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CENTRAL AMERICA

Conditions of Guatemalan Refugees and Displaced Persons





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Committee on the Judiciary
United States Senate

The Honorable Bruce A. Morrison
Chairman, Subcommittee on Immigration,
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Committee on the Judiciary
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This report provides information on the conditions of Guatemalan refugees and displaced persons in Mexico and Guatemala. It complements our report on the conditions of Salvadoran and Nicaraguan refugees and displaced persons in Honduras, El Salvador, and Costa Rica which was provided to your committees in March 1989. We obtained this information because of the interest expressed by your Committees regarding Central American refugees and displaced persons.

Copies of this report are being sent to the Secretary of State, the Administrator of AID, the U.S. Coordinator for Refugee Affairs, the Commissioner of the Immigration and Naturalization Service, and other interested parties.

This report was prepared under the direction of Nancy R. Kingsbury, Director for Foreign Economic Assistance Issues. Other major contributors are listed in appendix I.

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Executive Summary

Purpose

The plight of refugees and displaced persons in the war torn countries of Central America has been a major concern to the Congress as it assesses events in Central America. Because of interest expressed by the congressional committees responsible for refugees and immigration affairs, GAO has prepared a series of reports on Central American refugees and displaced persons. This report discusses the refugees and displaced persons of Guatemala, and provides information to assist the Congress in its consideration of foreign policy issues in the region. The report includes information on the number, locations, and living conditions of Guatemalan refugees and displaced persons; the assistance provided them by United Nations agencies and host governments; and Guatemalan repatriation efforts.

Background

During the late 1970s and early 1980s, Guatemala experienced mass movements of persons fleeing civil strife. Thousands of Guatemalans fled to other countries, where they became refugees. Many more abandoned their homes but remained within Guatemala as displaced persons. The flow of refugees peaked in 1982 and virtually ceased after 1984 as the level of civil strife declined. Most displaced persons and refugees are farmers from the western highland areas of Guatemala. The majority are indigenous people, who are members of various Mayan Indian ethnic groups.

Results in Brief

As of December 1988, about 43,000 Guatemalan refugees were living in the Central American region and registered with the United Nations High Commissioner for Refugees (UNHCR). About 42,000 were in Mexico. Current estimates of displaced persons in Guatemala range from 12,000 to 45,000.

According to Mexican government and UNHCR officials, the Mexican legal code does not provide for granting refugee status; however, the Mexican government, with UNHCR support, provides basic necessities of food, shelter, education, and medical care to UN-registered refugees in Mexico. The Guatemalan government also provides support to displaced persons and refugees repatriating to Guatemala.

Since 1985, UNHCR has assisted the voluntary repatriation of about 3,500 refugees to Guatemala. Resolving the Guatemalan refugee situation will be a long-term effort, and will require regional cooperation. At the current pace of repatriation, most Guatemalan refugees will continue to live in exile well into the next decade. However, increased levels of refugee

repatriation would present a major challenge to the Guatemalan government's ability to absorb them.

Principal Findings

Prospects for Repatriation and Reintegration in Guatemala

Developments in Guatemala since 1985 have encouraged many displaced Guatemalans and some refugees who had abandoned their homes to return. According to international observers, those returning are generally not persecuted, although there are reports that the military has at times imposed restrictions on the movement of persons returning to their places of origin. Many repatriates and displaced persons have returned to remote regions, where civil strife continues and the military presence is predominant. In these areas, civilian administration has not been solidly established, and returnees still face an uncertain security situation.

Recuperation of lands abandoned during the strife is an immediate concern for those trying to reintegrate into rural communities. In many areas, the former government encouraged other farmers to settle abandoned farmlands. As repatriates and displaced persons return, the new civilian administration is confronted with land disputes between returning farmers and those on the land. Guatemalan officials believe that mass repatriations would significantly complicate this situation.

In 1986, the Guatemalan government established a special commission to assist repatriates and displaced persons. The commission provides food, shelter, medical attention, and basic necessities for reintegration. Guatemalan officials said that additional assistance is needed because of the limited economic opportunities and severely underdeveloped infrastructure in rural areas. These conditions, they say, are closely linked to continuing civil strife in the countryside.

Most refugees, not convinced that the fighting has abated or the human rights situation has improved, are still reluctant to return to Guatemala. A committee stating that it represents the various Guatemalan refugee communities in Mexico has set a number of conditions for repatriation, including the return of lands formerly belonging to refugees. Guatemalan government officials have not responded to these demands, arguing that the committee is not a legitimate representative of the refugees in

Mexico. They note, however, that under the current repatriation process, the government has already demonstrated commitment to the security of refugees returning to Guatemala.

Conditions of Guatemalan Refugees in Mexico

The Government of Mexico allows large numbers of Guatemalans into southern Mexico. Mexican authorities have cooperated in the administration of basic assistance programs for persons registered with UNHCR, and have provided temporary residence visas. However, Mexico has not officially recognized these persons as refugees. There are also an estimated 150,000 Guatemalans who sought refuge in Mexico during the period of intense civil strife in Guatemala, but who are not registered with UNHCR. According to private voluntary organizations, unregistered Guatemalans living in Mexico lead a precarious existence.

Mexican authorities have discouraged permanent settlement of Guatemalans in the state of Chiapas, where agricultural land and other resources are scarce. However, conditions in the sparsely populated Mexican states of Campeche and Quintana Roo are better. There, Guatemalans have been offered opportunities to integrate into the general economy and become self-sufficient.

Recommendations

GAO's report provides information on the living conditions of Guatemalan refugees and displaced persons and their prospects for repatriation and reintegration. It makes no recommendations.

Agency Comments

GAO did not obtain formal agency comments on its report because it did not evaluate U.S. agency programs. GAO did obtain informal comments from officials in Washington, Guatemala, and Mexico to verify the accuracy of the data contained in the report.

Contents

Executive Summary		2
Chapter 1		8
Introduction	Objectives, Scope, and Methodology	9
Chapter 2		11
Guatemala's Displaced and Refugee Populations Are Returning to Their Places of Origin	The Population of Displaced Persons and Repatriates	11
	Guatemalan Government Resettlement Efforts Help Repatriates and Displaced Persons	12
	Guatemalan Repatriates and Displaced Persons Face a Difficult Economic Situation	16
Chapter 3		23
Guatemalan Refugees in Mexico	Numbers and Locations of Guatemalan Refugees in Mexico	23
	Legal Status of Guatemalans in Mexico	25
	Guatemalan Refugees' Living Conditions	26
Chapter 4		32
Prospects for Repatriation	Potential Problems Associated With Large-Scale Repatriations	32
	Guatemalan Government Favors Current Repatriation Process	34
	Conclusions	34
Appendix I	Major Contributors to This Report	36
Table	Table 3.1: Guatemalan Refugees Receiving UNHCR Assistance in Central America, as of December 1988	23
Figures	Figure 2.1: Map of Guatemala Highlighting the Departments of Quiche and Huehuetenango	14
	Figure 2.2: Repatriates at CEAR Reception Center in Huehuetenango	15
	Figure 2.3: Neighborhood Where Many Displaced Persons Live in Guatemala City	17

Contents

Figure 2.4: Formerly Displaced Persons Digging Trenches for Water Pipes in the Village of Zaculeo	18
Figure 2.5: Woman and Child in Agua Escondida, a Newly Formed Village for Displaced Persons	19
Figure 2.6: CEAR Pharmacy in the Village of Mayaland	21
Figure 3.1: Map of Guatemalan Refugee Camps and Settlements in Mexico	24
Figure 3.2: Refugee Settlement, Quetzal-Edzna, Campeche	28
Figure 3.3: Ruins Restored by Guatemalan Refugees, Edzna, Campeche	30
Figure 4.1: Number of Persons Repatriated With UNHCR Assistance, 1985-1988	33

Related GAO Products

40

Abbreviations

CEAR	Special Commission for Assistance to Repatriates
COMAR	Mexican Commission for Assistance to Refugees
UNDP	United Nations Development Program
UNHCR	United Nations High Commissioner for Refugees

Introduction

Although Guatemala has enjoyed democratic civilian rule since 1986, for over 40 years, Guatemalan life has been marked by such violence as military coups, kidnappings, assassinations, and armed insurgency. Major social problems have also characterized Guatemalan society—distorted income and land distribution, great disparities in the quality of life between Indians and non-Indians, and the fragmentation of society into antagonistic groups (e.g., the military, labor, political parties, and Indian communities). Since the 1960s, Guatemala has experienced organized guerrilla warfare, the fiercest of which occurred during the late 1970s and early 1980s.

Armed confrontation between the army and the guerrillas was especially fierce in the western highlands of Guatemala, where descendants of Mayan Indians live. The Mayans were caught in the struggle between the army and the guerrillas, each of whom were vying for the Indians' loyalty and collaboration. Most of the Indians are peasant farmers, who do not speak Spanish and are at the bottom of the social class structure. Throughout the years of intense fighting, thousands of people were killed, and dozens of villages were razed. These conditions gave rise to large-scale population movements in the highland departments of Huehuetenango and Quiche.

Mass movements of persons fleeing civil strife began in the late 1970s, climaxed in 1982 and continued until 1984. Most of those fleeing were Indian peasant farmers, who sought safety in larger cities and towns or fled to rugged, remote mountainous areas. Those who abandoned their homes but remained within Guatemala became displaced persons. Others crossed international borders and took refuge in neighboring countries. They became refugees.

Since 1985 civil strife in Guatemala has diminished significantly, although limited fighting continues. Military sources estimate that between 1,000 and 1,200 guerrillas are still engaged in combat, as compared to about 12,000 at the height of the civil strife.

Constitutional rule was restored to Guatemala in 1986, under a popularly elected civilian administration. The new civilian government has issued a broad amnesty and initiated a process of national dialogue and reconciliation. According to the United Nations High Commissioner for Refugees (UNHCR) officials, steps toward national reconciliation have encouraged many Guatemalans who had abandoned their homes to return. However, the civilian government is fragile and at this time it is still working to establish its power base in the countryside. As recently

as May 1989, the Guatemalan military attempted a coup against the civilian government. Observers agree that, while constitutional rule and democratic institutions may be working in Guatemala City, constitutional rights may not extend into the countryside where the military remains the most powerful institution.

Approximately 42,800 Guatemalan refugees are registered with the UNHCR in the Central American region, primarily in southern Mexico. An estimated 150,000 unregistered Guatemalans, who lack legal status or official recognition, are also in Mexico.

Since 1985, UNHCR has assisted nearly 3,500 refugees to voluntarily repatriate to Guatemala. However, most Guatemalan refugees remain reluctant to return to their country because of questionable security conditions, uncertain prospects for recovering the lands they abandoned, and concern that the level of assistance they receive as refugees may be discontinued once they do return.

Objectives, Scope, and Methodology

Because of the interest expressed by the congressional subcommittees responsible for refugees and immigration we obtained information on Guatemalan refugees and displaced persons. Our specific objectives were to obtain information on the numbers, locations, and living conditions of Guatemalan refugees and displaced persons, the assistance provided them through United Nations agencies and host governments, and repatriation processing and the prospects for future repatriation. Related GAO products, issued since 1984, are listed on page 37. We did not attempt to review the administration of assistance programs, or address social, economic, and political problems that have caused the mass movements of Guatemalans.

We conducted field work in Guatemala and in Mexico, the primary country of asylum for Guatemalans. In both countries, we interviewed officials responsible for establishing refugee policies and/or monitoring refugee activities. During those visits, we interviewed personnel from U.S., international, and private assistance agencies. Where practicable, we also interviewed refugees and displaced Guatemalans, either individually or by meeting with camp representatives. In Guatemala we visited

eight villages where either displaced persons or repatriates have resettled.¹ In Mexico we visited six refugee camps and settlements to observe the living conditions firsthand.²

We selected representative camps and villages to visit based on population and access, and on issues identified by Guatemalan, Mexican, U.S., and international organization officials such as the recovery of land and security concerns in areas where fighting continues.

We interviewed officials and obtained data from the Department of State, the U.S. Agency for International Development, UNHCR, and the United Nations Development Program (UNDP). In Guatemala we also interviewed representatives of the Special Commission for Assistance to Repatriates (CEAR), the Guatemalan National Reconstruction Committee, the Ministry of Defense, opposition parties, the Catholic Church, the International Committee of the Red Cross, West European diplomats, and several human rights organizations, including the Mutual Assistance Group and the Congressional Committee on Human Rights. In Mexico we met with spokesmen for the Mexican Commission for Assistance to Refugees (COMAR) and representatives of private organizations providing assistance to refugees. We performed fieldwork in Guatemala and Mexico during November and December 1988.

Our work was performed in accordance with generally accepted government auditing standards.

We did not request formal agency comments on this report because we did not evaluate U.S. agency programs. We did obtain informal comments from officials in Washington, Guatemala, and Mexico to verify the accuracy of the data contained in the report.

¹The eight repatriate/displaced persons sites visited in Guatemala were: Agua Escondida, Zaculeo, La Union, Chacaj, Ojo de Agua, Nebaj, Mayaland, and Nubila.

²We visited three refugee camps in the state of Chiapas—La Gloria, La Cieneguita, and Sinaloa, two settlements in Campeche—Maya Tecun, Quetzal Edzna; and one settlement in Quintana Roo—Maya Balam.

Guatemala's Displaced and Refugee Populations Are Returning to Their Places of Origin

Large numbers of Guatemalans, fleeing armed conflict, escaped to neighboring countries or were displaced within Guatemala. With the reduction in fighting, however, many are now returning to their places of origin. Although some have settled in urban areas, many have returned to their villages in the western highlands of Guatemala. In the countryside, sporadic fighting continues to pose security risks for those returning. Other problems faced by persons returning to rural areas include limited access to food and medical attention, and the recovery of lands they abandoned during the violence. To assist the repatriates and displaced persons, the Guatemalan government has established a special commission, funded by UNHCR and the national government.

The Population of Displaced Persons and Repatriates

Displaced Persons

According to State Department estimates, in 1982, at least 500,000 individuals were displaced as a result of civil strife in Guatemala. That number has since declined substantially as thousands of persons have returned to their places of origin or permanently relocated to new areas. According to United Nations and Catholic Church representatives, current estimates of persons displaced as a result of civil strife vary from 12,000 to 45,000. These figures refer to persons who became displaced as a result of civil strife or political persecution, and who remain in precarious or marginal living conditions.

Displaced persons still live throughout the country. Most are located in the highland departments (states) of Quiche and Huehuetenango, Alta and Baja Verapaz, and in Guatemala City and are farmers. (See fig. 2.1.) The majority are indigenous people, who are members of various Mayan Indian ethnic groups, such as the Ixil, the Kanjobal, or the Kekchi.

Repatriates

Repatriation of the estimated 200,000 refugees who fled the country during the period of conflict has been a major concern for the new Guatemalan civilian government. Since 1985, with the assistance of UNHCR, the Guatemalan and Mexican governments have undertaken a modest repatriation effort. During 1985, 200 refugees repatriated. By the end of 1988, nearly 3,500 Guatemalan refugees had repatriated.

According to Guatemalan officials, repatriates are free to settle where they wish, and they can be found in many departments of the country. Since most repatriates are Indian farmers from the highland departments of Huehuetenango and Quiche, they have chosen to return to their villages in those areas. (See fig. 2.1.)

Guatemalan Government Resettlement Efforts Help Repatriates and Displaced Persons

In 1986, the Guatemalan government established CEAR, a group that works primarily in rural areas. According to the CEAR coordinator, the commission's objectives are to assist in the repatriation of Guatemalan refugees and to facilitate the internal resettlement of displaced persons within Guatemala. CEAR is an intersecretarial commission, with representatives from the ministries of Foreign Relations, National Defense, Urban and Rural Development, and the National Committee for Reconstruction. The Foreign Relations Ministry representative heads the commission. CEAR's assistance to repatriates is funded by UNHCR. Funds are also available for displaced persons from the Guatemalan government.

Care for Displaced Persons

CEAR has been particularly active in assisting displaced persons in the region known as the Ixil Triangle in the department of Quiche. As displaced persons descend from the mountainous areas, where they have been living for as long as 10 years, they are brought to a reception center operated by CEAR, near the village of Nebaj. Those returning from the mountains are generally believed to have been living and working with the guerrillas and are considered by governmental authorities to be in need of special attention for successful reintegration into Guatemalan society.

Officials at the reception center stated that returning persons remain there for 3 months of reorientation. CEAR provides food, shelter, and medical attention during this stay. According to CEAR officials, many arrive at the reception center near starvation and suffering from serious health problems, especially tuberculosis. After their 3 month stay at the center, CEAR provides the families with a set of simple farm implements and seeds to help them reintegrate into the rural economy.

The military is also involved in the reintegration through its civilian affairs unit. A military official said that reorientation is necessary to counter the outlook many of the displaced persons acquire while living under the guerrillas' control. According to this official, the civilian affairs unit works in the displaced persons' communities, reeducating

them in patriotism, national values, basic literacy, and practical agronomy.

Many displaced persons in Guatemala also receive assistance from the Catholic Church, which varies, depending on the communities' needs. Some rural areas have feeding programs. In Guatemala City and other urban areas, the Church also offers social and educational programs and assistance with legal matters.

UNDP plans to provide assistance to displaced persons in Guatemala in the future. The Italian government also plans to fund development projects through UNDP in communities where displaced persons are settling. However, Guatemalan government officials complained that, while considerable international resources are available to assist refugees outside Guatemala, funding from international donors to aid displaced persons within the country is limited.

Care for Repatriates

Most repatriates come from Mexico, but Guatemalan refugees from Honduras and other countries have also returned. Most have returned to the departments of Huehuetenango and Quiché in northwestern Guatemala. Upon their return, repatriates are temporarily lodged in one of two CEAR reception centers for 3 days. (See fig. 2.2.) CEAR provides them with food and shelter during their stay at the reception centers.¹ They also receive a physical examination and are issued temporary identification documents. Persons returning with serious medical problems may be treated at the reception centers' clinics for as long as needed, or they may be referred to local hospitals. Before leaving the reception center, CEAR provides the families building materials or a small amount of money, farm instruments, seeds, and basic food rations. CEAR is committed to provide food rations to the repatriates upon their arrival and quarterly thereafter for 1 year.

¹The reception centers for repatriates are separate from the reception center for the displaced.

Chapter 2
Guatemala's Displaced and Refugee
Populations Are Returning to Their Places
of Origin

Figure 2.1: Map of Guatemala
Highlighting the Departments of Quiche
and Huehuetenango



Figure 2.2: Repatriates at CEAR
Reception Center in Huehuetenango



Security for Many Is Uncertain

Repatriates and displaced persons in Guatemala still face an uncertain security situation, since sporadic fighting continues in some areas where they have chosen to return. The military has organized a system of armed civil defense patrols to maintain security in villages in contested areas. Participation in the civil defense patrols involves long vigils and exposure to guerrilla attacks. In principle, participation is voluntary; however, it has been reported from human rights monitors that military authorities in the countryside force men to serve in the civil patrols. It was also reported that the military has at times imposed restrictions on the movement of persons returning to their places of origin.

Some refugees and displaced persons are suspected of having collaborated with the guerrillas. Upon returning to their villages, they often meet with accusations and animosity from other villagers. Even though there have been some reports of abuses against returning persons, sources acquainted with the repatriation process agreed that repatriates have generally not faced persecution. Only one repatriate's death has been linked to violent causes. However, international observers familiar

with this case said that this incident pertained to a personal situation and was not politically motivated.

Guatemalan Repatriates and Displaced Persons Face a Difficult Economic Situation

Repatriates and displaced persons returning to their places of origin experience difficult economic and living conditions, conditions which are similar to those faced by the general population in Guatemala. Limited economic opportunities and a severely underdeveloped infrastructure are characteristic of the villages in rural Guatemala where many of these persons are returning. Access to medical care and basic necessities such as food and water are major problems. Arable land is also scarce in these areas and repatriates have difficulty recovering the lands they abandoned.

General Living Conditions

Guatemala's economy is still fragile after a recession that began in 1980 and lasted until 1986. According to the Department of State the Guatemalan economy has recently made gains with an impressive 3.1 percent expansion in the gross domestic product in 1987, and 3.5 percent in 1988. While Guatemala's official unemployment rate is 6.3 percent, underemployment estimates are closer to 40 percent. At the beginning of the 1980s, large numbers of unskilled displaced persons arrived in the large towns and the capital of Guatemala and usually became part of the urban belt of poverty, living in marginal areas. They typically settled in areas plagued with petty crime, drugs, and prostitution. Many became street vendors, or obtained jobs in low-level manufacturing, or worked as domestics, and are now permanently settled in urban areas. (See fig. 2.3.)

Figure 2.3: Neighborhood Where Many Displaced Persons Live in Guatemala City



We visited a neighborhood in Guatemala City where displaced persons have settled. Although most of these persons were previously farmers, many have become accustomed to urban living and do not intend to return to the countryside. Some left their villages in fear of the violence, and many others came to the city seeking improved economic opportunities. In this neighborhood, families of four or more live in single rooms in crowded single story buildings, with crumbling walls and leaky roofs. However, the families have access to electricity and running water. Many say they do not plan to return to the countryside because they have found jobs in the city and have greater economic opportunities.

We also visited two newly formed villages north of Guatemala City, just off the main highway, populated by several hundred previously displaced persons. Many of the houses in the village were built from cinder blocks and were colorfully painted. The people seemed friendly, looked healthy, and wore clean clothing. Some men were digging trenches for water pipes; others said that electricity was also going to be brought to the village. A large, substantial looking building houses a school. Ears of corn hung outside some of the houses and animals roamed through the

streets. There was a general appearance of well-being and prosperity. (See fig. 2.4.)

Figure 2.4: Formerly Displaced Persons Digging Trenches for Water Pipes in the Village of Zaculeo



However, most areas where repatriates and displaced persons have settled, do not enjoy conditions comparable to those two villages. In general, conditions in rural Guatemala, particularly in areas further removed from the capital, are characterized by limited economic opportunities and a severely underdeveloped infrastructure. Most farmers practice subsistence agriculture and many villages lack access to electricity, running water, medical attention, roads, or other means of communications with the outside world. Farmers often have to seek work in the coastal regions during the harvest season to earn some money. Villages usually have elementary schools, but many children do not attend school because they must work to help their parents.

Much like the rest of the local population, persons returning to these villages live in simple homes with dirt floors, corrugated metal roofs, and walls made of wooden slabs. Lack of potable water is a major cause

of disease among rural people. The most common diseases in northwestern Guatemala where the displaced and repatriates are relocating are tuberculosis, malaria, and parasitical diseases. (See fig. 2.5.)

Figure 2.5: Woman and Child in Agua Escondida, a Newly Formed Village for Displaced Persons



Access to Food and Water

During the first year after their return to Guatemala, CEAR provides repatriates basic foodstuffs such as corn, beans, sugar, oil, and salt on a quarterly basis until crops can be planted and harvested. Displaced persons receive food rations only for the first 3 months while they remain under CEAR's care in the reception center. Some repatriate farmers complained that they had not received the rations promised by CEAR or received them much later than expected. Others complained that the food they receive is not enough to last between distributions. CEAR officials explained that the inaccessibility of some of the villages has hindered their efforts to provide the promised rations on time.

We visited a family of repatriates who stated that, for several days the only food they had was tortillas and salt, because they had exhausted the rations provided by CEAR. Repatriates who return to Guatemala

after the planting season face an even more difficult situation, since they have to wait longer than a year for a harvest.

Most villages lack access to running water. One village we visited was a 40-minute walk from the nearest water source. Only one of the villages we visited had electricity and running water. The lack of access to electricity, running water, medical attention, roads, and other means of communications with the outside world hinders health and economic improvements. Guatemalan officials readily admit that these conditions are closely linked to continuing unrest in the countryside. Consequently, they emphasize the need to improve the rural infrastructure and bring economic development to rural areas.

Rural development assistance also helps in the community's reconciliation process because development projects benefit the entire community. According to UNHCR officials, animosities toward repatriates lessen considerably when development projects are introduced into the community as part of the repatriates' resettlement assistance package. For example, CEAR provided a corn mill to a village whose residents had been reticent to accept a family of repatriates. After the corn mill was brought to the village for everyone's benefit, the animosities diminished to the extent that the head of a repatriated family was elected head of the village's reconstruction committee.

We visited two villages in Huehuetenango—Ojo de Agua, a traditional village with a good source of water, and New Chacaj, a newly built, government development pole, or model village, without a natural water supply. During the period of violence, Ojo de Agua was destroyed and abandoned. While it was abandoned, a development project sponsored by the Taiwanese government ran two pipes from Ojo de Agua to New Chacaj—one for irrigation and the other for household needs. Some of Ojo de Agua's original settlers have now returned and rebuilt their homes. They have also deliberately broken the irrigation pipe to New Chacaj to protect their own water supply. This action illustrates the struggle for resources, which can develop in communities where repatriates return.

Access to Medical Care

Guatemalan health care officials informed us that, generally there are no doctors in Guatemalan rural villages. Doctors under contract with CEAR periodically visit some of the villages where repatriates and displaced persons have settled. Some of the villages visited by these doctors are so remote that an 8-hour, uphill trip by donkey is required. To

receive medical attention, the villagers usually have to walk or ride an animal to the nearest town with a clinic. Villagers complained that they often do not have money to pay for medicines. However, in one of the large villages we visited, there was a full-time nurse/teacher working for CEAR. She also makes medicines available to the residents without charge. (See fig. 2.6.)

Figure 2.6: CEAR Pharmacy in the Village of Mayaland



Access to Land

Recovery of lands abandoned during the strife is an immediate concern for repatriates and displaced persons trying to reintegrate into rural communities. In many areas, the former government encouraged other farmers to settle abandoned farmlands. As repatriates and displaced persons return to their places of origin, the new civilian government is confronted with numerous land disputes between returning farmers and new settlers. To date, the government has been able to resolve many of these disputes and the repatriation process has proceeded relatively peacefully. However, thus far the repatriation process has involved only a modest number of people.

Chapter 2
Guatemala's Displaced and Refugee
Populations Are Returning to Their Places
of Origin

There are discussions within refugee communities and among Guatemalan government officials about the prospects for mass repatriations. If future repatriations involve much larger numbers of people, the government may be hard-pressed to resolve the multitude of land disputes or demands that could develop, and this would present a major challenge to continue an orderly repatriation process.

One of the communities we visited had been unable to find a solution to the land conflict and government officials were studying ways to resolve the problem. Repatriates returning to Chacaj, a village in Huehuetenango that was destroyed during the violence, find instead New Chacaj, a model village created in 1984 under the military regime and settled by the military with landless peasants. New settlers to New Chacaj told us that they are unwilling to leave the homes and other improvements they have made unless they are fully compensated. The military also told us that they would not force the new settlers to leave. CEAR officials believe that they will be able to find a peaceful resolution to this dispute by compensating the new settlers or the repatriates with land in other areas of the country.

Guatemalan Refugees in Mexico

Guatemala shares a long border and many cultural, linguistical, and historical ties with the states of southern Mexico. During the intense civil strife in Guatemala, that area of Mexico became the principal destination of most Guatemalan refugees. While its legal code has no provision for granting refugee status, Mexico has allowed UNHCR to register many Guatemalans as refugees. The Mexican government has granted these persons legal status under other immigration categories, and it has cooperated with UNHCR efforts to assist them. Mexican authorities are also offering Guatemalan refugees in the states of Campeche and Quintana Roo opportunities to become integrated in the regional economy.

Numbers and Locations of Guatemalan Refugees in Mexico

During the late 1970s and early 1980s, as violence in Guatemala escalated, thousands of Guatemalans fled their homeland and became refugees in neighboring countries. Mexico became the principal destination for Guatemalan refugees. As of December 1988, approximately 41,200 Guatemalan refugees were registered with UNHCR in Mexico, while an estimated 150,000 Guatemalans in that country remained unregistered. Smaller Guatemalan refugee populations are also registered with UNHCR in Belize, Honduras, and Nicaragua. (See table 3.1.)

Table 3.1: Guatemalan Refugees Receiving UNHCR Assistance in Central America, as of December 1988

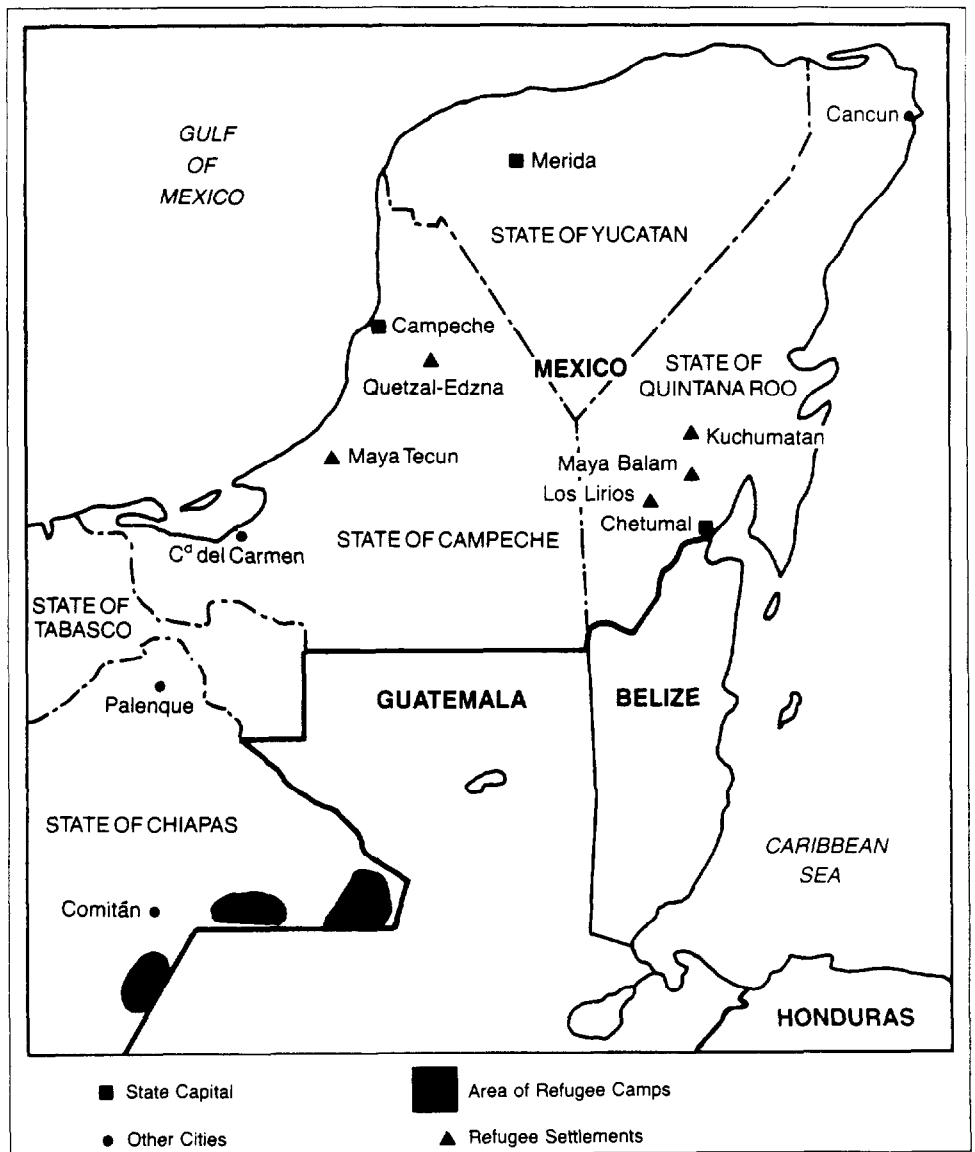
Host country	Number of refugees
Mexico	41,273
Belize	1,112
Honduras	431
Nicaragua	14
Total	42,830

About 22,600 Guatemalan refugees are registered with UNHCR in the Mexican state of Chiapas. The Guatemalan refugee population in Chiapas is dispersed into about 60 small camps located near the border. These camps are constantly formed and disbanded as refugees exhaust the physical resources of the area and are forced to move on. Consequently, no accurate statistics are available on the population of each camp.

About 12,000 Guatemalan refugees are registered with UNHCR in the state of Campeche, and 5,800 in the state of Quintana Roo. Approximately 800 Guatemalan refugees are also registered with UNHCR in urban areas of Mexico. In Campeche two large settlements have been established for Guatemalan refugees—Quetzal-Edzna and Maya-Tecun. In

Quintana Roo the three settlements for Guatemalan refugees are Maya-Balam, Kuchumatan, and Los Lirios. (See fig. 3.1.)

Figure 3.1: Map of Guatemalan Refugee Camps and Settlements in Mexico



An estimated 150,000 Guatemalans in Mexico are not registered with UNHCR and lack official recognition. Most of them left Guatemala between 1981 and 1985 to escape civil strife. Many undocumented Guatemalans in Mexico are located in rural areas of the state of Chiapas,

although large groups are also in Mexico City and other urban centers. According to various private organizations that provide assistance to these persons, undocumented Guatemalans in Mexico lead a precarious existence because they are subject to exploitation and deportation.

Legal Status of Guatemalans in Mexico

Mexico is not a party to the 1951 United Nations Convention, which established UNHCR, or the 1967 United Nations Protocol on the status of refugees. According to Mexican government and UNHCR officials, the Mexican legal code does not provide for granting refugee status to foreigners seeking refuge in Mexico. Nevertheless, the Mexican government has allowed UNHCR to register many Guatemalans who have fled to Mexico as refugees, and Mexican authorities have cooperated with UNHCR efforts to assist Guatemalan refugees.

Without a legal framework addressing refugee status, Mexican authorities have recognized Guatemalan refugees registered with UNHCR under other immigration categories. Differences in legal status accorded Guatemalans by the Mexican government reflect a deliberate decision on the part of the authorities.

The Mexican government has sought to discourage permanent resettlement of Guatemalans in the Mexican state of Chiapas, in part, because most Guatemalan refugees are farmers and agricultural land in Chiapas is scarce, and also because of security concerns along the border between Chiapas and Guatemala. Guatemalan refugees registered with UNHCR in Chiapas have been granted FM-8 visas—border entry permits valid for 3 months. The fact that these permits must be renewed frequently underlines the Mexican government's policy to provide only a temporary haven to Guatemalan refugees in the state of Chiapas. The FM-8 is not a work permit; however, many Guatemalan refugees in Chiapas are illegally engaged in agricultural activities during the planting and harvesting seasons.

Mexico has also sought to limit opportunities for permanent resettlement to Guatemalan refugees in Chiapas in other ways. For example, authorities in Chiapas avoid registering the births of children of Guatemalan refugees in order to deny them access to Mexican citizenship which is, according to Mexican officials, generally guaranteed under the Mexican constitution, to all children born in Mexico.

In 1984, Mexican authorities moved many Guatemalan refugees from camps in Chiapas to more permanent settlements in the sparsely populated Mexican states of Campeche and Quintana Roo. Guatemalan refugees in Campeche and Quintana Roo have been provided opportunities to become integrated into the regional economy and to remain in Mexico. In these states, the Mexican government has granted Guatemalan refugees FM-3 visas, which are extended residence permits valid for 6 months. FM-3 visa holders are legally entitled to work. Children of Guatemalan refugees born in these two states can be registered as Mexican citizens.

Although the FM-8 visa issued to the refugees in Chiapas restricts their movement to within that state, some violate this restriction and seek work in other areas of Mexico. We also heard reports of Guatemalan refugees, registered with UNHCR in Mexico, traveling illegally to the United States to find work.

Guatemalan Refugees' Living Conditions

Guatemalan refugees receiving UNHCR assistance in Mexico enjoy living conditions superior in some respects to those of the rural poor in Guatemala. These refugees have access to food rations, medical care, elementary education, and other services funded by UNHCR. Guatemalans who were relocated to Campeche and Quintana Roo have access to better services than those who remained in Chiapas and have been offered opportunities to gradually integrate into the general economy and become self-sufficient. Nevertheless, many said they would like to return to their home country if conditions there improve.

Camps in Chiapas

Because of the scarcity of water, fuel, and land resources in Chiapas, many Guatemalan refugees have been forced to disperse into numerous small temporary camps throughout the state. However, there are some larger camps with populations of several thousand individuals. The smaller camps lack organization beyond a group of representatives or spokespersons elected by the community. In the larger camps in Chiapas, the refugees have organized committees to coordinate various activities vital to the community, such as education and medical assistance.

In the smaller camps, conditions vary considerably. Smaller camps consist of several refugee families living in temporary wooden dwellings in the general vicinity of local Mexican communities. Other small refugee camps are located within private ranches and in the jungles of Chiapas. In these locations, the refugees live similarly to poor local farmers. The

children of Guatemalan refugees living in smaller camps attend Mexican schools. Adults work illegally in the general economy and are almost indistinguishable from the local population.

Larger camps such as La Cieneguita and La Gloria consist of a series of small, single room, temporary dwellings built of narrow strips of wood, nailed or tied together with wires. These structures have dirt floors and thatched or thick cardboard roofs. A few permanent buildings in the larger camps house medical facilities, schools, and a community center. Larger camps also include shops and churches. Farm animals, mainly chickens, turkeys, and donkeys are allowed to forage within camp perimeters; there are no barns and few animal pens. The camps we visited had no electricity, except in the medical facilities.

Access to fuel and water are major problems for the refugee camps in Chiapas. Most homes have open-air areas, with wood-burning stoves or open hearths, which serve as kitchens. Although Mexican authorities provide some firewood, it is not enough to meet cooking needs. Refugees must negotiate with local communities for the right to collect firewood. Camps are provided with primitive wooden latrines and there is no running water. Some camps have wells, but much of the water must be carried in from sources sometimes several miles away.

Settlements in Campeche and Quintana Roo

According to Mexican officials, administration of Guatemalan refugee settlements in Campeche and Quintana Roo parallels that of the larger refugee camps in Chiapas. The settlements resemble small towns, with dirt streets laid out in a grid pattern.

Construction materials similar to those used in Chiapas have been used in the settlements of Campeche and Quintana Roo. However, many homes are somewhat larger and some have more than one room. There are many workshops and stores in the settlements, and almost all of them, as well as other public buildings and a few residences, have access to electricity. Firewood provided by Mexican authorities is used for cooking. Water is pumped from wells to public faucets located on most streets in the settlements. The settlements we visited were near paved highways or well maintained dirt roads. One settlement is serviced by public bus lines from a nearby Mexican community. (See fig. 3.2.)

Some refugees complained about the levels of assistance they receive and expressed an interest in eventually returning to Guatemala. Although better conditions exist in Campeche and Quintana Roo, some

Figure 3.2: Refugee Settlement, Quetzal-Edzna, Campeche



refugees said that they are not happy in the settlements. They complained that the environment is very different from Guatemala, the weather is too hot and the land is not fertile. According to Commission for Refugee Assistance (COMAR) officials, Guatemalan refugees from Campeche and Quintana Roo are participating in UNHCR-assisted voluntary repatriation in greater numbers than refugees living in Chiapas.

Health

In 1980, in response to the crisis in Central America and an increase in the number of people seeking refuge in Mexico, the Mexican government established COMAR. COMAR activities for Guatemalan refugees are funded by UNHCR.

COMAR and other organizations provide the refugees with medical assistance. The larger camps we visited in Chiapas are equipped with medical clinics. Doctors from a local general hospital make routine visits to the larger camps and less frequent visits to 60 smaller camps. Dental care is also available in the larger camps. People suffering from serious or life-threatening illnesses are treated at the local hospital.

At the local hospital, we spoke with a group of doctors who described specific health problems faced by refugees. These doctors stated that when the refugees arrived in Mexico, they had high rates of tuberculosis and malnutrition. The incidence of tuberculosis has been reduced substantially, but malnutrition persists. The doctors linked malnutrition to refugees' culinary and cultural preferences; for example, they have corn as a major staple of their diet without including other nutrients. Other major health problems afflicting the refugee community include malaria and parasitic infections among children. The doctors noted that these diseases are also common among the local poor rural Mexican population. Doctors in Chiapas said that the refugees are more vulnerable to disease than the Mexican rural population because they must move more often and have fewer permanent dwellings.

The settlements we visited in Campeche and Quintana Roo have 24-hour medical clinics with electricity and running water. Each clinic has a resident doctor and a nursing staff. The clinics are also equipped with a pharmacy and three to four hospital beds. One of the settlements we visited in Quintana Roo had a permanent medical facility that also served the local Mexican community. This clinic had its own ambulance, used to transport emergency cases to the nearest hospital. While it appears that refugees in Campeche and Quintana Roo have better access to health care, some refugees complained about not receiving sufficient medicine.

Nutrition

COMAR provides the basic monthly ration of UNHCR food supplies to the refugees. This includes corn, beans, cooking oil, vegetables, and animals, such as chickens and turkeys, which are raised by the refugees to meet nutritional demands. Other necessities such as soap are also provided.

In Chiapas the refugees, who do not have the right to farm because of their Mexican visa status, often negotiate sharecropping agreements that allow them to cultivate food crops for personal consumption. In Campeche and Quintana Roo, in addition to food rations, the refugees are given the right to farm land allocated by the governments of those states and held in trust by COMAR. On these lands the refugees grow corn, beans, and other crops to meet their nutritional needs. In 1988, COMAR acquired additional farmland in Campeche and Quintana Roo with funds provided by the European Economic Community. This land will be made available to the refugees.

COMAR has also provided one settlement we visited in Quintana Roo with barns, animal pens, and a variety of livestock, including cattle, pigs, goats, and chickens. To further self-sufficiency, COMAR reduced food assistance to encourage the refugees to rely on their own production to meet their needs. Refugees complained that they are feeling the negative effects of the reduction, especially because of crop losses due to the destructive effect of heavy storms associated with Hurricane Gilbert that hit the Yucatan peninsula in 1988. In Campeche and Quintana Roo, the Mexican government has also provided employment opportunities for Guatemalan refugees under its programs to restore ancient Mayan ruins. (See fig. 3.3.)

Figure 3.3: Ruins Restored by Guatemalan Refugees, Edzna, Campeche



Education

COMAR has established elementary schools for refugee children in the settlements in Campeche and Quintana Roo. In the larger camps in Chiapas, the Catholic Church finances elementary education and COMAR provides some school supplies, including notebooks and pencils. Educated persons

from the refugee communities serve as teachers. Spokesmen for the refugees said that most children were attending school. However, in Chiapas, one teacher explained that some children do not attend school because they must work to help their families. Adult literacy classes are available to refugees in the larger camps and settlements.

Infrastructure and Economic Opportunities

According to COMAR, infrastructure support and economic opportunity in Chiapas have been minimal since the camps are considered to be transitory, until such time that the refugees choose to relocate or to repatriate to Guatemala. The camps are located in isolated areas and are not connected to other towns and cities in the area. The camps are not equipped with electricity or water systems to promote cooperative enterprises. In addition, COMAR officials said that legal restrictions of the FM-8 visa do not permit the refugees to work legally.

In Campeche and Quintana Roo, COMAR has eased access to roads and built water distribution and electrical systems, food warehouses, and market facilities. COMAR has sought to make the living conditions in Campeche and Quintana Roo similar to those of the Mexican villages around them. It has also sought to create facilities and services that could benefit both the refugee population and Mexicans in nearby communities. The governments of the states of Campeche and Quintana Roo allocated more than 10,000 hectares of national lands for reallocation to the refugees. The refugees grow crops and raise livestock. Workshops in the settlements produce furniture, clothes, musical instruments, and arts and crafts which are sold in nearby Mexican communities.

Prospects for Repatriation

Traditionally, UNHCR's preferred solution to refugee situations has been the voluntary repatriation of refugees to their country of origin. Consistent with this approach, the current government of Guatemala also supports the repatriation of exiled Guatemalans. The number of repatriates to Guatemala to date has been limited. However, UNHCR and Guatemalan officials expect much larger numbers to return, even though many Guatemalan refugees express reluctance about returning. Given current economic and security concerns, and the delicate problem of refugees recovering the lands they abandoned, Guatemalan officials fear the current repatriation process may not be able to accommodate a sudden large influx. Observers agree that returnees have generally been able to reintegrate into their communities. However, given current conditions, we believe a major influx of repatriates could overwhelm and disrupt the orderly repatriation process.

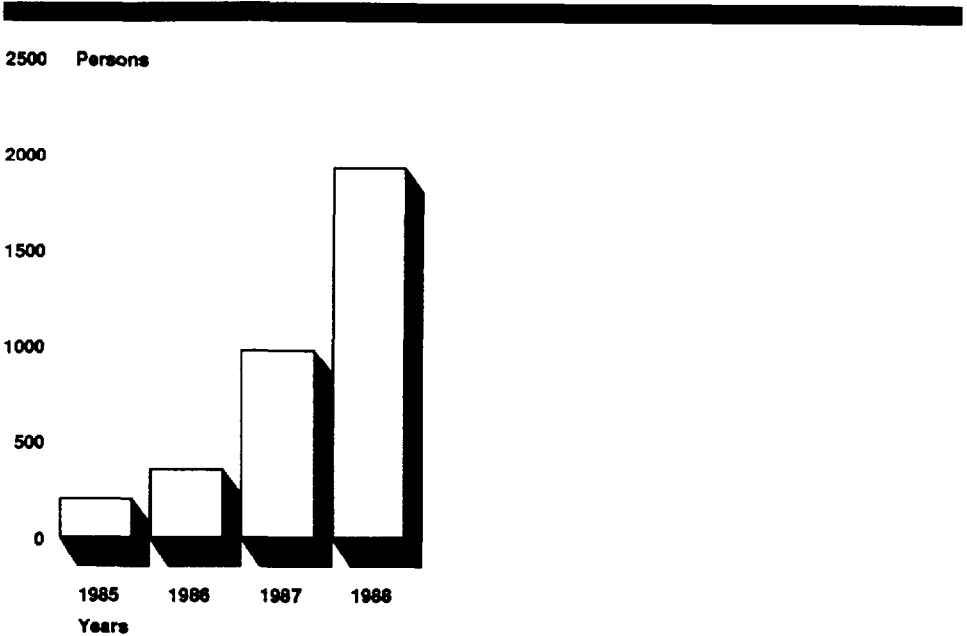
Potential Problems Associated With Large-Scale Repatriations

The number of persons UNHCR has assisted to repatriate generally has doubled every year since 1985; however, the repatriation process still involves modest numbers. Fewer than 2,000 persons repatriated with UNHCR assistance in 1988. (See fig. 4.1.) Guatemalan and Mexican officials stated that about 90 percent of those persons who have repatriated to Guatemala have come from the settlements of Campeche and Quintana Roo.

According to UNHCR and Guatemalan government officials, there have been reports of potential repatriations involving much larger numbers of people, including many from the camps in Chiapas. Although Guatemalan authorities express support for the repatriations, they do not welcome the prospect of sudden large-scale or mass repatriations because it would strain limited government resources and aggravate land disputes. In addition, some military officers have raised concerns about the mass movements of refugees from Chiapas, whom they regard as active guerrilla sympathizers.

Guatemalan civilian government officials are also apprehensive about mass movements of refugees, which would probably involve large numbers of unassisted or unofficial repatriations. These officials argue that large numbers of unassisted repatriations could disrupt the repatriation process. Persons coming into the country on their own would not be properly screened and would not receive the necessary assistance or documentation. Without this, they would also be particularly vulnerable to charges of guerrilla involvement.

Figure 4.1: Number of Persons Repatriated With UNHCR Assistance, 1985-1988



International observers believe many unofficial repatriations are already taking place, especially among Guatemalans living in Chiapas who are not registered with UNHCR. According to a December 1988 Mexican press report, approximately 5,000 Guatemalans unofficially repatriated in 1988 without UNHCR assistance. Informed sources suggest these persons usually return to their places of origin with the assistance of relatives. They are generally afraid to be identified as former refugees or exiles and they try to remain unnoticed by the authorities.

Most Refugees Remain Reluctant to Return

Most Guatemalan refugee representatives with whom we spoke in Mexico are still reluctant to return to Guatemala. Many refugees are not convinced that the human rights situation in Guatemala has improved or that the fighting has abated. They remain informed about the situation in Guatemala through press reports and the accounts of international observers who have recently visited the country. Few refugees admitted having direct correspondence with friends or relatives who remained in or returned to Guatemala.

In January 1988, members of various Guatemalan refugee communities in Mexico formed a Permanent Committee to review the prospects for

repatriation to Guatemala. The Committee, which states that it represents the Guatemalan refugee communities in Mexico, has set five basic conditions for repatriation. The five conditions demanded from the Guatemalan government call for (1) guarantees of personal security for all persons returning, (2) the right of each refugee to return wherever he or she chooses, (3) the presence of international observers in areas where refugees return, (4) withdrawal of military personnel from areas where the refugees choose to return, and (5) return of all lands formerly owned by refugees.

Guatemalan Government Favors Current Repatriation Process

Guatemalan government officials said that they would welcome the return of refugees, but that they would prefer repatriation to proceed at its present rate. They have also refused to respond to the Permanent Committee's demands, arguing that the Committee is not a legitimate representative of the refugees in Mexico.

A Guatemalan official stressed that the government has already demonstrated commitment to the security of repatriates. According to Guatemalan officials, repatriates have been given freedom to settle where they choose, and the repatriation process has been monitored by international observers. However, the government considers the demand for withdrawal of military forces from any area of the country as unreasonable and inconsistent with demands for guarantees of personal safety. Similarly, Guatemalan officials said the government cannot commit itself to return all lands demanded by persons who abandoned the country. Guatemala has various laws regulating its land tenure and officials said that claims to land must be reviewed on a case-by-case basis.

Conclusions

The Guatemalan repatriation process has been remarkably peaceful and a modest success; however, it remains fragile.

Only a small number of refugees have returned to Guatemala. At the current rate of repatriation, and the reluctance of many refugees to return, most will continue to live in exile well into the next decade.

International observers and informed Guatemalans generally agree that, usually, repatriates have been able to reintegrate into the communities. Among the nearly 3,500 refugees repatriated, there has only been one case of violent death. According to knowledgeable sources, this was not politically motivated.

Most repatriates have returned to their places of origin in remote regions, where civil strife continues and economic conditions remain difficult. Repatriates are faced with the delicate problem of recovering the lands they abandoned. A major influx of refugees could overwhelm the Guatemalan government's ability to coordinate repatriation efforts and disrupt the current process.

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