

URGENT ACTION

BORDER OFFICIALS FORCIBLY SEPARATE FAMILIES

US border agency officials forcibly separated four Central American asylum-seeking fathers from their children after their arrival to the US, in violation of US standards on family unity during immigration detention. The parents are subsequently suffering from emotional distress, and the whereabouts of two of the children are still unknown.

Four Central American fathers, each with their child, crossed into the United States from Mexico to seek asylum from death threats and irreparable harm, between 10 and 13 November. **Eric Edgardo M. C.** and his son **Roger** (3), are from Honduras, and three families are from El Salvador: **Jose D. F.** and his son **Mateo** (1); **Carlos B. A.** and his son **Dominic** (12); and **Walter R. A.** and his daughter **Melissa** (5). Three of the families presented themselves at the San Ysidro Port of Entry, while border officials detained the fourth after they crossed irregularly into the US.

After several days in detention by the Customs and Border Protection (CBP) agency of the US Department of Homeland Security (DHS), CBP transferred the fathers to the San Diego Field Office of DHS's Immigration and Customs Enforcement (ICE). ICE authorities visited the group four times on 16 November, using intimidation tactics to coerce the fathers to give up their children to shelters. They denied the fathers' requests to use a phone, told them that their asylum claims would be compromised, and demanded the children be given up to prevent their being taken by force. Despite the fathers' refusal to be separated from their children, under duress, three of the fathers surrendered their children. The fourth refused and his child was violently removed. Authorities then handcuffed all four fathers and transferred them to ICE's Otay Mesa Detention Center in San Diego, California, where they remain. None of the fathers said they gave formal consent to be separated from their children, and ICE authorities declined to inform them where their children were taken, offering only a hotline for the US Office of Refugee Resettlement to seek information about their whereabouts. The wellbeing of the fathers and their families is being negatively impacted by the severe stress of not knowing where their children are or what their status is.

The CPB and ICE violated national immigration detention standards by failing to prioritize and facilitate family unity in these cases. The separation of families seeking asylum is cruel and creates an unnecessary deterrence for often-traumatized asylum seekers arriving to the US after fleeing violence or persecution in their countries of origin.

Please write immediately in English or your own language:

- Calling on CBP authorities to follow US national detention standards that require them to process family members together and maintain family unity;
- Calling on ICE to immediately reunite the four families in family detention; expedite the families' parole; and, whenever possible, provide alternatives to detention for all families as their asylum claims are considered;
- Urging the DHS Inspector General to investigate CBP and ICE practices, to ensure DHS agency officials are not separating asylum-seeking parents from their children in detention in violation of US policies on family unity.

PLEASE SEND APPEALS BEFORE 3 JANUARY 2018 TO:

Border Community Liaison

Toby Don Sosbee
US Customs and Border Protection
San Diego Field Office
610 W. Ash Street Suite 1200
San Diego, CA 92101 USA
Email: Toby.Don.Sosbee@cbp.dhs.gov
Salutation: Dear Mr. Sosbee

ICE San Diego Field Office Director

Gregory J. Archambeault
ICE San Diego Field Office
880 Front Street #2232
San Diego, CA 92101 USA
Email: SanDiego.Outreach@ice.dhs.gov
Salutation: Dear Mr. Archambeault

DHS Inspector General

John Ruth
Office of Inspector General/MAIL STOP
0305
Department of Homeland Security
245 Murray Lane SW
Washington, DC 20528-0305 USA
Fax: +1 202-254-4297
Email: dhs-oig.officepublicaffairs@oig.dhs.gov
Salutation: Dear Mr. Roth

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY WOODY JOHNSON, Embassy of the United States of America, 24 Grosvenor Square W1A 6AE, tel: 020 7499 9000, *There is at present no general embassy email address*

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

CBP has reported that thousands of families from El Salvador and Honduras have presented themselves to CBP authorities at San Diego border crossings in US Fiscal Year 2017. Under US law, children in immigration detention can be released on parole into the United States with an accompanying relative who is in detention. Even if kept in detention, the CBP is required under its internal policy to “maintain family unity to the greatest extent operationally feasible, absent a legal requirement or an articulable safety or security concern that requires separation.” Moreover, according to CBP policy: “In the case of a family unit, CBP makes every effort to process and maintain family units together.” ICE detention policy also allows for children to be held in immigration detention with their adult family members and legal guardians, provided there are no safety or security concerns. Nonetheless, Amnesty International has reviewed frequent reports of CBP and ICE separating parents from their children in immigration detention, including as they seek to claim asylum together.

Amnesty International was made aware of the situations of these four families by the organizations Pueblo Sin Fronteras and Al Otro Lado, which facilitated a “caravan” of approximately 50 asylum seekers who presented themselves at the US-Mexico border on 12 November 2017. The organization briefed the asylum seekers in advance on US law and asylum procedures. Jose D. F. was one of those who participated in the caravan and presented himself and his son Mateo to US border officials at the San Ysidro crossing between Tijuana and San Diego on 12 November. ICE informed Amnesty International that officials from their Enforcement and Removal Operations (ERO) Family Unit claimed that both they and CBP were unable to confirm a family relationship between Jose and his son Mateo, supposedly because Jose was unable to provide identifying documents for the child, and the child was too young to speak. However, organizers of the caravan had already provided Amnesty International and others with copies of both Jose’s passport and Mateo’s birth certificate indicating their family relationship, which were in Jose’s possession during his encounters with CBP and ICE authorities. According to Jose, he presented both documents to CBP at the border crossing, and was never asked for the documents while in ICE detention. ICE further informed Amnesty International that “Out of concern for the child’s safety and security, ERO transferred the child to the Department of Health and Human Services (HHS) Office of Refugee Resettlement (ORR) for placement. Mr. Fuentes was taken into ICE custody at the Otay Mesa Detention Center pending verification of the family relationship.”

Amnesty International calls on authorities to reunite Jose and Mateo, and to release them from detention on parole as they await a hearing on their asylum claim. According to organizers of the caravan, authorities already released on parole all other families that participated in the organized “caravan”, including several who were also from El Salvador and Honduras. Amnesty International awaits further information from ICE on the cases of the other three fathers and their children, who were not participants in the caravan.