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MEXICO'S MIGRATORY DETENTION SYSTEM

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Mexico's Migratory Detention System

Project Directed by
Stephanie Leutert

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The Colegio de la Frontera Norte (COLEF) participated in the project through the pioneering Research Center, which studies migration throughout Mexico and works closely with FM4 Paso Libre. COLEF's involvement in this project created the possibility to continue fostering greater understanding around migration, provide information for decision makers working on these topics, and sensitize communities regarding migration.

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Table of Acronyms

COMAR	Mexican Commission of Refugee Assistance (<i>Comisión Mexicana de Ayuda a Refugiados</i>)
CCINM	Citizen's Council for the National Migration Institute, Mexico (<i>Consejo Ciudadano del Instituto Nacional de Migración</i>)
CNDH	National Commission on Human Rights, Mexico (<i>Comisión Nacional de los Derechos Humanos</i>)
DIF	National System for Integral Family Development, Mexico (<i>Sistema Nacional para el Desarrollo Integral de la Familia</i>)
INM	National Institute of Migration, Mexico (<i>Instituto Nacional de Migración</i>)
INSYDE	The Institute for Security and Democracy in Mexico
IOM	International Organization for Migration
LM	The Migratory Act (<i>Ley de Migración</i>)
MS-13	Mara Salvatrucha
NTCA	Northern Triangle of Central America
OPI	Child Protection Officers (<i>Oficiales de Protección a la Infancia</i>)
PFS	Programa Frontera Sur
PGR	Federal Attorney General, Mexico (<i>Procuraduría General de la República</i>)
SEGOB	Ministry of the Interior, Mexico (<i>Secretaría de Gobernación</i>)
UNHCR	United Nations High Commissioner for Refugees

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

This report examines the evolution of Mexico's migratory detention system, particularly with respect to legislative changes in 2008 and 2011 that decriminalized migration. Until 2008, irregular migration was a criminal offense, punishable with fines and jail time. In 2008, Mexican policymakers removed the prison sentences attached to irregular migration and turned it into an administrative infraction. This change was solidified in the 2011 Migratory Act. However, despite Mexico's decriminalization of irregular migration, migrants continue to be detained in prison-like detention centers. This report examines Mexico's current detention system and evaluates detention conditions across the country.

The report's first chapter outlines the regional context behind Central American migration and the forces driving Central Americans into Mexico. The second chapter analyzes the legal frameworks that have shaped the detention system, focusing on the disconnect between detention center operations and the language outlined in the 2011 Migratory Act. For example, the Mexican Constitution states that individuals should not be deprived of their liberty for committing administrative infractions. However, Mexican officials continue to use the detention system to detain people who commit administrative infractions related to migration laws.

The third chapter explores the current structure of Mexico's detention system. In 2005, Mexico's detention system expanded its capacity from 2,000 individuals to more than 4,000 today. The highest concentrations of detention facilities are along Mexico's southern and northern borders. However, there are 'other points' of processing throughout the country, where INM detains migrants sometimes hours away from the nearest detention center. This report uses INM data to track detention times for migrants, with most Central Americans spending approximately a week in detention before being deported.

The fourth chapter details conditions within these detention centers. Despite the 2011 Migratory Act containing language regarding migrants' rights in detention, conditions in detention centers vary widely across states, due to the lack of enforceable standards and little internal monitoring. There are numerous instances of migrants having inadequate food, hygiene, medical and legal support, and interpreters. High-risk groups such as women, indigenous people, children, and LGBTI individuals are not always guaranteed their legally mandated rights and protections.

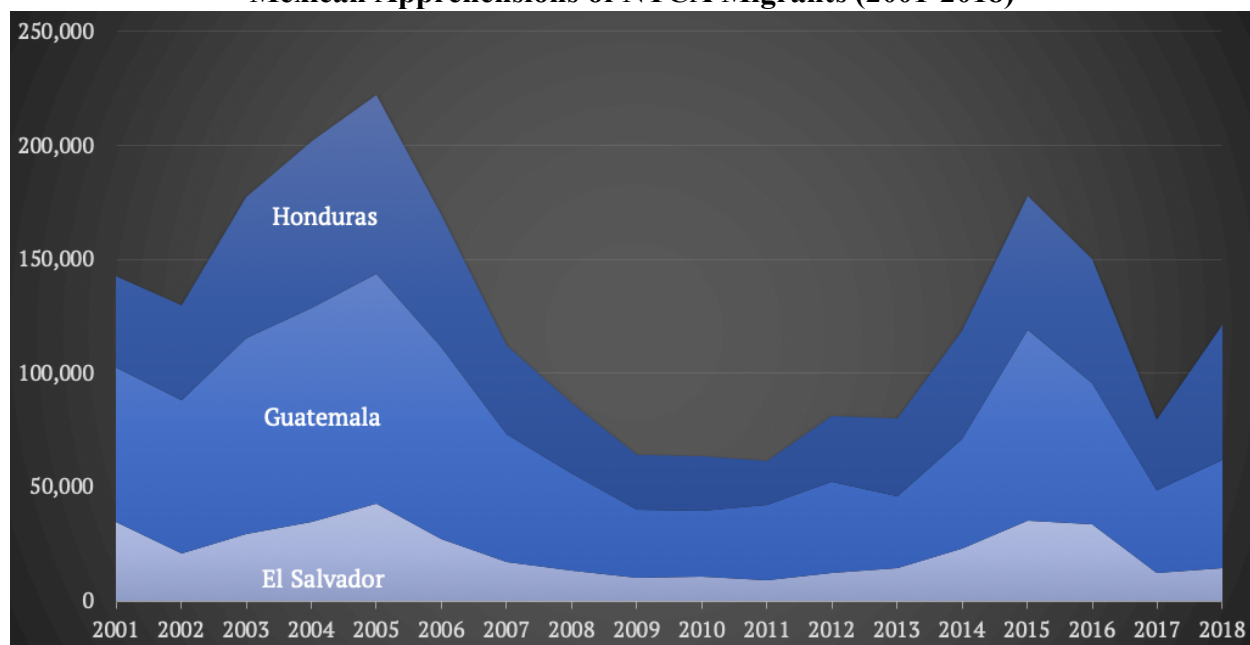
This report concludes with recommendations for improvements in three areas: 1) aligning penalties for irregular migration with those of other administrative infractions; 2) ensuring that conditions and practices in detention centers are consistent with the Migratory Act; and 3) standardizing data reporting practices across states to increase the amount of publicly available data. Together, these recommendations aim to take the first steps toward improving Mexico's migratory detention system.

Chapter 1: Current Migratory Context

For decades, migrants from El Salvador, Guatemala, and Honduras have entered or transited through Mexico.¹ Over the past six years, the numbers of people moving through Mexico increased toward historic highs. In 2019, an estimated 700,000 people will leave these three countries, also known as the Northern Triangle of Central America (NTCA), and enter Mexico, with more families, unaccompanied children, LGBTQ individuals, and members of high risk groups than ever before.²

Mexico has generally responded to Central American migration through stronger immigration enforcement. This approach has included policies such as the 2001 Southern Plan and the 2014 Southern Border Program and has increased the number of irregular migrant apprehensions. In turn, the hundreds of thousands of apprehensions have reinforced Mexico's reliance on migrant detention and deportation processes, as every apprehended individual passes through Mexico's detention system.

Graph 1
Mexican Apprehensions of NTCA Migrants (2001-2018)



Source: Secretaría de Gobernación (SEGOB)

The following paragraphs outline country conditions in El Salvador, Guatemala, and Honduras, and provide the context for why people migrate out of this region. Migrants' reasons for leaving their homes are diverse and complex, involving issues such as development challenges, citizen security, and organized crime. Until improvements occur across these areas, the ongoing challenges will continue to encourage thousands of Central Americans to travel north.

Migration from the Northern Triangle

El Salvador

Over the past four decades, El Salvador's political context has significantly influenced its migratory history. In 1979, El Salvador began a 13 year civil war between pro- and anti-government forces that killed 75,000 people and displaced another one million (a fifth of the population at the time).³ During the civil war, some victims were displaced within El Salvador, while others fled north to Mexico, the United States, Canada, and Australia.⁴ By 1982, the El Salvador Committee for Human Rights estimated that between 175,000 and 300,000 Salvadorans were living in Mexico.¹⁵ In 1990, an estimated 465,000 Salvadorans were living in the United States.⁶

Salvadorans who reached the United States and settled in California faced new challenges, including discriminatory housing policies that marginalized immigrant communities. Segregation and poor local security facilitated gang activity, and the groups formed alliances along racial, ethnic, and regional lines. Two of these gangs were the notorious Mara Salvatrucha (MS-13) and the Barrio 18 gang, which both began in Los Angeles, California in the 1980s. MS-13 was formed by a group of Salvadorans who fled the country during the civil war and encountered gang activity in U.S. prisons and neighborhoods. Their name pays homage to their Salvadoran roots and the Mexican Mafia, an early ally.⁷ Barrio 18, whose name comes from seven neighborhood blocks just south of I-10 in Los Angeles, also drew recruits from Salvadoran refugees.

In the late 1990s, these gangs gained influence and a membership base back in Central America. Part of this shift came from the United States' 1996 Illegal Immigration Reform and Immigrant Responsibility Act, which prioritized deportations for immigrants with criminal convictions, including gang affiliations. Thousands of deported Salvadoran gang members returned to El Salvador to find their country destabilized by decades of conflict, awash with weapons, and reeling from tens of thousands of deaths during the civil war. El Salvador's instability created a space for MS-13 and Barrio 18 to spread across El Salvador and eventually Mexico, Guatemala, and Honduras.

El Salvador is the smallest and most densely populated country in Central America, with 72 percent of its population living in urban centers.⁸ MS-13 and Barrio 18 function like small states in these areas, controlling physical territory and raising revenue by extorting small businesses. Many Salvadorans choose to migrate after gang members directly threaten them or their loved ones. For boys and young men, these threats may revolve around forced gang membership, while for young women, it can be related to demands that the girl act as a gang member's girlfriend. Additionally, any Salvadoran that fails to pay an extortion fee is threatened with death.

ⁱ At the time, Mexico was not a signatory of the United Nations 1951 Refugee Convention, and it refused to recognize Salvadorans as refugees. From 1980 until 1997, Mexican migration authorities deported Salvadorans living in the country.

Guatemala

Similar to El Salvador, the beginning of Guatemala's migration history to the United States is intertwined with its 36 year-long civil war (1960-1996). Guatemala has a large indigenous population, with 40 percent of Guatemalans identifying as Indigenous Maya, and 30.9 percent of Guatemalans speaking 1 of the 23 indigenous Guatemalan languages.⁹ During the civil war, Guatemala's right-wing government clashed with indigenous communities after leftist guerrilla groups challenged the country's dictatorship. The military began targeting Mayan communities as enemies of the state, prompting indigenous refugees to flee mass persecution. By 1985, an estimated 46,000 Guatemalans had settled in refugee camps set up along Mexico's southern border.¹⁰ In total, Guatemala's civil war left 200,000 dead, with 83 percent of them being indigenous Maya.ⁱⁱⁱ¹

After the war ended in 1996, the Guatemalan government failed to restore economic stability and generate social capital. As of 2018, 29 percent of Guatemalans worked in agriculture, predominantly cultivating sugar, coffee, bananas, and vegetables.¹² This predominance of agricultural activities across the country makes farmers and entire communities vulnerable to the fluctuation of commodity prices and other factors such as climate change. In 2014, more than half of Guatemala's population was reported to be below the poverty line, and there are even higher poverty levels (79 percent) among indigenous communities.¹³

One example of the agricultural sector's vulnerability is in Guatemala's coffee industry. Coffee plantations are the largest employer of rural Guatemalans, and coffee workers struggle to navigate challenges such as low global coffee prices, outbreaks of the coffee plague (*la roya*), and unpredictable weather, which have all reduced the crop's profitability.¹⁴ Currently, coffee has become unprofitable in parts of Guatemala due to high production costs and the low global price of coffee. During previous years, Guatemalan laborers could mitigate some of this volatility by migrating to Mexico's southernmost state, Chiapas, during coffee harvest season to earn higher wages. However, since 2000, the value of the Mexican peso has declined and rendered this regional migration unprofitable for coffee workers.¹⁵ These shifts force Guatemalan laborers into other industries or to consider migrating beyond southern Mexico in order to earn a living.

Given these economic challenges, many Guatemalans rely on remittances as a source of income. In 2012, the Guatemalan office of the International Organization for Migration (IOM) reported that remittances accounted for around 11 percent of Guatemala's GDP.¹⁶ These remittances prop up households and communities, making it possible for families to make ends meet. They also perpetuate migration, with people (especially minors) leaving Guatemala to reunite with parents or family members who are living and working abroad. Young people may also consider migrating in order to send back remittances for their own families.

Beyond poverty, economic pressures, and family ties, Guatemalans in urban areas may also migrate because of violence and organized crime. Regional criminal groups in Honduras and El Salvador also exist in Guatemala and apply similar pressure to residents, especially those living in Guatemala City. Similar to Salvadoran migrants, Guatemalans may choose to leave after they receive a direct threat from an organized criminal group.

ⁱⁱ The war has been characterized as a genocide against the country's indigenous people.

Honduras

Large-scale Honduran migration began after October 1998, when Hurricane Mitch displaced approximately 1.5 million Hondurans (out of a total population of six million).¹⁷ The disaster not only forced Hondurans out of their homes, but also damaged the country's tobacco and banana plantations, causing long-term economic damage.¹⁸ Ninety percent of the banana crop was damaged and 17,000 workers lost their jobs.¹⁹ Despite state spending on development policies, the economy did not immediately recover and people began leaving the country. In 1990, 109,000 Hondurans were registered in the U.S. Census. By 2000, this number had increased to 283,000, and by 2010 it had doubled again to reach 523,000.²⁰

Since 2010, the number of Honduran migrants has remained high for a variety of reasons, including insecurity and a lack of economic opportunity.²¹ Organized crime has a strong presence in Honduras, including both transnational criminal groups such as MS-13 and Barrio 18, and lesser-known gangs like the Atlantic Cartel and the Cachiros. These groups traffic drugs through Honduras' ports and have helped keep the country's homicide rate among the world's highest.²² The violence provokes emigration from urban centers. From 2012 to 2017, the U.S. Border Patrol reported that the majority of Honduran families apprehended at the border were from two major cities: San Pedro Sula and Tegucigalpa.²³ Honduras also has the highest level of poverty among the three Northern Triangle countries, with a 2017 per capita GDP of US\$2,480. By comparison, Mexico's GDP per capita from the same year was almost four times higher at \$8,910.²⁴

Chapter 2: Legal Framework

The Constitution

Mexico's Constitution provides the legal foundation for protecting foreigners' rights and serves as the basis for all subsequent Mexican legislation. The most fundamental protections are outlined in Articles 1 and 33, which establish that Mexico must protect the human rights of anyone within the country's territory, regardless of their nationality. The Constitution also specifically includes that foreigners must be guaranteed access to public education and the right to unrestricted travel, as long as their presence in Mexico does not affect national interests.ⁱⁱⁱ

However, the Constitution also provides the basis for the country's migratory enforcement policy. Article 11 names the executive branch as the body that regulates foreigners' presence in Mexico and grants the branch the authority to regulate administrative proceedings on affairs related to foreigners.²⁵ Additionally, the executive branch is also given the responsibility of granting foreigners the right to seek refugee status or political asylum within Mexico.

Table 1
Migrants' Constitutional Rights in Mexico

Article	Description of Rights	Application
1	Establishes general human rights, both those enumerated by the Constitution and those ratified by international treaties. Mexican authorities have an obligation to protect human rights. Prohibits discrimination based on ethnicity, nationality, gender, age, social status, marital status, religion, sexual orientation, or medical conditions.	All individuals in Mexico
3	The right to access public education.	All individuals in Mexico
4	The child's best interest as a guiding policy principle.	All individuals in Mexico
11	The right to enter and leave the country. The right to travel without needing written permission. The subordination of these rights to judicial authorities, in cases of criminal or civil responsibility, and administrative authorities, in regard to emigration, immigration, or the country's general wellbeing. The right to seek asylum.	All individuals in Mexico
18	Individuals may only be deprived of liberty for committing a crime.	All individuals in Mexico

ⁱⁱⁱ National interests are defined as any threat to the nation and are subject to the executive branch's interpretation.

33	Grants foreigners all human rights enumerated by the Constitution. Grants the president the right to expel foreigners if in the nation's best interest.	Foreigners in Mexico
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1974 General Law of Population

The 1974 General Law of Population regulated both the volume and demographics of immigration into Mexico. Importantly, the law created criminal consequences for illegal entry and stay in the country, with penalties of up to two years in prison for illegal entry, and up to ten years in prison for illegal re-entries.²⁶ To enforce these provisions, the General Law of Population named the Ministry of the Interior (*Secretaría de Gobernación*, SEGOB) as the body responsible for regulating the entry, transit, and stay of foreigners in Mexico. While migration officials rarely enforced these penalties, there were reports of migration officials using them to extort detained migrants.²⁷

Table 2
Relevant Articles of Migration in General Law of Population of 1974

Article	Description of Crime	Consequence
118	A foreign national expelled from Mexico who re-entered without a permit, or who obtained permission to enter without disclosing a prior deportation.	Up to 10 years in prison.
119	A foreign national who obtained authorization to enter the country but legally violated administrative dispositions.	Up to 6 years in prison.
120	A foreign national who performed unauthorized activities.	Up to 18 months in prison.
121	A foreign national who violated the conditions of their stay through illegal or dishonest activities.	Up to 2 years in prison.
122	A foreign national who misrepresented themselves or their migratory status to the Ministry of the Interior.	Up to 5 years in prison.
123	A foreign national who illegally entered the country.	Up to 2 years in prison.
127	A Mexican national who married a foreign national in order for the latter to receive residency benefits; the penalty applies to both parties.	Up to 5 years in prison.

Source: 1974 General Law of Population

The 1974 General Law of Population also established the foundation for Mexico's migratory detention system. The Law named the General Directorate on Migration Services (*Dirección General de Servicios Migratorios*) within SEGOB as the authority in charge of processing cases of undocumented migrants.²⁸ This shifted in 1993, when SEGOB created the National Institute of Migration (*Instituto Nacional de Migración*, INM) to replace the General Directorate as the agency

in charge of migration enforcement and detention centers.²⁹ Article 71 of the General Law of Population also granted SEGOB the discretion to build and manage migratory detention centers across Mexico.³⁰ These detention centers were used to hold migrants while determining their legal status in the country.

2008 Amendments

In 2008, Mexico's Congress nullified the provisions in the General Law of Population that levied criminal penalties, especially prison sentences, on foreigners who illegally entered Mexico.³¹ Lawmakers amended Articles 118, 125, and 127 and converted the criminal penalties into monetary fines or administrative infractions. Lawmakers also repealed Articles 119 through 223, which imposed jail sentences for irregular migration.^{iv} These revisions made Mexican law consistent with international standards surrounding migrant protections and set the framework for the 2011 Migratory Act.

Table 3
Articles of General Law of Population and the Corresponding Amendments

General Law of Population (1974)	Amendments to General Law of Population (2008)
<p>Article 118. A foreign national expelled from Mexico who re-entered without a permit, or who obtained permission to enter without disclosing a prior deportation is subject to up to ten years in prison.</p>	<p>Article 118. A fine of up to 5,000 pesos will be imposed:</p> <p>If a foreigner re-enters Mexican territory without permission;</p> <p>If the foreigner does not state his/her deportation status when reapplying for permission to enter;</p> <p>If the foreigner is conducting activities without authorization of the Ministry of the Interior;</p> <p>If a foreigner enters Mexican territory without the proper documentation.</p>
<p>Article 119. A foreign national who obtained authorization to enter the country but legally violated administrative dispositions is subject to up to six years in prison.</p>	<p>Article 119. This article was repealed.</p>
<p>Article 120. A foreign national who performed unauthorized activities in Mexican territory without legal status is subject to up to 18 months in prison.</p>	<p>Article 120. This article was repealed.</p>
<p>Article 121. A foreign national who violated the conditions of their stay through illegal or dishonest activities is subject to up to two years in prison.</p>	<p>Article 121. This article was repealed.</p>

^{iv} See the full list of original penalties in Table 3.

Article 122. A foreign national who misrepresented themselves or their migratory status to the Ministry of the Interior is subject to up to five years in prison.	Article 122. This article was repealed.
Article 123. A foreign national who illegally entered the country is subject to up to two years in prison.	Article 123. This article was repealed.
Article 125.^y	Article 125. Any foreigner who commits violations described in Articles 115, 117, 118, and 138 will have their immigration status revoked and will be deported without the penalties assigned in these articles.
Article 127. A Mexican national who married a foreign national in order for the latter to receive residency benefits is subject to up to five years in prison. The penalty applies to both parties.	Article 127. Both parties are fined up to \$5,000 pesos if a Mexican national married a foreign national in order for the latter to receive residency benefits.

2011 Migratory Act

Mexican lawmakers passed the 2011 Migratory Act to regulate the entry, departure, transit, and stay of foreigners within the country's territory. The legislation aimed to overhaul the migratory system with an emphasis on protecting migrants' human rights. Similar to the 2008 amendments to the 1974 General Law of Population, the 2011 Migratory Act contained language that treated irregular migratory status in Mexico as an administrative infraction and not as a criminal offense. However, despite the changes in language, the general structure of the country's migration system remained intact.

For legislating migratory detention, this created a challenge. While Mexico's Constitution prohibits punishing administrative infractions with detention and loss of liberty, the 2011 Migratory Act continues to allow for migrants to be detained if they are found to be in the country without the appropriate documents. To avoid violating the Constitution, the Migratory Act uses a new vocabulary. In the Migratory Act, detention is called 'housing,' loss of liberty is called 'restriction of free transit,' and detention centers are 'migration stations.' These word choices allow INM to continue the same practice of detaining and deporting migrants, even though the Migratory Act makes irregular migration an administrative infraction. Table 2 compares the Constitution's vocabulary to the language used in the Migratory Act, and the practical definition of the terms.

^y The original text of the Ley General de Población does not include Article 125. Citation of the original text is included in the endnotes.

Table 4
Translations of Legal Language from the Migratory Act

Constitution	Translation	Migratory Act	Translation	Practical Definition
-	-	<i>Presentación</i>	Presentation	Arrest, apprehension
<i>Detención</i>	Detention	<i>Alojamiento</i>	Housing	Detention
<i>Privación de libertad</i>	Loss of liberty	<i>Restricción al libre tránsito</i>	Restriction of free transit	Loss of liberty
<i>Centros de detención</i>	Detention centers	<i>Estaciones migratorias</i>	Migration stations	Detention centers
<i>Centros de detención</i>	Temporary detention centers	<i>Estancias provisionales</i>	Provisional centers	Temporary detention centers
<i>Retorno asistido</i>	Assisted return	<i>Retorno asistido</i>	Assisted return	Voluntary deportation
<i>Deportación</i>	Deportation	<i>Deportación</i>	Deportation	Involuntary deportation

Requirements and Rights

The Migratory Act also requires that INM complies with the law's standards on a range of issues and upholds detainee rights.³² These issues include infrastructure requirements, basic rights, access to communication, legal pathways and procedures, and the duration of detention. Table 5 details these requirements and rights.

Table 5
2011 Migratory Act Requirements for Detention Centers

Category	Migratory Act Articles	Rights and Requirements
Infrastructure	106, 107	<p>Detention facilities must be suitable for detaining migrants.</p> <p>Facilities must not be overcrowded and must have cultural and recreational spaces.</p> <p>Men and women must have separate areas.</p> <p>Minors must wait in separate areas before staff send them to external facilities.</p>

Basic Rights	107, 109	<p>Detention facilities must provide medical, psychological, and legal services.</p> <p>All detainees have the right to receive food, basic goods for personal hygiene, and medical care, if necessary.</p> <p>Detainees have the right to participate in the recreational, educational, and cultural activities organized within the facilities.</p> <p>Detainees' belongings will be returned to them when they leave the facility.</p>
Communication	107, 109	<p>Detention facilities must permit detainees to access legal and consular representatives, as well as to receive visits from family members.</p> <p>All detainees have the right to access a telephone.</p> <p>All detainees who require a translator or interpreter will have the right to one.</p>
Legal Path and Process	109	<p>Detainees have the right to know their location, detention center rules, and any accessible public services. They also have the right to know why they are detained, and to competent and just representation.</p> <p>Detainees have the right to know whether they qualify for any forms of legal immigration status, as well as to request assisted return to their countries of origin and to appeal INM's ruling about their immigration case.</p> <p>Detainees should receive written communication and updates regarding their immigration case.</p> <p>Detainees have the right to exercise their rights and opportunities in an environment free of discrimination.</p> <p>Special protections apply to detainees within the following categories: ethnic or national origin, gender, age, disability, socioeconomic status, pregnancy, language, political opinion, and sexual orientation.</p>
Duration of Detention	111	<p>A detainee's migration status will be determined within a maximum of 15 business days starting from the date of their detention, unless:</p> <ul style="list-style-type: none"> - Their identity/nationality cannot be determined - Consulates need more time to process documentation - Another country or additional obstacle prevents transit - A mental/physical disability makes it impossible for the detainee to travel - Judiciary action relating to the detainee's migratory status has been filed, or an authority has filed habeas corpus and the detainee is prohibited from leaving Mexico <p>Even in the event of these exceptions, detainees may not be held for more than 60 business days.</p>

The Migratory Act and its implementing legislation also marked the first time that lawmakers enumerated guidelines for high-risk migrant populations in detention. These populations include women, families, unaccompanied children, and adults with special needs with each receiving extra protections. Table 6 highlights high-risk populations’ specific rights, such as separate living spaces, medical accommodations, and interpreters.

Table 6
Rights of High-Risk Populations

Population	Legislation	Article	Text
All	Migratory Act	71, 73, 107, 109, 110, 112, 113, 119, 122	INM will identify high-risk migrants and provide them with specific services.
	Implementing Legislation of the Migratory Act	176, 185, 187-190, 226, 230, 236	INM will identify high-risk migrants and provide them with specific services. Pregnant women, disabled adults, elderly persons, and other specific groups have the right to be transferred to specialized institutions that can support them.
Women	Migratory Act	107, 109	Men and women will have separate detention sections.
		110	All security and janitorial personnel in women’s areas will be female.
	Implementing Legislation of the Migratory Act	226, 236	Men and women will have separate detention sections.
		236	In women’s dormitories, security, surveillance, and janitorial staff will be exclusively female.
Families	Migratory Act	107, 109, 110	Children will stay with parents in a separate space.
	Implementing Legislation of the Migratory Act	226, 230	Children will stay with parents in a separate space.
	Implementing Legislation of the General Law of Girls, Boys, and Adolescents	111	Minors should never be detained in detention centers, regardless of whether they are accompanied by an adult or unaccompanied.
Unaccompanied Minors	Migratory Act	107, 109	Unaccompanied children and adolescents will have a space that is separate from adults within the detention centers.

		112	Minors will be informed of their rights, available services, and will be put in contact with their country's consulate, unless the minor is seeking refugee status. Unaccompanied minors will be transferred to the National System for Integral Family Development (<i>Sistema Nacional para el Desarrollo Integral de la Familia</i> , DIF).
	Implementing Legislation of the Migratory Act	176, 226, 230	If INM detains a minor, INM must 1) Transfer the minor as soon as possible to a DIF shelter; or 2) Reunite the minor with their family. Minors must be held in a separate space from adults.
		230	If minors are detained in a detention center, they have the following rights: 1) Be transferred as soon as possible to adequate facilities; 2) Stay with their families; 3) Participate in recreational activities; 4) Engage in activities with other minors; 5) Receive the assistance of an authorized administrator who understands child protection rights.
Non-Spanish speakers	Migratory Act	14, 70, 109, 119, 122	Migrants who do not speak Spanish have the right to an interpreter in all interactions with INM.
	Implementing Legislation	222, 226, 238	Migrants who do not speak Spanish have the right to an interpreter in all interactions with INM.

The Migratory Act also outlines detainees' legal obligations. These include honestly completing the intake questionnaire, respecting authority figures and rules, and not putting anyone at risk.³³ If a detainee does not comply with these obligations, they may face verbal admonishment and temporary separation from others.³⁴

Monitoring and Evaluation in Detention Centers

To ensure that these standards are met, Article 23 of the 2011 Migratory Act establishes the basis for an Evaluation Center. The Center's mission includes periodic monitoring and evaluation of detention centers, reviewing INM officers, recommending training areas, and identifying issues with administrative procedures, among others. Additionally, Article 25 of the law also specifies that INM officials must partake in education, training, and professionalization programs that discuss human rights standards.³⁵

Chapter 3: Current Snapshot of Detention Centers

When INM apprehends irregular migrants in Mexican territory, the agency processes and holds them in one of several types of detention facilities. Migrants stay in these facilities while INM agents establish their legal status and potential eligibility to remain in Mexico. Migrants leave the detention centers when INM either departs them or provides them with legal documents to remain in Mexico. The following section will discuss INM's various processing and detention centers, the average amount of time that detainees spend in INM custody, and alternatives to detention.^{vi}

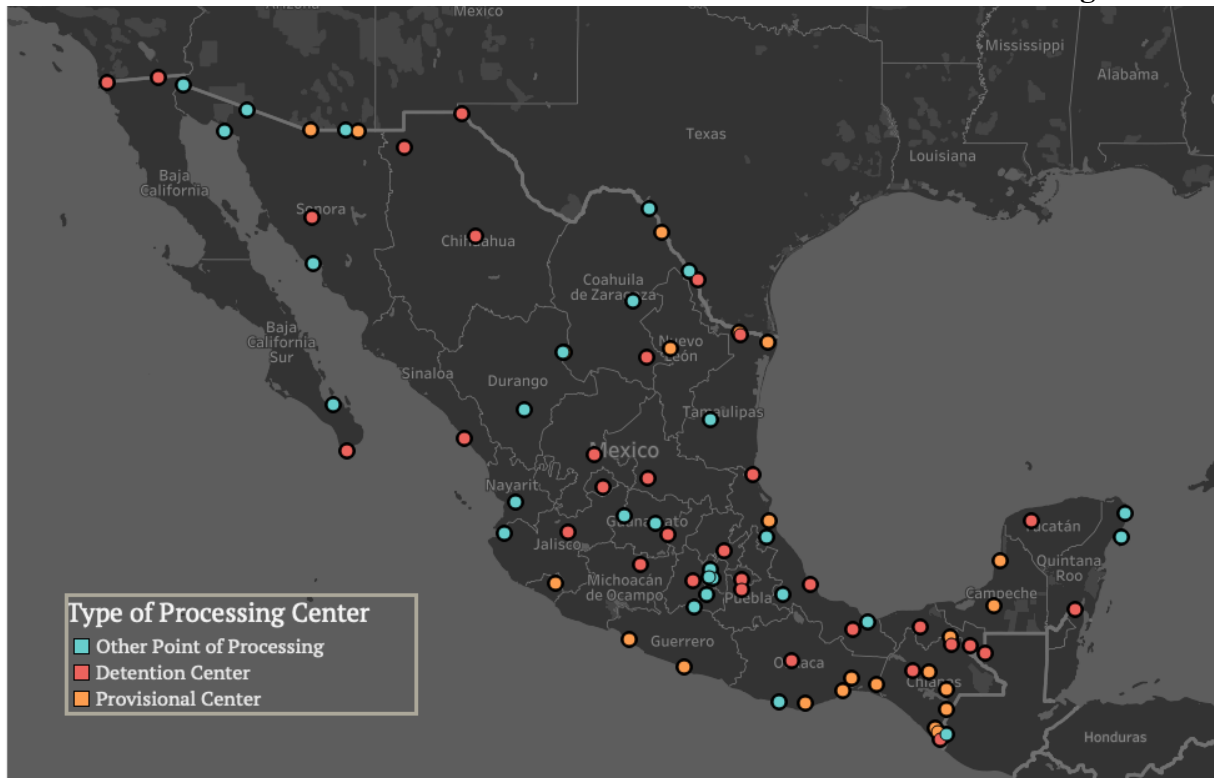
Other Processing Points

The smallest INM apprehension and processing points are temporary outposts commonly known as *volantas*. Typically, these points are located along major roads at the entrances and exits of cities and between Type A and B provisional centers (which will be discussed later in this section). The points do not have much infrastructure or personnel, and at times may consist of only an INM truck and several agents. The INM officers operating at these points apprehend and hold groups of people before transferring them to a detention facility at the end of the business day.³⁶

Until December 2017, INM detention data had a category labeled "Other processing points" (*otros puntos*, or OPs). According to a transparency request filed in February 2019, these points were used only for registering apprehended migrants before they were immediately transported to a larger detention center.³⁷ While INM did not clarify whether they labeled *volantas* as other processing points, the interviews and additional data used in this report suggest that they are synonymous. Map 1 shows the location of these other processing points, compared to shorter-term provisional centers and long-term detention facilities. The distance between some of the OPs and the closest detention facilities is notable, as it brings into question the practicality of transferring each migrant to a detention facility on the same day that they are apprehended.

^{vi} This section contains maps that show the location of detention facilities. For a complete list of facilities and their capacities, see Appendix 2.

Map 1
Locations of Official Detention Centers and Other Points of Processing



Source: Transparency request, INM

Provisional Centers

Provisional centers are short-term migratory detention centers and are located across the entire country, with the highest concentrations in the southern states of Chiapas and Oaxaca. Most of these facilities are small and can hold approximately 10 to 20 people. The largest provisional facility is in the state of Chiapas and can accommodate 120 people. While the second and third largest facilities are located in the states of Oaxaca and Chiapas, with a capacity for about 50 people.

There are two types of provisional facilities, Type A and Type B provisional centers. Type A provisional centers allow for stays of up to 48 hours and Type B provisional centers permit stays of up to seven business days.³⁸ As of October 2018, INM reported that there were 26 provisional detention centers in Mexican territory, including 14 Type A centers and 12 Type B centers.^{vii39} If a migrant will remain in INM custody for more than these allotted times, the Migratory Act requires that they be transferred to a longer-term detention center.

^{vii} According to INM transparency requests, six of Mexico's 26 provisional centers lack "adequate conditions to provide services to migrants" and are currently not operating. These provisional centers are located in Torreón, Coahuila; Monterrey, Nuevo León; Ciudad Miguel Alemán, Tamaulipas; Acapulco, Guerrero; Nogales, Sonora; and Tuxpan, Veracruz.

Map 2
Locations of Provisional Centers in Mexico



Source: Transparency request, INM, October 2018

According to the Migratory Act and its implementing legislation, detainees' rights extend to provisional detention centers. Upon arrival to a provisional center, detainees should be screened for special risks and provided with access to interpreters and health services. However, provisional centers are not equipped for longer-term stays, so these facilities generally offer limited services. Some provisional centers, such as those near Tapachula and Tonalá, on the Pacific coast of Chiapas, are only cells. In these centers, there may be no services for individuals with health issues or for individuals who have been victims of a crime.⁴⁰

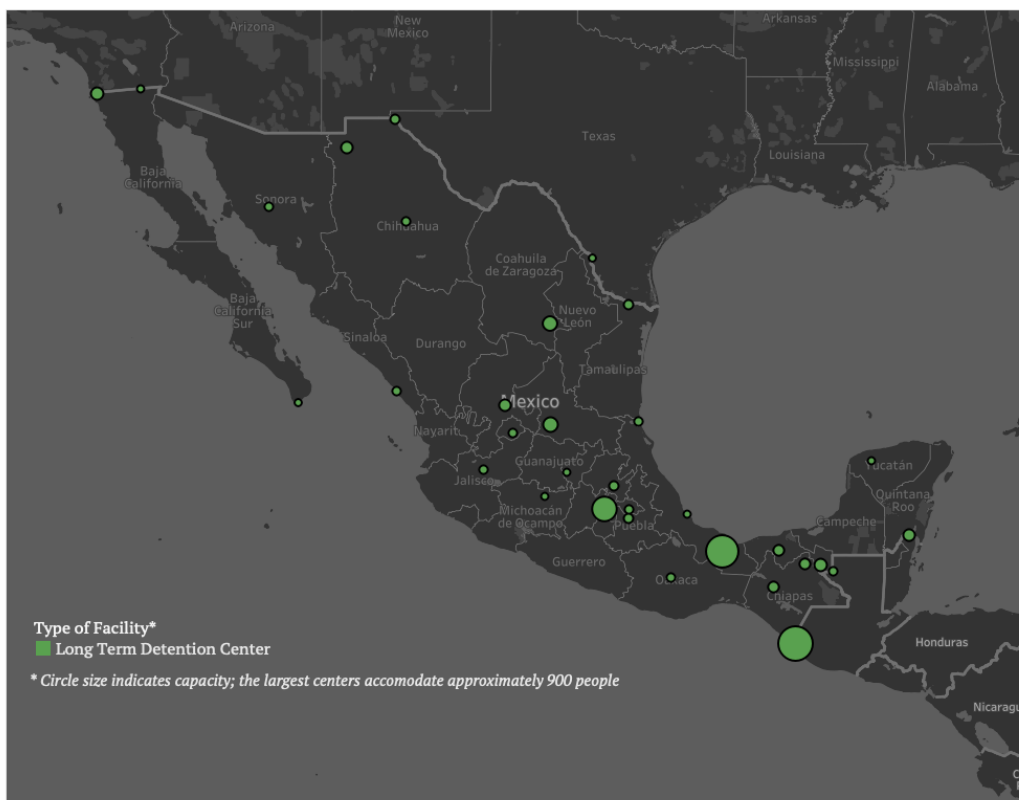
Detention Centers

Detention centers are larger than provisional centers and designed for longer-term detention. If a migrant's legal status remains undetermined following their stay in a provisional center, INM must transfer the individual to one of the country's detention centers. As of October 2018, there were 33 migrant detention centers operating across Mexico.^{viii41} These detention centers are located

^{viii} Of the 33 detention centers, four are non-operational due to not having "adequate conditions to provide services to migrants." These detention centers are located in Saltillo, Coahuila, Querétaro, Querétaro, Morelia, Michoacán, and Reynosa, Tamaulipas.

throughout the entire country, although the majority are in southern Mexico. The detention centers' capacity also varies. The smallest detention center is located in Los Cabos, Baja California and can accommodate only 18 individuals. Meanwhile, the largest detention centers in the country are located in Tapachula, Chiapas and Acayucan, Veracruz and can hold over 800 people.

Map 3
Locations of Detention Centers in Mexico



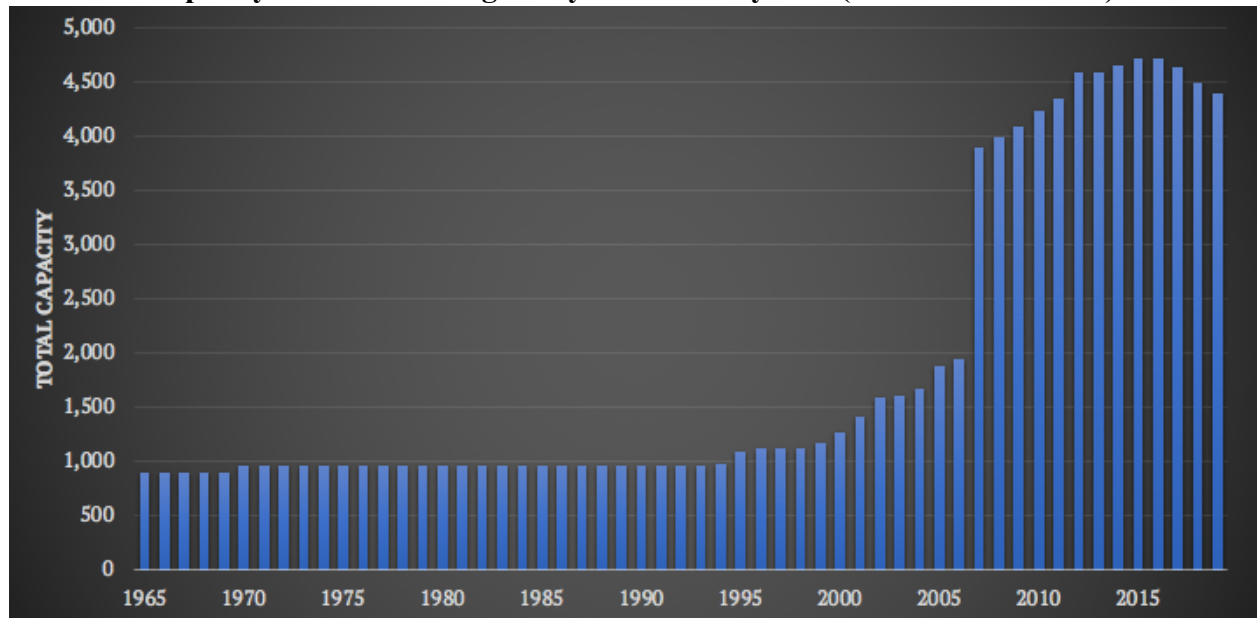
Source: Transparency request, INM, October 2018

The first migratory detention center was constructed in Mexico City in the 1960s.^{ix42} In the following decades, SEGOB built several more detention centers but the overall capacity remained relatively low. Until the early 2000s, Mexico only had the capacity to detain about 1,000 migrants at any given time. However, this low official capacity doesn't match the number of apprehensions that occurred in the early 2000s. For example, in 2002, INM reported apprehending 138,061 individuals, while Mexico's official detention center capacity for that year was 1,539 people.⁴³ Assuming that each apprehended person was detained for at least five days, this suggests either that detention centers were overcrowded or that INM held people in other locations.^x

^{ix} Some detention centers did not have a date for the start of operations. For the purposes of this analysis, it was assumed that they were built in the 1960s and that their capacity has remained stable.

^x In 2009, the average length of detention was 15 days, making this a conservative estimate.

Graph 2
Capacity of Mexico's Migratory Detention System (1965 - March 2019)



Source: Transparency request, INM, October 2018

Between 2002 and 2009, SEGOB built or modified more detention centers, with Mexico's detention center capacity peaking in 2015 and 2016 with space for more than 4,500 people. Yet, since 2017, Mexico's detention center capacity has decreased. Between 2017 and March 2019, INM closed ten centers (six provisional centers and four long-term detention centers) for failing to meet the minimum detention requirements.^{xi44} Table 7 outlines the detention facilities that were closed during this time period. However, although these detention centers are officially closed, they continue to be used as processing points, with INM agents using the facilities to complete administrative intake procedures and identify which nearby detention center has sufficient capacity to receive the individual.⁴⁵

Table 7
Detention Facilities that Suspended Operations (2017 - March 2019)

Year	Detention Center
2017	Querétaro, Querétaro Ciudad Miguel Alemán, Tamaulipas Torreón, Coahuila Monterrey, Nuevo León
2018	Saltillo, Coahuila
	Morelia, Michoacán

^{xi} The 2019 closures were announced on March 1, 2019, shortly after the Mexican news station Telemundo reported that migrants were being extorted in the Reynosa, Tamaulipas provisional center. The migrants stated that they had been held in the provisional center and were required to pay US\$3,500 to INM officials in order to leave.

2019	Acapulco, Guerrero Nogales, Sonora Tuxpan, Veracruz Reynosa, Tamaulipas
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Source: Transparency request, INM

Duration of Detention

Provisional Centers

Through a transparency request, INM provided data on every migrant's processing location and time spent in detention, from 2009 through 2017. However, this data only includes the initial point of processing and total detention time, without specifying how much time was spent in each detention facility. Therefore, it is impossible to determine how much time apprehended individuals are regularly spending in provisional centers. However, anecdotal evidence suggest that Mexican officials may not always stick to the mandated time limits for detention in provisional centers, which are either 48 hours or seven days (depending on their type).

In October 2018, an INM official based in Chiapas told this report's researchers that the time migrants spend in provisional centers "varies from one to two days, but depending on the person's situation it could take longer."^{xii46} Some of this variation depends on how long it takes to gather a large group of migrants within the provisional center, since INM officials will often wait until there is a sizeable group to transport them to a detention center (thereby reducing costs).⁴⁷ Yet there are also cases of migrants staying in provisional centers well beyond the legally mandated time periods. For example, in October 2018, a local NGO member in Tapachula, Chiapas, noted that there are cases where INM staff have allegedly held individuals who are violent or deemed problematic in provisional centers for weeks or even months.⁴⁸

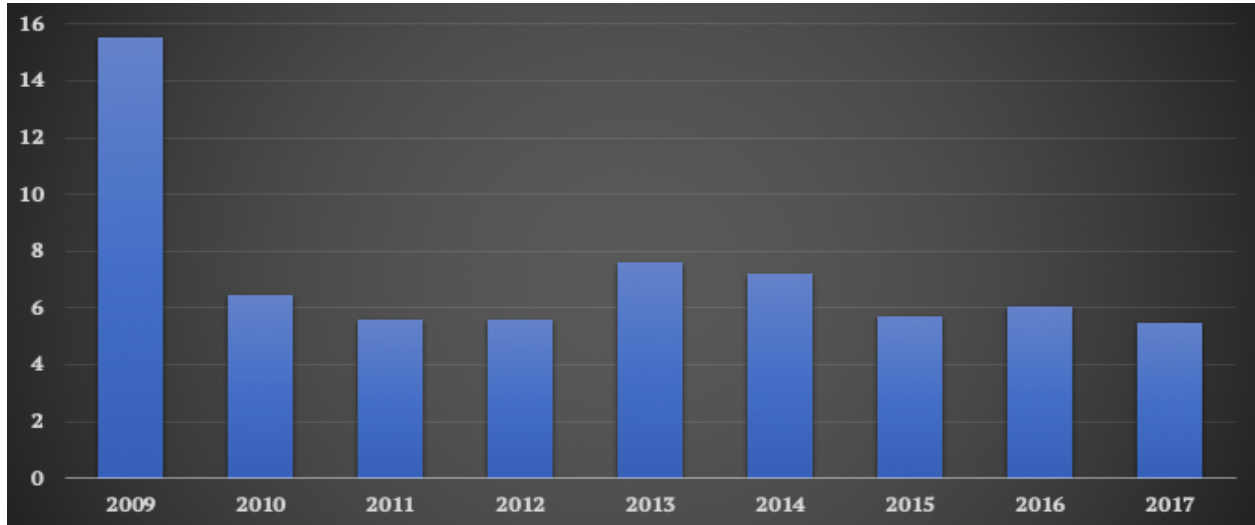
Detention Centers

According to the 2011 Migratory Act, irregular migrants may not be held in detention for longer than 15 business days, and only under extenuating circumstances can this time period be extended to 60 business days.⁴⁹ In general, most migrants are quickly deported, with individuals who are apprehended in southern Mexico generally being deported within three to five business days. However, the length of a migrant's detention can vary widely.⁵⁰ One common slowdown may come from consular bureaucracy, as the home country's officials confirm the migrant's identity and nationality.⁵¹ Similarly, if a migrant requests asylum, reports a crime, or if INM cannot ascertain his or her country of origin, then the migrant may spend weeks, or even months, in detention.⁵²

From 2010 to 2017, the average length of detention was between six and eight business days. The exception was in 2009, when the average detention length was approximately 15 business days. INM did not provide data prior to 2009, which makes it impossible to analyze whether this longer detention time was common prior to the decriminalization of irregular migration in 2008.

^{xii} Translation from Spanish: "Varía el tiempo, de uno a dos días, o depende de la situación de la persona. Puede demorar más."

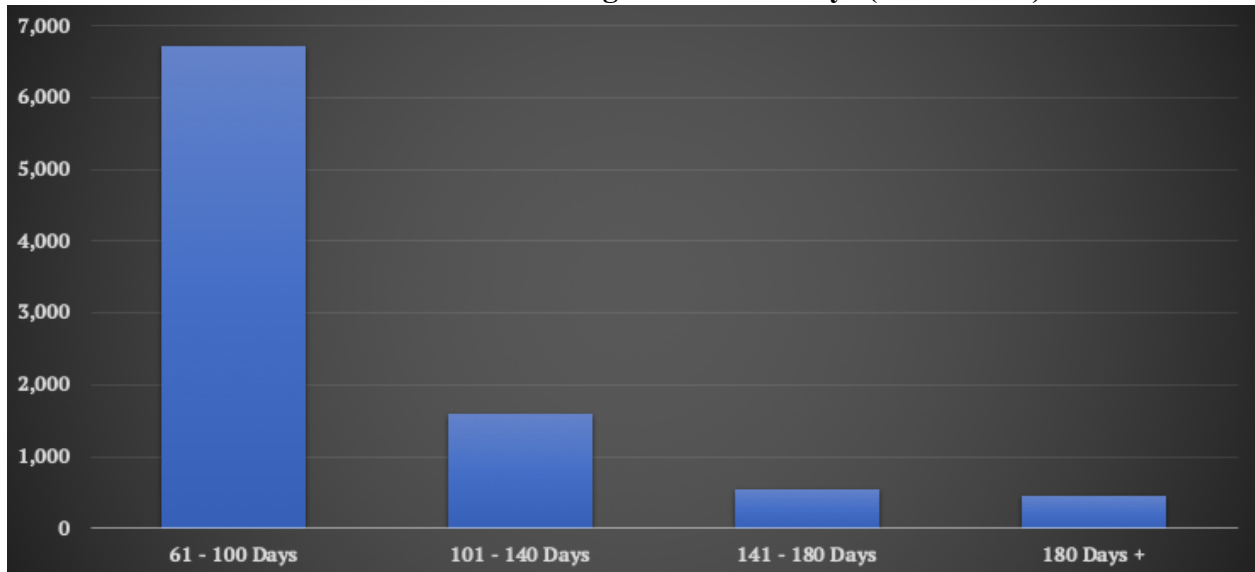
Graph 3
Average Length of Detention in Business Days (2009 - 2017)



Source: Transparency request, INM

Overall, migrants' average length of detention falls within the Migratory Act's requirements. However, there are instances of migrants being held for much longer periods of time. Graph 4 shows that between 2009 and 2017, 1.5 percent of all detentions exceeded 60 business days. Although this is the exception, it is notable because the Migratory Act explicitly prohibits that any individual be detained for longer than 60 business days, regardless of circumstance.⁵³ The number of instances where detention exceeds 60 business days is relatively similar across states and years.

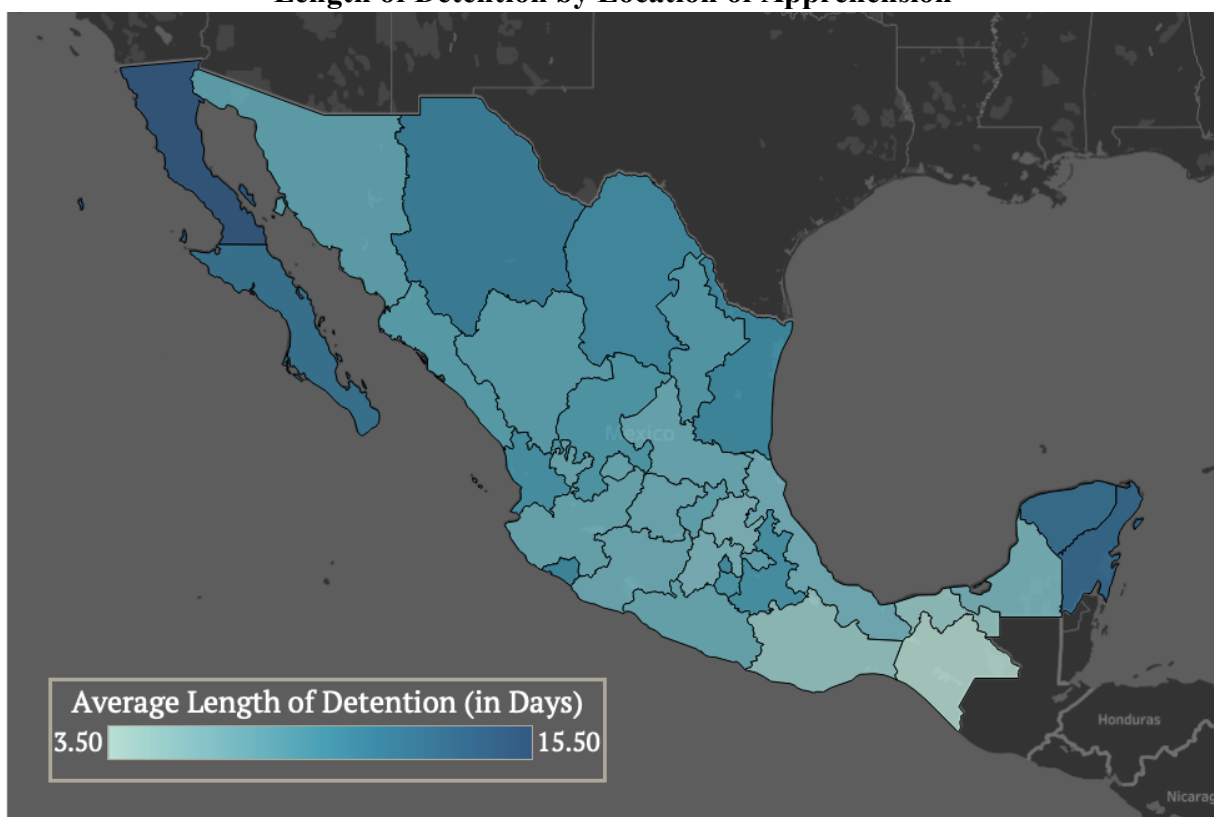
Graph 4
Cases of Detention Exceeding 60 Business Days (2009 - 2017)



Source: Transparency request, INM

In general, INM deports migrants more quickly if they are apprehended close to Mexico’s southern border. This is likely due to the time that it takes to transport people from their apprehension point back to Central America. Map 4 shows the average length of detention based on the location where a migrant was apprehended. The lighter blue states indicate a shorter duration of detention, while the darker states indicate more time in INM custody.^{xiii}

Map 4
Length of Detention by Location of Apprehension

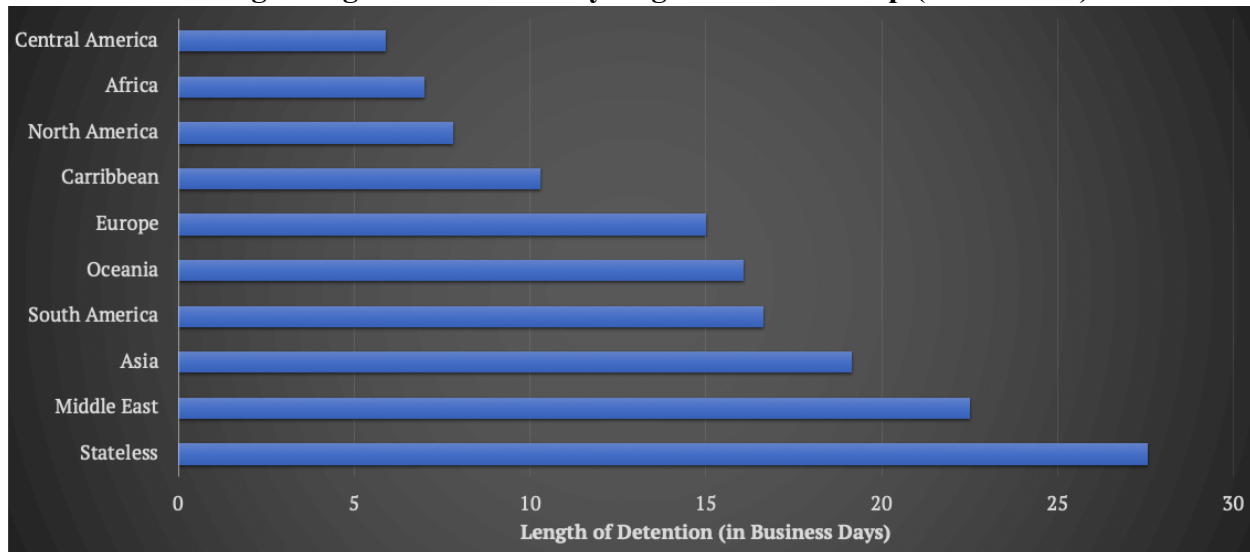


Source: Transparency request, INM

Migrants’ nationalities are another factor that could lengthen their time spent in detention. Overall, Central Americans spend the least amount of time in detention. While individuals who are stateless are detained for the longest period of time—on average, more than 25 business days. Graph 5 shows the amount of time that individuals spent in detention between 2009 and 2017 based on the region where they came from.

^{xiii} This information is based on the place of initial apprehension; not the place where the migrant was detained.

Graph 5
Average Length of Detention by Region of Citizenship (2009 - 2017)



Source: Transparency request, INM

Alternatives to Detention Centers

Shelters serve as the primary alternative to detention centers for high-risk populations. According to the Implementing Legislation of the Migratory Act, unaccompanied children should be transferred to the care of the National System for Integral Family Development (*Sistema Nacional para el Desarrollo Integral de la Familia*, DIF). While according to Articles 185 and 186 of the Migratory Act's Implementing Legislation, INM officials are legally mandated to refer elderly and disabled migrants, pregnant women, and indigenous populations to specialized institutions that can meet their specific needs.⁵⁴ Similarly, INM can direct the victim of a crime—such as sexual violence, torture, or human trafficking—to the appropriate public or private institution to receive special attention. INM does not have a public record of how many high-risk detainees have been moved out of provisional or detention centers.

Other alternatives to detention have included programs that allow detained migrants to live freely while INM determines their legal status. Beginning in October 2016, the DIF Shelter “Colibrí” in Villahermosa, Tabasco—a program between INM, the United Nations High Commissioner for Refugees (UNHCR), the Mexican Commission to Assist Refugees (COMAR), and DIF—allows the temporary release of detained migrants who are seeking refugee status as they await a decision.⁵⁵ Through this pilot program, INM initially holds persons seeking refugee status at this open-door shelter and later allows them to integrate into the community. The efficacy of this program is still unknown.^{xiv56}

^{xiv} Although it is not clear why this program only includes refugee status applicants, it may be due to current refugee status wait times that are currently reaching 10 to 12 months.

Chapter 4: Analysis of Current Situation and Conditions in Detention Centers

Within Mexico's provisional and detention centers, conditions can vary significantly. The following sections outline detention conditions across a range of areas including documentation, treatment of high-risk groups, and basic services.

Provisional Centers

According to the Migratory Act, INM is legally required to document migrants' arrival at a provisional center and any transfers to detention centers.^{xv} INM must also provide migrants with an explanation for their detention, and written documentation regarding their rights and obligations.⁵⁷ The Norms of the Migratory Act states that INM must also conduct an intake evaluation, in which staff are supposed to identify any medical or legal conditions that would merit special attention.⁵⁸

Since provisional centers are often the point of entry for migrants in Mexico's detention system, these evaluations represent the first opportunity to identify migrants with targeted needs. To obtain this information, INM officials use a standardized intake document in all provisional and detention centers. This form includes information on the migrant's date of apprehension and a record of his or her belongings. It also includes a two-page explanation of the migrant's rights in Mexico. A copy of the form can be found in Appendix 3.

However, these evaluations may be skipped in provisional centers, where documentation practices do not always reflect the obligations outlined in the Migratory Act.⁵⁹ Migrants, especially those that belong to a high-risk group, may wait in provisional centers without any documentation of their specific needs until they arrival at a long term detention facility.⁶⁰ Even if INM initially notes some of a migrant's risks, such as health concerns or relevant legal details, they may not update the migrant's file if the migrant later discloses other relevant information. According to INM personnel in Guadalajara, Jalisco, as of January 2019, provisional and detention centers did not have an internal process for correcting documentation errors.⁶¹

Given the short amount of time that most migrants spend in provisional centers, civil society groups' advocacy efforts tend to focus on documenting and improving conditions in long-term detention centers. However, there are occasionally migrants that spend weeks or even months in provisional centers without space or access to high quality food, and in places that are ill-suited for long term habitation.⁶²

^{xv} There is evidence that this may not always happen. The 2017 INM Citizen's Council report states that 15 people were transferred from Monterrey, Nuevo León to Acayucan, Veracruz without any record of their transfer.

Detention Centers

Food

Mexican legislation establishes guidelines for detention center meals, but INM staff may not always follow them. The Migratory Act and its supporting legislation require staff to feed detained migrants three times a day, and to ‘adequately’ accommodate anyone requiring a special diet.⁶³ The Migratory Act does not establish an enforceable definition of ‘adequate’ and food quality consequently varies in detention centers across Mexico. According to a 2017 INM Citizen Council (CCINM) report, one third of detainees across Mexico described food quality as satisfactory and two thirds reported that it was bad or very bad. Overall, the detainees reported that food was repetitive, cold, uncooked, and in some cases, rotten.⁶⁴ Detained mothers complained that their young children were weak or sick due to poor nutrition.⁶⁵ One mother in the Tapachula detention center reported that sometimes all three meals a day were spaghetti, that she had found insects and hairs in her food, and that she could no longer get milk for her daughter.⁶⁶

The protocol for administering meals also differs among detention centers. While most detention centers have a designated dining area, some centers do not have these areas and detainees have to eat on the floor of their sleeping quarters. Additionally, while the detention center in Mexico City did have a dining space, one man reported in 2017 that guards harassed him and did not allow him to enter.⁶⁷ The INM Citizen Council members also documented that while Mexico City and Tapachula detention centers adhered to a formal dining schedule, migrants in Tapachula reported that staff sometimes served breakfast up to two hours late.⁶⁸ The Citizen Council also noted an instance where INM staff withheld food from migrants unless they signed deportation paperwork and otherwise refused to feed them.⁶⁹

Bathrooms, Hygiene, and Bedding

Hygiene in detention centers varies dramatically. The Migratory Act’s Norms require detention centers to provide clean and ‘adequate’ bathroom facilities and administer personal hygiene items to migrants. Detention centers may be equipped with sufficient toilets for the center’s original capacity, but overcrowding strains usage and proper maintenance.⁷⁰ In 2017, detainees reported to the INM Citizen Council that toilets were often broken or missing pieces.⁷¹ For example, detained adolescents in Tapachula’s Siglo XXI detention center reported in 2013 that the toilet in the solitary confinement cell did not flush properly and human waste pooled onto the floor. Adolescents detained in these conditions reported staying in this cell for between 2 and 14 days.⁷²

Water scarcity may result in irregular and insufficient cleaning of bathrooms and other public spaces.⁷³ Detainees in the Comitán and Palenque detention centers in Chiapas reported irregular or insufficient running water. Instead, detainees relied on water that was manually transported in jugs. However, in these centers, migrants often could not even get jugs of water, escalating sanitation concerns, attracting insects, and spreading contagious diseases.⁷⁴ Additionally, migrants detained in cool or cold climates such as Mexico City reported that the facilities lacked hot or heated water for bathing.⁷⁵

INM staff distribute basic hygienic items to detained migrants, such as body soap, a toothbrush, and laundry soap. In both 2013 and 2017, over 75 percent of detainees surveyed across Mexico reported receiving these items.⁷⁶ However, women reported that they were given only one menstrual article upon their arrival, which was insufficient considering that almost all the women were detained for multiple days. Mothers with small babies also noted that they were issued only two diapers a day and one every night. Mothers reported that it was difficult to obtain more diapers for babies with diarrhea or irritated skin.⁷⁷

Detention centers may also not have enough bedding for the number of people detained, and available bedding is often soiled. Migrants reported to the INM Citizen Council that there were insufficient mattresses and blankets for the number of detainees. In 2017, the Type B provisional center in Monterrey, Nuevo León reported that it had 20 detained migrants and only 9 beds.⁷⁸ Detained migrants elsewhere in Mexico have reported that detention center mattresses were almost always dirty. This was especially true in hot climates, where the mattresses may not be covered in impermeable material.⁷⁹ In 2017, Reynosa, Tamaulipas' detention center reported that it had to fumigate three times a year for pests and would burn its mattresses every time there was a lice outbreak.⁸⁰

Generally, detained migrants only have one set of clothing, which makes laundry an important service in detention centers.⁸¹ These services are often inadequate. According to a 2013 report by Sin Fronteras, a Mexican NGO, a woman in the Iztapalapa Detention Center in Mexico City reported that she only had one set of underwear that she washed every day, but because her underwear never dried her skin was inflamed and irritated.⁸² The same report indicates that the Iztapalapa detention center had a donated clothing shop, but workers noted that cold weather clothing and underwear were always in short supply.⁸³ Additionally, some migrants arrive in detention centers after being kidnapped or assaulted and are unable to change their clothes.⁸⁴

Although detention centers contract at least one custodial worker, the lack of enforceable standards or internal monitoring allow some centers to hold migrants in egregious circumstances. In June 2017, the Institute for Security and Democracy in Mexico (*Instituto para la Seguridad y Democracia*, INSYDE) investigators reported that the Acayucan, Veracruz detention center was filthy and infested with insects.⁸⁵ Detainees described scarce toilet paper, soiled bedding, and being able to smell the dirty bathrooms from their sleeping areas.⁸⁶ At the time, the facility housed over 1,000 migrants, despite the center's official capacity of 836 detainees.⁸⁷

Health Services

The Migratory Act states in Article 107 that detention centers must provide medical and psychological services. When a migrant arrives at a detention center, a medical exam should identify any health issues or specialized needs, and refer these cases to “an appropriate institution.”⁸⁸ Article 227 also states that INM will give detainees psychological assistance if detainees are “victims of sexual crimes, human trafficking, kidnapping, torture, or any other cause that justifies such assistance.”⁸⁹

In spite of these standards, not all detention centers have access to an appropriate number of medical personnel relative to detention center capacity. Table 8 compares 2019 detention center capacity to the number of on-site health staff.

Table 8
Detention Center Capacity Compared to Available Medical and Psychological Personnel in Detention Centers^{xvi}

State	Detention Center	Doctors (2014-2017)	Psychologists (2014-2017)	Capacity (2019)
Chiapas	Tapachula	7	2	960
Veracruz	Acayucan	1	-	836
Ciudad de México	Itzapalapa	6	2	464
Coahuila	Saltillo ^{xvii}	3	1	140
Baja California	Tijuana	3	-	100
Tabasco	Tenosique	1	-	100
Quintana Roo	Chetumal	-	-	96
Chihuahua	Janos	-	-	86
Zacatecas	Zacatecas	-	-	85
Chiapas	Tuxtla Gutiérrez	1	1	80
Tabasco	Villahermosa	1	-	70
Chiapas	Palenque	1	-	64
Chihuahua	Juárez	-	-	60
Puebla	Puebla	-	-	60
Tamaulipas	Reynosa	1	-	50
Tabasco	El Ceibo	-	-	45
Tamaulipas	Tampico	-	-	45
Chihuahua	Chihuahua	-	-	40
Oaxaca	Oaxaca	-	-	40
Sonora	Hermosillo	1	-	40
Tlaxcala	Tlaxcala	-	-	40
Jalisco	Guadalajara	1	1	40
Sinaloa	Mazatlán	2	-	38
Hidalgo	Pachuca	1	1	37
Aguascalientes	Aguascalientes	1	-	36
Michoacán	Morelia	-	-	35
Querétaro	Querétaro	-	-	35
Veracruz	Veracruz	1	-	35
Baja California	Mexicali	-	-	30
Yucatán	Mérida	-	-	25
Tamaulipas	Nuevo Laredo	1	-	24
San Luis Potosí	San Luis Potosí	-	-	21
Baja California Sur	Los Cabos	-	-	18
Tuxpan	-	-	-	4

Source: Transparency request, INM

Of Mexico's 34 detention centers, only half had at least one doctor from 2014 to 2017. Only six detention centers had a psychologist on staff and only Villahermosa had a full-time social worker.⁹⁰

^{xvi} The data shown are from January 2014 to December 2017

^{xvii} The migration station at Saltillo was active from August 2005 until December 3, 2017.

Since 2017, four detention centers have increased the number of medical staff (Tapachula, Chiapas; Tijuana, Baja California; Pachuca, Hidalgo; and Querétaro, Querétaro). In the same time period, two detention centers (Oaxaca, Oaxaca and Hermosillo, Sonora) reduced their numbers of medical staff. During this time, 17 detention centers reported zero full-time medical personnel.

Detention centers represent a significant public health challenge due to detainees' physical and mental health concerns. Hundreds of people under high stress transit through them with limited access to hygiene or medical professionals, meaning that infectious diseases can spread quickly and chronic illnesses can escalate rapidly.⁹¹ Migrants' commonly report infectious diseases including diarrhea, scabies, fungal infections, and respiratory infections, all of which are exacerbated by poor housing conditions.⁹² The most common chronic illnesses are diabetes and neurological conditions.⁹³ A February 2019 transparency request from INM noted that medical staff in Villahermosa, Tabasco and Oaxaca, Oaxaca reported cases of migrants with acute tooth pain or appendicitis, both of which require medical care beyond a general practitioner.⁹⁴

Migrants also commonly experience psychological illnesses such as anxiety, stress, and depression, which are often directly related to traumatic experiences and the uncertainty of their migration status.⁹⁵ Migrants' lack of access to resources and inability to communicate with loved ones can intensify mental health risks.⁹⁶ If a detainee exhibits aggressive behavior, medical personnel are also trained to tranquilize the person and send them to a psychological consultation.⁹⁷ However, according to INM data from 2019, more than half of the detention centers did not have an on-site registered psychologist.^{xviii}

The public health challenges within Mexico's migratory detention system necessitate thorough reporting in order to develop a comprehensive health strategy, yet medical reporting varies greatly among detention centers. In a February 2019 transparency request, 23 of 34 detention centers reported zero medical cases between 2000 and 2019.⁹⁸ This data suggests that medical records are not kept at these centers. Detention centers in the states of Chihuahua, Tabasco, Yucatán, and Tlaxcala all keep files on migrants' medical conditions and INM would benefit from implementing these states' medical reporting practices across other regions.⁹⁹ Without standardized medical reporting, it can be difficult to establish minimum healthcare standards or flag detention centers with dangerous conditions.

Personal Safety and Security Incidents

All detention centers have security staff to ensure the safety of detainees and employees, and some contract private security companies to help with this work. According to a 2019 transparency request response, INM began contracting private security services in 2010. By March 2019, INM had contracted more than 30 private security and surveillance companies in different detention and provisional centers. The document also reveals that federal and municipal police collaborated in providing security and surveillance of detention centers.¹⁰⁰

Occasionally, there are reports of detainee disturbances or acts of aggression. According to a 2013 INSYDE report, 7 of 32 detention centers submitted official incident reports for disturbances, riots, aggression, or attempts to flee between 2000 and 2013.¹⁰¹ From 1993 to 2013, INM disclosed that

^{xviii} See Table 7 for more details.

there were 9 detainee deaths in detention centers across Mexico. This number increased to 13 reported deaths during this time period when including migrants who died under INM custody.¹⁰²

According to a February 2019 transparency request, between January 2011 and January 2019 the Tapachula, Chiapas migratory station had 105 security incidents—mostly aggressions and attempts to flee—which was the most of any detention center. The majority of regional offices reported less than 5 security incidents. In 2015, the migratory station in Morelia, Michoacán, reported a suicide in 2015, the only incident of that year.¹⁰³

Table 9
Safety Related Incidents Reported in Detention Centers (2011 - January 2019)¹⁰⁴

Type of Incident	Frequency of Incident
Physical/Verbal Altercation	130
Uprising, Mutiny ^{xix}	66
Escape	66
Damage to Property	5
Fire	7
Suicide	1
Sexual Harassment	1

Source: Transparency request, INM

Table 10
States with the Most Reported Security Incidents (2011 - January 2019)

State	Total Security Incidents
Chiapas	176
Quintana Roo	28
Tamaulipas	9
Nuevo Leon	7
San Luis Potosí	7
Tabasco	7

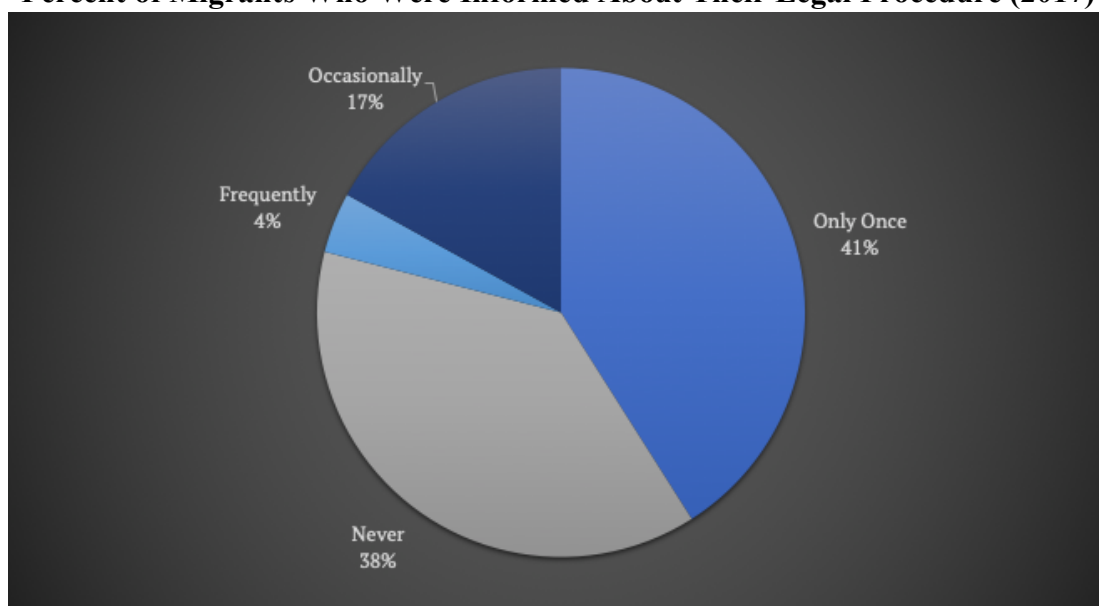
Source: Transparency request, INM

^{xix} This category combines incident reports referred to as “amotinamiento”, “motín”, and “sublevación”.

Legal Services

Migrants should have regular access to information, both verbal and written. According to Article 109 of the 2011 Migratory Act, detainees have “the right to written communication and updates regarding their immigration case.” However, in 2017, only 38 percent of detainees told INM Citizen Council investigators that they had been informed about their legal case. Another 41 percent of migrants reported that they had only received legal information once.^{xx105} Migrants do not always receive information about available international protections, such as refugee status. Some migrants have even reported that INM agents discourage them from pursuing these claims given long wait times.¹⁰⁶

Graph 6
Percent of Migrants Who Were Informed About Their Legal Procedure (2017)



Source: CCINM, *Personas en Detención en México*, 2017

Discrimination

Central American migrants in detention centers report both generalized and specific instances of discrimination. Discrimination most often manifests as verbal harassment from detention center staff and other migrants. Aggressors may tailor harassment based on a person’s specific background: racial slurs and assumptions of illiteracy for indigenous migrants (primarily Guatemalans); sexual harassment for Honduran women; and assumptions of violent criminality for Salvadoran and Honduran men. Migrants also report poor treatment as a result of their immigration status. One migrant reported, “They [INM] treat me like a dog. They tell me, you are a Central American, you are a dog.”^{xxi107} While detention centers do not have official records of

^{xx} This data comes from a report done between August 3 and September 2 of 2016, interviewing 122 people from nine countries, in 10 migratory stations, six provisional centers, one airport, and one Center of Integral Attention to the Border Transit.

^{xxi} Translated from: “*Me tratan como perro. Me dicen eres centroamericano, eres perro.*”

discrimination or cruel behavior, anecdotes from migrants suggest that discrimination is widespread.¹⁰⁸

Detention centers are legally expected to have areas where migrants can leave feedback and complaints. According to Article 12 the 2011 Migratory Act's Norms, "each detention facility and provisional center will have a visible area for complaints and suggestions, with pens." Some detention centers reportedly have visible complaint boxes, but not all are functional or in good conditions. Other detention centers had no visible complaint box.¹⁰⁹ Additionally, INM staff do not have any clear procedures for how to address incoming complaints.

High-Risk Groups

Addressing the specialized needs of high-risk detainees is an important and challenging task. The Migratory Act of 2011 carves out special protections for several specific categories, including women, minors, indigenous people, the elderly, and victims of a crime. Over the past ten years, the numbers of detained individuals from these groups has increased. Though more people from these groups are in detention centers, detention center staff do not necessarily provide them with the services they need or even record their specific needs during intake.

Women

In order to ensure that detained women are safe and have their basic needs met, there are special requirements for their treatment in detention facilities. According to the Migratory Act's implementing legislation, detention facilities are required to have separate sections for men and women, and only female staff should work with detained women.¹¹⁰ However, it does not appear that this is always the case. INM data from a March 2019 transparency request revealed that detention centers in Baja California Sur, Coahuila, Puebla, Querétaro, and Tlaxcala had either zero female employees or did not have employees that are specifically designated to work in the women's area.^{xxii111} Additionally, INM in Coahuila and Querétaro specified that they did not have female employees in the detention facility, but that they request support from female INM staff as needed. All other states indicated that they have at least one female employee designated to work in the women's section of the detention facility.^{xxiii}

The Migratory Act also states that INM should give 'adequate' attention to pregnant and breastfeeding women, although it does not specify what 'adequate' means. INM does provide pregnant detainees with pregnancy monitoring and transfers to specialized medical units when needed, but does not provide publicly available information about pregnant women's well-being in detention, nor about the accountability mechanisms used internally to ensure that their rights are protected.¹¹² In response to an April 2019 transparency request, INM reported detaining 1,278 pregnant women between 2009 and 2018.¹¹³

^{xxii} Instead, the employees work in both the male and female sections.

^{xxiii} Chihuahua and Quintana Roo provided the most clear and thorough response to the transparency request, and their format should be implemented nationally.

Unaccompanied Minors

According to Article 111 of the 2014 General Law of the Rights of Children and Adolescents (*Ley General de los Derechos de Niños, Niñas y Adolescentes*, LGDNNA), no child should be housed in a detention facility, regardless of whether that child is accompanied by an adult.¹¹⁴ The regulatory document of the Migratory Act specifies that unaccompanied children should be transferred to the care of the National System for Integral Family Development (*Sistema Nacional para el Desarrollo Integral de la Familia*, DIF) as soon as possible to ensure their safety and protection. However, the regulatory document of the Migratory Act undermines the LGDNNA by adding that in exceptional circumstances when there may be no DIF shelter in the area, children may be held in detention facilities as a last resort. In these cases, they should be held in an area separate from adults, and their time in the facility should be as short as possible.¹¹⁵

In 2017, a report by Kids in Need of Defense (KIND) and the “Fray Matías” Human Rights Center noted that INM began to transfer migrant children and adolescents to state and municipal shelters in 2012, and by 2015, 20 percent of all detained minors were being held in DIF institutions. That same report states that in 2016 the number had increased to 31 percent.^{xxiv116} However, some unaccompanied minors remained in migratory detention centers for six months or longer.¹¹⁷ Overall, INM reported, in response to a 2019 transparency request, that from 2009 until 2018 there were over 75,000 instances of unaccompanied minors held in detention centers across Mexico.

Non-Spanish Speakers

Although the majority of detained migrants are from Central America and speak Spanish, detainees come from diverse backgrounds and countries where Spanish is not the spoken language. Under Mexico’s Migratory Act, migrants who are not native Spanish speakers have the right to an interpreter and to receive legal information in their native language. However, detention centers usually only have access to interpreters for English and sometimes French.¹¹⁸ Lack of reliable interpreting services affects migrants in a variety of ways, from limiting their legal comprehension to extending their duration of detention.

Indigenous people in detention centers face extra barriers accessing their legal rights due to a lack of interpreting services and racial discrimination. Migrants who speak indigenous languages might have no option besides interpreting for one another.¹¹⁹ These barriers disproportionately affect Guatemalans, of whom 30.9 percent speak indigenous languages.¹²⁰

Though many non-Spanish speakers pass through the detention system each year, INM does not record detainees’ first languages. INM’s current detention intake form includes no space to write whether a migrant speaks a non-Spanish language or needs an interpreter, suggesting that INM makes no internal effort to track non-Spanish speakers’ needs or to prioritize explaining legal rights to migrants in a way they understand.^{xxv} Additionally, in response to an April 2019 transparency request on the topic, INM stated that everyone from El Salvador, Guatemala, and

^{xxiv} This situation can also cause challenges. For example, due to a lack of space for families in Reynosa, families were being separated on a nightly basis, with children staying in the DIF shelters and parents being sent elsewhere.

^{xxv} See Appendix 3 for the current Detention Center intake form.

Honduras spoke Spanish and only Spanish.¹²¹ However, this response is likely incorrect, given the large numbers of indigenous migrants from Guatemala and Honduras.

LGBTI Migrants

Migrants who identify as part of the LGBTI community are susceptible to discrimination, but the Migratory Act and its accompanying documents do not explicitly mention protections for this group. The law stipulates that migrants should not face discrimination based on their sexual preference, but does not provide guidance on how to provide protection, ensure rights, and combat discrimination.¹²² The Migratory Act's implementing legislation includes language on special spaces for high-risk groups, such as women and children, but does not name LGBTI populations. In response to a transparency request, INM reported that they do not track LGBTI status among detained migrants.¹²³

DIF Shelters

The Mexican government tasked DIF with ensuring the well-being of migrant minors. Although DIF shelters are much more appropriate for children than detention facilities, they are in many ways an alternative form of detention. Almost all DIF shelters are closed-door facilities, meaning that minors are rarely allowed to leave, including to attend school or even to take a walk. Many minors remain inside the shelters for the duration of their time in Mexico, which can be up to several months.¹²⁴ DIF shelter conditions vary greatly across Mexico and some provide limited access to education or recreational opportunities. For example, DIF Shelters in Tapachula have art and educational programs, often funded by nonprofit organizations and administered by private consultants or by DIF shelter staff.

Minor migrants, like adults, have the right to access legal information about their cases. When minors are in INM custody, Child Protection Officers (*Oficiales de Protección a la Infancia*, OPI) have the responsibility to inform them of their rights, but many minors report never meeting with an OPI.¹²⁵ When minors do encounter OPI officers, these officials may tell minors that the adjudication process is complicated, the protections are not guaranteed, and that they will remain in detention during the entire process. These messages deter many children and adolescents from requesting refugee status.¹²⁶ Although this information is often true, it should be communicated in conjunction with the benefits of refugee status, so that the minors have complete information about their situation.¹²⁷

Monitoring and Evaluation

As mentioned in Chapter 2, the Migratory Act establishes an internal Evaluation Center for INM to conduct investigations and maintain professional standards for personnel. However, a March 2019 transparency request revealed that between 2014 and February 2019, Mexican lawmakers failed to appropriate funds for the Evaluation Center. Furthermore, INM discards internal documentation after five years, meaning that INM cannot produce results from internal evaluations before 2014.¹²⁸ The failure to fund the Evaluation Center suggests that INM has not prioritized internal monitoring of detention center conditions since at least 2014.

This lack of internal monitoring, combined with the Migratory Act's failure to articulate enforceable standards for detention center conditions, mean that INM has broad discretion in operating detention centers. This level of discretion means that detention center conditions vary significantly at the state and local level. This poses a challenge for all migrants but particularly for high-risk groups, which have increased in numbers over the past ten years.

Chapter 5: Recommendations

1. Align Consequences for Irregular Migration with Those of An Administrative Infraction.

Article 18 of the Constitution guarantees that individuals not be deprived of liberty for committing administrative infractions. However, the Mexican detention system continues to detain migrants (depriving them of their liberty) for committing the administrative infraction of irregular migration. To avoid this contradiction, the Migratory Act adopts an alternative vocabulary for migratory detention and detaining migrants.

Without changes to Mexico's Constitution, the current detention system is unconstitutional. This report recommends that the consequences for irregular migration be in line with consequences for other administrative infractions, as outlined in the Mexican Constitution. SEGOB should amend the vocabulary of the Migratory Act to remove the following words and replace them with their practical definitions. These changes would require a long-term shift in Mexico's migratory policy. However, the country's detention system is not currently on firm legal ground.

Table 11
Current Vocabulary and Practical Definition

Current Vocabulary	Practical Definition
Presentation (<i>presentación</i>)	apprehension
Housing (<i>alojamiento</i>)	detention
Restriction of free transit (<i>restricción al libre tránsito</i>)	loss of liberty
Migration stations (<i>estaciones migratorias</i>)	detention centers
Provisional centers (<i>estancias provisionales</i>)	short term detention centers
Assisted return (<i>retorno asistido</i>)	deportation

2. Ensure Migratory Detention Conditions are in Accordance with the Migratory Act.

Mexico's legal framework establishes a list of requirements and basic rights for detained migrants, including access to communication, information about legal pathways and special conditions for high-risk populations. However, while these laws lay out detained migrants' rights, certain practices and conditions remain inadequate or out of line with legally mandated standards.

Short-term (less than 2 years): Update INM's intake form, so that high-risk groups can be better identified.

A new intake form should contain international protection needs or special conditions that put a migrant at risk. This form should contain sufficient space to record all movements between processing points and detention centers, and migrants should receive a copy of this form. A suggested form can be found in Appendix 3, Graphic 2.

INM should also make videos and/or audio recordings of detainees' rights in different languages, and posters that use only images and no text, for people who are illiterate or speak languages other than Spanish. INM could partner with universities, civil society organizations, and international organizations such as the UNHCR to collaborate on video or audio recordings.

Long-term (more than 2 years): Appropriate funds for INM's Internal Evaluation Center in order to build the center's capacity.

- INM's Evaluation Center should conduct annual audits of detention conditions in order to determine if facilities are reaching their legally required standards. Detention facilities that do not meet the Evaluation Center's standards should be given three months to improve or be shut down.

Establish enforceable standards for detention and provisional centers.

- Create enforceable standards in the Migratory Act's Implementing Legislation to ensure detention centers can properly house and care for detainees.¹²⁹ Standards should define words such as adequate, reasonable, and sufficient conditions, in measurable ways.

3. Increase Publicly Available Detention Data and Standardize Reporting Practices Across States.

Detention centers' transparency practices vary widely, with some states providing thorough detention data and others providing contradictory or incomplete information. This inconsistent data can make detention monitoring more challenging, both internally and externally. For instances of contradictory data (both public data and data received through a transparency request), see Appendix 1.

Short-term (less than 2 years): Standardize data reporting.

INM should create standards for information reporting from its regional divisions. The INM divisions in Chihuahua and Quintana Roo could serve as a model for information sharing best practices, with their responses to transparency requests clearly breaking down the information by detention center and year.¹³⁰ These responses contrast with those of other states, which responded with limited data or reported not having any of the information on file.

Long-term (more than two years): Digitize intake information.

Intake information—from the new intake form—should be digitized to allow internal and external monitoring of high-risk populations in detention centers. This recommendation will be challenging due to the amount of work, potential backlash from within INM, and up-front cost. However, long-term efficiency gains would result in less bureaucracy and stronger internal monitoring. Digitizing these records would help identify non-compliant detention centers, reduce corruption, and professionalize the agency.

Appendix 1: Inconsistencies in Data Reporting

The INM's shifting terminology makes it difficult to track the same information over time. For instance, between 2002 and 2018, the word for apprehension changed three times.

Table 12
Changes in Vocabulary for Apprehensions in Published Data

Years	Terminology	Translation in English
2002 - 2006	“Eventos de aseguramiento en México según entidad federativa”	Events of apprehension in Mexico by federal entity
2007 - 2012	“Eventos de extranjeros alojados en estaciones migratorias según entidad federativa”	Events of aliens detained in detention centers by federal entity
2013 - 2018	“Eventos de extranjeros presentados ante la autoridad migratoria según delegación regional”	Events of aliens presented in front of migration authority figures by region

Source: SEGOB

There were also a number of INM data inconsistencies. For example, Table 13 shows two different and contradictory transparency requests.^{xxvi}

Table 13
Data Wording Inconsistencies Received in Transparency Requests

Detention Center and State	Transparency Request 0411100119118: Locations and Capacities of Active Detention Centers	Transparency Request 04111000132718: Duration of Stay
Escárcega, Campeche	Listed as a Type B provisional center	Listed as a long-term detention facility
Colima, Colima	Listed as a Type A provisional center	Listed as an O.P.
Huatulco, Colima	Listed as a Types B provisional center	Listed as an O.P.
Acapulco Guerrero	Listed as a Types A provisional center	Listed as a long-term detention facility
Zihuatanejo, Guerrero	Listed as a Types B provisional center	Listed as a long-term detention facility

^{xxvi} A February transparency request (Transparency Request 0411100009819) provided clarification on each of the center's classifications. These classifications were used in this report.

Guadalajara, Jalisco	Listed as a long-term detention facility	Listed as a provisional center
El Ceibo, Tabasco	Listed as a long-term detention facility	Listed as a provisional center
Matamoros, Tamaulipas	Listed as a Type B provisional center	Listed as a long-term detention facility

Appendix 2: Locations and Capacities of Detention and Provisional Centers¹³¹

Table 14
Locations and Capacity of Detention Centers in Mexico, By State

State	Detention Centers	Capacity
Aguascalientes	Aguascalientes	36
Baja California	Mexicali	30
Baja California	Tijuana	100
Baja California Sur	Los Cabos	18
Chiapas	Palenque	64
Chiapas	Tapachula	960
Chiapas	Tuxtla Gutierrez	80
Chihuahua	Chihuahua	40
Chihuahua	Juárez	60
Chihuahua	Janos	86
Coahuila	Saltillo	140
México	Toluca	464
Hidalgo	Pachuca	61
Jalisco	Guadalajara	40
Michoacán	Morelia	35
Oaxaca	Oaxaca	40
Puebla	Puebla	60

Querétaro	Querétaro	35
Quintana Roo	Chetumal	96
San Luis Potosí	San Luis Potosí	144
Sinaloa	Mazatlán	38
Sonora	Hermosillo	40
Tabasco	El Ceibo	45
Tabasco	Tenosique	100
Tabasco	Villahermosa	70
Tamaulipas	Nuevo Laredo	24
Tamaulipas	Reynosa	50
Tamaulipas	Tampico	45
Tlaxcala	Tlaxcala	40
Veracruz	Acayucan	836
Veracruz	Veracruz	35
Yucatán	Mérida	25
Zacatecas	Zacatecas	85

Table 15
Locations and Capacities of Type A Provisional Centers in Mexico, By State


State	Detention Centers	Capacity
Campeche	Campeche	3
Campeche	Del Carmen	7
Chiapas	Ciudad Cuauhtémoc	20
Chiapas	Hueyate	50
Chiapas	Huehuetán	30
Chiapas	Playas de Catazajá	14
Chiapas	San Gregorio Chamic	20
Coahuila	Piedras Negras	10
Colima	Colima	6
Guerrero	Zihuatanejo	10
Sonora	Agua Prieta	20
Sonora	Nogales	5
Tamaulipas	Miguel Alemán	6
Veracruz	Tuxpan	4


Table 16
Locations and Capacities of Type B Provisional Centers in Mexico, by State

State	Detention Centers	Capacity
Campeche	Escarcega	40
Chiapas	Comitan	120
Chiapas	Echegaray	40
Chiapas	San Cristóbal de las Casas	52
Coahuila	Torreón	21
Guerrero	Acapulco	10
Nuevo León	Monterrey	15
Oaxaca	La Ventosa	45
Oaxaca	Salina Cruz	25
Oaxaca	San Pedro Tapanatepec	50
Oaxaca	Huatulco	54
Tamaulipas	Matamoros	20

Appendix 3: INM Intake Forms - Current and Suggested


Graphic 1
Current Intake Form





DIRECCIÓN GENERAL DE CONTROL Y VERIFICACIÓN MIGRATORIA
DIRECCIÓN DE ESTACIONES MIGRATORIAS
ESTACIÓN MIGRATORIA
 Número de evento:

INVENTARIO DE PERTENENCIAS O VALORES

FICHA DE INGRESO DEL EXTRANJERO(A)				
Datos generales				
	Nombre:			
	Nacionalidad		Número de extranjero	
	Sexo		Fecha de entrada	
	Fecha de nacimiento	Edad	Documento de identidad	

Relación de pertenencias				
Equipaje	Cantidad	Relación de pertenencias	Color	Observaciones
Maleta				
Mochila				
Bolsa de mano				
Bolsa de plástico				

Aparatos Electrónicos			
Cantidad	Marcas	Número de serie	

Efectivo	
Importe:	Tipo de moneda:

Alhajas	
Metall:	Descripción:

Documentación y/u otros objetos	

Nombre y firma de la autoridad migratoria que recibo

Nombre y firma del extranjero(a)

DERECHOS DE LOS ALOJADOS EN LAS ESTACIONES MIGRATORIAS

En términos de los artículos 107, 108, 109, 110 y 111 de la Ley de Migración; 226, 227, 228, 229, 230, 232, 233, 234, 235, 236, 237 y 238 de su Reglamento y 9, 12, 18, 20, 22, 24 y 25 del Acuerdo por el que se emiten las Normas para el Funcionamiento de las Estaciones Migratorias y Estancias Provisionales del Instituto Nacional de Migración, publicada en el Diario Oficial de la Federación el día 8 de noviembre de 2012, las personas extranjeras alojadas en Estaciones Migratorias y Estancias Provisionales del Instituto Nacional de Migración, por no acreditar su legal estancia en el país tienen los siguientes DERECHOS:

- 1.- Recibir de los Servidores Públicos que laboran en esta estación migratoria del Instituto Nacional de Migración, un trato digno y de respeto a sus derechos humanos.
- 2.- Conocer su situación migratoria y el motivo de su presentación;
- 3.- Recibir por escrito sus derechos y obligaciones, así como las instancias donde puede presentar sus denuncias y quejas;
- 4.- Recibir atención médica, psicológica, así como asesoría legal, al ingreso y durante su presentación y alojamiento;
- 5.- Ser informado del procedimiento migratorio; de su derecho a solicitar el reconocimiento de la condición de refugiado o la determinación de apátrida; del derecho a regularizar su estancia en términos de la Ley de Migración y su Reglamento, en su caso, de la posibilidad de solicitar voluntariamente el retorno asistido a su país de origen; así como del derecho de interponer un recurso efectivo contra las resoluciones del Instituto;
- 6.- Que se notifique a su representación consular de su presentación, si opta por ello. En caso de que desee recibir la protección de su representación consular, se le facilitarán los medios para comunicarse con ésta lo antes posible;
- 7.- Que el procedimiento sea sustanciado por autoridad competente y que tenga el derecho a recibir asesoría legal, ofrecer pruebas y alegar lo que a su derecho convenga, así como tener acceso a las constancias del expediente administrativo migratorio;
- 8.- Que el acta administrativa que levante la autoridad migratoria sobre los hechos que se le imputan se realice en presencia de dos testigos y que en ella se señale su derecho a ofrecer pruebas, a alegar lo que a su derecho convenga, así como a ser asistido por su representante o persona de su confianza y, en su caso, el derecho a que se habilite un traductor o interprete para el desahogo de la diligencia;
- 9.- Contar con un traductor o intérprete para facilitar la comunicación, en caso de que no hable o no entienda el idioma español;
- 10.- Comunicarse vía telefónica con la persona que solicite en el momento de su puesta a disposición de la autoridad migratoria. Las comunicaciones subsecuentes se realizarán conforme a los horarios establecidos para ello por la Estación Migratoria;
- 11.- Conocer la ubicación de la estación migratoria en la que se encuentra presentado y alojado, de las reglas aplicables y los servicios a los que tendrá acceso;
- 12.- Que se realice un inventario de las pertenencias que traiga consigo, así como a su depósito y resguardo en el área establecida para ello, y que le sean devueltas a su salida de la estación migratoria;
- 13.- No ser discriminado por las autoridades a causa de su origen étnico o nacional, sexo, género, edad, discapacidad, condición social o económica, estado de salud, embarazo, lengua, religión, opiniones, preferencias sexuales, estado civil o cualquier otra circunstancia que tenga por objeto impedir o anular el reconocimiento o el ejercicio de los derechos y la igualdad real de oportunidades de las personas;
- 14.- Denunciar ante la autoridad competente si durante su permanencia o tránsito por territorio nacional ha sido víctima o testigo de algún delito, para lo cual se le brindará las facilidades que correspondan;
- 15.- Recibir durante su estancia un espacio digno, tres alimentos al día y enseres básicos de aseo personal;

16.- Ser visitado por su cónyuge o concubino, familiares, representante legal, Representante Consular, autoridades competentes, representantes de organismos no gubernamentales, y ministros de culto acreditados en los términos de la Ley de Migración y demás disposiciones relacionadas, siempre que lo autorice expresamente;

17.- Participar en actividades recreativas, educativas y culturales que se organicen dentro de las instalaciones;

18.- Que las Estaciones Migratorias cuenten con áreas de estancia separadas para mujeres y hombres, con la garantía del derecho a la preservación de la unidad familiar en todo momento, excepto en los casos en los que la separación sea considerada en razón del interés superior de la niña, niño o adolescente;

19.- Que las Estaciones Migratorias y las Estancias Provisionales cuenten con áreas separadas para niñas, niños y adolescentes migrantes no acompañados para su alojamiento en tanto son canalizados a instituciones en donde se les brinde una atención adecuada;

20.- Depositar sus quejas o sugerencias en buzones que sean accesibles, visibles, que cuenten con bolígrafos y con los formatos correspondientes y;

21.- Solicitar a la autoridad migratoria lo que a su derecho convenga.

Nombre y firma del interesado de haber recibido y comprendido la información

Fecha

Graphic 2 Suggested Intake Form



DIRECCION GENERAL DE CONTROL Y
VERIFICACION MIGRATORIA
DIRECCION DE ESTACIONES MIGRATORIAS

ESTACION MIGRATORIA

Número de evento:

FICHA DE INGRESO DEL EXTRANJERO(A)			
Datos generales			
Foto	Nombre		
	Nacionalidad	Número de extranjero	
	Sexo	Edad	
	Fecha de Nacimiento	Documento de identidad	

EVALUACION INDIVIDUAL	SI	NO	COMENTARIOS
¿La persona habla español?			
¿La persona habla otros idiomas?			¿Cuáles?
¿Estuvo disponible un intérprete para explicar el proceso de detención?			
¿La persona es analfabeta?			
¿La persona ha sido víctima de un crimen violento?			
¿La persona ha sido víctima de un crimen en México?			
¿La persona quiere información sobre el proceso de refugiado en MX?			
¿La persona tiene alguna preocupación medica inmediata?			
¿La persona cree estar embarazada? (si es mujer)			
¿La persona es LGBTI?			
¿La persona está viajando con familiares?			

NOTACION DE PERTENENCIAS			
Equipaje	Cantidad	Color	Observaciones
Maleta			
Mochila			
Bolsa de mano			
Bolsa de plástico			

Aparatos electrónicos	Cantidad	Marca	Número de serie
Telefono celular			
Reproductor MPS/radio			

Efectivo	
Importe:	Tipo de moneda:

Alhajas	
Metal:	Descripción:

Documentación y/u otros objetos

Nombre y firma de la autoridad migratoria

Nombre y firma del extranjero(a) que recibe

USO OFICIAL			
Punto de procedimiento administrativo (PPA)	Fecha	Comentarios	Iniciales

REGISTRO DE ALOJAMIENTO				
Estancia provisional y/o estación migratória	Fecha de entrada	Fecha de salida	Comentarios	Iniciales

Endnotes

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