

Accompaniment at the U.S.-Mexico Border:

Conditions Report & Policy Recommendations

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Introduction

On May 11, 2023, the U.S. government ended the use of Title 42, a public health directive that prevented individuals and families from seeking asylum at U.S. ports of entry and expelled them to Mexico during the COVID-19 pandemic. While immigration and refugee advocates celebrated the end of Title 42, the Biden-Harris administration put in its place an asylum rule, titled “Circumvention of Legal Pathways,” that significantly limits access to asylum. This rule requires individuals to seek asylum through “lawful pathways” that are narrow in scope, such as visas, country-specific parole programs, and appointments utilizing the CBP One app.[1]

Although the Biden-Harris administration has focused on creating legal pathways for migrants and asylum seekers, many individuals and families have serious hurdles to overcome due to the restrictions and limited exceptions of these policies.[2] Moreover, the current asylum rule fails to live up to the U.S.’s legal obligations to refugees and asylum seekers and perpetuates a humanitarian crisis at the U.S.-Mexico border where those seeking refuge and safety live in fear and uncertainty.[3]

As an organization present at the border, Jesuit Refugee Service (JRS) accompanies asylum seekers in Ciudad Juárez, Mexico; Las Cruces, New Mexico; and El Paso, Texas. In Ciudad Juárez, JRS Mexico addresses the protection, legal, mental health, psychosocial, and public health concerns of asylum seekers as they await their opportunity to apply for asylum in the U.S. In El Paso and Las Cruces, the JRS/USA team assists asylum seekers by preparing them for the next steps of their journey, providing legal orientations to understand their rights, and providing mental health and psychosocial support (MHPSS) as they process what they have experienced along the way to the U.S.

JRS’s binational humanitarian response ensures that those who experience the dehumanizing process of journeying to and arriving at the U.S.-Mexico border are welcomed with dignity and treated with respect. In this report, with information sourced from interviews and visits to shelters in Ciudad Juárez and El Paso in summer 2023, JRS/USA and JRS Mexico present a snapshot of current conditions in Ciudad Juárez and El Paso and how U.S. policies adversely impact protection, mental health, and public health challenges.



Migrant family crossing into the United States.

Current Border Conditions

Mexico: Ciudad Juárez, Chihuahua

In Ciudad Juárez, recent trends in migration have adversely affected the lives of asylum seekers arriving in the city. To start, asylum seekers from Central America and South America, as well as other countries beyond the Americas, are forced to take dangerous routes due to increased border enforcement or the lack of coordination between the countries through which migrants transit. From crossing the Darién Gap to riding on freight trains, these precarious pathways increase the chances of migrants undergoing serious challenges before they find refuge.

Most notably, individuals JRS has encountered in Ciudad Juárez have reported being kidnapped in different states in Mexico, including Chiapas, Veracruz, Coahuila, Durango, and Chihuahua. The frequency of these reports has increased in recent months, as hundreds of individuals have shared their experiences of being arbitrarily captured, detained against their will, and deprived of liberty for indefinite periods of time until ransom is paid. This is a disturbing trend, as armed criminal groups make a profit by targeting migrants and asylum seekers.



Venezuelan migrants crossing the border into the United States.

Along with these increased reports of kidnapping, many asylum seekers report other forms of violence and abuse committed against them, such as extortion, robbery, gender-based violence, the destruction of documents, exploitation, recruitment by criminal groups, forced labor, discrimination, inaccessibility to services, and xenophobia. It is important to note that some of these abuses are perpetrated by public security authorities, motivated by corruption and/or collusion with criminal groups.

The increase in kidnappings, abuse, and violence during transit through Mexico, as previously mentioned, is of significant concern as these experiences can have serious physical, economic, and psychosocial effects on asylum seekers arriving in Ciudad Juárez. For example, the confiscation and destruction of documents during the journey increases the risk of arbitrary detention and extortion by different agents at the border.

It is almost impossible for migrants to access justice in Ciudad Juárez for these abuses since they do not have the proper support or a guarantee of safety if they report these abuses. Since many of the abuses are committed by authorities and criminal groups, there is fear of retaliation or further violations of human rights.

Migrants also have limited access to public services, specifically health care, in Ciudad Juárez. Access to specialized care is severely limited due to their immigration status, and many migrants have little or no capacity to cover medication costs, laboratory studies or imaging, and transfers to different health centers. This forces migrants to live with untreated health conditions that place them at further risk.

Access to formal work, as well as financial income (if they do not have savings, remittances, or support from relatives or acquaintances), is another area of concern for migrants. The lack of documentation proving legal immigration status in Mexico prevents employers from hiring migrants looking for work. Other concerns include the exit restrictions that some shelters have, as well as the fear of leaving shelters due to general insecurity in the city or because they are still coping with the persecution they experienced in their place of origin.

In the case of accompanied and unaccompanied children and adolescents, a pause in schooling prevails as one of the main protection risks. As there is no possibility of providing regular school follow-up, due to the non-existence of educational programs adapted for migrants, there is a resulting cognitive and social gap in the development of children and adolescents. Another concerning issue for children and adolescents is food insecurity. This can result in symptoms of malnutrition such as weight loss, lack of appetite, dizziness, excessive tiredness, and other health concerns.

Another critical concern is that Ciudad Juárez does not regulate how shelters are operated by private groups. Since some spaces have different regulations adapted to the particular ideologies of those who coordinate them, migrants experience limitations to their liberty. For example, some shelters limit mobility, so migrants do not have the option of looking for a job that allows them to cover their basic needs. Some are forced to participate in religious cults or events even if they do not profess any kind of religion.

Despite the shelters and reception spaces present in the city, there is limited capacity, forcing migrants to occupy public spaces where dozens of people are living on the streets in makeshift camps that lack adequate safety, hygiene, and sanitation. This presents serious public health and protection concerns, such as elevated risk of infectious disease, deterioration of mental health, lack of food, inclement weather, recruitment by criminal groups, and xenophobia. It is important to highlight that this phenomenon has intensified after the March 2023 fire at the migrant center in Ciudad Juárez, which has generated fear among migrants that they will suffer similar risks if they are housed in reception centers.

Mayte's Story

Mayte^[4] and her family have been waiting at a shelter in Ciudad Juárez for several months now. They fled Honduras and made the journey north to find refuge in the U.S. Despite Mayte's efforts to schedule a CBP One appointment, she has not managed to schedule one, even though CBP claims to have expanded the availability of appointments and made the app more user-friendly.

The inability to schedule an appointment has become especially discouraging for Mayte as other shelter guests have come and gone, being fortunate enough to secure a CPB One appointment. Mayte has tried various methods, such as changing her email address or trying to join other families in scheduling an appointment, but nothing has worked. The stress of scheduling a CPB One appointment has caused Mayte to feel desperate and depressed.

United States: El Paso, Texas

The asylum rule put in place by the Biden-Harris administration prevents asylum seekers from simply presenting at a port of entry along the U.S border and requesting an application for asylum. Instead, they must use certain "lawful pathways" that are not easily accessible for every individual, especially those at the U.S.-Mexico border.

To start, the implementation of the CBP One app, which requires asylum seekers to set up an appointment with U.S. Customs and Border Protection (CBP) at a port of entry, means that asylum seekers must have a smartphone, internet access, and technological literacy to apply for asylum.

The app was introduced on January 18, 2023, as the primary way for migrants to request an inspection appointment with CBP to begin the asylum process.^[1] This initial rollout was set back by a number of glitches that made the process feel impossible for asylum seekers. Some asylum seekers reported to JRS that they would wake up at 2am to try to schedule an appointment, only to experience a glitch that caused the application they filled out to be lost. All the appointment slots would be booked by the time they filled everything out again, requiring them to try again the next day.

Rather than one person scheduling an appointment for the entire family, asylum seekers were also required to fill out an application for each family member. For some families, the app would glitch as they were filling out the applications, causing them to lose applications and complicating efforts to make sure the entire family had appointments on the same day.

Improvements were made to the app in May 2023 when the government published the final asylum rule. Families can now schedule appointments together, and more appointment slots have been made available. Despite these improvements, asylum seekers still wait several weeks to obtain an appointment, especially as CBP has now extended the window of appointments to 21 days, further prolonging the wait time for an appointment. Technical glitches also continue to occur, which can prevent an individual from making an appointment.

Another concern is the limited language availability, which disproportionately affects Indigenous peoples and other groups who may not speak one of the five languages (English, Spanish, Haitian Creole, Portuguese, and Russian) available on the app.

United States: El Paso, Texas continued

Those who are unable to make an appointment due to the lack of a smartphone and/or limited technological literacy must present themselves at an official port of entry and prove their inability to use the app. This means that they must join an unofficial line of migrants and asylum seekers who are trying to present themselves to CBP without an appointment.

Individuals and families who manage to get a CBP One appointment and pass the initial inspection interview are then processed by CBP and released into border towns like El Paso while they wait for their asylum hearing.



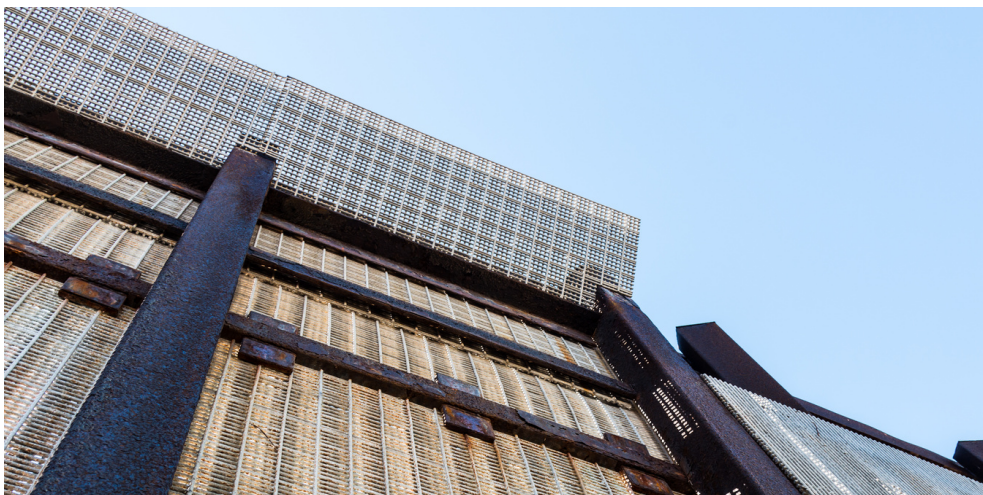
Migrant shelter in El Paso, Texas.

Many begin the U.S. leg of their journey at a shelter in El Paso. These shelters, often run by churches and other faith-based organizations and supported by funding from the U.S. government and private donations, provide a place to eat, bathe, obtain some clothing, and rest as individuals and families determine the best way to reunite with family and friends in the U.S. interior.

The scene in El Paso in mid-summer 2023 looked much different than it did in early May. In the weeks right before Title 42 ended, thousands of asylum seekers were in the streets as the U.S. government processed and released them in large numbers. To meet the needs of newly arrived asylum seekers, shelters in El Paso operated beyond their normal capacity to provide temporary relief to individuals and families, while at the same time bracing for what was to come after the end of Title 42.

However, after Title 42 ended on May 11, the projected influx of asylum seekers did not come to bear due to the challenges in navigating new asylum rules, including the requirement to schedule a CBP One appointment. In the week leading up to the termination of Title 42, 4,297 migrant releases occurred in El Paso, an average of 614 releases daily.[6] In the subsequent weeks post-Title 42, the numbers dropped to around 3,000 and then dipped below 1,000, until August 2023 where the weekly releases have been hovering above or below 2,000.

Once in El Paso, asylum seekers then face the challenge of getting to their next destination within the U.S. With limited funds for airline or bus tickets, many depend upon financial support from friends, families, or humanitarian organizations to help them along their way. Shelter staff and volunteers, including JRS/USA staff, help asylum seekers navigate the U.S. transit system by pointing them in the direction of airlines and bus companies that will bring them to their anticipated destination. As one shelter volunteer put it, asylum seekers have “one job: to get a ticket elsewhere.”



Shared border of U.S. and Mexico.

Luis' Story

JRS/USA first met Luis at a shelter in El Paso where he was staying with his two children, his wife, and his wife's grandmother. Luis and his family fled Venezuela earlier this year due to political persecution. Although the threats of violence made life in Venezuela seem impossible, the decision to leave was not an easy one, especially as his wife was seven months pregnant.

After being detained in the U.S. for a couple of days, Luis and his family arrived at a shelter in El Paso. His wife soon went into labor but remained in the hospital for a month as their newborn son battled a respiratory infection that required him to remain in intensive care. While his wife and son were in the hospital, Luis was left in the shelter caring for his two other children and his wife's grandmother.

Luis shared that during this trying time he felt desperate. JRS/USA staff visited the family in the hospital and brought them food. They also helped Luis get a phone to stay in touch with family. Among many others, he credits JRS for helping him get through these difficulties, "Thank you for the mission and the work you do."

Today, Luis helps manage operations at a shelter in El Paso while he and his family continue to find refuge in that same shelter. He often works at night, providing supervision, and helps prepare meals during the day. He is still in the process of applying for asylum in the U.S.



JRS/USA President Joan Rosenhauer and Director of Domestic Programs, Maria Sajquim de Torres accompany migrants crossing a bridge in El Paso.

JRS at the Border: A Binational Response

JRS Mexico

JRS Mexico has been present in Ciudad Juárez since 2020 as the city is a strategic crossing point to the United States. To meet the particular needs of asylum seekers in Ciudad Juárez, JRS Mexico provides MHPSS, legal, and protection services. JRS Mexico also recruits local volunteers to assist in providing services, which helps build bridges between the host and displaced communities.

JRS Mexico offers a variety of MHPSS programs to meet the needs of migrants and asylum seekers, including individualized psychosocial accompaniment that creates a safe space for individuals to process their emotions and identify tools to help regulate emotions. Group accompaniment activities, conducted at shelters, are also focused on creating safe spaces for people to come together to process their emotions through guided discussions and recreational activities.

JRS Mexico's legal services include assisting migrants in navigating regularization procedures in Mexico before the Mexican Commission for Aid to Refugees (COMAR) and the National Institute of Migration (INM). This includes assistance with their refugee applications in Mexico, renewal of their humanitarian visitor cards, and applications for permanent residence. The legal team also files formal complaints on behalf of those who have suffered violence during their journey and helps migrants find missing family members.

JRS Mexico conducts frequent monitoring visits to various parts of Ciudad Juárez — including shelters, the border crossing, and other relevant points where there is a concentration of migrants — to identify protection risks. They work to identify situations of imminent risk and provide individualized assistance to ensure migrants have access to health care, education, food, and clothing.

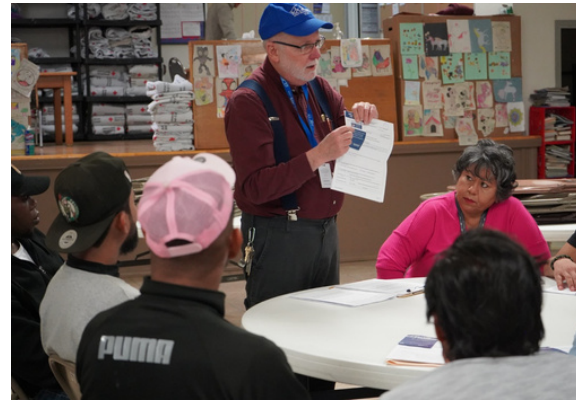
JRS/USA

JRS/USA launched its border response program, Caminar Contigo, in El Paso in 2021 and has served thousands of individuals through its provision of legal, MHPSS, and accompaniment services. In 2022, JRS/USA served over 5,000 individuals and has already served over 4,000 individuals halfway through 2023.

To help orient asylum seekers to the legal system and their rights in the U.S., JRS/USA facilitates group sessions at shelters to walk them through various legal documents and answer any questions they may have. Time spent in the safety of the shelters also gives asylum seekers the space to process what they have experienced along their journey. To assist with this, JRS/USA offers different activities that range from support groups to physical exercises that provide individuals with various tools to process their emotions as they continue to their intended destination within the U.S.

For those who experienced significant distress during their journey—including extortion, kidnapping, and violence—JRS/USA offers small group and individual sessions so they can receive individualized interventions to help them manage their emotions and thoughts. These sessions also help JRS/USA staff identify those who are experiencing the effects of traumatic events and, in some cases, continue offering support through telephonic services or referrals to services in destination cities.

Along with these specialized services, JRS/USA provides a holistic accompaniment to individuals and families during their time in El Paso and beyond by walking with them as they navigate the various difficulties that life in an unfamiliar country presents. From driving individuals to the airport to making sure they have the clothing they need and coordinating a national network of volunteers to assist with similar services, accompaniment is a critical part of JRS's mission to ensure asylum seekers feel welcomed and supported.



JRS/USA Border Project Legal Specialist, Fr. Mike Gallagher S.J. providing legal advice to migrants in El Paso, Texas.

Recommendations for Policymakers

Based on the current conditions at the U.S.-Mexico border, JRS/USA and JRS Mexico urge policymakers in the U.S. to implement the following recommendations:

1. Protect the right to asylum by adhering to refugee law and eliminating barriers to seeking asylum at ports of entry.
2. Increase the availability of CBP One appointments to decrease the waiting time for individuals and families in dangerous and vulnerable situations.
3. Address CBP One's language barriers and technological glitches to enable equitable access for individuals requesting an appointment through the app.
4. Increase funding available to humanitarian and community-based organizations that provide shelter and services to asylum seekers on both sides of the U.S.-Mexico border.
5. Continue to pursue comprehensive immigration reform legislation that promotes and affirms the dignity of all those migrating to and seeking refuge in the U.S. and Mexico.
6. Ensure that migration management agreements between the U.S. and Mexico protect human rights through accountability measures and adherence to refugee law.

Conclusion

The lack of effective policies to guarantee access to regular, safe, and orderly migration has seriously affected people seeking asylum on both sides of the border.

Despite the lawful pathways available to seek asylum in the U.S., JRS/USA and JRS Mexico continue to observe that the limitations of these pathways place asylum seekers in dangerous and difficult situations. In Ciudad Juárez, protection and health concerns impact asylum seekers as they wait for the opportunity to present their request for asylum.

In El Paso and across the U.S., asylum seekers face significant challenges managing the asylum process, most without legal support. They also face the challenge of building a new life in a new country, where the difficulties can be compounded by their MHPSS needs, their inability to seek employment for months after applying for asylum, and adjusting to a new culture. To reduce the harm caused by current asylum policies, the U.S. must reform the asylum process to ensure that it upholds refugee law and treats asylum seekers with dignity.

Acknowledgements

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Resources

[1] Department of Homeland Security (2023). "[Fact Sheet: U.S. Government Announces Sweeping New Actions to Manage Regional Migration.](#)"

[2] Ibid.

[3] United Nations (2023). "[UN refugee agency concerned about situation at Mexico-US border.](#)"

[4] Name changed to protect privacy.

[5] U.S. Customs and Border Protection (2023). "[CBP One™ Mobile Application.](#)"

[6] City of El Paso (2023). "[Migrant Crisis.](#)"