

YEAR 1 ASSESSMENT OF Biden-Harris Root Causes Strategy

Purpose of this report

On February 2, 2021, President Biden issued an Executive Order calling for a fundamental shift in U.S. policy toward Central America to address the root causes of migration and humanely manage migration in the region. The Order emphasized working closely with civil society organizations, supporting place-based strategies in communities people are fleeing, reducing economic inequality, combating corruption, protecting human rights and labor rights, creating safe and legal pathways for people to migrate, treating migrants humanely, and restoring safe and orderly processing of asylum claims at the U.S.-Mexico border.

This YEAR ONE ASSESSMENT is by necessity preliminary. Officials had six months to develop comprehensive plans to address root causes and manage migration, which they released in July 2021. The Root Causes strategy seeks long-term change across multiple systems. While early in the process, ongoing public accountability over U.S. policy toward Central America is critical. The most common question we hear from civil society leaders in the region is whether the U.S. is truly committed to changing its past approaches to Central America, which have too often contributed to instability, inequality, and unnecessary suffering.

We write this report as organizations from Central America, Mexico, and the U.S. involved for many years and in many ways in changing the underlying economic, social, and political conditions driving migration and working to protect migrants from abuse. Since the Biden-Harris Transition, we've met multiple times with officials from the State Department, National Security Council, Vice-President's Office, and USAID. We shared a [policy framework](#) supported by 340 organizations and faith leaders in the region, a [report](#) on U.S. aid to Central America from 2010-2020 and a recent [qualitative analysis](#) of the root causes among migrants in Ciudad Juárez. We organized [dialogues](#) between the State Department and USAID and leaders from more than 200 grassroots and faith-based organizations. We've followed up by facilitating meetings between USAID and civic organizations that have not partnered with USAID in the past.

This report draws on the observations of civil society organizations and analysis of publicly available data, including \$400 million in foreign aid committed to El Salvador, Guatemala, and Honduras in FY2021. We assess the Administration's efforts across four areas, **Rule of Law**, **Localizing Aid**, **Inclusive Economic Policy**, and **Humane Migration Policy**, and provide recommendations for moving forward in 2022 to achieve the goals in the Executive Order.

1. Rule of Law

- Rule of law deteriorated significantly in the region in 2021, Guatemala and El Salvador's leaders moved to capture judicial systems, protect corruption, and violate human rights (and Nicaragua, while not a focus of the Root Causes Strategy, also spun further into authoritarianism).
- Guatemalan President Alejandro Giammattei and Attorney General María Consuelo Porras deepened the hold of the “pact of the corrupt” over the judicial system, firing Juan Francisco Sandoval, chief of the Special Prosecutor’s Office against Impunity, pursuing baseless charges against him and five other prosecutors, and in alliance with the Congress of the Republic continue without electing magistrates for the Supreme Court of Justice; as well as maintaining the siege on other judges with impeccable credentials.¹
- Guatemalan officials have committed and tolerated human rights abuses against indigenous and civil society leaders fighting to protect their communities from environmental destruction.²
- In February, Salvadoran President Nayib Bukele’s party fired the attorney general and five Supreme Court judges, replacing them with judges who ruled that Bukele could run for a second term despite a constitutional prohibition, and dismissed hundreds of other judges and prosecutors who stood in the way of corruption.
- Attacks on human rights included legislation targeting NGOs in Guatemala (passed) and El Salvador (proposed).
- Honduras remains one of the most dangerous places for journalists and civil society leaders, who have been systematically assaulted and murdered for defending their land and basic rights.
- In November, Hondurans turned out in huge numbers to reject the corrupt oligarchs and drug cartels that have taken over their country, electing a president who has pledged to repeal laws that protect corruption and restore the Mission to Support the Fight against Corruption and Impunity in Honduras.
- In 2021, the U.S. placed 49 current and former officials from the three countries on the Engel anti-corruption list, triggering visa sanctions. However, the U.S. Treasury imposed financial sanctions on just six officials.

¹ In addition to the legal persecution to remove Judge Erika Aifán's right to pre-trial and/or remove her from the Odebrecht case, among others.

² Among other examples of the persecution of civil society leaders working to protect the environment and their communities is the case of Bernadro Caal in defense of Río Cahabón.

- U.S. policy-makers have taken a relatively hard line toward Salvadoran President Bukele, regularly criticizing his anti-democratic actions, passing on high-level meetings, applying sanctions to senior officials, and working behind the scenes to withhold IMF financing. It is possible that this approach along with pressure from European governments has stalled action on the proposed anti-NGO law.
- In contrast, the U.S. has sent mixed messages to Guatemala. The U.S. decried the sacking of Sandoval, placed 19 Guatemalan officials on the Engel list, and did not invite Guatemala to the Democracy Summit. But U.S. officials held a high-level meeting with President Giammattei in Washington, DC the day before the summit, have praised Giammattei,³ and have not imposed financial sanctions on senior officials or elite business interests implicated in corruption.
- The capture of Guatemalan government institutions by criminal enterprises is directly connected to environmental destruction, violence and extortion, and the Hemisphere's lowest tax levels, all of which drive migration.
- Guatemala has a very active civic movement against corruption and rights abuses, led by indigenous communities. Civil society leaders see a double standard in how the U.S. has approached impunity in Guatemala and other countries in the region. They view the mixed messages toward Giammattei as eroding U.S. credibility on rule of law and undermining efforts to address the underlying conditions driving migration.

Sanctions Imposed in 2021

	# placed on Engel list with visa sanctions in 2021	# subjected to Magnitsky financial sanctions in 2021
El Salvador	18	3
Guatemala	20	3
Honduras	10	0
TOTAL	48	6

Sources: <https://www.state.gov/reports/section-353-corrupt-and-undemocratic-actors-report/> and <https://home.treasury.gov/policy-issues/financial-sanctions/recent-actions>

³ Recent examples of the U.S. praising include [Background Press Call By Senior Administration Officials On the Summit of the Americas 1/20/2022](#), [Readout of National Security Advisor Jake Sullivan's Meeting with President Alejandro Giammattei of Guatemala 12/9/2022](#), and [Readout of Vice President Kamala Harris's Call with President Alejandro Giammattei of Guatemala, 1/10/2022](#).

Rule of Law Recommendations

- Apply Treasury Department Magnitsky Act sanctions, that freeze the assets and bar business dealings, to a wider circle of high-level actors who have engaged in corruption and human rights abuses, particularly in Guatemala.
- Apply sanctions to both public officials and business people who engage in corruption and human rights abuses, to reach the underlying oligarchical and criminal interests that are profiting from abuses.
- Make respect for rule of law a required condition for U.S. and multilateral lending and aid.
- Apply a consistent set of rule-of-law standards to governments in the region.
- Meet and publicly support indigenous, environmental, and civic leaders working to protect their land and communities from mining and other forms of environmental destruction.
- Use all tools available to the U.S. to support Honduran President Xiomara Castro and civic organizations working to restore democracy, rule of law, and economic justice in the country, including working with the IMF and other international lenders to forgive Honduras's foreign debt. Show the people of Central America that respect for rule of law and human rights is a path to prosperity.
- Draw a more direct connection between corruption and impunity at the highest levels of society and the experience that ordinary people, particularly vulnerable populations, such as women, children, and LGBT individuals, have seeking justice and protection when they report violence and extortion. In the absence of responses from the State, among other social phenomena, we note the increase in human mobility, both internally, such as displacement, and across borders, such as irregular migration, which is the focus of the Root Causes Initiative.

2. Localizing Foreign Assistance

- USAID Administrator Samantha Power announced Central America Local – a \$300 million commitment to support organizations based in El Salvador, Guatemala, and Honduras. USAID estimates that this would represent 11.2 percent of the \$2.7 billion in development

assistance to Northern Central America that it expects to manage as part of the five year Root Causes Strategy, doubling from 5.6% of USAID funds that went to local organizations between 2010-20, a fairly modest shift.

- In Fiscal Year 2021 the U.S. made \$418 million in new commitments to development efforts in the three countries.
- Virtually no foreign assistance funding tracked on www.foreignassistance.gov was disbursed or committed to government entities.
- USAID estimates that 12.5 percent, \$40 million out of \$322 million, of its FY2021 obligations went directly to local organizations.⁴
- The only direct funding commitments to grassroots organizations that we were able to identify from public data came through the Inter-American Foundation.
- There was a sharp decrease in funding for security, while civilian peace-building and democratic participation increased significantly.
- The largest share of funding went to humanitarian aid related to disaster assistance and COVID-19, with Catholic Relief Services as the primary recipient.
- Funding commitments in FY 2021 reflected increased funding through international NGOs and a modest reduction in funding through international for-profits.
- There was a notable increase in reliance on the International Organization for Migration, which received \$32.6 million in obligations for projects related to democratic participation and good government, decentralization, basic life skills for adults, and primary education.
- USAID continued to rely primarily on international for-profit companies to manage governance and civic participation projects, with the largest funding (\$25m) going to Creative Associates International.
- Organizations in the region that have not had relationships with USAID but actively work to address the underlying drivers of migration, report meeting with USAID mission staff, but not yet being engaged as thought partners in developing priorities, strategies and programs or being asked how USAID can support their existing efforts.
- Looking forward, the President's FY 2022 Budget Request for Northern Central America reflects shifting priorities compared to the previous administration. The budget includes increased funding for agriculture, education, environment, conflict mitigation, family

⁴ The table below on recipients of USAID development assistance is based on data available on www.foreignassistance.gov and may not include all the funds obligated by USAID or properly code those funds. We offer the table to show the relative shift in recipients.

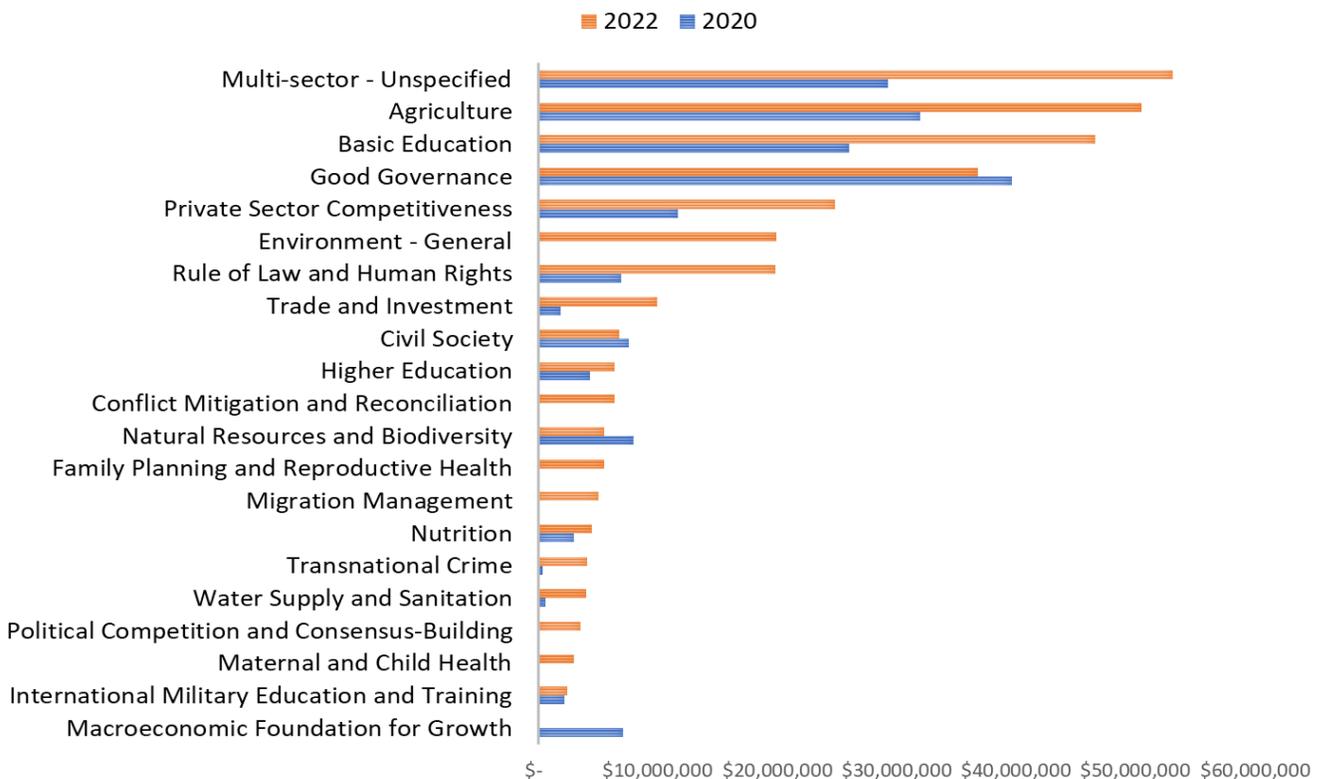
planning, migration management, water and sanitation, and maternal and child health. It keeps in place \$2.4 million for International Military Education and Training, despite calls from organizations in the region and the U.S. to cut off support for security forces.

**Recipients of USAID Development Assistance
to El Salvador, Guatemala, and Honduras**

	2010-20 Disbursements	FY2021 Obligations
International NGOs	27.7%	38.7%
Multi-national agencies	4.4%	21.0%
International For-Profits	41.3%	20.7%
U.S. Government	7.4%	10.4%
Local NGOs	5.6%	6.8%
Local For-Profits	2.0%	2.3%
Government Entities	11.5%	0.0%

Source: www.foreignassistance.gov

**PRESIDENT'S BUDGET REQUEST FY2020 VS FY2022
EL SALVADOR, GUATEMALA, AND HONDURAS**



Localizing Foreign Assistance Recommendations

- To truly localize development assistance, agencies must view grassroots civic and faith-based organizations as true collaborators with a deep understanding of the causes leading to internal displacement and outbound migration.
- Use co-creation tools to engage grassroots civic and faith-based organizations up-front in developing priorities, strategies, and programming rather than seeing these organizations as implementers of USAID ideas and programs.
- Mission staff, including technical teams, should meet regularly with civil society organizations (including those not being funded by USAID), look closely at the work they are already doing to create government accountability, mobilize domestic resources, and change the power imbalances that are driving migration, and ask how USAID can support and help expand their work, with a particular focus on labor, land, water, environmental, and human rights.
- Create opportunities for consortiums of local organizations, including associations of returned migrants, to come together to support locally defined projects and policy change campaigns in critical areas, such as climate adaptation by small farmers, land and water rights, and technical education for youth.
- Significantly increase funding for the Inter-American Foundation to support grassroots organizations based in Central America.
- Increase collaboration between USAID and the Inter-American Foundation to make additional funding available to IAF-funded organizations.
- Reduce the size and complexity of USAID funding opportunities and focus them more directly on local communities experiencing the highest levels of out-migration.
- Make climate change mitigation and adaptation a central focus of the root causes strategy and foreign assistance.

3. Inclusive Economic Policy

- Vice-President Harris has made corporate investment a signature focus of her leadership on root causes. She has announced \$1.2 billion in investment commitments from companies that include Mastercard, Microsoft, PepsiCo, Parkdale Mills, Nespresso, and Peet's Coffee. Many of these commitments include environmental, gender, and social benefits promises.
- It remains unclear how the focus on U.S. corporate investment squares with the emphasis in the Executive Order and Root Causes Strategy on inclusive economic growth, labor rights, and mobilizing domestic resources for development. These economic priorities focused on equity reflect the reality that decades of emphasis on foreign investment as a solution have not resulted in significant improvements in living conditions in Central America nor changed the calculus that leads many people to migrate.
- Civil society, labor, and faith leaders in Central America have made clear that improving the pay and quality of work, increasing domestic tax revenue and public investment in education, health and community development, and strengthening the safety net for both urban and rural families is necessary to improve the living conditions that force people to leave their home communities and make it possible for young people to see their future in their home countries.
- The pandemic has strongly affected public education, pressuring low-income students to study virtually without the means to buy computers or smartphones, thus increasing school dropout rates.
- In July and August, the Administration announced \$33 million in funding opportunities to support workers' rights in El Salvador, Guatemala, and Honduras. At the end of 2021, the Department of Labor announced prime contracts totaling \$21.5 million to three U.S.-based organizations. This focus on working conditions has received minimal public attention, despite its importance, and it is unclear what role labor and civil society organizations based in Central America are playing in the effort.

Inclusive Economic Policy Recommendations

- Make labor rights, including the right to form a union and bargain collectively, and increasing wage and benefit levels a primary focus of the Root Causes Strategy.

- Draw a more direct connection between the Vice President's work with the Partnership for Central America and efforts in the region to raise wages, improve benefits, increase tax revenue, and invest in education.
- Support civil society organizations in each country in their efforts to increase government tax revenue and investment in education, health, and community infrastructure.
- Work with the IMF, World Bank, Inter-American Development Bank, and other lenders to forgive the foreign debt of Honduras (as was done following Hurricane Mitch) to support the new government's efforts to re-establish rule of law, human rights, and equitable development.

4. Humane Migration Policy

- The Biden-Harris Administration has kept Title 42 in place and renewed the Remain in Mexico program (formally the Migrant Protection Protocols - MPP), failing to keep its pledge to reverse cruel and counterproductive migration policies instituted by the Trump Administration.
- The continuation of MPP and Title 42 have prevented people from seeking asylum, separated families, and resulted in tens of thousands of people, from Central America, Haiti, and other parts of the world, being stuck in limbo in Mexico, subject to violence, extortion, and kidnapping at the hands of criminal gangs and Mexican police.
- Many organizations fighting impunity and working with migrants believe that the Administration's deterrence approach to migration, with its emphasis on militarizing borders and deterring migrants, has weakened U.S. diplomatic leverage over rule of law issues while increasing the revenue and reach of criminal enterprises engaged in human smuggling and extortion.
- The Administration re-opened and expanded eligibility for the Central American Minors program, which was started during the Obama Administration to reunite children with their parents. The number of young people able to participate in 2021 is not available.
- While the Department of Homeland Security made commitments to reunify Central American families separated under the Zero Tolerance Policy and repair the harms

wrought by the policy, the administration ended settlement negotiations with the families and approximately 1,700 children remain separated.

- In April 2021, the Department of Homeland Security set aside an additional 6,000 H-2B temporary non-agricultural visas for El Salvador, Honduras, and Guatemala. The actual number of H-2B visas from the three countries from January-November, 2021 was 7,419, compared to 1,554 during the same period in 2020, an increase of 5,865.
- The overall refugee admissions cap was increased from 15,000 to 62,500 but only 11,411 refugees were admitted from across the globe in 2021, and only 283 of those came from El Salvador, Honduras, and Guatemala.

Change in Temporary Visas for Central Americans 2020-21

	H2A (AGRICULTURAL) VISAS			H2B (NON-AGRICULTURAL) VISAS			TOTAL TEMPORARY VISAS		
	2020	2021	Change	2020	2021	Change	2020	2021	Change
El Salvador	123	238	115	126	1,018	892	249	1,256	1,007
Guatemala	2,034	2,446	412	835	4,159	3,324	2,869	6,605	3,736
Honduras	326	442	116	593	2,242	1,649	919	2,684	1,765
TOTAL	2,483	3,126	643	1,554	7,419	5,865	4,037	10,545	6,508

Source: <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-statistics/nonimmigrant-visa-statistics/monthly-nonimmigrant-visa-issuances.html>

Migration Policy Recommendations

- End Title 42 and the Migrant Protection Protocols, and restore full asylum processing at and between ports of entry at the U.S.-Mexico border.
- Restart and expand the parole process for those subjected to the first version of Remain in Mexico who were not able to access the wind-down process.
- Fully reopen ports of entry to asylum seekers and invest in dignified and efficient processing that does not externalize the process to Mexico or civil society.
- Provide additional funding and vaccine access to migrant shelters in Mexico and make migrant protection a key condition for U.S-Mexican cooperation.

- Resume negotiations with families separated under the Zero Tolerance Policy and commit to fully repairing the harms done by the United States through direct payment and ongoing psychological and medical care free of charge.
- End the practice of deporting people from several countries to remote areas, without services and institutions, such as the border town of El Ceibo, bordering the jungle of El Petén, Guatemala.
- Provide dedicated funding for the Central American Minors Program and use executive authority to create a Central American Family Reunification Program.
- Further increase the number of temporary H2-B visas for non-agricultural work set aside for Central Americans to reach a goal of approximately 50,000 total temporary employment visas annually, while working with labor and human rights organizations in the region to monitor and prevent abuses in the recruitment process and during employment.
- Allocate 20,000 climate refugee slots for Central Americans in 2022 and support in-country processing.

The **Root Causes Initiative** is a new network of faith-based and grassroots organizations from El Salvador, Guatemala, Honduras, Mexico, the U.S. working to resolve the underlying conditions forcing people to migrate from Central America. We are working to channel U.S. foreign assistance through local NGOs around priorities set by civil society, and to create safe and legal pathways for people to migrate. Long-term community-led development is a key focus of our Root Causes Platform, supported by 340 organizations and religious leaders across the region.

“Too often, the U.S. has sided with corrupt economic elites rather than common people in the countries of Central America. The result can be seen in families terrorized by criminal gangs that operate with impunity and young people who see no economic future in their countries. Addressing the root causes of migration means standing with faith and civil society organizations fighting for water and land rights and against environmental destruction.” – Letter from **Guatemalan Cardinal Álvaro Leonel Ramazzini Imeri** and **El Paso Bishop Mark Seitz** to President Biden, December 20, 2020