



Border, Security, Facilitation & Operations Subcommittee
House Homeland Security Committee
Hearing, "Examining Title 42 and the Need to Restore Asylum at the
Border" April 6, 2022
Statement for the record

The Latin America Working Group (LAWG) submits this statement for the record for the Border, Security, Facilitation & Operations Subcommittee (House Homeland Security Committee) hearing, "*Examining Title 42 and the Need to Restore Asylum at the Border*" on April 6, 2022. As an organization that advocates for more just U.S. policies towards Latin America & the Caribbean and that defends the rights of migrants and refugees, LAWG has advocated for the end of the Centers for Disease Control and Prevention (CDC) Title 42 border order since its implementation in March 2020 under the Trump Administration. The calls to end the policy have also come from other NGOs, public health experts, and members of Congress, including Democratic leadership. To date, the policy has resulted in over 1.7 million expulsions of individuals without screening for protection, including via flights to Brazil, Colombia, El Salvador, Guatemala, Haiti, Honduras, and Mexico. Human rights organizations have documented nearly ten thousand instances of people being kidnapped, tortured, sexually assaulted, and murdered as they were denied access to seek asylum at the border as a result of Title 42, including families with small children and vulnerable people fleeing violence and persecution. This policy also has a disproportionate impact on Black people seeking asylum, especially Haitians.

LAWG documented the impact of Title 42 expulsions from the U.S.-Mexico border to Mexico's border with Guatemala from August-October 2021. Starting on Aug. 5th, 2021, people were flown from the U.S.-Mexico border to cities, such as Villahermosa and Tapachula, in southern Mexico and bussed to locations along the Mexico-Guatemala border. At no point throughout this process, from their expulsion at the U.S.-Mexico border to their expulsion into Guatemala, did people have any chance to request asylum with U.S. or Mexican authorities or to have any contact with civil society or international organizations. There was no formal registration of people expelled upon their arrival to the airports in southern Mexico. They were taken directly off the planes, placed onto Mexican National Migration Institute (INM) buses, and driven to points along the border with Guatemala while being escorted by the Mexican National Guard. Civil society organizations were unable to document the full impact of these expulsions to southern Mexico due to the presence of organized crime and because these are extremely isolated and remote locations. However, the testimonies captured by organizations of adults, families, and children, including very young children, evidenced how people were left to fend for themselves upon arriving in Guatemalan territory, including having to figure out how to travel to their next destination without any means.

One such testimony of a Honduran man that was expelled under Title 42 in October 2021 from the U.S.-Mexico border to the city of Villahermosa in southern Mexico, and from there bussed to Honduras, reflects the suffering and human rights violations individuals were exposed to, "*They put us on a bus from the border and took us to the airport, but we didn't know what was going to happen with us. Soon after boarding the plane, we saw a sign that said, 'Welcome to Villahermosa, Mexico.' That's when we said why are we being deported to Mexico if we are not Mexican? They left us there in the middle of nowhere until Mexican migration agents picked us up and brought us to the Mexico-Guatemala border, where they put us on another bus all the way to Honduras.*" (From an interview conducted by the organization Radio Progreso, Honduras and translated by LAWG) While it appears that Title 42 flights to



southern Mexico have stopped for the time being, there were other instances of individuals being returned to countries they were not from under this policy, including Venezuelans expelled to Colombia in February 2022.

As LAWG, we are pleased to see the announcement of the termination of this policy for May 23, 2022 as a first step towards restoring access to asylum at the U.S.-Mexico border. However, we urge the Biden Administration to begin the winddown process in collaboration with civil society organizations well ahead of May 23rd to begin to establish a fair, orderly, and humane asylum process. As Title 42 expulsions continue through May 23rd, it is also crucial for the Biden Administration to utilize its discretion to exempt particularly vulnerable populations from the Title 42 policy. While we welcome reports of Ukrainians being exempted from Title 42 at the U.S.-Mexico border, we believe that exemptions should apply to vulnerable populations of all nationalities. Fully restoring access to asylum at the U.S.-Mexico border entails a safe reception of people seeking asylum at the U.S.-Mexico border that does not deny individuals the right to make their claims heard, guarantees family unity, and does not hold individuals in custody or detention for extended periods of time; coordinating with nongovernmental organizations and shelters for swift transportation of asylum seekers to destination communities within the United States, and establishing access to services, legal counsel, and community-based case management as individuals undergo their immigration proceedings in the United States. LAWG reiterates the urgency of the full termination of this policy in a transparent and swift manner. The decision to turn the page on this cruel policy is well overdue. It is time, once again, for the United States to be a beacon to those seeking refuge from around the world.

Daniella Burgi-Palomino
Co-director
Latin America Working Group (LAWG)
2029 P St. NW, Suite 301
Washington D.C. 20036
Dburgipalomino@lawg.org

