



Migrant Center for Human Rights **Protecting the Persecuted**

For Immediate Release

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PRESS RELEASE

San Antonio, Texas (June 20, 2018): Trump Administration Celebrates World Refugee Day by Directing Agencies to Detain Asylum-Seeking Families for as Long as Possible

The Migrant Center for Human Rights condemns the President's Executive Order issued today directing the Department of Homeland Security and the Department of Defense to keep asylum seeking parents and their children in detention for as long as possible.

Both domestic and international law are clear that no one should be deprived of their liberty unless clearly necessary. In the immigration context this means that detention should only be used when an individual determination has been made that someone is a danger to the community or a flight risk. As the United Nations Working Group on Arbitrary Detention stated in their report of July 2017 "detention is to be a measure of last resort, necessary and proportionate and be not punitive in nature, and that alternatives to detention are to be sought whenever possible." The report goes on to state that "individuals held in immigration detention shall be brought promptly before a judicial authority empowered to order their release or to vary the conditions of release." The 5th and 14th Amendments to the U.S. Constitution likewise state that no person should be deprived of liberty "without due process of law".

Furthermore, prosecutions of asylum seekers for so-called "illegal entry" must be stopped immediately. Prosecuting people fleeing for their lives simply for entering the country without documents is costly, impractical, and against the law. Previous administrations have correctly [not prosecuted asylum seekers](#) for illegal entry. Doing so is a violation of domestic asylum law as well as international human rights law because asylum seekers have the legal right to seek asylum. As stated by the UN [High Commissioner for Refugees](#) "refugees should not be penalized for their illegal entry or stay... the seeking of asylum can require refugees to breach immigration rules. Prohibited penalties might include being charged with immigration or criminal offences relating to the seeking of asylum, or being arbitrarily detained purely on the basis of seeking asylum."

The Migrant Center for Human Rights works with detained asylum seekers in the San Antonio area. We will continue to advocate for their rights through litigation and community outreach.