

April 14, 2023

President Joe Biden
Vice President Kamala Harris
The White House
1600 Pennsylvania Avenue NW
Washington DC 20500

Dear President Biden and Vice President Harris,

We appreciate the Biden Administration's commitment to address the root causes of migration from Central America.

As organizations working with civil society and faith-based partners in Central America, we know that strong and principled diplomacy to combat corruption, promote respect for human rights, worker rights, and the rule of law, and encourage inclusive governance must be the driving force of the United States' approach to the region. We welcome, and urge your administration to intensify, efforts to address the region's pervasive governance problems through public statements, diplomacy, aid to protect civic space, and use of visa and financial sanctions on corrupt government and private sector individuals.

At the same time, we are concerned about how the administration's increasing focus on attracting private investment to the northern countries of Central America through the Central America Forward initiative, the Partnership for Central America (PCA), the Call to Action, and the United States Development Finance Corporation (DFC) will fit within and support goals to combat corruption, improve governance and respect for human rights and worker rights, and spur the kind of equitable and environmentally sustainable development that can address the root causes of migration. To do so, these initiatives will require greater transparency, clear metrics regarding how these investments address root causes, a right to remedy for adverse impacts, and mechanisms for consultation with Central American and U.S. civil society organizations. The administration also must end and avoid any diplomacy on "improving investment climate" that fails to take into account these broader social implications.

We are deeply concerned about the trends we see in Central America toward the takeover of government, judicial, and private sector institutions by corrupt actors; the closure of civic space; the dismantling of judicial independence; and the move toward authoritarianism. When corrupt business elites engage public and private security forces in defense of their interests, the outcome can be especially damaging. These trends cause and manifest themselves in the many attacks against human rights defenders, land, environmental, and labor activists, Indigenous and Afro-descendant communities, nongovernmental leaders, women and LGBTQ+ community members, citizens expressing opposition to governments, journalists, and judicial personnel, which include threats, physical attacks, legal harassment, forced exile, and assassinations.

Given this context, any investment or aid strategy must be centered in an overall diplomatic approach to advance the rule of law, ensure protection for human rights, and strengthen transparent and accountable government. We fully appreciate that some of the investments attracted by the Call to Action, PCA, DFC, and Central America Forward will likely be beneficial, including those with an emphasis on gender equity, digital and financial inclusion, and women's empowerment. However, even the most beneficial-sounding investments in the context of northern Central America—including clean energy projects such as biofuel, hydropower, and solar panel fields—have at times led to forced displacement of communities, the violent theft of Indigenous, Afro-descendant, and small farmer lands,

spurious legal charges against and imprisonment of community leaders, and the forced exile and murder of human rights defenders and journalists.

We therefore have serious questions regarding how these investments fit in the overall diplomatic strategy to address root causes of forced migration as well as recommendations on screening, monitoring, and vetting investments to ensure they have a beneficial impact, ensuring input from civil society organizations, and demonstrating transparency. **Our questions include:**

- How do the PCA, Call to Action, DFC, and Central America Forward ensure that investments associated with these initiatives:
 - steer clear of benefiting individuals or companies linked to corruption or human rights abuses;
 - uphold internationally recognized worker rights;
 - ensure free, prior and informed consent of Indigenous, Afro-descendant, and other communities that may be affected by proposed development projects;
 - respect the rights of human rights and environmental defenders to assemble and protest, including by ensuring a zero-tolerance policy toward reprisals against them;
 - respect the right to a clean and healthy environment for proximate communities and guarantee the right to effective remedy; and
 - promote decent work and balanced, equitable development.

- How is the administration quantifying success for the Call to Action, PCA, and Central America Forward beyond total dollar value of investment? For example, how is the administration monitoring for creation of new jobs? What is the average salary for these jobs? What is the tested evidence and metrics that the administration uses to evaluate whether the investments of the Call to Action/PCA/Central America Forward have a causal relationship in addressing the root causes of (forced) migration in Central America?

We urge your administration to:

- establish clear mechanisms for Central American and U.S. civil society organizations to provide input into the strategies pursued by the Call to Action, the PCA, and the newly created U.S. government Northern Central America Investment Facilitation Team, including regarding criteria and mechanisms for vetting and compliance;
- ensure transparency in these initiatives, including by: 1) explaining how the administration will vet companies and publishing the criteria used; 2) revealing how and with what input the Call to Action and PCA will monitor compliance with the “Good Governance” pledge over time; 3) publishing the names of companies involved in the Call to Action, PCA, DFC, and Central America Forward; 4) explaining if companies involved in these initiatives obtain tax exemptions, preferential business, or other benefits in the U.S. or in Central America as a result of their participation; and
- ensure that there are measures to address impact of investments on communities and on environmental and human rights defenders, including: mechanisms to require companies to consult with Indigenous, Afro-descendant and other communities that may be affected; non-reprisal policies to guarantee companies will not harm human rights and environmental defenders; and rights to remedy for negative impacts of projects.

We ask your administration to take a balanced approach incorporating broad labor, environmental, and social concerns in its diplomacy regarding investment. In the specific case of ZEDs investor zones in Honduras, we ask the administration to weigh in on the side of the Honduran government in the nearly

\$11-billion case against it. The Honduran legislature and executive took appropriate action in unanimously repealing the law, which was broadly opposed by Honduran citizens. The law would have allowed for investor-controlled zones to establish their own judicial systems, police, and laws, creating the possibility for exploitation, harms to Indigenous, Afro-descendant, and campesino communities, as well as for the expansion of corruption and organized crime.

Finally, we are deeply concerned about the impact of the proposed asylum rule on those fleeing danger and persecution from Central America, which will make it more difficult to apply for asylum at the border and will force many to wait with their lives in peril. We note that Honduras, Guatemala, and El Salvador are not on the list of countries eligible for increased access to humanitarian parole. We urge your administration not to reverse but to honor the right to seek asylum in the United States, especially at the U.S.-Mexico border.

Thank you for considering these questions and concerns.

Sincerely,

Alianza Americas
American Friends Service Committee (AFSC)
American Jewish World Service
Center for Gender & Refugee Studies
Chicago Religious Leadership Network on Latin America (CRLN)
Dorothy Day Catholic Worker, Washington DC
Franciscan Action Network
Franciscan Network for Migrants—US
Global Exchange
Guatemala Human Rights Commission/USA
Hope Border Institute
Justice in Motion
Latin America/Caribbean Committee of the Loretto Community
Latin America Working Group Education Fund (LAWGEF)
Maryknoll Office for Global Concerns
Mennonite Central Committee U.S
Missionary Oblates
Oxfam America
Pax Christi USA
Presbyterian Church (USA) Office of Public Witness
Public Citizen
Quixote Center
Samuel DeWitt Proctor Conference, Inc.
Seattle International Foundation
Sister Parish, Inc.
Sisters of Mercy of the Americas - Justice Team
Unitarian Universalist Service Committee (UUSC)
United Church of Christ, Justice and Local Church Ministries
Washington Office on Latin America (WOLA)
Witness at the Border
Witness for Peace Solidarity Collective