

# Trump administration to immediately deport new Central American asylum seekers to Mexico

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The Trump administration announced a new policy that effectively guts the right of asylum for refugees from Central America. From now on, US Customs and Border Protection (CBP) will begin expelling non-Mexican refugees as soon as they have made application for asylum after crossing the US-Mexico border. They will be immediately deported to Mexico instead of being allowed to stay in the US pending the adjudication of their asylum claims.

The Mexican government, taking its orders from Washington, will not oppose these deportations or bring any legal action against the United States for a policy that is in flagrant violation of international law. Its only concession to the refugees is that Mexico will not confine them in US-style detention camps.

The asylum seekers will be “free” to share the miserable conditions of life in impoverished neighborhoods of violence-wracked border cities like Tijuana, Juarez, Laredo and Matamoros. Hundreds of thousands of impoverished immigrants—including children—will now be forced to live in makeshift slums and tent encampments.

The new policy is a historically unprecedented attack on Central American workers and peasants escaping violence and inequality caused by decades of US imperialist intervention and corporate exploitation. Never before has the US denied the democratic right to seek asylum to so many in one fell swoop.

The policy was announced on the same day that President Trump said he would not sign a new continuing resolution, funding about one-fourth of the federal government, without \$5 billion allotted to begin full-scale construction of a wall along the US-Mexico border.

The resolution, passed by the Senate Wednesday night, would have pushed back the deadline for funding the

Department of Homeland Security and eight other federal agencies and departments from midnight Friday, December 21-22, to February 8. White House officials initially indicated that Trump would sign the continuing resolution once it passed the House of Representatives, but Trump reversed himself Thursday morning after an outcry from anti-immigrant groups and ultra-right media pundits on Fox News, setting the stage for a partial government shutdown.

As Trump comes under increased pressure from Democratic Party-led investigations into corruption and campaign finance violations, the administration is turning all the more aggressively to develop a fascistic, xenophobic base to which Trump can appeal to shore up his increasingly unpopular presidency.

Department of Homeland Security (DHS) Secretary Kirstjen Nielsen announced the new asylum policy Thursday morning, declaring, “Today we are announcing historic measures to bring the illegal immigration crisis under control.”

She continued, vilifying asylum seekers as frauds and criminals: “Aliens trying to game the system to get into our country illegally will no longer be able to disappear into the United States, where many skip their court dates. Instead, they will wait for an immigration court decision while they are in Mexico. ‘Catch and release’ will be replaced with ‘catch and return.’ In doing so, we will reduce illegal migration by removing one of the key incentives that encourages people from taking the dangerous journey to the United States in the first place.”

This “key incentive” that the government is “removing” is the democratic right to asylum. The policy is callously calculated to terrify immigrants to stay in Central America instead of seeking their legal right to asylum in the US. As a result, countless people will die at the hands

of their persecutors at home.

More and more, the US is becoming a pariah state where due process and international law do not apply. These policies, devised primarily by Trump's fascist aide Stephen Miller, are paving the way for large-scale state violence against the immigrant population, as evidenced by this month's police riot against immigrants at the San Ysidro border crossing near San Diego.

The move will further transform the US-Mexico border into a legal no-man's-land resembling the border between Israel and Gaza, where the Israeli military and border guards keep their rifles constantly trained on destitute and desperate workers lacking access to water, housing, medical care and electricity.

"You're going to have hundreds of thousands of migrants in Mexico for years with no resources, no safety net, no system," Adam Isacson of the Washington Office on Latin America told the *Financial Times*.

Many of them will be killed by the drug cartels who dominate these cities or will die of disease. Last weekend, two teenage refugees who traveled from Honduras as part of the migrant caravan were stabbed to death in Tijuana by criminals. More members of the caravan have fallen seriously ill as a result of living for extended periods of time in squalid and unsanitary conditions that the Mexican government has done little to improve.

Though the US claims the immigrants will be allowed to apply for asylum from Mexico, the move eviscerates much of whatever due process remained in the immigration court system.

Immigrants will not have sufficient access to American immigration lawyers to fight their cases and, since they will not be able to make appearances in court, migrants will likely have to participate in their own hearings via video or telephone. Since the right to due process is usually only triggered when an immigrant is on US soil, there is no telling what these sham asylum hearings will actually entail.

The number of approved asylum cases will decline precipitously and, as a result, many will be killed once deported to their home countries.

The Trump administration is citing as legal authority a section of the Immigration and Nationality Act (INA) establishing "expedited removal" (i.e., immediate deportation) for immigrants caught near the border shortly after entering. This provision was enacted through the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) with the active support of the Democratic Party.

IIRAIRA was initially passed by overwhelming majorities of both houses of Congress and was then officially enacted in an omnibus defense spending bill with overwhelming Democratic support. The bill passed in the Senate by voice vote with no opposition. "Yes" votes in the House of Representatives in 1996 included Bernie Sanders and Charles Schumer, now leading US senators, and the current top three in the House Democratic leadership, Nancy Pelosi, Steny Hoyer and James Clyburn.

Mexican president Andrés Manuel López Obrador (AMLO) has played a criminal role in this arrangement, exposing the bankruptcy of left-populism and nationalism.

The asylum policy all but turns the Mexican government into the southern department of Customs and Border Protection (CBP), and the AMLO government is now an accomplice in enforcing American imperialism's attack on immigrants.

In a statement announcing its consent to a policy that would effectively deny immigrants' right to asylum, the AMLO administration employed his trademark cynical language, pledging to give "due respect to their human rights."

AMLO's transition team had initially denied the existence of an explicit agreement with the Trump administration when initial details were first published in November by the *Washington Post*. Now, AMLO's new budget proposal for next year includes a 20 percent cut for refugee aid funding. The *Post* noted that "the new president has long spoken about the need to respect migrant rights, but many in Mexico saw his budget announcement as a sign of his priorities."

In exchange, the Mexican government received US pledges for several billions of dollars in investments—most of which were already pledged—that the Mexican bourgeoisie will use to develop parts of southern Mexico into platforms for hyper-exploitation by US corporations. During this year's election campaign, AMLO promised to establish "special economic zones" in the impoverished south to boost the economic interdependence between the US and Mexico.



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