

The United Nations Ex. Rel. the Latino Policy Coalition, for and on behalf of Misappropriated, Removed, and Missing Children, Does 1 through 49,000 et al, Petitioner, For a United Nations Writ of Habeas Corpus

To the General Assembly of the United Nations.

The Latino Policy Coalition brings this petition for a United Nations Writ of Habeas Corpus to locate children who have been, and continue to be, separated and removed from their undocumented immigrant parents by the authority and actions of the United States of America.

The precise whereabouts of these misappropriated, removed, and missing children is unknown.

Between January and June 2011 United States citizen children of 48,486 deported immigrant parents were separated from their parents under the authority of the United States of America.

This misappropriation and removal of children has been occurring for an indeterminate period, and continues now.

These children are routinely often removed without contact with their detained immigrant parents. At least 5,100 of children who possess United States citizenship have been removed permanently from their parents' care due to their parents' detention or deportation.

An unknown number of these children have been placed up for adoption and have been adopted despite the fact that both parents are available and willing to have their children returned to them.¹

There is no unified register of these children, and their current location within the United States.

There is no way for parents who have been deported to locate and contact their children in a systematic manner so that they can be reunited with parents or close family members.

Without action by this Organization, the fate of these children and the rights of their parents to those human rights guaranteed under the United National Declaration of Human Rights, and the United Nations Convention on the Rights of the Child will remain in jeopardy.

It is on behalf of these Misappropriated, Removed, and Missing Children, identified as Does 1 through 49,000 et al, that the Latino Policy Coalition has requested this United Nations Writ of Habeas Corpus.

¹ On April 27, 2012, the United Nations High Commissioner for Human Rights acknowledged receipt of the petition submitted by the Latino Policy Coalition Regarding the Universal Periodic Review of the Human Rights Record of the United States of America which documents the misappropriation of children which is the subject of this Petition for a United Nations Writ of Habeas Corpus.

Authority of the United Nations

To Issue a Writ of Habeas Corpus

As recognized by its prior actions², the United Nations General Assembly has the power to issue the subject Writ of Habeas Corpus to carry out the objects and purposes of the United Nations, including those contained in Article 1 of the Charter: “To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedom for all without distinction as to race, sex, language, or religion.”

The jurisdiction of the United Nations is appropriate under Articles 55 and 56 of the United Nations Charter, in which all Members pledge themselves to take joint and separate action in cooperation with the United Nations for the achievement of the universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Habeas Corpus Relief Sought

Therefore, on behalf of these Misappropriated, Removed, and Missing Children and their parents, we respectfully request the following relief through the United Nations Human Rights Council:

Habeas Corpus Relief. The issuance of a United Nations Writ of Habeas Corpus on behalf of Misappropriated, Removed, and Missing Children, identified as Does 1 through 49,000 et al, requiring that the President of the United States through the Secretary of State of the United States of America, the Secretary of Health and Human Services of the United States of America, and the Secretary of the Department of Homeland Security provide to the Human Rights Council a complete and detailed list of children being held in county, state, or federal custody systems who have been removed from the care of their parents as a result of detention or deportation proceedings initiated against undocumented immigrant parents.

² On May 16, 1952, the United Nations Human Rights Commission forwarded to the government of Czechoslovakia the United Nations Writ of Habeas Corpus on behalf of William N. Otis, an American citizen who had been denied access to his consul or access to American Embassy personnel. (See United Nations Ex.Rel. Luis Kutner, For and on Behalf of William N. Otis. For a United Nations Writ of Habeas Corpus, May 1952,