

# Children without Borders: A Mapping of the Literature on Unaccompanied Migrant Children to the United States

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## ABSTRACT

In this article, we seek to map out what we know concerning unaccompanied migrant minors, with a focus on unaccompanied migrant children coming to the United States. We base our review on research and reports that document the migration of Mexican and Central American children. In contrast to reports that focus on only the receiving end, we take a broader approach to shedding light on the different facets of the unaccompanied children's migration. Thus, we include the following areas: the migration processes (initiation, transit, arrival, and integration in both Mexico and the United States); the institutions (shelters and detention centers) involved in unaccompanied minors' migration; and the *glocal* polity (local, national, and international laws) that have a profound impact on this migration.

*Keywords:* 1. unaccompanied minors, 2. child migration, 3. transnational migration, 4. Mexico, 5. United States.

## Niños sin fronteras: Un diagnóstico de la literatura sobre niños migrantes a Estados Unidos

### RESUMEN

Este artículo presenta un mapeo de la información que hasta ahora tenemos sobre menores migrantes no acompañados. Se enfoca en las experiencias de menores no acompañados que migran de Centroamérica y México a Estados Unidos, y está basado en una revisión de los estudios e informes que documentan esta migración. En vez de centrarse sólo en información desde el punto de vista del país receptor, este artículo parte de un enfoque amplio para arrojar luz en diferentes facetas de la migración de los niños no acompañados. Así, las áreas que incluimos son: los procesos de migración (iniciación, tránsito, llegada e integración), las instituciones a cargo de estos menores (los centros de refugio y detención en el transcurso del tránsito), y el sistema de gobierno *glocal* (local, nacional y los derechos internacionales) que moldea profundamente esta migración.

*Palabras clave:* 1. menores no acompañados, 2. migración de niños, 3. migración transnacional, 4. México, 5. Estados Unidos.

## Introduction<sup>1</sup>

Immigrant flows from less affluent to wealthier nations have historically spurred much debate and opposition, and contemporary population movements have led to vociferous concerns regarding issues of immigration status, language, citizenship, shifting resettlement patterns of *non-traditional areas*, and policy (Durand, Massey and Capoferro, 2005; Passel, 2005). One immigrant group that has caught the attention of the public, policy makers, and pundits in receiving countries is children. This is in part related to their growing visibility, both as members of migrant families who increasingly settle in the receiving context and as actors in their own migration when they migrate alone. Indeed, the number of children who migrate, particularly those who do so unaccompanied, has increased significantly in the past two decades (Casillas, 2009).<sup>2</sup> Thus, social scientists are now recognizing the importance of focusing on the experiences of migrant children, both as a *research opportunity* that permits grasping the processes of assimilation that the study of adult immigrants does not allow, as well as understanding other areas of life that are not *immigrant-specific*, such as education, socialization, and youth culture (Ávila, Fuentes and Tuirán, 2000; Bhabha and Schmidt, 2006; Boyle, Smith and Guenther, 2007; Espiritu, 2003; López Castro, 2007; Suárez-Orozco and Todorova, 2003; Suárez-Orozco and Suárez-Orozco, 2001; Waters, 1999).

An important aspect of the experiences of immigrant children is that they do not always migrate as part of a family unit; they also migrate on their own volition, a largely neglected topic,

<sup>1</sup>We worked on various versions of this paper at different points. Menjívar prepared the first version as a report on unaccompanied minors in April 2009, and Chavez expanded on it at the Primer Taller sobre Migración y Desarrollo in Tijuana, B. C., in July 2008. We are very grateful to the editor of *Migraciones internacionales* as well as to the three anonymous reviewers for their extremely valuable comments in helping us strengthen the presentation of our points. However, none bear any responsibility for what we ultimately did.

<sup>2</sup>We do not wish to give the impression that these migrations are altogether new, but there are interesting new trends that distinguish contemporary flows from those of earlier periods.

empirically and theoretically, in migration-related social science research. In recent years, several immigrant-receiving countries have seen an increase in the number of unaccompanied minors.<sup>3</sup> For example, Seugling (2004) points out that in the U.S. there was a 50 per cent increase in the number of detained unaccompanied minors from 1997-2002. In addition, in 2005 alone, the U.S. Department of Homeland Security (DHS) apprehended approximately 114 563 unaccompanied migrant children; in 2001, there were approximately 86 000 (Haddal, 2007). But the U.S. is not alone in this regard, because the migration of unaccompanied minors is currently a phenomenon observed in many immigrant-receiving countries around the world. In Ireland, where unaccompanied minors can seek asylum, numbers increased from two minors seeking asylum in 1997 to 868 in 2003; in the Netherlands, from 1 562 minors migrating alone in 1996 and 6 705 in 2000, and “overall asylum applications for unaccompanied minors in twenty-six European countries rose from 12 102 in 1998 to 16 112 in 2000” (Seugling, 2004:864).<sup>4</sup> In 2006, there were a total of 13 840 reported undocumented minors in Europe (Huemer, Karnik and Steiner, 2009). Thus, the mobility of children across borders as migrants in their own right is not only a growing

<sup>3</sup>There are several debates on the definition of *unaccompanied migrant minors*. Children who migrate without their parents can be categorized in a number of ways, depending on the definitions and policies in place, as well as on the political responses to their migration. Thus, these children are often identified as *juvenile aliens*, *unaccompanied minors*, *separated minors*, *juvenile asylum seekers*, and/or *refugee children*, *unaccompanied immigrant children*, *unaccompanied alien children*, *unaccompanied juveniles aliens*, *refugee children*, and *asylum children seekers*. Each categorization reflects the policies and positions of receiving or transit countries regarding this phenomenon, and each triggers varied policy responses, including legal actions that can lead to immediate deportation, which are based on the technicalities of the definition used. Drawing from Seugling (2004), Bhabha (2000), Bhabha and Schmidt (2006), Ehrenreich, Tucker and Human Rights Watch Children’s Rights Project (1997), in this article we employ their definition of unaccompanied minors, that is, a child under the age of 18 years who enters another country alone (and without a legal guardian) and who is undocumented or without proper documentation.

<sup>4</sup>We list these countries to illustrate the different terms used in the classification of migrant minors, which reflect different immigration policies and different responses in dealing with this population in the different receiving countries.

phenomenon in a few isolated cases, but it is a trend at present in the majority of immigrant-receiving countries worldwide.

In this article, we seek to map key topics in the migration of unaccompanied minors,<sup>5</sup> focusing on unaccompanied migrant children to the U.S., basing our review on research and reports that document the migration of Mexican and Central American children, and drawing parallels with similar cases in other national contexts when appropriate.<sup>6</sup> Although there have been recent efforts toward the same end (Byrne, 2008), we know of no other scholarly efforts similar to ours. Our aim is not only to produce a summary of the literature, but to provide potential avenues for further research based on what we currently know, and thus to begin to theorize on this phenomenon. As such, we utilize a broad and multidisciplinary lens to review empirical studies conducted *both* in Mexico and the U.S., because we find that often there is little dialogue between the two bodies of knowledge. Indeed, bridging this gap constitutes an important intellectual exercise that will aid us in taking stock not only of what *we know*, but also of where we should proceed in terms of research areas. Importantly, as mentioned earlier, policy debates concerning this issue involve definitional questions. Here we refer to these children as youth or minors, terms we use interchangeably.<sup>7</sup>

<sup>5</sup>We are well aware of the debates surrounding the different uses of the term migrant *vs.* immigrant (see Suárez Navaz, 2006) as these reflect attitudes toward migrants on the part of the receiving societies, as well as policies of inclusion/exclusion. Recognizing the importance that terminology possesses, however, we employ the terms used in the literature to denote direction of movement (e.g., immigrants to the U.S. are those who arrive there as a potential final destination; migrants are those en route, mainly through Mexico, to the U.S.).

<sup>6</sup>We do not homogenize the experiences of Mexican and Central American unaccompanied migrant children; however, in the interest of space, we will only refer to some key differences in their experiences when possible.

<sup>7</sup>There are definitional differences in determining who is a minor in both the U.S. and Mexico. Mexican and U.S. law both affirm that a minor is anyone younger than 18 years of age. However, the many institutions involved in the handling of this migration distinguish between an *adolescent* (between the ages of 13 and 17 years), and a *child* (under 12 years of age), which determines whether and where a child can be housed when they are detained. Thus, the treatment of a child can vary significantly depending on his/her age.

In contrast to reports that focus solely on the receiving end, we assume a broad approach to shed light on the different facets of the unaccompanied children's migration. Thus, the areas that we include are the migration processes (initiation, transit, arrival, and integration in both the U.S. and Mexico), the institutions (shelters and detention centers) that are involved in the migration of unaccompanied minors, and the *glocal* polity (local, national, and international laws) that exerts so deep an impact on this migration. By *glocal polity*, we refer to national-level and supra-national laws that protect children rights, and the manner in which this migration (detention, assistance, repatriation, etcetera) is handled. The purpose of this essay, therefore, is to assess holistically and describe the processes that unaccompanied minors experience in the facets of their migration process that have been studied. In this mapping, we wish to highlight the importance of the institutions that temporarily house these children while they are in transit, during the time that they are detained, repatriated, or prior to entering the U.S. These institutions include, among others, U.S. detention centers, the sending countries' consulates, and religious and secular shelters in Mexico. Frequently, these are also sites where empirical research has been conducted. And in presenting the experiences of unaccompanied children en route through Mexico to the U.S., we must bear in mind that similar situations occur in other major receiving countries; thus, important common denominators might emerge in all of these situations as well.<sup>8</sup>

We recognize that knowledge based on the adult migration experience has been used to contextualize the children's experience; however, what we know about adults' experiences should not be the only yardstick to assess what is lacking in our knowledge on the youth experience. In other words, our goal in this essay is not

<sup>8</sup>There are many cases of unaccompanied migrant children to the U.S. from Asia, but also from other regions in Latin America, such as Cuban children who migrated through Operation Peter Pan. These migration patterns differ significantly from the cases we describe here, but we are unable to include all of the different variations and permutations of this phenomenon in a single article.

only to outline current information concerning the experiences of unaccompanied children, but to also underscore that a great deal of what we know about them derives from our knowledge of adult migrants. We would like to underscore here the agentic component of the children's migration, because they are also individuals who make decisions that affect their lives (Boyle, Smith and Guenther, 2007; Muncie, 2007). Thus, their own agency and autonomy should be considered when examining their migrant experiences, a claim that we recognize mirrors those made in early studies of women in migration. Importantly, this essay is not intended as an exhaustive discussion of all that is available on this topic, or as a meta analysis of what exists currently; it is meant to comprise a first step in delineating this topic, highlighting themes that have been researched, to better trace avenues for future research based on knowledge produced in more than one context.

### *The Migrant Child as a Social Actor*

Historically, research on migration primarily focused on the male experience; research on women has only been a topic of interest since the mid 1960s (Pedraza, 1991). With regard to children, there have been few works that document their migration experiences independent of adults and that take into account the social context. However, recently, scholars have begun to focus on different aspects of the experience of migrant children. Thus, similar to what occurred in the study of immigrant women, scholars are now retrieving children's accounts and experiences that had been also "silenced." Children have shown that they, too, are active social agents who take part in adult-like activities and who also make economic and social contributions (Suárez Navaz, 2006; Valdez-Gardea, 2007). These social actors are often seen as powerless, passive, and fully dependent; however, these "new actors" may assume several roles (as parents, providers, smugglers, migrants, children, etcetera) across borders, such as when an unaccompanied migrant teenager must find full-time employment to provide for her child.

The experiences of children have seldom been examined through a perspective that permits us to trace processes across borders, although efforts by transnational scholars to rescue the specific experiences of children must be noted in this regard (see Levitt and Waters, 2002). Indeed, the majority of studies that seek to document the experiences of migrant children are usually localized (Boyle, Smith and Guenther, 2007); thus, only one “side” of the migration continuum tends to receive attention. But the lives of migrant children, today more than ever, are frequently shaped by forces and events taking place simultaneously in more than one national context and within the cultural reproduction of multiple communities. Adopting an approach that highlights the links across borders in the lives of migrant children stands in contrast to notions about children as passive actors who are less affected by global forces because of their “inexperience and dependency” (Boyle, Smith and Guenther, 2007:225). Indeed, children, as social actors in their own right are not only affected by larger forces—as in the case of adult migrants—but also contribute to shape responses to global processes and cultural patterns through their direct and indirect participation in the multiple communities to which they belong (López Castro, 2007).

### *Glocal Politics*

The *glocal* politics surrounding the rights of children differ in both Mexico and the U.S. due to differences in the two countries’ sets of laws that deal with migration, children, and the international laws established by the United Nations (UN). Of all UN members, the U.S. and Somalia have been the only countries that have not ratified the Convention on the Rights of the Child (CRC) of 1989 (Bhabha and Schmidt, 2006; Muncie, 2007). The U.S. signed the original decree in 1959 but has not ratified it, which means that it is not “legally required to enforce its provisions in full in its domestic law” (Bhabha and Schmidt, 2006:14). The Children’s Convention explicitly states that the “best interest of the child shall be a primary consideration”; however, the

U.S. insists that ratifying the CRC would “undermine parental authority” (Muncie, 2007:29).<sup>9</sup> International legal agreements based on practices that uphold the best interests of the child have, in principle, granted children more autonomy from their families, and national-level laws have undermined parental authority by affording children more *power* and responsibility for their own actions (Boyle, Smith and Guenther, 2007). For instance, in terms of criminal offenses, children are sometimes placed on trial as adults. At the same time, the government at present has more power to “intervene more in family affairs on behalf of the child” than ever before; thus, there exists a complex relationship of power among the state, the family, and the child (Boyle, Smith, and Guenther, 2007:263). This relationship becomes even more complex when international laws are factored in the debate. This also creates a “critical vantage point from which to explore nation-state power in the international system” (Boyle, Smith and Guenther, 2007:255).

Even though the U.S. has not ratified the UN Convention on the Child, the politics relating to children in the U.S. have historical roots in *local* groups organizing and demanding the *child’s best interest*, as observed in the enactment of the child labor laws and anti-poverty and health care programs (Herring, 2006). The argument has been to cater to what is best for the child. However, there are many contradictions among local, national, and international policies in this regard. To underscore this point, Herring (2006:12) notes that “as long as public actors do not actively intervene in children’s lives, the state does not have to do anything to secure their safety or well-being”. Thus, if there is not sufficient pressure from local citizens, the state decides when to intervene. There is a *convergence of interests* that occurs among local, national, and international laws. The U.S. has chosen not to sign the CRC because it employs rhetoric that is seen as undermining parental authority, but U.S. courts are able to decide which rhetoric to use: that which grants more rights to the child, or that which

<sup>9</sup>This may change as the Obama administration in the U.S. is inclined to ratify this convention.

affords more rights to the parents. Hence, although internationally speaking, states should follow the best-interest approach, the question arises, which child is worthy of the best-interest approach? In the case of unaccompanied minors, children's needs and treatment are likely to be bound by the national laws of the receiving (or transit) states due to the children's parentless status at the time of apprehension; thus, their best interest is placed into the hands of immigration authorities, lawyers, and judges who ignore international law in favor of the more immediate national pressures that take center stage in dealing with migrants.

In highlighting the importance of incorporating the experiences of migrant children in more than one national context, we do not mean to homogenize their experiences. Historically, international laws have "universalized" the child, assuming that all children are the same in all locations (López Castro, 2007:257), ignoring the effects that the child's social position can exert. The purpose behind universalizing children is to guarantee that all children are treated equally with respect and dignity. But the fallacy of universalizing (or even homogenizing) children has led to the realization that children can be seen as separate individuals from their parents, and that they, too, possess agency to make changes in their lives and impact their localities. However, children's autonomy is limited to their circumstances, location, the law operating in the particular national context, and hegemonic structures. Thus, for instance, countries such as Spain have adopted laws to practice the *best interest of the child* and have made attempts to locate children's families if these are separated (Durán-Ruiz, 2007; Senovilla Hernández, 2007). The U.S. and Mexico, responding to multiple political pressures, have not implemented such practices, and their bilateral efforts to address these issues have not produced concrete results.

Today, there are three main avenues for unaccompanied migrant minors to remain in the U.S.: obtain asylum as a refugees; be granted special immigrant juvenile (SIJ) status, and through The Victims of Trafficking and Violence Protection Act (Herring, 2006). Victims of trafficking may request a special visa if

they can prove that returning to their home country would pose severe harm to them, a type of relief that is “underused” and “relatively new” (Herring, 2006). The UN Convention states that nation-states adopt a *child-centered* approach for unaccompanied children seeking asylum that is not discriminatory and that considers the child’s welfare first. The law also stipulates that states should provide special

care to children without a family environment, and assist and protect children seeking asylum (both before and after a formal grant of refugee status), to contribute to international efforts to trace family members from whom the child may be separated, and, most importantly, to afford asylum-seeking children the same protections as domestic children deprived of parental care (Bhabha and Schmidt, 2006:34; United Nations, 1989).

The SIJ status is for immigrants who have experienced any form of abuse, neglect, and/or abandonment (including street children) and who would be at risk if they returned to their home country. This process is only granted by immigration officials, who often deny children the opportunity to access the courts; but if children obtain this status, they avoid the difficulties of an asylum process and are granted lawful permanent residence in long-term foster care (Herring, 2006:196).

With regard to human rights, we are dealing with a population whose “rights are already minimized” as “undocumented migrant children” (see Casillas, 2006, 2007). The risks are greater because the children lack the physical strength to defend themselves and the cognitive and psychological development to understand their rights (López Castro, 2007; Piwowarczyk, 2005-2006). These children may undertake the same migration journey as adults, but unlike adult migrants, children are more vulnerable because they lack the support of a caretaker and are therefore more predisposed to exploitation and extortion (Bhabha and Schmidt, 2006; Casillas, 2006; Seugling, 2004; Valdez-Gardea, 2007; Workman, 2004). In addition, lacking the protection of a caretaker can lead children to fall prey to smugglers, human traffickers, and/or to

end up in forced-labor situations or as sexual slaves (Bhabha and Schmidt, 2006; Dalrymple, 2006). As Bustamante (2008) notes, vulnerability exists when one is absent from their power to defend themselves, which increases the further one is from home. These children's vulnerability is demarcated by geographical distance, but also by gender, race/ethnicity, and language ability.

As transmigrants, children migrating alone are often abused by the local police (Casillas, 2006; Seugling, 2004; Valdez-Gardea, 2007), as demonstrated in cases around the world. Central American children suffer abuses as they travel through Mexico and Central America (Casillas, 2006), and in Albania, "children are exploited rather than protected by the police" (Seugling, 2004: 886), where police are known to have collaborated with human traffickers. Other countries, such as Brazil, Colombia, India, Kenya, Egypt, and Sudan, have all been reported by Human Rights Watch as countries that have violated the rights of children through abuse (Seugling, 2004). Furthermore, unaccompanied migrant children also fall prey to vicious bandits and gangs. And in some cases, children are fleeing death threats from gang members, as is the case of 16-year-old Édgar Chocoy of Guatemala, who sought asylum in the U.S. His case was denied, and 17 days after his deportation he was shot in the neck by a gang member on arrival back at home (Dalrymple, 2006). The vulnerability of these children is greater than that of adults due to their age, the lack of protection from family or police, and because as children they are perceived as right-less and defense-less. And children who enter through airports and are then "arrested" for not having proper documentation can be detained for months or even years (Barraza, 2005; Ehrenreich, Tucker and Human Rights Watch Children's Rights Project, 1997; Haddal, 2007). In some cases, children are placed in adult prisons (Bhabha and Schmidt, 2006; Women's Commission for Refugee Women and Children, 2007).

Many of these children qualify for asylum, but due to their dependent status at the time of apprehension, are denied their rights to legal representation. Asylum seekers are usually fleeing political, religious, or national persecution, but those who are

victims of forced labor, forced marriage, conscription, domestic abuse, and street violence and gang violence should also have the right to apply for asylum or for a special immigrant juvenile status (IJS). Bhabha and Schmidt (2006) argue that this argument is in line with a human rights framework; children should be treated as individuals who are the agents of their lives and who deserve to be treated with respect and dignity. And the majority of the children who have opted for migrating alone view this as the sole viable option to remove themselves from their predicament. At the very least, their situations should be heard; however, as we will discuss later, many children never have an opportunity to present their case. In the following section, we address migration processes, including initiation, transit, arrival, and integration, in both Mexico and the U.S.

### *Why, Who, How*

#### *Why migrate?*

Parents, especially mothers, who leave their children behind have to decide who will be responsible for caring for their children. Raijman, Schammah-Gesser and Kemp (2003) find that often, mothers are left with the only option of leaving their children behind in order “to secure a better future for their children.” Children are often left in the care of their grandmothers, other female kin, fathers, and sometimes with paid caregivers (Menjívar and Abrego, 2009). But what happens to the children who stay behind? Some scholars note that there are children who seek migration as a way to reunite with the parent or parents who left them behind (López Castro, 2007; Seugling, 2004; Women’s Refugee Commission and Herrington Orrick & Sutcliffe LLP, 2009; Workman, 2004), while others (Workman, 2004; Seugling, 2004) observe that sometimes children are separated from parents while in transit and arrive in the U.S. alone and lost.

Furthermore, post-September 11, 2001, the security strategies of several nations, particularly those that receive the largest numbers

of immigrants, have changed dramatically. Together with other countries, Mexico and the U.S. have enhanced and strengthened security at all ports of entry, a strategy that has affected migration in several ways. Circular migration has decreased in the past few years, and migrants are now more dispersed throughout the U.S. (Massey, Durand and Malone, 2002). Many are no longer returning home seasonally because it is now more difficult to return, as migration has become more costly financially and physically (Cornelius and Salehyan, 2007; Hagan, Eschbach and Rodriguez, 2008). A question arises regarding the motivation for migration: do the children's need to migrate to reunite with family members in the U.S. cause an increase in the migration of unaccompanied minors?

In Mexico as well as in Central America at present, there are two dominant reasons for adult emigration: employment, and family reunification. Yet reasons for the migration of unaccompanied children have not been examined closely. Reasons for migration among children who have been apprehended include fleeing war or civil unrest, forced recruitment as soldiers, natural disasters displacement, or child labor or sexual slavery (Seugling, 2004:883; Women's Refugee Commission and Herrington Orrick & Sutcliffe LLP, 2009); boys are often recruited to join the military at the early age of 10 years in some developing countries, while conversely, girls are recruited for "sexual slavery and forced labor" (Seugling, 2004:883). These reasons may apply to non-apprehended migrant children in general. Children also become unaccompanied or homeless because they are frequently abandoned or left without their parents and, as a result, can be persecuted by military or police forces in their home country. Bhabha and Schmidt (2006) propose that relief should be granted to unaccompanied children who also experience or are fleeing child marriages, female genital mutilation, forced military services, parental abuse, sexual abuse, street or gang abuse, and children who are smuggled, kidnapped, deceived, or purchased (sometimes under the guise of international adoption). And many of these reasons are never articulated because they are not relevant in courts when a child is seeking

asylum, but are indeed important in understanding this migration, as well as in devising policy to address it.

López Castro (2007), Corredor Bilateral and Save the Children Suecia (2006), Villaseñor and Moreno Mena (2006) and Gallo Campos (2004) have conducted demographic assessments of children who migrate alone.<sup>10</sup> One of their central questions is *why* these children migrate, why do they leave their communities? Results show that children seek migration for reasons not too different from those of adults: for family reunification, and to enter the workforce (Corredor Bilateral and Save the Children Suecia, 2006; López Castro, 2007; Valdez-Gardea, 2007; Villaseñor and Moreno Mena, 2006). It is noteworthy that indigenous children are more likely than non-indigenous children to choose migration for family reunification than for any other reason (Villaseñor and Moreno Mena, 2006). Corredor Bilateral and Save the Children Suecia (2006) conducted a survey in two cities on the Mexico-U.S. border: at the Young Men's Christian Association (YMCA) shelter in Tijuana, Baja California, and at DIF shelters in Nogales, Sonora, during a five-month period from July to December 2005. Among repatriated children in Tijuana, the top reasons for migrating included the following: 42.3 per cent, family reunification; 28.1 per cent, work; 10.13 per cent, education; 5.12 per cent were already residing in the U.S., and 14.35 per cent mentioned other reasons, including to join their spouse/partner, to travel, to have a child, and that a smuggler left them behind.<sup>11</sup> In Nogales, Sonora, 68.2 per cent did not declare a reason, 15.5 per cent noted family reunification, five per cent mentioned to join the workforce, five per cent were already residing in the U.S., and the remainder declared that they were border residents, detained for drug trafficking, did not speak Spanish, left by a smuggler,

<sup>10</sup>The Sistema Nacional para el Desarrollo Integral de la Familia (SNDIF) is a public institution in charge of implementing and accessing social welfare policies in Mexico.

<sup>11</sup>In Tijuana, there were a total of 1 245 repatriated children during the four-month period. However, the data were cleaned, eliminating repeated cases, which left 938 cases for observation. The same took place at the DIF-Sonora and DIF-Nogales, which had 2 179 registered cases prior to data cleaning.

and participated in human trafficking. These two surveys can provide a glimpse into the complexity of reasons for migration: although the majority of children in both locations mentioned family reunification and employment as the main reasons for migration, the distribution of reasons varied greatly between the two locales.

Motivations for migration also vary by nationality as well as by migration type: internal, or international. Central American children have migrated alone due to a combination of motivations that includes to escape the conflict and post-conflict violence that has ravaged their countries for over two decades, as well as to reunite with their parents or parent, usually their mother. Many Mexican children migrate internally to seek employment in northern Mexican states, while others migrate to seek employment in the U.S. The Albergue del Desierto conducted a four-phase study in the periods comprising 1990-1996, 1997-1999, 1999-2000, and 2003-2004 in Baja California among children who were repatriated and unaccompanied. In all phases, the reasons for migration were primordially economic or to seek employment (66.1 *vs.* 19.6 per cent in phase I, and by phase IV, this was 77 *vs.* 10.6 per cent). An additional question asked, which we think it is important to mention, was whether the children had found employment in the U.S.: in the first phase, 60 per cent of respondents worked in agriculture, services, landscaping, and construction. By the second and third phases these figures had dropped to 20 and 3.58 per cent respectively. One explanation for this change is that in the late 1990s, President Clinton signed new child labor laws that restricted children from working (Villaseñor and Moreno Mena, 2006). However, noteworthy, despite the decrease in children not reporting U.S. employment after migrating, children continued to migrate on the assumption that they would secure employment. In addition, it is important to note that many of the children seeking work opportunities already formed part of the workforce in their sending countries prior to migration.

A study by López Castro (2007) among children in a community in Zamora, Michoacán, Mexico, parallels the findings we

noted previously; however, when the authors introduced the age variable, important differences in reasons for migration emerged. Thus, López Castro (2007), Méndez Navarro (2000), and Gallo Campos (2004) distinguish between children who migrate under the age of 12 years and those who migrate at 13 years of age or older. The authors found that children aged under 12 years tend to migrate for family reunification, while children 13 years of age and older migrate for economic reasons (López Castro, 2007). Children who were reunited with parents were usually *mandados a traer*, that is, their parents in the U.S. had requested that the children be brought to them (López Castro, 2007:552).

### *Who Migrates?*

As important as age at migration is, the majority of the existing literature does not identify the specific ages of these children. Moreover, the literature fails to differentiate between migrants supported by parents and/or family members, and whether a child migrates accompanied or alone. This, in part, is due to the definitional entanglements that are exacerbated by multiple agents and agencies, which have differing interests and stakes in defining who is a child (or a minor). Although the migration of unaccompanied children is not a new phenomenon, the U.S. Department of Homeland Security only recently (and since the late 1990s, the Immigration and Naturalization Service [INS]) has documented the number of minors that they apprehend and detained. In Mexico, government officials have recorded an increase in the number of repatriated and detained youth (Casillas, 2009). The Red de Albergues de Tránsito operates 23 shelters along the Mexico-U.S. border, and all collaborate as a *network of shelters*. The number of children in shelters increased from 7 620 in 2001 to 20 130 in 2006. The total number of children in shelters during that five-year period totaled over 70 000; however, this total does not specify whether a child was counted more than once (Programa Interinstitucional de Atención a Menores Fronterizos, 2006). The majority of children who use these shelter services

are Mexicans; only two per cent were non-Mexicans. Nevertheless, these figures are only indicators of the increasing presence of children who migrate alone. And even if relative to adult migrants the proportion of children appears small, it should be noted that shelters and governmental and non-governmental agencies are beginning to take notice of their presence, attention that will likely be reflected in future data.

The U.S. Department of Homeland Security (DHS) has documented an increase in the number of minors who migrate alone to the U.S. and who are categorized as *unaccompanied alien children* (Haddal, 2007; Seugling, 2004). According to the DHS, in 2005 there were 1.3 million immigrant apprehensions, 114 563 of which involved individuals under the age of 17 years. Of those who were apprehended, only 7 787 were detained by the Office of Refugee Resettlement (ORR), and from January to September, 35 078 minors had been deported (Haddal, 2007; Villaseñor and Moreno Mena, 2006). In Mexico, the number of repatriated and deported children also has increased in the last two decades (Villaseñor and Moreno Mena, 2006). The number of *apprehensions* by the U.S. Customs Border Patrol (CPB) is higher for Mexican nationals than for any other group; however, the nationality of those who are *detained* is greater for Central Americans than for Mexicans. This is due to different U.S. policies for the handling of minors of these different nationalities, differences that are being eliminated as of this writing. In 2005, of those who were detained, 82.9 per cent were from Central America (Haddal, 2007).<sup>12</sup> In 2008, the ORR had in their custody 30.8 per cent Hondurans, 27.4 per cent Guatemalans, 23.4 per cent Salvadorans, 10.6 per cent Mexicans, 3.2 Ecuadorians, 0.05 per cent Brazilians, and 2.7 per cent, other; 78 per cent were males and 13 per cent were below the age 14 (Dunn, 2009).

The Red de Albergues de Tránsito para Menores Migrantes y Repatriados publishes annual statistics on unaccompanied mi-

<sup>12</sup>These figures include 31 per cent from El Salvador; 28 per cent from Honduras; 26 per cent from Guatemala; seven per cent from Mexico; one per cent from Brazil, China, Ecuador and Nicaragua, and four per cent, "other" (Haddal, 2007).

nors. The following figures derive from the latest survey in 2006 and reflect the gender composition of this group. Pedraza (1991) notes that throughout Latin America, daughters are less likely and/or are not allowed to migrate alone, and when the desire to migrate is strong, females are required to convince their fathers. According to Davis and Winters (2001), fathers are more likely to resist the migration of their daughters than of their sons. Usually, daughters must “negotiate” their migration with their fathers (Hondagneu-Sotelo, 1994). In 2006, there were a total of 20 130 unaccompanied minors who were counted by the Red de Albergues, of whom 79 per cent were male (16 101) and 21 per cent were female (4 400),<sup>15</sup> a breakdown that parallels general migration trends, in which males predominate. However, the number of females has increased since the early 1990s, when the breakdown between 1990 and July 1996 was 93.7 male *vs.* 6.3 per cent female. One of the main reasons for the difference in gender composition is that even young females tend to take part in domestic work and help care for their siblings (Haddal, 2007; Villaseñor and Moreno Mena, 2006). According to Bhabha and Schmidt (2006), there was a nearly symmetrical breakdown in gender for asylum applications submitted between 1999 and 2003: 57 per cent for males, and 43 per cent for females.

Older children tend to migrate in greater numbers than younger children; however, there are many young children who are migrating at present, but studies fail to note whether a child was caught while in the care of a smuggler or of a family member. In 2006, the breakdown from the Red de Albergues was four per cent for children between the ages of zero and five years, 10 per cent for ages 6-12 years, and 86 per cent of children were aged between 13 and 17 years. The same can be observed with the number of children who were in ORR federal custody in 2006: “79 % were children between the ages of 15 and 18, while 20 % of the children were between birth and 14” (Bhabha and Schmidt, 2006:18).

<sup>15</sup>The areas (Mexican states) included in these figures are Baja California, Coahuila, Chihuahua, Nuevo León, Sonora, and Tamaulipas.

### *Youth and Gangs and Repatriated Circular Migrants*

There is yet another type of unaccompanied minor that includes both males and females: those who are involved in gangs who are at times targeted as being terrorist suspects, as well as those who are not gang members but fit the profile. These minors can be “refugee gang youth,” who may be escaping from gang violence, or minors who may very well be involved in the underground economy, but who are underage (see Narváez Gutiérrez, 2007, for a detailed account of the experiences of Central American youth gangs). Although it is not common practice, there are cases of minors who work in the migration industry and who are involved in human trafficking (Gallo Campos, 2004) and who due to their age are seen as being able to circumvent the law more easily. In addition, there are cases of children who are running away from participating in gang violence, or whose lives have been threatened by gang violence. Unaccompanied migrant children and migrant gang youth (or those perceived as such) are perhaps the most vulnerable population because they “travel through and are interpolated by multiple legal regimens (criminal, immigration, refugee, and human rights law) within and between nation-states” (Zilberg, 2007:61).

In the section in which we discussed reasons for migration, we briefly mentioned some groups of children in Tijuana and Sonora residing at the Mexico-U.S. border who participate in drug or human trafficking. In a recent study, Cordero Lamas (2009) analyzed a survey conducted by the DIF that examines children and the repatriation of circular minors in Ciudad Juárez, Chihuahua.<sup>14</sup> This group includes minors who are between 12 and 17 years of age and who live at the border and actively cross it, and who participate directly or indirectly in human smuggling (Cordero Lamas, 2009). The author notes that this population is largely being ignored because migration is often conceptualized

<sup>14</sup>*Encuesta para el menor repatriado de circuito*, conducted from March to December 2007.

as a linear process, and not a circular one, particularly among children. Hernández Sánchez (2008) states that these children are active participants in their own repatriation, and as such, are involved in complex social networks comprising both the *migration industry* and bilateral institutions (Cordero Lamas, 2009; Hernández Sánchez, 2008). The *migration industry* encompasses several services that are bought and sold to facilitate the activities involved at different stages in migration; these services can be either formal/informal or legal/illegal (Cordero Lamas, 2009).

These children reside at the border and are often victims of structural inequalities; they are, therefore, left to take part in the migration industry as a form of survival. Cordero Lamas (2009) uses several cases to illustrate the manner in which these children begin their migration with intentions of seeking employment, but after several attempts to cross the border, they settle for the trafficking trade. Examples are not gender-specific; the first case portrays a 16-year-old male who was repatriated 10 times in one year, and although in his first two attempts he set out to find employment, he subsequently joined the trafficking industry. Another case is that of a female who is also repatriated 10 times, but who begins to participate in trafficking on her 7<sup>th</sup> attempt to cross the border. These children are the most vulnerable because they place their lives at risk, truncate their development, and must ignore their own well-being. They are also labeled and stigmatized as criminals, which positions them on the very bottom rung of social stratification (Cordero Lamas, 2009). Additionally, the majority of children who participate in this circular repatriation have families to support and live in the most disadvantaged sectors of border cities.

### *How do Individuals Migrate?*

We now shift gears to identify certain substantive areas concerning the theme of unaccompanied minors, which can help us in shaping a research agenda for the future. Scholars have set forth varied theories to understand the *culture of migration* (Cerrutti

and Massey, 2001; Díaz Gómez, 2002). Knowledge that is gained from others who have already migrated is frequently considered a form of social capital that sustains the processes of migration itself. The López Castro (2007) study in Zamora, Michoacán, notes that children, who are principally elementary and middle school students, are socialized about migration at a very early age (see also Mahler, 1999, for similar findings from El Salvador). López Castro (2007) finds that children often learn about migration not only through their family members, but also from classmates at school, friends from the street, and/or from those who have been deported and who have stories to share. These individuals are important actors in the formation of ideas about migration and the imaginary of what life is like in the North. Children often share stories about those who have made the journey and those who have not, creating a space for the *know-how* of migration, which then becomes a reference point that can be accessed at any time (López Castro, 2007:557). Migration becomes part of the identity of many, whether or not the child is the actor involved (López Castro, 2007). As López Castro (2007) observes, there is a *migration habitus* that is formed and reproduced in places where migration may not be an option, but where it is part of the identity formation of many.

The knowledge acquired becomes second nature to the majority, and affects those who are not necessarily involved directly in migration. Indeed, the migration of unaccompanied children is prevalent to such a degree in the community in which López Castro (2007) conducted his study that the return of these actors is expected, and to a certain point, the transnationalization of these youths contributes to the cultural, social, material, and ideological identity of many (López Castro, 2007). That is to say, there is a transnationalization of ideas, concepts, and culture that is in a constant state of flux (see also Levitt and Jaworsky, 2007). In some of the rural areas of Zamora, the migration of unaccompanied children has impacted their communities by decreasing the number of student enrollment in their schools from an average of 35 students to seven; thus, these communities experience

a surplus of teachers. This may very well be an isolated case of how child migration affects a particular community, but it is important to note that these minors are making decisions that have both macro and micro impacts.

*The Journey of an Unaccompanied Immigrant Minor*

Villaseñor and Moreno Mena (2006) report that the most cost-effective way to migrate is by plane because there are too many obstacles during a land journey that end in leaving migrants without funds before they reach the border. The journey for many children varies; some may take a plane from their sending communities and arrive thus at the border. Others take ground transportation, such as a bus or train. However, the arduous part of the journey involves crossing international borders. Smugglers often leave children en route when the children are physically unable to continue. The journey is even more difficult and complicated for children who must cross several international borders, particularly Central Americans, among whom the dangers faced multiply (Casillas, 2006, 2009). On the Mexican side of the Guatemala-Mexico border, as well as Mexican side of the Mexico-U.S. border, there are various institutions and shelters that assist migrants, including children. On the southern Mexican border, several of these are concentrated in Tapachula, Chiapas, and on the northern Mexican border, these are located at major entry ports, including Mexicali, Tijuana, Ciudad Juárez, Agua Prieta, Nogales, Nuevo Laredo, and Matamoros. Some children arrive initially at these shelters; once there, they decide how they will cross the border.

Eschbach *et al.* (1999) describe in detail the harsh experiences that migrants endure on attempting to cross the Mexico-U.S. border, including becoming lost in the desert, dying from dehydration, being bitten by snakes, drowning while crossing the river, and being robbed, beaten, or raped by criminals (Eschbach *et al.*, 1999). But such dangers are not found only at the northern Mexican border. There are harsh and life-threatening dangers that

migrants, particularly Central Americans, experience while crossing through Mexico, similar to those that Mexicans experience on attempting to cross the Mexico-U.S. border (Eschbach *et al.*, 1999; Gaucin, 2005; Hagan and Ebaugh, 2003; Liu, 2002; Menjívar, 2000; Singer and Massey, 1998). Central Americans who migrate through Mexico frequently encounter extortion as they cross the Mexico-Guatemala border and throughout Mexican territory, and often are left to use the train as a means for transportation (Casillas, 2006, 2007; Gaucin, 2005). Indeed, in her study of Hondurans, Sládková (2007) found that it is the most impoverished Hondurans, those who either begin their migration with little money or who lose it all along the way, who rely on the *beast*, as the train that the Central American migrants take is called, as the main mode of transportation to cross Mexico. The experiences on the train are tragic, as many hop on the train and ride the rails under the trains' boxcars, practices that often result in death or in migrants losing a limb/s (Gaucin, 2005; Sládková, 2007).

Menjívar (2000) discusses both the brutal experiences that Central American women face during the journey through Mexico, as well as the forms of assistance that these migrants receive throughout their journey. Cerrutti and Massey (2001) note that women are less likely to migrate alone; women who migrate alone are often more exposed to dangers and vulnerabilities than men. Massey *et al.* (1993) and Menjívar (2000) report that migrants, both women and men, often avoid such dangers by relying on informal social networks, but frequently this is not sufficient (Menjívar, 2000). Unaccompanied migrant children, on the other hand, are more vulnerable than adults because they lack the protection of a caregiver (Bhabha, 2000; Seugling, 2004; Workman, 2004), do not usually have access to well-developed networks of information, and are seen as dependents and powerless.

### *Bilateral Institutions*

There are at least five bilateral institutions through which unaccompanied migrant minors must go in both Mexico and the

U.S. throughout the course of being apprehended and repatriated (Gallo Campos, 2004). In addition, the detention and apprehension of an unaccompanied child can involve up to 15 different federal agencies (Thompson, 2008). In this section, we describe some of these institutions in the U.S. and then those in Mexico, to provide a picture of the cumbersome bureaucratic steps through which these children navigate. Unaccompanied children can be detained by either the U.S. Customs and Border Patrol (CBP), the U.S. Coast Guard, or Immigration and Customs Enforcement (ICE)<sup>15</sup> during their attempts to cross the border, on being in transit, or in the interior of the country (Byrne, 2008; Dalrymple, 2006). After being detained, children are placed in a detention center under the custody of the DHS, which determines whether a child is under the age of 18 years and unaccompanied.<sup>16</sup> If a child meets these criteria, s/he is transferred to the Office of Refugee and Resettlement (ORR); otherwise, they remain in custody of the DHS. Age is often verified through birth certificates, testimonies, or forensic tests such as dental, wrist, or bone x-rays (Byrne, 2008; Nugent, 2005-2006; Smythe, 2004). These types of age verification have been criticized by medical experts, and it is believed that information obtained by means of these tests results in the misclassification of children as adults in detention facilities (Byrne, 2008:18; Nugent, 2005-2006; Smythe, 2004).

U.S. immigration agencies have undergone several structural and organizational changes over the past 20 years that have directly affected unaccompanied minors. From 1987 to the mid 1990s, the former Immigration and Naturalization Service (INS) and the Community Relations Service (CRS) agency shared the responsibility for the care for unaccompanied minors (Byrne, 2008). However, due to budget cuts, the INS/ICE was left alone to handle

<sup>15</sup>These three agencies are all subsidiaries of the Department of Homeland Security (DHS).

<sup>16</sup>A child is considered unaccompanied if they meet the following definition established by the DHS: "a child who has no lawful immigration status in the United States; has not attained 18 years of age; and with respect to whom there is no parent or legal guardian in the United States; or no parent or legal guardian in the United States is available to provide care and physical custody" (Haddal, 2007).

both the enforcement of the law (and the prosecution of same) and the care giving of the children at the same time (Workman, 2004), a dual role that has eliminated any confidentiality that the child could have (Ehrenreich, Tucker and Human Rights Watch Children's Rights Project, 1997). In addition, it was found that children did not have access to legal counsel, and the majority were not aware of their rights; they were even less knowledgeable of the U.S. legal system or of the English language (Dalrymple, 2006).

A survey of current scholarship on unaccompanied minors in the U.S. shows that in the past 10 years, many problems were encountered concerning the manner in which detention centers staff and immigration agents treated unaccompanied minors (Bhabha and Schmidt, 2006; Byrne, 2008; Ehrenreich, Tucker and Human Rights Watch Children's Rights Project, 1997; Office of Inspector General, 2005; Smythe, 2004). An important study conducted by Ehrenreich, Tucker and Human Rights Watch Children's Rights Project (1997) revealed that even prior to the tightening of laws after 2001, children were kept in "inhumane" and "prison-like conditions" for extended periods. Examples of degrading treatment that unaccompanied minors experienced range from being held with juvenile criminal offenders, not being informed of their rights, inaccessibility to legal counsel, wearing prison-like uniforms, and being subjected to shackling or handcuffing, while others were not allowed to have contact with their families (Bhabha and Schmidt, 2006; Ehrenreich, Tucker and Human Rights Watch Children's Rights Project, 1997; Women's Commission for Refugee Women and Children, 2007). Conditions under the former INS "were inhumane and inappropriate for children" (Byrne, 2008:19), and similar studies by Amnesty International (2003), by the Women's Commission for Refugee and Children (2007), and a study commissioned by the Department of Homeland Security (Office of Inspector General, 2005) all reached similar findings (Bhabha and Schmidt, 2006).

Since the former INS was charged with the role of arresting, deporting, imprisoning, but also caring for and protecting the legal rights of unaccompanied minors, "human rights organiza-

tions, religious groups, and political leaders” lobbied for a non-INS organization to assume and investigate the “best interest of the child” (Byrne, 2008:22), which would also address the contradictory functions of the former INS. After September 11, 2001, Congress passed the Homeland Security Act (HSA) of 2002 and created the Department of Homeland Security (DHS), changes that led to the reorganization of the INS into three divisions: Citizenship and Immigration Services (CIS); Immigration and Customs Enforcement (ICE), and Customs and Border Protection (CBP). These divisions currently engage in the role of arresting, deporting, and imprisoning, but are no longer the “caretakers” of unaccompanied migrant children. Thus, in 2003, HSA transferred the custody of unaccompanied alien children to the Administration for Children and Families (ACF) Office of Refugee and Resettlement (ORR), a division within the Department of Health and Human Services (HHS) (Levinson, 2008; Women’s Refugee Commission and Herrington Orrik & Sutcliffe LLP, 2009:7). The ORR then created the Division of Unaccompanied Children’s Services (DUCS), whose goal is to move away from the previous INS criminal justice culture toward a greater social services approach (Women’s Refugee Commission and Herrington Orrik & Sutcliffe LLP, 2009). As of May 2009, there were more than 41 ORR facilities in 10 different U.S. states.

The DHS acts as a “gatekeeper” to determine who is sent to an ORR facility or who remains in an adult detention center (Nugent, 2005-2006). For the most part, the ORR has attempted to fulfill the recommendation under the Flores Agreement.<sup>17</sup> Byrne (2008) notes that there has been improvement since ORR took over in 2003; in the main, children are housed in secure facilities, have access to educational and health treatment, and the amount of their time spent in detention has been reduced substantially. One irregularity that remains in place is the violation of confidential-

<sup>17</sup>The Flores Settlement resulted from the Flores *vs.* Reno lawsuit by the former INS, which stipulated that unaccompanied minors would be in “less restrictive environments” and should be transferred from DHS to DUCS custody within 72 hours, among other recommendations.

ity (Women's Refugee Commission and Herrington Orrick & Sutcliffe LLP, 2009). Byrne (2008) finds that immigration prosecutors may at times have access to some of the files under the ORR that contain sensitive information. In addition to Byrne's findings, a recent Women's Refugee Commission's and Herrington Orrick & Sutcliffe LLP (2009) report adds that children are often inappropriately retained in custody, unaccompanied children are not transferred within 72 hours, and DUCS increasingly places children in prison-like settings where they remain without access to legal representation. A recent effort to address these irregularities is found in the passing of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA), which was signed by President Bush on December 23, 2008. This Act requires the enhancement of further services, protection, and care (Dunn, 2009).

Studies conducted in Mexico fill some of the gaps identified in the U.S. studies. The repatriation process includes the collaboration of four institutions: U.S. immigration authorities; the Mexican Consulate; the Mexican agency that controls immigration—the National Institute for Migration (Instituto Nacional de Migración, INM)—, and the National System for the Integral Family Development (Sistema Nacional para el Desarrollo Integral de la Familia, SNDIF) (Gallo Campos, 2004). In 1996, the United Nations International Children's Fund (UNICEF), the INM, and the DIF collaborated to establish a program denominated Atención a Menores Fronterizos o Repatriados, whose purpose was to reduce the risks that children in vulnerable situations encounter, whether the child was found at the northern or southern border. One of its objectives is to establish a bilateral agreement with the U.S. that would ensure that the repatriation process for minors would respect children's human rights and provide a secure and safe return to the child's country of origin and family integration (Gallo Campos, 2004). Another of the INM functions is to collect data on all of the children involved, including unaccompanied, separated, or local border children. Children who are unaccompanied are usually channeled to one of the local shelters, part of the Red de Albergues, or the DIF.

Part of the repatriation process includes notification by U.S. immigration authorities (the DHS) to the Mexican immigration authority (INM) concerning the number of children that it will repatriate, provision of the general demographics of each child, and reporting on the time and place of repatriation. The children are then placed in the hands of the Mexican Consulate; however, there have been cases of children who are repatriated without any Mexican government agency being contacted.<sup>18</sup> The Mexican Consulate then channels the children to INM facilities, where they are interviewed and inspected to ensure that they exhibit no physical abuse or health problems. When the INM finishes the processing, the child is then sent to one of the shelters if she/he is unaccompanied; otherwise, the parents are notified. Local children who are 14 years of age and over are given the option to leave voluntarily. In the case of an unaccompanied minor, there is an attempt to locate family members once the child is in the care of a shelter. Here we would like to underscore the dearth of data sources pertaining to unaccompanied minors. These are limited to data that are collected by the INM and the Red de Albergues for Mexico; for the U.S., these data come from Border Patrol statistics on apprehensions, and include information on detainees from the ORR as well.

As a final note, not all bilateral agreements are followed in either country. The U.S. fails to abide by the repatriation schedule (the schedule for repatriation should be between 8:00 a.m. to 3:00 p.m.); only two of 11 cities follow this schedule (Gallo Campos, 2004). Similar to what occurs in the U.S., there are also confidentiality violations within Mexico's INM and the Red de Albergues, where information on the children can be accessed by outside sources.

### *Separation and Trauma*

Gallo Campos (2004) conducted an evaluation of the inter-institutional Mexican agencies that deal with unaccompanied minors

<sup>18</sup>Children may be repatriated at the time of interception and may be voluntarily returned to Mexico, but sometimes children are returned during the hours when the Consulate is unavailable.

in 11 border cities. She found that at times, children who migrate accompanied are separated from parents or family members at the time of apprehension; they are then repatriated to different localities, leaving the youth unaware of their parents' whereabouts. During their time in the care of the DIF, many of these children are unable to locate family members and do not know how to begin to find them, which makes them anxious and worried. Consequently, the stress of being separated leads many of these children to migrate once again, in the hope of locating their parents.

The Gallo Campos (2004) study also found that at that time, children were also being housed in detention centers with adults. This can take place if at the time of apprehension, all who are detained are placed under DHS custody; children are transferred to ORR facilities or repatriated only when age is determined. As it occurs in the U.S., at times detention centers in Mexico do not have sufficient capacity to house all the detainees, and sometimes the INM also lacks space for repatriated youth. Furthermore, Gallo Campos (2004) found that not all agencies were working toward family integration; in fact, only five of the 11 cities surveyed participated in programs to aid unaccompanied migrant children in locating their parents, and no shelter verified the safe arrival of these children once they were returned to their communities. Furthermore, two shelters were reported to have required the youth to work to save funds for their return home. To date, there are several studies that document these and similar irregularities in detention centers, during the repatriation process, and the manner in which immigration agents work with youth (Bhabha and Schmidt, 2006; Brane, Women's Commission for Refugee Women and Children and Butera, 2007; Dunn, 2009; Levinson, 2008; Thompson, 2008; Women's Refugee Commission and Herrington Orrik & Sutcliffe LLP, 2009).

Similar to the U.S. and other immigrant-receiving countries, Mexico does not recognize family abuse as a motive for migration. Thus, in efforts to fulfill the mandate of family reunification, many children are returned to the communities and families

from which sometimes they initially fled, which may place the children at risk of further harm or abuse. Another dilemma that several institutions in charge of handling unaccompanied migrant children face is the increased migration of indigenous populations. Many caseworkers on both sides of the border are ill-equipped to communicate with these children in their native languages; the situation of this subgroup of children is not always understood, and their family members are often more difficult to locate (Villaseñor and Moreno Mena, 2006). But in early 2009, high-ranking Mexican diplomats signed an agreement with the U.S. government to ensure “safety measures for the removal of women, children and those with disabilities” (Solís, 2009).

It seems prudent to explore the children’s perspective in order for the system to cater to their actual needs and effectively implement policies that can help them, rather than to continue to alienate them or dismiss their rights. Nevertheless, few studies have made this objective a central aim, and only some mention the emotional stress that children experience as they are detained. These studies, although commendable in other ways, lack concrete examples and the empirical research necessary to untangle the complexities encountered in the multiple dimensions of the minors’ experience (Piwowarczyk, 2005-2006).

Piwowarczyk’s (2005-2006) literature review on the mental health impact of immigration detention centers on children based on what has been written on both detained adults and children provides a glimpse into this important aspect of the experiences of unaccompanied migrant children. Piwowarczyk points out that anyone in detention experiences some form of stress or psychological disorder. She advocates for the child’s welfare, and discusses five factors that require consideration when working with children: their developmental stage; the amount of trauma exposure; the lack of parental or guardian support (specifically, children should not be separated from their parents); the need for physical, medical, and psychiatric evaluations, and finally, children should be granted the same care offered to unaccompanied refugees. The psychological trauma of many children is visible through their

anxiety and fear. Thus, displaying signs of “apathy, depression, and feelings of hopelessness and worthlessness” (Bhabha and Schmidt, 2006:87) often leads children to abandon their asylum cases, and a lack of guidance forces many to relinquish their potential case (Bhabha and Schmidt, 2006). Age at separation from parents is critical to note as well. Ressler, Boothby, and Steinbock (1988) distinguish the effects that separation can have on toddlers, children under five years of age, school-age children, and adolescents. School-age children and adolescents can experience depression, can become moody, can withdraw from caretaker or peers, can become more aggressive, and/or can develop frequent psychosomatic problems such as headaches or stomachaches. There is yet to be an empirical study that assesses the psychological effects of unaccompanied minors while they maneuver detention, deportation, repatriation, and separation from the parent(s) or family members, or after leaving the shelters.

### *Concluding Remarks*

We have identified common elements present in the literature on unaccompanied minors that are unique to their situation—that is, a general failure to comply with “best practices in the interest of the child” and irregularities reported in the treatment of (mainly) unaccompanied Mexican and Central American migrant children both in Mexico and the U.S. Although there are bilateral efforts on the part of the U.S. and Mexico to serve this population more effectively, additional efforts are needed in order to implement international treaties that protect the rights of these children. We wish to note an important constraint in our endeavor in this article. Given that our objective was to map the literature and knowledge that exists on this topic, and that this literature is based on the experiences of (principally) Mexican children in the U.S. and both Mexican and Central American children in Mexico, we were confined to these findings. However, there are trends (in the number of deportees) that indicate an increase in the number of minors, as well as minors from other nationalities, who are

migrating alone. Their experiences merit further investigation; not only are children of other nationalities required to traverse multiple national borders to reach the U.S., but the conditions of their migration might differ substantially. As such, their experiences may generate outcomes that open new avenues for research and policy suggestions. Although we were unable to expand on comparisons with the situation of unaccompanied migrant children to other immigrant-receiving countries, it is noteworthy that such comparative efforts are key in shedding light on some of the most important components of the minors' experiences of migrating alone. Efforts to reach an agreed-upon definition of the population under study in the different contexts where migrant children arrive alone are indicative of the immense benefit that a comparative lens offers.

Therefore, far from exhausting the discussion, we hope that our efforts here will stimulate further research on this topic. As we have shown, unaccompanied migrant children come from diverse populations and have different projects and objectives in reaching the U.S. Whether it is family reunification or the promise of employment, like adult migrants, children turn to migration as an option to extricate themselves from their predicament. Examining their experiences from a perspective that crosses borders provides important insights into the complexities of their migration. In this mapping, we have barely touched the surface in providing a general, although incomplete, overview of the children's institutional experiences as they initiate their migration, undertake the journey, and arrive at their destination. This overview has noted a few of the components about which we know little or nothing, such as the need to understand the children's psychological well-being, which is not independent of their social and economic situation throughout the process of migration. There is a vast vacuum of reliable and consistent data sources regarding the number of children who reach their destination, who is waiting for them, and family integration programs that verify whether the children reach their destination safely. Importantly, there needs to be bilateral communication on the institutional systems that track these children's

experiences, so that policies and programs can truly address the best interest of the child in a dignified, respectful fashion.

### References

- Amnesty International USA (2003), "Why Am I Here? United States of America, Unaccompanied Children in Immigration Detention," *New York, Amnesty International USA*. Available at <[http://www.amnestyusa.org/refugee/pdfs/children\\_detention.pdf](http://www.amnestyusa.org/refugee/pdfs/children_detention.pdf)> (last accessed on July 1, 2008).
- Ávila, José Luis, Carlos Fuentes and Rodolfo Tuirán (2000), "Migración temporal de adolescentes y jóvenes, 1993-1997," in Rodolfo Tuirán (ed.), *Migración México-Estados Unidos: Continuidad y cambio*, Mexico, Consejo Nacional de Población, pp. 175-185.
- Barraza, Javier (2005), "Violation of the Rights of Unaccompanied Immigrant Children in the United States and the Need for Appointed Counsel," *Children's Legal Rights Journal*, vol. 25, pp. 24-44.
- Bhabha, Jacqueline (2000), "Lone Travelers: Rights, Criminalization, and the Transnational Migration of Unaccompanied Children," *University of Chicago Law School Roundtable*, vol. 7, pp. 269-294.
- Bhabha, Jacqueline and Susan Schmidt (2006), *Seeking Asylum Alone: Unaccompanied and Separated Children and Refugee Protection in the U.S.*, Cambridge, Massachusetts, USA, The Harvard University Committee on Human Rights Studies.
- Boyle, Elizabeth Heger, Trina Smith and Katja Guenther (2007), "The Rise of the Child as an Individual in Global Society," in Sudhir Alladi Venkatesh and Ronald Kassimir (eds.), *Youth, Globalization, and the Law*, Stanford, California, USA, Stanford University Press, pp. 255-283.
- Brane, Michelle, Women's Commission for Refugee Women and Children and Emily Butera (2007), "Locking up Family Values: The Detention of Immigrant Families," Baltimore, Maryland, USA, *Women's Commission for Refugee Women and*

- Children Lutheran Immigration and Refugee Service*. Available at <<http://www.womenscommission.org/pdf/famdeten.pdf>> (last accessed on July 1, 2008).
- Bustamante, Jorge (2008), "Políticas de seguridad y derechos humanos," conferencia, Primer Taller de Migración y Desarrollo Orientado a la Formación de Jóvenes Investigadores y Docentes, Tijuana, B. C., Mexico, El Colegio de la Frontera Norte, 16 de junio al 18 de julio.
- Byrne, Olga (2008), "Unaccompanied Children in the United States: A Literature Review," New York, USA, *Vera Institute of Justice*. Available at <[http://www.vera.org/publication\\_pdf/478\\_884.pdf](http://www.vera.org/publication_pdf/478_884.pdf)> (last accessed on July 1, 2008).
- Casillas, Rodolfo R. (2006), *La trata de mujeres, adolescentes, niñas y niños en México: Un estudio exploratorio en Tapachula, Chiapas*, Mexico, Comisión Interamericana de Mujeres/Organización de Estados Americanos/Organización Internacional para las Migraciones/Instituto Nacional de las Mujeres/Instituto Nacional de Migración.
- Casillas, Rodolfo R. (2009), "Presencia toleradas: Niñas y niños en la frontera sur de México," *Niñez migrante, trata y explotación infantil en México. Temas emergentes en la agenda nacional*, México, D. F., Comisión Nacional de los Derechos Humanos/UNICEF, pp. 87-105.
- Casillas, Rodolfo R. (2007), *Una vida discreta, fugaz y anónima: Los centroamericanos transmigrantes en México*, Mexico, D. F., Comisión Nacional de los Derechos Humanos/Organización Internacional para las Migraciones.
- Cerrutti, Marcela and Douglas S. Massey (2001), "On the Auspices of Female Migration from Mexico to the United States," *Demography*, vol. 38, num. 2, pp. 187-200.
- Cordero Lamas, Sergio (2009), "La industria de la migración: El caso de los adolescentes repatriados de circuito por Ciudad Juárez, Chihuahua, 2006-2008," master thesis in Public Policy, Ciudad Juárez, Mexico, Universidad Autónoma de Ciudad Juárez.
- Cornelius, Wayne A. and Idean Salehyan (2007), "Does Border Enforcement Deter Unauthorized Immigration? The Case of

- Mexican Migration to the United States of America,” *Regulation & Governance*, vol. 1, num. 2, pp. 139-153.
- Corredor Bilateral and Save the Children Suecia (2006), *Caracterización de la niñez migrante en la frontera norte de México*, Tijuana, B. C., Mexico, Save the Children Suecia/Corredor Bilateral.
- Dalrymple, Joyce Koo (2006), “Seeking Asylum Alone: Using the Best Interests of the Child Principle to Protect Unaccompanied Minors,” *Boston College Third World Law Journal*, vol. 26, num. 1, pp. 131-168.
- Davis, Benjamin and Paul Winters (2001), “Gender, Networks and Mexico-US Migration,” *The Journal of Development Studies*, vol. 38, num. 2, pp. 1-26.
- Díaz Gómez, Leticia (2002), “Siguiendo los pasos hacia Estados Unidos. Interacción infantil con videos, cartas y fotografías,” in María Eugenia Anguiano Téllez and Miguel J. Hernández Madrid (eds.), *Migración internacional e identidades cambiantes*, Zamora, Michoacán/Tijuana, B. C., Mexico, El Colegio de Michoacán/El Colegio de la Frontera Norte, pp. 229-250.
- Dunn, M. (2009). Unaccompanied Children’s Services *Administration for Children and Families Office of Refugee Resettlement*. Available at <[http://www.acf.hhs.gov/programs/orr/programs/unaccompanied\\_alien\\_children.htm](http://www.acf.hhs.gov/programs/orr/programs/unaccompanied_alien_children.htm)> (last accessed on May 7, 2009).
- Durán-Ruiz, Francisco Javier (2007), “Las administraciones públicas ante los menores extranjeros no acompañados: Entre la represión y la protección,” *Revista Electrónica de la Facultad de Derecho de la Universidad de Granada*, Granada, Spain, Tirant lo Blanch/Editorial Universidad de Granada, Available at <<http://www.refdugr.com/documentos/articulos/4.pdf>> (last accessed on July 1, 2008).
- Durand, Jorge, Douglas S. Massey and Chiara Capoferro (2005), “The New Geography of Mexican Immigration,” in Víctor Zúñiga and Rubén Hernández-León (eds.), *New Destinations: Mexican Immigration in the United States*, New York, USA, Russell Sage Foundation, pp. 1-22.

- Ehrenreich, Rosa, Lee Tucker and Human Rights Watch Children's Rights Project (1997), *Slipping through the Cracks: Unaccompanied Children Detained by the U.S. Immigration and Naturalization Service*, New York, NY, USA, Human Rights Watch.
- Eschbach, Karl *et al.* (1999), "Death at the Border," *International Migration Review*, vol. 3, num. 3, pp. 430-454.
- Espiritu, Yen Le, *Home Bound: Filipino American Lives Across Cultures, Communities, and Countries*, Berkeley/London, University of California Press, 2003.
- Gallo Campos, Karla Iréndira (2004), "Niñez migrante en la frontera norte: Legislación y procesos," Mexico, *UNICEF/Sistema Nacional DIF*. Available at <[http://www.unicef.org/mexico/spanish/mx\\_resources\\_publicacion\\_ninos\\_migrantes.pdf](http://www.unicef.org/mexico/spanish/mx_resources_publicacion_ninos_migrantes.pdf)> (last accessed on May 7, 2009).
- Gaucin, Edgar (2005), "Dangerous Crossing: Undocumented Migration Across the Mexican-Guatemalan Border," dissertation master of arts, Houston, Texas, USA, University of Houston.
- Haddal, Chad C. (2007), "Unaccompanied Alien Children: Policies and Issues," CRS Report for Congress, *Congressional Research Service*. Available at <<http://trac.syr.edu/immigration/library/P1642.pdf>> (last accessed on July 1, 2008).
- Hagan, Jacqueline and Helen Rose Ebaugh (2003), "Calling Upon the Sacred: Migrants Use of Religion in the Migration Process," *International Migration Review*, vol. 37, num. 4, pp. 1145-1162.
- Hagan, Jacqueline, Karl Eschbach and Nestor Rodriguez (2008), "U.S. Deportation Policy, Family Separation, and Circular Migration," *International Migration Review*, vol. 42, num. 1, pp. 64-88.
- Hernández Sánchez, María Eugenia (2008), *Niños deportados en la frontera de Ciudad Juárez*, Chihuahua, Mexico, Instituto Nacional de Antropología e Historia/Escuela Nacional de Antropología e Historia at Chihuahua.
- Herring, David J. (2006), *Everyday Law for Children*, Boulder, Colorado, USA, Paradigm Publishers.

- Hondagneu-Sotelo, Pierrette (1994), *Gendered Transitions: Mexican Experiences of Immigration*, Berkeley, California, USA, University of California Press.
- Huemer, Julia, Niranjana Karnik and Hans Steiner (2009), "Unaccompanied Refugee Children," *The Lancet*, vol. 373, num. 9664, pp. 612-614.
- Levinson, Daniel R. (2008), "Division of Unaccompanied Children's Services: Efforts to Serve Children," Washington, D. C., USA, Department of Health and Human Services: Office of Inspector General. Available at <<http://oig.hhs.gov/oei/reports/oei-07-06-00290.pdf>> (last accessed on July 1, 2008).
- Levitt, Peggy and B. Nadya Jaworsky (2007), "Transnational Migration Studies: Past Developments and Future Trends," *Annual Review of Sociology*, vol. 33, pp. 129-156.
- Levitt, Peggy and Mary C. Waters (2002), *The Changing Face of Home: The Transnational Lives of the Second Generation*, New York, NY, USA, Russell Sage Foundation.
- Liu, Gan (2002), "Dangers on the Journey: Physical and Social Problems Experienced by Undocumented Migrants," dissertation master thesis, Houston, Texas, USA, University of Houston.
- López Castro, Gustavo (2007), "Niños, socialización y migración a Estados Unidos," in Marina Ariza and Alejandro Portés (eds.), *El país transnacional: Migración mexicana y cambio social a través de la frontera*, Mexico, Universidad Nacional Autónoma de México/Instituto de Investigaciones Sociales, pp. 545-570.
- Mahler, Sarah J. (1999), "Engendering Transnational Migration: A Case Study of Salvadorans," *American Behavioral Scientist*, vol. 42, num. 4, pp. 690-719.
- Massey, Douglas S. et al. (1993), "Theories of International Migration: A Review and Appraisal," *Population and Development Review*, vol. 19, num. 3, pp. 431-466.
- Massey, Douglas S., Jorge Durand and Nolan J. Malone (2002), *Beyond Smoke and Mirrors: Mexican Immigration in an Era of Economic Integration*, New York, USA, Russell Sage Foundation.
- Méndez Navarro, Jimena (2000), "Presencia de menores en la migración internacional: Un estudio exploratorio del perfil socio-

- demográfico de los menores repatriados por la Cd. de Tijuana 1999,” master thesis, San Antonio del Mar, B. C., Mexico, El Colegio de la Frontera Norte.
- Menjívar, Cecilia (2000), *Fragmented Ties: Salvadoran Immigrant Networks in America*, Berkeley, California, USA, University of California Press.
- Menjívar, Cecilia and Leisy Abrego (2009), “Parents and Children Across Borders: Legal Instability and Intergenerational Relations in Guatemalan and Salvadoran Families,” in Nancy Foner (ed.), *Across Generations: Immigrant Families in America*, New York, NY, USA, New York University Press, pp. 160-189.
- Muncie, John (2007), “Youth Justice and the Governance of Young People: Global, International, National, and Local Contexts,” in Sudhir Alladi Venkatesh and Ronald Kassimir (eds.), *Youth, Globalization, and the Law*, Stanford, California, USA, Stanford University Press, pp. 17-56.
- Narváez Gutiérrez, Juan Carlos (2007), *Ruta transnacional: A San Salvador por Los Ángeles: Espacios de interacción juvenil en un contexto migratorio*, Mexico, Universidad Autónoma de Zacatecas/ Instituto Mexicano de la Juventud/Miguel Ángel Porrúa.
- Nugent, Christopher (2005-2006), “Whose Children Are These—Towards Ensuring the Best Interests and Empowerment of Unaccompanied Alien Children,” *Boston University Public International Law Journal*, vol. 15, pp. 219-235.
- Office of Inspector General (2005), “A Review of DHS’ Responsibilities for Juvenile Aliens. Office of Inspections and Special Review,” Washington, D. C., USA, Office of Inspections and Special Review/Department of Homeland Security Office of Inspector General, September.
- Passel, Jeffrey S. (2005), “Estimates of the Size and Characteristics of the Undocumented Population,” report, Washington, D. C., USA, *Pew Hispanic Center*. Available at <<http://pewhispanic.org/reports>> (last accessed on July1, 2008).
- Pedraza, Silvia (1991), “Women and Migration: The Social Consequences of Gender,” *Annual Review of Sociology*, vol. 17, num. 1, pp. 303-326.

- Piwowarczyk, Linda A. (2005-2006), "Our Responsibility to Unaccompanied and Separated Children in the United States: A Helping Hand," *Boston University Public Interest Law Journal*, vol. 15, pp. 263-296.
- Programa Interinstitucional de Atención a Menores Fronterizos (2006), *Anuario estadístico 2006*, Mexico, Programas Sectoriales y Regionales/Dirección General de Protección a la Infancia.
- Raijman, Rebeca, Silvina Schammah-Gesser and Adriana Kemp (2003), "International Migration, Domestic Work, and Care Work. Undocumented Latina Migrants in Israel," *Gender & Society*, vol. 17, num. 5, pp. 727-749.
- Ressler, Everett, Neil Boothby and Daniel J. Steinbock (1988), *Unaccompanied Children: Care and Protection in Wars, Natural Disasters, and Refugee Movements*, New York, NY, USA, Oxford University Press.
- Senovilla Hernández, Daniel (2007), *Un estudio comparado de 6 países: Alemania, Bélgica, España, Francia, Italia y Reino Unido*, Brussels, Belgium, International Juvenile Justice Observatory.
- Seugling, Carolyn J. (2004), "Toward a Comprehensive Response to the Transnational Migration of Unaccompanied Minors in the United States," *Vanderbilt Journal Transnational Law*, vol. 37, pp. 861-895.
- Singer, Audrey and Douglas S. Massey (1998), "The Social Process of Undocumented Border Crossing Among Mexican Migrants," *International Migration Review*, vol. 32, num. 3, pp. 561-592.
- Sládková, Jana (2007), "Documenting the Undocumented Journeys of Honduran Migrants to the United States," dissertation thesis, psychology, New York, NY, USA, The City University of New York.
- Smythe, Jennifer Alexis (2004), "'I Came to the United States and All I Got Was this Orange Jumpsuit' Age Determination Authority of Unaccompanied Alien Children and the Demand for Legislative Reform," *Children's Legal Rights Journal*, vol. 24, pp. 28-41.
- Solis, Dianne (2009), "Deportation Pacts between U.S., Mexican Envoys Focus on Safety of Women, Children, Disabled," Dallas,

- Texas, USA, *Dallas Morning News*. Available at <[http://www.dallasnews.com/sharedcontent/dws/news/localnews/crime/stories/DN-deport\\_07met.ART.State.Edition1.4c0e810.html](http://www.dallasnews.com/sharedcontent/dws/news/localnews/crime/stories/DN-deport_07met.ART.State.Edition1.4c0e810.html)> (last accessed on February 7, 2009).
- Suárez Navaz, Liliana (2006), "Un Nuevo Actor Migratorio: Jóvenes, Rutas, y Ritos Juveniles Transnacionales," in Francisco Checa y Olmos, Juan Carlos Checa y Ángeles Arjona Garrido (eds.), *Menores tras la frontera: Otra inmigración que aguarda*, Spain, Icaria, pp. 17-50.
- Suárez-Orozco, Carola and Irina L. G. Todorova (2003), "The Social Worlds of Immigrant Youth," *New Directions for Youth Development*, num. 100, Winter, pp. 15-24.
- Suárez-Orozco, Carola and Marcelo M. Suárez-Orozco (2001), *Children of Immigration. The Developing Child*, Cambridge, Massachusetts, USA, Harvard University Press.
- Thompson, Amy (2008) "A Child Alone and Without Papers: A Report on the Return and Repatriation of Unaccompanied Undocumented Children by the United States," Austin, Texas, USA, *Center for Public Policy Priorities*, 2008. Available at <<http://www.cppp.org/repatriation/A%20Child%20Alone%20and%20Without%20Papers.pdf>> (last accessed on July 1, 2008).
- United Nations, *Convention on the Rights of a Child* (1989), adopted by the United Nations General Assembly, United Nations, November 20, 1989, entry into force September 2, 1990. Available at <[www.unhcr.ch/html/menu3/b/k2crc.htm](http://www.unhcr.ch/html/menu3/b/k2crc.htm)> (last accessed on July 1, 2008).
- Valdez-Gardea, G. C. (2007), "Geografías rurales olvidadas: Menores migrantes en tránsito por el corredor Altar-El Sásabe, expresión moderna del proceso globalizador. Primer acercamiento," in E. Méndez (ed.), *Arquitecturas de la globalización*, Hermosillo, Sonora, Mexico, Mora-Cantúa Editores, pp. 177-186.
- Villaseñor, Blanca and José Ascensión Moreno Mena (coords.), (2006), *La esperanza truncada: Menores deportados por la garita Mexicali-Calexico*, Mexicali, B. C., Albergue del Desierto/Centro de Reintegración Familiar de Menores Migrantes.

- Waters, Mary C. (1999), *Black Identities: West Indian Immigrant Dreams and American Realities*, New York, NY/Cambridge, Massachusetts, USA, Russell Sage Foundation/Harvard University Press.
- Women's Commission for Refugee Women and Children (2007), "Locking up Family Values: The Detention of Immigrant Families," Baltimore, Maryland, USA, *Women's Commission for Refugee Women and Children Lutheran Immigration and Refugee Service*. Available at <[www.lirs.org](http://www.lirs.org)> (last accessed on July 1, 2008).
- Women's Refugee Commission and Herrington Orrik & Sutcliffe LLP (2009), "Halfway Home: Unaccompanied Children in Immigration Custody," New York, NY, USA, *Women's Refugee Commission*. Available at <[http://www.womenscommission.org/pdf/halfway\\_home.pdf](http://www.womenscommission.org/pdf/halfway_home.pdf)> (last accessed on May 7, 2009).
- Workman, Claire L. (2004), "Kids are People Too: Empowering Unaccompanied Minor Aliens Through Legislative Reform," *Washington University Global Studies Law Review*, vol. 3, pp. 223-250.
- Zilberg, Elana (2007), "Refugee Gang Youth: Zero Tolerance and the Security State in Contemporary U.S.-Salvadoran Relations," in Sudhir Alladi Venkatesh and Ronald Kassimir (eds.), *Youth, Globalization, and the Law*, Stanford, California, USA, Stanford University Press, pp. 61-89.

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