

Amnesty International: Immigrants separated from family members for alleged “fraud”

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A new report by Amnesty International (AI) calculates that more than 6,000 people (including at least 3,000 children) were separated from relatives at the border within a four month period from the initial implementation of zero tolerance policy in April 2018.

The report also noted that previous statistics released by Customs and Border Protection (CBP) of family separation do not count grandparents or relatives, and those separated due to supposed “insufficient” documentation.

CBP officials told Amnesty that suspected “fraud” numbers are not counted as separations because they are unreliable. What CBP labels as “fraud” are cases of supposedly “unrelated adults” posing as parents or guardians of young children as a way to get into the United States more easily. Fraud detection has been presented as a tool used by the Department of Homeland Security (DHS) to battle child smuggling operations, and protect young migrant children.

However, allegations of fraud are made by CBP routinely and without factual basis at the border. As the report makes clear, this tended to happen even when the adults traveling with the children have documents, such as birth certificates, family photos, and other forms of identification proving guardianship.

What this means is that the number of “family unit separations” at the border is substantially under-reported. And even the over 6,000 cases of “family units” being separated might be far less than the actual numbers of migrants who have been subjected to this inhuman practice.

Amnesty researchers interviewed 52 asylum seekers in January, April and May, and found that fifteen of them—13 parents and 2 grandparents—had been separated from the children that they had been traveling with. These were not families separated under “zero tolerance.” The immigrants were asylum-seekers, who had presented

themselves at the port of entry with all the required asylum documents—in other words, entering the country the “right way” as the Trump administration puts it. Yet, they were still subjected to detention and separation primarily on the allegation of fraud.

As the report notes, CBP justifications for family separations have proven to be outright lies in many cases, where its own records note that the adults had the necessary documentation to prove guardianship. In addition, often times—as in the documented case of four men whose children were taken away—the border officials simply carried out the separations without feeling compelled to offer any explanation for their actions.

These forced separations have resulted not just in grievous psychological trauma to the children, but also acute mental and physical anguish for the adults concerned. Amnesty found that in many cases, the extent of the suffering caused by detention and separation in fact constitutes torture under US and international law.

Maria, a 55 year old had applied for asylum in New Mexico in August 2017 after crossing the border with her 17-year-old grandson, Mattheus. However, CBP officials held up her application and forcibly separated her from her grandson, who suffers from severe disabilities.

It has been a year since Maria last saw her grandson. Maria told Amnesty researchers, “I believe that because of all of this I’m going through—the fear of going back to Brazil, the fear of being separated from my grandchild, all of this together, I can’t stop thinking about it—that it’s making me really sick. I might need to go look for a psychologist. I don’t remember things, and can’t sleep ... I start to talk about something and forget what I was saying. I am crying a lot also because I am still separated from Mattheus.”

A young mother, whose child was taken away from her at the border echoed those sentiments: “They told me, ‘you don’t have any rights here, and you don’t have any

rights to stay with your son.’ ...For me I died at that moment. They ripped my heart out of me. ... For me, it would have been better if I had dropped dead. For me, the world ended at that point. ... How can a mother not have the right to be with her son?”

The forced family separations are but one weapon that is being used by the Trump administration in its ongoing war against immigrants. Notwithstanding their inhumane and illegal character, family separations are part of a systematic strategy of deterring all forms of immigration.

The Amnesty report includes statements from Mexican officials about attempts by the US to negotiate a “safe third country agreement,” while also insisting on illegal pushbacks. What the latter means is that US is leaning heavily on Mexico to carry out document checks of asylum seekers passing through on their way to the United States, and to deport them to their country of origin.

This would be a blatant violation of international law since, for most asylum seekers, a return to their country of origin is tantamount to a death sentence. In addition, the attempt to have Mexico declared a “safe country” for asylum-seekers—which would allow the US to stop accepting asylum applications at the US-Mexico border, except from those under threat from the Mexican state—is also a contravention of international law, since Mexico is not a uniformly safe space for all asylum seekers.

Each of the ruling parties—Democratic and Republican—is responsible for carrying out the attack on immigrants. Under Obama, the government deported 2.7 million people, the most of any president.

Only a socialist movement by the working class can put an end to the nightmare faced by millions of immigrants processed and detained throughout the vast DHS prison system.



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