



## **Migrants' Rights Are Human Rights** ***Holding Our Government to its Human Rights Obligations***

### **DECEMBER 2018 HEARINGS**

In the first week of December 2018, the Inter-American Commission on Human Rights (the independent human rights oversight body for the Americas, also known as the IACHR) will convene in Washington, D.C. It will hold three public hearings relevant to migrants' rights in the United States: on December 5<sup>th</sup>, on the U.S. government's treatment of migrants' rights defenders, some of whom have been targeted by immigration authorities; and, on December 6<sup>th</sup>, on the treatment of the so-called "caravan" of migrants by governments, including the U.S., and on the militarization of public security, including at the U.S.-Mexico border.

These hearings will be open to the public and [streamed online](#). They are a unique and important opportunity to seek accountability for violations of the human rights to life, due process, liberty, respect for family life, and the right to seek asylum, among other fundamental rights being violated in U.S. immigration enforcement. The hearings will allow the IACHR to question the government on the record (at the December 5 hearing), and amplify the voices of those affected by family separations, immigration detention, restrictions on seeking asylum, and related critical concerns.

**UPDATE:** the U.S. government has failed to appear at the December 5 hearing, the [second](#) such no-show under the Trump administration.

**What:** Inter-American Commission on Human Rights' [170th Period of Sessions](#)

**When:** December 5 and 6, 2018 (schedule [here](#))

**Where:** 1889 F Street, N.W., Washington, D.C. 20006 and via [livestream](#)

**Who:** independent human rights experts, government representatives, civil society, and the public

## **TAKE ACTION!**

### **1) Attend the hearings**

The hearings will take place on December 5 and 6, 2018 at the IACHR headquarters at 1889 F Street, NW, Washington, D.C. They are open to the public and no prior registration is required. See the full schedule: [http://www.oas.org/en/iachr/media\\_center/PReleases/2018/240eng.pdf](http://www.oas.org/en/iachr/media_center/PReleases/2018/240eng.pdf)

### **2) Watch the hearings online**

The hearings will be webcast via the IACHR homepage: <http://www.oas.org/en/iachr/> and directly at: <https://livestream.com/OAS2ENG/LIVE> (English) and <https://livestream.com/OAS2SPA/LIVE> (Spanish). Host a townhall or watch party to gather other members of your community.

### **3) Share your support on social media**

Share **images** and **graphics** and see sample tweets on the campaign webpage: <https://ijrcenter.org/migrants-rights-are-human-rights/> Follow campaign participants on Twitter, or via the hashtag **#MigrantsRightsAreHumanRights**

### **4) Call on your elected representatives to respond**

Look up your [elected representatives](#) and contact them with the following message: “On December 5th and 6th, the Inter-American Commission on Human Rights will hold hearings on whether U.S. immigration policy complies with international human rights standards. I care about migrants’ rights and the rule of law, and expect my elected representatives to follow up on these hearings and ensure that the Trump administration implements the Commission’s recommendations for ending inhumane immigration and border security policies.”

### **5) Ask your local media outlets to cover the hearings**

Let your local newspaper and radio station know that our region’s independent human rights oversight body is holding public hearings on U.S. immigration policy, and that you would like them to provide coverage or commentary.

### **6) Write a blog post or op-ed of your own**

Write to your local paper, post on Medium, or publish wherever you can. Let your community know that the IACHR hearings are coming up, or what was said at the hearings. See the information and materials in this toolkit for ideas.

### **7) Help inform others**

Let your friends and family know - email, text, tag, call! - that a human rights body is reviewing the Trump administration’s immigration policies. By watching and getting involved, they can help pressure the government to respect migrants’ human rights.

## THE ISSUES

This country's immigration system has long been cruel, arbitrary, and ineffective for many of the people who seek to enter the U.S. to claim asylum, work, join family members, or build new lives away from the violence, unrest, or severe inequality of their countries of origin. Under the Trump administration, the harmful impacts of the U.S. approach have been made worse by the discriminatory implementation of immigration law and the creation of new policies intended to criminalize and dehumanize migrants - including with the threats of family separations, indefinite detention, criminal prosecution, and unpredictable changes in eligibility - particularly those from Latin America and the Middle East. The following issues are all related to and impact the rights of the "caravan" members and migrants' rights defenders, the two topics to be specifically addressed in the December IACHR hearings.

### Family Separations

The Trump administration separated more than 2,500 minor children from their parents when they entered the U.S. together without prior authorization, or presented themselves to seek asylum at the U.S.-Mexico border. More than 200 children [remain separated](#) from their parents, despite a [court order](#) mandating reunification by July 26, 2018. These figures do not include [all family separations](#), such as children separated from [other relatives](#), and children who [continue to be separated](#) from parents based on seemingly arbitrary and opaque decisions about the parents' fitness.

The Women's Refugee Commission, Immigration Clinic at the University of Texas School of Law, Texas Civil Rights Project, and Garcia & Garcia Attorneys at Law [requested](#) precautionary measures (emergency protection) from the IACHR on behalf of five separated families, and the national human rights institutions of Colombia, Ecuador, El Salvador, Guatemala, Honduras, and Mexico also made a broader [request](#) for precautionary measures; the IACHR [granted those requests](#) in August 2018.

### "Zero Tolerance"

This Department of Justice policy, [announced](#) in April 2018, mandates criminal prosecution of all individuals suspected of the misdemeanor offense of "improperly" entering or attempting to enter the United States from Mexico. This resulted in a [spike](#) in prosecutions, which had already [increased](#) dramatically during the prior two administrations. Under the new policy, the Trump administration has [specifically targeted](#) parents crossing the southern border with their children. The [consequences](#) include: migrants' inability to pursue immigration relief to which they are legally entitled; detention of individuals and families; separation of couples and families; and, additional costs of detention, prosecution, and incarceration.

### Detention

More than [50,000 migrants](#), including asylum seekers and [children](#), are held in detention each day in the United States while their immigration claims or deportation orders are processed. In keeping with President Trump's [Executive Order](#), Immigration and Customs Enforcement (ICE) has increased its efforts to [arrest](#) and detain undocumented migrants throughout the U.S., including by targeting individuals with no criminal history, who had not previously been a priority for removal. Some individuals and families remain in detention for [months or years](#). The

Trump administration is [seeking](#) to [eliminate restrictions](#) on the [length](#) and conditions of child and family detention.

### **Conditions of Detention**

The [majority](#) of migrants in detention are held in private, for-profit institutions, including privately-operated prisons, but they are also held in non-profit facilities, government-operated prisons and jails, and hospitals. Facilities are located across the country. The conditions vary, but widespread [abuses](#) are well documented. Outside groups and the government itself have [reported](#) inadequate medical care, [forced sedation](#), sexual abuse, degrading treatment, inadequate sanitation, rotten food, and extreme temperatures, among other [abuses](#). Dozens of people have [died](#) in immigration detention in the past decade, many from [inadequate medical care](#). Some individuals, including [pregnant women](#) and [transgender women](#), face particular risk of abuse.

### **Restrictions on Asylum**

In practice, U.S. authorities are [preventing](#) would-be asylum seekers from making asylum claims, including by [restricting eligibility](#), limiting the number of asylum claims heard per day, and turning away asylum seekers at or [near](#) the [border](#), requiring them to wait in Mexico, or forcing them to give up those claims in order to be [reunited](#) with their [children](#). In November 2018, President Trump signed a proclamation that [bars individuals](#) from seeking asylum if they do not present themselves at a port of entry when crossing the U.S.-Mexico border. Former Attorney General Jeff Sessions decided that victims of [domestic violence](#) and [gang violence](#) are no longer eligible for asylum on those grounds. The administration has also sought to [systematically detain](#) asylum seekers, to punish and deter asylum claims. People whose asylum claims have been pending for years will also have to [wait longer](#), as the Trump administration prioritizes the processing (rejection) of new claims.

In March 2017, the Inter-American Commission on Human Rights held a [hearing](#) on this issue.

### **Treatment of the “Caravan”**

As migrants, including asylum seekers, grouped together in the hopes of more safely leaving the [violence, oppression, and unrest](#) in some parts of Central America, some government authorities reacted with hostility. The Trump administration pledged to block all the “caravan” members from entering, restricted their ability to seek [asylum](#), and is forcing asylum seekers to [wait in Mexico](#).

### **Refugee Admissions**

In addition to [other](#) measures, the Trump administration has [lowered](#) the [cap](#) on the number of refugees to be admitted to the U.S. annually, and [plans](#) to do so again.

### **Treatment of LGBTQI Migrants**

[Discrimination and violence](#) on the basis of sexual orientation or gender identity cause many people to flee their home countries, including in [Central America](#). LGBTQI migrants also experience [harm](#) and [unequal treatment](#) in the U.S. immigration system, including physical

abuse and mistreatment that has led to at least one asylum seeker's [death](#) in [detention](#) this year.

In March 2015, the Inter-American Commission on Human Rights held a public [hearing](#) on the forced migration and persecution of LGBTI rights defenders in Central America.

### **Deportation of Citizens and Lawful Permanent Residents**

Within the United States, authorities have [increased efforts](#) to detain and [deport](#) individuals with U.S. citizenship or green cards. Some of these individuals have been detained in [error](#), some have had their citizenship or residency [stripped](#) based on [decades-old criminal offenses](#) or [deportation orders](#), and some have been deported even though they are in the process of [regularizing](#) their immigration status. The administration has proposed barring immigrants from obtaining citizenship if they ever received [public assistance](#).

### **Deaths & Use of Force at the Border**

Each year, [hundreds of migrants](#) die after crossing the U.S.-Mexico border, in addition to those [killed](#) by Border Patrol agents. The [journey](#) has been made more treacherous by government policies and [practices](#) that push people into the most dangerous terrain and deny them humanitarian aid. U.S. authorities have failed to [record](#) many of these deaths, and [nearly 40%](#) of the bodies that have been found have never been identified. In November 2018, the Trump administration approved of the use of [tear gas](#) on migrants, including [children](#), waiting to cross the border or protesting the closure of ports of entry at the U.S.-Mexico border and later authorized the use of [deadly force](#) by military troops sent to the border.

In October 2018, the IACHR held a public [hearing](#) on investigations into the fate of migrants who disappeared after crossing into the U.S.

### **Muslim Ban**

In an Executive Order issued in January 2017, the Trump administration attempted to suspend refugee admissions and all travel or immigration to the U.S. by nationals of seven Muslim-majority countries. Facing resistance and chaos, the administration twice revised the [ban](#), which [now bars](#) some or all nationals of Iran, Libya, North Korea, Somalia, Syria, and Yemen from entering the U.S., along with specific Venezuelan officials.

In March 2017, the IACHR held a public [hearing](#) on the Muslim Ban and [urged](#) the U.S. to act urgently to change the policy.

### **Cancellation of DACA**

In September 2017, the Trump administration [announced](#) it would end Deferred Action for Childhood Arrivals (DACA), a program that allowed people to stay and work who had been brought to the U.S. without authorization as minors. The decision jeopardizes the status and futures of approximately [690,000](#) DACA recipients and additional would-be applicants, whose fate is being [litigated](#).

In March 2018, the Inter-American Commission on Human Rights held a [hearing](#) on this issue.

## **Termination of TPS**

The Trump administration has [ended](#) Temporary Protected Status (TPS) for nationals of El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan. TPS gave these approximately [400,000](#) individuals a renewable right to stay and work in the U.S., in light of humanitarian disasters or crises in their home countries. Many have now lived in the U.S. for decades, but may face deportation.

In March 2018, the Inter-American Commission on Human Rights held a [hearing](#) on this issue.

## **HUMAN RIGHTS EXPERTS' REACTIONS TO 2017-18 DEVELOPMENTS**

### **Restrictions on Asylum**

“Among the people on the move in Central America and Mexico today, many are fleeing life-threatening violence or persecution and are in need of international protection. UNHCR expects all countries, including the United States, to make sure any person in need of refugee protection and humanitarian assistance is able to receive it both promptly and without obstruction in accordance with the 1967 refugee Protocol to which the United States is a party.” –United Nations Refugee Agency ([UNHCR](#)) (November 9, 2018)

“...any decision by the Attorney General to overrule the precedent set by the BIA in *Matter of A-R-C-G- et al.* may result in violations of the human rights of thousands of survivors of domestic violence, including their potential return to situations of abuse, where they may experience torture or other forms of ill-treatment.” –[communication](#) to the U.S. by independent United Nations human rights experts (May 1, 2018)

### **Criminalization of Migration**

“Migration is not a crime, and migrants in irregular situations should not be treated as criminals or deprived of their liberty and security. The criminalisation and detention of migrants exceed the legitimate interests of States in protecting their territories and regulating migration.” –[independent United Nations human rights experts](#) (July 11, 2018)

“The US should immediately halt this practice of separating families and stop criminalizing what should at most be an administrative offence – that of irregular entry or stay in the US.” -Office of the [United Nations High Commissioner for Human Rights](#) (June 5, 2018)

“Irregular migration is not a crime.” -Commissioner Margarette May Macaulay, Inter-American Commission on Human Rights ([IACHR](#)) (June 18, 2018)

“Concerns regarding previous Executive Orders on immigration policy, raising particular concerns over increased and expedited deportations, including a disproportionate impact on women, in possible violations of the non-refoulement principle, infringing migrants’ rights to a due process and lacking proper individual assessment, the increased use of immigration detention, the lack of access to services for migrants, regardless of their status and the stigmatisation of migrants as criminals, were sent in communications addressed to your



Government (US) on 31 January 2017 and on 19 October 2017. We regret that to date the replies received from Your Government regarding these communications have referred only to the inability to comment due to pending litigation.” –[communication](#) to the U.S. by independent United Nations human rights experts (May 16, 2018)

### **Discrimination & Xenophobia Harm Human Rights**

“Blaming migrants is an easy way for political leaders to gather support from nationals, exploiting and exacerbating sentiments of discrimination and xenophobia. In the absence of substantive public policies to address economic and social problems at home, migrants become an easy target.” –[Felipe González Morales](#), UN Special Rapporteur on the human rights of migrants (June 20, 2018)

“The IACHR expresses its particular concern over the statements made by United States officials characterizing the caravan as a threat to sovereignty and national security, and affirming that this movement of migrants includes many criminals. In this context, the IACHR rejects the use of stigmatizing and criminalizing language and unfounded accusations in reference to migrants and asylum seekers, which may encourage xenophobic attitudes against such persons.”  
-Inter-American Commission on Human Rights ([IACHR](#)) (October 23, 2018)

“Rather than fuelling tensions with hate speech and threats, governments should work together to tackle inequality, poverty, social exclusion, violence, insecurity, environmental degradation and persecution as the main drivers of migration in Central America. Cooperation between these states is urgently required to develop more accessible, regular, safe and affordable migration channels.” –[independent United Nations human rights experts](#) (November 28, 2018)

### **Torture & Inhuman Treatment**

“Immigration policies and practices can never be used as mechanisms to cause cruel, inhuman and degrading treatments, to separate families, to attack children and their families, or to place the lives of persons in need of protection at greater risk. This is just inhuman and above any comprehension.” -Commissioner Luis Ernesto Vargas Silva, Inter-American Commission on Human Rights ([IACHR](#)) (June 18, 2018)

“Children must never be detained because of their or their parents’ migration status. It goes against the best interests of the child, is a clear violation of child rights, and causes irreparable harm that can amount to torture.” –[independent United Nations human rights experts](#) (July 11, 2018)

### **Separation of Families**

“We call on the US authorities to adopt non-custodial alternatives that allow children to remain with their families and fulfil the best interests of the child, their right to liberty and their right to family life.” -Office of the [United Nations High Commissioner for Human Rights](#) (June 5, 2018)

“[T]he Commission requested that the United States:

- (a) Adopt the necessary measures to protect the rights to family life, personal integrity and identity of the proposed beneficiaries. Particularly, assuring that these rights are

protected through the reunification of the children with their biological families and in support of the children's best interests;

- b) Adopt the necessary measures, while such reunification is carried out, to immediately guarantee an appropriate, free, and regular communication between the beneficiaries and their families, in accordance with their best interests. Moreover, with the aim of protecting their rights, provide medical and psychological assistance, among others that might be necessary such as consular assistance. Also, provide interpreting services when necessary so that the proposed beneficiaries know their rights and have a good understanding of their situation and destination;
- (c) In case any of the proposed beneficiaries was deported separately from their children, adopt immediately the necessary measures in the framework of international cooperation to guarantee their reunification, taking into account the child's best interest and the necessary support and care;
- (d) Suspend any migration procedure that may result in the separation of the children from their parents; and
- (e) Agree upon the measures to be adopted regarding the proposed beneficiaries and their representatives."

-Inter-American Commission on Human Rights ([IACHR](#)) (Aug. 20, 2018). See the full text of the precautionary measure resolutions [here](#) and [here](#).

### **Immigration Detention**

"The Commission reminds the United States that immigration detention should be an exceptional measure used as a last resort and always for the shortest amount of time possible, only after an individual evaluation of each case has been made and alternative measures considered." -Inter-American Commission on Human Rights ([IACHR](#)) (Feb. 1, 2017)

"The IACHR urges the Government of the United States to undertake a serious and impartial investigation regarding these deaths, including the detention conditions of migrant persons under its custody." -Inter-American Commission on Human Rights ([IACHR](#)) (Aug. 11, 2017)

"Despite the hunger strikes and the various reports and demands from the IACHR and civil society organizations, the authorities continue to fail to take effective measures to prevent deaths and abuses against migrants in detention." -Commissioner Luis Ernesto Vargas, Inter-American Commission on Human Rights ([IACHR](#)) (Aug. 11, 2017)

"It is extremely concerning how the detention of migrants continues to become a business for private companies and local governments without accountability or transparency regarding immigration detention centers. Unfortunately, we have seen that efforts have been made to maximize profits through cuts in service costs, which have a negative impact on detention conditions, particularly in the physical and mental health of migrants in detention." -Commissioner Margarette May Macaulay, Inter-American Commission on Human Rights ([IACHR](#)) (Aug. 11, 2017)

"We wish to express our grave concern at the risks to the life, health, liberty, safety, wellbeing and other human rights of pregnant migrant women, associated with their detention in ICE



custody...” –[communication](#) to the U.S. by independent United Nations human rights experts (May 16, 2018)

### **Detention of Migrant Children**

“Children should never be detained for reasons related to their own or their parents’ migration status. Detention is never in the best interests of the child and always constitutes a child rights violation.” -Office of the [United Nations High Commissioner for Human Rights](#) (June 5, 2018)

“Detention of children is punitive, severely hampers their development, and in some cases may amount to torture. Children are being used as a deterrent to irregular migration, which is unacceptable.” -[independent United Nations human rights experts](#) (June 22, 2018)

“Migrant children need to be treated first and foremost as children. While family unity needs to be preserved at all costs, it cannot be done at the expense of detaining entire families with children. Family-based alternatives to deprivation of liberty must be adopted urgently.” -[independent United Nations human rights experts](#) (June 22, 2018)

“The IACHR reaffirms that children have the right not to be separated from their parents because detention is never in the best interest of the child. The Commission requests the US authorities to identify migrant children who require international protection and do not resort to the deprivation of liberty of children in any circumstance, including with the objective of ensuring family unity.” -[Inter-American Commission on Human Rights](#) (IACHR) (June 18, 2018)

### **Muslim Ban**

“...the Executive Order signed by US President Donald Trump on 27 January 2017 breaches the country’s international human rights obligations, which protect the principles of non-refoulement and non-discrimination based on race, nationality or religion.” -[independent United Nations human rights experts](#) (Feb. 1, 2017)

“The measures envisaged in these executive orders reflect a high degree of discrimination of migrant communities and minority groups, particularly Latinos and Muslims or those perceived as such. The implementation of these executive orders puts migrants and refugees at grave risk of violation of their rights to non-discrimination, personal liberty, due process, judicial protection, special protection for families and children, the right to seek and receive asylum, the principle of *non-refoulement*, the prohibition of cruel, inhuman and degrading treatment, and the right to freedom of movement, among others.” -Inter-American Commission on Human Rights ([IACHR](#)) (Feb. 1, 2017)

### **DACA Cancellation**

“The absence of legal avenues to protection and other durable solutions would leave this large group of migrants in limbo, making them even more vulnerable to xenophobia and discrimination, and would significantly jeopardize many of their human rights including health,

education, security and access to justice.” -[independent United Nations human rights experts](#) (Feb. 20, 2018)

“The IACHR considers that the lack of available legal avenues to regularize DACA recipients’ status poses a serious threat to the principle of family unity, and that the termination of DACA protections will jeopardize their ability in practice to ensure equal access to economic and social rights—including education, labor protections, and healthcare—and legal guarantees, such as access to the courts.” -Inter-American Commission on Human Rights ([IACHR](#)) (Oct. 11, 2017)

### **TPS Termination**

“The IACHR calls on the United States to regularize the migration status of TPS beneficiaries and other groups of migrants present in the United States for an extended amount of time and who lack a durable solution such as permanent immigration status. The IACHR also urges the United States to reconsider its policy of closing legal avenues for migrants and refugees to reach or remain in a regular migration status in the United States.” -Inter-American Commission on Human Rights ([IACHR](#)) (Jan. 19, 2018)

“Subjecting TPS beneficiaries to the threat of deportation, stripping them of legal work authorization and uprooting them, disproportionately harms both TPS beneficiaries and their families and communities. This decision creates a serious threat of family separation for tens of thousands of people.” -Commissioner Luis Ernesto Vargas Silva, Inter-American Commission on Human Rights ([IACHR](#)) (Jan. 19, 2018)

### **Migrants’ Rights Defenders**

“Giving people notice of deportation proceedings appears to be a part of an increasing pattern of intimidation and retaliation against people defending migrants’ rights in the U.S. People working legitimately to protect migrants’ rights must not be restricted or silenced. Their rights must be upheld so they can continue to exercise their vital role.” -[independent United Nations human rights experts](#) (Feb. 14, 2018)

“The work of immigrant human rights defenders is vital to give a voice to thousands of people at risk of arbitrary detention and deportation. Retaliatory practices that silence them, limit their work and threaten their stay in U.S. territory, disproportionately harm activists, migrants and their families and communities.” -Commissioner Francisco José Eguiguren Praeli, Inter-American Commission on Human Rights ([IACHR](#)) (Feb. 16, 2018)

## **BACKGROUND READING**

### **1) What is the Inter-American Commission on Human Rights?**

The Inter-American Commission on Human Rights is an independent human rights oversight body. It has authority to monitor and evaluate human rights conditions in the United States and

the other countries of the Americas. It evaluates whether governments are fulfilling their obligations under the [American Declaration of the Rights and Duties of Man](#), among other human rights standards.

Learn more about the IACHR in this [animated video](#) and [handbook](#).

## **2) What human rights do migrants have?**

Migrants are entitled to respect for their human rights, without discrimination. This means that, regardless of their status, migrants have fundamental rights including the rights to life, humane treatment, liberty, and respect for family life. While migrants are generally entitled to the same human rights protections as all individuals, governments may limit migrants' rights in some ways, such as with regard to voting and political participation. Many human rights treaties explicitly prohibit discrimination on the basis of national origin and require governments to ensure that migrants' human rights are equally protected.

Additionally, like other particularly vulnerable groups, migrants have been given special protections under international law, to address situations where their rights are most at risk, such as in the workplace, in detention, or in transit. While governments retain discretion to manage migrants' exit and entry through their territory, human rights standards apply to this management and immigration policies must not discriminate on the basis of national origin, gender, or other characteristic. International legal principles also limit who governments can expel and under what circumstances. According to the principle of *non-refoulement*, the government must not deport a migrant to a country where he or she is likely to face torture or serious human rights violations.

Learn more in these guides on [migrants' rights](#) and the rights of [refugees](#), or read this [quick overview](#).

## **3) What will happen during and after the hearings?**

At the hearing, civil society organizations will make a short presentation on the situation and the necessary reforms, after which the government representatives will make their own presentation (at the December 5th hearing, only). The IACHR commissioners can then make comments and ask questions and allow each side time to respond. The commissioners' statements at the hearing may include critiques or suggestions for how the government can better protect migrants' human rights.

Following the hearings, the IACHR will put out a press release and summary, which may include additional comments or recommendations to the government. Video of the hearings will also be available online. The public and civil society can use these statements to continue to advocate for changes in policy or practice. Hearing participants may also continue to update the IACHR in writing and encourage it to monitor and comment on the situation. In addition to any public statements it may make, the IACHR may engage the government in dialogue on complying with its human rights obligations, carry out a country visit to monitor the situation, or publish a report on the issues raised.

The impact of the hearings will depend on what **we** do with the opportunity. The more attention and public pressure on the government to uphold its human rights obligations, the better!

Learn more in this [guide](#) on using IACHR hearings in advocacy.

#### **4) How have human rights bodies assessed U.S. immigration policies in the past?**

The IACHR and United Nations human rights bodies have long been critical of U.S. immigration policy, especially detention, workers' rights, and lack of respect for family unity. Some of their statements include:

- IACHR report, [Refugees and Migrants in the United States: Families and Unaccompanied Children](#) (2015)
- IACHR report, [Immigration in the United States: Detention and Due Process](#) (2010)
- IACHR decision, [Report No. 50/16](#), Case 12.834, Undocumented workers (undocumented migrant workers' rights)
- IACHR decision, [Report No. 81/10](#), Case 12.562, Wayne Smith, Hugo Armendariz, *et al.* (right to respect for family unity in immigration decisions)
- United Nations Special Rapporteur on trafficking in persons, [Report](#) of the Special Rapporteur on trafficking in persons, especially women and children on her mission to the United States of America (June 2017) (numerous concerns on immigration policy and enforcement)
- United Nations Working Group on Arbitrary Detention, [Report](#) of the WGAD on its visit to the United States of America (July 2017) (observations and concerns regarding immigration detention)
- United Nations Committee against Torture, [Concluding observations](#) on the combined third to fifth periodic reports of the United States of America (Dec. 2014) (concerns and recommendations on immigration detention and access to asylum)
- United Nations Committee on the Elimination of Racial Discrimination, [Concluding observations](#) on the combined seventh to ninth periodic reports of the United States of America (Sept. 2014) (concerns and recommendations on militarization of immigration enforcement, discrimination, and lack of access to health services)
- United Nations Human Rights Committee, [Concluding observations](#) on the fourth periodic report of the United States of America (Apr. 2014) (concerns and recommendations on immigration detention and lack of due process in immigration proceedings)

#### **5) Who is involved in these efforts?**

Many, many people across the United States are working to defend and protect migrants' rights. They are part of non-profit organizations, law school clinics and university programs, coalitions, and social movements. They provide direct legal services to migrants, work to change law and policy, engage in advocacy at the international level, organize protests, and raise awareness of migrants' rights violations.

The groups working together to raise awareness of the IACHR hearings and spread the word that Migrants' Rights Are Human Rights include legal aid providers, human rights organizations, immigration attorneys, and many others.

The organizations that have signed on to this toolkit include:

Human Rights Watch (@hrw)  
International Justice Resource Center (@ijrcenter)  
Lawyers for Good Government (@lawyers4goodgov)  
Project South (@ProjectSouth)  
Synergía - Initiatives for Human Rights (@Synergiahr)

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For more information, please contact Lisa Reinsberg at the International Justice Resource Center: (415) 735-4180, [lisa@ijrcenter.org](mailto:lisa@ijrcenter.org).