

Fonte: Dr. Carlos Roberto Siqueira Castro

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Brazilian bar demands action on children separated at US border

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[Siqueira Castro Advogados](#) managing partner and a Brazilian Bar Association (OAB) colleague have led calls by the OAB for Brazil to take protective custody of 51 Brazilian children separated from their parents at the US border.

The [initiative](#), led by [Carlos Roberto Siqueira Castro](#) and Ricardo Bacelar Paiva, who are both members of the bar's national counsel, was approved by the OAB national board and delivered to Brazil's foreign ministry on 26 June.

The lawyers say Brazil must act to protect children from what [Siqueira Castro](#) describes as a "monstrous attack on human rights" committed by the Trump administration.

The request claims President Donald Trump's actions violate article 277 of the Brazilian Constitution and its child protection statute. It also references the UN General Assembly 1989 Convention on the Rights of the Child, citing article 9. This states that governments "shall ensure that a child shall not be separated from his or her parents against their will...".

The OAB calls on Brazil's US embassies and consulates to take in the children until they are reunited with their parents. It is also preparing a *habeas corpus* request that will be presented in the US. "The US government is already aware of our claim and we expect the children to be immediately reunited with their parents," [Siqueira Castro](#) says.

[Siqueira Castro](#) admits that much will depend on politics, but believes legal measures are worthwhile. "We need to do everything possible to stop this brutal act of violence against children," he says.

Both the Brazilian and US governments recently discussed the issue during an official visit by US Vice President Mike Pence last week. During the visit President Michel Temer offered an air force jet to bring the children back to Brazil if the families are willing to return. Following talks, Vice President Pence said the US government was working to unite the families at the same time as overhauling its immigration laws.



The US has adopted a zero-tolerance policy towards immigration under President Donald Trump. All adult migrants caught crossing the border illegally are referred for prosecution, which entails temporary imprisonment. Meanwhile, children were sent to provisional detention centres as far away as New York.

Amid widespread condemnation, President Trump backtracked on the policy last month, signing an executive order that will keep parents and children together. However, doubts remain over how soon the separated children and parents will be reunited.

Siqueira Castro says the separations are a "brutal affront to the universal principles of human dignity and the physical, moral and psychic protection of children." "The incarceration of children deprives them of their rights to remain with their families, receive education and care, for which there are no substitutes," he adds.

Between October 2017 and the end of May, at least 2,700 children have been split from their parents by US border control. Most are from Central America.

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