

# URGENT ACTION

## MOTHER AND SON SEPARATED BY BORDER AUTHORITIES

**In March, Valquiria and her seven-year-old son Abel\* fled Brazil and requested asylum in the US after death threats from drug traffickers. US border authorities forcibly separated them and continue to detain Valquiria. The extreme anguish she and her son are experiencing may amount to torture. US immigration authorities must immediately free Valquiria while she pursues her asylum claim.**

In March, **Valquiria**, a 39-year-old woman (US immigration case file no. ###-###-418) and her seven-year-old son fled Brazil and requested protection at the US–Mexico border in El Paso, Texas. Valquiria said that she received repeated death threats from drug traffickers who said they would kill her and her son no matter where they fled to in Brazil. On 17 March, after one night together in detention, US border authorities forcibly separated them without giving any reason, and transferred Valquiria to a detention facility called El Paso Processing Center.

On 27 March, a US asylum officer found that Valquiria's story was credible and justified her fear that she and her son could be killed if they returned to Brazil, allowing her to continue her asylum claim. There was no explanation as to why Valquiria was separated from her son, even though she had their identifying documents and her asylum case file recognized their family relation. On 10 May and 26 October, Amnesty International interviewed Valquiria in detention, where she repeatedly wept as she recounted the moment that US authorities separated her from Abel. In deep despair, Valquiria told Amnesty International of how the separation from her son had lessened her will to live. On 10 September, Valquiria's asylum claim was rejected and she began the appeal process, still in immigration detention and separated from Abel. Abel is now staying with his father, who is free in the US as he pursues a separate asylum claim. Seven months after their separation and still traumatized, Abel stares at the door waiting for his mother to come home, and still cannot understand why his mother does not come home. He will turn eight-years-old on 24 November and he dreams of seeing his mother before then.

Asylum-seekers' right to personal liberty should be fully respected. Detention or other measures short of detention, such as restrictions on the right to freedom of movement, should only be used when necessary and proportionate and should be justified on a case-by-case basis.

### **Please write immediately in English or your own language to US authorities:**

- Urging them to immediately grant Valquiria humanitarian parole while she awaits the decision on her asylum claim appeal, as parole should be granted for humanitarian reasons where the person does not pose a threat to public safety and presents no flight risk;
- Calling on them to provide psychosocial support to Valquiria and her son, to help them recover from the trauma experienced from their unlawful family separation;
- Calling on them to ensure asylum seekers are only detained when necessary and proportionate in the individual case, and to grant humanitarian parole to all asylum seekers whenever possible.

### **PLEASE SEND APPEALS BEFORE 5 DECEMBER 2018 TO:**

ICE Field Office Director  
 Marc Moore  
 Ice Enforcement & Removal Operations,  
 El Paso Field Office  
 11541 Montana Ave Suite E  
 El Paso, TX, 79936, USA  
 Email: Marc.J.Moore@ice.dhs.gov  
 Salutation: Mr. Moore

Officer for Civil Rights and Civil Liberties  
 Cameron Quinn  
 US Department of Homeland Security  
 Building 410, Mail Stop #0190  
 Washington, DC 20528, USA  
 Email: crcl@dhs.gov  
 Salutation: Mr. Quinn

**And copies to:**  
(Acting) ICE Director  
 Ronald D. Vitiello  
 Immigration and Customs Enforcement  
 500 12<sup>th</sup> St SW, Washington DC 20536  
 Email: ronald.d.vitiello@ice.dhs.gov

### **Also send copies to diplomatic representatives accredited to your country.**

HIS EXCELLENCY WOODY JOHNSON, U.S. Embassy London, 33 Nine Elms Lane, SW11 7US, Phone: (0)20 7499-9000

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

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INTERNATIONAL**



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### ADDITIONAL INFORMATION

In 2017 and 2018, Valquiria received repeated death threats from drug traffickers, whom she said she had denounced for dealing drugs daily in front of her home with the Brazilian police complicit. The drug traffickers said they would kill Valquiria and her son no matter where they fled to in Brazil and would do so “without pity” if she sought help from police in another part of Brazil.

The cases of Valquiria and her son Abel were profiled in the October 2018 Amnesty International report, *“You Don’t Have Any Rights Here”: Illegal Pushbacks, Arbitrary Detention, and Ill-treatment of Asylum-Seekers in the United States*. The full report elaborates upon how US authorities’ unlawful campaign of forced family separations may amount to torture, including in the cases of other families Amnesty International interviewed, most of whom have since been reunited. The report also documents how the US government has implemented policies that close the border to asylum-seekers and push them back into harm’s way, including caravans of migrants seeking safe haven in the US. Asylum seekers who are received by US border authorities are subjected to immigration detention, family separation, or other ill-treatment - all intolerable conditions that punish asylum-seekers for requesting protection in the US. Link to the report here:

<https://www.amnesty.org/download/Documents/AMR5191012018ENGLISH.PDF>

\*Real surname withheld

Further information on UA: 185/18 Index: AMR 51/9284/2018 Issue Date: 26 October 2018