

U.S. as Safe Third Country?

Canada designates the U.S. a Safe Third Country, but for many refugees, the U.S. is not safe.

Where does the U.S. fall short?

One Year Bar

People cannot make a claim if in the U.S. for more than a year

Prevents many refugees from claiming protection



Who is most vulnerable to the bar?



Between 1998 and 2009, **15,000** asylum applications would have been accepted if not for the bar

30 % miss the one year deadline

50 % more women file late claims

Expedited Removal

Allows people to be removed from the U.S. without a hearing before a judge

12% of people who expressed a fear of return were not given a chance to make a refugee claim

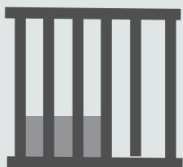
Expedited removal means many asylum claims are not heard, meaning the U.S. fails in its obligation to protect refugees.

Commission on International Religious Freedom found willful disregard by officers of their legal obligation to identify potential asylum seekers

Detaining Asylum Seekers

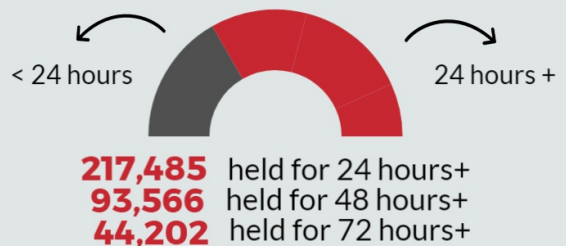
Arbitrary detention in substandard conditions with limited or no access to legal counsel

Substandard Conditions



People are held in cells known as 'hieleras' (iceboxes) - small concrete rooms so cold that "fingers and toes turn blue and lips chap and split", supposedly with a 12 hour limit

12 hr Limit Routinely Exceeded



Sexual & Physical Abuse

32,879 uninvestigated

247 investigations opened

Only **0.7%** of sexual and physical abuse complaints to DHS in last 5 years had investigations open

Unfair Treatment



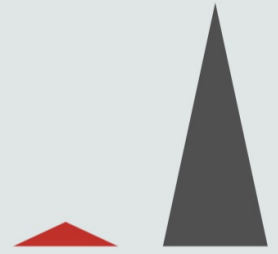
2/3 of asylum seekers are detained in county or state prison

No Access to Legal Counsel



Only **14%** of detainees have access to counsel

Asylum seekers are **10x** more likely to succeed if they have access to counsel



Detention as Deterrence



The Obama Administration held women and children fleeing Central America in detention



The Trump Administration's Executive Orders expanded immigration detention - adding **33,000** beds just in 2017

Both are a misuse of detention - in violation of International Law

Operation Streamline & Prosecution of Asylum Seekers

Contrary to international law, asylum-seekers face prosecution for illegal entry

100 asylum seekers prosecuted at once, as early as 1 day after their apprehension

No safeguards from prosecution and refoulement

Inconsistent with Article 31 of the Refugee Convention, which prohibits punishing refugees for irregular entry

Inconsistent Recognition of Gender-Based Asylum Claims

Inconsistent record of recognizing gender-based persecution

Difficulties recognizing women being persecuted as a 'social group'



'Married women in Guatemala' qualified but not those in other circumstances



Women denied asylum because of State protection even though absent in practice

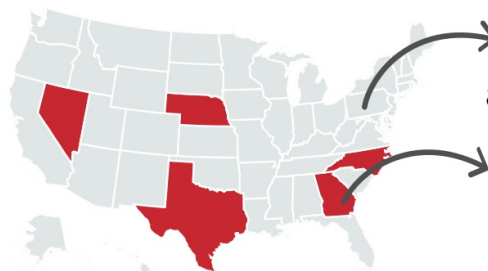
Inconsistent Adjudication

Rates of acceptance of similar claims vary dramatically between different regions

"Refugee Roulette"

The U.S. Asylum System varies hugely by region: success often depends on the state you're making a claim in

Asylum-Free Zones



the U.S. systemically violates international law and fails to protect refugees

98% of asylum claims were refused in Atlanta

