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Im/Mobility at the US–Mexico Border during the COVID-19 Pandemic

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Abstract: In March 2020, the United States government began a series of measures designed to dramatically restrict immigration as part of its response to the global health crisis caused by the coronavirus pandemic. This included Title 42, which deported asylum seekers immediately and prevented them from applying for asylum. These measures worsened an already precarious situation at the US–Mexico border for an estimated 60,000 asylum seekers who were prevented, by the Trump administration’s ‘Remain in Mexico’ (aka MPP) policy enacted in January 2019, from remaining in the United States while they awaited their asylum hearings. In-depth interviews, participant observation, and social media analysis with humanitarian and legal advocates for asylum seekers living in a camp at the border in Matamoros, Mexico reveal that COVID-19’s impacts are not limited to public health concerns. Rather, COVID-19’s impacts center on how the Trump administration weaponized the virus to indefinitely suspend the asylum system. We argue that the Matamoros refugee camp provides a strategic vantage point to understand the repercussions of state policies of exclusion on im/mobility and survival strategies for asylum seekers. Specifically, we use the analytical lenses of the politics of im/mobility, geographies of exclusion, and asylum seeker resilience to identify how COVID-19 has shaped the im/mobility and security of the camp and its residents in unexpected ways. At the same time, our research illustrates that camp residents exercise im/mobility as a form of political visibility to contest and ameliorate their precarity as they find themselves in conditions not of their choosing.



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“Trump will just do anything, use whatever tool he has to stop asylum”. (Immigration Attorney Jennifer Saunders, Rio Grande Valley)

1. Introduction

Almost 70 years after the passage of the 1951 Refugee Convention and Hannah Arendt’s appeal for ‘the right to have rights’, humanitarian space for refugees/asylum seekers has dramatically narrowed in the global north as policies of preclusion, prevention, and externalization become standard practice in managing migration (Arendt 1958; Hyndman and Giles 2016). The principle of non-refoulement, the legal agreement that prohibits a signatory state from forcibly repatriating a refugee, is the conceptual pillar of international refugee law, to which the United States and 145 other countries are signatories. The United States has only recently followed its European Union and Australian counterparts in using a comprehensive strategy of administrative and legal measures to keep asylum seekers outside of its territory and target those who arrive with increased detention and rapid return to transit countries or regions of origin. Beginning with the Obama administration and intensifying under President Trump, the United States began pursuing bilateral agreements with source and transit countries to facilitate the interception and repatriation of

potential asylum seekers. The Trump administration adopted mechanisms used by other countries in the global north to legally and physically exclude asylum seekers from the US in what several scholars refer to as spaces and policies of refugee exclusion (Mountz 2011, 2020; Hyndman and Giles 2011, 2016). Though President Trump's public rhetoric focused on the construction of a border wall, subsequent executive orders targeted asylum seekers through increased jailing, prolonged detention, and the increased use of expedited deportation procedures (National Immigrant Justice Center 2020).

In this paper, we draw on policy analysis, interviews, and participant observation to argue that three policies have redefined the US asylum system from one based on detention and deportation to expulsion and exclusion. These include the disingenuously named Migrant Protection Protocol (MPP) a.k.a. 'Remain in Mexico' policy; third-country agreements; and closing the border to asylum seekers under Title 42 during the COVID-19 pandemic. The 'Remain in Mexico' policy required that asylum seekers wait for their court hearing in Mexico after quickly being processed into the US' immigration database. This resulted in a makeshift camp of asylum seekers on a plaza adjacent to the international bridge in Matamoros, Mexico that grew from several hundred people to a peak of 2500–3000 in January 2020. While the MPP camp formally exists on Mexican territory, it was created by the United States' policies and is temporally bound by its asylum processing system. The MPP camp is not an extraterritorial zone of sovereignty abroad but is a precarious settlement that exists in a 'space of exclusion' (Maillet et al. 2018).

A series of third-country agreements constitute another key shift to a US asylum policy defined by exclusion and expulsion of asylum seekers from US territory. While implementing the MPP policy (January 2018–March 2020), the United States pressured Central American countries to sign bilateral agreements that return asylum seekers to signatory countries in the region where they would be required to apply for asylum, blocking their access to asylum in the US. Asylum Cooperative Agreements (ACAs) relocate asylum seekers to places with similar security threats and human rights abuses as their countries of origin. COVID-19 provided the Trump administration a pretext to cement the US' transition to an asylum system built on policies of expulsion and exclusion. On 20 March 2020, the US Centers for Disease Control and Prevention (CDC) used an obscure health code to indefinitely suspend the processing of asylum claims in the name of protecting global health.

We then narrow in on the scale of MPP asylum seekers in Matamoros, Mexico to understand the spaces of waiting produced by these policies of exclusion, and how the 'Remain in Mexico' (MPP) and Title 42 (coronavirus exclusion) policies intersect to impact the asylum seekers' camp and its residents. Our research reveals that COVID-19 and the related closing of the border to asylum seekers have shaped the MPP camp and its residents in unexpected ways. In-depth interviews with humanitarian and legal camp service providers reveal that COVID-19's primary impacts on asylum seekers are not health impacts of the virus itself. Rather, we show how the US administration weaponized the pandemic to further dismantle the asylum process, leading to prolonged im/mobility that played out locally in the asylum seekers' struggle to remain visible. We explore spatial practices of exclusion and im/mobility that produce the MPP camp in Matamoros as a way to understand how legal regimes of exclusion work, the spaces they produce, and how victims of this legal violence use im/mobility as acts of resiliency and contestation.

2. Im/Mobility and Exclusion in the Global Asylum System

2.1. Im/Mobility of Asylum Seekers and Refugees

Emerging as a distinct but connected element of mobilities research, scholars have increasingly directed attention to the dynamics of im/mobility (Bélanger and Silvey 2020; Schewel 2019). While scholars who advocated the 'mobilities turn' as seeing the world centered on mobility and flux (Sheller and Urry 2006; Urry 2000) acknowledge immobility as an integral component of mobility, the privileging of movement resulted in the neglect of immobility as a valid research category (Schewel 2019). As such, immobility, while

long acknowledged as co-constructive of mobility itself, has increasingly been signaled as deserving its own primary focus (Bélanger and Silvey 2020; Schewel 2019). Scholars such as Carling (2002) emphasized early on the immobilizing power of migration restrictions, proposing a differentiation between aspiration versus an ability to migrate. Extensive research over the past decade has focused on how states restrict, manage, and limit the movements and activities of refugees and asylum seekers, the liminal spaces of waiting they inhabit, and how restrictive immigration policies are experienced, politicized, and resisted. Bélanger and Silvey (2020) signal that we have now reached an 'im/mobility turn' that "pays primary attention to the constraints, regulations, and limits simultaneously placed on migration, everyday mobility, and border-crossings at multiple scales" (p. 3425). Schewel (2019) further argues that immobility research distinguishes itself as a bottom-up perspective focused on individual migrant's interactions with the state, rather than their day to day movements, highlighting counter-international migration flows.

Im/mobility has increasingly become a standard part of transit for asylum seekers as forced waiting has become a common tactic of deterrence (Conlon 2011). Scholars have highlighted various dimensions of im/mobility and waiting in transit due to policy restrictions in formal and informal spaces (Frank-Vitale 2020). In fact, Hyndman and Giles (2011) explain that, for refugees, waiting is "the rule, not the exception" (p. 361). In the US, much recent scholarship has focused on restricted mobility due to heightened criminalization (Abrego et al. 2017; Coleman 2007) that has translated into a relentless operation to detain and deport undocumented migrants and unauthorized border crossers. For detained migrants, involuntary immobility and uncertainty has become the norm. Detainees in the US are frequently moved between detention centers, with little to no warning when being moved and no knowledge of when and where they are moving, restricting access to community resources and legal representation (Conlon et al. 2017).

Although not in camps or detention, the same deprivation happens in spaces of delay for Palestinians entering Israel from the occupied West Bank (Joronen 2017). Lubkemann (2008) shifted attention to those immobilized due to war, critiquing the conflation of migration with displacement and shifting our gaze to the suffering of the population 'displaced in place' during wartime. A growing number of scholars have also called attention to gender-based immobility, including that of international care workers (Bélanger and Silvey 2020) and the gendered juxtaposition of the 'safe', immobile, feminized refugees in camps located in the region of origin versus the 'threatening', mobile, masculine migrants actively seeking entry to request asylum (Hyndman and Giles 2016). This literature poignantly captures the violence of forced migration and refugee immobilities, which refugees often experience as waiting in spaces of detention, camps, and occupied territories—what scholars have called spaces of exclusion (Basaran 2008).

2.2. Spaces of Exclusion and Expulsion in the Global Asylum System

Over the past few decades, the rising number of displaced peoples seeking asylum in the global north and the increasingly punitive and exclusionary tactics states have employed in response has garnered global scholarly attention. Accordingly, migration scholarship has increasingly focused on the legal and territorial mechanisms used by wealthy states to exclude asylum seekers from the global south, or policies and practices of exclusion and expulsion (Mountz 2011; Hyndman and Giles 2011; Schewel 2019). Global migration governance is limited by the confines of Westphalian state sovereignty that enables nation states to abdicate their moral and legal responsibility for asylum seekers and internally displaced nationals (Chand and Markowski 2019; Krakhmalova 2019; Visvizi et al. 2019). For the past several decades, the European Union and Australia have implemented policies of interdiction, offshoring, return protocols, and readmission agreements that use various 'spatial fixes' to fundamentally undermine the obligations of international refugee law and the basic human rights it entails (Maillet et al. 2018). Through its use of readmission agreements (transit country 'partnerships'), the E.U. has increasingly established informal detention areas for asylum seekers in neighboring Libya, Mali and Niger

(Betts 2004; Dikeç 2009; Hyndman and Reynolds 2020) much as the US has sought similar arrangements with Mexico and Central American countries (Honduras, Guatemala, and El Salvador). Australia has invested extensively in containment strategies via its 'Pacific Solution' which relocates asylum seekers offshore in Indonesia and in South Pacific Islands (Mountz 2011, 2020).

Given the importance of territorial control in understanding the spaces and timing of im/mobility, geographers and other social scientists have increasingly focused on state efforts to control migrants' movements both within and in transit to its territory (Martin and Mitchelson 2009; Sheller 2011). Using 'logics of exclusion' (Mountz et al. 2012), states shift sociolegal status (alien/non-alien, legal/illegal) from territorial presence to individual bodies as an additional mechanism of immigration control. Maillet et al. (2018) use Elden (2009) work on imperial power to describe how nation states manipulate jurisdiction within and beyond sovereign territory to extend enforcement beyond sovereign territory, which they describe as an "expansion of jurisdiction beyond the edges of sovereign territory, sovereign power moves farther offshore, extending physically and socially outward" (p. 144). They provide examples of how France and Australia created waiting zones that serve as a legal vacuum where, though asylum seekers are on the border threshold, they are not yet able to claim rights. In these legal spaces of exclusion, "alternate sets of rights replace the protection that ought to be granted under international law, thereby enabling exclusion through legal inclusion" and subjecting migrants to "alternate legal regimes" (Maillet et al. 2018, p. 155). The MPP camp in Matamoros, for example, formally exists on Mexican territory, yet it was created by the United States' administrative maneuvering and neither state nor the United Nations has assumed responsibility for protecting the human rights of asylum seekers.

This article advances the literature on asylum seeker im/mobility, state practices of exclusion and expulsion, and the spaces they produce in the global asylum system in two ways. First, we provide nuance regarding how practices of exclusion and expulsion defining the US asylum system work in the MPP program and during the COVID-19 pandemic and the im/mobility of the spaces of exception they produce. Maillet et al. (2018) describe how nation states manipulate territorial jurisdictions beyond the border of sovereign territory to distance themselves from international and domestic legal obligations for non-citizens and asylum rights. We identify this extension of US sovereign power through the MPP program, but insist that what characterizes the Matamoros MPP camp first and foremost is the denial of rights and responsibilities for asylum seekers by a sovereign power. The MPP camp in Matamoros resonates with Agamben (1998, 2005) description of 'spaces of exception', governed in a 'state of exception'. Suspending liberal law and their human rights commitments so that laws and juridical order otherwise may be enforced and sovereignty protected, the US and Mexico are violating their own norms (Maillet et al. 2018). We focus on the mobility of the asylum seeker camp, rather than migrant bodies (Maillet et al. 2018), or the exercise of sovereign power (Elden 2009), to understand the camp as a space of exception whose im/mobility reflects the exercise and contestation of power in a situation of extreme precarity for asylum seekers, noting that the precarity of the camp is also shaped by non-human and hypermobile actors, such as viruses and hurricanes. Ramadan (2013) argues for analyzing the refugee/asylum seeker camp as a unit of scholarly analysis: "The camp is much more than an anonymous terrain of conflict . . . understanding its spatiality is essential for seeing the everyday politics and material practices of refugees" (p. 65).

Second, we focus on the im/mobility of the MPP asylum seeker camp to understand the politics of im/mobility in the spaces created by asylum policies of exclusion and expulsion. We examine how both the US and Mexican governments used the pandemic to shape the im/mobility of asylum seekers at macro and micro scales that span from administratively suspending the US system indefinitely—"closing the border"—to struggles over whether or not the MPP camp in Matamoros should be moved 200 m from the international public plaza to the less visible floodplain next to the Rio Grande River. Our

research also reveals how asylum seekers in the MPP camp have used immobility as a political strategy under conditions not of their choosing. While we analyze immobility and liminal spaces of waiting for asylum seekers as a form of violence (Menjívar and Abrego 2012), our research also reveals that camp asylum seekers use immobility as a strategy of political visibility to pursue their goal of receiving asylum in the United States.

3. Methodology

This paper is the project of a collective research and writing project at Texas State University called the Latin American Mobility Project (LAMP). The first two authors are faculty members who supervise the LAMP lab, which comprises nine graduate students and three undergraduate students, all of whom contributed to this article's data analysis and writing. From August 2020 to October 2020, the first two authors conducted semi-structured interviews via Zoom with 18 key informants who provide humanitarian, medical, legal, and religious services to the residents of the Matamoros camp. The 18 service providers are adult American citizens, 15 women and three men, most of whom live or work on the US–Mexico border. Twelve of the 18 interviewees are humanitarian service providers, four are lawyers, one is a nurse, and one is a nun. We used snowball sampling (Stratford and Bradshaw 2016) to identify research participants based on the first author's service-learning experiences. The experiences, survival strategies, and governance models of asylum seekers are the focus of a separate article; here we emphasize the experiences of service providers who powerfully link the evolution of the camp and its socioenvironmental dynamics with the changing political economic landscape of asylum in the United States during the pandemic. As such, the MPP asylum seekers' camp in Matamoros is the unit of analysis of this paper, not individual asylum seekers or their households.

These interviews build on the two first authors' extensive ethnographic research in refugee and migrant communities and in their sending countries. The first author has organized three student service-learning opportunities that resulted in opportunities for participant observation prior to interview-based research. Interviews lasted from one hour to an hour and a half via Zoom, and interviews were recorded and transcribed by LAMP lab members. We used semi-structured coding methods (Cope 2016) to identify themes related to how policy changes to asylum law during the Trump administration affected asylum seekers at the Mexican border. We use pseudonyms for all interviewees to protect their privacy.

In addition to interviews, we analyze the TRAC Immigration database managed by Syracuse University, using descriptive statistics and ArcGIS to provide a quantitative overview of the MPP program and its geographies prior to narrowing in on the Matamoros asylum seeker camp (Syracuse University 2020). Our lab also analyzed the accounts of organizations providing services to the camp on social media platforms to construct a chronology of COVID-19's impacts on the camp. Lab members analyzed media content and constructed a timeline outline which we used to triangulate with interview data to understand the camp's establishment and evolution.

4. From Deportation to Expulsion: The Trump Administration's Asylum Policies

The Trump administration viewed the US asylum system through a national security lens—interpreting asylum seekers as national security threats and/or economic migrants attempting to game the system (Heimstra 2019). Building on this threat narrative, asylum seekers were portrayed as posing a public health threat in the context of the COVID-19 pandemic. This logic has not protected the US from COVID, but was used by the Trump administration to cement a policy shift away from policies of detention and deportation to an asylum system of expulsion that seeks to close the border to asylum seekers and paralyze the previously existing asylum system. Here we provide a brief overview of the key policies and components of the detention and deportation system before delving into three key policies comprising what we call the exclusion and expulsion asylum regime: MPP, third-party country agreements, and the *coup de grâce* Title 42.

4.1. Detention and Deportation in the US Asylum System

The first years of the Trump administration targeted asylum seekers through extending policies of heightened detention within US territory and eventual deportation, a program of deterrence through detention and criminalization. These policies built on the previous Obama administration's increased practices of detention and deportation (Abrego et al. 2017) and coordination with Mexico's National Migration Institute (INM) to detain and deport migrants at its southern border (Vega 2017). Under one such program in 2015, 'Operation Streamline', the Border Patrol began prosecuting anyone who was picked up for illegal entry along the river within certain geographic boundaries. According to long-time immigration attorney Jackie Fordham, in general, Central Americans had not been prosecuted in the Rio Grande Valley (Mexicans were the majority) unless they had some type of prior deportation, i.e., some aggravating immigration history. The Border Patrol would turn Central American asylum seekers over to ICE, which had discretion whether to detain and deport or release individual asylum seekers. Prior to July 2017, asylum seekers with a sponsor and who posed no safety risk to the community had been released on humanitarian parole.

New policies of prolonged and indefinite detention of asylum seekers resulted from the administrative termination in July 2017 of the Family Case Management Program. In its place, the administration implemented a 'zero-tolerance' policy in April 2018 that required all migrants to be detained and criminally processed. Asylum seekers now began to quickly fill detention centers, restricting their access to legal counsel as they were rushed through the deportation process. Zero tolerance mandated that "all arriving migrants, including asylum seekers, be referred to the Department of Justice (DOJ) for criminal prosecution for illegal entry or reentry" (National Immigrant Justice Center 2020). A cruel manufactured crisis played out as asylum-seeking adults were detained and separated from their children as they were processed for criminal prosecution (United States Commission on Civil Rights 2019). Over 2600 children were separated, with no tracking mechanism in place, leading to prolonged separations and life-long trauma. Attorney Jackie Fordham found out about family separation from a phone call she received from a public defender friend in Brownsville, Texas in May 2018, dismayed to see that there were large numbers of asylum seekers in court who were being jailed and separated from their children. To understand the workings and scope of the problem, Fordham began attending sentencing hearings and writing down the 'A' (immigration) numbers of women who were in clear anguish over being separated from their children. She then tracked these women to a detention center and began documenting the names and ages of their children so as to be able to eventually reunite families through the courts. Shocked by the magnitude of the problem, she tapped into a network of volunteers who agreed to help in the tracking effort by attending sentencing hearings and visiting detainees, as it became clear that the Border Patrol (BP) was not keeping records and would not share information. As the McAllen BP Processing Center was quickly overwhelmed due to the large number of asylum seekers arriving daily, the local BP sector began releasing thousands of detainees to the nearest bus station. In response, Catholic Charities and other humanitarian organizations mobilized to provide temporary shelter and direction.

4.2. Shift to Policies of Exclusion and Expulsion

In direct response to the overcrowded conditions in detention centers, the US Customs and Border Patrol (CBP) began a practice of 'metering' that began widespread use in 2017 and 2018. Metering marked the beginning of 'border externalization', coming about in response to a crisis of detention, which then led to a turn towards externalization policy. 'Metering' allowed only a random, limited number of asylum seekers to enter US territory to be processed per day, while forcing all others to wait in informal lines (organized by the asylum seekers themselves) on international bridges across the US–Mexico border. This led to a growing number of eventually thousands of asylum seekers gathered near ports of entry in Mexico, living on the street while waiting their turn to cross into the United States.

The backlog of asylum seekers at ports of entry grew even more after a November 2018 order stated that any individuals who did not present themselves at a point of entry would be banned from applying for asylum (National Immigrant Justice Center 2020).

The ‘Remain in Mexico’ (MPP) policy marked a shift towards policies of externalization and expulsion. Under MPP, after a ‘marking process’—quick processing in US territory at a port of entry and entry into US’ legal system of removal proceedings— asylum seekers were systematically returned to Mexico to await their proceedings (National Immigrant Justice Center 2020). As attorney Jennifer Saunders characterized the program, which began implementation in the Rio Grande Valley in July 2019, the United States was effectively using Mexico as a detention center, where US laws do not apply and access to lawyers is scarce.

The asylum seekers living in the MPP camp in Matamoros were part of a much larger displaced MPP population. In November 2020, 67,790 asylum seekers had been placed in the MPP program, which was administered by 14 courts across the United States hearing MPP cases (Syracuse University 2020). Five of these courts were located on the US southern border at ports of entry at San Ysidro and Calexico in California and El Paso, Laredo, and Brownsville in Texas. Figure 1 displays the location of the MPP border courts and number and percentage of people by nationality awaiting their hearings along the border through September 2020, which comprised 97% of all MPP cases.

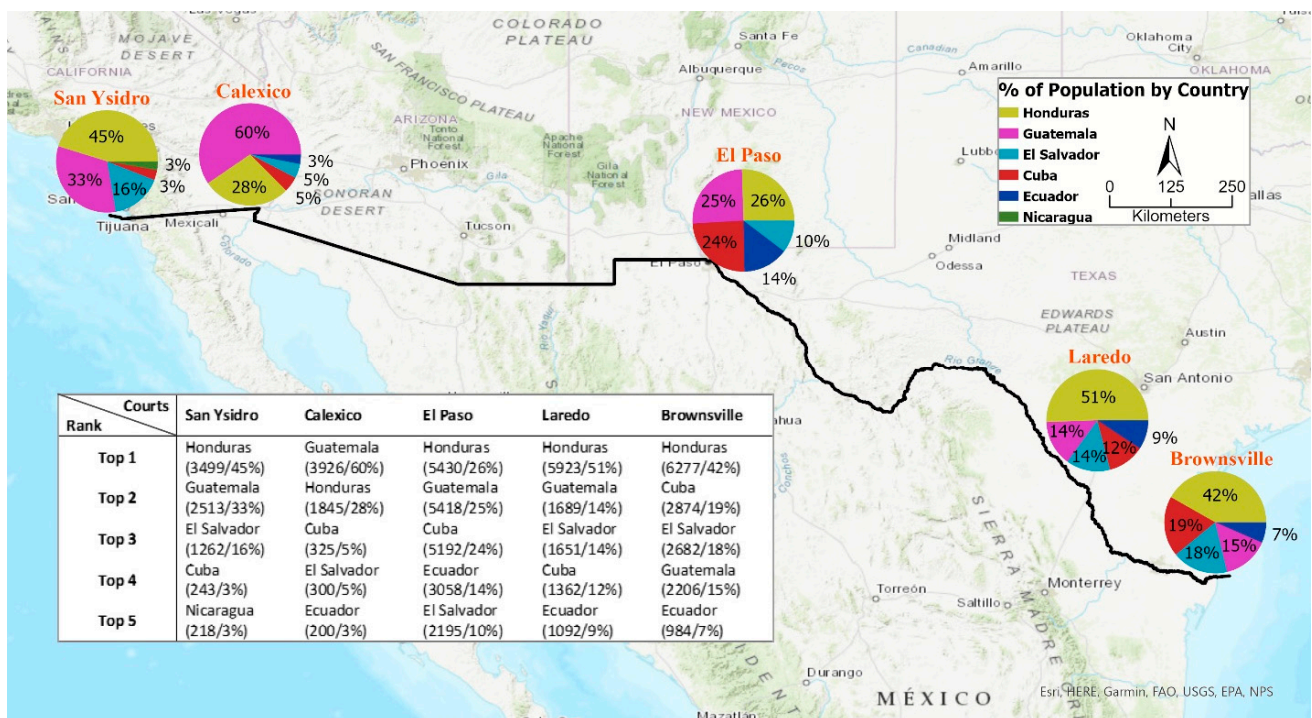


Figure 1. MPP court cases by top five nationalities along US-Mexico border. Data are through September 2020. Data source: Syracuse University (2020).

The majority of these cases on the border were located in Texas—the Texas cases made up 76% of total MPP cases. The hearing locations marked on the map are distinct from other immigration courts and are reserved specifically for hearing MPP cases. Of the 15,958 scheduled or completed MPP hearings at the Brownsville court, 7967 MPP asylum requests were concluded with an astounding 7793 ending in deportation (Syracuse University 2020). Only two cases were granted relief, and an additional 170 cases were terminated, meaning the asylum request was rescinded. Only 6% of the asylum seekers with MPP cases in Brownsville had legal representation.

MPP asylum seekers in Matamoros are not just from the Northern Triangle countries of Guatemala, Honduras and El Salvador, although they comprise the majority. There are asylum seekers from all over the world living in Matamoros while they await their hearings under MPP, including European, African, and Asian countries. Figure 2 illustrates the flows of asylum seekers by country of origin in the MPP program with more than 30 asylum seekers assigned to the Brownsville immigration court.

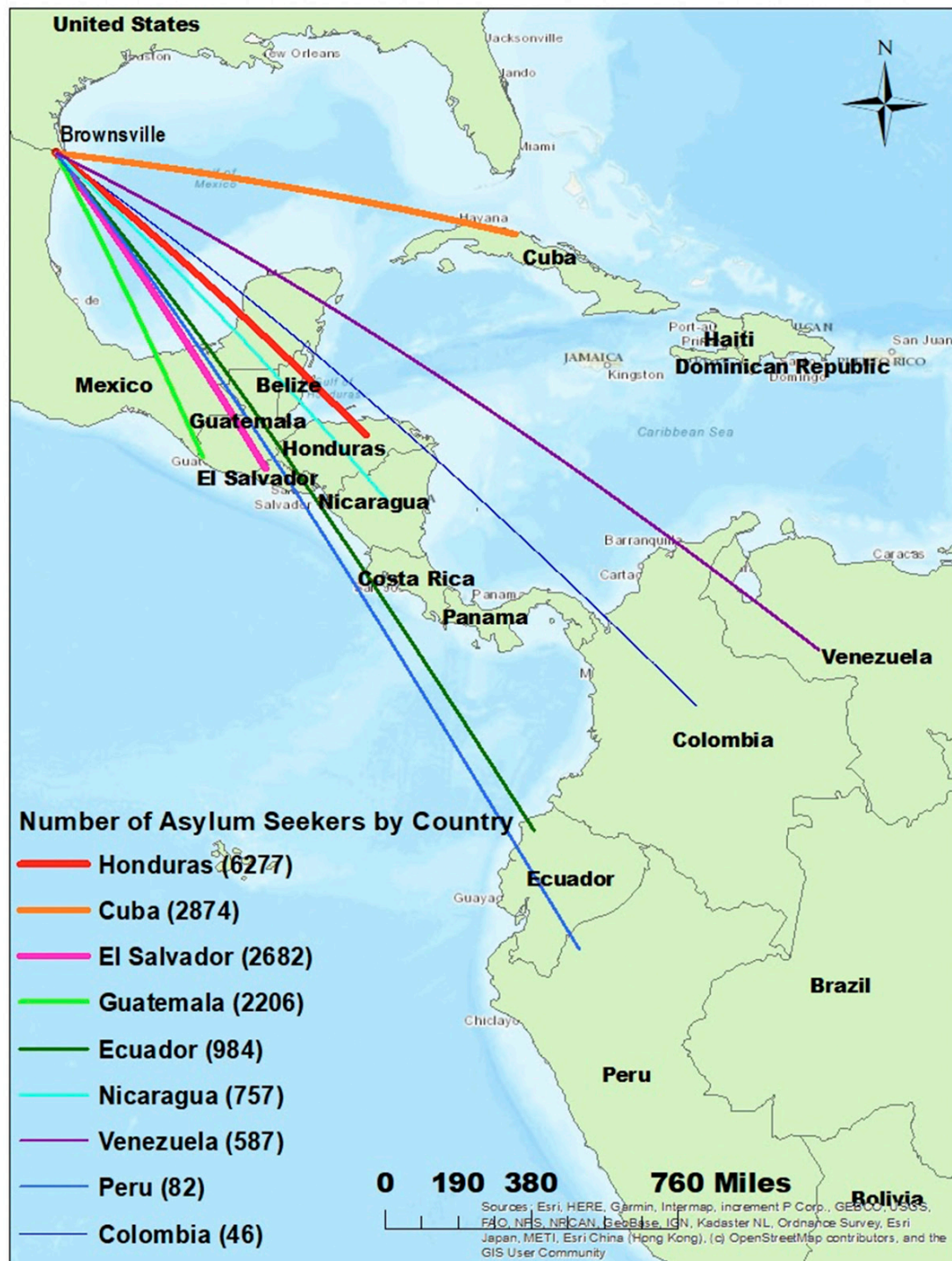


Figure 2. Number of asylum seekers by country processed into the MPP program at the Brownsville–Matamoros border. Data source: Syracuse University (2020).

Another policy area defining the shift to expulsion and exclusion in the US asylum system was a new set of measures aimed at deterring and excluding potential asylum seekers by preventing inclusion into the US immigration system altogether. In July 2019, the US government declared that anyone who first traveled through another country to reach the US border with Mexico, without seeking protection there first, would be ineligible to seek asylum. By November, the administration signed and implemented Asylum Cooperative Agreements (ACAs) with Guatemala, Honduras and El Salvador ([National Immigrant Justice Center 2020](#)). Under these agreements, asylum seekers were required to make their claims in the first country they enter that is a party to the safe third-country agreement. If they did not, the other countries in the agreement could dismiss their claims and send them back to that country. According to several attorneys we spoke to, the ACAs were primarily being used as a means of expelling Central American asylum seekers back to the region rather than processing them through the US asylum system under the MPP program. These rules were posted with little to no debate, warning, or explanation, leaving asylum seekers and advocates in a state of confusion as they reacted to the web of new policies.

Building on these policies of expulsion, the COVID-19 pandemic provided the Trump administration a pretext to indefinitely suspend the asylum system. On 20 March 2020, the Director of the Centers for Disease Control and Prevention (CDC) issued an order under Title 42 of the Public Health Code that closed the border to non-essential travel under the pretext of preventing the spread of the disease ([Centers for Disease Control and Prevention 2020](#)). This unprecedented use of Title 42 was being used to supersede immigration law indefinitely (at the discretion of the CDC Director), circumventing both US courts (judges' orders) and US Congress (immigration law) and allowing Border Patrol officials to quickly expel migrants who cross the border. Since March 2020, almost 200,000 (197,043) migrants have been expelled, without due process, directly to Mexico or were flown back to their home countries (holding individuals in hotels until they were able to send them back) ([U.S. Customs and Border Protection 2020](#)). This number includes over 900 unaccompanied minors who are legally granted extra protections in the US under the 2008 Trafficking Victims Protection Reauthorization Act (TVPRA). As attorney Saunders explained: "They're not putting them into US detention or into MPP. They're just giving them rapid expulsions".

The CDC order has been disputed by public health experts and legal advocates who argue that asylum seekers were being targeted solely on their immigration status and should not be excluded based on public health criteria. Asylum seekers were no more likely to spread COVID-19 than students, temporary workers and truck drivers who cross the border daily and are exempt from these types of restrictions ([Physicians for Human Rights 2020](#)).

5. Im/Mobility during the COVID-19 Pandemic: The Matamoros Asylum Seeker's Camp

Obscure health regulations were used to implement a final *coup de grâce* that has left tens of thousands of refugees stranded in extreme precarity in Mexico's violent northern border cities. In this section, we focus on the spaces and im/mobilities these logics and policies of exclusion produce. The tactics of exclusion, intensified and cemented by Title 42, manifested in prolonging migrants' asylum journey by creating additional spaces of im/mobility and waiting, negatively affecting their personal security and intensifying their struggle for visibility.

5.1. The Establishment of the MPP Camp

Near the international bridge that connects Brownsville, Texas and Matamoros, Mexico, asylum seekers formed a makeshift camp on the Mexican side of the border as they waited for entry to the US where they would be processed and eventually have their asylum cases heard in the immigration court tents on the other side of the Rio Grande (Figure 3). When MPP began implementation in the Rio Grande Valley in July 2019, the relatively small groups of asylum seekers who had waited in the 'metering' process soon grew to hundreds and eventually thousands of migrants waiting for their turn to cross the bridge that serves

as a port of entry to the United States. In the void created by policies of exclusion and neglect emerged an impressive humanitarian effort. The director of the Catholic Charities of the Rio Grande Valley, Sister Ester, described the humanitarian response:

Initially, when the families were returned back to wait in Mexico, they stayed right there at the border . . . they just slept on the ground, a lot of people. People and groups from the United States started to see that this was happening, started to respond and take them tents, and water, and food. But it was a very disorganized response, because it was just out of the generosity here of different groups that started to form . . .



Figure 3. Location of the MPP camp and the international bridge connecting the US and Mexico. Image source: Google Earth, earth.google.com/web/. Text and shading modified from [Rodgers and Bailey \(2020\)](#). Reproduced with permission from BBC News; published by BBC, 2020.

Chaos in Matamoros resulted from the sudden arrival of a population of thousands of migrants in situations of extreme precarity in a city already overwhelmed with its own ongoing issues of violent crime and poverty. The informality of the camp and the lack of a governmental response to the humanitarian crisis resulted in unsanitary conditions and increased crime and cartel activity in and around the plaza, the blocking of the main entrance into Matamoros, and international stigma that many Matamoros residents resented. In this US-manufactured space of exclusion ([Maillet et al. 2018](#)), the Mexican National Institute of Immigration (INM) resisted non-profit and grassroots attempts to create more durable and permanent infrastructure for camp residents, such as sanitation, housing or Wi-Fi.

The Mexican authorities proposed several options of moving the camp or its residents elsewhere rather than formalizing the camp's infrastructure or legal refugee recognition. To clear out the plaza, Mexican authorities offered to relocate residents to shelters away from the border, or alternatively across the levee near the bridge (Figure 3).

In an act of resilience, the MPP migrants exploited their immobility, refusing to move. The MPP asylum seekers were wary of moving away from the bridge for many reasons. They had created a community in the plaza over several months that provided a sense of autonomy and protection in this open space. According to Sister Ester, "They developed a sense of community among themselves, a way of protecting themselves and helping each other out." Moreover, they preferred to stay close to their intended destination, across the bridge, close to the court tents. According to volunteer Jessica Sandoval, influenced by distrust and a lack of clear information, MPP migrants also "came from places of trauma

and have never been able to trust government officials.” Another volunteer, Tom Clarke, cited how camp residents were also aware of earlier instances in which asylum seekers got on buses provided by the Mexican government and did not fully understand where they were going, before being transported to Mexico’s southern border.

Visibility for MPP asylum seekers was inseparable from legal recognition; if they moved, camp residents feared the Mexican and US government would forget about their asylum claims. Sister Ester explained the viable fear of being forgotten: “Their only goal was to get the asylum process started. If they were to move further away it would be ‘out of sight out of mind’.” Volunteer Lucy Brown recalled her surprise at the asylum seekers’ strategic use of immobility:

They were thinking about the optics of the crisis. That really blew my mind. I thought, this was a no-brainer, of course they’ll go. They’re living out in the elements, primitive camping. But it was a resounding “No.” One woman told me—this is really the only leverage we have: our visibility. Later, when moving across to the levee, that was the same message I continued to get: “No, . . . The only leverage we have is that they don’t want us here in the plaza, and so that would be the only thing that would create pressure to ask the US to let us enter the US.

In January of 2020, the Mexican officials took the five existing portable toilets from the plaza and moved them across the levee. The Mexican federal government added 45 more portable toilets near the river to create an incentive for migrants to move from the plaza. Shortly thereafter, camp residents were informed of a planned relocation of the remaining resident in the plaza to the floodplain. According to attorney Ariana Blanco, “The plaza was cleaned out because people did not want to see an eyesore, so they moved them all up there”. Tom Clarke recounted that unlike the concrete floor of the well-lit plaza, “the entire camp now is in a floodplain. And it’s all mud”.

5.2. COVID-19 and Enclosure of the Camp

After both the United States and Mexico responded to the global coronavirus pandemic with lockdowns and closures, INM officials enclosed the relocated camp with fencing and concertina razor wire, with the stated intention of protecting residents from COVID-19 by regulating movement in and out of the camp. Coronavirus restrictions, the halting of US immigration processing, and the camp’s physical enclosure contained the spread of disease but also led to increased isolation, heightened surveillance of movement in and out of the camp by Mexican officials, and a dramatic reduction in the camp’s population.

The coronavirus pandemic further isolated the asylum seekers at the border and prolonged their wait as the US immigration courts were closed and court dates postponed indefinitely. At the camp itself, the INM restricted entry to the camp to current residents, disallowing entry for volunteers who were teaching classes for children and other services. In the words of Tom Clarke:

COVID shut everything down—we used to do fun things like art classes for the kids, photography classes, yoga classes, . . . two different church services. We had three different legal groups, providing different legal services and therapy. And we pretty much had to shut all of that down because it wasn’t essential. Our main focus just went straight to WASH (water, sanitation, and hygiene) and COVID.

Volunteer Lucy Brown lamented that “these restrictions have dramatically limited the presence of NGOs in the camp, which also has been detrimental for camp morale.”

The medical and humanitarian aid provided by Global Response Management (GRM), rather than the enclosure of the camp, was a leading factor contributing to the relative control of the virus among camp residents. GRM began working in the camp in October of 2019, months before the outbreak of COVID-19. Once relocated across the levee, volunteer engineers and paid resident workers played a key role in establishing WASH infrastructure

at the camp as part of their strategy to combat the pandemic. This included building hand-washing stations and developing a drainage system for the camp. The organization also conducts medical COVID-19 testing while the organization Resource Center Matamoros (RCM) distributes supplies and oversees camp management. To contain the spread of the virus, a crew of four people made sure that there was always soap available at all 88 sinks and that every high-touch surface was decontaminated with bleach every hour. Registered nurse and GRM director Linda Simmonds attributed the successful containment of the COVID-19 to the work of GRM and limiting entrance to the camp to residents and medical personnel. "All of the cases that we've seen of COVID are really mild. We think that that's because they're living in an open-air environment where they're not getting the concentrated viral loads that they would be if they were actually living in the community and houses. And so, ironically, their poor living conditions are keeping them from getting worse."

The camp's enclosure in the name of COVID-19 allowed Mexican INM to restrict entry to the camp to already existing residents and not allowing residents to return if they left for an extended period, effectively cutting off future camp expansion. Title 42 border closure, expedited processing of removal orders, and lack of legal and other resources under the coronavirus restrictions have also contributed to the dramatic decrease in the resident population. The camp's enclosure combined with Title 42 rapid processing of removal orders resulted in a decline in the Matamoros MPP camp population. At its height in November 2019, an estimated 2500–3000 people lived in the camp centered around the plaza, as of December 2020, there were some 600 camp residents. Some had given up on the legal asylum process and found entry to the United States by other means, including crossing illegally with fees paid to drug cartels who control illicit crossing routes. According to attorney Lila Johnson, "All of the MPP hearings have been suspended over and over again for like six months and they're realizing we're not ever going to get a hearing." Others, many of whom had been waiting for over a year in the camp, relocated elsewhere in Mexico or returned to their home countries.

Expulsion is expanding the scope of the humanitarian crisis at the border. New arrivals are now unable to petition for asylum and any migrant who attempts to cross is quickly processed and expelled. None of these migrants, whose numbers dramatically decreased due to the pandemic lockdown, were eligible to stay in either the MPP camp or in government shelters, creating a whole new class of homeless and vulnerable displaced people at the border. Those arriving after March 2020 were directed to a few overextended private shelters or, if they had funds, to overcrowded apartments and tenements in the city. Humanitarian groups whose primary focus had been helping asylum seekers who were processed through the US immigration system were now debating how to focus their resources and what to do with a growing number of migrants who arrive at the border and are immediately returned to Mexico.

5.3. Hurricane Hanna in the Camp

In late July 2020, Hurricane Hanna made landfall in south Texas as a category one hurricane, foregrounding MPP camp residents' vulnerability and their use of im/mobility as agency. The hurricane brought over 15 inches of rain over two days and the Rio Grande quickly began to swell; the threat of a flood in the camp posed an imminent threat (Harrison-Cripps 2020).

Hanna's rain and wind combined with the very real possibility of the camp flooding and putting the asylum seekers in a life-threatening situation. Information circulated quickly among camp residents and service providers that city officials were considering releasing the floodgate upstream to prevent the city from flooding. In response, the INM began to coordinate with camp service providers to relocate the camp. The Catholic church volunteered a large soccer field near a church parking lot in Matamoros and authorities and non-profit workers began making arrangements to move people. Sister Ester recounted how "Mexico was ready to make the refugees get on the buses. The people didn't want to

leave. The [non-profit organization] was using the language ‘you must’, and ‘you have to’ evacuate we were told this was a critical situation in which lives were at risk.”

Asylum seekers resisted and ultimately refused to relocate. The asylum seekers resisted relocation despite flood danger for the same reasons they resisted relocation from the plaza to the floodplain—they wanted to remain together near the border. Many also did not trust Mexican authorities and feared that they would not be able to return. As community organizer Gabriel Alvarez explained, “People said, no, we are not moving until we see the river actually come up. They were scared that they were going to be moved and not going to be allowed back.”

While illustrating their precarity, this standoff over relocation also illustrates how asylum seekers exercised immobility as a strategy of resiliency and agency in a moment when they appeared to have none. This lack of trust, confusion about plans to open floodgates, and rumors of forced evacuation brought tensions to a breaking point between camp residents, Mexican officials, and camp service providers. Camp residents expressed collective anger that they had not been consulted about the attempted relocation and resented NGO cooperation with Mexican authorities in the proposed plan. In the aftermath, camp service providers agreed to always consult with the asylum seekers first regarding any plans and decisions they would make affecting the camp. The residents’ exercise of collective im/mobility, practices and power relations of decision making in the camp continue to shape the camp’s organization and governance today.

Rather than relocating, camp residents constructed makeshift rain gauges and used photography to systematically monitor the height of the river. Parts of the camp did flood, but not enough to force a relocation of its residents. Several residents moved tents or had to obtain new tents and materials to reconstruct what storm winds and water destroyed. GRM medical infrastructure also flooded, including the field hospital and two COVID-19 isolation areas. The flood waters turned the camp to mud and created additional sanitation and medical concerns. The GRM director explained, “What we’ve had an issue with right now is, since the flooding, we’re seeing a resurgence in waterborne illnesses and vector borne illnesses, or Dengue fever from mosquitoes. And seeing eye infection and skin infections from walking in floodwater and the gastrointestinal illnesses that come from that.” Apart from the health concerns from mosquitos, the flooded river drove snakes, rats, and other riverside animals into the camp. Describing the camp’s new floodplain location, Jessica Sandoval explained, “It’s wilderness what you see there. And so it is natural that there are rats living there, there are snakes. And because the water came up, the animals are trying to survive as well as our asylum seekers.”

5.4. Im/mobility and Increased Exposure to Organized Crime

Lost faith in their chances at asylum, combined with economic precarity caused by the pandemic, increased asylum seekers’ vulnerability to organized crime. US policies of exclusion further increased vulnerability of camp residents to organized crime by prolonging their wait in an area of high crime and cartel violence. For many years, deportation to the border region has meant extreme danger for migrants (Slack 2019). One service provider described the migrants as a “honeypot” for drug trafficking organizations (DTOs), while another described asylum seekers as “fish in a fishbowl” that DTOs target for exploitation. DTOs control vast smuggling networks of drugs, people, and other illicit commodities along the borderlands and systematically kidnap, rape, torture, and kill vulnerable migrants as part of their daily operations. Crossing the river requires hiring smugglers who pay taxes to a cartel or work directly for cartels in the smuggling points they control (Slack 2019). As such, when asylum seekers would leave the MPP camp and proceed to cross the river illegally, they were exposed to DTOs territories, smuggling routes, exploitation, and violence.

For nearly everyone choosing to remain in the camp, the pandemic has made their economic situation even more precarious. Prior to the pandemic, some camp residents received economic support from relatives or friends in the United States, which was diminished with the economic crisis resulting from the pandemic lockdown. Catholic

Charities director Sister Ester and GRM director Linda Simmons discussed how organized crime exploits these precarities to recruit and employ destitute people in and outside the asylum seeker's camp. "COVID makes people more vulnerable to organized crime, people have to go to work for cartels, or use organized crime to get across the river." "Unfortunately, especially with COVID-19, we're seeing recruitment amongst organized crime organization skyrocket, because when governments fail to provide basic resources to the people, they will go where they can get it, and most often, that's organized crime."

The option of remaining in the camp in Matamoros did not mean safety for the migrants. Several interviewees recounted the danger in the camp. Attorney Lila Johnson pointed out the lack of security, questioning "How are they going to protect themselves in a dome tent? . . . just zip it open." She went on to highlight the risks for women and members of the LGBTQ+ community, stating that "women have been raped in the camp" and "a few trans folks have been brutally beaten up." One solution MPP camp residents requested was to install lights in the camp for security because, in the words of Tom Clarke, "things happen in the dark." Another community organizer, John Woods, linked the violence in the camp to the cartels. "They're doing their business at night" when INM guards are not present. Scaling up from Matamoros to the MPP program and asylum seekers across the border, attorney Lila Johnson commented, "Almost 60,000 people are not allowed into the United States . . . It's green pastures for the *polleros* (human smugglers). It's green pastures for these low lying, low level cartels that operate in Matamoros, in Tijuana, Mexicali, and Nogales."

6. Conclusions

"It's an all-out war on asylum, coming from all angles" (Tom Clarke, Matamoros MPP Camp Volunteer)

The novel coronavirus detracted media attention away from the humanitarian crisis unfolding on the US-Mexico border, yet the situation of asylum seekers was never more dire due to the dramatic reworking of the asylum system. Beginning in January 2018, the US shifted its exclusionary policies from a detention and deportation approach to one of denial and expulsion as it closed the southern US border to Spanish-speaking asylum seekers. We focused in particular on three key policies that constitute an ontological shift in the US asylum system: the Orwellian-named 'Migrant Protection Policy' (a.k.a 'Remain in Mexico'), bilateral third-country agreements, and Title 42 and the space of exclusion created in Matamoros, Mexico. The United States tied asylum seekers to the border through its MPP program, converting Mexico's northern border into an unfunded zone of detention outside of its sovereignty in what [Maillet et al. \(2018\)](#) call 'inclusion through exclusion'. Following MPP, the US implemented policies directly aimed at excluding especially Central American asylum seekers, violating international principles of non-refoulement through third-party agreements to return to Northern Triangle countries that cannot protect their human rights. The COVID-19-related indefinite suspension of accepting and processing asylum cases altogether compounded asylum seekers' immobility and heightened their vulnerability.

Focusing on the embodied consequences of these legal geographies and policies of asylum exclusion and expulsion exposes the increased precarity and vulnerability for the tens of thousands of people waiting for their asylum hearings along the US-Mexico border. The pandemic restrictions that closed the border to asylum seekers (Title 42) prolonged the wait indefinitely along the dangerous northern Mexican border in shelters, tenements, and asylum seeker camps. Narrowing in on the MPP asylum seeker camp in Matamoros, Mexico during the COVID-19 pandemic revealed how the US government weaponized the virus to cement the transition of the US asylum system to one of expulsion and exclusion.

The US's legal policies of exclusion produced the MPP camp as a space of exception ([Agamben 2005](#)) that led to heightened vulnerability for migrants waiting for their US court date in Matamoros, Mexico, leaving individual advocates and humanitarian groups to step in and fill the void of state or institutional service providers. The experiences of

religious, legal, and social service providers to the MPP camp expose how these policies of exclusion interact with one another—MPP and Title 42 in particular—and specifically, how the COVID-19 pandemic impacted the already precarious situation of asylum seekers in the MPP camp. This research reveals how power operates in these spaces of exclusion through practices of im/mobility exercised by a diversity of unequally positioned actors. Clearly, the Trump administration used COVID-19 to impose immobility upon asylum seekers in spaces of expulsion along the northern Mexican border. At the same time, we witness how asylum seekers as in the MPP camp collectively exercised their immobility as a strategy of political visibility and collective solidarity in pursuit of their asylum claims. When Mexican authorities wanted to move the camp from the plaza to the floodplain between the levee and the river, the asylum seekers resisted the move. Similarly, when Hurricane Hanna's flood waters directly threatened the camp as the City of Matamoros considered releasing the dam to save the city, asylum seekers again refused to move.

While not romanticizing the constrained agency of asylum seekers, we acknowledge how they leveraged the collective solidarity and the immobility existing in the camp to render visible the violence and injustice of policies of exclusion. We analyze the camp as the material manifestation of the MPP policy, as well as a site and spatial strategy of resistance among asylum seekers who leveraged their collective power to contest their multifaceted precarity. MPP migrants were also active contributors to social media, using their cell phones and apps such as WhatsApp and Facebook to post pictures, videos and descriptions of the conditions in the camp to increase their visibility and to remind the wider public of the urgency of their situation and the need for a legislative solution.

At the same time, Mexican immigration and Matamoros city officials also employed COVID-19 as pretext to shape the evolution, permanence, and visibility of the camp. Thanks to the gallant, but constrained response by grassroots NGOs to the crisis in the MPP camp, the public health impacts of COVID-19 were limited; infection rates were similar to or lower than surrounding Matamoros and Brownsville populations. It took Hurricane Hanna, alongside the hypermobility of the virus, to remind us of non-human actors shaping the daily life, precarity, and agency of asylum seekers during the pandemic. As flood waters threatened the camp, residents chose to face the flood waters and encroaching vermin rather than lose their collective visibility that bears witness to the violence of the Trump administration's dismantling of the US asylum system. The MPP program is a key example of the Trump administration's transformation of the asylum system from a logic of detention to practices of expulsion. Title 42 dramatically deepened the temporal precarity of MPP asylum seekers as their cases became indefinitely suspended. The indefinite suspension of the asylum system following months or years of waiting eroded what little hope many asylum seekers had for pursuing legal channels into the United States.

The US' steps towards dismantling its asylum system were part of a broader, global crisis wherein an increasing number of 'survival migrants' are fleeing political, economic, social, and environmental conditions in their home countries only to be met by increasingly restrictive legal environments. For decades, countries of the European Union and Australia have used spatial strategies such as interdiction, offshoring, return protocols, and readmission agreements to fundamentally undermine the obligations of international refugee law and the basic human rights it entails (Maillet et al. 2018). These 'spatial fixes' reveal how human rights violations operate through and produce space. Such policies further punish asylum seekers—dehumanized as security threats in wealthy countries to which they appeal for, yet are unlikely to receive, safe harbor.

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