

# Center for Constitutional Rights

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

<https://ccrjustice.org/home/get-involved/tools-resources/publications/cameroonian-immigration-detention-crisis>

### Policy Issue Resources

According to a report by Roselyn Berry for the Black Alliance for Just Immigration (BAJI), Black people who immigrate to the United States from Africa and the Caribbean make up 35 percent of all asylum applicants, and 23 percent of all refugees.<sup>1</sup>

The carceral system is inherently rooted in the desire to control and warehouse Black people. As the entanglement between the criminal and immigration systems deepened, legislators saw the opportunity to take advantage of the carceral possibilities in the immigration system.<sup>2</sup> Between 1990 and 2000, the prison population more than doubled,<sup>3</sup> and the immigration detention population nearly quadrupled.<sup>4</sup> This has resulted in a sprawling network of public and private ICE detention centers, which incarcerate as many as 400,000 people each year.<sup>5</sup> Since 2013, the prison population has begun to decrease, while immigration detention remains one of the fastest-growing sectors of the carceral state.<sup>6</sup>

The criminal legal system acts as a feeder into the deportation system, enabling the inherently anti-Black biases of the former where Black people are disproportionately overpoliced, stopped,<sup>7</sup> searched,<sup>8</sup> and incarcerated<sup>9</sup> to be mirrored and magnified onto the latter. A 2016 report by BAJI and the NYU Immigrant Rights Clinic found that although Black immigrants represent 7 percent of the non-citizen population, they make up more than 10 percent of immigrants in removal proceedings and 20 percent of immigrants facing deportation on criminal grounds.<sup>10</sup> Similarly, 45 percent of non-Black immigrants deported are deported on criminal grounds, compared to 76 percent of Black immigrants.<sup>11</sup> With more and more Cameroonians attempting to enter the United States, there has been a significant rise in deportations of migrants back to Cameroon: as Human Rights Watch documented, ...[t]he more than 90 Cameroonians deported by ICE in the first two months of fiscal year 2021 already exceed[ed] the total number of Cameroonians that ICE deported to Cameroon in fiscal years 2020 (49), 2019 (74) and 2018 (68).<sup>12</sup>

At least 10,000 Cameroonians have attempted to obtain asylum in the United States since 2016.<sup>13</sup> As conditions in Cameroon continue to deteriorate and migrant pathways to Europe become increasingly blocked and dangerous, more and more Cameroonians fleeing persecution are taking the long and arduous journey to the United States. According to the United Nations High Commissioner for Refugees, the number of Cameroonians applying for asylum in the U.S. more than doubled from 821 to 1,840 between 2015 and 2017. Cameroonians are now one of the top ten nationalities arriving at the Southern border to seek asylum in the United States.<sup>14</sup> As of 2021, over 40,000 Cameroonians are living with the fear of possible deportation within the United States.<sup>15</sup>

#### *A. Escaping Violence: Cause of Migration*

The Northwest and Southwest Regions of Cameroon have been in the midst of an intense civil war for the last four years that finds its beginnings in European colonization when the German-occupied territory was divided up between the British and French after World War I. The Francophone majority in Cameroon has maintained overwhelming governmental power over the years: when members of the English-speaking minority (about 20 percent of the population) began protesting their marginalization in late 2016, the Francophone government responded with violent suppression and the targeting of Anglophone leaders. Tensions then escalated into the current crisis, in which the Francophone Cameroonian government has declared war on the various English-speaking factions calling for an independent Anglophone state.<sup>16</sup>

This continued violent conflict has caused much devastation and forced many Cameroonians to flee their homeland. In fact, the violence in Cameroon has claimed over 3,000 lives and displaced well over half a million individuals, according to the International Crisis Group.<sup>17</sup> The crisis has further compelled another 40,000 to flee to Nigeria and prevented over 700,000 children from pursuing their schooling.

In addition to the violence manufactured by the state, many women, trans, and non-binary African immigrants also flee their homelands due to gender and sexual-based violence. According to another report by BAJI, a significant number of Black immigrant women and girls in the United States are survivors of gender-based violence and fled to escape sexual assault or dangerous relationships.<sup>18</sup>

#### *B. The Harrowing Journey from Cameroon to the United States*

Cameroonians escaping the civil war often travel to Ecuador, where they are exempt from visa requirements. Instead of staying there, most Cameroonians choose to continue the potentially deadly journey north through dangerous terrain, as they do not speak Spanish

and want to escape anti-Black racism in Latin America.<sup>19</sup> According to *The Los Angeles Times*, from January to July 2019 alone, over 4,779 Africans were arrested by Mexican authorities while journeying through Mexico to apply for asylum or otherwise attempting to enter the United States.<sup>20</sup> Cameroonians make up the overwhelming majority of African asylum seekers in Tapachula, Mexico, where migrants are forced to stay in what are essentially open-air prisons by the Mexican government at the insistence of the United States.<sup>21</sup> With many Africans living in tents there, conditions in Tapachula are so poor that in October 2019, a group of Cameroonians tried to leave Tapachula by boat along Mexico's Pacific coast and capsized, killing at least two people.<sup>22</sup>

As the 2020 protests led by more than 80 Cameroonian women who staged a sit-in at the Don Hutto immigration detention facility in Texas make abundantly clear,<sup>23</sup> Black immigrants face intense discrimination by ICE officials and poor conditions of confinement due to anti-Black bias. Individuals from African and Caribbean countries in immigration detention describe receiving inadequate medical care,<sup>24</sup> which reflects a broader pattern of medical bias against Black people.<sup>25</sup> Black migrants also describe sexual and physical assault, indiscriminate use of pepper spray, and detention officials using racial slurs and racialized threats.<sup>26</sup> Immigrants from African and Caribbean countries are locked in solitary confinement cells six times as often as the population at large, which reflects the same disparity in jails and prisons.<sup>27</sup> Cameroonian women in detention have also reported coerced or forced sterilizations,<sup>28</sup> and that they are disproportionately denied bond and parole compared to white individuals in detention.<sup>29</sup>

#### ***A. Cameroonian Hunger Strikers***

On March 3rd, 2020, a group of over 40 Cameroonians detained at the Pine Prairie ICE Processing Center began a hunger strike to express their frustrations, stating in their declaration, our lives are in danger back home in Cameroon. All hunger strikers were then transferred to solitary confinement in retaliation for their protest.<sup>30</sup> The strikers further stated, [t]he judge is bent on sending us all back to be killed by our government, referring to the dysfunctional asylum process and the lack of will of the immigration courts to take their asylum cases seriously. In addition to officials' systematic refusal to acknowledge and grant their asylum applications, Cameroonians detained at ICE facilities have been ignored by medical staff<sup>31</sup> and not given COVID-19 tests, even when they presented with COVID symptoms. Rather than resolve the grievances of Cameroonians, ICE transferred all of the hunger strikers.<sup>32</sup>

Later in August 2020, a group of Cameroonian refugees at the Pine Prairie Center began another hunger strike in protest of continued parole denial and lack of medical care in the facility. The hunger strikers were immediately met with violence and retaliation (e.g., solitary confinement) on the part of ICE officials.<sup>33</sup>

#### ***B. Nebane Abienwi: 2019 Cameroonian Migrant Death in U.S. Custody***

In October 2019, Nebane Abienwi, a 37-year-old refugee from Cameroon, died in ICE custody. Abienwi was an accomplished mechanic in Cameroon, when, in April 2019, he fled the civil war, flew to Ecuador, and journeyed from Ecuador on land to the United States.<sup>34</sup> Abienwi suffered from hypertension, for which he had been hospitalized in Mexico less than two months prior to his death. Medical experts concluded that his hypertension was severely undertreated while he was in ICE custody and detained at Otay Mesa Detention Center in San Diego.<sup>35</sup> This led to a stroke and brain hemorrhage from which he died at Sharp Chula Vista Medical Center.<sup>36</sup>

Abienwi's story is just one example of the consequences of ICE's failure to provide proper medical care to Black immigrants, and, specifically, of its failure to provide care to individuals with hypertension, a medical condition that disproportionately impacts Black individuals due to a multitude of factors rooted in institutional racism.<sup>37</sup> Over the winter of 2019-2020, at least three other migrants from African countries died in ICE and CBP custody.<sup>38</sup>

[1] <http://baji.org/wp-content/uploads/2020/03/BIWG-Updated.pdf>

[2] [https://lawreview.law.ucdavis.edu/issues/52/1/Symposium/52-1\\_Garcia\\_Hernandez.pdf](https://lawreview.law.ucdavis.edu/issues/52/1/Symposium/52-1_Garcia_Hernandez.pdf) (pg. 202)

[3] [https://www.bop.gov/about/statistics/population\\_statistics.jsp#old\\_pops](https://www.bop.gov/about/statistics/population_statistics.jsp#old_pops)

[4] <https://www.detentionwatchnetwork.org/issues/detention-101>

[5] *Id.*

[6] <https://www.theatlantic.com/politics/archive/2017/12/the-double-punishment-for-black-immigrants/549425/>

[7] <https://openpolicing.stanford.edu/findings/>

[8] *Id.*

[9] <https://www.sentencingproject.org/wp-content/uploads/2015/11/Black-Lives-Matter.pdf>

[10] <https://www.sccgov.org/sites/oir/Documents/sobi-deprt-blk-immig-crim-sys.pdf> (pg. 20)

[11] <https://www.sccgov.org/sites/oir/Documents/sobi-deprt-blk-immig-crim-sys.pdf> (pg. 21)

[12] <https://www.hrw.org/news/2020/12/18/us-protect-cameroonians-deportation>

[13] <https://theintercept.com/2019/12/01/us-asylum-seekers-cameroon/>

[14] <https://psmag.com/social-justice/people-are-being-killed-like-flies-denied-asylum-in-the-u-s-cameroonians-fear-increasing-violence-back-home>

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- [22] *Id.*
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- [30]<https://itsgoingdown.org/asylum-seekers-from-cameroon-launch-hunger-strike-in-louisiana-ice-detention/>
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- [35] *Id.*
- [36]<https://www.latimes.com/california/story/2019-10-05/cameroon-death-ice-custody-black-immigrants-rights>
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