

**Director Karen Musalo's Remarks at CGRS Event: A Matter of Conscience: Sanctuary in the
1980s to the Present
May 27, 2026**

In my brief remarks, I hope to provide the context for today's event on Sanctuary. This year marks the 75th anniversary of the 1951 Refugee Convention. The Convention, along with its 1967 Protocol are the foundation of the US and global refugee protection systems. They define a refugee as an individual with a well-founded fear of persecution, and, most importantly, they prohibit the return of refugees to harm.

As many of you know, the origins of the Refugee Convention go back to World War II and the failure of the international community to protect Jews, and other persecuted groups, fleeing the Holocaust. Countries of the world came together to make a commitment not to repeat such a failure.

The US participated in the drafting of the Refugee Convention and is a party to the 1967 Refugee Protocol. In 1980 Congress passed the Refugee Act to bring US law into compliance with its international obligations under the Refugee Convention and Protocol.

Although the passage of the 1980 Refugee Act was rightfully celebrated, from the beginning, US protection of those fleeing persecution was far from perfect. One year after its passage – in 1981 – then president Ronald Reagan sought ways to thwart Haitians fleeing the repressive Duvalier dictatorship from reaching US shores. Reagan entered into an agreement with Duvalier which allowed the US Coast Guard to intercept fleeing Haitians in international waters – and to return them to Haiti.

It was not only the Haitians who the US refused to protect. In the 1980s the US was funding brutal and repressive governments in El Salvador and Guatemala. To grant refugee protection to those fleeing US funded torture and death would have been to admit that our tax money was funding massive human rights violations. For these reasons, more than 98% of Guatemalan and Salvadoran asylum claims were denied.

As you'll hear more from other speakers, and from the excerpts from Theo's films, it was this refusal to recognize the valid claims to protection of Guatemalans and Salvadorans fleeing unspeakable violence that gave rise to the Sanctuary Movement of the 1980s, and to an eventual change in US policy.

Since the 1980s and 1990s, we've seen the highs and lows in US refugee policy – sometimes tending more towards justice, and at other times – a betrayal of values. But now – at this

present moment – what we are seeing with the second Trump administration is beyond anything we have seen before.

We are not just seeing a failure of the US to live up to its international and domestic legal obligations --- what we are seeing is a methodical, determined attack on the refugee protection system – with the end goal of totally dismantling it.

Let me give you a few examples; these assaults on protection include:

- The false declaration by Trump that the US is being invaded by migrants to justify closing the border to all asylum seekers
- The refusal of immigration courts to hear the claims of asylum seekers, instead sending them to so-called “safe third countries” where they could supposedly seek asylum. The countries to where they are sent are anything but safe.
- The relentless effort to reverse legal precedent favorable to asylum seekers, with the high court of immigration – the Board of Immigration Appeals – and the Attorney General – issuing an unprecedented number of binding decisions which vacate prior favorable decisions. The one thing in common with all these decisions, as a recent analysis by scholar Jason Cade observed, is that the immigrant always loses.
- And should you be an immigration judge who does not want to send asylum seekers to unsafe third countries, or to apply these unfair legal precedents, you should be prepared to be fired. The Trump administration fired or forced out 200 of the 700 immigration judges nationwide – targeting those who were known as fair, and willing to grant protection. This has resulted in a historically high denial rate of asylum of over 80%.
- The Trump administration has also been intent on terminating whatever other forms of humanitarian protection exist under US law – most notably trying to end Temporary Protected Status – TPS – which currently shields more than a million individuals from deportation.
- And at a time when ethnic conflict and wars have displaced and uprooted an historical number of individuals, desperately in need of resettlement as refugees, Trump suspended all refugee admissions on his first day back in office, and then made an exception only for white South Africans, who he falsely claimed were being persecuted.

There is no doubt that the Trump administration is intent on eliminating all the pathways to protection that exist under US law.

However, the administration is not content with just destroying the refugee protection system at home; it has taken an aggressive role in totally undermining the international system of protection.

In September of last year, the Secretary of State convened a meeting at the United Nations where it put forth what it calls “principles of asylum reform” which are really more like principles of asylum elimination.

They include the following:

- Every nation has the absolute right to control its borders
- There is no right to immigrate or to receive asylum in a specific country of choice
- Asylum is a temporary, not permanent status, and asylees should ultimately return home
- Sovereign states, not international bodies – such as the UN – should make the determination whether conditions in a country of origin are safe enough to permit the return of refugees

It is unclear how successful the US will be in its efforts to undermine global protection – we have seen how far right political parties around the world have whipped up anti-immigrant sentiment for political gain, which makes this a particularly precarious moment.

Given all these challenges, it is not difficult to feel discouraged. And with that discouragement might come resignation – an acceptance that that the US will never return to being a country welcoming of those fleeing persecution.

But we are here today to say that we are not resigned – and we hope you are not either.

We believe deeply in a humanity that transcends borders, and a moral imperative to resist injustice and to respond to suffering with solidarity joined by concrete action.

At a time like this, we find inspiration and hope in the examples set by so many other courageous brothers and sisters – who refused to accept injustice, and who were willing to risk going to jail to do what was right. Tonight is an evening to remember that courage, to celebrate that courage and to renew our own commitment to stand as a bulwark against cruelty and inhumanity.