

Invisible War: Central America's Forgotten Humanitarian Crisis

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A SALVADORAN FATHER OF FOUR was told by gang members that they would kill his two daughters after he refused their extortion demands. A 27-year-old lesbian from Honduras was gang raped in her home, ostracized by her family, forced to leave behind her child born of rape, and later hunted by gangs because of her sexual orientation. An unaccompanied 16-year-old Honduran boy fled forced gang conscription, was raped along the road in Mexico, and is now battling sexually transmitted infections.

These are just a few of the individuals who have sought shelter at La 72, an *albergue*, or hostel, in the small town of Tenosique, Mexico, 40 miles north of the Guatemalan border. It sits on the front line of a burgeoning forced displacement crisis with 500,000 people fleeing annually from countries of the Northern Triangle of Central America (NTCA)—El Salvador, Guatemala, and Honduras.

Our organization, Doctors Without Borders/Médecins Sans Frontières (MSF), runs a clinic inside the La 72 shelter, among other locations along the Central American migration route through Mexico. A three-person team—a doctor, psychologist, and social worker—attend daily to the medical and mental health needs of the people. But they are overwhelmed both by the sheer numbers of patients and the horrific reasons for people's flight from their homes. The managers of the shelter also feel the pressure. "We have gone from a migration center to a refugee camp," said Ramón Márquez, the director of La 72.¹ In 2017,

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the shelter took in 7,950 people from the NTCA.² But in the first three months of 2018, the shelter had already received 3,800 people.³

The number of refugees and asylum seekers from the three countries of the Northern Triangle has seen nearly a tenfold increase since 2011, according to the UN High Commissioner for Refugees (UNHCR).⁴ Asylum applications from NTCA nationals were 45 percent higher between January and June of 2017 as compared to the same period from 2016.⁵

While global attention has been focused on the rising numbers of refugees fleeing wars in the Middle East and desperate people crossing the Mediterranean, the Northern Triangle is an often-overlooked epicenter of the forced displacement crisis. The high level of violence in the Northern Triangle ranks alongside that of the world's deadliest war zones, according to reports by the United Nations and the International Institute for Strategic Studies.⁶ Though the Northern Triangle is not a war zone, the attacks that people have suffered in the region and along their migration route through Mexico are comparable to the situations MSF has encountered in over 40 years of working in conflict areas around the world. Murders, kidnappings, threats, recruitment by non-state armed actors, extortion, sexual violence, and forced disappearances are daily threats facing people in the region.

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The evidence gathered by MSF through our medical clinics along the Central American migration route in Mexico illustrates a humanitarian crisis that demands increased levels of both aid and compassion. The stories of our patients stand in sharp contrast to the prevailing political discourse on U.S. immigration. President Trump has portrayed Mexicans and Central Americans as, at best, stealing jobs from U.S. citizens and, at worst, murderers and rapists preying on society.⁷

The Trump administration's policy initiatives over the past year further endanger hundreds of thousands of people forced to flee Central America, as well as many others already in the United States who are now threatened with deportation. These policies build on bipartisan failings, including 40 years of U.S. interventions in Central America, that have continued to destabilize the region and feed a pattern of forced displacement. Starting with the Carter administration, then drastically escalating under President Ronald Reagan, the U.S. government spent more than \$6 billion on direct military assistance and training for the Salvadoran armed forces and police in an effort to back the Salvadoran government against left-wing groups.⁸ The 12-year conflict left 75,000 dead and more than 1.5 million people displaced. The Reagan administration's support of Contra rebels against the Sandinista government in Nicaragua led

to between 60,000 and 80,000 deaths.⁹

Dire conditions have been further exacerbated in recent years by the almost systematic deportation of Central American refugees, migrants, and asylum seekers by Mexican and U.S. authorities. On January 8, the Trump administration ended Temporary Protected Status (TPS) for approximately 200,000 Salvadorans living in the United States.¹⁰ TPS is a humanitarian program that grants temporary lawful status and work authorization in the United States to people whose countries have been affected by armed conflict, natural disaster, or other extraordinary events. Salvadorans in the program now have until 9 September 2019 to leave the United States or face deportation.

The United States is sending Salvadorans back to one of the most violent places in the world, putting them at risk of death. This decision violates one of the most fundamental principles of international law, non-refoulement, which guarantees the right of refugees and asylum seekers not to be returned to a country where their life is at risk or where they are subject to persecution.¹¹ In survey and medical data from MSF's programs in Mexico released last year, 55 percent of Salvadoran refugees and migrants reported being victims of blackmail or extortion, 56 percent had a relative who had died due to violence, and 67 percent said they never felt safe at home.¹²

Our organization is urging the Trump administration to reconsider its decision, and we are calling on Congress to find a permanent solution that protects hundreds of thousands of Salvadorans from deportation. For far too many of the people affected by this decision, deportation is a matter of life and death.

Findings from our medical clinics and patient surveys along the Central American migration route through Mexico underscore the gravity of the crisis.¹³ Thirty-nine percent of patients surveyed mentioned direct attacks or threats to themselves or their families, or extortion or gang-forced recruitment, as the main reasons for fleeing their countries. Of all Northern Triangle refugees and migrants surveyed, 43.5

percent had a relative who died due to violence in the last two years.¹⁴ Some patients reported having been

kidnapped and beaten for days or even weeks for the purposes of extortion, ransom, or intimidation of other migrants and refugees. Attacks often include sexual assault.¹⁵

While there are certainly people leaving Central America for the economic

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opportunities up north, our findings show that rampant violence and lawlessness are the main drivers of flight. Some of our patients described being forced to abandon thriving businesses due to extortion and violence by criminal gangs. Attempts to stem migration by reinforcing national borders and increasing detention or deportation, as we have seen in Mexico and in the United States, ignore a genuine humanitarian crisis. Such misguided policies do not curb smuggling and trafficking, but rather help drive migration underground and fuel greater violence and extortion by criminals who profit from people's desperation.

UNPRECEDENTED LEVELS OF VIOLENCE

Citizens are murdered with impunity, kidnapped, and extorted on a daily basis in the NTCA. Non-state actors, such as criminal gangs, perpetuate insecurity and forcibly recruit individuals into their ranks, often using sexual violence as a tool of intimidation and control.

Around 150,000 people have been killed in the NTCA since 2006, averaging more than 50 homicides per 100,000 people, more than triple the rate in Mexico and more than 10 times the U.S. average.¹⁶ A global study on homicide carried out by the United Nations Office on Drugs and Crime (UNODC) in 2013 placed Honduras and El Salvador first and fourth respectively on the list of countries with the highest murder rates in the world.¹⁷

Disappearances have also become a grave concern, reaching levels unseen since the civil war in El Salvador. Between 2010 and 2016, the prosecutor's office received 23,000 reports of disappearances, as compared with the estimated number of disappearances—5,500 persons—found by the Commission on the Truth of El Salvador during El Salvador's civil war.¹⁸

Across the Northern Triangle, small business owners, transport workers, self-employed people, and even entire households are forced to pay "protection" money to gangs. Some 79 percent of registered small businesses in Honduras and 80 percent of the country's informal traders report being extorted.¹⁹ A recent survey in El Salvador has found that extortion is on the rise and now affects 22 percent of companies, but only 15 percent of all incidents are reported. In a reported 76 percent of cases, gangs were behind the extortion.²⁰

We talked to a Honduran family of five—representing three generations—as they sat in a shelter in Mexico City watching television. The youngest daughter cradled her two-week-old child. Just weeks earlier, she and her parents had fled their hometown in Honduras after the *maras*—organized criminal gangs—had imposed an 80 percent tax on her mother's hair salon business. Facing immi-

nent death threats, and with their daughter eight months pregnant, the family members left in the middle of the night for Mexico, abandoning everything they had built in an instant. “We were wealthy by comparison and still couldn’t escape the violence,” the matriarch of the family told us. “Even the taco sellers get extorted.”²¹

Their story is frighteningly common. A significant number of individuals MSF interviewed mentioned the lack of economic opportunities in their home countries; however, they all also described personal exposure to a violent event as triggering their decision to emigrate.²² The cycle of poverty and violence drives many toward the treacherous path through Mexico.

MSF’s experience treating migrants throughout Mexico led the organization to develop and implement a survey tool to measure an individual’s reasons for fleeing and the health impacts experienced before and after embarking on the route through Mexico.²³ These findings, along with medical project data from 2015–2017, illustrate the significant physical and emotional impact of fleeing insecurity at home and experiencing violence on the route north.

Just over half of those interviewed from the NTCA entering Mexico leave their country of origin for at least one reason related to violence. For those fleeing violence, 34.9 percent have reported more than one violence-related reason.²⁴ Respondents were asked several questions about their experience with direct and generalized violence in their home countries. Collectively, their stories show a population continuously exposed to some degree of violence or targeted threats:

- 48.4 percent of the population from NTCA entering Mexico received a direct threat from a non-family member (61.6 percent for Salvadorans).
- 45.4 percent of Hondurans and 56.2 percent of Salvadorans entering Mexico lost a family member because of violence in the last two years before they migrated.
- 31 percent of the Central Americans entering Mexico knew someone who was kidnapped, and 17 percent knew someone who has disappeared and not been found.
- 75 percent of Hondurans and 79 percent of Salvadorans witnessed a murder or saw a corpse in the previous two years.²⁵

It is this kind of violence that has led many of the patients interviewed in our clinics to admit that they have even pushed their own children to flee—alone or with other children—to escape forced conscription into gangs. We have seen firsthand that escaping the NTCA is not the end of the suffering for

our patients. The findings related to violence in the survey are appalling—more than half the sample population had experienced recent violence at the time they were interviewed. Forty-four percent had been hit, 40 percent had been pushed, grabbed, or asphyxiated, and 7 percent had been shot. Of the migrants and refugees surveyed in Mexico, 68.3 percent of people from the NTCA reported that they were victims of violence during their transit.

A significant number of male and female migrants in the surveys mentioned the occurrence of sexual violence, rape, and sex in exchange for shelter, protection, or money. Out of the 429 migrants and refugees that answered questions related to sexual and gender-based violence, 31.4 percent of women and 17.2 percent of men said they had been sexually abused during their transit through Mexico. Women often initiate birth control prior to their migration knowing the high risk of rape and unwanted pregnancy.²⁶

MSF patients reported that the perpetrators of violence included members of gangs and criminal groups, as well as the Mexican security forces responsible for their protection. Our organization's findings are all the more concerning when considered alongside the escalating numbers of disappearances and murders in Mexico, demonstrating the increasing dangers for migrants and refugees on the migration route.²⁷

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IMPACT OF VIOLENCE ON PHYSICAL AND MENTAL HEALTH

Through MSF project data from more than 4,700 medical consultations in 2015 and 2016, a picture of an often harrowing and traumatic journey emerges. Crossing Mexico from the NTCA is a constant battle for survival that can take a severe physical and psychological toll. Migrants and refugees walk for hours in high temperatures and on unsafe and insecure routes to evade authorities. They often risk falling from cargo trains or enduring terrible conditions in overcrowded trucks without food, water, or ventilation for hours.

A morbidity analysis based on MSF consultations during 2015 and 2016 showed that the most common health issues affecting migrants and refugees were intentional traumas and wounds, impacting 24 percent of respondents. Other common health issues included acute osteomuscular syndromes, affecting 20 percent; upper respiratory tract infections, affecting 18 percent; skin diseases, affecting 11 percent; and unintentional physical trauma, affecting 3 percent.²⁸

Patients describe being tortured and abused by criminals and state agents to extract ransom or to punish delayed payments. Others report that violence is used to psychologically terrorize migrants and refugees to ensure that they do

not report crimes to authorities or try to escape.

An important facet of MSF's work in Mexico is providing support for the mental health needs of migrants and refugees. The data collected by the mental health teams of the project during 2015 and 2016 reveal a worrying situation. Out of 1,817 refugees and migrants treated by MSF for mental health issues over the last two years, 92.2 percent survived a violent event in their country of origin or en route that threatens their mental health and well-being.

Forty-seven percent of our patients survived "physical violence" as a precipitating event for the mental health consultation. Injuries included gunshot wounds, blunt

force trauma from kicks and punches, mutilation of body parts during kidnappings, wounds from

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machete attacks, broken bones from baseball bat attacks, and wounds from being thrown out of a running train.²⁹ In most cases, incidents registered under "physical violence" by MSF occurred along the migration route in Mexico.

Being a "victim of threats" (44 percent) and having "witnessed violence or crime against others" (16.5 percent) were the third and fourth most common risk factors.³⁰ Witnesses to violence included patients forced to watch while others were tortured, mutilated, and/or killed—often while kidnapped or extorted.

In 11.7 percent of the cases, mental health teams are seeing manifestations of post-traumatic stress disorder (PTSD). The rates documented in MSF programs in 2015 and 2016 are well above rates in the general population, which range from 0.3 percent to 6.1 percent. The PTSD rate among migrants and refugees that MSF is documenting in Mexico is much closer to the rates in populations affected by direct conflict (15.4 percent).³¹

LIMITED ACCESS TO PROTECTION IN MEXICO

Despite the extensive evidence that violence and insecurity are major drivers of forced migration in Central America, few people are receiving legal protection in Mexico or the United States. The Americas already have relatively robust normative legal frameworks to protect refugees: the countries of Central and North America either signed the 1951 Convention Relating to the Status of Refugees or its 1967 protocol, and they all have asylum systems in place. Mexico has been at the forefront of international efforts to protect refugees: its diplomats

promoted the 1984 Cartagena Declaration on Refugees, which expands the definition to those fleeing “generalized violence.”³²

In 2010, the UNHCR established a guideline for the consideration of asylum and refugee status for victims of gang violence, inviting concerned countries to apply broader criteria to the refugee definition in the 1951 Convention.³³ The UNHCR concluded that direct or indirect threats (harm done to family members) and consequences (forced displacement, forced recruitment, forced “marriage” for women and girls) constituted “well-founded grounds for fear of persecution” and basis for the recognition of refugee status or the application of the principle of non-refoulement.³⁴

Mexico integrated the UNHCR recommendations and the right to protection stated in Article 11 of Mexico’s constitution into its 2011 Refugee Law. This law considers broad inclusion criteria for refugees—detailing, alongside the internationally recognized definition from the 1951 Convention, the eligibility of persons fleeing situations of generalized violence, internal conflict, massive violations of human rights, or other circumstances severely impacting public order.³⁵

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Despite the relatively adequate legal framework and the goodwill expressed in regional and international forums, the reality on the ground is extremely worrying: seeking asylum, getting refugee status, or even securing other forms of international protection, such as complementary measures in Mexico and the United States, remains almost impossible for people fleeing violence in the NTCA.

The number of undocumented migrants from the NTCA detained in Mexico has been growing exponentially for the last five years, rising from 61,334 in 2011 to 152,231 in 2016.³⁶ Migrants from the NTCA account for 80.7 percent of the total population apprehended in Mexico during 2016. The number of minors apprehended is extremely worrying, as it multiplied nearly ten-fold in the last five years, from 4,129 in 2011 to 40,542 in 2016. Of children under 11 years old, 12.7 percent were registered as traveling through Mexico as unaccompanied minors (without an adult relative or caretaker).³⁷

The non-refoulement principle is systematically violated in Mexico, with little regard for the exposure to violence and the deadly risks these populations face in their countries of origin. In 2016, 152,231 migrants and refugees from the NTCA were detained or presented to migration authorities in Mexico and 141,990 were deported.³⁸ The often swift repatriations, which occur within 36 hours, do not seem to allow sufficient time for the adequate assessment of individual needs for protection or the determination of a person’s best interest,

as required by law.

Amnesty International (AI) found that 75 percent of those people detained by Mexico's National Institute of Migration (INM) were not informed of their right to seek asylum in Mexico, despite the fact that Mexican law expressly requires those detained to be informed of their rights. Public officials, meanwhile, had assured AI that the requirement was being met.³⁹ The human rights group also found that 57 percent of detainees were interviewed for 10 minutes or less before a deportation decision was made.⁴⁰

Securing asylum in Mexico can be a prolonged process. Out of 8,788 requests, only 5,954 were resolved in 2016, 3,076 of which were granted.⁴¹ Asylum seekers must file requests within 30 days of crossing the border, and they are kept in detention if arrested before applying. Many give up because of the difficult conditions in detention centers, fear of being detained with members of gangs or organized crime, or because they have no right to work while their requests are being considered.⁴²

Even in shelters, the threat of violence looms for many. A 47-year-old man from Honduras fled his home country after gang members thought he had witnessed a murder and might testify against the perpetrators. He had been staying at La 72 shelter in Tenosique for several months when a group of men arrived and started shouting his name. He had not told his name to anyone in La 72 and feared that the gang members were searching for him. The shelter team worked quickly to have him relocated to another shelter in Mexico City.⁴³

Foreign undocumented victims or witnesses of crime in Mexico are entitled by law to regularization on humanitarian grounds, along with assistance and access to justice.⁴⁴ In 2015, a total of 1,243 humanitarian visas were granted by Mexico for victims or witnesses of crime from the NTCA.⁴⁵ These numbers seem impossibly low given that the vast majority of refugees and migrants (68.3 percent) surveyed by MSF report having been victims of violence and crime.

Lack of access to the asylum and humanitarian visa processes, lack of coordination between different governmental agencies, fear of retaliation in case of official denunciation to a prosecutor, expedited deportation procedures that do not consider individual exposure to violence—these are just some of the reasons for the gap between rights and reality.

SHRINKING PROTECTIONS IN THE UNITED STATES

The situation for migrants, refugees, and asylum seekers is even more restrictive in the United States, where the political environment has grown overwhelmingly

hostile.

At the June 2017 Conference on Prosperity and Security in Central America in Miami, humanitarian issues were conspicuously absent from the agenda. Then Secretary of Homeland Security John Kelly said the conference was intended to tackle migration issues at the source, even as he acknowledged in an April 2017 speech that violence was driving people to flee and described the Central American migration route as “a course that rivals Dante’s journey to hell.”⁴⁶

The tenor of the speeches at the conference foreshadowed what was to come. The Trump administration has stepped up immigration enforcement, detention, and deportation. In August, the Department of Homeland Security terminated a program that allowed minors fleeing violence in El Salvador, Guatemala, and Honduras to settle in the United States, ending travel hopes for more than 2,700 children awaiting approval. In September, the Department of Homeland Security formally rescinded the Deferred Action for Childhood Arrivals (DACA) program that has given temporary protection to more than 800,000 children brought illegally into the United States. In January 2018, the administration revoked Temporary Protected Status (TPS) for Salvadorans in the United States; and in May the TPS designation for some 80,000 Hondurans was terminated.⁴⁷

The Immigration and Nationality Act (INA), the United States’ main body of immigration law, does not embrace the same breadth of criteria as the Mexican legal system. The definitions of asylum seeker and refugee reflect those stated in the 1951 Convention.⁴⁸ On paper, the law does not take into consideration contextual changes in the NTCA, recommendations formulated through the

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UNHCR, or regional mechanisms such as the Inter-American Convention on Torture or the UN Convention against Transnational Organized Crime. Under the exist-

ing procedure, it is extremely difficult for those fleeing violence in the NTCA to obtain asylum or refugee status in the United States. Success depends on many factors, including good legal representation, something that many asylum and refugee applications simply do not have.

According to the UNHCR, by the end of 2015, 98,923 individuals from the NTCA had submitted requests for refugee or asylum status in the United States.⁴⁹ Nevertheless, the number of asylum grants to individuals from the

NTCA has been comparatively low given the high number of people fleeing violence, with just 9,401 granted asylum status from Fiscal Year (FY) 2011 to FY 2016.

The United States does not have an effective system in place to facilitate refugee recognition of individuals from NTCA when they are in their country of origin or during the transit process in Mexico. Although overall deportations by the Immigration and Customs Enforcement agency (ICE) are reported to have fallen slightly between 2016 and 2017, deportations are stemming from more ICE arrests. In FY 2017, ICE conducted 226,119 deportations. The proportion of deportations which resulted from ICE arrests increased from 65,332, or 27 percent of total deportations, in FY 2016, to 81,603, or 36 percent of total deportations, in FY 2017.⁵⁰

Many returnees who fled violence fear returning to their neighborhood. According to the UNHCR, some returnees remain identifiable by gang members near the reception centers and elsewhere, and some returnees have been killed by gangs shortly after their return.⁵¹

A HISTORY OF FAILED POLICY

All regional actors have a role to play in the current humanitarian crisis in Central America, but the United States bears particular responsibility. Over the past 35 years, under Republican and Democratic administrations, U.S. policy decisions have sown the seeds of this crisis. At the height of the Cold War, the Reagan administration's support for Contra rebels in Nicaragua and repressive governments in El Salvador and Guatemala contributed to political turmoil and the exodus of more than a million refugees.

The Reagan administration considered the vast majority of Central Americans arriving in the United States as "economic migrants." As a result, approval rates for Salvadoran and Guatemalan asylum cases were under 3 percent in 1984, in contrast to the much higher approval rates for those fleeing U.S. enemies in Iran, Afghanistan, and Poland at that time.⁵² In this respect, the politics of refugee protection have changed little over the decades.

Some of the most powerful transnational criminal gangs currently wreaking havoc in the Northern Triangle—including MS-13 and the 18th Street Gang—originated in Los Angeles and grew out of a wave of U.S. deportations ordered by the Clinton administration in the late 1990s.

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 changed U.S. immigration laws by making minor offenses such as shoplifting

and unlawful overstaying in the country causes for deportation.⁵³ Following its passage, the Clinton administration began deporting illegal immigrants, many with criminal convictions, back to the region. Many experts contend that gang-deportees “exported” a Los Angeles gang culture to Central America and recruited new members from local communities.⁵⁴

Between 1998 and 2014, U.S. authorities deported almost 300,000 immigrants with criminal records to Central America. In El Salvador specifically, deportations between 1996 and 2002 led to the return of thousands of Salvadoran gang members who had fled their homeland during the war.⁵⁵

Although U.S. policies sought to curb criminal activity by breaking up Los Angeles gangs, the long-term effect was an increase in violence across Central America, particularly in El Salvador. A recent analysis by the International Crisis Group (ICG) comparing U.S. deportation figures and homicide data from El Salvador powerfully illustrates the rise in killings that followed mass criminal deportations.⁵⁶ Between 1993 and 2013, approximately 40 percent of the deportations to El Salvador were criminal. The ICG analysis found that the return of deported criminals to El Salvador significantly increased homicides and reduced primary school attendance. Estimates show that for an increase of 1,000 criminal deportees per municipality, homicide rates increase by four murders per 100,000.⁵⁷

REVERSING COURSE

With the United States planning once again to step up deportations of Central Americans, including violent criminals, it is crucial that the people who have been harmed or threatened by these criminal gangs have access to protection.

Now is the time to reverse the devastating course of U.S. engagement in the Northern Triangle and break the cycle of failed policies authored under Republican and Democratic administrations alike that have only served to harm people in the region. At a minimum, the U.S. government must stop mass deportations of people back to the Northern Triangle and enact legislation to provide permanent protections to Salvadorans and Hondurans previously living under Temporary Protected Status designations and Hondurans currently protected under the TPS program. Furthermore, more humane conditions for people must be ensured while their cases are processed, including access to medical and mental health care services.

There also needs to be an expansion of foreign aid in support of establishing safe and humane alternatives to the detention of refugees and migrants

who have fled to Mexico. The vast majority of the more than 100 albergues are privately funded, faith-based centers that range from comprehensive centers to “beds for the night”—a striking contrast to the typical humanitarian response in countries receiving similar numbers of refugees and migrants.

The government of Mexico, for its part, must immediately cease the systematic deportation of Northern Triangle citizens and provide better alternatives to detention. It must also protect and expand medical, mental health, and sexual violence care services for migrants and refugees, all of which are supposed to be provided under current Mexican law. Stronger regional mechanisms are needed to ensure that people fleeing violence are able to access protection in both Mexico and the United States.

The fallout from decades of dangerously misguided U.S. policies in the region—with the massive suffering these choices have wrought and all the moral responsibility this history entails—demands a response that meets the immediate humanitarian needs of Central Americans. It will take years to address longer term issues of security and economic development, but hundreds of thousands of vulnerable, preyed-upon people need help now. 

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