

CENTRAL AMERICA & MEXICO POLICY INITIATIVE

# MIGRANT PROTECTION PROTOCOLS: IMPLEMENTATION AND CONSEQUENCES FOR ASYLUM SEEKERS IN MEXICO

FALL 2019 – SPRING 2020



Lyndon B. Johnson School of Public Affairs  
Policy Research Project Report  
Number 218

# **Migrant Protection Protocols: Implementation and Consequences for Asylum Seekers in Mexico**

Project Directed by  
Stephanie Leutert

A report by the  
Policy Research Project on  
Mexico's Migratory Policy  
May 2020

The LBJ School of Public Affairs publishes a wide range of public policy issue titles.

ISBN-10: 978-1-951006-13-6

©2020 by The University of Texas at Austin

All rights reserved. No part of this publication or any corresponding electronic text and/or images may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or any information storage and retrieval system, without permission in writing from the publisher.

Cover design by Alison Prince



## **Policy Research Project Participants**

### **Authors**

Jessica Eller, B.A. (Public Policy), University of Michigan - Ann Arbor

Emma Israel, B.A. (Politics), Bates College

Priscilla Lugo, B.A. (English and Women & Gender Studies), The University of Texas at Austin

Juany Torres, B.A. (Political Science), Stanford University

### **Project Director**

Stephanie Leutert, M.A. Global Affairs, Director, Central America and Mexico Policy Initiative, Robert Strauss Center for International Security and Law; Lecturer, Lyndon B. Johnson School of Public Affairs, The University of Texas at Austin





## **Partnerships and Acknowledgments**

The following report is the result of a year-long investigation by M.A. students at the LBJ School of Public Affairs at the University of Texas at Austin.

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.

The project and corresponding travel and field research was made possible by the Robert Strauss Center for International Security and Law and the Teresa Lozano Long Institute of Latin American Studies at the University of Texas at Austin.





## Table of Contents

<b>Table of Acronyms</b>	<b>ix</b>
<b>Foreword</b>	<b>xi</b>
<b>Executive Summary</b>	<b>xiii</b>
<b>Chapter 1: Current Migratory Context</b>	<b>1</b>
El Salvador	2
Guatemala	4
Honduras	6
<b>Chapter 2: Mexico’s Migratory Legal Framework</b>	<b>9</b>
Federal Laws Impacting Migratory Policy	9
Federal Agencies Involved in Migratory Policy	10
State and Municipal Involvement in Migratory Policy	14
<b>Chapter 3: Legal Framework and Implementation</b>	<b>15</b>
Migrant Protection Protocols Planning	15
MPP Roll Out	15
MPP Implementation	16
<b>Chapter 4: MPP in Mexico</b>	<b>23</b>
Conditions in Mexico	26
<b>Chapter 5: Policy Responses</b>	<b>36</b>
<b>Appendices</b>	<b>40</b>



## Table of Acronyms

ACLU	American Civil Liberties Union
AVR	Assisted Voluntary Return
CBP	Customs and Border Protection
CIA	Central Intelligence Agency
CICIG	International Commission Against Impunity in Guatemala ( <i>Comisión Internacional Contra la Impunidad en Guatemala</i> )
COESPO	State Population Council ( <i>Consejo Estatal de Población</i> )
COMAR	Mexican Commission for Refugee Assistance ( <i>Comisión Mexicana de Ayuda a Refugiados</i> )
CURP	Unique Population Registry Code ( <i>Clave Única de Registro de Población</i> )
DHS	Department of Homeland Security
DIF	National System for Integral Family Development ( <i>Desarrollo Integral de la Familia</i> )
DOJ	U.S. Department of Justice
EOIR	Executive Office for Immigration Review
FAO	Food and Agriculture Organization of the United Nations
FMLN	Farabundo Martí National Liberation Front ( <i>Frente Farabundo Martí para la Liberación Nacional</i> )
GDP	Gross Domestic Product
GN	National Guard ( <i>Guardia Nacional</i> )
GRM	Global Response Management
ICE	Immigration and Customs Enforcement
IIRIRA	Illegal Immigration Reform and Immigrant Responsibility Act of 1996
INA	Immigration and Nationality Act
INM	National Migration Institute ( <i>Instituto Nacional de Migración</i> )
IOM	International Organization for Migration
LPR	Lawful Permanent Resident



MPP	Migrant Protection Protocols
MSF	Doctors Without Borders ( <i>Médecins Sans Frontières</i> )
NTA	Notice to Appear
NTCA	Northern Triangle of Central America
OFAM	Offices for the Attention of Migrants ( <i>Oficina de Atención a Migrantes</i> )
SEGOB	Ministry of the Interior ( <i>Secretaría de Gobernación</i> )
SEMAR	Ministry of the Navy ( <i>Secretaría de Marina</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> )
TRABAJO	Secretary of Labor and Social Welfare ( <i>Secretaría de Trabajo y Previsión Social</i> )
TRAC	Transactional Records Access Clearinghouse
TVRH	Visitor Visa for Humanitarian Purposes ( <i>Tarjetas de Visitante por Razones Humanitarias</i> )
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
USAID	United States Agency for International Development
USCIS	United States Citizenship and Immigration Service
USIPC	U.S. Immigration Policy Center at the University of California, San Diego

## 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

In November 2018, the United States and Mexico negotiated the Migrant Protection Protocols (MPP). Before MPP, asylum seekers were allowed to wait in the United States during their asylum cases. However, with MPP, asylum seekers are now forced to wait in Mexican border cities as their cases move through the U.S. immigration system. In January 2019, U.S. officials began to implement MPP in San Diego and then extended the program across the rest of the border. As of April 2020, more than 64,000 asylum seekers had been returned to Mexico as part of the program.

The majority of the asylum seekers returned to Mexico under MPP are from the Northern Triangle of Central America, although individuals from other nationalities have also been put in the program. As of March 2020, the highest number of MPP returnees were from Honduras, accounting for 35 percent of individuals in the program. This was followed by asylum seekers from Guatemala (24 percent), Cuba (12.7 percent), and El Salvador (12.5 percent).

U.S. Customs and Border Protection (CBP) officers have exempted some groups from MPP, including unaccompanied minors, Mexican citizens, non-Spanish speakers (although Brazilians were eventually included), and asylum seekers in certain “special circumstances.” However, CBP officers have discretion regarding who is subject to the program, and these exemptions have not been consistently implemented. Additionally, CBP officers have also included members of “high-risk populations” in MPP, such as pregnant women, LGBTQ+ individuals, minors, and people who are disabled.

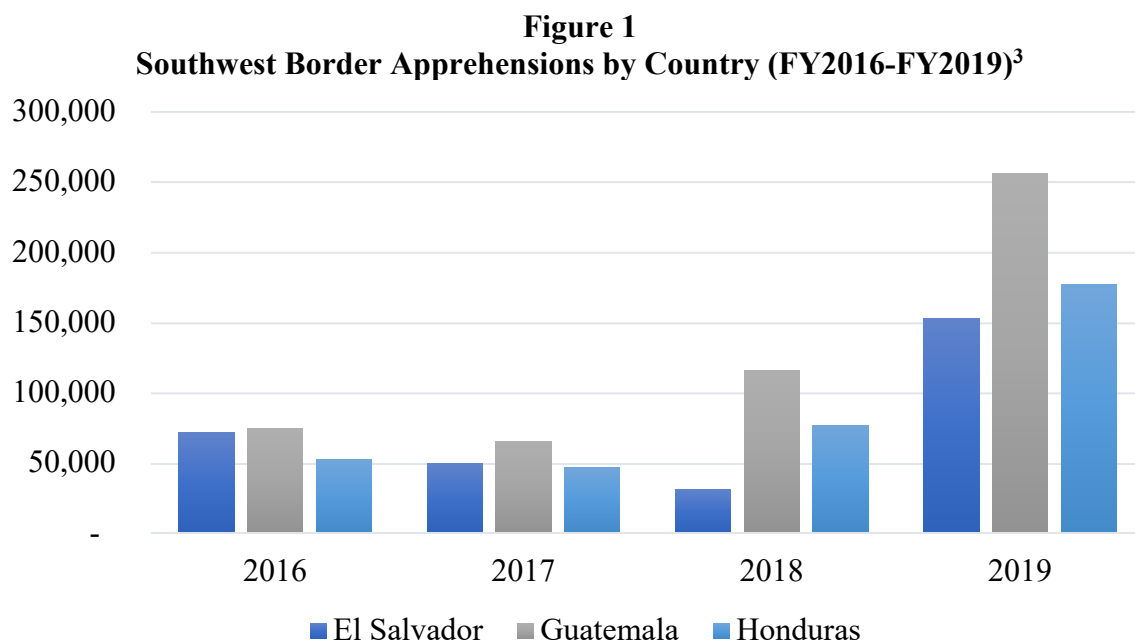
Once asylum seekers are returned to Mexico, they face various challenges. Although the Mexican Migratory Law of 2011 guarantees asylum seekers the right to healthcare and education in Mexico, it can be difficult to access these services. Asylum seekers are also responsible for acquiring their own housing, even though they often have few resources. Further, they must navigate these situations while at risk of violence from criminal organizations or predatory actors. Criminal groups often target asylum seekers because they have no local ties or community and because they often have friends and family in the United States who can pay their ransom.

This report recommends that MPP be immediately discontinued. However, understanding that this may be difficult in the short term, this report provides additional recommendations to address the most egregious conditions under MPP. These include improving safety for asylum seekers, excluding at-risk populations, and providing asylum seekers with greater access to due process and legal representation.



## Chapter 1: Current Migratory Context

Since 2016, more than 1 million people from El Salvador, Guatemala, and Honduras—commonly referred to as the Northern Triangle of Central America (NTCA)—have migrated north to Mexico and the United States.<sup>1</sup> In FY2019 alone, 607,773 people from these countries were apprehended at the United States’ southern border.<sup>i 2</sup> Historically, most Central American migrants were single men seeking greater economic opportunity. In recent years, the demographics of migrating individuals have included more families and unaccompanied minors, and many are fleeing persecution and seeking asylum.



*Source: U.S. Customs and Border Protection*

Central Americans are leaving the Northern Triangle for varied and complex reasons, including poverty, domestic violence, gang violence, climate change, and family reunification. High levels of violence from organized criminal groups, such as the Mara Salvatrucha (MS-13) and the 18th Street Gang (Barrio 18), have made El Salvador, Honduras, and Guatemala some of the world’s most dangerous countries. Cultural attitudes toward high-risk populations such as women, children, adolescents, and the LGBTQ+ community have also made these groups more susceptible to abuse.<sup>4</sup> Gender-based and family violence occurs regularly across the region and the Northern Triangle’s governments have yet to lower high impunity rates for perpetrators. Increasingly, minors are also migrating to the United States to reunite with their parents who previously migrated.

Though the Northern Triangle countries have many similar characteristics, they each face specific challenges that drive outward migration. El Salvador and Guatemala experienced long and devastating civil wars, and Honduras was governed by a series of destabilizing military leaders.

<sup>i</sup> October 2018 through September 2019.

The Northern Triangle countries have also been impacted in varying ways by climate change related droughts, flooding, and food insecurity. The following sections provide country specific context for why hundreds of thousands of people continue to leave the region.

## El Salvador

Since El Salvador's independence in 1821, the country's societal challenges have been shaped by political instability and violence. In 1932, 30,000 people were killed in a peasant uprising, led by social activist and communist leader Agustín Farabundo Martí.<sup>5</sup> In 1969, the tension surrounding many undocumented Salvadorans living in Honduras caused a brief war between the two countries known as "The Soccer War," which killed an estimated 3,000 people. While in 1979, El Salvador's civil war, the bloodiest conflict in the country's history, killed 75,000 people.<sup>6</sup> These themes of violence, civil unrest, and political instability continue to shape El Salvador's migration patterns today.

**Violence.** El Salvador's civil war lasted for 13 years (1979 to 1992) and initiated a long-lasting dynamic of emigration.<sup>7</sup> The war was between the Marxist guerilla group, the Farabundo Martí National Liberation Front (*Frente Farabundo Martí para la Liberación Nacional*, FMLN), and the government.<sup>8</sup> The FMLN was backed by multiple Central American governments and the Soviet Union, while the Salvadoran government received military and economic support from the U.S. government.<sup>9</sup> At the war's onset, around 129,000 Salvadorans left the country due to political violence, many of them traveling north to Mexico and the United States.<sup>10</sup> By the 1980s, approximately 500,000 Salvadorans had arrived in the United States.<sup>11</sup>

The civil war set the stage for the country's now-powerful street gangs. During the 1980s, Salvadoran refugees fleeing the war began to build communities in the United States. Many were unable to gain legal status or asylum protection and were marginalized within the cities where they lived. Particularly in Los Angeles, some migrants sought a sense of community and protection by forming or joining gangs such as MS-13 and the 18th Street Gang.<sup>12</sup> As more refugees came to the United States from El Salvador and the civil war's violence escalated, these gangs increased in size.<sup>13</sup>

In 1996, the U.S. Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), which broadened the types of crimes that could result in a deportation, making it easier for the U.S. government to deport people who had been convicted of felonies. As a result, many MS-13 and 18th Street Gang members were deported back to Central America and the gangs strengthened within El Salvador and across the region. MS-13 is now pervasive in El Salvador, where it operates in urban and rural areas, in Guatemala and Honduras' major cities.<sup>14</sup> The 18th Street gang too has a strong presence in Central America and the United States.<sup>15</sup>

Gang activity affects migration in various ways. The gangs' primary economic activity is extorting businesses and individuals and threatening to hurt them or their loved ones if they do not pay.<sup>16</sup> People who are being extorted may be forced to flee amid the financial pressure and threats. Many young men and women also flee to avoid being recruited into the gangs.<sup>17</sup> Young men are recruited as members and young women are recruited as gang girlfriends (*novias*), who are forced into sexual relationships with members.<sup>18</sup> In rare cases, girls may also join gangs, electing between

being gang raped or beaten in order to be initiated.<sup>19</sup> If adolescents refuse to become a member or a girlfriend, they risk being beaten, raped, or murdered. This fear of violence can prompt young people or entire families to flee the country.

In 2003, the Salvadoran government implemented the “Iron Fist Plan” (*Plan Mano Dura*) as a response to the increasing gang violence.<sup>20</sup> This Iron Fist Plan was paired with a separate anti-gang bill that criminalized gang involvement.<sup>21</sup> The Salvadoran government implemented subsequent plans such as “Super Iron Fist” (*Super Mano Dura*) with the same goals, while providing prevention and rehabilitation resources for former gang members.<sup>22</sup> All of these efforts were unsuccessful in curbing gang activity. The most recent plan is current President Nayib Bukele’s “Territorial Control Plan” (*Plan Control Territorial*), which puts police and military forces in areas with a significant gang presence.<sup>23</sup> As of November 2019, the Salvadoran Defense Ministry (*Ministerio de Defensa*) estimated that up to 500,000 people in the country are associated with gangs, either by direct participation, coercion, or by paying them extortion.<sup>24</sup> This number greatly exceeds El Salvador’s 52,000 member public security force that includes police, paramilitary, and military personnel.<sup>25</sup>

**Corruption.** Rampant government corruption and impunity in El Salvador also contribute to people fleeing the country, and security forces have been frequently implicated in serious crimes. In 2017, Salvadoran police units were alleged to have been involved in femicide cases.<sup>26</sup> That same year, a Salvadoran newspaper found evidence that an elite police unit was engaging in extrajudicial killings, sexual assaults of teenage girls, extortions, and robberies.<sup>27</sup> UN special rapporteurs on internal displacement and extrajudicial killings have documented threats by public security forces and harassment toward adolescents, individuals working to rehabilitate gang members, and members of the LGBTQ+ community.<sup>28</sup> The result is that most Salvadorans do not trust the police and some resort to leaving the country in order to escape adverse conditions.<sup>29</sup>

**Economy.** El Salvador’s economic structure also contributes to outward migration. As of 2017, 29 percent of Salvadorans lived below the poverty line, as defined by US\$5.50 per person per day.<sup>30</sup> This is an improvement from 2007, when 39 percent of the population was below the poverty line.<sup>31</sup> However, within the current 29 percent of Salvadorans living in poverty, some 8.5 percent live in extreme poverty, defined in El Salvador as living on less than US\$3.20 a day.<sup>32</sup>

The Salvadoran economy has historically been structured around exporting crops, such as coffee and sugar cane. This dependence on agriculture, makes El Salvador highly susceptible to commodity shocks, natural disasters, and climate change.<sup>33</sup> Low-skilled manufacturing and business process outsourcing, frequently in the form of call centers, now also make up a large part of the country’s economy.<sup>34</sup>

Today, El Salvador’s economy is heavily dependent on remittances from the Salvadoran diaspora. The United States is home to 1.4 million Salvadorans, making it the largest Salvadoran population abroad. In 2018, remittances reached US\$5.5 billion, constituting 20 percent of the country’s gross domestic product (GDP).<sup>35</sup> Families who receive remittances are more likely to live above the poverty line, which incentivizes families to send at least one family member abroad.<sup>36</sup>

***Current Political Climate and Instability.*** In June 2019, President Nayib Bukele took office, representing a rare win for a candidate outside of the country's two major political parties. While Bukele represented a fresh start, he has low support from El Salvador's legislature, army, and prominent political families.<sup>37</sup> This lack of support initially stemmed from Bukele's open criticism of the army and the powerful families' oligarchic influence.<sup>ii</sup> <sup>38</sup> Through April 2020, the relationship between government agencies remains tense, leaving little space for cooperation within the government and demonstrating the extent of El Salvador's fragmented political structure.<sup>39</sup>

## **Guatemala**

Guatemala's 36-year civil war shaped the country's international migration dynamics, sending millions of people from their homes to Mexico and the United States. Despite the war's end in 1996, Guatemala is still shaped by the civil war's legacy. The federal government has not prioritized rural infrastructure, and there are high levels of unemployment and job insecurity. Street gangs operate in the country, and their effects are magnified by government corruption and a weak rule of law. Overall, Guatemala's government has been unable to provide its citizens with adequate safety or economic opportunity, and, as a result, outward migration has continued.

***Violence.*** From 1960 to 1996, Guatemala endured a violent civil war—the longest in Central America—that prompted mass migration to Mexico and the United States. The violence began in 1954, six years before the start of the war, when the United States' Central Intelligence Agency (CIA) backed Guatemalan military Colonel Carlos Castillo Armas' coup against the democratically elected President Jacobo Árbenz.<sup>40</sup> Six years later, the violence increased as left-wing guerilla groups fought to overthrow the military regime.

As the war progressed in the 1980s, the Guatemalan army targeted the country's Mayan community and accused them of aiding insurgents. The army launched a large-scale counterinsurgency campaign against indigenous populations, which included bombing villages, attacking fleeing residents, killing children, and burning people alive.<sup>41</sup> These operations have now been characterized as a genocide. In response, many indigenous communities fled to refugee camps in southern Mexico.<sup>42</sup> In total, more than 200,000 Mayan people were killed or disappeared during the war and another 1 million Mayan villagers were displaced to Mexico and the United States.<sup>43</sup> The violence committed against the indigenous Mayans during Guatemala's civil war set in motion larger emigration dynamics that continue to this day.

Currently, communities in Guatemala still face pervasive violence. Guatemalan gangs extort local businesses and residents for money through violence and threats.<sup>44</sup> Similar to El Salvador, boys are coerced into joining gangs and women and girls are forced into non-consensual relationships with gang members. This makes women and girls victims of gang violence and potential targets for rival gangs.<sup>45</sup>

This violence also contributes to emigration, especially given the country's high impunity rates. Local governments and police are unable or unwilling to hold perpetrators accountable.<sup>46</sup> A June

---

<sup>ii</sup> In February 2020, these tensions were heightened when President Bukele allowed soldiers into the legislative building after the legislature refused to vote to approve a US\$109 million equipment loan for security forces.

2018 report by the International Commission Against Impunity in Guatemala (*Comisión Internacional Contra la Impunidad en Guatemala*, CICIG) found that Guatemala's impunity rate was 97.6 percent in 2018.<sup>47</sup> Of particular concern, Guatemala consistently reports some of the world's highest femicide rates. Local and foreign advocates assert that the government has not adequately investigated these murders.<sup>48</sup>

**Economy.** Guatemala's economy suffered as a result of the country's civil war and widespread government corruption. As of December 2019, two thirds of Guatemalans lived on less than US\$2.00 per day.<sup>49</sup> The indigenous population is particularly affected by poverty, with 79 percent of indigenous Guatemalans living in poverty and 40 percent living in extreme poverty.<sup>iii 50</sup> In 2018, the U.S. Department of Homeland Security and the World Food Programme noted that the primary reason for migration among Guatemala's rural community is poverty and malnutrition, resulting from years of low harvests, drought, and coffee rust fungus.<sup>51</sup>

The Guatemalan economy is heavily dependent on a few agricultural products: coffee, sugar, bananas, and cotton.<sup>52 iv</sup> As a result, the economy is highly sensitive to commodity price volatility, which can lead to massive and sudden unemployment. Since 2011, a slump in the price of coffee has hurt the industry.<sup>53</sup> Coffee farmers have also battled a recurrent, aggressive coffee rust that periodically wipes out large portions of the country's coffee harvest. The decrease in coffee production and profits has hurt farmers and spurred migration as a way to diversify and bolster their income.<sup>54</sup>

Climate change also contributes to outward migration. Extreme weather fluctuations, such as droughts, floods, and temperature shocks, reduce farmers' yields or destroy their crops altogether. These shocks limit economic opportunity, create financial instability, and increase food insecurity. According to a 2018 National Geographic report, Guatemala has consistently been listed among the world's ten most vulnerable countries for climate change.<sup>55</sup>

The combination of agricultural collapse and climate change has resulted in high malnutrition rates throughout the country. In rural and indigenous areas, 55 to 69 percent of people face malnutrition. In the Western highlands, 70 percent of children suffer from malnutrition.<sup>56</sup> Huehuetenango, where malnutrition rates are around 70 percent, is the state with the highest rate of outward migration.<sup>57</sup> The country's hunger crisis is not new, but its persistence and severity has forced families to migrate.<sup>58</sup>

In Guatemala remittances have increased the quality of life and reduced poverty.<sup>59</sup> In 2018, remittances reached US\$9.4 billion, accounting for more than 12 percent Guatemala's GDP.<sup>60</sup> Remittances have led to increased investments in education and improved access to electricity, water, and sanitation.<sup>61</sup>

---

<sup>iii</sup> The World Bank defines the extreme poverty line as US\$1.90 per person per day.

<sup>iv</sup> Overall, Guatemala's agriculture sector accounts for 13.5 percent of the country's GDP and 31 percent of the labor force.

## Honduras

Honduras did not endure a civil war like its Northern Triangle neighbors, but the country has still struggled to develop a stable democratic government and strong economy. Throughout the early twentieth century, Honduras was heavily dependent on banana exports to the United States. This relationship initially brought significant amounts of money to Honduras, but ultimately led to weak government institutions and slow economic growth. During the last three decades, Honduras' poverty, instability, and violence have all contributed to outward migration.

***Political Instability.*** Throughout most of the twentieth century, Honduras was led by a series of military leaders and presidents. In 1980, the Honduran military held elections and transitioned power to the country's first democratic government.<sup>62</sup> The following two decades saw relatively stable democratic governments and peaceful transitions of power.

However, this dynamic changed in the early part of the twenty-first century. In 2006, Hondurans elected President Manuel Zelaya, a populist who advocated for plans to raise the minimum wage and set up a system of cash transfers to the poor.<sup>63</sup> Once in office, he faced increasing pushback for efforts to reform the Constitution and remove presidential term limits. On June 28, 2009, President Manuel Zelaya was removed from office in a military *coup d'état*. After a short interim presidency, elections were held and Porfirio Lobo Sosa was sworn in as president in January 2010. President Sosa served his full four-year term with relative stability.

In 2014, Juan Orlando Hernández was elected to the presidency. During his first term, the Supreme Court lifted the constitutional ban on re-election, and President Orlando Hernández was re-elected in 2018. President Orlando Hernández's second election was widely disputed and prompted nationwide protests.<sup>64</sup> His administration has been marred by allegations of corruption, nepotism, and money laundering. In October 2019, protests erupted again after President Orlando Hernández's younger brother was convicted on drug trafficking charges in a U.S. court, and the president himself was implicated.<sup>65</sup> Widespread protests have called for President Orlando Hernández to be removed from office.

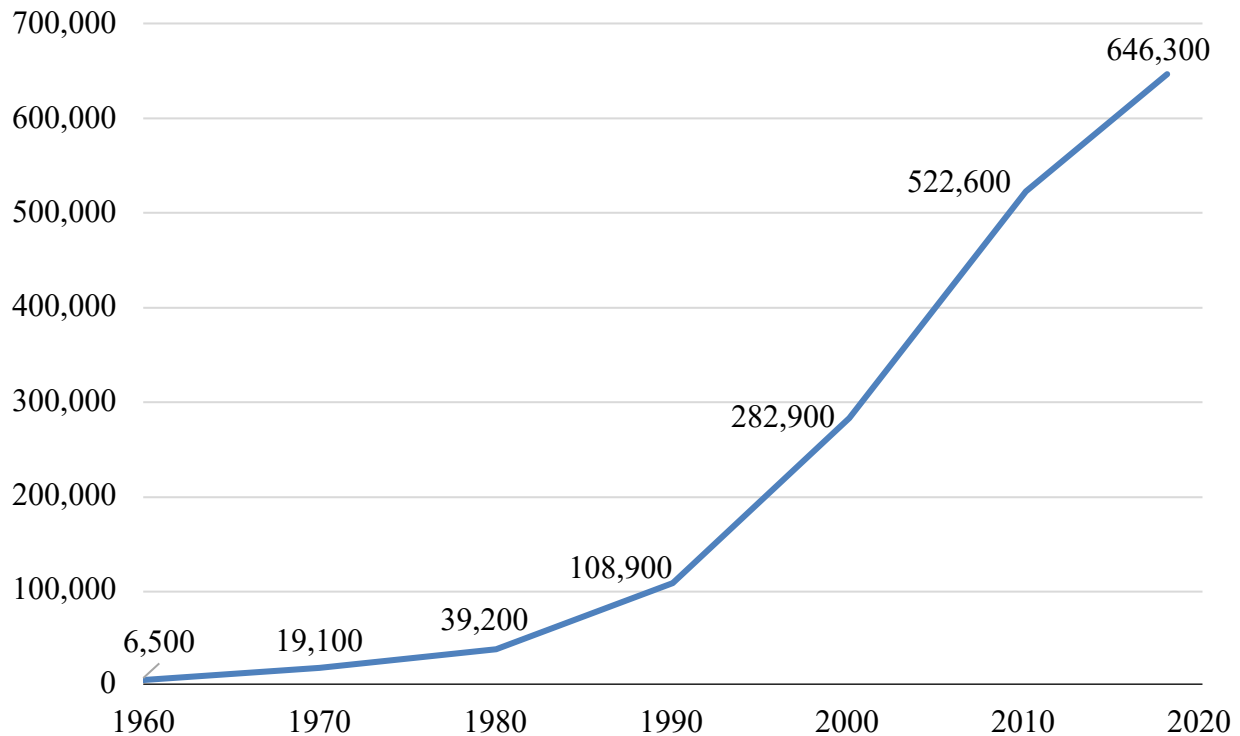
***Natural Disasters, a Weak Economy, and Climate Change.*** Honduras' economy depends heavily on agriculture and has been slow to develop. In recent years, declining global prices for Honduras' two major export crops, bananas and coffee, have contributed to the country's slow economic growth.<sup>66</sup> More than 30 percent of Honduras' population works in agriculture, meaning that shocks in the agricultural sector have a significant impact on the economy.<sup>67</sup> Additionally, some 75 percent of Hondurans work in informal industries, including selling food or goods on the street, operating unlicensed taxis, or running businesses out of their homes. These informal jobs provide little stability and unreliable earnings.<sup>68</sup>

Over the last 20 years, the Honduran economy has struggled to recover from natural disasters and a changing climate. In October 1998, Hurricane Mitch—a Category Five hurricane—struck Honduras and sped up migration from Honduras to the United States. Hurricane Mitch dropped 35 inches of rainfall on the country, causing 5,677 deaths, displacing 20,000 people, destroying 70,000 homes, and devastating 50 percent of Honduras' agricultural crops.<sup>69</sup> Recovery from the storm was slow due to the country's decimated infrastructure. As a result, Hondurans began to



leave the country in large numbers.<sup>70</sup> Figure 2 shows the number of U.S. immigrants from Honduras from 1960 to 2017.

**Figure 2**  
**Honduran Born U.S. Immigrants (1960-2018)<sup>71</sup>**



*Source: Migration Policy Institute (MPI) Data Hub*

Since Hurricane Mitch, Honduras' economy has struggled to rebound and grow. In 2018, more than 50 percent of Hondurans lived below the national poverty line of US\$5.50 per day and approximately 17 percent lived in extreme poverty, defined as living on less than US\$1.90 per day.<sup>72</sup> Thirteen percent of Honduras' population does not have access to electricity, the highest level in Central America, including 29 percent of the rural population.<sup>73</sup> The two major population centers, Tegucigalpa and San Pedro Sula, are surrounded by sprawling slums where thousands of people live without access to clean water, electricity, sanitation, or education.<sup>74</sup>

Climate change has impacted Honduran subsistence farmers, as severe flooding and droughts have repeatedly struck the region. In October 2008—the ten-year anniversary of Hurricane Mitch—Honduras was hit by devastating floods that displaced some 20,000 people.<sup>75</sup> However, even without catastrophic storms, Honduras is vulnerable to flooding during its rainy season. In October 2017, heavy rainfall in Honduras displaced more than 9,000 families.<sup>76</sup> The following October, two weather systems converged to cause flooding. The storms affected more than 25,000 people and killed nine.<sup>77</sup> The U.S. Agency for International Development (USAID) predicts that climate change will both increase the frequency of extreme rainfall and flooding, as well reduce overall rainfall, leading to more intense droughts.<sup>78</sup>

Honduras lies within the “Central American Dry Corridor,” a region stretching from Mexico to Panama that is prone to extreme droughts. In 2016, the Food and Agriculture Organization of the United Nations (FAO) estimated that more than 900,000 people were experiencing food insecurity due to drought-related crop loss.<sup>79</sup> In August 2019, Honduras declared a national emergency as a result of a severe drought, the fifth consecutive annual drought in the country.<sup>80</sup> The droughts and floods have caused widespread hunger. In April 2019, the United Nations (UN) announced that 1.4 million people in Honduras were in urgent need of food assistance, many of whom were subsistence farmers whose crops had been damaged by the extended drought.<sup>81</sup>

As farming becomes more difficult, Hondurans have abandoned agriculture as a source of income and increasingly look to migrate internally to nearby cities or internationally to Mexico, Spain, and the United States.<sup>v</sup> <sup>82</sup> The Hondurans who have left the country send back billions of dollars in remittances.<sup>83</sup> In 2018, remittances made up 19.9 percent of Honduras’ GDP.<sup>84</sup> The Honduran government views migrants and their remittances as an important economic driver and key to developing rural areas of the country.<sup>85</sup>

**Violence.** During the 1990s, street gangs spread to Honduran cities. By 2011, Honduras was the world’s most violent country outside active warzones, with a homicide rate of 85.1 murders per 100,000 people.<sup>86</sup> Since then, the homicide rate has steadily declined to reach 41.7 murders in 2017, but it still remains one of the world’s most dangerous countries.<sup>87</sup> The transnational street gangs MS-13 and the 18th Street Gang are mainly behind the violence. They have a strong presence in Honduras’ three largest cities—Tegucigalpa, San Pedro Sula, and La Ceiba—which are the country’s most violent areas.<sup>88</sup>

As in the other Northern Triangle countries, these gangs fully control portions of cities and neighborhoods. In the neighborhoods where they operate, the gangs charge extortion fees to individuals and businesses. Increasingly, the gangs also control transportation routes, forcing bus companies to pay in order to cross territories or even purchasing buses to operate the routes themselves.<sup>89</sup> Migrants fleeing Honduras often report gang threats and extortion as reasons for leaving their communities.

---

<sup>v</sup> As of 2016, there were more than 655,000 Hondurans living in the United States, many of whom maintain a connection with their home country. (See the Migration Policy Institute article in endnote 82.)

## Chapter 2: Mexico's Migratory Legal Framework

### Federal Laws Impacting Migratory Policy

The Mexican federal government negotiated and accepted the Migrant Protection Protocols (MPP) in November 2018. However, it provided only minimal guidance for government agencies or for affected states and municipalities. Instead, Mexico's federal government officials pointed to pre-existing laws as guidance for how to implement MPP, including the country's Constitution and the 2011 Migratory Law.

***Mexico's Constitution.*** The Mexican Constitution lays the foundation for all other laws in the country. The document enumerates the rights of foreigners, residents, and citizens, and sets the precedent for how migrants should be treated. The Constitution establishes the rights of individuals who are returned to Mexico through MPP and the Mexican government's responsibilities to these individuals.

**Table 1**  
**Mexican Constitution Articles That Are Relevant to MPP**

Section	Translation	Relevance to MPP
Article 1	All individuals in Mexico are entitled to the fundamental human rights established by the Constitution and international treaties.	Asylum seekers returned through MPP have the same rights as Mexican nationals and these rights should be respected.
Article 11	Mexico's government has the ability to create laws regarding who can and cannot enter the country. Everyone can move freely through the country's territory but the government can regulate that movement.	The Mexican government can decide whether or not to allow individuals into the country and can formulate migratory policy.
Article 33	Non-Mexicans are entitled to the rights granted by Mexico's Constitution.	Non-Mexicans are entitled to rights as enumerated by the Constitution. These rights include the right to work and the right to an education.

*Source: Author elaboration*

***Mexico's Migratory Law of 2011.*** The Migratory Law of 2011 expanded the Constitution's guidelines and rights as they pertain to migrants. The law establishes that migrants will have access to education, healthcare, and legal support, and that they will be protected from discrimination, crime, and persecution. The chart below lays out the Migratory Law's articles that are relevant to MPP.

**Table 2**  
**Migratory Law of 2011**

Section	Translation	Relevance to MPP
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 through MPP 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 returned under MPP should have access to education services.
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.	Individuals returned under MPP should have access to healthcare and medical attention during their time in Mexico.
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.	Individuals returned under MPP should have access to Mexico's judicial system.
Article 37, Section 3e	Non-Mexicans in the following categories do not require a visa: those requesting refugee status or complementary protection status, those with a stateless status, those entering for humanitarian reasons, or force majeure.	Individuals returned under MPP are allowed to re-enter Mexico for humanitarian reasons.
Article 67	Migrants have the right to not be discriminated against in any manner and to have their human rights respected.	Individuals returned under MPP should not be discriminated against in Mexico.

*Source: Author elaboration*

## **Federal Agencies Involved in Migratory Policy**

There are a number of Mexican federal agencies that carry out the country's migratory policy. The Ministry of Foreign Relations (*Secretaría de Relaciones Exteriores*, SRE) manages high-level bilateral negotiations and policy development. Within the Ministry of the Interior (*Secretaría de Gobernación*, SEGOB), the National Migration Institute (*Instituto Nacional de Migración*, INM) and the Mexican Commission for Refugee Assistance (*Comisión Mexicana de Ayuda a*

*Refugiados*, COMAR) are the operational agencies in charge of implementing migration and refugee policy. The National Guard (*Guardia Nacional*, GN), Federal Police (*Policía Federal*), and the Ministry of Navy (*Secretaría de Marina*, SEMAR) can also support INM in its enforcement efforts. Many of these agencies have been involved in MPP's implementation, and their legal obligations are outlined in the following section.

**Ministry of Foreign Relations.** The Ministry of Foreign Relations is the federal agency tasked with managing Mexico's foreign affairs. SRE runs Mexico's embassies and negotiates agreements with other countries, including the United States. According to the 2011 Migratory Law, SRE is in charge of processing, filing, and granting visas. Along with the SEGOB, SRE facilitates migrants' assisted return to their country of origin.

Since President Andrés Manuel López Obrador took office on December 1, 2018, SRE has taken a more central role in Mexico's migratory policy. Given that SRE's primary responsibility involves managing international relations, the agency has led negotiations with the United States on migration issues, including MPP. SRE has also overseen MPP's implementation and steady expansion along the U.S.-Mexico border.

In September 2019, President López Obrador formalized much of SRE's management of Mexico's migratory policy by creating the Inter-Secretariat Commission for Comprehensive Attention to Migration (*Comisión Intersecretarial de Atención Integral en Materia Migratoria*). This temporary commission is tasked with coordinating various agencies' policies and actions regarding their interactions with migrants.<sup>90 vi</sup> The commission is led by the Secretary of Foreign Relations in collaboration with 15 government agencies, in order to coordinate, prioritize, and implement the country's migratory policy.

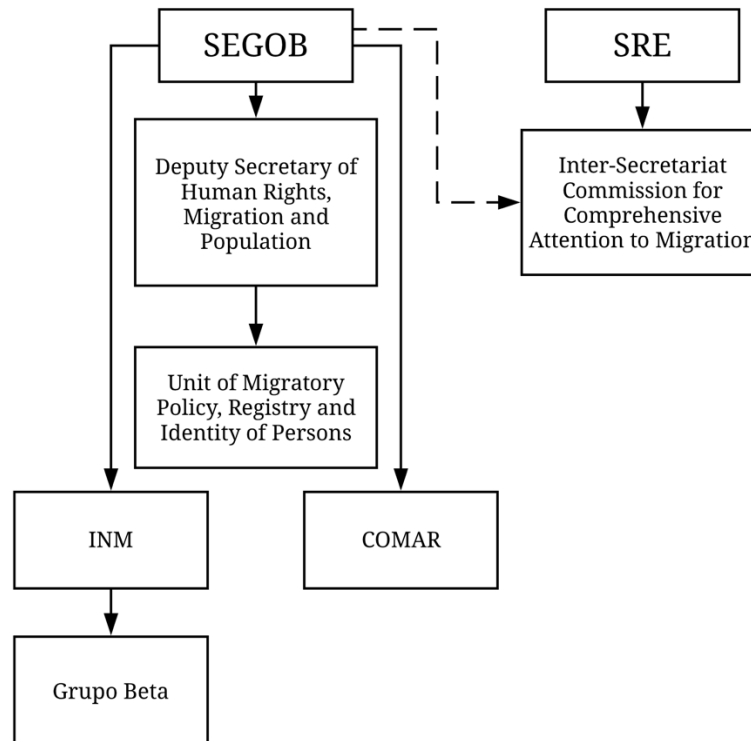
**Ministry of the Interior.** The Ministry of the Interior is the Mexican government agency concerned with domestic affairs. SEGOB is charged with creating migratory policy and upholding the laws that relate to migrants and refugees.<sup>vii</sup> The Office of the Deputy Secretary of Human Rights, Migration, and Population (*Subsecretario de Derechos Humanos, Población y Migración*) is housed within SEGOB. The current deputy secretary is Alejandro Encinas Rodríguez, and his department is responsible for overseeing the Unit of Migratory Policy, Registry and Identity of Persons (*Unidad de Política Migratoria, Registro e Identidad de Personas*), which proposes migratory policy in accordance to Mexico's laws.<sup>91</sup> However, SRE now designs many of Mexico's migratory policies.

---

<sup>vi</sup> The decree is in effect until September 30, 2024.

<sup>vii</sup> SRE manages political asylum cases.

**Figure 3**  
**Mexico's Federal Agencies Involved in Migratory Policy**



*Source: Author elaboration*

**National Migration Institute.** The National Migration Institute is the agency within SEGOB that enforces the country's migratory policies and is currently led by Commissioner Francisco Garduño Yáñez. INM is in charge of enforcing Mexico's migratory laws and apprehending and deporting individuals who are found to be in violation. INM also operates the country's migrant detention centers. INM's jurisdiction covers Mexico's entire territory and the agency staffs 65 international airports, 67 ports, and more than 59 border crossings.<sup>92</sup> Although INM is the federal agency in charge of migration enforcement, it may request assistance from the National Guard, Federal Police, or Navy in order to carry out its activities.

INM is the agency tasked with issuing migratory paperwork to asylum seekers who are returned to Mexico through MPP. At INM offices along the border, agents provide asylum seekers with an entry visa for humanitarian purposes, which grants lawful presence in Mexico. At times, INM also issues temporary Unique Population Registry Codes (*Clave Única De Registro de Población*, CURP) to asylum seekers returned under MPP.

Within INM, Grupo Beta is an agency that aims to provide humanitarian relief to migrants throughout Mexico. Their efforts include providing migrants with first aid, legal aid, and information on migration risks.<sup>93</sup> There are 22 Grupo Beta offices in nine states, including each of

the states where MPP is in place.<sup>viii</sup> However, Grupo Beta's scope is minimal and they have not been involved in substantial humanitarian efforts for asylum seekers in MPP.

***Mexican Commission for Refugee Assistance.*** The Mexican Commission for Refugee Assistance is the government agency charged with providing federal assistance to individuals applying for refugee status. COMAR currently has four offices: Mexico City; Acayucan, Veracruz; Tapachula, Chiapas; and Tenosique, Tabasco. Three of the four offices are in southern Mexico, where migrants enter the country, and the Mexico City office serves as the central administrative office. COMAR also has a presence in Monterrey, Nuevo León; Tijuana, Baja California; and Palenque, Chiapas with talks to open new offices in Guadalajara, Jalisco; Cancún, Quintana Roo; and Saltillo, Coahuila.<sup>94</sup>

In recent years, COMAR has been underfunded and understaffed. In May 2019, the agency's projected budget was MX\$23 million (US\$1.2 million), which was its lowest budget in seven years.<sup>95</sup> <sup>ix</sup> This has limited COMAR's capacity to process the increasing number of refugee status applications. The agency currently receives support from the United Nations High Commissioner for Refugees (UNHCR), but has been unable to keep up with the increasing demand for refugee protection.<sup>96</sup> COMAR has had minimal involvement with asylum seekers in MPP. However, if an asylum seeker in MPP decides to abandon their case in the United States and pursue protection in Mexico, they would do so by submitting a refugee status application to COMAR.

***National Guard.*** In February 2019, President López Obrador established the National Guard in order to address violence and insecurity in the country. The National Guard is a civilian security force located within the Ministry of Security and Citizen Protection (*Secretaría de Seguridad y Protección*, SSPC). At its creation, the National Guard absorbed the Federal Police and parts of the Army and Navy. It began operations on June 30, 2019, with an estimated force of 70,000 members.<sup>97</sup> <sup>x</sup> Despite its creation as a civilian security agency, the military exercises a great deal of control over the agency. While the force's leadership is civilian, the National Guard's top commanders are military officers.<sup>98</sup>

The National Guard has direct migration responsibilities. In coordination with INM, the National Guard can inspect migration documents and enforce the 2011 Migration Law.<sup>99</sup> The force is able to operate in border zones, customs offices, and migration checkpoints.<sup>100</sup> In June 2019, the López Obrador administration ordered 6,000 National Guard members to the southern border to assist INM with migration enforcement.<sup>101</sup> The National Guard has played a more limited role in migration enforcement along the northern border, but members have been tasked with providing security for migrants returned under MPP.

---

<sup>viii</sup> Grupo Beta is present in the following states: Baja California, Sonora, Chihuahua, Coahuila, Tamaulipas, Veracruz, Tabasco, Chiapas, and Oaxaca.

<sup>ix</sup> In 2013, COMAR's budget equaled MX\$11,288 (US\$575.54) per refugee status application. For 2020, COMAR estimates that they will receive 85,000 applications. This means that COMAR's budget would equal only MX\$553 (US\$28.00) for each application.

<sup>x</sup> The National Guard plans to hire its own personnel and allow the Army and Navy soldiers to return to their original posts.

## State and Municipal Involvement in Migratory Policy

While Mexico's migratory policy is a federal issue, states and municipalities have had to address migration issues within their jurisdictions. There are five Mexican border states that are affected by MPP: Baja California, Chihuahua, Coahuila, Sonora, and Tamaulipas. These states, with the exception of Tamaulipas and Coahuila, have laws that address migration, as outlined in Table 3. All five states also have local Offices for the Attention of Migrants (*Oficina de Atención a Migrantes*, OFAM), although they generally focus on Mexican migrants in the United States.<sup>102</sup> These migration laws and migrant-focused offices can help coordinate attention and resources to migrants returned under MPP.

**Table 3**  
**Mexican Border States' Migration Laws**

State	State's Migration Law	Implication of State's Migration Law
Baja California	Law for the Protection of the Rights and Support of Migrants ( <i>Ley Para La Protección de los Derechos y Apoyo a Los Migrantes</i> ), 2014 <sup>103</sup>	This law declares Baja California's shared responsibility with the federal government to ensure migrants' well-being through shelter, social services, and cooperation with civil society groups.
Chihuahua	Law for the Protection and Support of Migrants ( <i>Ley de Protección y Apoyo a Migrantes</i> ), 2016 <sup>104</sup>	This law declares that Chihuahua should protect and help migrants in transit or living within the state's borders. It also describes roles for Chihuahua's municipalities to treat migrants with respect and dignity and provide social service assistance.
Coahuila	Law for the Protection, Orientation, and Support of Migrants in the State of Coahuila ( <i>Ley Para La Protección, y Orientación y Ayuda a los Migrantes del Estado de Coahuila</i> ), 2015 <sup>105</sup>	This order directs Coahuila's government to create a law for protecting, orienting, and helping migrants. The order also directs that the law should provide migrants with the right to education and medical services. As of April 2020, this order had not become law. <sup>106</sup>
Sonora	Law for the Protection and Support of Migrants ( <i>Ley de Protección y Apoyo a Migrantes</i> ), 2007 <sup>107</sup>	This law directs the Sonora government to respect migrants' rights, regardless of the individual's sex, race, language, religion, ideology, social condition, nationality, age, or marital status.
Tamaulipas	N/A	Tamaulipas does not have a state law covering migration. However, its state agency, the Tamaulipas Institute for Migrants, is tasked with helping migrants within the state with legal assistance, accommodations, temporary food, and integration into society. <sup>108</sup>

Source: Author elaboration



## Chapter 3: Legal Framework and Implementation

### Migrant Protection Protocols Planning

In late 2018, the incoming López Obrador administration faced increased U.S. pressure to crack down on Central American migration to the United States. From its earliest campaign rallies, the Trump administration had made immigration one of its top issues. This focus was only increasing in October 2018, as a caravan of Central American migrants traveled through Mexico, and Customs and Border Protection (CBP) data showed an increase in the number of U.S.-Mexico border apprehensions. In response to these events, Donald Trump fired off a series of tweets threatening to close the United States' southern border if Mexico did not do more to stop Central Americans in its territory.<sup>109</sup>

Amid this heightened pressure, in November 2018, a binational group of officials met in a non-publicized meeting to create a new migration approach. In this meeting, members of the Trump administration, including former Secretary of Homeland Security Kirstjen Nielsen and Secretary of State Mike Pompeo, convened with Mexico's incoming Foreign Minister Marcelo Ebrard at a hotel in Houston, Texas.<sup>110</sup> The meeting's purpose was to create a new policy framework for handling asylum cases at the U.S.-Mexico border. It also served as the first step toward developing MPP.

The meeting's details quickly emerged in the press. On November 24, 2018, the *Washington Post* published a thorough account of the meeting, reporting that it had resulted in a set of policy guidelines to return asylum-seeking migrants to Mexico after their asylum cases were registered in the United States. These asylum seekers would wait for their U.S. hearings in Mexico instead of being allowed to wait in the United States, which was the standard protocol at the time.<sup>111</sup>

Mexican officials helped negotiate the plan and initially appeared to be supportive of the new program. In the November 2018 *Washington Post* article, President López Obrador's future Interior Minister, Olga Sánchez Cordero, was quoted as stating that Mexico had agreed to a "Remain in Mexico" policy.<sup>112</sup> However, as news broke about the new migration program, López Obrador's team walked back the statement, potentially because the incoming team was not yet in office.<sup>xi113</sup> However, Mexico eventually reversed course. In December 2018, the López Obrador administration announced MPP's roll out.<sup>114</sup>

### MPP Roll Out

On December 20, 2018, the Department of Homeland Security (DHS) issued a press release that officially announced MPP and launched new guidelines for CBP officers to follow when processing asylum seekers at the southern border. The press release stated that migrants seeking asylum would now have to "wait for an immigration court decision while they are in Mexico."<sup>115</sup> Its stated rationale was to decrease "illegal immigration" by disincentivizing the journey to the

---

<sup>xi</sup> Later that day, Donald Trump confirmed the agreement, tweeting that "Migrants at the Southern Border will not be allowed into the United States until their claims are individually approved in court...No "Releasing" into the U.S...All will stay in Mexico."

United States and alleviating the backlog of more than 786,000 pending asylum cases.<sup>116</sup> The announcement noted that Mexico would be responsible for providing humanitarian visas, work authorization, and other protections to returned asylum seekers.

As a legal basis for the program, Secretary of Homeland Security Nielsen invoked Section 235(b)(2)(C) of the Immigration and Nationality Act.<sup>xii</sup> <sup>117</sup> This section was added to the Immigration and Nationality Act (INA) in 1996 but had never been enforced. It states that people arriving to the United States by land can be returned to the territory from which they are arriving. In launching MPP, the Trump administration argued that this section provided it with the authority to return asylum seekers to Mexico while their cases moved through U.S. immigration courts.<sup>xiii</sup>

During the announcement, both the United States and Mexico appeared to downplay Mexico's role and responsibility in the program. When DHS announced MPP on December 20, 2018, it framed the new policy protocols as a unilateral decision by the United States. DHS only briefly referenced any conversations with Mexico, aside from saying that it had notified Mexico of the program's roll out. In its own simultaneous MPP press release, the Mexican government similarly claimed no responsibility in the U.S. decision to implement MPP and made no mention of the November 2018 meeting. Instead, Mexico framed its role as focused only on migrants' wellbeing, committing to "protect the rights of those who wish to begin and continue the process of applying for asylum in U.S. territory."<sup>118</sup>

This framing seems to have convinced the Mexican public that the López Obrador administration played a minimal role in the programs' design. In July 2019, the *Washington Post* and *Reforma* conducted a national poll of Mexicans, where 47 percent reported to be unaware of MPP.<sup>119</sup> Of the respondents who were aware of the policy, 55 percent of surveyed Mexicans believed that the United States had imposed the policy unilaterally on Mexico. The survey showed that MPP was popular among Mexican respondents, with 59 percent agreeing with the policy.<sup>120</sup>

## MPP Implementation

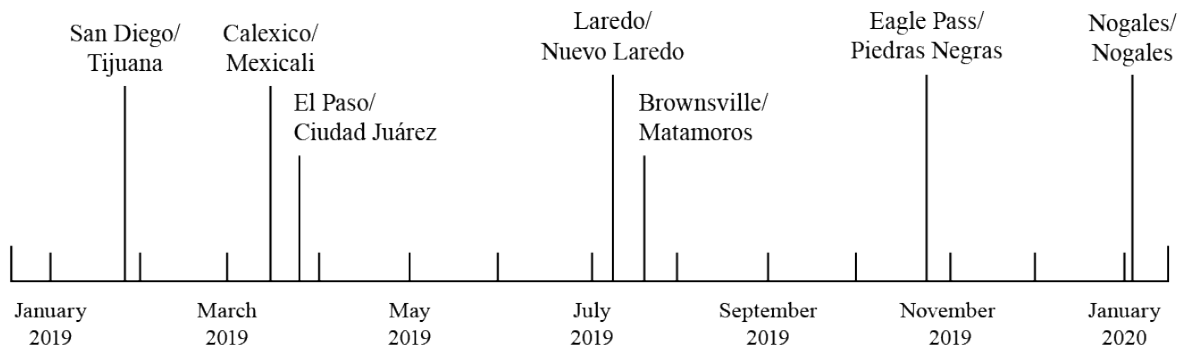
On January 28, 2019, DHS issued a memo announcing MPP's official launch.<sup>121</sup> Since then, MPP has been steadily implemented across the U.S.-Mexico border. The program began in San Diego, with CBP sending the first MPP returnee to Tijuana on January 29, 2019.<sup>122</sup> MPP was next reported in Calexico on March 14, 2019.<sup>123</sup> Shortly after, on March 21, 2019, El Paso implemented the program.<sup>124</sup> On July 9, 2019, MPP expanded to Laredo and then to Brownsville on July 19, 2019.<sup>125</sup> On October 28, 2019, MPP was implemented in Eagle Pass.<sup>126</sup> Finally, on January 2, 2020, the program expanded to Nogales.<sup>127</sup> The program now covers the entire U.S.-Mexico border.

---

<sup>xii</sup> The corresponding section of the INA reads: "in case of an alien... who is arriving on land (whether or not at a designated port of arrival) from a foreign territory contiguous to the United States, the Attorney General may return the alien to that territory."

<sup>xiii</sup> MPP's legal authority is currently being disputed in the U.S. court system.

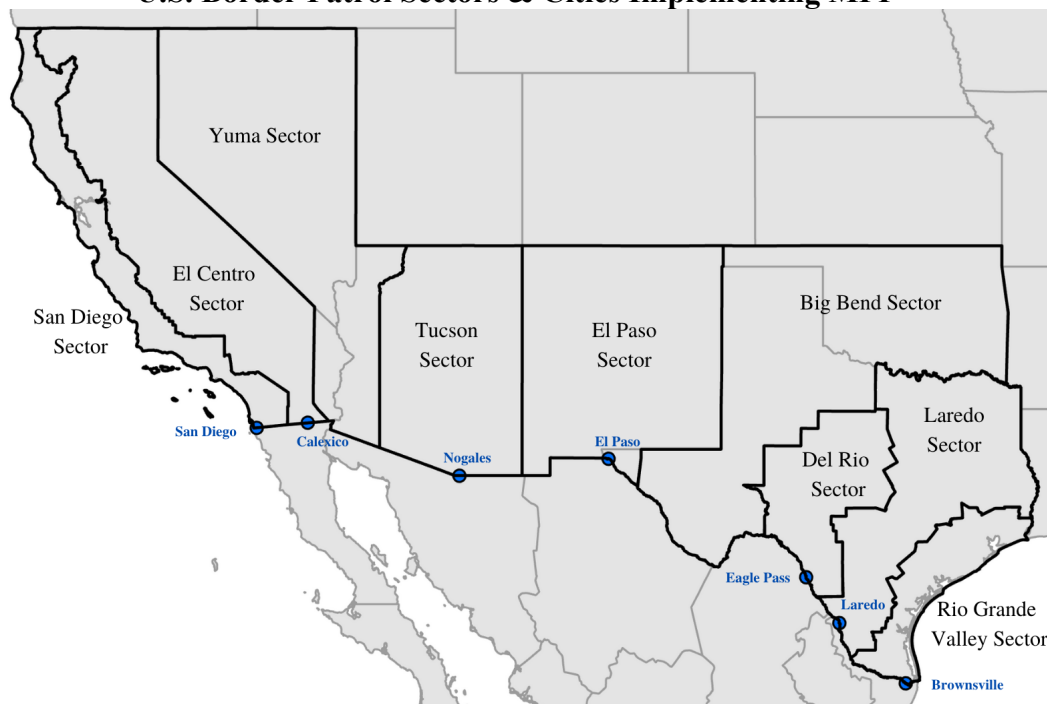
**Figure 4**  
**MPP Roll Out**



*Source: Author elaboration*

In the beginning of MPP, Mexico allegedly refused to accept returnees in certain areas, such as across from the Yuma and Tucson sectors.<sup>128</sup> This meant that CBP transported asylum seekers who were apprehended in these areas of the border to approved Mexican cities. However, over time, Mexican officials have appeared to cede more ground. In DHS's announcement of MPP's expansion to Nogales, the DHS press release stated that the program had been expanded in close cooperation with the Mexican government.<sup>129</sup>

**Figure 5**  
**U.S. Border Patrol Sectors & Cities Implementing MPP**



*Source: Author elaboration*

While MPP is in place along the entire border, asylum seekers are returned to only seven Mexican cities and MPP court hearings take place in only five U.S. cities. CBP continues to transport asylum seekers who are apprehended in the Yuma Sector to Calexico, CA (in the El Centro Sector) and

then return them to Mexicali. Similarly, asylum seekers apprehended in the Big Bend Sector are transported to El Paso, TX and returned to Ciudad Juárez. Asylum seekers who are returned to Mexicali, Nogales, or Piedras Negras are then responsible for traveling on their own to the San Diego, El Paso, and Laredo ports of entry, respectively, for their hearings.

**Table 4**  
**MPP Return City & Court Location by Place of Entry**

Place of Entry	MPP Return City	Immigration Court Location
San Diego Sector	Tijuana	San Diego, CA
El Centro Sector, Yuma Sector	Mexicali	San Diego, CA
Tucson Sector	Nogales	El Paso, TX
El Paso Sector, Big Bend Sector	Ciudad Juárez	El Paso, TX
Del Rio Sector	Piedras Negras	Laredo, TX
Laredo Sector	Nuevo Laredo	Laredo, TX
Rio Grande Valley Sector	Matamoros	Brownsville, TX

*Source: Author elaboration*

MPP applies to asylum seekers who present themselves at ports of entry and to asylum seekers detained between ports of entry. Customs officers and Border Patrol agents have the discretion to determine whether an asylum seeker is subject to MPP. Originally the asylum seekers who were subject to MPP were non-Mexican, Spanish-speakers who entered the United States on land from Mexico. However, as of January 20, 2020, Brazilian asylum seekers were also included in MPP.<sup>130</sup> Groups that are exempt include unaccompanied minors, Mexican nationals, individuals with physical illnesses, asylum seekers who have shown that they are likely to face persecution or torture in Mexico through a non-refoulement interview, and migrants processed for expedited removal.<sup>xiv 131</sup> However, each CBP sector can carry out MPP in accordance with its own interpretation of the guidelines, leading to varied implementation across the border.

***Non-Refoulement Interviews.*** If an asylum seeker preemptively expresses fear—either prior to being put in MPP or at any point during the program—the case is referred to a United States Citizenship and Immigration Services (USCIS) official for a non-refoulement interview.<sup>132</sup> During this interview, asylum seekers can explain why they should be exempt from being returned to Mexico and must prove that they would be harmed in Mexico according to specific reasons laid out in U.S. law: persecution based on their nationality, race, religion, politics, or membership in a

---

<sup>xiv</sup> Expedited removal is a process through which individuals can be quickly deported without undergoing formal removal proceedings. By law, expedited removal should not apply to refugees, asylum seekers, U.S. citizens, or lawful permanent residents (LPRs). The interplay between expedited removal and MPP has been one of the primary bases for legal challenges against MPP. Opponents have raised questions as to whether DHS has the authority to apply MPP to asylum seekers who would otherwise fall under the expedited removal statute.

particular group.<sup>xv 133</sup> A positive determination for a non-refoulement interview does not grant any form of protection or lawful status, and only allows an asylum seeker to wait for their court hearing in the United States.<sup>xvi</sup>

Since MPP began, few asylum seekers have received exemptions through non-refoulement interviews.<sup>xvii 134</sup> According to a DHS assessment of MPP, from January 29, 2019 through October 15, 2019, 4,680 asylum seekers asserted their fear of returning to Mexico, but only 655 received a positive fear determination.<sup>135</sup> A June 2019 *Reuters* analysis found that only 1 percent of more than 8,000 MPP cases had been transferred off of the MPP docket.<sup>xviii 136</sup> On December 4, 2019, a DHS report, published by *Buzzfeed News*, indicated that CBP officers did not always permit non-refoulement interviews when they were requested and that CBP officers pressured USCIS officers to rule against the asylum seekers.<sup>137</sup>

**Figure 6**  
**Mexican Border States**



*Source: Author elaboration*

**Return to Mexico.** Under MPP, CBP officers process asylum seekers and provide them with a Notice to Appear (NTA). This document contains the charges of removability and formally begins

<sup>xv</sup> The asylum seeker has to provide evidence of this persecution.

<sup>xvi</sup> Asylum seekers who are granted this exception may still be detained at ICE detention centers for the duration of their immigration process. Families with children are often given a GPS ankle monitor and permitted to travel to sponsors within the United States.

<sup>xvii</sup> The union representing asylum officers filed an amicus brief with the U.S. Court of Appeals for the Ninth Circuit as a part of the *Innovation Law Lab et. al. v. Nielsen et. al.* case against MPP. The amicus brief argues that the protections against non-refoulement are inadequate and that the procedures “virtually guarantee” that asylum-seekers will not pass the non-refoulement interviews. (See *Lawfare Blog* article in endnote 134)

<sup>xviii</sup> *Reuters* reviewed 8,718 cases. Of those cases, only 106 cases were transferred off of the MPP docket.

removal proceedings.<sup>xix</sup> The NTA also contains the date of the asylum seeker's first master calendar hearing, which is the initial status hearing in a U.S. immigration court. After processing the asylum seeker and issuing an NTA, CBP officials escort the asylum seeker to the U.S.-Mexico border, but do not cross into Mexico.

Once asylum seekers reach Mexican territory, they travel to an INM office. At this point, INM agents issue a customs entrance form called the Multiple Migratory Form (*Forma Migratoria Múltiple*), with the "humanitarian reasons" box checked off. This document allows asylum seekers returned to Mexico under MPP to remain in the country while they await their hearings in the United States.

After receiving an NTA and being returned to Mexico, asylum seekers typically wait in a Mexican border city until their first hearing. The wait times for an asylum seeker's master calendar hearing depend on the city where they are located. According to a DHS assessment, asylum seekers' initial hearings are scheduled within two to four months of being processed into MPP.<sup>138</sup> Yet, as of October 2019, initial hearings in El Paso were scheduled five months out.<sup>139</sup> In Laredo and Brownsville, where tent courts were built at the ports of entry, wait times tend to be shorter.<sup>140</sup>

There is no process through which asylum seekers can be notified of changes to their hearing or case status updates. Typically, asylum seekers only find out about a rescheduled or cancelled hearing by arriving at the international bridge for their scheduled hearing and being given a new hearing notice.

***U.S. Court Hearings.*** On the date of an asylum seeker's master calendar hearing, the individual must appear at the U.S. port of entry where their court hearing is scheduled. MPP court hearings happen daily in two shifts: a morning docket and an afternoon docket. For morning hearings, asylum seekers must arrive at the international bridge between 3:00am and 4:00am to begin the process of regaining entry to the United States for hearings that typically start at 9:00am. For afternoon hearings, asylum seekers must arrive by 8:00am for hearings at 1:00pm.

The immigration courts, known as the Executive Office of Immigration Review (EOIR), are a sub-agency of the U.S. Department of Justice (DOJ). In San Diego and El Paso, Immigration and Customs Enforcement (ICE) contractors drive the asylum seekers to the courts for their hearings. In Laredo and Brownsville, where the government has built tent courts next to the port of entry, ICE contractors escort asylum seekers on foot from the international bridge to their hearings.<sup>xx 141</sup>

At the initial master calendar hearing, asylum seekers appear before an immigration judge for the first time. The hearings are short, generally lasting just a few minutes per person. During this hearing, the judge advises the asylum seekers of their rights, asks if they have been able to obtain counsel, and provides the asylum seeker with a copy of the U.S. application for asylum. If an asylum seeker expresses fear of returning to Mexico, the judge refers the individual to a USCIS asylum official for a non-refoulement interview.

---

<sup>xix</sup> Charges of removability are the U.S. government's legal reasons for why a person is deportable.

<sup>xx</sup> According to a DHS Assessment of MPP, the Laredo and Brownsville tent court construction cost \$70 million. (See the DHS assessment in endnote 141.)

After the first hearing, asylum seekers are returned to the international port of entry and processed out of the country. They then wait in Mexico for their second hearing, which is known as a merits hearing. The merits hearing is where asylum seekers present their completed asylum application and their case for asylum.<sup>xxi 142</sup> At this hearing, asylum seekers present their case to the judge and the DHS attorney, who each have the opportunity to ask questions. The judge then makes a determination on the case.

In most MPP courts, when asylum seekers fail to appear for their master calendar hearing or merits hearing, the presiding judge will order the asylum seeker to be deported in absentia. Through March 2020, more than 32,000 asylum seekers missed their court hearing.<sup>143</sup> However, a judge also has the authority to terminate a case when someone fails to appear and when the government's charges or procedures are found to be defective. In San Diego immigration courts, judges have been terminating cases on the basis that the government did not provide sufficient notice to asylum seekers.<sup>xxii</sup> Through March 2020, San Diego judges terminated 75 percent of MPP cases where an asylum seeker did not appear at their hearing.<sup>144</sup> Judges in other courts have taken similar actions, but not at the same rate as in San Diego.

As of October 2019, a DHS assessment of MPP suggested that a significant number of asylum seekers had abandoned their claims. DHS claimed that there are only 20,000 asylum seekers in shelters along the border, a number far lower than the 55,000 asylum seekers who had been returned to Mexico under MPP by that date. DHS contends that the difference is accounted for by asylum seekers choosing to return to their homes through an Assisted Voluntary Return (AVR) program operated by the International Organization for Migration (IOM).<sup>145</sup> However, this estimate does not account for asylum seekers who do not live in shelters. It is true that some number of migrants have abandoned their asylum claims and returned to their countries of origin or have decided to remain permanently in Mexico. Yet, there is no reliable way to determine the exact number of people in each situation.

For the small number of asylum seekers who win their cases, it can still be a struggle to leave MPP. In August 2019, seven months after the start of the program, the first person in MPP was granted asylum.<sup>146</sup> Following the judge's decision, the 30 year old Honduran man was still held in DHS custody for 24 hours while DHS determined if they would appeal the ruling.<sup>147</sup> On November 6, 2019, a researcher for Human Rights First reported that an asylum seeker who won his case in immigration court was also still sent him back to Nuevo Laredo. It was not until congressional staffers and attorneys became involved in the case that CBP let the man back into the United

---

<sup>xxi</sup> On July 15, 2019, the Trump administration issued a policy banning asylum seekers from applying for asylum if they have transited through a third country on their way to the United States. The Trump administration initially specified that the asylum ban would not apply to asylum seekers who were in MPP prior to the announcement. However, this was not always being implemented. On November 19, 2020, the District Court of the Southern District of California issued a preliminary injunction allowing asylum seekers who were placed in MPP prior to July 16, 2020 to be able to apply for asylum. Asylum seekers who were placed in MPP after the asylum ban are not eligible to apply for asylum. Instead, they must apply for a withholding of removal. (See endnote 142.)

<sup>xxii</sup> Individuals who are deported face a ten-year bar before they can re-enter the United States. Individuals whose cases are terminated do not face that restriction.

States.<sup>148</sup> Through March 2020, only 517 asylum seekers in MPP had been granted some form of relief.<sup>xxiii 149</sup>

**Court Challenges to MPP.** On February 14, 2019, a collection of non-profit organizations filed a complaint with the U.S. District Court in Northern California that challenged MPP and argued that the program violated humanitarian protections under U.S. and international law. The case, *Innovation Law Lab, et. al., v. Nielsen*, has been the most significant legal challenge to MPP. In April 2019, the District Court ruled in favor of the plaintiffs and issued a preliminary injunction that effectively halted MPP nationwide.<sup>150</sup> Yet by May 2019, the U.S. Court of Appeals for the Ninth Circuit issued an emergency stay of that injunction, reinstating MPP pending its review of the case.<sup>151</sup>

This back and forth has continued. On February 28, 2020, the U.S. Court of Appeals for the Ninth Circuit once again issued a ruling that immediately halted MPP across the entire border.<sup>152</sup> However, that same afternoon, the court issued a stay of that decision, reinstating MPP in order to allow the government to appeal the decision to the U.S. Supreme Court.<sup>153</sup> In March 2020, the Supreme Court issued an order allowing MPP to continue while the justices determine whether or not they will take the case.<sup>154</sup>

**COVID-19 Pandemic.** The COVID-19 pandemic has not completely halted MPP, but CBP appears to be placing very few asylum seekers into the program. On March 20, 2020, U.S. Secretary of State Mike Pompeo announced that the border between Mexico and the United States would be closed for all nonessential travel, including asylum processing, in an effort to slow the spread of the pandemic.<sup>155</sup> This means that CBP officers are no longer processing asylum seekers into MPP at ports of entry. Asylum seekers who enter the United States between ports of entry are now generally being “expelled” or returned to Mexico without ever being processed, as opposed to being put in MPP.<sup>xxiv 156</sup>

The COVID-19 pandemic also led to the suspension of MPP court hearings. On March 23, 2020, the EOIR and DHS issued a statement postponing all MPP hearings through April 22, 2020.<sup>157</sup> That date was later extended to May 1, 2020 and then to again June 1, 2020.<sup>158</sup> Asylum seekers with hearings scheduled in that time are instructed to appear at the port of entry on the date of their previously scheduled hearing in order to receive a new hearing date. DHS committed that no hearings would be cancelled as a result of the pandemic.<sup>159</sup>

---

<sup>xxiii</sup> TRAC data does not differentiate between forms of relief. It is likely that many of these individuals did not receive asylum, and instead received withholding of removal.

<sup>xxiv</sup> Individuals who are expelled are never taken to a Border Patrol station for processing and instead are returned to Mexico in an average of 96 minutes. The Refugee Act of 1980 provides the U.S. Centers for Disease Control and Prevention with the power to ban the entry of people who might spread infectious diseases in the United States. Although, immigration advocates argue that this statute does not overrule U.S. asylum law. The expulsions are being carried out in cooperation with Mexico, which has agreed to accept individuals from Mexico, Honduras, El Salvador, and Guatemala. During the first three weeks of the practice, the U.S. Border Patrol carried out nearly 10,000 expulsions. (See the *Washington Post* and *ProPublica* articles in endnote 156.)



## Chapter 4: MPP in Mexico

Since MPP began in January 2019, more than 64,000 people have been processed into the program, although the exact numbers vary across sources.<sup>xxv</sup> <sup>160</sup> According to INM, as of December 31, 2019, the majority of asylum seekers had been returned to Ciudad Juárez (18,728 people), followed by Matamoros (17,121 people), Nuevo Laredo (11,225 people), Tijuana (7,223 people), Mexicali (6,739 people) and Piedras Negras (1,108 people).<sup>161</sup> MPP began in Nogales in 2020 and was not included in INM's data. Media reports suggest that approximately 500 asylum seekers have been returned to the city.<sup>162</sup>

**Table 5**  
**MPP Returnees by City<sup>xxvi</sup>**

City	Returnees According to TRAC (Through January 2020)	Returnees According to INM (Through December 2019)
Tijuana	7,485	7,223
Mexicali	6,435	6,739
Ciudad Juárez	18,350	18,728
Nuevo Laredo	12,217	11,225
Matamoros	14,734	17,121
Piedras Negras	Not listed	1,108
Nogales	Not listed	Not listed

*Source: TRAC data, INM transparency request*

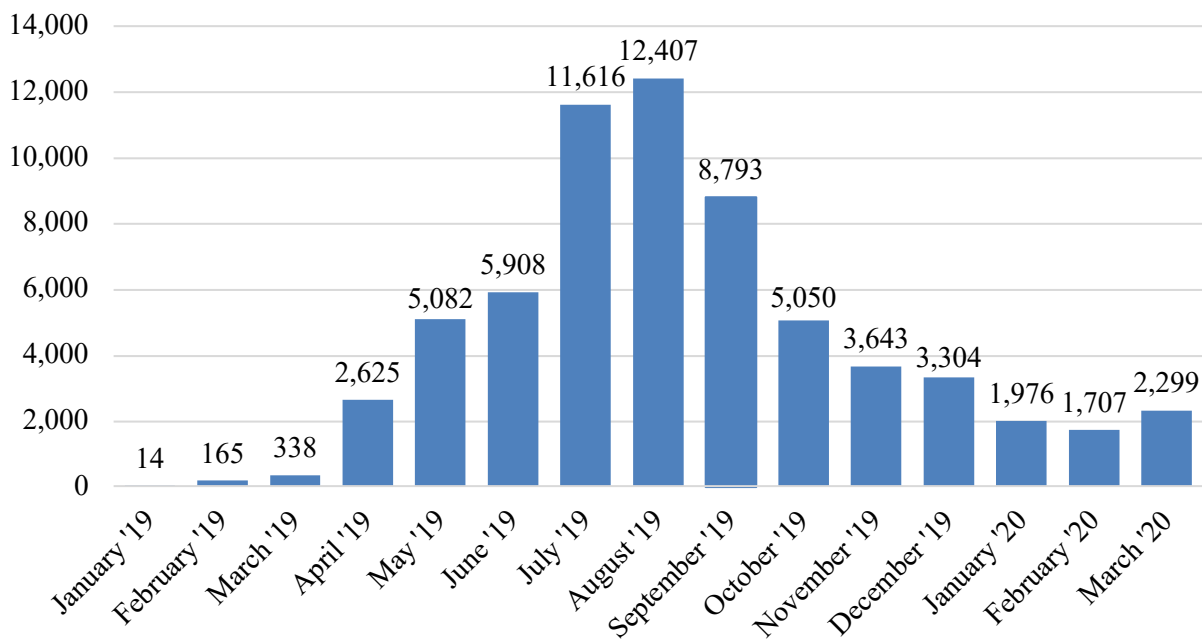
As MPP was rolled out through different cities, the number of asylum seekers in the program steadily increased. However, starting in September 2019, the number of asylum seeker returned to Mexico each month began to decrease. There is no single reason for the decreasing numbers. Instead, several factors may contribute to these trends, including reduced numbers of asylum seekers traveling to the United States and CBP's roll out of other U.S. policies affecting asylum seekers. (See Appendix 3 for more information on these other policies.)

---

<sup>xxv</sup> According to TRAC data, the United States had put 61,097 asylum seekers in MPP, as of January 31, 2020. However, an INM transparency request from January 1, 2020 reported that there were 62,144 asylum seekers in MPP.

<sup>xxvi</sup> TRAC sorts its data by hearing location, whereas INM counts returnees through each port of entry, which accounts for some of the discrepancy. Table 5 uses data from TRAC through January 2020 to illustrate the discrepancy between data sources over similar time periods.

**Figure 7**  
**MPP Returnees by Month (January 2019–March 2020)<sup>163</sup>**



*Source: TRAC data*

According to TRAC data—an immigration court tracking system out of Syracuse University—the asylum seekers in MPP are primarily from the Northern Triangle countries.<sup>xxvii</sup> As of March 2020, the highest number of MPP returnees were from Honduras, accounting for 35 percent of individuals in the program. This was followed by asylum seekers from Guatemala (24 percent), Cuba (12.7 percent), and El Salvador (12.5 percent). Table 6 outlines asylum seekers' nationalities through March 2020.

<sup>xxvii</sup> CBP has not released information on the demographics of asylum seekers in MPP.

**Table 6**  
**MPP Returnees by Country of Origin<sup>164</sup>**

Country	Number of Returnees	% of Total
Honduras	23,037	35%
Guatemala	15,764	24%
Cuba	8,258	12.7%
El Salvador	8,120	12.5%
Ecuador	4,681	7%
Venezuela	2,341	3.6%
Nicaragua	1,698	2.6%
Brazil	359	0.5%
Peru	227	0.3%
Colombia	174	0.2%
Mexico	69	0.1%
Other	206	0.3%
Total	64,934	100%

*Source: TRAC data*

As previously discussed, DHS’s January 2019 MPP guidance explicitly exempts various groups from the program, including Mexican citizens. Yet there are reports that Mexicans have been included in the program. TRAC data through March 2020 showed that 69 Mexicans had been returned to Mexico under MPP.<sup>165</sup> The data showed that the most Mexicans were returned to Mexico under MPP in July 2019 and August 2019, when 16 and 18 Mexicans were returned, respectively.<sup>166</sup>

Originally, non-Spanish speaking asylum seekers were also exempt from MPP, but as of January 29, 2020, CBP began placing Brazilian asylum seekers in the program.<sup>167</sup> As of March 31, 2020, there were 359 Brazilian asylum seekers in MPP. TRAC also shows that 53 asylum seekers from 22 additional non-Spanish speaking countries have been returned to Mexico under MPP.<sup>168</sup> These include asylum seekers from countries such as the Democratic Republic of Congo, Egypt, and Haiti.<sup>xxviii</sup> Furthermore, indigenous language speakers from Central America are also included in MPP under the presumption that they speak Spanish.

There are also groups that are not explicitly exempt, but constitute “high-risk populations,” such as pregnant women, LGBTQ+ individuals, minors, and people who are disabled.<sup>169</sup> These high-

---

<sup>xxviii</sup> Some of these nationality classifications may be clerical errors on the part of CBP.

risk populations are not specifically outlined in the MPP Guiding Principles, but are referenced in other DHS and CBP publications as meriting exemption from MPP.<sup>170</sup> However, according to INM, as of December 2019, approximately 20,741 asylum seekers under the age of 18 years old had been returned to Mexico through MPP.<sup>171</sup> Pregnant women are also sent back through MPP. In September 2019, the American Civil Liberties Union (ACLU) filed a complaint on behalf of 16 pregnant women who were returned to Mexico as part of the program.<sup>172</sup> Members of the LGBTQ+ community are also returned to Mexico.<sup>173</sup>

Finally, despite guidelines stating that asylum seekers experiencing physical illnesses are not subject to MPP, it is unclear how DHS is defining “physical illness.”<sup>174</sup> Human Rights First, an international human rights organization, has reported that adults and children are sent back to Mexico under MPP with physical issues that have included epilepsy, heart conditions, and developmental delays. In October 2019, reporters from the *New Yorker* spoke to a mother in Ciudad Juárez and her diabetic 12-year-old son. The two had been waiting for several months and were at risk of running out of insulin.<sup>175</sup> In July 2019, the *Guardian* reported that a 27 year old man in MPP had the cognitive development of a four year old.<sup>176</sup> While on October 10, 2019, a *Buzzfeed* reporter documented the case of a 13 year old boy in MPP whose leg was amputated after a car accident that occurred en route to the U.S. border.<sup>177</sup>

## Conditions in Mexico

Once asylum seekers are returned to Mexico, they face various challenges. Although the Mexican Migratory Law of 2011 guarantees asylum seekers the right to healthcare, education, and jobs, it can be difficult to access these services and opportunities. Asylum seekers are also responsible for acquiring their own housing, even though they often have few resources. Further, they must navigate these situations while at risk of violence from criminal organizations or predatory actors.

**Shelter.** One of the most immediate challenges for asylum seekers who are returned to Mexico under MPP is securing a safe place to stay. An asylum seeker’s housing options depend on availability and their access to money. Asylum seekers with more money will rent hotel rooms or apartments. While other asylum seekers with fewer resources can stay in shelters if the facility has space and allows longer-term stays.

There are two types of shelters: civil society run shelters and government funded shelters. Civil society run shelters are frequently under-resourced and rely on private donations and asylum seekers themselves assist with the day-to-day operations. Some civil society run shelters have subpar facilities and may even pass the operating costs—such as electricity and rent—on to the asylum seekers.<sup>xxix</sup>

Government shelters have larger capacities but are not present in every city where MPP returnees are being sent. In July 2019, Mexico’s Ministry of Labor and Social Welfare (*Secretaría del*

---

<sup>xxix</sup> There are no specific federal regulations for migrant shelters. Instead, the licensing that is required to run a migrant shelter is similar to that of any workplace, including parking requirements, fire precautions, and a food license if the shelter is handling perishable goods. The shelter must register with the proper state and municipal authorities. The National System for Integral Family Development (*Desarrollo Integral de la Familia*, DIF) does have regulations for its shelters, which house unaccompanied minors. These standards are detailed in Appendix 2.

*Trabajo y Previsión Social*, TRABAJO) announced that it would be opening the first federal shelter for asylum seekers in Ciudad Juárez. Although federal officials have not shared the shelter's total costs, the rent alone is MX\$400,000 a month (US\$21,000).<sup>178</sup> In December 2019, TRABAJO opened a second federal shelter in Tijuana, specifically for asylum seekers returned under MPP.<sup>179</sup> City and state governments have also opened migrant shelters along the border.

Each Mexican border city that receives asylum seekers under MPP has at least one migrant shelter, but most cities' shelters do not have the capacity to house all asylum seekers. Exacerbating the situation, in April 2020, an additional 11,162 asylum seekers were waiting in these cities due to metering, with metered asylum seekers often staying in the same shelters as people returned under MPP.<sup>xxx</sup> <sup>180</sup> The College of the Northern Border (*El Colegio de la Frontera Norte*, COLEF) also gathered shelter numbers and capacity information along the Mexican northern border. Their numbers are outlined in Appendix 5.

**Table 7**  
**Shelter Capacity Per City**

City	Number of Shelters	Shelter Maximum Capacity
Tijuana <sup>181</sup>	9	4,573
Mexicali <sup>182</sup>	12	2,080
Nogales MX	4	630
Ciudad Juárez <sup>183</sup>	17	1,152
Nuevo Laredo	6	870
Matamoros	3	553
Piedras Negras	1	120

*Mexicali, Tijuana & Ciudad Juárez data as of October 2019.*  
*Source: INM data and interviews with shelters*

In Matamoros, Tamaulipas, there has been a different housing situation. In this border city, more than 2,500 asylum seekers established a tent encampment next to the international bridge in response to local shelters' limited capacity.<sup>184</sup> Originally, this encampment lacked access to running water, personal hygiene care, and cooking facilities. At this time, asylum seekers bathed and washed their clothes in the Rio Grande River, which is contaminated with E. coli and other bacteria, and there were only ten port-a-potties, leading people to defecate along the river bank.<sup>185</sup> As a result, there have been severe health and hygiene issues in the camp.<sup>186</sup>

---

<sup>xxx</sup> Metering is described in greater detail in Appendix 3.

**Figure 8**  
**Matamoros Tent Encampment (November 2019)<sup>187</sup>**



*Source: Stephanie Leutert, Twitter*

In early November 2019, the Matamoros city government opened a shelter a few miles from the border.<sup>188</sup> The new shelter was converted from an old gym, with a capacity of 300 people. It has an on-site doctor and serves three meals a day.<sup>189</sup> As of February 12, 2020, the shelter was at capacity, and there was no space for the remaining 2,500 asylum seekers in the tent encampment.<sup>190</sup> However, many asylum seekers also chose to remain in the tent encampment due to its visibility, the perceived safety in numbers, and its proximity to the international bridge.

During the first few months of 2020, the tent camp became increasingly established. As of March 1, 2020, the encampment was equipped with 60 port-a-potties, several hand washing stations, a showering station, a wash station for clothes, and filters that provided potable water. Mexican federal security forces patrolled the tents to provide a sense of security. There were also several stores (*tiendas*), which were stocked with donated goods that asylum seekers could pick up free of cost. However, even with these infrastructure improvements, overall conditions remain unsanitary and dangerous.



**Figure 9**  
**Matamoros Tent Encampment (March 2020)**



*Source: Author photographs*

**Public Health Concerns.** Staying in crowded shelters or living in tent encampments presents public health concerns. These conditions are also exacerbated by asylum seekers' limited access to medical attention. Some civil society organizations provide medical services to MPP returnees along the border. However, migrants have also reported that they have been turned away from local clinics and hospitals.<sup>191</sup> For asylum seekers with urgent medical crises or ongoing medical needs—such as diabetes, asthma or high blood pressure—this lack of access to medical care can be deadly.

Since September 2019, Global Response Management (GRM) has provided free healthcare at the Matamoros tent encampment. The organization reports that they have treated 3,000 patients at the camp for conditions including pneumonia, third-degree burns, influenza, and severe malnutrition.<sup>192</sup> Doctors Without Borders (MSF), which also has a presence in the camp, says that during just three weeks in October 2019, they conducted 178 consultations with asylum seekers who were experiencing a range of ailments including high blood pressure, asthma, and other

respiratory problems.<sup>xxx</sup> 193 Other non-profit organizations including Team Brownsville, Angry Tias and Abuelas, and Resource Management Matamoros have also contributed to improving health conditions in the camp by providing and paying for port-a-potty maintenance.

The COVID-19 pandemic has exacerbated public health concerns. A shelter in Nuevo Laredo reported at least 14 cases of COVID-19 after an infected deportee from the United States arrived at the shelter.<sup>194</sup> While in the Matamoros tent camp, GRM has built additional hand washing stations and medical facilities, including a 20-bed field hospital with ICU capacity and ventilators.<sup>195</sup> In Matamoros, Nuevo Laredo, Piedras Negras, and Tijuana, migrant shelters have announced that due to COVID-19, they will be shutting down or no longer accepting new people.<sup>196</sup>

**Employment Opportunities.** The United States’ initial MPP press release noted that the Mexican government would provide asylum seekers with the right to work.<sup>197</sup> However, this hasn’t always been straightforward. Asylum seekers returning to Mexico under MPP receive a visa that provides legal status in the country. This visa does not contain a CURP, which is the equivalent of a U.S. social security number and provides access to employment, healthcare, and education. Instead, INM has provided some asylum seekers in MPP with temporary CURP cards. Table 8 outlines the number of temporary CURPs that INM authorized in each Mexican border city from January 1, 2019 through February 6, 2020. (These numbers may also include recipients who were not MPP returnees.)

**Table 8**  
**CURPs Issued in Cities with MPP Returnees<sup>198</sup>**

City	# of CURPs
Tijuana	3,438
Mexicali	1,482
Ciudad Juárez	4,502
Nuevo Laredo	14,968
Matamoros	9,650
Piedras Negras	1,168
Nogales	Unknown

*Source: SEGOB transparency request*

<sup>xxx</sup> MSF has a presence in shelters in Matamoros, Nuevo Laredo, and Mexicali, where they work with MPP returnees.



As of September 3, 2019, the Secretary of Labor for Baja California reported that only 700 asylum seekers sent back under MPP were employed in Tijuana.<sup>xxxii</sup> 199 These asylum seekers were generally working in car washes, construction activities, cleaning companies, maquiladoras (Mexican factories that function as assembly plants for exports), and as street vendors. Most were employed informally, due to businesses not accepting their visas unless the government paid for background checks.<sup>200</sup> Asylum seekers working in maquiladoras normally work 12-hour days and are shuttled back and forth to Tijuana's migrant shelters by company-contracted buses.

**Access to Education.** Mexico's Migratory Law of 2011 grants all migrants the right to an education, but most children returned under MPP do not attend school. Asylum seekers may not know that they can enroll their children in school or may actively avoid using public services.<sup>201</sup> Additionally, in certain cities along the border, asylum seekers' may forego education services due to safety concerns.

In response to the low schooling rates, some organizations have set up informal schools for asylum seekers. In the Matamoros tent encampment, volunteers from the non-profit organization Team Brownsville have been teaching children with a makeshift school known as "The Sidewalk School" (*La Escuelita en la Banqueta*). The classes occur once a week, with the children sometimes learning in tents or outside in the sun on sidewalks. A second schooling program in Matamoros employs asylum seekers with advanced degrees to teach the children in MPP. Meanwhile, in Tijuana, the Pedagogical Institute of Los Angeles has the "Tijuana Project," a kid-friendly space for learning and play. As of February 2020, the project served approximately 85 children, ages one through six years old.

**Access to Legal Services.** Asylum seekers in immigration proceedings can obtain legal representation for their U.S. court hearings, but they must organize it on their own.<sup>xxxiii</sup> 202 In practice, this has greatly limited asylum seekers' access to these services. The primary challenge is that asylum seekers are in U.S. immigration court proceedings and need attorneys who are licensed to practice law in the United States. This means that asylum seekers under MPP cannot rely on local lawyers within the Mexican cities where they are living but have to seek out U.S. lawyers.<sup>xxxiv</sup> As of March 2020, only 3,993 asylum seekers were represented (6 percent).<sup>203</sup>

Asylum seekers are provided with a list of legal service providers when they are placed in MPP. The list is in English, placing the burden on asylum seekers to first translate the document. Asylum seekers are then responsible for contacting organizations and locating an attorney to take on their case. CBP's border sectors provides a separate list containing an average of four or five organizations each. These lists are not MPP specific and are given to all asylum seekers in

---

<sup>xxxii</sup> By the end of August 2019, more than 7,000 asylum seekers had been returned to Tijuana under MPP. (See TRAC data in endnote 199.)

<sup>xxxiii</sup> The Mexican government's December 20, 2018 announcement read: "[Mexico] will ensure that the measures taken by each government are coordinated at a technical and operational level in order to put mechanisms in place that allow migrants who have receive[d] a notice to appear before a U.S. immigration judge have access without interference to information and legal services, and to prevent fraud and abuse." (See SRE's press release in endnote 202.)

<sup>xxxiv</sup> Attorneys are only able to practice in the country where they are licensed. This means that U.S. attorneys cannot give legal advice or recommendations while they are meeting with clients outside of the United States.

immigration court. This means that there may be providers on the lists that do not provide services to asylum seekers in MPP.

Additionally, asylum seekers in MPP are concentrated in a handful of cities, which can overwhelm legal service providers in those areas.<sup>xxxv</sup> Under normal circumstances, attorneys spend a great deal of time preparing an asylum case. Representing a client under MPP requires extra time and resources due to the difficulty of accessing clients in Mexico meaning attorneys can't commit the time they otherwise would to a non-MPP asylum case.<sup>204</sup> This also makes it harder for attorneys to represent cases *pro bono* or at reduced fees.

U.S. attorneys that travel to Mexico to meet with clients may also be working in cities that the U.S. government considers dangerous for travel. The state of Tamaulipas, which includes the cities of Matamoros and Nuevo Laredo, has a Level 4 Travel Advisory from the U.S. Department of State, which means that U.S. citizens are warned not to travel to the area.<sup>205</sup> The states of Nuevo León, Chihuahua, and Sonora have a Level 3 Travel Advisory, which suggests that U.S. citizens should reconsider travel to that area.<sup>206</sup> To provide legal services in these areas, Jones Day, an international law firm, has chosen to work with asylum seekers remotely via WhatsApp and Skype. Other private attorneys and legal service organizations have made similar decisions or choose to cross the border and risk their safety to provide representation and conduct “Know Your Rights” clinics.

Even if asylum seekers can obtain affordable legal representation, they have still faced significant challenges. For example, lawyers need to have a signed representation agreement on file, but this can be difficult to obtain if the lawyer does not meet with their clients in Mexico. In non-MPP immigration court hearings, attorneys can meet with their clients in the courthouse prior to the hearing. However, in Laredo and Brownsville, the MPP courts are located at ports of entry and CBP has often restricted access to the facilities. In mid-September 2019, when MPP hearings began at the Laredo and Brownsville tent courts, attorneys were not allowed into the tents. By January 2020, attorneys had greater access to their clients, but these hearings were still less transparent than regular immigration court proceedings.<sup>207</sup>

***Security Challenges in Border Cities.*** Asylum seekers under MPP are at increased risk of crime and violence as they wait in Mexican border cities. There is violence along the entire United States-Mexico border, although it is especially egregious along the Texas-Mexico border. Criminal groups often target asylum seekers because they have no local ties or community and because they often have friends and family in the United States who can pay their ransom.

Organizations such as Human Rights First, the U.S. Immigration Policy Center (USIPC) at the University of California San Diego, and MSF have all attempted to document violence against asylum seekers in MPP. Between January 2019 and February 2020, Human Rights First tracked 1,001 incidents of violence against MPP asylum seekers in Mexico.<sup>xxxvi</sup> <sup>208</sup> While in October 2019, a USIPC study—conducted between July and October 2019—found that one third of asylum seekers in Tijuana and Mexicali will likely be threatened with physical violence before their U.S.

---

<sup>xxxv</sup> See Appendix 1 for a list of *pro bono* legal service providers serving MPP clients.

<sup>xxxvi</sup> Human Rights First has gathered public reports of violence against asylum seekers under MPP through its Delivered to Danger project.

immigration court hearings.<sup>xxxvii</sup> 209 While a February 2020 MSF report found that close to 80 percent of the people they treated in Nuevo Laredo were victims of violence during the first nine months of 2019, with 43.7 percent of them experiencing that violence within the week immediately preceding their consultation.<sup>210</sup>

Using Human Rights First's data, it's possible to analyze the crimes that asylum seekers may experience. The data showed that the highest number of publicly reported crimes occurred in Nuevo Laredo. The other two cities on the Mexico-Texas border, Ciudad Juárez and Matamoros, also showed high levels of violence. Tijuana and Mexicali have comparatively lower levels of violence. The number of crimes against asylum seekers reported in each city is outlined in Figure 10, with the circle sizes denoting the number of crime victims.<sup>xxxviii</sup>

**Figure 10**  
**Crimes Against Asylum Seekers in MPP<sup>211</sup>**



*Source: Author elaboration of Human Rights First data*

**Robbery.** Asylum seekers returned to Mexico under MPP have been robbed by criminal groups and opportunistic actors. In some cases, asylum seekers indicate that they were targeted specifically because they are migrants. This was the case in one August 2019 report from Ciudad Juárez, where a Salvadoran asylum seeker described being robbed and targeted with anti-immigrant slurs.<sup>212</sup> In another case, a Cuban asylum seeker told Human Rights First researchers that cartel members had robbed him inside of a church offering shelter to migrants in Nuevo Laredo.<sup>213</sup> These incidents demonstrate how asylum seekers may face increased violence in border cities because of their nationalities and migration statuses.

<sup>xxxvii</sup> The USIPC report was conducted after interviews with 607 asylum seekers in MPP in Tijuana and Mexicali between July 2019 and October 2019.

<sup>xxxviii</sup> Figure 10 includes 714 of Human Rights First's 1,001 documented crimes. This is because certain crimes did not include the geographic location, and others occurred outside of these five cities. Where multiple crimes were reported across several cities, the number was divided among between those cities.

***Sexual Assault.*** Asylum seekers are also at a high risk for sexual assault. The Human Rights First database contains at least 70 publicly reported incidents of sexual assault or rape, and the actual number is likely much higher.<sup>214</sup> One August 2019 case recounts an asylum seeker in Ciudad Juárez who was kidnapped outside an immigration office and then forced into sexual slavery for three months.<sup>215</sup> Another October 2019 case from a *NBC* article reported that a 21-year-old asylum seeker in MPP who had been returned to Ciudad Juárez became pregnant after a stranger broke into her hotel room and raped her.<sup>216</sup> Asylum seekers' precarious living situations—in shelters, rented rooms, tent encampments, or on the streets—make them highly visible and at risk.

***Kidnapping and Extortion.*** In Mexican border cities Human Rights First has documented more than 500 cases of kidnapping or attempted kidnapping.<sup>217</sup> The kidnapping structure varies according to the geographic area and the criminal group's revenue generating activities in that area. Overall, there are two types of asylum seeker kidnappings: opportunistic kidnappings and systematic kidnappings.

Opportunistic kidnappings occur when an individual or group of people who are not part of an organized criminal group act independently to target an asylum seeker. In Ciudad Juárez, this form of kidnapping has occurred in ride share services when a driver realizes that their rider may be a migrant or asylum seeker.<sup>218</sup> At that point, the driver will leave the pre-established route, and demand that the asylum seeker's family send money via Venmo or a wire transfer. If not, the driver will threaten to turn the asylum seeker over to organized criminal groups. Although still dangerous, this form of kidnapping is not highly organized.<sup>219</sup>

In other cities, such as Nuevo Laredo and Matamoros, kidnappings are more systematic. In Nuevo Laredo, the Cartel del Noreste kidnaps asylum seekers outside shelters, INM offices, at bus stations, and in transit between those locations.<sup>220</sup> At times, these kidnappings happen in broad daylight.<sup>xxxix 221</sup> A researcher for Human Rights First described a July 2019 case where members of the Cartel del Noreste entered the Nuevo Laredo INM office and began "openly abducting" asylum seekers who had just been returned to Mexico.<sup>222</sup> In a *National Public Radio* report, witnesses reported that the Cartel del Noreste stopped federally contracted buses carrying asylum seekers and forced them off the bus and into their vehicles.<sup>223</sup> After being physically apprehended, asylum seekers are typically taken to warehouses or other locations where they are held until people pay their ransom, which is usually thousands of dollars.

Reports indicate that Mexican officials may be complicit in orchestrating kidnappings. In June 2019, a Honduran asylum seeker in Ciudad Juárez was kidnapped from her rented room by men in Mexican Federal Police uniforms and then repeatedly sexually assaulted and raped over the course of several days.<sup>224</sup> While in August 2019, 20 men forced an asylum seeker and his son into cars at a Nuevo Laredo bus station, while a Mexican immigration official stood by watching. Later on, when a family member prepared to send ransom money to the kidnappers, they were told to wire the money to the bank account of the immigration officer who had watched the kidnapping.<sup>225</sup>

---

<sup>xxxix</sup> In July, a family of four walked out of the INM office in Nuevo Laredo. Just two blocks from the office, a car pulled up and a group of men forced them into the truck and took them to an abandoned house with other asylum seekers. The kidnappers used the family's phones to reach out to family members and demanded \$7,500 per person. (See the Human Rights First report in endnote 221.)

Mexican officials' complicity also demonstrates the extent to which criminal groups can act with impunity.

***Murder.*** There has been one documented case of an asylum seeker who was murdered after being returned to Mexico under MPP. In November 2019, a 35-year-old father from El Salvador was kidnapped, murdered, and then dismembered in Tijuana.<sup>226</sup> The man had been waiting in Tijuana with his wife and children for four months. Additionally, individuals who assist asylum seekers are also in danger of losing their lives. In August 2019, a priest who ran the AMAR migrant shelter in Nuevo Laredo was kidnapped and murdered as he attempted to stop Cartel del Noreste members from kidnapping Cuban asylum seekers.<sup>227</sup>

## Chapter 5: Policy Responses

According to the Mexican Constitution and the Migratory Law of 2011, the Mexican government guarantees basic protections and rights—such as access education and healthcare—to all people in Mexican territory regardless of their immigration status. However, these basic protections are often denied or not attainable for asylum seekers in MPP. Instead, the more than 64,000 people who have been returned to Mexico under MPP are likely to face violent crimes, squalid living conditions, and a lack of due process.

This report recommends that MPP be immediately discontinued. However, understanding that this may be difficult in the short term, this report provides additional recommendations to address the most egregious conditions under MPP. These recommendations include improving safety for asylum seekers, excluding at-risk populations, and providing asylum seekers with greater access to due process and legal representation.

### 1. Recommendations to Encourage the Discontinuation of MPP

MPP is a U.S. policy carried out in coordination with the Mexican federal government that has created significant negative effects for asylum seekers. Thousands of asylum seekers in the program are living in unsanitary conditions along the border and experience difficulty fulfilling basic needs such as obtaining drinking water, food, and shelter. There have also been hundreds of reports of assaults, including sexual assaults and rape, beatings, kidnappings, extortion, and even murder. Mexico should move to end MPP to avoid further human rights violations within its borders.

- **Encourage diplomatic negotiations between the López Obrador administration and the Trump administration.** Members of the two administrations met secretly in November 2018 to negotiate MPP. These two groups should convene again, in a more public and transparent manner, and Mexico should urge the U.S. government to find more humane alternatives to MPP. Representatives from all relevant agencies should be present, including INM, SRE, and COMAR. Mexico should advocate for the United States to respect asylum seekers' rights and allow them to wait in the United States for their court hearings.
- **Prevent asylum seekers from returning to Mexico**
  - **Mexico should refuse new acceptances into MPP, effective immediately.** Under Article 43 of its Migratory Law of 2011, Mexico can refuse entry into the country to any non-Mexican individual. Mexico should stop accepting new asylum seekers into Mexico under MPP. This would significantly limit MPP as the United States needs Mexico's participation to continue the program.
  - **When asylum seekers in MPP go to the United States for a court hearing, Mexico should not accept them back.** Mexico cannot force the United States to accept individuals back into its territory. However, it can refuse re-entry to asylum seekers after they enter the United States. This would mean that when an asylum

seeker has a court date in the United States, they would have to remain in the United States after the hearing.

## 2. Recommendations for Addressing Most Immediate MPP Concerns

Regardless of whether MPP ends, there are several policy responses that Mexico should immediately adopt at the federal, state, and local levels to address the harmful impacts on asylum seekers and negative consequences within its border cities.<sup>228</sup>

- **Make security exemptions.** Mexico should stop accepting asylum seekers in cities where the U.S. Department of State has issued a threat level of three or four. If the United States government has recognized that these cities are not safe for Americans through the issuance of those threat levels, then they should not be sending asylum seekers to wait there for months. In May 2020, this would mean suspending MPP in Nogales, Ciudad Juárez, Piedras Negras, Nuevo Laredo, and Matamoros.
- **Exempt high-risk populations.** Mexico should no longer accept high-risk populations under MPP, such as those with physical and mental illnesses, pregnant women, non-Spanish speakers, and members of the LGBTQ+ community. These groups are more at risk for discrimination and violence in Mexico. Mexico should ask the United States to clearly define in writing who it considers to be a high-risk population, and hold the United States accountable for complying with their standards.

This report recommends that “high-risk populations” be defined as parents with young children, pregnant women, non-Spanish speakers, LGBTQ+ asylum seekers, people with physical and mental disabilities, and individuals with chronic health issues.<sup>229</sup> This definition is rooted in an individual’s risk for violence, including sexual and gender based violence (SGBV). Mexico’s Migratory Law of 2011 identifies high-risk populations as minors, women, indigenous people, adolescents, senior citizens, and victims of crime.<sup>230</sup> This should serve as the foundation for developing a standardized definition for MPP.

## 3. Recommendations for Federal, State, and Municipal Governments

If MPP continues, the Mexican government should better fulfill its legal responsibilities to all people within its borders, as outlined in the Constitution and the 2011 Migratory Act. At each level of government, officials can provide comprehensive support to asylum seekers to ensure a safer and more humane experience in Mexico.

- **Urge the U.S. government to provide funding proportional to the number of MPP returnees.** The United States should provide funding to the Mexican government to handle the increase in INM’s asylum seeker processing and to handle the costs associated with safely hosting asylum seekers. Mexico should negotiate that the United States provide funding for housing asylum seekers and providing them with targeted services.
- **Open more federally funded shelters and improve shelter infrastructure for MPP participants.** Mexico should safeguard asylum seekers returned under MPP from

homelessness and exposure to crime during their time in Mexican border cities. This would include opening additional federally operated shelters near the ports of entry that are implementing MPP.

Additionally, Mexico should build shelters in cities further away from the U.S.-Mexico border, such as Monterrey, Nuevo León, where there have been fewer crimes against migrants than in Nuevo Laredo or Matamoros. If the number of asylum seekers in these cities decreases, the shelters can be used for other high-risk populations, such as victims of domestic violence, or as community spaces for celebrations and events. The federal government should fund and provide regularly scheduled buses for transporting asylum seekers safely back to the U.S.-Mexico border for their court dates from these shelters.

- **All existing migrant shelters in Mexico should be brought up to baseline standards.** Mexico should ensure that migrant shelters comply with standards outlined for federal children's shelters. These standards are detailed in the Mexican Provision of Social Assistance Services for Children, Girls, and Adolescents in Risk and Vulnerable Situation (*Prestación de Servicios de Asistencia Social Para Niños, Niñas y Adolescentes en Situación de Riesgo y Vulnerabilidad*) to ensure asylum seekers' wellbeing.<sup>xli</sup> These include standards on access to medical care and psychological services.
- **Provide CURPs to all asylum seekers returned via MPP.** Temporary CURPs allow asylum seekers to obtain employment and access educational services and medical care. Yet, INM does not appear to have a standard practice of issuing temporary CURPs to asylum seekers returned under MPP.<sup>xlii</sup> In order to fully provide economic and educational opportunities to asylum seekers living within Mexico, INM should uniformly distribute CURPs to all asylum seekers returned through MPP.
- **Improve access to employment and education for MPP participants.** Some asylum seekers are unaware of their rights to education, work, and healthcare and how to access these services. To address this, INM should produce informational materials for MPP asylum seekers to receive once they cross back into Mexico. These pamphlets should be available at all INM offices and migrant shelters.

INM and the municipal governments should also develop and carry out an information campaign on the Temporary CURPs among the local communities. These information campaigns could include targeted outreach, and radio and television ads, so that Mexican employers are aware that they can hire asylum seekers.<sup>231</sup> Job fairs aimed at hiring asylum seekers are other ways to increase economic opportunities for asylum seekers.

- **Municipal governments should take an active role in enrolling children in school.** Despite education being a right guaranteed to everyone in Mexico regardless of citizenship status, children in MPP are rarely attending school. Schooling can provide normalcy for children who are experiencing trauma and uncertainty, as well as improve their intellectual

---

<sup>xli</sup> Featured in Appendix 2.

<sup>xlii</sup> Temporary CURPs have been given out periodically to some asylum seekers but the practice has not been uniform.



and social development. Municipal governments should take the lead in enrolling students in local schools. They should organize “enrollment days” where school and government officials travel to shelters to encourage parents to enroll their children in school. This outreach could occur at least once a month to ensure that all children have the opportunity to regularly attend school.

## Appendices

### Appendix 1

**Table 9**  
**MPP Legal Service Providers**

City (Mexico/United States)	Legal Service Providers	Details	Type of Service Provided
Tijuana / San Diego	Al Otro Lado	Located in Los Angeles, California and Tijuana, Baja California	Direct case representation & asylum application preparation workshops
	Jewish Family Services <sup>232</sup>	Located in San Diego, California	Direct case representation
	Immigrant Defenders Law Center <sup>233</sup>	Located in Los Angeles, California	Direct case representation
	Centro Legal de La Raza <sup>234</sup>	Located in Oakland, California	Direct case representation
	ACLU San Diego	Located in San Diego, California	Impact litigation
Mexicali / Calexico	Unable to confirm any organizations working with MPP asylum seekers		
Piedras Negras / Eagle Pass	Unable to confirm any organizations working with MPP asylum seekers		
Nogales / Nogales	Kino Border Initiative	In partnership with the Florence Immigrant & Refugee Rights Project (based in Phoenix, Arizona)	Asylum application preparation workshops
Nuevo Laredo / Laredo	The Jones Day Laredo Project	Jones Day is a corporate law firm that has established a full-time presence in Laredo, Texas where they work on immigration cases <i>pro bono</i>	Direct case representation & asylum application preparation workshops
Matamoros / Brownsville	Lawyers for Good Government	Located in Brownsville, Texas and Matamoros, Tamaulipas	Direct case representation, asylum application preparation assistance

Matamoros / Brownsville	Unable to confirm any organizations working with MPP asylum seekers		
Ciudad Juárez / El Paso	Las Americas Immigrant Advocacy Center	Located in El Paso, Texas	Direct case representation
	Catholic Legal Immigration Network, Inc. (CLINIC) <sup>235</sup>	Based in Ciudad Juárez, Chihuahua.	Providing legal referrals only, not full representation
	Diocesan Migrant and Refugee Services	Located in El Paso, Texas	Direct case representation
	United Neighborhood Organization (UNO)	Based in El Paso, Texas	Direct case representation

*Source: Author elaboration*

## Appendix 2

**Table 10**  
**Regulations Established in Mexican Provision of Social Assistance Services**  
**for Children, Girls and Adolescents in Vulnerable Situations<sup>236</sup>**

Section	Regulation
4.2.4.	Medical care in urgent cases, by own means or through third parties
4.3.4.	Procurement of educational development
4.3.6	Medical care
4.3.6.	Psychological attention
4.3.8.	Legal support, consisting of providing guidance to the family, legal or responsible guardian on the children and adolescents' legal situation
4.4.1.	Having updated emergency numbers: police, firefighters, ambulances, hospitals, toxicological centers, Civil Protection, and the Mexican Red Cross
4.4.2. - 4.4.2.8	First aid kit containing dressings, cotton, gauze, surgical gloves, disposable syringes, antiseptic solutions, adhesive tapes, and elastic bands
4.7.4.	Carry out activities that promote physical and mental health
4.7.7.	Grant care, protection, and safety
6.1.4.	Food area must be illuminated, ventilated, hygienic, and functionally organized for the preparation or distribution of food. It must have an adequate garbage disposal
6.1.7.1.	Sanitary stations with toilets, sinks, and showers, according to the model of care
7.1.1.1.	Children and adolescents to whom it is not possible to provide medical, dental, or psychological care should be referred to other institutions' medical services
7.1.1.2.	According to the age of children and adolescents, provide guidance to prevent sexual and reproductive health risks
7.1.4.1.	Clothing and footwear for children and adolescents in the cradle, home, boarding school, and temporary and permanent shelter must be provided. It must also be comfortable and appropriate to their needs, depending on climatic conditions.

*Source: Author elaboration*

## Appendix 3

**Table 11**  
**Trump Administration Immigration Programs<sup>237</sup>**

Program Name	Implementation	Description
Asylum Cooperation Agreements (ACAs)	Implemented with Guatemala on November 20, 2019  Signed with Honduras and El Salvador, not yet implemented. <sup>xlii</sup>	U.S. asylum seekers are deported to Guatemala (or Honduras and El Salvador) in order to seek asylum in that country.  Asylum seekers are returned to a country other than their country of origin. Guatemalans are currently not subject to the program.
Transit-Country Asylum Ban	July 16, 2019	Regulation says that asylum seekers who passed through third countries on their way to the United States but did not apply for asylum in the third country are ineligible to apply for asylum in the United States.
Prompt Asylum Claim Review (PACR)	October 7, 2019	Non-Mexican asylum seekers are subject to rapid adjudication of asylum cases. The goal is to process the case within 10 days.
Humanitarian Asylum Review Process (HARP)	October 7, 2019	Mexican asylum seekers are subject to rapid adjudication of asylum cases. The goal is to process the case within 10 days.
Metering	April 2018  (Metering had been used in an ad hoc sense since March 2016) <sup>238</sup>	CBP officers at ports of entry determine the daily capacity of migrants allowed to enter and seek asylum. As a result, asylum seekers wait on the Mexican side of the border until CBP determines there is space for them to enter. Formal and informal wait lists have developed at each port of entry to organize those waiting for entry.

*Source: Author elaboration*

<sup>xlii</sup> As of May 1, 2020.

## Appendix 4

MPP's implementation has impacted all levels of Mexico's government. While the federal government negotiated the program, Mexico's municipal and state governments have been responsible for its implementation. These governments are charged with providing refuge and safety for returned asylum seekers but have often lacked the capacity to provide them with basic services.<sup>239</sup>

**Ciudad Juárez.** With 1.3 million residents, Ciudad Juárez is Mexico's fifth largest city. As of July 2019, Ciudad Juárez had approximately 16 registered migrant shelters—mostly run by civil society groups—with a total capacity for 1,280 people.<sup>240</sup> In August 2019, a federally-run migrant shelter known as the Leona Vicario National Integration Center opened in Ciudad Juárez.<sup>241</sup> Built at the site of an old maquiladora, this shelter has a capacity for 3,000 migrants.<sup>242</sup> This federal shelter opened with no beds, no transportation options nearby, and no bathrooms accessible for people with physical disabilities.<sup>243</sup> All the shelters in Ciudad Juárez combined can accommodate less than a third of the asylum seekers who have been returned to the city.<sup>244</sup>

**Matamoros.** With a population of more than 520,000 people, Matamoros is one of Mexico's top 40 largest cities.<sup>245</sup> As of February 2020, more than 2,500 asylum seekers under MPP were still waiting in Matamoros, and 25 percent of these asylum seekers were minors under the age of five.<sup>246</sup> Matamoros' municipal government has supported MPP returnees with shelter and provided portable showers, toilets, and racks for people living in the tent encampment to wash and hang their clothes.<sup>247</sup> However, the mayor of Matamoros claimed that the city invested these resources in order to protect Matamoros' residents against any diseases.<sup>248</sup>

**Nuevo Laredo.** Through March 2020, 12,852 migrants were returned to Nuevo Laredo.<sup>249</sup> Nuevo Laredo's municipal government has expressed concern that it does not have the capacity to support the increased number of asylum seekers in the city.<sup>250</sup> Nuevo Laredo has six migrant shelters, and one of these shelters is funded by the municipal government.<sup>251</sup> Though the municipal government provides the space, the conditions are subpar. Water to the facility is provided through a hose, few fans are available to keep cool, there are portable toilets in the courtyard, mats for beds, and little food.<sup>252</sup> Migrants are expected to provide their own basic necessities and there is no sense of safety.<sup>253</sup>

**Mexicali.** Mexicali was the second city to begin receiving asylum seekers under MPP and has received more than 6,435 asylum seekers through March 2020.<sup>254</sup> Mexicali was also the planned location of a federally funded mega-shelter to host MPP returnees. The shelter was set to be built at a closed-down grocery store in a residential area of Mexicali. In response, 200 Mexicali residents gathered to protest the government's shelter, stating that hosting Central American asylum seekers could lead to the spread of disease, crime, and a decrease in home prices. In November 2019, the new governor of Baja California stated that the shelter would not be built, citing opposition from Mexicali's residents.

**Tijuana.** After the 2018 migrant caravans, the Tijuana municipal government partnered with INM to provide shelter for asylum seekers at a local sports facility owned by the city. When this site closed down in December 2018, Tijuana's Secretary of Municipal Social Development announced

that Tijuana's government would no longer invest in supporting asylum seekers and that this was INM's sole responsibility.<sup>255</sup>

As MPP rolled out, the Tijuana municipal government publicly asked the federal government to step up its financial assistance.<sup>256</sup> Tijuana's municipal government stated that the federal government should feed, clothe, and support asylum seekers, and should have an economic fund ready to handle the policy's effects.<sup>257</sup> The municipal government recommended that all returnees be sheltered at El Barretal, an event hall in Tijuana that is located approximately 12 miles from the border, and asked the federal government to take on the costs.

## Appendix 5

**Table 13**  
**COLEF Shelter Capacity Data**<sup>258</sup>

City	Number of Shelters	Current Capacity
Tijuana	31	5,101
Mexicali	11	1,480
Nogales MX	6	809
Ciudad Juárez	16	1,586
Nuevo Laredo	8	1,148
Matamoros	5	466
Piedras Negras	7	235

*Source: COLEF data*



## Endnotes

---

<sup>1</sup> “U.S. Border Patrol Southwest Border Apprehensions by Sector Fiscal Year 2019,” U.S. Customs and Border Protection, accessed April 13, 2020, <https://www.cbp.gov/newsroom/stats/sw-border-migration/usbp-sw-border-apprehensions-fy2019>.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> “Why LGBTQ+ Migrants on ‘the Caravan’ Face Unique Struggles,” *NowThis News*, December 30, 2018, <https://www.youtube.com/watch?v=dWu0Jys39os>.

<sup>5</sup> “El Salvador History Timeline,” World Atlas, accessed March 25, 2020,

<https://www.worldatlas.com/webimage/countrys/namerica/camerica/elsalvador/svtimeln.htm>.

<sup>6</sup> Sarah Gammage, “El Salvador: Despite End to Civil War, Emigration Continues,” Migration Policy Institute, July 26, 2007, <https://www.migrationpolicy.org/article/el-salvador-despite-end-civil-war-emigration-continues>.

<sup>7</sup> Ibid.

<sup>8</sup> Mike Allison, “El Salvador’s Brutal Civil War: What We Still Don’t Know,” *Al Jazeera*, March 1, 2012, <https://www.aljazeera.com/indepth/opinion/2012/02/2012228123122975116.html>.

<sup>9</sup> Ibid.

<sup>10</sup> Sarah Gammage, “El Salvador: Despite End to Civil War, Emigration Continues,” Migration Policy Institute, July 26, 2007, <https://www.migrationpolicy.org/article/el-salvador-despite-end-civil-war-emigration-continues>.

<sup>11</sup> Cecilia Menjivar, Andrea Gómez Cervantes, “El Salvador: Civil War, Natural Disasters, and Gang Violence Drive Migration,” Migration Policy Institute, August 29, 2018, <https://www.migrationpolicy.org/article/el-salvador-civil-war-natural-disasters-and-gang-violence-drive-migration>.

<sup>12</sup> Steven Dudley, Silva Ávalos, José Martínez, and Eric Hershberg, “MS13 In the Americas: How the World’s Most Notorious Gang Defies Logic, Resists Destruction,” *InSight Crime*, February 16, 2018, <https://www.insightcrime.org/wp-content/uploads/2018/02/MS13-in-the-Americas-InSight-Crime-English-3.pdf>.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> “Barrio 18,” *InSight Crime*, March 11, 2019, <https://www.insightcrime.org/el-salvador-organized-crime-news/barrio-18-profile/>.

<sup>16</sup> Steven Dudley, Silva Ávalos, José Martínez, and Eric Hershberg, “MS13 In the Americas: How the World’s Most Notorious Gang Defies Logic, Resists Destruction,” *InSight Crime*, February 16, 2018, <https://www.insightcrime.org/wp-content/uploads/2018/02/MS13-in-the-Americas-InSight-Crime-English-3.pdf>.

<sup>17</sup> Ibid.

<sup>18</sup> “Childhood Cut Short: Sexual and Gender-Based Violence Against Central American Migrant and Refugee Children,” Kids in Need of Defense & Human Rights Center Fray Matías de Córdova, June 2017, [https://supportkind.org/wp-content/uploads/2017/06/Childhood-Cut-Short-KIND-SGBV-Report\\_June2017.pdf](https://supportkind.org/wp-content/uploads/2017/06/Childhood-Cut-Short-KIND-SGBV-Report_June2017.pdf).

<sup>19</sup> “MS13 In The Americas,” *InSight Crime*, February 16, 2018, <https://www.insightcrime.org/wp-content/uploads/2018/02/MS13-in-the-Americas-InSight-Crime-English-3.pdf>.

<sup>20</sup> “El Salvador’s Politics of Perpetual Violence,” International Crisis Group, December 19, 2017, <https://www.crisisgroup.org/latin-america-caribbean/central-america/el-salvador/64-el-salvadors-politics-perpetual-violence>.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Paola Nagovitch, “Explainer: Nayib Bukele’s Territorial Control Plan,” American Society Council of the Americas, February 13, 2020, <https://www.as-coa.org/articles/explainer-nayib-bukeles-territorial-control-plan>.

<sup>24</sup> Tariq Zaidi, “A Nation Held Hostage,” *Foreign Policy*, November 30, 2019, <https://foreignpolicy.com/2019/11/30/el-salvador-gang-violence-ms13-nation-held-hostage-photography/>.

<sup>25</sup> Ibid.

<sup>26</sup> “El Salvador: Events of 2018,” Human Rights Watch, 2019, <https://www.hrw.org/world-report/2019/country-chapters/el-salvador>.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

- <sup>29</sup> “El Salvador’s Politics of Perpetual Violence,” International Crisis Group, December 19, 2017, <https://www.crisisgroup.org/latin-america-caribbean/central-america/el-salvador/64-el-salvadors-politics-perpetual-violence>.
- <sup>30</sup> “The World Bank in El Salvador: Overview,” The World Bank, accessed April 13, 2020, <https://www.worldbank.org/en/country/elsalvador/overview/>.
- <sup>31</sup> “Poverty & Equity Brief: El Salvador,” The World Bank, October 2019 [https://databank.worldbank.org/data/download/poverty/33EF03BB-9722-4AE2-ABC7-AA2972D68AFE/Global\\_POVEQ\\_SLV.pdf](https://databank.worldbank.org/data/download/poverty/33EF03BB-9722-4AE2-ABC7-AA2972D68AFE/Global_POVEQ_SLV.pdf).
- <sup>32</sup> “The World Bank in El Salvador: Overview,” The World Bank, accessed April 13, 2020, <https://www.worldbank.org/en/country/elsalvador/overview/>.
- <sup>33</sup> “The World Bank in El Salvador: Overview,” The World Bank, accessed April 13, 2020, <https://www.worldbank.org/en/country/elsalvador/overview/>.
- <sup>34</sup> Elizabeth Matsangou, “El Salvador’s economic shackles,” World Finance, April 19, 2017, <https://www.worldfinance.com/strategy/el-salvadors-economic-shackles>.
- <sup>35</sup> Kirk Semple, “‘It Is Our Fault’: El Salvador’s President Takes Blame for Migrant Deaths in Rio Grande,” *New York Times*, July 1, 2019, <https://www.nytimes.com/2019/07/01/world/americas/nayib-bukele-migrant-deaths.html>.
- <sup>36</sup> Sarah Gammage, “El Salvador: Despite End to Civil War, Emigration Continues,” Migration Policy Institute, July 26, 2007, <https://www.migrationpolicy.org/article/el-salvador-despite-end-civil-war-emigration-continues>.
- <sup>37</sup> Lino Minani, “El Salvador’s Combative New President Faces a Perilous Balancing Act,” *Stratfor*, July 1, 2019, <https://worldview.stratfor.com/article/el-salvador-combative-new-president-bukele-faces-perilous-balancing-act>.
- <sup>38</sup> Ibid.
- <sup>39</sup> Scott Neuman, “Troops Occupy El Salvador’s Legislature To Back President’s Crime Package,” *National Public Radio*, February 10, 2020, <https://www.npr.org/2020/02/10/804407503/troops-occupy-el-salvadors-legislature-to-back-president-s-crime-package>.
- <sup>40</sup> “Timeline: Guatemala’s Brutal Civil War,” *Public Broadcasting Service*, accessed March 25, 2020, [https://www.pbs.org/newshour/health/latin\\_america-jan-june11-timeline\\_03-07](https://www.pbs.org/newshour/health/latin_america-jan-june11-timeline_03-07).
- <sup>41</sup> Patrick J. McDonnell, “Guatemala’s civil war devastated the country’s indigenous Maya communities,” *Los Angeles Times*, September 3, 2018, <https://www.latimes.com/world/mexico-americas/la-fg-guatemala-war-aftermath-20180903-story.html>.
- <sup>42</sup> Susanne Jonas, “Guatemalan Migration in Times of Civil War and Post-War Challenges,” Migration Policy Institute, March 27, 2013, <https://www.migrationpolicy.org/article/guatemalan-migration-times-civil-war-and-post-war-challenges>.
- <sup>43</sup> Ibid.
- <sup>44</sup> Ibid.
- <sup>45</sup> “Guatemala: Violence and Discrimination Drive Indigenous Migration Elsewhere,” Minority Rights Group, accessed February 4, 2020, <https://minorityrights.org/guatemala-violence-and-discrimination-drive-indigenous-migration-elsewhere/>; “Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Guatemala,” United Nations High Commissioner for Refugees, January 2018, [https://www.refworld.org/pdfid/5a5e03e96.pdf?\\_cf\\_chl\\_jschl\\_tk\\_\\_=ae7c05e6d21e3dbff2977bbe9726bda4acac9aa8-1580838561-0-AaMJQsJchY61n2WWf05uAuUIJ9uoSbbHpNujXgVmwQO94Nn46jmaSf5bK-G5g5LrZZjqalXI\\_RiYmso0CMxWgT8Ejnd2cz5BEfpexttnbNYWQq4cCGmY6eBzxI12ic-ljVbIrXYCDKA-j\\_y8-z3OIsojEgej0bWqweIRuDqe-KMkpCHnmqzhr-TWtzD\\_3pp8D8Kpcn51TdyEptbLjj19P\\_7PHsZO1tLUln-12w9K7RNvg9X25FW63iHzAWzvVAlsvgsxLiYBPjELOtx78viYWy4ElhjIHVRpW0gXkDf4Xnz](https://www.refworld.org/pdfid/5a5e03e96.pdf?_cf_chl_jschl_tk__=ae7c05e6d21e3dbff2977bbe9726bda4acac9aa8-1580838561-0-AaMJQsJchY61n2WWf05uAuUIJ9uoSbbHpNujXgVmwQO94Nn46jmaSf5bK-G5g5LrZZjqalXI_RiYmso0CMxWgT8Ejnd2cz5BEfpexttnbNYWQq4cCGmY6eBzxI12ic-ljVbIrXYCDKA-j_y8-z3OIsojEgej0bWqweIRuDqe-KMkpCHnmqzhr-TWtzD_3pp8D8Kpcn51TdyEptbLjj19P_7PHsZO1tLUln-12w9K7RNvg9X25FW63iHzAWzvVAlsvgsxLiYBPjELOtx78viYWy4ElhjIHVRpW0gXkDf4Xnz).
- <sup>46</sup> “Guatemala: Violence and Discrimination Drive Indigenous Migration Elsewhere,” Minority Rights Group, accessed February 4, 2020, <https://minorityrights.org/guatemala-violence-and-discrimination-drive-indigenous-migration-elsewhere/>.
- <sup>47</sup> Parker Asman, “Guatemala Impunity Report Shows Limits of Anti-Graft Body,” *Insight Crime*, June 18, 2019, <https://www.insightcrime.org/news/brief/guatemala-impunity-report-limits-anti-graft-body/>.
- <sup>48</sup> Susanne Jonas, “Guatemalan Migration in Times of Civil War and Post-War Challenges,” Migration Policy Institute, March 27, 2013, <https://www.migrationpolicy.org/article/guatemalan-migration-times-civil-war-and-post-war-challenges>.
- <sup>49</sup> “WFP Guatemala Country Brief,” World Food Programme, December 2019, [https://docs.wfp.org/api/documents/WFP-0000112440/download/?\\_ga=2.40573346.1675800725.1581553835-767455134.1581553835](https://docs.wfp.org/api/documents/WFP-0000112440/download/?_ga=2.40573346.1675800725.1581553835-767455134.1581553835); Anna Gargiulo, “Exploring the Poverty Rate in Guatemala,” The Borgen Project, August 8, 2017, <https://borgenproject.org/exploring-poverty-rate-in-guatemala/>.

- <sup>50</sup> “WFP Guatemala Country Brief,” World Food Programme, December 2019, [https://docs.wfp.org/api/documents/WFP-0000112440/download/?\\_ga=2.40573346.1675800725.1581553835-767455134.1581553835](https://docs.wfp.org/api/documents/WFP-0000112440/download/?_ga=2.40573346.1675800725.1581553835-767455134.1581553835); “FAQs: Poverty Line Update,” The World Bank, September 30 2015, <https://www.worldbank.org/en/topic/poverty/brief/global-poverty-line-faq>.
- <sup>51</sup> Nick Miroff and Kevin Sieff, “Hunger, Not Violence, Fuels Guatemalan Migration Surge, U.S. Says,” *Washington Post*, September 22, 2018, [https://www.washingtonpost.com/world/national-security/hunger-not-violence-fuels-guatemalan-migration-surge-us-says/2018/09/21/65c6a546-bdb3-11e8-be70-52bd11fe18af\\_story.html](https://www.washingtonpost.com/world/national-security/hunger-not-violence-fuels-guatemalan-migration-surge-us-says/2018/09/21/65c6a546-bdb3-11e8-be70-52bd11fe18af_story.html); “The World Factbook: Guatemala,” Central Intelligence Agency, accessed April 12, 2020, <https://www.cia.gov/library/publications/the-world-factbook/geos/gt.html>; “New study examines links between emigration and food insecurity in the Dry Corridor of El Salvador, Guatemala and Honduras,” World Food Programme, August 23, 2017, <https://www.wfp.org/news/new-study-examines-links-between-emigration-and-food-insecurity-dry-corridor-el-sa>.
- <sup>52</sup> “Guatemala - Agriculture,” Encyclopedia of the Nations, accessed February 5, 2020, <https://www.nationsencyclopedia.com/Americas/Guatemala-AGRICULTURE.html>; “The World Factbook: Guatemala,” Central Intelligence Agency, accessed April 12, 2020, <https://www.cia.gov/library/publications/the-world-factbook/geos/gt.html>.
- <sup>53</sup> “Martin Elwert Talks Coffee Prices and the Plight of the Coffee Farmer,” *Deutsche Welle*, May 6, 2019, <https://p.dw.com/p/3JvOh>.
- <sup>54</sup> Stephanie Leutert, “Why Are So Many Migrants Leaving Guatemala? A Crisis in the Coffee Industry is One Reason,” *Time*, July 27, 2018, <https://time.com/5346110/guatemala-coffee-escape-migration/>.
- <sup>55</sup> Gena Stephens, “Changing Climate Forces Desperate Guatemalans to Migrate,” *National Geographic*, October 23, 2018, <https://www.nationalgeographic.com/environment/2018/10/drought-climate-change-force-guatemalans-migrate-to-us/>.
- <sup>56</sup> Alexandra Eppenuer, “Top 10 Facts About Hunger in Guatemala,” The Borgen Project, August 14, 2019, <https://borgenproject.org/top-10-facts-about-hunger-in-guatemala/>.
- <sup>57</sup> Nick Miroff and Kevin Sieff, “Hunger, Not Violence, Fuels Guatemalan Migration Surge, U.S. Says,” *Washington Post*, September 22, 2018, [https://www.washingtonpost.com/world/national-security/hunger-not-violence-fuels-guatemalan-migration-surge-us-says/2018/09/21/65c6a546-bdb3-11e8-be70-52bd11fe18af\\_story.html](https://www.washingtonpost.com/world/national-security/hunger-not-violence-fuels-guatemalan-migration-surge-us-says/2018/09/21/65c6a546-bdb3-11e8-be70-52bd11fe18af_story.html).
- <sup>58</sup> Ibid.
- <sup>59</sup> Esther Pérez Ruiz, “Impact of Remittances on Household Decisions in Guatemala,” International Monetary Fund, August 14, 2018, <https://www.imf.org/external/np/blog/dialogo/081418.pdf>.
- <sup>60</sup> “Guatemala Overview - World Bank Group,” The World Bank, accessed September 29, 2019, <https://data.worldbank.org/indicator/BX.TRF.PWKR.DT.GD.ZS?locations=GT>.
- <sup>61</sup> Esther Pérez Ruiz, “Impact of Remittances on Household Decisions in Guatemala,” International Monetary Fund, August 14, 2018, <https://www.imf.org/external/np/blog/dialogo/081418.pdf>.
- <sup>62</sup> Leticia Salomón, “Honduras: A History That Repeats Itself,” *NACLA*, March 22, 2012, <https://nacla.org/article/honduras-history-repeats-itself>.
- <sup>63</sup> Daniel Reichman, “Honduras: The Perils of Remittance Dependence and Clandestine Migration,” Migration Policy Institute, March 3, 2017, <https://www.migrationpolicy.org/article/honduras-perils-remittance-dependence-and-clandestine-migration>.
- <sup>64</sup> Jeff Ernst and Elisabeth Malkin, “Amid Protests, Honduran President Is Sworn In for 2nd Term,” *New York Times*, January 27, 2018, <https://www.nytimes.com/2018/01/27/world/americas/honduras-president-inauguration-protests-juan-orlando-hernandez.html>.
- <sup>65</sup> Freddy Cuevas, “Violent Protests Seek Removal of Honduras President,” *Associated Press*, October 24, 2019, <https://apnews.com/b41a25e978f24d46866a787b567bcb49>.
- <sup>66</sup> “Honduras Overview,” The World Bank, accessed September 29, 2019, <https://www.worldbank.org/en/country/honduras/overview>.
- <sup>67</sup> “Honduras Data,” The World Bank, accessed November 22, 2019, <https://data.worldbank.org/country/honduras>.
- <sup>68</sup> Ibid.
- <sup>69</sup> “Central America: Hurricane Mitch” *Migration News* 5, no. 12 (1998); “Hurricane Mitch - National Hurricane Center,” National Hurricane Center - National Oceanic and Atmospheric Administration, May 4, 2000, [https://www.nhc.noaa.gov/data/tcr/AL131998\\_Mitch.pdf](https://www.nhc.noaa.gov/data/tcr/AL131998_Mitch.pdf); “Hurricane Mitch,” *History*, November 11, 2019, <https://www.history.com/topics/natural-disasters-and-environment/hurricane-mitch>.

- 
- <sup>70</sup> Daniel Reichman, “Honduras: The Perils of Remittance Dependence and Clandestine Migration,” Migration Policy Institute, March 3, 2017, <https://www.migrationpolicy.org/article/honduras-perils-remittance-dependence-and-clandestine-migration>.
- <sup>71</sup> “Migration Policy Institute Data Hub,” Migration Policy Institute, accessed March 5, 2020, <https://www.migrationpolicy.org/programs/migration-data-hub>.
- <sup>72</sup> “Poverty headcount ratio at \$5.50 a day (2011 PPP) (% of population) - Honduras,” The World Bank, accessed April 12, 2020, <https://data.worldbank.org/indicator/SI.POV.UMIC>; “Poverty headcount ratio at \$1.90 a day (2011 PPP) (% of population) - Honduras,” The World Bank, accessed April 12, 2020, <https://data.worldbank.org/indicator/SI.POV.DDAY?locations=HN&view=chart>.
- <sup>73</sup> “Access to electricity (% of population),” The World Bank, accessed September 29, 2019, <https://data.worldbank.org/indicator/eg.elc.accs.zs>.
- <sup>74</sup> Paul Melia, “Families in ‘slums’ have no electricity or sanitation - and face deadly floods,” *Independent*, March 7, 2017, <https://www.independent.ie/world-news/latin-america/families-in-slums-have-no-electricity-or-sanitation-and-face-deadly-floods-35508043.html>.
- <sup>75</sup> “As severe floods engulf Central America, children are some of the worst affected,” United Nations Children’s Fund (UNICEF), October 29, 2008, [https://www.unicef.org/emerg/honduras\\_46182.html?p=printme](https://www.unicef.org/emerg/honduras_46182.html?p=printme).
- <sup>76</sup> “Honduras: Floods - Oct 2017,” Reliefweb, accessed March 9, 2020, <https://reliefweb.int/disaster/fl-2017-000160-hnd>.
- <sup>77</sup> Ibid.
- <sup>78</sup> “Climate Change Risk Profile: Honduras,” USAID, March 2017, <https://www.climatelinks.org/resources/climate-change-risk-profile-honduras>.
- <sup>79</sup> “Dry Corridor Central America: Situation Report,” Food and Agriculture Organization of the United Nations, June 2016, <http://www.fao.org/3/a-br092e.pdf>.
- <sup>80</sup> Anastasia Moloney, “In Honduras, years of drought pressure farmers to leave land,” *Reuters*, September 27, 2019, <https://www.reuters.com/article/us-climate-change-honduras-migrants-anal/in-honduras-years-of-drought-pressure-farmers-to-leave-land-idUSKBN1WC0M6>.
- <sup>81</sup> “Erratic weather patterns in the Central American Dry Corridor leave 1.4 million people in urgent need of food assistance,” World Food Programme, April 25, 2019, <https://www.wfp.org/news/erratic-weather-patterns-central-american-dry-corridor-leave-14-million-people-urgent-need>.
- <sup>82</sup> Allison O’Connor, Jeanne Batalova, and Jessica Bolter, “Central American Immigrants in the United States,” Migration Policy Institute, August 15, 2019, <https://www.migrationpolicy.org/article/central-american-immigrants-united-states>.
- <sup>83</sup> “Personal remittances, received (current US\$),” The World Bank, accessed March 5, 2020, <https://data.worldbank.org/indicator/BX.TRF.PWKR.CD.DT?locations=HN>.
- <sup>84</sup> Ibid.
- <sup>85</sup> Daniel Reichman, “Honduras: The Perils of Remittance Dependence and Clandestine Migration,” Migration Policy Institute, April 11, 2013, <https://www.migrationpolicy.org/article/honduras-perils-remittance-dependence-and-clandestine-migration>.
- <sup>86</sup> “Intentional homicides (per 100,000 people) - Honduras, El Salvador,” The World Bank, accessed March 9, 2020, <https://data.worldbank.org/indicator/VC.IHR.PSRC.P5?locations=HN-SV>.
- <sup>87</sup> Ibid.
- <sup>88</sup> “Gangs in Honduras,” *InsightCrime & Asociación Para una Sociedad Más Justa*, April 21, 2016, <https://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>.
- <sup>89</sup> Seth Robbins, “MS-13 is transforming one of its most profitable criminal rackets in Central America,” *Business Insider*, June 11, 2019, <https://www.businessinsider.com/ms13-evolving-extortion-activity-to-take-control-of-public-transport-2019-6>.
- <sup>90</sup> “Decreto por el que se crea la Comisión Intersecretarial de Atención Integral en Materia Migratoria,” Secretaría de Gobernación, September 9, 2019, [https://dof.gob.mx/nota\\_detalle.php?codigo=5572790&fecha=19/09/2019](https://dof.gob.mx/nota_detalle.php?codigo=5572790&fecha=19/09/2019).
- <sup>91</sup> “Unidad de Política Migratoria, Registro e Identidad de Personas,” Gobierno de México, accessed April 12, 2020, <http://portales.segob.gob.mx/es/PoliticaMigratoria>.
- <sup>92</sup> “Diagnóstico del Instituto Nacional de Migración: Hacia un Sistema de Rendición de Cuentas en pro de los Derechos de los Derechos de las Personas Migrantes en México,” Instituto para la Seguridad y la Democracia, March 3, 2014, [https://noticias.uca.edu.sv/uploads/texto\\_2560/file/PDF-926447-1391526074-52f100ba2be78.pdf](https://noticias.uca.edu.sv/uploads/texto_2560/file/PDF-926447-1391526074-52f100ba2be78.pdf).
- <sup>93</sup> “Grupos Beta de Protección a Migrantes,” Instituto Nacional de Migración, accessed April 12, 2020, <https://www.gob.mx/inm/acciones-y-programas/grupos-beta-de-proteccion-a-migrantes>.

- <sup>94</sup> “COMAR: oficinas, presencia y acciones,” Gobierno de México, Comisión Mexicana de Ayuda a Refugiados, accessed April 12, 2020, <https://www.gob.mx/comar/articulos/comar-oficinas-presencia-y-acciones?idiom=es>.
- <sup>95</sup> Lizbeth Diaz and Delphine Schrank, “Mexico's refugee agency turns to U.N. amid asylum surge, funding cuts,” *Reuters*, May 21, 2019, <https://www.reuters.com/article/us-usa-immigration-mexico/mexicos-tiny-refugee-agency-turns-to-un-amid-asylum-surge-funding-cuts-idUSKCN1SS06N>.
- <sup>96</sup> Clare Ribando Seelke, “Mexico’s Immigration Control Efforts,” Congressional Research Service, February 19, 2020, <https://fas.org/sgp/crs/row/IF10215.pdf>.
- <sup>97</sup> Elizabeth Melimopoulos, “Mexico’s National Guard: what, who, and when,” *Al Jazeera*, June 30, 2019, <https://www.aljazeera.com/news/2019/06/mexico-national-guard-190630095444350.html>.
- <sup>98</sup> Kirk Semple and Paulina Villegas, “Mexico Approves 60,000-Strong National Guard. Critics Call it More of the Same,” *New York Times*, February 28, 2019, <https://www.nytimes.com/2019/02/28/world/americas/mexico-amlo-national-guard.html>.
- <sup>99</sup> “Ley de la Guardia Nacional,” Cámara de Diputados del H. Congreso de La Unión, May 27, 2019, Art. 35.
- <sup>100</sup> “Ley de la Guardia Nacional,” Cámara de Diputados del H. Congreso de La Unión, May 27, 2019, Art. 9.
- <sup>101</sup> James Fredrick, “A Look at Mexico’s National Guard,” *National Public Radio*, July 13, 2019, <https://www.npr.org/2019/07/13/741391138/a-look-at-mexicos-new-national-guard>.
- <sup>102</sup> “OFAM - Oficina de Atención al Migrante,” Gobierno Del Estado de Aguascalientes, accessed April 12, 2020, <http://aguascalientes.gob.mx/segob/migrantes/>.
- <sup>103</sup> “Ley Para La Protección de los Derechos y Apoyo a Los Migrantes,” H. Congreso del Estado de Baja California, September 12, 2014.
- <sup>104</sup> “Ley de Protección y Apoyo a Migrantes,” H. Congreso del Estado, July 23, 2016.
- <sup>105</sup> “Boletín No.45,” Congreso del Estado de Coahuila de Zaragoza, June 17, 2015.
- <sup>106</sup> Ernesto Acosta, “‘Blinda’ Coahuila los derechos de migrantes,” *Zócalo*, 2016, [https://www.zocalo.com.mx/new\\_site/articulo/blinda-coahuila-los-derechos-de-migrantes-1434604762](https://www.zocalo.com.mx/new_site/articulo/blinda-coahuila-los-derechos-de-migrantes-1434604762).
- <sup>107</sup> Ley de Protección y Apoyo a Migrantes,” H. Congreso del Estado de Sonora, December 5, 2007.
- <sup>108</sup> “Tamaulipas Institute for Migrants,” Gobierno del Estado Tamaulipas, accessed April 12, 2020, <https://www.tamaulipas.gob.mx/en/migrantes/instituto/>.
- <sup>109</sup> Donald J. Trump (@realDonaldTrump), “I am watching the Democrat Party led (because they want Open Borders and existing weak laws) assault on our country by Guatemala, Honduras and El Salvador, whose leaders are doing little to stop this large flow of people, INCLUDING MANY CRIMINALS, from entering Mexico to US.....,” Twitter Post, October 18, 2018, <https://twitter.com/realdonaldtrump/status/1052883467430694912?lang=en>; Donald J. Trump (@realDonaldTrump), “... In addition to stopping all payments to these countries, which seem to have almost no control over their population, I must, in the strongest of terms, ask Mexico to stop this onslaught- and if unable to do so I will call up the U.S. Military and CLOSE OUR SOUTHERN BORDER!...,” Twitter Post, October 18, 2018, <https://twitter.com/realdonaldtrump/status/1052885781675687936?lang=en>; Donald J. Trump (@realDonaldTrump), “...The assault on our country at our Southern Border, including the Criminal elements and DRUGS pouring in, is far more important to me, as President, than Trade or the USMCA. Hopefully Mexico will stop this onslaught at their Northern Border. All Democrats fault for weak laws!,” Twitter Post, October 18, 2018, <https://twitter.com/realdonaldtrump/status/1052888451199262725?lang=en>.
- <sup>110</sup> Nick Miroff and Kevin Sieff, “Trump Administration Reaches Deal That Will Force Asylum Seekers to Wait in Mexico as Cases Are Processed, DHS's Nielsen Says,” *Washington Post*, December 21, 2018, [https://www.washingtonpost.com/world/national-security/dhs-secretary-kirstjen-nielsen-to-face-questions-from-lawmakers/2018/12/20/f7d2ffea-0460-11e9-8186-4ec26a485713\\_story.html](https://www.washingtonpost.com/world/national-security/dhs-secretary-kirstjen-nielsen-to-face-questions-from-lawmakers/2018/12/20/f7d2ffea-0460-11e9-8186-4ec26a485713_story.html).
- <sup>111</sup> Nick Miroff and Kevin Sieff, “Trump Administration Reaches Deal That Will Force Asylum Seekers to Wait in Mexico as Cases Are Processed, DHS's Nielsen Says,” *Washington Post*, December 21, 2018, [https://www.washingtonpost.com/world/national-security/dhs-secretary-kirstjen-nielsen-to-face-questions-from-lawmakers/2018/12/20/f7d2ffea-0460-11e9-8186-4ec26a485713\\_story.html](https://www.washingtonpost.com/world/national-security/dhs-secretary-kirstjen-nielsen-to-face-questions-from-lawmakers/2018/12/20/f7d2ffea-0460-11e9-8186-4ec26a485713_story.html).
- <sup>112</sup> Nick Miroff and Joshua Partlow, “Deal with Mexico paves way for asylum overhaul at U.S. border,” *Washington Post*, November 24, 2018, [https://www.washingtonpost.com/world/national-security/deal-with-mexico-paves-way-for-asylum-overhaul-at-us-border/2018/11/24/87b9570a-e74-11e8-9236-bb94154151d2\\_story.html](https://www.washingtonpost.com/world/national-security/deal-with-mexico-paves-way-for-asylum-overhaul-at-us-border/2018/11/24/87b9570a-e74-11e8-9236-bb94154151d2_story.html).
- <sup>113</sup> Donald J. Trump (@realDonaldTrump), “Migrants at the Southern Border will not be allowed into the United States until their claims are individually approved in court. We only will allow those who come into our Country legally. Other than that our very strong policy is Catch and Detain. No “Releasing” into the U.S...” Twitter Post, November 24, 2018, <https://twitter.com/realdonaldtrump/status/1066478927143677952?lang=en>; Donald J. Trump (@realDonaldTrump), “All will stay in Mexico. If for any reason it becomes necessary, we will CLOSE our

Southern Border. There is no way that the United States will, after decades of abuse, put up with this costly and dangerous situation anymore!” Twitter Post, November 24, 2018, <https://twitter.com/realdonaldtrump/status/1066480700046655488?lang=en>.

<sup>114</sup> “Position of Mexico on the Decision of the U.S. Government to Invoke Section 235(b)(2)(C) of Its Immigration and Nationality Act,” Secretaría de Relaciones Exteriores, Gobierno de México, December 20, 2018, <https://www.gob.mx/sre/en/articulos/position-of-mexico-on-the-decision-of-the-u-s-government-to-invoke-section-235-b-2-c-of-its-immigration-and-nationality-act-185795?idiom=en>.

<sup>115</sup> “Secretary Nielsen Announces Historic Action to Confront Illegal Immigration,” Department of Homeland Security, December 20, 2018, <https://www.dhs.gov/news/2018/12/20/secretary-nielsen-announces-historic-action-confront-illegal-immigration>.

<sup>116</sup> Ibid.

<sup>117</sup> “Guidance for Implementing Section 235(b)(2)(C) of the Immigration and Nationality Act and the Migrant Protection Protocols,” U.S. Citizenship and Immigration Services, January 28, 2019, <https://www.uscis.gov/sites/default/files/USCIS/Laws/Memoranda/2019/2019-01-28-Guidance-for-Implementing-Section-35-b-2-C-INA.pdf>.

<sup>118</sup> “Position of Mexico on the Decision of the U.S. Government to Invoke Section 235(b)(2)(C) of Its Immigration and Nationality Act,” Secretaría de Relaciones Exteriores, Gobierno de México, December 20, 2018, <https://www.gob.mx/sre/en/articulos/position-of-mexico-on-the-decision-of-the-u-s-government-to-invoke-section-235-b-2-c-of-its-immigration-and-nationality-act-185795?idiom=en>.

<sup>119</sup> “Washington Post - Reforma Poll, July 9-14, 2019,” *Washington Post*, July 17, 2019, [https://www.washingtonpost.com/context/washington-post-reforma-mexico-poll/801f58a6-ab67-4da6-bd1d-39659863c4c7/?itid=lk\\_interstitial\\_manual\\_10](https://www.washingtonpost.com/context/washington-post-reforma-mexico-poll/801f58a6-ab67-4da6-bd1d-39659863c4c7/?itid=lk_interstitial_manual_10).

<sup>120</sup> Ibid.

<sup>121</sup> “MPP Guiding Principles,” Department of Homeland Security, January 28, 2019, <https://www.cbp.gov/sites/default/files/assets/documents/2019-Jan/MPP%20Guiding%20Principles%201-28-19.pdf>.

<sup>122</sup> Ibid; Kate Morrissey and Sandra Dibble, “First asylum seeker from Central America returned to Mexico,” *San Diego Union Tribune*, January 29, 2019, <https://www.sandiegouniontribune.com/news/migrant-caravan/sd-me-mpp-begins-caravan-20190129-story.html>.

<sup>123</sup> Andrea Jiménez, “Devuelven Por Mexicali Al Primer Migrante Centroamericano,” *El Imparcial*, March 14, 2019, <https://www.elimparcial.com/mexicali/mexicali/Devuelven-por-Mexicali-al-primer-migrante-centroamericano-20190314-0008.html>.

<sup>124</sup> Sabrina Zuniga, “Activa EP Protocolo Contra Migrantes,” *El Diario De El Paso*, March 21, 2019, <https://diario.mx/el-paso/activa-ep-protocolo-contra-migrantes-20190320-1492506/>.

<sup>125</sup> Nomaan Merchant, “US Expands ‘Remain in Mexico’ To Dangerous Part of the Border,” *Houston Public Media*, July 19, 2019, <https://www.houstonpublicmedia.org/articles/news/politics/immigration/2019/07/19/340145/us-expands-remain-in-mexico-to-dangerous-part-of-border/>; Juan Antonio Calderon and Christopher Sherman, “US returns first group of asylum seekers to Nuevo Laredo under Remain in Mexico policy,” *El Paso Times*, July 9, 2019, <https://www.elpasotimes.com/story/news/immigration/2019/07/09/us-returns-first-group-asylum-seekers-nuevo-laredo-under-remain-mexico-migrant-protection-protocols/1689383001/>.

<sup>126</sup> “DHS Expands MPP Operations to Eagle Pass,” U.S. Department of Homeland Security, October 28, 2019, <https://www.dhs.gov/news/2019/10/28/dhs-expands-mpp-operations-eagle-pass>.

<sup>127</sup> “DHS Begins MPP Returns at Nogales Port of Entry in Arizona,” U.S. Department of Homeland Security, January 2, 2020, <https://www.dhs.gov/news/2020/01/02/dhs-begins-mpp-returns-nogales-port-entry-arizona>.

<sup>128</sup> Arelis R. Hernández, Nick Miroff, and Maria Sacchetti, “Trump administration to shuttle migrants from Tucson to El Paso under ‘Remain in Mexico’ policy,” *The Texas Tribune*, November 22, 2019, <https://www.texastribune.org/2019/11/22/government-send-migrants-tucson-el-paso-under-remain-mexico/>; Rafael Carranza, “How Trump’s Remain in Mexico program affects Arizona border despite no formal policy,” *AZ Central*, October 10, 2019, <https://www.azcentral.com/story/news/politics/immigration/2019/10/10/remain-mexico-program-affects-arizona-border-despite-no-formal-policy/3866006002/>.

<sup>129</sup> “DHS Begins MPP Returns at Nogales Port of Entry in Arizona,” U.S. Department of Homeland Security, January 2, 2020, <https://www.dhs.gov/news/2020/01/02/dhs-begins-mpp-returns-nogales-port-entry-arizona>.

<sup>130</sup> “DHS Expands MPP to Brazilian Nationals,” U.S. Department of Homeland Security, January 29, 2020, <https://www.dhs.gov/news/2020/01/29/dhs-expands-mpp-brazilian-nationals>.

<sup>131</sup> “MPP Guiding Principles,” U.S. Department of Homeland Security, January 28, 2019, <https://www.cbp.gov/sites/default/files/assets/documents/2019-Jan/MPP%20Guiding%20Principles%201-28-19.pdf>.

---

<sup>132</sup> Ibid.

<sup>133</sup> Ira Glass, “688: The Out Crowd,” *This American Life*, November 17, 2019, <https://www.thisamericanlife.org/688/the-out-crowd>.

<sup>134</sup> Andrew Patterson, “Asylum Officers: Remain in Mexico ‘Virtually Guarantees’ Unlawful Removal of Asylum Seekers,” *Lawfare Blog*, June 28, 2019, <https://www.lawfareblog.com/asylum-officers-remain-mexico-virtually-guarantees-unlawful-removal-asylum-seekers>.

<sup>135</sup> “Assessment of the Migrant Protection Protocols (MPP),” U.S. Department of Homeland Security, October 28, 2019,

[https://www.dhs.gov/sites/default/files/publications/assessment\\_of\\_the\\_migrant\\_protection\\_protocols\\_mpp.pdf](https://www.dhs.gov/sites/default/files/publications/assessment_of_the_migrant_protection_protocols_mpp.pdf).

<sup>136</sup> Reade Levinson, “Exclusive: Asylum Seekers Returned to Mexico Rarely Win Bids to Wait in U.S.” *Reuters*, June 12, 2019, <https://www.reuters.com/article/us-usa-immigration-returns-exclusive/exclusive-asylum-seekers-returned-to-mexico-rarely-win-bids-to-wait-in-us-idUSKCN1TD13Z>.

<sup>137</sup> Hamed Aleaziz, “US Border Officials Pressured Asylum Officers To Deny Entry To Immigrants Seeking Protection, A Report Finds” *BuzzFeed News*, November 14, 2019,

<https://www.buzzfeednews.com/article/hamedaleaziz/dhs-asylum-report-mpp-immigration-remain-mexico>; Hamed Aleaziz, “Here’s The Draft Report Revealing How US Border Officials Pressured Asylum Officers To Deny Entry To Immigrants,” *BuzzFeed News*, December 4, 2019, <https://www.buzzfeednews.com/article/hamedaleaziz/asylum-officers-pressured-border-mexico-draft-dhs-report>.

<sup>138</sup> “Assessment of the Migrant Protection Protocols (MPP),” U.S. Department of Homeland Security, October 28, 2019,

[https://www.dhs.gov/sites/default/files/publications/assessment\\_of\\_the\\_migrant\\_protection\\_protocols\\_mpp.pdf](https://www.dhs.gov/sites/default/files/publications/assessment_of_the_migrant_protection_protocols_mpp.pdf).

<sup>139</sup> “We Can’t Help You Here,” Human Rights Watch, July 1, 2019. <https://www.hrw.org/report/2019/07/02/we-cant-help-you-here/us-returns-asylum-seekers-mexico>.

<sup>140</sup> Aaron Reichlin-Melnick, interviewed by Priscilla Lugo, by phone, October 16, 2019.

<sup>141</sup> Aaron Reichlin-Melnick, interviewed by Priscilla Lugo, by phone, October 16, 2019; “Assessment of the Migrant Protection Protocols (MPP),” U.S. Department of Homeland Security, October 28, 2019,

[https://www.dhs.gov/sites/default/files/publications/assessment\\_of\\_the\\_migrant\\_protection\\_protocols\\_mpp.pdf](https://www.dhs.gov/sites/default/files/publications/assessment_of_the_migrant_protection_protocols_mpp.pdf).

<sup>142</sup> Dara Lind, “Trump’s Asylum Ban Could Apply Retroactively to Thousands of Migrants Even Though Officials Promised It Wouldn’t,” *ProPublica*, October 22, 2019, <https://www.propublica.org/article/trumps-asylum-ban-could-apply-retroactively-to-thousands-of-migrants-even-though-officials-promised-it-wouldnt>; Adam Liptak, “Supreme Court Says Trump Can Bar Asylum Seekers While Legal Fight Continues,” *New York Times*, September 11, 2019, <https://www.nytimes.com/2019/09/11/us/politics/supreme-court-trump-asylum.html>; “Challenging Customs and Border Protection’s Unlawful Practice of Turning Away Asylum Seekers,” American Immigration Council, accessed November 26, 2019, <https://www.americanimmigrationcouncil.org/litigation/challenging-customs-and-border-protections-unlawful-practice-turning-away-asylum-seekers>.

<sup>143</sup> “Details on MPP (Remain in Mexico) Deportation Proceedings,” TRAC, Syracuse University, accessed April 27, 2020 <https://trac.syr.edu/phptools/immigration/mpp/>.

<sup>144</sup> Ibid.

<sup>145</sup> “Assessment of the Migrant Protection Protocols (MPP),” Department of Homeland Security, October 28, 2019, [https://www.dhs.gov/sites/default/files/publications/assessment\\_of\\_the\\_migrant\\_protection\\_protocols\\_mpp.pdf](https://www.dhs.gov/sites/default/files/publications/assessment_of_the_migrant_protection_protocols_mpp.pdf).

<sup>146</sup> Kate Morrissey, “First person from ‘Remain in Mexico’ to win asylum released into US after day in detention,” *The San Diego Union-Tribune*, August 7, 2019, <https://www.sandiegouniontribune.com/news/immigration/story/2019-08-07/despite-asylum-win-government-may-return-migrant-to-mexico-again>.

<sup>147</sup> Ibid.

<sup>148</sup> Kennji Kizuka (@KennjiKizuka), “Last month DHS sent a Venezuelan asylum seeker, J, back to danger in Mexico AFTER he WON protection in immigration court (& without a lawyer!). Today after hours of negotiation & intervention by Congressional staffers, J was finally allowed into the US at Laredo. Let me explain.” Twitter Post, November 6, 2019, <https://twitter.com/KennjiKizuka/status/1192214749381046272>.

<sup>149</sup> “Details on MPP (Remain in Mexico) Deportation Proceedings,” TRAC, Syracuse University, accessed April 27, 2020, <https://trac.syr.edu/phptools/immigration/mpp/>.

<sup>150</sup> Stephen Manning, “Nationwide Preliminary Injunction Granted in Innovation Law Lab v. Nielsen,” Innovation Law Lab, April 8, 2019, <https://innovationlawlab.org/release-notes/nationwide-preliminary-injunction-granted-in-innovation-law-lab-v-nielsen/>.

<sup>151</sup> Stephen Manning, “Ninth Circuit allows ‘Remain in Mexico’ policy to stay in effect,” Innovation Law Lab, May 8, 2019, <https://innovationlawlab.org/blog/ninth-circuit-allows-remain-in-mexico-policy-to-stay-in-effect/>.

- 
- <sup>152</sup> *Innovation Law Lab v. Wolf*, 951 F.3d 1073 (9th Cir. 2020), [https://www.ca9.uscourts.gov/content/view.php?pk\\_id=0000000988](https://www.ca9.uscourts.gov/content/view.php?pk_id=0000000988).
- <sup>153</sup> *Innovation Law Lab v. Wolf*, 951 F.3d 986 (9th Cir. 2020), [https://www.ca9.uscourts.gov/content/view.php?pk\\_id=0000000988](https://www.ca9.uscourts.gov/content/view.php?pk_id=0000000988).
- <sup>154</sup> “ACLU Comment on Supreme Court Stay Ruling in Remain in Mexico Challenge,” American Civil Liberties Union, accessed April 13, 2020, <https://www.aclu.org/press-releases/aclu-comment-supreme-court-stay-ruling-remain-mexico-challenge>; *Wolf v. Innovation Law Lab*, 206 L.Ed.2d 389 (U.S. 2020), [https://www.supremecourt.gov/orders/courtorders/031120zr\\_19m2.pdf](https://www.supremecourt.gov/orders/courtorders/031120zr_19m2.pdf).
- <sup>155</sup> Julián Aguilar, “To slow COVID-19, Trump administration closes southern border to nonessential travel,” *The Texas Tribune*, March 20, 2020, <https://www.texastribune.org/2020/03/20/covid-19-leads-trump-announce-partial-closure-southern-border/>.
- <sup>156</sup> Nick Miroff, “Under coronavirus immigration measure, U.S. is expelling border-crossers to Mexico in an average of 96 minutes,” *Washington Post*, March 30, 2020, [https://www.washingtonpost.com/immigration/coronavirus-immigration-border-96-minutes/2020/03/30/13af805c-72c5-11ea-ae50-7148009252e3\\_story.html](https://www.washingtonpost.com/immigration/coronavirus-immigration-border-96-minutes/2020/03/30/13af805c-72c5-11ea-ae50-7148009252e3_story.html); Dara Lind, “Leaked Border Patrol Memo Tells Agents to Send Migrants Back Immediately -- Ignoring Asylum Law,” *ProPublica*, April 2, 2020, <https://www.propublica.org/article/leaked-border-patrol-memo-tells-agents-to-send-migrants-back-immediately-ignoring-asylum-law>.
- <sup>157</sup> “Joint DHS/EOIR Statement on MPP Rescheduling,” U.S. Department of Homeland Security, accessed April 13, 2020, <https://www.dhs.gov/news/2020/03/23/joint-statement-mpp-rescheduling>.
- <sup>158</sup> “EOIR Operational Status During Pandemic,” U.S. Department of Justice, April 1, 2020, <https://www.dhs.gov/news/2020/04/01/joint-dhseoir-statement-mpp-rescheduling>; “EOIR Operational Status During Pandemic,” U.S. Department of Justice, April 30, 2020, <https://www.dhs.gov/news/2020/04/30/joint-dhseoir-statement-mpp-rescheduling>.
- <sup>159</sup> “Joint DHS/EOIR Statement on MPP Rescheduling,” U.S. Department of Homeland Security, March 23, 2020, <https://www.dhs.gov/news/2020/03/23/joint-statement-mpp-rescheduling>.
- <sup>160</sup> “Details on MPP (Remain in Mexico) Deportation Proceedings,” TRAC, Syracuse University, accessed April 12, 2020, <https://trac.syr.edu/phptools/immigration/mpp/>; Transparency request, Instituto Nacional de Migración, January 2020.
- <sup>161</sup> “Boletines Estadísticos,” Unidad de Política Migratoria, Gobierno de México, accessed October 17, 2019, <http://www.politicamigratoria.gob.mx/es/PoliticaMigratoria/CuadrosBOLETIN?Anual=2019&Secc=1>.
- <sup>162</sup> Nick Phillips, “Just living day to day,” *Nogales International*, February 21, 2020, [https://www.nogalesinternational.com/news/just-living-day-to-day/article\\_45774e92-54d1-11ea-b29b-1fad584053c7.html](https://www.nogalesinternational.com/news/just-living-day-to-day/article_45774e92-54d1-11ea-b29b-1fad584053c7.html).
- <sup>163</sup> “Details on MPP (Remain in Mexico) Deportation Proceedings,” TRAC, Syracuse University, accessed April 27, 2020, <https://trac.syr.edu/phptools/immigration/mpp/>.
- <sup>164</sup> *Ibid.*
- <sup>165</sup> *Ibid.*
- <sup>166</sup> *Ibid.*
- <sup>167</sup> “DHS Expands MPP To Brazilian Nationals,” U.S. Department of Homeland Security, accessed April 13, 2020, <https://www.dhs.gov/news/2020/01/29/dhs-expands-mpp-brazilian-nationals>.
- <sup>168</sup> “Details on MPP (Remain in Mexico) Deportation Proceedings,” TRAC, Syracuse University, accessed April 27, 2020, <https://trac.syr.edu/phptools/immigration/mpp/>.
- <sup>169</sup> Joel Rose, “‘Vulnerable’ Migrants Should Be Exempt From ‘Remain In Mexico,’ But Many Are Not,” *National Public Radio*, July 17, 2019, <https://www.npr.org/2019/07/17/742271139/vulnerable-migrants-should-be-exempt-from-remain-in-mexico-but-many-are-not>.
- <sup>170</sup> “MPP Guiding Principles,” *Department of Homeland Security*, January 28, 2019, <https://www.cbp.gov/sites/default/files/assets/documents/2019-Jan/MPP%20Guiding%20Principles%201-28-19.pdf>.
- <sup>171</sup> Transparency Request, Instituto Nacional de Migración, January 2020.
- <sup>172</sup> Rochelle Garza, “Trump’s War on Asylum-Seekers is Endangering Pregnant Women,” American Civil Liberties Union, October 3, 2019, <https://www.aclu.org/blog/immigrants-rights/trumps-war-asylum-seekers-endangering-pregnant-women>; Quinn Owen, “New Details of Dire Conditions for Pregnant Women under Trump’s ‘Remain in Mexico’ Policy,” *ABC News*, September 30, 2019, <https://abcnews.go.com/Politics/details-dire-conditions-pregnant-women-trumps-remain-mexico/story?id=65910150>; “US sends pregnant migrant having contractions back to Mexico,” *The Guardian*, September 6, 2019, <https://www.theguardian.com/us-news/2019/sep/06/us-immigration-pregnant-woman-mexico-trump-policy>.



- <sup>173</sup> “Why LGBTQ+ Migrants on ‘the Caravan’ Face Unique Struggles,” *NowThis News*, December 30, 2018, <https://www.youtube.com/watch?v=dWu0Jys39os>; Molly Hennessy-Fiske, “For transgender migrants fleeing death threats, asylum in the U.S. is a crapshoot,” *Los Angeles Times*, October 29, 2019, <https://www.latimes.com/world-nation/story/2019-10-29/trump-administration-returns-vulnerable-lgbt-asylum-seekers-to-mexico>.
- <sup>174</sup> “MPP Guiding Principles,” U.S. Department of Homeland Security, January 28, 2019, <https://www.cbp.gov/sites/default/files/assets/documents/2019-Jan/MPP%20Guiding%20Principles%201-28-19.pdf>.
- <sup>175</sup> Jonathan Blitzer, “How the U.S. Asylum System Is Keeping Migrants at Risk in Mexico,” *The New Yorker*, October 2, 2019, <https://www.newyorker.com/news/dispatch/how-the-us-asylum-system-is-keeping-migrants-at-risk-in-mexico>.
- <sup>176</sup> Adam Gabbatt, “Like a Child: the Disabled Migrant Stranded and Alone in Mexico,” *The Guardian*, July 28, 2019, <https://www.theguardian.com/us-news/2019/jul/27/mexico-disabled-migrant-stranded-trump>.
- <sup>177</sup> Adolfo Flores (@aflores), “A woman on the bridge said she was put in MPP & sent back to MX. Her 13-yr-old son lost his leg in a car accident on their way to the border. CBP’s guiding principles say immigrants with “Known physical/mental health issues” should not be put in MPP,” Twitter Post, October 10, 2019, <https://twitter.com/aflores/status/1182357225370722304>.
- <sup>178</sup> Lauren Villagran, “Mexico to open Juárez shelter for asylum-seekers sent back by Migrant Protection Protocols,” *El Paso Times*, July 31, 2019, <https://www.desertsun.com/story/news/2019/07/31/Juárez-shelter-help-remain-mexico-policy-returned-asylum-seekers/1870514001/>.
- <sup>179</sup> Wendy Fry, “Federal Shelter in Tijuana opens for migrants waiting for U.S. asylum,” *San Diego Union-Tribune*, December 11, 2019, <https://www.sandiegouniontribune.com/news/border-baja-california/story/2019-12-11/federal-shelter-in-tijuana-opens-for-migrants-waiting-for-u-s-asylum>.
- <sup>180</sup> “Metering and COVID-19,” Strauss Center, University of Texas at Austin and Center for U.S.-Mexican Studies, University of California San Diego, April 2020, <https://www.strausscenter.org/images/MSI/MeteringCovid-19.pdf>.
- <sup>181</sup> Information provided by Instituto Nacional de Migración, October 30, 2019; Wendy Fry, “Federal Shelter in Tijuana opens for migrants waiting for U.S. asylum,” *San Diego Union-Tribune*, December 11, 2019, <https://www.sandiegouniontribune.com/news/border-baja-california/story/2019-12-11/federal-shelter-in-tijuana-opens-for-migrants-waiting-for-u-s-asylum>.
- <sup>182</sup> Information provided by Instituto Nacional de Migración, October 30, 2019.
- <sup>183</sup> Information from Consejo Estatal de Población, Chihuahua, October 30, 2019.
- <sup>184</sup> Reynaldo Leños Jr., “Mexican Official Tries To Move Asylum-Seekers Stuck In Tent Camps,” *National Public Radio*, November 9, 2019, <https://www.npr.org/2019/11/09/777686672/mexican-official-tries-to-move-asylum-seekers-stuck-in-tent-camps>; Ira Glass, “688: The Out Crowd,” *This American Life* (podcast), November 17, 2019, accessed December 5, 2019, <https://www.thisamericanlife.org/688/the-out-crowd>.
- <sup>185</sup> Nomaan Merchant, “Tents, stench, smoke: Health risks are gripping migrant camp,” *Associated Press*, November 14, 2019, <https://apnews.com/337b139ed4fa4d208b93d491364e04da>; Ira Glass, “688: The Out Crowd,” *This American Life* (podcast), November 17, 2019, accessed December 5, 2019, <https://www.thisamericanlife.org/688/the-out-crowd>.
- <sup>186</sup> Kevin Sieff, “In squalid Mexico tent city, asylum seekers are growing so desperate they’re sending their children over the border alone,” *Washington Post*, November 22 2019, [https://www.washingtonpost.com/world/the\\_americas/in-squalid-mexico-tent-city-asylum-seekers-are-growing-so-desperate-theyre-sending-their-children-over-the-border-alone/2019/11/22/9e5044ec-0c92-11ea-8054-289aef6e38a3\\_story.html](https://www.washingtonpost.com/world/the_americas/in-squalid-mexico-tent-city-asylum-seekers-are-growing-so-desperate-theyre-sending-their-children-over-the-border-alone/2019/11/22/9e5044ec-0c92-11ea-8054-289aef6e38a3_story.html).
- <sup>187</sup> Stephanie Leutert (@sleutert), “Today @e\_ezzell and I traveled through Matamoros, where the tent city of returned asylum seekers from MPP is getting ever larger. Some photos of the conditions to follow,” Twitter Post, November 3, 2019, <https://twitter.com/Sleutert/status/1191106257752645639>.
- <sup>188</sup> Valerie Gonzalez, “New Site to Offer Matamoros Migrants Temporary Shelter,” *KRGV*, October 22, 2019, <https://www.krgv.com/news/new-site-to-offer-matamoros-migrants-temporary-shelter/>; Adolfo Flores, “A Mexican Official Threatened To Take Immigrants’ Children If They Didn’t Move To A Shelter,” *BuzzFeed News*, November 1, 2019, <https://www.buzzfeednews.com/article/adolfoflores/mexican-official-threats-immigrant-children>.
- <sup>189</sup> Reynaldo Leños Jr., “Mexican Official Tries to Move Asylum-Seekers Stuck in Tent Camps,” *National Public Radio*, November 9, 2019, <https://www.npr.org/2019/11/09/777686672/mexican-official-tries-to-move-asylum-seekers-stuck-in-tent-camps>.
- <sup>190</sup> Reynaldo Leños Jr., “Matamoros Residents Protest Growing Migrant Tent Encampment,” *Texas Public Radio*, January 28, 2020, <https://www.tpr.org/post/matamoros-residents-protest-growing-migrant-tent-encampment>.

---

<sup>191</sup> Adolfo Flores, “Immigrants Sent Back to Mexico are not Getting Adequate Health Care, and Doctors are Worried,” *Buzzfeed News*, November 27, 2019, <https://www.buzzfeednews.com/article/adolfoflores/immigrants-mexico-inadequate-healthcare>.

<sup>192</sup> “Projects,” Global Response Management, accessed March 10, 2020, <https://www.global-response.org/matamoros>.

<sup>193</sup> “Remain in Mexico policy leaves more than 1,500 asylum seekers stranded in border camp,” Doctors Without Borders, October 23, 2019, <https://www.doctorswithoutborders.org/what-we-do/news-stories/news/remain-mexico-policy-leaves-more-1500-asylum-seekers-stranded-border>.

<sup>194</sup> Patrick McDonnell and Molly O’Toole, “Coronavirus outbreak at migrant shelter in Mexico linked to U.S. deportee,” *Los Angeles Times*, April 20, 2020, <https://www.latimes.com/world-nation/story/2020-04-20/deportee-linked-to-coronavirus-outbreak-at-migrant-shelter-in-mexico>.

<sup>195</sup> Reynaldo Leños Jr., “COVID-19 At The Border: ‘If One Case Gets Into The Camp, The Entire Camp Will Have It’,” *Texas Public Radio*, March 20, 2020, <https://www.tpr.org/post/covid-19-border-if-one-case-gets-camp-entire-camp-will-have-it>; Patrick J. McDonnell, “Aid workers seek to avoid coronavirus outbreak at Matamoros migrant camp,” *Los Angeles Times*, April 5, 2020, <https://www.latimes.com/world-nation/story/2020-04-05/amid-coronavirus-fears-residents-volunteers-seek-to-avoid-outbreak-at-matamoros-migrant-camp>.

<sup>196</sup> Sandra Dibble (@sandraddible), “Tijuana’s oldest and largest migrant shelter, Casa del Migrante, is preparing to close its doors due to the coronavirus pandemic. Here’s a report from @NietoNorte,” Twitter Post, March 26, 2020, <https://twitter.com/sandraddible/status/1243043639833407500>; Emily Green (@emilytgreen), “The main migrant shelter in Nuevo Laredo, Mexico — Casa del Migrante Nazareth — says it will close its doors to newcomers because the U.S. keeps deporting people in huge numbers with no health screening or sanitary measures,” Twitter Post, April 14, 2020, <https://twitter.com/emilytgreen/status/1250091649339928577>; Tom Ricker, “Situation of shelters in the Franciscan Network on Migration during COVID-19,” Quixote Center, April 10, 2020, <https://www.quixote.org/situation-of-shelters-in-the-franciscan-network-on-migration-during-covid-19/>.

<sup>197</sup> “Secretary Nielsen Announces Historic Action to Confront Illegal Immigration,” U.S. Department of Homeland Security, December 20, 2018, <https://www.dhs.gov/news/2018/12/20/secretary-nielsen-announces-historic-action-confront-illegal-immigration>.

<sup>198</sup> Transparency Request, Secretaría de Gobernación, February 6, 2020.

<sup>199</sup> Wendy Fry, “Some migrants have found jobs, settled in Tijuana,” *San Diego Union-Tribune*, September 3, 2019, <https://www.sandiegouniontribune.com/news/border-baja-california/story/2019-09-02/many-migrants-have-found-jobs-settled-into-tijuana>; “Details on MPP (Remain in Mexico) Deportation Proceedings,” TRAC, Syracuse University, accessed April 27, 2020, <https://trac.syr.edu/phptools/immigration/mpp/>.

<sup>200</sup> Lizbeth Diaz and Anthony Reposito, “Mexican manufacturers demand background checks for migrant labor,” *Reuters*, July 2, 2019, <https://www.reuters.com/article/us-usa-immigration-mexico-workers/mexican-manufacturers-demand-background-checks-for-migrant-labor-idUSKCN1TY01D>; Wendy Fry, “Some migrants have found jobs, settled in Tijuana,” *San Diego Union-Tribune*, September 3, 2019, <https://www.sandiegouniontribune.com/news/border-baja-california/story/2019-09-02/many-migrants-have-found-jobs-settled-into-tijuana>.

<sup>201</sup> Laura Alvarado, interviewed by Jessica Eller and Priscilla Lugo, Austin, Texas, February 19, 2020.

<sup>202</sup> “Position of Mexico on the Decision of the U.S. Government to Invoke Section 235(b)(2)(C) of Its Immigration and Nationality Act,” Secretaría de Relaciones Exteriores, Gobierno de México, December 20, 2018, <https://www.gob.mx/sre/en/articulos/position-of-mexico-on-the-decision-of-the-u-s-government-to-invoke-section-235-b-2-c-of-its-immigration-and-nationality-act-185795?idiom=en>.

<sup>203</sup> “Details on MPP (Remain in Mexico) Deportation Proceedings,” TRAC, Syracuse University, accessed April 12, 2020, <https://trac.syr.edu/phptools/immigration/mpp/>.

<sup>204</sup> Aria Jones, “Legal Organization Moves to Juárez, El Paso to Provide Services to Immigrants in Mexico,” *El Paso Times*, July 26, 2019, <https://www.elpasotimes.com/story/news/2019/07/26/legal-services-help-el-paso-juarez-catholic-legal-immigration-network/1777867001/>.

<sup>205</sup> “Mexico Travel Advisory,” U.S. Department of State, accessed October 20, 2019, <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/mexico-travel-advisory.html>.

<sup>206</sup> Ibid.

<sup>207</sup> Adolfo Flores, “Immigration ‘Tent Courts’ Aren’t Allowing Full Access to the Public, Attorneys Say,” *Buzzfeed News*, January 13, 2020, <https://www.buzzfeednews.com/article/adolfoflores/immigration-tent-courts-arent-allowing-full-public-access>.

<sup>208</sup> “Delivered to Danger: Trump Administration sending asylum seekers and migrants to danger,” Human Rights First, accessed April 13, 2020, <https://deliveredtodanger.org/>.

- 
- <sup>209</sup> Tom Wong, "Seeking Asylum: Part 2," U.S. Immigration Policy Center, UC San Diego, October 29, 2019, <https://usipc.ucsd.edu/publications/usipc-seeking-asylum-part-2-final.pdf>.
- <sup>210</sup> "No Way Out: The Humanitarian Crisis for Migrants and Asylum Seekers Trapped Between the United States, Mexico and the Northern Triangle of Central America," Doctors Without Borders, February 2020, [https://www.doctorswithoutborders.org/sites/default/files/documents/Doctors%20Without%20Borders\\_No%20Way%20Out%20Report.pdf](https://www.doctorswithoutborders.org/sites/default/files/documents/Doctors%20Without%20Borders_No%20Way%20Out%20Report.pdf).
- <sup>211</sup> "Delivered to Danger: Trump Administration sending asylum seekers and migrants to danger," Human Rights First, accessed March 9, 2020, <https://deliveredtodanger.org/>.
- <sup>212</sup> Camilo Montoya-Galvez, "I fear for our lives': Asylum seekers forced to wait in Mexico face danger and desperation," *CBS News*, August 13, 2019, <https://www.cbsnews.com/news/remain-in-mexico-asylum-seekers-forced-to-wait-in-mexico-face-danger-and-desperation/>.
- <sup>213</sup> "Delivered to Danger: Trump Administration sending asylum seekers and migrants to danger," Human Rights First, accessed April 13, 2020, <https://deliveredtodanger.org/>.
- <sup>214</sup> Ibid.
- <sup>215</sup> Ibid.
- <sup>216</sup> Alexandra Villarreal, "Trump Policy Puts Migrants in Danger in Mexico, Advocates Say," *NBC New York*, October 21, 2019, <https://www.nbcnewyork.com/news/national-international/Asylum-Seeker-Migrant-Protection-Protocols-Raped-Pregnant-563171401.html>.
- <sup>217</sup> "Delivered to Danger: Trump Administration sending asylum seekers and migrants to danger," Human Rights First, accessed April 13, 2020, <https://deliveredtodanger.org/>.
- <sup>218</sup> Taylor Levy, interviewed by Emma Israel, by phone, October 24, 2019.
- <sup>219</sup> June S. Beittel, "Mexico: Organized Crime and Drug Trafficking Organizations," Congressional Research Service, December 20, 2019, <https://fas.org/sgp/crs/row/R41576.pdf>.
- <sup>220</sup> Ira Glass, "688: The Out Crowd," *This American Life* (podcast), November 17, 2019, <https://www.thisamericanlife.org/688/the-out-crowd>.
- <sup>221</sup> "Delivered to Danger: Illegal Remain in Mexico Policy Imperils Asylum Seekers' Lives and Denies Due Process," Human Rights First, accessed April 13, 2020, <https://www.humanrightsfirst.org/sites/default/files/PubliclyReportedMPPAttacks-21Jan2020.pdf>.
- <sup>222</sup> Kennji Kizuka (@KennjiKizuka), "Cartel members were in the Nuevo Laredo office of Mexican migration openly abducting asylum seekers just returned by CBP from their court hearings at the US port of entry. This woman managed to hide in the bathroom w/ her daughter to call a local pastor for help." Twitter Post, November 8, 2019, <https://twitter.com/KennjiKizuka/status/1192907053595009026>.
- <sup>223</sup> John Burnett, "Criminals Target Migrants in Mexico Seeking U.S. Asylum," *National Public Radio*, August 27, 2020, <https://www.npr.org/2019/08/27/754489426/criminals-target-migrants-in-mexico-seeking-u-s-asylum>.
- <sup>224</sup> "Secuestraron Federales a Migrante," *El Diario de Juárez*, June 18, 2019, <https://diario.mx/Juárez/secuestraron-federales-a-migrante-20190618-1528960.html>.
- <sup>225</sup> Ira Glass, "688: The Out Crowd," *This American Life* (podcast), November 17, 2019, <https://www.thisamericanlife.org/688/the-out-crowd>; Emily Green, "Trump's Asylum Policies Sent Him Back to Mexico. He Was Kidnapped Five Hours Later by a Cartel," *Vice*, September 16, 2019, [https://www.vice.com/en\\_us/article/pa7kkg/trumps-asylum-policies-sent-him-back-to-mexico-he-was-kidnapped-five-hours-later-by-a-cartel](https://www.vice.com/en_us/article/pa7kkg/trumps-asylum-policies-sent-him-back-to-mexico-he-was-kidnapped-five-hours-later-by-a-cartel).
- <sup>226</sup> David Alire Garcia, "Salvadoran man murdered in Mexico waiting U.S. asylum hearing," *Reuters*, December 12, 2020, <https://www.reuters.com/article/us-usa-immigration-el-salvador/salvadoran-man-murdered-in-mexico-waiting-u-s-asylum-hearing-idUSKBN1YH0AO>.
- <sup>227</sup> "Catholic priest murdered in Tamaulipas is the first this year," *Mexico Daily News*, August 24, 2019, <https://mexiconewsdaily.com/news/catholic-priest-murdered-in-tamaulipas/>.
- <sup>228</sup> "Delivered to Danger: Trump Administration sending asylum seekers and migrants to danger," Human Rights First, accessed December 5, 2019, <https://deliveredtodanger.org/>.
- <sup>229</sup> "MPP Guiding Principles," U.S. Department of Homeland Security, January 28, 2019, <https://www.cbp.gov/sites/default/files/assets/documents/2019-Jan/MPP%20Guiding%20Principles%201-28-19.pdf>.
- <sup>230</sup> *Ley de Migración*, Cámara de Diputados del H. Congreso de La Unión, May 25, 2011, Art. 2.
- <sup>231</sup> "Mitos y realidades sobre las personas migrantes y refugiadas," Gobierno de México, accessed April 20, 2020, [https://www.conapred.org.mx/userfiles/files/Mitos%20y%20realidades\\_personasMyR.pdf](https://www.conapred.org.mx/userfiles/files/Mitos%20y%20realidades_personasMyR.pdf).
- <sup>232</sup> Kate Morrissey, "San Diego Nonprofit's Legal Help a Tiny Dent in Asylum Aid Needed," *The San Diego Union-Tribune*, July 28, 2019, <https://www.sandiegouniontribune.com/news/immigration/story/2019-07-27/san-diego-attorneys-take-on-remain-in-mexico-asylum-cases-a-drop-in-the-bucket-of-legal-help-needed>.

---

<sup>233</sup> Ibid.

<sup>234</sup> Ibid.

<sup>235</sup> “‘Estamos Unidos,’ We Are United: CLINIC to Launch Legal Guidance,” CLINIC, July 1, 2019, <https://cliniclegal.org/news/estamos-unidos-we-are-united-clinic-launch-legal-guidance-program-border-ciudad-juarez>.

<sup>236</sup> *Ley de Asistencia Social: Prestación de Servicios de Asistencia Social Para Niños, Niñas y Adolescentes en Situación de Riesgo y Vulnerabilidad*, Secretaría de Salud, Gobierno de Mexico, <http://www.dof.gob.mx/normasOficiales/4318/salud/salud.htm>.

<sup>237</sup> Muzaffar Chishti and Jessica Bolter, “Interlocking Set of Trump Administration Policies at the U.S.-Mexico Border Bars Virtually All from Asylum,” Migration Policy Institute, February 27, 2020, <https://www.migrationpolicy.org/article/interlocking-set-policies-us-mexico-border-bars-virtually-all-asylum>.

<sup>238</sup> “Asylum Processing and Waitlists at the U.S.-Mexico Border,” Strauss Center, University of Texas at Austin and Center for U.S.-Mexican Studies, University of California San Diego, December 2018, [https://www.strausscenter.org/images/strauss/18-19/MSI/AsylumReport\\_190308.pdf](https://www.strausscenter.org/images/strauss/18-19/MSI/AsylumReport_190308.pdf).

<sup>239</sup> Alejandro Lazo, “Mexican Shelters Strained by Migrants Struggle With U.S. Returnees,” *Wall Street Journal*, June 17, 2019, <https://www.wsj.com/articles/mexican-shelters-strained-by-migrants-struggle-with-u-s-returnees-11560763802>).

<sup>240</sup> “Delivered to Danger: Illegal Remain in Mexico Policy Imperils Asylum Seekers’ Lives and Denies Due Process,” Human Rights First, August 2019, <https://www.humanrightsfirst.org/sites/default/files/Delivered-to-Danger-August-2019%20.pdf>.

<sup>241</sup> “Mexico: Risks at Border for Those With Disabilities,” Human Rights Watch, October 29, 2019, <https://www.hrw.org/news/2019/10/29/mexico-risks-border-those-disabilities#>.

<sup>242</sup> Fernanda Echavari and Julia Lurie, “Asylum at the Border Is Over—and Mexico Is Turning Factories into Shelters to Clean Up Trump’s Mess,” *Mother Jones*, November 28, 2019, <https://www.motherjones.com/politics/2019/11/asylum-at-the-border-is-over-and-now-mexico-is-building-shelters-in-old-factories-to-clean-up-trumps-mess/>.

<sup>243</sup> Ibid.

<sup>244</sup> “Delivered to Danger: Trump Administration sending asylum seekers and migrants to danger,” Human Rights First, accessed March 9, 2020, <https://deliveredtodanger.org/>.

<sup>245</sup> “Explore Matamoros,” Brownsville South Padre International Airport, accessed April 30, 2020, <https://flybrownsville.com/explore/matamoros-tamaulipas-mex/>.

<sup>246</sup> “Mexico says U.S. returning sharply fewer migrants under ‘Remain in Mexico,’” *Reuters*, February 12, 2020, <https://www.reuters.com/article/us-usa-immigration-mexico/mexico-says-us-returning-sharply-fewer-migrants-under-remain-in-mexico-idUSKBN20622B>; “Marking One Year of the Horrific ‘Remain in Mexico’ Policy – Over 800 Violent Attacks on Asylum-Seekers,” Human Rights First, January 20, 2020, <https://www.humanrightsfirst.org/press-release/marking-one-year-horrific-remain-mexico-policy-over-800-violent-attacks-asylum-seekers>.

<sup>247</sup> Ibid.

<sup>248</sup> “Solicitaría Mario López apoyo al Estado y Federación, en caso de incremento de migrantes en Matamoros,” Gobierno Municipal de Matamoros, June 15, 2019, <http://matamoros.gob.mx/wp/solicitaria-mario-lopez-apoyo-al-estado-y-federacion-en-caso-de-incremento-de-migrantes-en-matamoros/>.

<sup>249</sup> “Details on MPP (Remain in Mexico) Deportation Proceedings,” TRAC, Syracuse University, accessed April 27, 2020, <https://trac.syr.edu/phptools/immigration/mpp/>.

<sup>250</sup> “Analizan abrir nuevo albergue para migrantes,” *Laredo Morning Times*, June 26, 2019, <https://www.lmtonline.com/lmtenespanol/article/Analizan-abrir-nuevo-albergue-para-migrantes-14052664.php>.

<sup>251</sup> Carlos Figueroa, “En un mes devuelven por Nuevo Laredo a más de 3 mil centroamericanos,” *La Jornada*, August 6, 2019, <https://www.jornada.com.mx/2019/08/06/politica/005n2pol>.

<sup>252</sup> Erica Evans, “A pastor was kidnapped. White tents go up. In Nuevo Laredo, the border crisis is reaching a tipping point,” *Deseret News*, August 22, 2019, <https://www.deseret.com/2019/8/22/20828880/nuevo-laredo-mexico-border-crisis-immigration>.

<sup>253</sup> Ibid.

<sup>254</sup> “Details on MPP (Remain in Mexico) Deportation Proceedings,” TRAC, Syracuse University, accessed April 27, 2020, <https://trac.syr.edu/phptools/immigration/mpp/>.

<sup>255</sup> “Cierran albergue de migrantes en Tijuana por cuestiones de salubridad,” *Telemundo 20*, December 1, 2018, <https://www.telemundo20.com/noticias/destacados/caravana-migrantes-cierre-albergue-temporal-Benito-Juarez-falta-salubridad-Tijuana-Mexico-501716701.html>.

---

<sup>256</sup> “Tijuana pide a gobierno hacerse cargo de migrantes devueltos,” *La Jornada*, January 26, 2019, <https://jornada.com.mx/sin-fronteras/2019/01/26/tijuana-exige-a-gobierno-federal-hacerse-cargo-de-migrantes-devueltos-por-eu-2197.html>.

<sup>257</sup> Ibid.

<sup>258</sup> “Migrantes en Albergues en las Ciudades Fronterizas del Norte de México,” El Colegio de la Frontera Norte (COLEF), April 14, 2020, <https://www.colef.mx/estudiosdecolef/migrantes-en-albergues-en-las-ciudades-fronterizas-del-norte-de-mexico/>.

ISBN: 978-1-951006-13-6



The University of Texas at Austin

**Strauss**  
C E N T E R  
for International Security and Law