

# URGENT ACTION

## 28 CHILDREN AT RISK OF IMMINENT DEPORTATION

Twenty-eight children and their families, held indefinitely in immigration detention in Texas and Pennsylvania in the USA, are facing imminent deportation. Many have been detained for nearly a year-and-a-half. None of these families have been allowed to request asylum in accordance with US and international law, and they would be sent back to danger if they are returned to their countries of origin. Authorities must stop these deportations and ensure these families their right to seek asylum.

**TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER**

**Tony Pham**  
**Acting Director**

U.S.A, Immigration and Customs Enforcement  
500 12th St., SW  
Washington, D.C. 20536  
Email: [tony.h.pham@ice.dhs.gov](mailto:tony.h.pham@ice.dhs.gov)

Dear Acting Director Pham,

*I'm deeply concerned about the 28 children and their families detained at the South Texas and Berks County Family Residential Centers facing imminent deportation. They never had the opportunity to pursue their claims for asylum.*

*The U.S. is obligated not to return individuals to a situation in which they would be at risk of torture or other serious human rights abuses, and to provide a fair chance at asking for asylum.*

*Amnesty International has also received credible, consistent accounts of dangerous detention conditions that put all families, like Ana\* and Victoria\* in Dilley, at risk. With confirmed COVID-19 cases in detention, families face grave complications including death if they contract it.*

*I urge you to:*

- *Halt the deportation of the 28 children and their families.*
- *Release Ana and Victoria and all detained families together so they can pursue their right to seek asylum in safety.*

*Sincerely,*

## ADDITIONAL INFORMATION

The 28 children and their parents (23 families total) at risk of imminent deportation are detained at the South Texas Family Residential Center in Texas, and the Berks County Family Residential Center in Pennsylvania simply for seeking safety in the United States. The third family detention center in the USA is the Karnes County Family Residential Center in Texas. US Immigration and Customs Enforcement (ICE) currently has dozens of families detained at these three facilities.

Ana\* (22) and Victoria\* (4) fled Honduras after repeated threats against their lives after her partner and Victoria's father was killed because of his political beliefs. They requested asylum in the U.S. over nine months ago and locked up ever since. ICE was informed multiple times that Victoria is asthmatic and particularly at risk for COVID-19, but refuses to release them. Ana has been suffering from ovarian cysts that have pained her daily for months, and has not received the appropriate medical care. Victoria now has anxiety attacks, nightmares, and wets the bed—something she didn't used to do.

COVID-19 was confirmed in family detention centers in June 2020, placing all detained families at grave risk due to inadequate hygiene and negligent medical care. A federal judge described the facilities "on fire" after COVID was confirmed in the facilities and because of inadequate protective measures. Yet, these families continue to be needlessly detained. Families trapped in detention feel they are sitting ducks for COVID-19. Immigration authorities at ICE has the legal authority to release families together and has historically done so but is choosing not to exercise its authority. Families should not be deported, and all families must be immediately released. They must be allowed their right to ask for asylum. They have communities waiting to welcome them, and there is no reason — especially during a pandemic — not to release parents with their children.

In May 2020, ICE presented detained parents with children as young as one-year-old an impossible "binary choice": separate from their children, who would be released to sponsors while the parent remains in indefinite detention facing possible deportation, or stay detained together indefinitely. Amnesty International released the report briefing, ["Family Separation 2.0: 'You aren't going to separate me from my only child'"](#), with testimony from parents.

Under international law, the USA government has an obligation to ensure that the human rights of migrants and asylum seekers are respected, protected and fulfilled. The USA government also has an obligation to ensure that children are detained only in exceptional circumstances, and for the shortest possible amount of time. International standards, including instruments to which the USA is a party, contain a strong presumption against the detention of migrants and asylum seekers. The International Covenant on Civil and Political Rights (ICCPR) clearly sets out the right to be free from arbitrary detention. Detention of asylum-seekers should only be a measure of last resort, after other non-custodial alternatives have proven or been deemed insufficient in relation to the individual. The U.S. government is also under the obligation not to return individuals to a situation in which they would be at risk of torture or other serious human rights abuses, as well as the obligation to provide a fair chance at asking for asylum.

The 28 children and their families must not be deported. They came to the U.S. after fleeing from horrific violence, persecution, and other severe human rights abuses in their home countries. They came to the U.S. simply seeking protection and must be allowed to pursue the right to seek asylum here in safety. All families in detention must be immediately released together. They have communities waiting to welcome them. There is no reason not to release children with parents. The alternative, to separate families and only release children, is unacceptable. Family separation produced by a coercive "choice" violates multiple human rights, including the right to family unity, the right to liberty, and the requirement to prioritize the best interests of the child.

**PREFERRED LANGUAGE TO ADDRESS TARGET:** English

You can also write in your own language.

**PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL:** 20 January 2021

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

**NAME AND PREFERRED PRONOUN:** Ana\* (she/her) & Victoria\* (she/her)

**LINK TO PREVIOUS UA:** <https://www.amnesty.org/en/documents/amr51/3328/2020/en/>