Accompanying Migrant Minors with Protection, Advocacy, Representation and Opportunities (AMMPARO) Strategy

1. INTRODUCTION

In 2014, media put a spotlight in the humanitarian crisis in Honduras, El Salvador and Guatemala that led almost 70,000 unaccompanied children and another 70,000 mostly mothers and children to flee to the United States where they were apprehended by U.S. Customs and Border Protection. In fiscal year (FY) 2015, after varied government responses, the number of children arriving in the U.S. decreased by approximately 42 percent. However, in the last three months of 2015 arrivals of children and families doubled from the year prior. The forced displacement of these families and children is witnessed by the Evangelical Lutheran Church in America (ELCA) through its historical and personal connections with churches in the region and calls us to action as the church.

Migration from Central America to the United States is not a new phenomenon, and the ELCA, synods, congregations, companion churches and service partners have been deeply engaged in efforts to protect, care for and welcome Central Americans seeking safety for decades. There has been a pattern of unaccompanied children from Mexico and Central America coming to the U.S. over the past decade. However, FY 2013 was the first year that more Central American children were apprehended along the U.S.-Mexico border than Mexican children. Between 2012 and 2014, the number doubled each year. In addition, more mothers from Central America have been traveling with their children recently on the treacherous trip through Mexico, which had not been the case before. The forced displacement of these families and children hit close to home for the ELCA, which has historical and personal connections with them through our companions, synods and regional partners. The ELCA has also supported protection and social service work for Central Americans in the U.S. through Lutheran Immigration and Refugee Service (LIRS) and Lutheran social ministry organizations for decades.

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1 This is a draft proposal.
In 2014, ELCA leadership traveled to the U.S.-Mexico border to understand why vulnerable children and families were leaving their communities and to get a better sense of the challenges faced by those seeking protection in the U.S. This visit, and continued reports from LIRS on the situation, raised major concerns about lack of access to justice and the inhumane treatment that people seeking protection receive once in the U.S. The trip, followed by President Barack Obama’s declaration that the number of children and families at the U.S. border was an “urgent humanitarian crisis,” expanded the ELCA’s understanding of the pressing need to walk alongside the children and families seeking protection. This information also made evident the need to accompany these forcibly displaced people in their countries of origin as they make the treacherous journey to safety.

In the fall of 2014, an international Lutheran roundtable – in which the ELCA, The Lutheran Church–Missouri Synod and LIRS participated – brought together partners from the region, Lutheran leaders, U.S.-based service providers and experts on the subject. The roundtable was an opportunity to consider the situation in a holistic way, in its many dimensions, and to understand how efforts in the different regions and different spheres could better complement each other.

In February 2015, a delegation of ELCA staff visited Honduras, El Salvador and Guatemala to hear firsthand why so many are forced to leave their communities and how our Lutheran companion churches are affected by these conditions. The delegation heard numerous stories of children and mothers fleeing due to violence, poverty and lack of opportunities. These testimonies confirmed the results from numerous studies, including those from the U.N. High Commissioner for Refugees and the U.S. Government Accountability Office, which cite brutal and targeted violence as a principal reason for migration out of Central America. Lutheran churches in the region have seen this violence worsen and frequently witness their young leaders being forced to flee their communities. Sometimes it results in internal displacement, while other times it results in children crossing borders to find safety.

Angelica’s son migrated to the United States unaccompanied a few years ago after gang members wanted to recruit him. He had to stop attending school because he was being followed by gang members. She believes he was targeted because he did not have a criminal record and was young. “He was a child, and here they prefer children because they can do their bidding, and they have the possibility of not going to jail,” she said. Because of her son’s situation, Angelica made the difficult decision to support her child’s escape from the country. “I would

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rather have him in a place where he is going to be safe than to have him here, where a criminal would already have killed him.”

As part of the journey to understand the implications of this humanitarian crisis, ELCA staff traveled to Mexico in June 2015 after repeatedly hearing stories of the dangerous journey that awaits migrants traveling through the country. The delegation found that all migrants are vulnerable to violence – from kidnapping and extortion rings, human traffickers, police agents and private citizens – but women, children, people with disabilities and asylum seekers have special vulnerabilities.

Entire families or mothers with their children continue to make the treacherous journey through Mexico in increased numbers despite being aware of its dangers. This is a reflection of the generalized violence and economic desperation they face in their home countries. Those fleeing dangerous or desperate situations today face increased border security in Mexico whose government now deports more than double the number of Central American children than they did in 2013. Child protection, trafficking screening and the asylum system have stalled while immigration enforcement has increased at a rapid rate. The Georgetown Law Human Rights Institute published a study that confirms that many children go unscreened for trafficking or other protections, which leads to children being returned to dangerous situations. If children ask for protection after being apprehended by immigration officials, they will spend months in Mexican detention centers while their case is reviewed.

Jennifer, a psychiatrist with rare access to one of the detention centers in Mexico, spoke to the ELCA delegation about the conditions in these detention centers. “I could describe the migration stations as barren; they are places where their own structures create a depressive environment.” Although Mexican law calls for children to be put in the custody of their child protection agency, children remain in immigration detention for months. “The first day that I came into the station, I was overwhelmed and couldn’t process my experience at the time. I left with a heavy heart due to the conditions migrants face and the stories that women, boys and girls told me.”

Ensuring the safety and humane treatment of children and families does not stop at any geographical border. As brothers and sisters in Christ, the ELCA is called to bear witness to the conditions affecting so many communities and work to find solutions that will acknowledge the humanity in all of God’s children.

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The ELCA believes that the number of children and families fleeing Central America and Mexico is of such significance that all expressions of the church and its strategic partners are called to respond to this situation. As a global church, the ELCA has a local perspective of this migration situation, both in the U.S. and regionally in El Salvador, Guatemala and Honduras (also known as Central America's Northern Triangle) and in Mexico. This presence across borders provides us a whole-picture assessment of the migration situation and enables us to anchor our response activities in the communities where the children originate and where they arrive.

Working as “church together,” the ELCA will be children- and family-centered in this work and will engage across the faith-based community and with agencies and institutions whose missions align with our commitments. The ELCA will collaborate in an evolving and adaptable relationship with forcibly displaced children, their families and our partners while adopting the accompaniment values to build awareness around the issues facing unaccompanied and migrant children and to advocate domestically and internationally for these children and their families.

In a holistic, whole church response that connects international and U.S. outcomes, the ELCA has developed this strategy based on the following commitments:

- Uphold and guarantee basic human rights and safety of migrant children and their families;
- Address the root causes of migration in countries from Central America's Northern Triangle and Mexico and the treatment of migrants in transit;
- Work toward just and humane policies affecting migrants in and outside the U.S.; and
- Engage as a church body with all of its companions, affiliates and partners to respond to the migration situation as a whole context and to advocate for migrant children and their families.

In order to fulfill these commitments, the ELCA will work purposefully with companions and partners, including LIRS, through strategies for ministry with 1) those in the countries of origin, 2) those in countries of transit and 3) those in the U.S., while focusing on three interdependent guiding principles: accompaniment, awareness building and advocacy.

2. THE CALL TO THE CHURCH FOR ENGAGEMENT

In an initial social teaching statement in 1991, “The Church in Society: A Lutheran Perspective,” the ELCA affirmed:

The proclamation of the Gospel as the good news of God's salvation given in the life, death, and resurrection of Jesus distinguishes the Church from all other communities.
The Gospel liberates from sin, death, and evil and motivates the Church to care for neighbor and the earth.

The witness of this church in society flows from its identity as a community that lives from and for the Gospel. Faith is active in love; love calls for justice in the relationships and structures of society. It is in grateful response to God's grace in Jesus Christ that this church carries out its responsibility for the well-being of society and the environment.

...The Gospel does not allow the Church to accommodate to the ways of the world. The presence and promise of God's reign makes the church restless and discontented with the world's brokenness and violence. Acting for the sake of God's world requires resisting and struggling against the evils of the world.

The ELCA’s 1995 social statement, “For Peace in God’s World,” states:

All humans are created in the image of God (Genesis 1:27), made for life in community—with God, with others, and with the rest of creation.

...Faith in the crucified and risen Lord strengthens us to persist even when God seems absent in a violent and unjust world, and when weariness and hopelessness threaten to overwhelm us.

Through the cross of Christ, God calls us to serve the needs of our neighbor, especially of those groups and individuals who suffer and are vulnerable. The cross assures us that even in our vulnerability, suffering, and death, God's power is active through us.

...Care for the Uprooted. Tens of millions are refugees in foreign lands. At least as many are internally displaced. In unprecedented numbers people have had to flee their homes because of persecution or general violence. We support compassionate survival assistance for refugees and vigorous international protection for them. The world community has a responsibility to aid nations that receive refugees and to help change the situations from which they have fled. In our own country, we support a generous policy of welcome for refugees and immigrants. We pledge to continue our church’s historic leadership in caring for refugees and immigrants.

Because we understand each person to be made in God’s image – without distinction based on race, ethnicity, gender, economic class or country of origin – and have heard God’s call to serve the needs of our neighbor wherever she or he may be, we recognize ourselves to be in mission
and ministry together for the benefit of all God’s people. (See also “Freed in Christ: Race, Ethnicity and Culture,” 1993).

It is on this basis and the many previous actions taken by the ELCA (see list appended), that this church now pledges to continue, intensify and sustain its response in relation to the crisis faced by unaccompanied migrant children and families.

3. BACKGROUND

After the number of unaccompanied children arriving in the U.S. from Central America garnered large amounts of media and political attention during the summer of 2014, FY 2015 saw a notable decrease (from 68,541 in FY 2014 to 39,970 in FY 2015) of unaccompanied children. However, at the same time, there was a significant increase in border enforcement in Mexico and Central American countries, as well as a large increase in the number of internally displaced people. Though this change meant less U.S. media attention to the plight of unaccompanied children and families, ELCA partners in the region continued to alert the churchwide organization that conditions driving so many to be forcibly displaced had not changed. Through first-hand witness from ELCA companions, it became clear that the decrease of children arriving in the U.S. did not mean a decrease in the number of children who were forced to put their lives in harm’s way to make the trip. During a time of incredible need, it became evident that the ELCA’s holistic approach to addressing this displacement – encompassing their treatment in the U.S., in their countries of origin and in-transit – was critical to ensure the safety of children and families forced to migrate.

In February 2014, leaders in the ELCA traveled to Central America to understand the reasons behind the migration of many children and families and to get a sense of what repatriated children face after deportation. The findings, outlined in the ELCA Advocacy report, “Our Communities in Crisis: A faithful look at the root causes of Central American forced displacement and the repatriation of children and families after the summer of 2014,” highlight the complex and interrelated reasons forcing many to migrate and the critical need for protection of some of the most vulnerable people leaving.

Although general numbers of unaccompanied children arriving in the U.S. decreased in FY 2015, the Mexican government deported 12,511 Central American children from January to June 2015, a figure that stands in contrast with the 5,858 deported in 2012. The conditions of

11 Ibid.
violence driving mothers and children to flee continued or deteriorated even further. In El Salvador, for example, murder rates increased by approximately 70 percent in 2015 from the year before. Throughout 2015, high numbers of mothers, children and vulnerable populations continued to be the victims of violence in their communities and throughout their journeys to safety. Regrettably, impunity, economic and social policies that provide no support, and the mitigation of environmental changes remain unaddressed.

Violence is a critical factor in why many children and families are forced to leave their communities. This is highlighted not only by the fact that Northern Triangle countries are among the most violent in the world but also by being aware that from 2008 to 2014 the Office of the U.N. High Commissioner for Refugees documented a 1,185 percent increase in asylum applications from El Salvador, Honduras and Guatemala that were filed in Belize, Costa Rica, Mexico, Nicaragua and Panama. In 2014, they also found that approximately 58 percent of children making the treacherous journey to the U.S. need international protection, including asylum. However, access to the channels that could provide this protection is severely lacking in both Mexico and the U.S.

Responses by the U.S. and Mexican governments to the increased levels of children and families seeking safety in the U.S. have been varied. Detention enforcement strategies that target these populations have expanded since 2014. Most recently in the U.S., the Department of Homeland Security began operations to track and deport Central American families that arrived in the U.S. after Jan. 1, 2014. In Mexico, a reported 5,000 new agents with military training were moved to the Mexico-Guatemala border in 2014 as part of Mexico’s controversial Southern Border Plan (Plan Frontera Sur), a program supported by the U.S. Along with enforcement measures, however, the Obama administration created a program for Central Americans who might qualify as refugees and be reunited with their families in the U.S. that will be expanded in 2016.

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16 For a deeper look into government responses, see below the subsections “Ministry with migrants in-transit” and “Ministry with migrants in the U.S.”
19 Central American Minors Refugee/Parole Program – This program began accepting applications in December 2014. It allows parents in the U.S. with legal status to apply for refugee status or parole into the U.S. while their child remains in their country of origin.
Those who fear returning to their countries of origin and may want to apply for international protection do not have effective access to legal representation in Mexico or the U.S. Although many nonprofit organizations have rallied and are providing free or low-cost legal services, the levels remain inadequate. Making a case for international protection requires proving that an individual has fears grounded in the legal refugee definition, which requires a careful articulation of the case and supporting evidence. Legally, Mexico and the U.S. have different definitions of “refugee” because Mexico is a signatory to a declaration that expands the basic definition to include generalized violence. Immigration law is highly complex, and asylum-seekers often do not carry with them documents that would prove their case. Without legal help, asylum cases fail at high rates. Lack of legal representation or appropriate systems result in children having to navigate complicated immigration systems alone or choosing not to pursue an asylum claim even if that means returning to danger.

The arrival of children and families from Central America also resulted in a new look at U.S. policy toward Central American countries. The U.S. Congress in late 2015 allocated $750 million for FY 2016, which included funding to support an international commission to fight impunity in Guatemala. However, concrete details about other parts of this plan, in relation to security, development and protection, are yet to be prepared by the State Department.

Responses that fail to recognize the complex and humanitarian natures of the forced displacement of unaccompanied children and families put those vulnerable populations at risk. Women and children in poverty, the same population that is likely to be displaced, are the most trafficked population around the world. In addition, these already vulnerable populations also face, among other things, kidnapping, murder, disappearance and sexual violence.

The root causes of migration and safe repatriation of children and families

The conditions forcing children and families to flee their homes have complex social, political, and environmental layers. Multiple studies, including “Our Communities in Crisis,” cite extreme violence, poverty, lack of access to educational and employment opportunities, and environmental displacement, all of which are exacerbated by the failure of governments to

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20 The legal definition of “refugee” in the 1951 Refugee Convention is: A person "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country."


address these issues, as the fundamental reasons behind the flight of so many young people in these countries. The reasons that citizens of the Northern Triangle countries flee their communities are varied and interconnected, leaving children and families especially vulnerable and in need of special attention and protection by their own governments and those that encounter them as they migrate. Although this document outlines important background on each root cause, it is incredibly important to understand that these issues are connected at multiple levels and that each person's decision to migrate might include all, one or a few, of the identified issues. In addition, it is important to highlight that gender, sexual orientation, economic status, age and other factors play an important role as each person experiences each of the root causes highlighted below.

Numerous studies have shown the critical need for protection of unaccompanied children. In 2014, the U.N. High Commissioner for Refugees found that at least 58 percent of unaccompanied children traveling from the Northern Triangle “were forcibly displaced because they suffered or faced harms that indicated a potential or actual need for international protection.”23 A study by the American Immigration Council, focused only on Salvadoran children, shows that 59 percent of boys and 61 percent of girls listed crime, gang threats or violence as the reason for the migration.24 Furthermore, the U.S. Government Accountability Office also found that violence plays a significant role in the forced displacement of children in interviews with government officials stationed in these countries.25 The sharp increase in asylum applications to the U.S. and other countries illustrates the critical and immediate need for protection of those fleeing. Since 2009, Mexico, Panama, Nicaragua, Costa Rica and Belize jointly documented a 712 percent increase in the number of asylum applications from Northern Triangle countries.26

Among the reasons children and families leave their communities are:

- Extreme violence and insecurity

The protracted insecurity in the Northern Triangle goes beyond widely reported gang violence and seeps into all facets of community life. This small region is home to four of the most violent cities in the world, and San Pedro Sula in Honduras has the unfortunate standing as the world’s homicide capital. The different actors feeding and creating the astonishing level of violence are known and categorized differently in each country. Generally, people in the region are faced with violence from organized crime groups (including gangs, narco-traffickers and non-affiliated criminal groups or individuals); individuals contracted to kill, extort or mug; family members (in

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24 http://www.immigrationpolicy.org/sites/default/files/docs/no_childhood_here_why_central_american_children_are_fleeing_their_homes_final.pdf.
26 http://www.wola.org/commentary/3_myths_about_central_american_migration_to_the_us.
the case of domestic and gender-based violence); and the police and military. The Salvadoran Lutheran Church has seen multiple cases of young people who are threatened and must flee with only a few hours to prepare as well as entire families having to leave their communities.

This violence is experienced by local communities not only as direct threats but also in the form of extortion. Business owners or young people who have to cross gang territory to go to work or attend school must pay a “fee” to ensure their safety. These “fees” are so common that local media openly report on how the fees affect the population. The Honduran newspaper, La Prensa, reported that the “war tax,” the term used in the country to describe these fees, weighs heavily on taxi and bus drivers who must budget for them as they would for new tires or fuel.27 This violence stifles economic growth by making people with successful business targets, making it difficult for people in poverty to move about or start a business due to added costs. Due to the sophisticated ways criminal organizations extract money from those in the Northern Triangle attempting to make their lives better, viewing poverty and lack of opportunities without a lens that addresses the violence in these communities, leaves many at risk.

A common response from governments in Central America to organized intimidation and violence has been increased militarization and an “iron fist” approach. However, over reliance on this approach, in which the government threatens to respond to violent actors with violence, only perpetuates the systemic societal issues that lead to additional brutal violence.28 This became evident, for example, in El Salvador, where gangs forced a stoppage of public transportation by killing drivers who defied their instructions after the government took a hard line approach to gangs.29

- Poverty and lack of opportunities

Northern Triangle countries have significant rates of poverty and most of their citizens have little access to services. Official statistics in Honduras show that more than half of the population lives below the poverty line and over 1 million people are undernourished.30

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Salvador, 29.65 percent of the population lives in abject poverty.\textsuperscript{31} Over half of Guatemalans live in acute poverty, and an alarming 49.8 percent suffer from chronic malnutrition.\textsuperscript{32}

Poverty affects the citizens of each Central American country in various ways. In Guatemala, 40 percent of the population self-identifies as indigenous,\textsuperscript{33} a population that has been and continues to be marginalized and has less access to services, in addition to a complicated relationship with government institutions.\textsuperscript{34} In all three countries poverty affects young people the most. In Honduras, roughly half of all unemployed people in the country are less than 24 years old.\textsuperscript{35} Although programs exist in theory for people who are unemployed or underemployed in these areas, such programs either suffer from woeful underfunding or have not succeeded in being effective.

- Environmental issues

Drought and coffee rust, an aggressive fungal disease that kills coffee leaves, have contributed to additional internal displacement and migration of rural populations in parts of Central America. The drought has affected more than 2 million people in El Salvador, Guatemala, Honduras and Nicaragua, while the coffee rust has affected another 2 million.\textsuperscript{36} The World Food Programme of the United Nations found that 5 to 12 percent of people affected by drought had at least one family member who migrated in search of job opportunities.\textsuperscript{37} Environmental displacement is often characterized by individuals in terms of poverty or another push factor. It is also important to mention that industrial projects and mining activities displace many people from their communities.

In critical moments, U.S. foreign policy and interactions with Northern Triangle countries have had a devastating impact on living conditions for people in these countries. These conditions have been caused in part by devastating civil wars and political shifts in the region in the 1980s,
both influenced by U.S. foreign policy, and the mass deportation of migrants with gang affiliations from the U.S. to Central America in the 1990s.

The ELCA response

In response to the recent surge in unaccompanied and migrant children and families from Central America, the ELCA and its partners have implemented or strengthened ministries to assist Central American migrant children and their families in their countries of origin.

Honduras:

- An emergency grant was made to the Mennonite Social Action Committee (CASM) in Honduras for two to three months of humanitarian and psychological assistance to returning child migrants during the repatriation process in San Pedro Sula.
- Project grants went to CASM and The Lutheran World Federation World Service program for community-based educational and economic initiatives with repatriated children, youth and their families in the two geographic areas of Honduras – one urban, the other rural – with the country’s highest incidences of child migration.

El Salvador:

- A project grant was made to the Salvadoran Lutheran Church to accompany and provide key resources for the economic reinsertion of children, adolescents and their families after they have been apprehended and sent back from Mexico and the U.S.

b. Ministry with migrants in-transit

Children and families from Central America are seeking refuge in all neighboring countries, not just the U.S. As a result, the lines between sending countries and in-transit countries are blurred. Mexico, for example, is both a sending country – occupying the top position in the list of countries whose unaccompanied minors arrive in the U.S. until recently – and an in-transit country for many children and families traveling to the U.S. Countries surrounding the Northern Triangle also have felt the impact of forced displacement. The U.N. High Commissioner for Refugees reports that there has been an increase of approximately 1,200 percent in asylum applications of people from the Northern Triangle in countries other than the U.S. since 2008. Migrants in transit face drug traffickers, corrupt law enforcement agents, and miles of dangerous terrain. With support from the U.S., all three countries from the Northern Triangle have increased border and migration enforcement without also ensuring that those in fear of returning to their country have access to protection.

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Human trafficking, including labor, sex and other kinds of exploitation, remains a critical problem affecting the Americas.\(^{39}\) Human trafficking is the third largest illicit industry in Latin America, with women, children, undocumented migrants and indigenous people being especially vulnerable.\(^{40}\)\(^^{41}\) According to figures from the U.N. Office on Drugs and Crime's "Global Report on Trafficking in Persons," 40 percent of trafficking victims in North America, Central America and the Caribbean are subjected to sexual exploitation while 55 percent are forced into labor. Because unaccompanied children and women face a greater risk, laws and judicial structures that actively screen all vulnerable populations are an important tool to prevent trafficking.

The ELCA delegation to Mexico in June 2015 met with a Guatemalan woman who was forced into debt bondage working at restaurants after having agreed to travel to Mexico under the (false) promise of work. Although Mexican authorities are aware of this practice, these women are not viewed as victims of human trafficking, and the restaurants continue to operate with impunity.

Although people from Central America are being forcibly displaced to many countries, the principal country deporting children back to Central America is Mexico. Children and families in Mexico face a dangerous journey that begins with the need to avoid police and migration officials that might use excessive force or bribe them. As security increases along the traditional migration routes, children and families are forced to find alternatives that conceal them and their stories and put them in even more danger. Stories of disappeared or dead migrants are incredibly common in Mexico\(^{42}\) with families never knowing what happened to their loved ones. The ELCA delegation met with several young migrants who had been kidnapped for three days and had been made to contact their families to pay a fee for their release. Thus, migrants have become a source of income for criminal organizations, money transfer companies, officials asking for bribes and individuals charging them to use their services. In addition, for many migrants there are disincentives to applying for protection due to the long months in detention and little support from any governmental entity.

Mexico relies heavily on the detention of all migrants, including those seeking asylum, unaccompanied children and families. Unaccompanied children and families are detained in immigration stations in poor conditions despite international and national laws outlining their release to, at least, shelters in custody of the Mexican child-protection agency. Those who fear returning to their countries of origin and may want to apply for international protection do not have access to legal representation. Lack of legal representation results in children having to cope with complicated immigration systems alone and, if unsuccessful, having to return to the

\(^{41}\) https://www.fas.org/sgp/crs/row/RL33200.pdf
country they fled. Immigration agents, who are largely unskilled in child welfare, are tasked with protecting the best interests of children, which, unsurprisingly, results in children becoming at risk.43

In all three Northern Triangle countries, the treatment of migrants in-transit and the lack of enforcement of policies that ensure children's best interests was a concern of the ELCA leaders after conversations with government officials, civil society organizations and migrants. The ELCA delegation verified media accounts that unaccompanied children are sent in buses from Mexico with adult men and families, with only the bus driver present and no personnel designated to ensure the children's safety. This continues to occur despite the existence of regional agreements and international guidelines that call for the contrary, including the 2009 Regional Agreement for the Attention of Unaccompanied Migrant Children and Adolescents in Case of Repatriation. The 2009 repatriation agreement includes a mandate to return children without requiring a long and tiring trip, in order to ensure their wellbeing. However, the ELCA delegation found several instances in which this agreement was not honored by the Mexican government. Repatriation centers in Honduras and El Salvador reported children traveling for up to 11 hours without a break. Governmental institutions and civil society organizations both articulated instances in which they have attempted to improve coordination with Mexican government officials but were met with little interest.

c. Ministry with migrants in the U.S.

The United States has a long history of protecting vulnerable people seeking safety and calling on other countries to protect those fleeing danger. However, children and families forcibly displaced from Central America encounter detention, lack of appropriate legal representation, and the uncertainty of not knowing whether they will be returned to a dangerous situation. Family unification and the safety of children are basic values that the U.S. government must uphold in their immigration policies.

In response to the arrival of unaccompanied children and families from Central America, the administration expanded the use of family detention. A ruling in June 2015 stated that family detention violates a 1997 legal agreement that sets standards for the treatment of children in immigration detention, but the U.S. government has continued to push back against it.44 Although alternatives to detention exist that are much more cost effective and humane ways to enforce U.S. immigration laws, Congress still requires 34,000 beds be available for migrant detention every day in addition to the 3,000 spaces that hold families.45 Faith, human and civil

43 Georgetown Law Human Rights Institute Fact-Finding Project. op. cit.
rights organizations advocating to improve the immigration detention system face private companies spending millions of dollars pushing policies that keep people in detention.46

Children and asylum seekers in the U.S. also face multiple barriers attempting to tell their stories before an immigration judge. Asylum seekers, including children, do not have a right to legal representation and, therefore, are not provided lawyers to help, which has resulted in young children representing themselves in court. Making a case for international protection requires proving that an individual has been targeted and the country of origin cannot protect them, usually requiring paperwork only available in the countries of origin. Although children are some of the most vulnerable populations, they often are not properly screened for trafficking or other humanitarian protections. In the U.S., Mexican children can be screened only by Department of Homeland Security officials, most of whom do not have child welfare expertise. As a result, many children who may qualify for protection do not have access to a system that will evaluate their needs.47

In response to the recent increase in the number of unaccompanied and migrant children from Central America entering the United States, the ELCA and its partners have implemented or strengthened ministries to assist Central American migrant children and their families who arrive in the U.S.

**Synods:**

Several ELCA synods and their congregations have started ministries, held events or joined with partners in their communities to assist unaccompanied and migrant children who arrive in the United States. Activities have included donation drives, fundraisers to send proceeds to a Lutheran social ministry organization or other faith-based partner, and working with Lutheran Immigration and Refugee Service (LIRS) or other faith-based organizations to advocate for and provide a place of welcome to the children and families arriving in the U.S.

Much of the synod activity has taken place in synods that are in companion relationships with a country in the Northern Triangle, synods that are on the border of the U.S. and Mexico, and in synods where there is a high number of children being placed after being processed.

The Global Mission Companion Synod program has brought nine synods into deep relationships with churches in the Northern Triangle countries. These relationships have provided considerable efforts to walk with migrants in a variety of ways, including through advocacy and direct accompaniment of migrants through the Welcoming Congregations and Guardian Angels programs.


Lutheran Disaster Response:
Lutheran Disaster Response first started working with unaccompanied and migrant children in the summer of 2014. Representatives of Lutheran Disaster Response have participated in site visits in Texas, California, El Salvador and Honduras to learn about the situation and to determine potential responses. Several grants have been disbursed to Lutheran Disaster Response social ministry organization affiliates for work with unaccompanied and migrant children entering the U.S. from Central America.

Work and projects supported by Lutheran Disaster Response include:
- Grant to Upbring (formerly Lutheran Social Services of the South) for existing children’s shelter, construction of new shelter, support for two transitional foster care programs, one community manager
- Grant to Lutheran Social Services of New York for legal services and clothing for unaccompanied migrant children
- Grant to Southwest California Synod for intern for Guardian Angels program
- Grant to Church World Service for legal services in the Miami area
- Grant to LIRS for International Roundtable, National Mobilization of Congregations, community outreach to parents of Central American children, and resource guide on family reunification

Lutheran Immigration and Refugee Service:
LIRS is working through more than 30 partners and providing millions of dollars to serve more than 20,000 Central American children and their families in the United States. It also has provided leadership in advocacy to advance more effective protection solutions, to roll back family detention, and to expand legal services. The long-standing and deeply committed partnership between the ELCA and LIRS is acknowledged with gratitude on both sides, as together they have been able to make a much greater impact on the lives of migrants and refugees in the United States.

Key accomplishments in this partnership include:
- Provided transitional or long-term foster care for unaccompanied children without family in the U.S.
- Provided post release services (holistic case management) to assist unaccompanied children and their families with needed services, addressed identified risk factors, and provided extensive referrals including legal services.
- Provided additional services to recently immigrated youth and families using a holistic case management, support group and trauma-informed mental health service model.
- Advocates for the Central American Minor Affidavit of Relationship Program, which allows qualifying families in the U.S. to apply for their children to come with legal status, and for an alternative to detention for families.
• Shared stories of our brothers and sisters, of children in need, and of communities that welcome; “The Journey” video produced by LIRS in cooperation with the ELCA and a study guide highlights the human story.
• Facilitated conversations and trainings on best practices with the aim of finding stable, resource-sustainable housing for immigrant families by engaging church partners, exploring finance tools, and identifying potential areas of collaboration.
• Makes maps of immigration legal services available through the LIRS network as a resource for referral and connection.

Lutheran Services in America:
Several agencies of Lutheran Services in America, an alliance of the ELCA and The Lutheran Church–Missouri Synod, are engaged in services with unaccompanied and migrant children. The agencies involved in this work are in areas where high numbers of children are being placed after being processed. Agencies providing services for unaccompanied and migrant children and examples of their engagement include:
• Upbring:
  2 transitional foster care programs
  2 Office of Refugee Resettlement children’s shelters
  1 community manager to liaison between a shelter in McAllen, Texas, and others involved in the work in McAllen
• Lutheran Social Services of New York:
  Legal services
  Office of Refugee Resettlement children’s shelter
• Ascentria (formerly Lutheran Social Services of New England):
  Free and low-cost legal services
• Lutheran Social Services of National Capital Area:
  Foster care

Welcoming Congregations:
In obedience to Matthew 25:35, Welcoming Congregations agree to welcome migrant children and families, listen to their stories with respect to receive the divine blessings that they bring, pray for and share the gospel, provide emotional and spiritual support, accompany migrants to access local and institutional services as needed and advocate for justice for and with migrant families and children.

Guardian Angels:
The Guardian Angels program is a court-watch program started by the Southwest California Synod. English-speaking and Spanish-speaking volunteers go to court for immigration hearings. English-speaking volunteers sit in the courtroom to take notes and document proceedings to watch for inconsistencies. Spanish-speaking volunteers meet with families outside the courtroom to pray together, help answer questions, provide information on legal assistance, and
provide emotional support. The Guardian Angels program was replicated and implemented at
the ELCA churchwide organization in Chicago.

In December 2015, the Rev. Elizabeth A. Eaton, presiding bishop of the ELCA, visited the
Chicago Immigration Court of the Executive Office for Immigration Review to witness the
Guardian Angels program at work. After her visit, she reaffirmed the ELCA’s commitment to
work as “church together” to bear witness and respond to the significant number of children
and families fleeing Central America and Mexico.

4. STRATEGY

While the ELCA, its synods, its companion churches, its partner agencies and other related
groups have been responding to the situation in the countries of origin, in the countries of
transit and in the United States, it is now proposed that a churchwide initiative be undertaken
that better coordinates and intensifies this work.

I. **Strategy for ministry with those in the countries of origin**

a. **Accompaniment**

1. To accompany companions in Central America and Mexico who have identified the root
causes of thousands of children and families fleeing their communities and have developed
programs addressing them:

   Global Mission will continue to fund three programs that have been identified to
   address root causes through community-based economic development in El Salvador
   and Honduras, will support the development of similar proposals for 2016, and provide
   funding; and

   Global Mission will financially support programs of emergency relocation assistance
   for children and families displaced by generalized violence in El Salvador and Honduras.

2. To accompany companions in Central America and Mexico, who are actively responding to
the immediate and long-term needs of returned migrants in their communities:

   Global Mission will continue to support emergency responses on behalf of returnees
   and those displaced by violence in El Salvador and Honduras and will add programs in
   Guatemala with similar objectives.

3. To enhance the capacity of companions to develop strategic alliances with organizations in
the countries of origin and with outside organizations that are working on the issues of
migration, detention, deportation, repatriation and reinsertion in Mexico and the Northern
Triangle and to develop plans of action:

   Global Mission will extend new relationships in the countries in the Northern Triangle
   and will identify new relationships in Mexico for strategic alliances on behalf of
   unaccompanied and migrant children.
b. **Awareness building**

1. To mobilize and enhance the participation of the nine synods and constituents in companionship with churches in the Northern Triangle of Central America:
   - Global Mission and, where possible, synods will keep leaders updated on the latest developments in the region with respect to migration through quarterly conference calls between companions, Global Mission and synods; and
   - Global Mission and, where possible, synods will offer root causes immersion experiences – in collaboration with the ELCA Advocacy Office and, where feasible, AMEXTRA, LWF, Action by Churches Together (ACT) Alliance and civil society – and delegations to assist ELCA members in understanding the issues.

2. To enhance awareness of the situation:
   - ELCA Advocacy, Global Mission and Mission Advancement will pull together supporting resources (including the creation of a webpage), documents and materials to assist ELCA members, partners and the general public in understanding and advocating on the situation;
   - Global Mission and Congregational and Synodical Mission will focus on four principle areas of engagement: protection, advocacy, representation, and opportunities; and
   - ELCA Advocacy and Global Mission, in consultation with LIRS, will further investigate the challenges of Mexican children fleeing to the U.S. (who are treated differently under U.S. law) and create awareness in congregations.

c. **Advocacy**

1. To address the root causes of migration:
   - a comprehensive ELCA advocacy strategy will be developed, in consultation with key companions and partners, which will outline needed U.S. policy changes that, among other things, addresses the root causes of migration;
   - a comprehensive strategy will be developed to bring together, where possible, ELCA synods in relationship with the Northern Triangle churches, ethnic-specific ministries, partners, the Immigration Ready Bench, synods on the Mexico border and other communities serving migrants to advocate for fair and compassionate migration policies;
   - ELCA Advocacy will increase the participation of actors in the countries of origin in decision-making in Washington, D.C., such as through pastoral letters and the creation of alliances; and
   - ELCA Advocacy will develop positions and an advocacy strategy to advocate for the treatment of all migrant children and families in the U.S., including Mexican children treated differently under U.S. law. This strategy will benefit from Lutheran and faith

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48 The Mexican Association for Rural and Urban Transformation (AMEXTRA) is a non-profit organization that generates transformative solutions to the poverty that many families face living in rural and urban areas of Mexico. See also: [http://www.amextra.org/en/](http://www.amextra.org/en/).
partners in the region, including Lutheran World Relief and The Lutheran World Federation.

II.  Strategy for ministry with those in countries of transit

a.  Accompaniment

1. To enhance the capacity of companions to develop strategic alliances with ecumenical and inter-faith partners as well as organizations working on the issues of migration and deportations in Mexico, focusing on its southern border with Guatemala, and other countries of transit to develop plans of action:

   - Global Mission will provide resources for companions as they engage in strategic alliances with faith-based and other civil society in the Northern Triangle and Mexico on the migration route;
   - Young Adults in Global Mission will continue to accompany programs in Mexico that work with Central American migrants in transit through Mexico with the possibility of expanding relationships on the southern border of Mexico;
   - Global Mission will seek companion relationships with the Lutheran Church in Mexico;
   - Global Mission, ELCA Advocacy, and Congregational and Synodical Mission will provide resources to build capacity among companions for the programmatic response of the church, including addressing root causes, expanding relationships with organizations with similar objectives, and strengthening alliances.

b.  Awareness building

1. To mobilize and enhance the participation of the nine synods and constituents in companionship with churches in the Northern Triangle of Central America:

   - Global Mission, and where possible synods, will keep leaders updated on the latest developments in the region with respect to migration through quarterly conference calls between companions, Global Mission and synods: and
   - Global Mission and, where possible, synods will offer immersion experiences focusing on the root causes and treatment of migrants in-transit – in collaboration with the ELCA Advocacy Office, companions and, where feasible, AMEXTRA – and delegations to assist ELCA members and leadership in understanding the issues.

2. To enhance awareness of the situation:

   - ELCA Advocacy, Global Mission and Mission Advancement will pull together supporting resources (including the creation of a webpage), documents and materials to assist ELCA members, partners and the general public in understanding and advocating for children;
   - ELCA Advocacy will build awareness of different governmental positions on definitions of migrants and refugees benefiting from the expertise of partners such as LIRS and the LWF;
c. Advocacy

1. To address the situation of migrants in transit we will advocate for laws and policies that protect children and people fleeing persecution,

   - A comprehensive ELCA advocacy strategy, in consultation with key companions and partners, will be developed which will outline needed U.S. policy changes that, among other things, addresses the situation of migrants in transit (This strategy must have a focus on the southern border of Mexico and have the flexibility to change focus depending on need);

   - The comprehensive strategy will be developed to bring together, where possible, ELCA synods in relationship with the Northern Triangle churches, ethnic-specific ministries, partners, the Immigration Ready Bench, synods on the Mexico border and other communities serving migrants to advocate for fair and compassionate migration policies;

   - The ELCA Advocacy office will encourage local advocacy by companions as well as solidarity advocacy by international companions (e.g. ELCA) in a coordinated and collaborative way, using an accompaniment approach and methodology;

   -- The Lutheran Office for World Community will advocate with regard to the treatment of Central American children in transit in migration forums with governments, promote the ratification of relevant human rights treaties (including the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families) and engage in monitoring and reporting with respect to states parties’ compliance with those treaties; and

   - ELCA Advocacy will build a collection of resources for synods in companion relationships.

III. Strategy for ministry with those in the U.S.

a. Accompaniment

1. To help ensure that children and families have appropriate legal representation:

   - Global Mission, the Office of the Secretary, and Congregational and Synodical Mission will work with the ELCA Attorneys Association and, as appropriate, LIRS to identify a group interested in focusing on immigration (similar to Immigration Ready Bench) where lawyers will be trained to handle unaccompanied and migrant children’s asylum cases and will connect migrants to pro bono lawyers through partners, first in areas
where the largest number of cases exist (Florida, New York and Illinois) and expanding
to other areas where synods are organized around the issue, building on mapping and
existing referral networks; and
– Congregational and Synodical Mission and Global Mission will expand the Guardian
Angels program and will accompany synods and national churches that want to and
have the capacity to carry out the program.

2. To assist children who do not have a sponsor:
– Congregational and Synodical Mission will support LIRS and social ministry
organizations in recruiting foster parents and placing children in foster care with a
family.

3. To ensure that children and families are better assisted and accompanied:
– Congregational and Synodical Mission and Global Mission will encourage
congregations to foster personal relationships between migrants and non-migrants to
better understand the multi-faceted challenges faced by migrants;
– Congregational and Synodical Mission and Global Mission will urge congregations to
become Welcoming Congregations for migrants and volunteers in collaboration with
LIRS and social ministry organizations;
– Congregational and Synodical Mission will encourage congregations to develop service
centers that focus on social services that need to be provided and will create “welcome
kits” that provide resources about local organizations that offer services for migrants
and how to find local legal aid, in collaboration with LIRS and social ministry
organizations;
– Congregational and Synodical Mission will encourage social ministry organizations to
take steps to ensure that children will have access to “wrap-around services”\(^49\) during
their time in the U.S.; and
– Congregational and Synodical Mission will urge congregations to work with LIRS,
which has developed a national program to organize visitation services for those in
detention and assist those recently released from detention.

4. To facilitate the formation of and participate in a web of church and community support:
– Congregational and Synodical Mission will encourage Lutheran Services in America,
LIRS, social ministry organizations and colleges to assist migrants by providing
thorough case management services to help migrants realize their assets as well as
possible resources available to them in the community drawing upon the expertise of
groups such as La Frontera;
– Congregational and Synodical Mission and Global Mission will urge congregations,
through the Welcoming Congregations program, to initiate community committees to
assist migrants with services and resources to advance local integration into

\(^{49}\) Such services would include education, life-skills training, legal assistance, vocational training, safety
and health care (physical, psychological, emotional and pastoral/spiritual).
– Congregational and Synodical Mission will accompany congregations (specifically ethnic-specific ministries) that are already serving migrant families – both Lutheran and ecumenical; and
– Congregational and Synodical Mission and Global Mission will connect communities that are already serving migrant populations with communities that wish to.

b. **Awareness building**

1. To help children and families connect with an ELCA congregation or a full communion partner congregation:

   – Lutheran Disaster Response and Global Mission, with companion synods and other synods where possible, will promote and expand the Guardian Angel and Welcoming Congregation programs;
   – The ELCA as a church will continue to partner with LIRS in its programs with this same objective; and
   – Congregational and Synodical Mission will emphasize the mobilization of ethnic-specific ministries toward this objective.

2. To better understand the root causes of migration:

   – immersion programs and tours for ELCA members, colleges, universities, seminaries and other networks and agencies that are engaged in work around this issue will be conducted in collaboration with companions in Central America and Mexico with a capacity to receive such visits;
   – Congregational and Synodical Mission, Global Mission and Mission Advancement will develop toolkits for congregational use that include testimonies, theological reflections, myths and facts, prayers and elements for worship services, etc.;
   – Global Mission will provide resources so that the experiences of other countries in addressing issues of migrants and refugees may be shared with congregations and others;
   – Congregational and Synodical Mission and Global Mission will seek to enhance synod to synod exchange and peer to peer programmatic engagements, create volunteer programs along the border for congregations, link with the efforts of Women of the ELCA, lift up human trafficking issues, and suggest other actions by congregations, such as writing Christmas cards for detainees, distributing Spanish Bibles, holding Mother’s Day activities, etc., in collaboration with LIRS; and
   – ELCA Advocacy, Global Mission, and Marketing and Communications will pull together supporting resources (including the Latino blog and the creation of an inclusive webpage that contains links to our partners), to assist ELCA members, partners and the general public in understanding and advocating for the well-being of all children and families.

3. To better understand the journey of migrants:

   – Congregational and Synodical Mission, Global Mission and Mission Advancement will raise awareness about the various aspects of their journey, e.g. detention, release, family
reunification, legal proceedings, naturalization for repatriation, etc., collaborating with
entities such as Upbring, La Frontera and the LIRS network;
– ELCA Advocacy and others will provide resources, such as from LIRS, to help
congregational members work through divisive issues relating to migrants in
congregational gatherings;
– Congregational and Synodical Mission will work with the Lutheran Association of
Hispanic Ministries to engage and build awareness; and
– Congregational and Synodical Mission will support partners, such as LIRS, to create
public awareness about the annual Refugee Sunday.

4. To reach children and youth:
– Mission Advancement, in collaboration with other units, will create a vacation Bible
school curriculum on migrant issues; and
– Mission Advancement will create social media campaigns around the issue to engage
the younger generations across racial, economic and cultural groups.

5. To mobilize and enhance the participation of the nine synods and constituents in
companionship with churches in the northern triangle of Central America:
– Synods will be encouraged to promote the Welcoming Congregations program to
increase ELCA members understanding of the migration issue and prepare them for
participation, with a heightened sense of awareness, in advocacy issues; and
– Mission Advancement will provide resources and other information to synod
communicators so information gets to all ELCA members.

c. Advocacy
1. To enhance advocacy with migrants, the ELCA will collaborate with U.S. partners to advocate
for fair and compassionate policies toward vulnerable migrants, children and families so that:
– A comprehensive ELCA advocacy strategy will be developed, in consultation with key
companions and partners, which will outline needed U.S. policy changes that, among
other things, addresses the U.S. situation, both nationally and on the state level;
– The comprehensive strategy will be developed to bring together, where possible, ELCA
synods in relationship with the Northern Triangle churches, ethnic-specific ministries,
partners, the Immigration Ready Bench, state public policy offices, synods on the Mexico
border and other communities serving migrants to advocate for fair and compassionate
migration policies;
– Synods will be encouraged to promote the involvement in advocacy issues of U.S.
voters who are active in the Welcoming Congregations programs; and
– Synods and individuals will be encouraged to advocate for appropriate government
funding.
2. To enhance advocacy efforts:
– ELCA Advocacy and Mission Advancement will provide language that will assist ELCA
members and staff in talking about migration in an inclusive way that addresses divisive
issues but unifies everyone in faith. (This will be informed by materials already produced by the ELCA such as the “Our Communities in Crisis” report);

- Congregational and Synodical Mission will place emphasis on supporting, learning from and joining communities affected by migration in congregations in their leadership on this issue;
- Congregational and Synodical Mission and Global Mission will provide sufficient staffing to implement advocacy strategies around this issue to ensure there are enough people to carry out the work;
- ELCA Advocacy will include collaborating with national partners that are interested in immigration issues;
- ELCA Advocacy and the Lutheran Office of World Community will explore opportunities for advocacy around these issues with full communion partners;
- Congregational and Synodical Mission, Global Mission and Mission Advancement will use key recommendations from “Our Communities in Crisis” in creating materials for advocacy;
- ELCA Advocacy and Global Mission will provide advocacy information and action items to synod communicators to get such information to all ELCA members; and
- Congregational and Synodical Mission, Global Mission and Mission Advancement will make sure youth and young adult networks have access to advocacy information through social media tools.

IV. Coordination and funding

While a number of aspects of the strategy, especially those already underway will be able to continue to use existing staff and funding, new work may require additional resources and some current work may require a longer-term commitment or adjustments to current staff responsibilities. Based on prior experience with similar churchwide strategies and to enhance efficiency and effectiveness in implementing the strategy, several coordination groups would be desirable.

It is recommended that:

1. A small staff team be designated within the churchwide organization to maintain day-to-day coordination and follow-up on the strategy;
2. A somewhat larger coordination group be established that could meet semi-annually (using telecommunications technology as appropriate for at least one of the meetings) and would include all relevant churchwide units, as well as representatives of companions and partners that have been identified in the strategy, including LIRS, the companion churches, LWF, social ministry organizations and possibly others;
3. Consideration be given to inclusion of programmatic aspects related to the implementation of the strategy in future iterations of the churchwide operational plan;
4. Churchwide units review their current budgets to ascertain what adjustments will be necessary for FY 2016 and beyond to continue current commitments identified in the strategy; and

5. Churchwide units review their current budgets to ascertain what adjustments will be necessary for FY 2016 and beyond to undertake new programmatic aspects of this strategy. Such a review should seek to identify those financial sources necessary to manage and carry out program activities.
APPENDIX 1:

Actions by the ELCA in relation to immigration and Central America

1989
- Central American Refugees
  Assembly resolution
- A Churchwide Blueprint for Action on Central America and Caribbean Concerns
  Church Council resolution

1993
- “Freed in Christ: Race, Ethnicity and Culture” (social statement)
  Assembly resolution

1998
- “Message on Immigration” (social message)
  Church Council resolution

1999
- “Message on Immigration”
  Assembly resolution
- Youth Violence
  Assembly resolution

2002
- Refugees
  Church Council resolution

2003
- Immigrants, Refugees and Asylum Seekers
  Assembly resolution

2005
- Refugees, Asylum Seekers and Immigrants
  Assembly resolution

2009
- Comprehensive Immigration Reform
  Assembly resolution
- Toward Compassionate, Just, and Wise Immigration Reform
  Church Council resolution

2011
- Dream Act
  Assembly resolution
- Immigrant Welcome
  Assembly resolution

2013
- Immigration Reform
  Assembly resolution
- Uniting American Families Act
  Assembly resolution
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