

Righting the wrongs of putting kids in cages: A child welfare and child rights approach to cross border families

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In its next report to the U.N. Committee on the Rights of the Child, due in January 2022, the United States must address its treatment of children at the border since 2016. Over the past four years, cross border families have been subjected to practices that are directly in violation of the principles of the Convention on the Rights of the Child and its Protocols as well as basic U.S. child welfare protections. These practices have included: forced family separation, traumatic temporary living conditions, a dearth of mental health or other necessary care, denial of legal rights, abusive and inappropriately vetted supervision, and a complete lack of planning for durable solutions. If a U.S. child were subjected to anything comparable in the state child welfare system, the state agency would be sued and placed under close supervision to improve its practices immediately.

ISS, in its [Children on the Move: From Protection Towards a Quality Sustainable Solution, A Practical Guide](#), outlines 8 critical steps that all governments around the globe should take to protect the rights and best interests of children on the move. ISS-USA has developed and piloted a return and reintegration program that has served 50 separated or unaccompanied children and 250 of their family members who have returned to Guatemala and Honduras since 2018. Six months to a year later, those children remain with their families and are getting the care they need to thrive. ISS-USA is eager to work with the Biden-Harris transition team to assist in the creation of a return and reintegration program so that all children, adults and families, who are citizens of other countries, have a safe way to plan their return and gain access to necessary services upon arrival. It is our hope, as with the U.S. [Repatriation Program](#) administered by HHS in collaboration with ISS-USA for the past 25 years, that citizens of other countries can return safely, with a plan to allow them to become self-sufficient in their countries of origin. For those children who remain unlawfully separated, ISS-USA encourages the new administration to require application of international treaties to facilitate reunifications.

To make reintegration possible for children and families, ISS-USA recommends that the Biden-Harris transition team direct some of its investments in the care and protection of [children in adversity](#) to Honduras and Guatemala and other regions, so that child protection systems there may be strengthened, employment and education opportunities enhanced, and families returning to these countries are able to access reintegration services and become self-sufficient.

In the United States, our child welfare system, administered by each state, has seen an increase in undocumented children coming into its care. State agencies are charged with finding families for all children in their care, even when the child's family members happen to reside in other countries, including military families serving overseas. A few states have developed policies and procedures to ensure that children with families outside the U.S. are not discriminated against, but most states have no formal policies and procedures, do not have knowledge of how systems work in other countries and do not try to find and assess family members in other countries as required by child welfare best practices and national and state child welfare laws.

[ISS-USA](#) is uniquely positioned as the only cross border social service organization in the United States, with 95 plus years of experience providing expertise and services to states and government agencies, to ensure that children with cross border families have equal opportunities to be reunited with their families. Because child welfare systems are administered state by state, there is a critical need to ensure that *every state* has access to policy and services to assist children with families in other countries as well as those with families in the US. We are prepared to serve as a resource to the many federal government agencies whose work intersects with our mission, including HHS, DOS, DHS, DOI, and USAID, as well as child welfare agencies in all 50 states and territories.

Julie G. Rosicky, Executive Director
jrosicky@iss-usa.org 443-451-1212
www.iss-usa.org