

# THE ADVOCATE

**ACTION AT HOME FOR JUST POLICIES ABROAD**

## Honduras: A Time of Hope

*Lisa Haugaard*

Honduran President Xiomara Castro was inaugurated on January 27, 2022, ushering in a new era of hope for Hondurans who had endured successive repressive governments since the 2009 coup. In an emotional moment during the inauguration, Castro met with Berta Zúñiga, the current leader of indigenous organization COPINH and daughter of slain environmental activist Berta Cáceres. **At this hopeful moment, we congratulate Honduran social movements that braved the repression to uphold their dream of a more just nation, and we congratulate you, who organized to support them.**

Since the Biden Administration took office, LAWG had been advocating with the Biden Administration to distance itself from the corrupt then-President Juan Orlando Hernández and his allies. Now, we are urging the administration and Congress to support efforts by the new government and Honduran human rights defenders to tackle corruption and impunity and restore space for civil society groups to organize.

We are already seeing signs of a new approach—such as the Biden Administration's quick recognition of Xiomara Castro's electoral win, its outreach to Castro's transition team, and Vice President Harris's attendance at Xiomara Castro's inauguration. A marked signal of change in U.S. policy was the recent revelation that the Biden Administration had blocked then-President Juan Orlando Hernández from visiting the United States by imposing visa **sanctions** since July 2021—and the issuance of a request for extradition to the United States the moment he left office. Now, we have been advocating with the administration to encourage and actively support the new government's efforts to fight corruption and address long-standing human rights abuses.



*Yaira signing condolence book for slain environmental activist Berta Cáceres at the Honduran Embassy (now representing President Xiomara Castro's government) in Washington, DC. Photo by Antonio Saadipour.*

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## ABOUT US

The Latin America Working Group (LAWG) and its sister organization, the Latin America Working Group Education Fund (LAWGEF), mobilize concerned citizens, organizations, and networks to call for just U.S. policies towards Latin America and the Caribbean. We educate the public about the impact of U.S. foreign and immigration policy and advocate before the U.S. Congress and the executive branch. We coordinate a coalition of over 50 U.S. organizations and work closely with civil society partners in Latin America to support their human rights campaigns and make sure their voices are heard in the policy debates that take place in Washington, D.C.

The new Honduran government and legislature have moved quickly on some fronts. President Castro formally invited the United Nations to set up an international anti-corruption mechanism similar to the CICIG in Guatemala—and the United States has expressed interest in providing funding should it be launched. The legislature, which had appeared starkly divided with, briefly, two competing presidents, united behind initial steps to tackle corruption. This included revoking the so-called “Law of Secrets” that blocked public access to government information and restoring the right of the Attorney General’s office to investigate members of Congress implicated in corruption.

But these new changes will not go over easily in Honduras. The forces of corruption will try to block and influence the new government. And the threats and attacks facing human rights defenders in Honduras won’t simply cease with a new government, even with the best intentions, as they emanate from a complex web of corrupt officials, security forces, and companies.

And it’s not going to be easy to transform U.S. policy towards Honduras. It’s great that the Biden Administration is planning to back efforts to address corruption and that the United States has finally turned its back on Juan Orlando Hernández. But it’s far less clear that the Biden Administration will support progressive economic programs or support efforts to rein in extractive industries or the ZEDES investment zones. We have serious questions about U.S. plans to attract investments for Honduras, El Salvador, and Guatemala—including whether such investments will be screened to ensure compliance with labor rights and environmental standards and to avoid investing in corrupt companies or projects that violate community rights.

**What we do know is this: the United States, which helped to create the human rights nightmare that Hondurans have endured since 2009, now has the chance and the moral obligation to **change course.****



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## Title 42: Bringing Back Asylum and the Challenges Ahead

*Yadira Sánchez-Esparza*

The Title 42 border order, implemented in March 2020 under the Trump Administration but continued by President Biden, **has led to 1.7 million expulsions of migrants and asylum seekers** to countries like **Mexico**, Haiti, Guatemala, Honduras, El Salvador, Colombia, and Brazil. Together with you, LAWG has advocated for the end of this policy through petitions, congressional letters, and in-person actions in Washington D.C. and across the country. We’ve raised our voices to end this policy alongside hundreds of other NGOs, **public health experts**, and members of Congress, including **Democratic leadership**, because we know the human suffering that this policy has caused. **Human rights organizations have documented nearly ten thousand instances of people being kidnapped, tortured, sexually assaulted, and murdered**

as they were denied access to seek asylum at the border as a result of Title 42, including families with small children and vulnerable people fleeing violence and persecution. This policy also has a **disproportionate impact** on Black people seeking asylum, especially Haitians.

Our joint actions and hard work to speak out against Title 42 finally had an impact! On April 1, 2022, we welcomed the announcement by the Centers for Disease Control and Prevention (CDC) to end the Title 42 border order on May 23, 2022.

But our fight isn't over yet. The CDC and the Department of Homeland Security (DHS) have stated that until the specified date, they will continue to expel single adults and families encountered at the U.S.-Mexico border. We wish this weren't the case because we know that with every expulsion, **we are denying men, women, and families the right to seek safety and sending them back to harm.** Until May 23, we are urging the Biden Administration to use its discretion to exempt particularly vulnerable populations from the Title 42 policy and to begin coordinating with civil society organizations to establish fair, humane, and orderly processes along the border so that people seeking safety can make their claims heard. As LAWG Co-director Daniella Burgi-Palomino stated, **"It is time to turn the page on this cruel policy and, once again, for the United States to be a beacon to those seeking refuge from around the world."**

LATIN AMERICA WORKING GROUP

"...WE READ AT THE AIRPORT THAT IT SAID 'WELCOME TO VILLAHERMOSA...'

AND THEN WE ASKED WHY WERE WE BEING DEPORTED TO MEXICO IF WE ARE NOT MEXICANS...

WELL, THEY LEFT US STANDING THERE IN THE MIDDLE OF NOWHERE. FROM THERE, MEXICAN IMMIGRATION TOOK US ALL THE WAY TO THE MEXICAN-GUATEMALAN BORDER."

TESTIMONY OF A HONDURAN MIGRANT EXPELLED UNDER TITLE 42 IN OCTOBER 2021 FROM THE U.S. BORDER TO SOUTHERN MEXICO & INTERVIEWED BY RADIO PROGRESO, HONDURAS. TRANSCRIBED AND TRANSLATED BY LAWG.

Graphic created by Yadira Sánchez-Esparza featuring testimony from a Honduran migrant who arrived at the southern border and was returned to Mexico.

## Peace in Colombia Hangs by a Thread

Antonio Saadipour

The signing of the historic 2016 peace accords laid the foundation to address the corrosive inequality and brutal violence that plunged Colombia into the longest-running civil conflict in the Western Hemisphere. But that was then, and this is now. **Today, peace in Colombia falters and violence against the country's social leaders and ethnic minorities is gradually returning to pre-agreement levels.**

Massive nationwide protests last year—sparked by a proposed tax reforms and heightened by acute inequality and police brutality—were met with gross human rights violations by the Colombian National Police, leaving 44 people dead at the hands of Colombian security forces and hundreds more severely wounded. To this day, **no member of the police has been convicted in a criminal court for abuses committed during the 2021 national protests.**

This year is off to a tragic start as the Institute for Development and Peace Studies (*Instituto de estudios para el desarrollo y la paz*, INDEPAZ) recorded a total of 51 social leaders and 14 ex-combatants killed and 33 massacres so far in 2022. Yet during a February 2022 bilateral press conference, the U.S. government lauded the Colombian police's efforts and pledged \$8 million more



Colombian human rights prize winners, Lisa, WOLA, Diakonia, and Act Alliance Sweden with National Security Council staff at the White House. Photo by Matthew Bocanumenth.

in aid to the country's security forces. While the Biden Administration said the aid was intended to support human rights training for the police, **it sent exactly the wrong message.**

In early March, Senator Menendez **introduced** the United States-Colombia Strategic Alliance Act of 2022, which outlines “a comprehensive agenda for U.S.-Colombia relations focused on expanding engagement on issues of inclusive economic growth, anti-corruption, international security, environmental protection, and refugees and migration.” **Despite the description, the bill fails to strategically support peace accord implementation and human rights,** and one of its central elements is to propose that the U.S. government name Colombia a major non-NATO ally. The disconnect between the violence perpetrated against Colombian civil society and the response from the U.S. government was widened later in March when President Biden met with President Duque in the White House. While the White House released a joint **statement** that did briefly address peace accord implementation and human rights, in his public presentation President Biden mainly celebrated Colombia's support for Ukraine and its efforts to assist Venezuelan migrants. He then announced he would designate Colombia as a major non-NATO ally, granting the Colombian government certain benefits with respect to security and defense. Colombia is one of the most dangerous countries in the world for human rights defenders, **and in 2020, it was named the most dangerous for environmental defenders.** That did not merit a mention.

To urge the Biden Administration to rethink its approach to Colombia, LAWG, along with other organizations, sent a **letter** to Secretary of State Blinken calling for a focus on peace accord implementation, racial justice, comprehensive police reform, and protection of human rights defenders and social leaders. We also just joined our colleague WOLA in hosting the former winners of Colombia's national human rights prize, including Afrodes president Marino Córdoba Berrío, ethnic commissioner for the Truth Commission Leyner Palacios Asprilla, Daniela Stefania Rodríguez of the Committee in Solidarity with Political Prisoners, and indigenous leader and member of the Guardia Indígena Mario Baicue Escue. The prize is sponsored by Diakonia and Act Alliance Sweden. Together, we brought these human rights stars to meet with the White House, State Department, and Congress. As Marino Córdoba said during his visit, **“Duque received a country filled with hope and now is delivering a country at war, with displacement, massacres, and assassinations, a country that seems to have lost the dream of ending the conflict. The next government must accelerate towards peace.”**

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## Haitians Make the Perilous Journey to the U.S.-Mexico Border

Ana Pereyra-Barón

**In a time of crisis, the United States has failed its Haitian neighbors.** Black Haitian migrants encounter many obstacles before they even reach the U.S.-Mexico border. The challenges Haitian migrants face on their journey to the border highlight the deep discrimination and anti-Blackness embedded in U.S. and Mexican government's immigration policies. We saw the abusive treatment of Haitian migrants at our border in Del Rio seven months ago, but the reality is that not much has changed for Haitian migrants since then.

Haitian migrants endure extreme dangers as they embark on the journey towards the U.S.-Mexico border. Many of them who arrive at the U.S.-Mexico border come from **Chile and Brazil**, where they have been living for years after fleeing their country. Leaving these countries, thousands of Haitian migrants cross through the Darien Gap, the notoriously dangerous region that connects Panama and Colombia. The **International Organization for Migration** reports that between January and October 2021, 100,000 migrants attempted to cross the Darien Gap, and 62% of the women who crossed the gap were Haitian. On their journey across the Americas, especially in the Darien Gap, women and girls face sexual and gender violence.

On top of the dangers of crossing the Darien Gap, Black Haitian migrants will face numerous challenges at the hands of Mexican enforcement officials. In addition to overcrowding in detention centers, Haitian migrants face anti-Blackness from Mexican migration and law enforcement agents and arbitrary arrests that target their community. They are subjected to **horrific acts of brutality** from Mexican police that are left in impunity. In detention centers, Haitian migrants are denied access to sanitation and medical care. **“It's like the blood that runs through their veins is not the same as the blood in our veins. They look at you like you are nothing because you're Black,”** one Haitian migrant reported on the brutality of the Mexican police.

But Mexico is not alone in its abusive acts towards Haitian migrants. We must also recognize the abuse coming from U.S. immigration policies. In its over two years of implementation, the inappropriate use of Title 42, the policy that denies access to asylum at the border using the rationale of COVID-19, has had a disproportionate impact on Haitian migrants. **U.S. deportation flights** have sent Black Haitian migrants starving, sick, and handcuffed on their way back to a country with violence and poverty. Until it recently decided to end Title 42, the Biden Administration doubled down on the policy, removing more Haitians through Title 42 than during all of **fiscal year 2020**. Since the beginning of Title 42, **over one-third of the expulsions to Haiti occurred during the Biden Administration**.

Seven months ago, we witnessed the excessive use of force by Border Patrol officers in Del Rio, Texas against Haitian migrants. Since the mass human rights violations in Del Rio in September of 2021, there have been **175 ICE Air removal flights to Haiti**, expelling about 19,000 Haitians.

The U.S. government fails to assess the asylum cases of these Haitian deportees and ensure individuals are not being returned to **persecution and torture**. **When Haitian migrants are returned to crisis-ridden Haiti, there is no follow-up or accountability for their suffering**.

Haiti is experiencing an ongoing humanitarian crisis. Earlier this year, Haitian President Jovenel Moise was assassinated, causing political turmoil. In August 2021, a 7.2 magnitude earthquake killed hundreds and left approximately 650,000 Haitians needing emergency humanitarian assistance. Two days after the earthquake, a tropical depression, Grace, hit the island, leaving **44% of the population suffering from food insecurity**. **On top of these human-inflicted and natural disasters, high levels of organized crime, poverty, and corruption continue to plague the country**.

**But there is some hope.** The Biden Administration has announced its plans to lift Title 42 on May 23rd. Until then, inhumane treatment and expulsions of Haitian migrants will continue. Although Title 42 coming to an end is a step towards restoring hope for migrants and asylum seekers, there is still much work to be done. **The Biden-Harris Administration needs to recognize the particular needs of Haitian migrants, allow them to make their claims heard, and understand that immigration is a Black issue.** President Biden must recognize the systemic racism in the U.S. immigration system and engage with civil society organizations to implement policies that ensure that Haitian migrants do not have to continue enduring human rights abuses on their journey to seek protection. We urge the Biden Administration to implement policies that ensure fair and humane protections for our Haitian neighbors and to exempt vulnerable populations, including Haitians, from Title 42 until May 23rd.

You have stood beside us in our commitment to rescind Title 42, which disproportionately impacts Black migrants on their journey to the U.S.-Mexico border. **LAWG, along with many members of civil society, signed onto letters to Department of Homeland Security Secretary Mayorkas urging him to terminate Title 42 expulsions and to ensure humanitarian protection for returnees.** Together, **we advocated for our Haitian neighbors** and others that arrive at our border. We sent President Biden a **petition** with over 2,000 signatures to stop the expulsion flights of asylum seekers fleeing violence.

But the reality is that our work isn't over. **We must celebrate the victories that we have fought for together, like the end of Title 42 on May 23, but the reality is that until that happens, tens of thousands of Haitian migrants and others will continue suffering at the hands of the U.S and Mexican government's immigration policies. The end of Title 42 cannot come quickly enough.**



*Daniella speaking at a protest in front of CDC offices on the two-year anniversary of Title 42. Photo by Ferran González Torguet.*

# #HastaEncontrarles: The Uphill Battle to Justice for Mexico's Disappeared

Daniella Burgi-Palomino and Yadira Sánchez-Esparza

There are close to 100,000 officially registered cases of disappearances in Mexico in 2022, but this is just the tip of the iceberg. The **Movement for the Disappeared in Mexico** (Movimiento por Nuestros Desaparecidos en México), a group of over 80 family collectives across the country, believe the actual number of disappearances is much higher. And while there has been some progress in advancing the investigation of high-profile cases like the disappearance of the 43 students from the Ayotzinapa rural teacher's college under President Andrés Manuel López Obrador, **there is still a long way to go in obtaining justice for the other tens of thousands (and soon to be hundreds of thousands) disappeared.** LAWG continues to accompany the Movimiento and Mexican NGOs at this crucial juncture. We work to highlight their continued struggle for justice by supporting families of the disappeared and calling on our own government to back their fight.



Poster of 43 disappeared Ayotzinapa students in Mexico City. Photo by former LAWG staff.

Many families of the disappeared have been searching for their loved ones on their own in dangerous conditions for years without much support. **As the crisis persists, the collectives in the Movimiento have continued to grow with newer families joining those who have already spent decades searching for their loved ones.** Fuerzas Unidas por Nuestros Desaparecidos en Coahuila (FUUNDEC-FUNDEM) in the northern state of Nuevo León, for example, has been organized since 2009. In other states like Guanajuato, there were previously **no collectives of families of the disappeared before 2019**, and now, there are at least 14. Territorial disputes between organized criminal cartels in Guanajuato have led to a serious uptick in violence and deterioration of public safety and with it, disappearances. According to **recent statistics** from Mexico's National Search Commission, the states with the highest number of disappearances as of March 2022 included Tamaulipas, the State of Mexico, and Nuevo León. Municipalities in the state of Guanajuato registered in the top **five** highest in the country for persons found in clandestine graves.

Family collectives still face enormous risks in their search for the disappeared. Frequently they search with simple equipment and make their way to remote and dangerous terrain to excavate graves on their own. **Throughout this process, they receive threats, are criminalized, face harassment on social media, and are even killed.** Some, like **Francisco Javier Barajas Piña**, who formed part of a collective in Guanajuato and searched for his disappeared sister, received so many threats that he had to leave the city where he was, only to be killed last year. His family had to leave the state after

he was killed due to fears of what would happen to them. Many families of the disappeared who report these threats and harassment receive no responses or few protective measures from local governmental authorities.

And even when family members do find remains, there are serious challenges in identifying and processing them across Mexico. As of 2021, there are at least **52,000 unidentified deceased people** in the country, the vast majority in mass graves or cemeteries. In many states like Guanajuato, there is a lack of data about forensic identification to begin with. The State Prosecutor's Offices are often weak and lack the capacity to provide regular reports on forensic identification processes

to families. Family collectives in Guanajuato have reported delays in being notified about the identification of their disappeared relatives. Databases containing information about disappearances and forensic information remain fragmented among different local agencies, making the matching of genetic information very difficult.

Some of the challenges related to the search, forensic identification, and investigation into cases of the disappeared were supposed to be resolved with the implementation of the General Law on Disappearances, which passed in large part due to the advocacy from families of the disappeared. **But the reality is that more than four years after the law was passed, progress has been limited.** The law created mechanisms at the state and federal levels to improve and streamline search, identification, and investigation processes for disappearances and to improve civil society consultation via a Citizens' Council. But the local search commissions and specialized prosecutors' offices that have been created remain weak and underfunded. The Mexican government established an Extraordinary Mechanism for Forensic Identification (the MEIF) with international support and experts to strengthen the government's work to improve identification processes. It has just been staffed and issued its **work plan** for this year, but a National Forensic Data Bank, which the law mandated, has not yet been set up. There are still gaps in connecting national databases with local ones. Investigations and prosecutions are still lagging—the UN Committee on Enforced Disappearances in its recent **report** stated that **only between 2 and 6% of all disappearance cases in Mexico resulted in prosecutions**, emphasizing the widespread **impunity** that still exists in these cases.

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LAWG, along with our partners, has echoed the voices of these family collectives to educate U.S. policymakers and created spaces to organize together towards justice. We organized a virtual briefing for congressional staff with family collectives from the state of Guanajuato where they shared how these structural failures manifested into huge losses of time, energy, and money in the search for their loved ones. **As we approach the tragic number of 100,000 people disappeared in Mexico, we have urged the Biden Administration and members of Congress to emphasize addressing disappearances and human rights in the U.S.-Mexico bilateral relationship.**

We have encouraged U.S. funding for the Extraordinary Forensic Identification Mechanism to increase the Mexican's government's capacity to identify human remains and to strengthen state-level identification and search efforts, ensuring that families are involved throughout the process. We're urging U.S. Ambassador Salazar to meet with civil society organizations, including the family collectives, in his visits to various Mexican states. And we didn't stop there. We called for strong public statements on social media to support the family collectives and for U.S. policymakers to raise with the Mexican government the need to advance and fund the search, identification, and investigatory mechanisms of the General Law.

***As we approach the tragic number of 100,000 people disappeared in Mexico, we have urged the Biden Administration and members of Congress to emphasize addressing disappearances and human rights in the U.S.-Mexico bilateral relationship.***

With you, we will mobilize together to support the hundreds of families in Mexico who are put in danger everyday simply by searching for their family members. **With you, we will advocate for an end to impunity for the human rights violations and corruption that perpetuate disappearances in Mexico—we will not stop until they are found.** **#HastaEncontrarles**



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