

## Upcoming Meetings & Events

### INDEFINITE LOCKDOWN: IMMIGRATION DETENTION IN THE UK – AUG 11

On Tuesday, August 11 at 1 PM EDT, the Network for Migration Matters and Bail for Immigration Detainees (BID) will host a panel discussion focusing on immigration detention in the United Kingdom (UK). Panelists will discuss immigration detention generally in the UK, strategic related litigation, and first-hand perspectives from cases of detention. For more information and to register, click [here](#).

### INSECURE IMMIGRATION STATUS AND DOMESTIC ABUSE PANEL DISCUSSION – AUG 12

On Wednesday, August 12 at 1 PM EDT, the COVID-19 Taskforce Against Domestic Violence UK/EU will host a panel discussion focusing on issues surrounding those with insecure immigration status experiencing domestic abuse. Panelists include Meena Patel from Southall Black Sisters, Elizabeth Jiménez-Yáñez from Step Up Migrant Women and Latin American Women's Rights Service, and Rosie Lewis from the Angelou Centre. For more information and to register, click [here](#).

### THE ROHINGYA CRISIS: WHY A U.S. GENOCIDE DETERMINATION MATTERS – AUG 13

On Thursday, August 13 at 2 PM EST, Refugees International and the United States Holocaust Memorial Museum will host a webinar conversation about the Rohingya refugee crisis and why a U.S. genocide determination is important. Panelists include actor Sam Waterston and Rohingya activist Wai Wai Nu. For more information and to register, click [here](#).



## Casting a Wide Net: Climate Change, Migration, and the Hidden Victims of the Fishing Industry

By Kelly Ann Whelan

At the end of January, the United Nations Human Rights Committee ruled for the first time that countries may not deport refugees who face climate change-induced conditions that put their lives at risk, or place them in danger of cruel, inhuman, or degrading treatment.<sup>1</sup> While the landmark judgment is not binding, it does emphasize that countries have a legal responsibility to protect people whose lives are threatened by the climate change crisis.

Yet, refugees fleeing climate change are not the only victims of the crisis. Many have lost their livelihoods and have been caught up in migrant smuggling and human trafficking networks that have expanded globally as a result of climate change. Some have fallen prey as victims to professional smugglers and traffickers while others have been persuaded to work for the networks themselves, often being used as pawns to take criminal responsibility, or in highly dangerous roles. In particular, the diminishing fishing industry in Oceania has caused many fisherman and boat crews to lose their livelihoods. As a result, migrant smuggling

networks in the region have steadily employed them in roles that have greater danger involved and expose them to criminal liability, creating unforeseen victims.

In this brief, we look at migrant smuggling briefly and how the impacts of climate change have brought many into the mire of criminal forced migration in Southeast Asia and Oceania.

Read the entire brief [here](#).

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### ASYLUM COMMENTS

The Department of Justice (DOJ) and the Department of Homeland Security (DHS) have published a [proposed rule](#) that would give the power to the agencies to categorically disqualify asylum-seekers from protection if the government determines they could spread an infectious disease, including COVID-19, in the United States. The new regulation would expand the definition of "a danger to security" to include those who officials determine could spread a contagious disease. Further, the rule would bar asylum-seekers who have contracted COVID-19 while in the United States waiting for an asylum hearing from receiving refugee protections. Submit comments on this rule by August 10 [here](#).

### USCRI COVID-19 RESOURCES

[Nonprofit Organizations and the CARES Act](#)

[COVID-19 Bill #1: Coronavirus Preparedness and Response Supplemental Appropriations Act \(March 6\)](#)

[COVID-19 Bill #2: Families First Coronavirus Response Act \(March 18\)](#)

[COVID-19 Bill #3: Coronavirus Aid, Relief, and Economic Security \(CARES\) Act \(March 28\)](#)

[COVID-19 Bill #4: Paycheck Protection Program and Health Care Enhancement Act \(April 23, 2020\)](#)

[Executive Order: Suspension of Immigration Following COVID-19 Outbreak \(April 23\)](#)

[Flores Enforcement Actions and COVID-19 \(April 27\)](#)

[The HEROES Act \(May 12, 2020\)](#)

[The Impact of COVID-19 in Refugee Camp \(June 9, 2020\)](#)

### • District Court Judge Finds Administration Lacks Credible Explanation in Latest *Flores* Order

On August 7, U.S. District Court of the Central District of California Judge Dolly Gee stated that the Administration has not sufficiently explained why immigrant youth continue to be held in federal custody weeks after she ordered their release. On July 27, Judge Gee [ruled](#) that her prior mandate to release children from family detention was "unenforceable by its own terms" and delayed proceedings until August 5. In a telephonic hearing on August 7, Judge Gee said she was "displeased and alarmed" that children continue to be held in ICE facilities where active Covid-19 outbreaks are occurring. A status conference is set for September 4.

### • Department of Justice Argues Migrant Children Facing Deportation Under COVID-19 Order Not Entitled to Attorneys or Other Protections

On August 4, the Department of Justice (DOJ) filed a [response](#) in the *Flores* case arguing that migrant children processed under the COVID-19 public health order restricting immigration are not in the "legal custody" of the Department of Homeland Security (DHS). Rather, DOJ argues that the children are in the "legal custody" of public health officials. DOJ contends that DHS agencies are simply executing a directive issued by the Centers for Disease Control and Prevention (CDC), which relies on a 1944 public health statute, not immigration law. "There is no reasonable argument that, at the time the Agreement was signed, the parties anticipated that 23 years later there would be a global pandemic, and that some of the legal-successor agencies to the INS would be charged with implementing emergency procedures on behalf of the Surgeon General," the government argues.

### • Employees and Mississippi Food Plants Indicted on Immigration Charges One Year After Historic ICE Raids

On August 7, 2019, Immigration and Customs Enforcement (ICE) detained 680 undocumented immigrants during the raids at seven central Mississippi food processing plants in one of the largest immigration raids in history. One year after the raids, the U.S. Attorney for the Southern District of Mississippi announced the unsealing of the indictments against four people who were supervisors or human resources personnel. The indictments range from harboring undocumented immigrants to obtaining false Social Security cards. In addition, 19 of the 680 undocumented immigrants detained last year have been charged with counts that include stealing the identities of American citizens, falsifying immigration documents, and illegally reentering the country after having been deported, among other charges. Read the indictment release [here](#).

### • Twice as Many Immigrants Have Died in ICE Custody This Fiscal Year Than Last

On August 5, the number of immigrants who have died in Immigration and Customs Enforcement (ICE) custody rose to 17 total, and four from COVID-19 complications. In the last fiscal year, eight immigrants died in custody. Immigration detention centers throughout the United States have reported outbreaks of the coronavirus. There have been more than 4,200 confirmed COVID-19 cases in ICE custody since the agency began [testing](#) in February. Currently there are 911 positive cases of COVID-19 in ICE custody.

# Around the World in International Migration

## • United Kingdom Pledges to Crack Down on “Appalling” Wave of Illegal Immigration Across the English Channel

The government of the United Kingdom (UK) has promised to crack down on an “appalling” fresh wave of illegal immigration that has seen hundreds of migrants crossing the English Channel in small boats. The government has called on France in particular to do more to prevent the crossings. UK Home Secretary Priti Patel stated on August 7 that, “The number of illegal small boat crossings is appalling and unacceptably high. The figures are shameful. France and other European Union (EU) states are safe countries. Genuine refugees should claim asylum there, not risk their lives and break the law by coming to the UK.”

## • Italy Admits to Returning Migrants to Slovenia

Italy has admitted to informally returning migrants to Slovenia to prevent them from claiming protection in Italy. Migrants are informally put on buses to Slovenia and then driven into Croatia onto Bosnia and Herzegovina, and out of the European Union (EU). This is a procedure that amounts to illegal rejection according to the Italian Association for Legal Studies on Immigration (ASGI) and attorneys in Slovenia. The Ministry of the Interior of Italy said the procedure does not “involve the drafting of a formal provision” and is actually part of “consolidated practice” that works on the basis of an agreement between Italy and Slovenia from 1996 – eight years before Slovenia joined the EU. Italy claims that this agreement can therefore be enacted “even if the intention to seek international protection is expressed [by migrants].” The European Commission, on the other hand, clearly has stated that member states cannot transfer asylum seekers to another neighboring state simply because they arrived from there.

## • Rwanda Reaffirms Voluntary Repatriation of Burundian Refugees

On August 3, The Rwandan government reaffirmed the principle of voluntary repatriation as a durable solution for Burundian refugees, the Ministry in charge of Emergency Management (MINEMA) said in a statement. The ministry issued the statement on the question of voluntary repatriation of refugees in the wake of reports that Burundian refugees in Mahama camp in eastern Rwanda had requested President Evariste Ndayishimiye to facilitate their return to Burundi. A letter written by the refugees last month wanted President Ndayishimiye to liaise with the Rwandan government and the United Nations High Commissioner for Refugees (UNHCR) to come up with a framework for voluntary return. Rwanda hosts more than 70,000 refugees from Burundi according to UNHCR.

## • Thailand Prepares for Return of Migrant Workers

On August 6, the government of Thailand announced it will move into phase 7 of its COVID-19 plan, which includes immigration of certain classes of immigrants. Migrant workers who were forced to leave Thailand due to the coronavirus pandemic are to be allowed back to resume work in the coming weeks. Workers from Cambodia, Myanmar and Laos will be allowed to enter Thailand to work under specific disease control regulations after a 14-day quarantine. COVID-19 has placed many millions of workers in precarious situations. As of December 2019, there were 2,788,316 registered migrant workers in Thailand and an unknown number of undocumented migrant workers.

# Whispers from Washington

*Current Capitol Hill Considerations*

## **CBP is Developing a New Use-of-Force Policy**

Reports have surfaced that U.S. Customs and Border Protection (CBP) is considering the development of a use-of-force policy regarding the southern border wall with Mexico. The Office for Civil Rights and Civil Liberties (CRCL) of the Department of Homeland Security (DHS), where employees are hired to field complaints about DHS and review new policies, raised concerns about a policy considering the use of chemical deterrents against people trying to damage the wall on the southern U.S. border.

## **Congress Continues COVID-19 Relief Package Negotiations**

The week of August 3, negotiations continued between Republicans, Democrats and the Administration over a new COVID-19 relief package. Relevant to immigration, lawmakers and advocates have pushed for a number of provisions that were omitted in the Health, Economic Assistance, Liability Protection and Schools ([HEALS](#)) Act, proposed on July 27. Negotiations are expected to extend into this week, temporarily delaying the annual August Congressional recess.

## **Global Gigabyte**

Using old mattresses and a little water, Syrians in the Zaatari refugee camp in Jordan grow healthy plants and fresh vegetables. The camp is home to almost 80,000 Syrian refugees.

Syrian refugees and the United Nations High Commissioner for Refugees (UNHCR) worked with experts from the United Kingdom's Sheffield University to develop a form of hydroponic farming using foam from old mattresses placed in small, recycled cups. UNHCR says this method consumes 70-80 per cent less water.

More than 1,500 camp residents have already learned to use this method and started growing their own plants, including mint, tomatoes and cucumbers.

To read more and watch a video about the process, click [here](#).

If you have any questions  
or comments, please  
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