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# Unaccompanied Children from Central America: Foreign Policy Considerations

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## Summary

In FY2014, there was a sharp increase in the number of unaccompanied alien children (UAC) traveling to the United States. U.S. authorities apprehended more than 68,500 unaccompanied minors at the U.S. border in FY2014, 75% of whom came from El Salvador, Guatemala, and Honduras—the “northern triangle” of Central America. This unexpected surge of children strained U.S. government resources and created a complex crisis with humanitarian implications for the United States and the international community. Although the flow of unaccompanied minors has slowed since peaking in June 2014, experts warn that it will likely accelerate again in the future unless policy makers in the countries of origin and the international community take steps to address the poor socioeconomic and security conditions driving Central Americans to leave their homes.

The 2014 crisis led to renewed focus on Central America, a region with which the United States historically has shared close political, economic, and cultural ties. The United States currently engages with Central American countries through a variety of mechanisms, including the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) and several foreign assistance programs. Over the past year, the Obama Administration has sought closer cooperation with Central American governments to dissuade children from making the journey to the United States, target smuggling networks, and repatriate unauthorized migrants.

Asserting that the FY2014 surge in unaccompanied minors was a reminder that “the security and prosperity of Central America are inextricably linked to our own,” the Administration has requested \$1 billion in foreign assistance for the region in FY2016. These funds would be used to implement a new “U.S. Strategy for Engagement in Central America,” a whole-of-government approach designed to increase economic opportunity, reduce extreme violence, and strengthen the effectiveness of state institutions in Central America. The request would allow existing programs to be scaled up significantly and would place greater emphasis on economic prosperity and governance while continuing to address security concerns in the region.

The 113<sup>th</sup> Congress expressed considerable concern about the spike in apprehensions of unaccompanied children from Central America, with Members holding numerous hearings, traveling to the region, and introducing legislation. Although Congress opted not to appropriate supplemental funding for programs in Central America in FY2014, it included additional resources for the region in its FY2015 appropriations measure (P.L. 113-235). Congress also directed the Administration to develop a comprehensive strategy to address the key factors contributing to the migration of unaccompanied children to the United States.

The 114<sup>th</sup> Congress will continue to shape U.S. policy toward Central America. It will consider the Administration’s \$1 billion FY2016 request for the region and will review the strategy required by P.L. 113-235. Congress also may consider other measures, such as H.R. 439 (Weber) and H.R. 530 (Burgess), which, respectively, would suspend and reduce foreign assistance to El Salvador, Guatemala, Honduras, and Mexico if those countries proved unwilling or unable to prevent unauthorized migration to the United States.

As Congress continues to debate legislative options to address the foreign policy dimensions of the situation, there are a variety of interrelated issues that it might take into consideration. These might include Central American governments’ limited capacities to receive and reintegrate repatriated children, and their abilities and willingness to address the pervasive insecurity and

lack of socioeconomic opportunities in their countries that cause many children to leave. Other issues Congress might consider include the extent to which the Mexican government is capable of limiting the transmigration of Central Americans through its territory and how international humanitarian actors are responding to the situation in Central America.

For more information, see:

- CRS Report R43628, *Unaccompanied Alien Children: Potential Factors Contributing to Recent Immigration*;
- CRS Report R41731, *Central America Regional Security Initiative: Background and Policy Issues for Congress*;
- CRS Report R43616, *El Salvador: Background and U.S. Relations*;
- CRS Report R42580, *Guatemala: Political, Security, and Socio-Economic Conditions and U.S. Relations*; and
- CRS Report RL34027, *Honduras: Background and U.S. Relations*.

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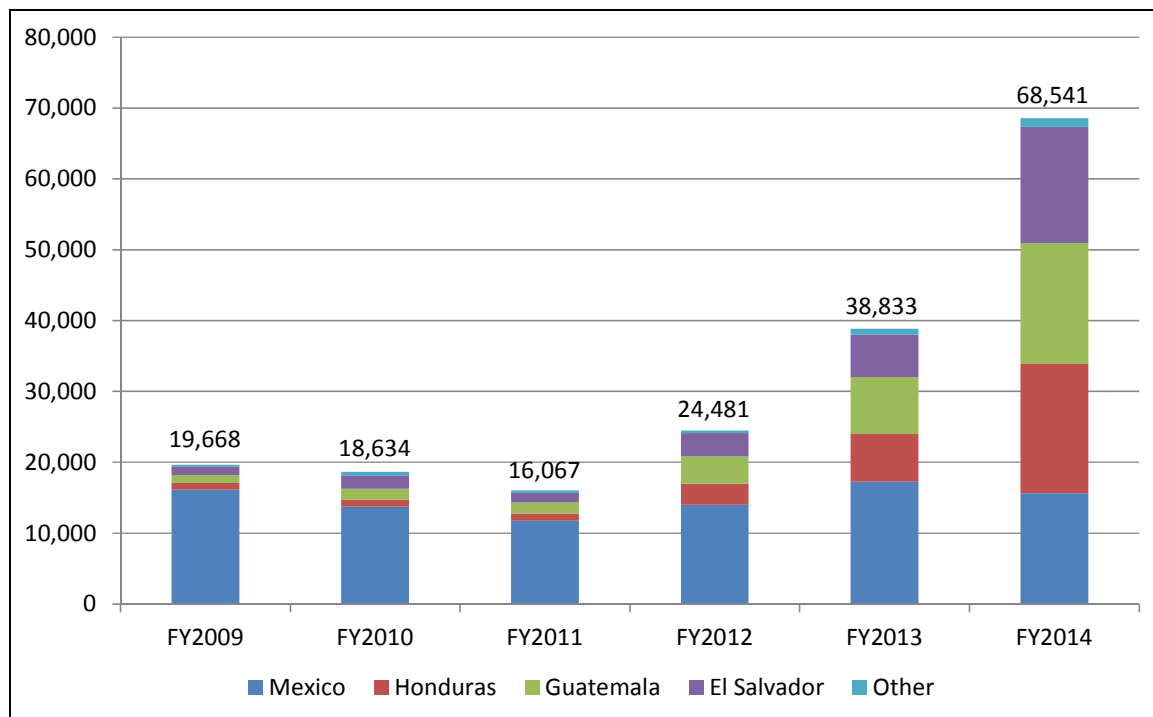
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## Introduction

In FY2014, there was a sharp increase in the number of unaccompanied children<sup>1</sup> traveling to the United States. U.S. Customs and Border Patrol (CBP) apprehended more than 68,500 unaccompanied minors—a 77% increase compared to FY2013. This dramatic spike strained U.S. government resources, created a complex crisis with humanitarian implications, and raised concerns both domestically and internationally about the safety and protection of the children.

**Figure 1. Apprehensions of Unaccompanied Minors by Country of Origin: FY2009-FY2014**



**Source:** U.S. Border Patrol, “Unaccompanied Children (Age 0-17) Apprehensions, Fiscal Year 2008 through Fiscal Year 2012,” February 4, 2013; and U.S. Customs and Border Protection, “Southwest Border Unaccompanied Alien Children (FY 2014)” press release, October 2014.

The changing demographics of the unaccompanied minors apprehended at the border contributed to the complexity of the situation. Whereas the vast majority of unaccompanied minors came from Mexico prior to FY2012, the FY2014 surge was attributable to children from the countries of the so-called “northern triangle” of Central America—El Salvador, Guatemala, and Honduras (see **Figure 1**)—who are subject to a different administrative process under U.S. law.<sup>2</sup> Moreover, there were considerable increases in the numbers of young children and female minors arriving at the U.S. border. While the bulk of the unaccompanied minors that were apprehended were teenage boys, the proportion of children that were 12 or younger increased from 9% in FY2013 to

<sup>1</sup> In this report, “unaccompanied children” and “unaccompanied minors” are used interchangeably to refer to foreign nationals under the age of 18 who are with neither a parent nor a legal guardian at the time they are apprehended. Other CRS reports may refer to the same group of minors as unaccompanied alien children (UAC).

<sup>2</sup> CRS Report IN10107, *Unaccompanied Alien Children: A Processing Flow Chart*, by (name redacted).

16% in FY2014, and the proportion that were girls increased from 19% in FY2013 to 28% in FY2014.<sup>3</sup>

There is little consensus among analysts regarding why this sharp increase occurred in FY2014. However, most maintain that the problem is complex, involving interactions between so-called “push factors,” such as high levels of violence and poverty in Central America, and “pull factors,” such as the desire to join family members in the United States and perceptions about U.S. immigration policies.<sup>4</sup> Given the diversity of the unaccompanied children and their motives, the lines of distinction between and among refugees, asylum seekers, and migrants are not always clear. Appropriately identifying the individuals or groups at risk is a key challenge for the United States and the international community.

Since peaking in June 2014, the flow of unaccompanied minors has slowed significantly. Just over 10,100 unaccompanied minors were apprehended at the southwest border during the first four months of FY2015, a 39% decline compared to the same period in FY2014.<sup>5</sup> Nevertheless, many analysts warn that the flow is likely to accelerate in the future unless policy makers in the countries of origin and the international community take steps to address the root causes leading Central Americans to abandon their homes.<sup>6</sup>

Members of Congress have expressed significant concerns about the influx of unaccompanied minors and have taken some steps designed to address the situation. This report focuses on the foreign policy dimensions of the crisis.<sup>7</sup> It begins by examining U.S. policy in Central America, including a brief historical background, the current policy framework, and the initial response to the surge in unaccompanied minors. The report then discusses a variety of issues Congress might take into consideration as it formulates policy toward the region. These include the capacity of Central American nations to receive and reintegrate unaccompanied children removed (“deported”) from the United States, the capacity of Central American nations to address the root causes of the exodus, the role of Mexico as a transit country, and the response of the international community. The report concludes with an outlook for U.S. policy.

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<sup>3</sup> Jens Manuel Krogstad, Ana Gonzalez-Barrera, and Mark Hugo Lopez, *Children 12 and Under are Fastest Growing Group of Unaccompanied Minors at U.S. Border*, Pew Research Center, July 22, 2014; and *At the Border, a Sharp Rise in Unaccompanied Girls Fleeing Honduras*, Pew Research Center, July 25, 2014.

<sup>4</sup> U.S. Conference of Catholic Bishops, *Mission to Central America: The Flight of Unaccompanied Children to the United States*, Report of the Committee on Migration, November 2013; United Nations High Commissioner for Refugees (UNHCR), *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection*, March 12, 2014; and Dinorah Azpuru, “Beyond the Blame Game: Visualizing the Complexity of the Border Crisis,” *Americas Quarterly*, August 6, 2014. For more information, see CRS Report R43628, *Unaccompanied Alien Children: Potential Factors Contributing to Recent Immigration*, coordinated by (name redacted).

<sup>5</sup> U.S. Customs and Border Protection, “Southwest Border Unaccompanied Alien Children,” press release, February 2015.

<sup>6</sup> See, for example, Dennis Stinchcomb and Eric Hershberg, *Unaccompanied Migrant Children from Central America: Context, Causes, and Responses*, American University, Center for Latin American and Latino Studies, CLALS Working Paper Series No. 7, November 2014.

<sup>7</sup> For information on the U.S. domestic policy response, see CRS Report R43599, *Unaccompanied Alien Children: An Overview*, by (name redacted), (name redacted), and (name redacted).

## U.S. Policy in Central America

The surge in unaccompanied children arriving at the U.S.-Mexico border in 2014 led to a renewed focus on Central America. As Members of Congress debate potential changes in policy toward Central America, they might consider how U.S. policy has influenced the region in the past, the current framework for U.S. engagement in the region, and what steps have been taken thus far to address this most recent migration crisis.

**Figure 2. Map of Central America**



**Source:** Prepared by (name redacted), CRS Graphics Specialist.

**Notes:** El Salvador, Guatemala, and Honduras are often referred to as the “northern triangle” countries.

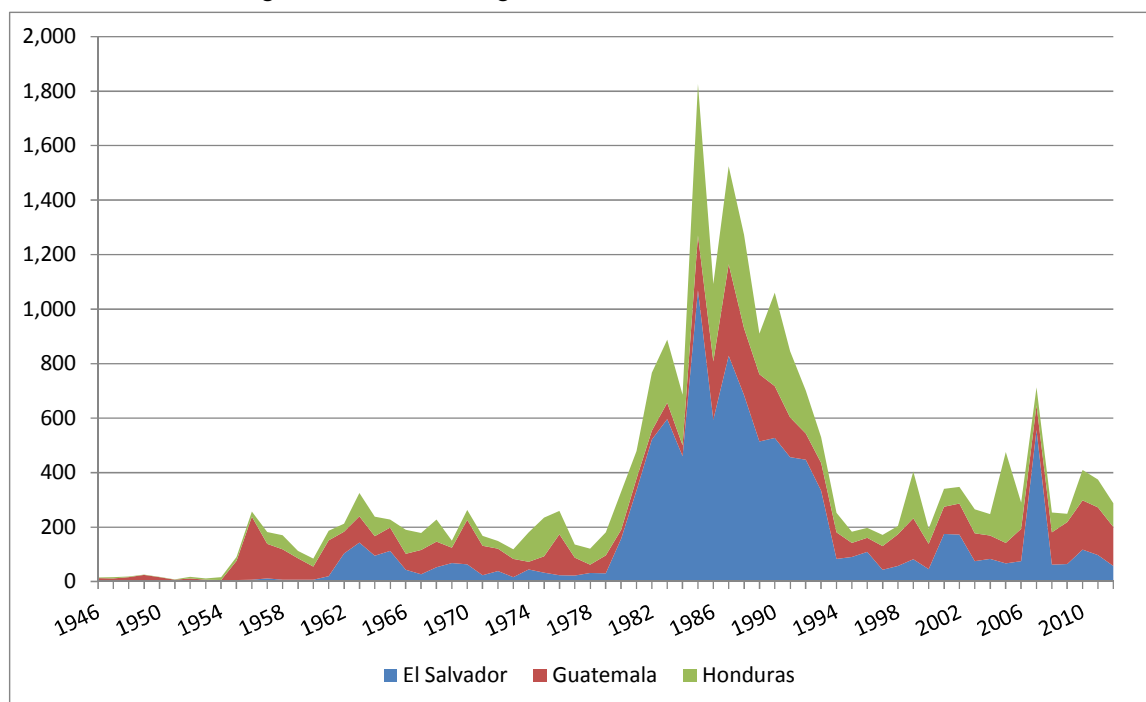
## Background

Given the geographic proximity of Central America, the United States historically has had close political, economic, and cultural ties with the region. During the Cold War, the U.S. government viewed links between the Soviet Union and leftist and nationalist political movements in Central America as a potential threat to U.S. strategic interests. The United States provided extensive

assistance (equivalent to \$9 billion constant 2012 dollars) to El Salvador, Guatemala, and Honduras during the 1980s as the Salvadoran and Guatemalan governments fought leftist insurgencies and the Honduran government supported U.S. policy in the region.<sup>8</sup> An estimated 70,000 Salvadorans and 200,000 Guatemalans were killed or disappeared during the countries' civil conflicts, and truth commissions have determined that government forces were responsible for the vast majority of human rights abuses committed.<sup>9</sup> Many Central Americans fled the region and sought refuge in the United States. The vast majority of Salvadorans and Guatemalans were denied asylum, however, since the U.S. government insisted that its allies in the region were not responsible for human rights violations.<sup>10</sup> During this time period, the United States established the Caribbean Basin Initiative (CBI, formally the Caribbean Basin Economic Recovery Act). The unilateral preferential trade arrangement, launched in 1983, provided duty-free access to the U.S. market for many goods from the region.

**Figure 3. U.S. Assistance to El Salvador, Guatemala, and Honduras: FY1946-FY2012**

Total obligations from all U.S. agencies in millions of constant 2012 U.S. dollars



**Source:** U.S. Agency for International Development (USAID), *U.S. Overseas Loans and Grants: Obligations and Loan Authorizations, July 1, 1945-September 30, 2012*, <http://gbk.eads.usaidallnet.gov/>.

U.S. support for Central America began to wane in the 1990s following the dissolution of the Soviet Union and the end of the region's civil conflicts. Peace accords were signed in El Salvador in 1992 and in Guatemala in 1996. Although the United States provided some support to Central American countries to strengthen democratic governance and implement market-oriented

<sup>8</sup> U.S. Agency for International Development (USAID), *U.S. Overseas Loans and Grants: Obligations and Loan Authorizations, July 1, 1945-September 30, 2012*, <http://gbk.eads.usaidallnet.gov/>.

<sup>9</sup> Priscilla B. Hayner, *Unspeakable Truths: Facing the Challenge of Truth Commissions* (New York: Routledge, 2002).

<sup>10</sup> Susan Gzesh, "Central Americans and Asylum Policy in the Reagan Era," *Migration Information Source*, April 1, 2006.



economic reforms and provided considerable assistance in the aftermath of natural disasters such as Hurricane Mitch in 1998, aid to the northern triangle countries declined significantly during the 1990s (see **Figure 3**). Following the passage of the Illegal Immigrant Reform and Immigrant Responsibility Act (IIRIRA) of 1996, the United States accelerated deportations of Central Americans. Nearly 46,000 convicts were among those deported to the region between 1998 and 2005;<sup>11</sup> these included members of the Mara Salvatrucha (MS-13) and 18<sup>th</sup> Street Gang (M-18)—both of which were founded in Los Angeles—contributing to the spread of gang violence in Central America.<sup>12</sup>

## Current Policy Framework

The Obama Administration has set forth a broad framework for U.S. policy toward Latin America that includes four principal objectives: promoting economic and social opportunity, ensuring citizen security, strengthening effective institutions of democratic governance, and securing a clean energy future. These policy priorities are based on the premise that “the United States has a vital interest in contributing to the building of stable, prosperous, and democratic nations” in the hemisphere.<sup>13</sup> The U.S. government has sought to advance these priorities in Central America through a variety of mechanisms, including foreign assistance and trade agreements.

Given that El Salvador, Guatemala, and Honduras continue to struggle with major development challenges, foreign aid continues to play a prominent role in U.S. engagement with the region. In FY2014, bilateral assistance provided through the State Department and U.S. Agency for International Development (USAID) totaled an estimated \$21.6 million in El Salvador, \$65.2 million in Guatemala, and \$41.8 million in Honduras (see **Table 1**). This funding was split between efforts to strengthen justice and security sector institutions and traditional development activities in areas such as agriculture, basic education, and economic reform. Although El Salvador received lower levels of aid than its neighbors, it benefited from closer collaboration with the United States through the Partnership for Growth.<sup>14</sup>

The northern triangle countries also benefit from USAID’s Central America Regional program, which funds development programs throughout Central America. It supports regional economic harmonization and integration through efforts to facilitate trade and reduce business costs. It also carries out health programs under the President’s Emergency Plan for AIDS Relief (PEPFAR) and supports regional collaboration on security issues through the Central American Integration System (SICA). Funding for the regional program was an estimated \$33.5 million in FY2014.

U.S. security cooperation with the countries of the northern triangle has grown considerably in recent years in response to high levels of crime and violence and the region’s emergence as a

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<sup>11</sup> U.N. Office on Drugs and Crime (UNODC), *Crime and Development in Central America: Caught in the Crossfire*, May 2007, p.40.

<sup>12</sup> Ana Arana, “How the Street Gangs Took Central America,” *Foreign Affairs*, vol. 84, no. 3 (May/June 2005); Tim Johnson, “U.S. Export: Central America’s Gang Problem Began in Los Angeles,” *McClatchy*, August 5, 2014.

<sup>13</sup> U.S. Department of State, Arturo Valenzuela, Assistant Secretary of State, Bureau of Western Hemisphere Affairs, “U.S.-Latin American Relations: A Look Ahead,” January 6, 2011.

<sup>14</sup> The Partnership for Growth is an Obama Administration initiative that seeks to foster sustained economic growth and development in top-performing low-income countries. It involves greater collaboration but does not necessarily include increased U.S. assistance. For more information, see CRS Report R43616, *El Salvador: Background and U.S. Relations*, by (name redacted).

major transit point for illicit narcotics destined for the United States. Much of this cooperation has taken place under the umbrella of the Central America Regional Security Initiative (CARSI).<sup>15</sup> Initially established in FY2008 as part of the Mexico-focused Mérida Initiative, CARSI provides partner nations with equipment, technical assistance, and training to improve narcotics interdiction and disrupt criminal networks. It also supports Central American law enforcement and justice sector institutions, identifying deficiencies and strengthening their capacities to provide security for the citizens of the region. In addition, CARSI supports crime and violence prevention efforts that seek to reduce drug demand and provide at-risk youth with educational, vocational, and recreational opportunities. In FY2014, CARSI funding totaled an estimated \$161.5 million, the majority of which was likely allocated to El Salvador, Guatemala, and Honduras.<sup>16</sup>

**Table 1. U.S. Assistance to Central America: FY2013-FY2015**

Appropriations in millions of current U.S. dollars

	FY2013	FY2014 (estimate)	FY2015 (request)	P.L. 113-235 (estimate) <sup>a</sup>
El Salvador	27.6	21.6	27.6	27.6
Guatemala	80.8	65.2	77.1	77.1
Honduras	52.0	41.8	48.2	48.2
Other Central American Countries <sup>b</sup>	14.7	14.4	14.8	NA
USAID Central America Regional <sup>c</sup>	33.1	33.5	32.0	NA
Central America Regional Security Initiative (CARSI) <sup>c</sup>	145.6	161.5	130.0	260.0
<b>Total</b>	<b>353.8</b>	<b>338.1</b>	<b>329.7</b>	<b>412.9</b>

**Source:** U.S. Department of State, *Congressional Budget Justification for Foreign Operations, Appendix 3: Regional Perspectives, Fiscal Year 2015*, April 2014; Explanatory statement accompanying P.L. 113-235; and U.S. Department of State, *Congressional Budget Justification: Department of State, Foreign Operations, and Related Programs, Fiscal Year 2016*, February 2, 2015.

**Notes:** These figures only include assistance that is managed by the State Department and USAID. These countries may receive additional assistance from other U.S. agencies.

- Estimates based on CRS analysis of the explanatory statement accompanying the Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235). The act did not specify appropriations levels for the other Central American countries or USAID's Central America Regional program.
- Includes assistance for Belize, Costa Rica, Nicaragua, and Panama.
- It is unclear how much of the funding appropriated for USAID's Central America Regional Program and CARSI will go to each Central American country.

<sup>15</sup> For more information on CARSI, see CRS Report R41731, *Central America Regional Security Initiative: Background and Policy Issues for Congress*, by (name redacted) and (name redacted).

<sup>16</sup> U.S. Department of State, *Congressional Budget Justification for Foreign Operations, Appendix 3: Regional Perspectives, Fiscal Year 2015*, April 2014.

The Millennium Challenge Corporation (MCC) provides additional aid to Central American countries.<sup>17</sup> Established in 2004, the MCC awards economic assistance through a competitive selection process to developing nations that demonstrate a commitment to good governance, economic freedom, and investments in their citizens. In 2005, the MCC signed a five-year \$205 million<sup>18</sup> compact to improve transportation infrastructure and support rural development in Honduras. Although the MCC Board decided not to renew the compact as a result of the Honduran government's poor performance on corruption, it approved a so-called "threshold program" of up to \$15.6 million in 2013 to support Honduran government efforts to strengthen public financial management and increase the transparency and efficiency of public-private partnerships. In 2006, the MCC signed a five-year \$461 million compact to support development in the northern border region of El Salvador. A second five-year compact, finalized in September 2014, will provide \$277 million to El Salvador to improve the country's investment climate, human capital, and infrastructure.<sup>19</sup> Although Guatemala has yet to receive a compact, the MCC Board approved a \$28 million threshold program for the country in December 2014. The program is designed to support fiscal reform, foster partnerships with the private sector, and improve linkages between the education system and the labor market.<sup>20</sup>

Trade and investment relations between the United States and the northern triangle countries are governed by the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR), which was signed in 2004 and entered into force for El Salvador, Guatemala, and Honduras in 2006. The agreement builds on CBI by making preferential market access reciprocal, comprehensive, and permanent.<sup>21</sup> Since CAFTA-DR entered into force, U.S. merchandise trade with the countries of the northern triangle has increased by nearly 48%, from \$18 billion in 2006 to \$26.6 billion in 2014; U.S. exports to the region have grown by 64% and U.S. imports from the region have grown by 30%.<sup>22</sup> The stock of U.S. direct investment in the northern triangle countries grew from \$1.9 billion in 2006 to \$4.9 billion in 2013—an increase of 153%. These trends vary somewhat by country. Honduras, for example, has seen little change in U.S. direct investment.<sup>23</sup>

There continue to be strong cultural ties between the United States and Central America, and many continue to leave the region for the United States, both through authorized and unauthorized means. In 2013, the foreign-born populations from El Salvador (1,252,067), Guatemala (902,293), and Honduras (533,598) ranked as the 6<sup>th</sup>, 10<sup>th</sup>, and 16<sup>th</sup>-largest groups, respectively, of all foreign born groups in the United States.<sup>24</sup> According to Department of

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<sup>17</sup> For more information on the MCC, see CRS Report RL32427, *Millennium Challenge Corporation*, by (name redacted).

<sup>18</sup> The compact was originally for \$215 million but was reduced to \$205 million when the final \$10 million was terminated following the 2009 coup in Honduras.

<sup>19</sup> MCC, "El Salvador Investment Compact," <https://www.mcc.gov/pages/countries/program/el-salvador-investment-compact>.

<sup>20</sup> MCC, "Countries and Country Tools," <http://www.mcc.gov/pages/countries>, and "Readout of the MCC Board of Directors December Quarterly Meeting," December 11, 2014.

<sup>21</sup> For more information on CAFTA-DR, see CRS Report R42468, *The Dominican Republic-Central America-United States Free Trade Agreement (CAFTA DR): Developments in Trade and Investment*.

<sup>22</sup> U.S. Department of Commerce data, as presented by *Global Trade Atlas*, February 2015.

<sup>23</sup> U.S. Bureau of Economic Analysis, "Balance of Payments and Direct Investment Position Data," February 2015.

<sup>24</sup> U.S. Census Bureau, "Place of Birth for the Foreign-Born Population in the United States," *2013 American Community Survey 1-Year Estimates*, 2014.

Homeland Security (DHS) estimates, 55% of Salvadorans, 64% of Guatemalans, and 67% of Hondurans residing in the United States are in the country illegally.<sup>25</sup>

U.S. deportations to the northern triangle countries have increased significantly in recent years. Since FY2007, the number of Salvadorans removed has increased by 36%, the number of Guatemalans removed has increased by 110%, and the number of Hondurans removed has increased 37%. In FY2014, about 27,200 Salvadorans, 54,400 Guatemalans, and 40,700 Hondurans were removed from the United States.<sup>26</sup>

Some Central Americans, who may otherwise be deported, have been allowed to stay in the United States with Temporary Protected Status (TPS). The U.S. government has continuously provided TPS to eligible Hondurans since 1998, when Hurricane Mitch struck Honduras, and to eligible Salvadorans since 2001, when El Salvador experienced a series of earthquakes. An estimated 61,000 Hondurans and 204,000 Salvadorans currently benefit from TPS.<sup>27</sup> Other Central Americans are likely to be eligible to benefit from President Obama's November 2014 executive actions on immigration.<sup>28</sup>

## **U.S. Response to Surge in Unaccompanied Minors**

Over the past year, U.S. policy makers have devoted considerable attention to the surge of unaccompanied minors arriving at the U.S. border. While much of the initial response focused on immigration enforcement and other U.S. domestic policies, both the Obama Administration and Congress have taken some steps intended to address the foreign policy dimensions of the situation.

### **Obama Administration's Initial Response**

The Obama Administration has responded to the increase in unaccompanied children traveling to the United States from Central America in a number of ways. Since June 2014, it has worked with the Salvadoran, Guatemalan, Honduran, and Mexican governments to establish a common understanding and coordinate a response. This diplomatic outreach has included visits to the region by Vice President Joseph Biden, Secretary of State John Kerry, Secretary of Homeland Security Jeh Johnson, and other high-level Administration officials. Likewise, President Obama hosted President Salvador Sánchez Ceren of El Salvador, President Otto Pérez Molina of Guatemala, and President Juan Orlando Hernández of Honduras at the White House in July 2014, and Vice President Biden met with them during a conference at the Inter-American Development Bank (IDB) in November 2014.

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<sup>25</sup> Bryan Baker and Nancy Rytina, *Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2012*, Department of Homeland Security (DHS), Office of Immigration Statistics, March 2013.

<sup>26</sup> CRS calculations based on FY2011 removal data from DHS, Office of Immigration Statistics and FY2014 removal data from DHS, Immigration and Customs Enforcement (ICE).

<sup>27</sup> CRS Report RS20844, *Temporary Protected Status: Current Immigration Policy and Issues*, by (name redacted), (name redacted), and (name redacted).

<sup>28</sup> For more information on the President's executive action, see CRS Report R43852, *The President's Immigration Accountability Executive Action of November 20, 2014: Overview and Issues*, coordinated by (name redacted).

In addition to coordinating with leaders in the region, Administration officials have engaged in extensive public diplomacy. The President and other officials have warned Central Americans about the dangers involved in traveling to the United States, and have sought to correct possible misperceptions about U.S. immigration policies. Over the summer, U.S. Customs and Border Protection (CBP) launched the “Dangers Awareness Campaign,” which included media outreach in metropolitan areas of the United States that have high concentrations of Central American immigrants, as well as billboards and public service announcements in El Salvador, Guatemala, and Honduras. Nearly 6,400 radio and television announcements aired in the northern triangle during the campaign, which ran from June 30 to October 12, 2014.<sup>29</sup> On January 5, 2015, the Department of Homeland Security (DHS) joined with the State Department to launch the “Executive Action on Immigration: Know the Facts” awareness campaign. Like the “Dangers Awareness Campaign,” it includes print, radio, and television announcements designed to explain U.S. immigration policies and dispel potential misinformation.<sup>30</sup> Central American governments have bolstered U.S. efforts by running complementary public awareness campaigns.

In another attempt to dissuade Central American children from traveling to the United States illegally, the Administration established an in-country refugee/parole program in El Salvador, Guatemala, and Honduras. The program, which officially launched in December 2014, allows children who have a parent that is lawfully present in the United States to be considered for refugee status while still residing in their countries of origin. Children who are found to be ineligible for refugee status but are at risk of harm can be considered for parole. It is unclear how many Central American children will qualify for the program.<sup>31</sup>

The Obama Administration has also intensified its efforts to target and dismantle human smuggling operations. In July 2014, DHS and the Department of Justice (DOJ) launched “Operation Coyote,” a joint campaign to surge resources toward the investigation, arrest, and prosecution of smuggling networks that facilitate the movement of unaccompanied children from Central America to the United States. As of December 2014, the operation had resulted in 977 criminal arrests and the seizure of over \$1 million from 609 bank accounts.<sup>32</sup> The Administration has also pushed the governments of Mexico and the northern triangle nations to intensify their anti-smuggling efforts. Some security analysts maintain that anti-smuggling operations are unlikely to have a significant impact on migration flows in the long run. They assert that since smuggling will remain a high demand and lucrative business as long as people want to migrate, other organized criminal groups or illicit actors will step in to fill the void left by any dismantled networks.<sup>33</sup>

At the same time, the Administration has sought to increase U.S. assistance for Central America. During his trip to Guatemala in June 2014, Vice President Biden announced that the United States would provide \$9.6 million of additional aid to Central American nations to strengthen programs

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<sup>29</sup> CBP, “CBP Commissioner Discusses Dangers of Crossing U.S. Border, Awareness Campaign,” July 2, 2014; CRS correspondence with CBP official, November 2014.

<sup>30</sup> DHS, “Departments of State, Homeland Security Launch Executive Action on Immigration: Know the Facts Awareness Campaign,” press release, January 5, 2015.

<sup>31</sup> U.S. Department of State, Bureau of Population, Refugees, and Migration, “In-Country Refugee/Parole Program for Minors in El Salvador, Guatemala, and Honduras with Parents Lawfully Present in the United States,” fact sheet, November 14, 2014. For more information on refugee admissions, see CRS Report RL31269, *Refugee Admissions and Resettlement Policy*, by (name redacted).

<sup>32</sup> DHS, “Statement by Secretary Johnson Regarding Today’s Trip to Texas,” December 15, 2014.

<sup>33</sup> Kyra Gurney, “US ‘Operation Coyote’ Fails to Address Child Migrant Crisis,” *Insight Crime*, July 23, 2014.

for deported migrants.<sup>34</sup> Using this funding, which was reprogrammed from existing FY2014 appropriations, USAID signed a \$7.6 million agreement with the International Organization for Migration (IOM). IOM will ensure that reception centers in El Salvador, Guatemala, and Honduras are capable of processing and providing immediate care, child protection services, and other assistance to returning families and children.<sup>35</sup>

In July 2014, the Administration submitted an emergency supplemental appropriations request to Congress that included \$300 million to support economic prosperity, governance, security, and repatriation efforts in Central America.<sup>36</sup> The Senate considered a bill, S. 2648, that would have provided \$300 million for programs in Central America, but it was never adopted. The House bill, H.R. 5230, would not have provided any new assistance for programs in Central America but would have allowed \$40 million of previously appropriated funding to be made available for repatriation and reintegration activities. It was adopted in August 2014 but never considered in the Senate.

### **FY2015 Appropriations Legislation**

Although Congress opted not to appropriate supplemental funding for programs in Central America in FY2014, it included additional resources for the region in its FY2015 appropriations measure. The Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235) appears to fully fund the Administration's request for minor increases in bilateral assistance for El Salvador, Guatemala, and Honduras. It also provides \$130 million above the Administration's FY2015 request for CARSI (see **Table 1**) and \$79 million above the request to, among other things, support Mexico's efforts to secure its southern border.

The legislation directs the Secretary of State to use the funds appropriated for the region to implement a strategy to "address the key factors in the countries in Central America contributing to the migration of unaccompanied, undocumented minors to the United States." The strategy, which is to be submitted to Congress by mid-March 2015, is required to include:

- a clear mission statement, achievable goals and objectives, benchmarks, timelines, and a spending plan;
- a path forward for addressing the need for greater border security for the countries in Central America and Mexico, particularly the southern borders of Mexico;
- economic and social development programs, with a focus on communities that have been major contributors of unaccompanied migrants and where there is significant gang activity;
- judicial and police reform and capacity building programs, with a focus on strengthening judicial independence and community policing;

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<sup>34</sup> White House, Office of the Press Secretary, "Fact Sheet: Unaccompanied Children from Central America," June 20, 2014.

<sup>35</sup> USAID, "Regional Program Narrative: USAID Central America Regional," CN #29, November 20, 2014.

<sup>36</sup> U.S. Department of State, *Supplemental Request Justification for Department of State, Foreign Operations, and Related Programs, Fiscal Year 2014*, July 8, 2014.



- activities to combat human trafficking in Central America, including through the use of forensic technology; and
- actions to support the safe repatriation and reintegration of minors into families or family-like settings.

Within 60 days of submitting the strategy and every 120 days thereafter, the Secretary of State is required to report to Congress on the progress made toward achieving the objectives of the strategy. These reports are required to include the funding provided to each country and the steps taken by each government in the region to improve border security, reduce the flow of unauthorized migrants, conduct public awareness campaigns, and cooperate with U.S. agencies on the repatriation and reintegration of their citizens. The act also directs the Secretary of State to suspend assistance to any government that fails to carry out the required actions.

### **FY2016 Administration Request**

Asserting that the FY2014 surge in unaccompanied minors was a reminder that “the security and prosperity of Central America are inextricably linked to our own,” the Administration has requested \$1 billion in foreign assistance for the region in FY2016.<sup>37</sup> The funding would be used to implement a new “U.S. Strategy for Engagement in Central America,” a whole-of-government approach designed to increase economic opportunity, reduce extreme violence, and strengthen the effectiveness of state institutions in Central America. The objectives of the strategy are consistent with the directives included in the FY2015 appropriations measure and the priorities established in the “Plan of the Alliance for Prosperity in the Northern Triangle” that was proposed by the governments of El Salvador, Guatemala, and Honduras in September 2014 (see “Central American Capacity to Address Root Causes”). The request includes:

- **\$400 million for increasing economic opportunity.** These funds would support efforts to facilitate trade, promote customs and border integration, improve business environments, and integrate regional value chains and electricity markets. They would also support programs to reduce poverty, improve early grade literacy, and provide vocational training and other types of alternative education.
- **\$300 million for improving security conditions.** These funds would support training for law enforcement personnel, border and maritime interdiction operations, and efforts to strengthen investigative and prosecutorial capacity. They would also support community policing, the development of municipal crime prevention committees, and the expansion of outreach centers that provide opportunities for at-risk youth.
- **\$250 million for strengthening governance.** These funds would support efforts to carry out significant civil service reforms, improve revenue collection and financial management, and strengthen rule-of-law institutions and government service delivery. They would also provide support to civil society groups designed to strengthen their capacities to hold governments accountable.
- It appears as though the remaining \$50 million would be dedicated to ongoing health and military assistance programs.

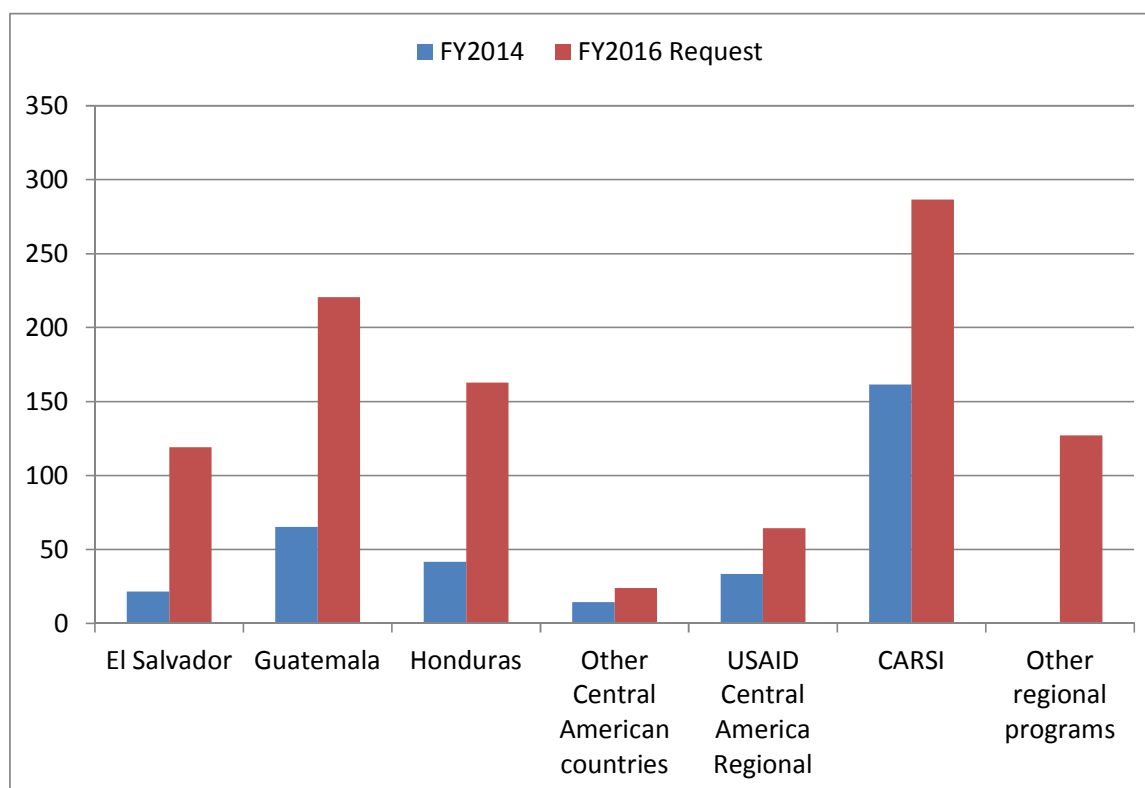
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<sup>37</sup> Joseph R. Biden Jr., “Joe Biden: A Plan for Central America,” *New York Times*, January 29, 2015.

While the U.S. government already supports many of these types of activities in Central America (see “Current Policy Framework”), the FY2016 request would allow existing programs to be scaled up significantly and would place greater emphasis on economic prosperity and governance while continuing to address security concerns. Compared to FY2014, bilateral aid for El Salvador would increase from \$22 million to \$119 million, bilateral aid for Guatemala would increase from \$65 million to \$221 million, and bilateral aid for Honduras would increase from \$42 million to \$163 million. Nearly all of the increased bilateral aid would be provided through the Development Assistance account, which is administered by USAID (see **Figure 4** and **Table 2**).

**Figure 4. U.S. Aid to Central America: FY2014 and FY2016 Request**

In millions of current U.S. dollars



**Source:** CRS analysis of U.S. Department of State, *Congressional Budget Justification: Department of State, Foreign Operations, and Related Programs, Fiscal Year 2016*, February 2, 2015.

**Notes:** FY2014 figures are estimates.

About half of the Administration’s \$1 billion request for Central America would be provided through regional programs. Aid provided through CARSI, which has been the principal component of U.S. engagement with the region in recent years, would increase from \$162 million in FY2014 to \$286 million in FY2016. Aid provided through USAID’s Central America Regional program would increase from \$34 million to \$65 million. The request also includes \$127 million that would be provided through the State Department’s Western Hemisphere Regional program to support prosperity and governance in Central America (see **Figure 4** and **Table 2**). Although it is unclear how much funding from the regional programs would go to each country, the majority likely would be allocated to El Salvador, Guatemala, and Honduras.



**Table 2. U.S. Assistance for Central America in the FY2016 Request**

In millions of current U.S. dollars

	DA	GHP	ESF	INCLE	FMF	IMET	Total
El Salvador	116.5	0.0	0.0	0.0	1.9	0.8	119.2
Guatemala	205.1	13.0	0.0	0.0	1.7	0.8	220.6
Honduras	157.7	0.0	0.0	0.0	4.5	0.8	163.0
Other countries <sup>a</sup>	18.2	0.0	0.0	0.0	4.5	1.4	24.1
USAID Central America Regional	43.5	21.0	0.0	0.0	0.0	0.0	64.5
State Western Hemisphere Regional <sup>b</sup>	0.0	0.0	208.6	205.0	0.0	0.0	413.6
[CARSI]	[0.0]	[0.0]	[81.5]	[205.0]	[0.0]	[0.0]	[286.5]
[Other]	[0.0]	[0.0]	[127.1]	[0.0]	[0.0]	[0.0]	[127.1]
Total	541.0	34.0	208.6	205.0	12.6	3.7	1,004.9

**Source:** U.S. Department of State, *Congressional Budget Justification: Department of State, Foreign Operations, and Related Programs, Fiscal Year 2016*, February 2, 2015.

**Notes:** These figures could change as more information about the request is released. DA=Development Assistance; GHP=Global Health Programs; ESF=Economic Support Fund; INCLE=International Narcotics Control and Law Enforcement; FMF=Foreign Military Financing; and IMET=International Military Education and Training.

- a. Includes assistance for Belize, Costa Rica, Nicaragua, and Panama
- b. The State Department's Western Hemisphere Regional program includes funding for a variety of initiatives in the Western Hemisphere. These figures only include the portions of the program dedicated to CARSI and other assistance efforts in Central America.

## Policy Considerations

As Congress debates the Administration's FY2016 request and other legislative options to address the foreign policy dimensions of the surge in unaccompanied minors, there are a variety of interrelated issues that it might take into consideration. These include the capacity of Central American nations to receive and reintegrate unaccompanied children deported from the United States, the capacity of Central American nations to address the root causes of the exodus, the role of Mexico as a transit country, and selected ongoing international humanitarian efforts.

### Central American Capacity to Receive and Reintegrate Deportees

Administration officials maintain that the majority of unaccompanied minors apprehended in the United States will be returned to their home countries,<sup>38</sup> raising the question of how well-equipped El Salvador, Guatemala, and Honduras are to meet the needs of the individuals sent back. Many humanitarian experts warn that "rapid deportation could threaten the wellbeing of

<sup>38</sup> "Senior State Department Official Holds a Background Briefing en Route to Panama – News Briefing," *CQ Transcriptions*, June 30, 2014.

returnee children” unless recipient countries are capable of providing adequate support.<sup>39</sup> A major challenge is to increase the response capacity of these countries to protect, assist, and provide solutions for displaced persons, including children, in a variety of contexts, primarily those that are being returned from another country (most often Mexico, and to a lesser extent, the United States), internally displaced persons (IDPs), those at risk of displacement, and those entering the asylum channel because they are fleeing a situation elsewhere.<sup>40</sup>

In FY2013, the most recent year for which U.S. government data are available by country, DHS deported 159 unaccompanied children to El Salvador, 661 to Guatemala, and 461 to Honduras, for a total of 1,281.<sup>41</sup> According to the State Department’s Unaccompanied Alien Children Monitoring Group, U.S. deportations of unaccompanied minors decreased in FY2014, to a total of 510 for all three countries.<sup>42</sup> Those deported were apprehended prior to the FY2014 surge and were returned in small numbers. Despite the limited number of unaccompanied children deported thus far, all three countries have reported that their resources are strained trying to keep up with the demand for services resulting from overall increases in deportations. Moreover, the U.S., Salvadoran, Guatemalan, and Honduran governments are concerned that as the cases of the nearly 52,000 Central American children apprehended in FY2014 are processed, minors will be deported in numbers larger than the receiving countries are equipped to handle.

The U.S. government has previously indicated that El Salvador and Honduras are not capable of handling large influxes of deportations, stating in its extensions of TPS that each of those countries “remains unable, temporarily, to handle the return of its nationals.”<sup>43</sup> Observers have expressed particular concern about whether the northern triangle countries are capable of protecting those most at risk. According to the U.N. High Commissioner for Refugees (UNHCR), “neither national nor local authorities have, at this point, the capacity to reintegrate children in a safe manner in any [northern triangle] country.”<sup>44</sup>

Recognizing this lack of capacity, the three northern triangle governments have begun developing plans to better assist deported children and asking international donors and institutions for support in carrying them out. As previously mentioned, USAID has initiated programs in all three countries to improve their capacities to receive unaccompanied minors. U.S. assistance, largely provided through the International Organization for Migration (IOM), is providing training and equipment and supporting the development of infrastructure.

To date, the Guatemalan government appears to be providing more comprehensive services to its returned citizens than its two neighbors. Some of these services were initiated in 2011 by the IOM with funding from USAID, but the Guatemalan government assumed responsibility for them after

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<sup>39</sup> U.N. Office for the Coordination of Humanitarian Affairs (OCHA), *Central America and Mexico Unaccompanied Child Migration*, Situation Report No. 01, July 29, 2014.

<sup>40</sup> In crises resulting from conflict or natural disasters, population movements often occur within the affected country or flow to countries in close proximity. IDPs, who are often forced to move because of internal violence, seek safety within their state’s borders.

<sup>41</sup> Data provided to CRS by Immigration and Customs Enforcement (ICE) Legislative Affairs, October 20, 2014.

<sup>42</sup> CRS communication with State Department Unaccompanied Alien Children Monitoring Group official, February 4, 2015.

<sup>43</sup> DHS, “Extension of the Designation of El Salvador for Temporary Protected Status,” Federal Register vol. 78, no. 104, May 30, 2013, doc. no. 2013-12793; and “Extension of the Designation of Honduras for Temporary Protected Status,” Federal Register vol. 78, no. 64, April 3, 2013, doc. no. 2013-07673.

<sup>44</sup> CRS communication with UNHCR official, February 4, 2015.

that program ended in July 2013. At a reception center at a Guatemalan Air Force base in Guatemala City, numerous government agencies provide or facilitate services including motivational welcome talks, refreshments, free phone calls, on-site banking for changing money, and psychological care. Immigration officials help process returnees; National Registry officials begin the process of getting returnees a national identification card; the Foreign Affairs Ministry explains available services and offers help, such as buying transportation tickets to remote areas; and the Health Ministry has a clinical office on the premises. The National Council for Attention to Migrants provides some long-term support, dedicating about 20% of its budget to reintegration services for repatriates. Unaccompanied minors are processed in an area separate from adults, and the Guatemalan Attorney General's office takes custody of children until a family member or other guardian can be found. Services for such children are severely limited, however, as there is a single shelter that holds just 20-30 children and allows them to stay up to two days.<sup>45</sup>

According to USAID, IOM is working with the Guatemalan government again, distributing hygiene kits, phone cards, and transportation assistance to deported people. It is expanding its services to the shelter in Quetzaltenango where most unaccompanied children from Mexico arrive by land. IOM will train staff in the Guatemalan government child protection services. World Vision will begin building a reception site at the Air Force base for returning women and children.

Honduras currently has four reception centers for individuals removed from Mexico and the United States.<sup>46</sup> Upon their arrival, the deportees undergo medical, psychological, and social assessments. Labor Ministry officials collect information about the adults to assist them in obtaining employment, and Education Ministry officials collect information about minors to assist them in returning to school. The Honduran President has promised to enroll individuals that qualify in the country's various social welfare programs. Deportees may stay in temporary shelters for up to two days. Upon their departure, they are provided a small transportation stipend to return to their communities of origin, and—in certain cases—bags of food. The newly created National Directorate for Children, Adolescents, and Family (DINAF) is responsible for receiving unaccompanied children and placing them with their families or in care centers (if no family can be located).<sup>47</sup>

According to UNHCR, the shelter in San Pedro Sula where unaccompanied children from Mexico and the United States are currently sent has very limited services; UNHCR and other organizations are working to improve conditions at that shelter.<sup>48</sup> Since last year, IOM has been assessing various ports of entry for deported people and will commence construction on improvements soon. IOM has been delivering hygiene kits to the San Pedro Sula shelter and will soon provide appliances there.

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<sup>45</sup> International Organization for Migration (IOM), "Press Conference on the Guatemalan Repatriates Project," June 3, 2011; Lee Hopkins, "Making Guatemala 'Home' Again: Service Approaches for Sustainable Reintegration of Repatriates in Guatemala," *Columbia University Partnership for International Development Online Journal*, February 9, 2014, p. 2.

<sup>46</sup> CRS communication with Honduran official, July 30, 2014.

<sup>47</sup> Gobierno de la República de Honduras, Presidencia de la República, "Gobierno de Honduras está Preparado para Recibir a Compatriotas Deportados de Estados Unidos," July 4, 2014; Augustin Lagos N., "Minucioso Protocolo Aplican a Migrantes," *El Herald*, July 16, 2014; "Honduras Define Nueva Estrategia de Atención a Niñez para Disuadir Migración," *Agence France Presse*, July 22, 2014.

<sup>48</sup> CRS communication with UNHCR official, February 4, 2015.

The Salvadoran government's services for deported people are rudimentary. Upon arrival, they receive a meal, emergency medical attention, and information from the Department of Migration about the services it offers. Reintegration assistance includes psychological services and referrals to education and job training programs. El Salvador's program for deportees does not appear to provide specialized services for unaccompanied minors. According to USAID, data collected from IOM indicates that over 90% of unaccompanied minors don't need long-term shelter and are reunited with family within 12 to 24 hours.<sup>49</sup> Children who cannot be reunited with family members are placed in two shelters/orphanages run by the national child protection agency. Some Salvadoran municipalities have formed Committees on Children's Rights, and the government has set up networks between government and civil society actors to help deported minors in those locales.<sup>50</sup> According to USAID, however, these networks have insufficient resources to thoroughly track and support them.

IOM is currently renovating one of the child protection agency's facilities and will soon begin rehabilitation of a reception site for unaccompanied children in San Salvador.

Given the limited capacities of the region's governments, some non-governmental organizations (NGOs) have stepped in to offer support to unaccompanied minors. In Honduras, for example, Casa Alianza has been providing follow-up services to a small number of children reunited with their families in San Pedro Sula. In Guatemala, Global Fund for Children (GFC) and Kids in Need of Defense (KIND) work with four nonprofit community-based organizations to provide services through the Guatemalan Child Return and Reintegration Project. Services include pro bono legal help during the removal process in the United States, and upon return to Guatemala, temporary shelter, family reunification assistance, psychological services, education, job training, employment assistance, and workshops to support social reintegration. GFC and KIND say they will take the best practices learned from the pilot project and promote similar projects elsewhere in the region.<sup>51</sup>

## **Central American Capacity to Address Root Causes**

While addressing short-term issues, such as how to absorb a large influx of deportees, will be challenging, addressing the root causes pushing unaccompanied children to leave El Salvador, Guatemala, and Honduras will likely be even more difficult. All three countries are characterized by poor security and socioeconomic conditions, with high violent crime rates, significant transnational gang activity, low economic growth rates, and high levels of poverty and inequality.<sup>52</sup> These conditions are interrelated, as high levels of inequality are strongly correlated with high levels of violence,<sup>53</sup> and insecurity has discouraged foreign investment and inhibited development.<sup>54</sup> Many analysts assert that the northern triangle governments lack the institutions,

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<sup>49</sup> CRS communication with USAID/El Salvador official, Feb. 4, 2015.

<sup>50</sup> HHS, January 2013, op. cit.

<sup>51</sup> Kids in Need of Defense, "Guatemalan Child Return and Reintegration Project," <http://www.supportkind.org/en/kind-in-action/guatemala-return-and-reintegration-project>.

<sup>52</sup> For more information, see CRS Report R43628, *Unaccompanied Alien Children: Potential Factors Contributing to Recent Immigration*, coordinated by (name redacted).

<sup>53</sup> UNODC, *Global Study on Homicide: Trends, Contexts, Data*, 2011, p. 30.

<sup>54</sup> U.N. Economic Commission on Latin America and the Caribbean (ECLAC), *2013 Foreign Direct Investment in Latin America and the Caribbean*, May 2014; U.S. Department of State, *Partnership for Growth: El Salvador Constraints Analysis*, July 2011.

resources, and political will necessary to tackle these deep-seated problems.<sup>55</sup> Nevertheless, as discussed below, the Salvadoran, Guatemalan, and Honduran governments have worked together to develop the “Plan of the Alliance for Prosperity in the Northern Triangle,” which would combine government and private sector efforts with donor-funded initiatives to address long-standing development challenges.

In recent years, much has been written about the governance problems that have made the northern triangle countries susceptible to the influence of drug traffickers and other criminal elements and unable to guarantee citizen security—a basic function of any government.<sup>56</sup> Many analysts note that the governments of these countries do not have operational control over their borders and territories. This lack of territorial control is partially a result of police and military forces being generally undermanned and/or ill-equipped to establish an effective presence in remote regions or to challenge well-armed criminal groups. Some of these criminal organizations have laundered money through U.S. banks and obtained illegal U.S. firearms.<sup>57</sup>

Resource constraints aside, there have also been serious concerns about corruption in the security forces, justice sector institutions, and political systems in Central America.<sup>58</sup> Impunity in the criminal justice systems in the northern triangle countries has generally been very high (95% or more); however, Guatemala has reduced impunity rates in recent years.<sup>59</sup> This corruption and impunity has occurred partially as a result of incomplete institutional reforms implemented after armed conflicts ended in El Salvador and Guatemala in the 1990s. Criminal groups’ efforts to influence public officials and elections, particularly at the local level, have also contributed to corruption.

Even if the northern triangle countries had stronger criminal justice systems capable of addressing insecurity, some analysts have argued that governments in those countries might not be willing to make the efforts necessary to address poverty and inequality—two other factors “pushing” individuals to leave.<sup>60</sup> Central American political elites have long benefitted from emigration to the United States, which serves as a “safety valve” that reduces social pressure to address high rates of unemployment and job losses and devastation wrought by periodic natural disasters. It also provides supplementary income to families in the form of remittances sent by workers in the United States. In 2013, remittances were equivalent to about 16% of gross domestic product (GDP) in El Salvador, 9% of GDP in Guatemala, and 17% of GDP in Honduras.<sup>61</sup>

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<sup>55</sup> José Miguel Cruz, “The Real Failure in Central America,” *Miami Herald*, July 24, 2014; Steven Dudley, “Guatemala, Honduras Presidents Blame US, Ignore Own Problems,” *Insight Crime*, August 25, 2014.

<sup>56</sup> For more information, see CRS Report R41731, *Central America Regional Security Initiative: Background and Policy Issues for Congress*, by (name redacted) and (name redacted).

<sup>57</sup> Brian Bennett, “Border Crisis: U.S. Targets Money Launderers to Track Child Smugglers,” *Los Angeles Times*, July 22, 2014; “Gunrunning from the US to Central America,” *Latin News Daily Report*, July 30, 2014.

<sup>58</sup> For recent examples of corruption, see country entries in U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs, *2014 International Narcotics Control Strategy Report (INCSR)*, March 2014.

<sup>59</sup> Eric Olson et al., *Crime and Violence in Central America’s Northern Triangle*, Woodrow Wilson Center Latin America Program, Woodrow Wilson Center Reports on the Americas #34, December 2014, p. 2.

<sup>60</sup> Joaquín Villalobos, “Niños Inocentes y Oligarcas Voraces,” *El País*, July 12, 2014.

<sup>61</sup> CRS calculations based on remittance data from René Maldonado and Maria Luisa, *Remittances to Latin America and the Caribbean in 2013: Still Below Pre-Crisis Levels*, Inter-American Development Bank (IDB), Multilateral Investment Fund, 2014; and GDP data from International Monetary Fund (IMF), *World Economic Outlook Database, April 2014*, April 8, 2014.

Moreover, the governments of the northern triangle countries generally have been unable or unwilling to increase revenues, which are currently inadequate to meet public needs. Elites in all three countries have vigorously opposed efforts to raise taxes even though tax rates in the northern triangle countries are comparatively low and regressive.<sup>62</sup> These elites tend to rely on private service providers for everything from education to security, thereby making them reluctant to invest in public institutions. This has left the northern triangle societies locked in a vicious circle in which governments underperform, citizen confidence in government institutions erodes, those with resources refuse to invest in public institutions, and governance and socioeconomic and security conditions continue to deteriorate.

Despite these limitations, governments in the northern triangle have made some efforts to improve conditions in their countries. In El Salvador, the government is prioritizing community policing and implementing public-private partnerships to fund infrastructure and other projects, particularly in the southern coastal regions that will benefit from the second MCC compact signed in September 2014.<sup>63</sup> The Honduran government has increased taxes and pledged to devote a third of the funds collected from a security tax, enacted and then partially repealed in 2011, to support crime and violence prevention programs.<sup>64</sup> The Guatemalan government has made some progress in addressing crime and impunity with the help of the U.N.-supported International Commission Against Impunity in Guatemala (CICIG), though some fear that progress could be rolled back now that Claudia Paz y Paz—who worked closely with CICIG on a number of high profile cases—is no longer Attorney General.<sup>65</sup>

Most recently, the Salvadoran, Guatemalan, and Honduran governments, with substantial technical assistance from the Inter-American Development Bank (IDB), worked together to produce the “Plan of the Alliance for Prosperity in the Northern Triangle” in September 2014. The four goals of the plan are to (1) stimulate the productive sector, (2) develop opportunities for the people of Central America, (3) improve public safety and access to the justice system, and (4) strengthen institutions to increase people’s trust in the state. The plan also outlines actions for achieving those goals. Among other ideas, they include reducing energy costs, modernizing infrastructure, increasing technical and vocational training, providing incentives to keep kids in school, strengthening violence prevention plans and public safety institutions, overhauling tax systems, and increasing government transparency. Although some of these efforts are reportedly already underway, the countries maintain that they will need significant additional resources from allied countries, multilateral organizations, and other development partners.<sup>66</sup> The Guatemalan

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<sup>62</sup> A recent study forecast tax revenues as a percentage of income for 2014 to be 15.1% for El Salvador (down from 15.8%), 10.9% for Guatemala (down slightly from 11.0%), and 15.9% for Honduras (up from 14.7%). Instituto Centroamericano de Estudios Fiscales (ICEFI), *Centroamérica: Alertas Rojas al Analizar el Cierre Fiscal 2014*, December 12, 2014.

<sup>63</sup> On September 30, 2014, El Salvador and the MCC signed a \$277 million compact focused on improving education and human capital, improving the country’s investment climate, and building logistical infrastructure. The U.S. investment is to be complemented by \$88 million from the Salvadoran government and by private financing.

<sup>64</sup> Testimony of Mark Lopes, Deputy Assistant Administrator for Latin America and the Caribbean, USAID, before the House Committee on Foreign Affairs, Subcommittee on the Western Hemisphere, *Children Migrating from Central America: Creating a Humanitarian Crisis*, 113<sup>th</sup> Cong., 2<sup>nd</sup> sess., June 24, 2014.

<sup>65</sup> Jose Luis Sanz, “Guatemala: The Fall of Paz y Paz, the End of a Judicial Awakening,” *Insight Crime*, August 15, 2014.

<sup>66</sup> Governments of El Salvador, Guatemala, and Honduras, *Plan of the Alliance for Prosperity in the Northern Triangle: A Road Map*, September 2014, <http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=39224238>.



government has reportedly stated that each of the three northern triangle countries will need about \$5 billion over four years to implement the plan.<sup>67</sup>

## **Role of Mexico as a Transit Country**

Historically, Mexico's dual status as the largest source of U.S. migrants and a continental neighbor has meant that U.S. immigration policy—including stepped up border and interior enforcement—has primarily affected Mexicans.<sup>68</sup> In recent years, however, emigration from Mexico has declined dramatically.<sup>69</sup> As a result, many U.S. policy makers have increasingly viewed Mexico as a partner that has an important role to play in securing its southern border and combating Central American transmigration through its territory. The Mexican government collaborates with U.S. law enforcement agencies to combat alien smuggling, human trafficking, and illegal migration by third country nationals, particularly from Central America. During a presidential visit in early January 2015, President Obama praised Mexico's efforts to secure its southern border and help combat illegal transmigration through its territory.<sup>70</sup>

The Mexican government appears to be attempting to balance enforcement and humanitarian concerns in its migration policies. In addition to passing new laws to stiffen penalties for alien smuggling (2010) and human trafficking (2012), Mexico enacted a comprehensive migration reform in 2011. Contrary to some media reports, the reform did not create a transit visa for migrants crossing through Mexico—as some civil society groups had been advocating. Mexico still requires visas for Central Americans entering its territory who do not possess a valid U.S. visa. Exceptions include those from Guatemala or Belize who possess temporary work permits, or those with regional visitor's cards allowing them to visit Mexico's border region for up to 72 hours.

According to many experts, Mexico's migration policies have produced mixed results, with their effectiveness hindered by corruption among migration officials and police.<sup>71</sup> The Mexican government has purged some corrupt staff from the National Migration Institute (INM) in the Interior Ministry over the past year, but its failure to more fully overhaul the agency has slowed implementation of the 2011 reform.<sup>72</sup> Mexico has recently stepped up immigration enforcement along highways and train routes used by some Central American migrants. From January through May 2014, the Mexican government arrested 431 people for breaking provisions in the migration

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<sup>67</sup> Michael McDonald, "Slowing Migrants to U.S. Will Cost \$15 Billion, Guatemala Says," *Bloomberg*, January 26, 2015.

<sup>68</sup> CRS Report R42917, *Mexico: Background and U.S. Relations*, by (name redacted). For historical background, see CRS Report R42560, *Mexican Migration to the United States: Policy and Trends*, coordinated by (name redacted).

<sup>69</sup> Jeffrey Passel, D'Vera Cohn, and Ana Gonzalez-Barrera, *Net Migration from Mexico Falls to Zero—And Perhaps Less*, Pew Hispanic Center, Washington, DC, 2012.

<sup>70</sup> White House, Office of the Press Secretary, "Remarks by President Obama and President Peña Nieto after Bilateral Meeting," press release, January 6, 2015.

<sup>71</sup> Tracy Wilkinson, "Exploitation Awaits Migrant Children on Mexico's Southern Edge," *Los Angeles Times*, August 2, 2014.

<sup>72</sup> Reforms that migration experts have recommended include raising hiring standards for immigration agents, regulating how migrants should be treated, and strengthening internal and external controls over migration agents. Sonja Wolf et al., *Assessment of the National Migration Institute: Towards an Accountability System for Migrant Rights in Mexico*, INSYDE, 2014.

law; most of those individuals were accused of smuggling-related crimes.<sup>73</sup> Even when arrests are made, however, the weakness of Mexico's criminal justice system has resulted in extremely low conviction rates.<sup>74</sup>

### **Alien Smuggling and Trafficking in Persons**

Alien smuggling is often confused with trafficking in persons. Alien smuggling involves the provision of a service, generally transportation, to people who knowingly consent to that service in order to gain illegal entry into a foreign country. It ends with the arrival of the foreign national at his or her destination. Smugglers get clients through word of mouth, social networks, and even the Internet; often they are sought out by parents wanting to reunite with their children.<sup>75</sup> Trafficking in persons is a crime committed against victims who are exploited. It does not have to involve movement from one country to another; however, when it does, a victim is often lured or made to travel through the use of "force, fraud, or coercion."<sup>76</sup> Under U.S. immigration law, a trafficked migrant is a victim while an alien who consents to being smuggled is complicit in a criminal activity and may therefore be subject to prosecution and deportation. Distinguishing the difference between a trafficking victim and a smuggled migrant can be difficult, particularly in cases involving unaccompanied children. The State Department's June 2014 *Trafficking in Persons Report* highlighted migrants from Central America as highly vulnerable to human trafficking in Mexico.

As U.S. border security has tightened, unauthorized migrants have become increasingly dependent upon smugglers (*coyotes*) to lead them through Mexico to the United States.<sup>77</sup> U.S. officials estimate that 75%-80% of unaccompanied minors now travel with smugglers.<sup>78</sup> This increased demand has made alien smuggling more lucrative. Organized criminal groups, like Los Zetas, have sought to profit from the smuggling business, demanding payments from those passing through their territory and engaging in abduction and extortion.<sup>79</sup> Some smugglers have sold migrants into situations of forced labor or prostitution (forms of human trafficking) to recover their costs; other smugglers' failure to pay Los Zetas has reportedly resulted in massacres of migrants.<sup>80</sup> Although organized crime-related homicides in Mexico have declined at a national level since 2011, they have increased in Tamaulipas, a state traversed by many U.S.-bound Central Americans.

Experts also maintain that Mexico lacks the funding and institutions to address traditional migration flows, much less the increasing numbers of unaccompanied children that its agents are detaining. According to INM, Mexico removed 86,949 individuals from the northern triangle countries from January to November 2014, a 17.9% increase from the 73,695 removed from those countries during the same period of 2013.<sup>81</sup>

Mexico has temporary shelters dedicated to serving migrant children, but no foster care system in which to place those who might be granted asylum. Requests for asylum filed by youth from

<sup>73</sup> Gobierno de Mexico, Sistema Institucional de Información Estadística (SIIE), "Incidencia Delictiva del Fuero Federal, 2014."

<sup>74</sup> For more information, see CRS Report R43001, *Supporting Criminal Justice System Reform in Mexico: The U.S. Role*, by (name redacted).

<sup>75</sup> Gabriel Stargardter and Patricia Zengerle, "E-Coyotes: The Central American People Smugglers Who 'Like' Facebook," Reuters, August 5, 2014; Oscar Martínez, "The Northern Triangle Children Don't Leave Alone: They Are Taken," *Insight Crime*, July 16, 2014.

<sup>76</sup> DHS, Bureau of Immigration and Customs Enforcement (ICE), "Fact Sheet: Human Trafficking and Smuggling," January 16, 2013.

<sup>77</sup> Chloe Gilroy and Sarah Kinoshian, "U.S.-Mexico Border Security: Helping or Hurting Human Smuggling Networks," *Security Assistance Monitor*, August 12, 2014.

<sup>78</sup> White House, Office of the Vice President, "Remarks to the Press with Q&A by Vice President Joe Biden in Guatemala," press release, June 20, 2014.

<sup>79</sup> Eduardo Castillo and Christopher Sherman, "Migration Spotlights Mexican 'Coyote' Smugglers," *Houston Chronicle*, July 21, 2014.

<sup>80</sup> Oscar Martínez, "How the Zetas Tamed Central America's 'Coyotes'," *Insight Crime*, May 1, 2014.

<sup>81</sup> Gobierno de México, Secretaría de Gobernación (SEGOB), *Estadística Migratoria- Síntesis 2014*, December 2014.



northern triangle countries in Mexico increased from 124 in 2008 to 883 in 2013 according to the UNHCR; 139 youth from those countries received asylum in 2013.<sup>82</sup> The Interior Ministry reported only 12 asylum requests in 2014, however.<sup>83</sup> Child protection officers from INM accompanied nearly 8,600 children to their countries of origin in 2013. From January-November 2014, INM detained more than 21,500 minors, 98% of whom originated in the northern triangle. Mexico returned more than 16,600 of those minors to their countries of origin.<sup>84</sup>

With U.S. support, the Mexican government has been implementing a southern border security plan since 2013 that has involved the establishment of 12 naval bases on the country's rivers and three security cordons that stretch more than 100 miles north of the Mexico-Guatemala and Mexico-Belize borders.<sup>85</sup> Total State Department support for mobile Non-Intrusive Inspection Equipment and related equipment and training for Mexico's southern border strategy was expected to exceed \$86.6 million prior to the enactment of the FY2015 appropriations measure. As previously noted, Congress provided \$79 million in that act (P.L. 113-235) above the Administration's FY2015 request for the Mérida Initiative in Mexico, including support for efforts to secure Mexico's southern border. The U.S. Department of Defense (DOD) has also provided training to troops patrolling the border, communications equipment, and support for the development of Mexico's air mobility and surveillance capabilities.

## **Selected International Humanitarian Efforts**

The sharp increase in the number of unaccompanied children arriving at the U.S.-Mexico border in mid-2014 prompted the U.N. High Commissioner for Refugees (UNHCR) to call for a "robust regional humanitarian response" based on principles of protection. According to UNHCR, not every person crossing the U.S. border qualifies as a refugee, but the lines of distinction between and among refugees, asylum seekers, and migrants—particularly in the current situation—are not always clear. UNHCR has called for children and families who fear harm in their home countries to have access to an appropriate asylum system in the United States and other countries in the region. It has offered to support the United States and other asylum countries to help with immediate and longer-term responses to this challenge.

The U.S. government and the governments of Honduras, Guatemala, El Salvador, and Mexico have each expressed concern for the protection of the human rights of these vulnerable children in their country of origin, during transit, and upon arrival in the destination country. During all phases of the journey, including while in detention and during the returns process, unaccompanied children require comprehensive assistance with food, medical care, shelter, protection, safety, legal assistance, and education. From a humanitarian perspective, this means addressing the humanitarian needs of the children and families while protecting their rights and dignity.

The situation of unaccompanied children is somewhat unique in the humanitarian context in that factors such as poverty, violence, and criminal activity create forced displacement rather than the

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<sup>82</sup> INM data as presented in electronic correspondence from the Mexican Embassy in Washington, DC, July 21, 2014.

<sup>83</sup> SEGOB, *Respuesta a solicitud de información del Servicio de Investigación*.

<sup>84</sup> SEGOB, 2014, op. cit.

<sup>85</sup> U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs, "INL Assistance for Mexico's Southern Border Strategy," fact sheet, June 2014. For more information, see CRS Report R41349, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, by (name redacted) and (name redacted).

impact of a natural disaster or conflict. Known as “other situations of violence,” the conditions in the northern triangle and Mexico present what some experts regard as new causes for displacement that expand protection needs. The international humanitarian response includes U.N. agencies, such as UNHCR and the U.N. Children’s Fund (UNICEF), and Humanitarian Country Teams of the northern triangle countries, which are working with national authorities to address the situation. International and local NGOs are also providing support and assistance in specific countries and on regional initiatives. A U.N. interagency working group is reportedly mapping the humanitarian actors involved.<sup>86</sup>

The operational priorities of different humanitarian organizations include, for example, the International Committee of the Red Cross (ICRC), which focuses on the protection and assistance of communities and individuals most vulnerable to and affected by armed violence and includes assistance to migrants, missing persons, and their families in the region. The International Organization for Migration (IOM), which often partners with UNHCR, is an intergovernmental organization that focuses on migration and related issues. As noted previously, IOM has led a number of projects in the region to address migration and displacement problems. The International Rescue Committee, Catholic Relief Services, Kids in Need of Defense (KIND) and World Vision are some of the international NGOs providing a range of assistance and support.

A number of regional and international entities are seeking to address the needs of unaccompanied children. UNHCR, for example, has called for cooperation with relevant governments; international partners, including international organizations and NGOs; and regional and national actors. Coordination within the U.N. system involves UNHCR under the Regional Protection Working Group and the U.N. Office for the Coordination of Humanitarian Assistance (UNOCHA) or other U.N. agencies taking the lead in specific countries. The Central American Integration System (SICA) may take the lead on regional policy discussions about displacement. The Organization of American States (OAS) has expressed concern through its affiliated Inter-American Commission on Human Rights (IACHR) and a Permanent Council resolution. Regional offices from the U.N. Development Group for Latin America and the Caribbean Group (UNDG LAC) are considering possible ways to link projects to the humanitarian situation. Meanwhile, a regional arm of the National Refugee Commissions will focus on improving systems available in each country for asylum seekers.<sup>87</sup>

International and regional organizations and groups are conducting meetings and activities to develop protection strategies for children who are or may be deported and may potentially face harm if sent home. These include the development of a possible regional initiative that could assist with identifying alternatives to detention, improving reception conditions, strengthening protection mechanisms at the national level, and monitoring the situation of deported children. UNHCR has emphasized that a regional approach should also focus on prevention strategies to address the root causes of the movement of children and families.

In December 2014, the governments of 28 countries and three territories of Latin America and the Caribbean met in Brasilia on the 30<sup>th</sup> anniversary of the 1984 Cartagena Declaration on Refugees

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<sup>86</sup> U.N. Office for the Coordination of Humanitarian Assistance, Central America and Mexico: Unaccompanied Child Migration, Situation Report No. 01 (as of 29 July 2014.)

<sup>87</sup> U.N. Office for the Coordination of Humanitarian Assistance, “Central America and Mexico: Unaccompanied Child Migration,” Situation Report No. 01 (as of 29 July 2014); U.N. High Commissioner for Refugees, “Central America and Mexico: UNHCR Regional Update,” December 2014.

and adopted by acclamation the Brazil Declaration and Plan of Action. Building on a consultative process in 2014 under the leadership of UNHCR and the Norwegian Refugee Council (NRC), the governments agreed to work together to “uphold the highest international and regional protection standards, implement innovative solutions for refugees and displaced persons, and end the plight of stateless persons in the region.” The Plan of Action retains the expanded definition of “refugee” of the Cartagena Declaration, which goes beyond the 1951 U.N. Convention Relating to the Status of Refugees and the 1967 Protocol, and incorporates a new framework for regional action in the protection of vulnerable groups and individuals.<sup>88</sup>

## Outlook

U.S. policy makers continue to face difficult decisions about how to respond to the sharp increase of unaccompanied children traveling to the United States. Nearly 69,000 such children were apprehended last fiscal year, with 75% of them coming from Central America. The Obama Administration’s initial response, which included public awareness campaigns and anti-smuggling operations, appears to have reduced the number of children making the journey, at least temporarily. Nevertheless, many analysts think the United States is likely to receive significant mixed migration flows of refugees, asylum seekers, and migrants in the future unless there are substantial improvements in citizen security and socioeconomic opportunities for the large youth populations in the northern triangle countries.

Strengthening Central American nations’ capacities to receive and reintegrate deportees is likely to be a major focus of the short-term U.S. policy response. The Administration has reprogrammed some assistance to assist partner countries with such efforts, and the FY2015 appropriations measure appears to provide additional support. Likewise, various international organizations are offering assistance to northern triangle governments as they expand their support services for repatriated citizens. Nevertheless, reports that some children face persecution and even death upon their return to Central America raise questions as to whether the countries will be able to quickly ramp up their capacities to provide adequate attention and protection to deportees.<sup>89</sup>

Improving socioeconomic and security conditions in Central America will be a long-term and difficult endeavor. Given that the United States has historically played an influential role in Central America and that U.S. drug demand has contributed to regional security challenges, Central American leaders and others contend that the United States should assume some of the responsibility for addressing the situation.<sup>90</sup> The Administration argues that assisting the region is also in the U.S. interest, since instability in Central America is likely to affect the United States.

Current U.S. policy provides support for Central American efforts to improve governance, economic opportunity, and citizen security through several assistance programs. Administration officials assert that “these programs are having an impact on some of the systemic conditions ...

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<sup>88</sup> U.N. High Commissioner for Refugees, “30<sup>th</sup> Commemorative Anniversary of the Cartagena Declaration on Refugees,” December 2014.

<sup>89</sup> Anastasia Moloney, “Deported Central America Child Migrants Face Threats, Death at Home – UN – TRFN,” *Reuters*, February 3, 2015.

<sup>90</sup> See, for example, Otto Pérez Molina, “In Latin America, We Know Who Is to Blame for Our Child Migrant Crisis,” *Guardian*, August 2, 2014; and General John F. Kelly, “SOUTHCOM Chief: Central America Drug War a Dire Threat to U.S. National Security,” *Military Times*, July 8, 2014.

[but] they've been limited in scope because of the amount of funding available for them.”<sup>91</sup> Accordingly, the Administration has requested \$1 billion for the region in FY2016. Congress called for a comprehensive strategy to address conditions in Central America in its FY2015 appropriations measure, but it is far from certain whether it will approve the Administration's FY2016 request given current fiscal constraints and competing budget priorities.

While many analysts argue that Central American nations will require external support to address their challenges, they also maintain that significant improvements in security and socioeconomic conditions ultimately will depend on Central American leaders carrying out substantial internal reforms. Government leaders, civil society organizations, and business elites in Central America will need to develop concrete policies to raise revenues, reduce corruption, strengthen institutions, and expand educational and economic opportunities. Central American leaders have committed to such reforms as part of their proposed “Plan of the Alliance for Prosperity in the Northern Triangle.” If they fail to follow through on those commitments, however, U.S. initiatives in the region may fail to produce policy makers' desired results.<sup>92</sup>

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<sup>91</sup> Testimony of Francisco Palmieri, Deputy Assistant Secretary for the Caribbean and Central America, U.S. Department of State, before the Senate Committee on Homeland Security and Governmental Affairs, *Challenges at the Border: Examining the Causes, Consequences, and Responses to the Rise in Apprehensions at the Southern Border*, 113<sup>th</sup> Cong., 2<sup>nd</sup> sess., July 9, 2014.

<sup>92</sup> Statement of Eric L. Olson, before the Senate Committee on Homeland Security and Governmental Affairs, *Challenges at the Border: Examining and Addressing the Root Causes Behind the Rise in Apprehensions at the Southern Border*, 113<sup>th</sup> Cong., 2<sup>nd</sup> sess., July 16, 2014; Adam Isacson, “Isacson: Immigration Crisis Is Product of Perfect Storm of Conditions in Central America,” *Fox News Latino*, July 25, 2014; and Héctor Silva Avalos, “How to Stop the Surge of Migrant Children: Focus on Security Misses Bigger Problems,” *New York Times*, July 8, 2014.

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