

Washington, D.C. –December 21, 2018-

ND Law Students Return from Hearing in Front of the [Inter-American Commission on Human Rights](#) On The Situation of Human Rights Defenders of Migrants in The United States on December 5th 2018. For further information, here are [pictures](#), the recorded [hearing](#) and testimony given at the hearing.

During the hearing, prominent immigrants’ defenders from throughout the country, targeted for their human rights work, testified before the Inter-American Commission on Human Rights (IACHR) in the public hearing *Situation of human rights defenders of migrants in the United States*, during the 170th Period of Sessions in Washington DC (IACHR).

The individuals’ testimony was supported by the report [Surveil, Target and Deport: defenders under attack in the United States](#), created by the International Human Rights Clinic at the University of Washington, School of Law and the Northwest Detention Center Resistance, and the report [Secret Police: Access to information about immigration enforcement in the contemporary United States](#), prepared by UW Center for Human Rights.

Alyssa Slaimen (J.D.), Lara Thiele (J.D.), Gastón Frederico Blasi (L.L.M. in International Human Rights), Iuliia Emtseva (L.L.M. in International Human Rights), and Aisling Carberry (exchange student from Ireland), who are all part of visiting scholar Alejandra Gonza’s Human Rights Advocacy seminar, collaborated with the human rights leaders, International Human Rights Clinic at the University of Washington School of Law, the Northwest Detention Center Resistance, Migrant Justice, National Immigration Project, and the New York University Immigration Clinic in preparing essential supporting documents for the hearing, including submissions to the Commission, press releases and oral statements for the leaders’ testimony.



The testimonies illustrated the trend of intimidation, secrets, retaliation, and impunity that Immigration Custom Enforcement (ICE) uses against immigrants organizing and defending their communities from criminalization and deportation in mass numbers. This information was complemented by the findings of the UW Center for Human Rights report [Secret Police: Access to information about immigration enforcement in the contemporary United States](#).

The International Human Rights Clinic at the University of Washington, School of Law and the Northwest Detention Center Resistance also presented the report [Surveil, Target and Deport: defenders under attack in the United States](#). Throughout the country, 17 cases of targeted activists were discussed publicly.

The Inter-American Commission recognized that the United States government is deliberately implementing inhuman and discriminatory immigration policies and practices. Chair

Commissioner Margarette May Macaulay sighed while saying that “it boggles [her] mind that the United States of America is acting in this way.” The United States “is made up by descendants of migrants, how can you act in such inhumane way?” Furthermore, she affirmed that “what [she is] hearing today falls within the categories of crimes against humanity.” “When ICE acts against rights defenders, they also acted against the family members and too often destroyed the families. How can we have the highest officials of the Country speak so highly of ICE when we hear what they get up to, the impunity?”

Commissioner Rapporteur on the Rights of Migrants Luis Ernesto Vargas Silva stated that the world is experiencing the worst historic moment for migrants rights, and adding persecution to defenders aggravates the situation. The Commission made a commitment to visit immigrant detention centers in the United States, starting in January with a visit to the ones located in the Southern border.

At the hearing, the immigrant defenders called upon the United States to create an environment where human rights defenders can provide effective advocacy to protect immigrants’ rights without fear of retaliation. They requested the IACHR to intervene immediately when defenders are at risk, to monitor the trend, including it in the annual report and establish a follow-up process for the United States to respond. Unfair laws, policies and practices subject to domestic litigation could take years to resolve at great human rights expense.

The human rights defenders included activists that are currently under unfair deportation proceedings for their activism against ICE. Maru Mora Villalpando from the NWDC Resistance described how her work with people in detention shifted to defend herself, affecting the capacity to support hunger strikers in the NWDC in Tacoma. She demanded to the US to disclose operations, policies and practices allowing actions against activists, based on media appearances, activism, or criticism. She said:

“My life has changed, my community is in fear, and many went back to the shadows. My case detracts me from defending immigrants in detention, who now fear of retaliation for speaking out. For hunger strikers not having access to our support is truly a matter of life and death, as recently shown by the death of asylum seeker and hunger striker Amar Mergansana, that drew national and international headlines”



Enrique “Kike” Balcazar from Migrant Justice requested transparency and accountability mechanisms for abusive use of power by ICE, while Alejandra Pablos showed the inconsistencies in trying to deport a person who lived her whole life in the US, for protesting in a march and speaking out for reproductive justice. She asked the Governor of Arizona to pardon her to be able to stay.

The stories also showed the impact on the right to a family from a US citizen’s perspective, those already affected by inhumane deportation. Shacorrie Tunkara pictured the high prize her family paid after speaking out to [the press](#) about medical neglect at the NWDC in Tacoma. Her husband, Saja Tunkara was gravely ill and deported to a country he does not know and without the chance to say goodbye. Janay Cauthen, Jean Montrevil’s ex-wife, who is one of the co-founders of the New Sanctuary Movement in NY, discussed the impact of his deportation to Haiti- after 30 years of living in the US. She asked for accountability for the unfair deportation of her husband and demanded support for children suffering deportation. Ravi Ragbir, also from the New Sanctuary movement emphasized the affectation to his family and chilling effect on his community. They demanded to investigate the sudden and unfair deportation of their loved ones and requested to bring them back home.

The US government for the second time in the history of the IACHR and both during Trump administration did not send a delegation. This time it was under the excuse of National Mourning Day for President George Bush. The defenders showed solidarity and respect for the passing of former President, proposing to reschedule the hearing for the next day. They did not receive an answer from the Government and the hearing proceeded without the presence of the United States. The Commission committed to send a follow-up letter to the government with the petitioner’s questions and recommendations and activate every mechanism available to help.

The attendance during this hearing has been very impactful for ND students Alyssa Slaimen, Lara Thiele, Gastón Frederico Blasi, Iuliia Emtseva and Aisling Carberry. “This has been an eye-opening experience that has re-affirmed to me how important it is to fight for people’s rights and that it is our duty as attorneys to do so. Every person in the United States deserves equal protection and treatment before the law, and we are hopeful that this hearing will help the human rights

leaders receive the legal protection that they deserve”. The students want to express their deep gratitude to the Notre Dame Law School for enabling them to become different kind of lawyers.

