

# Desperation at the Border: Findings and Recommendations from a Monitoring Visit to Arizona and Sonora, Mexico

## Introduction

In April 2024, the Women's Refugee Commission visited Arizona and Nogales, Sonora, Mexico, to assess current conditions for people seeking asylum at the US-Mexico border.<sup>1</sup> We visited two migrant shelters in Mexico and the border wall in Sasabe, Arizona. We met with local officials, nonprofit organization staff, and people seeking to enter the US to apply for asylum.<sup>2</sup>

Since the May 11, 2023 implementation of the **Circumvention of Lawful Pathways** rule, non-Mexicans who enter the United States without authorization and without 1) entering via an existing lawful pathway available to them, 2) entering at a land port of entry with a **CBP One** appointment,<sup>3</sup> or 3) having been denied asylum in another country are ineligible for asylum unless they meet highly limited exceptions. As with the Trump administration's **transit ban** and **entry ban**, a federal court found the Biden administration's asylum ban **unlawful**. The asylum ban remains in effect during the US government's appeal.

During our visit, we found that the asylum ban continues to create serious hardship for people waiting in Mexico. Everyone we spoke with noted that criminal networks and Mexican authorities continue to target and extort people waiting for one of 1,450 available CBP One appointments each day. Migrants continue to cross the desert in remote areas where they face the risk of harm or **death** because they cannot obtain an appointment. Shelters and volunteers on both sides of the border continue to be overwhelmed trying to keep people safe.

## Assessment

### *Women and families in northern Mexico wait in danger.*

Many people seeking asylum continue to wait for months in hopes of obtaining a CBP One appointment on their phone. Three families we spoke with had been waiting for more than six months. CBP has held the number of available daily appointments at 1,450 for nearly a year. In addition to the appointments available on the CBP One app, CBP allows an average of **100 individuals** to enter at ports of entry across the entire southwest border each day without appointments. This number is so small that the reality is that without a CBP One appointment, almost no one can seek asylum at the southern border.

At a migrant shelter in northern Mexico, we interviewed a Senegalese lesbian woman who fled her home because an uncle harmed her and she did not feel safe in Senegal due to her sexual orientation. She traveled alone through Mexico and survived a robbery and an attempted rape in Nogales. When fighting her attacker off, she broke her foot and was hospitalized. Since the attack, she has tried every day for more than two months to get an appointment on CBP One to seek asylum.

Local shelters have documented corruption in the management of an unlawful metering<sup>4</sup> waitlist that organizes the non-CBP One entrants through the Nogales port of entry. The waitlist, operated by the Nogales municipal government, is intended to chronologically maintain order of which migrants are next to enter through the port of entry. Shelter staff told us that individuals have reportedly paid to skip the line, and white-presenting individuals have also been able to skip the line.

At the port of entry in Nogales, families sleep outside without shelter or security for months on the waitlist to seek asylum. Every day, they try to get CBP One appointments, but the demand far outweighs the 100 available appointments each day at the Nogales port of entry. Local CBP Office of Field Operations officials told us that sometimes no individuals enter from the waitlist due to other processing priorities. One Mexican family said that they fled their home in Puebla after a masked group threatened to kill them because they could not pay the daily money they demanded and the police, having been paid off by the group, would not protect them. They had been trying to get a CBP One appointment for three months. Three Mexican families from Guerrero were also sleeping at the port of entry and had been trying to get CBP One appointments for half a year. Mexican nationals' access to asylum continues to be metered, or restricted, at ports of entry despite them not being subjected to the asylum ban.

Ultimately, due to the hopelessness of accessing asylum in the US through CBP One or the waitlist, some become so desperate that they resort to dangerous journeys through the desert to seek asylum.

### *Extortion in Mexico remains widespread, and increased enforcement puts migrants at risk.*



Mural at a Nogales shelter showing routes migrants traveled in the region to reach the US and their destinations. © WRC/Kimiko Hirota

Humanitarian aid workers in the United States and a northern Mexico shelter provider told us that organized crime violence and Mexican immigration enforcement have both increased in the small northern Mexico town of Sasabe, Sonora. One nonprofit organization employee who previously volunteered at a shelter in Sasabe has stopped volunteering because of "warlike" violence that broke out in the small town.

Service providers, local immigration enforcement, and people seeking asylum spoke of organized crime's omnipresent control in Sonora. It is widely understood that organized crime controls all movement in the area, and criminal networks engage in widespread extortion and kidnapping. **Research** continues to show that migrants are **systematically targets** of a variety of serious forms of harm when **forced to wait in Mexico**.

Following **US pressure**, Mexico has ramped up immigration enforcement and is largely **credited** for the reduction in apprehensions overall in the United States this year. One shelter provider in Mexico

reported that there are now seven checkpoints along the route to Arizona and believed this increased enforcement to be the reason for the recent reduction in migration to the Tucson Sector. In addition to more checkpoints throughout Mexico, **Mexican** and **US officials** continue to prevent people seeking asylum from entering at ports of entry without CBP One appointments.

### ***People seeking asylum enter Arizona in remote areas and must rely on volunteers for essential aid; concern about family separations and medical emergencies.***

From July 2023 to March 2024, the Tucson Sector was the busiest area of the southwest border. While the San Diego Sector recently became the busiest, volunteers are currently reporting **100 to 200 people** arriving every day near the tiny town of Sasabe, Arizona. People are crossing in even more remote areas in recent months, as gaps in the 30-foot border wall continue to be filled in.

At the border wall in Sasabe, volunteers recently assisted people from Bangladesh, Ecuador, Guatemala, Honduras, India, Mauritania, Mexico, Nicaragua, Senegal, and Togo. English, Spanish, and Haitian Creole are not the primary languages spoken in more than half of these countries; as a result, CBP One is inaccessible to most migrants of these nationalities, as it is only available in those three languages.

People crossing east of Sasabe either wait at the end of the border wall—20 miles from the town—for Border Patrol to arrive to transport and begin processing them, or walk several miles to a camp that volunteers and organizations like **Green Valley-Sahuarita Samaritans** and **No More Deaths** set up to provide water, food, shade, and latrines while they wait. This camp was previously just across from a gap in the wall where migrants often crossed, but this gap has now been filled. Migrants wait for hours and sometimes overnight before Border Patrol picks them up.

Migrants often reach the US exhausted, sick, and injured. In a statement to the *Arizona Daily Star*, CBP described this region as one of the “**hottest, most isolated**, and dangerous area[s] of the southwest border.” Despite these realities, humanitarian aid workers report struggling to receive immediate medical attention for migrants when needed. The closest emergency medical care facility is small and does not always have capacity to respond. Border Patrol often responds from Tucson, about an hour-and-a-half drive away.

Humanitarian aid workers report that Border Patrol had been coming by to pick up migrants for processing multiple times a day in recent weeks—a significant improvement from the winter season, when migrants once waited overnight in a **snowstorm** and volunteers ultimately chose to transport migrants in their own vehicles to prevent loss of life.

When Border Patrol arrives to transport migrants to its facilities for processing, it is seemingly left to the discretion of the Border Patrol agent in the field how families are processed. Volunteers witnessed Border Patrol divide migrants by sex, separating husbands, fathers, and brothers from their family members, to prioritize transporting women and children first. This has resulted in men waiting several more hours or even overnight to be transported, virtually guaranteeing that family members transported in the initial groups would be processed separately. Other volunteers witnessed Border Patrol asking migrants to line up with their families and transporting them together.

Once in Border Patrol custody, some families—including married couples, parents with children, and siblings—continue to be processed separately from one another, according to **Kino Border Initiative**. Migrants separated from their families and deported to Mexico report that Border Patrol processed

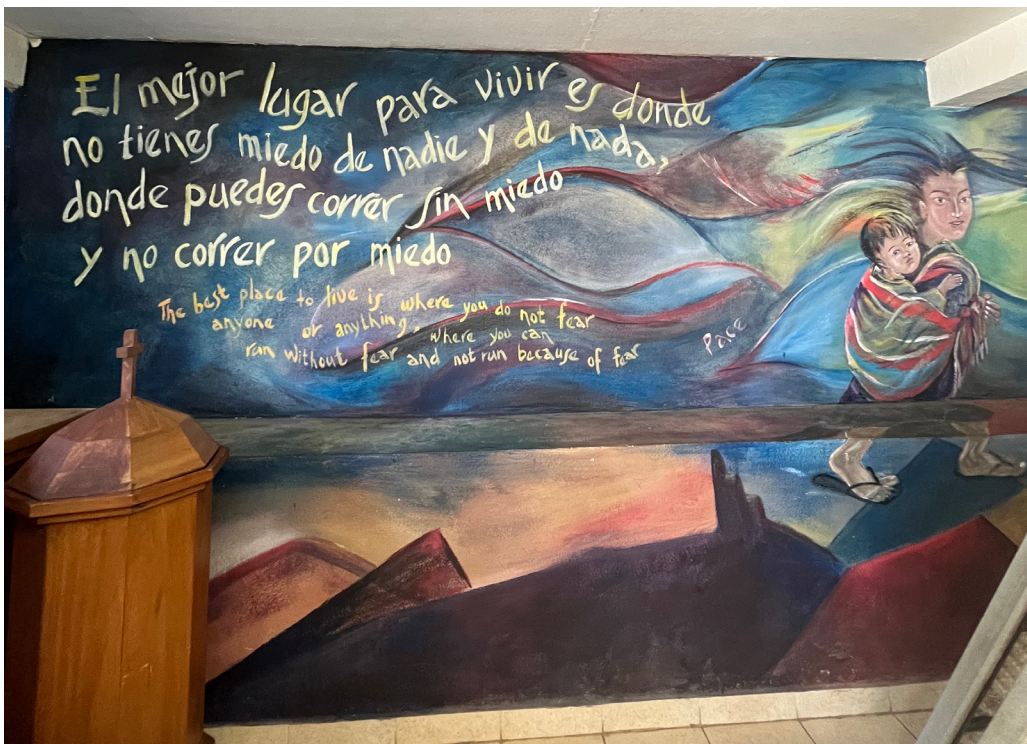


them without their family members throughout the process, or that they were coerced into signing their “voluntary return” back to Mexico. For example, Border Patrol agents have forced migrants to sign their **voluntary returns** without seeing the document; after promising they will be able to stay with their families, only to be returned to Mexico alone; and after stating that they can only have their medications if they sign. Once back in Mexico, migrants then discover that other family members were processed on a different pathway and remain in the United States.

### ***Migrant shelters continue to welcome and need funding to remain operational.***

Given the high numbers of arrivals to the Tucson Sector over the last six months, Arizona shelters have welcomed more families and individuals than anticipated. Shelters receive migrants from DHS and help meet their essential needs, provide orientation and preparation for their immigration cases, and coordinate their travel to reunify with family or friends. This orderly, safe release is crucial for ensuring that migrants are not released by DHS to the streets without support.

Despite the critical role migrant shelters play in border management, consistent, sustainable sources of funding are limited. The only source of federal funding is the CBP/FEMA Shelter and Services Program (SSP), which serves as a lifeline for humanitarian nongovernmental organizations at the southwest border. Without SSP, many border shelters would be unable to remain open. Despite the unpredictable nature of migration, SSP is funded through appropriations each year by Congress, so it is challenging to build sustainable staffing and infrastructure.



Border shelters have coordinated with CBP for many years to ensure that families and individuals released after processing have a place to go and receive orientation. Regular communication about the number of people being released, any vulnerabilities, languages spoken, and the timing of release is critical to help shelters be best prepared.

Mural in a shelter in Nogales reads, “The best place to live is where you do not fear anyone or anything and where you can run without fear and not run because of fear.” © WRC/Kimiko Hirota

## Recommendations

- 1. The Biden administration should rescind the Circumvention of Lawful Pathways rule and ensure equitable access to asylum.** One year into the asylum ban, **researchers** and **service providers** have extensively documented the long waits for CBP One appointments; the severe harms people face during such waits; the turnbacks at ports of entry; and the return of refugees to persecution and torture.
- 2. CBP must ensure that families are processed together at every stage, including during transportation to Border Patrol stations and facilities.** CBP should follow existing guidance in the Tucson Sector that requires families to be processed together to prevent separations. Families are at risk of separation in this sector in particular because of the long distances from the field to CBP facilities.
- 3. DHS should increase the number of daily CBP One appointments and make the app available in more languages.** Although an appointment-based system must never be the only means of seeking asylum, DHS should increase the number of CBP One appointments available each day and facilitate greater access to ports of entry for people who present without appointments. CBP One should be available in more languages, beginning with the languages spoken by most people apprehended between ports of entry. This could reduce the likelihood of these nationality groups crossing between ports. CBP should regularly offer official information about CBP One in many languages on WhatsApp, Facebook, and other popular social media platforms where migrants frequently search for information and encounter misinformation.
- 4. All levels of government must work to prevent medical emergencies and loss of life in remote areas where migrants cross.** CBP must expeditiously process migrants, particularly during extreme weather. CBP should immediately request assistance from the Arizona Department of Emergency and Military Affairs to provide humanitarian aid, including large shade structures and portable restrooms. During periods of higher arrivals, Office of Field Operations staff should help Border Patrol transport and process migrants from the field.
- 5. CBP should consistently coordinate with humanitarian organizations aiding migrants.** Border Patrol should be responsive and cooperative with volunteers who are providing critical humanitarian aid in remote areas, particularly when volunteers alert authorities to medical crises. DHS and migrant shelters should sign a Memorandum of Understanding to establish mutually accepted expectations to ensure consistent safe releases. For every release, DHS should share with the receiving shelter the number of people, the number of families and single adults, medical and other vulnerabilities, languages spoken, and an estimated time of arrival. DHS should also share anticipated migration patterns with receiving shelters so that they can effectively plan and prepare necessary staffing and resources.
- 6. Congress should increase its investment in local governments and nonprofits providing immediate aid.** Along the southern border, migrant shelters and respite sites provide meals and short-term places to stay and coordinate onward travel. CBP and FEMA should ensure that Shelter and Services Program funding prioritizes maintaining safe release and reception practices at the border and coordinated movement to their final destinations. With consistent, sufficient funding, shelters can build needed capacity and respond to changing migration patterns.

## Endnotes

- 1 The WRC Migrant Rights and Justice program regularly conducts monitoring visits to the US-Mexico border to interview people seeking asylum and other stakeholders, including service providers and government officials, to research access to protection and advocate for improvements to US policy and practice. Recent reports include [People Seeking Asylum Confined Outside in Appalling Conditions: Findings and Recommendations from a Monitoring Visit to San Diego](#) (November 2023) and [Opportunities for Welcome: Lessons Learned for Supporting People Seeking Asylum in Chicago, Denver, New York City, and Portland, Maine](#) (November 2023).
- 2 WRC thanks the people seeking asylum who generously shared their experiences. WRC also thanks the shelter providers, humanitarian aid workers, nonprofit organization partners, and local US officials, for their time and willingness to speak with us.
- 3 Customs and Border Protection first launched the CBP One migrant-facing appointment scheduling system in January 2023. Since June 2023, 1,450 appointments are available daily across eight US ports of entry. CBP One is only available in English, Spanish, and Haitian Creole.
- 4 A federal judge ruled that metering, or the US government's "[systematic turnbacks](#) of asylum seekers" at ports of entry, was illegal in 2021. A new complaint argues that turnbacks continue under the asylum ban for asylum seekers presenting without CBP One appointments. See <https://cgrs.uclawsf.edu/legal-document/complaint-2>.

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### Women's Refugee Commission

The Women's Refugee Commission (WRC) improves the lives and protects the rights of women, children, youth, and other people who are often overlooked, undervalued, and underserved in the humanitarian responses to crises and displacement. We work in partnership with displaced communities to research their needs, identify solutions, and advocate for gender-transformative and sustained improvement in humanitarian, development, and displacement policy and practice. Since our founding in 1989, we have been a leading expert on the needs of refugee women, children, and youth and the policies that can protect and empower them. [womensrefugeecommission.org](http://womensrefugeecommission.org).

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