



Opinion: 53 migrants died being smuggled into the US. Our misguided immigration policies bear much of the blame

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July 5, 2022

(CNN)The nation was shocked when 53 migrants were found dead in an abandoned tractor-trailer nearly 150 miles north of the US border with Mexico last week, with more than a dozen survivors, including four children, rushed to nearby hospitals to fight for their lives. It was a grisly, horrifying scene -- unimaginable to most Americans, who simply cannot fathom the desperation of those who would embark on such a treacherous journey.

But those who have closely monitored border policy in recent years likely saw the tragedy for what it was: another horrific, preventable loss of life driven by our nation's failure to establish a humane asylum system or an efficient immigration framework.

When there are no other options, people will take desperate measures to protect their families from the gang violence, persecution, climate disaster and extreme poverty ravaging Central America. And thanks to draconian, misguided policies, there is simply no way to seek asylum in this country -- a fundamental human right enshrined in domestic and international law.

These failed deterrence tactics include the "Remain in Mexico" program, which has forced tens of thousands of asylum seekers to await court hearings in acutely dangerous conditions - - 1,500 of whom have been subject to murder, rape, torture, kidnappings and other violent acts. And while that policy narrowly avoided being upheld by the Supreme Court in a razor thin 5-4 decision last week, clearing the way for Joe Biden's administration to end it once and for all, the Title 42 border expulsion policy remains in effect -- denying those seeking protection so much as an interview or court hearing.

The cause-and-effect are plain; and yet, in the wake of such devastating loss of life, political leaders have been quick to play the blame game. The Biden administration emphasized the fatal role played by cartel smugglers who exploit vulnerable people in search of safety and opportunity.

On the other hand, opponents of immigration, such as Governor Greg Abbott of Texas, wasted no time whatsoever in blaming the tragedy on what he erroneously describes as President Biden's "open borders" policies. This, despite the border being more closed than at any point in its history: a fact underscored by the two million expulsions of migrants under Title 42, an

immigration control mechanism issued by the US Centers for Disease Control and Prevention in March 2020 falsely dressed up as a public health measure.

The logic of this argument alone is detached from any sense of reality. If there were truly "open borders," why then would so many people put their lives at risk to cross undetected?

And yet, the fingerpointing entirely misses the glaring fact that this tragedy -- just the latest of many -- can be traced to structural failures in our nation's approach to immigration. It is the result of three decades of inaction to address a deeply dysfunctional system: one that favors militarized enforcement over human life itself.

This nearly 30-year status quo of deterrence in the face of desperate people is far too deadly to maintain. Fortunately, there are actionable solutions which honor our moral and legal obligations to those seeking safety, strengthen our economy and deprive criminal cartel smugglers the opportunity to exploit vulnerable children and families.

First, the Biden administration should urgently restore and reimagine an asylum system that suffered death by a thousand cuts under its predecessor. A safe, humane, orderly immigration system would eviscerate smugglers' core business model by giving desperate asylum seekers a viable, life-saving alternative.

But political leaders can also reduce the overall number of people arriving at our southern border by creating real pathways that do not require risk to vulnerable populations and reward to criminal coyotes. One such pathway is the US Refugee Admissions Program, which admits and resettles refugees whose applications are processed while the applicant remains abroad, avoiding the need to embark upon the treacherous journey to the US.

The Biden administration should immediately scale up overseas processing and expand to new locations where there are large groups of refugees in protracted situations, like in South and Central America. Doing so would improve upon its woeful underperformance in meeting its refugee commitments. So far, for the fiscal year ending September 30, the US has only resettled 12,641 people of all nationalities towards an annual target of 125,000.

Policy makers must also recognize the economic contributions migrants are poised to make amid a nationwide labor shortage, by increasing access to work visas, such as H-2A and H-2B visas. That people from around the world envy the opportunity to build their livelihoods in the US is a strategic competitive advantage we should leverage, especially in the face of an ascendant China with a far greater overall population. Such legal avenues have also been shown to reduce unauthorized migration from Mexico, according to research by the Cato Institute.

Of equal importance as addressing drivers of displacement such as corruption, political instability, and economic inequality, the Biden administration must also focus on climate-related displacement. Given climate change's role in an alarming increase of global migration, the US should lead by example in pioneering legal protection pathways for those displaced due to climate disasters in our hemisphere.

And just as members of Congress recently found common ground on gun violence prevention, there are immigration proposals that could be enacted as law on a strong bipartisan basis as well. As Senate talks restart, there is promising consensus around legislation to implement innovative technology at the border, and issue more visas to healthcare workers and farm laborers, among other common-sense reforms.

The choice is clear-cut. Either our nation reckons with the failure of a deterrence-based framework and implements solutions that benefit Americans and newcomers alike; or we turn a blind eye to the man-made suffering of our militarized immigration regime until the next tragic loss of human life.