



PREVENTING ONWARD REFOULEMENT OF U.S. REMOVALS TO MEXICO.

Recommendations to protect non-Mexican nationals previously granted protective status in the United States.



Number of Third-Country Nationals Deported to Mexico (January 20 to December 2025)

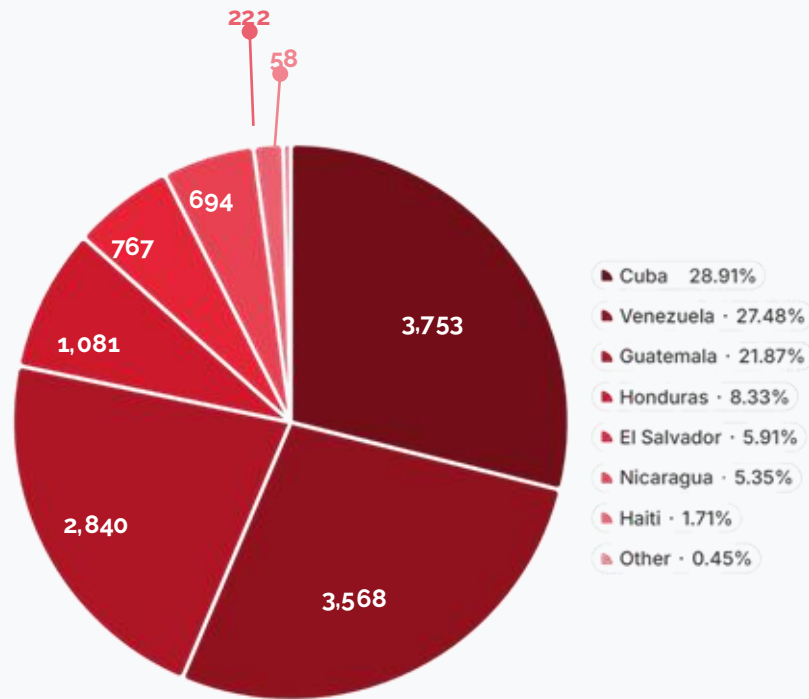


Source. National Migration Institute (INM)

Nationalities of Third-Country Nationals

deported to
Mexico from the
United States
(January 20 to
December 2025)

The total number of
people deported in this
time period was 12,983



Source. National Migration Institute (INM)

MEXICAN PROTECTIONS

DOMESTIC

- **Article 1** of the Constitution.
- **Article 11** of the Constitution.
- **Complementary** Protection

INTERNATIONAL

- Convention **Against Torture**.
- **1951** Refugee Convention.
- **American Convention** on Human Rights.
- **1984** Cartagena Convention.
- Inter-American Convention on the **Prevention of Torture**.

U.S. PROTECTIVE STATUSES

	Asylum	Withholding of Removal	Withholding of Removal - CAT	Deferral of Removal - CAT
Elements	Fear of persecution on account of protected grounds (race/ethnicity, religion, nationality, political opinion, membership in a particular social group).	Fear of persecution on account of protected grounds (race/ethnicity, religion, nationality, political opinion, membership in a particular social group).	Fear of torture.	Fear of torture.
Legal Standard	"Well-founded" fear (at least a 10% chance) of persecution if returned to home country.	Persecution is more likely than not (more than a 50% chance) if returned to home country.	Torture is more likely than not (more than a 50% chance) if returned to home country.	Torture is more likely than not (more than a 50% chance) if returned to home country.
Eligibility Bars	Not eligible if previously deported, if convicted of an aggravated felony or if applying after one-year of entering the United States.	Conviction of a "particularly serious crime".	Conviction of a "particularly serious crime".	No eligibility bars.
Eligibility for Permanent Status	Eligible for permanent status and may not be removed.	Not eligible for permanent status, and ordered deported to a country where there is no fear of persecution.	Not eligible for permanent status, and ordered deported to a country where there is no fear of torture.	Not eligible for permanent status, and ordered deported to a country where there is no fear of torture.

DUE PROCESS

If a person has received WoR or CAT protections, then...

- Either the person subject to removal or the US government may **designate a third country** (and that third country should provide assurances)
- If the person fears the country selected by the government, then they may **submit an application for protection** based on that fear and **restart the protection review process** (e.g., a new interview)

...but this process was rarely used as, historically, countries were not designated.

DVD VS. DEPARTMENT OF HOMELAND SECURITY

Previous normative framework (before 2025): Individuals with removal suspension or CAT protection were generally protected from removal to the country where they feared persecution or torture.

February 18, 2025: The Trump administration orders evaluation of the feasibility of deportations to third countries for beneficiaries of CAT protection or suspension of removal.

Case begins: D.V.D. v. DHS starts.

April 2025: Preliminary injunction (Lower Court) requires DHS:

- Prior written notification of removal.
- Meaningful opportunity to present fear-based allegations.
- Apply the "reasonable fear" standard (less strict than "more likely than not").
- Reopen immigration proceedings in a timely manner.

June 2025: The Supreme Court modifies the lower court's decision.

Post-June 2025: The lower court clarifies that the order to provide a meaningful opportunity to present protection claims remains in effect.

ASYLUM/WOR/CAT IDENTIFICATION

1. EAD Card



2. Judicial Order

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
NEW YORK - VARICK IMMIGRATION COURT**

Respondent Name: [REDACTED]
To: Chowdhury, Shafi
118-21 Queens Blvd, Suite 603
Forest Hills, NY 11375

A-Number: [REDACTED]
Riders: [REDACTED]
In Removal Proceedings
Date: 01/19/2024

3. Appellate Decision

U.S. Department of Justice
Executive Office for Immigration Review
Falls Church, Virginia 22041

Decision of the Board of Immigration Appeals

File: [REDACTED] 094 - Florence Date: OCT 12 2000
In re: [REDACTED] a.k.a. [REDACTED] N

IN REMOVAL PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: Thomas Hutchins, Esquire
ON BEHALF OF SERVICE: T.M. Riley
Assistant District Counsel

Immigrant & Refugee

4. Form I-94

DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

Department Record
123456789 01

ADMITTED
SEP 13 2006
31 D/S

(1) Family Name
(2) First (Given) Name
(3) Country of Citizenship

CBP Form I-94
REAPLE HERE

1. EAD Card



A05 = asylum granted.

C08 = asylum pending.

C18 = Temporarily not removed.

A10 = WOR granted.

2. Judicial Order (current).



UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
NEW YORK - VARICK IMMIGRATION COURT

Respondent Name:

To:

Chowdhury, Shafi
118-21 Queens Blvd, Suite 603
Forest Hills, NY 11375

A-Number:

Eiders:

In Removal Proceedings

Date:
01/19/2024

ORDER OF THE IMMIGRATION JUDGE

☒ This is a summary of the oral decision entered on 01/19/2024. The oral decision in this case is the official opinion, and the immigration court issued this summary for the convenience of the parties.

☐ Both parties waived the issuance of a formal oral decision in this proceeding.

I. Removability

The immigration court found Respondent ☐ removable ☒ inadmissible under the following Section(s) of the Immigration and Nationality Act (INA or Act):

The immigration court found Respondent ☒ not removable ☐ not inadmissible under the following Section(s) of the Act:

II. Applications for Relief

Respondent's application for:

A. Anythin Withholding Convention Against Torture

- ☒ Asylum was ☒ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☒ Withholding of Removal under INA § 241(b)(3) was ☐ granted ☐ denied ☒ withdrawn with prejudice ☐ withdrawn without prejudice.
- ☒ Withholding of Removal under the Convention Against Torture was ☐ granted ☐ denied ☒ withdrawn with prejudice ☐ withdrawn without prejudice.
- ☐ Deferral of Removal under the Convention Against Torture was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice.
- ☐ Respondent knowingly filed a frivolous application for asylum after notice of the

Respondent's application for:

A. Asylum/Withholding/Convention Against Torture

- ☒ Asylum was ☒ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☒ Withholding of Removal under INA § 241(b)(3) was ☐ granted ☐ denied ☒ withdrawn with prejudice ☐ withdrawn without prejudice.
- ☒ Withholding of Removal under the Convention Against Torture was ☐ granted ☐ denied ☒ withdrawn with prejudice ☐ withdrawn without prejudice.
- ☐ Deferral of Removal under the Convention Against Torture was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice.



2. Judicial Order (historical).

- ja*
- ☒ Respondent's application for ASYLUM was ☐ granted ☒ denied ☐ withdrawn with prejudice.
 - ☐ subject to the ANNUAL CAP under the INA section 207(a)(5).
 - ☐ Respondent knowingly filed a FRIVOLOUS asylum application.
 - ☒ Respondent's application for WITHHOLDING of removal under INA section 241(b)(3) was ☒ granted ☐ denied ☐ withdrawn with prejudice.
 - ☐ Respondent's application for WITHHOLDING of removal under the Torture Convention was ☐ granted ☐ denied ☐ withdrawn with prejudice.
 - ☐ Respondent's application for DEFERRAL of removal under the Torture Convention was ☐ granted ☐ denied ☐ withdrawn with prejudice.
 - ☐ Respondent's application for CANCELLATION of removal under section

UNITED STATES IMMIGRATION COURT
1100 COMMERCE ST., ROOM 404
DALLAS, TX 75242

IN THE REMOVAL CASE OF

CASE NO. [REDACTED]

RESPONDENT

ORDERS

- ☒ This is a memorandum of the Court's Decision and Orders entered on June 15, 2007. This memorandum is solely for the convenience of the parties. The oral or written Findings, Decision and Orders is the official opinion in this case. ☒ Both parties waived issuance of a formal oral decision in the case.
- ☐ The respondent was ordered REMOVED from the United States to ☐ in absentia.
- ☐ Respondent's application for VOLUNTARY DEPARTURE was DENIED and respondent was ordered removed to ☐ in the alternative to ☐.
- ☐ Respondent's application for VOLUNTARY DEPARTURE was GRANTED until ☐ upon posting a voluntary departure bond in the amount of \$ ☐ to DHS within five business days from the date of this Order, with an alternate Order of removal to ☐ or ☐ Respondent shall present to DHS within ☐ thirty days ☐ sixty days from the date of this Order, all ~~documents, financial assets, and other documents~~.
- ☒ Respondent's application for ASYLUM was ☐ granted ☒ denied ☐ withdrawn with prejudice.
- ☐ subject to the ANNUAL CAP under the INA section 207(a)(5).
- ☒ Respondent knowingly filed a FRIVOLOUS asylum application.
- ☒ Respondent's application for WITHHOLDING of removal under INA section 241(b)(3) was ☒ granted ☐ denied ☐ withdrawn with prejudice.
- ☐ Respondent's application for WITHHOLDING of removal under the Torture Convention was ☐ granted ☐ denied ☐ withdrawn with prejudice.
- ☐ Respondent's application for DEFERRAL of removal under the Torture Convention was ☐ granted ☐ denied ☐ withdrawn with prejudice.
- ☐ Respondent's application for CANCELLATION of removal under section ☐ 203(b) of NACARA, ☐ 240A(a) ☐ 240A(b)(1) ☐ 240A(b)(2) of the INA, was ☐ granted ☐ denied ☐ withdrawn with prejudice. If granted, it was ordered that the DHS issue all appropriate documents necessary to give effect to this Order. Respondent ☐ is ☐ is not subject to the ANNUAL CAP under INA section 240A(a).
- ☐ Respondent's application for a WAIVER under the INA section ☐ other ☐ was ☐ granted ☐ denied ☐ withdrawn or ☐ other ☐ The conditions imposed by INA section 216 on the respondent's permanent resident status were removed.
- ☐ Respondent's application for ADJUSTMENT of status under section ☐ of the ☐ INA ☐ NACARA ☐ was ☐ granted ☐ denied ☐ withdrawn with prejudice. If granted, it was ordered that DHS issue all appropriate documents necessary to give effect to this Order.

3. Appellate Decision

P. 1

U.S. Department of Justice
Executive Office for Immigration Review
Falls Church, Virginia 22041

Decision of the Board of Immigration Appeals

File: [REDACTED] 094 - Florence

Date:

OCT 12 2000

In re: [REDACTED] N [REDACTED] aka M [REDACTED] N [REDACTED]

IN REMOVAL PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: Thomas Hutchins, Esquire

ON BEHALF OF SERVICE: T.M. Riley
Assistant District Counsel

CHARGE:

Notice: Sec. 237(a)(2)(A)(iii), I&N Act [8 U.S.C. § 1227(a)(2)(A)(iii)] -
Convicted of aggravated felony

APPLICATION: Asylum; withholding of removal

The respondent appeals from an Immigration Judge's March 22, 2000, denial of his application for asylum and withholding of removal. The respondent claims to have a well-founded fear of persecution in Iran on the basis of his family, who were supportive of the former Shah of Iran, his own service with the former secret police of that country, the SA VAK, and his associations with the

Immigrant & Refugee Appellate Center | v

Last paragraph

ORDER: The appeal from the denial of the application for withholding of removal to Iran is sustained and the decision of the Immigration Judge is reversed insofar as it denies this application.

FURTHER ORDER: The respondent is granted withholding of removal to Iran pursuant to section 241(b)(3)08 of the Immigration and Nationality Act, as amended, and the removal proceedings are terminated.


FOR THE BOARD

Immigrant & Refugee Appellate Center

4. Form I-94.

Example
Form I-94 with Photo (ADIT stamp in-person)

Form I-94 with Photo (ADIT stamp in-person)

Upon endorsement, serves as temporary I-551 evidencing permanent residency for one year.

2b Enter Date: 8/19/2014 U.S. OFFICE: LW/150/SEA

EMPLOYMENT AUTHORIZED Valid Until: 8/18/2015

1. Name (Last, First, Middle Initial)
DOE, JANE
2. Date of Birth (MM/DD/YYYY)
30.05.64
3. Country of Citizenship
CANADA
4. Sex
FEMALE
5. Passport Issue Date (DDMMYY)
6. Passport Number
7. Arrival and Flight Number
8. Country Where You Live
9. Country Where You Resided
10. City Where You Were Born
11. Date Issued (DDMMYY)
12. Address While in the United States (Street and Suite)
123 STREET
13. City and State
SEATTLE, WA 98122
14. Telephone Number in the U.S. Where You Can Be Reached
15. Email Address

Example
Form I-94 with Photo (ADIT stamp delivery)

Form I-94 with Photo (ADIT stamp delivery)

Arrival Record (an endorsement, serves as temporary I-551 evidencing permanent residency for one year.)

822784309 06 JULY 23
06 JULY 23
EMPLOYMENT AUTHORIZED Valid Until: 06 JULY 23

1. Name (Last, First, Middle Initial)
DOE, JOHN
2. Date of Birth (MM/DD/YYYY)
01-JAN-1991
3. Country of Citizenship
WAKANDA
4. Sex
MALE
5. Passport Issue Date (DDMMYY)
6. Passport Number
7. Arrival and Flight Number
8. Country Where You Live
9. Country Where You Resided
10. City Where You Were Born
11. Date Issued (DDMMYY)
12. Address While in the United States (Street and Suite)
1234 WHARF AVE
13. City and State
LEXINGTON, KY 01010
14. Telephone Number in the U.S. Where You Can Be Reached
15. Email Address

TYPES OF DOCUMENTS FOR ASYLUM/WOR/CAT

1. Green Travel Document



2. Form I-797, Notice of Action

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-797A, Notice of Action

THE UNITED STATES OF AMERICA

CASE NO. 157-14149		SECTION 1139	
APPLICANT MAY 12, 2010	NAAMATI MAY 12, 2010	PETITION FOR A NONIMMIGRANT VISOR	
ADDRESS 1001 10, 2010	Age 1 of 1	CITY OF KANSAS	
UNIT OF 000013		Notice Type: Approval Notice	
C/O FACULTY & BORGAS IMMIGRATION DIV 3545 MCCARTHY HALL PDR 105 KANSAS CITY 64122		Class: 215 Valid from 06/01/2010 to 06/10/2012	

3. Form I-730 Refugee/Asylee Relative Petition

Department of Homeland Security
U.S. Citizenship and Immigration Services

OMB No. 1615-0007, Expires 12/31/2023

I-730, Refugee/Asylee Relative Petition

FOR USCIS OFFICE ONLY

Section of Law ☐ 207(a)(2) Spouse ☐ 207(a)(2) Child ☐ 209(a)(2) Spouse ☐ 209(a)(2) Child	Action Stamp	Receipt
Remarks		

4. USCIS Approval Letter

Case Number

Case Type
FORM APPLICATION FOR ASYLUM AND FOR WITHHOLDING OF REMOVAL

Received Date
07/23/2004

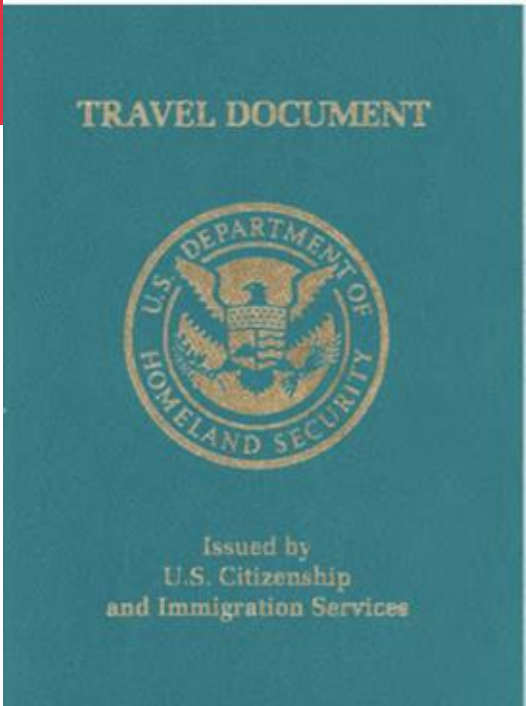
Priority Date
07/23/2004

Page
1 of 1

NAME: DAVAR
1770 MITCHELL NORTH
IRVINE CA 92614

Notice Type: Approval Notice

1. Green Travel Document

[illegible]

2. Form I-797, Notice of Action

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-797, Notice of Action

THE UNITED STATES OF AMERICA

RECEIPT NUMBER WAC-1		CASE TYPE I130 PETITION FOR ALIEN RELATIVE
RECEIPT DATE November 1, 2010	PRIORITY DATE October 28, 2010	PETITIONER John Doe
NOTICE DATE January 29, 2015	PAGE 1 of 1	BENEFICIARY Jane Doe
		Notice Type: Approval Notice Section: Brother or sister of US Citizen, 203(a)(4) INA

The above petition has been approved. We have sent the original visa petition to the **Department of State National Visa Center (NVC)**, 32 Rochester Avenue, Portsmouth, NH 03801-2909. NVC processes all approved immigrant visa petitions that need consular action. It also determines which consular post is the appropriate consulate to complete visa processing. NVC will then forward the approved petition to that consulate.

The NVC will contact the person for whom you are petitioning (beneficiary) concerning further immigrant visa processing steps.

You should allow a minimum of 30 days for Department of State processing before contacting the NVC. If you have not received any correspondence from the NVC within 30 days, you may contact the NVC by e-mail at NVCINQUIRY@state.gov. You will need to enter the USCIS receipt number from this approval notice in the subject line. In order to receive information about your petition, you will need to include the Petitioner's name and date of birth, and the Applicant's name and date of birth, in the body of the e-mail.

- ✦ Form I-797
- ✦ Form I-797A
- ✦ Form I-797B
- ✦ Form I-797C
- ✦ Form I-797D
- ✦ Form I-797E
- ✦ Form I-797F

100%

OMB No. 1615-0037; Expires 12/31/2023
I-730, Refugee/Asylee Relative Petition

4. USCIS Approval Letter

Receipt Number	Case Type 1589 - APPLICATION FOR ASYLUM AND FOR WITHHOLDING OF REMOVAL
Received Date 07/12/2024	Priority Date [REDACTED]
Notice Date 11/04/2024	Page 1 of 3
NADER DAVAEI 17702 MITCHELL NORTH IRVINE CA 92614	
Notice Type: Approval Notice	

We have mailed an official notice about this case (and any relevant documentation) according to the mailing preferences you chose on Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative. This is a courtesy copy, not the official notice.

What the Official Notice Said

Asylum Approval

Applicants:
Name: [REDACTED] Alien Number: A

As of 11/04/2024, you have been granted asylum in the United States pursuant to section 208 of the Immigration and Nationality Act (INA). Your derivative family member(s) listed above - who are present in the United States, who were included in your asylum application, and for whom you have established a qualifying relationship - are granted derivative asylum status.

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Received Date 07/12/2024	Priority Date [REDACTED]
Notice Date 11/04/2024	Page 1 of 3
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What the Official Notice Said

Asylum Approval

Applicants:
Name: [REDACTED] Alien Number: A

As of 11/04/2024, you have been granted asylum in the United States pursuant to section 208 of the Immigration and Nationality Act (INA). Your derivative family member(s) listed above - who are present in the United States, who were included in your asylum application, and for whom you have established a qualifying relationship - are granted derivative asylum status.

In addition to this letter, you will receive a completed Form I-94, *Arrival/Departure Record*, for you and each of your derivative family members listed below. Please retain this document as evidence that you have been granted asylum. In addition to your Form I-94, *Arrival/Departure Record*, we recommend that you retain the original of this letter as evidence that you have been granted asylum and that you submit copies of this letter when applying for any of the benefits or services listed below.

Asylum is authorized for an indefinite period, but asylum status does not give you the right to remain permanently in the United States. Asylum status may be terminated pursuant to section 208(a)(7) of the INA if you no longer have a well-founded fear of persecution because of a fundamental change in circumstances, you have obtained protection from another country, or you have committed certain crimes or engaged in other activity that makes you ineligible to retain asylum status in the United States.

Now that you are an asylum, you may apply for certain benefits listed below. You are responsible for complying with applicable laws and regulations explained in this letter. We recommend that you retain the original of this letter as proof of your status and that you submit copies of this letter when applying for any of the benefits or services listed below.

You may obtain any of the USCIS forms mentioned in this letter on the USCIS website at www.uscis.gov, through the National Customer Service Center at 1-800-375-5283, or at a local USCIS office.

Benefits

1. **Employment Authorization**

You are authorized to work in the United States for as long as you remain in asylum status. You are authorized to work in the United States, so long as they retain derivative asylum status. To demonstrate employment authorization, you must have an Employment Authorization Document (EAD). To demonstrate employment authorization, you must have an EAD. To demonstrate employment authorization, you must have an EAD. To demonstrate employment authorization, you must have an EAD.

Please see the additional information on the back. You will be notified again. USCIS encourages you to sign up for a USCIS online account. To learn more, visit www.uscis.gov/online.

Change Asylum Office
U.S. CITIZENSHIP & IMMIGRATION SVC.
181 W. Madison Street, Suite 3000
Chicago IL 60602

USCIS Contact Center: www.uscis.gov/contactcenter



RECOMMENDATIONS

Path One

An individual ***expresses fear*** of return to their country of origin.

INM (1) immediately refers the individual to COMAR and/or PPNNNA for initiation of a refugee or complementary protection claim and (2) issues a Visitor Card for Humanitarian Reasons (TVRH).

COMAR does not consider the fact of deportation as evidence of a lack fear.

Path Two

An individual indicates ***prior protection*** in the U.S. (e.g., asylum, WoR and/or CAT).

INM (1) refers the individual to COMAR and/or PPNNNA, (2) flags the case as involving a prior protection determination (which may trigger a more efficient process), (3) issues a Visitor Card for Humanitarian Reasons (TVRH).

COMAR (1) recognizes prior protective statuses as highly probative evidence, (2) establishes a favorable presumption, and (3) does not consider the fact of deportation as evidence of a lack fear.

Path Three

An individual does not express fear but ***exhibits indicators of vulnerability***.

NM (1) immediately refers the individual to COMAR and/or PPNNNA for initiation of a refugee or complementary protection claim and (2) issues a Visitor Card for Humanitarian Reasons (TVRH).

COMAR does not consider the fact of deportation as evidence of a lack vulnerability.

Path Four

No protective ***status indicators*** are identified.

INM proceeds with the standard migration processing.

QUESTIONNAIRE (SPANISH)

1. ¿Solicitó o recibió alguna forma de protección en los Estados Unidos (como asilo, suspensión de deportación o protección bajo la Convención contra la Tortura)?

☐ Sí ☐ No

2. ¿Tiene miedo de regresar a su país de origen?

☐ Sí ☐ No

3. ¿Tiene miedo de que un funcionario del gobierno, la policía, el ejército/fuerzas armadas u otra persona pueda causarle un daño grave (como golpearle, detenerle, secuestrarle, amenazarle o matarle)?

☐ Sí ☐ No

4. ¿Tiene miedo de que un funcionario del gobierno, la policía o el ejército/fuerzas armadas pueda torturarlo? La tortura incluye dolor o sufrimiento físico o mental extremo utilizado para castigarle o obligarle a hacer algo.

☐ Sí ☐ No

5. ¿Cree que podría ser perseguido/a, sufrir daño o ser torturado/a por motivos de:

- ☐ Raza
- ☐ Religión
- ☐ Opinión política
- ☐ Nacionalidad
- ☐ Pertenencia a un grupo social determinado
- ☐ Otro (explique, por favor): _____

6. Responda las siguientes preguntas para explicar por qué salió de su país de origen.

- a. ¿Por qué salió de su país de origen?
- b. ¿Cuándo decidió salir de su país de origen?
- c. ¿Quién o qué causó su decisión de salir de su país de origen?
- d. ¿Cómo pudo identificar a la persona, programa o evento que causó su salida?
- e. ¿Por qué le asustó o le asusta? ¿Fue por su raza, religión, nacionalidad, opinión política o pertenencia a un grupo social determinado?

7. Responda las siguientes preguntas para explicar por qué tiene miedo de regresar a su país de origen.

- a. ¿De quién tiene miedo?
- b. ¿Por qué tiene tanto miedo?
- c. ¿Por qué cree que quieren hacerle daño a alguien como usted? ¿Es por su raza, religión, nacionalidad, opinión política o pertenencia a un grupo social determinado?

QUESTIONNAIRE (ENGLISH)

1. Did you apply for or receive any forms of protection in the United States (such as asylum, withholding of removal, or protection under the Convention Against Torture)?

☐ Yes ☐ No

2. Are you afraid to return to your home country?

☐ Yes ☐ No

3. Are you afraid that a government official, the police, the army/military, or another person could come to your home harm (such as being beaten, detained, kidnapped, threatened, or killed)?

☐ Yes ☐ No

4. Are you afraid that a government official, the police, or the army/military could torture you? Torture includes horrible mental or physical pain used to punish you or force you to do something.

☐ Yes ☐ No

5. Do you believe you could be harmed or tortured because of:

- ☐ Race
☐ Religion
☐ Political opinion
☐ Nationality
☐ Membership to a particular group
☐ Other: (please explain) _____

6. Please answer these questions to explain why you left your home country.¹⁸

- a. Why did you leave your home country?
 b. When did you decide to leave your home country?
 c. Who would be scared or afraid to live there you left home country?
 d. How were you able to identify the person/people/event that caused you to leave?
 e. Why did these target you? Was it because of your race, religion, nationality, political opinion, or membership to a particular social group?

7. Please answer these questions to explain why you are afraid to return to your home country.¹⁹

- a. Who are you afraid of?
 b. Why are you afraid of them?
 c. Why do you think they want to harm someone like you? Is it because of your race, religion, nationality, political opinion, or membership to a particular social group?

RECOMMENDATIONS

Path One

An individual **expresses fear** of return to their country of origin.

INM (1) immediately refers the individual to COMAR and/or PPNNA for initiation of a refugee or complementary protection claim and (2) issues a Visitor Card for Humanitarian Reasons (TVRH).

COMAR does not consider the fact of deportation as evidence of a lack fear.

An individual

INM (1) refers the individual to PPNNA, (2) initiates protection of the individual, and (3) issues a more efficient application for Humanitarian Reasons (TVRH).

COMAR (1) refers the individual to PPNNA, (2) initiates highly protective processing, and (3) issues a favorable protection claim, taking into account the fact of deportation.

Department of Homeland Security
U.S. Citizenship and Immigration Services
U.S. Department of Justice
Executive Office for Immigration Review

I-589, Application for Asylum and for Withholding of Removal

START HERE - Type or print in black ink. See the instructions for information about eligibility and how to complete and file this application. There is no filing fee for this application.

NOTE: ☐ Check this box if you also want to apply for withholding of removal under the Convention Against Torture.

Part A.I. Information About You

1. Alien Registration Number(s) (A-Number) (if any)	2. U.S. Social Security Number (if any)	3. USCIS Online Account Number (if any)
4. Complete Last Name	5. First Name	6. Middle Name
7. What other names have you used (include maiden name and aliases)?		
8. Residence in the U.S. (where you physically reside)		
Street Number and Name		Apt. Number
City	State	Zip Code
Telephone Number ()		
(NOTE: You must be residing in the United States to submit this form.)		
9. Mailing Address in the U.S. (if different than the address in Item Number 8)		
In Case Of (if applicable):		Telephone Number ()
Street Number and Name		Apt. Number

Express Fear
(e.g., application, partial forms).

Path Four

No protective **status indicators** are identified.

INM proceeds with the standard migration processing.

RECOMMENDATIONS

Path One

An individual ***expresses fear*** of return to their country of origin.

INM (1) immediately refers the individual to COMAR and/or PPNNA for initiation of a refugee or complementary protection claim and (2) issues a Visitor Card for Humanitarian Reasons (TVRH).

COMAR does not consider the fact of deportation as evidence of a lack fear.

Path Two

An individual indicates ***prior protection*** in the U.S. (e.g., asylum, WoR and/or CAT).

INM (1) refers the individual to COMAR and/or PPNNA, (2) flags the case as involving a prior protection determination (which may trigger a more efficient process), (3) issues a Visitor Card for Humanitarian Reasons (TVRH).

COMAR (1) recognizes prior protective statuses as highly probative evidence, (2) establishes a favorable presumption, and (3) does not consider the fact of deportation as evidence of a lack fear.

Path Three

An individual does not express fear but ***exhibits indicators of vulnerability***.

NM (1) immediately refers the individual to COMAR and/or PPNNA for initiation of a refugee or complementary protection claim and (2) issues a Visitor Card for Humanitarian Reasons (TVRH).

COMAR does not consider the fact of deportation as evidence of a lack vulnerability.

Path Four

No protective ***status indicators*** are identified.

INM proceeds with the standard migration processing.

RECOMMENDATIONS

Path One

An individual ***expresses fear*** of return to their country of origin.

INM (1) immediately refers the individual for consideration of complementary protection (2) if Humanitarian Reasons (TVRH).

COMAR does not consider the fact of deportation as evidence of a lack fear.

Path Two

An individual indicates ***prior protection*** in the U.S. (e.g., asylum, WoR and/or CAT).

INM (1) refers the individual to COMAR and/or

COMAR (1) recognizes prior protective statuses as highly probative evidence, (2) establishes a favorable presumption, and (3) does not consider the fact of deportation as evidence of a lack fear.

Path Three

An individual does not express fear but ***exhibits indicators of vulnerability***.

NM (1) immediately refers the individual to COMAR and/or PPNN for initiation of a refugee or complementary protection claim and (2) issues a Visitor Card for Humanitarian Reasons (TVRH).

COMAR does not consider the fact of deportation as evidence of a lack vulnerability.

Path Four

No protective ***status indicators*** are identified.

INM proceeds with the standard migration processing.

In the event that a child, adolescent, or other vulnerable is deported (and in line with Migration Law Art. 52).



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