



## **LIVES AT RISK:**

**Barriers and Harms As Biden Asylum Ban Takes Effect**



From May 10-12, 2023, a delegation of human, civil, and immigrants' rights leaders led by the Haitian Bridge Alliance visited the Texas Rio Grande Valley and the Mexican state of Tamaulipas to bear witness to the end of the Title 42 policy and the implementation of punitive policies along the border, including the Biden administration's new asylum ban. In Matamoros and Reynosa, Mexico and Brownsville, Texas, the delegation saw firsthand the difficulties that people seeking asylum face when attempting to secure appointments at U.S. ports of entry via the CBP One app; the barriers some face waiting and trying to seek asylum at ports of entry without a CBP One appointment; the squalid and inhumane living conditions of migrants at the border; and the violence and anti-Black racism that people seeking asylum endure while waiting in Mexico.

The delegation members spoke to hundreds of people waiting to seek asylum. It was clear that they wanted to follow the U.S. process to seek asylum at ports of entry, but face major impediments.

These barriers include:

- the lack of critical information about the highly complex U.S. immigration process;
- the lack of smart phones, internet, language access, and technical assistance to use the CBP One app;
- the unduly limited number of CBP One appointments;
- U.S. refusals to process many people waiting without appointments to request protection at ports of entry;
- Mexican government intervention to limit or prevent asylum seekers from waiting in line to seek U.S. protection at ports of entry;
- the absence of a transparent and non-discriminatory process for asylum seekers without appointments to request protection at ports of entry as required by U.S. refugee law;
- the horrific human rights abuses suffered and risked while left waiting in highly dangerous areas of Mexico;
- and the unsanitary, unsafe and inhumane conditions in many of the encampments and areas where asylum seekers are at risk as they wait to try to follow processes to seek asylum at U.S. ports of entry.

U.S. officials [appear](#) to be touting their use of what they frame, in a dehumanizing approach, as the “stick” or “consequences” of the asylum ban as the reason for reduced crossings after the end of Title 42. Yet from the aid workers, faith visitors, legal services providers, and countless people seeking asylum we spoke with, it was clear there was little to no knowledge of the new asylum ban. Instead, people seeking asylum were struggling to comprehend the process on how to seek protection at ports of entry.

The use of the Biden administration's new asylum ban against people seeking asylum imposes yet another barrier. As detailed in the [many public comments](#) opposing the proposed rule, the asylum ban will lead to returns to persecution and chain refoulement that violate international law, denial of asylum to people who are otherwise eligible for it under U.S. laws enacted by Congress, and the deprivation of a path to citizenship for

many refugees denied asylum due to the ban. UNHCR has [warned](#) that the asylum ban violates international refugee law binding on the United States and places refugees “at risk of persecution and/or death.” A process that leaves refugees at risk or in long-term limbo and violates U.S. and international law is neither humane nor “orderly”.

The delegation included leaders and experts from Haitian Bridge Alliance, the ACLU, Amnesty International, Amnesty International USA, Human Rights First, NILC, NIJC, Tahirih Justice Center, UndocuBlack Network, and the #WelcomeWithDignity campaign for asylum rights, and experts on the delegation drafted this report. The delegation thanks the refugees and migrants, humanitarian, faith-based, shelter and other workers and volunteers it met on this visit.

*“You can hear a baby coughing and crying for her mom from inside. These are the conditions that families with small children have to live in. This is the real crisis — a humanitarian one.”*

*Amy Fischer  
Director of Refugee and Migrant Rights  
Amnesty International USA*



Paola Ariza/#WelcomeWithDignity

# FINDINGS



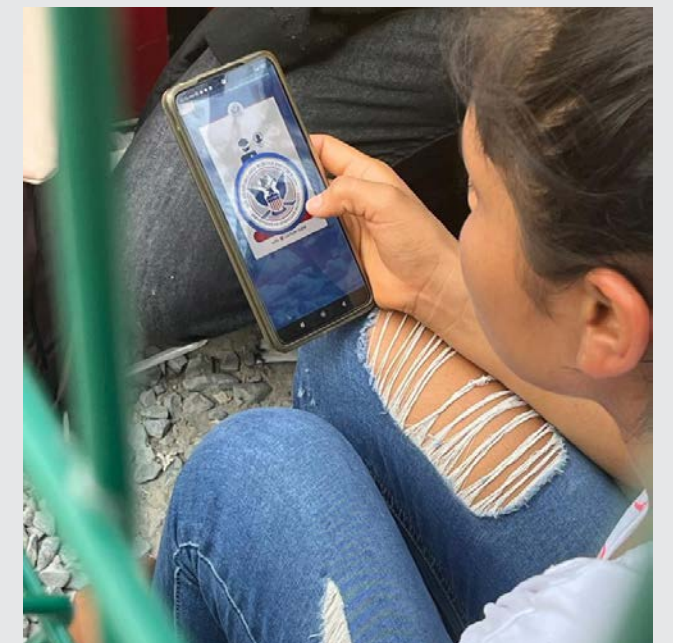
**People seeking asylum turned away from ports of entry:** Despite the end of the Title 42 policy on May 11, and after the initiation of the Biden administration’s asylum ban, people seeking asylum who did not have CBP One appointments were in many cases turned away or not processed by Customs and Border Protection (CBP) officers, prevented from seeking asylum by Mexican officers, and turned away from U.S. ports of entry. These include a Honduran mother and a Mexican Indigenous mother who reported that they were turned away by CBP on May 12 along with their young children. On the evening of May 12, a member of the delegation and other monitors witnessed Mexican immigration officers and the Mexican military, in an extreme show of force, direct about 100 adults and children, who had been waiting in an orderly manner to be let in by CBP to seek asylum, back to Matamoros. On May 13, a delegation member witnessed Mexican officers prevent two African asylum seekers from even approaching the CBP “limit line” on the bridge. People who had managed to get CBP One appointments were permitted to enter the U.S. port of entry, as well as a limited number of other people seeking asylum.



**People seeking asylum struggle to get limited CBP One appointments:** While people are struggling to follow U.S. processes for seeking asylum and to use the CBP One app, the CBP One system is plagued by lack of phone and internet access, limited language access, tech glitches and other accessibility deficiencies. In addition, the Department of Homeland Security (DHS) has provided only a very limited number of appointments, leaving people seeking asylum frustrated at the process and stranded indefinitely in highly dangerous places.

**Haitian and Black people seeking asylum are targets of anti-Black discrimination and violence:** Attacks against Black people who are waiting to seek asylum are occurring in Matamoros, Reynosa and other acutely violent areas where they remain stranded while waiting. Black people waiting to seek asylum are often deprived of equal access to asylum processes, medical treatment, housing, safer shelters, humanitarian services, language access, and protection from law enforcement.

**The Biden administration’s new asylum ban, like Title 42 and Remain in Mexico, is leaving many people seeking asylum stranded in highly dangerous places where they are targets of violence and kidnappings.** While they wait for scarce appointments in Matamoros and Reynosa, people seeking asylum are stranded in areas that the [State Department](#) assesses as too dangerous for U.S. travel, at risk of kidnappings and attacks, and in encampments that lack basic structures and safeguards needed to ensure the safety of those waiting, including women, children, and LGBTQ+ individuals. They are left to face the very same conditions and [human rights abuses](#) suffered under the Remain in Mexico and Title 42 policies. In fact, these policies have created, as will the asylum ban, a market for cartels, gangs, and smugglers to exploit people seeking asylum who are forced to wait along the border.



**Stunning Lack of Governmental and International Support:** Volunteers and aid workers struggle with few resources and little support to address some of the most urgent needs facing people seeking asylum who are left to wait in Mexico due to U.S. policies that block them from asylum or strand them in Mexico. On both sides of the border, many of the humanitarian, faith-based, shelter and other groups working to provide humanitarian aid to refugees and migrants are massively under-resourced and overstretched, and are struggling to continue to attempt to address reception, shelter, sanitation, water, food, medical, legal, know-your-rights education, protection, and other basic needs. Many confided to our delegation that without additional funding soon, they will need to close their offices and end the only services that most people receive.

**Refugees, asylum seekers and migrants are living in squalid conditions without access to basic services:** The delegation was shocked and deeply disheartened by the poor living conditions of refugees, asylum seekers, and migrants, including children, pregnant people, people with disabilities, survivors of trauma, and individuals with significant health conditions. The delegation visited encampments where people are left to wait outside in makeshift tents made of tarps and blankets in abandoned gas stations, public parks, and on the banks of ravines filled with trash and raw sewage. When the rain comes, people’s “homes” are flooded and their belongings are ruined, leaving them and their children with no place to sit or sleep.

**Lack of information about the asylum ban:** People who were waiting to seek asylum overwhelmingly had no information about the new asylum ban, its implementation, its presumptions, and its exceptions. The rule, its presumptions, and exceptions were confusing to many people seeking asylum (and even to delegation members) and are divorced from the reality of refugee experiences. The lack of information about the asylum ban rule, the final version of which had only been announced less than two days prior to its implementation, as well as the lack of transparency provided by DHS on key questions, including on access to asylum at ports of entry for people without appointments, made it difficult to impossible for people seeking asylum to make informed decisions as they struggled to understand potential long-term consequences while weighing immediate threats to their safety and that of their children. One Mexican Indigenous woman who had been waiting at a shelter traveled to the port of entry with her children on May 12 to seek asylum, but when she asked CBP for information on whether she would be allowed to do so, they told her that they could not give out any information and did not allow her in.

**Families continue to be separated** by CBP, with delegation members meeting multiple people who had been separated from spouses or adult children in recent days and weeks without being provided any information about their family members’ fates. A Haitian family remained separated after the children did not get CBP One appointments, and the mother remained behind with them in Mexico.



Paola Ariza/#WelcomeWithDignity



Paola Ariza/#WelcomeWithDignity

# RECOMMENDATIONS

After bearing witness to human rights violations along the border, the delegation urgently calls on the Biden administration to uphold the legal right to seek asylum and due process, rescind its new asylum ban, and welcome people with dignity and respect for their human rights and racial justice. A humane border policy should instead focus on increased communication, coordination and support for humanitarian aid, shelter and reception at the border and in destination communities, with a focus on local organizations. Many organizations represented in the delegation have previously submitted detailed recommendations to the Biden administration. Delegation [recommendations](#) include:

**Uphold refugee law and right to seek asylum:** The Biden administration should uphold U.S. and international refugee law, rescind its asylum ban, maximize asylum capacity at ports of entry including for those without appointments, stop blocking or limiting the ability of people without appointments to seek asylum at ports of entry, including through collaboration with the Mexican government, ensure access for those without literacy or who speak languages other than the few employed by CBP One including Indigenous languages, and refrain from penalizing or barring people seeking asylum due to irregular entry or transit routes. The U.S. failure to increase processing at ports of entry is intentionally resulting in irreparable, life-threatening harm to people seeking asylum in need of protection given the overwhelming evidence of kidnappings, trafficking, sexual assault, disappearances, robbery, and extortion by organized criminal groups with the complicity and participation of Mexican authorities.

**Ensure Just and Equitable Access for Black and Indigenous People seeking asylum** including language access, asylum protection, shelter, and humanitarian and legal services. Law enforcement officers and other DHS staff that interact with people seeking asylum must receive anti-Black discrimination training and written anti-racism policies.

**Massively increase governmental and other aid** to support humanitarian efforts in Matamoros, Reynosa, and other Mexican border cities where people are waiting to seek asylum and to support humanitarian reception in the United States. The U.S. government, including the State Department, as well as the Mexican government, and international community, must take steps to ensure the accountability and oversight in the coordination and provision of protection and humane conditions that meet the requisite humanitarian standards for asylum seekers waiting in Matamoros and Reynosa - and to ensure phone and internet access for the CBP One process. If the Biden administration continues to leave people stranded on the other side of the border instead of allowing them to enter the U.S. and seek asylum according to the law, it must increase support for necessary humanitarian assistance. In the United States, DHS must shift funds away from over-funded detention, enforcement and surveillance accounts and surge funds toward reception services. The White House and DHS should immediately focus attention on developing the newly appropriated Shelter and Support Program as a centerpiece of the United States' approach to border reception. This newly created program offers an opportunity to remedy some of the limitations border NGOs currently face in utilizing limited federal grant funding, including, for example, disbursing funds as needed instead of on a reimbursement model and removing limitations on the use of funds for transportation and shelter costs.

**Stop separating families:** DHS must ensure families are not separated once processed by CBP. The right to family unity requires that family members are not separated. DHS should not detain or remove family members without informing other family members of their status or outcome.

## Struggling to Access Limited CBP One Appointments

The delegation and its members saw and spoke with hundreds of people who were struggling to access and get an appointment to seek asylum at a port of entry on the CBP One app, with many indicating they had been trying to obtain an appointment for several months, in addition to several months prior to the app's introduction. Members of the delegation met with a Venezuelan woman who had already been waiting for nine months, a Mexican woman with her children who had been waiting for six months, and many families who had been waiting for three months.

The CBP One app has contributed to family separations, and endangers lives as it is used by DHS to limit appointments and force people to wait for months in highly dangerous areas of Mexico. For example, we spoke with a Mexican Indigenous mother living alone in the Matamoros encampment with her infant and three children. She explained that her partner had obtained a CBP One appointment two months prior, but was unable to get one for all of them. As a result of CBP's policy to only process individuals with appointments, she stayed behind in the camp with their children as she tried to request a CBP One appointment daily. She explained that others in the camp knew she was now alone with her children and told of an attempted sexual assault she experienced when a man entered her tent at night. She also told the delegation of another man who kept asking for her two elementary school-aged daughters and the risk of kidnapping and trafficking they faced, forcing them to flee the camp.

We also spoke with a Honduran mother who had been waiting in the precarious conditions of the Matamoros encampment alone with her toddler son for 3.5 months. About 1.5 months ago, she approached the port of entry with a CBP One appointment in her name, but CBP turned her and her toddler son away because the toddler did not have an appointment. They were turned away to highly dangerous conditions in the Matamoros encampment lacking safety, shelter, and other minimum humanitarian standards. At the encampment, the single mother residing in a makeshift tent with her toddler faced daily risk of sexual assault and kidnapping while attempting again to obtain an appointment. The mother shared that while she finally obtained an appointment for the following week, it is at the Hidalgo port of entry in Reynosa, Mexico. Now she will undertake the highly dangerous trip with her young son from Matamoros to Reynosa through areas where cartel kidnappings and brutal violence are prevalent.

Confronted by significant delays and confusion with the CBP One app, many parents have surrendered their children to enter the United States as unaccompanied children, rather than having them wait in unsafe, life-threatening conditions at the border.

**Lack of Phones:** Many individuals who lack phones are unable to exercise their right to seek asylum under the asylum ban and are obliged to attempt to borrow strangers' phones on a daily basis, increasing their risk of exploitation and abuse. Delegation members met many highly vulnerable people seeking asylum who do not have phones. An overwhelming number of people recounted numerous incidents in which they were robbed and extorted along their journey, including by Guatemalan police, Mexican immigration authorities (INM), and brutal criminal groups that control vast territories in Mexico. Delegation members spoke with women of different nationalities who were traveling alone and now living in the Matamoros encampment who had been robbed of their phones and had no means to purchase another one. We also spoke with families with young children whose phone had been robbed, and with an LGBTQ+ and HIV+ young adult traveling alone who had been robbed of their

phone, passport, medication, and belongings at gunpoint. These individuals have essentially no safe means of accessing the CBP One app. People who are seeking asylum should not be forced to ask strangers they meet in encampments or shelters to use their phones to repeatedly try, day after day, to seek a CBP One appointment. This is no solution and risks putting vulnerable women, young people, and others seeking asylum in ever more vulnerable positions where they could be subjected to exploitation.

**Lack of internet access:** Thousands of individuals living in encampments lack internet access and electricity to charge their phones and are obliged to leave their encampments and venture into town daily in an attempt to secure internet and electricity, increasing their risk of sexual assault, kidnapping, robbery, exploitation, and abuse. In many of the encampments and shelters that the delegation visited, people seeking asylum did not have access to daily internet or reliable phone service to

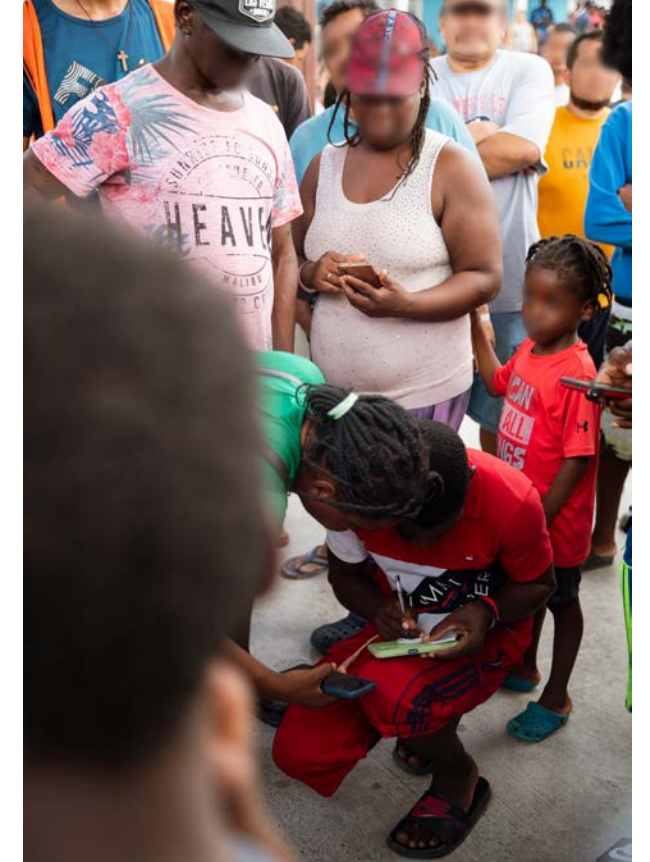
successfully make CBP One appointments. A few shelters did have some internet access provided by a small non-profit. Without reliable internet access, people struggle to access the appointment system. In many encampments phone reception is tenuous, minimal, and inadequate to ensure reliable access to the appointment system. In some of these encampments, individuals are forced to walk the dangerous stretch into town each day to try to get internet access or sufficient phone reception to request an appointment. These are the very streets in which kidnappings of people seeking asylum are a daily occurrence. Thus, the requirement to secure a limited CBP One app obliges these people to place their lives at risk each day in order to seek asylum.

**Lack of tech knowledge and training:** Another impediment to the use of the CBP One app is its reliance on technology in a situation where many understandably lack tech training and savvy.

Indeed, many frustrated people walked up to us showing us their telephone screens, peppering us with questions as they often had no understanding of what the messages they saw meant, whether they had done something wrong, and what to do next. Many people showed delegation members error messages that said “request timed out” because “[t]he server took too long to respond” which “could be due to poor network connection.” The stakes are high to get these appointments, so confusion caused by the app process was extremely stressful for people waiting to seek asylum. Many had questions and were confused about group registration processes, and feared they would be separated from extended family members.

**Faultiness and inequity of the app:** People seeking asylum shared frustrations about regularly receiving error messages while trying to use CBP One, and about the system appearing to crash. Even delegation members who tried downloading the app on their phones, which were of higher quality and better service than asylum seeker’s phones, still struggled with error messages blocking them from completing the process to even register (not to seek an actual appointment). The app is only available in a few languages (English, Spanish, and Kreyol), essentially excluding many people seeking asylum who do not speak these languages, as well as people who are not literate. Delegation members saw error messages in English, even if the person had used the Spanish or Kreyol version of the app because they do not speak English.

**Highly limited number of appointments:** Over and over again we heard from humanitarian and faith-based aid workers and from people seeking asylum that it was highly difficult to get appointments and that there were too few appointments available. At one makeshift shelter in Reynosa where several thousand people were staying, only one family



was known to have received an appointment on the day we visited. Indeed, DHS has indicated that, even with its slight increase of appointments post Title 42, it is providing only one thousand CBP One appointments across the entire border and other areas where the app is available. When the number of current appointments was shared with a large group of Haitians waiting to seek asylum, there was an audible gasp across the group out of despair about the few appointments available in contrast to the numbers that have been waiting and waiting for appointments. Many other people seeking asylum also expressed frustration with the lack of appointments available. The highly limited number of appointments available, along with U.S. and Mexican government actions blocking people from seeking asylum without appointments at ports of entry, violates U.S. refugee law and amounts to unlawful metering. Under both domestic and international human rights law, the United States is obligated to provide access to individualized and fair assessments of all requests for protection by people seeking refuge at the border, in a way that does not discriminate based on manner of entry or immigration status.

Lauren Murphy/Amnesty International USA



## Turned Away at Ports of Entry After Title 8 Return

After U.S. refugee and immigration law was back in effect, U.S. and Mexican authorities took steps to prevent many people without CBP One appointments from seeking asylum at the Gateway International bridge between Matamoros and Brownsville. For example:

- On the afternoon of May 12, members of the delegation met with a Honduran mother traveling with two minor children who had just arrived in Matamoros fleeing persecution in Honduras as her son had been killed. She reported that she approached the CBP limit line attempting to seek asylum and was turned away by CBP because she did not have a CBP One appointment.
- Members of the delegation also met with a Mexican Indigenous mother who approached CBP officers at the limit line on May 12 with her infant and three young children to ask whether she could seek asylum and was turned away by CBP and not provided with any information.
- On the afternoon and evening of May 12, members of the delegation observed people waiting in line in an orderly and calm way starting at the CBP limit line. CBP officers there were not admitting these waiting individuals to seek asylum, though some may have been allowed to enter later. During the course of the day, people with CBP One appointments were allowed in for processing, as were a limited number of others without appointments.
- On the evening of May 12th, INM officers walked directly onto the bridge and cleared the group of people who were waiting peacefully to present to CBP and request asylum at the limit line. The Mexican officers told the people who were waiting (and aid providers accompanying them) that they had to leave. As the people were departing, armed Mexican officers walked the plaza at the foot of the bridge while helicopters flew overhead. Asylum seekers were told they had to clear the bridge and the plaza at the foot of the bridge. The atmosphere was frightening, especially for the many young children among those pushed off the bridge late at night in the dark.
- On May 13th, a delegation member witnessed people seeking asylum from Ghana and Burkina Faso, including a woman who had just suffered a stroke, prevented by Mexican officers from accessing the Gateway Bridge. These people told the delegation member that they had not even heard of the CBP One application and that their phones and all their belongings had been stolen along the way, so they had no way to seek an appointment even if they had known about the appointment system. At points along their difficult journey, they were not certain that they would survive. They expressed feelings of disorientation and desperation to have finally made it to the U.S. border only to be turned back without any explanation.
- Humanitarian workers in Matamoros report that since the delegation's departure, INM has continued to regularly block people seeking asylum without CBP One appointments from presenting at the limit line to seek asylum.
- In addition, at the San Ysidro port of entry, an attorney with the Center for Gender & Refugee Studies [reported](#) on May 13 that three Mexican families waiting to seek asylum were told to "use the app" and turned back.

**Mexican government collaboration in denial of access to asylum.** The Mexican government is collaborating with the United States to turn away people seeking asylum who do not have CBP One appointments. Even though families and adults were waiting in an orderly way on the bridge on May 12th to be allowed in by CBP to seek asylum, Mexican INM officers forced the waiting asylum seekers off the bridge that evening and the Mexican military initiated a show of force that was terrifying to the families, young children and others who had been waiting on the bridge. A member of the delegation along with two other monitors observed as Mexican officers told the waiting families and adults - which included about 100 people including many small children, a teenage girl with a severe disability, and a man in a wheelchair - to leave their line and get off the bridge - and witnessed the overwhelming show of force that terrified many of these people and their children. This show of force included armed Mexican military forces and two helicopters. Mexican officers, as noted above, have also prevented people seeking asylum from entering the bridge in order to attempt to seek asylum from U.S. authorities.

## Forced to Wait in Highly Dangerous Areas After Perilous Transit through Central America and Mexico

Many of the people who were seeking asylum that the delegation met with had been stranded in Reynosa and Matamoros by the Title 42 policy, and will now be left stranded in highly dangerous and difficult conditions by the new asylum ban restrictions. In these areas, the level of violence and danger is so severe that the U.S. State Department [advises](#) that they are too dangerous for Americans to visit. Recent [reports](#) of [escalated cartel violence](#) make the areas even more dangerous for refugees, migrants, and humanitarian workers.

Black refugees and migrants in particular face violence, rape, and kidnapping by deadly cartels and compounded risks in Mexico just because of the color of their skin, as human rights [reports](#) have [repeatedly documented](#). Human Rights First has tracked over [13,000 reports of violence](#), kidnappings, torture and other attacks against people expelled or stranded in Mexico under the Title 42 policy, with particularly harrowing accounts of violence targeting Black migrants. For instance:

- One Haitian couple in Reynosa had been kidnapped off of a local bus and held for ransom and beaten regularly for ten days until their family paid their ransom. They witnessed the kidnappers kill other migrants who did not pay the ransom.
- Violence occurs so frequently against Black migrants that when [four Black Americans](#) were kidnapped in Matamoros in March 2023 - of whom two were killed - many presumed they were Black migrants, which caused many Haitian migrants to flee Matamoros and go to Reynosa.



Local humanitarian workers informed members of the delegation that violence and kidnappings targeting refugees and migrants are a constant occurrence in these areas. People turned away to Reynosa by DHS officers are targeted for kidnappings right outside the port of entry, including by taxi drivers who wait for them just outside the port of entry and deliver people they pick up to kidnappers who hold them for ransom. In addition:

- Days prior to our visit, a group of families which included children were expelled by CBP under Title 42 through the Reynosa port of entry and immediately kidnapped.
- A migrant was kidnapped from outside a shelter where he had been staying in Reynosa just prior to our visit and was still being held by his abductors.
- A Venezuelan young woman traveling alone whom we spoke with in Reynosa obtained a CBP One appointment at the Nuevo Laredo port of entry, but was terrified to travel to Nuevo Laredo alone to access that port of entry as she knew of three Venezuelan girls who left her same shelter in Reynosa and were kidnapped trying to reach the same port of entry.
- Three elderly migrants were nearly kidnapped outside another shelter in Reynosa but were rescued by an aid worker who intervened at great risk and was able to convince the kidnappers to leave the migrants alone.
- And in the makeshift camps, as explained below, none of the necessary safeguards and systems are in place to protect women, children, LGBTQ+, and other vulnerable people from being targets of abuse and violence. Cartel members reportedly burned down tents and attacked some people in the Matamoros encampment several weeks ago, terrifying many of the families and others staying in the camps who became even more worried for their safety.

Members of the delegation spoke with many women and families who had been victims of kidnappings for ransom along their journey through Mexico, confirming that Mexico is not a country that should be considered safe for many people who transit through the country on their way to seek asylum in the United States. Women, adolescents, children, and LGBTQ+ individuals face increased risks of harm such as gender-based violence including sexual assault while transiting through and waiting in Mexico. A local humanitarian worker emphasized that gender-based violence prevention, mitigation and response services are desperately needed. For example:

- A Mexican Indigenous mother survived an attempted sexual assault and fled an attempted kidnapping of her daughters in an encampment;
- A local humanitarian worker reported the brutal sexual assault of a 64-year-old woman;
- A young Venezuelan woman traveling alone was kidnapped and held captive for one month in Veracruz, Mexico;
- An Ecuadorian woman traveling alone was kidnapped twice for a total of four months in Mexico prior to arriving to Reynosa, Mexico;
- A teenage daughter of an multi-generational Honduran family experienced an attempted kidnapping while the family was in Tabasco, Mexico;
- A Honduran woman explained that she had been kidnapped in Mexico, held for a month and sexually assaulted; and
- Several Venezuelan women traveling alone were nearly kidnapped at the foot of the international bridge after being expelled by CBP under Title 42 to Reynosa, causing them to “run for their lives.”

Many people seeking asylum also relayed accounts of mistreatment, harm, and extortion in their journey to the Mexican-U.S. border, including by Guatemalan police officers, Mexican immigration authorities, and brutal organized criminal entities that prey on migrants throughout Mexico. One Venezuelan woman recounted an incident where Mexican immigration authorities (INM) tore up her Mexican migration permit in front of her; another indicated she was returned by INM from Mexico City to Tapachula four times.

Survivors of domestic violence, sexual assault, human trafficking, and other forms of gender-based violence are exposed to ongoing traumatization [because of U.S. policies](#) that force them to wait in danger to seek asylum. Living in unstable conditions, far from family, unable to provide adequate food, sanitation, and health care for themselves and their children, survivors experience a loss of control and agency over their welfare that can trigger memories of abuse and exploitation. Without mental and physical health care, as well as opportunities to live in safety and security, survivors can become especially vulnerable to further violence. Without legal and psychological support, many may not be able to explain why they seek protection in the U.S. The asylum ban, combined with funneling through the faulty CBP One app and inhumane living conditions, make it highly likely that many survivors of violence who need asylum as a means to avoid further violence will instead be pushed back by the Biden asylum ban into situations of abuse and exploitation.



Paola Ariza/#WelcomeWithDignity



## Stranded in Atrocious Conditions

Members of the delegation visited the Matamoros encampment as well as six shelters and makeshift encampments in Reynosa. Members of the delegation also visited and were briefed on and/or observed reception efforts in the Rio Grande Valley including in Brownsville and McAllen, Texas. The delegation met with community, faith-based, humanitarian, shelter, legal, and other organizations, groups and volunteers working in tremendously challenging situations with a significant lack of resources and struggling to provide humanitarian aid to people seeking asylum in the United States. Delegation members witnessed the astounding commitment and work performed by these individuals and organizations, and their willingness to work with U.S. agencies and communities to ensure the U.S. upholds its human rights commitments to welcome with dignity people fleeing persecution and violence.

The delegation and its members witnessed abysmal conditions in open-air encampments along the edge of the Rio Grande where thousands of women, men, and children were living in makeshift tents made of blankets and garbage bags, lacking minimum [Sphere humanitarian standards](#) of shelter, water, sanitation and hygiene, nutrition, and health services. There were piles of garbage, burn pits to deal with waste,

limited numbers of porta-potties, and a dangerous lack of sanitation and clean water which can present a risk of cholera. Many have no access to showers or washing other than the river.

Humanitarian actors working to provide limited medical attention indicated that diarrheal diseases, upper respiratory infections, and skin infections were the most prevalent. In some large encampments, people bathe in the river making them vulnerable to parasites and skin infections as a result of bathing in unsanitary river water. Delegation members learned of a two-month-old baby from Honduras who was suffering from diarrhea the past week, a condition that can be very dangerous in infants due to dehydration. One man in an encampment in Reynosa with several hundred Haitians estimated that 75 percent of the residents suffered from untreated skin infections, particularly the children. A six-year-old child who had had a fever for days had no access to medicine or medical care, except for some free medications left on a table by someone inside the encampment. The child's mother worried that more people would become ill with the coming rains. A father with a young diabetic son struggled to access medication and appropriate food for his son. Many tents are located in areas that are at risk of being washed away due to

rain or flooding. Haitian Bridge Alliance contributed tents to one encampment that had recently lost tent infrastructure due to a storm. The day after we left, many tents in the encampments we visited in Matamoros were washed away due to rain.

## Refugee Profiles

While the Biden administration, in its justifications for its new asylum ban, improperly and inaccurately attempts to paint people who have transited through other countries as less likely to be refugees eligible for asylum, members of the delegation spoke with many individuals of diverse nationalities in Matamoros and Reynosa who are in need of asylum protection and whose fundamental human right to seek asylum under U.S. and international law has been and/or will be violated by the asylum ban, such as:

- A Venezuelan LGBTQ+ and HIV positive young adult fleeing persecution;
- A Honduran multi-generational family who fled brutal violence in gang-controlled territory after its members killed their 15-year-old daughter;
- A Mexican Indigenous family fleeing persecution who were displaced from their home by an organized group that exercised control over vast stretches of territory;
- An Ecuadorian LGBTQ+ couple fleeing persecution on account of their sexual orientation and relationship;
- A Venezuelan fleeing persecution for having opposed the government;
- A Honduran single mother with two children fleeing death threats whose son was killed in Honduras;
- An elderly Salvadoran Indigenous man fleeing death threats and attempted murder by brutal gangs in El Salvador;
- A Mexican Indigenous mother and four children fleeing gender-based violence by her ex-partner;
- A Honduran couple with two children whose home was attacked by gunfire due to their resistance against a gang that controlled territory. After fleeing Honduras and while in Tapachula, Mexico, the couple identified some of their persecutors in a local park and immediately fled;
- A Honduran LGBTQ+ couple who, along with their young child, have been waiting to seek asylum for three months already after fleeing death threats as well as harm on account of their sexual orientation and relationship;
- Members of the delegation spoke with well over 100 Haitians whom are in need of asylum and/or international protection due to systematic violations of rights, including sexual violence, kidnappings, and murder by armed groups, resulting in the issuance of a [non-return advisory by UNHCR](#) which states that forced return to Haiti where Haitians may face risk of persecution, torture, or other serious irreparable harm would amount to refoulement.
- Further, members of the delegation spoke with Venezuelans who are in need of asylum and international protection given the political, economic, human rights, and humanitarian situation in Venezuela and threats to their life, security, and freedom. Indeed, [UNHCR has called on states](#) to not forcibly return nationals to Venezuela as UNHCR considers that the majority of Venezuelan nationals are in need of international protection under the Refugee Convention and/or the criteria contained in the Cartagena Declaration.



Lauren Murphy/Amnesty International USA



Tom Cartwright/Witness At The Border

Delegation members met multiple people who had been separated from spouses or adult children by CBP in recent days and weeks without being provided any information about their family members' fates. For instance:

- Members of the delegation met with seven pregnant Haitian women in McAllen, Texas, who had all been separated from their husbands by CBP after crossing from Matamoros under Title 42. CBP did not inform the women what would happen to their husbands. The women did not know if their husbands had been expelled to Mexico, and if so, through which port of entry. They did not know if their husbands were sent to ICE detention, or whether they would be released on parole to join them. They were separated from their husbands and provided no information about their fates.
- A 21-year-old young woman was recently separated from her parents and family by CBP after crossing from Matamoros while Title 42 was in effect. Her parents, who were paroled in and transferred to McAllen, Texas, along with her younger sibling, were desperately searching for her as she had no phone and CBP did not inform them whether she was paroled, detained by ICE, or expelled to highly dangerous parts of Mexico on her own.
- A [23-year-old Venezuelan young adult](#) killed in the tragic event outside the Brownsville shelter had been separated from his parents in CBP custody, and his mother had been transferred to Laredo by CBP. When killed at the bus stop, he was on his way to reunite with his family.
- One Haitian man was separated from his 17-year old daughter, and now he struggles to get a CBP appointment as his daughter is being held at a detention center in Brownsville.
- A Haitian family of 4 (mother, father, and 2 children) had to separate since the mother and father received appointments and the children did not. The mother decided to stay behind with the children while the father kept his appointment.
- Members of the delegation met a Venezuelan man in the Matamoros encampment who had been separated from his wife by CBP after they had crossed the border into the United States. CBP granted her parole and expelled him to Matamoros.



Paola Ariza/#WelcomeWithDignity

## Overwhelming Lack of Critical Information

Most people the delegation met, after having traveled for months or years to seek safety, had already been waiting for many months in dangerous conditions. Overwhelmingly, they expressed confusion about changes to U.S. policy that are now in place and how to best access their right to seek asylum. Delegation members were unable to answer many of their questions because of the lack of transparency and information provided by the U.S. government.

Everywhere we went, people seeking asylum had questions about the asylum process and how to access appointments via the CBP One app, including the changes to the application that took effect on May 10th. They had little to no information. A few aid workers and volunteers in the area had done their best to circulate or pass out some copies of flyers describing May 10 changes to the CBP One app. None of the people seeking asylum we encountered understood the changes that went into effect on May 12 with the lifting of Title 42 and the impact of the asylum ban - which was only finalized two days prior to taking effect on May 12 - on their right to seek asylum.

Delegation members explained the U.S. process for seeking asylum, CBP One and the new asylum ban at various shelters and encampments. Many people were confused by the new rule and procedures, and had many questions. A person seeking asylum from Cuba asked a delegation member "why does the richest nation on earth have to make it so hard to apply for asylum?" Upon learning that use of the CBP One app with its highly limited number of appointments was essentially the only potential path for them to seek asylum, we were met with uniform despair by people living in highly vulnerable and insecure situations who had already been waiting months attempting to obtain an appointment to no avail. Because of the vague nature of the exceptions included in the asylum ban, members of the delegation who provided legal information were able to provide very little certainty to people seeking asylum trying to decide whether to present at a port without a CBP One appointment as to whether their circumstances (including medical emergencies and disability) would overcome the asylum ban or if they would be limited to withholding of removal or Covention Against Torture eligibility.

The delegation noted a troubling lack of U.S. government information aimed at informing people how to seek asylum or of the negative consequences imposed by the ban. For instance, people who were queuing at the bridge without appointments on May 12 - understandably believing they could now seek asylum under U.S. and international law - did not receive any U.S. government advisals about the potential impacts of the ban on their ability to seek asylum and several likened this lack of information to deceit given the failure to inform them of the potential denial of asylum and other negative consequences under the asylum ban. Without the necessary information - and ideally actual legal consultations - they could not make an informed decision.

# CONCLUSIONS

---

The delegation observed the initiation of the Biden administration's asylum ban, and its observations raise grave concerns that the continued implementation of the ban will endanger the lives of people seeking asylum, discriminate against many of the most vulnerable people seeking asylum, and vastly complicate asylum adjudications down the road. The Biden administration should rescind its asylum ban immediately, and take the rights-respecting recommendations outlined at the beginning of this report.





REPORT & DELEGATION LED BY:



The Bridge



## PRESS CONTACTS

**Haitian Bridge Alliance**, Guerline Jozef, [guerline.jozef@gmail.com](mailto:guerline.jozef@gmail.com)

**ACLU**, Katie Hoepfner, [khoepfner1@aclu.org](mailto:khoepfner1@aclu.org)

**Amnesty International**, Duncan Tucker, [duncan.tucker@amnesty.org](mailto:duncan.tucker@amnesty.org)

**Human Rights First**, Shamari White, [hrf@westendstrategy.com](mailto:hrf@westendstrategy.com)

**National Immigration Law Center**, Juan Gastelum, [media@nilc.org](mailto:media@nilc.org)

**National Immigrant Justice Center**, Tara Tidwell Cullen, [ttidwellcullen@heartlandalliance.org](mailto:ttidwellcullen@heartlandalliance.org)

**Tahirih Justice Center**, Karla Flores, [Media@tahirih.org](mailto:Media@tahirih.org)

**UndocuBlack Network**, Bethelhem Negash, [Bethelhem@undocublack.org](mailto:Bethelhem@undocublack.org)

**#WelcomeWithDignity**, Bilal Askaryar, [press@welcomewithdignity.org](mailto:press@welcomewithdignity.org)