

## 2020-21 Winter Newsletter

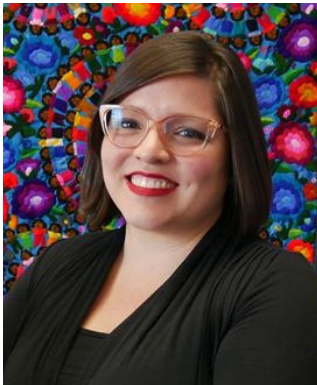
### Work of Center alums highlighted in Fall event series

Yliana Johansen-Méndez, BC Law '11, and Emilia Bianco, BC SSW '20 worked on Center's Migration and Human Rights research project during their time as BC students and Bianco received a summer research grant to advance the research she presented. They presented their current work at Center events this past fall.

By Emma Kane and Grace Cavanagh

On October 1, the Center hosted BC Law alumna Yliana Johansen-Méndez for a conversation about her work as the Legal Services Director of the Children's Representation Project at Immigrant Defenders Law Center ("ImmDef") in Los Angeles, California. ImmDef's work is guided by a belief that the right to counsel in deportation proceedings is necessary in ensuring due process for all. The organization envisions a world in which no immigrant is forced to go to court alone.

Johansen-Méndez's Children's Representation Project currently provides legal representation to over 800 unaccompanied minors. Unaccompanied children are those who come into contact with Border Patrol while under 18 years old, have no lawful status in the US, and have neither a parent nor a legal guardian in the US who is available to provide care and custody. Notably, the Project provides universal representation, meaning it does not screen cases based on the likelihood of success. The Project operates this way



(continued on page 4)



By Emma Kane and Tugce Tumer

On September 25, 2020, the Center hosted Dr. Maria Emilia Bianco for a presentation on her research entitled "Mothering, Migrating and Seeking Asylum." Dr. Bianco is a part-time faculty member of the BC School of Social Work. Her research is grounded in human rights frameworks and feminist theories and aims

to challenge current discourses about women who cross borders. Bianco interviewed 17 asylum-seeking mothers from Central America who crossed the US-Mexico border between 2014 and 2018 and currently reside in the Boston area. The goal of her research is to uncover the complexities of mothering while migrating and seeking asylum, with specific focuses on the context that catalyzes migration, maternal practices, and maternal wellbeing.

Bianco's research demonstrated that the women experienced violence, poverty precariousness, and institutional neglect in their home countries, in transit, and in the US. For instance, she found that the mothers she interviewed did not receive adequate

(continued on page 4)

#### AT A GLANCE

Fall 2020 Event Recap	2
Summer Research Grant Reports	7-8
Center Interns Update	9
Spring 2021 Events	10

#### ABOUT US

The Center for Human Rights and International Justice addresses the increasingly interdisciplinary needs of human rights work through academic programs, applied research, and the interaction of scholars with practitioners. The Center's Co-Directors are Law School Professor Daniel Kanstroom and Lynch School of Education Professor of Community-Cultural Psychology M. Brinton Lykes. Mr. Timothy Karcz is the Assistant Director.

Additional newsletter contributors: Grace Cavanagh, Emma Kane, Tugce Tumer.

## Center News & Notes

---

» The Center plans to offer summer research grants to BC graduate and undergraduate students again this upcoming summer! This year the Center is prioritizing the areas of human rights and migration; and transitional justice processes. Application deadline **April 5**. Details at:

» <https://www.bc.edu/content/bc-web/centers/chrij/academics/summergrants.html>

---

## Justice Delayed in Turbulent Times: Psychology and Wellbeing Toward Liberation

By Tugce Tumer and Grace Cavanagh

On December 8th, the Martín-Baró Initiative for Wellbeing and Human Rights (MBI) at Grassroots International hosted its annual event entitled “Justice Delayed in Turbulent Times: Psychology and Wellbeing Toward Liberation.” The MBI, inspired by the life and teachings of Jesuit priest Ignacio Martín-Baró, was founded to accompany grassroots liberation efforts throughout the world. This event honored the memory of Martín-Baró and celebrated the grassroots projects around the world that continue his legacy by fighting social injustices and fostering well-being in their communities. The timing of this event holds great significance, as it occurred less than a month after the anniversary of the 1989 assassination of Martín-Baró, five other priests, and two of their companions in El Salvador by the Salvadoran military government, and just three months after the much-delayed conviction of Coronel Inocente Orlando Montano in Spain for his role in these atrocities. Featuring presentations from MBI current and former grantees, Khitam Edelbi, Yul-san Liem, and Natasha Duncan, as well as the keynote presentation of Dr. Michael Reed-Hurtado on the trial of Coronel Montano, the night served as a remembrance of these dedicated efforts to combat injustice and an inspiration to all to persist in the fight for healing and social change.

Khitam Edelbi, founder of Mobile Express Therapies and former grantee of the MBI, spoke about her use of art therapies to serve traditionally marginalized communities in Palestine. Her innovative approach breaks barriers to access by bringing various art activities to Palestinian mothers and children in the form of a “Mobile Art Bus” or “Mobile Art Car.” Additionally, she explained her most recent research project in Qalandia Refugee Camp in Palestine, which used “playback theater” to give voice to adolescents living in the camp.

Following Edelbi’s presentation, Natasha Duncan and Yul-san

Liem spoke of their organizing efforts with the Justice Committee, a current grantee of the MBI. The Justice Committee dedicates itself to combating police brutality and systemic racism through grassroots organizing and community building in New York City. Duncan, who was moved to action following the murder of her sister, Shantel Davis, at the hands of New York Police Department (NYPD) detective Phillip Atkins in 2012, spoke on the need for increased accountability for the NYPD and an end to racialized police violence. She commended New York’s recent passing of the “Safer NY Act,” three laws intended to oppose police brutality by increasing transparency of police statistics, strengthening the role of the Special Prosecutor, and decreasing secrecy surrounding police misconduct.

Liem, Co-Director of the Justice Committee, echoed Duncan’s call to action and encouraged continued campaigns to “Defund the Police.” Liem explained the need for “radical transformation” in the system that includes the diversion of funds towards traditionally marginalized communities and the complete eradication of the police in crisis-response models, arguing that sustained support for the police will lead to further casualties of people of color.

To culminate the presentation, Michael Reed-Hurtado, the Director of Governance and Operations of the Guernica Centre for International Justice, summarized the recent case against Colonel Montano and his subsequent conviction. Reed-Hurtado spoke about the conviction as a victory for justice, but also a representation of the many victims in El Salvador still seeking accountability. This tribunal occurred in Spain under the policy of universal jurisdiction, following more than thirty years of struggle for justice. The attention surrounding this case allowed for a global pursuit of the perpetrators, the extradition of Montano to Spain in 2017, and a thorough investigation in preparation for the trial. The trial occurred both virtually and in-person in the summer of 2020, and culminated with the conviction of Coronel Montano to 133 years in prison on

(continued on page 3)



**Clockwise from top left: Reed-Hurtado, Edelbi, Liem and Duncan**

(continued from page 2)

September 11, 2020. Reed-Hurtado reiterated the significance of this victory, noting that the repeal of El Salvador's amnesty law allows

for accountability for other victims, while also acknowledging the existence of continued resistance to this pursuit for justice.



## Documentary screening: “Exiled” with Yale U. Law Professor Michael Wishnie

By Tugce Tumer and Emma Kane

On November 9th, the Center hosted Professor Michael Wishnie, Professor of Law at Yale University, for an online screening and discussion of the documentary film *Exiled*. This insightful documentary educates on the unfair deportation of US military veterans with “lawful permanent resident” status. Centered around the experiences of Héctor Barajas and Mauricio Hernández, two deported military veterans living in Mexico, the film highlights the challenges deported veterans face, such as their difficulty in adjusting to civilian life, obstacles in accessing their military benefits, and separation from their families in the United States. Additionally, the documentary follows the inspiring grassroots

organizing efforts of Barajas to raise awareness about the plight of these veterans, intending to pass legislation outlawing such deportations.

To provide context on this issue, Wishnie explained how deportation of veterans greatly increased during the Obama administration. One does not have to be a US citizen to serve in the armed forces; furthermore, the documentary shows that military recruiters often falsely promise that military service will guarantee citizenship. Many of these veterans suffer from post-traumatic stress disorder (PTSD) upon return, often leading to instances of criminal activity. As was the case with Barajas and Hernández, minor criminal convictions can quickly lead to the deportation of those veterans lacking full citizenship status.

As shown in the film, it is nearly impossible for these deported individuals to access their military benefits, apart from the burial benefits

(continued on page 4)

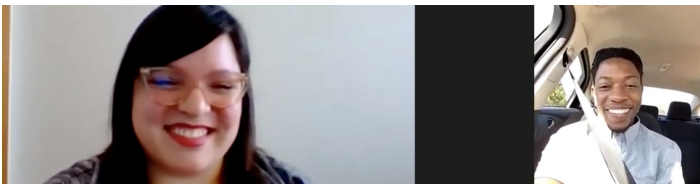
(continued from page 3)

they receive once they pass away. Hernández's case wholly highlights this; although living with extreme PTSD that affected his and his family's well-being, Hernández struggled for years to receive the medical care he needs from the Department of Veterans Affairs (VA).

One helpful resource to Hernández during his time in Mexico was Barajas, founder of the Deported Veterans' Support House in Tijuana, Mexico. As part of his organizing efforts, Barajas coordinated a demonstration at the US/Mexico border for 11 veterans to request humanitarian parole to allow for their return to the United States. All eleven of these applications were denied. As reiterated by Wishnie, efforts to repeal deportation sentences for long-term permanent residents in the United States require ample time and money and have low success rates. Lawyers working on behalf of these veterans must be creative in their approach, often carrying out multiple strategies at the same time. Since the statute of limitations for these deportations does not expire, deportation can occur many years after the criminal conviction, once the veterans are fully settled into their civilian life.

As demonstrated by both Exiled and Wishnie's commentary, the deportation of veterans is just one example of the US' far-reaching and powerful deportation system. None of the legislative attempts to prevent the deportation of veterans have passed. As explained by Wishnie, much of this inaction stems from continued US political debate on immigration and disputes on how comprehensive immigration reform should be. Interestingly, since the 1990s, the Democratic party has resisted more focused reforms to immigration legislation that would address issues such as this concerning deported veterans, favoring instead to try to legislate more wide-reaching reform, but that approach has thus far proved impossible to get through Congress despite repeated attempts. Looking ahead, Wishnie hopes for greater efforts towards enacting these reforms legislatively; however, he expresses his concern that immigration will continue to remain a low political priority for the new Biden administration.

## Advocating for Unaccompanied Children at the US Southern Border: Challenges and Legal Strategies (continued from page 1)



because it is aware of the influential power of legal representation on children's case outcomes. An unaccompanied child is allowed to stay in the US in three of every four cases in which the child has legal representation. Comparatively, 80% of children who lack legal representation will receive a removal order.

Various current events have impacted ImmDef's work in the last few years. First and foremost, the Trump administration's anti-immigrant policies have made ImmDef's work both more difficult and more urgent. Changes to asylum law have made it significantly more difficult for applicants to obtain asylum, forcing ImmDef to change its legal strategy when representing asylum seekers. When Trump's zero-tolerance policy made national news for separating families at the border, ImmDef launched its Family Unity Project to reunite families. COVID-19 has also impacted immigrant advocacy work, as it has "exacerbated the human rights abuses in immigration system," according to Johansen-Méndez. By September 18, 2020, 20,000 immigrants in ICE custody had tested for COVID-19. Finally, the growing support for the Black Lives Matter movement throughout the summer of 2020 also

impacted immigration work. Anti-Black racism pervades the American immigration infrastructure. According to Johansen-Méndez, Black migrants are overrepresented in the population of immigrants in removal proceedings and in ICE detention centers. Black migrants in detention are also six times more likely to be placed into solitary confinement than non-Black migrants.

Johansen-Méndez was joined by her client Ibrahim Haruna, a 20-year old originally from Accra, Ghana now residing in the Los Angeles area. Haruna spoke about his year-long journey to the US. Haruna left Ghana via cargo ship as a 14-year old after his mother passed away. Unsure of where he would land, he arrived in Colombia over two months later. Colombian immigration officials, unwilling to help Haruna, put him on a bus to Panama. In Panama, Haruna made his way through the jungle with no food or clean water and crossed the dangerous Darien Gap, eventually making it to a military camp. He was again transferred by immigration officials and eventually ended up in Mexico where he spent almost a month in a military camp. When he made it to the US in 2015, he spent three days in ICE detention, then six months in a shelter, and was later placed in long-term foster care. After a three year legal battle, Haruna was granted lawful permanent residency thanks to the help of ImmDef, and now attends community college, works as an emergency medical technician, and aspires to become a firefighter.

## Mothering, Migrating and Seeking Asylum (continued from page 1)

protections in any of the countries in which they lived, transitted, or sought asylum. Because no country has taken on the responsibility of protecting these women's rights, Bianco argues that in practical terms these women represent a stateless population. Bianco's research also highlights the challenges of mothering in hostile environments and the consequent difficult decisions mothers are forced to make in order to protect their children. Many of the women she interviewed exhibited signs of depression and expressed anxiety over the possibility of being deported, of not being able to work, and of not being able to find a lawyer. Bianco believes that the psychosocial wellbeing of migrant mothers is closely related to the way asylum policies are implemented.



Center co-director Dan Kanstroom followed Dr. Bianco's presentation with an analysis of the recent Supreme Court decision in *Department of Homeland Security v. Thuraissigiam*.

The case concerns the legal concept of the writ of habeas corpus, which literally means "to bring the body." Habeas corpus ensures that people are brought before a judge who determines whether what is happening to them is lawful, a step designed to prevent the executive from operating in an unrestrained way. Noncitizens have had the right to due process since a 1903 ruling in *Yamataya v. Fisher*. However, the right to due process and protections against uncontrolled executive discretion have come under attack during the Trump administration.

In a 7-2 decision in *DHS v. Thuraissigiam*, the Supreme Court ruled that the Constitution does not allow an asylum seeker to petition for a writ of habeas corpus. On top of that, the Trump administration has now sought to expand the practice of expedited removal, a principle that allows government agents to exclude and remove certain noncitizens quickly and, in many cases, completely outside of courts. While expedited removal has traditionally applied only at the border, Trump seeks to expand its application to immigrants who have been in the US for up to two years. Under this change, if a person cannot prove to an immigration agent that they have been in the US for over two years, they will be treated as an applicant for admission. Kanstroom characterized this as the border being "internalized into their body." The recent SCOTUS ruling and Trump's reforms to immigration procedures present the opportunity for great human rights violations to occur without review. Broadly, Kanstroom questioned ominously, "Is there a future for due process for noncitizens?"

## Main trends and challenges of the Inter-American Court of Human Rights with Professor Daniela Urosa, BC Law School

By Grace Cavanagh and Tugce Tumer

On October 28, the Center hosted Professor Daniela Urosa of the Boston College Law School for a presentation on the main trends and challenges faced by the Inter-American Court of Human Rights. As she explained, the court is an autonomous judicial institution that applies and interprets the American Convention on Human Rights within the Inter-American system. Urosa's presentation highlighted the crucial impact of the court in both the Western hemisphere and other regional human rights courts, as well as the current challenges faced by the court.

Urosa began by situating the Inter-American Court of Human Rights as part of a larger Inter-American human rights system that works to promote and protect human rights for the 35 states that make up the Organization of American States (OAS). She described the progressive nature of the Court and its large influence on both the European Court of Human Rights and the African Court on Human and Peoples' Rights, despite its small size and budget compared to similar court systems. In her presentation, she outlined five main trends in the jurisprudence of the Inter-American Court: gross violations of human rights; essential rights for democracy and rule of law; human rights protections of vulnerable populations; economic, social, cultural and environmental rights; and the right to a remedy and integral reparation.



(continued on page 6)

(continued from page 5)

Urosa detailed each of the five trends outlined above, explaining the important court cases within each trend and their impact both within and outside the region. In terms of gross violations of human rights, the Court has worked in accordance with the dominant socio-political problems of the region and established important criteria for the scope of the right to life, the scope and consequences of the forced disappearance of persons, limits to the disproportionate use of public force, and the responsibility of the state in the face of gross violations of human rights. The second trend described by Urosa focuses on the right to democracy and court decisions related to freedom of expression, anti-government demonstrations, and open internet access as it relates to human rights. The third trend of the Court's jurisprudence consists of protecting vulnerable populations, such as children, women, indigenous persons, LGBT persons, and people with disabilities. For the fourth trend, Urosa described the gradual progress of the court to provide direct protection of social, economic, and cultural rights within the Americas. Lastly, the fifth trend outlines the Court's contribution to the establishment of six primary methods of reparations provided to victims of human rights abuses: restitution, rehabilitation, satisfaction, non-repetition guarantees, judicial investigation order, and legal fees and expenses.

After outlining these trends, Urosa explained six major challenges currently faced by the Inter-American Court, emphasizing the difficulties of universality, effectiveness due to budgetary challenges and procedural celerity, and the current challenges of COVID-19. Although the Court has made significant strides in the jurisprudence of human rights, member states of OAS must comply with court decisions in order to bring about genuine change. Nevertheless, Urosa finished the presentation by highlighting the importance of the Inter-American Court of Human Rights, both within the Americas and the international human rights system as a whole.

## The Arc of Protection: Reforming the International Refugee Regime

On October 14, 2020, Leah Zamore, director of the Humanitarian Crises program at NYU's Center on International Cooperation, gave a presentation centered around the main themes of her recently published book: *The Arc of Protection: Reforming the International Refugee Regime*. Co-authored by Zamore and T. Alexander Aleinikoff, the book examines the global crisis of responsibility in the international refugee system and its potential remedies. In her presentation, Zamore outlined the primary ideas of the book and the ways in which the COVID-19 pandemic has affected refugees.

Zamore explained that the biggest refugee crisis is not the number of refugees who have yet to gain admittance into a host country, but rather the large mass of refugees who are admitted into a country but remain in life-threatening situations. She called this the "second exile." The norms of the 1951 Refugee Convention assume that once refugees are received in a new country, they are not only safe, but are provided with basic necessities and rights. These norms, however, fail to take into account that the majority of the world's refugees reside in countries in the Global South that lack a basic welfare state and struggle to provide for the basic rights of even their own citizens. Without adequate resources from host governments, most refugees reside in camps indefinitely and rely on humanitarian aid to meet their basic needs. The refugee crisis has become a generational issue; for example, Zamore noted that over 10,000 children have been born in the Dadaab refugee camp, one of the world's largest, in Kenya to mothers who were themselves born in Dadaab. Thus, the international refugee regime was already broken, unable to provide refugees with the necessary resources to rebuild their lives even before the current pandemic; as Zamore went on to explain, COVID-19 has only worsened this already dire situation.



Even prior to the onslaught of the current global pandemic, richer countries like those in Europe already began closing their borders, implementing a regime of containment and deterrence to make it virtually impossible for refugees to enter their countries. COVID-19 has only accelerated these negative trends, allowing states across the globe to shut their borders and disclaim any responsibility for refugees, with little to no popular outcry as the majority of public attention focuses on the pandemic itself. Moreover, COVID-19 has intensified already existing problems for refugees. With host countries' economies in crisis, refugees are receiving less aid and support, and are struggling more than ever.

The failure of the current international refugee system to adequately support refugees thus raises the question: what can be done? Zamore proposes an important shift in responsibility-sharing that prioritizes refugee rights through increased involvement of development actors. In her presentation, she argued that refugee resettlement has become a long-term, generational issue that requires long-term solutions. Unlike humanitarian agencies, development agencies

(continued on page 7)

(continued from page 7)

typically operate with longer time horizons and larger budgets, and are thus able to target structural changes that can make a host city or town more habitable. Zamore suggested that wealthy countries must support the economic development of host countries in the Global South, so that they are able to serve the basic rights of both their citizens and refugees. Of course, the power dynamics

of developmental aid present challenges in terms of priorities and agendas; however, Zamore asserted that with a proper development model and issue-framing, developmental aid is the most practical and effective element in ensuring responsibility-sharing and the protection of refugee rights.

## DACA Update: Pending Legal Update, Prospects Under New Biden Administration

By Professor Raquel Muñiz, Center Affiliated Faculty member, and Timothy Karcz

With the election of Joe Biden to the US presidency last November, hopes were renewed for over 600,000 people in the United States enjoying protections guaranteed to them by the Deferred Action for Childhood Arrivals (DACA) program. DACA is a policy announced by President Obama back in 2012. The policy provides young undocumented immigrants who were brought to the US before 2012 access to legal work permits and temporary protection from deportation. Applicants remain enrolled in the program by renewing their status every two years and meeting other eligibility requirements, including extensive background checks. It has, for now, survived the Trump administration's attempts to end the policy, including rescinding the policy in 2017. The Supreme Court of the United States (SCOTUS) decision in June 2020 rejected the Trump administration's rescission on grounds that it violated the Administrative Procedure Act. SCOTUS found that the administration acted arbitrarily and capriciously when rescinding DACA. But, SCOTUS left the door open for better prepared challenges in the future and for future administrations to gut or undo the policy.

Notwithstanding all the challenges, DACA remains in place for now. On December 7, 2020, the Department of Homeland Security (DHS) posted to its website that it was accepting initial DACA applications, DACA renewal requests, and applications for advance parole from DACA recipients, which would allow recipients to travel abroad. The announcement was made after a district court ruling in New York, issued subsequent to the SCOTUS ruling, ordered DHS to do so.

At the same time, the challenges continue. The Texas attorney general is leading a case, alongside other states, challenging the underlying legality of the DACA program itself. The case has been heard in a US district court in Texas. The district court judge, Andrew Hanen, could order a full hearing on the case, dismiss the case or he could rule that Obama had the legal authority to create the DACA policy. Given the passionate advocacy on both sides, whatever the ruling, opposing parties would likely appeal the ruling to the US Fifth Circuit Court of Appeals. This could leave recipients and applicants

in limbo. If Judge Hanen finds the Obama administration acted in accordance with the law when creating the policy, the Texas attorney general and other states will likely challenge the ruling. In that case, DACA recipients would keep their protections but would continue to live in limbo waiting for the Fifth Circuit or the Supreme Court to decide whether DACA is constitutional. If Judge Hanen finds the policy was created in violation of the law, the defendants in the case (US government, represented by the new Biden Administration) would have to decide whether to appeal the ruling. President Biden, who has just assumed office, has expressed his support of DACA and it seems plausible the government would appeal the ruling. For recipients, this would mean that their protections would have an expiration date, either when their protections and current permit expire or a different date decided by Judge Hanen.

For his part, President Biden has pledged his support for DACA and issued a memo his first day in office instructing the DHS to "preserve and fortify" DACA. However, given the uncertainty around the program's future with the legal challenge in Texas and that it lives at the whims of the administration in power, many consider that a legislative remedy is necessary. Congress can make the protections for DACA recipients more durable, including through pathways to legal permanent residency (green cards) in the US, which can ultimately lead to US citizenship. Judge Hanen previously said in a 2018 ruling that it should be up to Congress to create a DACA program, not the executive branch. With Democrats now controlling both chambers of Congress with the two victories in the Georgia Senate races, chances of successfully passing such reform legislation have been buoyed. Because they hold a slim majority, they would still need Republican support however. As President Biden and Congress seek reform of the US immigration system more broadly through comprehensive immigration reform, DACA-like protections would most likely be contained in a larger legislative package. Politics can slow the process and kill the proposals, as they did with the DREAM Act introduced in the early 2000s. The Act would have provided citizenship to young undocumented immigrants. It will be an interesting path ahead with the new political landscape, and immigrant advocates should be prepared to contact their lawmakers across the political spectrum to make their voices heard in the important upcoming debate on the issue.

## BC Law Immigration Clinic Wins Release for Transgender Detainee

By Professor Mary Holper, Center Affiliated Faculty member

The BC Immigration Clinic at BC Law School, directed by Center Affiliated Faculty member Professor Mary Holper, recently won release for a transgender woman who was detained by ICE alongside men in a local county jail for 18 months, even though she had never been charged with a crime and her asthma placed her at a higher risk of severe illness or death in jail due to COVID-19. She had been ordered deported even though in her country, Algeria, she would face persecution. She had faced the nearly impossible task of representing herself before the immigration judge and was ordered deported.

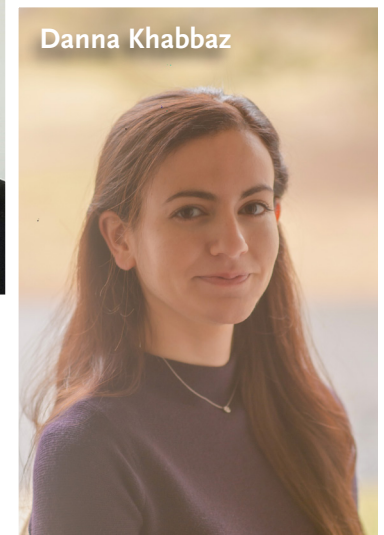
Anh Duy Nguyen, second-year BC law student, and Danna Khabbaz, third year BC law student, filed a petition for habeas corpus on her behalf, arguing that her deportation to Algeria was not foreseeable. Travel restrictions due to the global pandemic had made deportation to Algeria an impossibility. They also argued that the federal district court should exercise its authority to hold a bail hearing due to extraordinary circumstances - namely, her health concerns that could result in severe illness or death before the merits of the habeas corpus petition could be decided.

On the eve of a hearing in federal district court, the government decided to release their client. Nguyen and Khabbaz recognized that if this were to happen, she had nowhere to go, with no family or close friends in the US. They called upon the help of several local faith leaders to help. They connected her with an interfaith organization, BIJAN (the Boston Immigration Justice Accompaniment Network), which paid for a hotel for 14 days while she quarantined on her release from detention. The Reservoir Church in Cambridge also helped by providing her short-term housing in the houses of their members, in addition to bringing her food and clothing. The Brockton Area Multi-Services Inc. (BAMSI) Trans Community Outreach, Resources and Empowerment (TCORE) program is helping to ensure her access to all needed medication and long-term housing. As Nguyen commented, it was a miracle that so much community support came together for this client during a pandemic; it was a moment that restored one's faith in humanity.

Two weeks after her release, she was taken back into ICE custody, presumably because ICE now had a travel document to deport her to Algeria. That document never materialized, however, and she was again released from custody.

Upon securing her release, Nguyen and Khabbaz researched whether the client could file a motion to reopen her removal order. Upon learning that new evidence was available that would likely change the immigration judge's decision to deport their client to Algeria, Nguyen and Khabbaz quickly prepared to file a motion to reopen. They compiled evidence that as a transgender woman, their client would suffer persecution or torture in Algeria, and that the government would not protect her. Their filings invoked the client's right to not be returned to her home country where she would be persecuted for her membership in a particular social group, on account of her being transgender. This human rights protection is a principle of international law embodied in US law in the Refugee Act of 1980.

Nguyen and Khabbaz were assisted by second-year law student Danna Abraham and Center for Experiential Learning paralegal Daniela Romero. This motion to reopen, filed on December 23, 2020, is as of this writing pending with the Boston Immigration Court.





## Summer Research Grant Reports

### 2020 Kelsey Rennebohm Fellowship Recipient

**“Disruptive Storytime: Teaching for Social Justice with Anti-Bias Picture Books”**  
**Alisha Nguyen, PhD candidate, Curriculum & Instruction, Lynch School of Education and Human Development**

Nguyen’s study sought to use anti-bias children’s picture books as a method to address various social justice topics such as racism, sexism, and homophobia. She used an intersectional framework, combining Anti-Bias Education, Critical Race Theory, and Feminist Post-Structuralism to target young children’s biases in early childhood education. She conducted the study during a three month period in a predominantly White kindergarten classroom in the northeast US, collaborating closely with the classroom teacher to develop four learning units, each focused on one issue: race, intersectionality, gender, and immigration. For each learning unit, the lead teacher read an anti-bias picture book aloud, taught new vocabulary, and posed large-group discussion questions and activities specific to the story. For her research, Nguyen collected observation data, audio recordings, artifacts of the students writing and artwork, and interviews with teachers which were later coded thematically using NVivo software.

The results of her study confirmed anti-bias picture books as potential starting points for engaging students in critical discussions of social justice topics. She found that students were able to discern a complex understanding of racial and gender issues, detect and verbally condemn unfairness shown in the stories, and make text-to-text, text-to-self, and text-to-world connections. Her research suggests that young children are not only aware of racial and gender differences, but are also capable of learning and contributing to a critical conversation related to these

topics. However, her findings also provided evidence that students already contained internalized anti-Black racial biases and gender biases that were not often disrupted by the early childhood teacher. Nguyen asserts that adults, particularly teachers, must support children to engage in meaningful action to dismantle social injustice and engage in critical dialogue of social justice issues. The early childhood teacher in this study specifically struggled with her own ideological beliefs in terms of colorblindness and preconceived notions of childhood innocence, which prevented her from investing into a long-term anti-bias project.

Ultimately, Nguyen’s case study confirmed that with a careful and strategic implementation, an anti-bias read-aloud curriculum “has the potential to engage young children and early childhood educators in thoughtful discussion of social justice issues and foster students’ development of critical consciousness and social agency.” From her research, she asserts that an anti-bias curriculum is age-appropriate at younger ages and is critical for children’s development.



## Assumptions of Men and Women in STEM: Different Assumptions Underlie Male and Female Stereotypes

**Researcher: Lindsey Hildebrand,**  
**PhD candidate, Psychology, Morrissey School of Arts & Sciences**

Hildebrand studied the underlying assumptions contributing to the gender gap in the Science, Technology, Engineering and Mathematics fields, commonly known as STEM, in the hopes of finding strategic ways to contradict stereotypes and encourage greater female participation in STEM. To understand specifically how gender biases develop from a young age and contribute to the low representation of women in STEM, Hildebrand analyzed gendered attitudes on the ability and the assurance of both males and females within two crucial STEM domains: math and spatial skills. To do so, Hildebrand formulated two samples based on age, one with adults and one with children, which each had an equal number of males and females. While sampling within the child group has not yet been completed, adult participants rated the perceived ability, enjoyment, confidence, and effort of males and females in math and spatial tasks (traditional STEM skills often associated with males), reading and foreign language (traditional non-STEM skills often associated with females) and painting (a neutral domain).

Hildebrand found clear gender biases which varied according to each assumption. In the traditionally male-dominated domains of math and spatial skills, participants perceived males as feeling greater “confidence” and “enjoyment” within these fields, but not

as possessing higher skill levels. In the traditionally female-dominated domains of reading and foreign language, participants demonstrated biases towards females in all four categories. Therefore, not only are females seen as having greater confidence within these fields, but also as performing more successfully.

To conclude, Hildebrand argues that these underlying assumptions contribute significantly to the low representation of women in the STEM field. These gendered stereotypes undervalue the enjoyment that women might feel working within the STEM field, beginning early on in their development and discouraging them from pursuing academic studies within STEM. According to Hildebrand, these findings can be used to address these gender disparities at a young age, by creating targeted action steps intended to increase the “enjoyment” and “confidence” of women in math and spatial skills. To expand on these findings, future research is encouraged, especially to compare how these stereotypes develop as participants differ in age.



## Experiences of informal women caregivers of people with disabilities in Chile. Challenges for social policies based on human rights and social justice

**Grant Recipient: Carlos Andrade Guzmán, PhD candidate, School of Social Work**

Carlos Andrade Guzmán sought to uncover the experiences of informal women caregivers of people with disabilities in Chile. In July 2020, Andrade Guzmán interviewed 14 women caregivers from eight different regions of Chile. His semi-structured interviews covered the types of care provided, reasons for becoming caregivers, and implications of caregiving on various aspects of the lives of his subjects.

Andrade Guzmán’s study yielded several interesting findings. Gender influenced the caregivers’ experiences on both personal and societal levels. Andrade Guzmán found that it was often assumed within the family that the woman would become the caregiver when such care became necessary, not the man. Similarly, the woman was often chosen over the man as caregiver to maximize family income, as women made less money than a man would for the same work in the traditional job market. Andrade Guzmán found that serving in this role negatively impacted the caregivers’

economic wellbeing, social life, mental and physical health. His subjects experienced decreases in incomes after becoming caregivers. They also experienced social isolation and exhibited signs of mental and physical stress. Finally, Andrade Guzmán’s study revealed some necessary reforms for social policies. He identified the need to recognize caregiving as a job, deserving of a dignified income and social security benefits, and the need for accessible mental and physical health interventions for caregivers. Andrade Guzmán concluded that “policies and care interventions based on human rights and social justice must necessarily recognize and actively address the needs of both actors involved in the arrangements: caregivers and receivers.”



## Center Interns Find Ways to Press Ahead with Campus Advocacy Initiatives During COVID Pandemic Challenges

By Grace Cavanagh, Emma Kane, and Tugce Tumer

As interns at the Center one of our main goals is to increase awareness and solidarity within the Boston College community about many international human rights issues. Considering the events of the past year, the need to engage certain social justice issues has only increased as the COVID-19 pandemic has exacerbated previous issues while also raising critical new concerns. With the limitations brought on by this current pandemic, we have had to find creative ways to connect with community members to advertise our events and engage with human rights issues. In line with the Center's focus on international migration and human rights, we have made it our goal to focus on a new migration justice issue each month, with the goal of educating on key issues and encouraging activism within our community.

In November, we focused on the U.S.'s extensive immigration detention system and organized the Center's first immigrant detention letter writing campaign. In collaboration with Texas RioGrande Legal Aid, we collected 32 letters from BC students and faculty for 28 Spanish-speaking families detained at South Texas Family Residential Center in Dilley, Texas. All of the families had been in detention for over a year, with the longest detained family there for 428 days. Sending handwritten letters and drawings is a small but meaningful way to express support for detained immigrants and show solidarity in the face of the United States' harsh immigration policies. The United States manages the largest immigration detention system in the world, with an average of 50,165 immigrants detained per day in 2019. Although our letters are a small gesture, we hope that we were able to grant some semblance of hope to these families as they await their release from detention.

In February we focused our efforts on raising awareness around migration justice issues to find ways for Boston College students and community members to become active advocates for social change. We will begin in February by focusing our efforts on raising awareness for the Safe Communities Act, a Massachusetts bill that is meant to decrease state and local involvement in federal immigration enforcement, making it more likely that immigrants will feel safer to contact police for assistance in cases of harm, go to hospitals when they're sick, and enroll in necessary health benefits. We hope to spread awareness about the bill and help students find ways to advocate for its passing, be it through contacting legislators, posting on social media, or just spreading the word.

As is to be expected, this year has presented challenges to engaging the student body while maintaining social distancing. We have had to find new ways to maintain our presence on campus remotely, like keeping the Center's Instagram account active with monthly advocate posts and book recommendations. We are looking forward to another semester, with the new challenges and opportunities it presents.



BOSTON COLLEGE  
**CHRIJ** Center for  
Human Rights  
and  
International Justice

140 Commonwealth Avenue  
Chestnut Hill, MA 02467



Phone: 617.552.1968  
Email: [humanrights@bc.edu](mailto:humanrights@bc.edu)  
Web: [www.bc.edu/humanrights](http://www.bc.edu/humanrights)

---

---

## Spring 2021 Events



**TUESDAY, MARCH 2**  
**Workers' Rights Are Immigrant Rights:  
Supporting Low-Wage Immigrant Workers**

12:00 PM • Online via Zoom  
With Reena Parikh, Assistant Clinical Professor and  
Director of the Civil Rights Clinic at Boston College  
Law School.



**WEDNESDAY, MARCH 10**  
**American Indian Historical Trauma: Retrospects and  
Prospects**

12:00 PM • Online via Zoom  
With Joseph Gone, Professor of Anthropology and of  
Global Health and Social Medicine, Harvard University;  
and Faculty Director, Harvard University Native  
American Program



**TUESDAY, MARCH 30**  
**The Effects of Current Immigration Policies  
in the United States and in Santa Cruz:  
Understanding Violence**

12:00 pm • Online via Zoom  
With Regina Langhout, Professor of Psychology,  
UC-Santa Cruz and Visiting Scholar at the BC  
Center for Human Rights & International Justice,  
2020-2021 academic year



**TUESDAY, APRIL 20**  
**Another Side of Migration: Absence and the Agency  
of Women**

4:30 PM • Online via Zoom  
With Luis Argueta, Guatemalan-American filmmaker  
and Lund-Gill Chair, Dominican University, 2021-2022.

More details & Zoom registration at <https://tinyurl.com/CHRIJevents>

Join the CHRIJ listserv to receive news and reminders of CHRIJ events via email.  
Go to [TINYURL.COM/CHRIJEMAIL](https://tinyurl.com/CHRIJEMAIL) and simply enter your email address to join.