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## FEATURED Q&A

# What Do Changes in U.S. Policy Mean for Migrants?



The number of migrants attempting to enter the United States illegally over its border with Mexico declined in January following the implementation of new policies. // File Photo: Guatemalan Government.

**Q** In late January, the United States saw a decline in the number of migrants from Cuba, Haiti, Nicaragua and Venezuela who were attempting to illegally enter the country at its border with Mexico, according to the U.S. Department of Homeland Security. The decline followed the implementation of new rules in the United States that sends some migrants to Mexico without the opportunity to seek asylum, while expanding a pathway for a legal presence in the United States for 30,000 migrants per month who have financial sponsors in the country. What are the main effects of the changes in migration policy? What were the Biden administration's main reasons behind the implementation of the new policies? What other types of migration reforms are likely to come into force, either through administration policy or through acts of Congress?

**A** Andrew Selee, president of the Migration Policy Institute: "Over the past two years, the number of people and diversity of nationalities arriving at the border has increased rapidly, and the Biden administration appears to be moving to define a new set of policies that will control unauthorized arrivals at the border, revamp the asylum system and expand legal pathways. The first step in this was the announcement of the Title 42 expulsions to Mexico of Venezuelans, Nicaraguans, Cubans and Haitians and, more recently, the revelations that the administration intends to continue these policies through an agreement with the Mexican government even after Title 42 ends. In exchange, the administration has created a new legal pathway that is

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## TODAY'S NEWS

### POLITICAL

## Nicaragua Strips Citizenship of 94 Ortega Opponents

A Nicaraguan court on Wednesday stripped the citizenship of 94 political opponents of President Daniel Ortega. Many of those named have fled Nicaragua, and there was no mention of what would happen to those still in the country.

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### BUSINESS

## European Oil Companies Seek More Control Over Venezuela Projects

European oil companies are reportedly seeking greater control of joint ventures in which they are involved in Venezuela.

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### POLITICAL

## El Salvador Again Extends Powers to Fight Gangs

El Salvador's Legislative Assembly again extended President Nayib Bukele's request for special powers to fight gangs. The measures were first implemented last year.

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Bukele // Photo: Facebook Page of Nayib Bukele.

## POLITICAL NEWS

## Nicaragua Strips Citizenship of 94 Political Opponents

A Nicaraguan court on Wednesday stripped the citizenship of 94 opponents of President Daniel Ortega's government, including writers Sergio Ramírez and Gioconda Belli, rights activist Vilma Núñez, former Sandinista rebel commander Luis Carrión and journalist Carlos Fernando Chamorro, the Associated Press reported. In a statement, Appeals Court Justice Ernesto Rodríguez Mejía called the government opponents "traitors" and said property they have in Nicaragua would be confiscated. Rodríguez Mejía added that the people on the list were guilty of "conspiracy to undermine national integrity." Most of the people on the list fled Nicaragua two years ago when Ortega's forces began arresting opponents in a widespread crackdown. Rodríguez Mejía declared the people on the list outside Nicaragua "fugitives," and his statement made no mention of what would happen to the people who remained in the country. The order followed the Nicaraguan government's deportation last week to the

United States of more than 200 government opponents who had been imprisoned. Also, last Friday, a Nicaraguan court sentenced Catholic Bishop Rolando Álvarez to 26 years in prison after he refused to be sent to the United States in the prisoner release, Reuters reported.

## Haiti Tops Agenda as Caribbean, Canadian, U.S. Officials Meet

Top officials from the United States, Canada and Haiti met on Wednesday to discuss the spiraling turmoil in Haiti, a topic expected to be a priority at the annual Caribbean trade bloc meeting this week, the Associated Press reported. The three-day conference started on Wednesday night in the Bahamas, with leaders of Caricom's 15 members, including Haitian Prime Minister Ariel Henry as well as Canadian Prime Minister Justin Trudeau and a U.S. delegation led by Assistant Secretary of State Brian Nichols, Reuters reported. Before the meeting, Bahamian Prime Minister Philip Davis said at a news conference that Caribbean leaders "do not have the resources to deal with the Haiti problem ourselves, and we do need outside help." He added, "We are looking to the

## NEWS BRIEFS

## Venezuela's Opposition to Hold Presidential Primary in October

Venezuela's opposition announced Wednesday that it would hold a primary on Oct. 22 to select a presidential candidate to run against President Nicolás Maduro in the election scheduled for next year, Reuters reported. At least a dozen people have said they would run in the primary, including some who have been banned from politics in judicial rulings. Among them is Henrique Capriles, a former state governor who won the opposition's last primary in 2012, the wire service reported.

## Thousands Protest Petro's Social, Economic Reforms in Colombia

Thousands of people took to the streets on Wednesday across Colombia's major cities in protest of social and economic reforms proposed by President Gustavo Petro, Reuters reported. The government claims the reforms will improve health care and protect people's rights, but opponents say they will bolster criminals. The demonstrations were organized by opposition right-wing Democratic Center party and happened a day after marches took place in support of the reforms.

## Salvadoran Lawmakers Again Extend Special Powers to Fight Gangs

El Salvador's lawmakers approved a request from President Nayib Bukele to extend authorities' special powers to fight gangs, the Associated Press reported Wednesday. The Legislative Assembly voted 67 in favor, six against and eight abstained. The extension will mark a full year of some suspended rights in the country as it battles gangs. Justice and Security Minister Gustavo Villatoro said the measure will continue until the last gang member is captured.

## FEATURED Q&amp;A / Continued from page 1

bringing as many as 30,000 people from these four countries to the United States each month. At the same time, the U.S. government is reportedly aiming to reform the asylum system at the border. Details are scarce, but the administration may make it harder for people to claim asylum between ports of entry but easier for those who are applying to enter. It has also suggested a much faster process with greater access to legal representation. At the same time, the administration has slowly been expanding other legal pathways, including seasonal work visas for Central Americans and Mexicans, and restarted the visa lottery and family reunification processing for Cubans in Havana. Pulling off this sort of massive

institutional re-engineering at the border before Title 42 ends will be a huge task, and it remains to be seen what the details of the effort really are. Is it possible to balance fairness with efficiency in the asylum system? Will the legal pathways create real alternatives to unauthorized migration? Will these efforts deter arrivals at the border? And how might litigation shape what is eventually implemented? The administration is betting on creating a virtuous circle of legal pathways, humanitarian protection and border enforcement that could vastly reduce illegal entries while expanding real possibilities for legal entry and humanitarian protection. However, the devil is in the details in how this is designed and implemented."

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north, Canada and the United States, to come to the fold to help." The 2021 assassination of Haitian President Jovenel Moïse created a power vacuum that emboldened gangs to seize control of territories.

## BUSINESS NEWS

# Oil Companies Seek More Control Over Venezuela Ventures

European oil companies are seeking greater control of joint ventures in which they are involved in Venezuela following U.S. oil major Chevron's renegotiation of its contract last year, Bloomberg News reported Wednesday. Italy-based Eni and Spain's Repsol are reviewing drafts of potential contracts after meeting with high-ranking Venezuelan government officials, the news service reported. In those meetings, the companies requested operational control of their oil and gas joint ventures with Venezuelan state oil company PDVSA, Bloomberg News reported, citing unnamed people familiar with the matter. A deal that Chevron received last year reportedly raised hopes among the European companies that they might get greater control over joint ventures in which they are involved. Eni, Repsol and France-based Maurel et Prom can pump an additional 50,000 to 80,000 barrels per day in Venezuela if they increase their operations there, said Francisco Monaldi, a lecturer in energy economics at the Baker Institute for Public Policy at Rice University, the news service reported. Venezuelan President Nicolás Maduro used his government's agreement with Chevron to call on the United States to relax sanctions on Venezuela's oil industry. A deal with the European oil companies would also allow Venezuela to increase oil shipments, which account for the majority of the country's exports. Venezuela's current production of 690,000 barrels per day is approximately a third of its level five years ago, according to the Organization of the Petroleum Exporting Countries, or OPEC. Michael C. Lynch, president of Strategic Energy & Economic Research, told the weekly Energy Advisor in a [Q&A](#) published Dec. 23

## THE DIALOGUE CONTINUES

# What Is the State of Reproductive Rights in the Americas?

**Q** **The Inter-American Commission on Human Rights on Feb. 1 called for stronger protection of reproductive rights in the Americas. El Salvador stood out for sentencing two women for homicide despite rights activists saying they suffered miscarriages. The Central American country has some of the world's harshest penalties for abortion. Across Latin America and the Caribbean, even where abortion is partially legal, girls and teens face difficulties accessing health care, while in Brazil, Argentina, Colombia and Panama, medical and legal professionals fear legal action. What is the state of reproductive rights in the region, and how has it evolved in recent years? How does the state of the abortion debate in Latin America compare to trends in the United States and other parts of the world?**

**A** **Débora Thomé, associate researcher at Cepesp/FGV:** "After a very competitive campaign that ended in October, Brazil finally saw its far-right conservative president leave power. With the victory of the leftist Workers' Party, former President Luiz Inácio Lula da Silva was back. With the support of feminists and human rights movements, Lula's return could have been a positive moment to expand abortion rights in Brazil, but that probably won't be the case. Brazil allows abortion in three cases: rape, risk of the death of the mother and if the fetus has anencephaly. The law for the two first cases has existed since the 1940s but has been

that it would be a difficult task for it to return to its level of oil output in 2002 when it was producing more than two million barrels per day. "While estimates that tens of billions of dollars in maintenance and repair are needed to restore production to 2002 levels are likely exaggerated, nonetheless the task is daunting

threatened by conservative movements for a long time, and more intensely during the recent far-right presidential term. Illustratively, the fight against abortion was the central theme of the final report of the national secretariat for women and family, which proudly highlighted that Brazil became, in the Bolsonaro years, a signatory of the Geneva Consensus Declaration, an international agreement of countries opposed to abortion. Since the government opposed abortion, part of the bureaucracy responsible for the legal abortion processes, including some nurses, doctors and judges, felt supported in their conservatism. They started to create obstacles for accessing legal abortion in the country. Others resisted bravely. When Lula took power, he quickly revoked the adhesion to the Geneva Consensus. However, during the campaign, he reiterated that he was against abortion rights after 12 weeks of pregnancy and that he considered it a legislative role. Though legal abortion has now regained the support of the executive branch, it still faces difficulties when it comes to lawmakers. Under the new government, Brazilian women have a good chance of securing a legal abortion, but it is very improbable that we will expand this right over the next four years."

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**EDITOR'S NOTE: The comment above is a continuation of the [Q&A](#) published in Wednesday's issue of the Advisor.**

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and needs much more action," said Lynch. "Most especially, the Maduro regime needs to create an environment that will encourage private and/or foreign investment in the oil fields as well as allow for the return of personnel who fled the country over the last two decades," he added.

## FEATURED Q&amp;A / Continued from page 2

**A** **Denisse Delgado Vázquez, research coordinator at the University of Massachusetts Boston and former program manager of the International Migration, Remittances and Development Program at the Inter-American Dialogue:** “Although the expansion of Title 42 and implementation of the new parole program have reduced record levels of unlawful crossings along the U.S.-Mexico border, these measures fall short in addressing irregular migration. In fact, they add new challenges for the region. The implementation of these measures caught off guard thousands of Cubans, Haitians and Nicaraguans who were already

“**Being expelled to Mexico, undocumented migrants are at a higher risk of becoming victims of violence and human trafficking”**

— Denisse Delgado Vázquez

on their way to the U.S.-Mexico border. Some sold their houses, properties and goods in the homeland to finance their migratory journey. They are in limbo because they have no place to stay. The expansion of Title 42 denies international migrants the right to request asylum, worsening their vulnerable situation. Being expelled to Mexico, undocumented migrants are at a higher risk of becoming victims of violence and human trafficking. It also imprints new challenges for Mexico. In parallel, the new parole program mainly benefits those with strong family ties in the United States who can provide financial support. However, disadvantaged communities with no sponsors and no hope for a better future in their homeland will

keep migrating, even if they have to attempt risky journeys by land or sea. While the new parole program is a positive step toward orderly migration, other essential measures are needed, among them expanding and expediting Family Reunification Parole Programs. Likewise, multiple-entry/tourist visas will contribute to circular migration. Importantly, addressing the root causes of migration in the region implies reviewing policies that alleviate the economic crisis in the sending countries.”

**A** **Leon Fresco, partner at Holland & Knight:** “The changes in U.S. immigration policy are designed to dramatically reduce the flow of asylum seekers from Cuba, Nicaragua, Venezuela and Haiti currently seeking to enter the United States via illegal entry across the southern border by instead channeling them through more organized manners of entry such as through our ports of entry and through our airports under a legal parole program. Last December was a record month in terms of illegal crossings along the southern border, and it was expected to get worse when the administration’s Title 42 expulsion authorities expires in May. The intent behind these changes is to discourage illegal immigration at remote locations that tax federal resources and encourage legal and regular pathways for entry that are easier to plan for and require fewer resources to process. It is likely that this program will be thwarted by a combination of judicial injunction and the expiration of Title 42 in May. Therefore, in order to prevent a serious border surge this spring, Congress will need to act to authorize a similar carrot-and-stick approach that is enduring, and would thus survive any judicial challenges.”

*The Advisor welcomes comments on its Q&A section. Readers can write editor Gene Kuleta.*

## LATIN AMERICA ADVISOR

is published every business day by the Inter-American Dialogue ISSN 2163-7962

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**Latin America Advisor** is published every business day, except for major U.S. holidays, by the Inter-American Dialogue at 1155 15th Street NW, Suite 800 Washington, DC 20005

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