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ANDRÉS MANUEL LÓPEZ OBRADOR'S MIGRATORY POLICY IN MEXICO

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The research was conducted in collaboration with FM4 Paso Libre, a civil society organization based in Guadalajara, Jalisco that is dedicated to the defense and promotion of migrant and refugees' human rights through comprehensive humanitarian assistance, advocacy, and research.

The project emerged from a shared binational interest and concern for pressing public policy challenges related to migration, and the direct impact that these challenges have on migrants, refugees, and civil society.

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Table of Contents

Table of Acronyms	ix
Foreword	xiii
Executive Summary	xv
Chapter 1: Current Migration Dynamics	1
Conflict and Political Instability	2
Gang Violence	2
Violence and Discrimination	4
Economic Instability and Food Security	7
Chapter 2: Legal and Institutional Basis for Mexico's Migratory Policies	11
Constitution and Migratory Act	11
Law of Refugees, Complementary Protection, and Asylum	13
Federal Government Agencies Involved in Migratory Policy	14
Chapter 3: López Obrador's Migratory Policy	20
Mexico's Migratory Policies Preceding López Obrador's Presidency	20
Mexico's 2018 Presidential Election	21
Institutional Restructuring and Humanitarian Visas	23
Mexico's Development Policies in Central America	29
U.S.-Mexico Border Cooperation	31
Migratory Enforcement	32
Refugees	35
Chapter 4: The Effects of López Obrador's Migratory Policy	37
Relationship with the Region	37
Mexican State and Local Governments	37
Civil Society Organizations	38
Migrant Transit in Mexico	39
Chapter 5: Recommendations	43
Appendices	49
Endnotes	59

Table of Acronyms

AMEXCID	Mexican Agency for International Development Cooperation (<i>Agencia Mexicana de Cooperación Internacional para el Desarrollo</i>)
ANUIES	National Association of Universities and Institutions of Higher Education (<i>Asociación Nacional de Universidades e Instituciones de Educación Superior</i>)
CAIMFS	Coordinating Mechanism for Comprehensive Attention to Migration in the Southern Border (<i>Coordinación para la Atención Integral de la Migración en la Frontera Sur</i>)
CAITF	Comprehensive Border Crossing Attention Centers (<i>Centros de Atención Integral al Tránsito Fronterizo</i>)
CBP	U.S. Customs and Border Protection
CNDH	National Commission on Human Rights (<i>Comisión Nacional de los Derechos Humanos</i>)
COLEF	The College of the Northern Border (<i>Colegio de la Frontera Norte</i>)
COMAR	Mexican Commission for Refugee Assistance (<i>Comisión Mexicana de Ayuda a Refugiados</i>)
CONACMI	National Association Against Child Abuse in Guatemala (<i>Asociación Nacional Contra el Maltrato Infantil</i>)
CONAPRED	National Council to Prevent Discrimination (<i>Consejo Nacional Para Prevenir la Discriminación</i>)
CURP	Unique Population Registry Code (<i>Clave Única de Registro de Población</i>)
DEMI	Office for the Defense of Indigenous Women in Guatemala (<i>Defensoría Mujer Indígena</i>)
DIF	National System for Integral Family Development (<i>Sistema Nacional para el Desarrollo Integral de la Familia</i>)
ECLAC	United Nations Economic Commission for Latin America and the Caribbean
ENVCM	National Survey of Violence Against Women, El Salvador (<i>Encuesta Nacional de Violencia Contra la Mujer</i>)
FMLN	Farabundo Martí National Liberation Front (<i>Frente Farabundo Martí para la Liberación Nacional</i>)

GDP	Gross Domestic Product
INM	National Institute of Migration (<i>Instituto Nacional de Migración</i>)
KIND	Kids in Need of Defense
LGBTQ+	Lesbian, Gay, Bisexual, Transgender, and Queer
MINSAL	Ministry of Health, El Salvador (<i>Ministerio de Salud de El Salvador</i>)
MORENA	National Regeneration Movement (<i>Movimiento Regeneración Nacional</i>)
MPI	Multidimensional Poverty Index
MPP	Migrant Protection Protocols
MS-13	Mara Salvatrucha
NTCA	Northern Triangle of Central America
OPHI	Oxford Poverty and Human Development Initiative
OPI	Child Protection Officers (<i>Oficiales de Protección a la Infancia</i>)
ORR	United States Office of Refugee Resettlement
PDDH	Office of the Human Rights Ombudsman in El Salvador (<i>Procuraduría para la Defensa de los Derechos Humanos</i>)
PFS	Southern Border Program (<i>Programa Frontera Sur</i>)
REDLAMYC	Latin American and Caribbean Network for the Human Rights of Girls, Boys, and Teenagers (<i>Red Latinoamericana y Caribeña por la Defensa de los Derechos de los Niños, Niñas y Adolescentes</i>)
SALUD	Ministry of Health (<i>Secretaría de Salud</i>)
SEDENA	Ministry of the National Defense (<i>Secretaría de la Defensa Nacional</i>)
SEGOB	Ministry of the Interior (<i>Secretaría de Gobernación</i>)
SEMAR	Ministry of the Navy (<i>Secretaría de Marina</i>)
SEP	Ministry of Education (<i>Secretaría de Educación Pública</i>)
SRE	Ministry of Foreign Relations (<i>Secretaría de Relaciones Exteriores</i>)
SSPC	Ministry of Security and Citizen Protection (<i>Secretaría de Seguridad y Protección Ciudadana</i>)

TVRH	Visitor for Humanitarian Reasons Card (<i>Tarjeta de Visitante por Razones Humanitarias</i>)
U.N.	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
WOLA	Washington Office on Latin America

Foreword

The Lyndon B. Johnson School of Public Affairs has established interdisciplinary research on policy problems as the core of its educational program. A major element of this program is the nine-month policy research project, in the course of which one or more faculty members direct the research of ten to twenty graduate students of diverse disciplines and academic backgrounds on a policy issue of concern to a government or nonprofit agency. This “client orientation” brings the students face to face with administrators, legislators, and other officials active in the policy process and demonstrates that research in a policy environment demands special knowledge and skill sets. It exposes students to challenges they will face in relating academic research, and complex data, to those responsible for the development and implementation of policy and how to overcome those challenges

The curriculum of the LBJ School is intended not only to develop effective public servants, but also to produce research that will enlighten and inform those already engaged in the policy process. The project that resulted in this report has helped to accomplish the first task; it is our hope that the report itself will contribute to the second.

Finally, it should be noted that neither the LBJ School nor The University of Texas at Austin necessarily endorses the views or findings of this report.

Angela Evans
Dean

Executive Summary

On December 1, 2018, Mexican President Andrés Manuel López Obrador assumed office and promised to change Mexico's migratory policy. Initially, López Obrador championed a humanitarian approach to migration, placing migrant rights defenders in key policy positions and directing INM to issue an unprecedented number of humanitarian visas. However, this approach did not last. By June 2019, amid intense U.S. pressure, the López Obrador administration shifted its migratory strategy to an enforcement-based approach. As a result, Mexico has increased its number of apprehensions, detentions, and deportations. This report will detail López Obrador's migratory policy and its consequences during his administration's first year in office.

This report's first chapter focuses on Central Americans' decisions to migrate to Mexico and the United States. It covers the factors that historically led people to leave their homes, including civil wars and natural disasters, which set in motion today's migration patterns. It also looks at the current factors driving migration, such as gang and gender-based violence, political instability, and a lack of economic opportunity. The report's second chapter outlines Mexico's legal framework for migration, which guides the López Obrador administration's response to Central American migration. It also provides an overview of each Mexican federal agency involved in migratory policy.

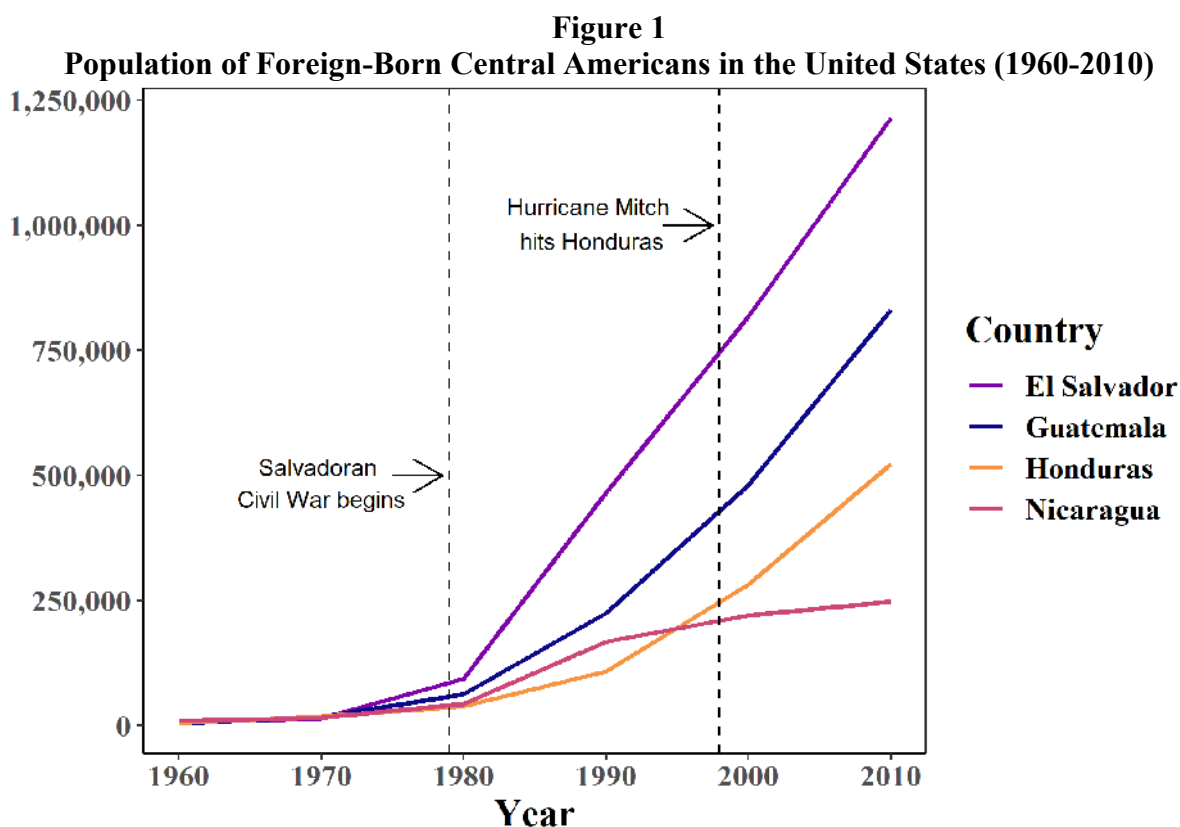
This report's third chapter covers the López Obrador administration's migratory policies, starting with the initial push toward a more humanitarian focused policy. It also explores the López Obrador administration's Central American development programs and the mounting challenges for Mexico's underfunded refugee resettlement agency. Finally, the chapter also outlines the administration's shift to an enforcement strategy and the National Guard's deployment to the southern border.

The fourth chapter chronicles these migratory policies' effects. It covers the policies' effects for Mexico's foreign relations, state and local level governments, civil society organizations, Mexican citizens, and Central American migrants transiting through the country. In particular it details how these policies have shifted migrants' transit routes, increased crimes against migrants, and ongoing xenophobic attitudes in Mexico.

This report concludes with a series of recommendations for improving Mexico's migratory policies. These include: 1) putting Mexico's Ministry of the Interior back in control of the country's migratory policy; 2) strengthening INM's commitment to human rights through improved training and better infrastructure; 3) increasing the number of legal channels for Central Americans to work in Mexico; 4) expanding funding for Mexico's refugee resettlement agency; 5) streamlining Central American development programs; and 6) reducing the National Guard's role in migration enforcement.

Chapter 1: Current Migration Dynamics

For more than 40 years, Central Americans from Honduras, Guatemala, and El Salvador have migrated through Mexico. During the twentieth century, these individuals transited through Mexico en route to the United States, fleeing political unrest, environmental disasters, protracted civil wars, and high levels of violence.ⁱ Since 2011, the number of people migrating has increased, with hundreds of thousands of Central American migrants leaving their countries and migrating north.ⁱⁱ These recent migrants include more families and unaccompanied minors than ever before, many of whom are now leaving behind a range of conditions including gang and gender-based violence, economic insecurity, and climate change.



Source: U.S. Census

Mexico's President Andrés Manuel López Obrador has responded in varying ways to these migration dynamics. During López Obrador's presidential campaign, he outwardly supported a humanitarian approach to migration. This tone also continued at the beginning of his presidency, with a migratory policy that focused on orderly documentation and institutional improvements. However, during López Obrador's first year in office, the administration faced unrelenting U.S. pressure to stop people transiting through Mexico. Eventually, the administration changed its

ⁱ For the purposes of this report, when referring to Central America, we are specifically referring to Guatemala, El Salvador, and Honduras.

ⁱⁱ Since 2015, the number of Central American migrants traveling to the United States every year has hovered between 250,000 and 300,000 people. However, in 2019, more than 700,000 Central Americans left the region.

policy approach, increasing its apprehension and deportation efforts and sidelining the initial human rights focus.

The following section will outline Central America's current challenges and why so many people continue to leave their homes and travel to Mexico and the United States. In subsequent chapters, this report describes the López Obrador administration's initial approach to migratory policy, the policies implemented by the federal government, and the effects of these policies on Mexico's government agencies, civil society organizations, and migrants transiting through the country.

Conflict and Political Instability

Over the last 50 years, political factors have shaped Central American migration dynamics. Protracted civil wars—made deadlier by foreign military training and financial assistance—drove hundreds of thousands of Central Americans to flee their homes.² While even during peacetime, weak central governments have failed to provide security and opportunity for their citizens, sending millions more Central Americans north in search of a safe and prosperous life.

Guatemala's civil war lasted 36 years, from 1960 to 1996. At that time, indigenous Mayans were becoming more organized and developing a heightened sense of Mayan identity. In the 1970s, a leftist insurgency was operating out of the Mayan highlands. In response, the Guatemalan army targeted Mayans, regarding them as subversive and supportive of the insurgency. In the early 1980s, state security forces responded with a scorched-earth counterinsurgency effort and engaged in acts of genocide that resulted in the death or disappearance of 150,000 Mayans. This led to widespread internal displacement and Mayans fleeing to southern Mexico and the United States.³

El Salvador also experienced a 13 year civil war following a 1979 coup.⁴ The fighting was between the military-led, U.S.-supported government and the Soviet-backed Farabundo Martí National Liberation Front (*Frente Farabundo Martí para la Liberación Nacional*, FMLN), and ultimately claimed more than 70,000 Salvadorans' lives.⁵ The violence drove many Salvadorans to flee the countryside and travel to surrounding countries or the United States, seeking safety. However, even after the 1992 peace accords, violence continued to destabilize the country and people continued to migrate north.

Gang Violence

Today, gang violence from transnational street gangs—particularly the Mara Salvatrucha (MS-13) and their rival the 18th Street Gang (Barrio 18)—is a primary factor driving Central American migration. Honduras, El Salvador, and Guatemala have some of the highest rates of homicides in Latin America, primarily due to gang violence. In 2019, Honduras had the third highest homicide rate in Latin America at 41.2 murders per 100,000 residents, while El Salvador was fourth at 36 murders per 100,000 people. Guatemala was in the eighth position at 21.5 murders per 100,000 residents.⁶ These rates are in sharp contrast to the United States, where there were only 5.35 murders per 100,000 residents in 2019.⁷

The Mara Salvatrucha and 18th Street Gang began in the 1980s in Los Angeles. At the time, Guatemala and El Salvador's civil wars had caused more than one million people to flee to the

United States. Many of these individuals settled in Los Angeles, often living in poor and marginalized areas of the city where gangs already existed. In the 1980s, these Salvadoran refugees formed MS-13 to protect themselves from other gangs.⁸ Around the same time, some Central Americans also joined the 18th Street Gang, which was founded by primarily Mexican immigrants in the 1950s.⁹

Many of these gang members were eventually deported back to Central America. In 1996, the United States' Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act, which made it easier to deport immigrants, including lawful permanent residents, who were convicted of crimes.¹⁰ Many members of these two gangs had spent time in jail and now qualified for deportation.¹¹ From 1998 to 2005, the United States deported 46,000 individuals convicted of crimes to Central America, and primarily to El Salvador.¹² Central American governments were not prepared to receive the deported gang members, some of whom had grown up with little connection to the region. As a result, by the early 2000s, MS-13 and the 18th Street Gang had become firmly established in Central America.

These two gangs generate much of their income from extortion.¹³ In 2015, the Honduran newspaper *La Prensa* conducted an investigation to analyze official extortion reports in Central America. The investigation found that Salvadorans paid an estimated US\$400 million annually in extortion fees, Hondurans paid an estimated US\$200 million, and Guatemalans paid an estimated US\$61 million. However, these are only the reported numbers and the actual amounts are likely much higher.¹⁴ People who fail to pay the extortion fees are threatened with violence. According to the Guatemalan organization Mutual Support Group (*Grupo de Apoyo Mutuo*), at least 700 people were murdered in 2014 after failing to pay extortion fees.¹⁵

Central American governments' policies toward gangs have often aggravated crime and violence in the region. In 2000, Salvadoran President Francisco Flores instituted the hardline program Iron Fist (*Mano Dura*) to combat street gangs and lower the homicide rate.¹⁶ The policy increased the police's permissible use of force, allowing for extrajudicial killings of gang members and doubling El Salvador's prison population.ⁱⁱⁱ After Iron Fist's implementation, the country's homicide rates temporarily decreased, but the rate then subsequently increased every year from 2005 until 2012.¹⁷ Both Guatemala and Honduras adopted similar hardline policies to combat gangs, dubbed Plan Sweep Up (*Plan Escoba*, 2000-2004) in Guatemala and Zero Tolerance (*Tolerancia Cero*, 2002-2006) in Honduras.¹⁸

In the late 2000s and early 2010s, these hardline policies against the gangs gradually ended, but many Central American governments are considering implementing them again. In Honduras, President Juan Orlando Hernández pledged to take a hardline against the gangs during his 2014 presidential campaign. Upon assuming the presidency he dispatched two military police forces accused of human rights abuses to patrol neighborhoods.¹⁹ In Guatemala, the newly elected Guatemalan President Alejandro Giammattei deployed the military to two municipalities on the outskirts of Guatemala City to fight gangs. He also said he would classify gangs as terrorist groups, so it would be easier to arrest gang members.²⁰ While in El Salvador, the newly elected Salvadoran President Bukele Nayib has also supported reinstating Iron Fist policies.²¹ These policies have all

ⁱⁱⁱ In addition, incarceration has made it difficult for youth to find employment, continue their education, and become productive members in their communities.

historically failed to dismantle the gangs, but they have, at times, increased violence levels and incarceration rates.

Violence and Discrimination

Within Central America, certain groups face specific and targeted dangers, including women, minors, the LGBTQ+ community, and indigenous peoples. These groups have often faced long-standing persecution and discrimination, leaving them marginalized and more at risk for violence. This historic inequality and ongoing discrimination drives members of these groups to leave their communities and migrate to Mexico and the United States.

Women and Girls. Guatemala, El Salvador, and Honduras are among the world's deadliest countries for women, with rampant gender-based violence that includes femicide, sexual violence, and domestic violence.²² In 2017, the global rate of femicide was estimated at 2.3 per 100,000 females.²³ At the same time, El Salvador reported a femicide rate at 10.2 per 100,000 females; Honduras had a rate of 5.1; and Guatemala had a rate that was slightly above the world average at 2.6.²⁴

For most of these crimes, there is complete impunity. In 2018, the Public Ministry of Guatemala (*Ministerio Público de Guatemala*) received 56,864 reports of violence against women, but in the same year, only 4 percent (2,329) of these reports resulted in a sentencing.^{iv} ²⁵ According to El Salvador's 2017 National Survey of Violence Against Women (*Encuesta Nacional de Violencia Contra la Mujer*, ENVCM), 67.4 percent of Salvadoran women reported suffering violence (physical, psychological, or sexual) in their lifetime, but only 6 percent reported this violence to authorities.²⁶ Furthermore, more than three-quarters of El Salvador's femicides never even went to court, and only 7 percent resulted in a conviction.²⁷ In Honduras, 95 percent of the 388 femicides committed from January 2017 through January 2018 remain in impunity.²⁸

Teenagers and girls also face physical and sexual abuse within the region. In 2016 and 2017, various human rights defenders estimated that 80 to 90 percent of child sex abuse cases in the region were perpetrated by a family member.^v ²⁹ According to a 2015 report by El Salvador's Ministry of Health (*Ministerio de Salud de El Salvador*, MINSAL), 28.5 percent of adolescent girls who had a child reported that their first sexual encounter was non-consensual.^{vi} ³⁰ Young girls are also targeted by gang members to become gang girlfriends, which leads to forced sexual encounters. The few women who are allowed to become members are often initiated through their

^{iv} The most common complaints were psychological and physical violence.

^v The human rights defenders that provided this information were part of various organizations, including the Office of the Human Rights Ombudsman in El Salvador (*Procuraduría para la Defensa de los Derechos Humanos*, PDDH), the Latin American and Caribbean Network for the Human Rights of Girls, Boys, and Teenagers (*Red Latinoamericana y Caribeña por la Defensa de los Derechos de los Niños, Niñas y Adolescentes*, REDLAMYC), the National Association Against Child Abuse in Guatemala (*Asociación Nacional Contra el Maltrato Infantil*, CONACMI), and the Office for the Defense of Indigenous Women in Guatemala (*Defensoría Mujer Indígena*, DEMI).

^{vi} In El Salvador and Honduras, abortion is criminalized under all circumstances. In Guatemala, abortion is only permitted when the pregnancy risks a woman's life. These reproductive health provisions mean that many girls and women who are victims of sexual abuse are forced to carry their pregnancies to term.

choice of gang rape or a group beating (*brincado*).³¹ Within gangs, women are often referred to as “*bichas*” or “*hainas*,” both terms that compare women to animals.³²

Many of these women flee their countries and travel to Mexico and the United States. A 2019 Mount Sinai Medical Center study noted that 65,000 Central American women sought asylum in the United States in 2016 because of gender-based violence.³³ The researchers found that the women’s families, intimate partners, or local gangs perpetrated the violence. The women in the study also reported that their countries’ justice systems did not protect them.³⁴

Minors. Minors are another high-risk group in Central America who face targeted violence from gangs. Central America’s gangs target minors in an attempt to fill their ranks and keep them from joining rival gangs. The average age of a gang member is 25 years old.³⁵ However, boys aged 12 and 13 years old are prime targets for recruitment, and there are cases of recruits as young as nine years old.³⁶ In 2014, the United Nations High Commissioner for Refugees (UNHCR) published a survey of 404 Central American minors who were in the United States’ Office of Refugee Resettlement’s (ORR) custody.³⁷ This survey found that the gangs harmed or threatened to harm 31 percent of these minors. These rates varied by country, with 63 percent of Salvadoran minors reporting violence and insufficient state protection, 34 percent of Honduran minors experiencing or fearing violence, and 20 percent of Guatemalan minors expressing concerns about gang activity or generalized crime.³⁸

Across the Northern Triangle, minors avoid going to school because gangs target those spaces for recruitment. In December 2018, a report by TheirWorld—a non-profit organization focused on children’s rights—found that 90 percent of Honduran teachers who were working in dangerous areas reported that their school had been targeted by a local gang.^{vii} ³⁹ In 2015, El Salvador’s Ministry of Education estimated that about 65 percent of schools were affected by gangs.⁴⁰ In these Salvadoran schools, 30 percent of staff reported threats from gang members.⁴¹ Additionally, according to the United Nations’ Children Fund (UNICEF), in 2018, at least 23 percent of Guatemalan students were victims of violence as they entered or left school grounds.⁴² The 2014 UNHCR report also found that 19 percent of surveyed children noted a desire to attend school was among their reasons for migrating to the United States.⁴³

LGBTQ+. People of non-heteronormative gender identities or sexual orientations often face discrimination and stigma in Central America.^{viii} These individuals are excluded from their communities and targeted for violence. Lesbian, gay, bisexual, transgender, and queer (LGBTQ+) minors and adults are frequently kicked out of their homes when they come out to their families or are frequently forced into traumatic “corrective” activities.⁴⁴

LGBTQ+ individuals face persecution from local populations, gangs, and police. According to a 2017 Amnesty International report, 88 percent of Central American LGBTQ+ asylum seekers in the United States reported that they suffered from sexual assault and gender-based violence in their home countries.⁴⁵ In 2014, the former Ombudsman for Human Rights in El Salvador and former U.N. resident coordinator for El Salvador noted a 400 percent increase in hate crimes toward LGBTQ+ individuals in El Salvador between 2004 and 2014.⁴⁶ In 2017, the Honduras human

^{vii} TheirWorld and UNICEF surveyed 70 schools in municipalities with some of the country’s highest crime rates,

^{viii} The UNHCR recognizes LGBTQ+ people as a high-risk group.

rights group Cattrachas found that at least 264 LGBTQ+ people had been killed in the country since 2009.⁴⁷

Even though LGBTQ+ individuals experience frequent acts of violence and discrimination, these acts are seldom reported to the authorities due to a fear of retaliation. When LGBTQ+ individuals do report a crime, they allege that police officers often ignore their complaints and mock them.⁴⁸ Even if police officers do take the reports seriously, there is hardly ever a conviction.⁴⁹ From 2008 to 2015, only 13 out of 255 reported violent LGBTQ+ deaths in Honduras ended in a conviction.⁵⁰ As a result, many LGBTQ+ people attempt to escape these conditions and migrate to the United States.

Indigenous Communities and Afro-descendants. For five centuries, indigenous people and afro-descendants have faced violence and discrimination in Central America, and these forces continue through today. As a result of this historic exclusion and inequality, Central America's indigenous and afro-descendant communities are frequently denied equal access to land, education, and healthcare and may need to migrate to obtain these resources or services.

In Guatemala, 39.8 percent of the population is indigenous, according to the country's official statistics.^{ix 51} Within the country, indigenous communities are among the poorest, and have the highest rate of emigration, with many citing hunger and poverty as their primary motivations for leaving their communities.⁵² Guatemala's afro-descendant population is much smaller at 0.2 percent of the population.⁵³ Both groups face discrimination and in 2015, the country's judicial system implemented a specialized unit to deal with discrimination complaints. In its first year, the unit received 98 complaints but did not resolve a single one.⁵⁴

In El Salvador, 0.2 percent of the population is indigenous.^{x 55} These indigenous peoples have high poverty levels, with 61.1 percent living below the poverty line. They are also largely concentrated in the country's underdeveloped rural areas, and only 5 percent of indigenous citizens own land.⁵⁶ El Salvador's indigenous groups have lost many key aspects of their identity due to historic violence and discrimination.^{xi 57}

In Honduras, 9 percent of the population identifies as indigenous, according to the country's 2013 Census.^{xii 58} These indigenous groups suffer from social exclusion, poverty, and intimidation, and reside mainly in rural areas. However, violence, land grabbing, and extreme poverty have forced migration toward the country's urban centers, where indigenous people often live in shanty towns that lack public services.⁵⁹

Honduras also has the Northern Triangle's largest afro-descendent population, with 1.4 percent of the population belonging to this group.^{xiii 60} Most afro-Hondurans belong to two groups, the Garifuna and the Bay Island Creole. Afro-Hondurans have maintained their own languages,

^{ix} Indigenous community representatives in Guatemala report that this figure is closer to 60 percent.

^x Indigenous groups in Guatemala report that this figure is closer to 17 percent.

^{xi} The majority of indigenous people in the country identify as Lenca, Kawakira, or Pipil.

^{xii} In 2007, indigenous groups conducted a Census and reported that nearly 20 percent of the Honduran population was indigenous.

^{xiii} The Bay Island Creoles and the Garifuna are the only afro-Honduran groups that are recognized as distinct ethnic groups.

Garifuna and English respectively, and live along the coast.⁶¹ They have struggled to keep their land as Honduras' coastal villages and beaches are developed for tourism.⁶² The communities who have tried to defend their land have been met with threats and harassment.⁶³ There are an estimated 100,000 afro-Hondurans currently living in the United States.⁶⁴

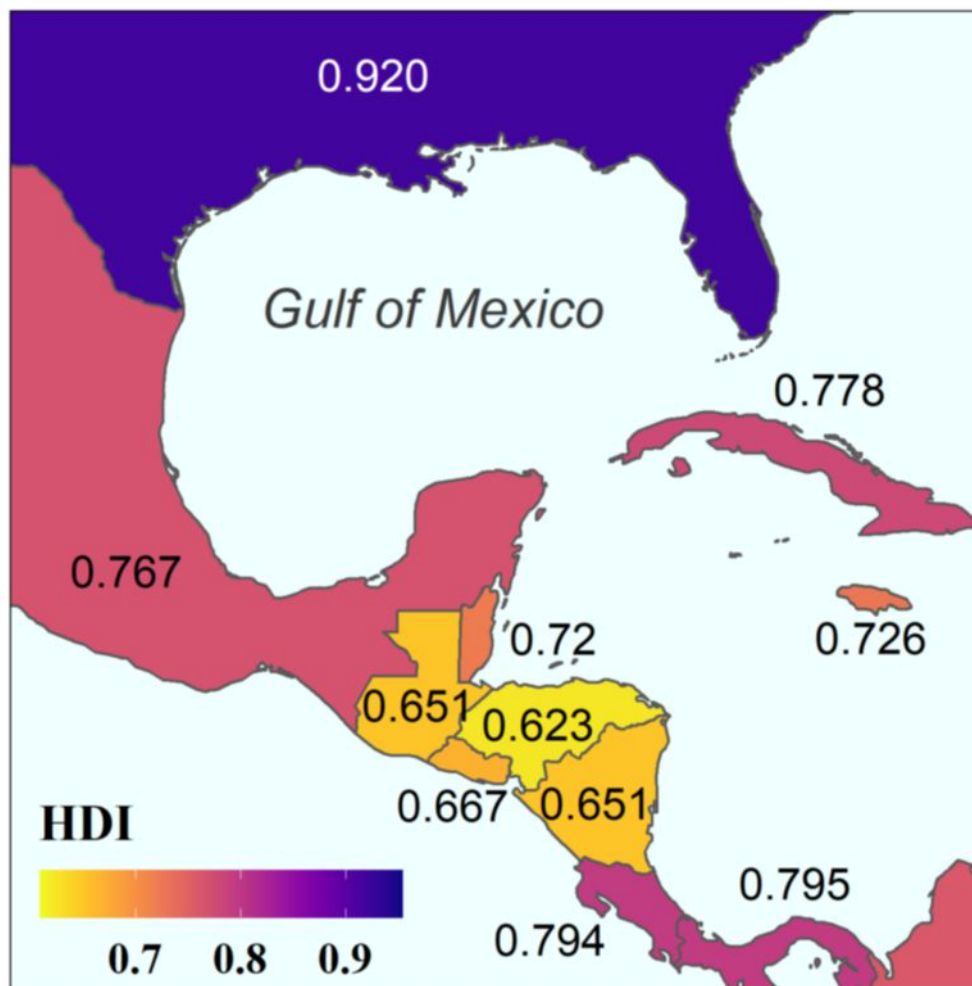
Indigenous groups and afro-descendants in Central America all face additional barriers that prevent them from reporting crimes and seeking justice in their countries. The police, prosecutors' offices, and the courts rarely have interpreters for indigenous languages, and these groups also face discrimination regarding the way that they dress or the color of their skin.⁶⁵ These obstacles make justice difficult to obtain in countries that already have weak judicial systems.

Economic Instability and Food Security

Central American countries are among the most impoverished in the Western Hemisphere. In Honduras, 66 percent of the population lives on less than US\$5.50 a day, followed by Guatemala at 59.3 percent, and El Salvador at 31 percent.⁶⁶ The situation is even worse when adding in other indicators, such as access to education, health, nutrition, sanitation, and water. The Oxford Poverty and Human Development Initiative (OPHI) developed the Multidimensional Poverty Index (MPI) to account for these other metrics of economic well-being.^{xiv 67} Based on the MPI, Central America's countries lag behind the rest of the region, and Honduras had the second lowest MPI in the Western Hemisphere.

^{xiv} MPI complements traditional monetary-based poverty measures by capturing the deprivations that each person faces with respect to education, healthcare, and living standards.

Figure 2
Multidimensional Poverty Index

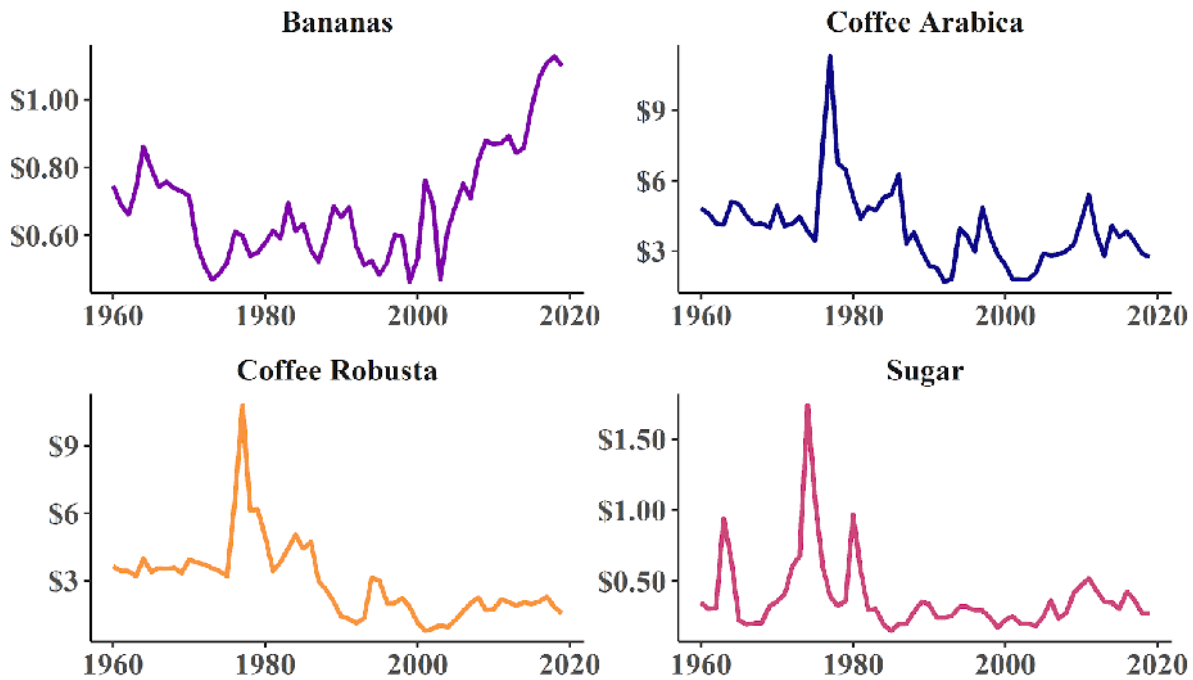


Source: Oxford Poverty and Human Development Initiative

Central America's economic instability comes in part from the country's reliance on commodity exports, such as coffee, fruit, and sugar. Historically, the majority of Central Americans were subsistence farmers who grew their own food. However, since the early twentieth century, American companies, such as the United Fruit Company, have dominated the agricultural sector and transitioned the economy toward commodity exports. Today, nearly 30 percent of the region's workforce is still employed in agriculture.

Since 2011, there has been a decline in commodity prices because of the global economic slowdown and as larger economies, such as Brazil and India, are industrializing their agricultural sectors and increasing harvest yields.⁶⁸ For example, from 2011 to 2018, the price of sugar declined by 48 percent.⁶⁹ While in the coffee industry, which employs over 500,000 workers in Guatemala alone, the price of coffee arabica is lower than it was nearly five decades ago.⁷⁰ Bananas are the only crop that has experienced rising prices.

Figure 3
Inflation Adjusted Price of Select Commodities, Real Prices (1960-2020)



Source: World Bank

Climate change is also affecting Central America's agricultural production.⁷¹ Increasing temperatures and recurring droughts in the region have reduced farmland's productivity. For example, in the summer of 2018, a drought in Central America's dry corridor—which includes Guatemala, El Salvador, Honduras, and Nicaragua—ruined maize and bean crops and placed 2 million people at risk of starvation.⁷² Many farmers were forced off their land and into Central America's urban areas or north to the United States.

Additionally, the wage disparity between Central America and the United States means that people working in the United States can send remittances home to their families.⁷³ The United States' federal minimum wage is US\$7.25 per hour, which is nearly 12 times higher than El Salvador's minimum wage, 8 times higher than in Honduras, and 6 times higher than in Guatemala (see Table 1). Many U.S. states have even higher minimum wages. As a result, since the early 1990s, Central America's economies have become increasingly reliant on remittances. In 2019, remittances accounted for 21.1 percent of El Salvador's GDP, 19.9 percent of Honduras' GDP, and 12.1 percent in Guatemala.⁷⁴ In contrast, foreign direct investment amounts to .07 percent of El Salvador's GDP, .05 percent in Honduras, and only .01 percent in Guatemala.⁷⁵

Table 1
Minimum Wage by Country

Country	El Salvador	Guatemala	Honduras	Mexico	United States
Minimum Wage	\$0.62/hr ⁷⁶	\$1.16/hr avg ⁷⁷	\$0.90/hr ⁷⁸	\$1.05/hr	\$7.25/hr

Source: Author elaboration

Chapter 2: Legal and Institutional Basis for Mexico's Migratory Policies

Mexico's migratory policies are outlined across multiple legal documents. These documents include Mexico's Constitution (*Constitución de los Estados Unidos Mexicanos*) and the 2011 Migratory Act (*Ley de Migración*), which both outline migrants' rights and the government's procedures for addressing migration. Additional laws, such as the Law of Refugees, Complementary Protection, and Political Asylum (*Ley sobre Refugiados, Protección Complementaria y Asilo Político*), also provide separate protections and rights.

Mexican Constitution

The Mexican Constitution is the country's legal foundation and guarantees universal human rights to every person in Mexico regardless of their migratory status.⁷⁹ All subsequent laws in Mexico are based on these constitutional rights. For Mexico's migratory policy, Article 11 is the most important part of the Constitution. It outlines that while all individuals have the right to enter and leave Mexico, the government can regulate that movement. Article 33 also outlines the president's powers to detain and deport non-citizens according to the law. However, the Constitution leaves the circumstances that merit apprehension and deportation to be defined by subsequent laws.

Migratory Act of 2011

In 2011, Mexico's Congress passed the Migratory Act, a sweeping law that overhauled the country's approach to migration issues. The Migratory Act outlines INM's procedures to regulate foreigners' entry, departure, transit, and stay within the country's territory. It also outlines migrants' rights, including the right to due process, education, healthcare, and a range of other protections.⁸⁰ Additionally, the Migratory Act upholds a 2008 amendment that decriminalized unauthorized migration and turned it into an administrative infraction.

Table 2
Migratory Law of 2011

Migratory Act Articles	Translation	Relevance to Migrants
Article 2	Respect for migrants' human rights, regardless of place of origin, nationality, gender, ethnicity, age, or migratory status, with a special focus on vulnerable groups, such as minors, women, indigenous individuals, adolescents, the elderly, and crime victims.	Individuals returned to Mexico should have their human rights respected, with a special focus on members of high-risk groups.
Article 8	Migrants may access public and private education services, independent of their migratory status.	Minors should have access to education, regardless of their migratory status.
Article 8	Migrants have the right to receive any type of public and private medical care, independent of their migratory status. Migrants have the right to receive free, unrestricted emergency medical care to save their lives, independent of their migratory status.	Migrants should have access to healthcare and medical attention during their time in Mexico, regardless of their migratory status.
Article 11	Migrants have the right to access Mexico's judicial system, including the right to due process and the right to lodge human rights complaints.	Migrants have the right to access Mexico's judicial system.
Article 67	Migrants have the right to not be discriminated against in any manner and to have their human rights respected.	Migrants in Mexican territory should not be discriminated against.

Source: Author elaboration

The Migratory Law created the Visitor for Humanitarian Reasons Card (*Tarjeta de Visitante por Razones Humanitarias*, TVRH), colloquially referred to as a humanitarian visa. Table 3 describes the circumstances for granting a humanitarian visa, which include being a victim of a crime, seeking refugee status, or another humanitarian reason. Humanitarian visas include a Unique Population Registry Code (*Clave Única de Registro de Población*, CURP), which allows an individual to temporarily transit and work in Mexico.⁸¹ However, this limited permit is valid for only one year. Migrants can request an extension for an additional year at an INM office by providing their identification document, a new application, and a written explanation of the renewal.⁸²

Table 3
Reasons for Granting a Humanitarian Visa

Visa Recipients	Description
Victims or witnesses to a serious crime in Mexico	<p>A migrant can receive a humanitarian visa if he or she is a victim or witness to a crime. A migrant is considered to be a crime victim if he or she is the passive subject of delinquent behavior. This is independent of whether the prosecutor is identified, apprehended, prosecuted, or sentenced.⁸³</p> <p>In this case, the humanitarian visa will be issued for the length of the corresponding legal process. Once the process concludes, the migrant must leave Mexico or seek another form of legal status in the country.⁸⁴</p>
Unaccompanied minors	An unaccompanied minor can receive a humanitarian visa if it is in the minor's best interest. ⁸⁵
Refugee status seekers	Refugee status seekers can receive a humanitarian visa until their case is resolved. ⁸⁶
Humanitarian cause ⁸⁷	<p>There are other circumstances where individuals can receive a humanitarian visa:</p> <ul style="list-style-type: none"> • There is a risk to the health or life of the person that requires them to remain in Mexico. • The person is vulnerable to the degree that it is difficult or impossible to deport them. • The person is pregnant, elderly, disabled, or indigenous. • The person's life or integrity is in danger due to violence or a natural disaster.
Public interest	A public interest arises where the individual's admission to Mexico is required to assist in situations of emergency or disaster.

Source: Law of Migration Article 52, Sub-Article V

Law of Refugees, Complementary Protection, and Political Asylum

The 2011 Law of Refugees, Complementary Protection, and Political Asylum affords a series of protections to refugees in Mexico. The law draws on international agreements, such as the 1951 Geneva Convention, in its definition of a refugee. The Geneva Convention states that a refugee is an individual who: “[O]wing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.”⁸⁸ Mexican law includes this definition and goes even further by promising protections specifically for gender-based discrimination.

The Mexican Law of Refugees, Complementary Protection, and Political Asylum is also based on the 1984 Cartagena Declaration. The Cartagena Declaration was written to update the Geneva

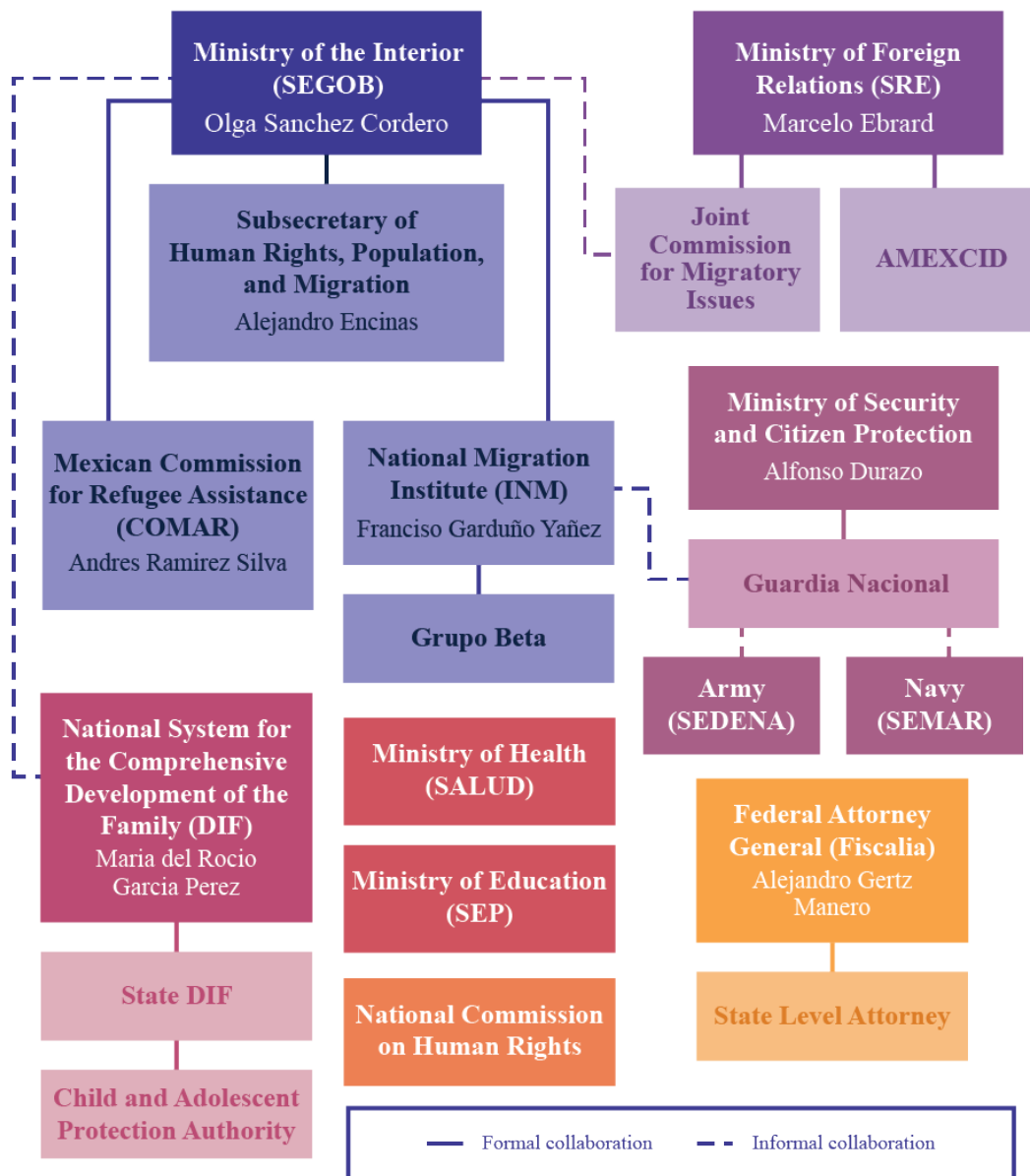
Convention and expands the definition of a refugee to also include: “persons who have fled their countries because their lives, safety, or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order.”⁸⁹ Mexico’s legal standard for a refugee also includes this definition from the Cartagena Declaration.

Federal Government Agencies Involved in Mexican Migratory Policy

Mexico’s federal government is divided into executive, legislative, and judicial branches. Since December 1, 2018, President Andrés Manuel López Obrador of the National Regeneration Movement party (*Movimiento Regeneración Nacional*, MORENA) has led the executive branch. In 2014, the party surged onto Mexico’s political scene and dominated the July 2018 elections. MORENA now controls 59 of the Senate’s 128 seats, and 259 of the Lower House’s 500 seats. The party also holds 7 governorships and 23 legislative majorities in Mexico’s 32 states.

López Obrador used his first year in office to make structural changes to a wide range of federal ministries and agencies, including those that work on migratory issues. The following paragraphs will describe these relevant ministries in greater detail and document the López Obrador administration’s changes to their structure. Figure 4 outlines the ministries that are most relevant to migratory policy and the connections among them.

Figure 4
Government Ministries Relevant to Mexican Migration Policy



Source: Author elaboration

Secretary of Foreign Relations and the Secretary of the Interior. The Migratory Act of 2011 establishes that the Secretary of the Interior (*Secretaría de Gobernación*, SEGOB) should formulate and direct Mexico’s migratory policy.⁹⁰ This includes establishing the requirements for who can enter or reenter the country, determining where foreigners can transit, and any other powers indicated in Mexico’s migratory law. Until September 2019, SEGOB alone complied with this mandate, designing and implementing Mexico’s migratory policy.

However, throughout López Obrador’s presidency, the Secretary of Foreign Relations Marcelo Ebrard has taken a more active role in designing Mexico’s migratory policy. In Mexico’s Migratory Act, the Secretary of Foreign Relations’ (*Secretaría de Relaciones Exteriores*, SRE)

role in migration policy is to create bilateral agreements to regulate migration or facilitate assisted returns of both Mexican nationals and foreigners. Under Ebrard, SRE has taken on even more responsibilities, including developing broad migration-related agreements with the United States and negotiating the deployment of Mexico's National Guard (*Guardia Nacional*) to the country's southern border.⁹¹

On September 19, 2019, the López Obrador administration created a Joint Commission for Migratory Issues (*Comisión Intersecretarial de Atención Integral en Materia Migratoria*).⁹² The Joint Commission makes official SRE's management of migration issues and is run by the head of SRE, in this case Secretary Ebrard. The Joint Commission is tasked with approving Mexico's migration strategy, goals, and objectives. The Joint Commission also includes other agencies that address migration issues, such as INM and the National System for the Comprehensive Development of the Family (*El Sistema Nacional para el Desarrollo Integral de la Familia*, DIF).⁹³

Within SRE, the Mexican Agency for International Development Cooperation (*Agencia Mexicana de Cooperación Internacional para el Desarrollo*, AMEXCID) is a decentralized agency that plans and coordinates international development programs. The agency's geographic priority is Central America and the Caribbean. During the López Obrador administration's first year in office, AMEXCID implemented SRE's Central American development programs, which have become a cornerstone of Mexico's migratory policy.

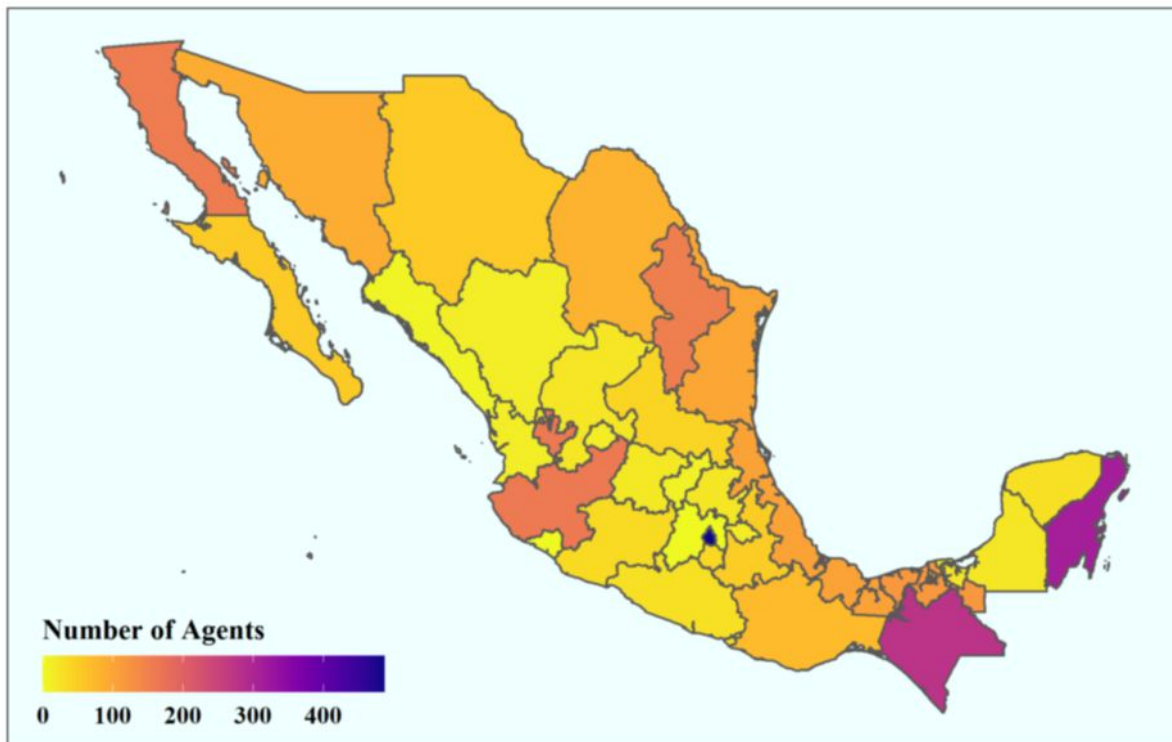
INM and Grupo Beta. INM is the decentralized body within SEGOB that is in charge of implementing the country's migratory policies. INM is tasked with all major migration activities, including checking migratory documents at ports of entry, operating a series of migration checkpoints and Comprehensive Border Crossing Attention Centers (*Centros de Atención Integral al Tránsito Fronterizo*, CAITF), managing migrant detention centers, conducting apprehensions and deportations, and issuing documentation permitting migrants to travel through Mexico.^{xv 94} INM has the authority to seek assistance from the National Guard, Federal Police (*Policía Federal*), and Navy (*Secretaría de Marina*, SEMAR) in regards to migratory operations.⁹⁵

In 2019, INM had 2,872 agents, with a presence in nearly every Mexican state.^{xvi} The states with the highest numbers of agents are Mexico State (487), Quintana Roo (312), and Chiapas (275). As of November 2019, a majority of INM employees had at least an undergraduate education.⁹⁶ (Appendix 2 details current INM agents' education levels.) On December 11, 2019, an INM press release noted that INM would partner with The National Association of Universities and Higher Education Institutions (*Asociación Nacional de Universidades e Instituciones de Educación Superior*, ANUIES) to increase INM personnel's educational attainment. This would apply for both federal migration agents and administrative staff.⁹⁷

^{xv} INM's full list of responsibilities include: 1) implementing migratory policy; 2) supervising and reviewing the documentation of people entering and leaving Mexico; 3) dictating foreigners' admission, stay, and departure; 4) overseeing foreigners' deportation and assisted return; 5) imposing relevant sanctions; 6) maintaining and updating the National Registry of Foreigners; 7) presenting foreigners to the appropriate detention centers or designated places; 8) coordinating the operation of migrant assistance groups; and 9) providing information to relevant databases.

^{xvi} Colima is the only state without federal migration agents.

Figure 5
INM Agent Presence by Mexican State (2019)

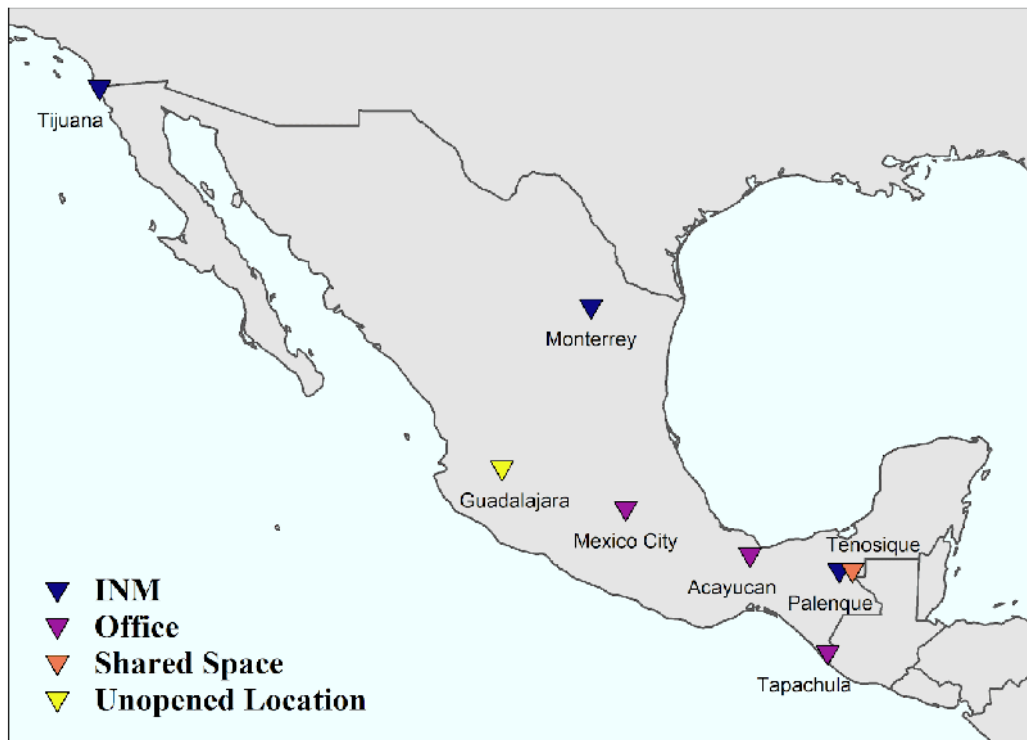


Source: INM transparency request

Grupo Beta is a branch of INM that focuses on protecting migrants' rights within Mexico. There are 22 Grupo Beta offices in nine states across the country, with the majority located along the northern and southern borders.⁹⁸ Some of Grupo Beta's tasks involve conducting search missions to find lost or at risk migrants, providing humanitarian first aid, offering legal assistance, and advising migrants on migration risks. Grupo Beta can also help channel migrants' complaints to the National Human Rights Commission (*Comisión Nacional de los Derechos Humanos*, CNDH).

COMAR. The Mexican Commission for Refugee Assistance (*Comisión Mexicana de Ayuda a Refugiados*, COMAR) is another decentralized body within SEGOB. COMAR's role is to determine whether an individual qualifies for refugee status and provide integration assistance to those who receive protection. Throughout the country, the agency has four offices located in Mexico City; Tapachula, Chiapas; Acayucan, Veracruz; and Tenosique, Tabasco. The office in Tenosique, Tabasco is a shared space with the UNHCR.⁹⁹ During 2019, COMAR expanded its presence to Monterrey, Nuevo León; Tijuana, Baja California; and Palenque, Chiapas.¹⁰⁰ In February 2020, the Department Head of the UNHCR in Guadalajara, announced that COMAR would soon expand to Guadalajara, Jalisco.¹⁰¹

Figure 6
COMAR Office Locations (April 2020)



Source: COMAR

COMAR does not have sufficient personnel or resources to fulfill its mandate. In 2013, COMAR received 1,296 refugee status applications, but in 2019, it received 70,302 applications.¹⁰² For 2020, the agency predicts that the number of refugee applications will rise even higher to 85,000.¹⁰³ While the number of applications has surged, the agency's budget and personnel numbers have not risen at the same rate. In the 2020 fiscal year, COMAR requested a budget of MX\$124 million (US\$6.2 million). Yet Mexico's Congress approved a budget of only MX\$47 million (US\$2.4 million), a third of what was originally requested.¹⁰⁴

National Guard and the Ministry of Security and Citizen Protection. This Ministry of Security and Citizen Protection (*Secretaría de Seguridad y Protección Ciudadana*, SSPC) handles security policy for Mexico and nominally oversees the newly instated National Guard. In February 2019, President López Obrador and the Mexican Congress created the National Guard to combat violence across Mexico. The National Guard was launched with a reported 61,000 troops and Mexican officials intend to double its ranks by 2021.¹⁰⁵ The force is composed of units from the Federal Police, the Army, the Navy, and new recruits who are enlisted directly into the National Guard. The National Guard operates mostly in border zones, customs enforcement areas, and federal highways.¹⁰⁶

The National Guard is also authorized to support INM in migration enforcement. According to Article 9 Section XXXV of the Law of the National Guard (*Ley de la Guardia Nacional*), the security force can cooperate with INM to verify migrants' legal presence in Mexico and guard migratory detention centers. In June 2019, President López Obrador specifically noted that the

National Guard does not have orders to detain migrants.¹⁰⁷ The comment came after a high-profile incident involving National Guard personnel who chased and detained migrants, including women, near Ciudad Juárez, Chihuahua.¹⁰⁸

National System for the Comprehensive Development of the Family. The National System for the Comprehensive Development of the Family (*Sistema Nacional para el Desarrollo Integral de la Familia*, DIF) provides assistance to unaccompanied minors. Article 29 of the Migratory Act of 2011 notes that DIF is responsible for guaranteeing unaccompanied minors' protection and housing them within its shelter system.¹⁰⁹ INM is supposed to immediately place all unaccompanied minors under DIF's care and these minors then remain in its shelters until their migratory status is resolved.¹¹⁰ Generally, this means that unaccompanied minors remain in DIF shelters until they are deported back to their countries of origin.

Federal Actors in Charge of Providing Education, Healthcare, and Due Process. According to the Migratory Act of 2011, all individuals in Mexico, regardless of their migratory status, have the right to access public and private education services and public and private medical care, particularly in an emergency setting.¹¹¹ The Ministry of Education (*Secretaría de Educación Pública*, SEP) and the Ministry of Health (*Secretaría de Salud*, SALUD) are assigned to uphold these rights. Additionally, the Ministry of Health has the responsibility for establishing health requirements for individuals entering the country and overseeing health services in places designated for international transit.

The Attorney General (*Fiscalía*) is the government body that addresses federal crimes committed against migrants, through its Unit of Investigation of Crimes Against Migrants (*Unidad de Investigación de Delitos para Personas Migrantes*). However, most crimes involving migrants are addressed at the state level, rather than at the federal level. If a Mexican official commits a crime against a migrant, CNDH can help record the crime.

Chapter 3: López Obrador's Migratory Policy

Mexico's Migration Policies Preceding López Obrador's Presidency

On December 1, 2018, President Andrés Manuel López Obrador assumed the presidency and inherited a migratory policy that was based on apprehensions and deportations. At the time, Mexico's last major migration policy had been the 2014 Southern Border Program (*Programa Frontera Sur*). In June 2014, former U.S. President Barack Obama and former Mexican President Enrique Peña Nieto discussed the two countries' shared responsibility to address regional migration amid an increase in Central American unaccompanied minors arriving at the southern border. Several weeks later, in July 2014, Peña Nieto announced the Southern Border Program.¹¹²

The Southern Border Program was implemented to tackle two stated goals: 1) to provide more protection to migrants transiting through Mexico, and 2) to secure Mexico's southern border to improve safety and economic development in the region. Another important goal, while unstated, was to prevent Central American migrants from arriving at the U.S.-Mexico border.^{xvii 113} For the Southern Border Program to reach its goals, the administration enacted five points of action: 1) regularize migration; 2) improve border security infrastructure; 3) protect migrants; 4) improve regional coordination; and 5) improve interagency coordination.^{114 xviii}

In practice, the government primarily channeled its resources into the Southern Border Program's enforcement and deportation efforts. These resources increased border infrastructure, including more CAITFs, permanent and mobile checkpoints, and naval facilities.¹¹⁵ The Southern Border Program also increased the number of INM agents along the southern border and the number of migratory inspections and operations.¹¹⁶ Between 2013 and 2015, apprehensions in the country's southernmost states of Chiapas, Tabasco, Veracruz, and Oaxaca rose by 134 percent.¹¹⁷ By October 2018, the United States had provided Mexico with more than US\$100 million in equipment and training to support the program.¹¹⁸

The Southern Border Program's increased apprehensions and deportations of migrants created additional consequences. The higher rate of INM inspections along train tracks and highways led migrants to travel on less frequented routes.¹¹⁹ These isolated routes were at times more dangerous, since they left migrants more exposed to the elements and further away from any assistance. Migrants also began to switch from using trains as their preferred mode of transportation to cars, buses, and trailers.¹²⁰ Migrants hired smugglers for crossing Mexico at greater rates. These smugglers also became more expensive, increasing their prices from US\$5,000 per person in 2014 to at least \$7,000 in June 2015.¹²¹

^{xvii} As part of the Southern Border Program, the Peña Nieto administration used a Three Layer System along the country's southern border. This system aimed to secure Mexico's porous southern border through three "land and sea containment belts" placed at three strategic distances from the border. The first was located about 30 miles from the southern border, the second was located at 100 miles, and the third was located through the Isthmus of Tehuantepec. These points of surveillance were run by the Federal Police, the Army, and INM.

^{xviii} The five points of action are described here in more detail: 1) regularizing migration through more formal border crossings; 2) improving border security infrastructure; 3) protecting migrants through access to medical care and improved shelter conditions; 4) improving regional coordination among Northern Triangle countries, Mexico, and the United States; and 5) improving interagency coordination.

Mexico's 2018 Presidential Election

During Mexico's 2018 presidential campaigns, migration became a critical topic. Historically, Mexico's most pressing migration policy issues revolved around Mexican nationals leaving or returning to the country. However, the 2018 election also focused on Central American migrants. This emphasis on migration was largely in response to President Donald Trump and his administration's unwavering focus on migration, continuous xenophobic messages toward Mexicans, and the large number of Central American migrants traveling through Mexico. In fact, the 2018 election cycle had the first presidential debate that focused exclusively on foreign relations, with a segment specifically on migration.

During the 2018 election, Mexican public opinion on migration was divided. A study by the World Values Survey—which was conducted from January 2018 to April 2018—found that only 27 percent of Mexicans believed that immigration had a positive impact on their country's development.¹²² Another 26 percent felt that the impact was negative.^{xix 123} Three fourths of respondents noted that they would welcome immigration under specific circumstances, such as if there were sufficient jobs or limits on the number of immigrants. However, a July 2019 *Washington Post* and *Reforma* survey noted that Mexican nationals also cite unemployment as a primary concern.¹²⁴ In contrast, migration ranked second to last.¹²⁵

On April 1, 2018, President López Obrador launched his presidential campaign in Ciudad Juárez, Mexico where he repeatedly addressed migration. His initial campaign speech focused on Mexicans abroad and the creation of 50 Mexican consulates in the United States. It also touched on economic development within Mexico as the way to discourage further emigration. Additionally, López Obrador mentioned his respect for the right to honest work anywhere in the world and his desire for a respectful relationship with the United States, while maintaining Mexico's sovereign authority.¹²⁶

On May 20, 2018, these topics reemerged when López Obrador participated in the presidential debate on Mexico's foreign relations. In this forum, López Obrador emphasized many of the same points that he made during his campaign launch and championed the need to protect Central American migrants.¹²⁷ He announced that, if necessary, Mexico would approach the United Nations to defend migrants' human rights. He promised to restructure INM and negotiate an alliance between the United States, Mexico, and Central America's countries.¹²⁸ When speaking about the United States, López Obrador brought up the Mexican government's sovereignty and his resistance to do the United States' "dirty work" on migration.¹²⁹

In the months after his campaign launch, López Obrador participated in events around the country. In De La Torre, Veracruz and Santa Catarina, Nuevo León, his discourse around migration focused on stopping Mexican emigration by creating better economic opportunities and a safer environment within the country.¹³⁰ During his final campaign speech, López Obrador also emphasized regional cooperation.¹³¹ Particularly, he focused on an agreement between Canada, the United States, and Central America to address economic development, job creation, and migration across the region, and compared it to President John F. Kennedy's proposed Alliance

^{xix} Ten percent of Mexican respondents advocated for a ban on immigration and 14 percent were unconditionally open to immigration.

for Progress in 1961.¹³² López Obrador also stated that he would be willing to foster a dialogue with the United States to reach an agreement on migration.¹³³ Yet he emphasized the need for mutual respect between the two countries and noted that Mexico is a free and sovereign country.¹³⁴

The National Project

In November 2017, López Obrador's campaign team published the National Project (*Proyecto Nacional*), which served as MORENA's policy platform and formed the party's vision for Mexico's future.¹³⁵ In this document, López Obrador's team outlined three central migration challenges:

1. An increasing number of U.S. deportations of Mexican citizens
2. Greater pressure on Mexico's southern border, due to Central American migration
3. Mexican migration to the country's urban centers and the U.S.-Mexico border

The National Project document proposed five objectives to initiate a new Mexican migratory policy. These five objectives and their supporting actions described a focus on migrants' rights, support for Mexican nationals living abroad, and reducing corruption within Mexico's migratory institutions. Many of the proposals reflect López Obrador's immigration stances during his campaign and in the presidential debates.

National Development Plan

On December 1, 2018, López Obrador assumed office, and five months later, his administration introduced the National Development Plan 2019-2024 (*Plan Nacional del Desarrollo 2019-2024*).^{xx 136} When introducing the plan, López Obrador announced that it marked a new path forward for Mexico, which better aligns with the Mexican people's needs.¹³⁷ The plan has a three page section (out of 64 total pages) that focuses on migration, titled "Migration: Solutions at the Root."

The National Development Plan suggests that Mexico collaborate with the United States and Central American countries to find solutions on migration issues.¹³⁸ The proposed solutions center around mitigating inequality and poverty through economic stimulus and regional development. The plan portrays Mexico as a welcome recipient for refugees and migrants and presents a sharp deviation from the previous administration's enforcement-based approach toward migration. According to this document, the López Obrador administration would guarantee migrants' safe transit through national territory and includes a campaign against racism and xenophobia in Mexico.¹³⁹

The plan also outlines a preferred bilateral relationship with the United States where the two countries work together on overlapping issues, such as migration.¹⁴⁰ The document emphasizes cooperation with Central American and Caribbean countries, citing the region's proximity, and shared history and culture. With these regions, the plan outlines a focus on economic, cultural, scientific, and technological exchanges to facilitate Latin American integration.¹⁴¹

^{xx} Article 26 of Mexico's 1917 Constitution mandates a National Development Plan.

New Migratory Policy of the Mexican Government 2018 - 2024

More specific to migration, in 2019, the López Obrador administration released a document titled The Mexican Government's New Migratory Policy, 2018-2024 (*Nueva Política Migratoria del Gobierno de México, 2018-2024*). SEGOB's Undersecretary of Human Rights, Population, and Migration created the document. According to the executive summary, the López Obrador administration would seek to establish a new perspective on migration focused on human rights and social and economic development.¹⁴² The document emphasized the administration's willingness to collaborate with international governments, Mexican state and local governments, and civil society organizations.

The New Migratory Policy document describes the administration's migratory objectives during the next six years, including actionable items and how they will reach those goals. The seven objectives for López Obrador's migratory policy are 1) promoting shared responsibility; 2) establishing safe, orderly, and regular migration; 3) addressing irregular migration; 4) strengthening migration institutions; 5) protecting the Mexican diaspora; 6) reintegrating Mexican nationals and integrating foreign migrants into Mexican society; and 7) fostering sustainable development. According to the document, each of these new policy objectives is rooted in Mexico's Migratory Law, the Law of Refugees, Complementary Protection, and Asylum, and the Global Compacts for Migration and Refugees.

Institutional Restructuring and Humanitarian Visas

During his campaign and at the beginning of his presidency, López Obrador promised to give Mexico's migratory policy a human rights focus. For the first six months of López Obrador's presidency, INM took steps to turn this vision into reality, by restructuring INM, improving detention center conditions, and granting more humanitarian visas. However, after May 2019, this focus largely disappeared.

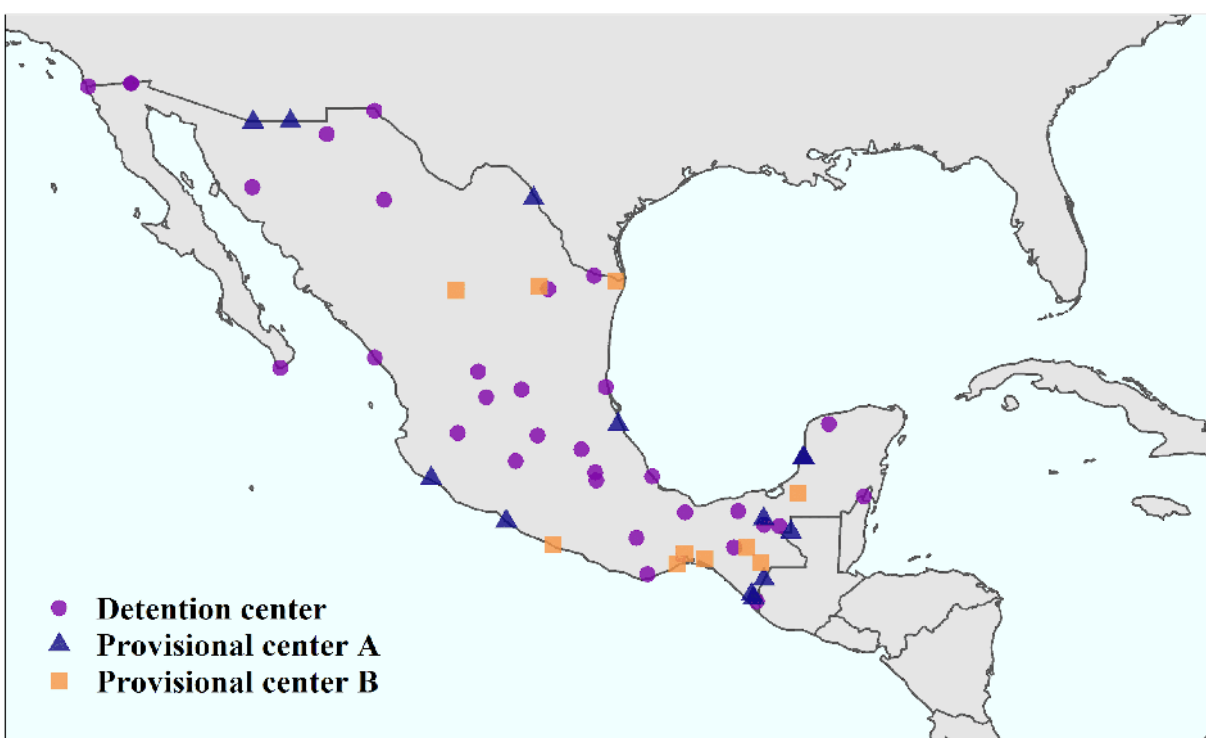
Restructuring INM. On October 29, 2018, López Obrador named Dr. Tonatiuh Guillén López as the INM commissioner, promising a more humanitarian-focused approach for the agency.¹⁴³ Prior to joining INM, Guillén was an academic who served from 2007 to 2017 as the president of the College of the Northern Border (*El Colegio de la Frontera Norte, COLEF*), a Mexican university in Tijuana, Baja California. Additionally, Guillén had conducted research on international migration for decades, with a focus on Central American and Mexican migration.¹⁴⁴ Similar to López Obrador, Guillén's work emphasized a migratory policy founded on human rights and economic development in areas of high outward migration.

One of Guillén's first actions as INM's commissioner was to review INM agents' behavior in light of CNDH and civil society organizations' complaints. By May 2019, Guillén acknowledged that he had removed more than 600 INM employees for various reasons, including inadequate conduct, signs of corruption, and poor performance.¹⁴⁵ Additionally, Guillén established that INM would hire new personnel with more qualifications, such as a college education. In turn, these agents

would receive higher pay. Guillén’s expectation was that these internal improvements within the organization could lead to better employee practices.^{xxi 146}

Guillén also promised to address Mexico’s migrant detention centers. Across Mexico, INM operates a nationwide network of 66 detention facilities that are designed to house migrants for 15 working days, with a possible extension of up to 60 working days.^{xxii 147} Migrants have long complained about the detention centers—due to overcrowding and unsanitary conditions—and there has been unrest and breakouts in some of the worst facilities.^{xxiii 148} On March 1, 2019, INM closed five detention centers in Morelia, Michoacán; Acapulco, Guerrero; Nogales, Sonora; Tuxpan, Veracruz; and Reynosa, Tamaulipas due to overcrowding, a lack of lighting and ventilation, and agents’ extortion of migrants.¹⁴⁹

Figure 7
INM Facilities: Detention Centers (2020)



Source: INM transparency request

In May 2019, Guillén told reporters that INM planned to replace detention centers with shelters that would be suitable for families and children.¹⁵⁰ Guillén established that INM would minimize

^{xxi} In June 2016, Francisco Garduño also claimed that 33 agents would be laid off, 40 would be suspended, and 67 would be reassigned to other tasks.

^{xxii} Article 111 of the Migratory Law outlines the maximum lengths of stay for detention centers (*estaciones migratorias*). In provisional centers “B” (*estancias provisionales B*), migrants can be detained for a maximum of seven days, and in provisional centers “A” (*estancias provisionales A*), migrants can be detained for up to 48 hours.

^{xxiii} On April 25, 2019, 1,300 migrants escaped from the Siglo XXI detention center in Tapachula, Chiapas, which has an official capacity of 900 people. Throughout May 2019, there were continued break outs from the detention center.

the number of detention centers, and only use them for short periods of time while migrants wait to be returned to their respective countries.¹⁵¹ On May 21, 2019, Guillén noted that Mexico's government had obtained 15 acres of land in Tapachula, Chiapas, where INM would begin constructing a new migrant shelter.¹⁵²

In a March 2019 report by the Mexican news agency *Animal Politico*, Tonatiuh Guillén and Isabel Velasco, the previous INM director for the protection of minors, cited concerns regarding the agency's child protection officials (*oficiales de protección a la infancia*, OPIs). These officials are tasked with protecting, assisting, and accompanying migrant children and teenagers, particularly unaccompanied minors, after they are apprehended. Velasco noted that an internal audit found that many OPIs did not have the adequate qualifications to work with children.^{xxiv 153} In response, on May 22, 2019, INM announced that it was looking to hire 28 new OPIs who had experience working with children and backgrounds involving psychology and social work.¹⁵⁴ On August 1, 2019, INM hired 25 new OPIs and their education profiles are outlined in Appendix 4.¹⁵⁵

Humanitarian Visas. Even before López Obrador assumed the presidency, he was vocal in his support for providing humanitarian protections to caravan members. In October 2018, a caravan of approximately 2,000 migrants traveled from San Pedro Sula, Honduras to Mexico's southern border. During the migrants' journey, then President-elect López Obrador announced that his administration would respond to migrant caravans by offering them work visas upon arrival to Mexican territory.^{xxv 156}

Once López Obrador's presidential term began, he had the chance to implement this strategy. In January 2019, INM began granting humanitarian visas to caravan members arriving in Tapachula, Chiapas.¹⁵⁷ INM named this expedited application, screening, and interview process the "Emergent Program for the Granting of Visitor for Humanitarian Reasons Cards" (*Programa Emergente de Emisión de Tarjetas de Visitante por Razones Humanitarias*). By January 23, 2019, more than 8,727 migrants had applied for the humanitarian visas in Ciudad Hidalgo and Tapachula, Chiapas, and INM estimated that another 1,500 migrants were waiting to apply.^{xxvi 158} Honduran migrants filed the majority of these applications (6,483 applications), followed by Salvadorans (1,037 applications) and Guatemalans (1,011 applications).¹⁵⁹ Within the total applicants, there were 2,024 minors, including 44 unaccompanied minors.¹⁶⁰

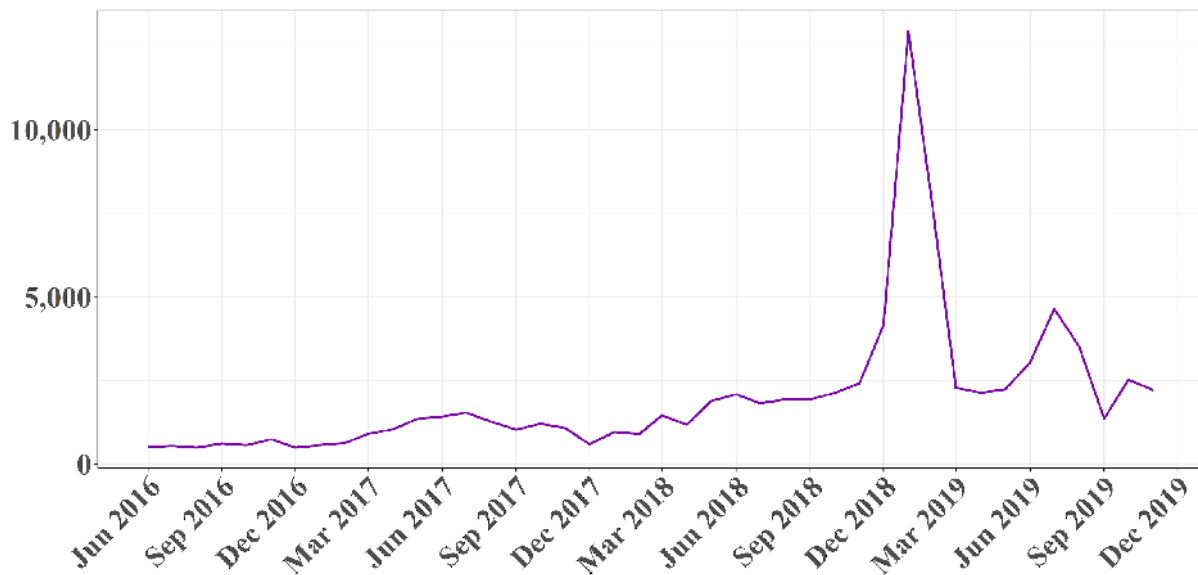
On January 28, 2019, INM Commissioner Tonatiuh Guillén announced that INM would be ending the Emergent Program because it was "too successful" and could overwhelm Mexico's migration system.¹⁶¹ INM would continue to process the applications submitted before this date but would not accept any new applications. By February 11, 2019, INM reported that it had granted 13,270 humanitarian visas through the Emergent Program.¹⁶² According to a February 14, 2019 report, INM also granted humanitarian visas to caravan members in Mexico City and Piedras Negras, Coahuila at that time. As an alternative, INM announced that migrants could still apply for humanitarian visas within Mexican embassies and consulates in their home countries, Mexican detention centers, and INM offices.¹⁶³

^{xxiv} The internal audit also found that INM had punished agents for poor performance by forcing them to work as OPIs.

^{xxv} On November 27, 2018, INM granted 108 humanitarian visas to migrant caravan members.

^{xxvi} INM processed each individual in five days.

Figure 8
Humanitarian Visas Issued by Month (January 2013-November 2019)

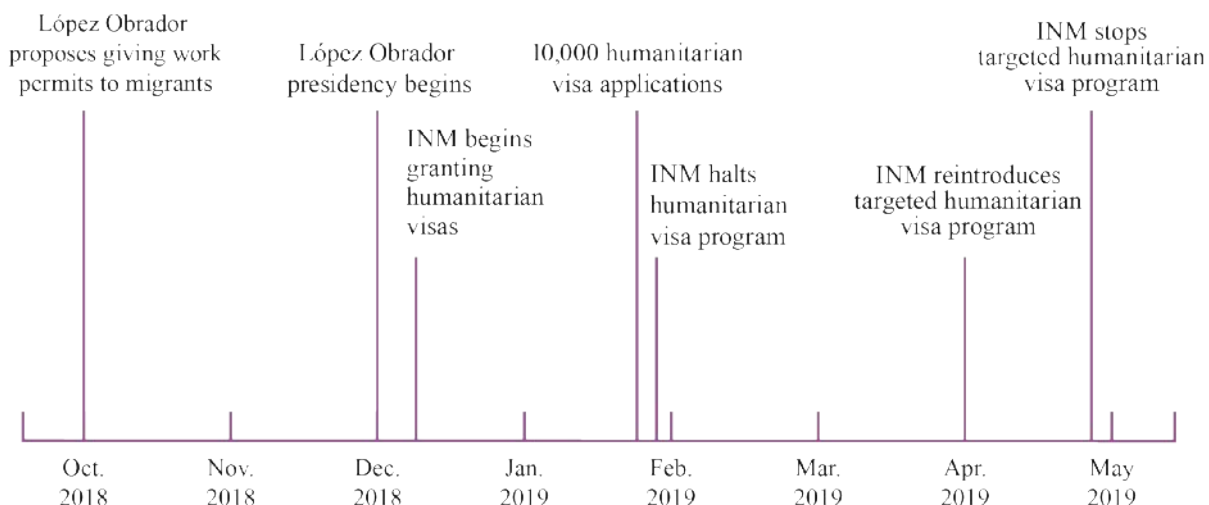


Source: INM transparency request

On March 31, 2019, INM announced that the agency would once again grant humanitarian visas to migrants in Mapastepec, Chiapas.¹⁶⁴ The visas would only be granted to individuals whose circumstances met the Migratory Act's threshold for the status of "visitor for humanitarian reasons."¹⁶⁵ (These requirements are outlined in Table 3.) INM stated that it would be prioritizing the cards for women, minors, and seniors.¹⁶⁶ However, INM only granted a small number of humanitarian visas to these groups.¹⁶⁷ On April 23, 2019, Guillén stated that migrants would no longer receive humanitarian visas to assist their transit through Mexico.^{xxvii 168}

^{xxvii} On July 2, 2019, INM granted 43 humanitarian visas to migrants in Ciudad Hidalgo, Chiapas. These migrants were from El Salvador, Honduras, Guatemala, and Nicaragua. The migrants had waited for their documentation for nearly 60 days. Luis Garcia Villagran, an activist and lawyer accompanying the migrants, noted that these humanitarian visas were part of a compromise with INM.

Figure 9
Humanitarian Visa Timeline



Source: Author elaboration

While short-lived, the Emergent Program reflected the López Obrador administration's initial humanitarian approach to migratory policy. Between December 2018 and April 2019, INM granted a total of 26,584 humanitarian visas.¹⁶⁹ This was a 7,000 percent increase from the previous year, when between December 2017 and April 2018, INM only granted 5,102 humanitarian visas.¹⁷⁰ These visas provided migrants with safety and regularized transit by allowing them to travel on public transportation.

Border Worker and Regional Visitor Cards. Initially, Mexico also sought to increase additional legal pathways for migrants in the country's southern states. On January 24, 2019, Secretary of the Interior Olga Sánchez Cordero announced that SEGOB would begin offering Border Worker (*Trabajador Fronterizo*) and Regional Visitor (*Visitante Regional*) cards to Salvadorans and Hondurans.¹⁷¹ According to the 2011 Migratory Act, Border Worker cards are provided to Guatemalan and Belizean citizens to work in states along the southern border, including Campeche, Chiapas, Tabasco, and Quintana Roo.¹⁷² The Migratory Act also defines Regional Visitor cards as authorizing Guatemalans and Belizeans to enter the states of Campeche, Chiapas, Tabasco, and Quintana Roo for up to seven days with no remunerated activities.¹⁷³ Throughout 2019, INM began offering Regional Visitor cards to Salvadorans and Hondurans, but did not grant Border Worker cards to these new nationalities.¹⁷⁴

Table 4
Number of Regional Visitor and Border Worker Cards Granted (2019)

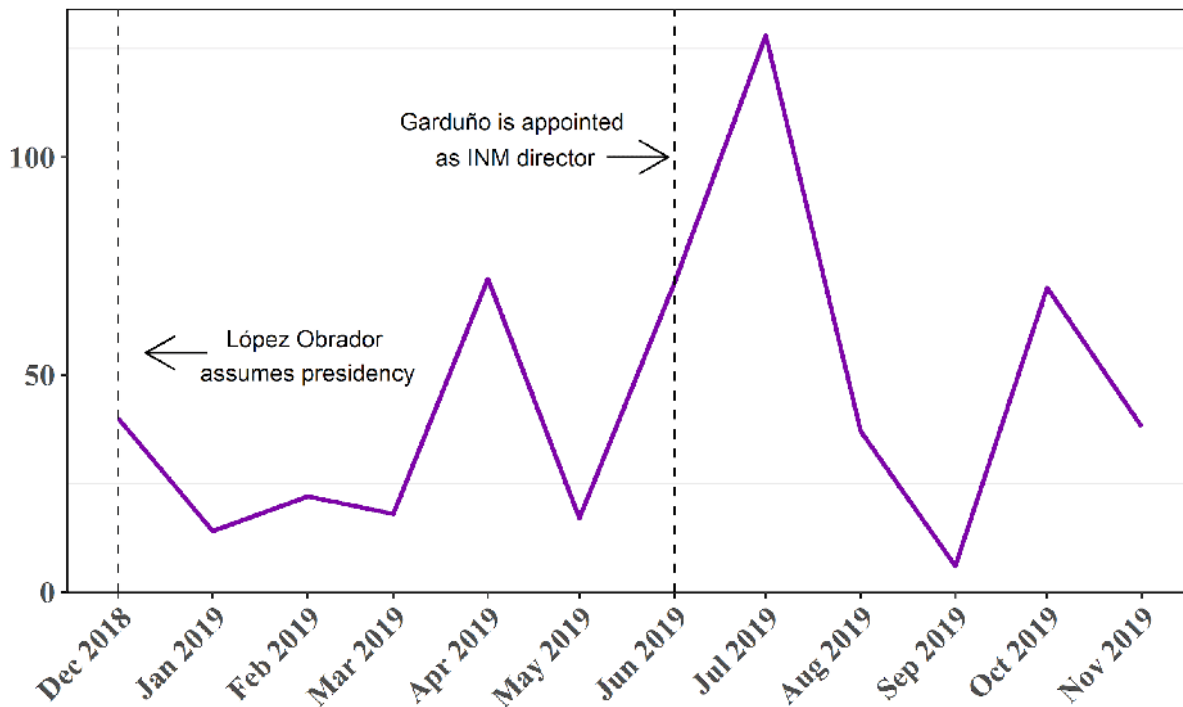
Country	Regional Visitor Card	Border Worker Card
Guatemala	70,055	10,015
Belize	4,319	3
Honduras	2,639	-
El Salvador	828	-
Total	77,841	10,018

Source: Author elaboration

INM Changes After Shift in Leadership. Seven months after taking office, the López Obrador administration began shifting the country's migratory policy. On June 14, 2019, President López Obrador asked Tonatiuh Guillén to step down as INM commissioner amid the country's transition toward a more enforcement-based approach. Francisco Garduño, who formerly served as the commissioner of Mexico's penitentiary system, replaced Guillén as the head of INM.¹⁷⁵ While Mexico's migratory policy under Garduño has focused more on enforcement, some INM restructuring has continued under his leadership. For example, during Garduño's first months in office, he increased the number of INM agents and provided some human rights trainings.^{xxviii} ¹⁷⁶

^{xxviii} On September 4, 2019, INM initiated a training on preventing torture and abuse for approximately 1,000 INM employees.

Figure 10
New INM Agents Hired By Month (2019)



Source: INM transparency request

Garduño also focused on improving conditions in migrant detention centers through the Rehabilitation of Migratory Detention Centers Program: Southern Zone (*Programa de Rehabilitación de Estaciones Migratorias: Zona Sur*).¹⁷⁷ This program aims to invest in migrant detention centers' infrastructure.¹⁷⁸ The Iztapalapa Detention Center was the first facility to receive maintenance through the program.¹⁷⁹ Soon after, detention centers in Tapachula, Chiapas and Acayucan, Veracruz also underwent maintenance. By December 9, 2019, INM had invested MX\$336 million (US\$17.3 million) into renovating the 15 most frequented migratory stations.¹⁸⁰

Mexico's Development Policies in Central America

Development assistance for Central America has been a central pillar of López Obrador's plan to reduce migration. On López Obrador's first day in office, December 1, 2018, his team officially launched the Comprehensive Development Plan for El Salvador, Guatemala, Honduras, and Mexico (*Plan de Desarrollo Integral El Salvador-Guatemala-Honduras-México*), which seeks to address the root causes of migration out of Central America. The plan has four main pillars: 1) economic development; 2) increased public spending on education, health, and labor; 3) environmental sustainability and risk management; and 4) migration management with a humanitarian focus. The plan also provides 30 recommendations for the four countries, including progressive taxation, eliminating tax privileges for the wealthy, greater integration and trade facilitation, and an emphasis on energy, logistics, infrastructure, and regional digitalization.¹⁸¹

As part of the Comprehensive Development Plan, Mexico began expanding two Mexican development programs into Central America: Sowing Life (*Sembrando Vida*) and Youth Building

a Future (*Jóvenes Construyendo un Futuro*).¹⁸² In early 2019, the López Obrador administration started both programs in southern Mexico. Sowing Life aims to plant 550,000 hectares of crops such as corn, coffee, and cocoa, as well as mahogany and cedar trees, in the southern Mexican states of Veracruz, Chiapas, Tabasco, and Campeche and employ 220,000 farmers.¹⁸³ The program is supposed to generate employment, improve environmental well-being, and address food insecurity. Youth Building a Future includes educational grants for young people between the ages of 18 and 29, where participants receive approximately US\$115 per month while they undergo job training. The program's goal is to train 2.3 million youth in Mexico to be qualified for work in the public and private sectors.¹⁸⁴

In the summer of 2019, Mexico promised US\$30 million to each Central American country to expand the two programs.¹⁸⁵ On June 20, 2019, López Obrador signed an agreement with Salvadoran President Nayib Bukele to implement the programs, and on July 27, 2019, he signed a similar agreement with Honduran President Juan Orlando Hernández Alvarado.¹⁸⁶ On January 15, 2020, the newly elected Guatemalan President Alejandro Giammattei voiced his support for López Obrador's development initiatives, but the two leaders have yet to sign a bilateral agreement.¹⁸⁷ Each country's goal is to create 20,000 jobs through the programs.

Table 5
Mexican Aid Programs in Central America

Plan	Requirements	Assistance
Sowing Life	<ul style="list-style-type: none"> • Must be 18 years or older • Must be a resident or born in a municipality with a high rate of outward migration • Must own between one to three blocks of land for agricultural cultivation (0.7 to 2.1 hectares) 	<ul style="list-style-type: none"> • US\$250 every month • In-kind support of seeds, tools, and fertilizers • Technical support in the form of weekly meetings with agriculture experts
Youth Building a Future	<ul style="list-style-type: none"> • Youth between the ages of 18 and 29 years, who are neither employed nor in school 	<ul style="list-style-type: none"> • US\$180 every month • Job training to attain technical and soft skills • Training certificate

Source: AMEXCID transparency request

However, there is little specific information regarding the programs' implementation. In El Salvador, Sowing Life began in July 2019 and Youth Building a Future started in December 2019. While in Honduras, Sowing Life began in October 2019 and Youth Building a Future kicked off in February 2020.¹⁸⁸ In Honduras, AMEXCID is in charge of registering and monitoring participants, with the help of Honduras' Secretary of Work and Social Security (*Secretaría de Trabajo y Seguridad Social*) and the Institute for the Youth of Honduras (*Instituto de Juventud de Honduras*).¹⁸⁹ Yet, in a January 20, 2020 transparency request response, AMEXCID noted that some details of these programs are still being determined.¹⁹⁰

Mexico's broader Comprehensive Development Plan has yet to fully get off the ground. In May 2019, the plan received notional support from the United Nations, the European Union, Germany,

Spain, and Chile, and in July 2019, the European Union contributed US\$7.9 million to fund the plan.¹⁹¹ Yet, López Obrador has been less successful in convincing the Trump administration to support the plan. In October 2018, the U.S. State Department announced its intention to deliver \$5.8 billion in aid and investment to Central America.¹⁹² The following year, in December 2019, Mexico's Foreign Minister Marcelo Ebrard once again announced again that the United States would commit the promised \$5.8 billion for Central America, along with \$4.8 billion in private investment to Mexico.¹⁹³ However, despite these announcements, as of May 2020, the United States had not provided any funding for the Comprehensive Development Plan.

U.S.-Mexico Border Cooperation

Since López Obrador assumed office, the administration has fundamentally changed Mexico's migratory cooperation with the United States. The Ministry of Foreign Relations, led by Foreign Secretary Marcelo Ebrard, has led these changes and worked directly with the Trump administration. Most notably, Ebrard negotiated the Migrant Protection Protocols (MPP), which has forced more than 64,000 asylum seekers to remain in Mexico to await their U.S. court hearings. Yet, the López Obrador administration has also not challenged the U.S. Customs and Border Protection's (CBP) metering practice, which has kept tens of thousands of asylum seekers waiting in Mexican border cities.

In April 2018, CBP's "metering" practice began in its current form.¹⁹⁴ At this time, CBP began to station officers at the international border and block asylum seekers from entering the United States. They also simultaneously began processing only a small number of asylum seekers every day, in a practice known as metering. To organize who was next in line, asylum seekers, civil society organizations, and Mexican officials began making asylum waitlists. As of April 2020, there were an estimated 14,400 people on these waitlists.¹⁹⁵ During its first year in office, the López Obrador administration barely mentioned metering and did not push back against it.

In November 2018, the López Obrador administration negotiated MPP with U.S. officials, which has been the most significant new bilateral migration policy.¹⁹⁶ Under MPP, most non-Mexican asylum seekers are returned to Mexico to wait for the duration of their U.S. asylum proceedings.^{xxix}¹⁹⁷ As part of the agreement, Mexico agreed to "provide asylum seekers with all the rights and freedoms granted to them under the Constitution" and allow them to live and work in Mexico.¹⁹⁸ However, López Obrador's administration has done little to ensure that asylum seekers have access to these basic rights and services, including education, healthcare, and work permits.

Within Mexican border cities, federal, state, and local level officials have been unable to guarantee adequate living conditions for asylum seekers.¹⁹⁹ Shelter capacities and conditions differ across Mexico's cities, and thousands of asylum seekers even created a tent encampment near the international bridge in Matamoros, Tamaulipas. INM has also not provided temporary CURPs to all individuals returned through MPP, which are necessary for asylum seekers to obtain employment in Mexico. Even when individuals do obtain temporary CURPs, they still report that it can be difficult to obtain a decent-paying job.²⁰⁰

^{xxix} Some individuals are exempt from MPP, including Mexican nationals, unaccompanied minors, and asylum seekers with known physical or mental health issues.

Asylum seekers returned to Mexico are also often forced to live in some of the country's most dangerous cities. Of particular concern are the cities of Matamoros and Nuevo Laredo, Tamaulipas. The State Department gave Tamaulipas a "Level 4: Do Not Travel" warning. This is the same level assigned to ongoing war zones in Syria and Afghanistan.²⁰¹ Since MPP's implementation, the organization Human Rights First has documented more than 1,000 incidents of violence against returned asylum seekers in Mexico, including rape and torture.^{xxx 202} Additionally, a February 2020 Doctors Without Borders report noted that criminal groups in Tamaulipas are systematically kidnapping migrants to receive payment from their families.²⁰³

Migratory Enforcement

While López Obrador's campaign messaging heralded a humanitarian approach to migration, U.S. pressure ultimately shifted the policy toward migratory enforcement. This shift began in May 2019, when Trump tweeted a threat to impose an initial 5 percent tariff on Mexican goods entering the United States that would ultimately increase to a 25 percent tariff.²⁰⁴ In response, Mexican officials rushed to Washington D.C. for a series of negotiations.

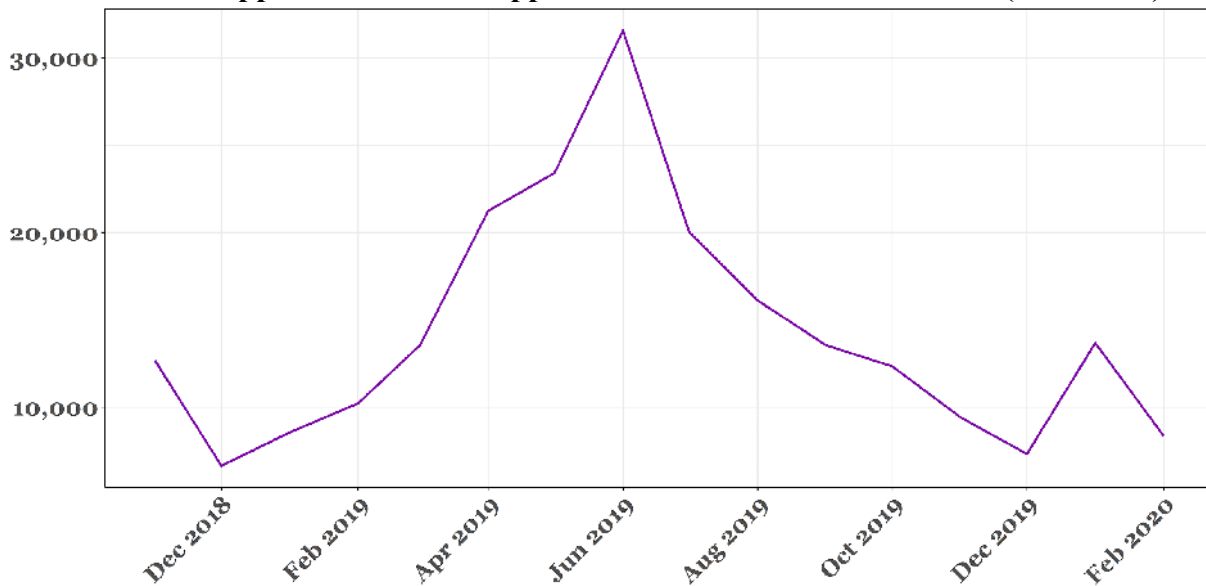
As a result of these negotiations, on June 7, 2019, Mexico announced changes to its migratory policies. These included an immediate pledge to deploy the National Guard "throughout Mexico, giving priority to its southern border."²⁰⁵ That particular deployment placed 6,000 National Guard members along the border between Mexico and Guatemala. The agreement also marked MPP's expansion along the entire U.S.-Mexico border.²⁰⁶ After the negotiations, the United States' withdrew its threat of tariffs.²⁰⁷ President Trump expressed his satisfaction with the agreement, writing on Twitter: "Everyone very [sic] excited about the new deal with Mexico!"²⁰⁸

Soon after the June 2019 agreement, the number of INM operations surged along Mexico's borders and major transit routes.²⁰⁹ INM officers set up checkpoints on major southern corridors, including railroads and highways, and the agency partnered with the National Guard, the Army, and the Federal Police. In June 2019, the National Guard deployed 21,500 members to Mexico's borders and throughout the country to support immigration enforcement activities.²¹⁰

As a result of these enforcement activities, the number of apprehended migrants also increased. From June 2019 through February 2020, INM apprehended 132,089 migrants, which equaled a 28 percent increase compared to that timeframe during the previous year.²¹¹ The spike was particularly acute in June 2019, when INM's apprehensions reached their highest monthly level since the agency began publishing migration statistics. Of the recent apprehensions, 41 percent were Honduran, 30 percent were Guatemalan, and 13 percent were Salvadoran.²¹²

^{xxx} Criminal groups often target asylum seekers because they do not have a support network in Mexico and are likely to have family members or friends in the United States. Additionally, criminal groups can easily identify asylum seekers by the areas that they frequent, such as international bridges, migrant shelters, and migrant service providers. Some asylum seekers are also targeted due to their perceived sexual orientation or gender identity.

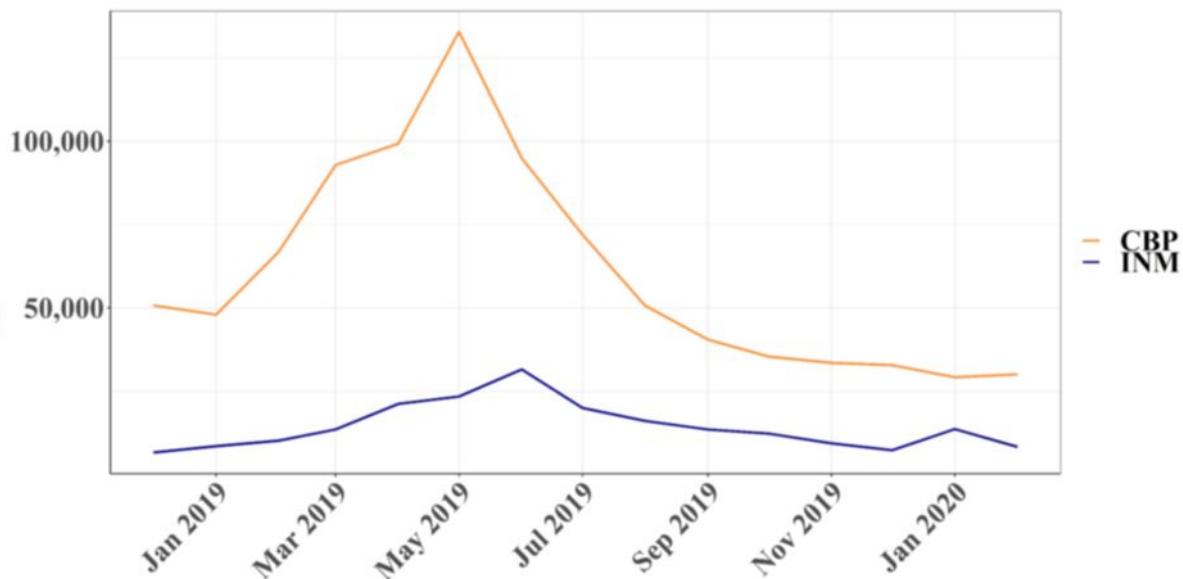
Figure 11
INM Total Apprehensions and Apprehensions of Central Americans (2019-2020)



Source: INM data

In September 2019, Secretary Ebrard claimed that Mexican enforcement operations had halved the number of migrants arriving at the U.S.-Mexico border.²¹³ However, the decrease in arrivals was not just an outcome of Mexican enforcement operations.²¹⁴ If Mexican enforcement was the only factor, then Mexican apprehension numbers would be expected to increase, while U.S. apprehensions would decrease. However, after July 2019, both country's apprehension numbers began to decline (see Figure 12), suggesting that fewer migrants were attempting the trek north. There are other factors, such as MPP's expansion along the U.S.-Mexico border, that may better explain the drop.

Figure 12
INM and U.S. Border Patrol Apprehensions (2019-2020)



Source: INM and CBP data

The López Obrador administration's shift toward migratory enforcement also shaped its response to migrant caravans. During the first three months of López Obrador's presidency, INM had distributed more than 13,000 humanitarian visas to arriving caravan members. However by October 2019, INM and the National Guard began blocking caravans and detaining their members.

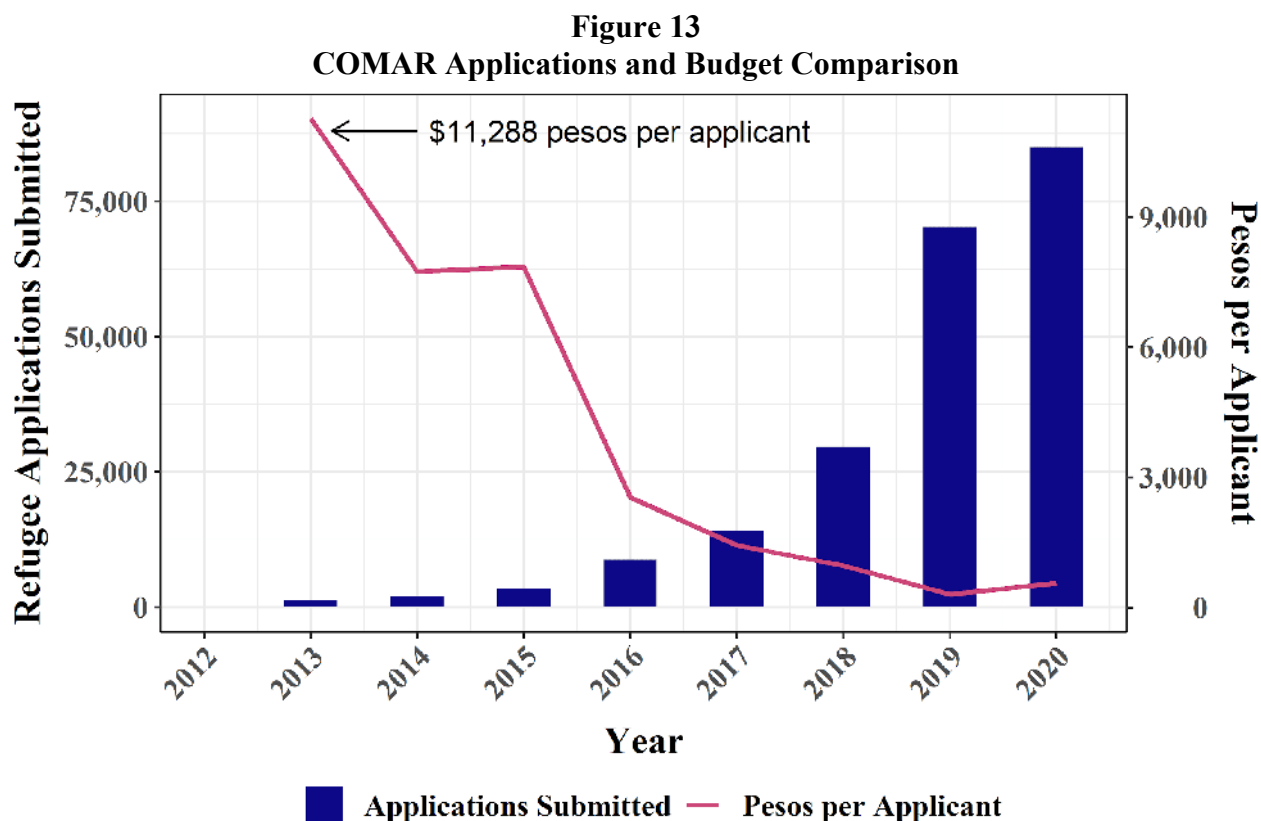
In October 2019, African and Caribbean migrants began a series of organized demonstrations in Tapachula, Chiapas after INM stopped issuing transit permits to cross through Mexico.²¹⁵ The migrants marched, held signs, and demanded that the Mexican government allow them safe passage through Mexico. When this request was denied, African and Caribbean migrants formed a caravan and attempted to travel north to the United States. However, they had barely left Tapachula when National Guard members and INM agents stopped the caravan, forced its members onto buses, and drove them back to Tapachula.²¹⁶

A similar situation occurred in January 2020, after a new caravan formed in Honduras. The caravan split into two groups that traveled to different crossing points along the Mexico-Guatemala border. However, in both locations, INM agents and National Guard members refused to allow the caravans to enter Mexican territory.²¹⁷ In Ciudad Hidalgo, the National Guard even resorted to more aggressive crowd control techniques, including tear gas, when the caravan members attempted to cross into Mexican territory.²¹⁸ Eventually, most of the caravan members turned themselves in to INM with the promise of legal documents and work permits. However, the vast majority of these individuals were then deported.

Refugees

During López Obrador's presidency, the number of refugee status applications in Mexico has continued to reach unprecedented levels. In 2013, COMAR received 1,296 refugee status applications, but in 2019, it received 70,302 applications.²¹⁹ In 2019, the majority of these refugee status seekers were from Honduras, Venezuela, El Salvador, Cuba, Haiti, and Guatemala, with women and children making up 71 percent of the total.²²⁰

COMAR's budget and personnel numbers have not increased at the same rate as the number of applications. In May 2019, COMAR's projected 2020 budget was MX\$23 million (US\$1.2 million), its lowest in seven years.^{xxx} On November 21, 2019, Mexico's Congress revised this budget to MX\$47 million (US\$2.5 million). However, this increase was not enough to cover COMAR's operational costs from more applications. In September 2019, COMAR's coordinator stated that the agency would need at least MX\$100 million (US\$5.06 million) to fulfill its responsibilities.²²² Figure 13 shows COMAR's budget amount (in pesos) for each refugee status application from 2013 through 2020.²²³



This figure estimates that there will be 85,000 refugee status applications in 2020.

Source: COMAR transparency request

Other sources have attempted to fill COMAR's budgetary shortfall. The UNHCR provides COMAR with 140 staff members, additional training, office space, and technical assistance.²²⁴

^{xxx} COMAR had requested a 2020 budget of MX\$124 million (US\$6.6 million).

However, UNHCR contractors cannot perform the same tasks as COMAR staff, including signing asylum applications, conducting eligibility interviews with asylum seekers, or providing psychological, legal, or protective services. In 2019, the UNHCR also continued a refugee reintegration program that assists with relocation, job placement, and local integration in Saltillo, Coahuila; Guadalajara, Jalisco; and Monterrey, Nuevo León.²²⁵ Additionally, the UNHCR developed information campaigns about the right to seek asylum and initiated a quality assurance initiative with COMAR to clarify refugee eligibility standards, increase asylum officers' knowledge, and introduce best practices for refugee status determination procedures.²²⁶

Other Mexican agencies have also announced steps to support COMAR. In August 2019, the Coordinating Mechanism for Comprehensive Attention to Migration for the Southern Border (*Coordinación para la Atención Integral de la Migración en la Frontera Sur*, CAIMFS)—which was created as part of Mexico's 2014 Southern Border Program—announced that it would transfer 34 of its personnel to COMAR.^{xxxii} This transfer would add another MX\$15.3 million (US\$789,649) to COMAR's budget.²²⁷ However, as of February 2020, this transfer was not yet official.²²⁸

COMAR's budgetary gaps have affected its ability to process asylum applications. In 2019, COMAR's Tapachula office—along Mexico's southern border—received almost two thirds of the agency's total refugee status applications.²²⁹ In September 2019, the Tapachula office had 63 employees working 12 to 15 hours a day and processing 16,350 applications, which equaled roughly 260 applications per person.^{xxxiii} ²³⁰ As a result of this high workload, COMAR has not been able to meet its legally mandated 45 day processing times. As of November 2019, the agency still had applications pending from 2017 and 2018, in violation of this time limit.²³¹

COMAR has also focused more on expanding its asylum application processing capacity, and less on integrating refugees into Mexican society. The Organizational Manual Specific for COMAR (*Manual de Organización Específico de la Coordinación General de la Comisión Mexicana de Ayuda a Refugiados*) notes that the agency is responsible for proposing and coordinating programs for refugee protection, assistance, and integration.²³² However, COMAR's coordinator has stated that the organization mainly refers asylum seekers to the UNHCR and civil society organizations for integration efforts. He has also stated that Mexico's Ministry of Education and the Ministry of Labor should be in charge of refugee integration.²³³

^{xxxii} CAIMFS is a decentralized body within SEGOB.

^{xxxiii} A December 2019 report noted that UNHCR staff were sent to Tapachula, Chiapas to help address the backlog.

Chapter 4: The Effects of López Obrador's Migratory Policy

President López Obrador's migratory policies have had a profound impact on Mexico's regional relations, government agencies, civil society organizations, citizens, and on Central American migrants. Bilateral negotiations with the United States and the implementation of development programs in Central America have shaped Mexico's foreign relations. While Mexico's federal, state, and local level government agencies have shifted their operations in tandem with the policies. Migrants too are responding to the changes by adopting new migration methods and routes through the country.

Relationship with the Region

During his campaign López Obrador said that he would not be swayed by any foreign government, much less by the United States. During his final campaign speech in Mexico City on June 27, 2018, López Obrador proclaimed, "Mexico is a free and sovereign country. It will never be the piñata of a foreign government."²³⁴ Yet, López Obrador has also made clear that "he does not want confrontation" with the United States.²³⁵ On migratory issues, this latter sentiment appears to have guided Mexico's policy. During the López Obrador administration's first year in office, Mexico agreed to receive tens of thousands of asylum seekers under MPP and sent thousands of National Guard members to the country's southern border to block, detain, and deter migrants.²³⁶

In response, Mexico has maintained positive relations with the United States. Since June 2019, Trump has repeatedly taken to Twitter to voice his support for Mexico. On July 3, 2019, Trump tweeted, "Mexico is doing a far better job than the Democrats on the Border. Thank you Mexico!"²³⁷ On September 7, 2019, he tweeted a quote, "In 22 years of patrolling our Southern Border, I have never seen Mexico act like a true Border Security Partner . . . and now they are stepping up to the plate and doing what they need to do."²³⁸ In the months following these tweets, the U.S.-Mexico relationship has remained consistently positive.

In Central America, López Obrador's relationship with the region's leaders remains cordial on migratory issues. The Mexican aid programs destined for Central America are still in their infancy, but there are signs that the impact may be limited. The programs are off to a slow start and Central America's leaders do not appear to be prioritizing their implementation.²³⁹ Above all, Mexico lacks the financial heft to support Central America's development. As a result, Mexico's relationship with these countries remains steady, but its development efforts are unlikely to significantly affect the region's migration patterns.

Mexican State and Local Governments

Mexico's state and local governments have often borne the cost of the López Obrador administration's migratory policies. This is particularly true in Mexico's northern border cities, where the United States' metering and MPP policies have left tens of thousands of asylum seekers waiting in limbo. The López Obrador administration promised to provide the asylum seekers returned under MPP with "jobs, healthcare, and education," but as of April 2020, the federal government has provided limited if any assistance to state and local governments.²⁴⁰ In 2019, the federal government built shelters in Ciudad Juárez and Tijuana to house individuals returned under

MPP. However, in other Mexican cities, state and local municipal governments have been forced to step in and provide these services.

State and local governments have also fought with one another regarding who should bear these costs. In February 2019, an incident erupted between the Mexican state of Coahuila and the city of Ciudad Juárez, when Coahuila began busing migrants to Ciudad Juárez.²⁴¹ At the time, there were reports that Coahuilan officials falsely told asylum seekers that U.S. border officials in El Paso were processing 150 asylum cases a day, far higher than along the Texas-Coahuila border.^{xxxiv}²⁴² In response, Ciudad Juárez Mayor Armando Cabada said that, “They are doing this to shove their problem off on us, and that is not fair.”²⁴³ Without federal guidance, states and municipalities are left to design their own policies, increasing the space for conflict.

Civil Society Organizations

Mexico’s civil society organizations often fill in the federal, state, and local level policy gaps. These organizations provide migrants with shelter, food, medical attention, information, and legal services. Some shelters act as a hub for service providers, where migrants can receive medical care and legal assistance before beginning the next part of their journeys or while they wait their turn to seek asylum in the United States. Since metering began in April 2018, some civil society organizations along Mexico’s northern border have also taken on the added responsibility of managing waitlists for asylum seekers.

During López Obrador’s time in office, Mexico’s civil society networks have struggled to provide services to the large numbers of migrants and asylum seekers transiting or waiting in the country. Caravans, metering, and MPP have all stretched shelters’ resources thin.²⁴⁴ For example, in September 2019, Ciudad Juárez’s El Buen Pastor shelter, there was only enough resources for people to receive breakfast.²⁴⁵ An August 2019 report by Human Rights First also found that around 200 asylum seekers in Mexicali were paying to sleep in storerooms that had been converted into shelters.²⁴⁶

Civil society organizations that operate shelters have faced varying levels of public support. At times, they have also faced threats from organized criminal organizations and standoffs with government security forces. In June 2019, National Guard members arrived at Agua Prieta’s migrant shelter, and there have also been similar reports of National Guard members attempting to enter migrant shelters for immigration enforcement activities in Saltillo, Coahuila; Oluta, Veracruz; and Tapachula, Chiapas.²⁴⁷ This is despite Mexico’s 2011 Migratory Act specifically listing shelters as off limits for migratory operations.²⁴⁸ Criminal groups may also target shelter staff. In August 2019, unidentified assailants disappeared Reverend Aaron Mendez, who ran the AMAR migrant shelter in Nuevo Laredo, Tamaulipas, after he attempted to protect Cuban migrants at his shelter.²⁴⁹

^{xxxiv} At the time, CBP in El Paso was accepting closer to 20 to 30 asylum seekers a day.

Migrants' Transit in Mexico

Over the past year, López Obrador's migratory policy has created the most profound and direct consequences for migrants in Mexico. Migrant transit through Mexico has been influenced by INM's issuing of humanitarian visas, increased migration checkpoints throughout the Mexico-Guatemala border region, and a crackdown on caravans.^{xxxv} As a result, migrants have adopted different transit routes and more people have opted to pay smugglers to reach their final destinations. This administration's policy is also correlated with an increased number of crimes against migrants and asylum seekers along the country's northern border, and high levels of xenophobia and discrimination within Mexico.

Changes in Transit. López Obrador's policies have shaped migrant transit within the country. In January 2019—and for a brief period in April 2019—INM agents provided humanitarian visas to caravan members arriving at Mexico's southern border. Individuals who received these documents were able to travel across Mexican territory on public transportation and did not need a smuggler to move through the country. Additionally, if these individuals chose to stop somewhere in Mexico, they could legally search for employment and access social services such as healthcare.²⁵⁰

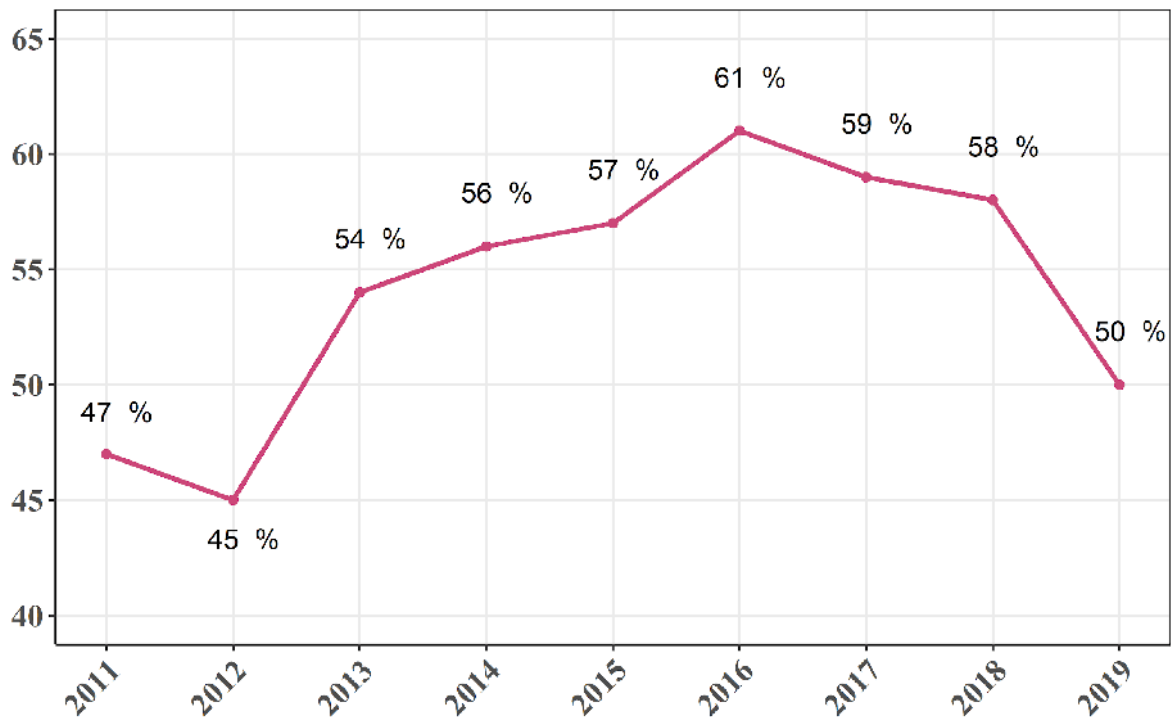
However, in July 2019, increased enforcement activities made it more difficult to cross Mexico and pushed migrants into different routes. One example of these changes, according to a December 2019 Washington Office on Latin America (WOLA) report, occurred when migrants began foregoing entering Mexico at the La Mesilla border crossing, due to increased Mexican migratory operations, and instead traveling to the Gracias a Dios border crossing.²⁵¹ While the Gracias a Dios crossing point is not far away, it broke up a regular transit route that led migrants from La Mesilla to Comitán, Chiapas. The crackdown has also created changes in the number of migrants traveling through certain routes. For example, in August 2019, migrants were still walking on the highway leading from the El Ceibo border crossing to Tenosique, Tabasco, but in smaller groups.²⁵²

Smuggling usage among Central American migrants has also varied during López Obrador's time in office. According to COLEF data, smuggling usage decreased in 2018 and throughout the first part of 2019 (see Figure 14). There may be several reasons for this decrease, including an increased reliance on caravans and INM's issuance of humanitarian visas during this time period. It may also involve the surveyed migrants' characteristics, as families and unaccompanied minors who seek asylum in the United States generally hire guides at higher rates (see Appendix 6) but are not widely reflected in the COLEF surveys.^{xxxvi} Yet, during the second part of 2019—as INM and the National Guard's migratory enforcement activities picked up—it appears that there was a jump in the use of smugglers. In September 2019, in La Técnica, Guatemala, local aid workers noted that 70 percent of migrants were using guides to cross the Mexico-Guatemala border.²⁵³

^{xxxv} Mexico's southern border has 10 to 12 official ports of entry and more than 700 unofficial crossing points.

^{xxxvi} COLEF conducted surveys of Central American migrants who were deported from the United States. During the surveyed time period, families and unaccompanied minors generally asked for asylum in the United States and were not deported.

Figure 14
Percentage of Migrants that Hired a Guide (January 2013-June 2019)



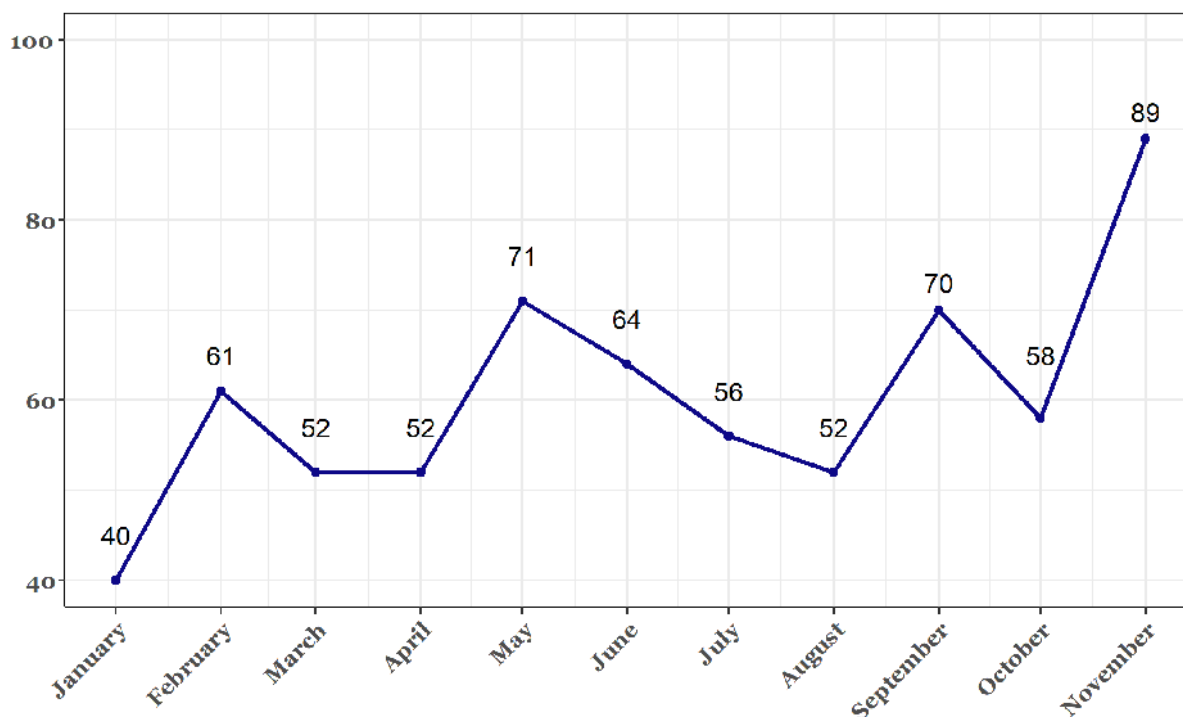
Source: COLEF data

Crimes Against Migrants. Throughout Mexico, criminal groups and government officials prey on migrants and asylum seekers.²⁵⁴ Along Mexico's southern border, the December 2019 WOLA report found that the López Obrador administration's changing migration policies had not affected the overall number of crimes against migrants in the region.²⁵⁵ However, some specific areas reported increased criminal activity. For example, local migrant-rights advocates noted that there had been more assaults and kidnappings around Palenque, Chiapas.²⁵⁶ The La 72 migrant shelter in Tenosique, Tabasco also reported that 1,125 victims of crimes—such as robbery, abuse of authority, extortion, and fraud—had passed through the shelter by October 2019. They also reported that the most significant uptick in crimes took place between July and September 2019.²⁵⁷ By comparison, in all of 2016, the La 72 shelter counted 1,050 migrants who were victims of a crime.²⁵⁸ Gangs and local groups often commit these crimes against migrants.²⁵⁹

Along the northern border, crimes against migrants have increased due to MPP. From January 2019 through February 2020, there were more than 1,000 publicly reported cases of violence against asylum seekers in MPP, including murder, rape, torture, and kidnapping.²⁶⁰ There are geographic distinctions among the criminal actors that commit these crimes. In the northeastern states of Tamaulipas and Coahuila, the Gulf Cartel (*Cartel del Golfo*) and the Northeast Cartel (*Cartel del Noreste*) control migrant smuggling and kidnapping and are the most common criminal perpetrators.²⁶¹ In the northwestern states of Chihuahua, Sonora, and Baja California, the perpetrators were mostly smaller criminal groups.²⁶² There have also been reports that Mexican police have collaborated in crimes against migrants across the border.²⁶³

During López Obrador's first year in office, the number of complaints filed every month alleging that federal agents committed abuses against migrants has more than doubled.^{xxxvii} ²⁶⁴ In January 2019, migrants registered 40 complaints against federal officials, but in November 2019, migrants registered 89 complaints.²⁶⁵ Compared to previous years, the number of complaints against federal officials reached the same level as during the country's Southern Border Program (see Appendix 7).²⁶⁶ A majority of these complaints documented human rights abuses, and also included corruption and negligent administrative procedures.²⁶⁷

Figure 15
Crimes Against Migrants Committed by Authorities by Month (2019)



Source: INM transparency request

Negative Public Opinion. Mexico's population has become increasingly distrustful toward Central American migrants. This negative public opinion began before López Obrador took office, with media attention toward caravans in 2018 shifting peoples' views of migrants.²⁶⁸ The Mexican newspaper *El Universal* conducted two polls in October 2018 and April 2019 that capture this shift.²⁶⁹ The percentage of Mexicans that approve of allowing migrants to enter Mexico and providing them with refugee status declined from 47.8 percent to 29.8 percent during that time frame. Similarly, the respondents that believed migrants harm local communities increased from 34.2 percent to 58.2 percent. In July 2019, another poll jointly conducted by the *Washington Post* and *Reforma* showed that 64 percent of respondents believed that migrants are a burden, and 55 percent thought that Central American migrants should be deported.²⁷⁰

^{xxxvii} INM agents were named in 87 percent of these complaints. The complaints also named COMAR employees and the National Guard.

In response to widespread xenophobia, Mexico's National Council to Prevent Discrimination (*Consejo Nacional Para Prevenir la Discriminación*, CONAPRED) created a national campaign to combat xenophobia. On November 15, 2019, this campaign was announced and titled xeNOphobia... Don't Let it Appear (*xeNOfobia... No Dejes Que Aparezca*).²⁷¹ Part of this campaign focused on dispelling common myths that Mexicans have against migrants and refugees. The campaign's actions to combat xenophobia include workshops with journalists and communication professionals, online videos, and social media outreach.²⁷²

Chapter 5: Recommendations

President Andrés Manuel López Obrador championed a humanitarian approach to migration on the campaign trail and in his early days in office. Under pressure from the United States to stop migrants passing through Mexico, López Obrador abandoned this humanitarian stance and adopted a primarily enforcement-based strategy. These policies have impacted state and local governments, civil society organizations, Mexican citizens, and migrants transiting and waiting in the country.

The following recommendations create a roadmap for the federal government to recommit to its initial humanitarian principles. Overall, this report recommends that the López Obrador administration should 1) return the control of Mexico's migratory policy to SEGOB; 2) strengthen INM's accountability and increase its interactions with civil society; 3) expand COMAR's ability to process refugee status applications; 4) improve transparency surrounding AMEXCID's development programs; and 5) clarify and refocus the National Guard's migration-related mission.

1. Return Control of Migratory Policy to SEGOB

The Migratory Act of 2011 establishes that SEGOB should develop Mexico's migratory policy. However, during López Obrador's presidency, SRE has taken on this role, and in September 2019, this policy structure was formalized in the Joint Commission for Migratory Issues. However, this system separates policy planning from the operative agencies, such as COMAR and INM. By returning control of Mexico's migratory policy to SEGOB, Mexico would better streamline policymaking and remove additional layers of bureaucracy.

- **The López Obrador administration should disband the Joint Commission for Migratory Issues.** Article 21 of the Organic Law of the Federal Public Administration (*Ley Orgánica de la Administración Pública Federal*) grants the Mexican president the authority to construct and disband joint commissions through decrees.²⁷³ While the Joint Commission for Migratory Issues is scheduled to last through López Obrador's presidential term, he should utilize this part of the law and immediately disband the commission.
- **The Ministry of the Interior should take the lead on formulating the country's migratory policy.** Without the Joint Commission for Migratory Issues, the power to formulate and direct Mexico's migratory policy should be returned to the Ministry of the Interior.²⁷⁴ Minister of the Interior Olga Sánchez Cordero and Undersecretary of Human Rights, Population, and Migration Alejandro Encinas should lead the creation of Mexico's migratory policy. This would realign Mexico's policymaking with the responsibilities outlined in the 2011 Migratory Act and allow for greater interaction between the individuals designing policy and operative agencies such as INM and COMAR. This shift would require continued ongoing coordination with SRE and other federal agencies.²⁷⁵

2. Renew INM's Commitment to Human Rights Through Increased Engagement with Civil Society and Improved Infrastructure

According to INM data, the number of migrants filing complaints against INM agents has increased under the López Obrador administration. To begin to address these complaints, INM

should recommit to human rights by strengthening oversight mechanisms and improving its infrastructure.

Engage civil society and citizen oversight. Civil society organizations, the INM Citizen Council, and CNDH have all played an important role in bringing INM abuses and neglect into light. However, INM has not sufficiently engaged with these actors or integrated their recommendations into its practices.²⁷⁶ Even worse, INM has not appeared to readily prioritize this collaboration. For example, a 2019 meeting between Commissioner Francisco Garduño and INM’s Citizen Council and was cancelled due Commissioner Garduño’s absence.²⁷⁷ To begin to improve its institutional structure, INM should engage with these actors and incorporate their suggestions into its operations.

- **Include civil society groups in INM training.** INM should integrate civil society organizations and the INM Citizen Council into its trainings. INM could invite members of these groups to lead human rights trainings or workshops on migratory law. These individuals’ expertise would better prepare INM’s agents for situations that they may encounter during the course of their job.
- **Allow the INM Citizen Council to publish its recommendations and evaluate their implementation.** The INM Citizen Council primarily serves as an advisory board to INM and can suggest recommended actions. However, INM leadership can choose whether or not to take their suggestions into account. To create more public accountability and transparency, INM Citizen Council suggestions should be made public. INM leadership and the Citizen Council should also develop measurable outcomes for each accepted recommendation and periodically evaluate their progress.
- **Use the INM Citizen Council to strengthen INM’s relationship with civil society organizations.** One of the INM Citizen Council’s primary roles is to promote cooperation between civil society organizations and INM.²⁷⁸ To improve the relationship between INM and civil society, the INM Citizen Council should periodically invite additional members of civil society to their meetings.^{xxxviii} This would open a direct channel of communication between civil society organizations and INM leadership, which could continue to be developed outside of the meetings.

Improve INM detention centers’ conditions. For years, detained migrants have reported unsanitary conditions, crowded holding cells, and a lack of basic hygiene products. Both INM Commissioners Guillén and Garduño aimed to improve the country’s detention centers by renovating facilities and increasing service provision and education programs. However, there is still a great deal of work to be done.

- **INM should continue prioritizing improving detention center conditions.** In 2016, the INM Citizen Council championed improving conditions in Mexico’s detention centers.²⁷⁹ In a report at the time, the INM Citizen council laid out the most pressing issues, including overcrowding, a lack of air conditioning, inadequate plumbing, and a lack of interpreters for individuals who don’t speak Spanish. To address these issues, INM should immediately

^{xxxviii} The INM Citizen Council would determine the civil society members.

invest in repairing, maintaining, and modernizing its facilities. INM should also partner with civil society organizations to allow civilian oversight of the detention centers.

- **Expand alternatives to detention.** The Mexican government should expand alternatives to detention, particularly for individuals seeking refugee status and members of high-risk groups. By redirecting resources toward alternatives to detention, the Mexican government will simultaneously address overcrowding at detention centers and provide additional protections to these individuals.

3. Expand Work Programs for Central American Migrants

According to the 2011 Migratory Act, Mexico's Border Worker program allows Guatemalans and Belizeans to work in the Mexican states of Campeche, Chiapas, Tabasco, and Quintana Roo.²⁸⁰ In early 2019, the López Obrador administration announced that it would expand the eligible nationalities to include Hondurans and Salvadorans. However, this expansion never occurred. To increase the number of legal pathways for foreigners in Mexico, the López Obrador administration should both expand the Border Worker program's eligible nationalities and its geographic scope.

- **Expand the eligible nationalities.** The Border Worker programs' eligible nationalities should be expanded to include at least Hondurans, Salvadorans, Nicaraguans, Cubans, and Haitians.²⁸¹ Individuals from these countries are arriving in large numbers through Mexico's southern border. Eligibility for the Border Worker program could channel them into productive work opportunities across Mexico.
- **Expand the geographic scope.** Individuals in the Border Worker program are only allowed to work in the country's four southernmost states. INM should expand the Border Worker program to areas of the country where there are more work opportunities, such as Mexico City and Guadalajara, Jalisco.
- **Allow individuals to obtain temporary Border Worker cards without an employment offer.** An applicant must have secured employment prior to applying for a Border Worker card. However, individuals who have not spent time in Mexico are at a disadvantage for finding work and employers may also refuse to provide job offers without appropriate migratory documentation. INM should provide migrants with a temporary Border Worker card if they have not yet secured employment. They would then have to renew the Border Worker card at a nearby INM office once they have an official offer.

4. Strengthen and Expand COMAR

During López Obrador's presidency, the number of refugee status applications in Mexico has continued to increase. However, the López Obrador administration has not prioritized COMAR's operations. To improve COMAR's capacity to assist asylum-seekers, the administration should expand COMAR's budget and extend the agency's physical presence to additional cities along the northern border.

Increase COMAR's budget. COMAR's budget has not kept pace with the number of refugee status applications. From 2013 to 2019, the number of refugee applicants in Mexico increased by 5,400 percent. However, in that same time frame, COMAR's budget increased by only 200 percent. With a sufficient budget, the agency would be able to better process applications in its mandated time frame.

- **Prioritize COMAR's budget.** To better address the growing number of refugee applications, the Mexican federal government should increase COMAR's budget to its requested MX\$124 million (US\$6.2 million). While López Obrador has focused on cutting government spending, this would be a relatively insignificant amount of money to demonstrate his administration's commitment to addressing refugee issues in the country.
- **Earmark money for refugee integration.** Currently, COMAR refers refugees to other agencies and organizations to assist with their integration into Mexican society. This goes against its mandate to handle refugee integration in Mexico. COMAR should earmark funds to create specific integration assistance positions in its offices and provide direct assistance to recognized refugees.

Expand COMAR's physical presence. COMAR has four full offices located in Mexico City; Tapachula, Chiapas; Acayucan, Veracruz; and Tenosique, Tabasco. Three of these four offices are located in the southern half of the country. During 2019, COMAR expanded its presence in Monterrey, Nuevo León; Tijuana, Baja California; and Palenque, Chiapas.²⁸² While these new offices are located further north, they are within INM offices and do not provide all of the services available at other locations.

- **Convert new COMAR offices into full offices.** COMAR should move its offices out of INM buildings and into their own spaces. These offices should also be expanded to provide refugees and refugee status seekers with COMAR's full range of services.
- **Expand COMAR's geographic scope.** Migrants along the northern border may decide to seek refugee status after they realize that it may not be feasible to obtain asylum in the United States. While COMAR has expanded to both Tijuana, Baja California and Monterrey, Nuevo León, COMAR should continue expanding to other locations along the northern border, including Ciudad Juárez, Nogales, and Matamoros. This would provide more individuals with the opportunity to seek refugee status in Mexico and access COMAR's various services.

5. Create Detailed Plans for Development Projects

The López Obrador administration has prioritized Central American development programs in its approach to addressing migration. In particular, the administration has expanded the Sowing Life and Youth Building the Future programs in the region, with the aim of increasing employment and incentivizing people to stay in their communities. However, there has been little published information on how these programs are being implemented, including budgetary information or program evaluations. It is also unclear to what extent Central America's governments helped design and implement these programs.

- **AMEXCID should publish the budgets for their development projects.** AMEXCID's budgets should be published to increase transparency and accountability. Civil society groups and researchers should be able to track specific data points, including how much AMEXCID is spending on agricultural inputs for Sowing Life or the cost of stipends for Youth Building a Future. These measures would help ensure that Mexican officials involved in the programs are held accountable and also reduces the risk of corruption.
- **AMEXCID should regularly consult with Central American officials regarding the projects' implementation.** While some Central American government agencies and organizations are helping with the registration and monitoring process, there has been little indication that Central American governments were involved in any strategic planning. To address this, AMEXCID should begin regularly consulting with Central American officials on the development projects' implementation. These officials will have more insights about how the programs are working and can offer targeted guidance. In addition, there should be regularly scheduled meetings between SRE representatives and the equivalent officials in Central America throughout the projects' duration.
- **AMEXCID should work more with organizations already operating in Central America.** AMEXCID should work with vetted organizations that are already operating in Central America. This would allow AMEXCID's support to amplify successful programs. It would also likely result in less money than developing new programs. AMEXCID could consult with nonprofit auditors like Pionero Philanthropy in Guatemala to measure current organizations' impact, transparency, and geographic reach.²⁸³

6. Reform the National Guard by Providing Improved Training and Protecting Migrants

In June 2019, President López Obrador deployed the National Guard across Mexico to support migration enforcement operations. At the time, the new force was still in the process of developing its personnel and guidelines and came under criticism for its interactions with migrants around the country. To improve its migration-related activities, the National Guard should codify its working relationship with INM, initiate a training program for personnel who interact with migrants, and prioritize efforts to keep migrants safe.

- **The National Guard should codify its working relationship with INM.** The Federal Police's cooperation with INM was outlined in a specific working agreement that covered communication, deployment, and coordination protocols. Currently, INM and the National Guard do not have any type of similar agreement. The two agencies should create an agreement to ensure that migratory enforcement operations are not ad hoc, and to add standardization, guidance, or oversight to the cooperation. The agreement should include the division of labor, command structure, communications standards, and transparency and record-keeping protocols.
- **The National Guard should create a training program for all members who interact with migrants.** The National Guard should implement a specific training program that covers topics such as Mexico's migratory laws, migrants' rights, high-risk groups, and best

practices for interacting with migrants. This targeted training would help the National Guard to reduce abuses and increase safety for migrants.

- **The National Guard should secure routes where migrants have been victimized.** The National Guard has the responsibility to provide public security to individuals within Mexican territory. The National Guard should use this mandate to provide security in areas where organized criminal groups and gangs frequently victimize migrants. The National Guard already provides security at the Matamoros tent encampment, which houses more than 2,000 migrants and asylum seekers. Expanding this type of security provision would keep migrants safe and also help build trust in the new security force.

Appendices

Appendix 1

Table 6
2011 Migratory Act Requirements for Detention Centers²⁸⁴

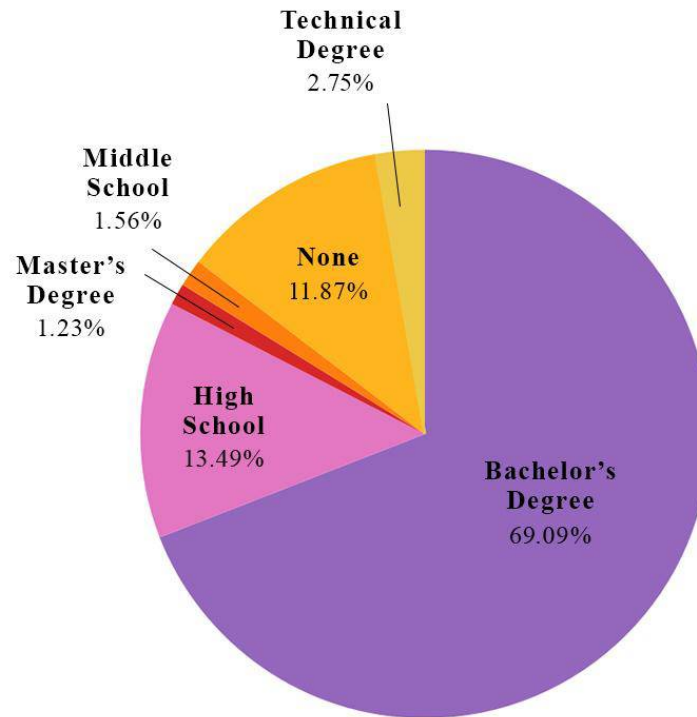
Category	Migratory Act Articles	Rights and Requirements
Infrastructure	106, 107	<p>Detention facilities must be suitable for detaining migrants.</p> <p>Facilities must not be overcrowded and must have cultural and recreational spaces.</p> <p>Men and women must have separate areas.</p> <p>Minors must wait in separate areas before staff send them to external facilities.</p>
Basic Rights	107, 109	<p>Detention facilities must provide medical, psychological, and legal services.</p> <p>All detainees have the right to receive food, basic goods for personal hygiene, and medical care, if necessary.</p> <p>Detainees have the right to participate in the recreational, educational, and cultural activities organized within the facilities.</p> <p>Detainees' belongings will be returned to them when they leave the facility.</p>
Communication	107, 109	<p>Detention facilities must permit detainees to access legal and consular representatives, as well as to receive visits from family members.</p> <p>All detainees have the right to access a telephone.</p> <p>All detainees who require a translator or interpreter will have the right to one.</p>
Legal Path and Process	109	<p>Detainees have the right to know their location, detention center rules, and any accessible public services.</p> <p>Detainees also have the right to know why they are detained, and to have representation.</p> <p>Detainees have the right to know whether they qualify for any forms of legal immigration status, as well as to request assisted return to their countries of origin and to appeal INM's ruling about their immigration case.</p>

		<p>Detainees should receive written communication and updates regarding their immigration case.</p> <p>Detainees have the right to exercise their rights and opportunities in an environment free of discrimination.</p> <p>Special protections apply to detainees within the following categories: ethnic or national origin, gender, age, disability, socioeconomic status, pregnancy, language, political opinion, and sexual orientation.</p>
Duration of Detention	111	<p>A detainee's migration status will be determined within a maximum of 15 business days starting from the date of their detention, unless:</p> <ul style="list-style-type: none"> • Their identity/nationality cannot be determined • Consulates need more time to process documentation • Another country or additional obstacle prevents transit • A mental/physical disability makes it impossible for the detainee to travel • Judiciary action relating to the detainee's migratory status has been filed, or an authority has filed habeas corpus and the detainee is prohibited from leaving Mexico <p>Even in the event of these exceptions, detainees may not be held for more than 60 business days.</p>

Source: "Mexico's Migratory Detention System," LBJ School of Public Affairs

Appendix 2

Figure 16
Education Level of INM Agents



Source: INM transparency request

Appendix 3

Child Protection Officials' tasks include the following: ²⁸⁵

- Safeguard a minor's psychological and mental health
- Guarantee that minors receive healthcare, nutrition, and clothing
- Facilitate communication with minors' families through free calls
- Ensure that minors remain informed regarding their migratory situations
- Accompany the minor through their assisted return process
- Accompany the minor on trips, as solicited by INM agents

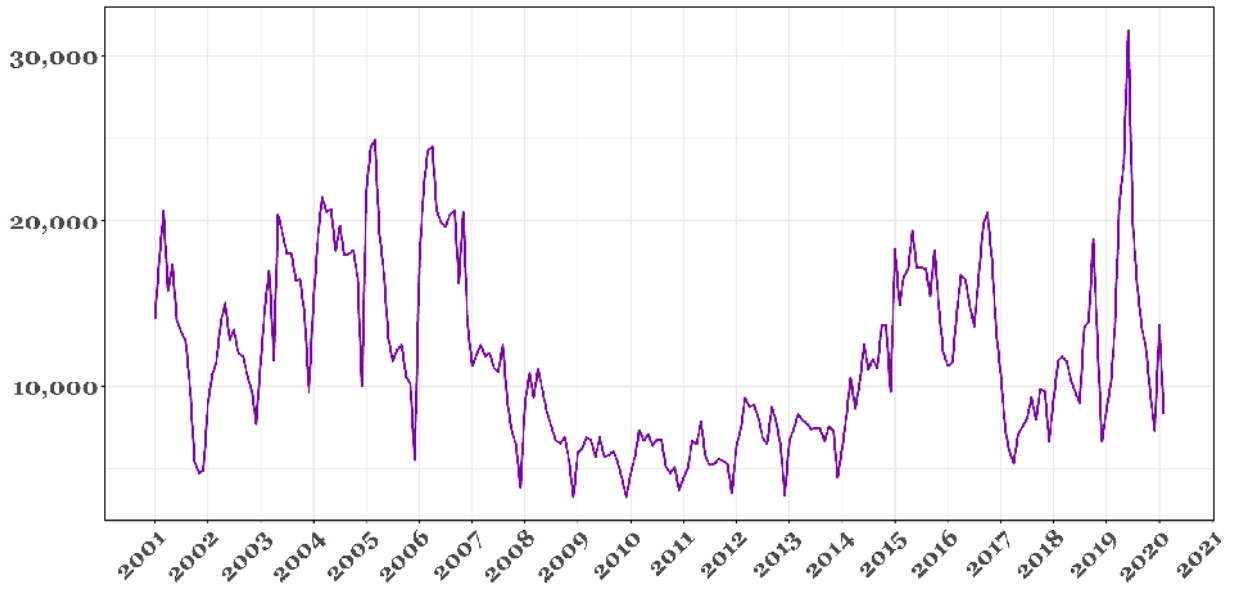
Appendix 4

Table 7²⁸⁶
Employee Profiles of Newly Hired Child Protection Officials

Age	Education Level	Study Subject	Gender
24	Master's Degree	Social Sciences and Administration	Male
25	Bachelor's Degree	Social Sciences and Administration	Female
25	Bachelor's Degree	Social Sciences and Administration	Female
25	Bachelor's Degree	Social Sciences and Administration	Female
25	Bachelor's Degree	Education	Female
26	Bachelor's Degree	Social Sciences and Administration	Female
28	Bachelor's Degree	Social Sciences and Administration	Male
28	Bachelor's Degree	Social Sciences and Administration	Female
29	Bachelor's Degree	Social Sciences and Administration	Female
29	Bachelor's Degree	Social Sciences and Administration	Female
29	Bachelor's Degree	Social Sciences and Administration	Female
30	Bachelor's Degree	Social Sciences and Administration	Female
30	Bachelor's Degree	Social Sciences and Administration	Female
31	Bachelor's Degree	Education	Female
32	Bachelor's Degree	Education	Female
33	Bachelor's Degree	Social Sciences and Administration	Male
33	Bachelor's Degree	Social Sciences and Administration	Female
34	Bachelor's Degree	Social Sciences and Administration	Male
35	Bachelor's Degree	Social Sciences and Administration	Female
35	Bachelor's Degree	Social Sciences and Administration	Male
35	Bachelor's Degree	Education	Male
36	Bachelor's Degree	Social Sciences and Administration	Male
39	Bachelor's Degree	Social Sciences and Administration	Male
42	Bachelor's Degree	Social Sciences and Administration	Female
43	Bachelor's Degree	Social Sciences and Administration	Female

Appendix 5

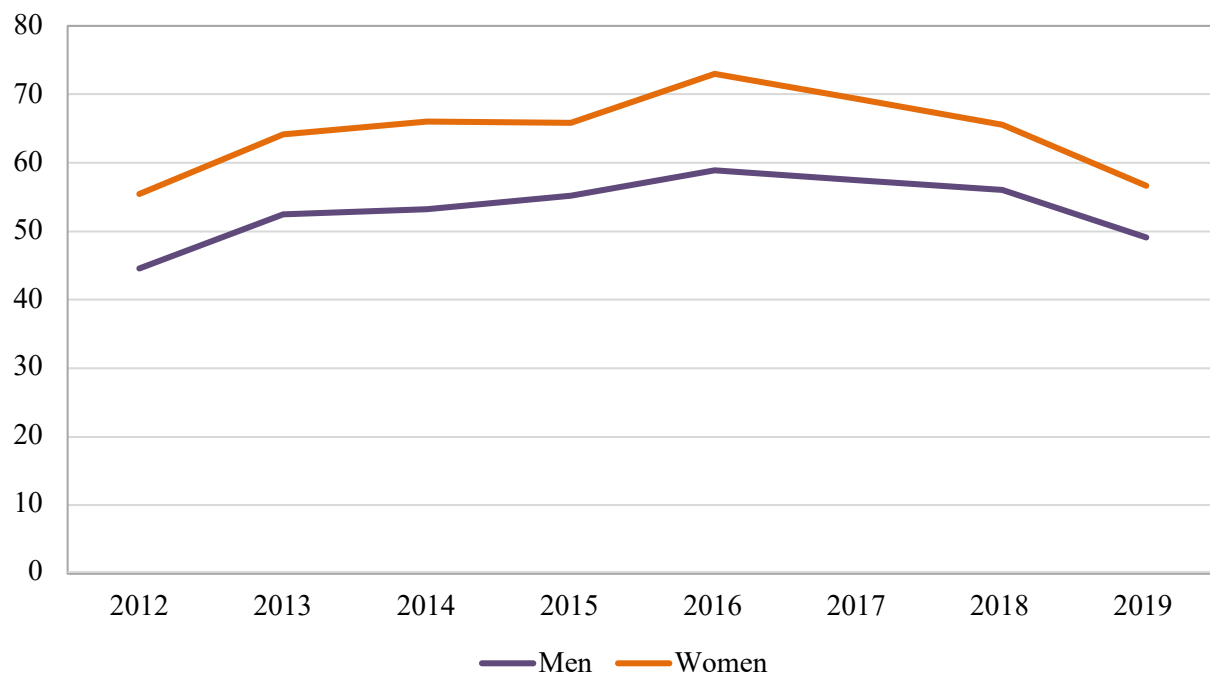
Figure 17
INM Total Apprehensions and Apprehensions of Central Americans (2001-2020)



Source: INM data

Appendix 6

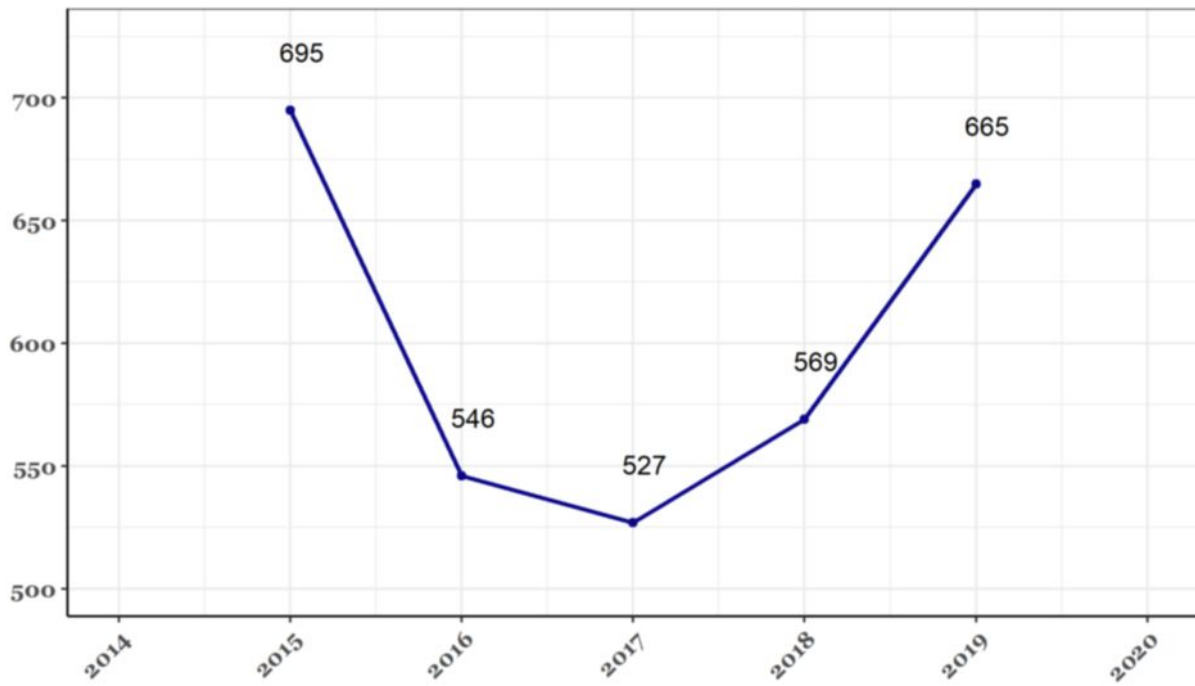
Figure 18
Percentage of Migrants that Hired a Guide, by Migrant Gender (2012-2019)



Source: COLEF data

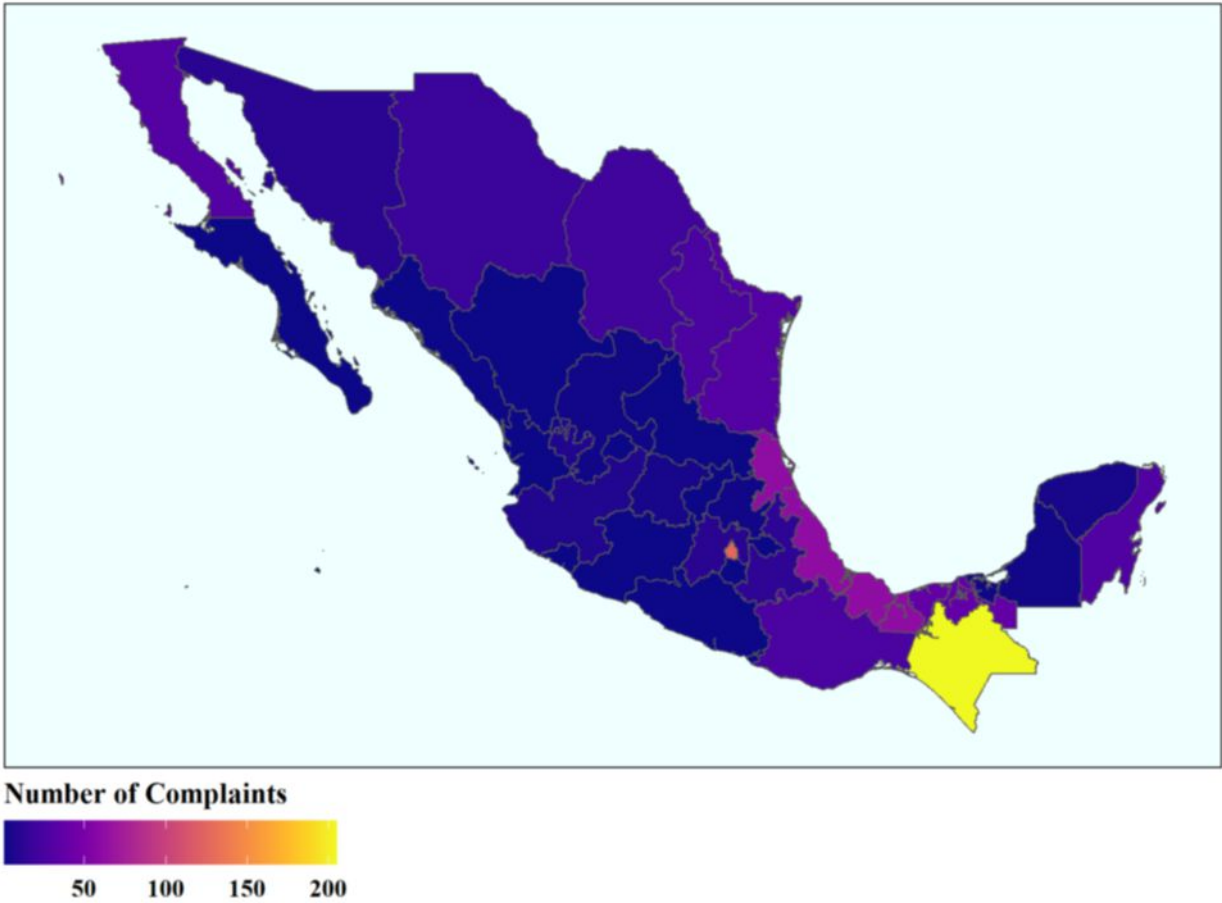
Appendix 7

Figure 19
Crimes Against Migrants Committed by Federal Authorities (2015-2019)



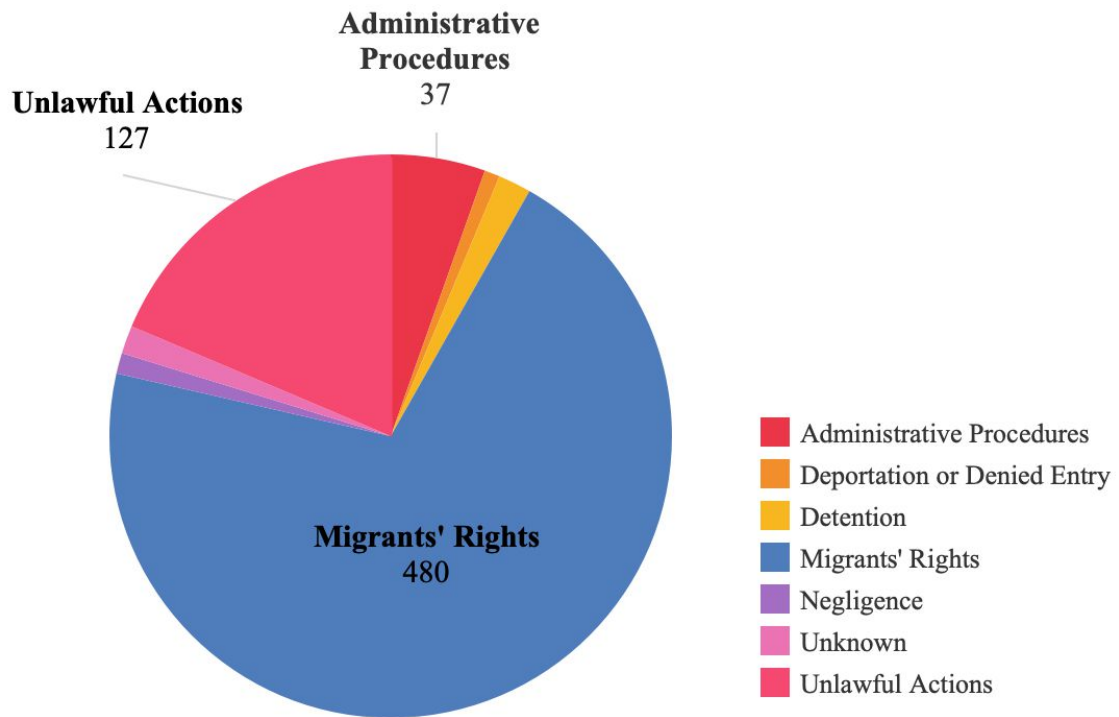
Source: INM transparency request

Figure 20
Crimes Against Migrants Committed by Authorities by State



Source: CNDH transparency request

Figure 21
Reasons Provided for Complaints



Source: CNDH transparency data

Endnotes

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