

Upcoming Meetings & Events

THE FUTURE OF U.S. DIPLOMACY – JAN 6

On Wednesday, January 6 at 12:00 PM EST, career diplomat Ambassador Marcie Ries will participate in a panel discussion on the future of U.S. diplomacy. Ries will be joined by Elizabeth Shackelford and Chris Richardson, two former U.S. diplomats with a wealth of knowledge on U.S. foreign relations. The panel will try to answer the question, how can American diplomacy be reformed? For more information and to register, click [here](#).

AN EVENING WITH GILLER PRIZE WINNING AUTHOR SOUVANKHAM THAMMAVONGSA – JAN 7

On Thursday, January 7 at 7:00 PM EST, award-winning author Souvankham Thammavongsa discusses her debut novel, *How to Pronounce Knife*. The novel tells the stories of several immigrant women learning to navigate their new positions in an unfamiliar country. The author explores themes of dislocation, exposure, and how to create meaning. For more information and to register, click [here](#).



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Safe Processing and Transport of Arriving Unaccompanied Children in a Public-Health Emergency

This brief is adapted from a USCRI report on safe UC care during the pandemic that will be released in full later this month

By Mario Bruzzone

Overview

Readers will be well aware that the COVID-19 pandemic is ongoing. While many scientific questions about At the outset of the COVID-19 pandemic, the Centers for Disease Control and Prevention (CDC) issued an order to limit entry at the U.S. southern border. The CDC invoked a comprehensive quarantine power based in an expansive reading of Title 42 of U.S. Code — added in the 1940s—to override protections that Congress explicitly required, such as those for unaccompanied children via 2008's Trafficking Victims Protection Reauthorization Act (TVPRA). Implicitly, the rationale of the Title 42 order is that the U.S. could not both protect public health and at the same time safeguard the rights of asylum seekers, including unaccompanied children. The argument that the U.S. cannot both protect public health and safeguard UCs was and is a false choice. The U.S. can do both.

DHS is not and has never been a child-welfare or family-welfare agency. For this reason, Congress explicitly mandated that UCs be transferred from DHS to HHS custody in the Homeland Security Act of 2002. DHS has repeatedly shown that it lacks adequate child-welfare protocols, protections, and expertise, including the family separations that became widely known in the summer of 2018.

Nonetheless, DHS must adopt and implement key health and safety measures for receiving UCs. Here, USCRI contributes guidance towards the safe processing of UCs, and specific recommendations relevant to UC processing by DHS in a longer period of uncertain public health.

United States Issue Updates

Upcoming Meetings & Events(cont'd)

A DISCUSSION OF HUMAN RIGHTS IN BANGLADESH AND SRI LANKA – JAN 7

On Thursday, January 7 at 1:30 PM EST, Amnesty International UK will host a discussion about the current human rights situations in Bangladesh and Sri Lanka. The conversation will cover issues from freedom of expression, to the Rohingya refugee crisis, to the treatment of minorities in Sri Lanka. For more information and to register, click [here](#).

• **Mixed-Status Families Will Receive Stimulus Checks Under New Aid Package**

The new coronavirus relief [package](#) passed by Congress will allow US citizens and legal permanent residents who live with an undocumented spouse to receive a stimulus check. The bill also retroactively grants these individuals the first \$1,200 stimulus payment from March. The checks are much-needed relief for these families, but immigrant advocates point out that the new law still leaves out many tax-paying non-citizens who desperately need the support. Non-citizens are much less likely to have health insurance than citizens, and during the pandemic, they are more vulnerable than ever. For more information on Economic Impact Payments, click [here](#).

• **New Complaint Filed Against ICE Gynecologist Alleges Abuse Against 35 Detainees**

A [complaint](#) filed in the U.S. District Court for the Middle District of Georgia on December 23rd alleges that Immigration and Customs Enforcement (ICE) gynecologist Mahendra Amin may have abused more than 35 women in ICE detention. The complaint comes after whistleblower nurse Dawn Wooten raised the alarm in September, saying she knew of several women upon whom Amin had performed hysterectomies without consent. The new complaint shows that Amin may have abused significantly more victims than originally thought. Although some of the women who gave testimony for the complaint allege that they raised concerns about Amin as early as 2018, Amin and his legal team maintain that all allegations are false and that he has performed his medical duties with “the utmost care and respect.”

• **Ninth Circuit Rules Refuses to Terminate Flores Agreement, Says Government Has Not Fully Complied**

The December 29th Ninth Circuit ruling on the *Flores* Agreement [denied](#) the U.S. government’s request to terminate the Agreement, finding that the government has not fully complied with its terms. The Agreement governs the treatment of immigrant minors in the custody of the federal government, and it is set to end once the government has implemented immigration regulations to uphold its terms. While the Court found that certain regulations regarding initial detention of minors followed the Agreement and could take effect, it ruled that some regulations fell short because they required the Office of Refugee Resettlement to place certain minors in secured facilities and did not automatically grant the minors immigration hearings. As a result, the *Flores* Agreement remains in place until the government fixes these regulations to match the terms of the settlement.

• **Court Finds USCIS and ICE Violated Law on Disclosures of A-files**

On Thursday, December 17, Judge William Orrick of the Northern District of California found that both U.S. Citizenship and Immigration Services (USCIS) and Immigration and Customs Enforcement (ICE) “have engaged in a pattern or practice of violating...statutory deadlines when responding to requests for A-Files.” A-Files comprise the compiled records of non-citizens in U.S. immigration and inspection processes, and are necessary to litigate many immigration cases. Judge Orrick ordered the government to adhere to the statutory deadlines of 20 and 30 days, clear the backlog of cases within 60 days, and provide the court with quarterly reports on filings and completions. Read the Judge’s order [here](#).

United States Issue Updates (Cont'd)

• HHS OIG Finds Contract for Homestead Shelter Was Improperly Awarded

On Friday, December 18, the Office of Inspector General (OIG) for the Department of Health and Human Services (HHS) issued a report that a contract for the Homestead influx care facility was improperly awarded and managed. HHS OIG found that the Office of Refugee Resettlement (ORR) failed to follow federal regulations in awarding a a \$341 million sole-source contract to the vendor CHS, that ORR spent \$67 million to keep the facility fully staffed when no unaccompanied children were present, and that ORR made \$2.6 million in overpayments to CHS. Read the report [here](#).

• USCIS to End Parole Programs for Many Haitians and Filipinos

On Wednesday, December 23, USCIS posted an announcement to its website that the agency would terminate the Haitian Family Reunification Parole and Filipino World War II Veterans Parole Programs. The program for Haitians applies to Haitian family members of Americans with visa petitions and who are awaiting the availability of immigrant visas. The program for Filipinos applies to Filipino veterans who fought alongside U.S. soldiers in World War II and who have no other way to reunite with loved ones in the US. The new policy will come into effect in February 2021. Read the announcement [here](#).

• New York's "Protect Our Courts" Act is Signed into Law

On Tuesday, December 15, New York Governor Andrew Cuomo signed bill S00425A/A2176A, the Protect Our Courts Act, into law. The law prohibits immigration-related arrests at courthouses without an arrest warrant. The federal government's use of administrative warrants and no-warrant arrests at courthouses prompted concerns among New York lawmakers that undocumented immigrants and people of color would not report criminal activity due to fear of being arrested themselves. Read the bill [here](#).

Around the World in International Migration

• Chad Passes its First-Ever Asylum Law

On December 23rd, The Republic of Chad passed its first-ever [asylum law](#), granting protections and rights to almost half a million refugees currently living in the country. The law allows refugees and asylum-seekers more rights than many other host countries, including the right to work, the right to healthcare, and the right to freedom of movement. The new law fulfills Chad's commitment made during the Global Refugee Forum to strengthen protections for displaced persons. Chad is one of the first countries in the region to fulfill this promise, and has been applauded by the international community for its commitment to opening its doors to those seeking refuge.

• Refugees in Bosnia on the Brink of Freezing to Death

Heavy snowfall and below-zero winter temperatures are [jeopardizing](#) the lives of hundreds of migrants after most of the Lipa refugee camp burned in a fire. The fire destroyed almost all of the already-meager shelters at the camp, leaving migrants out in the open to face the cold. The camp has already seen reports of frostbite, hypothermia, and other life-threatening conditions. The UN High Commissioner for Refugees (UNHCR) has urged Bosnian authorities to come up with an immediate solution and to act with "the utmost urgency" before migrants perish in the cold.

Around the World in International Migration (Cont'd)

• The Netherlands Violates Rights of Stateless Child

The UN Human Rights Committee determined on December 29th that the Netherlands' registration of a stateless child as being of "unknown nationality" violated the child's right to a nationality. The child was born to a Chinese national mother whose own birth was never recorded in China's civil registry, thus leaving her unable to prove the baby's nationality as well. The Committee concluded that the child should have been registered as "stateless," which would allow him to qualify for certain international protections. The Dutch Bureau of Statistics found that over 13,000 children in the Netherlands have been registered as "unknown nationality," leaving them without recourse and with the often-impossible task to prove the absence of nationality. The UN Human Rights Commission urged the Netherlands to establish a procedure to identify statelessness and to consider offering stateless persons a path to citizenship.

• Arthur Britney Joestar Is First Non-Binary Person Granted Refugee Status in United Kingdom

Arthur Britney Joestar, a native of El Salvador, fled to the UK due to a fear of being persecuted for their non-binary gender identity. Joestar's initial asylum application was denied in 2018 on the basis that the violence they faced in El Salvador was mere "discrimination." Their second application, although initially denied again, was granted on appeal. The judge in the case ruled that the violence was a "physical assault... motivated by nothing other than homophobia" and found that Joestar would face persecution if returned to El Salvador. Activists are hailing this as a landmark case, and Joestar hopes that their suffering will have been worth it to give visibility to non-binary people.

Global Gigabyte

South Sudanese comedian AK Dans has not let the COVID-19 pandemic stop him from sharing his humor with the world. AK Dans was born and raised in Kakuma Refugee Camp in Kenya, and he uses his comedy to tell his story and fight stereotypes about African refugees. His comedy routines have taken him around the world, but his live shows were cut short when the pandemic hit. Recently, however, he joined UNHCR and other famous African comedians to perform a virtual comedy show about Africa. He hopes to begin his live shows again when the pandemic ends, and to continue spreading awareness of the situations of African refugees.

While you wait for AK Dans to start up his live tours again, check out his online show [here](#).

If you have any questions
or comments, please
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