

# THE ADVOCATE

ACTION AT HOME FOR JUST POLICIES ABROAD

## Raising Our Voices for Immigrant Families

Daniella Burgi-Palomino & Lily Folkerts

**Let's be honest. It's been a tough year.** From relentless attacks on families, unaccompanied children, and individuals arriving at our southern border to long-standing members of our communities like TPS beneficiaries and Dreamers. Trump officials in the Department of Homeland Security (DHS) and the Department of Justice (DOJ) have pushed policy change after policy change, all of which have had and will continue to have devastating effects on immigrant families and those arriving at our border.

Together, we've fiercely opposed these measures and highlighted their negative impacts on migrants and refugees from Mexico and Central America. We're so thankful to have had your support in this fight, but we still have a lot of work to do. **Here are a few of the ways we've worked together to raise our voices against these policies and ways you can act to resist to what's next on this administration's heartless agenda.**

### Demanding Permanent Protections for TPS Beneficiaries and Dreamers

This past March, the administration ended Temporary Protected Status (TPS) for around 57,000 Hondurans. This was the latest in a string of decisions, which phased out protections for Nicaraguans, Salvadorans, and Haitians. **The result—from 2019 to 2020 around 300,000 TPS beneficiaries' protections will expire, upending their lives and prohibiting them from living and working in the communities they have called home for years, for some, decades.** And officials made this senseless decision despite numerous congressional letters, some bipartisan, that we organized and rallied behind together. Now, we've kept busy knocking on the doors of Congress, asking them to support bills that would provide long-term protection for TPS beneficiaries, like a pathway to citizenship. Despite our efforts so far, no bills have advanced in the House or Senate. What's more, our Dreamer brothers and sisters face



Lily and LAWG former intern Anna at rally against family separation at the Department of Justice. Photo by Lily Folkerts.

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## ABOUT LAWG

The Latin America Working Group (LAWG) and its sister organization, the LAWG Education Fund, serve a coalition of over 60 national religious, humanitarian, grassroots, and policy organizations. LAWG coordinates advocacy and public policy education to shape U.S. foreign policies toward Latin America that promote human rights, justice, peace, and sustainable development. By offering strategic advice and training for activists nationwide, the LAWG helps U.S. citizens play an active role in shaping foreign policy. The LAWG Education Fund, a 501 (c) 3 organization, carries out educational activities.

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the same fate. **No clean Dream Act, one that wouldn't trade the lives of Dreamers and use them as bargaining chips for increased border militarization, has passed yet.**

Thanks to multiple lawsuits, some hope has come in the form of federal district courts standing up to the Trump Administration's termination of protections for Dreamers and TPS beneficiaries. Dreamers, for example, can still apply to renew their status. And recently, a California judge halted termination of TPS for Nicaraguans, Salvadorans, and Haitians, stating that the decision was unconstitutional and politically motivated. Now, lawyers are working to have Hondurans covered by this preliminary injunction. And, we remain hopeful that other lawsuits, many of which include Hondurans, will also yield favorable outcomes.

**But while positive, these court rulings for Dreamers and TPS beneficiaries are only temporary blocks on the administration's plans, ones that they are likely to appeal until they end up on the docket of the Supreme Court. We must continue to push for longer-term, permanent protections for these members of our communities.**

### Halting Family Separation & Fiercely Rejecting Indefinite Detention

One of the more difficult moments that we faced this summer was the administration's egregious "zero tolerance" family separation policy. **We are proud to have organized in opposition with you—all 130,000 of you who signed our petition and all the activists and members of Congress that rallied with us in D.C. over the summer.** Thanks to our joint efforts, we forced the administration to backtrack on this heartless initiative. These harsh realities still haven't ended though, as hundreds of children remain separated from their families and recent findings show that many more were separated than the roughly 2,600 that were initially reported. We must continue holding DHS accountable for these actions and call on the administration to reunify every family immediately.

But now, they have already moved on to their next cruel plan to attack migrant children and families. **The administration is working to overturn a long-standing court decision, known as the Flores Settlement Agreement,** which defines minimum protections for migrant children, including access to basic human rights and a limit of 20 days in detention. And news is spreading that, until the administration successfully does away with Flores, they will force parents to make an unconscionable choice—keep your children detained with you indefinitely or consent to being separated from your child. Immigration and Customs Enforcement (ICE) is also going after some of the undocumented family members who could receive these unaccompanied children in the United States, arresting and deporting them.

**The administration wants to make sure no one feels safe. We're here to tell them they're wrong.** That's why, together, we joined forces and submitted public comments against changes to the Flores Settlement Agreement. And we'll continue to push for community-based alternatives to detention, which are far more humane and cost-effective.

### Denouncing Restrictions to Asylum Protections

Administration officials are attacking on all fronts. Alongside TPS and DACA terminations and locking up children, **Attorney General Jeff Sessions is set on restricting access to asylum for families and children** arriving at our borders and in urgent need of protection.

The Attorney General has the power to cherry pick cases to review. But the ones he's chosen are telling. **Most recently, his review of a case of a Salvadoran woman who for years suffered violence from her husband wiped out legal precedent and decided that victims of domestic and gang violence are no longer eligible for asylum.** We know this decision will likely inhibit the

ability of Central American women, children, and men from passing their first test to receiving asylum at the border, chances that were already slim without any legal support. So, with your help, we mobilized over 100 members of Congress to denounce the attorney general's decision and demand he reverse it. But we know we are only going to start seeing more of the impacts of this decision in the future. And since individuals will keep seeking protection from gangs and other kinds of violence in Central America, we must do more to encourage our members of Congress to speak out and denounce these policies.

## Opposing Border Externalization to Mexico

Besides wreaking havoc on immigrant families and communities here in the United States, **the administration wants Mexico to carry out its dirty work south of our border.** The U.S. and Mexican governments are at the negotiating table discussing a “safe third country” agreement that would return non-Mexican asylum seekers arriving at the U.S.-Mexico border to Mexico, forcing them to apply for safety in

Mexico even though it is every individual's right under international law to seek asylum in whichever country they feel safe. The administration has even tried to pay the Mexican government directly to deport more Central Americans from Mexico, though the Mexican government has already said it won't accept this money. We know that if implemented, these proposals would only put migrants and asylum seekers in more danger in Mexico and overwhelm an already weak asylum system in the country. That's why we've played a key role in opposing these proposals by working with our Mexican partners to denounce these plans and releasing statements that encourage members of Congress to speak out against this border externalization, waste of resources, and potential infringement on migrant and refugee rights.



LAWG staff and members of partner organizations at rally to deliver petitions against family separation to Congress. Photo by Amnesty International.

## Defunding Hate

To fund all its anti-immigrant policies, the administration has been trying to inflate the already bloated DHS budget for deportation forces, like ICE and CBP to carry out their work to detain and separate families and children. It even went as far as taking money from FEMA for ICE and continues to shift around funds from other agencies to DHS. And this is in addition to the billions it pays private corporations to run immigrant jails. That's why we've also taken a stand against funding for the border wall, deportation forces, and implementation of restrictions to access asylum. Not only are these a complete waste of taxpayer dollars, but they will do nothing to keep us safer. These dollars would be better spent on accountability mechanisms for ICE and CBP, like body-worn cameras, legal assistance programs for recently arrived migrants, and cost-effective, community-based alternatives to immigration detention. The end of the fiscal year rolled around and only short-term continuing resolution passed to keep DHS funding at current levels until the beginning of December. This means we'll have to ramp up the pressure again in the coming weeks, as Congress votes on funding for the next fiscal year.

## What Can We Do?

The Trump Administration may have an anti-immigrant agenda, but we have one of our own—protect the rights of migrants and refugees. **CALL your representative and senators and tell them to:**



**Support** bills that give these long-standing members of our communities the protection and recognition they need (and deserve) to stay in the United States. **Congress should pass the American Promise Act (HR 4253) and SECURE Act (S2144) for TPS holders and a clean Dream Act 2017 (HR 3440 and S 1615) for Dreamers.**



**Oppose any bill that would reverse Flores v. Reno and expand family detention.** Children belong in safe communities with their parents, not locked up together in detention. And, make sure they keep pressure on the administration to **immediately reunite separated families.**



**Oppose any increase in funding for border militarization and deportation forces** as they vote on funding for the next fiscal year. This includes rejecting any aid to Mexico that would pay them to do our dirty work by militarizing their southern border.

# Justice for Berta: Still out of Reach

Andrea Fernández Aponte

The murder of prominent indigenous and environmental rights defender Berta Cáceres in March 2016 sent shockwaves across Honduras and the world. Though far from an isolated incident, her assassination sparked a worldwide reaction. The national and international outrage regarding the murder of this beloved activist and social leader helped move this emblematic case forward. **Yet, Berta's family and the organization she founded, the Council of Popular and Indigenous Organizations of Honduras (COPINH), are facing a whole new set of challenges to achieving real justice.**

The trial has been moving ahead relatively quickly despite the complex nature of the case, which is, perhaps counterintuitively, problematic. In fact, Berta's family, COPINH, and observers are **concerned that the Honduran government is attempting to swiftly plough through it to avoid catching the intellectual authors.**

By the time the first preliminary hearing on the case took place in June 2017, COPINH and Berta's family had already denounced numerous irregularities in the investigation and legal process and that their rights as victims for access to evidence and to the trial were being denied. **To this day, the trial court has yet to properly address these concerns and continues to demonstrate a strong bias against Berta's family and COPINH.**

**Bias against the victims.** On October 19, the court restarted the trial and decided to withdraw the victims' legal representation from the judicial process, leaving the Public Prosecutor as the sole representative of the victims. The start of the trial had been suspended since September when Berta's legal team accused the three judges of bias and abuse of authority, and petitioned they be recused and replaced.

**Concealment of information.** The Public Prosecutor has failed to provide the court and Berta's legal team access to all information pertaining to the case, and the trial court has ignored its responsibility to ensure the delivery and analysis of the withheld information. According to COPINH, the Public Prosecutor has denied them information regarding the case on 35 occasions. Most of the concealed information—which includes evidence found in phones, USBs, and other devices, as well as ballistic and financial analysis reports—is crucial to investigating and prosecuting the intellectual authors of the murder and to uncovering their broader plot against Berta and COPINH.

**Ignoring relevant business networks.** The court has also impeded the thorough investigation into the business networks behind the Desarrollos Energéticos S.A. (DESA) Agua Zarca dam project. Most notably, the court rejected last month COPINH's request for testimonies from members of the Atala Zablah family business group. The Atala Zablah group began injecting millions of dollars into DESA in 2011 after the latter surprisingly won the concession to build Agua Zarca, even though it only had about \$1,200 in equity at the time (<https://nyti.ms/2gQxfZo>).

**Refusal to publicly transmit hearings.** The trial court also denied the victims' request to publicly transmit the hearings. This decision has drawn criticism from international NGOs, as it prevents Honduran society and the international community from accessing the court proceedings.

In addition, members of COPINH have been discriminated against by Supreme Court officials inside and outside the court.

From the very beginning, COPINH and Berta's family have insisted that the beloved indigenous leader's murder was not an isolated crime carried out by individual interests, but rather part of a broader systematic attack against COPINH and the country's indigenous



Berta Cáceres street art in Camden London, United Kingdom. Photo by Loz Pycock via Flickr.

communities. The case has the potential to lay bare the country's rampant corruption and impunity.

Berta's family and COPINH are asking the international community to **denounce the Honduran government's careless handling of the case and demand it addresses the irregularities in the ongoing judicial process.** The trial should be conducted taking into account all evidence and strive to identify and bring to justice the intellectual, not just the material, authors of the murder.

**This case is about about justice, not just for Berta's cruel murder, but for the Honduran people—especially those who continue to be threatened, and killed for standing up for their community's rights.**

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## LAWG in Cuba: Faith Voices for Ending the Embargo

Mavis Anderson

The Latin America Working Group helped organize and participated in a trip to Cuba in September with members of church denominations who have been working for decades to end the embargo on Cuba. Our delegation included leaders from the Presbyterian Church (USA) Office of Public Witness; the Evangelical Lutheran Church in America Washington Office; the Episcopal Church Office of Government Relations; the United Church of Christ, Justice and Witness Ministries Washington Office; the United Methodist Church General Board of Church and Society; the New York Avenue Presbyterian Church; the Washington Office on Latin America; and LAWG. We were hosted by the Cuban Council of Churches, the leading institution of the Cuban ecumenical movement.

The goal of the delegation was to better inform the U.S. churches' advocacy in working for a change in U.S. Cuba policy. We met with leaders and staff of the Cuban Council of Churches, faith partners of multiple denominations, the Martin Luther King Jr. Memorial Center, and the governmental Office of Religious Affairs. We dialogued with people representing different opinions on issues faced by Cuban church people.

At the top of nearly everyone's list was the extreme hardship caused to the Cuban family by the near impossibility of securing a visa to visit family in the United States because of the downgrading of the U.S. Embassy in Havana by the Trump Administration. Cubans must travel to a third Latin American country to apply for a U.S. visa, without assurance of a visa being granted. This is an expense that is beyond the reach of most Cubans, and it is a humanitarian issue that limits family relationships. Here is a statement from the Cuban Council of Churches reacting to the changes in U.S. policy under the current administration: <https://bit.ly/20FQOCZ>.

Our delegation stayed at the Santa Brígida Convent in La Habana Vieja (Old Havana). We enjoyed the beauty (people, music, art) of Havana and the countryside of rural western Cuba, visiting a mission church and even a privately owned tobacco farm. Did we buy cigars? Yes, of course! We spoke with an economist about the challenges of the Cuba economy, and enjoyed meals in privately-owned restaurants in Havana and at a non-state-sector ecological farm in Viñales Valley.

We saw in practice the fact that religious freedom in Cuba has expanded greatly in the past two decades. Churches in Cuba have freedom to worship and are experiencing tremendous growth and engagement in social service programs. Normal ties between the United States and Cuba will help create an environment where churches and other religious communities will expand and flourish as proud and active Cuban citizens.

Our commitment is to continue our advocacy to end the embargo and to work specifically in restoring the ability of Cubans to apply for visas at the U.S. Embassy in Havana.



Mavis and the rest of the delegation in Havana, Cuba. Photo by Caroline Kuritzkes.

### TAKE ACTION

LAWG's Cuba Advocacy Toolkit is a compilation of resources to empower activists to take action to end the travel ban and trade embargo against Cuba. You can download it at [lawg.org/CubaToolkit](http://lawg.org/CubaToolkit).

# Colombian Human Rights Defenders Say, “Stop Killing Us”

Allison O’Connor & Andrea Fernández Aponte



Héctor Marino Carabalí addressing the audience at Busboys and Poets in Washington, D.C. Photo by Lily Folkerts.

At least 342 community leaders have been murdered in Colombia since January 2016, including 93 since the start of this year. Colombian human rights activists demand action from their government to stop the violence. **And they will not be silenced: “Ni un minuto de silencio”—“Not a minute of silence”—as they honor these leaders and work to build a peaceful and just society.**

To respond to this emergency situation, in September 2018, the Latin America Working Group, along with the Center for Justice and International Law, the Colombia Human Rights Committee, the Washington Office on Latin America, and the Colectivo de Abogados José Alvear Restrepo, hosted a delegation of human rights defenders and filmmakers from Colombia to present a new documentary titled *They’re Killing Us (Nos Están Matando)*. The film follows two social leaders, Héctor Marino Carabalí and Feliciano Valencia, who are risking their lives to protect their communities. Through their stories, the documentary calls attention to the dangers human rights defenders in Colombia face every day. As noted in the film, in Colombia, a social leader is killed every four days.

At the documentary’s Washington, D.C. premier before a packed house at Busboys and Poets, **Héctor Marino Carabalí began his remarks with a message to those who had come before him.** As he stood in front of images of Mahatma Gandhi, the Dalai Lama, and Martin Luther King, Jr., he said, “I ask permission of my ancestors and my elders as we begin this event. I consider this a historic and sacred place. I knew that as soon as I walked through the door and saw these leaders who have fought for human rights, for life, for fraternity, and for peace.” Héctor is an Afro-descendent social leader from Northern Cauca and founding member of Renacer Siglo XXI, a victims’ rights group.

Héctor explained that the very reason the Colombian government and the FARC even came to sit together to negotiate in Havana “was not because of their own will, but more so because of the demands of organized groups and the historical struggles we—the indigenous, peasants, and Afro-descendants—have had. **We’ve defended the accords with our very lives, and it worries us now that there are initiatives that go against the peace accords.**” Warning that the accords are in jeopardy of being dismantled and ignored under the new government of Colombian President Iván Duque, Héctor called upon the audience to share a “message of solidarity.” **He and human rights activists Soraya Gutierrez and Marco Romero brought one simple, clear message: to stop the violence against community leaders and human rights defenders and implement the historic peace accords faithfully and fully.** The Colombian government must carry out the reforms promised in the agreement and bring the civilian part of the state into the conflict zones.

Héctor asked the viewers of the film to “bring this message to the U.S. government and monitor the aid that they offer to support the implementation of the peace programs. **President Duque claims that there is no money for the implementation of the accords, but meanwhile he is seeking money to strengthen the army and security forces... For war, there’s money, but for the implementation of the peace accords, there’s apparently none.**”

That same week, the delegation joined Representative Jim McGovern (D-MA) in Congress for another screening of the documentary. Héctor stressed several specific points of the peace accords that he sees as vital for long-lasting peace, yet are endangered by some of the new government’s initiatives. First, he spoke of Point 4 in the accords—which addresses the issue of illicit crop cultivation—emphasizing that the new government should follow what was agreed on. **“Past policies have condemned the small farmers, the lowest and smallest link in the illicit chain, and they have ignored the public health aspect,”** he noted. He also denounced plans to restart aerial fumigation programs and warned of their harmful effects. Another crucial aspect of the accords Héctor highlighted is Point 1, which outlines a comprehensive rural reform. Héctor said progress on this point is “stopped as of now. We have not had any effective dialogue with the new government to observe

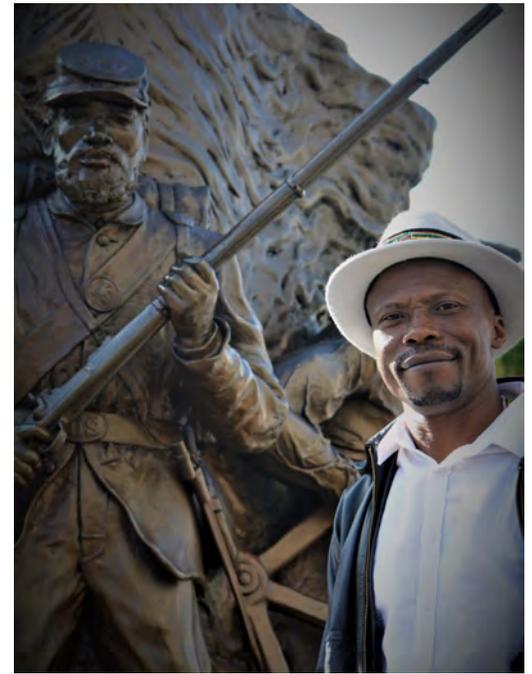
the implementation of this plan.” Finally, he called attention to the **need to safeguard the specific measures agreed upon to provide reparations and protections to indigenous and Afro-descendant communities.**

Toward the end of the discussion, Héctor shared the most recent threat to his life. He recounted that on July 10, he “**received death threats** from the Black Eagles,” a paramilitary group targeting social leaders in the region, and on July 11 came “the disappearance, torture, and, later, murder of my cousin, with whom I worked in all of the regional and national processes I’ve mentioned.” **Héctor then was forced to leave Cauca to protect his family and himself.**

His community and his predecessors are the reason he continues to strive for justice: “**Many have left us because they struggled for life, for peace, for a better Cauca and a better Colombia. Their bodies are gone, but their fighting spirit is still with each and every one of us.**”

Filmmakers Tom Laffay, Emily Wright, and Daniel Bustos hoped *They’re Killing Us* would call attention to the alarming increase in threats against community leaders like Héctor. As Emily said, “**The burden of peace rests on these people, and they’re being killed.**”

You can watch the documentary and request a screening in your community by going to [www.tomlaffay.com/theyre-killing-us/](http://www.tomlaffay.com/theyre-killing-us/) or by emailing Tom at [tplaffay@gmail.com](mailto:tplaffay@gmail.com).



Héctor in front of the African American Civil War Memorial. Photo by Alex McAnarney (CEJIL).

**ADVOCACY TOOLKIT**

**AYOTZINAPA**

Hope is in the truth. || La esperanza está en la verdad.

The graphic features a dark background with a photograph of a protest scene where people are holding umbrellas. The text 'ADVOCACY TOOLKIT' is at the top, 'AYOTZINAPA' is in large white letters in the middle, and the Spanish phrase 'Hope is in the truth. || La esperanza está en la verdad.' is at the bottom.

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September 2018, Second Edition

The block contains the Latin America Working Group logo, a series of dots, the website URL, and the edition information.

**TAKE ACTION**

Join us in demanding **justice** for the 43 missing students and other victims of **human rights** violations in **Mexico**.

@LAWGaction    [LAWG.org/signup](http://LAWG.org/signup)

The block features the 'TAKE ACTION' heading, a call to action, social media icons, and contact information.

## MORE WAYS TO TAKE ACTION

### Ayotzinapa Advocacy Toolkit

Forty-three students were disappeared on September 26, 2014. To this day, none of the perpetrators have been convicted for enforced disappearances, and the students’ whereabouts remain unknown.

The case of the Ayotzinapa students, unfortunately, is far from isolated. **Thousands of disappearances and high levels of violence, worsened by corruption and impunity, plague Mexico.** Rather than effectively address this, the Mexican government contributes to the violence. The United States also contributes through U.S. assistance that encourages a military role in civilian law enforcement and by its failure to take a strong stance against grave human rights violations.

**And that’s where activists like you come in.** Check out this toolkit for ways you can demand justice for the students and all victims of human rights violations in Mexico.

Download our Ayotzinapa Advocacy Toolkit at [lawg.org/Ayotzinapa18](http://lawg.org/Ayotzinapa18)



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