



# MIGRATION & HUMAN RIGHTS PROJECT

ANNUAL REPORT • 2013-2014




BOSTON COLLEGE  
**CHRIJ** Center for Human Rights and International Justice



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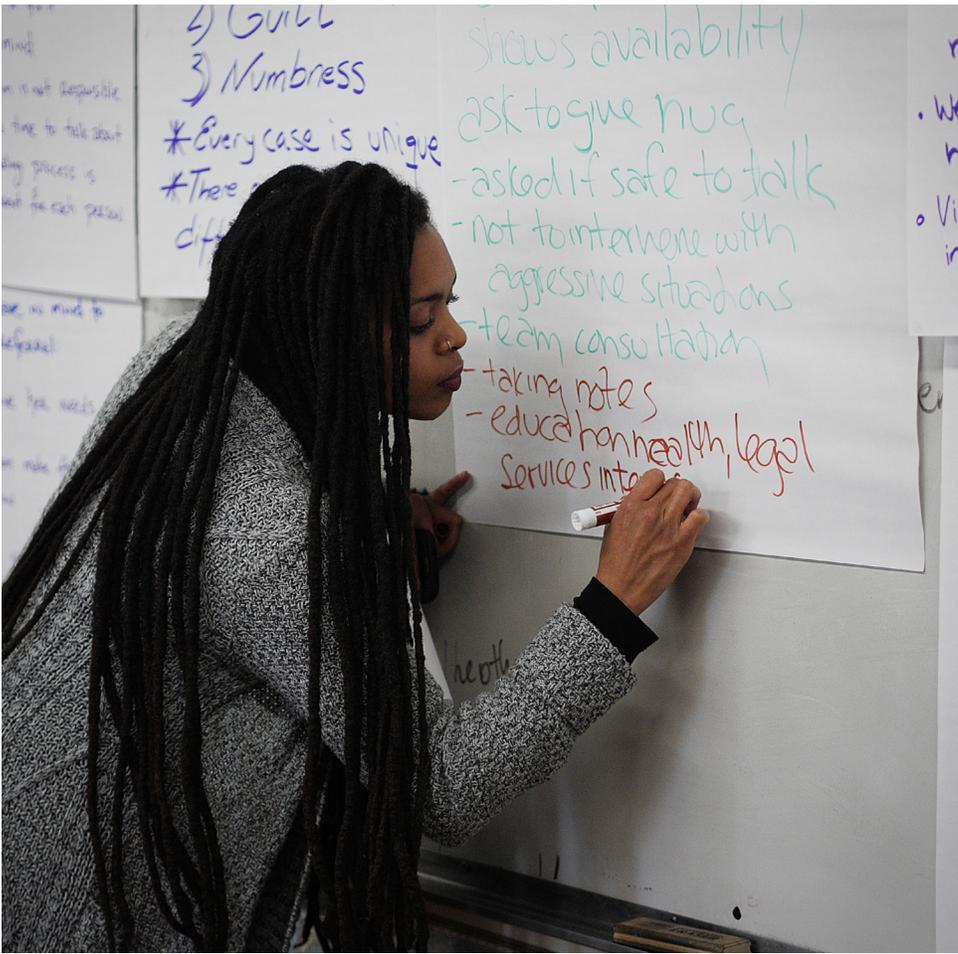
Cover Images: From the Domestic Violence Workshop, Declaration on the Rights of Expelled and Deported Persons Conference, a mural in Boston, and the ESOL/Know Your Rights tool kit piloting.

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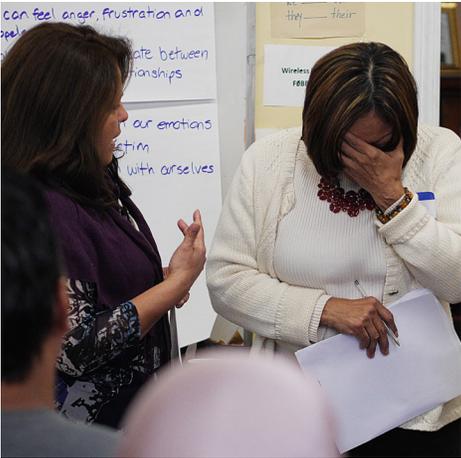
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**Featured Photos:**

*Images from the Domestic Violence Workshop and Declaration on the Rights of Expelled and Deported Persons Conference.*



## *The Migration and Human Rights Project*

The Migration and Human Rights Project is part of Boston College's Center for Human Rights & International Justice. It encompasses a number of interdisciplinary projects surrounding deportation and forced migration in the United States and beyond, including:

**The Post-Deportation Human Rights Project:** Longtime legal residents can be deported on the basis of relatively minor criminal convictions without any opportunity to present evidence of their family ties, employment history or rehabilitation. Through direct representation, research, legal and policy analysis, as well as outreach to lawyers, community groups, and policy-makers, the project's ultimate goal is to reintroduce legal predictability, proportionality, compassion, and respect for family unity into the deportation laws and policies of the United States.

**Human Rights of Migrants Project:** Over the past two years BC has partnered with Casa El Salvador (a volunteer community organization that provides educational programs with and for the New England-based Salvadoran communities and other Latinos/as in East Boston) and English for Action (a community-based immigrant organization coordinating participatory English language, childcare, and other educational programs to link language learning, leadership development and community-building). The project brings together Central American immigrant community members, lawyers, psychologists, educators and social workers in participatory action research processes to document the effects of the upsurge of immigration enforcement on migrants and their families. A primary

aim is to develop research and advocacy skills among immigrant communities, and to publish detailed reports on the effects of detention and deportation on transnational mixed-status families that can contribute to a more comprehensive understanding, improve services available to them, and develop human rights documentation for sustained and effective advocacy.

BC has also partnered with the organization Women Encouraging Empowerment (WEE), whose mission is to educate, advocate, protect and advance the rights of immigrants, refugees and low-income women and their families through organizing, leadership development and service delivery. By bringing together psychologists, social workers, attorneys, and staff organizers, the joint project members identified areas in which WEE staff and constituents would benefit from additional knowledge and opportunity for discussion and then organized participatory workshops on those topics.

**Human Rights and Migration Project, Zacualpa Guatemala:** This is a collaborative project between local Zacualpans, Guatemala-based researchers and religious leaders, and Boston College-based students, faculty, and legal staff. The project has various aims as it studies social, political and psychological factors contributing to migration among the local population and seeks to offer assistance to them where practical. The project also seeks to work with those who have returned to Zacualpa – either voluntarily or through deportation – to explore varied uses of their social capital in developing local initiatives and creating more life options for those living in Guatemala.

# Dear Friends,

As we write this letter we face a particularly complex and in many ways disheartening struggle between policy and politics. Promises of action on immigration made by President Obama have been deferred; positive initiatives have been delayed; and the hopes of millions for relief from the dreadful threat of deportation remain unfulfilled. Although the President has continued to envision protective executive branch action for millions who face potential removal from community, family, and friends, his more pressing goal in early fall is to maintain the Senate's Democratic majority. Meanwhile, the brutal enforcement machinery of exclusion and removal marches on. Through the spring and summer, debate has raged about a surge of unaccompanied minors crossing the southern US border. While most knowledgeable observers saw a compelling human tragedy in need of humanitarian action, US immigration debate took a shrill, demagogic turn redolent of prior sad episodes upon which we now look back with shame. The Administration took some positive actions but its main response was to ramp up deportation efforts, increase detention, and empower "rocket docket" to remove people before they could even speak with lawyers, let alone obtain quality legal help. The response, however, was powerful: scores of volunteer lawyers and law students made their way to Artesia, New Mexico and other front line sites to represent their clients. And they have achieved impressive successes. Powerful litigation efforts from the American Civil Liberties Union and others have compelled the return of many who were wrongly removed from the United States. In Boston, lawyers from Greater Boston Legal Services achieved a landmark asylum ruling that will protect many Guatemalan Mayan asylum seekers facing deportation. Researchers have demonstrated the ineffectiveness of the highly touted Secure Communities Program, by showing that it has achieved virtually no positive results in terms of crime reduction, while visiting great terror and harm upon immigrant communities. And activists around the country have stepped up their discourse, their organizing, and their actions.

Our work within the United States and internationally continues to focus on these and related problems. As you will see, we have been actively engaged in a wide range of activities, both theoretical and practical:

- We have hosted major international conferences culminating in the draft of a Declaration on the Rights of Expelled and Deported Persons, the first such document of its kind.
- Together with students from various academic disciplines, we have written and refined English as a Second Language teaching materials that relate to the rights of migrants, both documented and undocumented.
- We have continued, together with other organizations and pro bono partners, to litigate cutting edge legal issues around the country.
- We have sustained and developed major participatory action research projects in Guatemala, and community workshops on domestic violence in New England.
- We have continued our empirical research into the effects of deportation and have also researched family costs and benefits of migration among the Maya K'iche' of Guatemala.
- We have maintained our human rights & migration project in Zacualpa, Guatemala in which migrants and deportees and their families may gather, and may obtain information and support.
- Finally, we have spearheaded new initiatives such as a Youth Outreach Project, aimed at helping young noncitizens to avoid facing deportation; and we have piloted a Research Diploma program together with the University Rafael Landívar in Guatemala.

All of this is consonant with the longstanding goals (we might now say traditions) of our Center for Human Rights and International Justice of Boston College. Though we had hoped for many more positive developments when we began these projects, we continue to work hard to achieve justice, fairness, and human rights for all people, especially the most marginalized noncitizens among us.

Sincerely,

*Daniel Kanstroom & M. Brinton Lykes*



# Declaration on the Rights of Expelled and Deported Persons

By Daniel Kanstroom & Jessica Chicco

In May 2014, the Post-Deportation Human Rights Project (PDHRP), with support from the Clough Center for the Study of Constitutional Democracy at Boston College, hosted a major conference of international scholars, activists, leaders of non-governmental organizations, and former government officials at the Connors Family Retreat and Conference Center to discuss a newly crafted convention on the rights of forcibly expelled persons. This larger and more comprehensive two-day conference built on the initial working conference hosted at Boston College in November 2012, at which participants considered questions related to the scope, content, and framework of the document.

The aim of the conference was to discuss the wisdom of the enterprise, and then to brainstorm how to improve upon—and to proceed towards publication and implementation of—the text drafted after the 2012 gathering. Participants also considered the moral, political, and legal bases upon which forcibly expelled people could claim enforceable rights, the content of those rights, and the obligations of “sending” and “receiving” states. Our contention is that deported individuals should be seen as a cognizable legal class of people with specific, enforceable rights claims.

The text—still a work in progress—was significantly revised following the conference to reflect comments and suggestions from participants. The current version—now titled *Declaration on the Rights of Expelled and Deported Persons*—addresses the rights of people who are deported or forcibly expelled by various coercive mechanisms. It seeks to define basic procedural and substantive rights for such persons who, in many cases, are left with no recourse and who face a wide variety of often quite severe human rights violations, including harsh treatment during deportation, loss of personal belongings and documents, lack of proper medical care, family separation, lack of counsel, etc. The current version of the text and basic information about the purpose of the project and the drafting process is available on the PDHRP’s website ([www.bc.edu/postdeportation](http://www.bc.edu/postdeportation)).

An interactive website, where drafting conference participants, along with other scholars, researchers, deported persons and their families, activists, as well as the general public, can view the text of the draft Declaration and leave comments and engage in virtual discussion about it, will be launched soon.



## Featured Photos:

Images from the conference in May.



## Spotlight on

### *Hearing Before the Inter-American Commission on Human Rights*

The Migration and Human Rights Project joined a group of petitioners in requesting that the Inter-American Commission on Human Rights hold a thematic hearing on the topic of mandatory deportation and the effects on family unity. Two submissions were made by MHRP in support of this request. One of the briefs, authored by Jessica Chicco and Dan Kanstroom, focused on some of the post-deportation legal hurdles faced by those who wish to reunite with family members from whom they have been separated as a result of deportation. A

second submission, authored by Affiliated Faculty Prof. Kalina Brabeck, Prof. M. Brinton Lykes, and Dr. Stuart Lustig, reported on the psychosocial impact of detention and deportation. The Commission granted the request for a hearing and the hearing was held in Washington, DC, on October 28, 2014. The submissions are available on our website at [www.bc.edu/postdeportation](http://www.bc.edu/postdeportation), and a video recording of the hearing is available on the Commission's website here: <https://www.youtube.com/watch?v=rFK1fMnzCqY>.

# English for Speakers of Other Languages/*Know Your Rights* Tool Kit

By Sriya Bhattacharyya &  
Rocío Sánchez Ares

English for Speakers of Other Languages (ESOL) classes for adults are tremendously popular, and in urban areas like Greater Boston, there are long waiting lists, despite dozens of organizations providing free or low cost classes. Many migrants have also expressed a desire and need for more legal information, including on issues related to their rights in interactions with law enforcement and also on risks of detention and deportation. The Migration and Human Rights Project (MHRP) partnered with two community organizations teaching ESOL (Revere-based Women Encouraging Empowerment and Casa El Salvador in East Boston) to develop an English for Speakers of Other Languages curriculum tool kit. The tool kit incorporates information on the rights of diverse migrant and refugee communities and constitutes an “action” within the MHRP’s ongoing participatory and action research process.

The interdisciplinary team includes curriculum experts, psychologists, and lawyers who have closely collaborated with the organizations’ ESOL teachers to develop and pilot these *Know Your Rights/ESOL* Units. Themes were selected from data collected in community-based participatory *Know Your Rights* workshops developed as part of the Participatory Action Research processes from 2007-2013. Lessons were developed and piloted with teachers from partner organizations



throughout the spring of 2014. The curricula’s design aligns with a popular education framework, which privileges the experiences and knowledge of the participants to build critical awareness and subsequent social change actions.

Four multi-lesson units were developed for beginner and intermediate level students centered around two themes: basic human rights and being stopped by the police while driving. Through participatory and creative techniques, including drawing, theater, and role-playing, adult migrant and refugee students who use the tool kit have an opportunity to collectively reflect on the impact of discriminatory laws and practices on their daily lives and their communities’ wellbeing. At the same time, they co-construct knowledge regarding their rights and legal informa-

**Featured Photo:** *Tool kit piloting.*

tion necessary to navigate the law enforcement system. Ultimately, this *Know Your Rights* and ESOL collaboration challenges wider communities of educators, psychologists, policy makers, and others to focus more closely on ensuring the rights and flourishing of migrant communities.

The tool kit is accompanied by a letter to instructors that provides instructors with insight into the purpose, structure, and content of the tool kit. The materials are now available on MHRP’s website, and members from the team will be presenting on the work at the 2015 National Multicultural Conference and Summit in Atlanta, Georgia.

## Spotlight on

### *Select Publications*

- Lykes, M. B., Brabeck, K. M. & Hunter, C. (2013). Exploring Parent-Child Communication in the Context of Threat: Mixed-status families facing detention and deportation in post 9/11 USA. *Community, Work and Family*, 16(2), 123-146. DOI: 10.1080/13668803.2012.752997
- Brabeck, K., Lykes, M.B., & Hunter, C. (2014, August 11). The psychosocial impact of detention and deportation on U.S. migrant children and families. *American Journal of Orthopsychiatry*. Epub PMID: 25110972
- Lykes, M.B., Brabeck, K.M. "Family Values? U.S. Tears Apart Migrant Families." *Huffington Post*. 3 Oct. 2013.

## Spotlight on

### *Select Presentations*

- Boston Bar Association, *Post-Deportation: Immigrant and Nonimmigrant Visas, Motions to Reopen, and Returning your Client to the U.S.* (March 10, 2014).
- Committee for Public Counsel Services, *After Removal: Now What?* (Nov. 12 and 14, 2013).
- Film Screening and Panel Discussion, *Harvest of Empire: The Untold Story of Latinos in America* (March 17, 2014).
- Boston Public Schools, Newcomers' Assessment Center, *Immigration and Deportation* (May 14, 2013).

# Legal Advocacy of the Post-Deportation Human Rights Project – Onward!

*By Jessica Chicco and Daniel Kanstroom*

This past year began with the potential for comprehensive immigration reform on the horizon, as the Senate passed a bipartisan bill in June of 2013. As the year drew to a close, it became clear that no legislative reform would take place, and that any administrative action—expected over the summer—had been delayed.

In this challenging context, the Post-Deportation Human Rights Project has continued its work to advance the rights of deported individuals. The Project provided information to more than 160 deportees from over 40 countries. It successfully returned to the US two individuals who had been previously removed. In one case, a lawful permanent resident who had been deported based on a criminal conviction was able to return to his family after two years. The criminal conviction had been vacated by the state court with the help of the Harvard Criminal Justice Institute, after it was discovered that the drug certification submitted in the case had been signed by a chemist who has since pled guilty to numerous counts of perjury and tampering with evidence. The PDHRP was able to convince the government attorney to join in a request to the Immigration Judge to have the deportation order reopened and ultimately dismissed. After the judge's grant of the joint request, PDHRP negotiated for the client's return from the Dominican Republic as

a permanent resident. This was a significant win in advancing the rights of deported individuals to reopen their cases when new information becomes available after their deportation. In another case, PDHRP worked alongside attorneys from the Boston office of the firm of Ropes & Gray in representing an asylum seeker who had been deported while the Board of Immigration Appeals was considering his request to reopen his case in light of new evidence that his life would be at risk if deported. Though the Board initially granted his request, it withdrew the grant once it learned that the individual had already been deported. After years of vigorous advocacy and federal court appeals, the case was reopened and the client was returned to the US.

The Project also continued its work of educating attorneys and advocates on post-deportation law. Professor Dan Kanstroom and attorney Jessica Chicco both presented at a training sponsored by the Boston Bar Association focused on post-deportation remedies. The PDHRP also issued a number of advisories aimed at practitioners, including an updated version of its advisory on motions to reopen post-removal and new advisories on false claims to US citizenship and the applicability of “equitable tolling” to motions to reopen.

In collaboration with the Global Workers Justice Alliance (GWJA), the

PDHRP published a new manual on the basics of detention and deportation. The GWJA has created a network of legal defenders in Mexico and Central America to support worker's rights across borders. Their defenders are often asked questions related to the worker's immigration situations and their rights to return to the US after deportation. The PDHRP joined forces with the GWJA to issue a manual and hosted two webinars to educate the GWJA defenders on issues related to immigration detention, deportation, and returning to the US after deportation.

# Participatory Action Research Project, Guatemala 2013

By Rocío Sánchez Ares

In the summer of 2013, Rocío Sánchez Ares traveled to Guatemala for a period of three weeks to develop two community projects through the Center for Human Rights and International Justice of Boston College and its Migration and Human Rights Project. As a doctoral student in Curriculum and Instruction at the Lynch School of Education, activist, and community researcher, Rocío is interested in communities affected by migration and, in particular, the rights and leadership of the women on either side of the border. She joined the CHRIJ team in Zacualpa where she collaborated in developing two projects with the Fe y Alegría school there.

During a period of two months, Rocío worked with 18 young female middle school students on a “photovoice” project on the theme of migration. Through the photovoice technique and by using some resources from participatory action research, the young women took photos in their community that represented their understanding of the reasons for individual’s migration to the US and about the consequences as they perceived them as young indigenous women. The students had the opportunity to share their stories and personal concerns on the theme of migration while learning about the participatory research technique of photovoice and some of its ethical implications. They participated as co-researchers, reflecting on the theme of migration in a creative, and critical manner. For exam-



**Featured Photo:** Working with the young women in Zacualpa.

ple, they wrote narratives to accompany the photos they had taken. Afterwards, they presented their work through an art exhibit in their school to which they invited their families, members of the school, and other members of the Zacualpa community. Rocío shared their work with immigrant youth in the US and at the 2013 conference of the New England Council on Latin American Studies.

In a second project at this same school, Rocío worked with teachers identified as leaders within the school to create a module designed in response to their concerns to contribute to the development and general wellbeing of youth in their school who are affected by migration and structural violence. The module included three thematic units on, e.g., self-esteem, communication, etc. and ac-

tivities to facilitate student participation including theater, collage, interviews, drawing and other creative techniques. The goal was for the module to serve as an educational resource for all teachers at the school during the personal orientation course, particularly to support youth with emotional and academic problems.

# Community Workshop on Domestic Violence

By Gabriela Távora Vasquez & Arnie Wells

The MHRP has partnered with several community-based organizations including Women Encouraging Empowerment (WEE) of Revere, Casa El Salvador of East Boston and English For Action (EFA) of Providence, Rhode Island, to inform and empower under-supported and under-resourced undocumented migrant populations in Boston and Providence. For the past several years, this collaboration has centered around theatre-based *Know Your Rights* workshops touching on themes relevant to the communities, such as how to engage in “emergency planning” for detention and deportation and one’s rights and obligations in interactions with immigration officers.

This past year, the community partners expressed a need for additional training to provide adequate support to undocumented members in circumstances related to domestic violence. Domestic violence (DV) is considered a violation of human rights in the United States and many migrants face a combination

of language, cultural, social and political barriers that prevent victims of DV from receiving and seeking support and care. Due to the sensitive nature of such issues, community advocates expressed a need for training and additional resources regarding the legal rights and potential risks for victims of DV, including how their situation may be affected by their and the abuser’s immigration status.

In response to this identified need, the MHRP team—including psychology graduate students, faculty, and attorneys—developed a workshop titled *A Training for Community Workers: Working with Survivors of Domestic Violence*, designed to provide community workers with the knowledge and tools to better serve their program and community members who face issues related to DV.

The training was designed as a full-day workshop with a combination of nine interactive group activities, role plays and presentations. The objectives of the workshop were to inform community workers of the US legal definition of domestic violence, how it affects documented and undocumented immigrants and to provide tools to enable organizations to develop guidelines for organizing resources and making referrals when faced with a DV situation. An additional goal of the workshop was to establish a common understanding of the psychosocial and emotional consequences of DV as well as provide the opportunity to identify, ana-

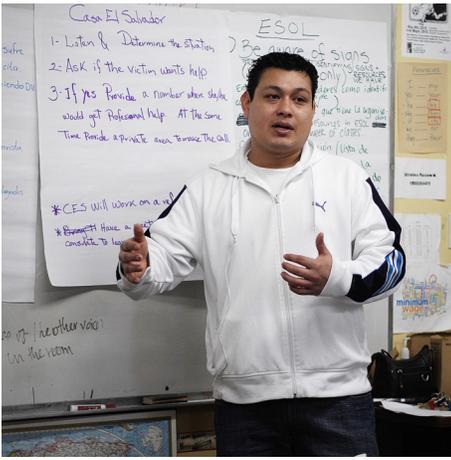
lyze, and reflect on participants’ personal or professional experiences with DV.

The legal portion of the training, conducted by project attorney Jessica Chicco, provided participants with information regarding DV victims’ legal rights, the civil and criminal consequences of DV in both Massachusetts and Rhode Island, and the obstacles and protections available to immigrant survivors of DV.

The remainder of the workshop allowed participants to build on their collective knowledge by putting it into action through interactive group role plays. Participants were able to reflect on the groups’ responses in the role play and develop a list of important factors to consider when working with a victim/survivor of DV in a culturally sensitive and legally appropriate manner. Additional activities allowed participants to establish a draft protocol for responding to situations of DV tailored to their own organizations in addition to reviewing a set of guidelines for making referrals. These activities not only promoted community action but facilitated the organizations’ ability to provide a culturally appropriate response to the various social issues their community faces.

As part of the MHRP’s efforts to support community organizations in sustaining their ability to appropriately respond to their community’s needs and to be active participants in the distribution of knowledge, the team transformed the work-





**Featured Photos:** Attendees participate in the Domestic Violence workshop.

shop into an instructional guide for organizations to utilize in training new staff to work with immigrant survivors of DV. This *Training Guide for Community Workers Who Work with Survivors of Domestic Violence* was printed and distributed to the community organizations at the annual meeting of the Community-University Partnership. The organizations were encouraged to utilize the instructional guide by providing their own trainings to future staff and volunteers in accordance to their specific population needs and resources.

The DV workshop helped us reflect on the complexities surrounding issues related to DV when working with immigrant populations. An important step for future action by the organization will be to further define their organizational protocols to reflect the needs of their diverse communities, as well as their resources and capacities, including developing a referral list and a practice of active referrals.

There is obviously still much to learn about how to address and prevent domestic violence as well as other forms of violence that affect immigrant populations. Our hope is that by working together with community organizations, we will continue building knowledge that will in turn prevent future harm and foster more nurturing and respectful relationships.

## Spotlight on

### *Community Psychology and Participatory Action Research Diploma Program at University Rafael Landívar, Guatemala*

CHRIJ Associate Director M. Brinton Lykes and Megan Thomas, project consultant with the Migration and Human Rights Center in Guatemala, collaborated with the Jesuit University Rafael Landívar (URL) in Guatemala City to develop and then facilitate a diploma program in community psychology and participatory action research.

Thirty-three participants completed the two-week program, including four BC students (three undergraduates and a doctoral student), and six students and faculty from the URL's Quiché campus. Other participants included Mayan youth and adult community leaders including staff from the Zacualpa parish and office. The pedagogy of the workshop was participatory, complemented by topical lectures on four critical social issues affecting Guatemala today: violence, migration, poverty and power. Activities were designed so that participants could have experiences putting into practice principles and research methodologies from community-based participatory and action research.

Luis Mario Martínez and Aldo Magoga from the URL presented research findings from a national survey of violence. Participants' expressed fears of travel to and in Guatemala City seemed to be supported by indices of violent crimes from their data. In another session, participants broke into regional sub-groups to discuss and visually represent the history of migration to and from the department from which they came. URL researcher and professor Ruth Piedrasanta contextualized these departmental representations with national and international migration statistics on migration and some of its multiple effects for Guatemala. These more formal presentations complemented the participatory exercises and provided students with comparative information for developing a more complex understanding of their local situations.

Through exchanges such as this diploma program, the CHRIJ is able to contribute in some small way to strengthening local resources while also giving BC students the opportunity to learn alongside local Maya.



# Youth Outreach: Preventing Deportation

By Jessica Chicco

In our work—both through the Post-Deportation Human Rights Project and our community-university collaborations—we hear from hundreds of families torn apart by deportation as a result of the lack of discretion in current deportation laws and policies. Many of the deportees came to the United States as lawful permanent residents (green card holders) when they were children—sometimes just a few months old. Yet, because they did not apply for citizenship, they remained at risk for deportation.

Lawful permanent residents enjoy many of the same rights and opportunities as US citizens and may believe that, because of their lawful status, they are protected from deportation. But the law tells a different story. They can be subject to mandatory deportation, even based on an old and nonviolent offense, without the opportunity of having a judge consider any favorable factors or the hardship deportation would cause on their families. Though we continue to focus our legal work on advocacy and representation of individuals who have already been deported, we have identified what we believe to be a gap in outreach and services to youth green card holders as well as a need for information, training, and support on issues related to deportation and naturalization for professionals already working with immigrant youth. We are exploring possible initiatives that would increase naturalization of immigrant youth or their parents and thereby insu-

late families from the devastating effects of deportation.

To this end, in February 2014, we brought together experts from various disciplines who are working on issues related to at-risk youth and immigrant youth for a lunch roundtable discussion to engage in conversation about the need for outreach and services to lawful permanent resident youth and to brainstorm how to build on existing work and resources. Attendees included Boston College alumnus Judge Leslie Harris, from the Suffolk County Juvenile Court, representatives from the Boston Public Schools, the Youth Advocacy Division (the juvenile public defenders' office), and various members of legal services and community-based organizations. It was a productive and engaging discussion that generated shared knowledge and some good ideas as to possible next steps, such as providing trainings for core groups of individuals within schools and juvenile courts and creating a fund to assist those who cannot afford to apply for citizenship. We have begun work to implement some of these ideas. This summer, we issued "Living in Massachusetts: A Guide for Immigrant Youths with Green Cards," along with the Children's Law Center of Massachusetts. We are also collaborating with organizations already working with immigrant youth to provide trainings on the basics of immigration and deportation in hopes of creating systemic and sustainable knowledge within these organizations.

# Documenting migration among the Maya K'iche' of Guatemala: Community-based surveys of family costs and benefits of heading North

By M. Brinton Lykes, Erin Sibley, Ana María Álvarez, José Daniel Chich González & Megan Thomas

From 2010-2013 the Migration & Human Rights Project (MHRP) and the Human Rights & Migration Project in Zacualpa, Guatemala, have collaborated with local youth to survey families in Zacualpa and three of its surrounding villages. The survey instrument used in the door-to-door data collection was developed by research team members in the US and Guatemala. Sections included background information on the head of household's gender, age, and level of education, as well as similar information on each individual family member as reported by the head of household. Other sections included the family's language and ethnic group, material possessions owned by the family (such as a cell phone, radio, etc.) and information on the quality of the family's home (including type of plumbing, materials used on the walls, roof, and floors, etc.). For each migrant in the family, information was provided on when they migrated, how much they paid for the journey and whether they still owed debt, and to which state in the US they had migrated. The survey was administered by youth in the community who were trained as research assistants. After mapping all homes in each of these four communities, a local youth visited each home to identify a head of household. After obtaining consent, this person would administer a survey orally to a respondent in the household and record the answer.

Four communities from among eight who had collaborated in an earlier project

with students and faculty from the BC MHRP between 2007 and 2010 were chosen to be surveyed between January 2011 and April of 2012. The first to be surveyed were 3 of 37 *aldeas* (villages) surrounding the town of Zacualpa, followed by the town. The villages are Tablón, Arriquín, and San Antonio Sinaché I and members from each had participated in the earlier project in which the heads of households known to have at least one migrant in the household participated in in-depth interviews about the migrant. Interviewees reported remittances but also significant debt requiring large payments. These interviews contributed to a desire locally to extend the study to include a survey to better understand the scope of migration in this area as well as its effects on those "left behind."

Findings from this participatory census project are important to participants in Guatemala and to activist researchers there and in the US for a number of reasons. First, they provide basic information on the demographics and migration patterns to communities who perceive migration to be a significant problem in their communities but have not had this type of data. Second, they shed light on the trends in migration (such as age, destination state, and time of migration), and provide a snapshot of the educational, financial, and demographic correlates of several among the many Guatemalan communities deeply affected by migration. Third, at a time when US media widely reported a slowdown in migration

North (see below), this data demonstrates how migration from these communities in Guatemala to the US has been sustained. Furthermore, this project is an important research collaboration between the US and Guatemala, providing an opportunity to work together, learn from each other, and train a number of Guatemalan partners and US students in research skills through their participation in the project.

**Selected Findings.** The proportion of families that experienced the migration of a family member to the United States ranged from 30.4% to 43.1% in the three villages, but was slightly lower at 26.4% in Area Urbana. In all four communities surveyed, having a larger family was significantly and positively associated with the likelihood of having a family member migrate. One potential interpretation of this is that more people in the household put a greater strain on the household's resources, contributing to a family member's decision to migrate in order to earn more money in the US.

Across all communities, the migrants were primarily male, ranging from a low of 74.8% of the migrants from Area Urbana, and a high of 86.2% of the migrants from San Antonio who were male. The vast majority were undocumented in the United States—92% from Tablón did not have legal status, neither did 88.5% from San Antonio, 76.4% from Arriquín, and at least 79.1% from Área Urbana (although about 10% of Area Urbana re-

spondents did not answer the question on legal status). The lack of documented status in the United States puts these migrants at high risk of detention and deportation and can cause pervasive stress in their daily lives.

We were also particularly interested in examining trends of migration by year. After a June 2012 New York Times article publicized a Pew Hispanic Center report showing that migration from Mexico to the United States had slowed, a discussion on whether migration as a whole was slowing began (Passel, Cohn, & Gonzales-Barrera, 2012). The report described that after 4 decades of immigration from Mexico into the United States, the net migration flow from Mexico to the United States had stopped and may have reversed (meaning slightly more Mexicans in the US were returning to Mexico than the number of Mexicans coming to the US). Some of the potential reasons could be the high unemployment rate due to the recession in the US, a rise in deportations, and stronger border enforcement. However, our data did not reveal the same pattern for Guatemalans migrating out of Zacualpa. In fact, 81% of all migrants across all 3 villages and the Urban Area surveyed came to the US between 2000 and 2012.

In terms of destination state, among those who listed a state, Rhode Island was the most common destination for migrants across the four areas surveyed with 21% of migrants journeying there. The second most common destination state was Massachusetts, with 12.8% of migrants. These are important data for the Boston-based CHRIJ where the MHRP is active with local migrant orga-

nizations in greater Boston and in Providence, and thus with members of some of these families.

We found that many youth under the age of 18 lived in families that had experienced the migration of one or more family members. Half of the youth in Arriquín lived in families that had experienced migration, as did nearly half in Tablón. The fact that one quarter to one half of children in all four areas surveyed had experienced the migration of a household member was a striking finding. Clearly, experiencing the loss of at least the physical presence of a family member was a somewhat common experience for children, and schools and other organizations working with youths should be aware of the prevalence. Other work of the MHRP with the Fe y Alegría school (see Sánchez Ares, this issue and Lykes & Sibley, 2013) have contributed to better understanding some of the psychosocial and educational effects of parental migration on these children and adolescents.

Additional findings focus on remittances and their social benefits (including, for example, improvements to the home, education of children, etc.) and on debt that families continued to service. The survey also identified a small but significant number of deportees, some of whom had already returned to the US in what scholars refer to as circular migration. A report summarizing the findings in more detail will be published by the CHRIJ in 2014 in Spanish and English.

#### SOURCES:

Lykes, M.B. & Sibley, E. (2013). Exploring Meaning Making with Adolescents “Left Behind” by Migration. *Educational Action Research*, 21(4), 565-581. DOI: 10.1080/09650792.2013.832346. [Spanish translation available from first author]

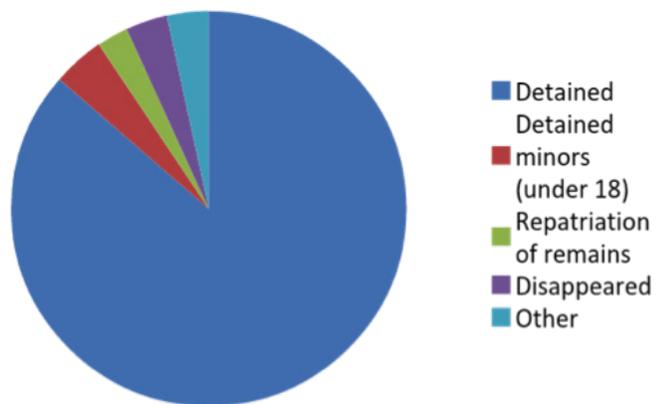
Passel, J., Cohn, D., & Gonzales-Barrera, A. (2012). *Net migration from Mexico falls to zero—and perhaps less*. Washington, D.C.: Pew Hispanic Center.

# Migration and Human Rights Project – Zacualpa, Guatemala

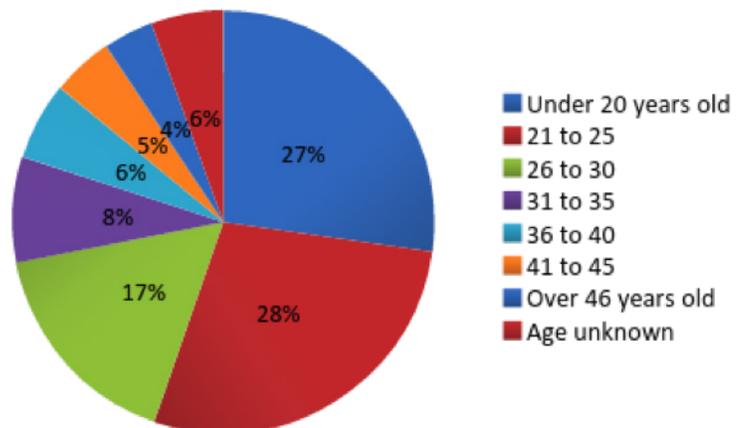
By José Daniel Chich González

Between May 2010, when it first opened its doors, and January 2014, the Migration and Human Rights Project in Zacualpa, Guatemala fielded 235 inquiries from family members of migrants who were detained in the United States or who went missing during their journey north, that is, were “disappeared.” The two-member office staff plays an important role in providing families with assistance in locating their loved one in detention, referring them to local legal service providers who may be able to assist the detained migrant, providing general information about the detention and deportation process, and offering emotional support to the family members. The graphics on this page show the types of cases received, and the gender and age distribution of the migrants during this time period. Requests from other towns in the Quiché department of Guatemala and beyond have recently contributed to initiatives in neighboring communities to initiate local work with training from the Zacualpa staff.

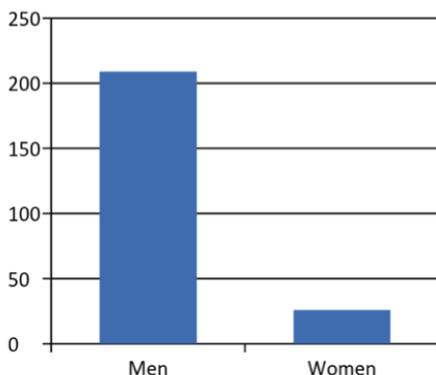
Types of Cases



Ages of Migrants



Gender of Migrants





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## *Thank You*

A special thank you to **Jennifer Monnet** who served as a Fellow during the 2013-2014 academic year. We wish her well in her next endeavors! Thank you also to **Timothy Karcz**, Assistant Director of the Center for Human Rights and International Justice for all his work with the project!

A special thanks to the many students who worked with us this year! **Adeola Ajayi** (Boston College Law School, Class of 2014); **Soohyun Choi** (The Fletcher School of Law and Diplomacy, Tufts University, Class of 2014); **Eric Chu** (Boston College Law School, Class of 2016); **Rita Couto** (Boston College Law School, Class of 2014); **Atenas Madico** (Northeastern University School of Law, Class of 2015); **Graham Markiewicz** (Boston College Law School, Class of 2016); **Nicholas Nelson** (Boston College Law School, Class of 2014); **Janaya Snell** (Northeastern University School of Law, Class of 2013); **Stephanie Palencia** (Boston College, Arts & Sciences, Class of 2016) worked with the legal team of the Post-Deportation Human Rights Project.; **Sriya Bhattacharyya** (Lynch School of Education, doctoral student); **Emilia Bianco Galindez** (Boston College Graduate School of Social Work, doctoral student); **Kevin Ferreira** (Lynch School of Education, doctoral student); **Jessica Franco** (Boston College, Arts & Sciences, Class of 2015); **Shaun Glaze** (Lynch School of Education, doctoral student); **Tesia Mancosky** (Boston College, Arts & Sciences, Class of 2015); **Rocío Sánchez Arias** (Lynch School of Education, doctoral student); **Emily Sosrodjojo** (Lynch School of Education, Class of 2017); **Gabriela Tavera Vasquez** (Lynch School of Education, doctoral student); **Amie Wells** (Lynch School of Education, doctoral student) worked with the participatory action research teams.

## *Staff Announcements*

*We are pleased to welcome **Atenas Burrola** as a fellow with the Post-Deportation Human Rights Project in 2014-2015!*

Atenas Burrola is a 2014-2015 Stanford Human Rights Center Fellow. She was born and raised in Santa Fe, NM, the eldest of three. The daughter of two immigrants, she has wanted to be a lawyer since seventh grade, and has always worked with and for immigrant communities. She graduated from the University of Pennsylvania in 2010, and from Stanford Law School in 2014. During her time at Stanford, she realized that working for immigrant rights is, and should be, part of the larger struggle for human rights, and combined these two passions in her current fellowship. This year, she will be based in Santo Domingo, Dominican Republic, working with Bienvenido Seas, an organization that undertakes re-integration work with deportees arriving in the Dominican Republic. While doing this, she will also partner with PDHRP, and engage in immigration work and advocacy from abroad.

## *Inspired to make a tax deductible donation to the Migration & Human Rights Project?*

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Contact us directly with your interest in

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- Consular Processing/NIV Waivers, or
- Post-Conviction Relief.

### **Bring a post-removal case to us for discussion**

Contact us directly with the details at the numbers, email or website on the inside front cover.