación (PGN, the Attorney General's Office) is in charge of receiving Guatemalan minors who are repatriated via air to the Guatemalan La Aurora Air Force base, and occasionally to La Aurora International Airport.⁴⁹

According to stated policy, the children are transferred to the PGN's main offices in Guatemala City where family members are then located and contacted to reunite the child with their family. When a family member cannot be found or contacted, the child is referred to a judge. If the child still cannot be reunited, he or she can temporarily remain in government shelters.⁵⁰

Governance and Long-term Planning

During the course of our fieldwork, we often heard through informal and formal encounters that the gravest challenges the country faces in terms of migration policy are the lack of long-term planning and policy discontinuity between presidential

49 Rios Maldonado, 58.

50 Ibid, 58-59.

administrations. Priority in public spending and planning are often directed toward meeting short-term political demands instead of investing in long-term strategies for development and poverty reduction. In addition, the multi-party composition of the Guatemalan Congress complicates the process of developing consensus around migration policy and efforts to address the root causes driving migration: Although there are two to three strong political parties in Congress, the total number of parties is slightly above 30.⁵¹ Future leaders can create lasting change by developing sustainable migration policy that continues beyond their particular administration.

Detention—Murky Waters with Lasting Impressions

Detention in Mexico

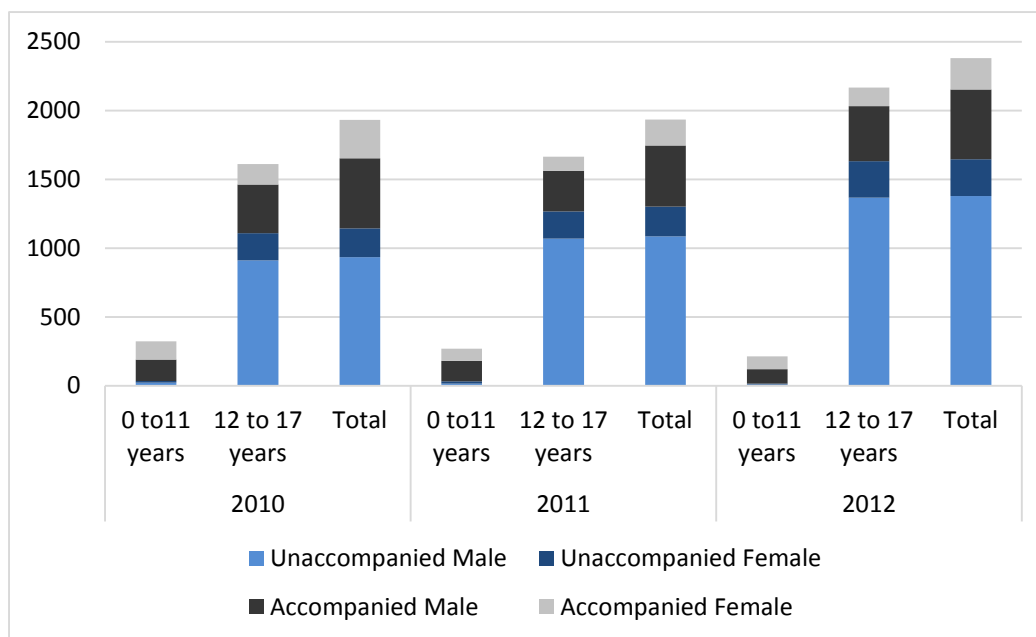
In recent years, Mexico has placed greater emphasis on border security and has intensified measures for controlling irregular migration within its borders. The apprehension and detention of Central Americans, including migrant children, has become part of Mexico's border enforcement policy. Between January and November 2012, 73,370 migrants from the Northern Triangle countries were detained and returned by Mexican immigration authorities, the Instituto Nacional de Migración (INM). Of this figure, the IMN reports that 33,239 were Guatemalan nationals, a little more than 43 percent of all 75,774 migrants captured by Mexican officials.⁵² In 2014, 45,114 Guatemalans were returned from Mexico, including 6,152 minors.⁵³

51 Tribunal Supremo Electoral. *Organizaciones Políticas Status*. January 2015. http://www.tse.org.gt/index.php?option=com_wrapper&view=wrapper&Itemid=208

52 Instituto Nacional de Migración, *Síntesis 2012: Estadística Migratoria*, 2012, 31. http://www.inm.gob.mx/estadisticas/Sintesis_Grafica/2012/Sintesis2012.pdf

53 División de Operativos, Oficina de Estadística, Dirección General De Migración de Guatemala. <http://www.migracion.gob.gt/index.php/descargas/category/24-estadisticas-2014.html>

Figure 2: Guatemalan Children Returned from Mexico (2010 - 2012)



Source: Girón Solórzano, *ACTUALIZACION*, 39.

Although Mexico has become more vigilant about irregular migrants entering its borders, there is less attention to human rights and protection issues for migrants. For example, according to Girón Solórzano, the screening process for identifying victims of human rights violations is inadequate. Officers at the Estaciones Migratorias (migration stations) do not conduct thorough screenings to accurately identify age, gender, motives for migration, or the circumstances/mode of travel, which could identify individuals entitled to humanitarian protection.⁵⁴ According to Mexico's migration policy, any minor identified as being unaccompanied at the Estaciones Migratorias is placed under the care of the Oficiales de Protección a la Infancia (OPI) of the INM at the same center. Unaccompanied minors under 13 years of age are transferred to the care of the Sistema Nacional del Desarrollo Integral de la Familia (DIF). During their time in Mexico, children are to be given a space to sleep, food, basic medical care, and Guatemalan consular officials are notified to coordinate repatriation.⁵⁵

54 Girón Solórzano, *ACTUALIZACION*, 29.

55 Ibid, 31.

Table 5: Unaccompanied Children Returned from Mexico (2010-2012)

Year	Age Group	Male	Female	Totals
2010	0 to11 years	24	11	35
	12 to 17 years	912	196	1108
	Total	936	207	1143
2011	0 to11 years	17	17	34
	12 to 17 years	1069	198	1267
	Total	1086	215	1301
2012	0 to11 years	10	6	16
	12 to 17 years	1368	263	1631
	Total	1378	269	1647

Source: Girón Solórzano, *ACTUALIZACION*, 39.

Table 6: Accompanied Children Returned from Mexico (2010-2012)

Year	Age Group	Male	Female	Totals
2010	0 to11 years	156	132	288
	12 to 17 years	355	147	502
	Total	511	279	790
2011	0 to11 years	148	89	237
	12 to 17 years	296	101	397
	Total	444	190	634
2012	0 to11 years	105	93	198
	12 to 17 years	400	135	535
	Total	505	228	733

Source: Girón Solórzano, *ACTUALIZACION*, 39.

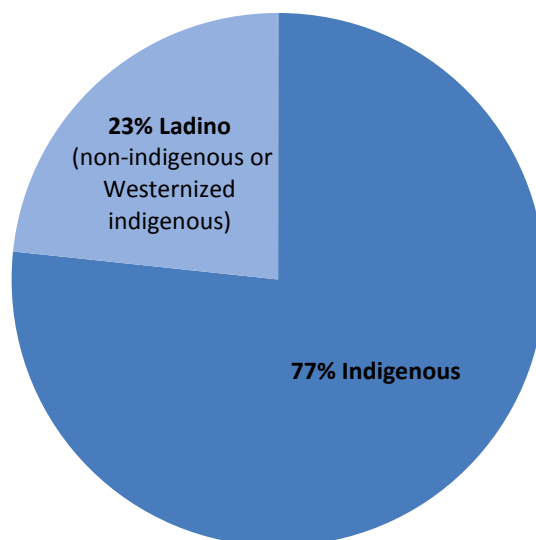
The service capacity of Guatemalan consular offices in Mexico is severely out-paced by the number of detained nationals in need of assistance. Due to limited resources, budgets, and staff, the consular services provided to Guatemalan migrant children include: an interview (which could be done as a group) to verify that the child is indeed a minor from Guatemala; verification of health condition, identifying and locating a family member or guardian in their community of origin; and finally streamlining the repatriation process.⁵⁶

Many of the migrant children passing through Mexico are from rural indigenous

⁵⁶ Girón Solórzano, *ACTUALIZACION*, 30.

communities of Guatemala. Spanish is a second language for many of these children but during the detention process, suitable translation services are seldom provided. Under such circumstances it is difficult for a child to understand what is happening and to communicate with officials the particularities of their case.

Figure 3: Ethnic Identification of Returned Migrant Children (2013)



Source: SBS - <http://www.sbs.gob.gt/nmg.pdf>

Neither Mexican migration authorities nor consular posts are thoroughly examining each case and providing adequate measure of protection for children and adolescents. The notion of the “Principio de la Determinación del Interés Superior del Niño” (Principle of the Determination of the Best Interests of the Child), as highlighted by the CONAMIGUA protocol, is not being adhered to in this stage of the process. If this principle were to be upheld, it would require each case to provide differentiated and targeted assistance, carefully assessing any protection measure the child could require. Deportation should only occur after such due process.

Detention in the United States

Along the U.S.-Mexican border, undocumented immigrants attempting to enter the United States are subject to apprehension and deportation, including minors. The Department of Homeland Security (DHS) is required by U.S. immigration law to detain most undocumented immigrants apprehended at the border and has broad authority to hold these unauthorized immigrants in detention centers while they are placed in removal proceedings and wait for a resolution of their case. Customs and Border Protection (CBP), under DHS, also has discretionary powers to screen for

immigrants that may be eligible for asylum or other forms of humanitarian protection. DHS can also order expedited removals (for first-time arrivals) or reinstatement of removal (for those previously deported) without the need for a judicial review.⁵⁷ However, under the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2008, DHS cannot use these discretionary measures on unaccompanied children from countries other than Mexico and Canada. Instead, these minors are given the opportunity to appear before an immigration judge to petition for humanitarian relief from removal.⁵⁸ Per TVPRA mandate, these minors are not to be held in DHS custody for more than 72 hours, and should be transferred over to the Office of Refugee and Resettlement (ORR), under the U.S. Department of Health and Human Services (HHS) while they wait for their immigration hearing. According to the principle of “the best interest of the child” HHS must provide “the least restrictive setting” for a minor.⁵⁹ In practice this usually means most children and adolescents are placed with a family member as they wait for their chance to appear before an immigration judge.

The release to a family member, however, is not by any means the granting of special protection or authorized status. These minors are still unauthorized immigrants pending removal hearings; they are waiting for the chances to have their case heard before an immigration judge who then will determine if the minor will be granted relief from removal or deportation.

According to U.S. immigration law, there are certain circumstances under which otherwise deportable immigrants may be permitted to remain in the United States for humanitarian reasons.⁶⁰ Such relief from deportation or removal⁶¹ is intended to protect vulnerable individuals and is granted on a case-by-case base through an adjudication process before an immigration judge. The two main visa types designed for the protection of vulnerable child migrants and family arrivals are Asylum and Special Immigrant Juvenile (SIJ) visas. Both visa types allow immigrants to remain in the United States, apply for work authorization, receive legal permanent residence, and eventually obtain U.S. citizenship. However, the grounds for which

57 Rosenblum, “Unaccompanied Child Migration to the United States,” 9.

58 Ibid.

59 Ibid.

60 USCIS. “Asylum.” February 4, 2015. <http://www.uscis.gov/humanitarian/refugees-asylum/asylum>.

61 Removal and return are the two main provisions for deporting unauthorized immigrants and removable noncitizens. *Removal* is a formal deportation from the United States, those removed are ineligible to return for at least five years, and noncitizens that reenter the United States following removal may be subject to criminal charges. Return is informal deportation or denial of entry; those returned do not go through any formal proceedings and do not face additional penalties on top of being sent back.

an immigration judge can grant these visas are particularly narrow.⁶²

Repatriation in Practice

Repatriation via Land and via Air

The INM, under the supervision of the Guatemalan consulate in Tapachula, México, busses children from Mexico into Guatemala. The children are then taken to Hogar Casa Nuestras Raíces, a shelter located in the city of Quetzaltenango. Officials from the Estación Migratoria Siglo XXI in Tapachula notify Casa Nuestras Raíces in Quetzaltenango of the number of minors that will be returned in the upcoming week. The Guatemalan consular post and INM coordinate to issue the legal/official authorization of the transfer of custody from INM and OPIs to the Secretaría de Bienestar (SBS) and the Procuraduría General de la Nación (PGN) of Guatemala. About once or twice per week (usually on Tuesdays and Thursdays) SBS and PGN staff travel to the border crossing point of El Carmen in San Marcos to meet the bus of returning children. Authorities representing the Guatemala's Foreign Ministry and the Dirección General de Migración (General Agency on Migration, DGM) are also present for the official reception of the minors; however, SBS and PGN are the primary agencies responsible for the repatriation process of the minors and escort the group to Nuestras Raíces in Quetzaltenango on the bus provided by INM.

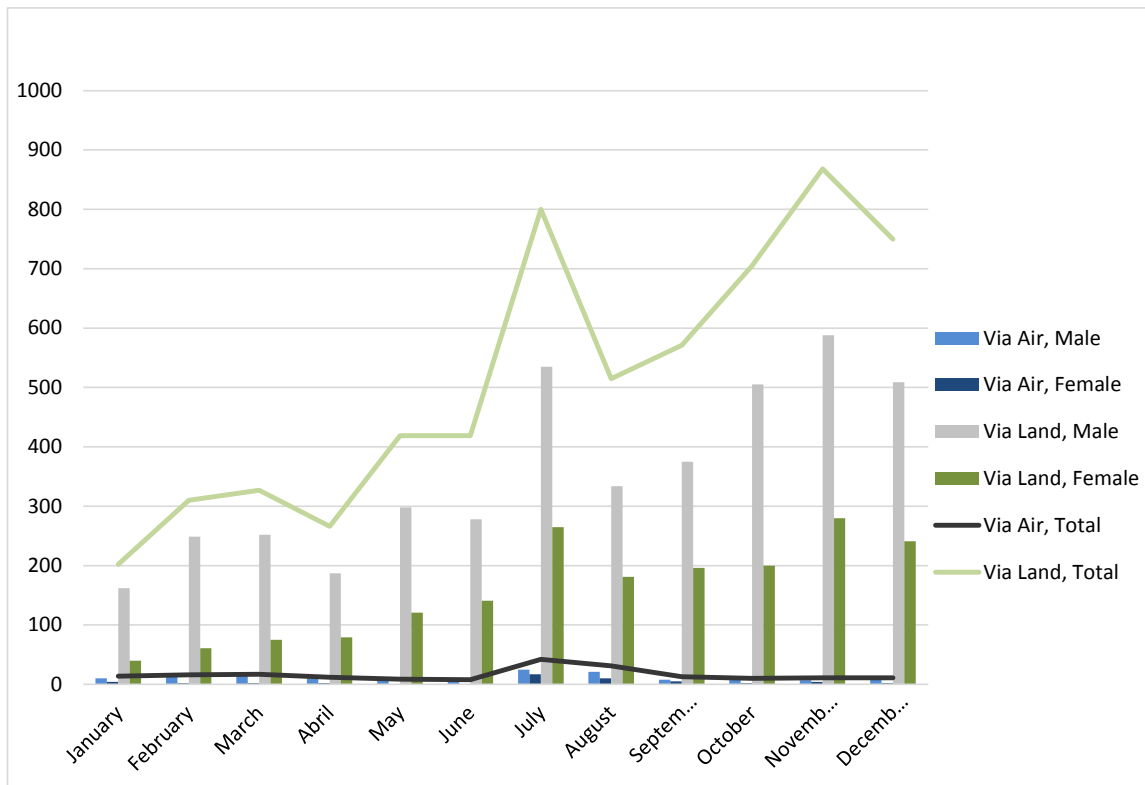
Guatemala's PGN, SBS, and the Foreign Ministry are also in charge of receiving and processing Guatemalan minors who are repatriated via air from the United States to the La Aurora Air Force base or La Aurora International Airport in Guatemala City. When deportees, both adults and minors, arrive at the Air Force base they are given refreshments and are officially received by representatives of DGM. Adult repatriates are allowed a free phone call and the opportunity to exchange currency, and afterwards are taken to the bus terminal where they are given a bus ticket to their hometown.⁶³ Prior to June 2012, PGN would immediately release minors to families present upon the flights arrival. Only in the last few years has a separate procedure been established to receive repatriated children.⁶⁴ Since August 2012, SBS began to play a larger role in child repatriation and build a more robust method for attending to the children's special needs and collect information on returning children. After a brief interview with SBS staff, the children are taken to Nuestras Raíces in Guatemala City.

62 To be granted asylum one must prove an individualized fear of persecution. For a SIJ visa the minor must first be certified by a state court as a dependent of the court, and the court must certify that it is not in the best interest of the child to be returned to his/her country of origin and that reunification with any of the minor's parents is unviable. (See USCIS. "Asylum Eligibility and Applications FAQ." November 29, 2008. <http://www.uscis.gov/faq-page/asylum-eligibility-and-applications-faq#t12802n40175>.)

63 Girón Solórzano, *ACTUALIZACION*, 29.

64 Ibid, 46.

Figure 4: Repatriated Guatemalan Children in 2014



Source: Division de Operativos, Oficina de Estadística, Dirección General De Migración de Guatemala

The Reception Process

Upon arriving at Nuestras Raíces, either in Quetzaltenango or Guatemala City, the children are given something to eat, a basic medical examination, and a clean change of clothes. There is a psychologist and social worker present to conduct interviews to determine if there is a case (of abuse, trafficking, etc.) that warrants referral to another agency. If this is the case, the social worker or psychologist reports the case to the PGN, which then makes contact with the proper agency. Again, the lack of translation services is an impediment to ensuring that the best interest of the child is guaranteed. Neither SBS nor PGN provide interpreters that speak with children in their native language. Instead interviews are conducted in Spanish—whether or not the child or adolescent understands what is being asked. Under such circumstances, it is difficult for the minor to express any fears they may have with returning to their family or communities.⁶⁵ The *albergue* (youth shelter) also receives support from the Red Cross, which provides both the medical screenings

65 Wendy Ramirez, Megan McKenna and Aryah Somers, “Chapter 12: Repatriation and Reintegration of Migrant Children.” *Childhood and Migration in Central and North America: Causes, Policies, Practices and Challenges*. Center for Gender and Refugee Studies, UC Hastings, February 2015: 152.

and short-term follow-up care as long as the child or adolescent is in the *albergue*. Nonetheless, the capacity of Nuestras Raíces is still quite limited, and children usually are not supposed to remain in the *albergue* for more than 72 hours. If after 72 hours a child is unable to be reunited with a family member, they are referred to a judge who then places them in a shelter.⁶⁶ SBS makes great efforts to contact families⁶⁷ beforehand to ensure a family member or guardian will be present at the time of the minor's arrival so that the minor can leave with a relative shortly after legal protocols and verifications are completed.

The present facilities of Nuestras Raíces are, unfortunately, inadequate to service returning children. Personal accounts from fieldwork and interviews indicate the facilities resemble a detention or holding center. There is no open space for recreation or where children can move around after a long bus trip. In addition, the capacities of the centers are reportedly very limited. For example, Nuestras Raíces in Guatemala City has a maximum capacity for 20 children at one time, while Nuestras Raíces in Quetzaltenango can assist 80 minors. The parents or families of the children and adolescents are asked to wait outside of the building until the minor is ready to be released; there is no waiting room area for the families. Such arrangements become particularly difficult when there are delays or the bus arrives late in the afternoon or night. Many of these families report that they have limited resources—some even having great difficulty even reaching Quetzaltenango from rural isolated communities—and cannot afford lodging or other travel expenses such as gas or transportation. In some cases the Red Cross has been able to provide support to families by assisting with the covering the cost of transportation to home communities.

Handing Over Custody to Families

Formal transfer of custody of a minor is done through PGN, which issues the legal documents the parents or legal guardians are to sign upon release of the minor. By signing the documents, or *acta*, the parents acknowledge their responsibility for safeguarding the minor and commit to preventing the minor from migrating again. PGN staff also discusses with parents or legal guardians the risks that child migration entails and warns the parents that the minor could become “institutionalized” if he or she migrates again.⁶⁸ As of yet, no substantial follow-up is provided to the children or adolescents after they are released. There is no systematic initiative in place to determine if the children or adolescents were able to reintegrate (socially, economically, and culturally) back into their communities or whether they

66 Ríos Maldonado, *Marco General y Descripción de Acciones del Estado de Guatemala en Materia Migratoria*, 61.

67 In theory, the PGN is the agency in charge of making contact with the family to notify them of the minor's return and request the presence of a guardian when the child is repatriated. In practice, however, SBS staff are the ones to reach out to the families.

68 Girón Solórzano, *ACTUALIZACION*, 44.

attempted to migrate once again. There are no indicators of the psycho-social or emotional abilities of the children to reconnect with their families, make sense of the whole experience or readapt to life in their home communities.

Almost certainly, young repatriated individuals are returning to the same, if not worse, living conditions that drove them to migrate in the first place. After undertaking a treacherous journey, there are no significant changes in the socio-economic circumstances of their family, let alone in the larger political or economic macro structures of the country. Anecdotally, we learned of a young man who upon being reunited with his mother, threw himself at her feet. Crying, he asked for forgiveness for not being able to successfully reach his destination.⁶⁹ This story exemplifies the despair and frustration felt, especially by adolescents whose motive to migrate is to help support their families, when they return “empty-handed.” Throughout interviews and conversations held during fieldwork, we repeatedly hear of that the guilt is heavy when one returns with nothing to show for the sacrifice made, not just by the young individual, but also the entire family.

Psycho-social Effects

In interviews conducted by the Pastoral de la Movilidad Humana (PMH), a Catholic organization focused on the needs of migrants, the children and youth indicated they felt very anxious and fearful at the time they were apprehended. It is quite possible the effects of apprehension and detention provoked a profound impact on the mental health and emotional wellbeing of the children and youth, especially for those who were not properly attended to by immigration officials and authorities of the Mexican, U.S., and Guatemalan governments. According to reports from PMH, the behavioral growth and mental health of young individuals who have endured such a perilous journey can be troubled with nightmares, increased sense of distrust, fear, stress, anger, feelings of helplessness, and depression, among other problems.⁷⁰ According to several migrants’ rights activists, the detention process can be devastating to young children and adolescents who experience a wide range of physical and psychological traumas. Members of the Asociación de Guatemaltecos Retornados emphasized during our meeting that returning “home” after a prolonged sojourn in the United States is initially a very bitter and hurtful experience for a variety of reasons. Being jailed and arrested is often considered a dehumanizing process for migrants.

Partly because of this lengthy apprehension and deportation process, native communities often assume that the reason a migrant is deported is because he or she did something wrong. In traditional communities, people stigmatize returning youth as troublemakers that have adopted criminal habits or were contaminated by

69 Notes from Fe y Alegria, Personal Interview, March 2, 2015.

70 Girón Solórzano, *ACTUALIZACION*, 35-6.

U.S. culture.⁷¹ On some occasions we were informed that adolescents are suspected of being gang members and the cause of spreading drug abuse. Deported girls often have to deal with the stigma that they are no longer worthy of becoming someone's wife, based on the presumption they were raped along the journey and are no longer virgins. Thus, many deported adolescents become outcasts in their communities.

Depending on how long it took for a child to be deported, it could also imply a culture shock. After spending their formative years in the United States and experiencing an interrupted education cycle, the child may face disorientation upon returning to Guatemala. If children do not receive follow-up, psychosocial support and counseling services, they are left in more vulnerable positions than when they first migrated—perhaps leaving them at greater risk at re-attempting to migrate or being recruited into gangs.

Beyond the emotional stress, the economic stress brought on by the return also inhibits the ability to cope with failed dreams. The current cost of migrating to the United States with a *coyote* is between Q.40,000-60,000 (about US\$5,148-7,722, based on conversations held during our fieldwork). A family might enter into debt to finance the trip either by mortgaging their home or land, or by agreeing to a payment arrangement with the *coyote*. For adolescents who leave to work and to diversify the income stream for the family, repatriation signifies an opportunity lost. Often the family has the hope that remittances will serve to pay off the debt and when their child is returned the family may lose their property or the adolescent tries to migrate again. Based on conversations held in the field, it is often very difficult for rural families to have access to credit to start a small business or invest in their agricultural ventures; however, we were informed it is relatively easy to obtain a mortgage loan.

Impact of Civil Society

Civil society has championed longer-term reintegration initiatives. Recognizing that repatriated children will need vital services beyond reception, civil society organizations have created programs to help returning youth with school enrollment, scholarships, life skills, and technical training, as well as psychological and psychosocial support. Nevertheless, these organizations often have a limited influence, assisting a modest number of families due to limited capacity and resources. Still, the models established in these programs are worthy of replication and expansion.

71 Lee Hopkins, "Making Guatemala 'Home' Again: Service Approaches for Sustainable Reintegration of Repatriates in Guatemala." Columbia University Partnership for International Development, February 9, 2014. <http://www.columbiacupid.org/online-journal/making-guatemala-home-again-service-approaches-for-sustainable-reintegration-of-repatriates-in-guatemala1>.

Kids in Need of Defense (KIND) launched one of the most noteworthy initiatives on reintegration in 2010, in collaboration with the Global Fund for Children and four Guatemalan civil society organizations.⁷² The Guatemalan Child Return and Reintegration Project (GCRRP), founded by KIND in partnership with local organizations, initiates the reintegration process before the child is repatriated. Unaccompanied migrant children under the custody of the U.S. Office of Refugee Resettlement (ORR) are referred to KIND, at which time the GCRRP social workers begins to talk with the child to evaluate their needs upon returning home. The child is matched with a local partner organization that helps the child's family arrange travel to Guatemala City to reunite with the repatriated child. Subsequently, the local organization provides a wide range of services to help the child reintegrate.⁷³ Between October 2010 and June 2014, GCRRP helped 121 children (about 1 percent of repatriated children per year). On average these children received reintegration support for about a year.⁷⁴

GCRRP's local partner, Colectivo Vida Digna, offers returning youth skills-building workshops, counseling, mentoring services, referrals to medical services, and school placement. In addition, Colectivo Vida Digna helps find vocational training and internship opportunities for returned children and their family members.⁷⁵ The organization's education and social work coordinator in Quetzaltenango emphasizes the importance of having an approach that upholds indigenous culture. A prime objective is to encourage children to value their cultural knowledge. Another example of a reintegration program that embraces the Mayan worldview is the one coordinated by Asociación Pop Noj, an organization focused on collective learning, action and development to uphold the identity, rights, and worldview of Mayan people. Its migration and reintegration program works in conjunction with its other programs to strengthen the self-esteem and leadership capacity of indigenous youth and women.

Effective reintegration requires an integrated approach to finding or creating alternatives to migration so that children and adolescents have motives to stay and opportunities to pursue. The key is to help them aspire to and achieve goals within the local context. Many organizations stress the concept of migration as a right, but many also strongly believe that the right to stay is equally important. The aspiration of the "Guatemalan Dream" is a prevalent theme among organizations working with repatriated youth and grassroots development organizations. A good example is Desarrollo Sostenible para Guatemala (DESGUA) that offers a program which provides

72 KIND. "Regional Work." <https://supportkind.org/our-work/regional-work/>.

73 Ramirez et. al., 356.

74 Ibid, 357.

75 Eva Miller, "Finding a Dignified Life: A Guatemalan Grantee Partner Offers Hope to Returned Migrant Youth," Global Fund for Children, October 2014. <https://www.globalfundforchildren.org/finding-a-dignified-life-a-guatemalan-grantee-partner-offers-hope-to-returned-migrant-youth/>

psychosocial support and job skills training to repatriated children in and around Quetzaltenango. DESGUA is an organization that runs Café R.E.D., a restaurant located in Quetzaltenango. Their chief mission is expressed as “The Guatemalan dream has returned.” In accordance with this mission, they provide jobs in Café R.E.D. for those returning from migrating to the United States and also train new chefs for its kitchen. DESGUA’s long-term goal is to provide an environment in which Guatemalan communities can be self-sustainable in terms of their economies and educational systems. Café R.E.D.’s vocational cooking program, not only combines the development of skills in the kitchen as part of the training program, but also involves lessons on Mayan history one day a week. This is one aspect in their overall project to encourage the restoration of their culture’s collective memory of their culture and the migrants’ identity as an indigenous Guatemalan.

Consequently, education is affected by the prevalent indigenous culture in the region. Mayan culture is a significant part of Guatemala, as its current territory encompasses a large area of the former ancient empire. As a result, many organizations are led by indigenous leaders and focus on problems that are specific to their communities. Since push and pull factors related to migration adversely impact the indigenous in the Guatemalan highlands the most, organizations with a Mayan focus are an integral part of preventing migration or helping returned migrants. Many of these organizations focus on reasserting their own culture and ensuring its survival by teaching citizens about their own beliefs and practices.

Sinergia No’j is one example of an organization dedicated to women, youth, and indigenous populations. For their organization, the fragmentation of the family, infant mortality, lack of social protection, sexual exploitation, corruption, and poverty are concerns. They believe that women, youth, and indigenous people should be “protagonists of the integral development on an individual and collective level.” To this end, they have formed alliances with other organizations such as Asociación Mujer Tejedora Del Desarrollo (AMUTED) and Ixmukane to promote individual and collective rights of women through a leadership program. In addition, Sinergia No’j currently consults with the government to reform electoral law and political parties as it affects women, indigenous people, campaign finance, and the vote of migrants.

Final Observations and Recommendations

Reintegration projects should have a participatory space in which the beneficiaries are involved in the design and implementation of programs. Several of the organizations we encountered seek to create opportunities that motivate youth and their families to contribute to local development. Likewise, reintegration and youth development programs are enhanced when there is solidarity and support amongst community members. Strengthening social capital within communities contributes towards their resilience and produces healthier environments for children.

Furthermore, the Ministry of Education should work to accredit and validate many of the programs civil society organizations provide. In our interviews, we learned of programs established by organizations such as Asociación Mujb'ab'l Yol and Asociación Para el Desarrollo Sostenible de la Juventud (ADESJU). These organizations provide courses that bolster students' vocational skills in areas such as carpentry, computer science, leadership skills, and communication skills, while also providing them with a path towards a degree. However, these degrees are not recognized by the Ministry of Education and are therefore not very marketable. In an interview with the government sponsored vocational school Instituto Técnico de Capacitación y Productividad (INTECAP), a senior official explained that civil society organizations have started to work in concert with them. We believe this is a good first step in government-civil society cooperation.

Several other organizations are working to use vocational training and education as a counter-weight to migration pressures. Fe y Alegría is another major organization working to use education as a preventative measure. Their mission is to provide free education and scholarships in areas marked by violence, malnutrition, and low educational attainment rates. According to officials of the organization, lack of opportunity and subsequent poverty is the main motivation for migration. To provide better opportunities for indigenous populations, Fe y Alegría established several schools in the Western highlands to provide vocational training for its students. One such school, located in Chiantla, provides specializations in food preparation, carpentry, and metalworking. Once the students complete their curriculum, they are entered into a jobs placement program known as "Fija La Hora," which inserts them into the workforce by matching their new skills to a local employer. During their time at the school, the vast majority of students continue to work while they study. One of the main challenges these educational programs encounter is work is usually given priority over an education, so the schools must schedule classes around children's work responsibilities.

Migrants also receive additional help through advocacy programs such as the Mesa Nacional de Migración (MENAMIG) and the Asociación de Retornados Guatemaltecos (Association of Returned Guatemalans). MENAMIG is an umbrella organization for several nonprofits and governmental organizations that advocate for the rights of migrants currently in transit to/from Guatemala. The *Vía Crucis del Migrante* witnessed during our visit is an example of one of many collaborative initiatives MENAMIG uses to advocate on behalf of migrants. Several members of the Catholic Church and MENAMIG representatives were present at the ceremony and took questions from the media. In addition, a recently established organization specifically for returned migrants is the Asociación de Retornados Guatemaltecos. Composed entirely by returned migrants, this group seeks to create a wider network among the Guatemalan diaspora and encourages Guatemalans legally in the United States to help their brethren back home so that they do not feel as if they need to

migrate. One of the components of this work is creating alliances with civil society groups in the United States that deal with advocacy for migrants. In addition, the Asociación de Retornados Guatemaltecos spoke to us on the importance of coordination between the Guatemalan government, Guatemalan civil society, and other regional governments.

Regional Response: The Alliance for Prosperity

It is a key interest of the United States to stem the flow of migration from Central America and also to address citizen security, crime and violence in the region. Regrettably, the focus of the United States and Central American governments has been security initiatives and the drug war. Resources have been directed towards security initiatives with a particular focus on building stronger police and military forces. The Central America Regional Security Initiative (CARSI) currently in place addresses security concerns, but does not invest heavily in economic development, a critical step for reducing migration.⁷⁶ This approach has not been effective in addressing the drivers of migration and other socio-economic issues.

The proposed Alliance for Prosperity in the Northern Triangle signals a new approach. The plan, developed by the governments of Guatemala, Honduras, El Salvador, and the United States, and the Inter-American Development Bank, recognizes that economic and social development are critical long term solutions for the future of the region, along with public safety and security.⁷⁷ President Obama has requested of Congress US\$1 billion for Fiscal Year 2016, of which at least 80 percent will be directed towards civil society and economic development, rather than directing the majority of the funds towards security.⁷⁸ The plan seeks to direct resources to strengthen institutions, increase economic opportunity, and to reduce violence.

The Congressional Budget Justification for the project appropriately states that “[w]ithout significant progress, the region will continue to face extreme violence, severe economic inequality, social exclusion and widespread corruption and

76 Eric Olson, “Securing the Border: Understanding and Addressing the Root Causes of Central American Migration to the United States.” *Testimony for Committee on Homeland Security and Governmental Affairs, United States Senate*. Woodrow Wilson International Center for Scholars, March 25, 2015.

77 Inter-American Development Bank, *Presidents of El Salvador, Guatemala and Honduras Outline Plan to Promote Peace and Prosperity in Their Region*, November 14, 2014. <http://www.iadb.org/en/news/news-releases/2014-11-14/northern-triangle-presidents-present-development-plan,10987.html>.

78 Adam Isacon, *What’s in the billion dollar aid request for Central America?* Washington Office on Latin America, February 3, 2015. http://www.wola.org/commentary/a_walk_through_the_billion_dollar_us_aid_request_for_central_america.

poverty, thus compelling many Central Americans to flee their homes each year.”⁷⁹ The test will be to see that the implementation of this program can successfully address the root causes of migration. The efficacy of this program in Guatemala will depend particularly on the will of the government to direct resources to where there is the most need and the most migration.

Fortunately, the bulk of the resources in aid to Guatemala will go to development assistance. Earmarked military training and funding will remain relatively constant, although there will be a significant increase in resources directed towards CARSI regionally. The chart below, adapted from the “2016 Congressional Budget Justification for Department of State, Foreign Operations and Related Programs,” and a report from the Washington Office on Latin America (WOLA) outline the following allocation of resources:⁸⁰

Table 7: Alliance for Prosperity Plan - Guatemala

Program	2014	2016
Global Health Programs- USAID (Guatemala)	\$15,000	\$13,000
Development Assistance (Guatemala)	\$42,789	\$205,100
International Military Education and Training (Guatemala)	\$714	\$760
Foreign Military Financing (Guatemala)	\$1,740	\$1,740
International Narcotics and Law Enforcement- CARSI (regional)	\$100,000	\$205,000
Economic Support Fund- CARSI (regional)	\$61,500	\$81,500

*Figures are in thousands of dollars

Source: Adam Isacson, “What’s in the Billion-Dollar Aid Request for Central America?” WOLA, February 3, 2015.

This plan marks a decided and focused effort to address economic development in Guatemala, although the investment may not be successful in reducing migration

79 Department of State, Foreign Operations, and Related Programs. *Congressional Budget Justification Fiscal Year 2016*. February 2, 2015, 77. <http://www.state.gov/documents/organization/236395.pdf>.

80 *Congressional Budget Justification Fiscal Year 2016*; Isacson, *What’s in the billion dollar aid request for Central America?*

if regions with high migration rates are neglected. Despite this step in the right direction, many civil society organizations in the United States and in Guatemala are skeptical that this plan will create lasting change. In a press release for a letter sent to the Presidents of Honduras, Guatemala, El Salvador and the United States, Kelsey Alford-Jones, Executive Director of the Guatemala Human Rights Commission in Washington, D.C. explained, “One of our deepest concerns about the Alliance for Prosperity Plan is that it perpetuates the same economic policies that have already resulted in skyrocketing inequality” given the “...proposed construction of large-scale infrastructure projects and the expansion of extractive industries, which have caused a lot of forced displacement throughout the region...”⁸¹ Guatemala’s track record with human rights abuses regarding the extractive industry suggests the possibility that some of this funding will threaten indigenous communities and create migration in some regions—the opposite of what the plan is intended to do.

In order for this funding to be used effectively, the Guatemalan government must coordinate development efforts with civil society. Many of the civil society organizations who focus on migration and repatriation issues hold socio-economic development as a core value and work closely with the communities that are most in need of this aid package. The government should capitalize on their on-the-ground expertise to address the needs of communities. This collaboration should also include a coordinated effort in the repatriation process.

The use of funding is in large part directed by the Guatemalan government, but given governance issues, lack of political will, and the systematic neglect of indigenous populations, there is concern that funds will likely not be invested to develop the regions which send the most migrants. High-level officials within the Guatemalan government have suggested to the authors that, based on previous experience, this funding is unlikely to reach the five departments that send the highest percentage of migrants to the United States (Huehuetenango, San Marcos, Quetzaltenango, Quiche and Jutiapa). Presumably this reflects the long history of exclusion of indigenous people in Guatemala. These departments also have the least economic opportunity and the largest indigenous populations. In these regions, violence is not the primary driver of migration, but rather the lack of opportunity through centuries of systematic neglect and exploitation of indigenous peoples.

81 Alexis Stoumbelis, *Civil Society Organizations Express Urgent Concerns about proposed Alliance for Prosperity Plan for the Northern Triangle during Summit of the Americas*, Guatemalan Human Rights Commission, April 10, 2015. <http://www.ghrc-usa.org/resources/press-room/civil-society-organizations-express-urgent-concerns-about-proposed-alliance-for-prosperity-plan-for-the-northern-triangle-during-summit-of-the-americas>.

Table 8: Guatemalan Minors Returned from the United States, by Department of Origin (January - March 2015)

Department of Origin	Minors	
	Male	Female
Huehuetenango	3	1
El Quiche	6	4
San Marcos	2	4
Quetzaltenango	1	4
Totonicapan	0	0
Guatemala	1	1
Jutiapa	0	1
Chimaltenango	3	0
Solola	2	1
Chiquimula	0	0
Baja Verapaz	1	0
Peten	2	1
Suchitepequez	0	1
Jalapa	0	0
Escuintla	0	0
Retalhuleu	0	1
Santa Rosa	0	0
Izabal	0	0
Alta Verapaz	0	0
Zacapa	0	0
El Progreso	0	0
Sacatepequez	0	0

Source: Oficina de Estadísticas, Dirección General de Migración de Guatemala

Guatemala is in the midst of an election year and indigenous peoples are still largely excluded from the political process.⁸² The consensus from many local NGOs is that candidates will make promises to invest in the regions that have the most political clout and the most influence in the electoral system. This means that development plans will not target indigenous regions, but rather areas to secure votes for the next electoral cycle. The Alliance for Prosperity will fail to stem northward migration from indigenous regions unless economic opportunities are directed to these five departments. The United States should monitor where funds are invested and

82 The National Democratic Institute (NDI), Guatemala *NDI Programs: Supporting Inclusive Political Participation*, April 15, 2015. <https://www.ndi.org/print/14104>.

encourage the development of the departments that are most in need. Otherwise economic development may continue to favor the wealthiest in Guatemala and further increase disparity in wealth. Civil society should act as the watchdog in this process and the United States should put appropriate pressure on the Guatemalan government so that funding is used efficiently.

In an effort to provide services to those who are repatriated and to stem the flow of future migration, the following measures should be taken:

Development assistance should include funds to support *reintegration* programs (beyond immediate repatriation). Programs should not end once the children are returned to their parents or legal guardians. Follow-up should be required and would benefit Guatemala by seeing where these programs are successful and where they could be improved. Further long-term programming could also help improve retention rates in the country and prevent migrants from attempting to return to the United States.

Multiple stakeholders: The Guatemalan government, specifically SBS, should seek to unite efforts with civil society organizations that are already implementing reintegration projects.

A **holistic approach to reintegration** should build local opportunities through community-led development. There are several organizations that could provide a wide network of support for the children SBS receives.

Culturally and linguistically sensitive programs: Proposals for longer-term follow-up must be culturally and linguistically sensitive to the local context and incorporate family members. Programs in the Mayan language and worldview are essential to making children feel comfortable with officials to share any form of abuse that may have occurred, ensuring the wellbeing of the children.

Shared information: Give children the opportunity to report any violation or abuse. Information sharing should occur at detection and continue through repatriation.

Political continuity and will are absolutely necessary to ensure programs are institutionalized, following clear guidance and legislated policies. The Guatemalan government should continue successful migration programs over the long-term; they should not be limited by a change in presidential administrations or political party. Furthermore, the government must be willing to invest in *all* sectors and regions of Guatemalan society, including indigenous populations and those living in the Western Highlands region.

Guatemala urgently needs to adopt and reform its repatriation policy. The Central American countries can expect to receive thousands of deported children in the coming years given the lengthy adjudication process and minimal probability that few will be legally allowed to remain in the United States. As of now Guatemala's repatriation process for minors is lacking adequate protocols and resources due to mismanagement, under financing and vague outlining of procedures. While civil society has carried out noteworthy work on reintegration, their scope has been limited.



About the Authors

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