GUIDELINES for WHRDs arriving for CSW

March, 2025







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WHO IS THIS GUIDELINE FOR AND WHO HAS DEVELOPED IT

This is a set of simple and concrete guidelines of what WHRDs can do when stopped by immigration officers. Neither of the organizations that compiled this information / worked on this collective effort have legal resources or capacity but we share below some suggestions for referrals and people you can contact in case of need or emergency.

Anyone travelling to the USA right now should be aware of the landscape, what to expect at the border, and have contingency plans in place and contact / protocols. Each person will know what their threat level is and use recommendations and apps according to their needs. This document is a contribution to these efforts, and we hope it is not needed for your trip to NYC.

Although the Trump administration has not reinstated Travel Bans targeted toward specific nationalities, the administration has prioritized increasing immigration enforcement and actively supported racist, xenophobic, and anti-LBTI rhetoric.

The administration is refusing to issue gender-affirming official or travel documents for trans individuals and is denying visas to people who are deemed "to misrepresent their birth sex" on visa applications. The administration has also issued a series of Executive Orders directing higher education institutions to 'report' on international students engaged in protests and other advocacy in support for Palestinian rights, under the guise of combating antisemitism, with the goal of revoking these student visas. Immigration enforcement raids are also increasing in the interior of the United States, including in traditional Sanctuary Cities such as New York City, and Immigration enforcement officials are seeking access to hospitals, churches, and schools for the purposes of immigration enforcement.

We recognize that this political context increases security considerations related to travel to/from the United States, particularly for non-white individuals and members of the LBTI community. This document is an attempt to consolidate resources related to travel to and from the United States.

QUICK CONTEXT ANALYSIS

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SAFETY GUIDELINES AND SUGGESTIONS

BEFORE AND DURING YOUR TRAVEL TO CSW

Please consider that if someone is denied entry to the United States, commercial carriers are responsible for covering costs of their return flights. As a result, airlines are getting tougher before departure, so people traveling to CSW should be prepared for more intensive scrutiny from departing airport staff. Therefore, whenever possible and to avoid problems while travelling, it is recommended that participants get a travel insurance that considers returning flights.

We strongly advise that people travel with a contact person you're in touch with throughout your trip. It is recommended that participants communicate while en route and do regular check-ins when they land, so their people know they are safe.

Strategize the check-ins: when landing in US territory, after leaving the plane, when you get to the immigration control, when you get your luggage, when you're leaving to the accommodation. If your contact person doesn't hear from you in 3 hours after you landed in US territory, or if you have an adversarial or custodial encounter with law enforcement, then they can start the pre-accorded safety protocol. It is recommended that your safety network has your personal data, including full name, passport number, date of passport expiration, date of birth.

Tip: There's a non-profit app called <u>encirculo</u>, which allows you to create a safety network of up to 6 peers to lean on during the trip.

If possible, make sure you travel with some cash in case emergency money is needed

Documents to have organized/prepared and printed (only present to border security officials if asked): letter of invitation to CSW with clear explanation of purpose and duration of travel; copy of return tickets and confirmation of hotel booking; proof of employment in country of origin (if applicable); proof of legal residence/valid immigration status if you are currently residing outside of your home country/country of origin.

Before travelling, you may want to consider limiting your public profile of social media accounts, placing social media profiles on private mode and/or reviewing social media history.

WHEN ARRIVING TO AN AMERICAN AIRPORT

(POSSIBLE POINTS OF ENTRY TO THE US: NYC, MIAMI, HOUSTON, NEWARK, ATLANTA, SEATTLE, SAN FRANCISCO)

WHAT TO EXPECT:

Questioning and searches! There is a possibility of more scrutiny upon entry at airports. Also, there is a possibility that not much will change as you enter a US airport! Both can be simultaneously true.

A person traveling with a valid visa and even a UN letter of invitation is not guaranteed to be allowed to enter the US. This is why we strongly recommend travelling with a travel insurance that provides funds for return tickets.

Given recent reductions in federal workforce and increased scrutiny on immigration enforcement, individuals traveling to CSW should expect longer than normal wait times for customs.

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WHAT TO DO IF YOU GET STOPPED BY AN IMMIGRATION OFFICER / STEP ASIDE AND GO TO ANOTHER ROOM

Border agents can deny entry for any reason. You will have very little recourse, the most important thing is to be prepared.

Customs and Border Protection officers can ask you about your immigration status when you are entering or leaving the country, or even select you for a longer interview. If you are a visa-holder, your rights are different from those of lawful permanent residents, and refusing to answer officers' questions could result in being denied entry into the United States.

Border agents can confiscate your phone and other devices, and search anything on them if they can get access. They can do an online search for your name. If it's within your means, rather than bringing the phone that you use at home, bring a new inexpensive travel phone that works on wifi and in the US so you have communication when you get here.

Border agents may request login information for your electronic devices and accounts. Failure to provide this information may result in being denied entry to the United States. Border Patrol asserts the right to search and confiscate laptops, mobile phones, digital cameras, and other electronic devices upon entry to the United States, without any suspicion of wrongdoing. The agency also claims the right to make a copy of information found on electronic devices. If officials search or confiscate your electronic devices, write down the name, agency, badge number, and contact number for the agency and ask for a receipt. You have the right to have a search of your items conducted in front of a supervisor, though making this request may cause delay. If your plane arrives directly into NYC, this might be useful.

Do not (as you would do with any travel phone with limited storage capacity) clog up your phone with your social media accounts, your pictures, apps and logins.

Border agents will profile folks: if you are trans or Black (both of these identities especially at issue for them) or look like what they might believe the answer looks like (this can mean your age, that you might be wearing makeup, any rights based sticker on your bag or clothing they might search). If they decide not to let you enter, you are turned back.

It might be a good idea to role play what it might be like to be stopped in the NYC area airports and questioned. This can happen, they can question you and you still may be allowed in, so it's important to be calm.

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IF YOU ARE STOPPED BY AN IMMIGRATION OFFICER, REMEMBER TO:

Do not take out your phone unless you have to at the border;
Stay calm and remember that you have rights;
Avoid signing any documents that you do not understand;
Ask for an interpreter if you do not understand English;
Be polite and calm when speaking to immigration officials;
Collect the names of the officers questioning you;
Inform the immigration officer if returning to your home country will put you at risk;
Review all written documents presented to you carefully in a language you can understand;
Request a phone call to a loved one for your previously designated contact network-



Refrain from making any false statements or providing false documents;

DURING YOUR STAY AT NYC:

who can secure legal representation.

Given the increase in immigration enforcement activity throughout the United States, we recommend that individuals traveling to New York for CSW carry at least a photocopy of their valid U.S. visa with them, along with a form of identification with them during their stay in New York. If you are approached by immigration enforcement agents, you have the right to remain silent and you are not legally required to respond to requests to produce legal documentation unless you are under arrest or detained, the officer has reasonable suspicion to believe you are involved in criminal activity, or the officer has a signed warrant with your name on it.

Strategize with your contact person the frequency of daily check-ins. You can also consider using video messages, to allow your contact person to read body language.

Moving from one location to another:

- Try to always walk in two and whenever possible, inform a friend or ally of your whereabouts
- Check with local allies for any advice or concern about a specific area or travel arrangement in the city
- If you are a person with privileges, please consider accompanying and providing physical safety support to other less privileged participants

Digital security and safety during your stay:

- We recommend you avoid tagging your location in social media posts
- Make sure to get the consent of others before sharing their identities or tagging their accounts on social media
- Avoid engaging in polarizing conversations in comments sections during your visit
- If possible, use Virtual Private Network VPN to protect your data (especially if you're using public wifi networks)
- For data security and safety, it is recommended to communicate via Signal rather than Whatsapp. If using Whatsapp, it is recommended to use disappearing messages.

If you decide to use an app not related to Meta, here's another tip: download the <u>organicmaps</u> to use instead of Google Maps. This app ensures privacy whereas Google Maps does not.

RECOMMENDED RESOURCES:

American Civil Liberties Union-ACLU

- <u>"Know your Rights Enforcement at the Airport"</u> (available in different languages)
- Can border agents search your electronics?

About digital security and protection tools and training resources (in English and Arabic only)

Access Now <u>digital security helpline</u> (in 8 languages)

Security in a box, digital security tools and tactics

REFERRALS WHO TO CONTACT RESOURCES

The Legal Aid Society

has a Immigration Law Unit. Toll-free number: (844) 955-3425 (in English only)

Immigrant Defense Project helpline (with voicemail only, in ENG and SPA) (212) 725-6422

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