
TO THE HONORABLE MEMBERS OF THE INTER-AMERICAN COMMISSION
ON HUMAN RIGHTS, ORGANIZATION OF AMERICAN STATES

**EMERGENCY REQUEST FOR PRECAUTIONARY MEASURES
PURSUANT TO ARTICLE 25 OF THE RULES OF PROCEDURE OF THE
INTER-AMERICAN COMMISSION ON HUMAN RIGHTS ON BEHALF
OF PARENTS SYSTEMATICALLY SEPARATED FROM THEIR
CHILDREN AT THE UNITED STATES-MEXICO BORDER**

Submitted by attorneys for Petitioners pursuant to Article 25 of the Rules of Procedures of the Inter-American Commission on Human Rights:

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I. INTRODUCTION

This Request is filed by Vilma Aracely López Juc de Coc, Antonio Bol Paa, Leonel Chub Cucul, María Andres de la Cruz, Dagoberto A. Melchor Santacruz, in their own name and on behalf of their minor children (“Petitioners”), against the United States of America, a member of the Organization of American States. Petitioners request the Inter-American Commission on Human Rights (“IACHR” or “the Commission”) to urgently adopt precautionary measures to stop a human rights and humanitarian crisis perpetrated by the United States government in the Texas-Mexico border.

Upon parents’ entry into the United States, the United States federal government is systematically and unjustifiably removing children from their custody. Like Petitioners, dozens of minor children have been separated from their families in the last month. The government has not provided information to the parents, or their counsel, as to the children’s whereabouts, wellbeing, conditions of detention, and if and when they may be reunited with their parents. In one particularly chilling example, immigration agents told two immigrant mothers that they were taking their daughters away to the bath—but they never returned, and the mothers have not seen them since.

The United States government is violating internationally-recognized human rights and well-established Inter-American standards, including the rights to family, to seek asylum and protection, to minimum due process, among others, and the practice has caused a serious and urgent situation presenting a risk of imminent and irreparable harm to Petitioners. The Commission should adopt Precautionary Measures to prevent such harm.

The Texas Civil Rights Project (“TCRP”), legal representative of Petitioners, is a non-profit civil rights and human rights litigation organization based in Texas. TCRP believes that legal advocacy and litigation are critical tools to protect and advance the civil and human rights of everyone in Texas, particularly the most vulnerable sectors of the population, and to effect positive and lasting change to law and policy. TCRP represents persons and groups that have been historically targeted in Texas, and are still today—including immigrants, people of color, the poor, persons with disabilities, persons accused of crimes, and others. In South Texas, a significant focus of TCRP’s work is defending the rights of immigrants and their families, such as Petitioners.

The University of Texas School of Law Immigration Clinic provides representation to vulnerable, low-income immigrants from all over the world before the immigration and federal courts and the Department of Homeland Security. The clinic regularly represents individuals and families seeking asylum in the United States, including many asylum seekers from Central America. The clinic has also engaged in extensive individual representation, litigation and advocacy in connection with family immigration detention.

The Women’s Refugee Commission (“WRC”), originally founded in 1989, conducts research, develops policy recommendations, and advocates on behalf of displaced and refugee women, children, and families around the world. The WRC’s Migrant Rights and Justice (“MRJ”) program focuses on the right to seek asylum in the United States. It strives to ensure that refugees are provided with humane reception in transit and in the United States, given access to legal protection, and protected from exposure to gender discrimination or gender-based violence. Since 1996, the MRJ team has made numerous visits to the United States’ southwest border region, to points along Mexico’s northern border, as well as to immigration detention centers for adult women and families and to shelters housing unaccompanied children throughout the country.

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II. FACTUAL BACKGROUND

On April 6, 2018, United States Attorney General, Jefferson Beauregard Sessions III announced the adoption of a so-called “zero tolerance” policy at the United States-Mexico border regarding immigrants who cross into the country without authorization, meaning that the United States federal government will attempt to criminally prosecute every border crosser for illegal entry.¹ He added that the United States government adopted as an official policy the separation of children from their parents:

*“If you smuggle illegal aliens across our border, then we will prosecute you. If you are smuggling a child, then we will prosecute you and **that child will be separated from you as required by law.** If you don’t like that, then don’t smuggle children over our border.”²*

As implemented, this policy includes parents traveling with their own minor children as well as asylum-seeking families. Contrary to the Attorney General’s assertion, no law “requires” the separation of parents from their own children. Instead, such separation is a deliberate official policy adopted by the current administration to deter families from seeking to enter the United States. In fact, back on April 11, 2017, the Attorney General issued a memorandum providing that federal prosecutors should develop guidelines to prosecute misdemeanor entry violations (first-time crossers): “These guidelines should aim to accomplish the goal of deterring first-time

¹ U.S. Department of Justice, “Attorney General Announces Zero Tolerance Policy for Criminal Illegal Entry,” available at: <https://www.justice.gov/opa/pr/attorney-general-announces-zero-tolerance-policy-criminal-illegal-entry>.

² National Public Radio, “Sessions Says ‘Zero Tolerance’ For Illegal Border Crossers, Vows To Divide Families.” May 7, 2018. Available at: <https://www.npr.org/sections/thetwo-way/2018/05/07/609225537/sessions-says-zero-tolerance-for-illegal-border-crossers-vows-to-divide-families>.

improper entrants.”³ It is clear that the new policy of “zero tolerance” and family separation arose out of this desire to deter first time entrants. In fact, high-ranking officials in the United States government have been planning to use family separation as a deterrence tactic for a long time.⁴

On the same day the “zero tolerance” policy was announced, the Attorney General issued the so-called “zero tolerance” memorandum.⁵ Although nothing in the memorandum specifically mentions separating children from their parents, the memorandum confirms that the new practice of prosecuting all first-time entrants (and separating children from parents traveling with them) is intended as a punitive deterrence tactic. “Past prosecution initiatives in certain districts...led to a decrease in illegal activities in those districts.” Therefore, the memorandum directs prosecutors “to adopt immediately a zero-tolerance policy for all offenses under referred for prosecution under section 1325(a),” i.e., first-time, misdemeanor crossers. This memorandum is attached as Annex 8.

In the city of McAllen, on the Texas-Mexico border, this zero-tolerance policy has been implemented *en masse*. The vast majority of individuals who are apprehended by U.S. Border Patrol near the South Texas border are being referred to federal prosecutors and charged with misdemeanor “illegal entry” under 8 U.S.C. §1325, a federal statute.⁶ Most of the individuals detained are asylum seekers from Central American countries, primarily from Guatemala, El

³ U.S. Department of Justice, Memorandum on Renewed Commitment to Criminal Immigration Enforcement, April 11, 2107, p. 2. Available at: <https://www.justice.gov/opa/press-release/file/956841/download>.

⁴ The New Yorker, “How the Trump Administration Got Comfortable Separating Immigrant Kids from Their Parents,” Jonathan Blitzer, May 30, 2018. Available at: <https://www.newyorker.com/news/news-desk/how-the-trump-administration-got-comfortable-separating-immigrant-kids-from-their-parents>.

⁵ U.S. Department of Justice, Memorandum on Zero Tolerance for Offenses under 8 U.S.C. §1325(a), April 6, 2018. Available at: <https://www.justice.gov/opa/press-release/file/1049751/download>.

⁶ **8 United States Code, § 1325. Improper entry by alien**

(a) Improper time or place; avoidance of examination or inspection; misrepresentation and concealment of facts
Any alien who (1) enters or attempts to enter the United States at any time or place other than as designated by immigration officers, or (2) eludes examination or inspection by immigration officers, or (3) attempts to enter or obtains entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact, shall, for the first commission of any such offense, be fined under title 18 or imprisoned not more than 6 months, or both, and, for a subsequent commission of any such offense, be fined under title 18, or imprisoned not more than 2 years, or both.

(b) Improper time or place; civil penalties

Any alien who is apprehended while entering (or attempting to enter) the United States at a time or place other than as designated by immigration officers shall be subject to a civil penalty of—

(1) at least \$50 and not more than \$250 for each such entry (or attempted entry); or

(2) twice the amount specified in paragraph (1) in the case of an alien who has been previously subject to a civil penalty under this subsection.

Civil penalties under this subsection are in addition to, and not in lieu of, any criminal or other civil penalties that may be imposed

Salvador, and Honduras. Importantly, the zero-tolerance policy results in the arbitrary prosecution of *all* entrants, including those who are seeking asylum.⁷

As part of this zero-tolerance policy, children who are travelling across the border with their parents are routinely removed from their parents for indefinite periods of time and reportedly held in detention facilities under the custody of the Department of Health and Human Service Office of Refugee Resettlement (“ORR”)⁸ (more detail on this process below). There is no process in place for the children to communicate with their parents, or for them to know where their parents are or, vice versa, for the parents to communicate with their children. There is likewise no process in place to guarantee that the removed children will be promptly and safely reunited with their parents. In fact, media accounts have reported that some parents have been deported to their country of origin while their children remain in the United States and vice-versa.⁹

In practice, agents of the United States Border Patrol¹⁰ who apprehend people suspected of being in the country without authorization are the State agents who currently separate children from their parents in South Texas, including Petitioners. Petitioners’ counsel has received information that individuals who are travelling with children are specifically being targeted for criminal prosecution. Separated parents are then transferred to a different detention facility, usually under the custody of the U.S. Marshals Service, where they await their federal criminal trials. Their children are transferred to ORR custody. In most cases, after being sentenced to “time served” in their criminal processes under 8 U.S.C. § 1325, the parents are transferred to administrative immigration detention under Immigration and Customs Enforcement (“ICE”).¹¹ If the parent is an asylum-seeker, the parent should be referred for a credible fear interview, a threshold asylum screening interview conducted by an asylum official, that they must pass to continue to pursue their asylum claim in the US. The parent is detained through the credible fear interview. If the parent fails to pass the interview or the appeal to an immigration judge, he or

⁷ Over the past two weeks, undersigned counsel has monitored some of these proceedings in federal court in McAllen. Undersigned counsel has received reports of families being separated from their children after they have passed “credible fear interviews,” an initial screening to determine if the asylum-seeker’s expression of fear is credible.

⁸ For additional information about ORR, see: <https://www.acf.hhs.gov/orr/programs/ucs>.

⁹ Houston Chronicle, “Immigrant families separated at the border struggle to find each other,” May 24, 2018. Available at: <https://www.houstonchronicle.com/news/houston-texas/houston/article/Immigrant-families-separated-at-border-struggle-12938759.php>. See also, Michelle Brane and Margo Schlanger, “This is what’s really happening to kids at the border,” Washington Post, May 30, 2018. Available at: https://www.washingtonpost.com/news/monkey-cage/wp/2018/05/30/this-is-whats-really-happening-to-kids-at-the-border/?noredirect=on&utm_term=.dd24aa17d58e (“If either or both the parents and kids are deported, they may be deported separately; children, including infants, can be sent back to their home country and turned over to officials there. In these cases, reunification is next to impossible and children’s welfare and even lives may be in grave danger.”)

¹⁰ Border Patrol is a federal agency within the Customs and Border Protection division of the Department of Homeland Security and is the largest law enforcement agency in the United States.

¹¹ This sentence is common in misdemeanor “illegal entry” cases. In practice, this means that if the person has been detained for, for example, three days, they are sentenced to three days, and since they effectively have already completed their sentence, they are turned over to Immigration and Customs Enforcement (ICE) to await further immigration proceedings.

she will likely be deported. Likewise, if the parent is not an asylum-seeker, he or she may be deported (if they do not have another claim for relief to remain in the country).

Meanwhile, the petitioners remain separated from their children: they do not know where their children are, whether they are safe, or in what conditions they are being detained. There is no mechanism in place for the State to guarantee that they will be reunited with their children either in the United States while they pursue their immigration cases or prior to being deported, if they are unsuccessful at presenting a claim for relief from removal, such as asylum. Nor is there any mechanism in place to allow for expedited or automatic release from detention for parents who are found by government officials to have valid asylum claims. As a result, these parents remain detained and separated from their children for lengthy periods as they pursue a favorable credible fear finding and then asylum; and may remain detained throughout their asylum proceedings in Immigration Court.

ORR, a federal agency within the Department of Health and Human Services, is tasked by law with the responsibility of caring and placing unaccompanied foreign minors who enter the United States.¹² Traditionally, ORR has been responsible for providing shelter to children who enter the United States without any adult supervision. Under the current policy, ORR takes the children separated from their parents and transfers them to these shelters. However, most of these children were not “unaccompanied minors”¹³ when they arrived at the border, since they entered the United States with their parents; rather, they were rendered “unaccompanied” as a direct consequence of the government’s deliberate policy and practice of separating children from their parents. If Petitioner children are in fact at ORR’s shelters, they have been transferred there only *because of* the government’s actions in prosecuting the parents, which rendered the children “unaccompanied.”

The adoption of Precautionary Measures by the Inter-American Commission is the only effective recourse available to Petitioners. This Request challenges the systematic separation of parents from their children—without notice, information, or the opportunity to challenge the separation—and the inability for parents to communicate with their children and know their whereabouts as well as the lack of process to allow for reunification. Importantly, under the zero-tolerance policy, even asylum-seekers are being criminally prosecuted for the simple act of seeking asylum, and separated from their asylum-seeking children. This Request seeks the immediate reunification of Petitioner parents with their children, and the release of these families if still detained. Where necessary, community-based alternatives to detention may be employed. This Request also seeks to prevent the deportation of Petitioner parents and Petitioner children to the extent that such deportation would result in further family separation (i.e., if either the parent

¹² 6 U.S.C. § 279(b) (outlining general functions of ORR with respect to unaccompanied children).

¹³ Federal law defines “unaccompanied alien child” as one who has no lawful status in the United States; is under the age of 18; and either has no parent or legal guardian in the United States, or has not parent or legal guardian in the United States available to provide care and physical custody of the child. 6 U.S.C. § 279(g)(2).

is deported without the child, or vice versa), where Petitioner parents have been ordered removed and exhausted all remedies for relief and wish for their children to accompany them.¹⁴

III. IDENTIFYING INFORMATION OF THE PROPOSED BENEFICIARIES - Article 25(4)(a)

This request is filed on behalf of the following individuals, who are parents who have been separated from their minor children and minor children who have been separated from their parents under the United States Federal Government's new "zero tolerance" policy:

A. Vilma Aracely Lopez Juc de Coc and her son, S.V.C.L.

Ms. Vilma Aracely Lopez Juc de Coc is a national of Guatemala. Ms. Lopez Juc de Coc is 29 years old, and her date of birth is [REDACTED]. Ms. Lopez Juc de Coc's A number is [REDACTED]. [REDACTED] United States Border Patrol agents separated her from her 11-year-old son, S.V.C.L., upon apprehending them in or near Hidalgo County, Texas. According to the latest available information available to undersigned counsel, Ms. Vilma Aracely Lopez Juc de Coc is being detained at [REDACTED], Texas, which is an adult detention facility. The whereabouts of her son are unknown.

B. Antonio Bol Paau and his son, R.B.S.

Mr. Antonio Bol Paau is a national of Guatemala. Mr. Bol Paau is 40 years old, and his date of birth is [REDACTED]. His A number is [REDACTED]. United States Border Patrol agents separated him from his 12-year-old son, R.B.S., upon apprehending them in or near Hidalgo County, Texas. According to the latest available information available to undersigned counsel, he was being detained at [REDACTED], Texas, which is an adult detention facility. The whereabouts of his son are unknown.

C. Leonel Chub Cucul and his son, L.D.C.I.

Mr. Leonel Chub Cucul is a national of Guatemala. Mr. Chub Cucul is 37 years old, and his date of birth is [REDACTED]. His A number is [REDACTED]. United States Border Patrol agents separated him from his 11-year-old son, L.D.C.I., upon apprehending them in or near Hidalgo County, Texas. As of the date of this filing, Mr. Chub Cucul's information was not available on the ICE "Online Detainee Locator System" website,¹⁶ so counsel does not know where he is being detained. The whereabouts of his son are also unknown.

¹⁴ This Request does not seek to influence each Petitioner's potential relief from deportation, which would depend on the specific circumstances of each case. Rather, this Request challenges the government's systematic practice of separating children from their parents as a punitive tactic.

¹⁵ United States immigration authorities assign a so-called "alien number" or "A-Number" to non-U.S. citizens who enter the immigration system. This number is used to locate and identify non-citizens.

¹⁶ <https://locator.ice.gov/odls/#/index>.

D. Maria Andres de la Cruz and her three children D.P.A., G.A.P.A., and D.M.P.A.

Ms. María Andrés de la Cruz is a national of Guatemala. Ms. de la Cruz is 30 years old, and her date of birth is [REDACTED]. Ms. de la Cruz's A number is [REDACTED]. United States Border Patrol agents separated her from her three children: 7-year-old D.M.P.A., 8-year-old G.A.P.A., and 11-year-old D.P.A., upon apprehending them in or near Hidalgo County, Texas. As of the date of this filing, Ms. De la Cruz's information was not available on the ICE "Online Detainee Locator System" website, so counsel does not know where she is being detained. The whereabouts of her children are also unknown.

E. Dagoberto A. Melchor Santacruz and his son, K.A.M.A.

Mr. Dagoberto A. Melchor Santacruz is a national of El Salvador. Mr. Melchor Santacruz is 39 years old, and his date of birth is [REDACTED]. His A number is [REDACTED]. United States Border Patrol agents separated him from his son, K.A.M.A., 16, upon apprehending them in or near Hidalgo County, Texas. According to the latest available information available to undersigned counsel, he was being detained at [REDACTED], Texas, which is an adult detention facility. The whereabouts of his son are unknown.

Petitioners' counsel reserve the right to supplement this Request with the identifying information of additional parents who have been separated from their children, and submit such information to the Commission as soon as practicable. Petitioners explicitly request the Commission to issue a Resolution regarding the named Petitioners without any delay.

IV. DETAILED AND CHRONOLOGICAL DESCRIPTION OF THE FACTS THAT MOTIVATE THE REQUEST - Article 25(4)(b)

The following information is based on interviews conducted by undersigned counsel with Petitioners on May 24, 2018. As explained in the attached verifications of counsel and of Ms. Georgina Guzman, counsel's paralegal, counsel interviewed Petitioners in federal court in the moments immediately before their criminal sentencing hearings for "illegal entry." Counsel were not allowed to bring in any electronic devices (computer or cellular phone) into the Courtroom, and were only allowed to meet each Petitioner parent for between five and seven minutes. As a result, the statements from Petitioners are summary in nature. Courtroom personnel did not allow undersigned counsel to remain in the Courtroom for the sentencing hearing. See Annexes 6 and 7, Certifications of Efrén C. Olivares and Georgina Guzmán.

A. Vilma Aracely López Juc de Coc and her son S.V.C.L.

Ms. López Juc de Coc is indigenous, from a remote indigenous village in Guatemala. Ms. López Juc de Coc was forced to flee Guatemala after her husband, Remigio Coc Choc, was

brutally murdered by criminals. He was beaten to death in a rural area in February 2018. The Guatemalan government could not protect Remigio Coc Choc or Ms. López Juc de Coc. Despite her low income, Ms. López Juc de Coc found a way to leave the country with her son in order to save herself and her son from assault or death at those responsible for her husband's murder. Upon being detained by Border Patrol agents at the U.S.-Mexico border, her son was taken away from her. Mother and son were taken to a processing center together, but after processing, Border Patrol agents separated her son from her. Border Patrol agents told her that her son was in the same facility as she was, but that she was not allowed to see him, although they did not tell her why. The agents told Ms. López Juc de Coc that she would be deported, but did not tell her whether her son would be deported along with her, or whether or when she would be reunited with him. She has not seen her son since they were separated on May 22, 2018. She was visibly distraught, and extremely nervous about the uncertainty of what might happen to her son. She broke down crying several times during her interview with Ms. Guzman, and had a hard time getting through the details of how she had to flee Guatemala to try to save her son, only to come to the United States and be separated from him. During her interview, her eyes were swollen and she seemed to have been crying a lot and not to have slept well for several nights. See Annex 1, Statement and executed ICE Privacy Waiver form for Vilma Aracely López Juc de Coc and her son, and Annex 7, Certification of Georgina Guzman.

B. Antonio Bol Paau and his son R.B.S.

Mr. Bol Paau is indigenous, from the predominantly indigenous community of Ixcán, Quiché, in Guatemala. He was detained by Border Patrol agents upon crossing into the United States on or around May 22, 2018. He and his son, R.B.S., were taken to an unknown Border Patrol detention center. Mr. Bol Paau was placed in a cell while his son was told to stay outside. When Mr. Bol Paau came out of that cell, his son was gone. He was not even able to say goodbye to him. Border Patrol agents did not tell him why they were separated, or where his son was sent to, or when they may be reunited. Later, agents told Mr. Bol Paau that he would see his son again "tomorrow," but days have passed and he has not been reunited with him, nor does he know if or when he may be reunited with him. When Mr. Bol Paau explained that Border Patrol agents kept telling him that he would see his son "tomorrow," he expressed a great sense of hopelessness, as he was starting to worry that "tomorrow" may never come. See Annex 2, Statement and executed ICE Privacy Waiver form for Mr. Antonio Bol Paau and his son.

C. Leonel Chub Cucul and his son L.D.C.I.

Mr. Leonel Chub Cucul and his son, L.D.C.I. are also indigenous, from El Estor, in the Department of Izabal, Guatemala. During his interview, Mr. Chub Cucul recounted in broken Spanish what happened to him and his son, and he broke down crying several times when he talked about his son. See Annex 6, Certification of Efrén C. Olivares. Mr. Leonel Chub Cucul and his son were apprehended by Border Patrol agents in or around Hidalgo County on or about

May 21, 2018. The agents took his son away from him but did not tell him why. When Mr. Chub Cucul asked where they were taking his 11-year-old son, the agents refused to give him an answer. Mr. Chub Cucul has hardly eaten anything since he was detained because he is terribly worried about the whereabouts and wellbeing of his son. Mr. Chub Cucul lamented, in tears, that if he is deported and his son stays behind, “my son will die of sadness... He does not have anybody else other than me and my wife, [who is] in Guatemala.” See Annex 3, Statement and executed ICE Privacy Waiver form for Mr. Antonio Chub Cucul and his son.

D. María Andrés de la Cruz and her three children D.P.A., G.A.P.A., and D.M.P.A.

Ms. de la Cruz left Guatemala because of threats and violence. She was apprehended near the Rio Grande River on or about May 22, 2018. When she was apprehended, Border Patrol agents asked for her children’s information, and took them all to a very cold holding cell, commonly known as “*hielera*,” or “ice chest.” Border Patrol agents did not ask her why she had left her country. After she was processed, the agents took her children away without giving her a reason, and told her she would see them again at some point after her court hearing. Based upon information and belief, she is still not reunited with her children. During her interview, Ms. de la Cruz explained that because of the extreme cold in the “*hielera*” where she was held and her worrying about the whereabouts and wellbeing of her children, she had not been able to sleep well since she was detained. See Annex 4, Statement and executed ICE Privacy Waiver form for Maria Andrés de la Cruz and her children.

E. Dagoberto A. Melchor Santacruz and his son K.A.M.A.

Mr. Melchor Santacruz and his son are nationals of El Salvador. They were both detained by Border Patrol agents in or near Hidalgo County, Texas, on or about May 22, 2018. The Border Patrol agents that arrested him told him that asylum in the United States was “not available,” and that he could not be with his son. Agents did not tell Mr. Melchor Santacruz where his son was, or why they were separated, or whether or when he would be able to see him again. K.A.M.A. is deaf in one ear and suffers from frequent nose bleeds. Mr. Melchor Santacruz wants to be reunited with his son and is worried about his son’s medical conditions, but immigration authorities have not provided any information. He has asked them repeatedly where his son is, but the Border Patrol agents refuse to provide him with answers. See Annex 5, Statement and executed ICE Privacy Waiver form for Mr. Dagoberto A. Melchor Santacruz.

V. THE NEED FOR PRECAUTIONARY MEASURES

The Commission may adopt precautionary measures concerning “serious and urgent situations presenting a risk of irreparable harm to persons. ...” Article 25(1) of the Rules of Procedure of the Inter-American Commission on Human Rights. As explained below, the current

situation facing Petitioners is precisely the type of serious and urgent situation that precautionary measures were designed to address.

A. Threats to personal integrity, identity, family life and other risks Petitioners face as a result of the United States' actions.

Petitioners, both the parents and their children, face imminent threats to their personal integrity and family unity, as they are being separated from their children as a punitive deterrence tactic by the United States. The United States government's practice of systematically separating families indefinitely and without justification is contrary to Articles V,¹⁷ VI,¹⁸ and VII¹⁹ of the 1948 American Declaration of the Rights and Duties of Man, to which the United States is a Party.²⁰

As explained below, the United States' policy and practice of separating children from their parents has created a serious and urgent situation that threatens the life and personal integrity of Petitioner parents, children, and their families.

(i) The parents' right to be with their children

Petitioner parents have already been separated from their children, and every day that they continue to be separated from their children is another day that this unjustified violation continues. The continued separation also creates a risk of permanent separation if either parent or child is deported without being reunified. Importantly, the family separation takes place *before* any determination has been made about the parent or child's eligibility to remain in the United States or even about the criminal charges pending against the parent. In addition, there has been no determination of any danger to the child by the parent that would justify the separation.

Further, the United States did not and does not inform the parents of their children's whereabouts and is effectively disappearing hundreds of minor children. The parents do not know the whereabouts of their children, and are not provided with any contact information or assurances of the health or safety of their children. In practice, the State has taken the children, absconded them, and it is accountable to nobody for such disappearance.²¹ There is no official

¹⁷ Article V. Every person has the right to the protection of the law against abusive attacks upon his honor, his reputation, and his private and family life.

¹⁸ Article VI. Every person has the right to establish a family, the basic element of society, and to receive protection therefore.

¹⁹ Article VII. ... [A]ll children have the right to special protection, care and aid.

²⁰ This Request does not seek a finding that these rights have been violated, but rather mentions these rights because they are implicated by the U.S. government's practices. The practice is also inconsistent with Articles 5 (Right to humane treatment), 7 (Right to personal liberty), 17 (Rights of the family), 19 (Rights of the child), 22 (Freedom of Movement and Residence), 24 (Right to Equal Protection), 25 (Right to judicial protection), among others, of the American Convention on Human Rights, which the United States signed since 1977.

²¹ See, e.g., comments of Federal Magistrate Judge Morgan about the lack of transparency in the government's actions when separating children in Brownsville, Texas: "In Brownsville, Judge Morgan also started

protocol in place between the relevant agencies and components—largely CBP, ICE, and ORR—to facilitate this type of information sharing, regular communication between separated families using all available technologies (such as Skype or video-conferencing), or to facilitate reunification.

As reflected in the Attorney General’s statement announcing the so-called “zero-tolerance” policy whereby children would be separated from their parents, the government’s policy is intentionally punitive: the government takes the children away from their parents as a way to punish parents for crossing the border illegally. “If you don’t like that, then don’t smuggle children over our border,” the Attorney General said. The government is not only impermissibly prosecuting parents for immigration violations but is essentially torturing the parents by taking their children away from them because they tried to enter the United States.²²

Petitioners’ counsel has requested United States immigration authorities to allow access to a psychologist so that he and his team can evaluate the Petitioner parents to determine the extent of the trauma they have suffered as a consequence of having their children taken from them. As soon as the expert is able to conduct such assessment, undersigned counsel intends to supplement this Request with those findings.²³

(ii) The children’s right to be with their parents

Inversely, the Petitioner children’s rights to be with their parents are also being violated, and at imminent risk of suffering irreparable harm. The United States’ policy of ripping the children’s parents away, thereby causing them to be categorized as “unaccompanied alien minors,” and consequently sending them into the separate federal child detention system or detained in substandard conditions is unconscionable. Every child, regardless of his or her immigration status, has the right to be with his or her family, except in cases of abuse or neglect not applicable here.²⁴ The United States has ratified the American Declaration that provides that

alluding to biblical matters. It was Thursday, the fourth day of “zero tolerance” in his court, and defendants were telling their stories. The judge had just asked Holly D’Andrea, the assistant U.S. attorney handling illegal entry prosecutions that day, if it were true that families were being reunited in detention. D’Andrea sounded uncertain, but answered that she thought it was true.” The Intercept, “Hidden Horrors of ‘Zero-Tolerance’—Mass trials and children taken from their parents,” May 29, 2018. Available at: <https://theintercept.com/2018/05/29/zero-tolerance-border-policy-immigration-mass-trials-children/>.

²² Jaana Juvonen and Jennifer Silvers, “Separating children from parents at the border isn’t just cruel. It’s torture.” Washington Post, May 15, 2018. Available at: https://www.washingtonpost.com/news/posteverything/wp/2018/05/15/separating-children-from-parents-at-the-border-isnt-just-cruel-its-torture/?noredirect=on&utm_term=.33dd04dddafa8.

²³ However, Petitioners request the Commission to issue a Resolution without any delay, without waiting for such assessments, as the government may take a long time to grant access to the psychologist. As explained in counsel’s certifications, the Petitioner parents who were interviewed broke down crying repeatedly when discussing the separation from their children, expressed fear of reprisals from seeking to be reunited with their children, and showed signs of extreme stress, sleep deprivation, lack of eating, and emotional distress during the brief interviews.

²⁴ The United States had not asserted that it has separated Petitioner children from their parents because of alleged abuse or neglect. Instead, the separation is employed as a punitive tactic.

“all children have the right to special protection, care and aid.” Article VII, 1948 American Declaration of the Rights and Duties of Man.

Petitioner parents bring this Request to assert the rights of their children as well, but they do not know where their children are. Similarly, by all accounts the children do not know where their parents are, or if and when they will see them again. This separation is a form of torture, and unfairly punishes the children for an act committed by their parents.²⁵

Removing children from their parents takes a terrible psychological toll on all affected family members, especially on the children. The American Academy of Pediatrics has recently denounced the government’s practice of separating immigrant children from their parents, concluding that “highly stressful experiences, like family separation, can cause irreparable harm, disrupting a child’s brain architecture and affecting his or her short- and long-term health. This type of prolonged exposure to serious stress— known as toxic stress— can carry lifelong consequences for children.”²⁶ Similarly, in response to the government’s zero-tolerance policy, UNICEF USA recently alerted that “[s]eparation from family leaves children more vulnerable to exploitation and abuse, no matter what the care setting. And, traumatic separation creates toxic stress in children and adolescents that can profoundly impact their development and increase the risk for stress-related disease well into adulthood.”²⁷

To a certain extent, some damage to these children has already been done, and some of it will be irreparable. Many children, including Petitioners, have already suffered the psychological toll of being forcibly ripped away from their parents, or waking up to find their parent gone. As the Commission itself has recognized, “the passage of time would inevitably constitute a defining element of ties of affection that would be hard to revert without causing damage to the child.”²⁸ With “the passage of time ... the risk of seriously affecting the child’s emotional and psychological balance increases.”²⁹ The Commission can prevent the damage already caused to Petitioners from worsening every single day—and having dozens or hundreds of other children suffer it—by ordering Precautionary Measures to cease this practice immediately.

²⁵ United States law defines torture as “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or her or a third person information or a confession, punishing him or her for an act he or she or a third person has committed or is suspected of having committed... .” 8 C.F.R. Section 1208.18(a)(1). This definition is taken from the Convention Against Torture, which the United States has ratified.

²⁶ American Academy of Pediatrics, AAP Statement Opposing Separation of Children and Parents at the Border, May 8, 2018. Available at: <https://www.aap.org/en-us/about-the-aap/aap-press-room/pages/StatementOpposingSeparationofChildrenandParents.aspx>

²⁷ Annex 11, UNICEF USA Statement on the Protection of Children at our Southern Border, May 29, 2018.

²⁸ IACHR, Request for Provisional Measures to the Inter-American Court of Human Rights regarding child L.M., May 18, 2011, para. 54.

²⁹ IACtHR, Resolution of the Inter-American Court of July 1, 2011, Provisional Measures regarding Paraguay and Child L.M., Considering No. 18.

(iii) The children's conditions of detention

In addition to the actual family separation itself, another unconscionable element of the government's policy and practice is the lack of transparency about the process. Since Petitioner parents do not know where their children are, they also do not know (and the State has failed to inform them): (i) at what facilities they are being detained; (ii) whether the facilities are suitable for housing children; (iii) whether the facilities are suitable for prolonged detention; (iv) whether the staff at those facilities is properly trained to care for detained children; (v) what safeguards the government has adopted to ensure the children are not subject to violence, sexual abuse or other abuse; (vi) how the government ensures that children with disabilities or with special medical needs receive appropriate accommodations or care; (vii) what measures are taken to release children as promptly as possible to family members or other caregivers under existing U.S. law; (viii) what measures the government has adopted to keep track of which child is part of which family,³⁰ or (ix) what process the government has put in place to ensure children are reunited with their parents or family members before the parent is deported or released, as the case may be.³¹

In fact, a recently-released report based on documents obtained from the Department of Health and Human Services documented extensive instances of abuse of immigrant children detained by immigration authorities at border detention facilities between 2009 and 2014. The report, compiled by civil society organizations and academics, documented numerous cases involving CBP officials' verbal, physical and sexual abuse of migrant children; the denial of clean drinking water and adequate food; failure to provide necessary medical care; detention in freezing, unsanitary facilities; and other violations and mistreatments.³²

The abuses documented in the report were committed against children who came in as unaccompanied minors and were detained by the U.S. government, at a time when it was **not** the government's deliberate policy to separate children from their parents. Now that children are being taken away systematically from their parents at the border, the number of children detained by the U.S. government will unquestionably increase dramatically,³³ detention facilities and

³⁰ According to reports received by undersigned counsel, the method Border Patrol agents conduct to keep track of which children belong to which parent is to take a photograph of the family unit, to then use the photograph as a reference to identify the child with his or her parent. If this is indeed the method being used, it is a highly fallible method.

³¹ According to press reports, at least one father was deported without his son: Houston Chronicle, "Immigrant families separated at the border struggle to find each other," May 24, 2018. Available at: <https://www.houstonchronicle.com/news/houston-texas/houston/article/Immigrant-families-separated-at-border-struggle-12938759.php>.

³² University of Chicago Law School, ACLU Border Rights Center, ACLU of San Diego and Imperial Counties Border Litigation Project, "Thousands of Documents Show Widespread Horrific Abuse of Child Immigrants in U.S. Custody." May 23, 2018. Available at: <https://www.aclusandiego.org/civil-rights-civil-liberties/>. The report is attached as Annex 11.

³³ Between October 2017 and April 2018, government officials said 700 children were separated from their parents (<https://www.nytimes.com/2018/04/20/us/immigrant-children-separation-ice.html>), but between May 6-19,

ORR shelters for children (sometimes referred to as “camps”) will be overcrowded, and the risk of similar or worse abuses is significant.

Importantly, there are alternatives to family separation. First, families need not be detained at all, but rather given a “Notice to Appear” (“NTA”), which begins the immigration court proceedings and requires them to appear for future hearings in the location where they reside in the United States. The government could also employ, where necessary, alternatives to detention, such as the Family Case Management Program that ICE ended last summer, but which was much more humane, cost-effective, and had compliance and court appearance rates of 99-100%.³⁴ This confirms that there are alternatives to family separation and detention within existing laws and practice, particularly the possibility of release with an NTA.³⁵ Moreover, the criminal prosecution of every person Border Patrol or ICE detain is not required, but has been adopted under a deliberately punitive “zero-tolerance” policy designed to inflict maximum harm, as explained above.

Both the IACHR and the Inter-American Court of Human Rights have emphasized the “need to defend and to protect the best interest of the child, as well as to guarantee the rights that are potentially at risk” in situations in which family ties are implicated.³⁶ The abuses that the current practice subjects Petitioners and other children to is flatly contrary to any best interest of the child analysis.

(iv) The deliberate break-up of the family unit

The IACHR has recognized the importance of preserving the family unit and family ties.³⁷ Unless the Commission adopts precautionary measures, there is a significant likelihood that some of these Petitioners will be deported without their children, thereby breaking up the family unit indefinitely or permanently.

As is the case with the damage suffered by the Petitioner children, harm to the family unit has already been done: these families have already been separated by the State for over nine

2018 (after the start of the ‘zero-tolerance’ policy implementation) over 658 children were separated from their parents, showing the drastic increase. <http://immigrationimpact.com/2018/05/25/dhs-prosecutes-over-600-parents-in-two-week-span-and-seizes-their-children/>.

³⁴ See, e.g., Frank Bajak, “ICE shuts helpful family management program amid budget cuts,” The Christian Science Monitor, June 9, 2017. Available at: <https://www.csmonitor.com/USA/Foreign-Policy/2017/0609/ICE-shuts-helpful-family-management-program-amid-budget-cuts>. See also DHS Office of Inspector General Report, <https://www.oig.dhs.gov/sites/default/files/assets/2017-12/OIG-18-22-Nov17.pdf>.

³⁵ Where absolutely necessary, the United States government maintains “family unit” detention centers, such as those at Dilley and Karnes City, Texas, where families are detained for brief periods of time without being separated.

³⁶ IACHR, Resolution 26/2017, Precautionary Measure No. 356-16, Matter of Child A.R. regarding Argentina, July 27, 2017, para. 24 (citing IACtHR, Resolution of the Inter-American Court of July 1, 2011, Provisional Measures regarding Paraguay and Child L.M., Considering No. 16.).

³⁷ See, e.g., IACHR, Resolution 26/2017, Precautionary Measure No. 356-16, Matter of Child A.R. regarding Argentina, July 27, 2017, paras. 24-26.

days, and unless the Commission orders their unification through the adoption of precautionary measures, they may be separated indefinitely.

The Inter-American Court has consistently upheld the importance of protecting family unity: “The child has the right to live with his or her family, which is responsible for satisfying his or her material, emotional, and psychological needs. Every person’s right to receive protection against arbitrary or illegal interference with his or her family is implicitly a part of the right to protection of the family and the child.”³⁸ Moreover, “the separation of a child from his or her family may constitute . . . a violation of the right to protection of the family,” and such separations “are only admissible when they are *duly justified by the best interest of the child, exceptional* and, insofar as possible, *provisional*.”³⁹ Here, the separation of children from their families perpetrated by the United States fails on all three counts: (i) there is no justification for the separations, much less one based on the best interest of the children; (ii) the practice is not exceptional but systematic and widespread; and (iii) the separation of children from their families is indefinite.

Similarly, the Commission has explained that only “*if* the best interest of the child so warrants, the authorities can take special measures of protecting involving the separation of the child from his or her family.”⁴⁰ And in every case, any separation must be bound by the principles of necessity, exceptionality, and temporal determination (i.e., be temporary).⁴¹ Again, the United States’ policy does not abide by any of these principles.

Article 25(6)(a) of the Commission’s Rules of Procedure provides that the Commission shall consider “whether the situation has been brought to the attention of the pertinent authorities or the reasons why it would not have been possible to do so.” With respect to the systematic practice of separating children from their families, not only is the United States government aware of the practice, but the highest officials in government have explicitly announced that this is an intentionally punitive policy, including the Attorney General (the highest law enforcement officer in the country). The White House Chief of Staff (the highest advisor to the President) has also defended the practice publicly, taking the position that it is not “cruel and heartless to take a

³⁸ IACtHR, Advisory Opinion OC-17/02, *Juridical Condition and Human Rights of the Child*, August 28, 2002, Series A, No. 17, para. 71; IACtHR, *Case of Chitay Nech, et al. v. Guatemala*, Judgment of May 25, 2010, Preliminary Objections, Merits, Reparations, and Costs. Series C, No. 212, para. 157.

³⁹ IACtHR, *Case of Fornerón and Daughter v. Argentina*, Judgment of April 27, 2012 (Merits, Reparations and Costs), Series C, No. 242, para. 116 (emphasis added, internal citations omitted). “[T]he child must remain in his or her household, unless there are determining reasons, based on the child’s best interests, to decide to separate him or her from the family. In any case, separation must be exceptional and, preferably, temporary.” IACtHR, Advisory Opinion OC-17/02, *Juridical Condition and Human Rights of the Child*, August 28, 2002, Series A, No. 17, operative paragraph 5 and para. 77.

⁴⁰ IACHR, “The Rights of Boys and Girls to a Family: Alternative Care, Ending Institutionalization in the Americas,” OEA/Ser.L./V/II, Doc. 54/13, Oct. 17, 2003, para. 65 (emphasis added).

⁴¹ IACHR, “The Rights of Boys and Girls to a Family: Alternative Care, Ending Institutionalization in the Americas,” OEA/Ser.L./V/II, Doc. 54/13, Oct. 17, 2003, para. 66.

mother away from her child,” and saying that the children will be “put into foster care *or whatever*.”⁴²

In addition, the United States has been made aware of the violations that its policy of family separation for a considerable time. A lawsuit (which does not involve Petitioners) was filed in federal court in California on February 26, 2018, challenging the practice of family separation as applied to asylum seekers, *Ms. L. v. ICE*.⁴³ That lawsuit includes claims based on violations of the United States Constitution, the U.S. asylum statute and other federal laws. The plaintiffs filed a motion for a preliminary injunction, and ICE filed a motion to dismiss. The District Court held a hearing on these motions and on class certification on May 4, 2018 and has not issued a ruling as of May 30, 2018.

With respect to the Petitioner parents, they told the federal judge who sentenced them criminally on May 24, 2018 in McAllen, Texas that they were separated from their children, and asked to see them. The judge explained to them that his court is not the forum to request to see their children. Procedurally, Petitioner parents are now in administrative detention awaiting their credible fear interview, and potentially an immigration hearing. They have no effective recourse to demand that their children be brought to them, other than asking the ICE agents holding them, which they have done repeatedly, to no avail. *See, e.g.*, Statements of Antonio Bol Paau and María Andrés de la Cruz. If Petitioner parents are deported without their children, both the parents and the children will be deprived of their family ties and all the concomitant rights that come along with them.⁴⁴

In addition to Petitioner parents’ repeated pleas, counsel attempted to locate Petitioner children on May 30, 2018 by calling a phone number for the Office of Refugee Resettlement listed on a flyer that is reportedly provided to detained individuals for assistance in locating children. (The flyer listed the number as 1-800-230-7001.) This number, however, is not a valid number and is calling it led only to an error message. Eventually, counsel was able to locate the correct number for locating children in the custody of ORR, 1-800-203-7001. It was only through use of the internet, which detained parents do not have access to, that counsel was able to identify the correct number to call.

After spending more than 45 minutes on the phone, counsel was able to determine only that six of the seven children were en route to or currently located at one of the numerous ORR shelters throughout the country, but not which specific shelters. One child, R.B.S., could not be

⁴² Business Insider, “John Kelly: It’s not ‘cruel’ to separate families at the border—children will ‘be put into foster care or whatever.’” May 11, 2018. Available at: <http://www.businessinsider.com/john-kelly-family-separation-policy-illegal-border-crossing-2018-5> (emphasis added).

⁴³ Lawsuit filed by the American Civil Liberties Union, *Ms. L. v. ICE*, No. 3:18-CV-00428, S.D.Ca. filed Feb. 26, 2018. More information available at: <https://www.aclu.org/news/aclu-challenges-trump-administration-practice-forcibly-separating-asylum-seeking-parents-and>.

⁴⁴ IACHR, Resolution 26/2017, Precautionary Measure No. 356-16, Matter of Child A.R. regarding Argentina, July 27, 2017, paras. 24-26.

located in the ORR system at all. Counsel was not provided with the actual location or condition of any child we inquired about. Instead, our contact information was allegedly provided to the caseworker for each child with an instruction to contact us. At the time of filing this Request, undersigned counsel has not yet received any response from ORR confirming the location or condition of any of the children. See Annex 6, Certification of Efrén C. Olivares.

Because of the impending risk of deportation of Petitioner parents, Precautionary Measures are necessary to prevent the irreparable harm of further separation.

(v) Violation of the right to seek asylum, due process

It is well-established that a person fleeing persecution or threats to their life has the right to seek asylum in another country.⁴⁵ Yet, the zero-tolerance policy is resulting in the wholesale, arbitrary prosecution of virtually every single person Border Patrol apprehends, including asylum-seekers. This violates not only Inter-American Human Rights standards, but also the asylum-seekers' right to seek protection, their right to liberty and due process as a result of the prosecution and separation that lead to the detention of parents and children.

B. Imminent Risk of Irreparable Harm

Article 25 of the Commission's Rules of Procedures provides that precautionary measures are appropriate when there is a serious and urgent situation and there is a risk of irreparable harm. As explained above and expanded below, the separation of families is a serious situation, the risk facing Petitioners is urgent, and there is considerable risk of irreparable harm if the Commission does not adopt the requested measures.

The situation is serious. The unjustified and indefinite separation of Petitioner parents from their children has already had a grave impact on them, emotionally, psychologically, and even physically. For Petitioner children, the situation is potentially even worse, as neither their parents nor their counsel have received any information whatsoever about their location, wellbeing, or condition. Moreover, the overt policy of the U.S. government of using family separation systematically as a deterrent for irregular immigration is having the same serious impact on hundreds of immigrant parents and children all along the United States-Mexico border. Under this practice, the United States government is inflicting torture upon hundreds of parents and children on a daily basis.

The situation is urgent. The threats Petitioner parents face are not only imminent but have already materialized: Petitioners have been separated from their children since May 21st (Lyonel Chub Cucul), and May 22nd (all other Petitioners), and there is no guarantee of when, or

⁴⁵ Universal Declaration of Human Rights, Article 14(1) (Everyone has the right to seek and to enjoy in other countries asylum from persecution.). American Declaration of the Rights and Duties of Man, Article XXVII. (Every person has the right, in case of pursuit not resulting from ordinary crimes, to seek and receive asylum in foreign territory, in accordance with the laws of each country and with international agreements.).

if, they will ever be reunited with their children. The Inter-American Court has recognized situations of imminent irreparable harm when the “situation entails a risk that is not only imminent but may already be occurring.”⁴⁶ Such is the case here.

Any amount of deliberate, unjustified separation between children and parents by a State—especially when employed as a punitive tactic—is a violation of their human rights.⁴⁷ In fact, the Inter-American Court has explained that “one of the most serious forms of State interference [with a child’s rights] is the one resulting in the separation of a family.”⁴⁸ Here, Petitioners already face indefinite separation that could imminently become permanent if the parents are deported without their children. The Commission should adopt precautionary measures as an immediate preventive and protective action to ensure this permanent separation does not come to pass.

The harm is irreparable. The psychological trauma that these parents and their children have already endured as a result of the separation from their parents is irreparable and not susceptible to reparation. As mentioned above, the American Academy of Pediatrics has concluded that “family separation[] can cause irreparable harm, disrupting a child’s brain architecture and affecting his or her short- and long-term health.”⁴⁹ Every day that goes by and the children remain separated from their parents, they continue suffering such irreparable harm, and the risk of a more permanent separation grows.

Unless the Commission adopts precautionary measures, the harm Petitioners are suffering will continue to worsen every day, and if parents are deported without their children, the family separation could become permanent, causing further irreparable damage to both parents and children. The family unity will be broken further and will be much more difficult to redress. Even though some irreparable damage has already happened, the Commission can prevent it from worsening by granting the Request for Precautionary Measures immediately.

VI. MEASURES OF PROTECTION REQUESTED - Article 25(4)(c)

For the foregoing reasons, Petitioners request the Inter-American Commission to adopt the following Precautionary Measures requiring the United States of America to:

⁴⁶ IACtHR, Resolution of the Inter-American Court of July 1, 2011, Provisional Measures regarding Paraguay and Child L.M., Considering No. 18.

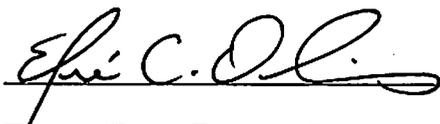
⁴⁷ See, e.g., IACtHR, *Case of Fornerón and Daughter v. Argentina*, Judgment of April 27, 2012 (Merits, Reparations and Costs), Series C, No. 242, para. 116.

⁴⁸ IACtHR, *Case of Fornerón and Daughter v. Argentina*, Judgment of April 27, 2012 (Merits, Reparations and Costs), Series C, No. 242, para. 116. See also IACtHR, Advisory Opinion OC-17/02, *Juridical Condition and Human Rights of the Child*, August 28, 2002, Series A, No. 17.

⁴⁹ American Academy of Pediatrics, AAP Statement Opposing Separation of Children and Parents at the Border, May 8, 2018. Available at: <https://www.aap.org/en-us/about-the-aap/aap-press-room/pages/StatementOpposingSeparationofChildrenandParents.aspx>

- (1) Reunite the five Petitioner parents with their children immediately, and ensure that, if ordered removed, no parent is removed from the country without being allowed to decide whether the child will return to the home country with the parent or remain in the United States to seek relief;
- (2) In the meantime, while family reunification is achieved,
 - (a) Inform the Petitioner parents of the whereabouts of their children, and provide a way for them to communicate regularly and freely with their children;
 - (b) Inform the Petitioner children of the whereabouts of their parents, and provide a way for them to communicate regularly and freely with their parents; and
 - (c) Inform the Commission what measures it has taken to ensure that Petitioner children can be located, properly identified, and reunited with Petitioner parents;
- (3) Immediately cease the systematic practice of prosecuting parents and separating children from their parents at the U.S. border;
- (4) Cease detaining children who have been separated from their families in facilities that are not specifically designed for detaining children, and ensure that any facilities where children are detained are compliant with child welfare practices and standards;
- (5) Ensure that children are processed for release from detention as promptly as possible;
- (6) Provide the Commission with the latest available information regarding how many children have been separated from their families for crossing the Southern border of the United States without authorization since April 6, 2018 (the adoption of the 'zero-tolerance' policy);
- (7) Immediately provide Petitioners' families with medical and/or health services, such as counseling, therapy or otherwise, for the trauma caused by the forcible separations; and
- (8) Provide a singular point of contact that Petitioners' counsel can contact when it has any issues locating children separated from their parents.

Respectfully submitted,



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