

Upcoming Meetings & Events

CHANGES IN HUMANITARIAN ASYLUM – APR 7

The Immigration Advocates Network (IAN) and The Advocates for Human Rights will host a webinar on April 7 from 2-3:30 PM EST. The webinar will cover policy and case law changes in humanitarian asylum claims and how best to argue these claims. For more information and to register, click [here](#).

HUMAN RIGHTS SITUATION OF THE COVID-19 RESPONSE OF ASSOCIATION OF SOUTHEAST ASIAN NATIONS (ASEAN) – APR 7

The Asian Forum for Human Rights and Development will host a webinar on April 7 from 2-4 PM +7 GMT. This webinar will discuss the helicopter view about the updates on government response to address COVID-19 and how these responses align with international principles to protect fundamental freedoms. Speakers include Clément Voule - United Nations Special Rapporteur on Rights to Freedom of Peaceful Assembly and of Association, among other experts. For more information and to register, click [here](#).

THE MUSLIM BAN REVISTED: TRUMP V. HAWAII TWO YEARS LATER – APR 15

The American Bar Association (ABA) will host a webinar exploring legal developments since *Trump v. Hawaii*, the 2018 Supreme Court case upholding President Trump's travel ban. Speakers include Representative Judy Chu (D-CA-27) and legal experts. For more information and to register, click [here](#).



Crises, Legislation, and Immigrant Exclusion: Speeding Toward a Fourth COVID-19 Bill

By Mario Bruzzone

In our last two policy briefs, we looked at the social-health dangers for refugees in overcrowded camps and the recent turn towards border closures. This week we continue to address these issues, but turn more generally to how countries can manage urgent crises while retaining necessary protections for immigrants and marginalized groups. The three emergency bills passed recently by Congress responded to both medical and economic necessities for large parts of the U.S. population. But the bills left out many immigrants, including holders of U-visas and Temporary Protected Status. Likewise Customs and Border Patrol has abridged numerous laws in response to the crisis, functionally closing off still-legal routes to asylum and necessary protections for unaccompanied minors.

The U.S. response aligns with trends worldwide. Millions of stateless people worldwide are excluded from national health-care systems. If the stateless and marginalized are [unable to obtain healthcare](#) during the COVID-19 epidemic, it both imperils their lives and negatively affects any

systematic attempts to contain outbreaks. Over 120 countries worldwide have closed their borders, partially or fully, according to a document from the United Nations High Commissioner for Refugees sent last week. In India, Prime Minister Narendra Modi imposed a lockdown with such rapidity that the lockdown stranded India's internal migrants and hurt the poor who did not have necessities saved. Hungary's legislature voted to suspend elections indefinitely, dissolve itself, and give Prime Minister Viktor Orban [the power to rule by decree](#).

In other crises in the recent past, a few patterns have emerged: First, new laws are enacted as emergency measures, that is, as immediate reactions to the crisis. The laws are justified because of the emergency. Yet because of the necessity to act fast, the measures imposed often respond to perceived threats and old stereotypes, that is, to new crises but with old frameworks.

Read this week's full brief [here](#).

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FEDERAL REGISTER ANNOUNCEMENT, COMMENTS DUE – APR 28

The Executive Office for Immigration Review (EOIR) and the Department of Justice (DOJ) have published a Notice of Proposed Rulemaking (NPRM) to the Federal Register regarding some EOIR forms, including instituting a \$50 fee for an asylum application. Fees for other forms could increase by up to 900%. Submit comments [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 \(March 28\)](#)

• U.S. Customs and Border Patrol Removing Unaccompanied Children

Reports from the southern border with Mexico confirm that officials are removing unaccompanied children (UACs) from the United States under administration restrictions issued on March 20 ordering that all persons attempting to enter the country be deported immediately amid COVID-19 concerns. Initially, it was unclear whether these restrictions included UACs, who have more protections available to them under the Trafficking Victims Protection Reauthorization Act ([TVPRA](#)) of 2008. However, CBP confirmed its policy is that it will not remove UACs where return is impossible, when there is a suspicion of human trafficking, or the child is showing symptoms of illness. On March 30, a group of members of Congress sent a [letter](#) to the Department of Homeland Security (DHS) raising concerns about the protection of UACs.

• Members of Congress Introduce Legislation to Assist Immigrant Families

Senators Hirono (D-HI), Harris (D-CA) and Representatives Chu (D-CA-27), Grijalva (D-AZ-3), and Correa (D-CA-34) introduced legislation for a fourth COVID-19 related bill entitled "[The Coronavirus Immigrant Families Protection Act](#)." The Act would ensure that immigrants excluded from the other three COVID-19 bills would have access to testing and treatment and other resources. In addition, the provisions of the Act would temporarily modify immigration policies that deter immigrants from receiving medical care, such as the public charge rule and in-person Immigration and Customs Enforcement (ICE) checks.

• Immigration Judges Order Release of Some ICE Detainees

Immigration judges in two states have ordered the release of some detainees with underlying health conditions, stating that keeping such immigrants detained constitutes "irreparable harm." Judges in [New York](#) and [Pennsylvania](#) released 10 and 11 detainees respectively. Yet, Immigration and Customs Enforcement (ICE) has yet to announce any plans to release detainees systematically.

• U.S. Government Accountability Office Finds DHS Failures in Distribution of TPS Guidance

On April 3, the U.S. Government Accountability Office (GAO) published a report regarding the Department of Homeland Security's (DHS) publication of Temporary Protected Status (TPS) information and guidance. The report indicates that DHS failed to properly distribute information consistently regarding the automatic extensions of work authorization documents of TPS holders, causing many to lose their jobs. The entire report can be found [here](#).

• European Court of Justice Rules Three European Countries Broke European Union Law by Refusing to Accept Refugees

On April 2, the European Court of Justice (ECJ), the court that ensures that the countries and institutions of the European Union (EU) abide by EU law, ruled that Czechia, Hungary, and Poland broke EU law by refusing to accept their share of 120,000 asylum seekers who had arrived in Italy and Greece. The court also found that Poland and the Czechia failed to fulfill their obligations to accept 40,000 migrants under previous EU decisions. Read the entire ruling [here](#).

• Guatemala Requests that the United States Suspend Deportations

The government of Guatemala requested that the United States suspend deportations to Guatemala in order to limit the spread of the coronavirus. On March 30, a deportee tested positive for COVID-19, making the official [count](#) of cases in Guatemala 44 as of April 4. A group of nongovernmental organizations has [called](#) for the Guatemalan government to take a firm stance against the United States to suspend deportation flights and to "ensure the protection, attention and access to health care for people who are in detention centers."

USCRI Time Machine

In this week's Time Machine, we take a detour from the usual look back at USCRI's past publications to look at a historic pandemic and its effects on vulnerable migrants.

In January 1918, a particularly dangerous strain of the flu started to spread throughout Europe at the end of World War I (July 1914 – November 1917). The virus is believed by many to have originated in a British field hospital and camp in France, but the exact origins of what became known as the "Spanish Flu" are still unknown. Soon, the pandemic reached around the globe, including the United States. Eventually, one fifth of the world would become infected, with half of the American soldiers who died in Europe dying of the flu.

Most critical was the timing of the pandemic. One of the deadliest armed conflicts was winding down that left around 16 million military and civilian dead. By the end of the war, around 10 million more were displaced, creating one of the world's first widespread refugee crises.

For the first time in history, millions were placed into forced migration against a backdrop of a dangerous pandemic. While previous pandemics had similar potency, they generally were maintained in a specific geographical area rather than being spread on a global scale. Due to the increased movement of people on a global scale, the Spanish Flu infected more than a quarter of the world's population and killed between 17 and 50 million by the time it burned out in 1920. Of these, the most vulnerable were refugees, seeking safety after the end of the war and unable to distance themselves from the infected in makeshift camps that dotted Europe. The flu ripped through these camps and infected and killed millions.

The plight of the refugees after World War I is not much different than it is today with refugees in camps. As was the case in 1918, very little is done to protect refugees in camps. In our last brief, USCRI looked at the factors that exacerbate the spread of COVID-19 in refugee camps. If not addressed soon, just as in 1918, the pandemic will spread like wildfire among vulnerable refugees.

Global Gigabyte

This week's good news comes from Madrid, Spain where the owner of a resort has turned the property over to refugees and homeless people to [assist](#) them to social distance and to help them with their needs.

After the resort was closed due to COVID-19, the owner opened it to needy families, most of them Venezuelan refugees. While the resort has had to lay off most of its employees, many of them come in to assist the refugees and help care for them. Currently, the resort is hosting around 65 people who receive breakfast, lunch, and dinner for free. Each family is living in a separate bungalow to encourage social distancing.

Click here to see a [video](#).

If you have any questions
or comments, please
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