

# Human Rights First

## Discrimination, Detention, and Deportation: Immigration & Refugees

<https://www.humanrightsfirst.org/press-release/new-report-details-transit-ban-asylum-denials-and-family-separations-proposed-rule>

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WASHINGTON A year since the Trump administrations third-country transit asylum ban was issued, this ban has caused the United States to deny asylum to refugees from Cameroon, Cuba, Guatemala, Honduras, Nicaragua, Venezuela, and other countries and separate many refugees from their families. Today Human Rights First released [Asylum Denied, Families Divided: Trump Administrations Illegal Third-Country Transit Ban](#), the first major report documenting the damage wrought by this inhumane and illegal policy, which includes refugees denied asylum, deportation to countries of feared persecution, separation of refugees from their children and spouses, and prolonged immigration detention.

Over the last year, the Trump administration has used the transit ban to evade U.S. refugee laws and punish refugees for seeking asylum in the United States. Officials used the ban to willfully block refugees from asylum in this country, including a journalist persecuted for reporting on opposition parties in Venezuela, Anglophone Cameroonians detained and tortured by their government for their political opinions, activists protesting government abuses in Cuba and Nicaragua, and LGBTQ people targeted for their sexuality and/or gender identity in Ghana, Honduras, and Jamaica. The ban has inflicted additional suffering on many Latin American refugees already subjected to other horrific border policies, and caused sharply escalating asylum denials and extended detentions of African refugees, said **Kennji Kizuka, a senior researcher for refugee protection at Human Rights First and lead author of the report**. While federal courts in the last few weeks have struck down this iteration of the transit ban, like Frankenstein's monster, the administration is doubling down and seeking to revive the transit ban through new proposed asylum regulations that would expand its impact beyond the border to deny asylum to all refugees who transit other countries on their way to seeking safety in the United States.

In late June, the U.S. District Court for D.C. [struck down](#) the third-country transit asylum ban, immediately halting its implementation. The suit was brought on behalf of nine individual asylum seekers as well as Human Rights First, CAIR Coalition and RAICES. In the first week of July, the U.S. Court of Appeals for the Ninth Circuit upheld an injunction blocking the rule. These rulings come alongside [new proposed rules](#) for evaluating asylum claims, which would extend the transit ban to all asylum seekers (not just those seeking asylum at or after crossing the southern U.S. border) and would rewrite the definition of firm resettlement to include asylum seekers who have not actually been offered permanent legal status in another country as another means to bar refugees who passed through third countries on their way to seek safety in the United States. The public was provided only 30 days, ending on July 15, to [comment](#) on this extensive set of [proposed changes](#) that would make it nearly impossible for anyone to receive humanitarian refugee protections in the United States provided for under U.S. law. Both the ban and the proposed rule violate U.S. refugee and immigration law, as well as U.S. legal obligations under the Refugee Convention and its Protocol.

#### Key findings in the report include:

Human Rights First calls on the Trump administration to rescind the interim final rule implementing the third-country transit asylum bar, withdraw the regulations proposed on June 15, 2020 that include changes that revive and expand transit bans would that result in further asylum denials, and cease all other policies and practices that violate U.S. asylum and immigration law and U.S. Refugee Protocol obligations.

The transit ban has turned the concept of asylum on its head, and it will again if revived, Kizuka added. The United States was once a leader in protecting refugees, but now it leads the world in devising illegal and inhumane policies to ban, block and punish refugees from seeking asylum.

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