

PREFACE

As of June 2019, the United Nations High Commissioner for Refugees reports that we are witnessing the highest levels of displacement on record, with an unprecedented 70.8 million displaced people around the world who have been forced from their homes.¹ Among them are nearly 25.9 million refugees, millions of stateless people, and 3.5 million asylum seekers. In a world where “nearly 1 person is forcibly displaced every two seconds as a result of conflict or persecution,”² it has never been more important for countries like the United States to offer protection to bona fide refugees. Rather than a meaningful opportunity to seek protection, which is a legal and universal human right, the United States is offering the lowest refugee admissions numbers since the creation of the program and an asylum system blocked by numerous barriers – both actual and invisible.

Since the election of Donald Trump as President of the United States, it seems not a day goes by without some sort of commentary targeting asylum seekers as a “threat to national security”³ and the U.S. asylum system as a “scam,” a giant “loophole.”⁴ But the attacks on asylum seekers go beyond just rhetoric. Asylum seekers have been the constant target of sweeping policy changes and new legal interpretations intended to eliminate the already-precarious protections offered through the U.S. asylum system. With “turn-backs” and “metering” at ports of entry, unlawful screening practices by Customs and Border Protection officers, abuse of the Attorney General’s certification authority, significantly heightened credible and reasonable fear screening standards, tampering with judicial independence in the immigration courts, criminal prosecutions and separation of families, increased and prolonged detention, dismantling procedural safeguards for children, the “Asylum Ban” policy, the “Remain in Mexico” policy, and the predicted, forthcoming rule changes, the Trump administration has worked methodically and relentlessly to erect unprecedented and unimaginable barriers to exclude and expel asylum seekers from the United States. Ultimately, the U.S. government is sending thousands of victims back to the hands of their persecutors and torturers in violation of U.S. international protection obligations.

That is the true “humanitarian crisis” at our border,⁵ and it is a crisis of American identity. What will history say about us? Were we leading, or retreating from a challenge? Were we protecting the vulnerable, or erecting every imaginable barrier? Were we there as a guiding light, or another snake in the grass? For two centuries, America has been a beacon to the world. But now, in this moment, we are falling into an abyss, bereft of light, left only with the burning flames fuelled by the administration’s xenophobic, white nationalist agenda.

It is up to us to light a different kind of spark to help solve this American identity crisis. It is up to us to keep fighting for this country to realize its ideals and to keep holding its government accountable to its purpose. It is up to us to demonstrate understanding in the face of ignorance; find the truth buried beneath the lies; honor our commitment to due process of law and human rights; fight for liberty and justice for all; and recognize our common humanity with our neighbors. There

¹ <https://www.unhcr.org/figures-at-a-glance.html>.

² *Id.*

³ See, e.g., www.whitehouse.gov/briefings-statements/president-donald-j-trump-stands-declaration-national-emergency-southern-border/.

⁴ See, e.g., Nick Miroff, , *U.S. Asylum Screeners to Take More Confrontational Approach as Trump Aims to Turn More Migrants Away at the Border*, Washington Post (May 7, 2019), www.washingtonpost.com/immigration/us-asylum-screeners-to-take-more-confrontational-approach-as-trump-aims-to-turn-more-migrants-away-at-the-border/2019/05/07/3b15e076-70de-11e9-9eb4-0828f5389013_story.html?utm_term=.1f031a5aa01b; www.mcclatchydc.com/latest-news/article228937904.html.

⁵ www.whitehouse.gov/briefings-statements/remarks-president-trump-humanitarian-crisis-southern-border-shutdown/.

has never been a more important time for advocates to fight for the rights of asylum seekers in this country. We must lift up and carry Lady Liberty's torch.

Dree K. Collopy
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