



DEHUMANIZED BY DESIGN

HUMAN RIGHTS VIOLATIONS IN EL PASO

RESEARCH
BRIEFING

AMNESTY
INTERNATIONAL



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This briefing presents Amnesty International's findings and observations from an April 2025 research trip to El Paso, Texas, including a guided tour of the El Paso Service Processing Center (EPSPC) detention facility, the purpose of which was to document the human rights impact of recent US migration and asylum policies on mass deportations and detention, access to due process and implementation of the Alien Enemies Act targeting Venezuelans.

EXECUTIVE SUMMARY: DEHUMANIZED BY DESIGN

“We just want to be treated like human beings.”¹

Individual in detention, EPSPC

This briefing presents Amnesty International’s findings and observations from an April 2025 visit to an immigration detention center in Texas. Amnesty International documented serious human rights violations against individuals detained at the El Paso Service Processing Center (EPSPC), against the backdrop of the broader crackdown on immigration under the Trump administration. These findings are based on a guided tour of the facility, and interviews with individuals detained at the facility and local service providers.

ARBITRARY DETENTION:

Amnesty International documented numerous cases of people, including those with long-term presence in the United States and individuals with asylum claims who were arbitrarily detained. These included people fleeing political violence, torture, and gang violence. Many reported having no access to attorneys, facing prolonged detention without explanation, and being transferred between facilities impacting their ability to communicate with loved ones and legal service providers.

Amnesty International interviewed one man detained at EPSPC who said, “The reality is that people here suffer. Everyone has different stories. We were brought here on a plane with just bread and water. We are here without rights. We are migrants not criminals.”² Another individual told Amnesty International, “our families are in limbo. I would want and wish at a bare minimum to be treated with humanity.”³

LACK OF ACCESS TO LEGAL SERVICES AND DUE PROCESS:

The US Department of Justice (DOJ) has halted funding for legal orientation programs provided to immigrants being detained.⁴ As a result, individuals detained at EPSPC will no longer have access to up to date “know your rights” materials as local legal services and advocacy organizations have seen their federal funding curtailed or eliminated altogether. Most detained individuals interviewed lacked legal representation, and several individuals detained said they were frustrated about lack of access to legal resources, including being regularly denied access to the law library. Others said they lacked access to any information about their case.

“People don’t understand that these (legal orientation) programs we offer are critical because what we do is give people information so that they can decide about how to proceed. Now, the first time someone will explain their legal rights and process to them will be when they are already before a judge.”⁵ Melissa López, Estrella del Paso

¹ Amnesty International interview with a man in detention, Name withheld, El Paso Service Processing Center, El Paso, TX, 10 April 2025.

² Amnesty International interview with detained Venezuelan man in detention, EPSPC, El Paso, TX, 10 April 2025.

³ Amnesty International interview with man in detention, Name Withheld, EPSPC, El Paso, TX, 10 April 2025

⁴ *Justice Department Ends Legal Aid Programs for Immigrants in El Paso*, CBS News, 14 April 2025, <https://cbs4local.com/newsletter-daily/justice-department-ends-legal-aid-programs-for-immigrants-in-el-paso>.

⁵ Amnesty International interview with Melissa López, Estrella del Paso, El Paso, TX, 11 April 2025.

VENEZUELAN INDIVIDUALS ARE BEING DISPROPORTIONATELY TARGETED:

Under the Trump administration's use of the Alien Enemies Act, Venezuelans have been disproportionately targeted and labeled as gang-affiliated without evidence, arbitrarily detained, and unlawfully expelled without due process, including to El Salvador, where they face inhumane prison conditions and risk of torture. At EPSPC, individuals reported that Venezuelans are disproportionately physically abused by guards, put into solitary confinement, and designated as "alien enemies" based simply upon their nationality and tattoos – all with no due process. Speaking anonymously, various individuals detained detailed threats of being sent to Guantanamo or El Salvador by guards as a fear and intimidation tactic and/or disciplinary measure.

Alejandro (name changed for security reasons), a Venezuelan man, had been at the detention center for about two months in a housing unit with other Venezuelan men. When they refused to play football with guards, the guards started saying slurs about how useless Venezuelans are. There were around ten guards, and they attacked three of the men in the unit. Alejandro was one of them. The guard slammed him onto the floor. His knees were on his head – they were kicking him repeatedly. When his legal service provider interviewed him, she reported that he had visible cuts on his face, swelling, and injuries on the back of his head and his back.⁸⁴

Amnesty International researchers were told by officials that individuals are no longer being sent to Guantanamo, however they were also told, "We have sent two planes of folks to El Salvador. Sometimes we must fly detainees from other parts of the country to fill these planes because we don't want to waste taxpayer money and we need to make sure they are at capacity."⁶

INHUMANE CONDITIONS OF DETENTION:

Amnesty International found that conditions at the El Paso Service Processing Center (EPSPC) violate both US and international detention standards. Individuals detained at EPSPC reported physical abuse by guards, use of solitary confinement, unsanitary and overcrowded living spaces including dysfunctional toilets, inadequate medical care, and poor-quality, expired food.

"We just want a solution as fast as possible. People don't sleep. It's cold at night. We do not get medicine. There is blood coming from my throat. Everyone has stomach issues because of the food and lack of nutrition. We have no access to clean water; it is hot and smells like chemicals."⁷ Individual in detention, EPSPC

The Trump administration is detaining individuals and conducting mass deportations at a breakneck pace, without regard for human rights, dignity, or accountability. It is now seeking over \$200 billion to expand immigration enforcement and triple the current detention bed capacity to 150,000. As detailed in this briefing, the US Government's actions violate numerous international human rights standards, including the principle of *non-refoulement*, which prohibits returning individuals to countries where they risk serious human rights abuses.

⁶ Amnesty International interview with EPSPC officials, U.S. Immigration and Customs Enforcement, El Paso Field Office at El Paso Service Processing Center, El Paso, Texas, 10 April 2025.

⁷ Amnesty International interview with a man in detention, Name withheld, El Paso Service Processing Center, El Paso, TX, 10 April 2025.

RECOMMENDATIONS:

Based on Amnesty International's independent findings and the United States' obligations under international human rights law, the organization makes the following recommendations:

1. Congress must not fund the United States mass detention and deportation system which violates international human rights law and standards.
2. End the practice of mass immigration detention in the United States and ensure a presumption of liberty and that any use of detention is rare and only after an individualized determination that no other alternatives are appropriate. All detention facilities should comply with international law and standards.
3. Establish a right to counsel for people in immigration proceedings and ensure people are guaranteed legal counsel, as well as translation services, in all immigration court proceedings. Ensure that organizations that provide legal services and other services to individuals in immigration detention are adequately funded.
4. Guarantee the safe and immediate return to the United States of all persons expelled to El Salvador under the Alien Enemies Act executive order, ensuring the continuation of their immigration processes and access to due process guarantees.
5. Immediately halt the targeting of Venezuelans and halt any subsequent expulsions under the Alien Enemies Act executive order, in strict compliance with the principle of *non-refoulement*.

METHODOLOGY

This briefing presents Amnesty International's findings and observations from a research mission to El Paso, Texas, including a guided tour of the El Paso Service Processing Center, in April 2025, whose purpose was to document the human rights impacts of recent US migration and asylum policies on mass detention and deportation, access to due process, and reports of abuse, discrimination, threats, and ill-treatment against Venezuelans in light of the recent detentions in Guantanamo Bay and enforced disappearances to El Salvador since President Trump took office on 20 January 2025.⁸

In particular, it focuses on the executive orders signed by President Trump and other executive actions and agency policies and their immediate, widespread, discriminatory and punitive impact on immigrant communities across the US.⁹ This briefing does not provide detailed information about mass immigration arrests and detentions nationwide, nor an in-depth analysis of all discriminatory impacts of these measures. The cumulative effects and harms of the Trump administration's punitive and discriminatory immigration and asylum measures are the subject of Amnesty International's ongoing monitoring and analysis of the situation in the United States.¹⁰

⁸ Amnesty International, "Unlawful Expulsions to El Salvador Endanger Lives Amid Ongoing State of Emergency," 25 March 2025, <https://www.amnesty.org/en/latest/news/2025/03/unlawful-expulsions-to-el-salvador-endanger-lives-amid-ongoing-state-of-emergency/>; Amnesty International, *Lives in Limbo: Devastating Impacts of Trump's Migration and Asylum Policies*, (AMR 51/9029/2025) 20 February 2025, <https://www.amnestyusa.org/reports/lives-in-limbo-devastating-impacts-of-trumps-migration-and-asylum-policies/>.

⁹ It should be noted that some detained individuals with whom Amnesty International spoke had been detained prior to President Trump taking office but noted changes in access to resources and detention conditions under the new administration.

¹⁰ Amnesty International Press Release "Invoking Alien Enemies Act is Incredibly Cruel Move by Trump Administration," 15 March 2025, <https://www.amnestyusa.org/press-releases/invoking-alien-enemies-act-is-incredibly-cruel-move-by-trump-administration/>; Amnesty International Press Release, "Unlawful Expulsions to El Salvador Endanger Lives Amid Ongoing State of Emergency," 25 March 2025, <https://www.amnesty.org/en/latest/news/2025/03/unlawful-expulsions-to-el-salvador-endanger-lives-amid-ongoing-state-of-emergency/>; Amnesty International Urgent Action, "Stop Illegal Expulsions to El Salvador," UA:34.25 USA; <https://www.amnestyusa.org/urgent-actions/urgent-action-stop-illegal-expulsions-to-el-salvador-usa-34-25/>; Amnesty International, *Lives in Limbo: Devastating Impacts of Trump's Migration and Asylum Policies*, (AMR 51/9029/2025) 20 February 2025, <https://www.amnestyusa.org/reports/lives-in-limbo-devastating-impacts-of-trumps-migration-and-asylum-policies/>.

During the trip to El Paso, Amnesty International interviewed immigrants and people seeking safety, met with legal, humanitarian, and social service providers and local organizations, and visited the El Paso Service Processing Center (EPSPC), where asylum seekers and migrants are being held. The organization spoke with one Colombian woman detained at EPSPC who was six months pregnant and one Venezuelan man who had been subject to solitary confinement and other punitive measures without due process, as well as 25 other detained individuals (almost half of whom were women) from Colombia, Cuba, Ecuador, Dominican Republic, Peru, Venezuela, Honduras, Mexico, Brazil, and Guatemala, among other places. Amnesty International interviewed local and international organizations operating in El Paso, including Las Americas, Estrella del Paso, and Casa Carmelita. The interviews with Spanish-language speakers were conducted in Spanish, while interviews with non-Spanish speakers were conducted in English with interpretation assistance from staff.

The briefing also includes reports of abuse by two detained Venezuelan men held at EPSPC who met with legal services providers in January and February 2025 before being sent to Guantanamo Bay. These reports were made to Amnesty International through an online incident report portal set up to document and monitor human rights abuses of immigrants detained in the US. Follow-up interviews with legal service providers from El Paso, Texas, were conducted via Zoom in February 2025. Following these reports, Amnesty International requested and was granted a meeting, and guided tour with ICE officials at the El Paso Service Processing Center. Prior to Amnesty International's visit, a sign-up sheet was circulated within the detention center by the EPSPC for those individuals who wanted to meet with the organization. Eighty-one people signed up to speak with Amnesty International but in the allotted time researchers were only able to meet 27 of them. Officials at EPSPC selected these 27 individuals from the sign-up list to meet with Amnesty International. Notably no Venezuelan men were present in this selected group. Various individuals and organizations in El Paso spoke to Amnesty International on the condition of anonymity. Their names have not been included in this report. Amnesty International was not granted access to "high-risk" dorms or to the men's dorms, on the grounds that there was "not enough time." Amnesty International was shown inside a low-risk women's housing unit.

INTRODUCTION

Immediately upon taking office, President Trump signed numerous executive orders that called for mass deportation and detention of immigrants in the United States. In addition to terminating programs that provided temporary protection in the United States, the Trump administration has ramped up immigration enforcement, detention, and deportations. The administration has also declared an "invasion" and invoked the Alien Enemies Act as an additional tool to unlawfully expel individuals from the United States.¹¹

MECHANISMS BEING USED TO APPREHEND IMMIGRANTS

It is important to note that President Trump signed a series of executive orders and the administration took other policy actions that focused efforts to increase immigration enforcement, detention, and deportation of communities seeking safety within the US.¹² Many

¹¹ Presidential Action, *Guaranteeing the States Protection against Invasion*, 20 January 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/guaranteeing-the-states-protection-against-invasion/>; Presidential Action, *Invocation of the Alien Enemies Act Regarding the Invasion of the United States by Tren de Aragua*, 15 March 2025; <https://www.whitehouse.gov/presidential-actions/2025/03/invocation-of-the-alien-enemies-act-regarding-the-invasion-of-the-united-states-by-tren-de-aragua/>.

¹² Presidential Action, *Securing Our Borders*, 20 January 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/securing-our-borders/>; Presidential Action, *Clarifying the Military's Role in Protecting the Territorial Integrity of the United States*, 20 January

individuals detained at the El Paso Service Processing Center told Amnesty International that they were apprehended inside the interior of the United States by ICE agents and/or local law enforcement and then transferred to ICE custody.¹³ Due to enhanced enforcement orders of the Trump administration,¹⁴ all immigrants without US citizenship are at risk, including individuals with US citizen children and decades of working and living in the US. The stripping of temporary statuses like humanitarian parole and Temporary Protected Status (TPS) have further added to the current situation. Moreover, the Alien Enemies Act¹⁵ has been weaponized by the Trump administration to target Venezuelans who are labeled as Tren de Aragua (TdA) gang members and arrested without warrants or substantiated evidence demonstrating their membership.¹⁶

Immigration detention has long been a problem in the United States, with a history of abuse and cruel conditions.¹⁷ Nevertheless, the US has continued to fund increased detention without improved conditions.¹⁸ Currently, 47,600 individuals are detained by Immigration and Customs Enforcement (ICE) across 142 facilities nationwide. But with enhanced enforcement and detention and plans to remove at least one million individuals in 2025, the Trump administration's efforts are being kicked into high gear, causing overcrowding and deterioration of conditions, as Congress is considering massive increased funding to enable ICE to detain upwards of 150,000 people per day. The Trump administration is seeking 200 billion dollars to further expand the reach of President Trump's mass deportation, mass detention, and border militarization plans.¹⁹

The administration is using tools unlawfully and to strike fear into communities, including the Alien Enemies Act, to rapidly unlawfully expel individuals, without due process to the Centro de Confinamiento del Terrorismo (CECOT) maximum security prison in El Salvador.

2015, <https://www.whitehouse.gov/presidential-actions/2025/01/clarifying-the-militarys-role-in-protecting-the-territorial-integrity-of-the-united-states/>; Presidential Action, *Guaranteeing the States Protection against Invasion*, 20 January 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/guaranteeing-the-states-protection-against-invasion/>; Presidential Action, *Declaring a National Emergency At the Southern Border of the United States*, 20 January 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/declaring-a-national-emergency-at-the-southern-border-of-the-united-states/>; Presidential Action, *Protecting the American People Against Invasion*, 20 January 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-american-people-against-invasion/>; Presidential Action, *Protecting the United States from Foreign Terrorists and Other Public Safety and National Security Threats*, 20 January, 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-united-states-from-foreign-terrorists-and-othernational-security-and-public-safety-threats/>; Presidential Action, *Invocation of the Alien Enemies Act Regarding the Invasion of the United States by Tren de Aragua*, 15 March 2025; <https://www.whitehouse.gov/presidential-actions/2025/03/invocation-of-the-alien-enemies-act-regarding-the-invasion-of-the-united-states-by-tren-de-aragua/>.

¹³ U.S. Immigrations and Customs Enforcement, Delegation of Immigration Authority Section: 287g Immigration and Nationality Act, <https://www.ice.gov/identify-and-arrest/287g>.

¹⁴ U.S. Department of Justice Acting Attorney General Memorandum: *Interim Policy Changes Regarding Charging, Sentencing and Immigration Enforcement* (21 January 2025); <https://www.documentcloud.org/documents/25501043-memorandum-from-the-acting-deputy-attorney-general-01/>.

¹⁵ Alien Enemies Act, 50 U.S.C. Sections 21-24; <https://www.law.cornell.edu/uscode/text/50/chapter-3>.

¹⁶ Amnesty International interviews with numerous individuals detained at El Paso Service Processing Center, El Paso, TX, 10 April 2025.

¹⁷ Douglass McMillan, *Immigrants forced to sleep on floors at overwhelmed ICE detention centers: Conditions are deteriorating as many detention centers approach capacity and the Trump administration closes two agencies overseeing health and safety at the facilities*, Washington Post, 20 April 2025; <https://www.washingtonpost.com/business/2025/04/18/immigrant-detention-overcrowding-trump-crackdown/>; Amnesty International, Haitian Bridge Alliance, Florence Project et al., "Submission to U.N. Special Rapporteur on Human Mobility," 6 May 2025, https://refugeerights.org/wp-content/uploads/2025/05/English-Written-statement-for-IACHR-Rapporteurship-on-Human-Mobility_May-6-2025.pdf; National Immigrant Justice Center, "Snapshot of ICE Detention: Inhumane Conditions and Alarming Expansion," 20 September 2024, <https://immigrantjustice.org/research-items/policy-brief-snapshot-ice-detention-inhumane-conditions-and-alarming-expansion>; Physicians for Human Rights, "Endless Nightmare": Torture and Inhuman Treatment in Solitary Confinement in U.S. Immigration Detention," 6 February 2024, <https://phr.org/our-work/resources/endless-nightmare-solitary-confinement-in-us-immigration-detention/>; Center for Victims of Torture, "Arbitrary and Cruel: How U.S. Immigration Detention Violates the Convention Against Torture and Other International Obligations," June 2023, https://www.cvt.org/wp-content/uploads/2023/06/Arbitrary_and_Cruel_d5_FINAL.pdf; Human Rights First, "U.S. Detention of Asylum Seekers Seeking Protection, Finding Prison," April 2009, <https://www.corteidh.or.cr/tablas/r25623.pdf>.

¹⁸ Amanda Hernandez, *For-profit immigration detention expands as Trump accelerates his deportation plans States may not be able to limit or block new contracts with private companies*, Stateline, 11 April 2025, <https://stateline.org/2025/04/11/for-profit-immigration-detention-expands-as-trump-accelerates-his-deportation-plans/>; American Immigration Council, "Congress Approves Even More Funding for Detention, Deportation," 14 March 2025, <https://www.americanimmigrationcouncil.org/news/congress-approves-even-more-funding-detention-deportation>; Jose Olivares, *Biden extended contracts to private immigration jails despite reports of 'horrific' conditions*, The Guardian, 6 December 2024, <https://www.theguardian.com/us-news/2024/dec/06/biden-immigration-detention-centers-inhumane-conditions>; Physicians for Human Rights, "Endless Nightmare: Torture and Solitary Confinement in US Immigration Detention," 6 February 2024, <https://phr.org/our-work/resources/endless-nightmare-solitary-confinement-in-us-immigration-detention/>; Adriel Orozco, *Biden's Emergency Funding Proposal Seeks \$14 Billion For Immigration System From Congress*, Immigration Impact, 25 October 2023, <https://immigrationimpact.com/2023/10/25/biden-funding-proposal-immigration-congress/>.

¹⁹ See: <https://judiciary.house.gov/committee-activity/markups/markup-legislative-proposals-comply-reconciliation-instructions>.

ALIEN ENEMIES ACT

The Alien Enemies Act (AEA), enacted in 1798, gave the president broad authority to detain or deport non-citizens from countries with whom the US was at war. The law was used to justify internment of individuals and communities, most notably Japanese Americans and immigrants during World War II.²⁰ The AEA has been criticized for granting broad authority which can lead to detention and deportation of individuals without due process. The Trump administration's invocation of the Alien Enemies Act is significant because it sidesteps immigration law and its explicit protections and requirements. Moreover, Congress has not declared that the US is in an armed conflict. The Trump administration claims that the US is "under invasion" by criminally affiliated individuals affiliated with the Venezuelan government, but provides no evidence or process for how the government makes such a determination under the law.²¹ The US Department of State (State Department) has designated TdA as a foreign terrorist organization.²² Court findings submitted by the government have shown that the US is using a "point system" to determine whether people are members of TdA.²³ This is the first time the AEA has been used, not against a country with whom the US is at war, but against groups being declared foreign terrorist organizations.²⁴ The Supreme Court of the US recently issued a decision that requires the government to provide due process under the AEA, including requirements for habeas corpus and judicial notice.²⁵

One facility that was used as a staging ground for this mass detention and deportation effort, including past removals to Guantanamo Bay,²⁶ is the El Paso Service Processing Center (EPSPC). Amnesty International requested access in February 2025, was granted access on 13 February 2025 and toured the facility on 10 April 2025. The organization found an environment and system designed to dehumanize the population within. Detained individuals at EPSPC have had the Legal Orientation Program cut, are fed expired and nutritionally deficient food, lack access to medical care, experience retaliatory or arbitrary disciplinary measures without due process, are (as is the case with most detention centers) assigned risk levels at intake and throughout their detention based on unclear criteria that dictates their treatment within the facility. Many of the people we had spoken with had pending asylum claims, and we heard from various individuals about the desire to request voluntary departure as they believed it was the only way they could be free from detention. Amnesty International is calling for an end to the arbitrary mass detention and deportation campaign, and for

²⁰ Katherin Yon Ebricht, *The Alien Enemies Act*, Brennan Center for Justice, 10 October 2024, <https://www.brennancenter.org/our-work/policy-solutions/alien-enemies-act>.

²¹ Charles Savage and Julian Barnes, *Spy Agencies Do Not Think Venezuela Directs Gang, Declassified Memo Shows*, The New York Times, 5 May 2025, https://www.nytimes.com/2025/05/05/us/trump-venezuela-gang-ties-spy-memo.html?unlocked_article_code=1.FE8.ekrJ.ejTHcs9yc702&smid=url-share.

²² Tren de Aragua (TdA) is an entity that the State Department has designated as a foreign terrorist organization. See 90 Fed. Reg. 10030 (2025). The President issued Proclamation No. 10903, invoking the Alien Enemies Act (AEA), Rev. Stat. §4067, 50 U. S. C. §21, to detain and remove Venezuelan nationals "who are members of TdA."

²³ Laura Romero and Armando Garcia, *Documents appear to show how Trump admin identifies Venezuelan gang members: ACLU*, ABC News, 31 March 2025, [Documents appear to show how Trump admin identifies Venezuelan gang members: ACLU - ABC News](https://www.abcnnews.com/Politics/1st-migrant-flight-heads-guantanamo-bay-carrying-worst/story?id=118456073), Alien Enemies Act, *Alien Enemy Validation Guide*, *Alien-Enemy-Validation-Guide.pdf*.

²⁴ Presidential Action, *Designating Cartels And Other Organizations As Foreign Terrorist Organizations And Specially Designated Global Terrorists*, 20 January 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/designating-cartels-and-other-organizations-as-foreign-terrorist-organizations-and-specially-designated-global-terrorists/>.

²⁵ United States Supreme Court, *Trump v. J.G.G.*, 7 April 2025, https://www.supremecourt.gov/opinions/24pdf/24a931_2c83.pdf at page 2 and 3, The court ruled: (1) "Regardless of whether the detainees formally request release from confinement, because their claims for relief 'necessarily imply the invalidity' of their confinement and removal under the AEA, their claims fall within the 'core' of the writ of habeas corpus and thus must be brought in habeas;" (2) "More specifically, in this context, AEA detainees must receive notice after the date of this order that they are subject to removal under the Act. The notice must be afforded within a reasonable time and in such a manner as will allow them to actually seek habeas relief in the proper venue before such removal occurs."

²⁶ Matt Seyler, Stacey Dec and Luis Martinez, *1st Migrant Flight Lands at Guantanamo Bay, Carrying 'Worst of the Worst: The Plane Took off From El Paso with a Small Number of Migrants Onboard*, ABC News, 4 February 2025, <https://abcnews.go.com/Politics/1st-migrant-flight-heads-guantanamo-bay-carrying-worst/story?id=118456073>.

Congress to block funding that would massively expand the detention and enforcement system.

INTERNATIONAL LAW AND STANDARDS

While it is generally accepted that countries have the right to regulate the entry and stay of non-nationals in their territory, they can only do so within the limits of their human rights and humanitarian obligations.²⁷ In response to the announcement of mass deportations, Amnesty International strongly recalls that migration is never a crime. International standards prohibit collective expulsion or deportations, meaning that all deportations must respect due process, which includes an individual assessment of the risks upon return. Due process guarantees also encompass the right to be heard, translation, information, and the right to appeal.²⁸ Particular consideration needs to be given to any international protection needs.²⁹ Deportations must be assessed on a case-by-case basis, and only in compliance with a decision made by law. Summary deportations and expulsions to other jurisdictions do not comply with due process obligations and deprive individuals of the right to an effective remedy.³⁰ Likewise, States must refrain from separating families through deportation proceedings.³¹

Detention solely for migration-related purposes is only allowed in the most exceptional of circumstances.³² The enjoyment of personal liberty must remain any individual's default condition. Migrants, refugees, and asylum seekers, like anyone else, must benefit from a legal presumption of liberty. As a consequence, if they are subject to any deprivation of liberty, it must be clearly prescribed by law and strictly justified by a legitimate purpose that is necessary, proportionate, and non-discriminatory. Detention is only appropriate when authorities can demonstrate in each individual case that it is necessary and proportionate to the objective being achieved and on grounds prescribed by law and that alternatives would not be effective. A limited number of specific purposes are recognized as legitimate grounds for detention under international standards, including verifying identity, protecting national security or public order, and preventing a person from absconding following an objective assessment or flight risk.³³

Governments have an obligation to ensure that conditions of detention meet international human rights law and standards, notably that the conditions of detention are humane and the

²⁷ United Nations Standard Minimum Rules for the Treatment of Prisoners, *Nelson Mandela Rules*, https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-book.pdf; United Nations Office of the High Commissioner of Human Rights, *International Standards on Detention*, *International standards on detention* | OHCHR.

²⁸ IACHR, Inter-American Principles of the Human Rights of all Migrants, Refugees, Stateless Persons and Victims of Human Trafficking, Resolution 04/19, 2019, [oas.org/en/iachr/decisions/pdf/Resolution-4-19-en.pdf](https://www.oas.org/en/iachr/decisions/pdf/Resolution-4-19-en.pdf), Principle 73.

²⁹ IACHR, Inter-American Principles of the Human Rights of all Migrants, Refugees, Stateless Persons and Victims of Human Trafficking, Resolution 04/19, 2019, [oas.org/en/iachr/decisions/pdf/Resolution-4-19-en.pdf](https://www.oas.org/en/iachr/decisions/pdf/Resolution-4-19-en.pdf), Principle 72.

³⁰ Amnesty International, "Unlawful Expulsions to El Salvador Endanger Lives Amid Ongoing State of Emergency," 25 March 2025, <https://www.amnesty.org/en/latest/news/2025/03/unlawful-expulsions-to-el-salvador-endanger-lives-amid-ongoing-state-of-emergency/>; Human Rights First "Analysis of the Trump Administration's Initial Immigration Executive Actions," 22 January 2025, <https://humanrightsfirst.org/library/human-rights-first-analysis-of-the-trump-administrations-initial-immigration-executive-actions/>.

³¹ IACHR, Inter-American Principles of the Human Rights of all Migrants, Refugees, Stateless Persons and Victims of Human Trafficking, Resolution 04/19, 2019, [oas.org/en/iachr/decisions/pdf/Resolution-4-19-en.pdf](https://www.oas.org/en/iachr/decisions/pdf/Resolution-4-19-en.pdf), Principle 61.

³² UNHCR, *Detention Guidelines*, 2020, <https://www.unhcr.org/il/wp-content/uploads/sites/6/2020/11/UNHCR-Detention-Guidelines-English.pdf>, (18: Detention in the migration context is neither prohibited under international law per se, nor is the right to liberty of person absolute. However, international law provides substantive safeguards against unlawful (see Guideline 3) as well as arbitrary detention. "Arbitrariness" is to be interpreted broadly to include not only unlawfulness, but also elements of inappropriateness, injustice and lack of predictability. To guard against arbitrariness, any detention needs to be necessary in the individual case, reasonable in all the circumstances and proportionate to a legitimate purpose (see Guidelines 4.1 and 4.2). Further, failure to consider less coercive or intrusive means could also render detention arbitrary (Guideline 4.3).

³³ United Nations Standard Minimum Rules for the Treatment of Prisoners, *Nelson Mandela Rules*, https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-book.pdf; United Nations Office of the High Commissioner of Human Rights, *International Standards on Detention*, *International standards on detention* | OHCHR.

human rights of detainees are respected. Fundamental human rights while detained include protection against torture, cruel, inhuman, or degrading treatment; access to medical care; exercise; and the ability to communicate with the outside world including consulates, attorneys, and family.³⁴ ICE also has Performance Based National Detention Center Standards that require access to legal resources, telephone, clean and secure detention conditions, recreation time, nutritionally-balanced meals, and medical care.³⁵

During deportation, individuals must have access to food, sanitation, basic health care, psychological care, shelter, and other necessities such as adequate clothing during all stages of travel.³⁶ Finally, States must work together to facilitate return and readmission in conditions of safety and dignity. They must ensure that returnees do not suffer threats to their life, liberty, security and integrity before, during and after return.³⁷

All individuals have the universal human right to seek and enjoy asylum from persecution and widespread or mass human rights violations.³⁸ All individuals also have the right not to be returned to places where their life or freedom may be endangered or where they would be at risk of torture or cruel, inhuman or degrading treatment or punishment, regardless of their migration status.³⁹ This principle, known as *non-refoulement*, is a protection under international human rights, refugee, and humanitarian law, and requires states to refrain from returning, removing or transferring anyone to their countries of origin or any other location where there are substantial grounds to believe they would be at risk of serious human rights abuses.⁴⁰ The principle of *non-refoulement*, a customary norm under international law, is absolute, and admits no derogations. In order to fulfill the obligation not to refoul individuals, states must have mechanisms with due process guarantees in place to assess individuals for this risk. Collective expulsions that deprive people of an individual assessment of the risks they would face upon return breach the principle of *non-refoulement*.⁴¹

The US has the obligation to ensure the right of individuals to seek asylum, to uphold the principle of *non-refoulement* at all times, and to protect and respect the human rights of all people without exception, including asylum seekers and migrants, who are subject to the United States' authority by being present in its jurisdiction.⁴² This includes the obligation of allowing migrants and people seeking safety access to territory, as well as the protection of their rights to life, personal integrity, equality and non-discrimination, liberty, and to be free from torture and other cruel, inhuman or degrading treatment or punishment, as well as

³⁴ United Nations Standard Minimum Rules for the Treatment of Prisoners, *Nelson Mandela Rules*, https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-book.pdf; United Nations Office of the High Commissioner of Human Rights, *International Standards on Detention*, *International standards on detention* | OHCHR.

³⁵ ICE 2016 National Performance Based Detention Standards; <https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf>.

³⁶ IACHR, Inter-American Principles of the Human Rights of all Migrants, Refugees, Stateless Persons and Victims of Human Trafficking, Resolution 04/19, 2019, [oas.org/en/iachr/decisions/pdf/Resolution-4-19-en.pdf](https://www.oas.org/en/iachr/decisions/pdf/Resolution-4-19-en.pdf), Principle 74.

³⁷ IACHR, Inter-American Principles of the Human Rights of all Migrants, Refugees, Stateless Persons and Victims of Human Trafficking, Resolution 04/19, 2019, [oas.org/en/iachr/decisions/pdf/Resolution-4-19-en.pdf](https://www.oas.org/en/iachr/decisions/pdf/Resolution-4-19-en.pdf), Principle 76.

³⁸ Universal Declaration of Human Rights, Article 14; 1951 Convention Relating to the Status of Refugees; 1967 Protocol Relating to the Status of Refugees; Cartagena Declaration on Refugees, American Convention on Human Rights, Article 22.7.

³⁹ 1951 Convention Relating to the Status of Refugees, Article 33; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Article 3(1), American Convention on Human Rights, Article 22.8.

⁴⁰ OHCHR, "The Principle of Non-refoulement Under International Human Rights Law", 5 July 2018, <https://www.ohchr.org/sites/default/files/Documents/Issues/Migration/GlobalCompactMigration/ThePrincipleNon-RefoulementUnderInternationalHumanRightsLaw.pdf>.

⁴¹ 1951 Convention Relating to the Status of Refugees, Article 33; Committee against Torture, General Comment No. 4 (2017) on the implementation of article 3 of the Convention in the context of article 22, CAT/C/GC/4, 4 September 2018, [ohchr.org/en/calls-for-input/general-comment-no-4-2017-implementation-article-3-convention-context-article-22](https://www.ohchr.org/en/calls-for-input/general-comment-no-4-2017-implementation-article-3-convention-context-article-22), para. 13.

⁴² 1951 Convention Relating to the Status of Refugees, Article 33; Committee against Torture, General Comment No. 4 (2017) on the implementation of article 3 of the Convention in the context of article 22, CAT/C/GC/4, 4 September 2018, [ohchr.org/en/calls-for-input/general-comment-no-4-2017-implementation-article-3-convention-context-article-22](https://www.ohchr.org/en/calls-for-input/general-comment-no-4-2017-implementation-article-3-convention-context-article-22), para. 13.

adequate shelter, assistance and health care.⁴³ Amnesty International also recently documented that the right to seek asylum does not exist at the US-Mexico border in violation of international human rights obligations.⁴⁴

⁴³ International Covenant on Civil and Political Rights; International Covenant on Economic, Social and Cultural Rights; Convention on the Elimination of all forms of Racial Discrimination; Convention on the Elimination of All Forms of Discrimination against Women; Convention against Torture;

⁴⁴ Amnesty International, *Lives in Limbo: Devastating Impacts of Trump's Migration and Asylum Policies*, (AMR 51/9029/2025) 20 February 2025, <https://www.amnestyusa.org/reports/lives-in-limbo-devastating-impacts-of-trumps-migration-and-asylum-policies/>.

DEHUMANIZED BY DESIGN DETENTION: FINDINGS

“I just want to be able to fight for my freedom.”⁴⁵

Individual in detention, EPSPC



(View from the El Paso Service Processing Center) © Lauren Murphy, Amnesty International USA

“Funding cuts [for legal services and “know your rights”] that the government is doing are geared at people in detention. This administration is focused on getting as many people as they can into detention- but they also want to cut information going into these facilities.”⁴⁶ Melissa López, Estrella Del Paso

During Amnesty International’s visit to the EPSPC detention facility, the organization observed a general disregard for human rights standards across a wide variety of measures. Through interviews with 27 detained men and women, Amnesty International observed that the detention of most of these individuals appears to be arbitrary and rife with human rights violations – both at EPSPC itself, and possibly at other locations both in the US and through the transfer and extraterritorial imprisonment of individuals at Guantanamo Bay and the CECOT in El Salvador, among other locations.⁴⁷ Through these interviews, Amnesty International learned that ICE and EPSPC officials restrict detained individuals’ right to access basic legal resources and services.⁴⁸ For example, the US Department of Justice (DOJ) has halted funding for legal orientation programs provided to immigrants being detained.⁴⁹ As a result, individuals detained at EPSPC will no longer have access to up-to-date “know your rights” materials as local legal services and advocacy organizations have seen their federal funding curtailed or eliminated altogether.

Individuals detained at this EPSPC reported substandard conditions to Amnesty International, including having limited access to safe, secure, and hygienic facilities, being forced to eat expired food, and in some instances being at risk of being malnourished because of limited

⁴⁵ Amnesty International interview with detained man, Name Withheld, at El Paso Service Processing Center, El Paso, TX, 10 April 2025.

⁴⁶ Amnesty International interview with Melissa López, Estrella del Paso, El Paso, TX, 11 April 2025.

⁴⁷ It should be noted that the facilities are differently used. Individuals apprehended under the AEA for affiliation with TdA are being sent to El Salvador and non-AEA, mostly post-order Venezuelan individuals have been sent to Guantanamo Bay.

⁴⁸ Amnesty International interviews with EPSPC officials and 27 detained individuals held at EPSPC, El Paso, TX, 10 April 2025.

⁴⁹ *Justice Department Ends Legal Aid Programs for Immigrants in El Paso*, CBS News, 14 April 2025, <https://cbs4local.com/newsletter-daily/justice-department-ends-legal-aid-programs-for-immigrants-in-el-paso>.

dietary options.⁵⁰ Individuals also reported that they had limited access to medical care and medically necessary medications and treatments.⁵¹ Finally, detained individuals shared that they often face arbitrary disciplinary action, verbal and/or physical abuse, and solitary confinement – sometimes based solely on “color coding” of uniforms that brands each detainee as low-risk, medium-risk, or high-risk from the moment of their arrival. This coding is based on alleged activities and charges, not convictions and without any due process rights afforded to all individuals in the US.⁵² Amnesty International remains deeply concerned over the categorization of individuals from Venezuela as gang-affiliated and high-risk based on unclear criteria and without due process.

DETAINING INDIVIDUALS IS ARBITRARY AND PUTS INDIVIDUALS AT RISK OF HUMAN RIGHTS VIOLATIONS (NON-REFOULEMENT)

The individuals with whom Amnesty International spoke came from a variety of backgrounds, countries of origin, and varied immigration status. This includes individuals with claims for asylum, relief under the Convention Against Torture (CAT), TPS, and individuals who have been in the US for decades. One individual Amnesty International interviewed had been in the country for 38 years and had US citizen children.⁵³ People with asylum claims or possible other forms of relief have little to no access to legal assistance and face difficult conditions in detention.

Two women with whom Amnesty International spoke reported fleeing political violence and torture in Brazil. They reported they were kidnapped in Brazil by opposition political parties and detained for ten days. They felt it was clear they would face continued political persecution, so they tried to come to the US to seek asylum. They entered through Ciudad Juarez-El Paso at the border with Mexico. They have been in detention for three months with no attorney, no access to documents, and no communication with their family members.⁵⁴

“This is no way to live. We just want to have a sense of what is happening and what our options are.”⁵⁵

Individual in detention, EPSPC

One woman with whom Amnesty International spoke entered the US in June 2024 from Venezuela on CBP One.⁵⁶ She reported a positive determination during her credible fear interview in July 2024. Nonetheless, ICE detained her and claimed she is a flight risk, even though all her family lives here, and she is in the asylum process and represented by an attorney.⁵⁷

One woman from Ecuador reported being extorted by and receiving death threats from cartels back home, and police and government officials following her in an unmarked car. Her

⁵⁰ Amnesty International interviews with 27 detained individuals held at EPSPC, El Paso, TX, 10 April 2025.

⁵¹ Amnesty International interviews with 27 detained individuals held at EPSPC, El Paso, TX, 10 April 2025.

⁵² Amnesty International interviews with 27 detained individuals held at EPSPC, El Paso, TX, 10 April 2025.

⁵³ Amnesty International interview with man in detention, Name Withheld, at EPSPC, El Paso, TX, 10 April 2025.

⁵⁴ Amnesty International interview with Brazilian women in detention, Name Withheld, at EPSPC, El Paso, TX, 10 April 2025.

⁵⁵ Amnesty International interview with woman in detention, Name withheld, at EPSPC, El Paso, TX, 10 April 2025.

⁵⁶ CBP One is a mobile application that served as a single portal to a variety of CBP services. Its use has been canceled by the Trump administration. It previously included a scheduling system for appointments for migrants and asylum seekers to present themselves at a port-of-entry along the US-Mexico border. [CBP-One-A-Blessing-or-a-Trap-ENG.pdf](#) (glossary), [AMR5190292025ENGLISH.pdf](#) (p. 5).

⁵⁷ Amnesty International interview with Venezuelan woman in detention, Name Withheld, at EPSPC, El Paso, TX, 10 April 2025.

husband abused her severely for ten years. She told Amnesty International that she had a positive credible fear determination and is seeking asylum.⁵⁸ Amnesty International spoke with three men from Mexico. One had been in the US for 19 years before he was detained; another had been in the US for 24 years and has been detained for six weeks; and the third has been in the US for 38 years and in detention for six months.

“I have three kids and my wife works. She only earns \$2000 a month, but our rent is \$1800. Without me, how will she survive? Why was I brought here? I am not a criminal. I have no criminal history. I have lost my rights, my wife, my car, my family- all because I was driving without a license and undocumented. I would rather be deported than be just sitting here indefinitely.”⁵⁹ Mexican man in detention, EPSPC

“What can I say? Most of us have the same problems. Our families have been affected because we are the main breadwinners. Our kids and wives have been abandoned. We are here because the system isn’t good. None of us are criminals. Even though most of us come from different countries, we have the same stories.”⁶⁰ Mexican man in detention, EPSPC

Two men from Colombia spoke with Amnesty International. One had been in the US for one year and been in detention for six months; the other had been in the US for over 24 years before he was detained three months ago.

“I came to the US in 2023 from Colombia seeking asylum. I had a positive credible fear interview. I applied for asylum. Then I was stopped at a traffic stop because I was in a car with someone who had a firearm in the vehicle. I was released after that but upon release ICE picked me up. I had a court hearing, and I gave up my asylum claim. I asked to be deported back to Colombia.” At six months pregnant, she told Amnesty International, “I cannot stay here in this place any longer.”⁶¹ Colombian woman in detention, EPSPC

An Ecuadorian man reported he had been in the US for 20 years. He was deported in 2006 and came back. He had been in detention for one month.

A Nicaraguan man with 30 years of residency in the US was picked up on his birthday in Miami and sent to Krome detention facility in Florida before he was transferred to EPSPC.

Amnesty International spoke with two men from the Dominican Republic. One had been in the US for 32 years reported he had been detained a week prior to Amnesty International’s visit, and another had been transferred multiple times in two months. As in this case, arbitrary detention and transfers impact detained individuals’ ability to communicate with loved ones and legal service providers.

“My wife is in a wheelchair. I was the only one making an income. I have no idea now if she is ok. She is scared to call me because of Trump and her immigration status. I am so worried.”⁶² Man in detention, EPSPC

⁵⁸ Amnesty International interview with Ecuadorian woman in detained, Name Withheld, at EPSPC, El Paso, TX, 10 April 2025.

⁵⁹ Amnesty International interview with Mexican man in detention, Name Withheld, at EPSPC, El Paso, TX, 10 April 2025.

⁶⁰ Amnesty International interview with Mexican man in detention, Name Withheld, at EPSPC, El Paso, TX, 10 April 2025.

⁶¹ Amnesty International interview with detained Colombian woman in detention, Name Withheld, at EPSPC, El Paso, TX, 10 April 2025.

⁶² Amnesty International interview with man in detention, Name withheld, at EPSPC, El Paso, TX, 10 April 2025.

“I have been in four detention centers in two months. Each time they move me I have to go through processing and my court date and judge and the status of my case changes.”⁶³ Man in detention, EPSPC

A Venezuelan man who had been in EPSPC twice over the course of three years told Amnesty International:

“I came to the US crossing near El Paso and was detained at EPSPC in September 2023. I went through the CFI (credible fear interview) process, had a positive CFI and was released and stayed in El Paso. I have been working here while I await my asylum case. I was using my phone for directions while driving and the police pulled me over. When I was stopped the police said my car smelled like alcohol and there was a disassembled gun in the car. I was charged with Driving Under the Influence of alcohol (DUI) and a gun possession charge. The charges were dropped, but I was taken by ICE outside. I have been at EPSPC since January 29th. When I was detained here (at EPSPC) previously, I was treated well, this time the treatment is really bad. I would like to seek asylum. I dream of leaving here and being with my 14-year-old daughter back in Venezuela.”⁶⁴

DETAINING IS RESTRICTING THE RIGHT TO DUE PROCESS AND ACCESS TO BASIC LEGAL RESOURCES AND SERVICES

According to ICE Detention Standards, all detained individuals should have access to the law library, assistance with materials, and access to legal information.⁶⁵ EPSPC Officials told Amnesty International that detained individuals are permitted regular use of the law library and that they can request additional time if needed, but that detained persons rarely want to use it.⁶⁶

Amnesty International documented several concerns related to due process after speaking to individuals detained. Several detained individuals told Amnesty International that they are regularly denied access to the law library as they are told it is too busy. Even when permitted, they reported that the computers are very slow and out of date and there is no one to assist with materials.⁶⁷ It should also be noted that Amnesty International did not see any visible UNHCR advisals when touring the facility and detained individuals reported that the advisals were not present.⁶⁸ Detained individuals expressed frustration at the lack of access to legal resources, information about their pending cases, and indefinite detention.⁶⁹

The recent cutting of DOJ's Legal Orientation Program (LOP)⁷⁰ will have drastic implications for detained individuals exacerbating the long-term issue of lack of due process in detention and curtailing their access to “know your rights” workshops and access to legal services. With existing legal resources being curtailed and defunded, compounded by the rapidly changing landscape of policies related to immigration status, detained individuals are losing critical

⁶³ Amnesty International interview with man in detention, Name withheld, at EPSPC, El Paso, TX, 10 April 2025.

⁶⁴ Amnesty International interview with Daniel, a Venezuelan man detained at EPSPC, El Paso, TX, 10 April 2025.

⁶⁵ ICE Performance Based Detention Standards 2016, <https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf>; ((Law Library and Legal Materials): “1. Detainees shall have access to a properly equipped law library, legal materials and equipment (including photocopying resources) to facilitate the preparation of documents. 2. Detainees shall have meaningful access (no less than five hours per week) to law libraries, legal materials and equipment.”)

⁶⁶ Amnesty International interview with EPSPC Officials El Paso Field Office at El Paso Service Processing Center, El Paso, Texas, 10 April 2025.

⁶⁷ Amnesty International interviews with 27 detained individuals at El Paso Service Processing Center, El Paso, Texas, 10 April 2025.

⁶⁸ Amnesty International interviews with 27 detained individuals at El Paso Service Processing Center, El Paso, Texas, 10 April 2025.

⁶⁹ Amnesty International interviews with 27 detained individuals at El Paso Service Processing Center, El Paso, Texas, 10 April 2025.

⁷⁰ U.S. Department of Justice, *Legal Orientation Program*, <https://www.justice.gov/eoir/legal-orientation-program> ; *Justice Department Ends Legal Aid Programs for Immigrants in El Paso*, CBS News, 14 April 2025, <https://cbs4local.com/newsletter-daily/justice-department-ends-legal-aid-programs-for-immigrants-in-el-paso>.

legal guidance regarding their cases. In El Paso, local service providers are struggling to fill the gaps left by funding cuts while also being targeted for assisting migrants.⁷¹

“With CBP One, people had been processed. Everyone thought they were safe and had work visas. Then they had the rug pulled out from under them. The majority of what we do is non-monetary. We give people transportation to hearings, we help them find loved ones, we give them food, water, diapers, etc. Watching local powerhouses like Estrella del Paso lose funding and be decimated like that. It has had a chilling effect on our community. It’s unprecedented for us- seeing so much human suffering.”⁷² Juan Ortiz, Casa Carmelita

Of the 27 people interviewed by Amnesty International, no more than 3 of the women had legal counsel, and only 6 of the men. The women said they had more free legal support before Trump was elected. They claim critical services have since been cut.⁷³

While Amnesty International was in El Paso, one of the legal services organizations interviewed, Estrella del Paso, had just received news that their subcontract to provide “know your rights” and legal training under the LOP program in the EPSPC had been terminated by the federal government.⁷⁴

For almost 40 years Estrella del Paso has operated in El Paso serving over 500,000 people. As of 11 April 2025, their funding to complete vital training to individuals detained at the EPSPC and to accompany unaccompanied minors to court hearings was cancelled. As a result, according to Melissa López, executive director, legal representation of individual clients and “know your rights” trainings will no longer be offered at the EPSPC.⁷⁵ When Amnesty International asked how individuals would know their rights or how to navigate the complex immigration and legal system, López said, “There is an old American Bar Association (ABA) video on “know your rights,” made in the 1980s, they may just show that, even though it’s outdated. Or maybe they will rely on judges who provide rights advisal at the beginning of the immigration hearing.”⁷⁶

“People don’t understand that these programs we offer are critical because what we do is give people information so that they can decide about how to proceed. They need to understand the process. ICE has told us they want this training because it helps the detainees know their rights and what is going to happen procedurally, so they are less panicked all the time- they know what to expect. Now, the first time someone will explain their legal rights and process to them will be when they are already before a judge.”⁷⁷ Melissa López, Estrella del Paso

⁷¹ Amnesty International interview with Juan Ortiz, Casa Carmelita, El Paso, TX, 11 April 2025.

⁷² Amnesty International interview with Juan Ortiz, Casa Carmelita, El Paso, TX, 11 April 2025.

⁷³ Amnesty International interviews with 27 detained individuals at El Paso Service Processing Center, El Paso, Texas, 10 April 2025.

⁷⁴ Amnesty International interview with Melissa López, Estrella del Paso, El Paso, TX, 11 April 2025; *DOJ Terminates Criminal Legal Access Program for Immigrants Facing Deportation*, Estrella del Paso Press Release, 14 April 2025, <https://estrelladelpaso.org/resources-and-advocacy/news-and-media/doj-terminates-critical-legal-access-programs-for-immigrants-facing-deportation-termination-order-includes-two-estrella-del-paso-programs>.

⁷⁵ Amnesty International interview with Melissa López, Estrella del Paso, El Paso, TX, 11 April 2025.

⁷⁶ Amnesty International interview with Melissa López, Estrella del Paso, El Paso, TX, 11 April 2025.

⁷⁷ Amnesty International interview with Melissa López, Estrella del Paso, El Paso, TX, 11 April 2025.



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“This is the third time Trump has tried to shut us down. During his first administration he tried, but Congress would not allow it. Unfortunately, we are in a different situation now.”⁷⁸

Melissa López, Estrella del Paso

Estrella del Paso is on a list of service providers that detained individuals at various detention facilities can call for free. If they cannot get legal representation, they at least have a sense of their legal rights and the process. For children detained at other facilities (not EPSPC), Estrella del Paso was able to do individual advocacy. Now, without funding, they will not be allowed to help the most vulnerable among the detained.

“These kids are scared. Shelters are telling us kids can’t sleep at night. We used to be able to go with them to court. Now they will be alone.”⁷⁹ Melissa López, Estrella del Paso

One local service provider told Amnesty International for example that the constantly changing immigration law landscape presents constant challenges both for detained and non-detained individuals: “The biggest thing right now is that we are struggling because so much is happening without any info. Parole termination letters with no information. A lot of these people are in removal proceedings. Are they going to leave the country and then be *in absentia* for court hearings which will result in a bad outcome. They are setting up people to fail intentionally. I didn’t think this was who we are as a country. As an attorney, we are taking this posture of making people suffer and then providing them with no legal recourse.”⁸⁰

⁷⁸ Amnesty International interview with Melissa López, Estrella del Paso, El Paso, TX, 11 April 2025.

⁷⁹ Amnesty International interview with Melissa López, Estrella del Paso, El Paso, TX, 11 April 2025.

⁸⁰ Amnesty International interview with Melissa López, Estrella del Paso, El Paso, TX, 11 April 2025.

“It’s like a golden cage, El Paso, because every way out has checkpoints with military, police, etc. This is one of the worst places to be undocumented. Most people don’t even know their status. Many have valid asylum claims but they give up out of fear. This administration wants people to know that they do not have due process. The mass deportation flights, the policies- they have created a domino effect. It’s a natural progression to call these migrants ‘terrorists’ and build tolerance to dehumanization. If you categorize someone as a gang member or terrorist, it doesn’t matter what happens to them. To the American mind, the border represents a wound, but it is also a womb- because it is the birthplace of othering. We Chicanos and Mexicans are some of the first peoples who were othered when these borders were created.”⁸¹ Juan Ortiz, Casa Carmelita



Photo by James Holeman, Battalion Search and Rescue. at the US-Mexico border. US Army Stryker armored vehicle positioned outside El Paso. Increased militarization at the border has a chilling effect on seeking asylum in the United States.

⁸¹ Amnesty International interview with Juan Ortiz, Casa Carmelita, El Paso, TX, 11 April 2025.

CONCERNS ABOUT VENEZUELAN INDIVIDUALS TARGETED FOR REMOVAL TO GUANTANAMO BAY AND UNLAWFUL EXPULSION TO EL SALVADOR UNDER THE ALIEN ENEMIES ACT



(Guards cut the hair of 238 individuals forcibly removed from the United States to El Salvador's CECOT prison on March 16, 2025, Tecoluca, El Salvador.) © Getty Images, photo by Salvadoran government

“They will just call people out of the dorms in the middle of the night and then you just don't see them again.”⁸²

Venezuelan man in detention, EPSPC

Following the contested proclamation of Nicolas Maduro as the winner of the 28 July 2024 election, Amnesty International found a policy of repression with systematic and widespread arbitrary detentions, torture and mass arrests against anyone dissenting against the Maduro government in Venezuela, including children.⁸³ In October 2022, the Biden administration implemented a humanitarian parole-based program for nationals from Venezuela and expanded the program to Cubans, Haitians, and Nicaraguans in January 2023 for up to 30,000 nationals of each country.⁸⁴ This program allows certain people from Venezuela, among other countries, to live and work in the US for two years so long as they have a US

⁸² Amnesty International interview with Daniel, a Venezuelan man detained at EPSPC, El Paso, TX, 10 April 2025.

⁸³ Amnesty International, *Venezuela: “He Felt He Was Dead”: Torture Against Children for Political Reasons* (AMR/53/8783/2024) 28 November 2024, <https://www.amnesty.org/en/documents/amr53/8783/2024/en/>.

⁸⁴ American Immigration Council, *The Biden Administration’s Humanitarian Parole Program for Cubans, Haitians, Nicaraguans, and Venezuelans: An Overview*, 31 October 2023, <https://www.americanimmigrationcouncil.org/research/biden-administrations-humanitarian-parole-program-cubans-haitians-nicaraguans-and->

sponsor and pass a background check.⁸⁵ In January 2025, President Biden extended Temporary Protected Status for Venezuelans in the US for 18 months, citing extraordinary and temporary conditions impacting Venezuelan nationals.⁸⁶ The Trump administration immediately revoked the extension of TPS for Venezuelans.⁸⁷ Legal challenges to this unlawful revocation are before US courts.

In advance of Amnesty International's visit to EPSPC, researchers met with legal service providers from El Paso, who raised concerns about the treatment of Venezuelan men detained at EPSPC who had reported ill treatment, poor detention conditions, and verbal and physical abuse by guards. According to these legal service providers, two men with whom they spoke had been transferred to Guantanamo Bay after meeting with them.⁸⁸

"Alejandro (name changed for security reasons) had been at the detention center for about two months. He was in a housing unit – also with other Venezuelan men. The guard wanted to play football with the detainees. They did not want to play. When they refused, the guards started saying slurs about how useless Venezuelans are. There were around ten guards, and they attacked three of the men in the unit. Alejandro was one of them. The guard slammed him onto the floor. His knees were on his head – they were kicking him repeatedly. Then they took him and others outside and left them outside the medical unit, but they were not given treatment. They had no access to medical care. He was deprived of making any calls. The toilet in their housing unit became clogged and the guards then refused them access to a bathroom and came in and stripped their sheets from their beds as retaliation. When I interviewed him – he had visible cuts on his face, swelling and injuries on the back of his head and his back. He complained of dizziness. When I went back to talk to him- he wasn't there. He had already been moved. The incident occurred on 27 January 2025. I completed the intake for him on 30 January 2025. The Monday of the week preceding 6 February 2025 they had started the flights to Guantanamo. When I looked up his A number he was no longer in the system. If a person has been sent to Guantanamo, when you look up their A number, it says 'FL-call ICE Field Office.'"⁸⁵ Staff, Las Americas

"Eduardo (name changed for security reasons) had been in detention center for 15 months. We first interviewed him on 30 January 2025. He told us that in his housing unit (all Venezuelan men), the guards were angry that people weren't following orders of count- to line up. One of the Captains grabbed him and pulled him out of line and called him slurs. This was on 23 January 2025 around 10:40 am. After Eduardo was pulled out of line, they kicked him and told him to meet them later outside to fight. When Eduardo went there – he was handcuffed, and they locked him in solitary for two days. He learned that the Captain used the name of another guard as the aggressor when filling out the incident report. There was a video of when he was attacked which he tried to get, but they told him he wouldn't get it without his lawyer. On 10 February 2025, when I checked his name – it had the same code that they use when they send people to Guantanamo. We believe he has since been moved to Guantanamo."⁸⁹ Staff, Las Americas

⁸⁵ U.S. Citizenship and Immigration Services, *Temporary Protected Status for Venezuelans*, <https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-venezuela>. (The four countries are Cuba, Haiti, Nicaragua, and Venezuela.)

⁸⁶ U.S. Department of Homeland Security, *DHS Extends Temporary Protected Status for Venezuelans*, 10 January 2025, <https://www.dhs.gov/archive/news/2025/01/10/dhs-extend-temporary-protected-status-venezuela>.

⁸⁷ U.S. Citizenship and Immigration Services, *Temporary Protected Status for Venezuelans*, <https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-venezuela> (among other protected classes, reverting the timeline for TPS status to its original date, set to expire in April 2025 for Venezuelans who received TPS in 2023 and September 2025 for Venezuelans who received TPS in 2021).

⁸⁸ Amnesty International interview with Las Americas staff via Zoom, 17 February 2025.

⁸⁹ Amnesty International interview with Las Americas staff via Zoom, 17 February 2025.

On 15 March 2025, President Trump invoked the Alien Enemies Act of 1798 which was last used as the basis for Japanese internment in the 1940s—declaring that the Venezuelan criminal group Tren de Aragua is a foreign terrorist organization that is “invading” the United States and all of its members are now “alien enemies.”⁹⁰ Through this invocation, President Trump has called for the arrest, detention, and removal of everyone considered to be an “alien enemy.” In reality, the Trump administration is using this broad power to target Venezuelans seeking safety, remove them from their communities, detain, and expel them without any consideration for due process or the right to non-discrimination, while exposing them to serious human rights violations, including torture and persecution.⁹¹

Despite a court order,⁹² the Trump administration moved to forcibly remove 238 individuals from the United States to El Salvador. The people expelled include individuals in the midst of ongoing court processes; arrested while complying with their immigration obligations; already granted protections in the United States including under the Convention Against Torture; or falsely labeled as gang members for their tattoos or connection to the Venezuelan state of Aragua with no other evidence. US ICE officials have since admitted “many” had no criminal record at all and that some were removed because of a perception they may commit crimes in the future.⁹³ These expulsions are not deportations, nor extraditions that have a legal process defined in US law and international law. These individuals were expelled without any notice or due process, seemingly to serve an indefinite prison sentence under a system where human rights are routinely ignored. This amounts to prolonged arbitrary detention under international law. Moreover, several weeks after their expulsion, neither the US nor Salvadoran authorities have provided any official information on the identities of the individuals expelled to El Salvador or their whereabouts, nor any assurance that their rights are being protected or access to any form of legal remedy. Amnesty International therefore considers that these individuals have been subjected to enforced disappearance.⁹⁴

Amnesty International has documented the inhumane conditions within detentions centers in El Salvador, including the Terrorism Confinement Center (Spanish: Centro de Confinamiento del Terrorismo, and abbreviated CECOT), a maximum-security prison where those removed from the US are now believed to be held. Reports indicate extreme overcrowding, lack of access to adequate medical care, and widespread ill-treatment amounting to cruel, inhuman, or degrading treatment. Salvadoran organizations have reported more than 300 deaths of individuals while in state custody, some of them showing clear signs of violence.⁹⁵ The transfer of detained individuals to the CECOT in El Salvador itself is an infringement on the human rights principle of *non-refoulement*.

On 7 April 2025 the US Supreme Court ruled that individuals detained under the AEA must receive notice that they are subject to removal within a reasonable time and manner as will

⁹⁰ Presidential Action, 15 March 2025, <https://www.whitehouse.gov/presidential-actions/2025/03/invocation-of-the-alien-enemief...larding-the-invasion-of-the-united-states-by-tren-de-aragua/>

⁹¹ Amnesty International Press Release “Invoking Alien Enemies Act is Incredibly Cruel Move by Trump Administration,” 15 March 2025, <https://www.amnestyusa.org/press-releases/invoking-alien-enemies-act-is-incredibly-cruel-move-by-trump-administration/>; Amnesty International Press Release, “Unlawful Expulsions to El Salvador Endanger Lives Amid Ongoing State of Emergency,” 25 March 2025, <https://www.amnesty.org/en/latest/news/2025/03/unlawful-expulsions-to-el-salvador-endanger-lives-amid-ongoing-state-of-emergency/>; Amnesty International Urgent Action, “Stop Illegal Expulsions to El Salvador,” UA:34.25 USA; <https://www.amnestyusa.org/urgent-actions/urgent-action-stop-illegal-expulsions-to-el-salvador-usa-34-25/>.

⁹² United States Supreme Court, *Trump v. J.G.G.*, 7 April 2025, https://www.supremecourt.gov/opinions/24pdf/24a931_2c83.pdf.

⁹³ Alex Woodward, *Trump Administration says ‘many’ Venezuelans Deported to El Salvador Prison Have No Criminal Record*, The Independent, 18 March 2025, <https://www.the-independent.com/news/world/americas/us-politics/trump-el-salvador-prison-deported-b2717582.html>.

⁹⁴ Amnesty International, “Unlawful Expulsions to El Salvador Endanger Lives Amid Ongoing State of Emergency”, 25 March 2025, <https://www.amnesty.org/en/latest/news/2025/03/unlawful-expulsions-to-el-salvador-endanger-lives-amid-ongoing-state-of-emergency/>; Amnesty International, *Lives in Limbo: Devastating Impacts of Trump’s Migration and Asylum Policies* (AMR 51/9029/2025) 20 February 2025, <https://www.amnestyusa.org/reports/lives-in-limbo-devastating-impacts-of-trumps-migration-and-asylum-policies/>.

⁹⁵ Amnesty International, *El Salvador: A thousand days into the state of emergency. “Security” at the expense of human rights*, 20 December 2024, <https://www.amnesty.org/en/latest/news/2024/12/el-salvador-mil-dias-regimen-excepcion-modelo-seguridad-a-costa-derechos-humanos/>.

allow them to seek habeas relief in the proper venue before such removal occurs.⁹⁶ In spite of this ruling, the Trump administration continues to process people as “alien enemies,” and has now attempted to send dozens more Venezuelan men to El Salvador.⁹⁷

Amnesty International spoke with various individuals held in EPSPC. Speaking anonymously, they detailed threats of being sent to Guantanamo or El Salvador by guards as a fear and intimidation tactic and/or disciplinary measure. Amnesty International is particularly concerned about the specific targeting and treatment of Venezuelans. Detained individuals from various countries of origin, with whom we spoke, told us that Venezuelans are disproportionately abused and put into solitary confinement, facing AEA designations and detention based upon alleged gang affiliation – all with no due process.

“There was a man who was thrown to the ground and beaten by guards for cutting someone in the food line and then sent to El Salvador. Another Venezuelan went to go talk to officers and then came back with his face totally beaten. The guards don't just walk up to people and be abusive, but if you annoy a guard or something they'll threaten to send you to Guantanamo or El Salvador.”⁹⁸ Venezuelan man in detention, EPSPC

Amnesty International was also told by individuals who were detained and local service providers that detained Venezuelans at EPSPC have been unlawfully expelled to El Salvador.⁹⁹ Another Venezuelan detained man told Amnesty International that there were five Venezuelans from his dorm at EPSPC that were sent to El Salvador on the second flight from the US. “They will just call people out of the dorms in the middle of the night and then you just don't see them again.”¹⁰⁰ A local legal services organization told Amnesty International about a client from Venezuela who had been detained at EPSPC and who asked to be deported back to his home country after he was detained. Instead, he was sent to Guantanamo Bay and then to El Valle Detention Center in Texas and then to El Salvador. His wife is being kept in a separate facility and their child is in foster care in El Paso.¹⁰¹

When Amnesty International researchers asked about individuals being sent to Guantanamo, they were informed that that is no longer happening. “We have sent two planes of folks to El Salvador. Sometimes we must fly detainees from other parts of the country to fill these planes because we don't want to waste taxpayer money and we need to make sure they are at capacity.”¹⁰²

When asked about how individuals are categorized and assessed for threat risk, EPSPC officials explained that as is standard with most detention facilities, low-risk detained persons wear blue uniforms, mid-level risk wear orange, and high-risk wear red.¹⁰³ Usually upon being processed at the detention center, an assessment is made of the person's security threat based on “rap sheets,” and “performance-based national detention standards.”¹⁰⁴ Amnesty International was told by officials at EPSPC that these assessments may “use information or

⁹⁶ United States Supreme Court, *Trump v. J.G.G.*, 7 April 2025, https://www.supremecourt.gov/opinions/24pdf/24a931_2c83.pdf.

⁹⁷ *Read the Supreme Court order blocking new deportations of Venezuelans under the Alien Enemies Act*, PBS News, 19 April 2025, <https://www.pbs.org/newshour/politics/supreme-court-blocks-for-now-new-deportations-of-venezuelans-under-alien-enemies-act>.

⁹⁸ Amnesty International interview with Venezuelan man in detention, EPSPC, El Paso, TX, 10 April 2025.

⁹⁹ Amnesty International interview with Las Americas via Zoom, 17 February 2025; Amnesty International interviews with detained individuals at the EPSPC in El Paso, Texas, 10 April 2025.

¹⁰⁰ Amnesty International interview with Daniel, a Venezuelan man detained at EPSPC, El Paso, TX, 10 April 2025.

¹⁰¹ Amnesty International interview with Las Americas, El Paso, TX, 11 April 2025.

¹⁰² Amnesty International interview with Amnesty International interview with EPSPC officials at El Paso Service Processing Center, El Paso, Texas, 10 April 2025.

¹⁰³ Amnesty International interview with EPSPC officials at El Paso Service Processing Center, El Paso, Texas, 10 April 2025.

¹⁰⁴ Amnesty International interview with EPSPC officials at El Paso Service Processing Center, El Paso, Texas, 10 April 2025; U.S. Immigration and Customs Enforcement, *Detention Standards Fact Sheet*, <https://www.ice.gov/factsheets/ice-detention-standards>.

signs from law enforcement databases, like the LAPD or NYPD gang databases or criminal databases.”¹⁰⁵ If an individual comes in with an assessment of low risk, but engages in disorderly or aggressive behavior, their risk level can be changed and that will impact on their housing unit, privileges, and rights within the facility. This is significant as several detained individuals told Amnesty International that Venezuelans who are disciplined or who are categorized as gang-affiliated wear red uniforms.¹⁰⁶

Individuals detained at EPSPC told Amnesty International of Venezuelans being targeted as high-risk and individuals being classified as gang-affiliated for having tattoos.

According to an individual who had been detained at the facility for many months, “In the middle of the night, they just came and got all the Venezuelans and loaded them up on a plane. There was like 200 of them. And they were just gone. I mean, I was talking with this Venezuelan guy in my dorm and one day these guards came in and they started taking pictures of his tattoos and like I don’t know where he is. But now I’m scared that they might think I’m affiliated because I was talking to him. It’s all just like scary.”¹⁰⁷

One male individual who has been detained at EPSPC for four months told Amnesty International, “I have no tattoos. I have a friend who is being accused of being in Tren de Aragua because of his tattoos – but he doesn’t even have tattoos. Guards are racist, they have a real anger towards Venezuelans. There’s no one to communicate to if you have an issue.”¹⁰⁸

Amnesty International was not granted access to high-risk dorms or the men’s dorms, because there was “not enough time.” Amnesty International was given a tour of a low-risk women’s housing unit, but observed that several of the buildings had bars on their windows and witnessed individuals wearing red and orange jumpsuits with their faces pressed against the bars. Amnesty International was able to request only one interview with a detained Venezuelan in advance, and from the list of 81 individuals that signed up to speak to researchers, the researchers were only able to meet with 27 individuals due to time constraints. EPSPC selected individuals from the sign-up list to meet with Amnesty International. Notably, no Venezuelan men were present in the groups selected by officials.

Given the concerns regarding lack of access to counsel and due process noted above, the fact that EPSPC has been used as a staging ground for unlawful removals to Guantanamo Bay and unlawful expulsions to El Salvador under the AEA is also gravely disturbing.

CONDITIONS OF DETENTION

After touring the EPSPC and speaking with detained individuals, Amnesty International found that the facility does not meet international standards for detention (UN Standard Minimum Rules for the Treatment of Prisoners) nor US ICE detention standards (ICE Performance Based National Detention Standards).¹⁰⁹ Amnesty International is concerned by accounts of physical abuse and arbitrary discipline by guards, use of solitary confinement, unhygienic living areas without functioning toilets, consumption of expired and nutrient-deficient food,

¹⁰⁵ Amnesty International interview with EPSPC officials at El Paso Service Processing Center, El Paso, Texas, 10 April 2025; According to *INS Detention Standard Detainee Classification Guidelines*, these assessments are made by officers assigned to intake and reviewed by supervisors, <https://www.ice.gov/doclib/dro/detention-standards/pdf/classif.pdf>.

¹⁰⁶ Amnesty International interview with detained individuals, Names Withheld, at EPSPC, El Paso, TX, 10 April 2025.

¹⁰⁷ Amnesty International interview with detained man, Name Withheld, at EPSPC, El Paso, TX, 10 April 2025.

¹⁰⁸ Amnesty International interview with Daniel, a Venezuelan man detained at EPSPC, El Paso, TX, 10 April 2025.

¹⁰⁹ U.S. Immigrations and Customs Enforcement, *2016 ICE Performance Based National Detention Standards*, <https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf>; United Nations Standard Minimum Rules for the Treatment of Prisoners, *Nelson Mandela Rules*, https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf.

lack of access to adequate medical care, and classification of detained individuals as high-risk based on tattoos and country of origin which impacts the conditions of detention.

UNHYGIENIC, PUNITIVE LIVING CONDITIONS AND PRIVACY CONCERNS

UN Standard Minimum Rules require that areas where detained individuals are kept be always maintained and clean.¹¹⁰ ICE detention standards require that accommodations be clean and that detained individuals be granted access to toilets 24 hours a day.¹¹¹ Individuals reported unhygienic living conditions in the dormitories. While touring EPSPC, Amnesty International was granted access to the low-risk women's dorm. There were partitions in the showers but no doors in toilets. The women claim that there are cameras above the two showers and the male guards have told them that they watch the women showering. Both male and female detained individuals told Amnesty International that at certain times they will be told that they cannot use the toilets because a guard or officer of the opposite gender is walking by. Sometimes they do not see anyone at all – sometimes it is quick and sometimes it is not, but they are informed spontaneously without notice.

Amnesty International met with men who were in mid- to high-risk categories. They reported that they were not allowed to shower during the “count,” which sometimes takes between 1-3 hours, and/or if ICE visits the facility. The men also mentioned rotating cameras above the shower and that they were not permitted to use the toilets during certain times as directed by guards. The men also mentioned that it was challenging to sleep at night because the lights are kept on in the dorms and the guards are often listening to their radios or yelling.

The men also mentioned that the toilets have been repeatedly clogged in their housing units. At one point the toilet was clogged for four days. Even after they complained, the staff put bags in three of the toilets for disposal and only one urinal. The toilet water was leaking into the area where they sleep as well.

EXPIRED AND NUTRIENT-DEFICIENT FOOD

The UN Standard Minimum Rules require that detained individuals are provided with food of nutritional value and clean drinking water.¹¹² EPSPC officials told Amnesty International that the menus posted in the dorms represent the food that the detained persons are given, that it is a 2400 calorie-a-day diet and that the menu rotates, and any dietary restrictions are taken into account. “The detainees get the same food as our soldiers down the road at Fort Bliss.”¹¹³ Individuals interviewed by Amnesty International indicated, however, that this was not true.

¹¹⁰ United Nations Standard Minimum Rules for the Treatment of Prisoners, *Nelson Mandela Rules*, https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-book.pdf; ([Accommodation]: “All parts of a prison regularly used by prisoners shall be properly maintained and kept scrupulously clean at all times;” [Institutional Personnel]: “All prison staff shall at all times so conduct themselves and perform their duties as to influence the prisoners for good by their example and to command their respect; Prison staff shall not, in their relations with the prisoners, use force except in self-defence or in cases of attempted escape, or active or passive physical resistance to an order based on law or regulations. Prison staff who have recourse to force must use no more than is strictly necessary and must report the incident immediately to the prison director.”)

¹¹¹ ICE Performance Based Detention Standards 2016, <https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf> (“Detainees shall be provided: 1. an adequate number of toilets, 24 hours per day, which can be used without staff assistance when detainees are confined to their cells or sleeping areas.”).

¹¹² United Nations Standard Minimum Rules for the Treatment of Prisoners, *Nelson Mandela Rules*, https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-book.pdf; (Food 20. (1) Every prisoner shall be provided by the administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served. (2) Drinking water shall be available to every prisoner whenever he needs it.)

¹¹³ Amnesty International interview with EPSPC Official at El Paso Service Processing Center, El Paso, Texas, 10 April 2025; U.S. Immigration and Customs Enforcement (ICE) 2016 Performance Based National Detention Standards; <https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf>; ([Food Service]: “Ordinarily detainees shall be served three meals every day, at least two of which shall be hot

“We are not served any fruits or vegetables. The food is very unhealthy and often expired. We go to bed hungry because we are fed breakfast at around 6 am, lunch at around 11 am and dinner by 4 pm.”¹¹⁴ Individual in detention, EPSPC

“We can order additional food and commissaries on the tablets if we have money, but it is like snack packs for kids and only delivered once a week. If the tablets aren’t available or working, we don’t have access to those options.”¹¹⁵ Individual in detention, EPSPC

“We just want a solution as fast as possible. People don’t sleep. It’s cold at night. We do not get medicine. There is blood coming from my throat. Everyone has stomach issues because of the food and lack of nutrition. We have no access to clean water; it is hot and smells like chemicals.”¹¹⁶ Individual in detention, EPSPC

LACK OF ACCESS TO MEDICAL CARE

The UN Standard Minimum Rules require that detained individuals have in place a health-care service tasked with “evaluating, promoting, protecting and improving the physical and mental health of prisoners, paying particular attention to prisoners with special healthcare needs or with health issues that hamper their rehabilitation.”¹¹⁷ ICE Detention Standards require access to medical care.¹¹⁸ EPSPC officials told Amnesty International while touring the facility that it is an ICE Health Service Corps (IHSC) facility, with an operating cost of between 200-300 million dollars and that detained individuals receive access to 24-hour medical care as needed.¹¹⁹ Medical staff on site were referred to as cardiac specialists, behavioral health specialists and physicians. Officials also made note of a memorandum of agreement with local hospitals to transport detained persons with urgent medical needs. Moreover, Amnesty International was told that “sick call” (the ability to see a medical professional) is available on a daily basis.¹²⁰ However, interviews with detained individuals suggest that medical care at EPSPC is not available, accessible nor of good quality.

“We do not get access to medical care as needed. They feed us expired food and we all got sick. They told us to just drink water. The water is warm and not clean. It smells. They would not give us any medicine.”¹²¹ Brazilian woman in detention, EPSPC

meals; however, the facility administrator may approve variations in the food service schedule during religious and civic holidays, provided that basic nutritional goals are met. The dining room schedule must allow no more than 14 hours between the evening meal and breakfast. Clean, potable drinking water must be available.” [Nutritional Analysis]: “A registered dietitian shall conduct a complete nutritional analysis that meets U.S. Recommended Daily Allowances (RDA), at least yearly, of every master-cycle menu planned by the FSA. The dietitian must certify menus before they are incorporated into the food service program. If necessary, the FSA shall modify the menu in response to the nutritional analysis to ensure nutritional adequacy.”

¹¹⁴ Amnesty International interview with a man in detention, Name withheld, at EPSPC, El Paso, TX, 10 April 2025.

¹¹⁵ Amnesty International interview with a man in detention, Name withheld, at EPSPC, El Paso, TX, 10 April 2025.

¹¹⁶ Amnesty International interview with a man in detention, Name withheld, at EPSPC, El Paso, TX, 10 April 2025.

¹¹⁷ United Nations Standard Minimum Rules for the Treatment of Prisoners, *Nelson Mandela Rules*, https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf; (Health Care Services): 1. Every prison shall have in place a health-care service tasked with evaluating, promoting, protecting and improving the physical and mental health of prisoners, paying particular attention to prisoners with special health-care needs or with health issues that hamper their rehabilitation. 2. The health-care service shall consist of an interdisciplinary team with sufficient qualified personnel acting in full clinical independence and shall encompass sufficient expertise in psychology and psychiatry. The services of a qualified dentist shall be available to every prisoner.)

¹¹⁸ U.S. Immigration and Customs Enforcement (ICE) 2016 Performance Based National Detention Standards, <https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf>; (Medical Care): Every facility shall directly or contractually provide its detainee population with the following: 1. Initial medical, mental health and dental screening; 2. Medically necessary and appropriate medical, dental and mental health care and pharmaceutical services; 3. Comprehensive, routine and preventive healthcare, as medically indicated; 4. Emergency care; 5. Specialty health care; 6. Timely responses to medical complaints; and 7. Hospitalization as needed.”).

¹¹⁹ Amnesty International interview with EPSPC Officials at El Paso Service Processing Center, El Paso, Texas, 10 April 2025.

¹²⁰ Amnesty International interview with EPSPC Officials at El Paso Service Processing Center, El Paso, Texas, 10 April 2025.

¹²¹ Amnesty International interview with Brazilian woman in detention, EPSPC, El Paso, TX, 10 April 2025.

“We can request to see a nurse (there are no doctors here), but when we go they just take our vitals and type in our symptoms to the computer and send us back to the dorms. Sometimes we have to go three times to actually get treatment and wait one or two weeks to get medicine, if we are treated.”¹²² Mexican man in detention, EPSPC

“We can only go to see the nurse between 5-6 pm, that is for both men and women. There are 800 people in this detention center.”¹²³ Nicaraguan man in detention, EPSPC

“I have a condition, as you can see, my body is swollen (visibly). I went to the nurse and asked her to help me. I know I must have a serious underlying problem because of fluid retention but she told me I was fine and I should just drink water.”¹²⁴

Individual in detention, EPSPC

“I have high cholesterol and high blood pressure. I used to see a primary care physician before they detained me here and I was fine. I had no issues. I have been here since December and due to my lack of treatment I have been having issues- hypoglycemic, negative reaction to foods, sweats, stomach pain. When they finally did an analysis I found out I had a gastric ulcer. I had been bleeding every time I went to the bathroom. When I first complained they told me I was just getting my period- even though I explained I had already had it. I still haven't been told with any clarity what is going on with my health. I have been in the US for 20 years and I have three US citizen kids, including a seven-year-old-daughter.”¹²⁵

Individual in detention, EPSPC

Amnesty International was informed by the detained women about one woman from an African country of origin. “She is old and has cancer. She was taking medication for cataracts and had gone to get an eye exam when she was detained. She was incredibly thin and had only been eating bread. She has not seen a specialist and has just been given medication.”¹²⁶

“I had Tuberculosis (TB) in 2016 when I first came to the US and was detained. I was treated and kept in isolation then. Even still, when I came here to this detention center, I was forced to spend two months in the infirmary. They would not let me leave unless I took medicine for TB. I was forced to take medication that I did not need. They had negative side effects on me, and I had to take Benadryl [an antihistamine for allergies] to offset my reaction.”¹²⁷

Individual in detention, EPSPC

“When I arrived, I was put on the bunk. I did not realize I was snoring at night. Another detainee heated a bucket of boiling water and threw it on my face. I have burns all over my face and my eye is damaged. I have not received adequate treatment.”¹²⁸

Individual in detention, EPSPC

Amnesty International was able to conduct longer interviews with some detained individuals who had requested to speak with us. One of these individuals was a detained Colombian woman.

¹²² Amnesty International interview with Mexican man in detention, EPSPC, El Paso, TX, 10 April 2025.

¹²³ Amnesty International interview with Nicaraguan man in detention, EPSPC, El Paso, TX, 10 April 2025.

¹²⁴ Amnesty International interview with detained individual (country of origin not disclosed) at EPSPC, El Paso, TX, 10 April 2025.

¹²⁵ Amnesty International interview with detained individual (country of origin not disclosed) at EPSPC, El Paso, TX, 10 April 2025.

¹²⁶ Amnesty International interview with detained individual (country of origin not disclosed) at EPSPC, El Paso, TX, 10 April 2025.

¹²⁷ Amnesty International interview with detained individual (country of origin not disclosed) at EPSPC, El Paso, TX, 10 April 2025.

¹²⁸ Amnesty International interview with detained individual (country of origin not disclosed) at EPSPC, El Paso, TX, 10 April 2025.

"I'm six months pregnant. In here we do not get food after 4 pm. Guards tell me that "everyone is the same" and that my "condition is not a sickness" that would allow her to have different foods from others. Because I'm pregnant they give me an apple or cookie with milk at 8 pm. Sometimes if I am hungry the other women will give me a snack or cookies. I have been vomiting a lot and feeling pressure in my abdomen. Once a month they take me to get an ultrasound, other than that I do not receive any medical care. My baby's father is from New Jersey. He is a citizen. I was stopped for a traffic reason, and they detained me. Now I just want to get out of here. Officials want to abuse you because they can, they have a bad attitude and it's horrible how they talk to you. I will gladly go back to Colombia. I do not want to have my baby in this place."¹²⁹ Colombian woman in detention, EPSPC

DISCIPLINARY ACTION – PHYSICAL ABUSE, SOLITARY CONFINEMENT¹³⁰

According to UN Standard Minimum Rules, disciplinary action must be necessary and proportionate and sanctioned individuals must be granted the opportunity to defend themselves against allegations.¹³¹ ICE Detention Standards require that all detained individuals shall be given a copy of the detainee handbook that clearly details rules and restrictions as well as disciplinary consequences. In addition, any disciplinary incident must be investigated and the detained individual must be advised of their due process rights.¹³² Officials at EPSPC told Amnesty International that disciplinary action is used only when necessary and proportionate and that any individual who is sanctioned still has access to food, phone and other resources. "If they make trouble, yes, we must take disciplinary action. We usually try to separate them from the ringleader, not endanger other folks. If they are actively beating other people, we will move them to a different dorm. We only put them in solitary [confinement] if they cannot be trusted with another person – but even then, they still have access to their phones, just not the tablets."¹³³

Individuals detained at EPSPC reported otherwise. One man with whom Amnesty spoke claimed that he had repeatedly requested a detainee handbook but was never given one.¹³⁴

¹²⁹ Amnesty International interview with a Colombian woman in detention, EPSPC, El Paso, TX, 10 April 2025; UN Body of Principles for the Protection of All Persons under any form of Detention or Imprisonment, and UN Standard Minimum Rules for the Treatment of Prisoners; *Nelson Mandela Rules*, https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf.

("Rule 28: In women's prisons, there shall be special accommodation for all necessary prenatal and postnatal care and treatment.")

¹³⁰ U.S. Immigration and Customs Enforcement (ICE) 2016 Performance Based National Detention Standards, <https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf>.

¹³¹ United Nations Standard Minimum Rules for the Treatment of Prisoners, *Nelson Mandela Rules*, https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf; ([Restrictions, Discipline and Sanctions]: 1. Any allegation of a disciplinary offence by a prisoner shall be reported promptly to the competent authority, which shall investigate it without undue delay. 2. Prisoners shall be informed, without delay and in a language that they understand, of the nature of the accusations against them and shall be given adequate time and facilities for the preparation of their defence. 3. Prisoners shall be allowed to defend themselves in person, or through legal assistance when the interests of justice so require, particularly in cases involving serious disciplinary charges. If the prisoners do not understand or speak the language used at a disciplinary hearing, they shall be assisted by a competent interpreter free of charge. 4. Prisoners shall have an opportunity to seek judicial review of disciplinary sanctions imposed against them. 5. In the event that a breach of discipline is prosecuted as a crime, prisoners shall be entitled to all due process guarantees applicable to criminal proceedings, including unimpeded access to a legal adviser.)

¹³² ICE 2016 National Performance Based Detention Standards; <https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf>; ([Notice to Detainees]: "The detainee handbook, or supplement, issued to each detainee upon admittance, shall provide notice of the facility's rules of conduct and prohibited acts, the sanctions imposed for violations of the rules, the disciplinary severity scale, the disciplinary process and the procedure for appealing disciplinary findings. Detainees shall have the following rights and shall receive notice of them in the handbook: 1. The right to protection from personal abuse, corporal punishment, unnecessary or excessive use of force, personal injury, disease, property damage and harassment; 2. The right of freedom from discrimination based on race, religion, national origin, gender, sexual orientation, physical or mental ability, or political beliefs; 3. The right to pursue a grievance in accordance with procedures provided in the detainee handbook, without fear of retaliation; 4. The right to pursue a grievance in accordance with standard "6.2 Grievance System" and procedures provided in the detainee handbook. 5. The right to correspond with persons or organizations, consistent with safety, security and the orderly operation of the facility; and 6. The right to due process, including the prompt resolution of a disciplinary matter.").

¹³³ Amnesty International interview with EPSPC Official at EPSPC, El Paso, TX, 10 April 2025.

¹³⁴ ICE 2016 National Performance Based Detention Standards; <https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf>; ([Notice to Detainees]: "The detainee handbook, or supplement, issued to each detainee upon admittance, shall provide notice of the facility's rules of conduct and prohibited acts, the sanctions imposed for violations of the rules, the disciplinary severity scale, the disciplinary process and the procedure for appealing disciplinary findings. Detainees shall have the following rights and shall receive notice of them in the handbook: 1. The right to protection from personal abuse, corporal punishment, unnecessary or excessive use of force, personal injury, disease, property damage and harassment; 2. The right of freedom

“There were more Venezuelans in my prior dorm, but the other Venezuelans did a strike because they were being blocked from accessing their lawyers or having their rec time. They did a hunger strike and then climbed on top of a roof of the facility. The military came in and they were shot with rubber bullets.”¹³⁵ Venezuelan man in detention, EPSPC

Amnesty International was able to conduct longer interviews with some detained individuals who had requested to speak with us privately. One of these individuals was a detained Venezuelan man:

“When I arrived, I was placed in orange jumpsuit. On March 29 I was in the cafeteria and a Haitian and Colombian touched the top of a female guard's hand. I was blamed for touching her hand and was placed in solitary confinement. I was in one kind of solitary for one day, and then a more severe kind of solitary for five days I was accused of sexual assault. They cut off access to the tablet or commissary. I cried when I was put in the red jumpsuit. Some guards know me and they say I am a good person. I asked them to watch the camera and see, but they did not. I was never given the chance to defend myself.”¹³⁶

Many individuals that Amnesty International interviewed expressed that one of the hardest parts of being in detention, was the uncertainty about how long they would have to remain in detention, and many expressed frustration, hopelessness and concerns about whether they would ever receive a decision about their situation. The constantly changing legal and political landscape also contributes to fear for themselves and their families.

“If the process is deportation, they should do it quickly, like in one to three months. The reality is that people here suffer. Everyone has different stories. We were brought here on a plane with just bread and water. We are here without rights. We are migrants not criminals.”¹³⁷ Individual in detention, EPSPC

“I just want our prayers to be answered. This what we are living – is like paying for a crime we did not commit. If someone does something wrong, deport them. But to be held here with no answer – our families are in limbo. I would want and wish at a bare minimum to be treated with humanity. The truth is we shouldn't be here.”¹³⁸ Individual in detention, EPSPC

“I have lived in this country for 38 years with a green card. I have three US citizen kids. When they came and took me, a family member took my kids. My middle child has autism. They kicked him out. I don't know where my son is. I'm really stressed for my kids. I took solo custody because the state took them away from their mom. I'm the only one who can help them, and I've been stuck here for seven months.”¹³⁹ Individual in detention, EPSPC

“I've been living in the US for 30 years. I came here from Nicaragua with amnesty during Reagan's time because he opposed communism. I never asked for a handout or food stamps. I have always worked hard. Stop making the children suffer. My kid is 19, but some people here have young kids.”¹⁴⁰ Nicaraguan man in detention, EPSPC

from discrimination based on race, religion, national origin, gender, sexual orientation, physical or mental ability, or political beliefs; 3. The right to pursue a grievance in accordance with procedures provided in the detainee handbook, without fear of retaliation; 4. The right to pursue a grievance in accordance with standard “6.2 Grievance System” and procedures provided in the detainee handbook. 5. The right to correspond with persons or organizations, consistent with safety, security and the orderly operation of the facility; and 6. The right to due process, including the prompt resolution of a disciplinary matter.”).

¹³⁵ Amnesty International interview with detained Venezuelan man in detention, EPSPC, El Paso, TX, 10 April 2025.

¹³⁶ Amnesty International interview with Daniel, a Venezuelan man in detention, EPSPC, El Paso, TX, 10 April 2025.

¹³⁷ Amnesty International interview with detained man, Name Withheld, EPSPC, El Paso, TX, 10 April 2025.

¹³⁸ Amnesty International interview with man in detention, Name Withheld, EPSPC, El Paso, TX, 10 April 2025.

¹³⁹ Amnesty International interview with man in detention, Name Withheld, EPSPC, El Paso, TX, 10 April 2025.

¹⁴⁰ Amnesty International interview with Nicaraguan man in detention, Name Withheld, EPSPC, El Paso, TX, 10 April 2025.

CONCLUSION AND RECOMMENDATIONS

Amnesty International found that the mass detention of individuals in the El Paso Service Processing Center is dehumanizing people, particularly Venezuelans, impacting an already concerning migration policy, and exacerbating cruelty, unfairness and arbitrariness. During Amnesty International's visit to the EPSPC detention facility, the organization observed a general disregard for human rights standards across a wide variety of measures: use of arbitrary detention, restriction of due process and access to basic legal resources and services for detained individuals, and substandard or inhumane detention conditions that do not meet international standards for detention (UN Standard Minimum Rules for the Treatment of Prisoners) nor US ICE detention standards (ICE Performance Based National Detention Standards). Detained individuals from a wide variety of backgrounds, countries of origin and immigration statuses expressed hopelessness around their rights and freedom, noting their concerns for themselves and family members while fearing their lives are in limbo as they await an uncertain future.

Taking into consideration Amnesty International's independent findings and the United States' rights obligations under international law, the organization makes the following recommendations.

1. Congress must not fund the United States mass detention and deportation system which violates international human rights law and standards. Congress should not move forward with a reconciliation bill that will direct billions of taxpayer dollars to further expand the reach of President Trump's mass deportation, mass detention, and border militarization plans.
2. End the practice of mass immigration detention in the United States and ensure a presumption of liberty and that any use of detention is rare and only after an individualized determination that no other alternatives are appropriate.
3. All detention facilities should comply with international law and standards, including the UN Standard Minimum Rules for the Treatment of Prisoners and ICE Performance-Based National Detention Standards.
4. Establish a right to counsel for people in immigration proceedings and ensure people are guaranteed legal counsel, as well as translation services, in all immigration court proceedings. Ensure that organizations that provide legal services and other services to individuals in immigration detention are adequately funded.
5. Guarantee the safe and immediate return to the United States of all persons expelled to El Salvador under the Alien Enemies Act executive order, ensuring the continuation of their immigration processes and access to due process guarantees.
6. Immediately halt the targeting of Venezuelans for deportation and unlawful expulsions under the Alien Enemies Act. Ensure that Venezuelans have access to systems of protection, without discrimination, including fair, individualized evaluations, in strict compliance with international human rights law and the principle of *non-refoulement*.
7. Immediately halt any subsequent expulsions under the Alien Enemies Act executive order, in strict compliance with the principle of *non-refoulement*.

8. Ensure full access to legal asylum and immigration processes, and legal remedies in the US.

Amnesty International is a movement of 10 million people which mobilizes the humanity in everyone and campaigns for change so we can all enjoy our human rights. Our vision is of a world where those in power keep their promises, respect international law and are held to account. We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and individual donations. We believe that acting in solidarity and compassion with people everywhere can change our societies for the better.

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