To: All Sections/Structures Campaign Coordinators
From: USA Team, Washington DC office, IS and I Welcome team
I Welcome: People on the Move in the Americas Project

“YOU DON’T HAVE ANY RIGHTS HERE”
Illegal Pushbacks, Arbitrary Detention & Ill-treatment of Asylum Seekers in the United States

REPORT INFORMATION & ACTION CIRCULAR

A woman stands on the Mexico side of the US/Mexico border fence (internal use only)
Sergio Ortiz, Amnesty International
INTRODUCTION

On 11 October 2018, Amnesty International will release a report exposing a range of human right violations committed by the USA government against people seeking asylum at the southwest USA border with Mexico.

The new report documents how people seeking safety and protection in the USA have been systematically denied their right to pursue asylum at the border. In many cases, they were subjected to ill-treatment in immigration detention. A constellation of these policies and practices carried out by the US government appear to be deliberately executed in order to deter and punish requests for protection by people seeking asylum.

The report reveals new statistics that US authorities provided to Amnesty International suggesting that from just 19 April to 15 August 2018, the Trump administration had separated over 6,000 families—more than double the number of families US authorities had previously admitted separating. In total, the Trump administration has separated more than 15,000 individual family members since 2017, and the actual number is likely even higher, since reports from US authorities appear to omit hundreds or thousands of other separated families.

The report features (but is not limited to) several emblematic individual cases that Amnesty International has already been campaigning on behalf of, including:

- Sadat (gay Ghanaian asylum seeker in USA immigration detention for 2.5 years, now finally released);
- Jose and Baby Mateo (Honduran family separated at the USA/Mexico border);
- Alejandra (trans asylum seeker from El Salvador held in USA immigration detention since December 2017).

By weaving together these separate—but connected—stories, this phase of the campaign aims to inspire Amnesty International sections and supporters around the globe to mobilize against the Trump administration’s broader attempts to dismantle the USA asylum system and turn its back on refugees. The report also features new individual cases, and a new case file will be developed within a month or two of the report launch.

We are asking sections to do the following:

1) Boost the visibility of the report during the launch date on social media.
2) Set up meetings with US embassies to deliver the report as well as already-gathered online action signatures against the practice of family separation.
3) Launch a new online action targeting the USA’s Department of Homeland Security (DHS) to be delivered to DHS offices in Washington, DC at the beginning of 2019.
4) Find influencers or celebrities in your country who would be willing to speak out about these issues in the USA.
5) Take action and disseminate the recently-issued Urgent Action about the USA and Mexico considering the declaration of Mexico as a “safe third country”. This would block all asylum seekers passing through Mexico from seeking protection in the USA and force them to stay in dangerous and under-equipped Mexico.

This Action Circular provides the following:
- Information about the report
- Campaign objectives
- Key messages of the report
- Assets and reference material
- Key sections for this campaign
- Coordination information

THE REPORT: WHY NOW?

Since taking office in January 2017, the Trump administration has adopted border and immigration policies that have caused catastrophic irreparable harm to thousands of people seeking asylum. As a result of these policies, the USA government has engaged in actions which violate both US and international law, and appear to be aimed at the full dismantling of the US asylum system. Every week, immigration policies in the USA are getting tighter, and more people seeking asylum are being stripped of their rights and put back into harm’s way – we need to act now.

The new Amnesty International report exposes three major examples of these dangerous policies while shedding light on the human cost:
- Thousands of illegal family separations, through which the Trump administration has deliberately inflicted extreme suffering on asylum-seeking families, which rose to the level of torture in some cases;
- Mass illegal pushbacks of people seeking asylum at the US–Mexico border back into Mexico and potentially into harm’s way;
- Arbitrary and indefinite detention of asylum seekers, without parole, constituting ill-treatment in some cases of vulnerable individuals, including LGBTI people.

Family separation: At first secretively in 2017, and then publicly in 2018, the Trump administration implemented a policy of separating thousands of asylum-seeking families, in order to deter and punish them for crossing irregularly into the United States. In September 2018, US authorities revealed statistics to Amnesty International suggesting that the Trump administration had separated nearly 6,000 families – meaning well over 15,000 parents and children combined. Those statistics are more than double the number of families US authorities had previously admitted separating, and still appeared to omit hundreds or thousands of other separated families. This report documents the extreme mental anguish
those family separations caused, as well as instances of family separations being leveraged to compel a family to abandon their asylum claims. In some of the cases documented in this report, the harmful practice of family separations satisfied the definitions of torture under US and international law.

“I might need to go look for a psychologist. I don’t remember things, and can’t sleep. I wake up during the nights, and can’t go back to sleep. I start to talk about something and forget what I was saying. I am crying a lot also because I am still separated from Matheus.”

-- Maria (55), who was separated from her grandson with disabilities, Matheus (17), after they requested asylum at the Santa Teresa port of entry in New Mexico, near El Paso, Texas.

**Mass pushbacks:** In 2017 and 2018, USA border officials implemented an illegal *de facto* policy of mass pushbacks of asylum seekers at official ports of entry along the entire US–Mexico border. Thousands of asylum seekers have been forced to queue on the Mexican side of the border — exposing them to detention and potential deportation by Mexican immigration officials, and exploitation by criminal gangs and smugglers. This first section of the report provides case examples of border pushbacks, explains the illegality of this action by the USA government, and calls on authorities in the US Congress and Department of Homeland Security to reject the Trump administration’s unlawful effort to designate Mexico as a “Safe Third Country”.

**Arbitrary and indefinite detention:** In 2017 and 2018, the Trump administration has also implemented an official policy of mandatory and indefinite detention of asylum seekers, without parole, for the duration of their asylum claims. The policy and practice of indefinitely detaining asylum seekers, based solely on their migration status, constitutes arbitrary detention in violation of US and international law. [more info here]

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**While the Amnesty International movement worldwide leverages global activism to end these abusive border practices, AIUSA will carry out a corresponding domestic campaign focused on family separation and detention.** AIUSA’s objective is to stall the Trump administration’s attempt to gain authority to indefinitely detain children. The Trump administration is already quietly doing this by attempting to dismantle the *Flores Settlement*, a 1997 court agreement that offers some protection to immigrant children in custody. *Flores* controls the treatment of migrant children in immigration detention and US custody, and requires the release of children from immigration detention facilities, whether accompanied or unaccompanied, as soon as possible and within no longer than 20 days.
AIUSA plans to flood the Department of Homeland Security with comments on the attempts to dismantle *Flores*, creating a stalling mechanism that might slow down the administration’s plans, since it is required to read every single comment that is submitted. AIUSA will carry out this short-term campaign until the public comment period closes on 6 November 2018. They will be seeking influencers to help make comments in a public, stunt-like way (for example, making videos of celebrities or poets to read their comments on a video for social media) and they would appreciate any influencers from other countries that might want to participate in this effort.

**OBJECTIVES**

**Campaign objectives of the I Welcome “People on the Move in the Americas” Project:**
- By the end of 2019, the governments of United States and Mexico have respectively pledged to take concrete actions to curb the practice of unlawful *refoulement* by public officials.
- By end of 2019, domestic and international opposition to the mandatory and arbitrary detention and separation of asylum seekers in the United States has significantly strengthened, leading to a reduced number of detentions and family being separated.
- By end of 2018, the governments of United States and Mexico have abandoned plans to designate Mexico a ‘safe third country’.

**Objectives of this action circular:**
- Information and campaign tools provided for internal AI stakeholders will be utilized to provoke domestic and international public and media attention when the report launches.
- Sections around the world will take action – or continue to take action -- on behalf of asylum seekers coming to the USA using the report and its corresponding campaign materials as advocacy and activism tools.
- Global opposition to Trump’s dismantling of the USA asylum framework will be increased.

**TARGET**

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<tr>
<th>Appeal target</th>
<th>Kirstjen Nielsen, Secretary of the Department of Homeland Security</th>
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<td>Why are they a target?</td>
<td>Secretary Nielsen oversees all immigration operations at the border and in immigration detention centers, where the documented human rights violations are taking place.</td>
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| **Address** | Secretary Kirstjen M. Nielsen  
Secretary of Homeland Security  
Washington, D.C. 20528 |
<table>
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<td><strong>Fax</strong></td>
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<tr>
<td><strong>Email</strong></td>
<td><a href="mailto:DHSSecretary@hq.dhs.gov">DHSSecretary@hq.dhs.gov</a></td>
</tr>
</tbody>
</table>
| **Phone**        | Operator Number: 202-282-8000  
Comment Line: 202-282-8495 |
| **Other methods for contact** | Twitter handle: @SecNielsen |
| **Salutation**   | Secretary Nielson                                |

**KEY MESSAGES**

- The Trump administration must stop waging a deliberate campaign of human rights violations against people seeking asylum.

- The Trump administration must immediately reverse its efforts to broadcast globally that the United States no longer welcomes refugees.

- The Trump administration must recognize that everyone has the right, under international and domestic USA law, to seek asylum.

- The Trump administration’s immigration policies have caused catastrophic and irreparable harm to thousands of people.

- The Trump administration has separated a shocking 8,000 families at the border, double the amount that it has previously admitted to.

- Halt the forced separation of children from their parents or guardians. Family units must be kept together in accordance with international standards on family unity, including the best interests of the child.

- Family separation amounts to torture in some cases.
• Reunify, as quickly as possible and unconditionally, children who have been separated from their parents or guardians.

• End detention of children, whether accompanied or unaccompanied, separated or held together with their family, as it is never in their best interest.

• Immediately release all parents and children detained together in immigration detention facilities.

• By turning away people seeking asylum at US ports-of-entry, the United States has grossly violated their right to seek asylum, and manufactured an emergency along the US–Mexico border.

• Mexico is not a uniformly safe country for all people seeking asylum and the USA government should not treat it as such.

• The policy and practice of indefinitely detaining people seeking asylum, based solely on their migration status, constitutes arbitrary detention in violation of US and international law.

• Everyone has the right to safety, family unity, and liberty.

**TACTICS AND ACTIVITIES**

➤ **Global online action**

With the report, we are planning to launch a new online action targeting the USA’s Department of Homeland Security (DHS) to be delivered to DHS offices in Washington, DC at the beginning of 2019. See text in the Annex.

➤ **Social media work**

We will provide social media graphics and a video that we encourage you to share on Twitter and Facebook along with links to the press release or the global action/your online actions. The graphics and video will be produced by the IS in English and Spanish with editable versions available.

➤ **Advocacy**

We encourage you to reach out to your local USA embassy or consulate to set up a meeting to discuss the findings of this new report. The Trump administration was under immense pressure
from international backlash to the peak of its campaign to separate families at the border. When put under pressure, President Trump himself responded by issuing an Executive Order declaring the administration’s intentions to reduce the rate of family separations at the border.

But in reality, President Trump only reduced the volume of family separations by ramping up the reprehensible use of family detention, so the Executive Order was not a policy victory, but it showed that the administration responds when under enough pressure. By lobbying embassies around the world, we can build upon and sustain that initial pressure and demand an end to both family separation and arbitrary detention of asylum-seekers in the USA, and call for the protection of the asylum system at large.

Sample text for a meeting request letter to USA embassies/consulates can be found in the Annex.

**KEY SECTIONS FOR THIS CAMPAIGN**

Key sections for this campaign include all sections that gathered online signatures against family separation. This includes:

- Algeria
- Ireland
- Austria
- Netherlands
- Poland
- Denmark
- South Africa
- Spain
- Sweden
- Norway
- New Zealand
- Belgium FR
- Italy
- USA
- UK
- Portugal
- Australia
- Argentina
- Finland
- Brazil
- Canada FR
- Chile
- Mexico
- AI Canada ENG
- Finland
- Korea
- Taiwan

**CALENDAR**

**11 October 2018:** Launch of report and new global online action

**October/November 2018:** Launch of case file and campaign on behalf of Yara and Abel*

**January 2019:** At the beginning of next year, we will deliver the online action signatures to the Department of Homeland Security.
Real names withheld – information about their family separation case will be in the report!

**ASSETS AND REFERENCE MATERIAL**

Materials will be available as they are produced in editable and finalized versions in this Box folder or this OneDrive folder, including:

- The report, embargoed until 11 October 2018
- The report’s Executive Summary in English, Spanish, French
- Internal Q & A
- Facts & Figures sheet
- Sample advocacy letter to USA embassies to deliver report
- Media advisory
- Social media images
- Video file

**ADDITIONAL MATERIALS**

Amnesty International report: “Facing Walls: USA and Mexico Violations of the Rights of Asylum Seekers” (June 2017), available here.

Amnesty International report: “No Safe Place: Salvadorans, Guatemalans and Hondurans seeking asylum in Mexico based on their sexual identity and/or gender orientation” (November 2017), available here.

**COORDINATION**

Point people for this campaign include:
- IS North America Campaigner Alli McCracken – alli.mccracken@amnesty.org
- IS North America Researcher Brian Griffey – brian.griffey@amnesty.org
- I Welcome Global Campaigner Luana Gard – luana.gard@amnesty.org

**ANNEX**

Sample social media posts

**English**
To boost report
We see you, @SecNielsen and @realDonaldTrump, and we know you’re still ripping families apart at the US/Mexico border. Our new report exposes the magnitude of these violations. Check it out here: [link to report]

Shocking new stats about family separation at the US/Mexico border exposed in new @Amnesty report -- #s are twice the amount as US authorities disclosed before. @SecNielsen, this is shameful. #Familiesbelongtogether! [link to report]

Not 1,000.
Not 3,000.
Not even 6,000.
@Amnesty exposes OVER 6,000 families were separated at the US/Mexico border.
In less than 4 months in 2018.
Read our shocking new report here: [LINK]
#FamiliesBelongTogether

To boost online action
Join @Amnesty and tell USA’s @SecNielsen that everyone deserves safety: stop violating the rights of people seeking asylum at the US/Mexico border! [link to action]

Everyone has the right to safety and family unity, @SecNeilsen. Stop tearing families apart and locking them up. #FamiliesBelongTogether [link to action]

Family separation is *torture* - why is USA’s @SecNeilsen ripping apart thousands of families at the US/Mexico border? Tell her now that #FamiliesBelongTogether! [link to action]

Spanish and French translations will be available soon.

Online action sample text - this will be posted in the Box link as soon as it is approved.

Sample Advocacy Letter- Meeting to USA Embassies/Consulates

To:
XX
Ambassador to the United States
XX

Date
Dear Ambassador XX,

On behalf of Amnesty International, I am writing to request a meeting to discuss the recently-documented treatment of asylum seekers at the US-Mexico border which has been published in Amnesty International’s latest report *You Have No Rights Here*. Amnesty International has obtained shocking new statistics about the number of families separated at the border between the months of April and August this year. These statistics are accompanied by extensive documentation of other human rights violations against people seeking asylum at the US border, including refoulement and arbitrary detention.

In the last couple of months, 500,000 Amnesty International supporters have signed our petition calling for an end to the US’ practices of family separation and detention. We would urgently like to deliver those signatures and the findings of this report to you and to express our grave concerns at your earliest convenience.

Amnesty International is opposed to all forms of immigration detention and the separation of asylum-seeking families. Family units must be kept together in accordance with international standards on family unity, including the best interests of the child. Amnesty calls for an end to the detention of children, whether accompanied or unaccompanied, separated or held together with their family, as it is never in their best interest. We call for the immediate and unconditional reunification of children who have been separated from their parents or guardians, as well as a halt to the punitive and coercive policy of family separations.

[FILL IN THIS SECTION WITH REASON WHY IT IS IMPORTANT TO YOUR COUNTRY TO MEET WITH THE US. For example, “as an important trade partner to XX” or “As a close ally of...”]

We would greatly appreciate the opportunity to meet with your office at your convenience. Thank you for your consideration.

Sincerely,

XX