

June 4, 2021

Vice President Kamala Harris
The White House
Office of the Vice President
1600 Pennsylvania Avenue NW
Washington, DC 20050

Dear Vice President Harris,

As you prepare to visit Mexico and Guatemala, we would like to recognize some of the Biden-Harris administration's first steps on restoring access to asylum and addressing the root causes of why so many people and families are forced to flee their countries. At the same time, as U.S. and international faith, humanitarian, and other civil society organizations, many of which have worked with Central American and Mexican civil society partners for decades, we call for more decisive action to meet these urgent challenges. Your upcoming visit is an important moment to underscore that protecting human rights, addressing corruption, and standing with the human rights defenders and communities organizing for change must be central to U.S. strategy towards the northern countries of Central America and Mexico.

We appreciate the administration's pledge to ensure a fair, humane, and orderly immigration system that welcomes immigrants and restores access to asylum. We are encouraged that over 10,000 of the asylum-seekers waiting in Mexico have been processed into the United States to apply in safety for asylum and that the MPP program has been formally terminated. We will continue working with the administration to fully restore access to asylum at our border and to rescind all anti-asylum policies, holding the administration accountable to these commitments. We welcome the administration's recent announcement to extend Temporary Protected Status (TPS) protections for Haitians. We now urge a redesignation of TPS for Hondurans, Salvadorans, and Nicaraguans and a new designation for Guatemala based on the devastating impacts of Hurricanes Eta and Iota, which represent compelling conditions for granting TPS.

We also welcome initial actions and statements by you as well as other high-level administration officials that indicate that combating corruption, advancing the rule of law, and promoting respect for human rights will be central to the U.S. approach towards Guatemala, Honduras, and El Salvador. We welcomed, for example, your meeting with former attorneys general and judges who have been leaders of the fight against impunity in Guatemala. We also welcomed USAID's announcement, following the disturbing decision of the Salvadoran legislature to remove magistrates of the constitutional chamber of El Salvador's Supreme Court, that it would redirect funding from these institutions and the Salvadoran police to civil society initiatives.

At the same time, we are concerned by the continued focus on expanding migration enforcement in the region instead of increasing access to protection for refugees. After your conversations with the

Presidents of Guatemala and Mexico, media reported U.S. support for a Guatemalan border taskforce and increased migration enforcement in Mexico. We are concerned that U.S. support for harsh migration enforcement with countries in the region will force individuals seeking protection to make more dangerous journeys and expose them to increased human rights violations. Instead, we urge you to encourage humanitarian responses from other regional governments that recognize the rights of families, men, women, and children to seek international protection and help ensure their safety in transit. We urge you to pledge U.S. support to strengthen Mexico's asylum system and as well as the child protection systems that advance the best interests of migrant children in Mexico. The United States must also work with regional governments to expand complementary pathways to protection for migrants and refugees across Mexico and the northern countries of Central America so that families and children can seek protection closer to home or in countries where they feel safe. For example, the administration should follow through on its promise to expand eligibility for the Central American Minors (CAM) program, which could offer a safe, orderly alternative to bring children to the United States. However, a collaborative migration management strategy must be an addition to, not a substitution for, access to protection at the U.S.-Mexico border via a humanitarian and welcoming reception system in the United States.

Moreover, the relationship between the United States and Mexico must not solely focus on migration management or enforcement. Addressing significant human rights, citizen security, gender-based violence, rule of law and corruption challenges in Mexico must also be central to the U.S.-Mexico relationship. We encourage the U.S. government to consult with human rights defenders in Mexico who have been increasingly under threat and lack government protection.

We hope that your visit to Guatemala and subsequent actions will continue to emphasize the need for respect for judicial independence—gravely undermined by the legislature's refusal to seat anti-graft judge Gloria Porras on the Constitutional Court after having won re-election for another term. We hope that you will emphasize the importance of respect for freedom of association and ask for the repeal of the NGO law given the green light by the reconstituted Constitutional Court. The law limits freedom of association and expression, including by giving the government authority to shut down NGOs on vague pretexts of "disturbing the public order." We urge you to uplift the rights of human rights defenders who face increasing threats, attacks, and false legal cases, including indigenous, land rights and environmental activists.

Following your trip, we urge you to guide the administration to develop and implement in consultation with regional civil society groups a root cause strategy that:

- ***Visibly demonstrates that the United States government stands not with corrupt officials and abusive security forces but with the citizens and civil society organizations working to build more democratic, just, and inclusive societies.*** Where the United States stands should be made visible by your actions and statements, as well as of the President, U.S. ambassadors, State Department and other U.S. government officials. The USG should urge the governments of Honduras, Guatemala, and El Salvador to reverse the closing of space for civil society

through restrictive NGO laws, penal codes that criminalize social protest and freedom of expression, false legal cases against human rights defenders, use of force against protesters and social movements, disinformation campaigns targeted at civil society leaders, and attacks against press freedom. Challenging closing civic space must be a core strategy to address root causes because this closure drives migration and because these leaders are key actors in building sustainable and just solutions to these Central American countries' systemic problems.

- Urges each government to guarantee and respect the independence and separation of powers of the judiciary, human rights ombudsman's office, and other government institutions as determined by each country's constitution.
- Urges governments to develop more inclusive economies, including through fiscal reforms to raise equitable taxes for public investment and social programs and by strategies that move economies beyond dependence on environmentally and socially damaging extractive industries and monoculture. USG economic policy should respect the rights of local communities to be consulted in development projects and should uphold labor rights, including freedom of association and an end to impunity for violence against trade unionists. Efforts to involve the U.S. private sector, such as you have been leading, can have a beneficial impact as long as they fit within this framework of respecting labor rights, consulting with affected communities, and focusing on developing inclusive economies.
- Urges governments to take steps to end discrimination and violence against women and LGBTQI+ persons, as well as against indigenous, Afro-descendant, and campesino communities, and to end violence against and expand protections for children.

We ask you to guide the administration to develop an aid strategy towards the northern countries of Central America that mirrors the above policy vision.

- Aid should uplift civil society initiatives. To the maximum extent possible, aid should be channeled through local humanitarian and nongovernmental organizations and USAID should regularly consult local civil society organizations regarding U.S. assistance strategies.
- Assistance should focus on vulnerable groups, including children and youth, women, indigenous, Afro-descendant, and Garifuna populations, and LGBTQI+ persons. Programs should be informed by policies that promote gender and racial equality and children's rights. Initiatives to address the food insecurity that are a major factor driving migration should also be a central part of U.S. aid strategy. Priority areas for U.S. assistance should include: community-based violence prevention strategies; increasing educational and workforce opportunities for youth; civil society initiatives that address sexual and gender-based violence against women and girls; strengthening local child welfare and protection systems; programs to address violence against and promote the rights of LGBTQI+ individuals; sustainable and inclusive rural development; efforts to address corruption and strengthen rule of law, including to strengthen the independence and impartiality of attorneys general, judges, prosecutors, and ombudsman's offices, and to provide technical,

- financial, and diplomatic support for special prosecutors' units to investigate corruption as well as to independent anti-corruption initiatives.
- The USG should encourage governments to pursue balanced and rights-respecting citizen security strategies that focus on violence prevention through social, educational and workforce development programs, improving justice systems and respect for human rights, and rehabilitation, rather than "mano dura" strategies. The United States should provide no aid for militaries, for the Honduran Military Police of Public Order, for police forces with records of abusive practices, or to militarize borders. USG counternarcotics strategy should refocus on targeting the alliances between drug trafficking organizations, government and security officials, and business entities that are behind trafficking, money laundering, and organized crime—and which drive human rights violations and violence in the region.
 - U.S. support for bilateral and multilateral aid and loans should be guided by the understanding that corruption permeates parts of the business sector as well as the state in these countries. Business sector corruption fuels human rights abuses throughout the region—the assassination of Honduran indigenous leader Berta Cáceres is just one example. The United States should ensure aid and loan programs include human rights and environmental safeguards and oversight, contain strong anti-retaliation/reprisal policies, and guarantee indigenous and Afro-descendent communities right to free, prior, and informed consent—and should not fund and should vote against projects and loans that violate these terms. In this respect, we welcome the recent decision by the U.S. Development Finance Corporation to end its financing of the controversial Jilamito dam project in Honduras.
 - The administration should address two emergencies, the COVID-19 pandemic and the impact of Hurricanes Eta and Iota, by increasing humanitarian aid and ramping up assistance to manage and recover from these crises. To that end, we welcome the announcement of \$310 million in additional reconstruction assistance. Adapting to and mitigating climate change should be at the heart of reconstruction efforts. The U.S. government should increase assistance to the Pan American Health Organization, provide support for health services for poor and isolated populations, and accelerate and expand facilitating access to vaccines.
 - The administration should address the rising crisis of food insecurity in the region, partially stemming from the environmental impacts of climate change, the COVID-19 pandemic's ravaging of local economies, and the extensive damage inflicted by Hurricanes Eta and Iota. We welcome the announcement of increased funding for global nutrition programs in the President's recent budget proposal. However, far more funding is needed to truly address the scope and scale of the food insecurity crisis. We continue to advocate for no less than \$300 million for global nutrition programs to be appropriated in fiscal year 2022.
 - The administration should launch, with careful consultation with environmental, indigenous, and Afro-descendant organizations in Latin America and the United States, an intensive campaign to address and mitigate the impacts of climate change. The campaign must include a focus on protecting environmental, indigenous, and Afro-descendant

activists. These are the voices of communities that bear the brunt of climate change and offer essential solutions.

Finally, we know that issuing temporary visas for Central Americans to work in the United States is under discussion. Temporary agricultural (H2-A) and non-agricultural (H2-B) worker programs implemented through the Department of Labor may provide options for individuals in need of economic opportunities, but they should first be reformed to address the flaws, poor regulation and gaps in protection that have led to exploitation, including widespread sex and age discrimination, of guest workers. Without improved protections, these guest worker initiatives channel migrants into poorly regulated programs that are rife with abuse, then return them back to the same conditions in their home countries. Structural issues must be addressed to ensure the protection of workers before access to seasonal work visas for Central Americans can be expanded.

We ask you to guide the U.S. strategy in this direction. We believe that if the United States government follows these strategies, recognizes that this requires a long-term commitment, and regularly consults with civil society organizations in each country, U.S. assistance and diplomacy can make a valuable contribution to ensuring the conditions for people to live safe and dignified lives in the region, so that migration becomes just an option—and not a strategy for survival.

Thank you for your leadership on addressing root causes of migration and for your attention to these recommendations.

Sincerely,

Asylum Access

Bread for the World

CARECEN-LA

Center for Democracy in the Americas

Center for Gender & Refugee Studies

Center for Justice and International Law (CEJIL)

Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces

Global Exchange

Institute for Women in Migration (IMUMI)

Kids in Need of Defense (KIND)

Latin America Working Group (LAWG)

National Advocacy Center of the Sisters of the Good Shepherd

Oxfam America

Presbyterian Church (USA), Office of Public Witness

Washington Office on Latin America

Witness at the Border

Women's Refugee Commission