



USA: Urgent Call for Accountability as U.S. Migration Policy Fuels Human Rights Violations

The World Organisation Against Torture (OMCT), the International Rehabilitation Council for Torture Victims (IRCT), and Omega Research Foundation condemn the human rights violations that have stemmed from the United States' migration policy, including arbitrary detentions, deaths in custody, and extrajudicial executions, as well as the violent crackdown against peaceful citizens protesting against ICE raids in Minnesota

5 February 2026 – The criminalisation of immigrants in the U.S. and the vilification of those protesting against the current migration policy have resulted in extrajudicial executions, arbitrary detentions, and torture and other cruel inhuman or degrading treatment or punishment of migrants and U.S. citizens. Over the first year of the second Trump administration, the dehumanising narrative against undocumented migrants, often with clear overtones of racial discrimination, has materialised in heavy-handed raids by the Immigration and Customs Enforcement (ICE). Detainees, including children, suffered punishing conditions in federal prisons, temporary processing sites, and detention centres. Immigrants are forced to sleep on floors, denied access to food and water, denied medical care, and subjected to solitary confinement. At the same time, Executive Actions in violation of due process have led to people being deported to third countries where they are often detained. As documented by human rights organisations, at least [30 deaths occurred in ICE facilities in 2025 and six in 2026](#).

The Centre for Victims of Torture, founded in Minnesota in 1985, reported that five survivors of torture who were undergoing rehabilitation at the Centre while awaiting a decision in their application for refugee status were arrested and flown to Texas for deportation. “The fear is that the cases will just get administratively cancelled and they’ll get deported without having their day in court or without due process,” Sara Nelson, CVT Programme Manager, told [CNN](#). Returned to the countries they fled, the individuals will likely become a target once again said Nelson: “People are going to die, to be totally frank.”

The widespread deployment of ICE and border police across the country has resulted in [arbitrary and unlawful detentions](#), largely justified only on the suspicion of someone’s migratory status. Key elements of due process, including swift access to legal representation and opportunities to appeal judicial decisions have been widely

overlooked. U.S. government policies regarding deportations also violate the principle of non-refoulement as they do not routinely provide for individual screening of the risks to be subjected to torture or other ill-treatment upon removal.

Furthermore, the reports of detention of families and children - from infants, [children as young as two](#), and even nursing mothers - at the Dilley “family” detention centre in Texas are of grave concern. This is especially worrying as it follows the ongoing [attempt](#) to terminate federal funding for legal services for unaccompanied children in immigration proceedings, which has already affected [26 000 children](#). Simultaneously the federal government is working to terminate the [Flores Settlement](#), a legal safeguard which prohibits the indefinite detention of children and requires that they be jailed in conditions that respect their dignity. [Healthcare professionals, child advocates, and others have documented](#) the deep harms that would befall children should the government achieve its goal of ending the Settlement.

We also note with concern that inadequate spaces, like the military base of Fort Bliss in El Paso, and even [Guantanamo Bay Prison](#), are being used to house those detained by immigration officers.

The killings of Renée Good, Keith Porter Jr., and Alex Pretti by ICE agents carrying out raids in Minnesota and California are examples of the spillover effect that the Trump migration policy has had on the life of every person in the U.S., regardless of their migratory status.

The repression of the protests following the deaths of Good, Porter, and Pretti is proof of the [shrinking civic space](#) in the U.S., as previously highlighted by the [Inter-American Commission on Human Rights](#).

The consecutive repression of Minnesota protestors is likely to have a chilling effect that will significantly hamper freedom of expression and freedom of association across the country. In the actions taken against the protestors, we have seen patterns consistent with unlawful use of force, including chemical irritants, batons, and kinetic impact projectiles. We have noted that most ICE agents carry firearms; firearms should never be used in policing of protests. They should only ever be used as a last resort to protect life against an imminent threat of death or serious injury. All use of force should be subject to independent and impartial investigations, and officials held accountable for misuse of force.

Under international law, including the UN International Covenant on Civil and Political Rights and the UN Convention against Torture, the United States is strictly bound by the principles of legality, necessity, and proportionality in its policing of assemblies. The [UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials](#) make it clear that firearms may only be used as a last resort to protect life against an imminent threat of death or serious injury. The [United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement](#) states that "The use of firearms to disperse an assembly is always unlawful." [The Model Protocol for Law Enforcement Officials to Promote and Protect Human Rights in the Context of Peaceful Protests](#) underscores that the role of law enforcement is to facilitate and protect assemblies, not suppress them. It prioritises dialogue, de-escalation, and accountability, and calls for independent oversight of security forces.

Thus, we call on the U.S. authorities

1. To end the current policy of mass deportation and adopt a migration policy aligned with international human rights standards and the guarantees provided by the U.S. Constitution, including respect for the principle of non-refoulement.
2. To halt the aggressive repression against the human rights defenders and the people protesting, ensuring compliance with the core principles surrounding the right to freedom of peaceful assembly and adopting a human rights-based approach to the facilitation of protest, including a zero-tolerance policy towards the stigmatisation of protesters, as [recommended](#) by the UATC.
3. To allow independent visits to immigration detention centres, including Congressional visits, and to guarantee that those who are deprived of their liberty in migration centres have full enjoyment of their rights, including proper sanitation, access to medical care, and proper amounts of healthy food.
4. To conduct independent and impartial investigations into the 36 deaths in ICE detention centres since January 2025 as well as the deaths of Renée Good, Keith Porter Jr., and Alex Pretti and ensure the accountability of those responsible of unlawful killings and reparations for the victims.
5. To immediately release children in detention and guarantee the best interest of immigrant children and children with irregular immigrant parents through the US migration policy, prioritising family unity and guaranteeing access to education and health care for children held in detention centres.

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