



*Protecting Immigrant
Women and Girls
Fleeing Violence*

Statement of the Tahirih Justice Center:
UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON HOMELAND SECURITY
SUBCOMMITTEE ON BORDER SECURITY, FACILITATION, & OPERATIONS
November 19, 2019

EXAMINING THE HUMAN RIGHTS AND LEGAL IMPLICATIONS OF THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY'S 'REMAIN IN MEXICO' POLICY

The Tahirih Justice Center (“Tahirih”) respectfully submits this statement to the United States House Committee on Homeland Security, Subcommittee on Border Security, Facilitation, and Operations, as the Subcommittee examines the human rights and legal implications of the United States (U.S.) Department of Homeland Security’s (DHS) ‘Remain in Mexico’ (RIM) policy implemented in January 2019.

Tahirih is a national, nonpartisan advocacy and direct services organization that has assisted over 25,000 immigrant survivors of gender-based violence (GBV) over the past 22 years. The women and girls we serve endure horrific abuses such as rape, domestic violence, forced marriage, and human trafficking and are in dire need of humanitarian relief.

Tahirih remains deeply concerned about the Administration’s implementation of the RIM policy earlier this year. It is well-documented that the policy, which forces asylum seekers to remain in Mexico while awaiting court dates in the U.S., has proven extremely dangerous for the most vulnerable asylum seekers. While waiting in Mexico, survivors of GBV have faced horrors on par with the persecution they fled at home, while perpetrators of violent crime are emboldened and allowed to inflict grave human suffering with impunity.

Last December, just prior to implementation of the RIM policy, Tahirih attorneys met with survivors of GBV in Mexico who were staying at a temporary shelter. They had tried to request asylum at the U.S. port of entry as permitted by law, but were turned away. One woman we spoke with described how she fled Central America after suffering years of abuse by her husband. She endured regular beatings and rapes, with her husband becoming increasingly violent toward both her and their children. She fled to Mexico and applied for humanitarian relief there. However, several weeks later, her husband was able to locate her from thousands of miles away. He had an associate violently attack her and their children near the shelter in Mexico.

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While en route to seek safety in the U.S., women and girls also face alarming threats of rape, kidnapping, and other crime in Mexico unrelated to prior persecution. Below are only a few examples of our clients' stories:

- A 20-year-old Honduran woman seeking asylum in the U.S. was raped in Mexico after fleeing her country with her two young sons, ages 2 and 4;
- A 19-year-old Salvadoran asylum seeker fleeing with her younger brother was kidnapped in Mexico by the Gulf Cartel, and was sexually assaulted by one of her kidnappers;
- A 16-year-old Honduran girl was raped and sex trafficked in Mexico and is seeking relief in the U.S. as a survivor of human trafficking; and
- A 17-year-old Honduran girl, a 16-year-old Guatemalan girl, and a 15-year-old Guatemalan girl, who all qualified for asylum, were raped in Mexico after fleeing their home countries.

In addition to basic safety, survivors are also in dire need of trauma-informed mental health services and meaningful access to counsel. Yet, survivors are largely unable to access counsel in Mexico to assist them in navigating the complexities of asylum law. Without counsel, the majority will lose their cases even if they qualify under the law. Waiting months in Mexico without access to mental health services prolongs the healing process for both survivors and their children, delays their ability to make informed decisions about their legal options and next steps, and, as described above, risks compounding existing trauma by exposing them to additional threats of violence.

Thank you for the opportunity to submit this Statement, and we are grateful to the Subcommittee for bringing to light the dire consequences that the RIM policy is having on traumatized asylum seekers through this hearing.

Respectfully,

A handwritten signature in black ink, appearing to read 'Irena Sullivan', with a stylized flourish at the end.

Irena Sullivan
Senior Immigration Policy Counsel