



JULY 17, 2014

DANGEROUS PASSAGE: CENTRAL AMERICA IN CRISIS AND THE EXODUS OF UNACCOMPANIED MINORS

U.S. SENATE COMMITTEE ON FOREIGN RELATIONS

ONE HUNDRED THIRTEENTH CONGRESS, SECOND SESSION

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**Counselor of the Department of State, Ambassador Thomas A. Shannon
Testimony to Senate Foreign Relations Committee, July 17, 2014**

Mr. Chairman, Mr. Ranking Member, distinguished Members of the Committee, thank you for this opportunity to testify before you on the “Crisis in Central America and the Exodus of Unaccompanied Minors.” It is an honor to appear before you with my distinguished colleague from the Department of Justice.

We are facing an acute crisis on our southern border, as tens of thousands of children leave Honduras, Guatemala, and El Salvador to travel through Mexico to the United States. Driven by a mixture of motives and circumstances, these children are seeking reunification with their parents, better life opportunities, and, in some cases, safety from violence and criminal gang activity.

The human drama of this migration is heightened by the nefarious role of human smugglers. Smuggling networks exploit these children and their parents, preying on their desperation and hope, while exposing the children to grave dangers, abuse, and sometimes injury and death along a journey of more than one thousand miles.

Last week, in testimony before the Senate Appropriations Committee, the Secretaries of Homeland Security and Health and Human Services laid out the dimensions of this crisis, and its impact on existing resources at the Department of Homeland Security, the Department of Health and Human Services, local law enforcement agencies, state humanitarian and disaster response teams, municipal and state government, and on local communities as they face an unprecedented surge in attempted migration to the United States by unaccompanied children, even as overall migration remains at historic lows.

The President’s supplemental budget request of \$3.7 billion dollars is aimed at addressing this crisis, especially the resource and infrastructure challenges we have along our southern border. The need for additional funding to meet these challenges is great, but it is necessary to ensure that these children, an especially vulnerable class of migrant, are treated in a humane and dignified fashion as we protect our border, enforce our laws, and meet our international obligations.

The supplemental request for the U.S. Department of State and USAID also identifies additional funding to address the factors that are pushing children from their homes in Guatemala, Honduras, and El Salvador. In tandem with existing resources and programs, this funding would allow us to enhance our engagement in Central America and fashion an integrated and comprehensive approach to the

economic, social, and security challenges that lie behind the current migration crisis.

In my testimony today, I would like to lay out for the Committee our understanding of the crisis, the diplomatic steps we have taken so far to address the problem, the response we have received from the Central American countries and Mexico, and how we would use supplemental funding to counter the underlying causes of the crisis.

The Issue

Migration by unaccompanied children is not a new phenomenon. It has ebbed and flowed for some time. However, what has changed is the size of the migration and the source countries. In the past, most children migrating illegally to the United States were Mexican nationals. Under existing law, these children could be returned to Mexico through expedited removal. In 2008, we returned 34,083 unaccompanied (Mexican) children to Mexican authorities. Vigorous enforcement of our laws, new forms of law enforcement partnerships with Mexico through the Merida Initiative, and efforts by the Government of Mexico to address the factors driving such migration helped reduce by half the number of unaccompanied children from Mexico who were apprehended attempting to enter the United States.

As you are well aware, this decline has been offset by a surge in unaccompanied children migrating from Central America. While we have witnessed an increase in such migrants from Central America over the past several years, more than 50,000 unaccompanied children from Central America have been apprehended along our southwest border this fiscal year. Of these migrants, nearly three-quarters are males between the ages of 15 and 17.

Efforts by the U.S. government, the United Nations High Commission of Refugees, and NGOs to understand the drivers of this migration and information collected in interviews conducted by Customs and Border Protection officials highlight the mixed motives behind this surge in Central American migration. For the most part, these children have abandoned their homes for a complex set of motives that combine a desire to be with their parents and pursue a life of greater opportunity and wider possibility. Underlying some of this migration is a fear of violence in their home communities, and a fear that criminal gangs will either forcibly recruit or harm them.

In short, this migration trend is the product of economic and social conditions in Honduras, El Salvador, and Guatemala. A combination of poverty, ineffective public institutions, and crime have combined to push these children from their homes and to begin an arduous and dangerous journey.

While the United States has been the primary destination of these migrants, largely because family members are already here, the impact of the migration has been felt throughout the region. The United Nations High Commission on Refugees has identified a more than 400 percent increase in asylum requests made by unaccompanied children from Honduras, Guatemala, and El Salvador in neighboring countries.

To address the challenge posed by the migration of unaccompanied children, we have fashioned a five-part strategy designed to stem the flow of migrants, screen them properly for international protection concerns, and then begin timely repatriation. This strategy consists of:

- One: Establishing a common understanding of what is happening and why between the United States, the three source countries -- Guatemala, Honduras, and El Salvador -- and the major transit country, Mexico.
- Two: Fashioning a common public messaging campaign to deter migration, especially by children. This campaign highlights the dangers of migration, but also counters misinformation of smugglers seeking clients.
- Three: Improving the ability of Mexico and Guatemala to interdict migrants before they cross into Mexico and enter the established smuggling routes that move the migrants to our border.
- Four: Enhancing the capacity of Guatemala, Honduras, and El Salvador to receive and reintegrate repatriated migrants to break the cycle of migration and discourage further efforts at migration.
- Five: Addressing the underlying causes of migration of unaccompanied children by focusing additional resources on economic and social development, and enhancing our citizen security programs to reduce violence, attack criminal gang structures, and reach out to at-risk youth.

This cooperative effort is defined by collaboration between the United States, Mexico, Guatemala, Honduras, and El Salvador. It is a new approach to address

migration issues that reflects the ties and common interests created among our countries by demographics, trade relations, and increased security cooperation.

So far, our diplomatic outreach has created a common understanding of the problem of migration by unaccompanied minors and the responsibility of all the countries to address it. President Obama's outreach to Mexican President Enrique Pena Nieto; Vice-President Biden's trip to Guatemala to meet with the leaders of Guatemala, El Salvador, and Honduras; Secretary Kerry's meeting with these leaders in Panama; DHS Secretary Johnson's trip to Guatemala to meet with President Perez Molina; Under Secretary of State Sarah Sewall's trip to Honduras; and my own engagement with the Foreign Ministers of Guatemala, El Salvador, Honduras, and Mexico were all part of intense engagement over the last several weeks.

Our engagement has allowed us to fashion a common public message that has received support from the highest levels of government in Guatemala, Honduras, and El Salvador. For example, the visits of the First Ladies of these countries to the southern border to meet with unaccompanied children, and their subsequent public statements urging their compatriots not to send their children north or expose them to smugglers have echoed powerfully in their countries. Combined with public messaging campaigns by our Embassies, the governments of these countries and Mexico, we have helped create a new and dynamic debate about illegal migration that undermines efforts by smugglers to entice young people into migration through misinformation about the risks of the journey and the benefits they will supposedly receive in the United States.

The July 7 announcement of Mexican President Pena Nieto of a new Mexican southern border strategy was a welcome step towards improving Mexico's ability to exercise greater control along its border with Guatemala and Belize. Announced in the presence of the Guatemalan president, this initiative is a manifestation of a new willingness to work together along their common border. To match this level of cooperation, we are working to provide support to Mexico's southern border initiative and intend to provide \$86 million in existing International Narcotics Control and Law Enforcement (INCLE) funds, and we are working with Guatemala to improve its border controls, with special focus on building joint task forces that link all agencies with responsibility for border control. On July 15, the Government of Mexico named a coordinator for its Southern Border Initiative. Senator Humberto Mayans Cabral, head of the Senate's Southern Border Commission, will act as a "czar" to oversee and direct the Mexican government's efforts to stem illegal migration across its southern border.

In regard to repatriation and reintegration, Vice President Biden announced during his trip to Guatemala \$9.6 million to improve the ability of the source countries to increase the number of repatriated migrants they can receive and assist in their reintegration. On July 9, DHS Secretary Johnson signed two memorandums of cooperation with the Guatemala counterpart. The first focuses on enhancing cooperation on immigration, border security, and information sharing. The second provides a process to share information on Guatemalan nationals repatriated to Guatemala. On July 14, USAID provided approval to the International Organization for Migration to commence this work. On July 14, Honduras received a repatriation flight of adults with children recently apprehended at the Southwest border.

Our work in Mexico through the Merida Initiative, and in Central America through the Central America Regional Security Initiative (CARSI), has allowed us to build the relationships, understanding, and capacity to help the Central American source countries address underlying causes of migration by unaccompanied children. Our development assistance work conducted by USAID has also allowed us to build assistance partnerships that can be turned to helping our partner countries address the economic and social development issues that also contribute to migration.

Keeping Our Strategic Focus

Our assistance to the seven countries of the region currently falls under the umbrella of CARSI. Since 2008, Congress has appropriated \$642 million on programs that have been predicated on the view that establishing a secure environment and functional law enforcement institutions is the first and essential step in creating conditions for investment and economic growth. We know thanks to a recent independent evaluation by Vanderbilt University that USAID's work with at-risk youth in select municipalities is highly successful in reducing crime and increasing the reporting of it. Likewise, the Department of State's Bureau of International Narcotics and Law Enforcement Affairs has demonstrated impressive results with its Model Police Precinct program in El Salvador and Guatemala. Still, those and other successful U.S. programs are relatively small in scale and should be scaled up with the committed involvement of the countries concerned.

We have learned a lot since CARSI began in 2008, and we now seek to build on those experiences. Specifically, we need to link our work on citizen security with

our efforts to promote economic growth, opportunity, and job creation. Without addressing the economic and social development challenges, we cannot meet the concerns and aspirations of the adolescents and young adults fleeing Central America. Many of the new proposals in the supplemental request are intended to create the opportunity and organization that Central American economies currently lack.

The Supplemental Request

The supplemental request, although focused largely on addressing resource and infrastructure issues along our border, also has an important component focused on the work I have described and designed to be a down payment on that new strategic objective. The \$300 million request allocates \$5 million on public diplomacy and messaging, and \$295 million in Economic Support Funds (ESF) on an initiative broadly grouped under the headings of prosperity, governance, and security.

The \$125 million directed toward prosperity would focus on improving economic opportunity and creating jobs, improving customs and border controls to enhance revenue collection and economic integration, and investing in energy to reduce the cost and improve access to energy as a driver of economic growth and investment.

The \$70 million requested for governance would focus on improving public sector management, fiscal reform, and strengthening the independence, transparency, and accountability of the judiciaries in Guatemala, Honduras, and El Salvador. The purpose of these funds would be to promote rule of law, attack corruption, and enhance the efficiency and efficacy of government.

The \$100 million requested for security would focus on expanding community-based programs to reduce youth crime and violence, expand national police capacity, attack gangs and transnational organized crime, promote prison reform, and enhance migrant repatriation capacity. These funds would enhance our work with partners to expand and nationalize our citizen security efforts and address the violence that is one of the principal drivers of migration.

We believe this request is reasonable and necessary. It builds on work we are already doing in Central America, takes advantage of existing expertise and experience, and expands our ability to encourage Guatemala, Honduras, and El Salvador to work with us closely on an issue of compelling human drama and national interest.

Moving forward we hope to work with Congress to broaden the scope of our efforts and deepen our engagement with Central America. We must build a new, comprehensive, and collaborative approach with Central America and Mexico to problems that have an immediate manifestation in migration, but underlie the larger development and security challenges facing our closest neighbors. By working to meet the challenge of illegal migration of unaccompanied children to the United States, we will be advancing broader interests in the region and giving substance to our vision of an Americas where democracy and markets deliver economic and social development. I thank you for the opportunity to discuss the crisis of unaccompanied children with you and look forward to your questions.



Department of Justice

STATEMENT OF

**BRUCE SWARTZ
DEPUTY ASSISTANT ATTORNEY GENERAL
AND COUNSELOR FOR INTERNATIONAL AFFAIRS
CRIMINAL DIVISION**

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE**

AT A HEARING ENTITLED

**“DANGEROUS PASSAGE: CENTRAL AMERICA IN CRISIS AND
THE EXODUS OF UNACCOMPANIED MINORS”**

**PRESENTED
JULY 17, 2014**

Statement of
Bruce Swartz
Deputy Assistant Attorney General
and Counselor for International Affairs,
Department of Justice
Before the
The Senate Committee on Foreign Relations
July 17, 2014

Good afternoon, Chairman Menendez, Ranking Member Corker, and Members of the Committee. Thank you for the opportunity to appear before the Committee today to discuss the Department of Justice's law enforcement efforts to address the humanitarian challenge created by unaccompanied children who lack lawful status that are crossing into the United States through our southern border with Mexico. I also particularly want to thank the Chair for holding this hearing and for his continued leadership on this important issue.

As Attorney General Holder has noted, how we address the issues associated with unaccompanied children goes to the core of who we are as a nation. The Department of Justice is, therefore committed to working with our interagency and international partners to find humane, durable solutions to this pressing problem. My colleagues from the Department of Justice have testified in other hearings regarding the steps that the Department is taking to address this problem from an immigration law perspective. Among other steps, the Department is increasing the number of immigration judges assigned to conduct hearings and prioritizing adjudication of cases that fall into the following four groups: unaccompanied children; families in detention; families released on "alternatives to detention;" and other detained cases.

At today's hearing, however, I will focus on the Justice Department's law enforcement steps we are taking to address this issue. Our actions in this regard fall into two categories: (1) investigation and prosecution of those who are facilitating the illegal entry of unaccompanied children into the United States and those who are preying upon those children; and (2) work with our foreign counterparts to help build their capacity to address the crime and violence that can serve as potential catalysts for the flow of these children to the United States.

Investigations and Prosecutions

The Department of Justice has a long history of investigating and prosecuting human smugglers. Recent cases include that of Joel Mazariegos-Soto, a leader of a human smuggling organization, who was prosecuted in the District of Arizona, and sentenced to 60 months in prison for his role in operating an illegal human smuggling organization. Mazariegos-Soto and his associates utilized multiple stash houses in the Phoenix area, including one -- discovered by agents with the U.S. Immigration and Customs Enforcement Homeland Security Investigations (HSI) in October 2012 -- containing over 27 unauthorized immigrants, and another -- found in January 2013 -- with over 40 unauthorized immigrants.

Similarly, in the Southern District of Texas, an individual named Lenyn Acosta was recently prosecuted and sentenced to 97 months in federal prison for his role in a conspiracy to transport or harbor unauthorized immigrants present in the country. Acosta was the organizer and leader of a conspiracy involving hundreds of undocumented immigrants, including juveniles. He also caused serious bodily injury to a female unauthorized immigrant he harbored by sexually assaulting her, demonstrating the sort of dangers faced by those persons being smuggled into the United States.

The Department of Justice also recently secured the extradition from Morocco of an individual named Habtom Merhay, a national of Eritrea and a citizen of the United Kingdom, who will now stand trial in Washington DC for human smuggling charges related to his alleged role in smuggling primarily Eritrean and Ethiopian undocumented

migrants from the Middle East, through South and Central America and Mexico into the United States.

These cases are just a few examples but are emblematic of the work of federal prosecutors and law enforcement agents who enforce our nation's immigration laws. But we now face a new type of human smuggling. In contrast to the typical smuggling case, there is no effort to hide these children from the U.S. Customs and Border Protection (CBP) officials stationed along the borders. To the contrary, the smugglers of these children essentially have to do nothing more than transport them to the vicinity of the border and instruct them to approach the CBP. Thus, the smuggler need never enter the U.S., thereby limiting the possibility that he or she will be arrested by U.S. authorities. The difficulties in effectively investigating and prosecuting these cases are compounded by their transnational nature. Notably, the majority of the planning and activity associated with these crimes occur in one or more foreign countries—and outside the ordinary investigative reach of U.S. authorities. Moreover, while human smuggling organizations are clearly participating in the movement of families and unaccompanied children to the U.S. border, there are also indications that a significant part of the movement of children and families from Central America may be unstructured, relying on informal contacts and individuals who are opportunistically assisting the migrants in return for payment. This makes the problem of unaccompanied children particularly difficult to attack through investigation and prosecution, because many of the individuals assisting the children may not be part of any large-scale criminal organization.

Nonetheless, the Department of Justice is working collaboratively with the Department of Homeland Security (DHS) to facilitate investigations that may lead to prosecutions of those responsible for the illegal entry of minors into the United States. Among other things, we are working with our foreign counterparts to encourage them to target facilitators operating in their countries.

Additionally, we are encouraging disruption strategies in Central American countries that will make cross-border smuggling—whether of drugs people, or contraband—more difficult, by targeting the cartels that may exploit the children being

smuggled, or who may impose “taxes” on human smugglers who wish to use the cartels’ smuggling routes.

The Drug Enforcement Administration (DEA), for instance, has led disruption efforts in Central America and Mexico, such as *Operation Fronteras Unidas*—an operation designed to detect, disrupt and dismantle drug trafficking organizations (DTOs) involved in the land-based smuggling of illicit substances, precursor chemicals and bulk cash throughout Mexico and Central America. This operation was intended to help strengthen communication and coordination within the region and assist in identifying the key land-based transportation routes and methods utilized by the DTO’s throughout Central America and Mexico and to support on-going investigations and prosecutions in the U.S. and Central American countries.

During May 2014, *Operation Fronteras Unidas* was supported by personnel from Mexico and seven Central American countries. This included 523 host nation personnel who focused resources at 24 checkpoints throughout the region. As a result, *Operation Fronteras Unidas* yielded seizures of 1,512 kilograms of cocaine; 516 pounds of marijuana; 367 grams of crack cocaine; \$334,585 in cash; one assault rifle, one handgun and one grenade; 54 drug-related arrests and five arrests on human smuggling charges during the 10 day action. Such successful initiatives demonstrate that international collaboration against complex transnational issues is possible.

The Department of Justice also continues to prosecute gang-related crimes related to Central America, thus working to address one of the root causes of the instability in these countries that helps drive this crisis. Since 2007, the Justice Department’s Organized Crime and Gang Section (OCGS), in conjunction with our US Attorney Offices (USAOs), in cases investigated by the FBI, ATF, and ICE/HSI, has aggressively pursued transnational violent gangs headquartered in Central America. For example, OCGS, in conjunction with our USAOs, has prosecuted complex racketeering indictments against the national and international leadership of the notorious international street gang La Mara Salvatrucha, or MS-13. OCGS and the USAOs, together with their

law enforcement partners have successfully secured convictions for racketeering offenses, murder, kidnapping, sexual assaults, and narcotics and weapons trafficking, and have secured life sentences and, in one instance, the death penalty, against the worst offenders of the gang in the United States. Significantly, several of these cases have not only targeted regional or national leadership of MS-13, but also have included indictments of the gang's leaders in El Salvador who have orchestrated criminal conduct in the United States from their jail cells in El Salvador.

At the same time, we are continuing to consider alternative investigative and prosecutorial strategies. The Department is redoubling its efforts to work with Mexican and Central American authorities to identify and apprehend smugglers who are aiding unaccompanied children in crossing the United States border. The Deputy Attorney General met last week with the five U.S. Attorneys whose districts lie on our Southern Border to discuss strategies for disrupting and dismantling criminal organizations that smuggle migrants into the United States.

Capacity Building

At the same time that we are using the criminal justice process in the United States to address the problem of unaccompanied children crossing our southern border, we are also committed to helping build the capacity of our foreign counterparts to address the violence—particularly the gang violence—that can serve to encourage migration. This violence can be addressed by a sustained commitment to law enforcement reform by the Central American countries from which these minors are fleeing. Where a country has made such a commitment, the Department of Justice has demonstrated its willingness to assist through exchanges of expertise. The Department of Justice, however, does not receive appropriations for overseas capacity building. Instead, we look primarily to the U.S. Department of State and the U.S. Agency for International Development (USAID), as the lead U.S. government agencies for foreign assistance, for funding for our overseas security sector assistance work. We ask you to support the Administration's full supplemental request.

With regard to capacity building, the Justice Department's main efforts are through our constituent law enforcement agencies —the FBI, DEA, USMS, and ATF— and two offices within the Department solely dedicated to overseas security sector work: the International Criminal Investigative Training Assistance Program (ICITAP) and the Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), both of which are located in the Criminal Division of the U.S. Department of Justice. Both OPDAT and ICITAP are tasked with furthering U.S. government and DOJ interests abroad through programs related to the criminal justice system. With State Department approval and funding, OPDAT and ICITAP can place federal prosecutors, and senior law enforcement officers, as long-term resident advisors in countries seeking to reform their laws as well as their investigative, prosecutorial, and correctional services.

Within the region, the Department currently has OPDAT prosecutorial Resident Legal Advisors (RLAs) in Mexico, El Salvador and Honduras. Mexico is by far our most robust program. There, OPDAT and ICITAP are supporting Mexico's decision to make a transition from an inquisitorial system to an accusatory one, and are working collaboratively with Mexican prosecutors, investigators, and forensic experts, including on specialized programs in the areas of money laundering and asset forfeiture, intellectual property, evidence preservation, and extraditions. OPDAT has also worked closely with the Government of Mexico and the U.S. Marshals Service on Witness Protection issues.

In that regard, the RLA in Honduras has provided technical assistance and mentoring to Honduran police and prosecutors on complex investigations, specifically emphasizing the investigation of human smuggling organizations. He has worked to establish better communication between law enforcement and prosecutors regarding enforcement actions on the border, ensuring cases involving human smugglers are properly handled to ensure successful prosecutions; and is creating a team of human trafficking prosecutors and organized crime prosecutors that can respond when needed anywhere in Honduras on short notice. In addition, the RLA has led efforts to coordinate anti-smuggling efforts among Honduras, El Salvador, and Guatemala. Similarly, in Mexico, the TIP-RLA has worked with counterparts to focus on vulnerable minors, and on cross-border criminal conduct; this, too, provides a basis for enhanced anti-smuggling

efforts. More generally, our ICITAP advisors also provide essential collaborative support that enhances the investigative capabilities of our law enforcement counterparts, including with regard to investigating smuggling organizations. In Mexico, ICITAP provides organizational and capacity building support to the Federal Ministerial Police (PFM or the investigative function of the Attorney General's Office). ICITAP also supports the establishment of a national framework for professional standards and training as well as a nation-wide sustainable training system for crime scene first responders.

In El Salvador, the State Department has charged both OPDAT and ICITAP to assist the Salvadoran government to achieve economic growth by: first, reducing the impact of organized crime on small and medium businesses, whose contribution to growth is key to the economic well-being of El Salvador; second, ensuring El Salvador's labor force is protected from crime while transiting to and from work; and third, ensuring that public transportation service providers serving the labor force are protected from crime. Through such efforts, the Department of Justice helps to address the violence that undercuts economic growth, and spurs immigration.

With Department of State funding, our law enforcement agencies also have helped to increase capacity to address violent crime in the region. The FBI has created Transnational Anti-Gang (TAG) Units to combine the expertise, resources, and jurisdiction of participating agencies involved in investigating and countering transnational criminal gang activity in the U.S. and Central America. These groups—headed by FBI agents who lead vetted teams of national police and prosecutors in El Salvador, Guatemala, and Honduras—coordinate with FBI Legal Attachés assigned to those regions and with the Bureau's International Operations Division.

In the past two years, TAG El Salvador has located and captured two FBI top ten most wanted fugitives, both of whom were gang members. These fugitives are now in the U.S. and are awaiting trial. TAG El Salvador is currently working on multiple MS-13 or 18th Street gang investigations tied to the following FBI Offices: Newark, Boston, Los Angeles, and Washington Field. In addition to gang investigations, TAG Guatemala has located and captured nine U.S. fugitives wanted for charges including murder, sexual

assault, and financial fraud. These fugitives have been extradited, or are awaiting extradition, to the United States for trial.

In addition to combating transnational gangs such as the MS-13 and 18th Street gangs, the TAGs assist domestic FBI and other federal, state, and local law enforcement agencies conducting gang investigations involving Salvadoran, Guatemalan, and Honduran nationals engaged in criminal activity within the United States. The TAGs also provide gang investigation training in the Central American region to the national police forces, as well as prison employees within the host nation. TAG members have also provided gang training in the U.S., as well as in Mexico and other Latin American countries.

Lastly, the TAGs have been extremely successful in investigating, indicting, and prosecuting MS-13 and 18th Street members in each of the host countries who were responsible for conducting extortions and other criminal activity affecting the United States and/or Central American countries.

Similarly, the DEA has formed cooperative partnerships with foreign nations to help them to develop more self-sufficient, effective drug law enforcement programs, and so to reduce violence. Since its inception in 1997, the Drug Enforcement Administration's (DEA) Sensitive Investigative Unit (SIU) program has successfully supported host-nation vetted programs. These programs are implemented with the assistance of the Department of State using operations funding appropriated to DEA. The SIU program selects only the best host-nation law enforcement officers, who receive five weeks of basic investigative training at DEA's training facility in Quantico, Virginia, before being assigned an in-country DEA Special Agent mentor. Once a member of an SIU, host country personnel become part of a select investigative team whose primary focus is to target the highest level criminal drug traffickers, DEA's Consolidated Priority Organization Targets (CPOTs).

The Administration has proposed a supplemental funding request for FY 2014 of \$295 million in Economic Support Funds for State and USAID to address the situation at our Southern border. Of the \$295 million in Economic Support Funds for State and

USAID, \$7 million would be transferred to DOJ to support the wide range of DOJ programs in the region, including vetted units, Regional Legal Advisors, and Senior Law Enforcement Advisors. This funding will allow DOJ to assist Central American countries in combatting transnational crime and the threat posed by criminal gangs. The aim is to address the issues that have been a factor in forcing many migrants to flee Central America for the United States. We ask that you support the Administration's request for the Department of State so that the Administration can continue robust foreign engagement with the region and we hope that, working with the Department of State, we can continue and enhance our effort.

Specifically, the funding for DOJ would provide legal and law enforcement advisors for El Salvador, Guatemala, and Honduras and allow the Department to initiate law enforcement and prosecution training programs in each of the three countries to build capacities to effectively handle ongoing complex investigations, emphasizing the investigation of human smuggling organizations; improve communication between law enforcement and prosecutors regarding enforcement actions on the border, particularly in cases involving human smugglers; and help create teams of human trafficking prosecutors and organized crime prosecutors who could respond when needed on short notice.

Conclusion

I very much appreciate the opportunity to discuss with you the ways in which the Department of Justice is dedicated to addressing the many challenges associated with unaccompanied minors illegally entering the United States. Those challenges, which are shared by the numerous other federal agencies charged with enforcing our nation's immigration laws and securing our borders, can be overcome—but to do so will require the dedication of necessary resources. There are no quick or easy fixes to this problem. The Department of Justice, however, is committed to using the full range of investigative tools and laws available to us to enforce U.S. immigration laws and to investigate and prosecute those engaged in smuggling vulnerable children to this country. In addition, we are prepared to help provide international partners with the means to address human

smuggling and issues related to unaccompanied minors well before those problems have reached the borders of the United States.

Thank you for the opportunity to discuss the Department's work in this area, and I look forward to answering any questions you might have.

Testimony of Sonia Nazario, Journalist, KIND Board Member and Author of
Enrique's Journey
Senate Foreign Relations Committee
July 17, 2014

Good morning. My name is Sonia Nazario; I am a journalist, author, and serve on the board of Kids in Need of Defense (KIND), a nonprofit founded by Microsoft and Angelina Jolie that recruits pro bono attorneys to represent unaccompanied children.

I first went to Central America to write about civil wars in Guatemala and El Salvador in the early 1980s. I focused on unaccompanied children 15 years ago, writing the modern-day odyssey of one boy, Luis Enrique Motino Pineda, whose mother leaves him in Honduras when he is five years old, and who sets off 11 years later to go in search of her in the United States by riding up the length of Mexico on top of freight trains.

Last month, I returned for the first time in a decade to Enrique's home in the Nueva Suyapa neighborhood of Tegucigalpa. I lived there for a week. I saw a huge change in why children are migrating north to the U.S.—a level of violence directed at them that honestly astounded me. I have lived through Argentina's dirty war and ridden on top of seven freight trains controlled by gangs through most of Mexico. I am not easily spooked. But after a week, I thanked God that I got out of Enrique's neighborhood in one piece.

Gangs have long ruled parts of Nueva Suyapa, but the recent control by narco cartels has brought a new reach and viciousness to violence children in particular face in this neighborhood and throughout the country. People are found hacked apart, heads cut off, skinned alive. Children are kidnapped. People are routinely killed for their cell phones. On some 20 or 30 buses daily, passengers are all robbed at gunpoint; in one instance 23 were killed. Sometimes, at night, men show up in face masks and strafe anyone out on the street. Threatened families have had to abandon homes and flee with only the clothes on their backs.

Several neighborhoods are worse than Nueva Suyapa; no one can go in without permission from gangs or narco traffickers, and war taxes are imposed on every resident. If you don't pay, they kill you. World Vision International, a Christian nonprofit group, has shut down operations in a nearby neighborhood because thugs won't let their staff enter.

Cristian Omar Reyes, an 11-year-old 6th grader in Nueva Suyapa told me he had to get out of Honduras soon—"no matter what." He has been threatened twice by narcos who said they would beat him up if he did not use drugs, and he fears worse.

Last March, his father was robbed and murdered by gangs. Three people Cristian knows were murdered this year; four others were gunned down on a nearby corner in the span of two weeks at the beginning of this year. A girl his age resisted being robbed of \$5. She was clubbed over the head and dragged off by two men who cut a hole in her throat, stuffed her panties in it, and left her arms and hips broken. She was found in a ravine across the street from Cristian's house.

“I can’t be on the street,” says Cristian, adding that there are *sicarios*—narco hit men—who pass by in *mototaxis*, three-wheeled motorcycle taxis, on his Nueva Suyapa street where crack is sold. “They shoot at you. I’ve seen so much death.”

“I’m going this year,” he told me. “Even if I need to ride on the train.” He promises himself he’ll wait until he finds a freight train moving slowly before jumping on to avoid being pulled under and losing an arm or leg.

A decade ago, when children left Honduras planning to ride on the train through Mexico, many of them didn’t fully grasp how dangerous this is. That’s no longer the case. Neighborhoods are dotted with people who have lost arms and legs to the train, visible reminders of what *La Bestia*, or the so-called Train of Death, can do.

Many know someone who has died in the attempt. They know that the Zetas, the most bloodthirsty narco cartel in Mexico, is kidnapping 18,000 Central Americans off those trains every year, and they prefer to grab children. They know the Zetas beat these children until they provide the telephone of a relative in the U.S., then demand \$2,500 in ransom, and kill children whose parents don’t or can’t pay. I spent three months, off and on, riding on top of seven trains in 2000. It’s much worse now. You’d have to be crazy to do it—or desperate enough to fear for your life if you stay at home.

I consider many of these children—*not all*—to be refugees. Why? Unlike an immigrant, who sets off for a new land to better their lives, a refugee is someone who must flee their country primarily for safety because their government cannot or will not protect them. If they stay, they face persecution and possible death.

The U.S. has spent billions to disrupt the flow of drugs from Colombia up the Caribbean corridor. The narco cartels, mostly Mexican, have simply re-routed inland, and four in five flights of cocaine bound for the U.S. now land in Honduras. These cartels are vying for control over turf and to expand drug distribution, sales, and extortion in these neighborhoods.

Around 2011 the narcos grip seemed to tighten in neighborhoods like Nueva Suyapa. That was not coincidentally the first year the U.S. started to see a surge in unaccompanied children.

They are forcibly recruiting children as young as 10 and 11 to be their foot soldiers. Children told me they felt they had two choices: join with delinquents who worked for the narcos or reject them and get out to stay alive. This is no different than child soldiers who are forcibly conscripted in Sudan or in the civil war in Bosnia. Schools in Nueva Suyapa have become the narcos’ battleground. Teachers must pay a war tax to teach; students must pay “rent” to go to school.

Building costly walls may make good politics, but they don’t work. We must instead focus on dealing with this exodus at its source. Folks in Honduras feel the U.S. hasn’t paid any attention to them since the Kennedy administration. Less than a tenth of the President’s proposed \$3.7 billion supplemental funding request focuses on aid to these three countries. USAID had closed its program in Nueva Suyapa there due to lack of funding.

If you want to fix this crisis you must do three difficult things. You must summon the political will to treat these kids humanely, and that means more than using that word in the title of legislation. It means giving them a full, fair and timely

immigration hearing, as required under the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2008. To roll back basic protections of the TVPRA and expedite deportation—treat Central American children the same way we handle Mexican children—means Border Patrol agents will give at most a cursory screening to children, even those who are trafficking victims. These are folks trained to be law enforcers, not in child-sensitive techniques designed to get traumatized kids to talk. The UN, among others, has found that the screening of Mexican children for protection concerns by Border Patrol has been a failure.

It means providing every child who stands before an immigration judge an attorney. KIND has worked hard to recruit volunteers, and these more than 7,000 lawyers have done incredible work. But it's a drop in the bucket, especially now given the surge. KIND estimates more than 70% of children are standing before a judge without anyone to help them mount and present complex immigration cases. These children face U.S. government attorneys arguing why they should be deported. No one in their right mind would consider this a fair fight, or anything approaching due process. I saw a seven-year-old boy alone in court, and KIND staff has seen five-year-old children, answering judges' questions, shivering with fright, clutching teddy bears.

We also have to deal with insecurity in Honduras in a way that doesn't fund corrupt police and the military that are a big part of the problem. We must strengthen the judiciary in Central America, accountability, as well as national child protection systems.

How can we have so much concern for girls kidnapped in Nigeria, but not for girls being kidnapped by narcos in Honduras who demand they be their "girlfriend" or they will kill them? How can we ask countries that neighbor Syria to take in nearly three million refugees, but turn our backs on tens of thousands of children from our hemispheric neighbors to the south? If we short-change due process for these children, I believe Congress and this administration will be sending many children back to their deaths.



Testimony by Cynthia J. Arnson

Director, Latin American Program

Woodrow Wilson International Center for Scholars

Before the Committee on Foreign Relations

United States Senate

“Dangerous Passage: Central America in Crisis

And the Exodus of Unaccompanied Minors”¹

July 17, 2014

Chairman Menendez, Senator Corker, and Distinguished Members of the Committee,

As someone who has closely followed Central American affairs for over three decades, I am pleased to have this opportunity to testify on the surge of unaccompanied minors arriving at the U.S. border from Central America.

As our nation seeks to address this unprecedented influx, we must humanely and intelligently respond both to immediate needs and address longer-term perspectives. In the short term, our response must ensure that, in accordance with U.S. and international law, those in need of protection as victims of human trafficking and/or those with legitimate claims for asylum are afforded timely due process; that is, that they are assisted and not penalized. This principle is important to keep in mind in light of the pressures to remove children quickly, given the current size of the influx as well as to send a strong message in an effort to deter further migration.

My testimony will address three of the most important drivers of this flow, and suggest options for improving the quality of democratic governance, citizen security, and inclusive development

¹ I am grateful to Latin American Program interns Kathryn Moffat, Angela Budzinski, and Carla Mavaddat for research assistance.

in Central America. Indeed, a long-term solution to what is now a humanitarian crisis rests on these three pillars—what the U.S. government is prepared to commit over the long-term in pursuit of these goals, and what responsibility Central American actors in and out of government are willing to assume to transform their own countries.

There is no one causal factor that accounts for the unprecedented increase in unaccompanied children attempting to enter the United States, or the lesser but still significant increase in the number of adults attempting to enter with young children. The numbers of young children seeking to enter spiked in this fiscal year after smaller but significant increases in the past two years.² Children from Nicaragua, Panama, and Costa Rica are, for the most part, not part of this increase. This begs a closer exploration as to why such large numbers are arriving from El Salvador, Honduras, and Guatemala—the so-called Northern Triangle. In general, the “push” factors behind this flow stem from the persistent failure of governments following the internal armed conflicts of the 1970s, ‘80s, and ‘90s, to guarantee the security of their citizens or provide a foundation for broad-based socio-economic well-being.³ These twin failures have given rise to a cluster of factors that can be summarized as follows:

Criminal and Drug-Fueled Violence: Central America’s Northern Triangle (El Salvador, Guatemala, and Honduras) has been described with numbing regularity as the most violent region in the world outside countries at war. The staggering rates of homicide⁴ take their largest toll on young men between the ages of 15 and 29, although young women have been increasingly targeted. Annual homicide statistics, as revealing as they are, tell only part of the story. For example, the homicide rate in El Salvador declined due to a controversial truce between the country’s two most important gangs. However, some parts of the country saw a rise in murders during the gang truce, reinforcing the point that crime rates *within* a country’s borders vary significantly, between urban and rural areas, from city to city, and—within cities—from neighborhood to neighborhood.⁵ Hence, a decline in the national average, as has occurred in Guatemala over the past several years, does not necessarily eliminate “hot zones” with high murder rates. Indeed, a Department of Homeland Security (DHS) study of unaccompanied minors attempting to enter the United States between January and May 2014 found that the largest number by far came from Honduras. Twenty of the 30 top sending cities and towns were Honduran, led by San Pedro Sula, the most violent city in the world.⁶ As noted by DHS,

² The number of Salvadorans, Guatemalans, and Hondurans requesting political asylum in Belize, Costa Rica, Mexico, and Panama, also increased significantly.

³ See Cynthia Arnson, ed., *In the Wake of War: Democratization and Internal Armed Conflict in Latin America* (Washington, D.C. and Stanford, CA: Woodrow Wilson Center Press and Stanford University Press, 2012).

⁴ The rates are 41.2 per 100,000 in El Salvador, 39.9 per 100,000 in Guatemala, and 90.4 per 100,000, according to 2012 figures of the United Nations Office on Drugs and Crime.

⁵ See United Nations Development Program, *Informe Regional de Desarrollo Humano: Seguridad Ciudadana con rostro humano: diagnóstico y propuestas para América Latina* (New York: 2013).

⁶ The top cities in terms of places of origin of unaccompanied minors were: San Pedro Sula, Tegucigalpa, and Juticalpa, Honduras; followed by San Salvador, El Salvador; La Ceiba, Honduras; and Guatemala City.

“Salvadoran and Honduran children...come from extremely violent regions where they probably perceive the risk of traveling alone to the US preferable to remaining at home.”⁷

Moreover, excessive focus on homicides, while understandable, does not capture the many forms of street crime, threats, assault, kidnapping, sexual violence, and extortion that affect citizens on a routine and intimate basis. Many statistics are unreliable as civilians do not trust the police or other authorities, leading to significant underreporting of even serious crimes.

Gangs or *maras* are not solely responsible for the levels of violent crime in the Northern Triangle, but their role is pervasive and highly organized. In post-war Central America, numerous factors contributed to the rise of gangs—migration to the United States, which divided families; a lack of opportunity; a culture of violence; access to firearms; an absence of social capital; rapid urbanization, etc.⁸ U.S. deportations of gang members convicted of crimes in the United States, for years with little or no advance warning to government officials in the region, contributed to the diffusion of gang culture and practices. Zero-tolerance or *mano dura* policies adopted by the governments of El Salvador and Honduras, in particular, only made matters worse; these policies reinforced gang solidarity and membership as a form of protection from the state and led to prison overcrowding and the role of prisons as incubators of gang membership. All this took place against a backdrop of incomplete and at times distorted processes of building and reforming civilian security and law enforcement institutions after the end of civil wars. Impunity and corruption remain rampant.

Crime and violence, including that perpetrated by gangs, have worsened as drug trafficking and other forms of organized crime have spread in the Northern Triangle. However, the crisis of insecurity long predates the spillover of Mexican drug trafficking cartels such as the Zetas or Sinaloa into Central America. U.S. demand for drugs has served to deepen the security crisis, as has the failure to restrict the flow of firearms from the United States into Mexico and Central America. Weak institutions and some corrupt officials in those countries have permitted organized crime to flourish.

Poverty and Lack of Opportunity

Poverty by itself is not a good predictor of who will migrate and when, but a general lack of opportunity, particularly when coupled by high levels of violence in poor neighborhoods, creates an important push factor for those who are willing to risk their lives in order to enter the United States. Poverty levels in the Northern Triangle have gone down since the 1990s, but it is still the case that poverty affects approximately 45 percent of Salvadorans, 54.8 percent of Guatemalans,

⁷ U.S. Department of Homeland Security, “Homeland Intelligence Today: Unaccompanied Alien Children (UACs) by Location of Origin for CY 2014: Honduras, El Salvador, and Guatemala,” May 27, 2014.

⁸ José Miguel Cruz, Rafael Fernández de Castro, and Gema Santamaría Balmaceda, “Political Transition, Social Violence, and Gangs: Cases in Central America and Mexico,” in Arnson, ed., *In the Wake of War*, 317-49. Analysts such as Douglas Farah also point to the failure of post-war demobilization and reintegration schemes as a factor behind the rise of gangs. See Douglas Farah, “Organized Crime in El Salvador: Its Homegrown and Transnational Dimension,” in Cynthia J. Arnson and Eric L. Olson, eds., *Organized Crime in Central America: The Northern Triangle* (Washington, D.C.: Latin American Program, Woodrow Wilson International Center for Scholars, 2011), 104-38.

and 67.4 percent of Hondurans. In Guatemala and Honduras, over half of those in poverty are classified as indigent, that is, in extreme poverty.⁹ According to the World Food Program, in Guatemala alone, approximately half of children ages 5 and under suffer from chronic under-nutrition. Rural poverty in general is far worse than in urban areas. Growth rates in the three countries vary; all three economies suffered severe impacts as a result of the 2008 global financial crisis and for the most part, recovery has been mediocre.

One striking indicator of the lack of opportunity is the proportion of 15 to 24-year-olds who neither study nor work. Known by the Spanish acronym “Ni-Ni,” they constitute 23.9 percent of youth in this age group in El Salvador, 22.6 percent in Guatemala, and 28.0 percent in Honduras. Many young women in this category help take care of households. Of young people 15-24 years of age who have work, low levels of education prevail. More than 60 percent of Guatemalans and Hondurans in this age group have left school before completing 9th grade. The same is true for approximately 48 percent of Salvadorans.¹⁰

Northern Triangle countries are also characterized by high levels of inequality of opportunity. Indicators such as the Gini coefficient and the United Nations Development Program’s Inequality Adjusted Human Development Index demonstrate that inequality is pervasive in the region.¹¹

Family Reunification

Migration flows from Central America into the United States increased in a significant way during the civil wars of the 1980s. Many of those entering the United States from El Salvador, Nicaragua, and Honduras were granted Temporary Protected Status. This designation has been renewed repeatedly long after the wars have ended and has been applied to new groups of migrants following natural disasters such as earthquakes and hurricanes, including Hurricane Mitch. Renewals of TPS have been carried out in response to requests from Central American governments who argue that a return of large numbers of migrants would be destabilizing given a lack of opportunities in the labor market. I am unaware of information that specifically links adults with TPS or Green Cards to the flow of undocumented children. But special consideration should be given to family reunification for Central American migrants who have legal status in the United States.

⁹ UN Economic Commission for Latin America and the Caribbean, *Social Panorama of Latin America* (Santiago: 2013). See also: Hugo Beteta, “Central American Development: Two Decades of Progress and Challenges for the Future,” Regional Migration Study Group, Woodrow Wilson Center and Migration Policy Institute, July 2012, 8.

¹⁰ Figures concerning the Ni-Ni’s are drawn from Programa Estado de la Nación, “Nini en Centroamérica: la población de 15 a 24 años que no estudia ni trabaja,” presentation at the INCAE and Woodrow Wilson Center conference “Encuentro de Diálogo en Temas de Seguridad Centroamericana,” Managua, Nicaragua, March 24, 2014.

¹¹ See Dinorah Azpuru, “Las condiciones del Triángulo Norte y los menores migrantes”, *ConDistintosAcentos*, Universidad de Salamanca, Spain, July 14, 2014.

According to the U.S. Department of Homeland Security, of the 11.4 million unauthorized immigrants in the United States in 2012, the number of undocumented Salvadorans, Guatemalans, and Hondurans in the United States were 690,000, 560,000, and 360,000, respectively. Often working in menial jobs, they have nonetheless managed to support family members back home through remittance flows. Remittances have boosted incomes and consumption in Central America, often substituting for, or at a minimum, supplementing weak social safety nets. Remittances constitute fully 17 percent of GDP in El Salvador and 20 percent in Honduras. What these figures demonstrate is that divided families in Central America are critical to the economic well-being of their relatives as well as to their countries' economies overall. The human dimensions of this phenomenon should not be overlooked. This is especially true given that migration and the strains it places on separated families are seen as risk factors for young people joining gangs.

Reporters' interviews with young migrants as well as adults who care for them suggest that the desire of parents and children to be reunited is a push as well as pull factor behind the current flows. There is circumstantial evidence that rumors have spread in communities in the region—stoked by unscrupulous and often brutal traffickers (*coyotes*) anxious to profit from the thousands of dollars each migrant pays—indicating that children will be reunited with their parents and allowed to stay in the United States once they reach the U.S. border. The Obama administration has recently begun publicity campaigns to counter these misperceptions. Even if perceptions can be altered, however, they will do little to curb the desperation that motivates young children and others to embark on a perilous and often fatal journey.

Policy Responses

One thin silver lining in the crisis of undocumented minors is that it has focused renewed attention on the violence, poverty, and hopelessness that affect millions of Central American citizens. Indeed, I can recall no time since the Central American wars of the 1980s when so much U.S. media and policy attention has been paid to the region. Our failure to invest and remain engaged in Central America in the peacetime era, with the same resources and single-mindedness with which we fought the Cold War, has no doubt contributed to the current situation. The Central American Regional Security Initiative (CARSI), launched in 2008 in response to concerns about the spillover of organized crime from Mexico, has focused on security without setting other governance and development objectives as priorities. CARSI has also been under-resourced. This situation needs to change.

There is no magic bullet to address these problems, which have taken decades if not centuries to develop. But progress is possible, with the right leadership, sufficient resources, active civic participation, integral approaches, and adherence to the principles of transparency and accountability. A critical ingredient for policies to be successful is political will and leadership from the region itself. Yet history has shown that the United States still wields tremendous influence and should not hesitate to exercise it on behalf of shared objectives.

In the short run, the current crisis should be handled in ways that protect vulnerable children, many of whom have been traumatized in their home countries or during their journey to the U.S.

border. Indeed, humanitarian workers receive frequent reports of trafficking for sexual exploitation or slave labor, as well as of organ trafficking, kidnappings, and brutal killings. The United Nations High Commissioner for Refugees estimates that 58 percent of unaccompanied minors have legitimate claims under U.S. and humanitarian law.

Of the current funding request pending before Congress, far too little is to be made available for addressing the root causes of migration in Central America. The \$295 million included to address “economic, social, governance, and citizen security conditions” is also to be used for the repatriation and reintegration of migrants in Central America. Once these purposes are accomplished, it is unclear how much will be left to meet the significant challenges in remaining areas.

The following suggestions are intended to spur broader thinking about a comprehensive, long-term approach:

- Transparency and accountability around new spending programs must be core commitments upheld by recipients in the region of U.S. and other international assistance. Corruption erodes trust and fosters cynicism across societies and undermines the legitimacy of government institutions. Building institutional capacity and effectiveness means gaining the confidence of citizens across the board. Leaders of key institutions should not serve unless they are models of these principles.
- Future policy initiatives should, as much as possible, be the outcome of broad-based national dialogues in Central America among a range of stakeholders—government representatives; the private sector, business, and professional associations; the Church; think tanks and universities; organized labor; non-profit organizations; *campesino* organizations. The forums, with the involvement of other donors and international development banks, should be convened for the purpose of devising concrete proposals for fostering security, governance, and inclusive development.
- Improving citizen security—a public good—is a necessary condition for fostering investment and economic growth. U.S. assistance programs under CARSII have been overly focused on counter-drug operations and combatting other forms of organized crime. A “whole of government” approach has purported to coordinate development and violence prevention strategies with improved law enforcement and interdiction. But in practice, development goals have been secondary and the security programs not sufficiently focused on fighting the crime and violence that affect citizens’ daily lives.¹² The greatest examples of success in Latin America in improving citizen security involve local, community-based initiatives that involve non-governmental organizations, the private sector, and other civic groups in addition to the police and judiciary.
- While security is paramount, other development and governance efforts must go forward in parallel fashion. Efforts must be made to foster opportunity in the legal economy by investing in human capital formation that matches education and job training with the demands of the labor market, including through strategic investment with a training component. Ensuring the reliability of a legal framework that creates certainty for

¹² Andrew Selee, Cynthia J. Arnson, and Eric L. Olson, “Crime and Violence in Mexico and Central America: An Evolving but Incomplete U.S. Policy Response,” Regional Migration Study Group, Wilson Center and Migration Policy Institute, January 2013.

investors without ignoring the needs of ordinary citizens for whom the judicial system does not function is paramount.

- More must be done to improve the capacity of remittances to contribute to productive investment in communities, in addition to subsidizing household consumption.
- Investments must be made to expand quality public education, including by stimulating U.S. community colleges and vocational and trade schools to partner with underserved communities in Central America. Part of these exchanges should be aimed at improving teacher training.

No lasting solution to the current crisis will be found “on the cheap” or in the short run. In the current U.S. fiscal climate, only smart investments that derive from a strategic logic will survive the political process now and into the future. As the example of Colombia demonstrates, a major turnaround in a country’s fortunes is possible when bipartisan majorities in the United States provide sustained support to committed leaders in and out of government who mobilize their country’s own talent and resources. Central Americans came together with the support of the international community to end their fratricidal wars two decades ago. A similar effort is needed to convert the current crisis into an opportunity for building more inclusive and democratic societies.

Thank you again for this opportunity to share my thoughts.

Dangerous Passage: Central America in Crisis and the Exodus of Unaccompanied Minors

Testimony of Stephen Johnson, Regional Director
Latin America and the Caribbean
International Republican Institute

U.S. Senate Committee on Foreign Relations

July 17, 2014

Chairman Menendez, Senator Corker, Members of the Senate Foreign Relations Committee, thank you for this opportunity to testify on the conditions in Central America that are driving out minors as well as adults. Meager employment prospects, high rates of violent crime, and limited state capacity to guarantee services and apply the rule of law in the northern triangle countries of El Salvador, Guatemala and Honduras—factors triggering continued migration to the United States—have been and will continue to have an impact on the well-being of Central America and Mexico, as well as ourselves.

IRI in Central America

The [International Republican Institute](#) (IRI) is a non-profit, non-partisan organization and one of the four core institutes of the [National Endowment for Democracy](#). Our mission is to encourage democracy in places where it is absent, help democracy become more effective where it is in danger, and share best practices in democratic processes and governance where it is flourishing. While the future of the northern triangle countries is up to the people who live there to decide, the United States can have a pivotal role in helping these societies find tools and solutions that will bring down the level of violence and increase prospects for personal economic advancement—two key elements in reducing the outflow of migrants.

Central America has long been a part of IRI's programs. In carrying out our mission to support more democratic, accountable government, we have striven to enhance civic participation at the sub-national level by increasing civil society organizations' capacity and linkages to civic and political leaders of all parties and levels of government. Moreover, we have encouraged officials at all levels to reach out to citizens to listen to their ideas and become more aware of their concerns. In this vein, we have specialized in the development of citizen security mechanisms that bridge the gap between citizens, municipalities and nationally-administered police programs. We have worked with public security officials at the national level, as well as municipal authorities, to adopt best practices that will make neighborhoods and communities safer. However, the amount of work to be done is huge and it cannot be done overnight.

Overview

Among the issues that most challenge neighboring governments and citizens are economics and safety. Poverty and violence are conditions that push people out. Behind these factors are conflicts, demographic trends and governance issues that determine whether these conditions will improve or get worse. Where people go depends on finding conditions nearby that are better than the ones they are leaving. In that regard, the United States has witnessed two broad migration trends. For almost a century, movements from Mexico have been accompanied by economic downturns and lagging reforms at home and better job prospects in the United States. Migration from Central America has taken place mostly within the last 30 years, triggered at first by internal conflicts and later by drug trafficking, high crime levels and gang violence.

Migration from Mexico has been much more massive, judging by U.S. border apprehensions that peaked in 2000 at almost 1.6 million.¹ Since economic conditions have improved, accompanied by internal reforms and Mexico's embrace of free trade, its migrant outflows have begun to subside. Central American flows were probably greatest during the period of internal conflicts during the 1980s when an estimated one million Salvadorans and Guatemalans came to the United States. There was a lull during the 1990s when peace accords were signed, then migration began to pick up, evidenced by 30,000 border apprehensions in 2000 to 142,000 in 2012.²

At the time when significant migration started, Central American countries (with the exception of Costa Rica) were making the difficult transition from military rule to democracy. Over time, the United States offered security and development assistance, political advice and trade benefits. For certain countries like El Salvador, Guatemala and Honduras (known as the "northern triangle"), the challenges were deeper and thus reforms have been halting and have taken longer. By their own accounts, they still have progress to make, largely in establishing rule of law, enhancing economic opportunity and improving governing processes.

Challenges to Governance

On the supply side, it would seem that the governments of El Salvador, Guatemala and Honduras should be more capable of stemming violent crime, which generally takes the form of murder, robbery, kidnappings, and extortion by street gangs. Yet for the past half-century, forces that continually tested their capacity to manage have challenged these three countries. In all cases, barriers to further progress suggest the need to improve the effectiveness of governance.

In the late 1970s, the large agricultural plantations on which these economies depended began to mechanize, a shift that drove increasing numbers of rural farmworkers (*campesinos*) out of the fields and into cities to find work for which they were barely educated and largely unprepared. Growing populations overwhelmed rudimentary school systems that could hardly educate average citizens beyond primary grades. The military governments at the time could neither deliver services nor deal with social changes taking place. Hostilities escalated between radicals and military governments in El Salvador and Guatemala that brought in huge numbers of weapons. The resulting turmoil left an opening for criminal networks to enter just as increasing drug consumption in the United States began to fuel them. Colombian drug trafficking operations sprang up where police—all part of the military at the time and dedicated mostly to military tasks—were absent. Clandestine airports began to dot the Caribbean coast of Honduras.

¹ *Yearbook of Immigration Statistics: 2012*, U.S. Department of Homeland Security at <http://www.dhs.gov/yearbook-immigration-statistics-2012-enforcement-actions>.

² *Ibid.*

Elections that brought in civilian governments in Honduras (1981), El Salvador (1984) and Guatemala (1984) were encouraging but created new sets of problems. Some were basic like setting up functioning government agencies led by civilian politicians who had little previous administrative experience. Others were more complex such as reducing corrupt practices in politics and business. Another was separating the police from the armed forces and establishing the rule of law. The United States also began deporting undocumented Central American juveniles that had arrived in the 1980s and fallen into the U.S. corrections system. Some took what they learned from U.S. gang culture and transferred it to their new home.

Gangs grew quickly, affiliating with U.S. groups, while taking in new deportees and unemployed youth from broken homes and informal farmworker families. In Guatemala's main cities, some clashed with Mexican drug mafias competing for territory. Not only were new, civilian police forces having trouble keeping up with existing criminal threats, they were under-resourced and, in the cases of Guatemala and Honduras, experienced several rounds of leadership changes.³ Lawmakers enacted new so-called "Hard Fist" (*Mano Dura*) laws intending to crack down, but weak courts and porous jails were unable to deal with the rising number of arrests. In Guatemala and Honduras, no social programs existed to supplant delinquent activity, as they did in neighboring Nicaragua—programs restructured from Sandinista youth indoctrination efforts of the 1980s.

Another, often overlooked obstacle to improved citizen security has been the prevailing model of governance in much of Latin America, in which power is heavily concentrated in the executive branch of the national government. El Salvador, Guatemala and Honduras have national ministries administering local schools, supplying most government services and controlling local police. In colonial times, central authorities appointed mayors and rarely delegated authority. In recent times, elected municipal governments have not enjoyed much more authority nor have mayors and councilmen had the administrative skills and experience to transparently manage public finances. Thus in today's complex world, centralization ensures that only a few politically connected communities and neighborhoods get meaningful attention and opportunities for citizen involvement at the community are slim. The bureaucratic bottlenecks centralization creates hampers development, contributes to economic stagnation and lagging improvements to neighborhoods that then become subject to criminal predation.

Building Capacity and Citizen Participation

While many Central American citizens and leaders would like to see these conditions change, progress is not always possible without some encouragement. In IRI's efforts to build governing capacity, IRI partners with citizens, civil society, and national and local authorities. Especially at the local level, where citizens have the most contact with

³ Stephen Johnson, Johanna Mendelson Forman, and Katherine Bliss, *Police Reform in Latin America—Implications for U.S. Policy*, Center for Strategic and International Studies, Washington, DC, February 2012, pp. 27-32.

governing officials, IRI programs in El Salvador, Guatemala and Honduras help strengthen the ability of municipalities to respond to citizen needs through a variety of best practices. These include opening budgets to public scrutiny, holding regular town hall meetings in each neighborhood or *barrio* to record and discuss citizen concerns, establishing community development offices to help start small businesses, and using digital media to increase contact with ordinary citizens as well as solicit feedback on policies and programs. All of this helps build citizen awareness of what public officials are doing and what they are supposed to do, as well as establish trust.

Regarding citizen security, IRI works at both national and local levels. In Guatemala, the national government has established a countrywide network of municipal security councils (MSCs) comprised of citizens and local government representatives charged to devise public safety recommendations under the national prevention strategy and serve as a bridge between citizens, municipal government and national police components. IRI runs workshops for these MSCs to help identify community safety problems and develop collaborative solutions. Peer exchanges encourage dialogue at the global level. As part of the IRI Rising Stars program, Guatemalan mayors have traveled to cities in Chile and Colombia to learn about innovative municipal security practices and ways to enhance citizen services.

In Puerto Cortés, Honduras, IRI has coordinated with the municipal government to train neighborhood leaders called *patronatos* in promoting community safety in coordination with local authorities and the police. Puerto Cortés is renowned for building its own command center staffed by local citizens who receive emergency calls and then dispatch national police units where they are needed. In the “Together for our CommUNITY” program, the local *patronatos* learn negotiation, trust-building and communication techniques to obtain more effective cooperation and information from citizens. IRI is hoping to replicate this practice in other Central American municipalities to help local authorities limit opportunities for criminal activities to flourish.

Conclusion

That Central America is experiencing a security crisis is nothing new. But as this issue has grabbed U.S. attention again with the arrival of unaccompanied minors, it seems more urgent. In Central America, the United States has been working with willing societies to establish stable governments ruled by popular will and economies open to citizen participation for more than 30 years. Ongoing challenges suggest that progress will depend on long-term strategies and a commitment to partner in reform.

Progress is being made. The U.S. Department of State’s Bureau of International Narcotics and Law Enforcement Affairs’ Model Precincts approach that was introduced in 2004 has helped lift standards in community policing and coincides with IRI’s focus on citizen inputs to local public safety plans. Coupled with municipality-by-municipality governance reform initiatives like IRI’s to build links of cooperation between citizens, local authorities and nationally administered police units, territory can be slowly recovered from criminal organizations and gangs. Beyond improving public safety, these efforts may have economic

value. Not long ago, the World Bank published estimates of the economic cost of crime and violence in Central America in 2011 as a percentage of gross domestic product (GDP). For El Salvador, the total costs amounted to nearly 11 percentage points. For Honduras, it was almost 10 percent and for Guatemala, it amounted to nearly 8 percent of GDP. If each country could reduce its homicide rate by 10 percent, the Bank estimated that GDP could potentially rise by almost a percentage point⁴ —an economic boost that could facilitate a rise in employment prospects, perhaps further reducing migration incentives.

Mr. Chairman, whatever actions the U.S. government decides, it should take into account the partnership it entered into with Central American countries 30 years ago to turn dictatorship into democratic rule. Most of the heavy lifting has been done by our partners. But when it comes to governance, there is much work left to be done.

Thank you.

⁴ “Crime and Violence in Central America-A Development Challenge,” The World Bank, 2011, pp. 7, 9.