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Policy & Advocacy Report

Upcoming Meetings & Events

LET'S TALK ABOUT IT: IMMIGRANTS, COVID-19, JOBS & HEALTH CARE – MAY 19

REVISITING NATIONAL SECURITY, EPIDEMICS, AND US IMMIGRATION POLICY – MAY 26

The Center for Comparative Immigration Studies at UC San Diego will host a webinar on Tuesday, May 26 at 12:00PM PDT. The webinar will discuss epidemics through history and how contagions can alter the fates of civilizations, national security, and immigration policies. There will also be a discussion about how historical findings from centuries ago have pertinence for a modern world with vaccines and sophisticated medicine. For more information and to register, click here.

STUCK AT HOME: IMMIGRANT COMMUNITY DOMESTIC VIOLENCE DURING COVID-19 – MAY 27

Immigrant and refugee communities are particularly vulnerable to domestic violence, sexual assault, and human trafficking at all times. During stay at home orders due to COVID-19 victims are isolated, trapped, and unable to reach out to others for support. Join the Access, Inc. Sexual Assault Victim Empowerment (SAVE) for an in-depth conversation of this issue and the interventions needed to address the problem. The webinar will be held on Wednesday, May 27 at 11AM PDT. For more information and to register, click here.



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Human Trafficking and Government Response in Mexico

By Mario Bruzzone

Last week's brief looked at the continued salience of human trafficking in the ongoing COVID-19 pandemic. This week we continue to focus on trafficking, turning to Mexico in the year of the Palermo Protocol's 20th anniversary. Mexico signed and quickly adopted the Palermo model in the early 2000s, but implementation and progress against trafficking have been halting. A year ago, the Mexican government declared its own model as "failing" and promised a comprehensive review of government actions and especially coordination.

For many years running, the Trafficking in Persons (TIP) Report produced by the U.S. State Department has characterized Mexico as source, transit, and destination country for victims of trafficking. While Mexico has not lived up to Palermo's promise generally, the poor implementation of protection is a major challenge for national-scope policy. Legislators who care about combatting trafficking must determine, with poor empirical support on all sides, whether poor implementation results from poor legislation, corruption and poor training/practices in law enforcement, or—most likely—a combination of both.

This brief will outline the known scope of trafficking in persons in Mexico, and the legal framework for combatting human trafficking, some implementation issues, and finally a few of the services that could greatly benefit victims in Mexico.

The Prevalence and Scope of Trafficking in Mexico

Trafficking in Mexico is widely recognized as a major social problem. As in most countries, reliable measures of prevalence are lacking. The Walk Free Foundation estimates that Mexico has 314,000 individuals in trafficking situations as of 2018. Mexico's National Human Rights Commission (CNDH)—a federal agency—generally refrains from such estimates, preferring to use multiple indirect measures. One measure quantifies Mexican news articles that appear to describe trafficking situations. Typically, these are reports on local crime. The CNDH's most recent report found 4,036 news articles on trafficking situations between January 1, 2015 and July 31, 2017, or about 4.5 articles published per day.

Read this week's full brief here.

Ongoing Issues

USCIS EXTENDS OFFICE

U.S. Citizenship and Immigration Services (USCIS) has announced that it will reopen its offices on June 4, 2020. For the latest information on the status of an office, check 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)

<u>Flores Enforcement Actions and</u>
<u>COVID-19</u>
(April 27)

The HEROES Act (May 12, 2020)

Issue Updates

House Democrats Introduce HEROES Act

On May 12, House of Representatives Democrats introduced the HEROES Act ("CARES 2"). This <u>bill</u> provides funding for first responders, health care providers, teachers, and other workers in danger of losing their jobs. In addition, the Act would provide cash payments to immigrant families using Individual Tax Identification Numbers (ITINs) to file taxes, no cost testing, treatment, and vaccines, extensions for certain immigration filings, and educational funding assistance. Moreover, the Act would allow for remote administration of naturalization ceremonies and prioritize release of some detainees from immigration detention. Read USCRI's bill summary here.

• DHS Begins Collecting DNA From Undocumented Immigrants

Special counsel for U.S. Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) under the Department of Homeland Security (DHS) confirmed in a statement that pilot programs have been initiated to collect DNA samples of undocumented immigrants who are arrested using justification under the DNA Fingerprint Act of 2005. DHS plans to expand the program despite having <u>stated</u> on January 6, 2020 that it was only intended to be "a limited, small-scale pilot program."

Lawmakers Reject Administration's Legal Explanation for Halting Asylum Processing

On May 12, Representatives Engel (D-NY-16), Thompson (D-MS-2), Nadler (D-NY-10), and Senator Menendez (D-NJ) rejected the Administration's legal justification for its decision to halt asylum processing during the COVID-19 pandemic after receiving a legal <u>opinion</u> from the Department of State in late April. "Protecting public health and protecting individuals from persecution or torture are not mutually exclusive – the United States must do both. As such, we are deeply concerned that the Administration appears to be using the COVID-19 outbreak as a pretext to expel asylum seekers in clear violation of its obligations under domestic and international law to protect individuals fleeing persecution or torture." the lawmakers wrote. The full text of the letter can be found here.

• COVID-19 Reaches Cox's Bazar

On May 14, officials in Bangladesh confirmed that at least two Rohingya refugees in camps in Cox's Bazar have tested positive for COVID-19. These are the first two positive cases reported thus far. There are serious <u>concerns</u> about the potentially severe impact of the virus in the densely populated refugee settlements sheltering some 860,000 Rohingya refugees. Another 400,000 Bangladeshis live in the surrounding host communities.

European Court of Justice Finds Hungary's Prolonged Detention of Asylum Seekers Illegal

On May 14, the European Court of Justice (ECJ) ruled that authorities in Hungary circumvented European Union law by holding migrants seeking refuge in unlawful prison-like conditions. The case came to the ECJ from a group of migrants who had been held in shipping containers at the border with Serbia for 526 days. Hungarian officials refused to consider asylum for migrants arriving from Serbia as they determined Serbia to be a safe country and that asylum needed to be applied for in the first country of safe arrival. However, Serbia had refused to take them back. The court ruled in this case that Hungary should resume "the procedure to examine the substance of their initial asylum request instead of returning them" to their country of origin. Read the ruling here.

USCRI Time Machine

In August 1992, USCRI's Tom Argent traveled to the newly independent countries of Bosnia and Herzegovina, Croatia, Macedonia (now known as North Macedonia), and Slovenia. A year before, Yugoslavia had begun to violently break apart after years of decline in the post-Tito period. The Yugoslav Wars, a series of related ethnic conflicts, wars of independence, and insurgencies would last until November 2001. In their wake, 140,000 were killed and millions more became internally displaced or refugees. Many refugees tried to flee to other, less-affected parts of former Yugoslavia while many sought protection from their hesitant European neighbors. After the conflict had ended, Western countries in particular were stunned at the human rights abuses that were reported just outside their doors.

"Governments should exercise all necessary measures to stop the war and associated ethnic cleansing. The international community should give generously to prevent the deaths of hundreds of thousands of people during the coming winter, and to assist Croatia in its refugee assistance needs. Countries in Europe and elsewhere should accept, on a temporary basis, more Bosnian refugees. The Croatian government should stop preventing refugees from entering Croatia. The governments of Croatia and Bosnia and Hercegovina should not proceed with an earlier agreement to return refugees. UNHCR should devote more of its energies

to refugee protection, beyond its enormous assistance responsibilities. Finally, European countries, the United States, and other countries capable of resettling Bosnian refugees should identify persons most in need of permanent resettlement."

"While implementation of these recommendations will save lives and improve the lot of many refugees, the underlying reality is that unless and until the world community addresses the root cause of displacement in Bosnia, neighboring states will continue to be inundated by people driven from their homes. The human rights violations that continue unchecked in Bosnia are clearly of sufficient magnitude to warrant concerted action by the world community. To date, the world community has not adequately dealt with the persecution being inflicted upon Bosnia's various ethnic and religious groups, persecution that parallels that described by the UN Genocide Convention. Without the multilateral action called for by the Genocide Convention, there is no reason to believe that the prospects for Bosnians will improve, or that Bosnian refugees in Croatia and elsewhere will have a brighter future."

Global Gigabyte

On May 17, Israel swore its first Ethiopian refugee into political office.

Pnina Tamano-Shata, born in Ethiopia, has been selected as incoming Vice Prime Minister Benny Gantz's Immigration Minister.

Tamano-Shata came to Israel without her mother at the age of three as part of an operation nicknamed "Operation Moses" in which 7,000 Ethiopian Jews were airlifted out of the country by Israel between November 1984 and January 1985.

Of her appointment she says, "For me, this is a landmark and the closing of a circle. From that three-year-old girl who immigrated to Israel without a mother on a cross-desert foot journey, through growing up in Israel and the struggles I led and am still leading for the community, integration, the acceptance of the other, and against discrimination and racism."

Read more <u>here</u>.

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