



Granting Asylum: Central American Migration, U.S. Interventionism, and Gender-Based Persecution

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Washington's Role in Generating Poverty and Inequality in Northern Triangle Nations

The current social, economic, and political instability in the Central American nations of Honduras, Guatemala, and El Salvador, an area commonly referred to as the Northern Triangle, has given rise to an unprecedented number of asylum seekers to the United States. Difficulties faced by this region, such as this increase in migration flow, have their origin in U.S. Cold War policy. For example, during Ronald Reagan's administration, \$6 billion dollars were spent in aid to El Salvador's brutal military government.ⁱ Some may attribute this aid to the Cold War era and even choose to excuse the United States' role because of the political climate of the time. However, this analysis is flawed and insufficient. The role that the United States played in the past remains critical to each country's present state. COHA Research Associate Erika Quinteros traced the current gang culture in El Salvador to its roots in the country's civil war several decades ago. Salvadorans who fled to the United States during the war period of 1980-1992 were refused refugee status in the United States, even though the United States played a direct role in advancing the conflict by supporting the right wing government while it committed human rights abuses.ⁱⁱ Those who stayed in the United States struggled to cope and were "often subject to deportation as well as economic hardship and social isolation."ⁱⁱⁱ In Los Angeles, this led to gang formation, which was integrated into El Salvador upon the deportation of these individuals.^{iv} With even less economic opportunities in El Salvador, the gangs grew into the Mara Salvatrucha (MS13) and Barrio 18 of today.^v

There is a long history of repeated acts of U.S. intervention and the projection of influence in Latin America. One could begin with the Monroe Doctrine and its Roosevelt Corollary, in which President Theodore Roosevelt believed the United States possessed the inherent right to interfere in Latin America, even militarily. He granted this right

due to the U.S. location on the hemisphere. Of course, other Latin American nations did not claim proximity as reason enough to violate U.S. sovereignty. U.S. citizens known as filibusters, such as William Walker in the 19th century, laid claim to numerous Latin American nations. Walker first invaded Mexico and later Nicaragua, where he declared the official language English and instituted slavery.^{vi}

U.S. foreign policy favors corporate interests, which have had heavy influence in the region, especially in the creation of debtor nations that depend on U.S. patronage in one form or another. Opposition and antagonism with socialist or communist regimes have had dire consequences in Latin America. To this day, socialism is an unacceptable political position in the United States. Most certainly the United States feared another Cuba in the Northern Triangle and justified its intervention through this fear. However, U.S. involvement in the Northern Triangle has been dominated by economic interests, which the United States felt were at stake. The United States did not act in order to promote democracy in the region, even if that the political rhetoric. Under Dwight D. Eisenhower, the United States supported the overthrow of Guatemala's democratically elected leader, Jacobo Arbenz.^{vii} Actions by the United States in Central America directly contradict the support of democracy.

Cold War policy in Latin America often justified or excused actions that were clearly human right violations. Guatemala's leader Arbenz was removed because he was attempting to redistribute wealth, which harmed the United States' exploitative endeavors in Guatemalan bananas through the United Fruit Company.^{viii} *Bitter Fruit*, a 1982 study by Stephen Schlesinger and Stephen Kinzer, clearly details the depth of U.S. involvement in the coup to protect banana interests. Again under the Ronald Reagan administration, in 1981, the U.S. government armed forces against the Sandinistas in Nicaragua,^{ix} and utilized Honduras' proximity for invasion, creating violence and chaos for Honduras.^x More recently in 2009, the Obama administration legitimized the violent overthrow of a democratically elected leader, José Manuel Zelaya, in Honduras by publicly recognizing the government of Porfirio Lobo.^{xi} Nations across Latin America have refused to recognize this Honduran regime.^{xii}

With all the detrimental outside influence, particularly that of the United States, it should come as no surprise that the government of these three Central American countries, still fresh with wounds of civil wars and foreign debt, are now plagued with corruption. In the many years of exploitation and war, infrastructure was left undeveloped or destroyed, and poverty undermines community growth.

Today, many citizens are choosing to leave the Northern Triangle for varying reasons. For women and children, escape may be their only chance for survival. Women make up

an increasing number of Central American migrants, now one in four, as compared to one in seven in 2011.^{xiii} The phenomenon is becoming so pronounced, experts are labelling it the “feminisation of migration.”^{xiv} Furthermore, the majority of Northern Triangle migrants to the United States are those who have been the victims of crimes in their home nations, who tend to be unswayed by U.S. deterrence strategies because of the severe impact of the crime.^{xv} Without the possibility of securing a visa, and sometimes without proof of citizenship from their home countries, entry into the U.S. is difficult. For many, the only chance for survival is through an application for asylum.

Asylum

The U.S. asylum process is defined as such:

The Asylum Officer will determine if you are eligible for asylum by evaluating whether you meet the definition of a refugee. The definition, which can be found in section 101(a)(42)(A) of the Immigration and Nationality Act (INA), states that a refugee is someone who is unable or unwilling to return to and avail himself or herself of the protection of his or her country of nationality or, if stateless, country of last habitual residence because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. The determination of whether you meet the definition of a refugee will be based on information you provide on your application and during an interview with an Asylum Officer.^{xvi}

This amounts to proof of persecution for the individual applying for asylum; the next section will attempt to explain the implications of persecution as it is defined in the United States.

Defining Persecution

Per the U.S. government, persecution occurs when a person is targeted for his or her “race, religion, nationality, membership in a particular social group, or political opinion.”^{xvii}

The definition of persecution includes “particular social group;” however, that description is vague, and subject to interpretation. In my interactions with Central American immigrants, many cited relatives in the United States as a reason they were targeted in their home countries. Gangs believed relatives elsewhere indicated money and demanded payment. In El Salvador, it is estimated that 70 percent of businesses are

extorted by local gangs.^{xviii} In this nation, any amount of money is dangerous. This kind of persecution can be difficult to prove when applied to U.S. asylum law. If the persecution faced by an individual is more informal, rather than by a political faction, the burden of proof on the individual may be too high.

Another issue of the definition of persecution is that the list does not include gender. However, women are regularly persecuted due to their sex, a global phenomenon. Central America is not immune to gender-based violence. In Guatemala, in 2013, there were 50,000 documented assaults against women, but only 983 incarcerations.^{xix} In 2015 in Honduras, one woman was murdered every 16 hours.^{xx} In 2015 in Guatemala, 854 women were murdered, more than an average of two a day.^{xxi} The sheer monstrosity of these statistics tells how dangerous life in these countries can be for women. For many women, domestic violence and other forms of abuse leave women with no other option but to flee. Women cannot turn to the police as corruption runs rampant among protective forces. Cultures of shame informing women that domestic abuse is their fault propagates the violence even further. U.S. asylum policy should be reformed to include gender-based persecutions.

Given the difficulties in attempting to prove persecution, the attitude towards immigration has markedly changed from the Obama administration to the Trump administration. This has created even more difficulty and trauma for the Central American migrant.

Terror Under Trump

It has recently been reported that government officials at the U.S. border with Mexico are ignoring individuals' requests for asylum and choosing instead to tell them that there will be no entry. This is a direct violation of asylum law.^{xxii} Earlier this year, a number of organizations that advocate for immigrants submitted an official complaint to Department of Homeland Security, alleging that the false representations made by government officials were preventing due right to asylum application.^{xxiii} For Elena Alderman, who distributes legal aid at the border, this situation is a "complete violation of human rights, and a complete disregard for international and domestic law."^{xxiv}

A significant rise of migrants to the United States occurred under the Obama administration, particularly of unaccompanied minors. The Secretary of Homeland Security under the Donald Trump administration, John F. Kelly, hopes to decrease the number of migrants entering the country. He has stated that he "would do almost anything to deter the people from Central America" from migrating to the United

States.^{xxv} He endorsed separating children from their parents at the border, because he believes instituting this separation will make families less likely to migrate.^{xxvi} This separation would certainly add even more pain and anxiety to an already tumultuous journey. Moreover, undocumented immigrants are taxpayers and an integral part of the U.S. economy. Their contributions are argued by some experts as a driving force in maintaining Social Security.^{xxvii} The terrorizing of undocumented women, mothers, and children seeking asylum in the United States therefore has no economic, moral, or ethical grounds to justify it.

This is far from the only violation of rights the Trump administration is considering. There is talk that Trump will deport any individual of Latin American nationality to Mexico – not just Mexicans.^{xxviii} It is possible that Mexico could refuse to accept these individuals, but many speculate that these measures could be implemented with hefty monetary backing – much like the situation in Turkey, where to the tune of \$3 billion, the country will house Syrian refugees.^{xxix}

Trauma: Both in Journey and Detention

The inhumane conditions upon arrival to the United States, particularly for women, compound the psychological trauma of their past. Women face the possibility of sexual assault in migrating to the United States.^{xxx} Amnesty International estimates that 60 percent of women are subjected to rape over the course of the northward journey to the United States.^{xxxi} Amnesty International's senior director stated the threat was so assumed, women would take birth control to prevent pregnancy as they migrated.^{xxxii} This violation of human rights must be condemned; governments along the way should take a more active role in determining the safety of migrants crossing through. Nations should ensure the safety of all those present in their nations, particularly because these stateless individuals are extremely vulnerable to further human rights abuses.

The detention centers that women are placed in do not mollify the plight; they only exacerbate it. There have been reports of sexual abuses against women while in U.S. detention centers.^{xxxiii} From 2007 to 2011, approximately 200 individuals have alleged sexual abuse while held in a detention facility.^{xxxiv} Women may not receive the therapy needed to recover from abuses that occurred in their home country, along their journey, and from being held in confinement upon arrival. Even menstruation and access to sanitary napkins or tampons can prove difficult in these centers, and women have cited favoritism in how resources are distributed.^{xxxv}

Critics advocate that the United States should offer counseling services to migrants entering their borders pleading for asylum. This support should be financed in

equivalency with the investment spent on perpetuating the violence in their nations.

The Creation of a Better System

The treatment of Central American migrants, both on their journey and upon arrival to the United States, violates the Universal Declaration of Human Rights, which states: “Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women.”^{xxxvi} It is difficult to comprehend how being born in a certain nation somehow merits that individual more rights than another. While the status quo internationally, this violates the principle of equality between persons, as one’s worth has become linked to country of origin. The United States has done little to address the role it has played in creating the inequality prevalent in the Central American nations of today.

In truth, it will never occur in a nation that all migrants are treated with compassion. This is simply not the way in which the world operates, as violence, greed, and little concern for others perseveres. Humankind is simply not good to one another. However, this does not call for a halt to trying. With international aid, these Central American countries could develop infrastructure and industries, particularly improvements to the quality and availability of education. The International Crisis Group makes invaluable suggestions to improve conditions within these three nations, including: collaboration between Northern Triangle nations to reduce crime, provisions for better prisons, and economic growth that may help diminish extortion.^{xxxvii} At the end of the day, much of human violence comes down to money. The gangs in Central America are no different. Poverty continues the cyclical nature of gang violence.

If a more proactive international role is taken, both outside these nations and between these nations, then conditions may change, and better relations may be the result. Policy in the Northern Triangle should focus on combatting poverty and developing welfare programs rather than expending resources financing long prison sentences. The United States can also assist in expanding and supporting programs that provide more opportunities: for example, the USAID Feed the Future Program has been taking steps in teaching farmers crop rotation and cultivation to allow these individuals to remain with their families rather than migrating in search of more work.^{xxxviii} USAID finds this program has assisted in the creation of 20,000 jobs and improved nutrition in nearly a quarter of a million children under five in Guatemala alone.^{xxxix}

The United States should adopt comprehensive policy to assist victims of violence

migrating from the Northern Triangle. Gender-based persecution should be added to U.S. asylum language so as to aid victims of this type of targeted violence, and nations should all take proactive steps, through public campaigns and protective measures to better prevent assaults against women. While reversed by President Obama, the “Wet Foot, Dry Foot” policy granted fast access to residency for Cuban citizens, as a response to perceived human rights abuses under the Castro regime. A policy that allows for accelerated asylum procedures to assist victims of human rights abuses should apply to the Northern Triangle. This sort of targeted policy applied to Syrian refugees under the Obama administration. The Northern Triangle is a critical region currently prone to violence, in which the United States has played a direct role. The Trump administration should be condemned for its chronic mistreatment and harmful policy initiatives towards migrants. The United States should take a more apologetic tone and create asylum possibilities for Central American migrants that reflects cognizance of the detrimental role the nation has played in the Northern Triangle.

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