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AMERICAS

A NEW ERA FOR CUBA, BUT PERHAPS NOT FOR CUBAN FREE SPEECH

On December 17, 2014, President Obama announced big steps toward the normalization of relations between the U.S. and Cuba: exchanging prisoners, relaxing trade restrictions, and possibly reopening an embassy in Havana. Polls indicate that over sixty percent of U.S. citizens supported the move, as did a majority of leaders in Latin America. Some groups, though, particularly Cuban Americans, staunchly opposed the rekindling of diplomatic relations between the two nations. Senator Marco Rubio, a son of Cuban immigrants, called the move an attempt to “appease rogue regimes at all cost.” He points to the Castro regime’s abhorrent human rights record as a key reason to continue the U.S. trade embargo.

A recent spike in short-term detentions of political dissidents seems to support some of the claim from critics, such as Rubio, have complained about. The Cuban Commission for Human Rights and National Reconciliation recorded 8,899 short-term detentions in 2014, about 2,000 more than the previous year. Tania Bruguera, a performance artist and Cuban expatriate, recently planned an open-mic free speech demonstration in Havana’s Plaza de la Revolución for December 30, 2014. Cuban police dismantled the event before it began, arresting at least three well known political dissidents. Several of the activists previously had voiced disapproval with the resumption of U.S./Cuban diplomatic relations, noting that the U.S. secured no apparent human rights guarantees as a result of its concessions.

In the past, the Cuban government has disregarded recommendations from the United Nations regarding free speech. Article 19 of the International Covenant on Civil and Political Rights (ICCPR) provides that, “everyone shall have the right to freedom of expression.” Cuba signed the ICCPR in February 2008; not surprisingly, though, they did not, and have

not ratified the treaty. The nation’s practice of silencing political dissidents seems to conflict with articles set forth in the ICCPR. While technically a recognized member of the Organization of American States—at least since 2009, when the OAS lifted Cuba’s suspension—Cuba has not had any involvement in the organization in more than fifty years and has no plans to involve itself in the future. Despite heavy international pressure to end its suppression of free speech, the small island country remains beholden to no one.

In his 2015 State of the Union Address, President Obama said the new diplomatic steps “have added up to new hope for the future in Cuba.” Two days later, on January 22, U.S. Assistant Secretary for Western Hemisphere Affairs Roberta Jacobson visited the island nation to engage in diplomatic talks. She is the highest ranking U.S. official to do so in more than thirty-eight years. Jacobson expressed concerns over freedom of speech and assembly in Cuba. Cuban officials countered by expressing their own concerns about recent police killings in Ferguson, Missouri and New York City. Whether the increased dialogue between the two countries will mean anything in terms of greater freedom for Cubans remains uncertain. Senator Rubio has his doubts.

INDIGENT, IN DEBT, AND INCARCERATED: THE NEW AMERICAN DEBTORS’ PRISON

Across the United States, state courts are revitalizing an old, forgotten institution—the debtors’ prison. On June 11, 2014, a Boston area judge sentenced seventy-three-year-old retiree Iheanyi Okoroafor to thirty days in jail for contempt of court for failing to pay a \$508.27 debt. In Michigan, state courts sent single mother Kawana Young to jail five times for failing to pay fines related to minor traffic offenses. Similarly, in Georgia, Thomas Barrett, who was unemployed and living on food

stamps, spent over a month in jail for not paying a \$200 probation fee. Many human rights organizations, like the American Civil Liberties Union (ACLU) and Human Rights Watch, have questioned the validity of these so-called “pay-or-stay” policies under the U.S. Constitution and international treaties, and have called for the end of the new age debtors’ prisons.

Debtors’ prisons originated in England and were ubiquitous in the U.S. during the antebellum period. Even James Wilson, one of the founding fathers and an original Justice of the Supreme Court, spent time in debtors’ prison while serving on the bench. Congress outlawed debtors’ prisons by the mid-1800s, but the practice of sending probationers to prison for not paying their fines has brought the term back into the modern lexicon. While the old debtors’ prisons held people for essentially breaching contracts, new debtors’ prisons hold misdemeanor offenders for contempt of court brought on by their failure to pay probation costs.

These “pay-or-stay” practices have attracted significant scrutiny from human rights organizations. In February 2014, Human Rights Watch issued a report citing the privatization of probation systems in the U.S. as a key culprit behind increased debt-related incarcerations. The ACLU put out a similar report in October 2010 focusing on how the states’ attempts to fund their criminal justice systems have led to higher probation and court fees. Another 2010 report from New York University’s Brennan Center for Justice focused on criminal justice debt as a key component of an unbreakable cycle of recidivism.

International law attempts to deal with the imprisonment of people who do not pay their debts. The U.S. is bound by the International Covenant of Civil and Political Rights (ICCPR) and the American Declaration on the Rights and Duties of Man (American Declaration). Article 11 of the ICCPR states that “[n]o one shall be imprisoned merely on the ground of inability to fulfil a contractual obligation,” and Article 25 of the American Declaration holds that “[n]o person may be deprived of liberty

for nonfulfillment of obligations of a purely civil character.” U.S. courts’ penchant for locking up probationers may conflict with international human rights treaties, but the language of the treaties is vague and seems to refer more to debtors’ prisons in the classical sense, not to the new debtors’ prisons human rights organizations, like the ACLU, seek to eliminate. The probationers are convicted criminals, so it would be difficult to argue they are being locked up solely for their “inability to fulfill a contractual obligation,” or for “nonfulfillment of obligations of a purely civil character.”

A stronger argument against “pay-or-stay” practices may exist in domestic law. In the 1983 Supreme Court case *Bearden v. Georgia*, a unanimous Court held that revoking a person’s probation and sending that person to jail for indigency alone violates the 14th Amendment’s Equal Protection Clause. According to the *Bearden* opinion, a defendant’s refusal to pay fines or court costs must be willful to justify jail time. Whether a probationer failed to pay his fine willfully or simply because he could not afford to do so has been a distinction courts have either had difficulty making, or a distinction they have failed to make at all. When a court locks up a man living on food stamps for failing to pay his \$200 probation fee, it calls into question the court’s efforts in assessing his financial situation.

Three decades after his case reached the Supreme Court, Danny Bearden continues to see friends and coworkers jailed for being poor. In its report, Human Rights Watch recommended transparency in fine collection and alternative punishments for poor probationers. The ACLU has called for congressional oversight hearings to address the lack of enforcement of guarantees set forth in *Bearden*. A few states have begun taking action. In Michigan, three state senators have recently sponsored a package of bills, which aims to eliminate pay-or-stay practices and replace them with alternatives like community service. If successful, the Michigan legislature could prompt other states to follow suit.

BOLIVIA'S (NOW SANCTIONED) LITTLEST WORKFORCE

In July 2014, the Bolivian government signed a bill into law dropping the legal working age below international standards. Although many countries allow children to work from age fourteen, Bolivia's new law makes it the first to legalize work for children as young as ten. The Bolivian people generally supported the act, resoundingly reelecting Evo Morales and his administration—the party responsible for the law—in October 2014. However, international rights organizations like Human Rights Watch lobbed criticism at the bill, pointing to work's propensity to interfere with a child's education. According to the International Labour Organization (ILO), child labor has fallen by as much as a third worldwide in the past decade, but Bolivia's new law could signal changing tides.

Child labor is nothing new in Bolivia, South America's poorest country. A 2013 report by the U.S. Department of Labor found ubiquitous use of child labor in Bolivia's agricultural, service, mining, and manufacturing industries. It reported that around twenty percent of children ages seven to fourteen worked. The prevalence suggests a culture steeped in the tradition of working from an early age. Children even have their own union—the Bolivian Union of Child and Adolescent Workers (UNATSBO)—15,000 members strong. President Morales himself started herding llamas at age four. He claims that “[w]hen one works from a young age, one has a greater social conscience.” Children make up an estimated fifteen percent of the country's workforce, and in a nation where many live in extreme poverty, child labor is an essential reality for families struggling to make ends meet.

Proponents of the new law say it protects the country's young workers by guaranteeing fair wages and safe working conditions, and by imposing strict penalties on employers caught mistreating children. While the law officially lowers the legal age of employment from fourteen to ten, it comes with some caveats. For

example, children under the age of twelve must still attend school and can only work if self-employed and permitted by a parent or guardian. These children may legally engage in light work like shining shoes or selling goods on the streets. Children age twelve and above may do contract work for bosses and earn a minimum wage, and employers must still allot them time to attend school. Many Bolivians see child labor as a necessary evil, an important weapon in the unending struggle against extreme poverty.

Poverty is not the only problem facing Bolivia's children, though. Last year, in its annual Trafficking in Persons Report, the U.S. State Department dropped Bolivia to its Tier 2 Watch List, just one step above the tier reserved for countries with the most egregious human trafficking problems. The report cited forced child labor and child sex tourism as key concerns. The report specifically named child laborers as a population vulnerable to trafficking and exploitation. The United Nations Children's Fund (UNICEF) has noted both high rates of child homelessness and high rates of undocumented children (children lacking birth certificates) in Bolivia. It believes that, “[c]hild labour is both a cause and consequence of poverty and the loss of a country's human capital.”

Other organizations, like the Council on Hemispheric Affairs, have pointed out the new law's apparent incompatibility with international treaties. In 1990, Bolivia ratified the United Nations Convention on the Rights of the Child. Article 32 of the Convention holds that no child shall engage in work “likely . . . to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.” It remains uncertain whether Bolivia's law directly conflicts with such a broad provision. However, seven years after ratifying the Convention, Bolivia ratified the ILO's Minimum Age Convention, which sets the minimum working age at fourteen. Article 7 of the Convention allows children in developing nations as young as twelve to engage in light work “not likely to be harmful to their health or development.” But the U.S. Department of Labor points out that

even shoe shining can be hazardous, exposing children to inclement weather, crime, and vehicle accidents. Read in a light most favorable to Bolivian lawmakers, the ILO's Convention supplies no provision allowing for the work of ten-year-olds.

Despite friction with international treaties and mounting criticism from rights organizations, Bolivia's government has no immediate plans to change or eliminate the new law. Critics claim the act will impede education, thus stifling the economy long-term and further perpetuating a cycle of poverty. But Javier Zavaleta, a sponsor of the bill, sums up the government's view on a difficult situation: "we aren't making laws for developed countries, we're making laws for Bolivians." For the time being, this reality means that Bolivia's children will continue to labor on in the unceasing struggle against poverty.

LOST AND NEVER FOUND: THE PLIGHT OF CANADA'S IN- DIGENOUS WOMEN

On December 21, 2014, the Inter-American Commission on Human Rights (IACHR) released a report concerning the plight of indigenous women in Canada, whom it claims face violence at a rate four times greater than nonindigenous women. The report elaborates on what the IACHR calls a "pattern of violence and discrimination against indigenous women in the country." The report largely blames the violence on inadequate police protection. It claims that discrimination, both past and present, has desensitized police to the needs of indigenous communities.

From slavery to cultural suppression, Canada's history is steeped in the mistreatment of indigenous populations, particularly indigenous women. Laws like the 1876 Indian Act, which banned traditional rituals such as potlaches and outlawed the possession or consumption of alcohol for indigenous people, imposed gender-discriminatory restrictions. Under Section 12 of the Indian Act, an indigenous man could marry a nonindigenous

woman without risk to his tribal status. An indigenous woman marrying a nonindigenous man, however, would forfeit all tribal rights, including the right to live on her reserve and the right to inherit family property. The Canadian Supreme Court upheld the provision in 1973, but the United Nations Human Rights Committee found that the provision violated the International Covenant of Civil and Political Rights (ICCPR) in 1981. The legislature eventually amended the Act in 1985 to comply with the ICCPR, but the Act itself remains in force.

It was with this backdrop of discrimination that the Indigenous Women's Association of Canada (NWAC) collected the data on missing and murdered indigenous women that served as the foundation for the IACHR Report. In 2010, NWAC found 582 cases of missing or murdered indigenous women spanning a twenty-year period. It found that only fifty-three percent of investigations into homicides of indigenous women led to convictions compared to eighty-four percent for the rest of Canadian homicides. In 2014, the Royal Canadian Mounted Police (RCMP) released its own report, which cited over 1,000 homicides of indigenous women since 1980. RCMP's report contained detailed statistics comparing the homicide rate of indigenous versus nonindigenous women. In 1996, for example, the homicide rate per 100,000 nonindigenous women was 1.14, while the homicide rate for indigenous women was 7.60. Physical beatings were the number one cause of death by homicide among indigenous women.

The cause of such extreme violence remains a matter of debate. The RCMP Report noted that murdered indigenous women were more likely to be unemployed, to be involved in the sex trade, and to have consumed intoxicants immediately prior to their deaths than nonindigenous women. The NWAC Report cited contributing factors such as gangs, hitchhiking, and fetal alcohol spectrum disorder. The IACHR Report, however, pointed to police misconduct or ineptitude in protecting indigenous women, as well as Canada's legacy of race and gender discrimination as underlying key causes

of the violence. The IACHR Report claims that dismissive attitudes among nonindigenous Canadians create a fertile environment for gender-based violence within indigenous communities, and that Canada has fallen short of its obligations to protect indigenous women under domestic and international law.

Canada is bound by the human rights standards of the American Declaration of the Rights and Duties of Man (American Declaration) as a member of the Organization of American States, and it is bound by international human rights standards as a State Party to the ICCPR. Notably, however, Canada has flatly rejected treaties specifically protecting the rights of indigenous persons. Nevertheless, Article 6 of the ICCPR and Article 1 of the American Declaration provide that all states must protect the right to life. Article 2 of the American Declaration demands equal protection under the law, barring discrimination based on gender or race.

Based on its international human rights obligations, the IACHR and nonprofit human rights groups believe Canada could do more for its indigenous women. The disproportionately high rate of violence against indigenous women coupled with the disproportionately low rate of convictions for violence against indigenous women seem to clash with Canada's obligations to protect the lives of its citizens equally. The IACHR wrote, "a State's failure to act with due diligence with respect to a case of violence against women is a form of discrimination, and a failure on the State's part to comply with its obligation not to discriminate."

With the RCMP and IACHR reports released in 2014, the increased attention has forced Canada to lend an ear to the issue of violence against indigenous women. The Saskatchewan Urban Municipalities Association has agreed to support a new study looking into the violence. On February 27, 2015, Canadian politicians met with indigenous leaders to openly discuss solutions to the problem. While progress was modest, the two groups agreed to meet again sometime before the end of 2016, a step, albeit a small one, toward resolution and

peace for Canada's indigenous women.

TURNING OFF THE TAP: THE RIGHT TO WATER IN THE UNITED STATES

On March 11, 2015, one year after Detroit sparked outrage when it terminated water services for 33,000 customers, the city's Board of Water Commissioners approved a rate hike of nearly ten percent. The increase promises to hit hard. Detroit is the poorest major city in the United States, with nearly half of its households subsisting on less than \$25,000 a year. At the same time, Detroit's residents have begun receiving letters from the city threatening to cut water once more. Last year, United Nations (UN) officials lambasted the mass shutoff as "an affront to human rights." The controversy has helped highlight the question of whether access to clean water constitutes a human right.

On June 18, 2013, Detroit submitted the largest municipal bankruptcy filing in U.S. history, revealing a debt of nearly \$20 billion dollars, and set in motion a chain of events that would leave thousands without access to potable water. The bankruptcy allowed an emergency manager, Kevin Orr, to wrestle control of the city away from its mayor and city council for the purpose of cleaning Detroit's financial house. Action was swift. The city shut down fire stations and slashed police wages and pensions. Politicians talked of liquidating the city's prized cultural treasures like the Detroit Institute of Art. No move generated as much backlash as the city's decision to cease service for residents with delinquent water bills, though. NGOs condemned the move, activists marched in the streets, Jon Stewart lampooned the action on his television show, and Canadians shuttled hundreds of gallons of water across the border in aid of their neighbors to the south.

An important truth emerged from the frenzy—Americans generally enjoy no constitutional right to clean drinking water. When NAACP Legal Defense Fund lawyers brought suit to enjoin the water shutoffs in September of 2014, a federal bankruptcy judge stated flatly "[t]here is no such right or law." Internation-

al law, however, recognizes a right to water. According to the UN, Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) implicitly grants the right to water under its “adequate standard of living” clause. Countries like El Salvador and Uruguay have taken steps toward the protection of the right, but the U.S., not a party to the ICESCR, has not. U.S. federal custom, however, does not foreclose its states from recognizing water as a human right. In 2012, California signed Assembly Bill 685, guaranteeing clean drinking water for all. If Michiganders seek the same, their answer may lie in the chambers of the State Capitol and not in those of the federal bankruptcy court.

As winter surrenders to spring, rising water prices and impending shutoffs loom large. Detroit vows to handle the delinquent bills better this year by targeting businesses before individuals and by working with customers on payment plans. Still, many live in uncertainty without any guarantee to drinking water as a human right. In a state enveloped by the largest freshwater system on the planet, Detroit’s poorest residents thirst for resolution.

By Michael Poupore, staff writer

VENEZUELA’S TREATMENT OF PROTESTERS FORCES QUESTIONING FROM THE UN’S COMMITTEE AGAINST TORTURE

The United Nations Committee Against Torture (UNCAT) recently questioned Venezuela on its alleged use of torture and other inhumane treatment during the country’s political protests that started in February 2014. The UNCAT’s concerns come from reports that stated that Venezuelan police forces tortured and abused more than 3,000 people who were detained during the protests. The report documented instances in which “protesters were stripped naked, threatened with [rape],” and were not allowed to receive medical care or call lawyers. This report raises concerns of abuses under the Convention against Torture and Other Cruel, Inhuman or Degrading

Treatment or Punishment (CAT). Moreover, the United Nations (UN) review comes at an awkward time for Venezuela; in October, the country ran uncontested and won a seat on the Security Council, a two-year term effective January 1, 2015. Although many Latin American member states support Venezuela’s election to the Council, the country’s victory has created controversy with Western core member states such as the United States. The election also highlights an intersection between Latin America’s desire for international representation in the United Nations and the desire to end human rights abuses in the region. The paradox of Venezuela’s alleged human rights abuses and its membership on the Security Council, which effectively sets and maintains the standard for international peace, highlights an interesting question concerning the friction between Latin America and member states.

The political protests in Caracas can be traced back to February 12, 2014, when three protesters were shot while participating in a peaceful march for the release of imprisoned students. The protesters, who were mostly students, were also joined by Venezuela’s opposition party, Table for Democratic Unity (MUD). Subsequent to the protests, accusations of excessive treatment and abuse from security forces arose, and the head of MUD, Leopoldo Lopez, was arrested. Venezuela’s government, headed by Nicolás Maduro, claims that Lopez’s arrest was in response to a U.S.-backed plot to stage a coup. The government also categorized the anti-government protesters as “fascists.” Some have accused Maduro, with his anti-protest rhetoric, of instigating violence against the protesters, which has resulted in imprisonments. Protesters were allegedly threatened and tortured during their detainment, actions which raise concerns under the CAT, a treaty that the country ratified in 1991.

Article 11 of the CAT states that parties “shall keep under systematic review interrogation rules, instructions, methods and practices as well as arrangements for the custody and treatment of persons subjected to any form of arrest, detention or imprisonment in any

territory under its jurisdiction, with a view to preventing any cases of torture.” As a signatory of the treaty, Venezuela is required to ensure that its methods of detention are free of torture and any degrading punishment. Additionally, Article 16 of the CAT provides “[e]ach State Party shall undertake to prevent . . . other acts of cruel, inhuman or degrading treatment or punishment . . . when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.” Under Article 16, Venezuela is required to prevent acts of degrading treatment on the part of its public officials (e.g., security forces).

In the present case, Venezuela’s alleged conduct as mentioned in the UN report is likely in conflict with both articles. Regarding Article 11, the arbitrary imprisonment of protesters, along with rape threats and denial of legal representation, brings attention to the lack of oversight security forces had in treating detainees. Further, in a brief submitted to the UNCAT, Amnesty International confirmed instances where security forces punched, kicked, and beat protesters with blunt objects during interrogation and used electrical shocks to extract information. If proved, these acts would uncover actions contrary to the CAT. Regarding Article 16, the fact that the accused abusers are state security forces creates a problematic situation for Venezuela. In addition to torture, the forces are also accused of degrading and inhumane treatment. For example, gender-based discrimination, lack of medical attention, and prolonged arbitrary detention of protesters are accusations that would contradict the principles enshrined in Article 16.

Despite the abuse accusations and ensuing pressure from the United States and other states, Venezuela has maintained popular support for its Security Council seat. It received 181 out the total 193 possible votes and recently the Common Market of the South (Mercosur), a free trade organization that encompasses most of South America, congratulated Venezuela on its victory despite the UNCAT’s recent review of the country. This paradox can pos-

sibly be attributed to friction between South America and Western core states because of controversial and out of touch economic policies backed by the International Monetary Fund. The UNCAT ended its questions to Venezuela by urging the country to allow the UN Special Rapporteur on Torture to investigate the allegations. However, it remains to be seen whether the country will react to requests from the UNCAT or ignore the continued criticism.

By Dylan S. Maynard, staff writer

MEXICAN UNACCOMPANIED CHILDREN: THE FORGOTTEN ONES

Coverage of the unaccompanied minors surge seems to have disappeared from the news headlines after the numbers have dropped from last summer’s crisis. The media focused mostly on Central American children crossing the U.S.-Mexico border (Border), while much less attention was given to Mexican unaccompanied children. The disproportionate coverage mirrors the differing treatment of Mexican unaccompanied children, who have been crossing the Border in larger numbers over time and are, unlike Central American children, not entitled to a court hearing before being deported. By treating Mexican children differently than Central American children, the United States, which is bound by the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol), may not be fulfilling its obligations under domestic and international law.

When children cross the Border and are apprehended by Customs and Border Protection (CBP), they are split up depending on country of origin. Children who are not from Mexico automatically get transferred to the Office of Refugee Resettlement (ORR) for a hearing with an immigration judge who will determine their removability. Mexican children, on the other hand, have a much quicker process to go through. In 2008, the United States amended the Trafficking Victims Protection Reauthorization Act (TVPRA); Section 235 has a specific provision applicable to Mexican children: “[w]

within 48 hours of the apprehension . . . the child shall be screened to determine whether the child meets the criteria [for trafficking].” Only if the child meets the criteria for trafficking is he or she transferred to the ORR, like Central American children, for further processing. Most officers, however, determine Mexican children are not victims of trafficking and subsequently send them back to Mexico.

The U.S. also has international obligations when dealing with trafficking. The U.S. has not ratified the Convention on the Rights of the Child (CRC), but it has ratified and is a strong supporter of the Trafficking Protocol. The Trafficking Protocol was passed in November 2000 and so far, 166 states have ratified it. Section 10(2) of the Trafficking Protocol states that “States Parties shall provide or strengthen training for law enforcement . . . in the prevention of trafficking in persons” and shall also “take into account the need to consider human rights and child” issues. Additionally, Section 6(4) states that State Parties must take into account the special needs of children.

The U.S. is possibly not fulfilling its obligations under domestic and international law when identifying potential victims of trafficking. Under the due diligence standard of international law, a state must prevent and respond to acts that interfere with human rights. A state is also held responsible when it fails to make a situation better for a victim when it could have done so. By not having proper procedures in place, CBP officers often fail to take the correct steps in identifying potential victims of trafficking when it comes to Mexican children. Smugglers often use Mexican children to traffic people or drugs into the U.S. because they know that in most cases, if apprehended at the Border, the children are sent right back to Mexico. A leaked 2014 United Nations Report revealed that Mexican children are frequently used as smuggling guides and are victims of trafficking. CBP officers have been failing to properly screen these children to see if they are victims of trafficking and typically just send them back to Mexico. In addition, CBP officers do not receive the proper training to work

with children and focus on quick rather than substantive answers when interviewing them. Other reports have also shown that sometimes children are interviewed out in the open, possibly in front of their traffickers.

Although Mexican children have not been in the news nearly as much as Central American children, Mexicans account for the largest number of immigrants overall. For example, Mexicans accounted for forty-four percent of the 41,800 unaccompanied minors apprehended by CBP in 2013, but only two percent of all children referred to the ORR. This means that most Mexican children apprehended were sent right back to Mexico. The United States, under the Trafficking Protocol, must take measures to prevent the trafficking of children. According to an Appleseed Report, there are at least some Mexican children that are victims of trafficking and do not get identified as such. A large percentage of these children are susceptible to becoming victims of sex or labor trafficking; children who live near the border are often used as “*menores del circuito*” to smuggle drugs and people across the Border. Therefore, the U.S. is failing to identify some victims of trafficking and possibly not fulfilling certain obligations under the Trafficking Protocol and TVPRA.

Mexican unaccompanied children are a very vulnerable population that deserves the same attention as all children crossing the Border. The U.S. must ensure its policies are in line not just with domestic obligations but also international obligations.

By Alejandra Aramayo, staff editor