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Make Them Suffer: How the United States has Criminalized and Complicated the Process of
Seeking Asylum for Central American Refugees

Paper prepared for presentation at the 61st Annual Conference of the Western Social Science
Association

Section: Association for Borderlands Studies

San Diego, California
April 24-27, 2019

Recipient of **Best Student Paper Award by the Western Social Science Association**
for the 2019 Conference.

An earlier version of this paper also received **Best Student Paper Award at the Midwest
Association for Latin American Studies (MALAS)** conference, held in El Paso, in November
2018.

Acknowledgement: This work was supported by the National Science Foundation-Research
Experience of Undergraduates (NSF-REU) Collaborative Site Program on Immigration and US-
Mexico Border Communities, held at New Mexico State University and the University of Texas-
El Paso, May 21-July 29, 2018. [Award # 1659195](#).

Abstract

According to statistics released by US Citizenship and Immigration Service (USCIS), more individuals from the Northern Triangle region of Central America sought asylum in the United States between 2013 and 2015 than in the previous fifteen years combined. In 2017, nearly 130,500 individuals from this region fled their countries and applied for asylum somewhere else, indicating that there is no sign of this flow slowing down. That said, this mass migration of Central Americans to *El Norte* has not been received positively by the government and many people in the United States, which in recent times has experienced a rise in nationalistic and xenophobic sentiment. Although asylum is a legal form of migration protected by the 1948 United Nations Declaration of Human Rights, in contemporary political discourse it has been vilified in the same way as unauthorized migration. For decades we have experienced the criminalization of immigration, and we are now seeing the criminalization of asylum. Thus, the United States' goal to tighten the border and eradicate unauthorized forms of migration has been expanded to include asylum. By analyzing US policy both abroad and at home, this essay argues that the US government intentionally makes the process for seeking asylum difficult and traumatic in order to instill fear and deter future asylum seekers. By drawing on interviews with asylum seekers, this essay sheds light on the effects of US asylum policy.

**Make Them Suffer; How the United States has Criminalized and Complicated the Process
of Seeking Asylum for Central American Refugees¹**

Introduction

Over the past few years, due to alarming poverty and violence rates in the Northern Triangle of Central America (Guatemala, Honduras, and El Salvador), there has been a massive influx of people from that region seeking asylum in the United States. According to statistics released by the U.S. Citizenship and Immigration Services (USCIS), “more individuals from the Northern Triangle region sought asylum in the United States between 2013 and 2015 than in the previous 15 years combined” (Meyer & Pachico). In 2017, nearly 130,500 individuals from this region fled their countries and applied for asylum somewhere else, indicating that there is no sign of this flow slowing down (Kitidi). Unsurprisingly, this mass migration of Central Americans to *El Norte* has not been received positively in the United States, which in recent times has experienced a rise in nationalistic and xenophobic sentiment. Although asylum is a legal form of migration protected by the 1948 United Nations Declaration of Human Rights, in contemporary political discourse it has been vilified in the same way that unauthorized migration is vilified. Essentially, a point has been reached where undocumented immigrants and asylum seekers are seen as the same. For decades we have experienced the criminalization of immigration, and we are now seeing the criminalization of asylum. Thus, the United States’ goal to tighten the border and eradicate unauthorized forms of migration has been expanded to include asylum. As a result,

¹ This work was supported by the National Science Foundation - Research Experience for Undergraduates (NSF-REU) Collaborative Site Program on Immigration Policy and Border Communities, held at New Mexico State University and the University of Texas-El Paso, May 21-July 29, 2018 (Award # 1659195).

there is now a conscious and deliberate effort by the United States government to reduce, and even eradicate, the number of people exercising their human right to “seek and to enjoy in other countries asylum from persecution” (UN General Assembly). In this essay, I argue that the United States government intentionally makes the process for seeking asylum difficult and traumatic in order to instill fear and deter future asylum seekers. To do this, I draw upon my personal experiences while working with asylum seekers on the US-Mexico Border while also analyzing some of the United States’ most draconian policies.

Life in the Northern Triangle: Why are people leaving?

Before delving into the experiences of Central Americans seeking asylum in the United States, it is necessary to first understand why people are fleeing Northern Central America *en masse*. Simply put, the region has descended into turmoil as a result of a failing economy, increasing violence, and political corruption. According to statistics released by the World Bank in 2016, about 60 percent of rural residents in the Northern Triangle live in poverty (World Bank). Most of these people work in agriculture and barely make enough daily to survive. In Honduras, for example, approximately 20% of the population lives on less than \$1.9 daily (World Bank). This provides enough money to buy some tortillas, beans, and occasionally rice to survive and nothing else. In Guatemala, “Four in ten children (43.4%) under five are chronically malnourished” and 79% of the indigenous population, which makes up 40% of the total population, lives in poverty (UNICEF) (CIA Factbook). Talking with asylum seekers in El Paso shortly after they entered the United States, I learned that the average rural agricultural-laborer in the Northern Triangle makes around five dollars daily for ten hours of work in the field. As a result, rural families are always one drought, crop disease, or accident away from starvation. To make the situation worse, these rural areas suffer from a lack of government support, which

translates to poor roads and other infrastructure, weak institutions such as schools and libraries, and a lack of affordable medicine. Mobility is difficult, education is inadequate, and healthcare is inaccessible. Even those who get a good education and finish college or migrate to an urban area struggle, as there is no stable work. What results is a society stuck in an inescapable cycle of poverty that condemns many to work until death, with no opportunity to move up in the economic and social ladder.

Beyond economic hardships, those who live in the Northern Triangle also face extreme violence and insecurity. Assaults, extortion, kidnappings, and homicides are common throughout the region. Thus, it is no surprise that all three countries have extremely high homicide and crime rates, with El Salvador currently being “the most deadly country outside a war zone” with a national murder rate of nearly 100 per 100,000 people (Watson). Likewise, according to data published by the World Health Organization, in 2017 violence-related deaths accounted for 21.04% of total deaths in Honduras (World Health Organization). As a result, much of the population lives in constant fear, with growing old now being a “privilege, not a right” (Ayuso). That said, at the root of this violence is MS-13, also known as *maras*, and other organized gangs that maintain a firm and powerful grip on society.

In an environment where there exists mass poverty, lack of opportunity, and weak institutions, these groups thrive and continue to grow. Predominantly, they attempt to recruit poor and underprivileged youth, promising a better future with the gangs. The logic is: Why would one work ten hours to make five dollars when they can make much more by stealing, extorting, killing, or performing any of the other tasks the gangs assign? Thus, many youth join gangs as they are seen as a quick route to wealth and success. For others, joining is a means of survival, as it is common for gangs to threaten those who refuse to join. Once one joins the gangs

(whether it be voluntary or forced), it is difficult for them to escape, as the gangs do not allow their members to leave easily. Those members who do leave become targets and put their families at an increased risk. One would have to flee their city and change their identity to escape successfully, but even that is not secure. There is also the option of going the country and attempting to seek asylum in another nation, but this is unrealistic as anyone with a criminal record and history in the gangs will likely be rejected and sent back. Essentially, once an individual joins the gangs, there is no way out. This results in youth getting sucked into the gang life and living a life of criminality where death or prison are the only outcomes. As a result, the gangs remain powerful and expand their influence on society, empowering the vicious cycle of violence in the Northern Triangle. Today, the power of the gangs is solidified and uncontested, being feared by everyone but stopped by none. Thus, it is not surprising that while working with asylum seekers in El Paso, I did not speak to a single one who did not cite gang-related violence and crime as one of the reasons for fleeing their home countries. *Las Maras* were spoken of like devils on earth who, alongside corrupt politicians, have ruined a once livable Central America.

The final major factor, which I have already briefly touched upon, is government corruption and incompetence. Historically, Central America has been a politically unstable region, and not much has changed since the end of the civil wars that ravaged the area in the late 20th century. Today, fraudulent elections, the indictment of political officials on corruption charges, voter suppression, and a general disregard for the interest of the people is common. The embodiment of this can be seen through the fact that, although more than half of Guatemalans live in poverty, their president is the highest paid in Latin America, with a monthly salary of USD \$19,300 (BBC Mundo). This is the story of politics in the Northern Triangle: While the poor are suffering on a massive scale, those in power live luxurious lifestyles and have no

interest beyond acquiring more riches and maintaining power. In the past five years, Guatemala has seen the impeachment of a sitting president due to corruption, Honduras lived an abnormal presidential election riddled with allegations of fraud, and El Salvador continues to struggle with corruption at every level. According to Transparency International's Corruption Perception Index 2017, which “ranks 180 countries and territories by their perceived levels of public sector corruption according to experts and businesspeople,” with a higher ranking signaling more corruption, Guatemala is ranked 143rd, Honduras 135th, and El Salvador 112th (Transparency International). In comparison, the United States was ranked 16th. Clearly, political corruption has become the norm in the Northern Triangle and is present at every level of power. Meanwhile, millions of people continue to live in extreme poverty and constant fear with no opportunity to progress socially or economically.

With all of these factors considered, it becomes clear that for the thousands that are fleeing the Northern Triangle and seeking asylum in the United States, migration is not a choice, but a necessity. To stay in their countries would mean a life of suffering, persecution, and inevitable death. As noted by a Honduran refugee I met in El Paso: “Do you really think that we leave because we want to? Why would we want to leave the place where we grew up, our family lives, and our culture and language is and go to a foreign country where we are not wanted? We would stay in Honduras if possible, but that is not an option. We leave because we have to.”

The journey

Having established why people are fleeing the Northern Triangle, we can begin to analyze their quest for asylum and how it is affected by United States policy. That said, it must be understood that the United States plays a pivotal role at every stage of the asylum seekers journey, which begins long before the refugees even reach the US-Mexico Border. In the

Northern Triangle countries, where the journey begins, the United States has for decades been a key player in the politics and economy of the region. For much of the early to mid 20th century, the United States essentially ruled and owned the Northern Triangle, imposing favorable governments and allowing companies such as the United Fruit Company to control land rights. This created a relationship in which the United States was able to exploit the resources and people of Central America for its own interests. As a result, in the late 20th century, the region exploded and peasant-led civil wars broke out. For much of the 1970s and 1980s, the Northern Triangle was embroiled in a bloody political conflict that left much of the area in ruins. It is well documented that during this time, the United States government supported the repression and killings of many rural communities, such as the El Mozote Massacre that took place in 1981 in El Salvador and left nearly 1000 civilians dead (Maslin). Although US military involvement in Central America has declined since the end of the armed conflicts in the early 1990s, the US continues to have significant influence in the region. For example, in fiscal year 2019, the United States plans to send around USD \$200 million in aid to the Northern Triangle to help combat poverty and violence (Shoichet). Additionally, US private interests have billions worth of investments in the region and own considerable amounts of land. Meanwhile, the United States is by far the leading export destination for all three countries (Observatory of Economic Complexity). Thus, the economy and wellbeing of the region is heavily dependant on the political and economic actions of the United States. In fact, the dependency is so great that, in El Salvador, the US Dollar is the official currency of the country. These factors considered, it is evident that the United States has substantial power over Guatemala, Honduras, and El Salvador. Power, of course, that the United States is not afraid to exert in order to enforce its anti-immigrant agenda.

One of the best and most recent examples of this is President Trump's reaction to a caravan of Honduran asylum seekers in October of 2018. The caravan, which originated in San Pedro Sula, Honduras, began with a few hundred people on October 12 who planned on exiting Honduras and seeking asylum in the United States due to the violence, poverty, and lack of opportunity in their home country. By foot and with almost nothing, this group, which included children only a few months old, began its journey north on the morning of October 13. On October 16, the caravan, which had grown to around 2000 people, arrived in Guatemala, where they were greeted with food and temporary housing. That same day, President Trump informed the President of Honduras via Twitter that if "the large Caravan of people heading to the U.S. is not stopped and brought back to Honduras, no more money or aid will be given to Honduras, effective immediately!" (Trump). Later that same day, the Trump extended his threat by tweeting: "We have today informed the countries of Honduras, Guatemala and El Salvador that if they allow their citizens, or others, to journey through their borders and up to the United States, with the intention of entering our country illegally, all payments made to them will STOP" (Trump). Four days later, on October 20, President Juan Orlando Hernández of Honduras ordered for the Guatemala-Honduras border to be closed, barring any more asylum seekers from fleeing. Orlando felt the pressure from the United States and was quick to comply, recognizing the power the North has over Honduras. Thousands of miles away from its borders, the Trump administration was able to successfully further its anti-immigrant agenda and complicate the journey for refugees.

When it comes to Mexico, the next destination in the asylum seeker's journey, the United States has perhaps an even greater influence on the political economy and the resulting immigration policy. As a result, the US government has been able to successfully pressure

Mexican authorities into ramping up their border security and the deportation of north-bound refugees. To please the United States, Mexico launched the Southern Border Program in 2014 with the intended goal of regulating migration from Central America. To date, the program has been extremely efficient in doing so, “increasing apprehensions of northbound migrants by 85 percent during its first two years (Isacson, et al.). In fiscal year 2015, Mexico deported 156 thousand migrants back to the Northern Triangle, including 12 thousand unaccompanied minors (Dominguez-Villegas & Rietig). By ramping up security at the southern border with Guatemala and toughening the consequences for unauthorized migration through the country, Mexico has been able to fulfill the United States’ requests. However, since President Trump took office, he has pushed Mexico to do more, claiming that they are still not being strong enough on Central American migration. The president has used this as one of the key justifications for his plan to build a wall along the US-Mexico Border and has also threatened Mexico with economic sanctions. As a result, the Mexican government has further intensified its immigration policy over the past two years, “deporting more than twice as many Central Americans in the first five months of 2018 than it did over the same period in 2017” (Racke). With the Trump administration now considering the provision of “foreign assistance funds” for Mexico to deport more people and threatening to cut aid if more extreme measures are not taken, it is unlikely that Mexico will soften its immigration policy anytime soon (Harris & Hirschfeld Davis). As a result of this immigration crackdown by the Mexican government, it is now difficult for Central Americans to make it safely through Mexico without proper documentation, which asylum seekers often lack. Currently, the journey is too risky and the consequences of getting caught too steep for independent travel to be feasible, especially for women and those traveling with children.

As a result, a majority of asylum seekers rely on *coyotes*, or professional smugglers, to transport them from their home countries to the US-Mexico Border. These *coyotes*, who tend to work for either gangs or drug cartels, charge thousands of dollars per person and have made a multi-million dollar industry out of transporting refugees.² Although traveling with a paid smuggler is safer than going unaccompanied, the conditions are still arduous. Routinely, refugees are packed into buses, where they have no space to move around, and are smuggled across Mexico until reaching the border. The trip takes about a week or two, depending on the starting point, how many people are traveling, and speed of the coyotes. Along the way, asylum seekers are exposed to unsafe and unsanitary conditions, as well as being vulnerable to cartels and other crime. For women, the journey is even more dangerous. Some female asylum seekers I spoke with told me that they advised to take birth control before heading off, as the chances of being raped along the way were high. According to Amnesty International, “60% of migrant women and girls are raped while migrating” (Fleury). For children, the youngest being a few months old, there is also an enhanced danger throughout the journey, as many of them are too young to understand the situation they are in and not prepared to endure the conditions. This creates immediate adverse effects, such as illness and emotional suffering, as well as more long-term ones like trauma.³ These issues, of course, could all be avoided if reaching the US-Mexico border were easier. If the United States, Mexico, and the Northern Triangle nations permitted safe passage, refugees would not suffer as much and organized crime would be deprived of a major source of income. This would in turn help stabilize the region and address some of the

² Most of the asylum seekers I have worked with reached the US-Mexico Border with the help of a coyote who charged an average USD \$3000 per person. Given that most parents travel with children, there are very few people that can pay the fees outright, and thus they take out loans.

³ In December of 2018, two Guatemalan children, 7-year-old Jakelin Caal and 8-year-old Felipe Gomez Alonzo, died in Border Patrol custody.

underlying issues behind mass migration. However, it is clear that the United States is more interested in criminalizing migration and making asylum hard to achieve than it is on protecting the human rights of asylum seekers and combating organized crime.

Arrival to the United States

For the asylum seekers that manage to make it to the US-Mexico Border, their struggles do not end there. As their transnational migratory journey concludes, they are met with a bureaucratic and political madness in the *land of the free*, starting with the government's recent policy of turning away asylum seekers at legal ports-of-entry (POEs). Since April 2018, despite the US government insisting that those seeking asylum enter the United States through ports-of-entry (POEs) instead of crossing illegally, authorities have denied Central American asylum seekers the opportunity to cross through POEs, thus leaving the refugees stranded in Mexico (Moore). When I was in Nogales, Sonora, during July of 2018, I saw multiple Central American asylum seekers stuck at the point of entry with little food and a few dirty blankets as they waited to be allowed into the United States. They informed me that immigration did not allow them to proceed due to their facilities being at over capacity, and were thus forced to wait on the Mexican side. This wait oftentimes lasts days, during which time refugees are homeless with no money for food and other necessities, which puts individuals in an extremely vulnerable state where they are susceptible to being robbed, assaulted, and even kidnapped by organized criminal groups. As a result, refugees are faced with the option of either attempting to survive these conditions or speeding up their entry to the United States by entering illegally through unauthorized parts of the border. For many, the latter choice is taken. While crossing illegally does not strip the refugees of their right to seek asylum, it does allow the US Government to criminally charge them, feeding into the criminalization of asylum mentioned previously. In fact,

the Trump administration is currently in the process of “finalizing a plan to deny asylum to people who enter the country outside legal ports of entry,” with the president stating that “those who choose to break our laws and enter illegally will no longer be able to use meritless claims to gain automatic admission into our country” (Reuters). This initiative of turning away refugees at ports of entry was first observed in early 2018, and has been highly effective in achieving the Trump administration's goal of criminalizing asylum seekers. For example, on November 25, 2018, Border Patrol launched tear gas across the border, into Tijuana, to disperse a group of asylum-seekers who were attempting to illegally hop the border fence after being denied legal entry. As a result of the incident, on November 26, the President tweeted that there is no chance that more refugees will enter through Mexico and that he will “close the border permanently if need be” (Trump). As more Central Americans continue to reach the Southern Border, it is likely that both rhetoric and violence by Trump and his administration will ramp up.

Once refugees have entered the United States, regardless of how they did so, and are in the hands of immigration officials, their legal battle for asylum begins. First, Border Patrol agents transport the refugees to immigration offices on the border. Here, the asylum seekers are administered a credible fear interview, during which they explain their reasons for coming to the US and formally request asylum. After doing so, the refugees are moved to temporary holding cells where they must wait for a couple of days while their paperwork gets processed. In these cells, which the refugees call *la hielera* due to the frigid temperatures, the conditions are deplorable and taxing on the asylum seekers. From what I have been told by the refugees I work with and what has been published in the media, the conditions are so poor that asylum seekers are “treated like animals, not humans” (Corchado & Solis). For example, the food given to the refugees at temporary prisons is abysmal, with two cold burritos and some ramen noodles often

being the only food of the day. Those who ask for more are, even parents asking on behalf of their children, are shunned by the guards. Thus, the refugees recount that they are practically starved while in this temporary detention. Beyond the food, housing and sanitary conditions are also atrocious. Inside the cells, the air conditioning is turned on, making for a freezing environment. Although each refugee is given a thin aluminum blanket for warmth, this is not sufficient. Like with food, those individuals who ask for more covers or for the air to be turned down are turned away by the guards and told to deal with it. For this reason, many people get sick while in detention, especially the children whose immune systems are weaker. As far as space goes, the cells are very small and refugees are packed inside. As a result, people are forced to sleep piled on top of each other or standing up, while others sleep next to the toilets. Additionally, there is no privacy in the cells, with the bathrooms being located in the open in one of the corners. Cameras are also all around, giving the refugees the sense that they are always being watched. The migrants I have spoken with recall that this lack of privacy is very humiliating and dehumanizing for them.

Beyond physical hardships that the refugees must endure while in detention, they also experience psychological abuse at the hands of the guards. From the beginning, the guards make their hate towards the refugees evident.⁴ According to Jonathan⁵, a 16-year-old Honduran I met in El Paso, during his short time in detention he witnessed two events of abuse by the guards. The first, he recounts, occurred when an elderly indigenous woman told a guard she could not sign a paper because she did not know how to read or write. To this, the guard replied: “Then

⁴ I have been told by the asylum seekers I work with that a majority of the guards at the detention facilities were Spanish speaking Latinos. This makes a lot of sense, as it would be illogical for the guards to not speak the same language as the refugees, as this would complicate communication and the psychological abuses described.

⁵ Interviewed on July 4, 2018. Name changed to protect the identity of the individual.

why are you here? We don't want people like you in this country." The second event occurred as the refugees were being released from the detention, during which time Jonathan recalls a guard telling an asylum seeker that he hopes "all Central American migrants go to hell." Similarly, Wilson, a 26-year-old Guatemalan I also met in El Paso claims that guards often threatened to take away his child if he did not follow their orders. Although Wilson⁶ says he did nothing to provoke them and followed all orders, the threats were persistent and aggressive. During his time in detention, he could not sleep, fearing that his child would be taken away.

Speaking to others who have spent time in detention, I have been told that this abusive behavior is the norm, not an exception. In fact, even children are subject to verbal abuse by the guards. According to Orlando⁷, a 9-year-old from Honduras, children were not allowed to play while in detention and would be yelled at if they attempted to do so. Additionally, children would be yelled at if they attempted to ask for more food, toys, or blankets. Undoubtedly, these encounters add more pain to individuals already traumatized by previous experiences and will have long-term effects. All this considered, it is clear that the time in detention is a difficult one for the refugees and one that causes much pain, both physically and psychologically. Given that this is the asylum seekers' first experience in the United States, it is no coincidence that the treatment they receive suggests that they are unwelcome in the country. Instead, it is precisely the message that the government and immigration officials wish to convey.⁸

Exceptions

⁶ Interviewed on June 13, 2018. Name changed to protect the identity of the individual.

⁷ Interviewed on July 4, 2018. Name changed to protect the identity of the individual.

⁸ The United States knows that the conditions in these detention centers cause immense suffering to the refugees, as seen by the fact that detainees are stripped of their shoelaces so they are not able to hang themselves.

Before continuing, it is important to note that although the experiences described above are similar to that lived by most asylum seekers, there are some cases where things are much worse. Most notably, in the Summer of 2018, there was a national outcry when it became known that the government was separating families refugee families at the border. Between April 6 and June 20, around 3,000 families were separated as a result of the Trump administration's Zero Tolerance Policy, which seeks to increase punishment of those who cross the border in an unauthorized manner (Shear. et al). It is not clear what criteria resulted in family separation, but what I have been able to understand is that it mostly affected those who entered the country illegally (meaning, not through an authorized port-of-entry) or had previously been in the United States. That said, although the policy of family separation was ended on June 20, we are still dealing with the consequences. At the time of this writing, the government has yet to reunify all of the separated families, with some of the parents being deported while their children were placed in the United States foster care system. When, if ever, these families will be reunified remains a mystery.

For those who have been reunified, the experience of being separated from their family for months will undoubtedly be a source of trauma for the rest of their lives. In fact, while in El Paso, I had the opportunity to visit the ICE Processing Center and talk to some mothers who had been separated from their children. At the time of my visit, which took place on July 20, 2018, these mothers had been separated from their children for over two months and found themselves in a distraught emotional state. As they opened up to me and told their stories, they cried uncontrollably, some noting that they had been suffering from depression, regret, and intense guilt. One of the women even told me that had she known her child would be taken away, she

would have chosen to stay in Guatemala and die there. Undoubtedly, this suffering and regret is what the Trump administration intended with the Zero Tolerance Policy.

Life in the United States

For those asylum seekers who do not become victims of the system's anomalies and manage to make it out of temporary detention with their children and no deportation order, the next step is to be released and allowed to travel to their sponsors.⁹ These sponsors, which are usually family members or friends from back home who are now settled in the United States, are tasked with housing the refugees during the time it takes them to fight their asylum case.¹⁰ However, the sponsors are often far away from the borderlands, forcing refugees to find a way to get to reach them.¹¹ This can cause logistical issues as well as stress for the refugees who are often unfamiliar with the geography and transportation of the United States. Luckily, there are organizations in the borderlands that have taken up the task of receiving refugees after their release from detention and assisting them by providing temporary housing and guidance while individuals work things out with their sponsors. In El Paso, where I spent my time helping, the most prominent organization doing this work is Annunciation House (AH) and the churches that have partnered with them.¹² In the last months of 2018, according to a call-for-volunteers sent

⁹ Those who do not have a sponsor or have problems with their asylum application are once again incarcerated and forced to fight their case from detention. Generally, this means that they will spend up to two years in the horrible conditions previously mentioned while their case is processed and a decision on their case is reached.

¹⁰ It is worth noting that I have also seen cases where churches or caring individuals unfamiliar to the refugees take them in. However, this is not very often and I am not sure how these relationships emerge, although I assume that those who go to churches or with an unknown family do not have friends or family in the United States that can take them in.

¹¹ The refugees I worked with ended up in the following states: Florida, New York, Virginia, North Dakota, Maryland, New Jersey, Alabama, Louisiana, Georgia, Texas, and Arizona. Today, there are asylum seekers settled all over the country.

¹² This is the coalition I worked with while in El Paso and where I met the asylum seekers I speak of throughout the essay.

out by the Annunciation House, this coalition was taking in over 1000 refugees per week. Similarly, there are organizations all along the border doing the same work.

Once with their sponsors, the struggle does not end for the asylum seekers. Despite their migratory journey finally coming to an end, they must next face the hardships of being an asylum seeker in the United States. In the first few months, this entails wearing an ankle monitor 24/7 that allows immigration to know where the refugees are at all times. These monitors, which are supplied by Geo Group Inc and are put on the refugees as they leave temporary detention, do not allow individuals to legally work or move beyond a 75-mile radius of their sponsor's house.¹³ Generally, refugees must wear these monitors for at least a couple of months. Given that virtually all asylum seekers arrive with significant debts and have an urge to make money to support their families back home, the obligation to wear a monitor for an extended period poses significant issues. As a result, refugees are faced with either not working for several months or working illegally and getting paid under the table. Unsurprisingly, most opt for the latter option, as having no income for many months is simply not viable. Because of this, refugees are forced to find work in the lowest sectors of the economy, as these are the only places where undocumented workers tend to be employed. Agriculture, meat and dairy industries, food industry, construction, cleaning services, and other tiring manual-labor jobs are the ones I have seen refugees most frequently end up with. In these areas, it is not uncommon for labor exploitation to occur, with employers taking advantage of the refugees' temporary unauthorized status to assign them longer shifts and more laborious tasks at lower pay, knowing they will not

¹³ Geo Group Inc is the same company that manages many of the detention centers refugees are held at and currently has many contracts with the government. They are one of the biggest beneficiaries of the current immigration system, having created a multi-billion dollar industry, grossing 2.26 billion dollars in 2017, according to Nasdaq.

complain due to the situation they find themselves in. Thus, during the first few months in the United States, asylum seekers fall victim to a predatory economic system in which they must accept exploitation or risk putting their lives and those of their families at risk. Even once refugees are granted asylum, this exploitation continues, as language barriers, a lack of formal education, and institutional racism condemns refugees to stay at the bottom of the economic ladder with little chance of upward mobility.

On top of the complications posed by the GPS-tracking ankle monitors, refugees also have a difficult and stressful time dealing with the complex and exclusionary legal system of the United States. After entering the country and settling down with their sponsors, asylum seekers must embark on a legal journey to win their asylum cases and secure legal residency. Failure to do so results in deportation back to their native countries. That said, this process entails frequent court check-ins, the first one being within a week of entering the country, and an eventual court date in which asylum is either granted or refugees are deported. Due to the high numbers of asylum seekers in recent years, the process can take years as courts are backlogged with cases. In this time that it takes for a decision to be made, refugees who want any real chance of being granted asylum must strengthen their cases by complying with all requests immigration officers and the courts make, gathering evidence that backs their claims, and working with a lawyer that will represent and advise them. However, due to language barriers, low education levels, and a lack of resources, this process becomes very taxing for refugees. Although there is some help for those who speak Spanish, a large portion of paperwork and hearings are in English. Thus, it is common for asylum seekers to be given information they can not understand, which in turn can end up jeopardizing their cases. For those Indigenous people who speak limited Spanish, the situation is even worse. As noted by the LA Times, there currently exists a “shortage of people

who can translate Mayan languages, especially K'iché and Mam" in US courts, which is "leading to a host of issues" (Carcamo).

Adding to the difficulties posed by language barriers, there are also issues of inaccessibility that refugees must deal with. For example, while it is very hard to win an asylum case without a lawyer, many individuals are forced to go without one because lawyers are both expensive and hard to find without good connections. Often, individuals do not know where to find a lawyer and explain their case, let alone enough money to hire their services. As a result, many refugees must navigate the legal system and build their case alone. For the most unfortunate, even the most basic part of the process, attending the scheduled court check-ins, is difficult. Given that these court dates tend to take place during the week when individuals are working and are often far from where refugees are staying, there are difficulties with transportation and timely arrival. At the same time, there is a fear factor at play throughout the entire process, as refugees are uncertain about their future and thus scared of attending court. As a result of all these things, navigating the legalities of asylum leads to emotional and psychological hardships for the refugees.

To make matters worse, this stressful legal process often ends in a rejection of asylum and subsequent deportation. Between fiscal years 2012 and 2017, 79.2% of El Salvadorians, 78.1% of Hondurans, and 74.7% of Guatemalans had their asylum cases denied (Yan). In some courts, such as El Paso, there are judges with denial rates as high as 99% (Borunda). That said, Despite these already high rates, "fiscal year 2018 broke records for the number of decisions by immigration judges [denying] asylum", with rates rising "after former Attorney General Jeff Sessions restricted grounds on which immigration judges could grant asylum" (Burnham & Long). On June 11, 2018, Sessions "overturned a precedent set during the Obama administration

that allowed more women to claim credible fears of domestic abuse” and stated that both “domestic and gang violence are not grounds for asylum” (Benner & Dickerson). This act made it “all but impossible for asylum seekers to gain entry into the United States by citing fears of domestic abuse or gang violence” and helps explain why denial rates have increased in 2018 (Benner & Dickerson).

Despite most refugees from the Northern Triangle having credible cases, the message that courts send with these high denial rates is that Central Americans are not wanted in the United States, even if it means letting them die in their native countries. Only the small minority of Central Americans who have abnormally strong cases, great lawyers, or substantial education, wealth, or talents have a chance of being granted asylum. Meanwhile, the rural and indigenous peasants with little formal education and wealth are doomed for rejection. For the United States, these high denial rates serve as the final defense against the mass exodus of Northern Triangle refugees it seeks to keep out of the country. For the refugees, it is a final affirmation of what the United States indirectly suggests to them since the beginning of the asylum seeking process: Regardless of your suffering, you are not welcomed in our country.

Beyond these legal and administrative difficulties, there are also other social hardships that refugees must deal with in the United States, even after they are granted asylum. As briefly mentioned previously, it is difficult for refugees to feel accepted in a foreign country, especially one where they are unfamiliar with the language, culture, social norms, and where large sectors of the population (and the government) see them as a problem. These factors lead to refugees forming isolated communities that inhibit the ability to assimilate, thus solidifying their place as *outsiders*. Refugees work and live with other individuals of similar backgrounds, serving the American Nation economically and culturally, but never becoming a part of it. Thus, in the

workplace, politics, and every other aspect of daily life, the refugee is seen as a non-citizen whose basic humanity is trivialized. This, in turn, fosters a tense and lonely environment for those individuals. At the same time, refugees must also cope with family separation and a longing for home, as many of them leave family behind in their home countries. Given that individuals are not allowed to return home after being granted asylum and legal migration from Central America to the United States is difficult, the chances of refugees being reunited with their friends and family and returning to their native countries are low. That said, all of these factors come together to make the life of Northern Triangle refugees in the United States particularly difficult, lonely, and painful.

Conclusion

Over the past few years, due to a failing economy, increasing violence, and political corruption, millions of individuals from the Northern Triangle Region of Central America have been forced to migrate in order to survive. For many of these refugees, the quest for a better life has made them look northward and seek asylum in the United States, the most stable country in the Americas. However, while this has become a lifeline for many desperate refugees, the United States, fueled by a growing xenophobic and racist sentiment, has not been receptive to the wave of Central Americans arriving at its borders. As a result, the United States is making an active effort to complicate the asylum seeking process and make it as difficult as possible to discourage other refugees. In Guatemala, Honduras, El Salvador and Mexico, the US Government has exerted its economic and political influence to force these nations to adopt more hardline immigration policies to stem the flow of refugees from the Northern Triangle migrating north. At home, the United States has adopted its own set of strict anti-asylum policies that seek to both criminalize the practice and make it as difficult, painful, and traumatic as possible. Ranging from

rhetoric that incorrectly conflates asylum with illegal immigration to actual policy such as turning away refugees at ports-of-entry, incarceration, family separation, the use of GPS tracking devices, and high denial rates for asylum cases, the United States is doing what it can to combat the surge of refugees. Thus, the journey for asylum has become a significantly painful and traumatizing one for refugees from the Northern Triangle, with difficulties at every step of the way. As Central America continues to experience a mass exodus and the United States gets tougher on immigration policy, refugees are getting caught in a limbo of inescapable suffering. The way things are currently going, there are no signs of things getting better in the near future.

References

- Ayuso, Tomás. "In Gang-Ridden Honduras, Growing Old Is a Privilege, Not a Right." *In Gang-Ridden Honduras, Violence and Corruption Mean Few Grow Old*, National Geographic, 7 Feb. 2018, www.nationalgeographic.com/photography/proof/2018/february/honduras-gang-violence-migration-corruption-boys/?user.testname=none.
- BBC Mundo. "¿Cuáles Son Los Presidentes Que Más y Menos Ganan En América Latina? - BBC News Mundo." *BBC News*, BBC, 13 June 2017, www.bbc.com/mundo/noticias-40203272.
- Benner, Katie, and Caitlin Dickerson. "Sessions Says Domestic and Gang Violence Are Not Grounds for Asylum." *The New York Times*, The New York Times, 11 June 2018, www.nytimes.com/2018/06/11/us/politics/sessions-domestic-violence-asylum.html.
- Borunda, Daniel. "Asylum Seekers Face 'Iron Triangle of Deterrence' in El Paso under Trump, Advocates Say." *El Paso Times*, El Paso Times, 20 Jan. 2018, www.elpasotimes.com/story/news/immigration/2018/01/19/asylum-seekers-face-iron-triangle-deterrence-el-paso-under-trump-advocates-say/1046960001/.
- Burnham, David, and Susan B. Long. "Asylum Decisions and Denials Jump in 2018." *TRAC Immigration*, 29 Nov. 2018, www.trac.syr.edu/immigration/reports/539/.
- Carcamo, Cindy. "Ancient Mayan Languages Are Creating Problems for Today's Immigration Courts." *Los Angeles Times*, Los Angeles Times, 9 Aug. 2016, www.latimes.com/local/california/la-me-mayan-indigenous-languages-20160725-snap-story.html.

- Corchado, Alfredo, and Dianne Solis. "These Immigrants Say They've Been Jammed into Overcrowded Cells, Sleeping next to Toilets at Federal Center." *Dallas News*, 5 Oct. 2018,
www.dallasnews.com/news/immigration/2018/10/04/immigrants-say-jammed-overcrowded-cells-sleeping-next-toilets-federal-center.
- CIA Factbook. "Guatemala - The World Factbook." *Central Intelligence Agency*, Central Intelligence Agency,
www.cia.gov/library/publications/the-world-factbook/geos/print_gt.html.
- Dominguez-Villegas, Rodrigo, and Victoria Rietig. "Migrants Deported from the United States and Mexico to the Northern Triangle: A Statistical and Socioeconomic Profile." *Migrationpolicy.org*, Migration Policy Institute, 11 Jan. 2016,
www.migrationpolicy.org/research/migrants-deported-united-states-and-mexico-northern-triangle-statistical-and-socioeconomic.
- Fleury, Anjali. "Fleeing to Mexico for Safety: The Perilous Journey for Migrant Women." *United Nations University*, 4 May 2016,
https://unu.edu/publications/articles/fleeing-to-mexico-for-safety-the-perilous-journey-for-migrant-women.html?fbclid=IwAR2RfgV_0rznSdhy5THBKPUy94JQPqPb8tlf25Bk60wL_tP2fls-wm40DHg
- Harris, Gardiner, and Julie Hirschfeld Davis. "U.S. Plans to Pay Mexico to Deport Unauthorized Immigrants There." *The New York Times*, The New York Times, 13 Sept. 2018,
www.nytimes.com/2018/09/12/us/politics/us-mexico-deportation-funds.html.
- Isacson, Adam, et al. "WOLA Report: Mexico's Southern Border - Security, Central American Migration, and U.S. Policy." *WOLA*, June 2017,
www.wola.org/analysis/wola-report-mexicos-southern-border-security-central-american-migration-u-s-policy/.
- Kitidi, Aikaterini. "UNHCR Alarmed by Sharp Rise in Forced Displacement in North of Central America." *UNHCR*, United Nations, 22 May 2018,
www.unhcr.org/news/briefing/2018/5/5b03d89c4/unhcr-alarmed-sharp-rise-forced-displacement-north-central-america.html.
- Maslin, Sarah Esther. "Remembering El Mozote, the Worst Massacre in Modern Latin American History." *The Nation*, 21 Dec. 2016,
www.thenation.com/article/remembering-el-mozote-the-worst-massacre-in-modern-latin-american-history/.
- Meyer, Maureen, and Elyssa Pachico. "Fact Sheet: U.S. Immigration and Central American Asylum Seekers." *WOLA*,
www.wola.org/analysis/fact-sheet-united-states-immigration-central-american-asylum-seekers/.

- Moore, Robert. "Border Agents Are Using a New Weapon Against Asylum Seekers." *Texas Monthly*, 3 June 2018, www.texasmonthly.com/politics/immigrant-advocates-question-legality-of-latest-federal-tactics/.
- Observatory of Economic Complexity. "Honduras, Guatemala, El Salvador Exports." *OEC - Honduras (HND) Exports, Imports, and Trade Partners*, atlas.media.mit.edu/en/profile/country/hnd/.
- Racke, Will. *Mexico Has More Than Doubled Deportations Of Central Americans So Far This Year*, 22 June 2018, dailycaller.com/2018/06/22/mexico-doubles-deportation-central-american-migrants/.
- Reuters. "Trump Says U.S. Is Finalizing Plan to Crack down on Asylum Seekers." *Reuters*, Thomson Reuters, 1 Nov. 2018, www.reuters.com/article/us-usa-immigration-trump/trump-says-u-s-is-finalizing-plan-to-crack-down-on-asylum-seekers-idUSKCN1N6636.
- Shear, Michael D., et al. "Trump Retreats on Separating Families, but Thousands May Remain Apart." *The New York Times*, The New York Times, 20 June 2018, www.nytimes.com/2018/06/20/us/politics/trump-immigration-children-executive-order.html.
- Shoichet, Catherine E. "Trump Is Threatening Foreign Aid over the New Migrant Caravan. Here's What's at Stake." *CNN*, Cable News Network, 18 Oct. 2018, www.cnn.com/2018/10/18/politics/caravan-foreign-aid/index.html.
- Transparency International. "Corruption Perceptions Index 2017." *Www.transparency.org*, 21 Feb. 2018, www.transparency.org/news/feature/corruption_perceptions_index_2017.
- Trump, Donald J. "The United States Has Strongly Informed the President of Honduras That If the Large Caravan of People Heading to the U.S. Is Not Stopped and Brought Back to Honduras, No More Money or Aid Will Be given to Honduras, Effective Immediately!" *Twitter*, Twitter, 16 Oct. 2018, twitter.com/realDonaldTrump/status/1052183647552491521.
- Trump, Donald J. "We Have Today Informed the Countries of Honduras, Guatemala and El Salvador That If They Allow Their Citizens, or Others, to Journey through Their Borders and up to the United States, with the Intention of Entering Our Country Illegally, All Payments Made to Them Will STOP (END)!" *Twitter*, Twitter, 17 Oct. 2018, twitter.com/realDonaldTrump/status/1052368431201341447.
- UN General Assembly, *Universal Declaration of Human Rights*, 10 December 1948, 217 A (III), available at: <http://www.refworld.org/docid/3ae6b3712c.html> [accessed 29 October 2018]

UNICEF. "Guatemala - Overview." *UNICEF Guatemala - Overview - Malnutrition*, www.unicef.org/guatemala/english/overview_18012.htm.

Watson, Katy. "Good News for Honduras' Murder Capital?" *BBC News*, BBC, 28 Oct. 2016, www.bbc.com/news/world-latin-america-37785737.

World Bank. "Honduras Overview." *World Bank*, 4 Oct. 2018, www.worldbank.org/en/country/honduras/overview.

World Bank. "Rural Poverty Headcount Ratio at National Poverty Lines (% of Rural Population)." *Rural Poverty Headcount Ratio at National Poverty Lines (% of Rural Population) | Data*, The World Bank, data.worldbank.org/indicator/SI.POV.RUHC?locations=SV-HN-GT.

World Health Organization. "Violence in Honduras." *World Life Expectancy*, www.worldlifeexpectancy.com/honduras-violence.

Yan, Holly. "Which Nationalities Get Rejected the Most for US Asylum?" *CNN*, Cable News Network, 3 May 2018, www.cnn.com/2018/05/03/world/us-asylum-denial-rates-by-nationality/index.html.