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Communication to the UN Working Group on Enforced or Involuntary Disappearances; UN Working Group on Arbitrary Detention; UN Special Rapporteur on the Human Rights of Migrants; UN Special Rapporteur on Racism; UN Special Rapporteur on Torture; and UN Special Rapporteur on Truth, Justice and Reparation

We write to submit information regarding enforced disappearances¹ and arbitrary detentions committed by the U.S. government. U.S. authorities have engaged in a systematic campaign of abducting civilians across the country, imprisoning them in detention centers in the U.S. and abroad without due process, limiting access to counsel, or withholding the location of the disappeared. The government openly broadcasts that they are targeting migrant communities, with arrest patterns that suggest racial profiling rather than targeting individuals on a legitimate legal basis.² These individuals are typically arrested on the streets, in their homes, or at immigration court, at times by masked agents or plainclothes officers, and imprisoned in ways that intend to place them outside of the protection of the law. All too often, these individuals are either stuck in U.S. detention centers for an undetermined period of time, or rendered to a third country or forcibly returned to a country they fled due to persecution or torture in direct violation of *non-refoulement*. These human rights abuses are taking place within 100 miles of the U.S.-Mexico and

U.S.-Canada borders at the hands of U.S. Customs and Border Protection (CBP), as well as in the country's interior at the hands of U.S. Immigration Customs and Enforcement (ICE).

We appreciate that in 2024 the UN Working Group on Enforced or Involuntary Disappearances (UNWGEID) issued General Allegations regarding the prior U.S. administration's enforced disappearance of migrants – including children, disabled persons, and pregnant women – at the hands of CBP and U.S. Coast Guard.³ We similarly appreciate the April 2025 submission to the UNWGEID by fourteen immigrants' rights organizations chronicling the expansion of enforced disappearances of migrants.⁴ Unfortunately, this practice not only persists, but has become a focal point of the Trump administration's white nationalist agenda.⁵

We respectfully request that the Special Procedures send a communication to the U.S. government to inquire about these allegations, to ask the administration what steps it intends to take to return the arbitrarily detained and forcibly disappeared individuals to their homes, to ensure access to courts and to attorneys as well as communication with family members, and to solicit guarantees of non-recurrence.

I. Arbitrary Detentions and Enforced Disappearances of Migrant Communities in the U.S.

Since assuming office in January 2025, the Trump administration has undertaken a sweeping array of measures aimed at targeting refugees at the border and migrant communities within the United States, as well as noncitizen students and academics (and even permanent legal residents) for their speech in support of Palestinian rights. They have deployed a wide-ranging set of tools, including a near-total closing of the border to refugees and criminalizing the search for asylum;⁶ increasing expedited removals;⁷ encouraging ICE agents to arrest migrants in once-protected spaces like hospitals, schools, places of worship,⁸ and immigration courts;⁹ ending the Refugee Admissions Program;¹⁰ sending the military to the southern border;¹¹ creating public registries of undocumented migrants, and criminalizing those who decline to identify themselves;¹² revoking humanitarian parole for those fleeing Venezuela, Haiti, Nicaragua, and Cuba;¹³ seeking tens of billions of dollars to construct mass detention centers throughout the country;¹⁴ attempting to end birthright citizenship;¹⁵ and attacking so-called “sanctuary cities” whose local governments refuse to cooperate with the federal governments assault on migrants,¹⁶ and fully or partially banning citizens from nineteen countries from travelling to the United States, targeting people for their nationality and religion.¹⁷ The scale of attacks has been staggering. These actions have also been punctuated by xenophobic and racist rhetoric, with President Trump denigrating migrant communities as “animals,” “the enemy from within” and “bloodthirsty criminals”¹⁸ – language which constitutes a risk factor for the commission of atrocity crimes under the UN's Framework of Analysis for Atrocity Crimes.¹⁹

Amidst the sea of alarming measures, the administration has also initiated a large-scale operation of arbitrarily detaining and forcibly disappearing migrants in detention centers throughout the U.S. and abroad. This includes asylum seekers, undocumented and documented migrants, foreign-born individuals with legal long-term residency permits, and even U.S. citizens of Latinx descent. While these abusive practices have been occurring in the U.S. for decades, the current administration has dramatically escalated their use. Each will be considered in turn.

A. Arbitrary Detentions

Arbitrary detention refers to the arrest and detention of an individual without due process. This violates Article 9 of the International Covenant on Civil and Political Rights (ICCPR),²⁰ which affirms that “[e]veryone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.”²¹ The prohibition against arbitrary detention is a *jus cogens* principle, meaning that no derogation is ever permitted under international law, including for national emergencies, public security justifications, or handling large flows of asylum seekers.²² Under international law, any detention – including detention of migrants – must be necessary, reasonable (meaning it occurs as a legitimate result of the individual’s particular situation, rather than membership in a group), and proportionate to the detained individual’s circumstances.²³ Furthermore, any “detention is permissible only for the shortest period of time, it must not be punitive in nature and must be periodically reviewed as it extends in time.”²⁴

International law not only recognizes the right to be free from arbitrary detention as a general right, but as one that explicitly applies to migrants and asylum seekers.²⁵ Importantly, any detention in migration proceedings must be “ordered and approved by a judge or other judicial authority.”²⁶ Any detained migrant must not only be promptly brought before a judge, but must receive regular and periodic reviews of their detention to ensure it is lawful and non-arbitrary.²⁷

According to the UN Working Group on Arbitrary Detention, these illegal detentions typically fall into one of five categories:

- 1) When it is impossible to invoke any legal basis to justify the detention;
- 2) When the deprivation of liberty results from the individual’s decision to exercise their rights to freedom of opinion or expression, to leave their country, to freedom of assembly and association, and other associated human rights;
- 3) When trials are inadequate for failure to meet international norms;
- 4) When asylum seekers, migrants and refugees are subjected to prolonged detention without judicial review; and
- 5) When the deprivation of liberty is based upon a person’s race, national or ethnic origin, social condition, language, or other related criteria.²⁸

Detentions that fall into these categories are expanding at a rapid clip under the current administration. **The administration is openly questioning the necessity of *habeas corpus*²⁹ and has denied numerous migrants the opportunity to challenge their detention.** The total absence of trials for many means that they could not, by definition, meet international norms, while the targeting of individuals by race, ethnicity and national origin is also clear, as the evidence below demonstrates.

While difficult to quantify the scale and severity of arbitrary detentions with certainty, journalists and attorneys have reported the following statistics and emblematic cases:

- ❖ As of May 18, 2025, ICE reports that it has detained 48,870 migrants in detention centers throughout the country and abroad.³⁰ Of these, **43.1% or 21,041 imprisoned migrants have no criminal record or pending charges**, remaining behind bars without criminal charge.³¹ The lack of criminal charges and fact that many of these individuals are seeking asylum means there is no legal basis to justify detention under international law.

- ❖ At least 16,000 ICE detainees have a “notice to appear” before a judge,³² meaning they are complying with U.S. laws by awaiting a court date to adjudicate their asylum application or other migration status. This means that asylum seekers and other migrants could remain imprisoned for indeterminate, extended periods of time without judicial review.³³
- ❖ **A significant percentage of asylum seekers are subjected to “mandatory detention,” which means they are not given individualized review of their circumstances, and are not statutorily permitted to even ask an immigration judge for a bond hearing.**³⁴ This stands in direct violation of international law. This mandatory detention was further expanded in a recent decision by the Board of Immigration Appeal (BIA) recently expanded this mandatory detention to people who were detained shortly after entering the U.S. without inspection.³⁵
- ❖ The administration has rolled out official state policies that would target virtually any migrant for detention without regard for individualized circumstances. This includes the executive order targeting all people arrested for immigration law violations, and deploying “expedited removals,” in which DHS arrests and deports someone on an accelerated timeline without the opportunity to have their case heard by a judge.³⁶ The administration is now arbitrarily canceling immigration court proceedings of people seeking asylum and other immigration relief, and instead placing them in expedited removal.
- ❖ CBP arrested and deported approximately 200 migrants from Afghanistan, Iran, Uzbekistan, Vietnam, Russia, the DRC, Pakistan, Armenia, China, and other countries – including 81 children – to Costa Rica.³⁷ The deported migrants were not permitted to see a judge to contest their arrests or deportations, and others report that they were not permitted a “credible fear interview” with border agents, as their requests for asylum were ignored or denied.³⁸ The migrants contest the administration’s claim that they requested to return to the countries that they fled.³⁹
- ❖ 300 migrants from Cameroon, Ethiopia, Afghanistan, Iran, Uzbekistan, and elsewhere were arrested and deported to Panama without the opportunity to contest these arrests and deportations with a judge. The migrants interviewed described being held in detention centers for two weeks after crossing the U.S.-Mexico border, then being shackled by U.S. officials before being put on a plane. Some were not told a destination at all, while others were erroneously told they were being moved to Texas. Most report that they were never provided the opportunity to seek asylum, despite the administration’s assertion that “not a single one asserted fear” of being forcibly returned to their country of origin.⁴⁰
- ❖ **A drone photographed a group of thirty-one migrants imprisoned at the Bluebonnet Detention Center in Texas spelling out the letters “SOS” in the jail yard with their bodies, in the hopes the outside world would protest their prolonged detention and the impending risk of removal to El Salvador without facing a judge.**⁴¹ This followed the administration’s attempt to remove these Venezuelan men, potentially to El Salvador’s notorious Centro de Confinamiento del Terrorismo (CECOT) prison, placing them on a bus headed to the airport, only to be rebuffed by a last minute emergency order from the U.S. Supreme Court.⁴² The administration has made unsubstantiated claims that these men – which includes asylum seekers with upcoming court dates – are members of a gang called Tren de Aragua, a claim that has been unsupported by evidence or heard by a court.⁴³
- ❖ While migrants have borne the brunt of these human rights violations, U.S. citizens of Latin descent have also been arbitrarily detained. As one journalist explains,

“It’s not a matter of *if* U.S. citizens are getting caught up in President Donald Trump’s immigration crackdown and mass-deportation efforts but rather *how* and *how many*. Some have just been collateral arrests and detentions, in which people are briefly questioned or detained by ICE agents, while others have been jailed for hours or days. Some U.S.-born children have been swiftly deported along with their undocumented family members.”⁴⁴

The article chronicles the arrests and at times deportations of dozens of U.S. citizens – including at least two children undergoing cancer treatment. Virtually all U.S. citizens detained in error are of Latin descent, suggesting these arrests are motivated by racial profiling rather than any legitimate legal basis. Ironically, the major exception is a group of fifteen Native Americans from the Navajo Nation harassed by ICE during raids, and despite holding “Certificates of Indian Blood (CIBs) and state-issued IDs, several individuals have been detained or questioned by ICE agents who do not recognize these documents as valid proof of citizenship.”⁴⁵

These examples represent the tip of the proverbial iceberg. According to the White House, ICE and CBP arrested over 150,000 migrants since January 20, and have deported over 139,000⁴⁶ (please note that these numbers are unverifiable, as ICE has not shared publicly available data on arrests or deportations since January 2025; this White House figure does not cite evidence). The administration aspires to deport 1 million migrants annually – more than triple the number of deportations in 2019, the previous high-water mark.⁴⁷ **Given the clear pattern of 1) arresting asylum seekers and other migrants without criminal charge; 2) subjecting migrants to prolonged detention; 3) arresting people based upon their nationality and ethnicity rather than legitimate legal bases; and 4) frequently deporting migrants to dangerous countries without the opportunity to have their cases heard by a judge, an inordinate number of these arrests constitute arbitrary detentions.** Given the anticipated escalation of these tactics, we further anticipate a significant increase in arbitrary detentions in the months and years to come if there is no intervention.

B. Enforced Disappearances

In addition to widespread arbitrary detention of migrant communities, the administration has also begun a campaign of enforced disappearances. Article 1 of the International Convention for the Protection of All Persons from Enforced Disappearance (the “Convention”) strictly prohibits enforced disappearances⁴⁸ (note that while the U.S. has neither signed nor ratified the Convention, enforced disappearances constitute a violation of customary international law and is considered a serious violation of international law). Due to the gravity of the offense, no extenuating circumstances whatsoever – including war, internal political instability, or other public emergencies – carve out exceptions to this blanket prohibition.⁴⁹ Any detention that is accompanied by a denial of legal protections, the non-derogable right to *habeas corpus*,⁵⁰ or the ability to contact counsel or family – regardless of whether it extends over a brief or prolonged period of time – constitutes an enforced disappearance.⁵¹ As the Working Group observes, such disappearances also constitute a continuous crime⁵² that begins at the time of the abduction, and lasts until the government either acknowledges the detention or provides information about the location and status of the individual.

It bears emphasis that the family of the disappeared have the right to truth about the circumstances of the disappearance, the identity of the perpetrator(s), the progress of any investigation, and the location and

status of the disappeared persons.⁵³ As the Working Group explains, “**the right of the relatives to know the truth of the fate and whereabouts of the disappeared persons is an absolute right, not subject to any limitation or derogation.** No legitimate aim, or exceptional circumstances, may be invoked by the State to restrict this right.”⁵⁴ In addition to the Convention’s right to truth (Art. 27), states must hold criminally responsible any person who commits, orders, solicits, or induces disappearances (Art. 6);⁵⁵ prosecute perpetrators (Art. 11); construct bodies where people can raise complaints about disappearances (Art. 12); refuse to send individuals to countries where they are likely to be disappeared (Art. 16); decline to hold anyone in secret detention (Art. 17); and provide special protections for children so that they are neither separated from family nor disappeared themselves (Art. 25).

In addition to constituting a standalone human rights violation, enforced disappearances also violate a spectrum of other human rights. This includes the rights to liberty and security of person, and to be free from arbitrary detention; the right to recognition before the law; the right to a fair trial; the right to be free from torture or other cruel, inhuman or degrading treatment; the right to truth; and in certain circumstances, the right to life.⁵⁶ Enforced disappearances may also be accompanied by socioeconomic rights violations against the detained individual – detention settings may generate violations of the rights to food, water, and health – as well as to disappeared person’s family, should they be relied upon for financial support to provide food, education, healthcare and an adequate standard of living.⁵⁷

While it is impossible to pinpoint the exact number and scope of enforced disappearances, the following examples of disappearing migrants to third countries without legal protections, as well as refouling them to the countries they fled, are emblematic of the current administration’s illegal actions. This includes:

- ❖ The administration arrested and then sent approximately 278 Venezuelan and Salvadoran men to El Salvador’s CECOT prison, a facility infamous for torture and inhumane conditions.⁵⁸ As one journalist explains, “[v]ideos from inside the camp...are nauseating. Prisoners are tortured, starved, deprived of adequate medical care; they are stacked like cord wood, seventy or eighty to a cell....more than 350 of them have died [since Bukele assumed power]....**It is no exaggeration to call CECOT a concentration camp.**”⁵⁹ These detentions and deportations were undertaken without due process or the opportunity to appeal the deportation before a judge, with the administration relying upon the Alien Enemies Act of 1798 (AEA) – a statute explicitly reserved for wartime to protect against an “invasion” of the United States by enemy armies.⁶⁰ As the brother of one of the disappeared men explains, no one knew where his brother was being held for five weeks, despite repeatedly calling detention centers; eventually, “they told us he’d been deported but wouldn’t say where.”⁶¹ This total information blackout appears to be a common theme from the family members of the disappeared, who were not given information about their loved ones’ location. As Human Rights Watch reports,

“Some relatives said that when they called US detention centers or ICE offices to ask about their relatives’ whereabouts, **officials told them that they could not provide any information, that their family members no longer appeared in the locator system, or that their whereabouts were unknown.** In a few cases, officials informed them that their relatives had been removed from the United States, but did not say where they had been sent.”⁶²

As the Americas director of Human Rights Watch observed, “[t]hese enforced disappearances are a grave violation of international human rights law. The cruelty of the US and Salvadoran governments has put these people outside the protection of the law and caused immense pain to their families.”⁶³

As the transfers to El Salvador were initially occurring, a federal judge ordered the administration to turn back flights that were already in the air. However, the administration seemingly ignored the directive and allowed the flights to proceed. The court found probable cause that the Defendants’ actions constitute contempt.⁶⁴ Since then, two federal courts have ordered the return of two of the men wrongly sent to CECOT, with one court ordering that the government “must facilitate...[the] ability to proceed through habeas” for those removed under the AEA, yet the administration has refused to comply.⁶⁵

U.S. Democratic Senators Kaine, Van Hollen, Schumer and Padilla introduced a resolution that would require the administration to publicly report on the steps it is taking to comply with court orders to return the disappeared men, to confirm whether the U.S. military is conducting the deportations, and to analyze El Salvador’s human rights record.⁶⁶ This resolution has failed. Despite attempts by both the judicial and legislative branches of government, the administration remains steadfast in its refusal to return the men.

- ❖ Among the most prominent cases is the abduction of Kilmar Armando Abrego Garcia, who was living legally in the United States with his U.S. citizen wife and three children (indeed, an immigration judge had explicitly ordered that he was not to be deported to El Salvador because of the likelihood he would face persecution).⁶⁷ Abrego Garcia was abducted from his car on his way home from work, and after being transferred between prisons in Maryland, Louisiana, Texas, and ultimately El Salvador, **his wife was left in the dark about his location; she reports, “I never heard from Kilmar again.”**⁶⁸ Abrego Garcia was deported to El Salvador in violation of *non-refoulement*. Though the administration acknowledged that Abrego Garcia was abducted and deported in error,⁶⁹ without due process and in the face of the U.S. Supreme Court’s order to facilitate his release from custody,⁷⁰ they have refused to request his return from El Salvador, where he sits today.⁷¹
- ❖ And in an alarming move, the U.S. Department of Homeland Security has since published the address of Abrego Garcia’s wife seemingly in retaliation for her speaking out against the abduction of her husband, prompting her and their children to move into a safe house.⁷²
- ❖ Similarly disturbing is the case of Andry José Hernández Romero, an openly gay Venezuelan hairstylist with a pending asylum application in the U.S. who was abducted and sent to CECOT.⁷³ His family reports that they have had no news of Andry since his disappearance, and remain completely out of touch; when speaking with CNN, his mother plead “please bring him back, it’s been two months of anguish. We can’t take it anymore.”⁷⁴ His attorneys at Immigrant Defenders Law Center confirm that he has no criminal record, remains incommunicado without access to lawyers or family, and even had his asylum case dismissed in the U.S.⁷⁵
- ❖ The New Orleans ICE Field Office arrested and deported at least two families, including mothers – one of whom is pregnant – and their U.S. citizen minor children ages 2, 4, and 7.⁷⁶ One of the children has a rare form of metastatic cancer that requires urgent medical attention.⁷⁷ The families were detained and held incommunicado prior to their deportation, without any ability to meet with

attorneys. Indeed, one of the detained women had a telephone call with her husband immediately terminated when he attempted to share an attorney's phone number with her.⁷⁸

- ❖ The administration also deported migrants to the military prison in Guantanamo Bay, where U.S. troops tortured civilians and “enemy combatants” captured from wars in the Middle East. Beginning in February 2025, ICE has arrested and deported hundreds of migrants – primarily Venezuelans and Nicaraguans – to the prison camp, where they were held until at least some of them were sent to Venezuela and CECOT in El Salvador,⁷⁹ in violation of *non-refoulement*. As Human Rights First explains,

“When the government first began disappearing migrants to Guantanamo, they were not searchable in the ICE detainee locator and frantic loved ones were often unable to confirm their whereabouts. While the government has taken some steps to update the ICE detainee locator when someone is detained in Guantanamo, it continues to cause confusion for loved ones and attorneys because it often lists an address in Florida. Additionally, no notice is given to a person’s attorney or loved ones before their transfer there while severe barriers in accessing counsel and horrific conditions of confinement persist.”⁸⁰

- ❖ At least one Iraqi refugee has been disappeared to a prison in Rwanda.⁸¹ The negotiated agreement between Rwanda and the United States not only provided that Rwanda would accept more third-country nationals in the future, but *explicitly stated that the U.S. government would not make any comment on any of the individuals deported, and would refuse to speak about what actions the Rwandan government was taking with those deported individuals*, effectively guaranteeing that they would vanish and not be able to communicate to their loved ones or lawyers.⁸²
- ❖ We are also deeply concerned about recent reports that the administration will begin disappearing migrants to prison camps in Libya.⁸³ Amnesty International has called Libyan detention facilities for migrants “horrific,” “a hellscape,” and rife with evidence of “sexual violence against men, women, and children,” while the Global Detention Project reports that detained migrants are subjected to torture and even slavery.⁸⁴ The U.S. State Department has also condemned these Libyan detention centers for having “harsh and life-threatening” conditions for migrants, including children, and that there was “no access to immigration courts or due process.”⁸⁵ As the New York Times explains, this is intended “to send a strong message to those in the country illegally that they can be deported to countries where they could face brutal conditions.”⁸⁶ It appears likely that any migrants deported to Libya would not have access to lawyers or the ability to communicate with family, and would face a high risk of torture.
- ❖ The administration has attempted to deport migrants to South Sudan – a country mired in civil war and that the U.S. government has warned citizens is too dangerous to visit – despite a court order instructing the administration not to allow the migrants to leave CBP custody.⁸⁷ A federal court found that the migrants, originally from Cuba, Laos, Mexico, Myanmar, Vietnam, and South Sudan, had not been given the opportunity to challenge the deportation.⁸⁸ The court chastised the government for “unquestionably violat[ing]” its prohibition on the deportations, and observed that “I have a strong indication that my preliminary injunction order has been violated.”⁸⁹ The migrants are currently stuck in Djibouti as their legal fight continues on.⁹⁰

In addition to the deportations, ICE and CBP have also been disappearing migrants in detention centers across the U.S. While detained migrants should theoretically appear in the ICE locator system, receive in-

person visits, and have some access to phone calls, these standards have not been met. Migrants have increasingly been abducted by unidentified agents, detained without appearing in the ICE locator, and deprived of their ability to place phone calls. The situation is equally deplorable, if not worse, in CBP custody. Migrants' locations are often untraceable, and individuals have been denied the ability to place a single phone call for days or even weeks, if at all. The following offers a non-exhaustive list of statistics and emblematic cases that highlight the widespread and systematic nature of the enforced disappearances carried out across the U.S.:

- ❖ The Immigration Hub is collecting stories of individuals disappeared by the Trump administration, with nearly 700 migrants profiled on their site.⁹¹ The collection includes stories of:
 - Fabian Schmidt, a legal U.S. resident arrested at the airport and pressured to surrender his green card. He was hospitalized after collapsing while in custody;
 - Jose Antonio Garcia Garcia and Miguel Ordonez Sorocop, pulled out of bed in a pre-dawn raid after ICE battered down the door to their home, in view of terrified teenagers;
 - Elsy Noemi Berrios, a mother of four from El Salvador who was driving to work with her daughter when ICE pulled her over, shattered her car window, and arrested her without a warrant, claiming she is a member of the gang MS-13;
 - Badar Khan Suri, a Georgetown professor and father of three who was arrested for “dangerous political speech” despite holding a visa and facing no charges, then transferred to a detention center in Louisiana;
 - Jensey Machado, a U.S. citizen arrested at gunpoint while driving to work, despite offering to show ICE agents proof of citizenship (Machado observes that ICE is “just following Hispanic people”); and
 - A sweeping military-style raids with ICE agents arresting 370 people across the Boston area – many without warrants or criminal charges – after Border Czar Holman’s promise to “bring hell” to the progressive city after local authorities refused cooperate with mass deportation efforts.⁹²
- ❖ Americans for Immigrant Justice described incidents where individuals were disappeared without access to their families or lawyers, apparently as a strategy to coerce acceptance of deportation.⁹³
- ❖ The administration has also started conducting enforced disappearances on university students, particularly foreign-born students that have condemned Israel’s actions in Gaza. This includes:
 - Mahmoud Khalil, a Columbia University graduate student and lawful permanent resident arrested by ICE agents without a warrant,⁹⁴ had little to no contact with his lawyers⁹⁵ and was unable to be located by his wife for days⁹⁶ as he was sent between detention centers.
 - University of Alabama doctoral student Alireza Doroudi was forcibly disappeared in late March, arrested by ICE agents outside of his home at 5AM.⁹⁷ Dourodi’s location in the ICE database was simply “in custody,” with the detention facility field “conspicuously left blank.”⁹⁸ While his location is now known – as with Khalil, he was sent to a detention center in Louisiana – he remains detained without any criminal charge.⁹⁹
 - Tufts University student Rumeysa Ozturk was abducted by masked officers in Somerville, Massachusetts on her way to an iftar dinner with friends.¹⁰⁰ Six plainclothes officers approached Ozturk on the street, and did not show their badges until after they had physically restrained her.¹⁰¹ The administration then flew her to a detention center in rural Louisiana, placing her out of reach of her friends and attorneys.¹⁰² Ozturk, who has since

been released, was likely arrested for co-authoring an article alongside three others that advocated for the rights of Palestinians.

- ICE has revoked over 1,200 student visas across 187 universities as of late-April 2025.¹⁰³ This appears intended to lay the groundwork for a wave of additional arbitrary detentions and enforced disappearances.
- ❖ CBP has been raiding locations where day laborers and farmworkers congregate, and recently arrested seventy-eight laborers working inside of the U.S., with witnesses confirming that Border Patrol agents were racially profiling their targets and selecting the individuals with darker skin tones for detention.¹⁰⁴ The detainees were held for up to three days in windowless concrete cells, outfitted only with aluminum blankets or concrete benches, and were denied requests to call the families, speak with lawyers, or appear before a judge.¹⁰⁵ The detainees were then instructed to sign forms that they were not permitted to read, which purportedly agreed to their “voluntary departure” to Mexico.¹⁰⁶ Up to forty-four of the people signed. They were then removed to Mexico, where they remain separated from their families, including U.S. citizen children.¹⁰⁷
- ❖ The CBP online locator only lists people who have been detained by CBP for at least 48 hours, fails to provide the precise location where the individual is being held, and does not include information about how a lawyer can contact them.¹⁰⁸
- ❖ ACLU New Mexico submitted a complain to the Department of Homeland Security after ICE disappeared forty-eight migrants.¹⁰⁹ ICE refused to disclose the identities of the disappeared individuals.¹¹⁰

As with arbitrary detentions, there is little to suggest that this growing trend of forcibly disappearing migrants will abate: the administration is calling on Congress to issue \$45 billion over the next two years so that they can build more detention centers, many likely to be run by private prisons corporations, and likely disappear, even more migrants.¹¹¹ Worryingly, these detention centers “will not have to meet the standards for services and detainee care that ICE has typically set for large detention providers...These facilities typically do not include comprehensive medical care, like access to mental health services, nor do they offer access to information about immigrants’ legal rights.”¹¹² Inability to access information about their rights – such as rights to contact lawyers and family members – suggests that enforced disappearances will continue to plague the United States under this administration.

II. Xenophobic rhetoric targeting migrant communities

As detailed above, the administration’s arbitrary detentions and enforced disappearances are targeting immigrants, with people from Hispanic backgrounds, Haitians, and people of color disproportionately disappeared and detained. This is by design. The measures are engineered to maximize human suffering and sow terror throughout migrant communities in a bid to spur “self-deportation” of those already inside the U.S., and to discourage others from attempting the journey and exercise their legal right to asylum.¹¹³ This is apparent not only through the obvious cruelty of these attacks, but through the racist and xenophobic rhetoric that Donald Trump and his proxies deployed throughout his campaign and that continues today.

During campaign rallies, Trump dedicated entire speeches to demonizing undocumented migrants, insisting that many are “monsters,” “vile animals,” and “stone-cold killers” bent on committing violent crime.¹¹⁴ His lamentation that they have introduced “a lot of bad genes into our country”¹¹⁵ has clear echoes fascist regimes and their reliance on racism to justify increasingly authoritarian actions. His speech has also

targeted Haitian immigrants, falsely claiming that they are “eating the dogs. They’re eating the cats. They’re eating the pets of the people.”¹¹⁶ The administration continues to employ degrading language today in an effort to terrorize migrant communities, including by the administration’s overt threat that “we will hunt you down.”¹¹⁷ As mentioned above, such dehumanizing language is a typical precursor to atrocity crimes, intended to make it more palatable for the general public to sit by in silence as entire communities are forcibly disappeared.

III. Requests to the U.S. Government

This growing pattern of arbitrary detentions and enforced disappearance of migrant communities approaching and across the U.S. stands in clear violation of international human rights law. The situation is not only urgent for the detained, the disappeared, their loved ones, and their communities, but more broadly for the U.S. public. The administration appears poised to increasingly rely upon these abusive tactics to justify building up their security forces and accumulate power, a chilling prospect for those who embrace democracy and human rights principles. What is more, it is already clear that the administration is empowering other authoritarian regimes across the globe to deploy similar abusive tactics, with the “Trump effect” accelerating destructive trends including disappearing migrants.¹¹⁸

We respectfully beseech the UN special mandates to send a communication to the U.S. government inquiring about these allegations, reminding the government of its obligations under international law, soliciting the administration to explain what steps it intends to take in order to return the arbitrarily detained and forcibly disappeared individuals to their homes, and requesting guarantees of non-recurrence. We also submit that the mandates encourage the administration to facilitate detained migrants with access to attorneys and the ability to communicate with loved ones.

Respectfully,

Al Otro Lado

American Civil Liberties Union

Americans for Immigration Justice

Black Alliance for Just Immigration

Center for Gender and Refugee Studies

Center for Human Rights and Constitutional Law

Coalition for Humane Immigrant Rights

Diana Kearney, Human Rights Attorney

Prof. Denise Gilman, The University of Texas School of Law

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Freedom for Immigrants

Freedom Network USA

Haitian Bridge Alliance

HIAS

Hope Border Institute

Immigrant Defenders Law Center

Instituto para las Mujeres en la Migración (IMUMI)

Jewish Family Service of San Diego

Just Detention International

Las Americas

National Network for Immigrant and Refugee Rights

Refugees International

Robert F. Kennedy Center for Human Rights

Prof. Sarah Paoletti, Transnational Legal Clinic, University of Pennsylvania Law School (*affiliation listed for identification purposes only*)

The Advocates for Human Rights

Quixote Center

Welcoming America

¹ Enforced disappearances are defined as the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law. International Convention for the Protection of All Persons from Enforced Disappearance, Art. 2.

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