# US-Guatemala Asylum Deal

## What is the issue?

- In July 2019, the then President of Guatemala signed an asylum deal with the US.
- Alejandro Giammattei, Guatemala's new President, has not cleared his position on the pact, causing uncertainty over its future.

## What is a safe third country agreement?

- Under the "safe third country" agreement, migrants have to apply for asylum in the first country they land in.
- If they fail to do so and proceed to the second country, they can be sent back to the first country.
- The US first signed such an agreement with Canada in 2002.
- What is the US-Guatemala agreement?
- In 2019, the US administration signed "safe third country" agreements with the Northern Triangle countries of Guatemala, El Salvador, and Honduras.
- This made it more difficult for refugees to seek asylum in the US.
- This agreement allowed the US to send asylum seekers from third countries to Guatemala.
- So far, Guatemala is the only country which has implemented the agreement.
- Unless migrants apply for protection in Guatemala before proceeding to the US, they are sent back to Guatemala



- As of now (January 2020), the US had sent 158 El Salvadoran and Honduran asylum seekers to Guatemala since the agreement was signed.
- The US also plans to send migrants from other nationalities to Guatemala in the future.
- In the 2019 fiscal year, Guatemala was the largest source of migrants (more than 2.64 lakh persons) detained at the US border.

## What are the criticisms?

- A "safe third country" is supposed to mean a nation which is capable of offering protection to refugees.

- The Northern Triangle countries are known for high levels of crime, violence, and economic deprivation.
- The deal with Guatemala has been criticised, given the risk that migrants might face when they are sent back here.

## What are the legal challenges?

- The US-Guatemala agreement was challenged at a US federal district court, with petitioners arguing that the pact violates US law.
- It has been contended that,
- Guatemala does not meet the definition of a “safe third country” under US asylum law and,
- The agreement does adequately protect asylum seekers from harm.
- Since President Trump came to power in 2016, the US has increasingly adopted policies aimed at deterring refugee migration.
- Under the ‘Remain in Mexico’ policy, which came into force in January 2019, 55,000 asylum seekers to the US have been sent back to Mexico to wait out their asylum cases in that country.

**Source: The Hindu**

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