



NATIONAL ALLIANCE OF LATIN AMERICAN & CARIBBEAN COMMUNITIES
ALIANZA NACIONAL DE COMUNIDADES LATINO AMERICANAS Y CARIBEÑAS

A Transnational Vision, Rooted in Latin American and Caribbean Migrant Communities
Una Visión Transnacional, con Raíces en la Comunidad Migrante Latinoamericana y Caribeña

NALACC Delegations to Central America in August and September 2014

Preliminary Recommendations

Tuesday, September 16, 2014

Short-term recommendations:

1. ***Humanitarian protection first:*** In the very short term, the United States must use every available measure to protect the children and adults who have made their way here, and ensure that they are afforded all the humanitarian protections provided by US and international law.
2. ***Keep existing legal protections and expand:*** This volatile situation with so many children's lives at risk is not the time to dismantle protections such as the Trafficking Victims Protection Reauthorization Act. To the contrary, the President's long-delayed promise of administrative relief from deportation should be expanded to respond to this challenge.
3. ***Financial resources:*** Additional financial resources are urgently needed to ensure that children are treated humanely, represented in the legal system and reunited with family whenever possible. Here in the United States, we must guarantee legal representation for as many of these vulnerable children and adults. The responsibility for this resides both with the US and with the governments in the countries of origin of the children and families that have fled violence and insecurity. The need for resources for protection should not be used as a pretext for using US resources to push more weapons into this already volatile region.
4. ***Class-wide Legal Protection:*** While legal representation for everyone should be a goal, the reality is that many may not obtain legal counsel in time to stop deportation. Therefore, consideration should be given to issuing a class-wide protection program to ensure that no one is sent back to face violence or even death in their country of origin. Existing law allows for such a measure.

Recommendations for the governments of Honduras, El Salvador and Guatemala:

1. ***Institutional Capacity Urgently Needed:*** The delegation found a lack of institutional capacity to respond to the challenge of re-integrating children and families who have been forcibly removed from the United States or apprehended in transit in Mexico. Immediate measures must be taken to protect and support these returned migrants.
2. ***Leverage civil society expertise:*** Responses to this challenge must include the civil society and faith based actors who have been most active in working directly with children. There is expertise in the region and we should leverage it. Central American governments should

acknowledge the expertise of several civil society organizations in this area of work, should empower them and follow their lead to ensure the best possible outcomes.

3. ***Prevent further militarization***: Do not use this as a pretext for increased militarization of police forces and heavy-handed responses. Rather, look to the examples of Costa Rica and even Nicaragua, where, despite similar poverty statistics, police forces are accountable to civil, local authorities. In the case of Costa Rica, emigration rates are dramatically lower than the rest of its neighbors.

Structural changes for the longer term

New community-based models for public safety: Deep changes are needed to address the problems that underpin the exodus of children and families. New models of public safety, based on the respect of human rights and true community policing should be put into practice to replace repressive public safety approaches that have only engendered more violence.

Social Development and Reduced Inequality: Central American governments should be supported in a major new initiative aimed at elevating social development indexes in each of their countries. One place to start is revamping of public education policies to transform schools into a keystone of community development. Broad access to health care, as well as dignified housing should become the building blocks for transforming Central American countries into places where people want to stay, raise their families and prosper.

Employment creation strategies: Countries in the region must be able to produce jobs with dignified compensation, as well as respect for international labor law principles, should be another pillar to move towards a better tomorrow for most Central American citizens.

Revisit domestic and international cooperation resources: Governments often plead poverty in response to pressures to implement of protections and re-integration programs. A serious examination of the use of existing domestic and international cooperation resources should be undertaken, with an eye toward prioritizing long-term investments in opportunity and well-being, as well as citizen oversight and accountability structures for government.

Modernize Taxation and Fiscal Policies: The current situation underscores the need to modernize taxation and fiscal policies to ensure that the necessary resources are raised and are put into the service of raising social and economic living standards. By not wasting this crisis, Central American governments and the international community can help the region to function much more effectively in the global economy.

Fix Outdated Migration Policies: The geographic region comprised by the Central American nations, Caribbean nations, Mexico and the United States has become ever-more more integrated and interdependent. However, existing legal frameworks to regulate human mobility remain grossly outdated. Laws regulating migration within this region must be modernized in a way in which human rights are respected, and in which the economic and social wellbeing for all citizens in this region is reconciled with realistic and flexible migration policies. In the case of the US, the Congress must understand the need to modernize its laws in a mutually beneficial way, including immigration law. Until the US Congress does this, the President should use his executive authority to remedy the obvious flaws in implementing existing laws.

