

Trump administration initiated program to deport Mexican asylum seekers to Guatemala

Meenakshi Jagadeesan
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The Trump administration had begun deporting Mexican asylum-seekers—adults as well as families—to Guatemala as part of the bilateral agreement it had negotiated with the government of the Central American nation in July 2019.

Initially, the deal was supposed to only apply to asylum seekers from Honduras and El Salvador, the two other Central American countries bordering Guatemala. The expansion of the so-called “Safe Third Country” agreement was first reported by *Buzzfeed* this week.

The deportations were already underway when the story broke Monday; however, *Buzzfeed* reported yesterday that, in part due to the strong criticism from immigration advocates as well as within federal agencies, the Trump administration has since paused the program.

The agreement with Guatemala, which came into effect in November of last year, had been justified by Trump administration officials as a humane and rational “burden-sharing” of the refugee crisis in the region. Asylum-seekers from Honduras and El Salvador, they claimed, had to make a perilous journey northward through multiple borders to get the United States, and were at the mercy of human traffickers every step of the way. Many of these perils, it was argued, could be avoided if those refugees simply sought refuge in neighboring Guatemala, often the first country they pass through on their way to the US.

However, this logic cannot apply to asylum-seekers from Mexico who never set foot in Guatemala. That has, however, not prevented the US government from starting the deportation of Mexican nationals to the country on Mexico’s southern border.

The Trump administration tried to slip the expansion of its deportation program under the radar, merely

informing asylum officials through an e-mailed guidance that Mexican nationals were to be included in the process. The program initially was focused only on El Paso, Texas, but was later expanded to the Rio Grande Valley as well.

Only after *Buzzfeed* broke the story, the Department of Homeland Security (DHS) acknowledged its deportation of Mexican nationals to Guatemala. In characteristic double-speak, a DHS spokesperson announced on Monday: “Certain Mexicans seeking humanitarian protections in the United States may now be eligible to be transferred to Guatemala and given the opportunity to seek protection there, under the terms of the Guatemala Asylum Cooperative Agreement.”

The bilateral agreement with Guatemala, the Trump administration had proclaimed earlier, would be a model that could be replicated with Honduras and El Salvador as well, ensuring that Central American refugees did not have to travel far to find safety and security, while at the same time reducing the supposed tidal wave of immigrants that had put the US asylum system under immense pressure. This claim cannot bear up to even the mildest of scrutiny.

Given the decades of war and violence affecting the broader region and the ongoing systemic instability that has caused the outflow of migrants in the first place, the claim that each Central American country could provide a safe haven for refugees from neighboring countries makes absolutely no sense and is absolutely criminal.

As was reported a few months ago, Guatemala’s asylum office has a staff of fewer than 10, and in 2018, it processed a total of 262 claims. According to the latest available UN data, the country has one of the highest rates of poverty and malnutrition in the Western hemisphere, and the ninth highest homicide rate in the

world. When the Trump administration commenced deporting detained migrants seeking asylum to Guatemala last November, it remained—along with Honduras, El Salvador and Mexico—on the State Department’s travel advisory list for US citizens.

Even if one were to set all of this aside, the expansion of deportations to Central America to include Mexican nationals completely exposes the inhumane character of the onslaught against working class asylum-seekers. Refugees from Mexico do not travel through Guatemala to get to the United States. And for many Mexicans who seek a better life north of the border, Guatemala is much farther away than the United States. To be offered the “choice” to either be deported back to Mexico or Guatemala is in fact no choice at all.

Already traumatized by the arduous trek to the US border, not to mention the necessity of making the choice to seek refuge, working class migrants are forced to face interviews with asylum officials, which determine whether or not an individual or family gets deported. The only way in which an asylum-seeker could avoid deportation is through explicitly stating that they fear torture or persecution in Guatemala, and also prove that “it is more likely than not” that they would be tortured or persecuted there.

Setting aside the burden of proof, the fact that asylum-seekers have no access to legal counsel prior to the interviews makes it “more likely than not” that they have no idea what is required to avoid deportation. As a US asylum official, speaking anonymously, told *Buzzfeed*: “Mexico is dangerous; Guatemala is even more so. This expansion of the [agreement] continues to prevent legitimate asylum-seekers from having their cases heard by the US and foists them upon the Guatemalan system.”

Guatemalan officials have registered their protests. Outgoing Guatemalan President Jimmy Morales said on Wednesday, “It is more than clear that within the agreement only Salvadorans and Hondurans were to be sent. ... The United States has talked about the possibility of discussing whether to include Mexican nationals, but that is something the incoming administration will have to discuss. It’s totally false that we had negotiated that Mexicans be sent here. ... Those are rumors.”

For now, the Mexicans who were slated to be deported to Guatemala have been moved into the

deceptively named Humanitarian Asylum Review Process (HARP), which dramatically reduces the time the asylum-seekers have to prepare their immigration cases and aims to speed up a decision while they are in government custody.

It is not clear how long the Trump administration plans to hold off the expansion of the deportation program, but it has made clear that it is committed to using any means to deter working class immigrants from seeking asylum in the United States. As the anonymous asylum official cited by *Buzzfeed* put it, bemoaning the spate of new rules, “Asylum in the US is now practically available only for people wealthy and privileged enough to get visas, shutting out many of the most vulnerable groups asking for help at our borders.”



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