

Honorable Kamala Harris
Vice President of the United States of America

As representatives of national and regional civil society organizations defenders of the rights of people in contexts of mobility, we welcome you to Guatemala. We hope your visit represents the starting point of actions that acknowledge that persons in the context of human mobility and their families have human rights.

We value your commitment and work in favor of excluded and historically marginalized populations. We are conscious that such problems are historic and complex, and that as actors we have the responsibility to contribute to the reconstruction of our well-being and development.

We write to you recognizing the interest your government has in addressing international migration. We are grateful for your leadership as Vice President in creating spaces for dialogue, and advocacy with governments in the northern countries of Central America. We agree that it is not an easy task, given that it implies addressing the structural causes that affect us as countries and that impact our political, economic and social development, which are also push factors of human mobility.

In continuation, we present recommendations that seek to address human mobility within, from, and to Guatemala:

I. Specific Recommendations:

A. Rule of Law and governance

Guatemala faces a series of problems related to the Rule of Law and governance including corruption, lack of independent judiciary, lack of transparency, democratic instability, and impunity, among others. With these issues in mind, we recommend:

- Support and fund research and training for the administration of justice, including criminal prosecution. Strengthening the Guatemalan justice system should be a priority, and contributes to the independence of public authorities and fighting against corruption.

Encourage Guatemalan to generate transparent mechanisms for all people to access justice, regardless of nationality or immigration status, as well as to build trust in the public administration, ensuring due process rights.

Promote mechanisms to ensure access to justice based on international human rights standards, which determine the State's obligations and their link to causes related to human mobility.

Strengthen institutions fighting against corruption while deeping transparency, control over public spending, increase budget allocation for criminal investigation, including training and protection for attorneys and judges.

Recognize and support the work of human rights defenders, whose role is essential in democratic societies. Ensuring conditions for their work is essential.

B. Socioeconomic conditions

The lack of dignified living conditions in Guatemala impacts on social groups who have been historically discriminated, and who are obligated to seek international protection or migrate to other countries.

- U.S. international cooperation is essential to strengthen local economies, the governance of mayors and local authorities, the improvement of local infrastructure, fiscal management, access to services, and development.

United States, as Guatemala's economic partner, should promote exports to strengthen small and medium-sized entrepreneurs.

State mechanisms and international cooperation to promote access to financing, markets, innovation, technology, etc that strengthen small business, cooperatives and other forms of economic associations to promote the creation of decent jobs.

Increase public spending and investment in education, health and social assistance, housing, labor and social welfare. Addressing food insecurity should be a priority.

C. Violence related to organized crime and gender

Violence is linked to organized crime, drug trafficking, megaprojects, machismo, femicide, and corruption networks, among others. A fundamental problem is the lack of access to prevention and state protection. For this reason, we recommend:

- Promote citizen safety based on international human rights standards that incorporate measures to fight these kinds of criminal structures.
- Promote the incorporation of a human security approach in the role of the armed forces, where persons are entitled to rights and protected. In the context of human mobility, they should protect and not be responsible for immigration enforcement.
- Promote access to justice, protection, and asylum systems in Guatemala and the United States for victims of violence, ensuring psychosocial care and economic integration.
- Strengthen actions to prevent violence, including legislation and public policies in all aforementioned areas, including crime prevention, discrimination, gender identity, transparency, and the fight against corruption.

D. Climate justice and the environment

Guatemala is in a geographic area constantly affected by the effects of climate change. We suffer environmental damage as a result of natural and social phenomena. In that respect, we recommend:

- Designate Guatemala for Temporary Protected Status so that Guatemalan citizens in

the United States can help finance economic recovery from recent climate change events.

- Promote the definition and adoption of public policies by the government of Guatemala, with international support, for mitigation and adaptation to climate change, and to respond to environmental damage through prevention, humanitarian attention, and lasting solutions for those affected.
- Ensure that U.S. investments are environmentally friendly and avoid the installation of extractive companies that damage ecosystems and the lives of rural communities.

E. Comprehensive immigration systems

The lack of comprehensive immigration systems at a regional level has resulted in denying migrants rights and differentiated attention according to their diverse needs. In view of this, we recommend the following:

- Guarantee the allocation and execution of financial resources to strengthen immigration systems in Guatemala and the United States, which include:
 - Strengthen consular attention and documentation of the Guatemalan population in the context of mobility and guarantee access to justice in their own language and without fear of immigration enforcement.
 - Strengthen specialized attention from professionals trained to work with historically vulnerable populations such as: children, indigenous peoples, women, people with disabilities and LGBTQ persons.
 - Guarantee the evaluation and consideration of the best interests of children throughout the migration route, generating programs of care, protection, shelter, integration, and resettlement.
 - Guarantee regular migration, facilitating and expanding options for regular migration. In the area of migration and labor, strengthen controls over recruiting agencies and/or intermediaries to avoid labor rights violations, and guarantee access to labor justice for all migrant workers regardless of their immigration status.
 - Guarantee the non-separation of families and family reunification.
 - Ensure compliance with the principle of non-deportation and due process for accessing options for regular migration or asylum, ending arbitrary removals and detentions. This includes the end of Title 42 and the possibility of entering the United States by land to seek asylum.
 - Build intergovernmental and transnational mechanisms to ensure the right to life, liberty, and personal integrity in contexts of human mobility, so that there are no forced disappearances in the context of migration. Developing search mechanisms, guaranteeing the right to truth, and accompanying families in the

search process and repatriation of corpses according to the family's wishes, if necessary.

- Strengthen asylum systems by promoting programs that foster economic and social integration in the destination country.
- Recommend and offer funding for the adoption of public policies and programs for the reintegration and/or social and economic reinsertion of people forcibly returned or deported from the United States and Mexico.
- Ensure care and protection for the internally displaced, including humanitarian assistance and durable solutions.
- Strengthen the Guatemalan migration institutions, especially the recently created Guatemalan Migration Institute, generating regulations and policies as a result of the Guatemalan migration code.

II. General recommendations

Create diverse intersectoral mechanisms for dialogue with the U.S. cooperation agencies in Central America to work together towards protecting and enduring human rights and democratic governance.

Involve civil society in the entire process of formulation, implementation, monitoring and evaluation of the aforementioned policies to ensure that their execution is based on social oversight and a participatory approach.

Encourage that the approach to human mobility be carried out at the local, municipal, departmental, and national levels in order to promote a unified governance for migration.

As Civil Society organizations, we are willing to contribute to the implementation of these recommendations and those derived from the dialogue process that we hope to maintain with your government.

Signatory organizations:

Alianza Americas

Centro por la Justicia y el Derecho Internacional (CEJIL)

Facultad Latinoamericana de Ciencias Sociales - Guatemala

Iniciativa Causa Raíz

Plataforma de Migración y Desarrollo

Grupo Articulador de la Sociedad Civil en Materia Migratoria: American Friends Service Committee – Oficina Regional América Latina y el Caribe (AFSC); Asociación La Alianza; Asociación Pop No'j; Asociación LAMBDA; Centro de Estudios de Guatemala -CEG-; Comité Central Menonita Guatemala/El Salvador; Comité de Trabajadores Migrantes; Federación Guatemalteca de Escuelas Radiofónicas FGER; Inmigrant Worker Center (IWC CTI); El

Refugio de la Niñez; Equipo de Estudios Comunitarios y Acción Psicosocial (ECAP); Fundación Myrna Mack; Fundación para la Justicia y el Estado Democrático de Derecho; Instituto Centroamericano de Estudios Sociales y Desarrollo (INCEDES); Instituto de Investigaciones Históricas y Antropológicas-USAC; Mesa Nacional para la Migraciones en Guatemala (MENAMIG); Misioneros de San Carlos Scalabrinianos, Casa del Migrante de Guatemala; Pastoral de Movilidad Humana; Programa de Atención, Movilización e Incidencia por la Niñez y Adolescencia (PAMI); Red Jesuita con Migrantes –Guatemala, a través del Instituto de Investigación y Proyección sobre Dinámicas Globales y Territoriales de la Universidad Rafael Landívar; Red por la paz y desarrollo de Guatemala (RPDG). **Personas individuales:** Aracely Martínez Rodas; Alfredo Danilo Rivera y Simón Antonio.