16. Central American Migration and the Shaping of Refugee Policy

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Faires, Nora and Dirk Hoerder.


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PART FOUR

Contemporary and Applied Perspectives
A quarter-million people died during the political upheavals in Nicaragua, El Salvador, and Guatemala in the last decades of the twentieth century, and more than a million were internally displaced. Many of those who survived the warfare and the human rights abuses chose temporary refuge in neighboring countries such as Costa Rica and Honduras, living anonymously as undocumented immigrants or refugees in government-run camps. When the camps filled up, or when the survival of the refugees was again threatened, Nicaraguans, Salvadorans, and Guatemalans traveled farther north to Mexico, the United States, and Canada (see chapter 17).

This chapter examines the impact that nongovernmental actors had on refugee policy during the refugee crisis of 1974–96. The policies of three receiving nations—Mexico, the United States, and Canada—are examined. An estimated two million of the Central Americans who fled the region during this period settled in one of these three countries, and it was the pressure exerted by nongovernmental actors that forced these states to address the refugee crisis. This chapter examines how these actors reframed national debates about immigration, pressed for changes in policy, met the needs of refugees, and ultimately provided a voice for the displaced.

The Refugees

The revolutions in Nicaragua, El Salvador, and Guatemala were each the product of decades of struggles over land and resources, but the violence escalated during the 1970s and 1980s. In Nicaragua the contras, backed by Washington, waged war against the Sandinista government that overthrew the Somoza dic-
tatorship in 1979. In El Salvador the escuadrones de la muerte (the paramilitary “death squads”), with ties to the country’s civilian-military juntas, silenced through rape, torture, and assassination all those perceived to be enemies of the state, including journalists, labor organizers, and priests and nuns who espoused liberation theology. In Guatemala a series of right-wing military dictatorships waged war against the guerrilla groups associated with the Guatemalan National Revolutionary Unity (URNG). Through their “scorched earth” policy the Guatemalan army burned hundreds of Mayan villages to eliminate the guerrillas’ support base, and slaughtered thousands.¹

Central Americans displaced by the turmoil in their countries traveled wherever they had networks of family, friends, or countrymen. Some moved within their own country; others crossed borders, following established patterns of migration. Salvadorans traveled to Honduras and Guatemala, and Guatemalans to Chiapas, because they had done so for decades as migratory labor.² But with each passing year populations emerged in less traditional areas: Salvadorans in Mexico, Guatemalans in Belize, and Nicaraguans in Costa Rica.³ The clustering of several Spanish-speaking countries in a small geographic territory made it comparatively easy for refugees to seek safer opportunities elsewhere.

The international press commonly referred to these migrants as refugees because political upheaval played a role in their migration, but their legal status varied from country to country. According to article 1A(2) of the 1951 UN Convention Relating to the Status of Refugees, a refugee is a person who, “owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself to the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events is unable, or owing to such fear, is unwilling to return to it.”⁴ Even though most Central American countries were signatories to the UN Convention, its 1967 Protocol, or both, as well as to several regional conventions on refugee issues,⁵ most did not have formal procedures through which to grant asylum. They also demonstrated varying levels of commitment to the convention’s principle of non-refoulement (no forced return).

Most Central American migrants did not meet the UN definition of refugee status, having fled their countries because of a generalized climate of violence. By 1980 the United Nations High Commissioner for Refugees (UNHCR) readily admitted that the convention and protocol were too restrictive and advocated a more lenient response toward those who did not meet the strict definition of “refugee.” In 1984 the nonbinding Cartagena Declaration on Refugees tried to
offer further guidance in dealing with the Central American refugee crisis. It stated that refugees were “persons who have fled their country because their lives, safety, or liberty have been threatened by generalized violence, foreign aggression, internal conflicts, massive violations of human rights or other circumstances which have seriously disturbed public order.” However, each country conducted its own domestic debate on what constituted a refugee, and what types of programs should be made available to those so designated (e.g. asylum or temporary safe haven, work authorization, social services, etc.). Most governments preferred to view the Nicaraguans, Salvadorans, and Guatemalans as economic migrants because doing so freed them from any responsibility. Human rights organizations and other NGOs were at times the migrants’ only advocates, urging a broader definition of their status that would facilitate their accommodation.

Despite a migratory tradition within the region, the Central American nations were ill prepared for the refugee crisis. Even refugee-producing nations were forced to accommodate refugees from other countries (Nicaragua hosted displaced Salvadorans; El Salvador hosted displaced Guatemalans). By 1989 six nations—Costa Rica, Honduras, Nicaragua, El Salvador, Guatemala, and Belize—reported an aggregate 800,000 immigrants, of whom only 10 percent were officially documented as refugees and received assistance. The UNHCR advocated resettlement within the region because such an arrangement would facilitate eventual repatriation, and it provided millions of dollars in funding to local government agencies to establish camps and provide emergency food and medical care. But camps filled up quickly, and opportunities for wage-earning labor and for education were limited in these facilities. Not surprisingly, many refugees continued moving north to Mexico, the United States, and Canada in search of better opportunities.

Guatemalans in Mexico

For the first time in its history Mexico was forced into the role of country of first asylum for hundreds of thousands of people. Mexican legislation recognized the category of “persons granted asylum,” but asylum was rarely granted—and then only to those who applied from outside the country and could demonstrate political persecution. Central Americans fleeing a general climate of violence did not meet that category. In the early 1980s, for example, only one hundred Central Americans were granted the F.M. 10 visa (asylee), and none were granted this status from 1986 to 1990. Nicaraguans and Salvadorans migrated illegally to Mexico in large numbers, but it was the Guatemalan migration that provided the greatest chal-
lenge for both state and nongovernmental actors in Mexico. According to UNHCR sources, the Guatemalan refugee migration to Mexico began in 1980. The refugees were mostly Maya Indians, especially Kanjobal, Chuj, Jacalteca, and Mam, largely from the heavily populated departments of El Quiché and Huehuetenango, targeted by the government during its counterinsurgency campaign. Thousands of Maya fled across the Guatemalan-Mexican border and established settlements in Chiapas, creating a type of “refugee zone.”

In July 1980 López Portillo’s administration established a new interdepartmental office, the Mexican Committee for Refugee Assistance (COMAR), to oversee UNHCR assistance to the Central American refugees. Mexico agreed to accept Guatemalans as long as they were approved and registered by COMAR and remained in government-supervised camps and settlements in Chiapas. Those who were approved were granted ninety-day renewable visas (the F.M. 8), which offered them the temporary, nonimmigrant status of “border visitor.” If the Guatemalans traveled beyond the 150-kilometer refugee zone they forfeited their rights to protection. Despite the continual arrival of refugees each week, the administrations of José López Portillo and his successor Miguel de la Madrid (1982–88) resisted drafting new refugee or asylum legislation, arguing that the Mexican constitution offered its “border visitors” sufficient rights and guarantees.

By 1984 ninety-two camps and settlements housed 46,000 refugees in Chiapas. Access to the camps was restricted: armed agents of the Servicios Migratorios patrolled each camp, and only church and UNHCR representatives were granted permission to enter the area. Conditions in all the settlements and camps were poor, reflecting the poverty of Chiapas, the UNHCR’s stretched budget, and to some extent government policy. The refugees provided aid workers with a number of challenges. They arrived malnourished and with a host of gastrointestinal and respiratory illnesses. Infant mortality was estimated at two hundred deaths per thousand live births. To halt the spread of disease, aid workers worked around the clock to build wells, sewers, and latrines in settlements that seemed to spring up virtually overnight. Camps and settlements offered few opportunities for wage-earning labor, land cultivation, or vocational training, and most refugees did not qualify for work permits outside the settlements. Not surprisingly, the majority of Guatemalans who arrived in Mexico preferred to remain outside the government’s reach: by 1992 an estimated 150,000 Guatemalans lived without authorization in Chiapas.

The refugee crisis also presented the Mexican government with one of its most serious diplomatic challenges. In Guatemala the governments of Romeo Lucas García (1978–82), Efraín Ríos Montt (1982–83), and Oscar Mejía Víctores
charged that guerrillas channeled weapons, food, and medicine to their compatriots-in-arms through these refugee camps, and demanded that Mexico repatriate the refugees or at the very least relocate them farther from the border zone. When the Mexican government failed to act decisively either way, the Guatemalan army expanded its counterinsurgency campaign into Mexico. From 1982 to 1984 units known as the *kaibiles* crossed the border to kidnap, interrogate, and murder alleged guerrillas and their supporters, and Guatemalan planes and helicopters strafed and bombed refugee camps and settlements to intimidate the population. In 1984 the Mexican government announced that in the interest of national security and the refugees’ own protection the refugees would be relocated to the states of Campeche and Quintana Roo. In response refugee advocates launched an intensive media campaign to discourage the relocation, arguing that it would undermine the refugees’ families, communities, and networks. The pressure from church workers, journalists, scholars, and NGOs ultimately forced the Mexican government to allow the majority of the refugees to remain in Chiapas. Between 1984 and 1987 only 18,000 of the 46,000 refugees were relocated.

Throughout the 1980s and 1990s a number of actors played a role in defending rights of Central Americans in Mexico. “Solidarity committees” such as the Movimiento Mexicano de Solidaridad con el Pueblo de Guatemala and the Comité Mexicano de Solidaridad con el Pueblo Salvadoreño represented the refugees’ interests before government agencies. Four of Mexico’s political parties made pronouncements in defense of refugee rights, and the moderate-to-liberal press, especially *La Jornada* in Mexico City, published sympathetic articles and editorials reminding the government of its humanitarian responsibilities.

The more liberal sectors of the Roman Catholic Church played the most visible role in refugee assistance. Clergy, nuns, and lay church workers in southeastern Mexico were among the first to notice the steady influx of Central Americans into their communities. Through parish aid offices they organized networks of volunteers who visited the refugees in their settlements and provided them with medical care, food, and clothing. UNHCR personnel remarked at the generosity of Mexican *campesinos* who, though living at subsistence levels themselves, shared their land and resources with those they considered even needier. The Roman Catholic dioceses of San Cristóbal de las Casas and Tapachula created organizations to oversee the distribution of aid: its Comité Cristiano de Solidaridad (CCS) targeted the Guatemalan refugees in government-run camps, while the diocese of Tapachula’s Comité Diocesano de Ayuda a Inmigrantes Fronterizos (CODAIF) assisted Central Americans who did not receive government recognition or assistance. Other Catholic dioceses,
among them those of Tehuantepec and Cuernavaca, collected and transported material aid for the refugees in Chiapas. At first these organizations concentrated on meeting the refugees’ immediate housing, food, and medical needs, as well as providing pastoral counseling. As the refugee migration became a seemingly permanent aspect of life in the southeast, they concentrated on “durable solutions” to help the refugees become self-supporting.

Bishop Samuel Ruiz García of the Diocese of San Cristóbal emerged as the most visible defender of refugee and indigenous rights in Mexico. When the Guatemalans began settling in his diocese Ruiz recorded the testimonios of the refugees and documented the Guatemalan army’s attacks on settlements, as well as the failure of the Mexican government to respond to the crisis. Excerpts from his reports were published in newspapers, newsletters, and church bulletins throughout Mexico and abroad; the diocesan newsletter, Caminante, circulated widely and gave up-to-date information on conditions in Central America as well as in the camps and settlements. This information attracted donations from international NGOs. By the mid-1980s Ruiz was raising over a million dollars in emergency aid each year, and his CCS coordinated the work of hundreds of international volunteers. His diocese worked with local Mexican landowners to create a land-lease program so that some of the refugee communities could produce their own food. Working with advocacy networks in Europe, Canada, and the United States, the diocese also found international markets for the refugees’ crafts so they would have another vehicle for self-sufficiency.14

The Catholic Church in Chiapas respected the refugees’ rights to seek safe haven outside the UNHCR camps and settlements. Churches helped to hide undocumented Central Americans from local police and often arranged their transportation to safer locations. By 1981 a network of “sanctuaries” had emerged throughout the country, as far north as Matamoros and Nogales on the U.S.-Mexican border, that helped undocumented Central Americans avoid detection by police, find housing and employment, or cross over into the United States. When a sanctuary movement emerged in the United States in 1981, American volunteers worked with church workers in Tapachula, Ciudad Hidalgo, and other border towns to inform refugees of the opportunities for safe haven north of the border.15 Later, when the peace accords were signed in 1996, Catholic relief workers also played a central role in the repatriation efforts, and they helped tens of thousands of refugees to reintegrate into Guatemalan society.

On July 17, 1990, after years of lobbying and advocacy from different groups, the Mexican Congress agreed to amend the General Population Law and provide new guidelines for the recognition and admission of refugees. Refugee
status, as delineated by article 42, section 6, of the new law, drew on the definition offered by the Cartagena Declaration and marked the first time a state had included this more liberal definition into its legislation. Mexican law now recognized that a climate of “generalized violence” was sufficient grounds to offer protected status. In 2000 Mexico finally became a signatory to the UN Convention and Protocol.

**Salvadorans in the United States**

Mexican refugee policy affected the character and flow of migration to the United States and Canada. Since Nicaraguans and Salvadorans had little chance for government recognition and assistance in Mexico, they were more likely to continue migrating northward. A number of them entered with some type of temporary visa such as a student or tourist visa, and simply stayed once their visas expired, but the majority arrived without documents across the U.S.-Mexico border. The Central Americans who came to the United States were a cross-section of their societies: urban and rural dwellers, factory and agricultural workers, students and professionals, young and old.16

Officials of President Reagan’s administration argued that there was little need for Central Americans to travel all the way to the United States. That many chose to come to the United States when there were opportunities for safe haven elsewhere suggested to administration officials that these migrants were economically rather than politically motivated. However, the administration’s assumption that refugees’ needs could be satisfactorily met in other countries was unrealistic. Likewise, members of the administration seemed unwilling to recognize their own role in destabilizing the region. But to admit that these migrants were bona fide refugees would have been to acknowledge that the groups and governments supported by Washington with millions of U.S. tax dollars violated human rights.

The majority of Central Americans did not qualify for asylum in the United States under the terms of the Refugee Act of 1980, which adopted the stricter UN definition of refugee. A petitioner for asylum now had to provide evidence of a well-founded fear of persecution. In a letter to the *New York Times*, a spokesperson for the State Department’s political asylum division wrote: “It is not enough for the applicant to state that he faces the same conditions that every other citizen faces. [Under the terms of the Refugee Act we ask:] Why are you different from everyone else in your country? How have you been singled out, threatened, imprisoned, tortured, harassed?”17

In October 1981 the UNHCR charged that the United States was not living up to its responsibilities as a signatory to the UN Protocol, specifically its com-
mitment to non-refoulement, or forced return. According to the UNHCR, the United States had engaged in a “systematic practice” of deporting Salvadorans to their country regardless of the merits of their claims to asylum.¹⁸ Throughout the 1980s the UNHCR urged the United States to legislate a temporary status other than asylum as a compromise, offering protection to a group of people who temporarily needed it while allowing the United States to maintain its immigration priorities. Such a status would also protect Central Americans from deportation to a war zone and possible death.

Immigration legislation in the United States allowed for such a temporary status. Eventual Voluntary Departure, or EVD, was a discretionary status given by the State Department when it determined that conditions in a sending country made it dangerous for refugees to return. But Reagan resisted the idea of EVD for Central Americans on the grounds that the violence in El Salvador (as well as Nicaragua and Guatemala) was not sufficiently intense or widespread. State and Justice Department officials also worried that the promise of EVD would lure even more people to the United States who would then find a way to remain permanently. Thus while the United States publicly supported safe haven for non-convention refugees in theory, Reagan and his successor George H. W. Bush excluded the Central Americans from any such consideration. From 1983 to 1990 only 2.6 percent of Salvadoran asylum applications and 1.8 percent of Guatemalan applications were successful.¹⁹

The Justice Department instructed the Immigration and Naturalization Service (INS) and its Border Patrol to increase its surveillance of the border and expedite the deportation of the undocumented. Bail bonds were raised to as much as $7,500 per person in some INS districts to prevent release into society. Detention centers along the border filled to capacity with people the Border Patrol called “OTMs” (“Other Than Mexicans”). Abuses at detention centers in Texas and California, especially Port Isabel, Los Fresnos, and El Centro, prompted several lawsuits against the INS in the early 1980s. U.S. judges hearing these cases ruled in favor of the plaintiffs, ordering the INS to inform detainees of their right to petition for asylum and to meet with legal counsel. According to the courts, no one could be deported or coerced to sign voluntary departure forms without being informed of these rights. But over the next few years these rights were repeatedly violated.²⁰

A vocal segment of the U.S. population kept Central America—and the plight of its refugees—on the front pages of U.S. newspapers. They challenged U.S. refugee policy as a means of protesting its foreign policy in Central America. These Americans argued that the United States had a legal obligation to protect the refugees based on the international conventions to which it was a signatory, and a moral obligation to do so because of its role in sup-
porting the corrupt military regimes and death squads that had displaced the refugees.

Community groups along the border were at the frontlines of the refugee assistance network and mobilized to provide the Central American refugees with shelter, medical attention, and legal and psychological counseling. The Border Association for Refugees from Central America (BARCA) provided food, shelter, and clothing; raised funds to pay the bail bonds of detainees; and located sponsor families for refugee children who were alone in the United States. Groups such as Proyecto Libertad, El Rescate, the Central American Refugee Center (CARECEN), the Rio Grande Defense Committee, Texas Rural Legal Aid, and the Immigrant and Refugee Rights Project provided legal counseling and representation. Shelters for the refugees opened throughout the Southwest. In the border town of San Benito, Texas, just outside the Brownsville city limits, the Roman Catholic diocese operated Casa Oscar Romero (named for the Salvadoran archbishop assassinated by death squads in 1980), which became one of the most important symbols of popular resistance to INS policy during this period. Not surprisingly, most of these groups and shelters came under FBI surveillance.21

As in Mexico, religious groups played a central role in assisting the refugees and as part of a broader movement that lobbied to change immigration policy and foreign policy. Prominent theologians and peace activists, representing a variety of religious traditions and denominations, wrote and spoke out against U.S. policy, among them Daniel Berrigan, Elie Wiesel, and William Sloane Coffin. Roman Catholic religious orders such as the Maryknolls, the Paulists, and the Jesuits underwrote films and documentaries about Central America, published biographies of church workers assassinated by the death squads, and used their newsletters and periodicals to provide alternative interpretations of events in the region. Religious groups organized letter-writing campaigns and sent representatives to testify before Congress. Much of their energy focused on the campaign to win EVD status for Central Americans, especially for the Salvadorans who were believed to be in the most desperate situation.

Religious groups were also at the forefront of one of the most important acts of civil disobedience of the late twentieth century—the sanctuary movement—a resistance movement that protested U.S. foreign policy by harboring and transporting refugees in violation of immigration law. Reagan’s administration tried to discourage the growth of the movement by dismissing this civic tradition and reminding activists that the principle of sanctuary was not recognized in common or statutory law. Violators faced hefty fines and imprisonment. The Justice Department began its surveillance of the sanctuary movement in 1982, and a number of activists were indicted soon after. The
biggest sting against the movement occurred in 1984–85 in Tucson, where a covert operation called Operation Sojourner led to the indictment of sixteen sanctuary workers. These actions did not halt the spread of the movement. By the end of 1987 the number of sanctuaries had reached 450 and the movement involved 2 states that had made official pronouncements in support of sanctuary, 28 cities, 430 distinct religious bodies in 39 states, and more than 70,000 active participants.\textsuperscript{22}

None of the lawsuits filed during the 1980s to protect the civil liberties of detainees halted the deportation of Central Americans; it just delayed the inevitable. However, the decisions handed down in various lawsuits did buttress a larger class-action lawsuit against the U.S. government in 1985, filed by eighty religious and refugee assistance groups with the goal of securing asylum for Salvadorans and Guatemalans: \textit{American Baptist Churches in the USA v. Meese} (popularly known as the ABC lawsuit). In January 1991 a settlement was reached which granted new trials to Salvadorans who had entered the United States before September 19, 1990, and all Guatemalans who had entered before October 1, 1990.

As a parallel development, Congress passed the Immigration Act of 1990, which provided the statutory basis for safe haven through a status called temporary protected status (TPS). Over 200,000 Salvadorans living in the United States registered for TPS, and once it expired they became ineligible for Deferred Enforced Departure (DED), which delayed deportation for an additional period. Under the terms of the ABC settlement Salvadorans were eligible to apply for asylum once their DED status expired.

Through TPS, DED, and the new asylum adjudication process, Salvadorans had more vehicles through which to negotiate their legal stay in the United States. In 1997 Congress passed the Nicaraguan Adjustment and Central American Relief Act (NACARA), which allowed Nicaraguans present in the United States as of December 1, 1995, to adjust their status to that of legal permanent resident. Although the law primarily benefited Nicaraguans, Cubans, and nationals of the former Soviet bloc countries, Salvadorans and Guatemalans benefited to some extent as well, qualifying for “cancellation of removal” in some circumstances. By 2000 the Census Bureau reported that there were 655,000 Salvadorans, 372,487 Guatemalans, and 177,684 Nicaraguans living in the United States. The great majority were first-generation immigrants and their children.
Central Americans in Canada

Overland migration to Canada increased as the violence in Central America escalated, refugee camps filled up, and restrictive policies were enacted in Mexico and the United States. In general Canada received fewer Central American immigrants than Mexico and the United States did, in large part because of its more distant geographic location, but it granted asylum to a larger proportion of those who crossed its borders. From 1980 to 1986, for example, the approval rate for Salvadorans’ asylum applications ranged between 21 and 60 percent, and for Guatemalans between 28 and 71 percent.23 In all, 85,545 Salvadorans, Guatemalans, and Nicaraguans migrated to Canada between 1971 and 2001; Salvadorans accounted for close to two-thirds of that number.24

Just as Mexican policies affected the flow of migration to the United States, changes in U.S. policy forced the Canadian government to adjust its own policies reciprocally. In 1986 the U.S. Congress passed the Immigration Reform and Control Act (IRCA), which created a series of measures to restrict the number of undocumented workers in the country, among them an expanded border patrol and penalties on employers who knowingly hired undocumented workers. Consequently, Canada experienced a dramatic rise in the number of petitions for asylum, as immigrants of many countries left the United States and traveled northward in search of work and safe haven. In response the Canadian government imposed a series of new restrictions to discourage the increase in overland migration. Immigration officials at the Canadian border were instructed to send asylum applicants back to wait in the United States; the applicants were given a preliminary hearing date, usually many months away, and told to return at that time. Many of those forced to wait in the United States were then obliged by the INS to sign the voluntary departure form, to facilitate automatic deportation by the United States if Canada rejected their petition.25 Those who were allowed to stay pending a review were left waiting in halfway houses, homeless shelters, gymnasiums, and churches on the U.S. side of the border in cities such as Detroit, Great Falls, Plattsburgh, Rochester, Buffalo, and Lackawanna.

Two bills were introduced in Parliament to address Canadian concerns about the burdens on their immigration system. Bill C-55, which passed in 1988, established a new independent tribunal, the Immigration and Refugee Board (IRB), and a more streamlined system of processing asylum claims to eliminate the backlog of applicants.26 Much more controversial was Bill C-84, which introduced new measures for “detention and deterrence,” including criminal penalties on those assisting unauthorized immigrants, designed to target sanctuary workers. C-84 passed despite vocal opposition from Canadian
NGOs. Over the next decade several other bills were passed by Parliament that established tougher criteria for asylum, resettlement, and detention. Among the most controversial policies enacted was the “safe third country” provision that allowed immigration officials to return asylum seekers to a third country—usually the United States—for adjudication if the claimant had passed through that country on the way to Canada. Because the United States had a much lower approval rate than Canada, refugee advocates argued that deportation to the United States was inhumane.27

As in the United States and Mexico, a small but vocal segment of the population affiliated with churches, charitable organizations, universities, labor groups, and other NGOs used their moral authority to remind the state of its humanitarian commitments. They lobbied to keep Canadian borders open and the refugee determination system fair and accessible. While not successful in shelving legislation, they were often instrumental in softening (and in some cases eliminating) the most restrictive measures.

Canadian labor groups generally advocated a generous state response to the refugee crisis. For example, when Canadians complained that the new immigrants took away jobs from citizens, labor groups disputed these claims. In 1987, when bills C-55 and C-84 were under discussion in Parliament, the president of the Canadian Auto Workers was among those who criticized the proposed legislation.28 Likewise, Canadian scholars and policy analysts tried to influence state policies through conferences and symposia on asylum issues. The Latin American Working Group (LAWG), founded in the late 1960s, criticized what it perceived as the Canadian government’s tacit support of human rights abuses. The Centre for Refugee Studies at York University founded its publication *Refuge* in 1981 as a forum for discussing such issues as the determination of refugee status, sponsorship, and resettlement programs. In 1985 the Canadian Institute for International Peace and Security (CIIPS) and the Canadian-Caribbean-Central American Policy Alternatives (CAPA) discussed ways that Canada might initiate durable solutions projects in the region. And the Canadian Council for Refugees, which represented 180 agencies and organizations, advocated for the rights of refugees in a variety of forums.

Church groups in Canada played a central role in challenging state policies. Using information from Canadian missionaries in the field, coalition groups such as the Inter-Church Committee on Human Rights in Latin America (ICCHRHL) and the Inter-Church Committee on Refugees published information on military maneuvers, death squads, human rights abuses, and refugees and displaced persons—information which some considered to be far superior to that of government sources. Church groups vocally opposed aid to
repressive regimes in El Salvador and Guatemala, demanding that it be contingent on substantive improvements in human rights.

Speaking against the immigration policies of the late 1980s were influential mainline denominations and religious groups such as the Anglican Church, B'nai B'rith, and the Conference of Catholic Bishops. Some religious groups chose to litigate: in 1987 the Toronto Refugee Affairs Council, representing twenty-eight church and refugee aid groups, threatened to sue the federal government over the new legislation, claiming that it violated the Canadian Charter of Rights and Freedoms. The Inter-Church Committee on Refugees (ICCR) submitted a brief to the UN Committee for Human Rights, charging that Canada's asylum determination system subjected asylum seekers to “cruel, inhuman, and degrading treatment.”

At the local level, individual churches established their own “refugee committees” and assumed financial responsibility for hundreds of immigrants. By the mid-1980s Canadian church workers were also active in the transnational “sanctuary work,” transporting refugees across the U.S.-Canadian border, hiding them in safe houses, and securing legal and material assistance. Working with their counterparts in Mexico and the United States, Canadians traveled to detention centers, churches, shelters, and halfway houses to assist refugees in their asylum efforts. Their network on both sides of the border was particularly well developed. The Windsor Central American Refugee Sponsorship Network worked with churches and other groups in Detroit; La Casa, a refugee shelter in Buffalo, New York, worked with a sister shelter, la Casa del Norte, in Fort Erie, Ontario; clergy in North Dakota transported refugees across the border to their contacts in Manitoba. As Canada was the final option for these refugees, their supporters helped them navigate the Canadian legal system.

Conclusion

After the Nicaraguan elections of 1990, the Salvadoran peace accords of 1992, and the Guatemalan peace accords of 1996, tens of thousands of Central Americans returned home to rebuild their lives and their countries. However, the majority of those who fled the region during the 1980s chose to remain in North America, especially as opportunities to normalize their status became available. They began to influence their countries of birth from abroad through millions of dollars in annual remittances. By 2003, for example, the Salvadoran immigrant community in the United States alone sent more than $2 billion in remittances each year, far exceeding the amount of money the United States spent in foreign aid to El Salvador.
Despite the negotiation of peace accords, the migration from Central America has continued. During the late 1990s a series of natural disasters devastated the agricultural economies of this region and again forced thousands to seek wage-earning opportunities in the immigrant communities of el norte. These newer immigrants follow la cadena — their networks of family and friends who have already settled abroad. Consequently, in Central American communities today—in cities as diverse as Mexico City, Los Angeles, Miami, Washington, Toronto, and Montreal—it is not unusual to find households where members are both foreign and native-born, immigrant and sojourner, “legal” and unauthorized, monolingual and bilingual. As a result of the growing influence of these Central American communities abroad, it is also not unusual to find that homeland political candidates make campaign stops in these cities, with the hope that the migrants might influence family members’ political choices back home.

The political and economic realities in Central America continue to produce a large migration of unemployed workers and asylum seekers, but today it is easier to remain an unauthorized immigrant in the underground economy of Mexico, the United States, or Canada than to secure an immigration visa or to secure safe haven, asylum, or some other protected status. Mexico, the United States, and Canada are committed to the free movement of trade and capital, but they are not equally committed to the free movement of labor.

One legacy of the refugee crisis is that it has encouraged greater cooperation in immigration matters between Mexico, the United States, and Canada, as well as other countries in the region. Since 1996 representatives from the Americas have met regularly at the Regional Conference on Migration (also known as the “Puebla Process”) to exchange information and discuss such issues as transborder cooperation in surveillance, sanctions against trafficking, detention and deportation procedures, the integration of immigrants in host societies, migrant health, and the problems of women and minors.33 Representatives from nongovernmental organizations have played a key role at these conferences, and increasingly governments are turning to NGOs not only as a reliable source of field data but as the source of creative solutions to complex problems.

Notes

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2 Cecelia Menjívar, Fragmented Ties: Salvadoran Immigrant Networks in America (Berkeley: University of California Press, 2000); Germán Martínez Velasco, Plantaciones, trabajo guatemalteco y política migratoria en la frontera sur de México (Tuxtla Gutiérrez: Gobernado de Chiapas, 1994); Sergio Aguayo, El éxodo centroamericano: Consecuencias de un conflicto (Mexico City: Consejo Nacional de Fomento Educativo, 1985).


5 Four regional conventions address the issue of asylum: the Havana Convention of 1928; the Montevideo Convention of 1933; the 1954 Caracas Convention on Diplomatic Asylum; and the San Jose Pact of 1969.

6 The Cartagena Declaration resulted from the “Coloquio sobre la protección internacional de los refugiados en América Central, México y Panamá” held at Cartagena, Colombia, November 19–22, 1984.


16 Aurora Camacho de Schmidt, “US Refugee Policy and Central America,” *Christianity and Crisis* 49 (September 25, 1989), 283.


30 “Canadian Asylum Rates,” 15.


33 Since the first meeting in Puebla in 1996, the RCM has met in Panama City, Ottawa, San Salvador, Washington, San José, Antigua, and Cancún. See http://www.crmvs.org. Since 1999 the South American Migration Dialogue, sponsored by the International Organization for Migration (IOM), has brought together representatives from twelve South American nations as well as NGOs to discuss migration issues.