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Jesuit Organizations Denounce Unjust Treatment of Asylum Seekers and Migrant Families

(Washington, D.C., June 21, 2018) – Loyola University Chicago’s Center for the Human Rights of Children, the Jesuit Conference Office of Justice and Ecology, Kino Border Initiative, the Association of Jesuit Colleges & Universities, and 11 Jesuit law schools strongly oppose the so-called “Zero Tolerance” policy of the Trump Administration, which reinforces the criminalization of migration and has already separated thousands of migrant families. We denounce President Trump’s recent Executive Order, which fails to provide a solution to the family separation crisis, and instead mandates that migrant families be held in detention. And we decry the failure of the U.S. Government to comply with international and U.S. law in processing and referring fear-based asylum claims at U.S. Ports of Entry in a timely manner. These policies and practices are morally repugnant, violate the rights of asylum seekers as well as children and families, and create permanent harm to the spirit, health and well-being of vulnerable individuals and families.

Jesuit organizations along the U.S.-Mexico border have been accompanying individuals and families who seek to access their right to international protection. We have been disheartened to witness long delays by Customs and Border Protection (CBP) in the processing and referral of these lawful claims at U.S. Ports of Entry, which leave vulnerable individuals and families in precarious situations for up to 14 days. Rather than accessing their rights, migrants are suffering hunger and thirst, threats, and other forms of violence. In desperation, some choose to cross the border at unofficial points of entry because they have been denied their right to access safety or because they were never aware of the asylum process in the first place, but only knew that they needed to bring their children to safety.

While the criminalization of border-crossing is not new, Attorney General Jeff Sessions’ announcement that every migrant crossing without inspection will be prosecuted without regard for family unity or fear of return to the country of origin means that asylum-seekers are criminally sentenced for seeking safety and parents are forcibly separated from their children. To date, there are thousands of documented cases of parents who have been arrested and detained when arriving at the border, while their children have been forcibly removed from them and detained in a separate facility run by the Department of Health and Human Services. These include infants, toddlers and disabled children who have never been apart from their parents.

President Trump’s recent Executive Order, which mandates the detention of families to keep children with their parents, falls far short of our calls to uphold the dignity of children and families. We reject this policy because we have seen that detention is detrimental to the physical, spiritual and mental well-being of the individual, especially of children. Further, this policy fails to respond to the need to keep families together as adults criminally prosecuted and sentenced for crossing the border would be held in custody away from their children.

As organizations that seek to promote the rights of children and families and protect the rule of law, we reject these policies as contrary to our Jesuit values, human rights and children's rights principles, and refugee law – all of which protect the rights of safe migration and family unity. These policies violate the best interest of the child, one of the most universally understood principles of child welfare, and a standard we apply to our own children in domestic child welfare proceedings. Detaining children and separating them from their families causes permanent harm to the spirit, health, and well-being of these vulnerable children and their families.

We encourage Congressional leaders to work together to ensure that the rights of the most vulnerable among us are protected. Founded on the core Jesuit values of welcome and accompaniment, we will continue to stand up for the dignity and inherent rights of any displaced person.

Participating schools include: Boston College Immigration Clinic, Juvenile Rights Advocacy Project & Center for Human Rights and International Justice; Interim Dean, Creighton University School of Law & Immigrant/Refugee Clinic; Dean, Fordham University School of Law; Dean, Georgetown University Law Center; Gonzaga University School of Law Center for Civil & Human Rights; Loyola University Chicago Center for the Human Rights of Children & Loyola University Chicago School of Law; Loyola Law School Los Angeles Immigrant Justice Clinic and Loyola Law School Los Angeles; Dean, Saint Louis University School of Law; Catholic Legal Assistance Ministry housed at Saint Louis University School of Law; Santa Clara University School of Law; Seattle University School of Law; and University of San Francisco Immigration and Deportation Defense Clinic & School of Law.

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The Center for the Human Rights of Children at Loyola University Chicago is an interdisciplinary Center of Excellence advancing and protecting the rights of all children.

The Jesuit Conference Office of Justice and Ecology represents the Society of Jesus on issues of social and ecological justice and works to increase awareness and engagement with legislators, public officials, corporations and the Jesuit network.

The Kino Border Initiative is a binational organization located in Nogales, AZ and Nogales, Sonora, Mexico working to make humane, just, workable migration between the U.S. and Mexico a reality.

The Association of Jesuit Colleges and Universities (AJCU) is a national organization that represents Jesuit higher education among its various constituencies, provides a forum for the exchange of information and experiences in Jesuit higher education, and encourages and facilitates collaborative initiatives among its member institutions.

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