



## ***“Standing up to President Trump’s Harmful Policies in Defense of Migrant Rights”***

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In only his third week of his presidency, U.S. President Donald Trump has issued a total of eleven [executive orders](#) ranging on issues from immigration and healthcare to banking regulations. The three immigration and refugee executive orders emitted between January 25<sup>th</sup> and January 27<sup>th</sup>, 2017 are ineffective, costly and directly place families, unaccompanied children, legal residents, young Dreamers, border communities and all undocumented immigrants at risk for removal or violations of their rights.

Collectively, these orders direct funds for building a wall along the U.S.-Mexico border, increase detention of immigrants and possible asylum seekers at the border, aggressively expand interior enforcement within the United States, end federal funding for sanctuary cities, grind U.S. refugee resettlement to a halt, and deny protection to some of the most vulnerable individuals and families around the globe.

Advocacy by civil society organizations, litigators, and public demonstrations—in major cities and airports—have resulted in some important wins to date. Namely, thanks to several lawsuits, implementation of President Trump's executive order that bans refugees from around the world, including Latin America, and people from certain Muslim-majority countries from entering the United States has been temporarily suspended. This was a crucial step forward in defending American laws and values, though many battles will continue as the impact of the President’s policies is already being seen on immigrant families. On Wednesday January 8<sup>th</sup>, a mother of two U.S. citizen children was [deported](#) to Mexico after having lived and worked in the United States for 8 years when she went to one of her regular, required check-ins with the local Immigration and Customs Enforcement (ICE) office. Immigration raids occurred in several cities across the United States this past weekend, evidencing the beginning of the implementation of the President’s promised deportation sweeps.

**Less discussed are the extents to which these executive orders call for cooperation with countries in the region, including Mexico, to implement these harmful policies.** After all, President Trump’s policies must rely on neighboring countries such as Mexico and the countries of Central America for his deportation machine to work. Countries in the region would need to enter into bilateral agreements

to accept their deported citizens, agree to process asylum seekers on their territory and agree to “help” detain migration flows.

Two of the immigration executive orders make this call for cooperation explicit; suggesting diplomatic impacts should countries not collaborate. In the “[Border Security and Immigration Enforcement Improvements](#)” executive order, section 7 refers to the return of migrants to the territory from which they came pending their asylum proceedings—in this case Mexico—implying that some cases may be processed along Mexico’s northern border. While it is unclear how exactly this would be implemented, it certainly implies the need for some sort of bilateral agreement between Mexico and the United States. Similarly, section 12 of the “[Enhancing Public Safety in the Interior of the United States](#)” executive order directs U.S. diplomacy and negotiations to include as a condition the acceptance by countries of their citizens who are deported from the United States. While this provision does not specify which countries, it is clear that the Central American region would likely be involved due to the high numbers of Central American families and children at risk for removal. Members of President Trump’s cabinet, such as Secretary of Homeland Security General John Kelly, have also stated [intentions](#) to increase cooperation with countries in the region and work more closely to address migration to the United States.

Calls for cooperation with countries in the region extend beyond immigration policies and reflect an aggressive foreign policy that prioritizes U.S. national security and interests, and a need to ensure that U.S. foreign assistance tackles perceived threats. One of the more recent executive orders focusing on federal enforcement to prevent the alleged spread of transnational criminal organizations and international trafficking makes reference to “*enhanced cooperation with foreign counterparts against transnational criminal organizations and subsidiary organizations, including, where appropriate and permitted by law, through sharing of intelligence and law enforcement information and through increased security sector assistance to foreign partners by the Attorney General and the Secretary of Homeland Security.*” Though it is yet unclear what the new administration’s policies will be in Mexico and Central America, statements by Secretary of State Rex Tillerson appear to minimize the importance of supporting human rights and rule of law, instead focusing on militarized responses to security challenges.

Of course, cooperation between the United States and Mexico or Central American countries to address migration throughout the region is not new. Mexican President Enrique Peña Nieto implemented Mexico’s Southern Border Plan in 2014 largely due to pressure from the United States to stop unaccompanied children from Central America from reaching the U.S.-Mexico border. Civil society organizations have also [documented](#) U.S. funding to Central American law enforcement units involved in the interdiction of Central American families and children attempting to cross national borders in search of international protection in 2014.

However, the countries of Guatemala, El Salvador, Honduras, and Mexico now have a unique opportunity to define a position, ideally a united one, to stand up to President Trump’s harmful policies that criminalize many of their citizens living in the United States and that will likely send them back to danger or to communities incapable of receiving them. For starters, they should not stay silent and should insist on relationships of mutual respect, not ones where they are threatened with funding cuts or an end to diplomatic relations.

**Here are four proposals for how the governments of Mexico and Central America could begin responding in the short term:**

- **Protect their citizens at all costs.** Though there have been some initial [efforts](#) between Mexico and Central America to join and strengthen consular networks in the United States to protect their citizens, statements by Mexico and the Northern Triangle countries of Central America need to be much stronger in countering President Trump's rhetoric criminalizing all undocumented immigrants. Mexican and Central American embassy and consulate personnel should inform themselves of the provisions within the executive orders, seek information regarding unclear policies, and share information with their citizens on what to do in the situation of immigration raids. Mexican and Central American consulates should be a key source of support to those seeking asylum at the U.S.-Mexico border—engaging with civil society organizations, pro-bono lawyers and local CBP officials to correct abuses against their citizens and to ensure that due process is followed during asylum and removal proceedings. Consulates should not cooperate in violations of *non-refoulement*, or the return of individuals who fear returning to their countries of origin, instead calling international attention to such practices by U.S. officials and the pressure to work with them. The Mexican government should lead by example and not use the transit of Central American migrants through its territory as a bargaining chip in talks with the United States, instead striving to treat Central Americans as it would like its own citizens to be treated.
- **Be more vocal about emphasizing the contributions of their citizens in the United States.** Mexicans [are](#) the top group of undocumented immigrants in the United States, alongside a growing population from Central America, all at risk for removal now under President Trump's policies. Mexican, Guatemalan, Honduran, and Salvadoran youth also rank among the top five [recipient](#) countries of DACA (Deferred Action for Childhood Arrivals), another policy under threat by President Trump. Youth and hardworking immigrant families from Mexico and Central America make enormous contributions to the U.S. economy as taxpayers and as innovators in various fields. The Mexican president, presidents of the three Central American countries, and their Ambassadors to the United States should highlight the importance of their citizens to the fabric of U.S. society and seek to engage more with immigrant-led groups across the country to build a powerful counter-narrative of how the United States is more prosperous because of immigration from the region.
- **Stress the need to maintain and improve upon existing agreements.** As much as President Trump's immigration and refugee executive orders implement new harmful policies, Mexican and Central American governments should emphasize the need to maintain existing agreements in their diplomatic talks with the U.S. administration. Last year for example, Mexico and the United States signed [nine local repatriation agreements](#) outlining protocols to be followed in the repatriation of Mexicans to Mexico, including specific provisions to ensure the safety of children and maintain family unity. Agreements like these make the job of migration authorities on both sides of the border much more effective and ensure the protection of migrant rights. Similarly in Central America, last year the United States implemented, albeit small, in country processing programs and a Protection Transfer Agreement via Cost Rica to provide legal alternatives for entry into the United States for asylum seeking families and children from the region. Such cooperation should be improved and expanded upon instead of policies to build walls and end bilateral talks.
- **Emphasize bilateral relationships of mutual respect and partnerships.** The previous U.S. Administration's [strategy](#) in Central America, including its support for the Alliance for Prosperity, was always framed as a joint endeavor between the United States and the countries of Guatemala, Honduras, and El Salvador to address the root causes of migration in the region. Even if this was never perceived by civil society organizations as a well-framed

assistance strategy, the idea of governments working together to address the roots of migration in a respectful way is an important goal. Diplomacy based on bullying or threats to cut assistance for strengthening human rights and the rule of law, good governance, addressing poverty, victims' protections, and anti-corruption efforts will only serve to undermine the stability of the entire region and fuel further migration to the United States. Guatemala, Honduras, El Salvador, and Mexico should thus emphasize that the United States is safer when it treats these countries as equals and works together with them to pursue comprehensive programs to strengthen human rights and the rule of law and address the root causes of migration in the region. They should also be firm if they are threatened and not treated respectfully, as President Enrique Peña Nieto recently did when he cancelled a visit to the United States, but be firm on the defense of the rights of their citizens at all times.

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