

Human Rights Watch

Children's Rights

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Two Years into Program, Thousands Face Violence, Trauma, Uncertainty

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(Washington, DC) The [United States](#) governments Remain in Mexico program subjects children and adults to serious, ongoing harm, including abduction and rape, and should be quickly and decisively dismantled, Human Rights Watch said in a report released today. President-elect Joe Biden should quickly act on his promise as a candidate and end the [two-year-old program](#).

The 103-page report, [Like Im Drowning: Children and Families Sent to Harm by the US Remain in Mexico Program](#), is a joint investigation by Human Rights Watch, Stanford University's [Human Rights in Trauma Mental Health Program](#), and Willamette University's [Child and Family Advocacy Clinic](#). Children and adults interviewed described being sexually assaulted, abducted for ransom, extorted, robbed at gunpoint, and subjected to other crimes under the US Migrant Protection Protocols (MPP), known as the Remain in Mexico program. In many cases, they said these attacks occurred immediately after US authorities sent them to Mexico to await US immigration court hearings on their asylum applications, or as they returned from hearings. Witnesses said that Mexican immigration officers or police committed some of these crimes.

Remain in Mexico has needlessly and foreseeably exposed children and adults to a high risk of violence and other harm, said [Michael Garcia Bochenek](#), senior children's rights counsel at Human Rights Watch and author of the report. Repairing this damage will take time, but the Biden administration should immediately begin to allow people in the program to return to the United States while their asylum cases are pending.

The investigation team interviewed 52 people placed in the MPP. The team also reviewed case files, including documents issued by Customs and Border Protection and the immigration court and, where available, medical records and police reports relating to harm in Mexico for most of those interviewed, and spoke with more than 40 lawyers, health professionals, shelter staff and volunteers, and others working with migrant families.

US authorities have sent [more than 69,000](#) asylum seekers to some of Mexico's most dangerous cities under the program, including infants and children of all ages, some of them with disabilities.

The standard for exemptions from the program for especially vulnerable people is nearly impossible to meet, the groups found. The general idea US officials seem to have is that being kidnapped, raped, or extorted is to be expected, one immigration lawyer said.

By sending tens of thousands of people to Mexican border towns who would otherwise have dispersed throughout the United States, the program has strained the limited available housing, health services, and support. Migrant shelters in Ciudad Jurez, Tijuana, and other border towns quickly filled to capacity. Conditions are particularly dire in Matamoros, where between 1,000 and 2,600 people or more have lived in tents with inadequate access to clean water or proper sanitation.

Illnesses have spread quickly in the cramped quarters. People interviewed described daily struggles to maintain hygienic conditions for themselves and their children. Skin diseases, chickenpox, and respiratory and intestinal infections were particularly common, health officials and volunteer health providers said.

Violence and hardships in Mexico take a toll on mental well-being. Adults and children said they experienced increased anxiety, stress, or hopelessness; mood swings; a sense of being always on alert; or changes in their behavior. Parents said their children suffered from nightmares, had begun to wet their beds, had become disruptive or defiant, or had other difficulties interacting with others. Now he's easily bothered, more irritable, gets angry easily, the father of a 5-year-old said. We've seen a complete change in the boy.

Children showed significant anxiety, intense fear, and other changes in behavior as immigration court appointments approached, changes that parents linked to the distress their children suffered during their time in immigration holding cells after court hearings, often overnight. These parents said they felt they were compelled to choose between subjecting their children to trauma and missing their

immigration court hearings.

The constant threat of danger, repeated exposure to abuse and harassment, lack of clarity about pathways to protection, and lack of access to support combine to create and exacerbate trauma, said Dr. [Ryan Matlow](#), clinical associate professor of psychiatry at the Stanford University School of Medicine and a member of the investigation team. For many families, the result is severe acute distress with potential for lasting psychological and health consequences.

Repeated postponements of asylum hearings since March mean that most people will spend at least a year, and in many cases longer, in Mexico before US immigration courts consider their cases.

The program is facing several legal challenges. In one case, a federal appeals court in San Francisco found in February that the program violated federal law and international treaties and caused extreme and irreversible harm. The Supreme Court agreed to review the ruling later this year.

The Biden administration should move expeditiously to end the program in a fair and orderly way, Human Rights Watch said. The Departments of Homeland Security, Justice, and State should develop plans for people in the program to report to a US border crossing and be allowed to reenter the United States until their asylum claims are resolved.

The US government should safeguard asylum seekers right to a fair and timely hearing, including by establishing an adequately resourced, independent immigration court system and by providing for court-appointed legal representation for asylum seekers, at the very least for those from vulnerable groups.

The MPP was crafted and carried out by US government officials who knew or should have known they were putting children in harms way, said [Warren Binford](#), a Willamette University law professor and a member of the investigation team. It would be unconscionable for the Biden administration to defend it in court.

Human Rights Watch / ACLU Joint Submission Regarding the United States Record Under the International Convention on the Elimination of All Forms of Racial Discrimination

Asylum Seekers Abused in the US and Deported to Harm in Cameroon

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