



Kino Border Initiative
Iniciativa Kino para la Frontera

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Florence Project and Kino Border Initiative Condemn Most Recent Asylum Ban

The proposed ban on asylum for people who travel through a third country will put people in direct and immediate danger.

Nogales, AZ – The Florence Immigrant & Refugee Rights Project and the Kino Border Initiative are devastated by and wholeheartedly condemn the Biden administration’s proposed plan to severely restrict access to asylum in the United States. We implore the administration to reverse course and recommit to its campaign promises of rebuilding a safe and orderly asylum system.

Despite the Biden administration’s insistence that there are differences, the plan is reminiscent of Trump-era bans on asylum for those who travel through a third country on their way to the United States and don’t apply for asylum there first. Simply put, any rule that blocks those seeking protection in the United States from doing so is illegal and immoral.

We know from previous attempts to implement similar policies that bans on asylum will turn people back to danger and even death. This plan would disintegrate the very fibers of our asylum system by barring asylum for all but a select few, those who have the privilege and resources to either arrive to the United States via airplane or ability to navigate a smartphone app and wait for days or even weeks for an appointment to present at a port of entry.

This plan will prevent almost all individuals and families from accessing asylum, unless they do so via the CBPOne app, which will only further prejudice the process towards those who have the privilege and means to navigate a complex smartphone app and wait for weeks or even months for their turn to present in dangerous border communities. Rather than restoring an equitable and fair system, this plan forces people to jump through more hoops just to ask for

protection, which will push them into more dangerous situations and secluded parts of the desert to cross in hopes of evading detection, out of sheer desperation. People seeking protection should not be punished when the administration's one-size-fits all asylum process fits almost no one.

This policy will directly render ineligible for asylum people in many different situations: people like [Yarlenis and Yosbel](#) who crossed the border between ports of entry in desperation to seek medical care for Yarlenis during a high-risk pregnancy; people like [Belsica and Yasmina](#) who suffered abuse and persecution in Nogales while they waited for the chance to seek protection in the U.S.; and people like [Iris and her family](#) who simply did not know that their case could be impacted by crossing the border between ports of entry.

"Seeking asylum is a human right, and it is a legal right protected by domestic and international law," said Laura St. John, Legal Director at the Florence Immigrant & Refugee Rights Project. "Yet, under this ban, most people fleeing violence in Western Hemisphere countries would be forced to apply for asylum in countries where their lives may still be in danger while they await decisions from slow-moving, dysfunctional asylum systems that ultimately offer only a fraction of the protection that they need. Bans on asylum like this one, no matter which administration enacts them, are dangerous and even deadly. Enacting a widespread ban to deter people from seeking asylum harkens back to the darkest days of our history, when we have turned away those who most needed our protection. The bottom line is that this policy will put people in direct and immediate danger."

"Title 42 hasn't been lifted yet and the Biden administration is planning additional measures to restrict access to asylum," said Pedro De Velasco, Director of Education and Advocacy, the Kino Border Initiative. "The transit ban is inhumane, cruel and disconnected from the reality that migrants suffer and endure in their journey to reach a safe haven. The right to asylum is precisely the right to feel protected and fulfilled. And you can't force people displaced by violence to have to seek that protection in countries where they can't really provide it."

We believe that everyone has a right to seek safety – no matter where they come from, no matter who they know, and no matter how they get to the United States. We will continue to envision and strive for a future in which that right is honored and stand in solidarity with all who are seeking protection in the United States.

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About the [Kino Border Initiative \(KBI\)](#): KBI is a bi-national organization located in Nogales, Arizona and Nogales, Sonora, Mexico. KBI provides humanitarian aid to migrants in Nogales, Sonora and engages in education and advocacy on both sides of the border with a vision of promoting humane, just, and workable migration.

About the [Florence Immigrant & Refugee Rights Project](#): The Florence Project is the largest organization in Arizona providing free legal and social services to detained immigrants and people facing deportation. Our Border Action Team works with the Kino Border Initiative to provide free legal services to migrants in Nogales, Sonora, Mexico.