

United States has the highest child detention rate in the world

Niles Niemuth
19 November 2019

Reviewing the findings of a United Nations study of the conservatively estimated 7 million children worldwide currently deprived of liberty by being imprisoned or detained, author Manfred Nowak reported at a press conference Monday that the United States leads the world in the rate which it detains young people under the age of 18.

Sixty out of every 100,000 children in the US are detained in either the criminal justice or immigration system. Countries that come close to the US rate include Bolivia, Botswana and Sri Lanka, while on the low end, Western Europe averages 5 child detentions per 100,000 and Canada detains children at a rate of 14–15 per 100,000.

Nowak pointed to the Trump administration's racist war on immigrants, which has seen children torn from their parents' arms and thrown into cages, as a key driver of the particularly high US rate, with the United States accounting for nearly one third of the 330,000 children being held in immigrant detention camps by governments around the world.

"The United States is one of the countries with the highest numbers—we still have more than 100,000 children in migration-related detention in the (US)," Nowak, a professor of international human rights, told reporters Monday. "Of course, separating children, as was done by the Trump administration, from their parents and even small children at the Mexican-US border is absolutely prohibited by the Convention on the Rights of the Child. I would call it inhuman treatment for both the parents and the children."

Notably, the US government is the only member of the UN that has not ratified the Convention on the Rights of the Child, with successive Democratic and Republican administrations refusing to submit the treaty to the Senate for final approval since it was

signed in 1995. The US was one of the countries that failed to return a survey for the latest study.

"The way they were separating infants from families only in order to deter irregular migration from Central America to the United States to me constitutes inhuman treatment," Nowak stated, noting that this also violated the UN Convention against Torture and the Covenant on Civil and Political Rights, both of which have been ratified by the US.

While the specific family separation policy was blocked by a court ruling, a record number of unaccompanied minors are still being detained by the Border Patrol and Immigration and Customs Enforcement. According to a recent investigation by the Associated Press and PBS' "Frontline" program, nearly 70,000 infants, adolescents and teenagers were held in a US government detention center over the course of 2019, an increase of 42 percent over 2018.

Nowak also pointed to the dire situation for immigrant children in Mexico, where the government of President Andrés Manuel López Obrador has been cooperating with the Trump administration's illegal efforts to deny Central American asylum seekers access to the United States. There are currently 18,000 children in that country being held in immigration detention and another 7,000 locked up in prison.

In addition to those in Mexico's detention centers, more than 55,000 asylum seekers, including many children, have been forced back into Mexico to wait for their claims to be heard.

Even as many of those detained have been resettled with relatives in the US or deported back to the country they fled with their families, their places are already being filled by more children who are daily being arrested for crossing the border.

Under Trump, children are being held for longer

durations as his administration has pushed to put an end to legal restrictions on the amount of time a child can be held in an immigrant detention center. An initiative to detain children indefinitely with their parents was blocked by a federal judge early this year. It is well documented that locking up children with or without their parents for any length of time results in serious psychological trauma and puts them at increased risk of sexual abuse.

The staggering rate of child detention in the US is also being driven by the significant number of arrests of minors every year, leading in many cases to criminal charges and detention in the juvenile or adult penal system. According to FBI figures, there were nearly 720,000 arrests of individuals under the age of 18 in 2018, and between 2013 and 2017 nearly 30,000 children under the age of 10 were arrested by police. On average, 500,000 youth go through the country's juvenile detention system every year.

The United States is one of a handful of countries that has set no minimum age for criminal responsibility, leaving it up to state legislatures to decide at what age children can be sentenced to prison. Thirty-four states have no minimum age for criminal responsibility and 24 states have no minimum age at which a juvenile can be charged as an adult.

Despite his outlining of the abuse of children on a mass scale by the United States government, Nowak told reporters that there would be no consequences from the UN since the US is a permanent member of the Security Council. "That's one of the weaknesses of the United Nations," he remarked.

Outside of North America, Nowak pointed to the 29,000 children who are being held in squalid prison camps in Syria and Iraq, having been linked to the Islamic State. Even though the largest share of the foreigners among them are French, the French government has refused to take any responsibility for them. Nowak said that even if some of them had been forced to fight for ISIS, they should be treated as victims and not as criminals.

The mistreatment of children on a vast and global scale, highlighted by the UN's latest report, is an indictment of the capitalist system, which is incapable of providing for the most basic needs of millions, including in the richest country in the history of the world. It is a system that punishes and traumatizes

children for the supposed misdeed of crossing borders without required documents either on their own or with their parents. It will not be resolved through the pleas of the UN for reforms or through charity missions.

It is a system that is irrational and fundamentally barbaric. It must be overthrown and replaced by a system that guarantees every child a safe and secure life, no matter where he or she may be born, and one that eliminates borders and puts an end to war. This can be accomplished only through the revolutionary socialist transformation of society by the international working class.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact