



Center for Population Dynamics

School of Social and Family Dynamics
Arizona State University

Tempe, Arizona, 85287-3701, USA www.asu.edu/cepod

CePoD Working Paper # 09-121

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

Lilian Chavez

Cecilia Menjívar

2009

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

Lilian Chavez
Arizona State University

Cecilia Menjívar
Arizona State University

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 worked on a version of it at the Primer Taller sobre Migración y Desarrollo orientado a la formación de jóvenes investigadores y docentes 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.

Please direct all correspondence to Lilian Chavez at lilian.chavez@asu.edu.

Abstract:

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 los Estados Unidos, y esta basado en una revisión de los estudios e informes que documentan esta migración. En vez de centrarse solo en información desde el punto de vista del país receptor, este artículo parte de un enfoque amplio para arrojar luz en facetas diferentes de la migración de los niños no acompañados. Así, las áreas que incluimos son: los procesos de migración (iniciación, el tránsito, la llegada, y la integración); las instituciones (los centros de refugios y detención en el transcurso de tránsito) a cargo de estos menores; y el sistema de gobierno de glocal (local, nacional, y los derechos internacionales) que moldea profundamente esta migración.

One immigrant group that has caught the attention of the public, policy makers, and pundits in receiving countries are children. In this article we seek to map out what we know about unaccompanied migrant minors, focusing on unaccompanied migrant children to the United States, and basing our review on research and reports that documents the migration of Mexican and Central American children. In contrast to reports that focus on only the receiving end, we take a broad approach to shed light on 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 United States 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 so deeply impacts this migration.

Keywords: Unaccompanied Minors, Child Migration, Transnational migration, Mexico, United States

Introduction

Immigrant flows from poorer 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 of their own migration when they migrate solo. Indeed, the number of children who migrate, particularly those who do so unaccompanied, has increased significantly in the past two decades (Casillas n.d.).¹ Thus, social scientists are now recognizing the importance of focusing on the experiences of migrant children, both as a “research opportunity” that permits to grasp processes of assimilation that the study of adult immigrants does not permit, as well as in understanding other areas of life that are not “immigrant-specific” such as education, socialization, and youth culture (Avila, Fuentes and Tuiran 2000; Bhabha and Schmidt 2006; Boyle, Smith and Guenther 2007; Espiritu 2003; Lopez Castro 2007; Suárez-Orozco and Irina L.G. 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, 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

¹ We do not mean that these migrations are altogether new, but there are interesting new trends that distinguish contemporary flows from those of earlier periods.

minors.² For example, Seugling (2004) points out that in the United States there has been a fifty-percent increase in the number of detained unaccompanied minors since 1997 to 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 United States is not alone in this regard as the migration of unaccompanied minors is now a phenomenon seen in most immigrant-receiving countries around the world. In Ireland, where unaccompanied minors can seek asylum, the numbers increased from two minors seeking asylum in 1997 to 868 in 2003; in the Netherlands, from 1,562 minors migrating alone in 1996 to 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).³ 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 phenomenon in a few isolated cases, but it is a trend now present in most immigrant-receiving countries around the world.

² There are several debates over the definition of “unaccompanied minors.” Children who migrate without their parents can be categorized in a number of ways, depending on definitions and policies in place as well as 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 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 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 eighteen who enters another country alone (and without a legal guardian) and are undocumented or without proper documentation.

³ We list these countries to illustrate the different terms used in the classification of minors, which reflect different immigration policies and the different responses in dealing with this population in the different receiving countries.

In this article we seek to map key topics in the migration of unaccompanied minors,⁴ focusing on unaccompanied migrant children to the United States, and basing our review on research and reports that documents the migration of Mexican and Central American children.⁵ 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 guided 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 about this phenomenon. As such, we use a broad and multidisciplinary lens to review empirical studies conducted *both* in the United States and Mexico, as 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 help us to take stock not only of what “we know” but also of where we should go in terms of research areas. Importantly, as mentioned earlier, policy debates around this issue involve definitional questions. Here we refer to these children as youth or minors, terms we use interchangeably.⁶

In contrast to reports that focus on only the receiving end, we take a broad approach to shed light on different facets of the unaccompanied children’s migration. Thus, the areas that we

⁴ We are well aware of debates surrounding the different uses of the term migrant vs. immigrant (see Suárez Navaz 2006) as these reflect attitudes toward the migrants on the part of the receiving societies as well as policies of inclusion/exclusion. Recognizing the importance that terminology has, however, we use the terms used in the literature to denote direction of movement (e.g., immigrants to the United States are those who arrive there as a potential final destination; migrants are those en route, mostly through Mexico, to the United States).

⁵ 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.

⁶ There are definitional differences in determining who is a minor in both the United States and Mexico. Mexico and U.S. law both affirm that a minor is anyone less 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), 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.

include are: the migration processes (initiation, transit, arrival, and integration in both the United States 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 so deeply impacts this migration. By “glocal polity” we refer to the laws that are supra-national, the international laws that protect children rights and how this migration (detention, assistance, repatriation, etc) is handled. The purpose of this essay, therefore, is to holistically assess and describe the processes that unaccompanied minors go through in the facets of their migration process that have been studied. In this mapping we would like to highlight the importance of the institutions that temporarily house these children while in transit, during the time they are detained, repatriated, or before entering the United States. These institutions include U.S. detention centers, the sending countries consulates, and religious and secular shelters in Mexico. Often these are also sites where empirical research has been conducted. And in presenting the experiences of unaccompanied children en route through Mexico to the United States we must keep in mind that similar situations occur in other major receiving countries and thus important common denominators might emerge in all these situations as well.⁷

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 missing from our knowledge about the youth experience. In other words, our goal in this essay is not only to outline current information about the experiences of unaccompanied children but to underscore that a great deal of what we know about them has been derived from our knowledge of adult migrants. Here we would like to

⁷ There are many cases of unaccompanied migrant children to the United States, from Asia, but also from other regions in Latin America, such as the Cuban children who migrated through Operation Peter Pan. Those migration patterns differ significantly from the cases we are describing here, and we cannot include all of the different variations and permutations of this phenomenon in one single article.

highlight the agentic component of the children's migration as 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 looking at their migrant experiences, a claim we recognize mirrors those made in early studies of women in migration that applies here. Importantly, this essay is not intended to be an exhaustive discussion of all that is available on this topic or a meta analysis of what exists currently; it is meant to be a first step in delineating this topic, highlighting themes that have been researched, so as to better trace avenues for future research.

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 that dates back to the mid 1960's (Pedraza 1991). With regard to children, there have not been many works documenting their migration experiences independent of adults and taking into account the social context. Recently scholars have started to focus on different aspects of the experience of migrant children. Thus, paralleling 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 that take part in adult-like activities and who also make economic and social contributions (Suárez Navaz 2006; Valdéz-Gardea 2007). However, 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, etc) across borders, such as when an unaccompanied migrant girl becomes a mother due to a rape during the journey and must find full-time employment to provide for her child.

The experiences of children have seldom been examined through a perspective that permit us to trace processes across borders, though efforts by transnational scholars to rescue the

specific experiences of children must be noted in this regard (see Levitt and Waters 2002). Indeed, most 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 often shaped by forces and events taking place in more than one national context at once and within the cultural reproduction of multiple communities. Taking 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 are contributing to shape responses to global processes and cultural patterns through their direct and indirect participation in the multiple communities to which they belong (Lopez Castro 2007).

Glocal Politics

The “glocal” politics surrounding the rights of children differ in both Mexico and the United States due to differences in the two countries’ sets of laws dealing with migration, children, and the international laws established by the United Nations (UN). Of all UN members, the United States has been the only country, along with Somalia, that has not ratified the Convention on the Rights of the Child (CRC) of 1989 (Bhabha and Schmidt 2006; Muncie 2007). The United States 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 United States insists that ratifying it would

“undermine parental authority” (Muncie 2007: 29).⁸ International legal agreements, based on practices that uphold the best interests of the child, in principle have granted children more autonomy from families, and national-level laws have undermined parental authority by giving children more ‘power’ and responsibility for their own actions (Boyle, Smith and Guenther 2007). For instance, when it comes to criminal offenses children are sometimes trialed as adults. At the same time, today the government 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 between the state, the families, and the child (Boyle, Smith, and Guenther 2007: 263). This relationship becomes more complex when international laws are included in the debate, which 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 United States has not ratified the UN Convention on the Child, the politics of issues relating to children in the United States have historical roots in *local* groups organizing and demanding the *child’s best interest*, as seen in the enactment of 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 between the local, national and international policies in this regard. To underscore this point, Herring (2006) 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” (2006: 12). Thus, if there is not enough 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 United States has chosen not to sign the CRC because it uses rhetoric that is seen as undermining parental authority, but U.S. courts

⁸ This may change as the Obama administration in the United States is inclined to ratify this convention.

can decide which rhetoric to use, that which grants more rights to the child or that which gives more rights to the parents. Thus, although internationally states should follow the best interest approach, the question arises, what child is worthy of the best interest approach? In the case of unaccompanied minors, the children's needs and treatment are likely to be bounded by the national laws of the receiving (or transit) states due to their parentless status at the time of apprehension; thus, their best interest is left in the hands of immigration authorities, lawyers, and judges that ignore international law in favor of 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 (Lopez Castro 2007: 257), ignoring the effects that the child's social position can have. 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 have 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 like Spain have adopted laws to practice in the 'best interest of the child' and have made attempts to locate children's families if they are separated (Duran-Ruiz 2007; Senovilla Hernández 2007). The United States 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 United States: obtain asylum as a refugees, be granted a special immigrant juvenile (SIJ) status,

and through The Victims of Trafficking and Violence Protection Act (Herring 2006). Victims of trafficking can 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 considers the child’s welfare first. The law also stipulates that states should provide special “care to children without a family environment, and to 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 from 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 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 they lack the physical strength to defend themselves and the cognitive and psychological development to understand their rights (Lopez 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; Valdéz-Gardea 2007; Workman 2004). In addition, lacking the protection of a caretaker

can lead children to fall prey to smugglers, human traffickers, and/or end up in forced-labor situations or as sex slaves (Bhabha and Schmidt 2006; Dalrymple 2006). As Bustamante (2008) notes, vulnerability exist 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; Valdéz-Gardea 2007), 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 were known to have collaborated with human traffickers. Other countries, such as Brazil, Colombia, India, Kenya, Egypt, and Sudan all have 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 Edgar Chocoy from Guatemala, who was seeking asylum in the United States. His case was denied, and 17 days after his deportation he was shot in the neck by a gang member back home (Dalrymple 2006). The vulnerability of these children is greater than that of adults due to their age and 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 independent status at the time of apprehension are denied their rights to legal representation. Asylum seekers usually are 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 a special immigrant juvenile status. Bhabha and Schmidt (2006) argue that this argument is in line with the framework of human rights; children should be treated as individuals that are agents of their lives and who deserve to be treated with respect and dignity. And most of the children who have opted for migrating alone see this as the only viable option out of their predicament. At the very least, their situations should be heard; however, as we will discuss later, many children never have a chance to present their case. In the next section we address the migration processes, including initiation, transit, arrival, and integration in both the United States and Mexico.

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 (Lopez 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 separate from parents while in transit and arrive to the United States alone and lost.

Furthermore, post-September 11, the security strategies of several nations, particularly those that receive the largest numbers of immigrants, have changed dramatically. Along with other countries, the United States and Mexico have enhanced and strengthened security at all ports of entry, a strategy that has affected migration in various ways. Circular migration has decreased in the past few years and migrants are now more dispersed throughout the United States (Massey, Durand and Malone 2002), as 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. causing an increase in the migration of unaccompanied minors?

In Mexico, as well as in Central America today, 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 Orrik & Sutcliffe LLP 2009); boys are often recruited to join the military at the early age of ten in some developing countries; 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 often 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 those unaccompanied children who also experience or are fleeing child marriages, female genital mutilation, forced military services, parental abuse, sexual abuse, street or gangs abuse, and children who are smuggled, kidnapped, tricked, or bought (often under

the guise of international adoption). And there are many of these reasons that are never voiced because they are not relevant in courts when a child is seeking asylum but that are important in understanding this migration as well as in devising policy to address it.

Lopez Castro (2007), Corredor Bilateral et al. (2006), Villaseñor and Moreno Mena (2006) and Gallo Campos (2004) have conducted demographic assessments of children who migrate alone.⁹ 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 adults’: for family reunification and to enter the labor force (Corredor Bilateral and Save the Children Suecia 2006; Lopez Castro 2007; Valdéz-Gardea 2007; Villaseñor and Moreno Mena 2006)). It is noted that indigenous children are more likely than non-indigenous children and to choose migration for family reunification than any other reason (Villaseñor and Moreno Mena 2006). Corredor Bilateral and Save the Children Suecia (2006) conducted a survey in two cities along the border, at the YMCA shelter in Tijuana and at the DIF shelters in Nogales, Sonora, during a four month period from July to December 2005. Among repatriated children in Tijuana the top reasons for migrating were: 42.3% family reunification, 28.1% labor, 10.13% education, 5.12% were residing in the U.S., and 14.35% mentioned other reasons including to join their spouse/partner, to travel, have a child, and smuggler left them behind.¹⁰ In Nogales, Sonora 68.2% did not declare a reason, 15.5% said family reunification, 5% join labor force, 5% were already residing in the U.S., and the rest declared they were border residents, detained for drug trafficking, did not speak Spanish, left by smuggler, and participated in human trafficking. These

⁹ 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.

¹⁰In Tijuana there were a total of 1,245 repatriated children during the four month period. However, the data were cleaned out eliminating repeated cases which left 938 cases for observation. The same took place in the DIF-Sonora and DIF-Nogales which had 2,179 registered cases before data was cleaned out.

two surveys can provide a glimpse into the complexity of reasons for migration: although most 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 the type of migration, internal or international. Central American children have been migrating alone due to a combination of motivations that include escape the post-conflict violence that has ravaged their countries 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 United States. The Albergue del Desierto conducted a four-phase study in 1990-1996, 1997-1999, 1999-2000, and 2003-2004 in Baja California among children who were repatriated and unaccompanied. In all the phases the reasons for migration were primarily economic or to seek employment (66.1% vs. 19.6%, in phase I and by phase IV 77% vs. 10.6%). An additional question asked, which we think is important to mention, was whether they had found employment in the United States: in the first phase 60% of the respondents had worked in agriculture, service, landscaping, and construction. By the second and third phases the figures had dropped, respectively, to 20% and 3.58%. One explanation for this change is that in the late 1990's President Clinton signed new child labor laws that restricted children from working (Villaseñor and Moreno Mena 2006). However, it is important to note that despite the decrease in children not reporting U.S. employment after migrating, children were still migrating with the assumption that they would secure employment. Noteworthy, many of the children seeking labor opportunities were already part of the labor market in their sending countries prior to migration.

A study by Lopez Castro (2007) among children in a community in Zamora, Michoacán parallels the findings we note above; however, when they introduced age important differences

in the reasons for migration emerged. Thus, Lopez Castro (2007), Mendez Navarro (2000), and Gallo Campos (2004) distinguish between those children who migrate under the age of 12 and those who migrate older than 13. They find that children under 12 tend to migrate for family reunification while the children older than 13 migrate for economic reasons (Lopez Castro 2007). Children who were reunited with parents were usually “*mandados a traer*,” that is, their parents in the United States requested to have the children brought over (Lopez Castro 2007: 552).

Who migrates?

Most of the existing literature does not identify the specific ages of these children—are they minors or are they over the age of 18? Moreover, the literature fails to differentiate between those migrants supported by parents and/or family members and whether a child migrates accompanied or solo. This, in part, is due to the definitional entanglements that are exacerbated by multiple agents and agencies that have differing interests and stakes in defining who is a child (or a minor). Even though the migration of unaccompanied children is not a new phenomenon, the U.S. Department of Homeland Security only recently (since the late 1990’s, the INS) has been documenting the number of minors they apprehend and detain. In Mexico, government officials have recorded an increase in the number of repatriated and detained youth (Casillas n.d.). The Red de Albergues de Tránsito has in operation 23 shelters along the Mexican-US 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 in that five 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 the children who use the shelter services are Mexicans; only 2% were non-Mexicans. Nevertheless, these figures are only indicators of the increasing presence of the children who migrate alone. And even if relative to the adult migrants the proportion of children appears small,

it should be noted that shelters, government and non-government agencies are beginning to take notice of their presence.

The U.S. Department of Homeland Security has documented an increase in the number of minors who migrate alone to the United States and are categorized as “Unaccompanied Alien Children” (Haddal 2007; Seugling 2004). According to the DHS, in 2005, there were 1.3 million immigrant apprehensions, of which 114,563 were individuals under the age of 17. Of those who were apprehended only 7,787 were detained by the Office of Refugee Resettlement (ORR) and from January-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 Mexicans. This is due to different U.S. policies to handle minors of these different nationalities, differences that are being eliminated as of this writing. In 2005, of those who were detained 82.9% were from Central America (Haddal 2007).¹¹ In 2008, ORR had in their custody 30.8% Honduran, 27.4% Guatemalan, 23.4 % Salvadoran, 10.6% Mexican, 3.2 Ecuadorians, .05% Brazilians and 2.7% other, of whom 78% were males, and 13% were below the age 14 (Dunn 2009).

The Red de Albergues de Tránsito para Menores Migrantes y Repatriados publishes annual statistics on unaccompanied minors. The following figures are from the latest survey in 2006, which reflect the gender composition of this group. Pedraza (2001) notes that throughout

¹¹ These figures include: 31% from El Salvador, 28% from Honduras, 26% from Guatemala, 7% from Mexico, 1% from Brazil, 1% from China & Ecuador, 1% from Nicaragua, and 4% were “Other” (Haddal 2007).

Latin America daughters are less likely and/or are not allowed to migrate alone, and when the desire to migrate is strong, women have to convince their fathers. According to Davis and Winters (2001), fathers are more likely to resist the migration of their daughters than their sons'. Usually, daughters have to "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, out of whom 79% were male (16,101) and 21% were female (4,400),¹² a breakdown that parallels general migration trends in which males predominate. However, the number of females has increased since the early 1990's when the breakdown between 1990-to-July-1996 was 93.7% male vs. 6.3% female. One of the main reasons for the difference in gender composition is that even young females tend to take part in domestic labor and help care for their siblings (Haddal 2007; Villaseñor and Moreno Mena 2006). According to Bhabha and Schmidt (2006) there was an almost a symmetric breakdown in gender for asylum applications submitted between 1999 to 2003: 57% male and 43% female.

Older children tend to migrate more than younger children; however, there are many young children who are now migrating 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: 4% for children between the ages of 0-5; 10% for 6-12 years of age; and 86% were between 13-17 years of age. The same can be seen with the number of children who were under the ORR's 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).

Youth and gangs and repatriated circular migrants

¹² The areas included in these figures include: Baja California, Coahuila, Chihuahua, Nuevo Leon, Sonora, and Tamaulipas

There is yet another type of unaccompanied minor, among both males and females: those who are involved in gangs who at times are 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 running from gang violence, or may very well be involved in the underground economy but are underage (see Narváez Gutiérrez 2007 for a detailed account of the experiences of Central American youth gangs). Although not a common practice, there are cases of minors who work in the migration industry and involved in human trafficking (Gallo Campos 2004), and due to their age, are seen as able to circumvent the law more easily. And there are cases of children who are running away from participating in gang violence or those 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 where we discussed reasons for migration we briefly mentioned some groups of children in Tijuana and Sonora residing at the border who participate in the drug or human trade. In a recent study, Cordero Lamas (2009) analyzed a survey conducted by the DIF that examines at the repatriation of circular minors in Ciudad Juárez, Chihuahua.¹³ This group includes minors who are between 12 to 17 years of age and reside 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 as a liner process and not a circular one. Hernández Sánchez (2008) points out that these children are active participants in their own repatriation, and as such, they are involved

¹³ Encuesta para el menor repatriado de circuito conducted from March 2007 to December 2007.

in complex social networks involving both the *migration industry* and bilateral institutions (Cordero Lamas 2009; Hernández Sánchez 2008). The *migration industry* encompasses various services that are bought and sold to facilitate the activities involved at different stages in migration; such 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 how these children begin their migration with the intentions of seeking employment but after several attempts to cross the border they settle for the trafficking trade. The examples are not gender specific; the first case shows a sixteen year old male who was repatriated ten times in one year, and although in his first two attempts he set out to find employment, after that he joins the trafficking industry. Another case is that of a female who is also repatriated ten times but begins to participate in trafficking on her 7th attempt to cross. These children are the most vulnerable because they put their lives at risk, truncate their development, and must ignore their own well-being. They are also labeled and stigmatized as criminals, which puts them at the very bottom of the social stratification (Cordero Lamas 2009). And most of the children who participate in this circular repatriation have families to support and live in the poorest sectors of border cities.

How do individuals migrate?

We now shift gears to identify some substantive areas around the theme of unaccompanied minors that can help us to shape a research agenda for the future. Scholars have put forth varied theories to understand the “culture of migration” (Cerrutti and Massey 2001; Diaz Gomez 2002). The knowledge that is gained from others who have already migrated is often considered a form of social capital that sustains the processes of migration itself. Lopez Castro’s (2007) study in Zamora, Michoacán, notes that children, who are mostly in elementary

and middle school, are socialized about migration at a very early age (see also Mahler 1999 for similar findings from El Salvador). Lopez 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 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 (Lopez Castro 2007 :557). Migration becomes part of the identity of many, whether or not the child is the actor involved (Lopez Castro 2007). As Lopez Castro (2007) observes, there is a “*migration habitus*” that is formed and reproduced in places where migration may not be an option but it is part of the identity formation of many.

The knowledge acquired becomes second nature to most and it affects those who are not necessarily involved directly in migration. Indeed, the migration of unaccompanied children is so prevalent in the community where Lopez Castro (2007) conducted his study that these actors’ return is expected, and to a certain point, the transnationalization of these youths contributes to the cultural, social, material, and ideological identity of many (Lopez 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 and, thus, those communities experience a surplus of teachers. This may very well be an isolated case of how child migration affects a particularly 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) notes that the most cost-effective way to migrate is by plane because there are too many obstacles during a land journey that end up leaving migrants without any money before they reach the border. The journey for many children varies; some may take a plane from their sending communities and at arrive at the border. Others take ground transportation, like 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 they face multiply (Casillas 2006; n.d.). 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 are concentrated in Tapachula, and on the northern Mexican border they are located in major entry ports, including Mexicali, Tijuana, Ciudad Juarez, Agua Prieta, Nogales, Nuevo Laredo, and Matamoros. Initially some children arrive at these shelters and once there they decide how they will cross the border.

Eschbach et al (1999) described in detail the harsh experiences that migrants endure while they try to cross the Mexico-U.S. border, including getting lost in the desert and dying from dehydration or being bitten by snakes; drowning while crossing the river; and being robbed, beaten, or raped by criminals (Eschbach, Hagan, Rodriguez, Hernandez-Leon and Bailey Summer 1999). But such dangers are not found at the northern Mexican border. There are harsh and life-threatening dangers that migrants, particularly Central Americans, experience while crossing Mexico, similar to those Mexicans experience as they attempt to cross the Mexico-US border (Eschbach, Hagan, Rodriguez, Hernandez-Leon and Bailey 1999; Gaucin 2005; Hagan and Ebaugh 2003; Liu 2002; Menjivar 2000; Singer and Massey 1998). Central Americans who migrate through Mexico are often extorted as they cross the Mexican-Guatemalan border and

throughout the 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, Sladovka (2007) found that it is the poorest 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 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 on the rails outside of the train wagons, 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) describe that migrants, both men and women, often avoid such dangers by relying on informal social networks, but often this is not enough (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) and are seen as dependents and powerless.

Bilateral Institutions

There are at least five bilateral institutions that unaccompanied migrant minors must go through in both Mexico and the United States throughout the course of being apprehended and repatriated (Gallo Campos 2004). Plus, the detention and apprehension of an unaccompanied child can involve up to fifteen different federal agencies (Thompson 2008). In this section we describe some of these institutions in the United States followed by those in Mexico to provide an picture of the cumbersome steps in the bureaucracy that these children navigate.

Unaccompanied children can be detained by either the U.S. Custom and Border Patrol (CBP),

the U.S. Coast Guard, or Immigration and Customs Enforcement “(ICE)¹⁴ during their attempts to cross the border, 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 DHS who determines if a child is under the age of 18 and unaccompanied.¹⁵ If a child meets those criteria, she/he is transferred to the Office of Refugee and Resettlement (ORR), otherwise they remain in custody of 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 forms of age verification have been criticized by medical experts, and it is believed that information obtained through 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 in the past 20 years that have directly affected unaccompanied minors. From 1987 to the mid 1990's, 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 was left alone to handle both the enforcement of the law (and prosecutor) and the care giving of he children at the same time (Workman 2004), a dual role that eliminated any confidentiality that the child could have (Ehrenreich, Tucker and Human Rights Watch Children's Rights Project 1997). In addition, children did not have access to legal counsel and most were not aware of their rights; they were even less knowledgeable of the U.S. legal system or the English language (Dalrymple 2006).

¹⁴ These three agencies are all subsidiaries of the Department of Homeland Security (DHS).

¹⁵ A child is considered unaccompanied if they meet the following definition set by 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)

A survey of current scholarship on unaccompanied minors in the United States shows that in the past ten years there were many problems with how detention centers 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 September 2005; Smythe 2004). An important study conducted by Ehrenreich, Tucker and Human Rights Watch Children's Rights Project (1997) revealed that even before the tightening of laws after 2001, children were kept in “inhumane” and “prison-like conditions” for extended periods of time. Examples of degrading experiences that unaccompanied minors go through include: being held with juvenile criminal offenders, not being told their rights, inaccessibility to a lawyer, the wearing of prison-like uniforms, and some were subjected to shackling or handcuffing and 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). The 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 one commissioned by the Department of Homeland Security (Office of Inspector General September 2005) all reached similar findings (Bhabha and Schmidt 2006).

As the former INS had the role of arresting, deporting, imprisoning, but also caring and protecting the legal rights of unaccompanied minors, “human rights organizations, religious groups, and political leaders” lobbied for a non-INS organization to take over and look into the ‘best-interest of the child’ (Byrne 2008: 22) which would also address the contradictory functions of the old INS. After September 11, 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 Patrol (CBP). These divisions now have the role of arresting, deporting, and imprisoning but are no longer the ‘care takers’ 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 old INS criminal justice culture to a more social service 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 like a “gatekeeper” to determine who is sent to an ORR facility or who stays in an adult detention center (Nugent 2005-2006). For the most part the ORR has been trying to fulfill the recommendation under the Flores Agreement¹⁶. Byrne (2008) notes that there has been improvement since ORR took over in 2003; for the most part, children are in secure facilities, have access to educational and health treatment, and the amount of time spent in detention has been reduced substantially. One irregularity still remaining is the violation of confidentiality.¹⁷ 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 Women's Refugee Commission’s (2009) recent report adds that children are often inappropriately retained in custody, unaccompanied children are not transferred within 72 hours, and DUCS are increasingly placing children in prison-like settings where they remain without

¹⁶ The Flores Settlement resulted from the settlement of the lawsuit Flores vs. Reno on the part of INS that 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.

¹⁷ See Women’s refugee Commission 2009.

access to legal representation. A recent effort to address these irregularities is the passage of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA), 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 that the U.S. studies lack. The repatriation process includes the collaboration of four institutions, the 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 Sistema Nacional para el Desarrollo Integral de la Familia (National System for the Development for Family Integration--SNDIF) (Gallo Campos 2004). In 1996, UNICEF, INM, and DIF collaborated to establish a program, Atención a Menores Fronterizos o Repratriados, whose purpose was to reduce the risks that children in vulnerable situations experience, whether the child was found in the Northern or Southern border. One of its objectives is to establish a bilateral agreement with the United States that would ensure that the repatriation process for minors respect children's human rights, and a secure and safe return to the child's country of origin and family integration (Gallo Campos 2004). One of the INM functions is to collect data on all the children, including the 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 and DIF. Part of the repatriation process include that the U.S. immigration authorities (DHS) notify the Mexican immigration authority (INM) on the number of children that it will repatriate, provide general demographics on each child, and report 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 contacting any of the Mexican government agencies.¹⁸ The Mexican consulate then channels the children to INM facilities where they are interviewed and inspected to make sure that they show no physical abuse or health problems. When the INM finishes the processing, the child is then sent to one of the shelters if s/he is unaccompanied; otherwise the parents are notified. Local children who are 14 and over are given the option to voluntarily leave. For unaccompanied minors, once in the care of the shelters there is an attempt to locate family members. Here we would like to point out that there are very few data sources pertaining to unaccompanied minors. These are limited to what the INM and the Red de Albergues collect for Mexico, and for the United States these data come from Border Patrol statistics on apprehensions as well as data on detainees from the ORR.

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

Separation and Trauma

Gallo Campos (2004) conducted an evaluation of the Mexican inter-institutional agencies that deal with unaccompanied minors in eleven 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 DIF, many of these children are unable to

¹⁸ Children may be repatriated at time of inception and may be voluntarily returned to Mexico or children are returned during the hours when the consulate is predisposed.

locate family members and do not know how to begin locate them, which makes them anxious and worried. Consequently, the stress of being separated leads many of these children to migrate once again, in the hopes of locating their parents.

The Gallo Campos (2004) study also found that at the time children were also being housed in detention centers with adults, which can happen if at the time of apprehension all those detained are placed under DHS custody, and only when age is determined are children transferred to ORR facilities or repatriated. As it happens in the United States, detention centers in Mexico sometimes do not have enough capacity to house all the detainees, and the INM sometimes also lacks the space for the repatriated youth. Furthermore, Gallo Campos (2004) found that not all agencies were working toward the integration of the family; in fact, only five out of the 11 cities surveyed participated in programs to help unaccompanied migrant children locate their parents, and no shelter verified the safe arrival of these children once they were sent back to their communities. Furthermore, two shelters were reported to have made the youth 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)

Similarly to the United States 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 sent back to the communities and families that sometimes they fled to begin with, which may put the children at risk of further harm or abuse. Another dilemma that several of the institutions in charge of handling unaccompanied migrant children face is the increased migration of indigenous populations, as many caseworkers on both sides of the border

are ill-equipped to communicate with them in their native languages. The situation of this subgroup of children is not always understood and their family members are often harder to locate (Villaseñor and Moreno Mena 2006). In early 2009, Mexican top diplomats signed an agreement with the U.S. government to ensure “safety measures for the removal of women, children and those with disabilities” (Solis 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 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, though commendable in other ways, lack concrete examples and the empirical investigation needed to untangle the complexities 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 need to be considered 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 psychiatrically evaluations and, finally, children should be granted the same care offered to unaccompanied refugees. Many children’s psychological trauma is visible through 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 their lack of guidance makes

many give up their potential case (Bhabha and Schmidt 2006). Age at separation from the parents is critical to note as well. Ressler, Boothby, and Steinbook (1988) distinguish the effects that separation can have on toddlers, children under five, school-age children and adolescents. School-age children and adolescents can experience depression, can become moody, withdraw from caretaker or peers, can become more aggressive, and/or 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 go through detention, deportation, repatriation, and separation from parent or family members, or after leaving the shelters.

Concluding Remarks

We have identified common elements present in the literature of unaccompanied minors that are unique to their situation—that is, a general failure to adhere to ‘best practices in the interest of the child’ and irregularities reported in the treatment of (mostly) Mexican and Central American unaccompanied migrant children both in Mexico and the United States. Although there are bilateral efforts on the part of the United States and Mexico to better serve this population, more efforts are needed in order to implement international treaties that protect the rights of these children. We would like to note an important constrain in our endeavor in this article. Given that our objective was to map out the literature and knowledge that exists on this topic, and that this literature is based on the experiences of (mostly) Mexican children in the United States 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 Central American, as well as minors from other nationalities, who are migrating alone. Their experiences merit further investigation; not only do children of other nationalities have to traverse multiple national borders to reach the United States, but the conditions of their migration might differ substantially and thus their experiences may generate outcomes that open

up new avenues for research and policy. Although we could not expand on comparisons with the situation of unaccompanied migrant children to other immigrant-receiving countries, it should be noted that such comparative efforts are key in shedding light on some of the most important components of the minors' experiences of migrating alone. The efforts to come to 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 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 United States. Whether it is family reunification or the promise of employment, like adult migrants, children turn to migration as an option out of their predicament. Examining their experiences from a perspective that crosses borders provides important insight into the complexities of their migration. In this mapping we have barely touched the surface to provide a general, though incomplete, overview of the children's institutional experiences as they initiate their migration, undertake the journey, and arrive to 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 on family integration programs that verify whether the children reach their destination safely. Importantly, there needs to be bilateral communication about institutional systems that track these children's experiences, so that policies and programs can actually address best interest of the child in a dignified, respectful fashion.

Literature Cited

- Amnesty International USA, "Why Am I here? United States of America, Unaccompanied Children in Immigration Detention", New York, *Amnesty International USA*, 2003, http://www.amnestyusa.org/refugee/pdfs/children_detention.pdf.
- Avila, Jose Luis, Carlos Fuentes and Rodolfo Tuiran, *Migración temporal de adolescentes y jóvenes, 1993-1997*, in *Migración México-Estados Unidos: Continuidad y Cambio*, edited by Tuiran, Rodolfo, México, Consejo Nacional de Población, 2000, 175-185.
- Barraza, Javier, "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, 2005, pp. 24-44.
- Bhabha, Jacqueline, "Lone Travelers: Rights, Criminalization, and the Transnational Migration of Unaccompanied Children", *University of Chicago Law School Roundtable*, Vol. 7, 2000, pp. 269-294.
- Bhabha, Jacqueline and Susan Schmidt, *Seeking Asylum Alone: Unaccompanied and Separated Children and Refugee Protection in the U.S.*, Cambridge, The Harvard University Committee on Human Rights Studies, 2006.
- Boyle, Elizabeth Heger, Trina Smith and Katja Guenther, *The Rise of the Child as an Individual in Global Society*, in *Youth, Globalization, and the Law*, edited by Venkatesh, Sudhir Alladi and Ronald Kassimir, Stanford, Stanford University Press, 2007, 255-283.
- Brane, Michelle, Women's Commission for Refugee Women and Children and Emily Butera, "Locking Up Family Values: The Detention of Immigrant Families", Baltimore, *Women's Commission for Refugee Women and Children Lutheran Immigration and Refugee Service*, 2007, <http://www.womenscommission.org/pdf/famdeten.pdf>.
- Bustamante, Jorge, *Políticas de seguridad y derechos humanos.*, Primer taller de migración y desarrollo orientado a la formación de jóvenes investigadores y docentes, Tijuana, COLEF, 2008.
- Byrne, Olga, "Unaccompanied Children in the United States: A Literature Review", New York, *Vera Institute of Justice*, 2008, http://www.vera.org/publication_pdf/478_884.pdf.
- Casillas, Rodolfo R., *La Trata de Mujeres, Adolescentes, Niñas y Niños en México: Un Estudio Exploratorio en Tapachula, Chiapas*, México, Comisión Interamericana de Mujeres, Organización de Estados Americanos, Organización Internacional Para Las Migraciones, Instituto Nacional de las Mujeres, Instituto Nacional de Migración 2006.
- Casillas, Rodolfo R., "Presencia Toreradas: Niñas y Niños En La Frontera Sur De México", n.d., Casillas, Rodolfo R., *Un Vida Discreta, Fugaz Y Anónima: Los Centroamericanos Transmigrantes en México*, Distrito Federal, Comisión Nacional de los Derechos Humanos de México, Organización Internacional para las Migraciones, 2007.
- Cerrutti, Marcela and Douglas S. Massey, "On the Auspices of Female Migration from Mexico to the United States", *Demography*, Vol. 38, No. 2, 2001, pp. 187-200.
- Cordero Lamas, Sergio, *La Industria de la migración: El caso de los adolescentes repatriados de circuito por la Ciudad Juárez, Chihuahua 2006-2008*, Master Thesis, Maestría en Ciencias Sociales para el Desarrollo de Políticas Públicas, Ciudad Juárez, Universidad Autónoma de Ciudad Juárez, 2009.
- Cornelius, Wayne A. and Idean Salehyan, "Does Border enforcement deter unauthorized immigration? The case of Mexican migration to the United States of America", *Regulation & Governance*, Vol. 1, No. 2, 2007, pp. 139-153.
- Corredor Bilateral and Save the Children Suecia, *Caracterización de la Niñez Migrante en la Frontera Norte de México*, Tijuana, Save the Children Suecia/Corredor Bilateral, 2006.

- Dalrymple, Joyce Koo "Seeking Asylum Alone: Using the Best Interests of the Child Principle to Protect Unaccompanied Minors", *Boston College Third World Law Journal*, Vol. 26, 131, 2006, pp. 131-168.
- Davis, Benjamin and Paul Winters, "Gender, Networks and Mexico-US migration", *The Journal of Development Studies*, Vol. 38, No.2, 2001, pp. 1-26.
- Diaz Gomez, Leticia, *Siguiendo los pasos hacia Estados Unidos. Interacción Infantil Con Videos, Cartas y Fotografías*, in *Migración Internacional E Identidades Cambiantes*, edited by Anguiano Téllez, María Eugenia and Miguel J. Hernández Madrid, Zamora/Tijuana, El Colegio de Michoacán; El Colegio de la Frontera Norte, 2002, pp. 229-250.
- Dunn, Maureen, *Unaccompanied Children's Services* Washington, DC, 2009.
- Duran-Ruiz, Francisco Javier, *Las Administraciones Publicas antes los menores extranjeros no acompañados: Entre la represión y la protección*, Granada, 2007.
- Durand, Jorge, Douglas S. Massey and Chiara Capoferro, "The New Geography of Mexican Immigration.", in *New Destinations: Mexican Immigration in the United States*, edited by Zúñiga, Victor and Rubén Hernández-León, New York, Russell Sage Foundation., 2005, pp.1-22.
- Ehrenreich, Rosa, Lee Tucker and Human Rights Watch Children's Rights Project, *Slipping through the Cracks: Unaccompanied children detained by the U.S. Immigration and Naturalization Service*, New York, Human Rights Watch, 1997.
- Eschbach, Karl, Jacqueline Hagan, Nestor Rodriguez, Ruben Hernandez-Leon and Stanley Bailey, "Death at the Border", *International Migration Review*, Vol. 3, No. 3, 1999, 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, "Niñez migrante en la frontera norte: Legislación y procesos", México, *UNICEF & DIF Nacional*, 2004, http://www.unicef.org/mexico/spanish/mx_resources_publicacion_ninos_migrantes.pdf.
- Gaucin, Edgar, *Dangerous Crossing: Undocumented Migration Across the Mexican-Guatemalan Border*, Dissertation Thesis Masters of Arts, Houston, University of Houston, 2005.
- Haddal, Chad C., "Unaccompanied Alien Children: Policies and Issues", CRS Report for Congress, *Congressional Research Service*, 2007, <http://trac.syr.edu/immigration/library/P1642.pdf>.
- Hagan, Jacqueline, Karl Eschbach and Nestor Rodriguez, "U.S. Deportation Policy, Family Separation, and Circular Migration", *International Migration Review*, Vol. 42, No. 1, 2008, pp. 64-88.
- Hagan, Jacqueline and Helen Rose Ebaugh, "Calling Upon the Sacred: Migrants Use of Religion in the Migration Process", *International Migration Review*, Vol. 37, No. 4, 2003, pp. 1145-1162.
- Hernández Sánchez, María Eugenia, *Niños deportados en la frontera de Ciudad Juárez*, Chihuahua, Instituto Nacional de Antropología e Historia-ENAH Chihuahua, 2008.
- Herring, David J, *Everyday Law for Children*, Boulder, Paradigm Publishers, 2006.
- Hondagneu-Sotelo, Pierrette, *Gendered Transitions: Mexican experiences of immigration*, Berkeley, University of California Press, 1994.
- Huemer, Julia, Niranjan Karnik and Hans Steiner, "Unaccompanied refugee children", *The Lancet*, Vol. 373, No. 9664, 2009, pp. 612-614.

- Levinson, Daniel R., "Division of Unaccompanied Children's Services: Efforts to serve children", Department of Health and Human Services: Office of Inspector General, 2008, <http://oig.hhs.gov/oei/reports/oei-07-06-00290.pdf>.
- Levitt, Peggy and B. Nadya Jaworsky, "Transnational Migration Studies: Past Developments and Future Trends", *Annual Review of Sociology*, Vol. 33, 2007, pp. 129-56.
- Levitt, Peggy and Mary C Waters, *The changing face of home: The transnational lives of the second generation*, New York, Russell Sage Foundation, 2002.
- Liu, Gan, Dangers on the Journey: Physical and Social Problems Experienced by Undocumented Migrants, Dissertation Thesis Master, Houston, University of Houston, 2002.
- López Castro, Gustavo, *Niños, Socialización Y Migración a Estados Unidos*, in *El País transnacional: migración mexicana y cambio social a través de la frontera*, edited by Ariza, Marina and Alejandro Portes, México, UNAM, Instituto de Investigaciones Sociales, 2007, pp. 545-570.
- Mahler, Sarah J., "Engendering Transnational Migration: A Case Study Of Salvadorans", *American Behavioral Scientist*, Vol. 42, No. 4, 1999, pp. 690-719.
- Massey, Douglas S., Joaquin Arango, Graeme Hugo, Ali Kouaouci, Adela Pellegrino and J. Edward Taylor, "Theories of International Migration: A review and Appraisal", *Population and Development Review*, Vol. 19, No. 3, 1993, pp. 431-466.
- Massey, Douglas S., Jorge Durand and Nolan J. Malone, *Beyond smoke and mirrors: Mexican immigration in an era of economic integration*, New York, Russell Sage Foundation, 2002.
- Méndez Navarro, Jimena, Presencia de menores en la migración internacional: Un estudio exploratorio del perfil sociodemografico de los menores repatriados por la c.d. de Tijuana 1999, Master Thesis, San Antonio del Mar, El Colegio de la Frontera Norte, 2000.
- Menjívar, Cecilia, *Fragmented Ties: Salvadoran immigrant networks in America*, Berkeley, University of California Press, 2000.
- Menjívar, Cecilia and Leisy Abrego, *Parents and Children across Borders: Legal Instability and Intergenerational Relations in Guatemalan and Salvadoran Families*, in *Across Generations: Immigrant Families in America*, edited by Nancy Foner, New York, New York University Press, 2009, pp. 160-189.
- Muncie, John, *Youth Justice and the Governance of Young People: Global, International, National, and Local Contexts*, in *Youth, Globalization, and the Law*, edited by Venkatesh, Sudhir Alladi and Ronald Kassimir, Stanford, Stanford University Press, 2007, pp. 17-56.
- Narváz Gutiérrez, Juan Carlos, *Ruta Transnacional: A San Salvador por Los Ángeles: Espacios de interacción juvenil en un contexto migratorio*, México, Universidad Autónoma de Zacatecas/ Instituto Mexicano de la Juventud/Miguel Ángel Porrúa, 2007.
- Nugent, Christopher, "Whose Children Are These - Towards Ensuring the Best Interests and Empowerment of Unaccompanied Alien Children", *Boston University Public International Law Journal*, Vol. 15, 2005-2006, pp. 219-235.
- Office of Inspector General, "A Review of DHS' Responsibilities for Juvenile Aliens. Office of Inspections and Special Review.", Office of Inspections and Special Review, Washington, DC, *Department of Homeland Security Office of Inspector General*, September 2005,
- Passel, Jeffrey S., "Estimates of the Size and Characteristics of the Undocumented Population", Report, Washington, D.C., *Pew Hispanic Center*, 2005, <http://pewhispanic.org/reports>.

- Pedraza, Silvia, "Women and Migration: The Social Consequences of Gender.", *Annual Review of Sociology*, Vol. 17, No. 1, 1991, pp. 303-326.
- Piwowarczyk, Linda A, "Our Responsibility to Unaccompanied and Separated Children in the United States: A Helping Hand", *Boston University Public Interest Law Journal*, Vol. 15, 2005-2006, pp. 263-296.
- Programa Interinstitucional de atención a menores fronterizos, *Anuario Estadístico 2006*, México, Programas Sectoriales y Regionales, Dirección General de Protección a la Infancia, 2006.
- Raijman, Rebeca, Silvina Schammah-Gesser and Adriana Kemp, "International Migration, Domestic Work, and Care Work Undocumented Latina Migrants in Israel", *Gender & Society*, Vol. 17, No. 5, 2003, pp. 727-749.
- Ressler, Everett, Neil Boothby and Daniel J. Steinbock, *Unaccompanied Children: Care and Protection in Wars, Natural Disasters, and Refugee Movements*, New York, Oxford University Press, 1988.
- Senovilla Hernández, Daniel, *Un estudio comparado de 6 países: Alemania, Bélgica, España, Francia, Italia y Reino Unido*, Bruselas Bélgica, Observatorio Internacional de Justicia Juvenil, 2007.
- Seugling, Carolyn J., "Toward a Comprehensive Response to the Transnational Migration of Unaccompanied Minors in the United States", *Vanderbilt Journal Transnational Law*, Vol. 37, 2004, pp. 861-895.
- Singer, Audrey and Douglas S. Massey, "The Social Process of Undocumented Border Crossing among Mexican Migrants", *International Migration Review*, Vol. 32, No. 3, 1998, pp. 561-592.
- Sládková, Jana, Documenting the Undocumented Journeys of Honduran Migrants to the United States, Dissertation Thesis, Psychology, New York, The City University of New York, 2007.
- Smythe, Jennifer Alexis, "'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, 2004, pp. 28-41.
- Solis, Dianne, *Deportation pacts between U.S., Mexican envoys focus on safety of women, children, disabled*, Dallas, http://www.dallasnews.com/sharedcontent/dws/news/localnews/crime/stories/DN-deport_07met.ART.State.Edition1.4c0e810.html, February 7, 2009.
- Suárez-Orozco, Carola and Irina L.G. Todorova, "The social worlds of immigrant youth.", *New Directions for Youth Development*, Vol. Winter 2003, No. 100, 2003, pp. 15-24.
- Suárez-Orozco, Carola and Marcelo M. Suárez-Orozco, *Children of immigration, The developing child.*, Cambridge, Harvard University Press, 2001.
- Suárez Navaz, Liliana, *Un nuevo actor migratorio: Jóvenes, Rutas, Y Ritos Juveniles Transnacionales*, in *Menores tras la frontera: otra inmigración que aguarda* edited by Francisco Checa y Olmos, Juan Carlos Checa, Angeles Arjona Garrido, 2006, pp. 17-50.
- Thompson, Amy, "A Child Alone and Without Papers: A report on the return and repatriation of unaccompanied undocumented children by the United States", Austin, *Center for Public Policy Priorities*, 2008, <http://www.cppp.org/repatriation/A%20Child%20Alone%20and%20Without%20Papers.pdf>.

- United Nations, *Convention on the Rights of a Child*, Adopted by the United Nations General Assembly, 20 November 1989, Entry into force 2 September 1990. Available at: [www.http://unhcr.ch/html/menu3/b/k2crc.htm](http://www.unhcr.ch/html/menu3/b/k2crc.htm), 1989.
- Valdéz-Gardea, G. C., *Geografías rurales olvidadas: Menores migrantes en tránsito por el corredor Altar-El Sásabe, expresión moderna del proceso globalizador. Primer acercamiento*, in *Arquitecturas de la Globalización*, edited by E. Méndez, Hermosillo, Sonora: Mora-Cantúa editores, S.A de C.V., 2007, pp. 177-186.
- Villaseñor, Blanca and Jose Ascensión Moreno Mena, *"La Esperanza Truncada" Menores deportados por la garita Mexicali-Calexico*, Baja California, Albergue del Desierto, 2006.
- Waters, Mary C, *Black Identities: West Indian immigrant dreams and American realities*, New York, Russell Sage Foundation; Harvard University Press, 1999.
- Women's Commission for Refugee Women and Children, "Locking Up Family Values: The Detention of Immigrant Families", Baltimore, *Women's Commission for Refugee Women and Children Lutheran Immigration and Refugee Service*, 2007, www.lirs.org.
- Women's Refugee Commission and Herrington Orrik & Sutcliffe LLP, "Halfway Home: Unaccompanied Children in Immigration Custody", New York, *Women's Refugee Commission*, 2009, http://www.womenscommission.org/pdf/halfway_home.pdf.
- Workman, Claire L., "Kids Are People Too: Empowering Unaccompanied Minor Aliens through Legislative Reform", *Washington University Global Studies Law Review*, Vol. 3, 2004, pp. 223-250.
- Zilberg, Elana, *Refugee Gang Youth: Zero Tolerance and the Security State in Contemporary U.S.-Salvadoran Relations*, in *Youth, Globalization, and the Law*, edited by Venkatesh, Sudhir Alladi and Ronald Kassimir, Stanford, Stanford University Press, 2007, pp. 61-89.