

Justice in Motion

Discrimination, Detention, and Deportation: Immigration & Refugees

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*Advocates warn Guatemala lacks infrastructure, personnel
to provide shelter and fair judicial process*

NEW YORK Today, defenders with Justice in Motion condemned the United States recent implementation of the so-called safe third country agreement with Guatemala. Rather than offer a solution to the regional migration crisis, the agreement will further deteriorate living conditions for people fleeing insecurity, forcing them to simply move from one dangerous country to another.

The safe third country agreement has put all of our countries and the international organizations that work with migrants on high alert, said Dora Melara, a defender with Justice in Motion based in Honduras. It makes us wonder if we are truly prepared to endure the consequences and social impact of this agreement, and whether we can ensure the safety and well-being of asylum seekers returned to Central America.

On Friday, November 22, the first Honduran migrant who passed through Guatemala on his way to present himself to seek asylum at the U.S. border with Mexico was deported to Guatemala. His deportation results from the July 26, 2019 agreement signed between the two countries in which Guatemala committed to receiving any person petitioning for asylum in the United States who had first passed through Guatemala.

The agreement has faced strong criticism from civil society and from both U.S. and Guatemalan human rights groups, who argue it effectively abandons the United States international responsibility to assess and receive migrants who seek safety from dangerous conditions that threaten their survival in their countries of origin. According to U.S. Customs and Border Protection data, almost 118,000 Guatemalan migrants fled Guatemala to migrate to the United States in 2018. If Guatemala cannot provide sufficient security and opportunities for its own citizens to live with dignity, it clearly cannot provide those same necessities and true shelter to refugees and asylum seekers from other countries.

Of the asylum petitions received by the Guatemalan Migration Institute, which numbered 262 according to the IGMs own records, not one has been resolved, explained Rebeca Sanchez Ralda, a defender with Justice in Motion based in Guatemala. Not one of those 262 asylum seekers has been recognized as a refugee or had their petitions denied. Rather, they have not been given any sort of process. That is how insufficient the system is: in more than one year, no one has been granted refugee status. The Guatemalan government is not prepared to receive additional refugees and adequately respond to their petitions for asylum.

The Guatemalan Migration Institute (IGM, for its initials in Spanish), processed only 262 refugee petitions in 2018, an average of 22 cases per month. To receive and respond to thousands more potential asylum cases, Guatemala would have to substantially increase its capacity in terms of both personnel and resources. Rather than bring relief to a region in crisis, defenders warn the agreement could worsen the situation for migrants in Guatemala and called upon both the United States and Guatemalan governments, as well as governments throughout the region, to renounce these false remedies and instead to work together to reach real solutions that address root causes for migration.

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