

The Refugee Caravan: Misconceptions and Inaccuracies

In a series of tweets beginning on Easter Sunday morning, President Trump raised alarm over the refugee caravan of mostly Central American asylum seekers and migrants making its way through southern Mexico. The president's remarks fail to recognize the religious significance of the caravan—referred to as a *vía crucis* in Spanish—and contain several inaccuracies related to U.S. immigration law and policy. On April 3, 2018, Mexican authorities halted the caravan's progress.

Background

A "via crucis," Latin for Stations of the Cross or Way of the Cross, refers to the practice of pious Christian pilgrims reenacting the final path walked by Jesus Christ. Variations of the practice are carried out around the world, including in Latin America, the United States, Europe, parts of Asia, and at the Vatican.

Led primarily by Catholic faith groups, the "vía crucis del migrante" was developed over the past ten years as a collective action to commemorate and draw attention to the suffering of migrants, including the thousands who have been killed on the long and arduous journey from Central America and through Mexico.

Reports indicate that this year during Lent, between one thousand and 1,500 people—primarily from Honduras—have joined the *vía crucis del migrante*. One of the organizations supporting the asylum seekers and migrants, La 72, based in southern Mexico, has worked with organizations throughout Central America and Mexico to support vulnerable individuals who have been forcibly displaced from their homes.

The president's remarks fail to recognize the regional refugee crisis.

President Trump put out a series of tweets criticizing Congress and the Mexican government, making claims that the refugee caravan was coming to the United States in pursuit of relief under DACA. This is not only untrue, but also fails to recognize the regional refugee crisis.

A regional refugee crisis is driving children, families, women, and men to flee their homes in Central America. The U.N. Refugee Agency (UNHCR) reported that asylum claims have risen sharply in other countries in the region, including in Costa Rica, Panama, and Belize. The number of asylum applications filed in Mexico rose by 678 percent from 2013 to 2016, as Human Rights First documented in a 2017 report.

Reports indicate that most people participating in the refugee caravan are asylum seekers, primarily from Honduras, fleeing violence and persecution in their home countries.

While the president threatened to cut aid to Mexico and Central American countries, he failed to call on Mexico to treat these individuals in accordance with refugee protection and human rights obligations.

Seeking asylum is a human right, and a right provided for under U.S. law. President Trump indicated that a "whole big wasted procedure must take place"—presumably referring to some of the protections for asylum seekers under U.S. law. Despite this administration's disdain for protecting refugees, U.S. treaty obligations require that the U.S. maintain these protections.

The president inaccurately refers to "catch and release laws" and makes unfounded claims that the caravan is "dangerous."

In line with this administration's usual rhetoric of painting all immigrants and refugees as a threat, and referring to the refugee caravan, President Trump tweeted that so-called "liberal laws like Catch & Release" have prevented Border Patrol from doing their job and that the situation was becoming "more dangerous." These claims are untrue.

The individuals and families that make up this year's refugee caravan have by and large been forcibly displaced from their homes and are searching for safety. Many of them are fleeing the criminality in their home countries. Joining the *vía crucis del migrante* has provided a measure of safety to them during the long journey—a journey where migrants are often victims of assault, kidnapping, rape, and murder at the hands of local gangs.

The so-called practice of "catch and release" is not a law. It is the name given by the president and his allies to any process that allows an immigration official or immigration judge to release an individual, after they have determined that the individual does not present a flight risk or security risk, and therefore there is no basis for detention without presenting constitutional due process violations. Failures by immigration enforcement officials to implement good practices—such as providing clear, accurate information related to future immigration court appearance obligations, or ensuring accurate recording of an immigrant's address for future correspondence related to court obligations—led to a portion of immigrants released at the border not showing up for court hearings and receiving an order of removal in absentia as a result.

The president implies that the number of refugees arriving is too high—a claim far from reality.

President Trump's tweets imply that "big flows of people" passing through Mexico present an untenable challenge to the United States. This country is more than capable of accepting these asylum seekers fleeing for their lives.

Estimates show that the number of people participating in the refugee caravan is between 1,000 and 1,500. UNHCR estimates that there are currently 65.6 million people in the world who have been forcibly displaced. About five million refugees have fled Syria to neighboring countries. The United States is more than capable of receiving this comparatively small number of asylum seekers at its southern border. This country can—and must—do so consistently with its laws and its legal obligations under treaties.

Many of the individuals participating in the refugee caravan have stated that they are in fact seeking asylum in Mexico. Human Rights First has reported on the serious deficiencies in the Mexican asylum system and called on the United States to increase support for the development of effective asylum systems and rights protections in Mexico.