



Trump Administration Opens Door to Sending Mexican Asylum-Seekers to Guatemala, Prompting Concerns

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The Mexican Ministry of Foreign Affairs has expressed its "disagreement" with the Trump administration after news broke that the government may begin transporting Mexican asylum-seekers from the southern border to Guatemala to seek asylum there instead.

The Department of Homeland Security confirmed Monday that Mexican asylum-seekers will be eligible to be sent to Guatemala, marking a notable expansion of an asylum deal the U.S. brokered with the Central American country on Mexico's southern border last summer.

The Foreign Ministry estimated that the provision could affect up to 900 Mexicans and said the Mexican government would "work to offer better options" for those affected, even though the measure falls "under the jurisdiction of the United States."

The asylum agreement was signed between the U.S. and Guatemala in July after a drastic increase in the number of migrants – particularly those from El Salvador, Honduras and Guatemala – appearing at the southern border. It allows the U.S. to send asylum-seekers at the southern border to Guatemala.

The agreement has been controversial since its inception given Guatemala's crime rate, economic conditions and fledgling asylum system, which is staffed by only a handful of officials. The deal was nonetheless implemented in November, and the administration has so far deported dozens of Salvadoran and Honduran asylum-seekers who likely traveled through Guatemala before coming to the U.S. back to Guatemala. But out of 85 migrants sent to Guatemala from the U.S. so far, only six have sought asylum, according to CBS News.

The administration sees the asylum agreement as a deterrent to migration and has touted the plan as a way to force asylum-seekers to seek protection closer to home instead of transiting through other countries before applying for asylum in the U.S. – something the administration frames in part as a protective measure for migrants, eliminating the "need to make the dangerous journey north."

But Mexican asylum-seekers do not have to transit through Guatemala or any other country to reach the U.S. border and, for many, the U.S. is the next closest country to home.

Rep. Joaquin Castro, Texas Democrat and chairman of the Congressional Hispanic Caucus, released a statement denouncing the decision to include Mexicans in the agreement.

"Now – under this new expansion – Mexican asylum seekers will not have the opportunity to reach safety, and instead may be sent to Guatemala. This cruel and illegal effort aims to discourage families from seeking asylum in the U.S. and will surely have catastrophic impacts," Castro said.

Analysts say including Mexicans in the asylum deal undercuts the Trump administration's stated justification for the agreement and reveals that its true intent is to further restrict who is granted protections in the U.S., regardless of circumstance.

Sending Mexican nationals to Guatemala "demonstrates what a complete farce the initial justification for deporting Hondurans and Salvadorans to Guatemala was," says David Bier, an immigration policy analyst at the libertarian Cato Institute.

"There could not possibly be better evidence for that than deporting Mexicans, in many cases thousands of miles further away from their home, from the United States to Guatemala. And this is just further confirmation that the administration is really not interested in accepting any asylum-seekers from any country," Bier says.

The administration last summer asserted that Mexicans were not subject to the asylum deal. By December, however, it was said to be finalizing a deal with Guatemala to send Mexican asylum-seekers to the country – a plan Guatemala had initially rebuffed. Leadership at the Department of Homeland Security has changed since July, with Chad Wolf succeeding Kevin McAleenan as acting head of the agency and Ken Cuccinelli, an immigration hard-liner and the former acting head of U.S. Citizenship and Immigration Services, now serving as the department's No. 2.

The number of Mexicans apprehended at the southern U.S. border trended upward in recent months, though the totals remain in line with numbers seen earlier in 2019. It's not clear how many Mexicans apprehended at the border have sought asylum.

The deal with Guatemala is just one of several initiatives taken by the Trump administration to drastically restrict who is eligible for asylum in the U.S. and to deter migrants from traveling to the southern border. A pillar of the administration's approach remains the Migrant Protection Protocols, or the program known colloquially as Remain in Mexico. Under the program, asylum-seekers are made to wait for months in Mexico for court dates in the U.S.

Existing asylum law, however, is supposed to exclude Mexican asylum-seekers from the program, meaning that the asylum deal with Guatemala is likely the only way the U.S. government can keep Mexicans asylum-seekers from staying in the U.S. while their cases are considered.

Expanding the deal to include Mexicans sends the message "that asylum is effectively shut down at the U.S. southern border – that it's no longer available," says Sarah Pierce, a policy analyst at the nonprofit Migration Policy Institute.

A spokesperson for Homeland Security confirmed that certain Mexican nationals "may now be eligible to be transferred to Guatemala and given the opportunity to seek protection there" but did not respond to a question about the reasoning behind the move.

