



Immigration and Refugee Board of Canada

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RESPONSES TO INFORMATION REQUESTS (RIRs)

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13 May 2008

GTM102808.FE

Guatemala: Documentation required and procedure to follow so that a parent can travel outside Guatemala with a minor in the absence of, or without the consent of, the other parent (2005 - April 2008)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

According to an immigration program manager at the Embassy of Canada in Guatemala, parents who want to travel outside Guatemala with a minor in the absence of, or without the consent of, the other parent do not have to follow any special procedures (Canada 1 Apr. 2008a). The Immigration Program Manager added that "[o]nce the passport is issued (usually for 5 years) there are no further controls" (ibid.). A minor does not need the authorization of both parents to leave the country, and no proof of authorization is requested at the airports or at the checkpoints along Guatemala's borders with Mexico, El Salvador, Honduras and Belize (ibid.). Guatemala is party to a Central American border control agreement with El Salvador, Honduras and Nicaragua; under the terms of the agreement, citizens of the four countries can travel freely across land borders between the countries without being subject to entry and exit formalities at immigration checkpoints (US 12 Oct. 2007). A migration certificate (*certificado de movimiento migratorio*) is not required either because, according to the Immigration Program Manager at the Embassy of Canada, travel is possible without this certificate (Canada 1 Apr. 2008b).

The following documents must be submitted to authorities in order to obtain a passport for a minor: an original birth certificate and two photocopies, and authorization from both parents, who must present in person their identification card (*cédula de vecindad*) (Guatemala n.d.a; see also Guatemala n.d.b) or their valid passport (ibid.). No other identification papers are accepted (ibid.). Furthermore, under article 53 of the Law on Immigration, (*Ley de Migración de Guatemala*), when one parent is not present, the other must obtain the consent of the absent parent in a duly signed legal document (Guatemala 26 Nov. 1998; ibid. n.d.a; see also Guatemala n.d.b). If one parent is deceased, the surviving parent must present a death certificate (ibid.; ibid. n.d.a).

The United States (US) Department of State website indicates that travellers under 18 years of age who have a valid US passport do not need special permission from their parents to enter or leave Guatemala (US 12 Oct. 2007). Regarding travel to Canada, the Immigration Program Manager at the Embassy of Canada in Guatemala stated that a parent who applies for a visa for Canada must provide written consent from the other parent (Canada 1 Apr. 2008a)

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

Canada. 1 April 2008a. Embassy of Canada in Guatemala. Correspondence sent by an immigration program

manager to the Research Directorate.

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Guatemala. 26 November 1998. *Ley de Migración de Guatemala*. (migrantes en línea) <http://www.migrantesenlinea.org/imagesFTP/4449.Ley_de_Migracion_de_Guatemala.doc> [Accessed 31 Mar. 2008]

_____. N.d.a. Ministerio de Relaciones Exteriores. "Pasaportes." <http://www.unidosporguate.gob.gt/index.php?option=com_content&task=view&id=6&Itemid=3> [Accessed 31 Mar. 2008]

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United States (US). 12 October 2007. Department of State. "Guatemala: Entry/Exit Requirement." <http://travel.state.gov/travel/cis_pa_tw/cis/cis_1129.html?css=print> [Accessed 31 Mar. 2008]

Additional Sources Consulted

Oral source: Representatives of the Embassy of the Republic of Guatemala in Canada did not respond to a request for information within the time constraints of this Response.

Internet sites, including: Embassy of the United States in Guatemala, Guatemala - Dirección General de Migración.


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