

Federal Court Blocks Trump's Forced Return to Mexico Policy

FOR IMMEDIATE RELEASE

April 8, 2019

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SAN FRANCISCO – A federal court has temporarily blocked the Trump administration's new policy that forced asylum seekers to return to Mexico and remain there while their cases are considered.

The American Civil Liberties Union, Southern Poverty Law Center, and Center for Gender & Refugee Studies successfully sought the preliminary injunction against what the administration calls, in an Orwellian twist, the "Migrant Protection Protocols."

Judy Rabinovitz, deputy director of the ACLU's Immigrants' Rights Project, who argued the case, had this reaction to today's ruling from U.S. District Judge Richard Seeborg: "The court strongly rejected the Trump administration's unprecedented and illegal policy of forcing asylum seekers to return to Mexico without hearing their claims. Try as it may, the Trump administration cannot simply ignore our laws in order to accomplish its goal of preventing people from seeking asylum in the United States."

The lawsuit was filed on behalf of 11 individual asylum seekers and organizational plaintiffs Innovation Law Lab, the Central American Resource Center of Northern California, Centro Legal de la Raza, the University of San Francisco School of Law Immigration and Deportation Defense Clinic, Al Otro Lado, and the Tahirih Justice Center.

“Today’s victory is especially important amidst reports that the Trump administration is planning to move toward even more extreme immigration policies. The decision will prevent incredibly vulnerable individuals from being trapped in dangerous conditions in Mexico, but it’s only a step in a much larger fight. We are a nation of laws, and we cannot and will not allow elected officials to undermine those laws in an effort to implement an anti-immigrant agenda. We will keep fighting,” said Melissa Crow, senior supervising attorney of the Southern Poverty Law Center.

The lawsuit cites violations of the Immigration and Nationality Act, the Administrative Procedure Act, as well as the United States’ duty under international human rights law not to return people to dangerous conditions. “Today’s ruling recognizes that the forced return policy failed to provide adequate safeguards to protect asylum seekers from persecution. In issuing the preliminary injunction, the court has rejected the government’s attempt to return asylum seekers to Mexico in violation of U.S. laws as well as our international obligations to refugees,” said Karen Musalo, co-legal director of the Center for Gender & Refugee Studies.

The ruling is at: <https://www.aclu.org/legal-document/innovation-law-lab-v-nielsen-order-granting-motion-preliminary-injunction>

This statement is at: <https://www.aclu.org/news/federal-court-blocks-trumps-forced-return-mexico-policy>

More information is at:

<https://www.aclu.org/cases/innovation-law-lab-v-nielsen>