

# Right to Information During Migration: A Call for Transparency and Internet Access

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## Introduction

On September 14, 2022, Florida Governor Ron DeSantis ordered and executed a plan to have a flight company fly two planes of migrants from Texas to Martha's Vineyard.<sup>1</sup> The flight caught that community off guard but led to a show of support and welcome. Texas and Arizona similarly sent and continue to send buses of migrants to northern East Coast destinations and sanctuary cities. Many of the migrants<sup>2</sup> had fled South and Central America. The southern border of the United States sees migrants from Caribbean countries, the Middle East, India, China, and various African countries as well. The migrants directed to the domestic transportation schemes were misinformed about where they were going and why, which led us to review their right to information. People migrating need access to job listings, housing information, and information about asylum, other legal processes, and safe migration routes and methods. Even communicating with relatives can be difficult if the right to information is not robustly supported. It should include internet access, freedom from government-provided misinformation, and other protections.

Sentiment toward migrants varies across countries and within and among states in the United States. Some people in positions of authority are notoriously anti-immigration while others welcome immigrants readily. Sending newcomers north was both a political stunt and a move to shift the burdens associated with accepting, caring for, and integrating those seeking asylum. Spreading the value of

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<sup>1</sup> Alianza Americas, Pablo Doe, Yanet Doe, and Jesus Doe v. DeSantis, et al. Alianza Am's. v. Desantis, Civil Action 22-cv-11550-ADB (D. Mass. Mar. 29, 2024). <https://casetext.com/case/alianza-ams-v-desantis-2#> and <https://apps.npr.org/documents/document.html?id=24528047-marthas-vineyard->

<sup>2</sup> This paper uses migrants generally to describe those people who are seeking or in the early process of relocation – they are to some degree “on the go”. Some migrants are refugees or asylum seekers. We use immigrants to describe those settled, further along in the process of settling into a country, or planning to relocate directly and permanently or semi-permanently, for example, someone moving to a country for an employment opportunity with the expectation of remaining in the destination. There is not a settled universal definition of migrant. See the International Rescue Committee (2108, updated 2022). Migrants, Asylum seekers, refugees and immigrants: What's the difference? <https://www.rescue.org/article/migrants-asylum-seekers-refugees-and-immigrants-whats-difference> (distinguishing migrants from refugees and asylum seekers and distinguishing all those from immigrants); and see the International Organization for Migration (UN) (IOM) (2019). Who Is a Migrant? <https://www.iom.int/who-migrant-0>, citing International Organization for Migration, Glossary on migration, IML Series No. 34, 2019 (uses migrant as an umbrella term including those intending and in the process of settling permanently.)

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migrants and the responsibilities associated with helping them settle makes good sense, yet they should be empowered in their migration, immigration, and integration process. Border states in the United States have a good argument that other states should accept people migrating across the southern border. And all states do so. Yet violating human rights is unacceptable and spreading anti-immigrant sentiment through poor public policy is harmful. The mayhem that ensues from using transportation to spring people on northern states without proper warning, paperwork, or the ability of those states and cities to prepare has led to inhumane consequences. Migrants find themselves on the streets of cities like Washington, D.C. and New York when in many cases, access to information about jobs and housing and communication with friends and relatives would have directed them differently, kept them off the streets, helped them secure housing, and improved their outcomes. This brief article calls for more attention to the right to information and highlights information failures during migration.

## Authority for the right to information

Article 19 of the Universal Declaration of Human Rights says:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Based on universal human rights, the Principles and Guidelines on the Human Rights Protections of Migrants in Vulnerable Situations (Principles and Guidelines) include providing access to the internet. Principle 16 (p. 54) provides five points that define the right to information and offer considerations to ensure that countries uphold migrants' right to information:

- The first defines the right, based on the Universal Declaration of Human Rights; “the right to seek, receive and impart information, in a language they understand and in formats they can access”, which should include information about their rights.
- The second ensures access to information about safe migration routes, ways to travel, and requirements for entering and remaining in countries.
- The third ensures access to the internet, noting this is necessary so that they can protect their human rights, move safely, plan travel, share information, inform relatives, and report abuse.
- The fourth calls on countries to safeguard this right and prevent data collection. “It is not permissible to track, collect, store or share data on migrants’ journeys, their location, their digital communications, or those who assist them, with the objective of limiting migrants’ human rights.”
- The fifth requires countries to provide a safe environment for journalists. The media should be permitted to report on migration freely.<sup>3</sup>

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<sup>3</sup> United Nations Human Rights Office of the High Commissioner and Global Migration Group (2018). Principles and Guidelines on the Human Rights Protection of Migrants in Vulnerable Situations. <https://www.ohchr.org/sites/default/files/PrinciplesAndGuidelines.pdf>

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The Principles and Guidelines are meant to provide operational recommendations based on objective 7 of the Global Compact for Safe, Orderly and Regular Migration. Objective 7 is to “address and reduce vulnerabilities in migration.”<sup>4</sup> Under the Principles and Guidelines, migrants are entitled to information. The right to information is a component of the right to make informed decisions. The United Nations’ human-rights-based approach acknowledges that some migrants do not qualify for asylum in the countries where they wish to go, but that they too deserve human rights protection.

And some argue for a general human right to connectivity.<sup>5</sup> Connectivity for Refugees is a UN program that aims to improve internet access.<sup>6</sup>

Protection and exercise of other human rights during migration rely on adequate and correct information. In addition to the right to information, the United Nations Human Rights Office of the High Commissioner (OHCHR) holds that “Human rights violations against migrants can include a denial of civil and political rights such as arbitrary detention, torture, or a lack of due process, as well as economic, social and cultural rights such as the rights to health, housing or education.”<sup>7</sup> The Principles and Guidelines on the Human Rights Protections of Migrants in Vulnerable Situations (Principles and Guidelines) explicitly condemn immigration detention and family separation, and discrimination in the ability to access healthcare services, including information about contraception and reproductive health. Migrants need access to information to ensure they can find health care, reproductive health care, schools, jobs, and housing.

Information is necessary to informed consent. Developing measures to integrate newcomers effectively should allow for their autonomy. Autonomy is a fundamental human right and is an area where bioethics and human rights overlap.<sup>8</sup> Autonomy requires the ability to provide informed consent voluntarily. Thus, access to relevant information is a cornerstone of autonomy. There have been noteworthy failures concerning information during migration.

## Role of internet access in migration

Migration is intertwined with internet use. The internet is a crucial tool for learning about cultures and jobs, as well as for planning how to travel and where to enter the destination country. It also allows

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<sup>4</sup> Global Compact for Safe, Orderly and Regular Migration. (2018). Resolution adopted by the General Assembly on 19 December 2018.

<https://documents.un.org/doc/undoc/gen/n18/451/99/pdf/n1845199.pdf?token=TIFBBb7JufjQ9AbvS4&fe=true>

<sup>5</sup> Grey, A.M. (2020) The Case for Connectivity, the New Human Right. *UN Chronicle*. <https://www.un.org/en/un-chronicle/case-connectivity-new-human-right>

<sup>6</sup> <https://www.unhcr.org/innovation/connectivity-for-everyone/>

<sup>7</sup> OHCHR and Migration. <https://www.ohchr.org/en/migration>

<sup>8</sup> Beauchamp, Tom L, and James F. Childress. *Principles of Biomedical Ethics*. New York: Oxford University Press, 2009. Print.

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people to dream big — they see economic opportunity in other parts of the world, often from a position of poverty.<sup>9</sup>

Rural youth migration can destabilize areas. When the rural youth leave, worker and especially farmworker shortages ensue.<sup>10</sup> However, because migrants often send money back to their rural villages and hometowns, international migration can have a net positive effect on the places migrants leave.<sup>11</sup>

Research shows that for those with the specific intention to migrate, the internet is helpful for preparation, managing expectations, and making plans for safety.<sup>12</sup> Internet access improves migrants' autonomy, safety, and success in finding a place to live legally where they can prosper.<sup>13</sup> While some suggest the internet is a "supportive agent" rather than a "driving force" of migration,<sup>14</sup> others found a correlation between internet access and desire and intention to migrate.<sup>15</sup> Rural internet use may lead to staying put. Research appears split — some argue that connectivity is positively correlated with deciding not to migrate. The feeling of remoteness dissipates with improved connectivity to the internet.

The internet allows people to develop insights on the less overt requirements of migration, like how to behave, posture oneself, and appeal to local potential employers in the destination country. Learning some street smarts in advance enables a smoother transition. The subtle benefits of social media use in connection with migration include reducing the culture shock of migration, building out migrant communities in places where smaller migrant communities have taken root (leading to migration to destinations where like people have already settled), and strengthening social capital through numerous weak ties which prove beneficial.<sup>16</sup> People migrating need new connections. It used to be that one-on-one telephone calls or mail were primary sources of immigration information from friends and relatives

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<sup>9</sup> See Pesando, L. M., Rotondi, V., Stranges, M., Kashyap, R., & Billari, F. C. (2021). The Internetization of International Migration. *Population and development review*, 47(1), 79–111. <https://doi.org/10.1111/padr.12371> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8049048/>

<sup>10</sup> Hidayat, et al., 2023.

<sup>11</sup> Hidayat, et al., citing Abdurrahman, M. (2006). Ketidakpatuhan TKI: sebuah efek diskriminasi hukum. UMM Press; Wawa, J. E., & Dharmawan, H. C. B. (2005). Ironi pahlawan devisa: kisah tenaga kerja Indonesia dalam laporan jurnalistik.

<sup>12</sup> Hidayat, A. R., Onitsuka, K., Sianipar, C. P., Basu, M., & Hoshino, S. (2023). To migrate or not to migrate: Internet use and migration intention among rural youth in developing countries (case of Malang, Indonesia). *Digital Geography and Society*, 4, 100052.

<sup>13</sup> Pesando, L. M., Rotondi, V., Stranges, M., Kashyap, R., & Billari, F. C. (2021). The Internetization of International Migration. *Population and development review*, 47(1), 79–111. <https://doi.org/10.1111/padr.12371> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8049048/>

<sup>14</sup> Pesando, et al., 2021.

<sup>15</sup> Sara Grubanov-Boskovic, Sona Kalantaryan, Silvia Migali, Marco Scipioni, The impact of the Internet on migration aspirations and intentions, *Migration Studies*, Volume 9, Issue 4, December 2021, Pages 1807–1822, <https://doi.org/10.1093/migration/mnab049>

<sup>16</sup> Dekker, R., & Engbersen, G. (2014). How social media transform migrant networks and facilitate migration. *Global Networks*, 14(4), 401–418. <https://onlinelibrary.wiley.com/doi/abs/10.1111/glob.12040> ("First, they enhance the possibilities of maintaining strong ties with family and friends. Second, they address weak ties that are relevant to organizing the process of migration and integration. Third, they establish a new infrastructure consisting of latent ties. Fourth, they offer a rich source of insider knowledge on migration that is discrete and unofficial. This makes potential migrants 'streetwise' when undertaking migration.")

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who had migrated. Social media has expanded information sharing significantly, helping people build networks, improve their knowledge, and make informed decisions.<sup>17</sup>

## Like most people, migrants do better with internet access

In the US, there is a digital divide that hurts immigrants disproportionately. It primarily concerns income: the poorest among us are generally the least reliably connected to the internet. During the COVID-19 pandemic, unconnected households had difficulty working and learning compared to those with internet access.<sup>18</sup> The median wealth of immigrant households decreased between 2019 and 2021, while that of non-immigrant households rose. The median wealth of immigrant households varies considerably by country of origin, and many immigrant households surpass the US average non-immigrant household income. Hispanic immigrants have a lower average income than US non-immigrant households.<sup>19</sup> Many people crossing the US southern border are Hispanic. The Texas-Mexico border and many other parts of the South and Southwest have disproportionately more households with no internet access than the West Coast and Northeast.<sup>20</sup> There are strategies to improve digital spaces that connect people migrating with services that NGOs and governments offer. Researchers call for improvements and generally for a better digital ecosystem to aid migration, resettlement, and integration.<sup>21</sup>

A lack of information impacts decisions. As we noted, informed consent to engage in any travel or activity relies on information. A well-informed person is likely to move to a place with job opportunities, friends, and family. A misinformed person who believes a job opportunity exists where it does not could make a disadvantageous move. Migrants in the United States face a slow process of acquiring the paperwork necessary for employment, further confounding the impact of misinformation or a lack of transparency.

Governments have failed to fully appreciate the right to information and ensure access to information during migration. Asylum seekers can easily be abused, taken advantage of, or harmed during the process of trying to gain asylum, as there are many dangers associated with the border. For example,

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<sup>17</sup> Dekker and Engbersen, 2014.

<sup>18</sup> Cherewka, A. (2020) The Digital Divide Hits U.S. Immigrant Households Disproportionately during the COVID-19 Pandemic. *Migration Policy Institute*. <https://www.migrationpolicy.org/article/digital-divide-hits-us-immigrant-households-during-covid-19>

<sup>19</sup> Moslimani, M. (2023). Key facts about the wealth of immigrant households during the COVID-19. *Pew Research* <https://www.pewresearch.org/short-reads/2023/12/04/key-facts-about-the-wealth-of-immigrant-households-during-the-covid-19-pandemic/>

<sup>20</sup> Lavery, L. (2023, updated). People in households with no internet access. *Urban Observatory*. *ArcGIS Hub*. <https://hub.arcgis.com/maps/UrbanObservatory::people-in-households-with-no-internet-access/explore?location=34.947170%2C-92.663065%2C3.70> ("This map shows the percent of households with no internet access. Pop-up shows counts of households by type of internet access. Map is multi-scale, with data for state, county, and tract. Data from American Community Survey (ACS).")

<sup>21</sup> Kuneva, L., & Hough, K. L. (2023). Fostering inclusion for refugees and migrants and building trust in the digital public space. *Transforming Government: People, Process and Policy*, 17(3), 412-423. <https://www.emerald.com/insight/content/doi/10.1108/TG-10-2022-0137/full/html>

drug cartels pose a danger and there are unsafe conditions in crowded border towns.<sup>22</sup> Recently, the Texas Senate passed a bill that would allow border security to arrest migrants upon crossing the Texas border.<sup>23</sup> While immigration detention and mistreatment, abuse, and violence against immigrants are more serious harms, withholding information, failing to be transparent, and using deception are also egregious offenses. They not only are human rights violations, but they add chaos to the migration and settlement process. Seeking and receiving information is not easy for unconnected migrants.

In New York City, Randall's Island has a tent community with 3,000 migrants. The migrants there are subject to strict rules. For example, there is a new curfew requiring them to remain in the shelter from 11 pm to 5 am, with some exceptions for work, education, and medical care. The tents have Wi-Fi. Migrants using the shelter should be able to get information they need readily from officials, social workers, and acquaintances. New York City currently has 64,000 migrants,<sup>24</sup> and it is home to 5.9 million immigrants.<sup>25</sup> While migrants face many difficulties securing safe housing and accessing services, in New York there appears to be transparency and no evidence of schemes to undermine migrants' ability to access accurate information.

## Shuffling migrants: A US example

Using buses and planes to relocate migrants new to the United States was somewhat a political stunt rather than a meaningful way to garner 50-state participation in resettling migrants. A high influx of asylum cases does not excuse these immediate entry states from relocating people to destinations that were not prepared for them; nor does their arriving in border states excuse non-border states from providing for migrants. Non-border states do accommodate refugees, asylum seekers, and others immigrating to the United States and people arrive by various methods of transportation. An orderly approach to refugees allows states to prepare for them.<sup>26</sup>

There is evidence that the migrants, most of whom were from Venezuela and Peru, flown to Martha's Vineyard on September 14, 2022 did not know where they were headed. Recruiters paid by Florida and approved by Ron DeSantis approached migrants from Venezuela and Peru in Texas for the flights. The recruiters specifically concealed the purpose of the flight and told the migrants that wealthy benefactors

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<sup>22</sup> Adlerstein, Ana. "Asylum Seekers Routinely Turned Away from Ports of Entry, Advocates Say." *The Guardian*, Guardian News and Media, 19 Dec. 2018, <https://www.theguardian.com/us-news/2018/dec/19/us-mexico-border-migrants-claim-asylum-difficulties>.

<sup>23</sup> Texas Senate SB 11. <https://capitol.texas.gov/tlodocs/883/billtext/pdf/SB00011S.pdf#navpanes=0>

<sup>24</sup> Finley, L. (2024). Curfew Begins at Randall's Island Migrant Shelter. *New York 1 News*. <https://ny1.com/nyc/manhattan/news/2024/03/21/curfew-begins-at-randall-s-island-migrant-shelter>

<sup>25</sup> Batalova, J. (2024) Frequently Requested Statistics on Immigrants and Immigration in the United States. Migration Policy Institute. <https://www.migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states#>

<sup>26</sup> Jemsas, J. (2023). Something's Fishy About the 'Migrant Crisis'. *The Atlantic*. <https://www.theatlantic.com/ideas/archive/2024/02/asylum-seekers-migrant-crisis/677464/>

paid.<sup>27</sup> They told the migrants that the flights were going to large cities specifically and they hid that the destination was Martha's Vineyard, "a small isolated island."<sup>28</sup> Prior to boarding the flight, the migrants were detained in a hotel where they could not freely move about and had to rely on the recruiters for basic necessities.<sup>29</sup> Three Venezuelan migrants brought an individual action (with the possibility of a class action) against Florida and the individuals involved in the scheme. Their allegations included fraud, misrepresentation, constitutional violations, and violations of various statutes.

Martha's Vineyard is far from ICE offices where some of the migrants were required to appear.<sup>30</sup> It is possible that those coordinating buses and planes from Florida, Texas, and Arizona knew the risk to asylum seekers of failing to appear either in immigration court or at an ICE office. The migrants bused and flown to the Northeast did not have all the information necessary to weigh their options. However, some of them were pleased with the transportation and successfully found opportunity or were able to join relatives or contacts from the destination. The ones flown to Martha's Vineyard are clearly not all still there. And some of those offered buses to DC got off elsewhere or used the transportation as a steppingstone to their chosen destination. For example, one asylum-seeker, Luis Pulido, got on the DC-bound bus so that he could get off in Kentucky to meet up with his cousin and head to Chicago to join other relatives.<sup>31</sup>

The transportation schemes undermine the right to information. They are predicated upon false promises of opportunity and lies about the destination.<sup>32</sup> The ability to find adequate work is entangled with the right to information about where job opportunities exist and what fair wages and conditions are. "Chris Magnus, the Customs and Border Protection commissioner, said Texas Gov. Greg Abbott, Florida Gov. Ron DeSantis and Arizona Gov. Doug Ducey are "lying" to migrant families about housing, job opportunities and other support they will receive once they're in the northern cities."<sup>33</sup> The migrants who landed in Martha's Vineyard in September 2022 were told that the flight was en route to Boston, where they would obtain expedited work papers and access to jobs.<sup>34</sup> The buses to DC, New York, Chicago, and the flights to Martha's Vineyard involved lies. For example, the governors said that relocation would be free. DeSantis said there would be "cash assistance, employment services and

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<sup>27</sup> Alianza Americas, Pablo Doe, Yanet Doe, and Jesus Doe v. DeSantis, et al. Alianza Am's. v. Desantis, Civil Action 22-cv-11550-ADB (D. Mass. Mar. 29, 2024). <https://casetext.com/case/alianza-ams-v-desantis-2#> and <https://apps.npr.org/documents/document.html?id=24528047-marthas-vineyard->

<sup>28</sup> Alianza Am's. v. Desantis.

<sup>29</sup> Alianza Am's. v. Desantis.

<sup>30</sup> Civil Rights Litigation Clearinghouse Case Summary.

[https://clearinghouse.net/case/43594/?docket\\_page=2#docket](https://clearinghouse.net/case/43594/?docket_page=2#docket) (noting plaintiffs were not given a hearing before boarding planes that would bring them 1,000 miles from the location of their federal immigration hearings.)

<sup>31</sup> Wolf, Z. (2022). The surprising details behind DeSantis' and Abbott's immigration stunts. *CNN*.

<https://www.cnn.com/2022/09/15/politics/migrant-buses-desantis-abbott-what-matters/index.html>

<sup>32</sup> Robinson, M. (2022). Border chief: GOP governors are "lying" to migrants, worsening crisis. *Axios*.

<https://www.axios.com/2022/09/23/republican-governors-cbp-migrants-florida-texas>

<sup>33</sup> Robinson, 2022.

<sup>34</sup> Zuckoff, Eve, et al. "Migrants on Martha's Vineyard Flight Say They Were Told They Were Going to Boston." *NPR*, NPR, 15 Sept. 2022 <https://www.npr.org/2022/09/15/1123109768/migrants-sent-to-marthas-vineyard>

housing assistance as part of the transport.”<sup>35</sup> Some of the migrants that that DeSantis transported to Martha’s Vineyard have been recognized as crime victims and granted U-Visa status in the US which recognizes the duplicity and the detrimental impact.<sup>36</sup> The U-Visa was created as part of the Victims of Trafficking and Violence Protection Act of 2000.<sup>37</sup> The District Court for Massachusetts granted the victims the ability to sue the charter flight company that transported them, but dismissed the claims against DeSantis and Florida other state employees without prejudice.<sup>38</sup>

There are striking parallels between the relocation of the migrants by bus and plane from the southern border to the northeast in 2022 and the busing of Black people from southern to northern cities in 1962. Segregationists offered one-way tickets to northern cities and characterized relocating Black people as lessening a perceived drain on state resources.<sup>39</sup> A segregationist spokesperson for one of the groups claimed the primary motivation was “to bring about a more equitable distribution of the colored population.”<sup>40</sup> They believed that their plan would test the goodwill of northern communities to the breaking point.<sup>41</sup> Angered over Attorney General Robert Kennedy’s support of Civil Rights and Ted Kennedy’s senatorial candidacy, a Council in Little Rock, Arkansas sent a contingent of Reverse Freedom Riders to Hyannis Port, Massachusetts, the summer home of the Kennedy family. One poster to recruit individuals stated “President Kennedy’s brother assures you a grand reception to Massachusetts. Good jobs, housing, etc. are promised.”<sup>42</sup>

The motivations behind the schemes are similar: relocate people to “liberal” states, depict the relocation as beneficial to migrants, and acknowledge the ulterior motive was to test Northern or sanctuary-city goodwill or inundate cities without warning.

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<sup>35</sup> Chen, S. (2022) House Homeland Security chair calls on DOJ, DHS to probe DeSantis. *Axios*. <https://www.axios.com/2022/09/23/migrants-homeland-security-florida-desantis-probe-call>

<sup>36</sup> Mordowanec, N. (2024) Migrants Get Visas for Being 'Victims' of Ron DeSantis *Newsweek*. <https://www.newsweek.com/desantis-migrants-marthas-vineyard-visas-1892919>;

Cristantiello, R. (2024) Classified as crime victims, some migrants flown to Martha’s Vineyard get legal protections <https://www.boston.com/news/local-news/2024/04/23/classified-as-crime-victims-some-migrants-flown-to-marthas-vineyard-get-legal-protections/>;

<sup>37</sup> H.R.3244 - Victims of Trafficking and Violence Protection Act of 2000, <https://www.congress.gov/bill/106th-congress/house-bill/3244>. (U-Visas provide victims of crime in the United States protection from deportation.)

<sup>38</sup> Alianza Americas, Pablo, Yanet, and Jesus Doe v. DeSantis, et al. *Alianza Am's. v. Desantis*, Civil Action 22-cv-11550-ADB (D. Mass. Mar. 29, 2024). <https://casetext.com/case/alianza-ams-v-desantis-2#>; Allen, G. (2024) A federal judge says migrants can sue the company that flew them to Martha's Vineyard. *NPR*.

<https://www.npr.org/2024/04/01/1242131130/migrants-lawsuit-flown-marthas-vineyard-texas-florida-governor-ron-desantis>

<sup>39</sup> Martin Luther King Jr. Research and Education Institute. Stanford University. White Citizens' Councils (WCC) <https://kinginstitute.stanford.edu/white-citizens-councils-wcc>

<sup>40</sup> Emanuel, Gabrielle. “The Long Journey North: The Reverse Freedom Rides of 1962.” *CAI*. *CAI*, October 7, 2019. <https://www.capeandislands.org/news/2019-10-07/the-long-journey-north-the-reverse-freedom-rides-of-1962>.

<sup>41</sup> Webb, Clive. ‘A Cheap Trafficking in Human Misery’: The Reverse Freedom Rides of 1962.” *Journal of American Studies* 38, no. 2 (2004): 249–71. <https://doi.org/10.1017/s0021875804008436>.

<sup>42</sup> Webb, Clive. ‘A Cheap Trafficking in Human Misery’: The Reverse Freedom Rides of 1962.” *Journal of American Studies* 38, no. 2 (2004): 249–71. <https://doi.org/10.1017/s0021875804008436>.



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## Recommendations

We draw two big takeaways: first, lying to those migrating during the relocation process is an obvious breach of the human right to information; second, connectivity would be helpful at every point in the migration process from planning to seeking jobs, permanent living spaces, and navigating the legal requirements.

Globally, the right to information supports bridging the rural-urban divide by providing reasonable and consistent access to the internet. Along the Texas-Mexico border, the lack of cell service and internet access disproportionately impacts immigrant communities.

The right to information combined with expedited work permits would lead to improved autonomy in decision making concerning where to settle permanently. Automatic rights to engage in some types of employment, especially in those fields which have worker shortages, would help people make decisions about work, housing, and transportation.

The Federal Communications Commission runs the Affordable Connectivity Program. The program provides internet subsidies to 23 million households in the United States.<sup>43</sup> It is not properly funded, and it could cease to continue in April 2024. It is no longer taking applications. More programs should provide affordable internet access, both through subsidies and by promoting competition between brands.

## Risks

Access to technology that allows people to search for jobs, connect with friends and relatives, and learn about immigration requirements can have risks. Those new to the United States and those in the process of migration elsewhere may be victims of illegal schemes that capitalize on their desperation. For example, some migrants work for sub-minimum wage in factories and plants that do not adhere to worker safety requirements including OSHA. Some employers outright violate OSHA, pay less than minimum wage, hire people too young to work legally,<sup>44</sup> and generally exploit workers. Meat-processing is an example of an industry that preys on migrant workers, sometimes housing them in inhumane conditions, exposing them to risks from machinery, germs, and bacteria, requiring long hours, and providing low wages.<sup>45</sup> Immigration officials conduct raids on businesses suspected of hiring workers

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<sup>43</sup> Leventoff, J. (2024). More than 20 Million People Are About to Lose Internet Access. The ACLU is Fighting to Keep Us Connected. ACLU News <https://www.aclu.org/news/privacy-technology/more-than-20-million-people-are-about-to-lose-internet-access-the-aclu-is-fighting-to-keep-us-connected#>

<sup>44</sup> Schneyer, J., Rosenberg, M. and Cooke, K. (2022). Teen risked all to flee Guatemala. Her payoff: grueling job in U.S. chicken plant. *Reuters Special Report*. <https://www.reuters.com/investigates/special-report/usa-immigration-alabama/>

<sup>45</sup> Human Rights Watch staff. (2019) "When We're Dead and Buried, Our Bones Will Keep Hurting" Workers' Rights Under Threat in US Meat and Poultry Plants. *Human Rights Watch*, p. 19. <https://www.hrw.org/report/2019/09/04/when-were-dead-and-buried-our-bones-will-keep-hurting/workers-rights-under-threat> ("Human Rights Watch spoke with immigrant workers from the Dominican Republic, El

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without documentation of eligibility to live and work in the United States.<sup>46</sup> This leads to family separation, deportation, and other punishments. However, many lawsuits representing workers have ensued.

Another risk of being connected is that governments then can use cell phones for surveillance. The US government provides asylum-seekers with phones, which the government considers an alternative to immigration detention. The phones do not have internet connections nor do they have the ability to make calls: they are essentially tracking devices.<sup>47</sup> As noted, the Principles and Guidelines on Human Rights Protections of Migrants in Vulnerable Situations are clear: “It is not permissible to track, collect, store or share data on migrants’ journeys, their location, their digital communications, or those who assist them, with the objective of limiting migrants’ human rights.”<sup>48</sup>

Lastly, many do not see technology as necessary or good. Improving connection in rural areas and along the US-Mexico border may disrupt the life that some people enjoy and may negatively alter communities in which people are not glued to their phones. There are many viewpoints on the benefits of connectivity.

## Beyond the United States

Many countries do not ensure migrants internet access or adequate sources of information crucial to finding work, medical care, housing, and education. Even countries that rely on migrant workers often do not always offer access to basic information and often prevent the free flow of information to migrants. For example, workers in Singapore do not always know their rights – there are weak labor unions, and the government does not provide tools to obtain information about jobs and adequate housing. They often rely on word of mouth.<sup>49</sup> In the 2010s, a report documented Sweden and Finland’s reliance on workers from Estonia and Lithuania. Recruiters failed to provide workers with a picture of the circumstances they would face, which included surveillance and relinquishment of passports and travel

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Salvador, Guatemala, Haiti, Honduras, Mexico, and the Philippines for this report. These workers represented a wide variety of statuses: US citizens and permanent residents (“green card” holders), non-citizens with expired visas, non-citizens who entered the US illegally, non-citizens married to US citizens or permanent residents, asylum seekers, and persons holding temporary protected status. Human Rights Watch spoke with several undocumented workers for this report and other workers who confirm there are undocumented workers in their plants. One estimate places the number of undocumented workers across the entire industry as high as about one quarter of all workers.”)

<sup>46</sup> McConnell, M. (2019). US Immigration Raids Target Meat Industry: Massive Crackdown Highlights Need for Better Protection of Workers. Human Rights Watch. <https://www.hrw.org/news/2019/08/08/us-immigration-raids-target-meat-industry>

<sup>47</sup> Shoichet, C., Flores, R., and Nieves, R. (2022). These cell phones can’t make calls or access the internet. ICE is using them to track migrants. *CNN*. <https://www.cnn.com/2022/06/05/us/border-migrants-cell-phones-cec/index.html>

<sup>48</sup> United Nations Human Rights Office of the High Commissioner and Global Migration Group (2018). Principles and Guidelines on the Human Rights Protection of Migrants in Vulnerable Situations. <https://www.ohchr.org/sites/default/files/PrinciplesAndGuidelines.pdf>

<sup>49</sup> CNA Insider, director (2020) Life As a Migrant Worker In Singapore. *Migrants’ Diary*. YouTube, 9 Feb. 2020. <https://youtu.be/skvxFQTVJMg>.

documents.<sup>50</sup> Similarly, African workers in Italian vineyards face exploitation due to information failures by job recruiters.<sup>51</sup> The kafala system in some Middle Eastern states threatens the rights of workers. The system gives “sponsors” (usually employers) significant control over migrant laborers and allows for recruitment by intermediaries. Countries continuing to use kafala include “Jordan, Lebanon, and all Arab Gulf states but Iraq.” Qatar and Bahrain claim to no longer use it. The system empowers private people and companies in immigration and relinquishes some duties and protections that should be governmental. The laborers do not generally have access to ministries that govern employment.<sup>52</sup>

In response to the Ukraine refugee crisis, for all refugees needing information, the UN's International Organization for Migration (IOM) established hotlines to provide information on “border crossings, required documentation, and other entry requirements, as well as available assistance services in neighboring countries.”<sup>53</sup> During the war in Ukraine, because of the high influx of refugees, the EU developed a temporary protection directive, which helps establish residency, medical care, access to education, access to the labor market, and banking services with operation guidelines on how to clearly communicate all this information properly.<sup>54</sup>

## Conclusion

The United States is not fostering or protecting the human right to information as the United Nations defines it. While overt lies are an obvious violation, the lack of connectivity in border towns and in areas with higher migrant populations should be rectified. Organizations are trying to ensure that computers are available for learning and job seeking, yet there is room for significant improvement. The United

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<sup>50</sup> Ollus, N., Jokinen, A., Joutsen, M., editors (2013) *Exploitation of Migrant Workers in Finland, Sweden, Estonia and Lithuania: Uncovering the Links Between Recruitment, Irregular Employment Practices and Labour Trafficking*. United Nations European Institute for Crime Prevention and Control <https://www.ojp.gov/ncjrs/virtual-library/abstracts/exploitation-migrant-workers-finland-sweden-estonia-and-lithuania> (this lengthy report recommended more public information about worker exploitation.)

<sup>51</sup> Spaggiari, O. (2024) Migrant workers exploited, abused in Italy's prized fine wine vineyards. *Al Jazeera*. <https://www.aljazeera.com/features/2024/3/19/migrant-workers-exploited-abused-in-italys-prized-fine-wine-vineyards>

<sup>52</sup> Robinson, K. (2022). What Is the Kafala System? *Council on Foreign Relations*. <https://www.cfr.org/background/what-kafala-system>

<sup>53</sup> Ukrainian allies resources - U.S. Committee for Refugees & Immigrants. (2023, November 7). USCRI. <https://refugees.org/take-action-old/resources-for-ukrainian-allies/#1646153106095-365f9313-4b4d>

<sup>54</sup> European Commission. (2022). Migration Management: Welcoming refugees from Ukraine. Migration and Home Affairs. [https://home-affairs.ec.europa.eu/policies/migration-and-asylum/migration-management/migration-management-welcoming-refugees-ukraine\\_en#timeline](https://home-affairs.ec.europa.eu/policies/migration-and-asylum/migration-management/migration-management-welcoming-refugees-ukraine_en#timeline), Communication From The Commission To The European Parliament, The European Council, The Council, The European Economic And Social Committee And The Committee Of The Regions. (2022, March 22). European Commission. [https://commission.europa.eu/document/download/d4954fa7-b8e0-4d7d-8830-77cb53b39dce\\_en?filename=communication\\_welcoming\\_those\\_fleeing\\_war\\_in\\_ukraine.pdf](https://commission.europa.eu/document/download/d4954fa7-b8e0-4d7d-8830-77cb53b39dce_en?filename=communication_welcoming_those_fleeing_war_in_ukraine.pdf), Ukraine: EU support to help Member States meet the needs of refugees. (2022, March 23). European Commission. [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_22\\_1946](https://ec.europa.eu/commission/presscorner/detail/en/ip_22_1946)

States is notorious for costliness – Wi-Fi and broadband are very expensive compared to prices in other countries.<sup>55</sup>

Not all lack of access to information is fraudulent. However, a political stunt based on overt lies as well as failures to provide necessary information was fraudulent and even led to U-Visas for the victims. Courts will determine who is held accountable and how. The press coverage highlighted the polarized topic of immigration. The right to information should be an area of common ground – proper information would lead to job market efficiency, and it may even save some costs that are incurred due to the unexpected nature of the arrivals. The economy would benefit from those in the process of migrating having information about worker shortages, housing prices, and education. Whether they end up in DC, New York, Chicago, Martha's Vineyard, or anywhere else, a lack of information contributes to wastefulness and inefficiency in the process.

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<sup>55</sup> Leventoff, 2024.