



Advocacy for Human Rights in the Americas

RESEARCH
REPORT



(Photo: Adam Isacson)

THE "WALL" BEFORE THE WALL

Mexico's Crackdown on Migration at its Southern Border

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Introduction

Andrés Manuel López Obrador came into the Mexican presidency on December 1, 2018 promising a new, more humane approach to the migration of Central Americans and others who come to Mexico to either settle there or travel north to the United States. He advocated for the governments of Central America, Mexico, and the United States to coordinate a joint response to address regional migration flows—a response based on shared responsibilities and coordinated actions.

However, the multiple groups of migrants traveling in “caravans” through Mexico en route to the United States caught the ire of the Trump administration in the early months of López Obrador’s presidency. When record numbers of children and families began reaching the U.S.-Mexico border, the U.S. government started an aggressive campaign to pressure Mexico to do more on migration enforcement.

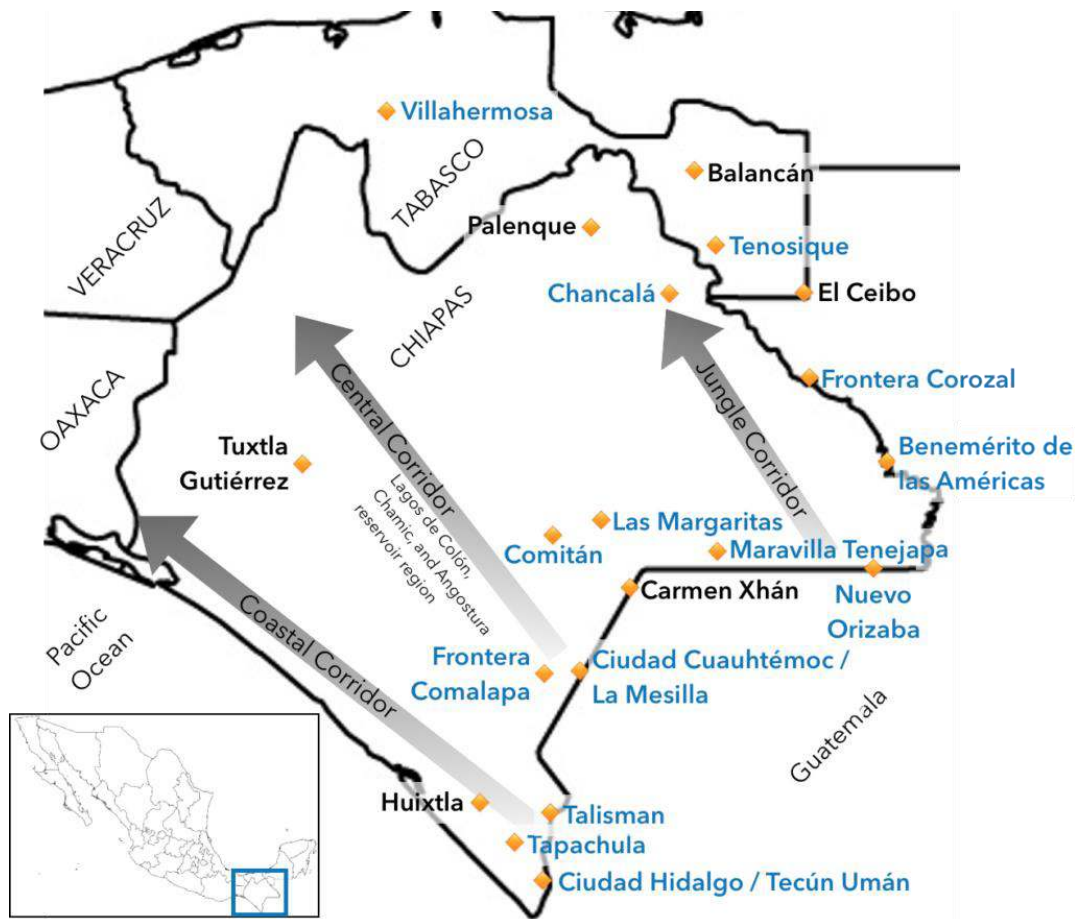
Increased U.S. pressure forced the López Obrador administration to place on the back burner its lofty goals of addressing the root causes of migration. The government shifted its efforts toward detaining and, in most cases, quickly deporting as many migrants as possible in order to meet some undefined U.S. goal of success.

In August 2019, staff from the Washington Office on Latin America (WOLA) traveled to Mexico’s southern border to learn about the impacts of Mexico’s increased migration enforcement efforts and to get a sense of recent trends in migration flows and asylum requests in Mexico. To do this, we visited border crossings and enforcement checkpoints, and conducted interviews with human rights defenders, shelter workers, academics, government officials, and representatives from the United Nations High Commissioner for Refugees (UNHCR).

This report details our findings. We assess the steps the Mexican government has taken to increase enforcement operations since June 2019, after the Trump administration threatened to impose tariffs on Mexican goods in response to increased migrant arrivals at the U.S.-Mexico border. This includes an assessment of how the deployment of Mexico’s new National Guard to the country’s southern border has impacted migration flows and access to asylum.

In particular, we analyze how the National Guard deployment has driven migrants to travel through more remote areas where they are more likely to fall prey to criminal groups, and how smugglers are adapting to this new shift. The report further examines how this crackdown has overwhelmed migrant detention centers, heightened concerns of inadequate screening of potential asylum seekers, and resulted in a rapid increase in asylum requests in Mexico. Finally, the report examines how U.S. assistance has supported Mexico’s migration enforcement and border security efforts along its southern border.

The report’s final section provides recommendations on how the Mexican government can work to ensure the safety and well-being of migrants, asylum seekers, and refugees, and root out any corruption and abuse linked to security forces and migration agents who interact with these vulnerable populations. It also provides recommendations on how the U.S. government can support these efforts, while upholding its own national and international commitments to asylum seekers.



This map of the Mexico-Guatemala border region displays all locations mentioned in this report. WOLA staff were present at those in blue during an August 2019 field research visit.

Key Findings

- **Mexico dramatically intensified its migration enforcement after the Trump administration threatened to impose tariffs on Mexican goods in June 2019.** As a result of this crackdown, Mexican authorities' apprehensions of migrants shot upward in June and July, more than tripling over the same period in 2018. Mexico apprehended 31,416 migrants in June, the highest monthly total in all publicly available data going back to 2001.
- **The deployment of Mexico's National Guard to assist with migration enforcement at Mexico's southern border raises human rights concerns.** The Mexican government has deployed nearly 12,000 members of its newly created National Guard to its southern border region as part of its agreement with the United States to beef up immigration enforcement efforts. The vast majority of these guardsmen are active soldiers or military police, many of them only temporarily reassigned to conduct these tasks. This raises concerns about whether guardsmen—most of whom have primarily military training—have received adequate human rights training or guidelines on how to interact with vulnerable populations.
- **A surge of asylum seekers in Mexico has put the country's refugee agency on the verge of collapse, yet the Mexican government has yet to allocate substantial resources to strengthen its capacity.** With only three main offices across the country, the Mexican Commission for Refugee Assistance (*Comisión Mexicana de Ayuda a Refugiados*, COMAR) is severely under-resourced and understaffed. In the first 11 months of the year, COMAR received almost 67,000 asylum requests—more than double what it received in all of 2018. Despite this reality, the 2020 budget for COMAR is a mere USD\$2.35 million. The agency's ability to process claims depends on the support it receives from the UNHCR, whose 2019 operating budget for Mexico is over 25 times that of COMAR's—around USD\$60 million.
- **Mexico's sharp increase in migrant apprehensions has left the majority of detention facilities operating far beyond capacity.** In August, Mexico's detention centers and short-term detention facilities were housing on average 61 percent more migrants than they were meant to hold, with some facilities operating 300 percent over capacity. Most lack adequate sanitary facilities, access to healthcare, or even fresh food. Despite widespread concerns about overcrowding, poor health conditions, and allegations of mistreatment, the Mexican government continues to restrict independent monitoring of detention facility conditions.
- **Crimes against migrants in Mexico's southern border zone continue unabated, and almost the entirety of these crimes go unpunished.** Migrants transiting through southern Mexico continue to suffer assault, robbery, rape, and kidnapping at the hands of organized crime or common criminals. The majority of shelter workers and human

rights defenders that we interviewed told us that the problem, while at serious levels, did not substantially worsen between 2018 and 2019. However, migrant rights defenders in Tenosique, Tabasco did report an alarming uptick in serious crimes against migrants, such as sexual violence and brutal kidnappings. Shelters and organizations that support victims who have filed criminal complaints before prosecutor's offices reported to us that prosecutors have taken little action to investigate these crimes or combat these criminal trends.

- **The United States continues to provide assistance to Mexico to help tighten its southern border and to increase Mexico's capacity to process and receive asylum seekers.** The United States has funded the construction of communications towers in southern Mexico as well as the installation of biometric equipment in all of Mexico's 52 long- and short- term migrant detention centers. Although U.S. support for Mexico's security efforts continues, the U.S. government has yet to determine with Mexico if and how it will provide any direct support to the National Guard. The U.S. government also continues to support efforts to strengthen Mexico's asylum system through providing funding to the UNHCR.

Mexico proposes a new approach to migration—then reverses itself under U.S. pressure

On his first day in office, López Obrador and the governments of three Central American countries signed a decree to promote the region’s development. Mexico’s foreign minister, Marcelo Ebrard, said that his government would pledge USD\$30 billion to a regional development plan over the next five years.¹ Working with the United Nations Economic Commission on Latin America and the Caribbean (ECLAC), the Mexican government presented the “Comprehensive Development Plan of El Salvador, Guatemala, Honduras and Mexico” in May.²

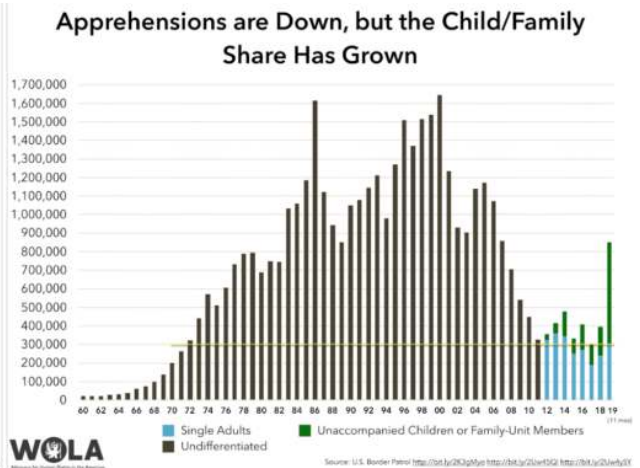
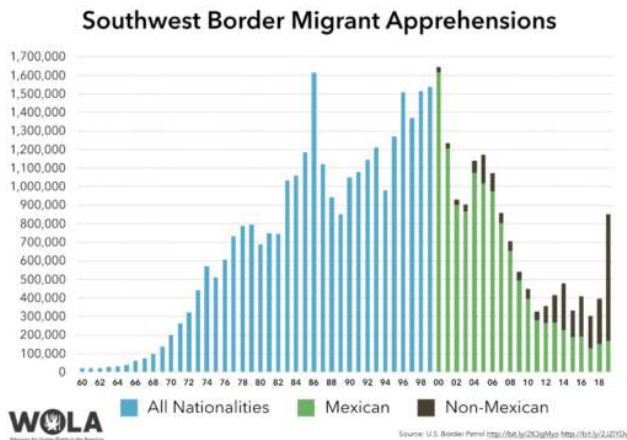
In June, the Mexican and Salvadoran governments signed an agreement to address migration under which the Mexican government would provide El Salvador with USD\$30 million in assistance to create jobs in the agricultural sector.³ Through programs such as *Sembrando Vida* (“Sowing Life”), the Mexican government is also providing work opportunities for Central American migrants in Mexico.⁴

During the first few months of López Obrador’s presidency, Mexico’s apprehensions and deportations of migrants were at relatively low levels. However, this changed when additional large groups of Central American migrants—often called “caravans”—began transiting through Mexico to provide themselves with safety in numbers and to avoid paying an expensive smuggler. At first, the government issued caravan participants and other migrants “humanitarian visas” (*tarjetas de visitante por razones humanitarias*) allowing them to obtain a temporary legal status.⁵ Part of this population decided to stay and seek asylum or other status in Mexico, but many came to the U.S. border, including thousands of children and families asking for asylum.

The demand for such visas (18,441 were issued in the first two months of 2019) quickly overwhelmed the capacities of Mexico’s immigration authority, the National Migration Institute (*Instituto Nacional de Migración*, INM).⁶ By March, the INM had dramatically limited these visas, arguing that the initiative had been “too successful.”⁷ While this slowed the formation of new “caravans,” it had little impact on overall migration.

Apprehensions at the U.S.-Mexico Border

The spring of 2019 saw arrivals at the U.S.-Mexico border rise to levels not seen since 2007, with important demographic differences. In 2007, the migrant population that U.S. authorities were apprehending at the U.S.-Mexico border was almost entirely adult, mostly male, Mexican citizens. During fiscal year 2019, 65 percent were children and families seeking protection, most of them from El Salvador, Guatemala, and Honduras.⁸



Migrant apprehensions at the US-Mexico border peaked during May 2019, when U.S. Border Patrol apprehended 132,887 migrants, 72 percent of them children and families.⁹ The overwhelming majority of these children and families, and many of the single adults, were not seeking to avoid capture. They stood on U.S. soil and awaited apprehension, at which point they petitioned for protection in the United States.

Meanwhile, the Mexican government began tightening its immigration enforcement. In April, INM agents detained 371 individuals travelling with one of the last caravans, leading to shocking images of agents ripping children from their parents’ arms and chasing after scared migrant families.¹⁰ By May, Mexico’s monthly apprehension numbers topped 23,000, the highest monthly total since 2006.¹¹

U.S.-Mexico Agreement to Curb Migration Flows

U.S. President Donald Trump, characterizing migrant children and families as “invaders,” demanded that Mexico do whatever it takes to stop the flow immediately.¹² He took to Twitter to threaten to slap tariffs on Mexican goods, at a rate rising steadily to 25 percent.¹³



After Trump’s ultimatum, Mexico’s early efforts to tighten migration enforcement became a full-fledged crackdown. U.S. and Mexican officials entered into negotiations in June, which resulted in a series of actions to address regional migration flows.¹⁴ While this avoided

President Trump's threat to impose a tariff, it was not without serious consequences for the Mexican government, and for migrants and asylum seekers across the region.

“Migrant Protection Protocols”

At the U.S.–Mexico border, the Mexican government agreed to the massive expansion of the so-called Migrant Protection Protocols (otherwise known as “Remain in Mexico”) program, which enables the U.S. Department of Homeland Security (DHS) to send asylum seekers back to Mexico to wait for their immigration hearings in the United States. While the U.S. and Mexican governments first launched it in January 2019 as a pilot project at the San Ysidro–Tijuana port of entry, authorities agreed to expand the program to other ports of entry.

Migrant rights advocates have decried the policy as decimating due process, violating domestic and international law, and putting tens of thousands of asylum seekers at risk in insecure Mexican border towns.¹⁵ Since its onset, more than 55,000 non-Mexican asylum seekers have been sent back to Mexican border towns to await their backlogged hearings.¹⁶

After being excluded from the discussions in Washington, the reformist migration expert Tonatiuh Guillén, whom López Obrador had named to head the INM, resigned on June 14. He was replaced by Francisco Garduño, an official who had previously overseen Mexico's federal prison system.¹⁷ Since the Remain in Mexico program's announcement in December 2018, Guillén had been an outspoken critic of the program, affirming that Mexico lacked the legal framework and on-the-ground ability to receive thousands of asylum seekers for months at a time while they await their backlogged U.S. hearings.¹⁸

Deployment of Mexico's National Guard

Apart from acquiescing to host more U.S.–bound asylum seekers, the Mexican government's key action to placate the Trump administration involved deploying the country's new National Guard to both of Mexico's borders.

The National Guard is a newly created constabulary force currently made up of Army Police, Naval Police, and others from the armed forces—some temporarily reassigned—along with Federal Police agents and new recruits. WOLA, along with Mexican and international human rights organizations, security experts, the UN Office of the High Commissioner for Human Rights (UNHCR), and Mexico's National Human Rights Commission (*Comisión Nacional de los Derechos Humanos*, CNDH) expressed deep concerns about the National Guard, which further militarizes Mexico's public security strategy. Given past records of abuse by the federal security forces that form part of the National Guard, these groups have also raised concerns about the new force's potential to commit human rights violations.¹⁹

Since their deployment to the southern border, guardsmen and state, municipal, and Federal Police have supported migration authorities at road checkpoints and on migrant interdiction

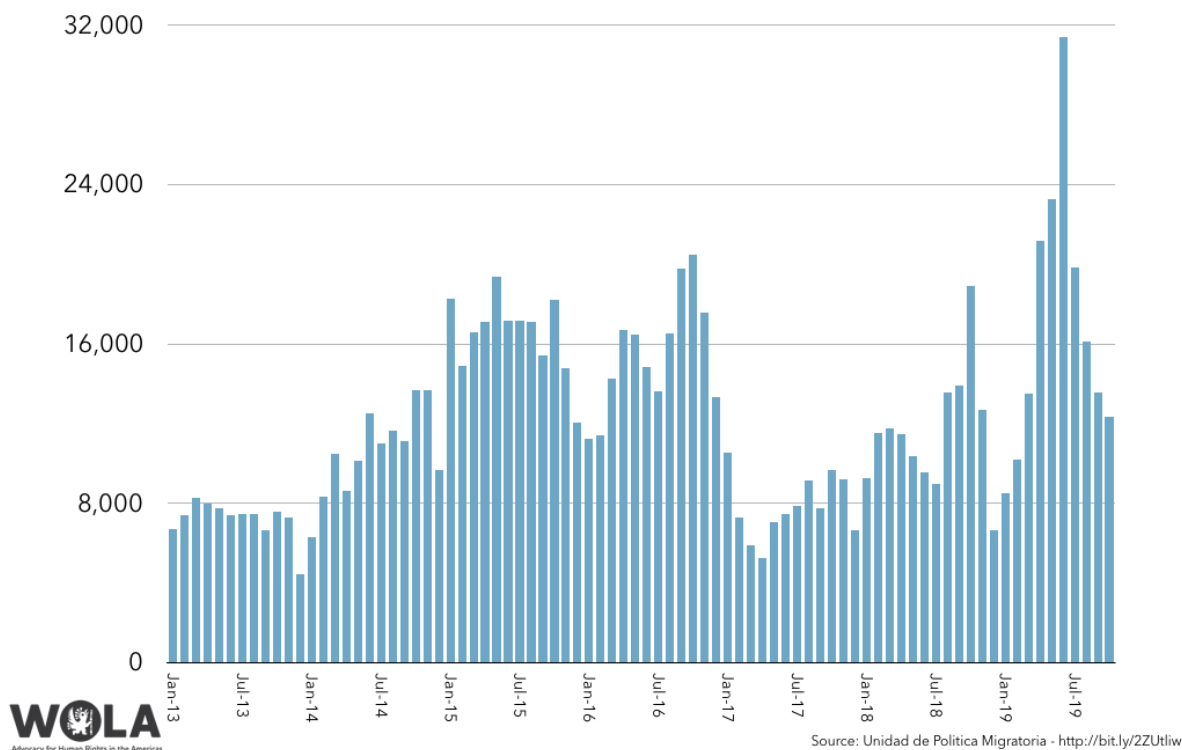
patrols. While state and municipal police are not allowed to ask for individuals' migratory status papers, National Guard personnel have the power to work alongside INM agents in reviewing foreigners' documentation.²⁰

Apprehension Numbers at Mexico's Southern Border

As a result of this crackdown, Mexico's migrant apprehensions shot upward in June and July, more than tripling over the same period in 2018. Mexico apprehended 31,416 migrants in June, the highest monthly total in all publicly available data going back to 2001.²¹ At the same time, apprehensions declined in the United States as Mexico halted migrants' arrival.

The consequences for migrants and asylum seekers were dramatic. Mexico's migrant detention centers, among them the Siglo XXI facility in the southern border city of Tapachula—the largest migrant detention facility in the Americas—were operating far beyond capacity.

Mexico's Apprehensions of All Migrants, January 2013-October 2019



Mexico's Security and Migration Deployment in the Border Zone

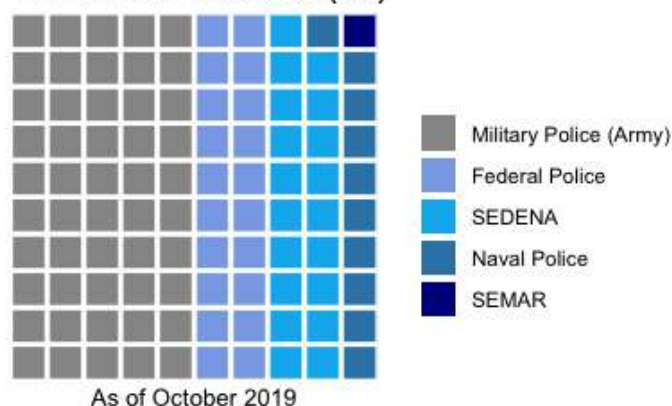
When carrying out migrant interdiction in Mexico's southern border region, the National Guard is meant to provide backup and logistical support to INM agents. Large contingents of guardsmen often accompany small numbers of INM agents in convoys led by military vehicles, or at checkpoints and border crossings.²²

According to the Guard's commander, recently retired Army General Luis Rodriguez Bucio, the force has designed a seven-week "integration" course for police and military personnel entering the National Guard, "so that those who are later deployed to the cities and the streets may learn to work together and integrate among themselves."²³ The military personnel deployed as guardsmen as of August did not appear to have passed through this course.

In an October 2019 report on public security efforts, the Mexican government stated that it had 11,965 federal agents (National Guard, armed forces, Federal Police, and INM agents) in the southern border region, with 2,000 positioned along the southern border zone itself, primarily in Chiapas. 6,500 agents were stationed in the zone that ranges from the Chiapas coast into the highlands reaching the Gulf coast of Tabasco and Veracruz. Another 2,000 concentrated in the Isthmus of Tehuantepec region.²⁴

As of October 14, there were 70,920 guardsmen deployed around Mexico: 35,232 members of the Military Police (from the Army), 6,871 members of the Naval Police, 14,738 members of the Federal Police, 13,464 members of the Army (*Secretaría de la Defensa Nacional, SEDENA*), and 615 from the Marines (*Secretaría de Marina, SEMAR*). In addition, the government has hired 13,096 new recruits.²⁵

Elements Making up Mexico's National Guard (%)



The majority of the “National Guard” members initially deployed to southern Mexico were not actual career guardsmen. Those were very scarce, since the National Guard had just been created in May. As the force was only a month old, the Mexican government had to improvise: as described above, most of the “guardsmen” stationed along the southern border zone are Army Police, Navy Police, and active duty soldiers who have been temporarily assigned to the National Guard to assist with migration enforcement. A number will likely return to their military posts following this assignment. These individuals don’t even wear distinctive uniforms: they wear a black armband that reads “GN” over their standard military fatigues.



Guardsmen at the Ciudad Hidalgo riverbank.

All guardsmen with whom we spoke near the Ciudad Hidalgo and Talisman border crossings responded negatively when we asked whether they had been transferred to the new force. “I’m an Army soldier,” or “I’m a marine,” they responded, and made clear they would be returning to their units after this deployment.²⁶

Of the 2,000 federal agents at the border in August, including the National Guard, most were deployed in the Pacific coast segment, near the border town of Ciudad Hidalgo and the nearby city of Tapachula (population 320,000, the largest city in the border zone). Outside

Tapachula, we saw guardsmen (again, military personnel with “GN” armbands) at other official border crossings, like Talisman, Ciudad Cuauhtémoc, and Nuevo Orizaba. Their numbers, however, were much fewer. Elsewhere along the border, humanitarian workers observed that the National Guard presence had become less “intense” since June.²⁷ “They started leaving after two or three days,” we were told in the central border town of Frontera Comalapa.²⁸



Unoccupied military checkpoint in Las Margaritas municipality, Chiapas, near the border with Huehuetenango, Guatemala.

Observers also noted some decline in road checkpoints since June, especially in remote areas. In the sparsely populated part of the border between Chiapas and Guatemala’s departments of Huehuetango, Quiché, and Petén, we observed three unmanned military checkpoints that were not in use, including some where we had been stopped and questioned during research visits years before. It was not clear why these checkpoints were unmanned, although the deployment of personnel to other parts of the border is a possible

reason. Along this route, unpaved roads leading from the main highway to informal border crossings appeared to lack a presence of the National Guard or other authorities.

In Ciudad Hidalgo, the nearest border city to Tapachula and the busiest border crossing, the National Guard presence is much greater. Flatbed trucks full of guardsmen drive through the center of town.



A truckload of military police, wearing National Guard armbands, passes through central Ciudad Hidalgo.

Ciudad Hidalgo is also known for the inner-tube rafts that take informal travelers across the Suchiate River, which separates Mexico and Guatemala, for a fee. The rafts operate just upstream from the official border crossing, a bridge. (This bridge became internationally known in 2018 when Central American migrant “caravans” backed up along its entire length while entreating Mexican authorities to let them enter.) While most of the rafts’ customers are locals doing business, moving retail cargo (to avoid customs fees), or reporting to work on either side of the border, for years the customers were also migrants traveling from Guatemala into Mexico.

The rafts, the most visible vector of undocumented migration into Mexico, had been the subject of numerous international press reports and much news and documentary footage. Highly organized, with close ties to local government officials, the raft companies had largely avoided past border crackdowns’ interference in their multifaceted business.

Today, the rafts continue to transport people doing local business, but this route is now sealed to migrants. Guardsmen are stationed at all the raft companies' crossing points, usually accompanying INM agents who demand to see crossers' identity documents. As the deployment has largely put a stop to migrants' ability to travel on the rafts, the guardsmen are left with little to do. One marine, watching over the Suchiate River from the shade of a tree in Ciudad Hidalgo's sweltering heat, told us plainly that the assignment was "very boring."



An INM agent (lower left) reviews all crossers' identity documents amid much-reduced raft traffic across the Suchiate River between Tecún Umán, Guatemala and Ciudad Hidalgo, Mexico.

Even with numbers in the hundreds, the guardsmen are only able to cover so much territory in the Ciudad Hidalgo area. Advocates estimated that the National Guard "wall" extends for only about six kilometers (four miles) of riverfront.²⁹ While guardsmen are starting to send small contingents into known informal border crossings (called "*puntos ciegos*," or blind spots), migrants can still cross with relative ease in more remote areas, like upriver from Ciudad Hidalgo.

Doing so, though, makes them more vulnerable to assault or worse at the hands of criminal groups, as discussed below. It also reduces the chances that asylum seekers who need legal advice and other services will receive them from city-based providers.³⁰

Overall, according to Tapachula-based migrant rights advocates, the difficulties in crossing the river and entering this border area undetected have resulted in a reduction in numbers of Central American citizens in the city.³¹ (As noted below, this has been offset by an increase in citizens of Cuba, Haiti, Africa, and elsewhere.)

Local advocates had mixed opinions about how dramatic a change the National Guard crackdown represents, in part based on geography. “I’ve never seen the Army patrolling in the streets like this before. They’re patrolling the *colonias* (poor neighborhoods), carrying heavy weapons,” said a Tenosique-based migrant rights defender.³² This individual noted that these patrols’ focus has so far been security more than migrant interdiction, though it seems to be evolving in the direction of countering migration. In Tapachula, though, a leading local activist just shrugged. “This territory was already militarized, so the National Guard isn’t a huge change.”³³

During our visit, advocates expressed a general concern about National Guard presence at the border. This owed to the lack of clarity regarding their training to interact with migrants, and to increased enforcement pushing migrants and asylum seekers into more remote areas.

In April, the Mexican government signed an agreement with the UN Office of the High Commissioner for Human Rights to provide human rights training to the National Guard. Nonetheless, eight months later, the Mexican government has not taken significant steps to solidify this training. In September, Mexico’s foreign minister, Marcelo Ebrard, stated that the National Human Rights Commission had received seven complaints against the force for abuses that occurred during migration enforcement actions.³⁴

Human rights organizations expressed concern about the Mexican government’s overwhelming show of force to stop a caravan of more than 1,000 migrants from Africa, the Caribbean, and Central America, which left Tapachula on October 12, 2019 after the migrants had been stuck in the city for several months.³⁵ Members of the National Guard, Federal Police, and the INM blocked the caravan in the area around Huixtla, Chiapas, to impede them from moving, even though many had documents that allowed them to legally be in Chiapas.

Though the National Guard is meant to be supporting the INM on migrant interdiction operations, the immigration agency appears to be taking a subordinate role. This was made clear in a leaked recording of the INM delegate in Chiapas speaking to her staff, in which she affirmed that “no one, not a mid-level commander, not even I, can make unilateral decisions... now we are part of all of the security matter through the National Guard... we are under the instruction and supervision of the National Guard.”³⁶ The involvement of soldiers means “more discipline, less improvisation” in Mexican government migration control operations, a Tapachula-based migrant advocate noted.³⁷

The National Guard’s control over enforcement at the local level is enhanced by disarray within the INM. With new staff starting under the AMLO administration, and then even more

staff changes after Guillén's departure, many INM mid-level officials and state delegates lack experience. With Garduño's arrival as commissioner, the INM has also become more militarized, with 8 state-level delegates coming from the armed forces (either active duty or retired), including in some states with the highest flow of migrants such as Veracruz and Coahuila.³⁸ Multiple staff changes, combined with ever-changing regulations in response to U.S. pressure, have contributed to a haphazard response to the increased flow of migrants and asylum seekers to Mexico's southern border. "You can see that in the situation at Siglo XXI (the detention center) and in some of the caravan crackdowns," one advocate added.³⁹

Beyond the INM and National Guard, the Mexican government issued a regulation after the June meeting between U.S and Mexican officials requiring private transport company personnel to play more of a migration enforcement role. Buses now have to ask passengers for an identification or migratory status document, or risk being sanctioned and perhaps charged with smuggling.⁴⁰ Bus companies and associations have protested the measure, affirming that this is not their role and expressing concern about the lack of skills to be able to detect someone traveling with fraudulent documents. Drivers of taxis and smaller transport minibuses ("combis") don't face the same requirement. However, a taxi driver in one border town mentioned his hesitancy to pick up anyone who could be undocumented around the official border crossings, lest he get stopped at a checkpoint and accused of being a smuggler.⁴¹

On September 19, 2019, the federal government established a temporary Inter-Secretarial Commission for Comprehensive Attention to Migration Issues, under the direction of the Ministry of Foreign Relations (*Secretaría de Relaciones Exteriores*, SRE). The Commission is to serve as the body that coordinates the various Mexican offices and agencies' policies, programs, and actions on migration in order to meet determined objectives, goals and coordination strategies.⁴² This means that migration enforcement and regulation, which is under the authority of the Ministry of Interior, has been subordinated to Mexico's foreign policy apparatus. For the time being, this apparatus is following a policy of placating the Trump administration, regardless of the costs to domestic priorities, needs, or limitations.

Migration Patterns and Smuggling

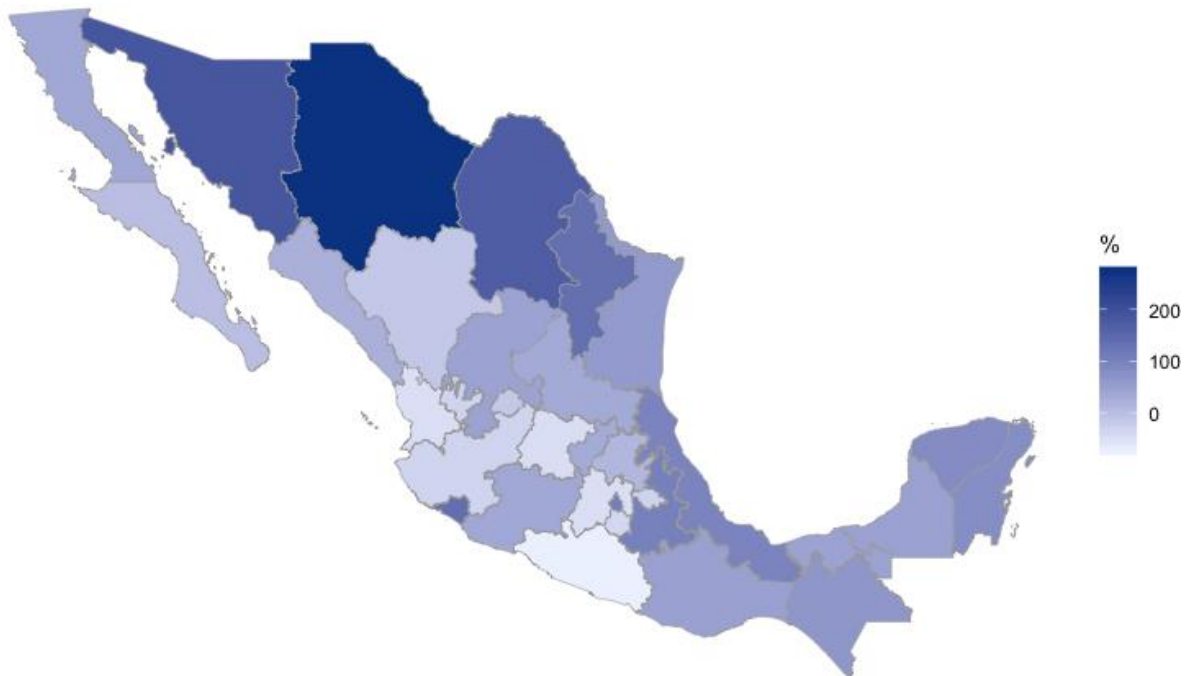
Shifts in Apprehension and Deportation Trends

As a result of the crackdown, but also as a result of 2019's increased migratory flow, Mexican authorities apprehended 66 percent more migrants in Chiapas state during the first nine months of 2019, compared to the same period in 2018. The increase in Tabasco state was 45 percent. In June and July, the period after Trump's tariff threat, apprehensions rose 132 percent in Chiapas, and 190 percent in Tabasco, over June and July of 2018.⁴³

Nationally, comparing January-September 2019 to January-September 2018, Mexico saw sharp increases in apprehensions of citizens from:

- El Salvador (122 percent, 246 percent if just comparing June-July 2019 and 2018);
- Guatemala (17 percent, 118 percent comparing June-July 2019 and 2018);
- Honduras (80 percent, 209 percent comparing June-July 2019 and 2018);
- Nicaragua (105 percent);
- Cuba (1,934 percent);
- Haiti (2,330 percent); and
- All African nations (193 percent, 382 percent comparing June-July 2019 and 2018).

Percent Change in Apprehensions by Mexico's Migration Agency between 2018 and 2019



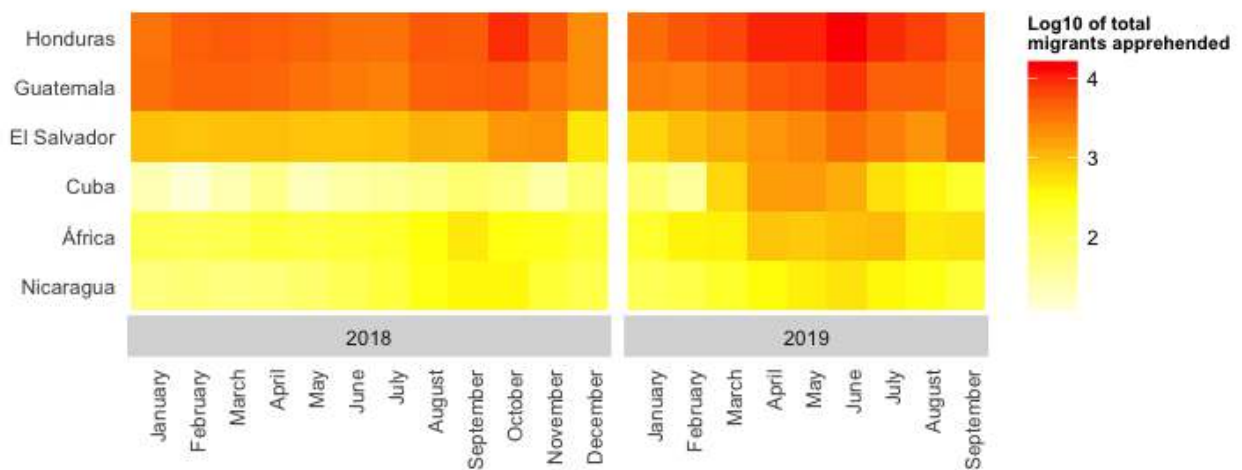
Nationally, comparing January-September 2019 to January-September 2018, Mexico sharply increased deportations of citizens from:

- El Salvador (58 percent, 168 percent if just comparing June-July 2019 and 2018);
- Honduras (44 percent, 142 percent comparing June-July 2019 and 2018);
- Nicaragua (30 percent);
- Cuba (479 percent); and
- Haiti (from 2 to 116 people).

In addition, Mexico deported three citizens of African nations in January-September 2019, compared to two in January-September 2018.

Mexico migrant apprehension numbers have increased notably in 2019

Number of Honduran, Cuban, and African migrants apprehended by Mexican migration authorities have skyrocketed since 2018



Data on migrant apprehensions was transformed using the log10 function to bring the distribution of values closer to the normal distribution

Source: INM data (2018, 2019)

While deportations of Guatemalans fell by 3 percent during these periods, they surged by 79 percent in June-July 2019 over June-July 2018. (This is noteworthy since it was in June 2019 that the Trump administration threatened to impose tariffs on Mexican goods if the Mexican government didn't beef up its migration efforts.)

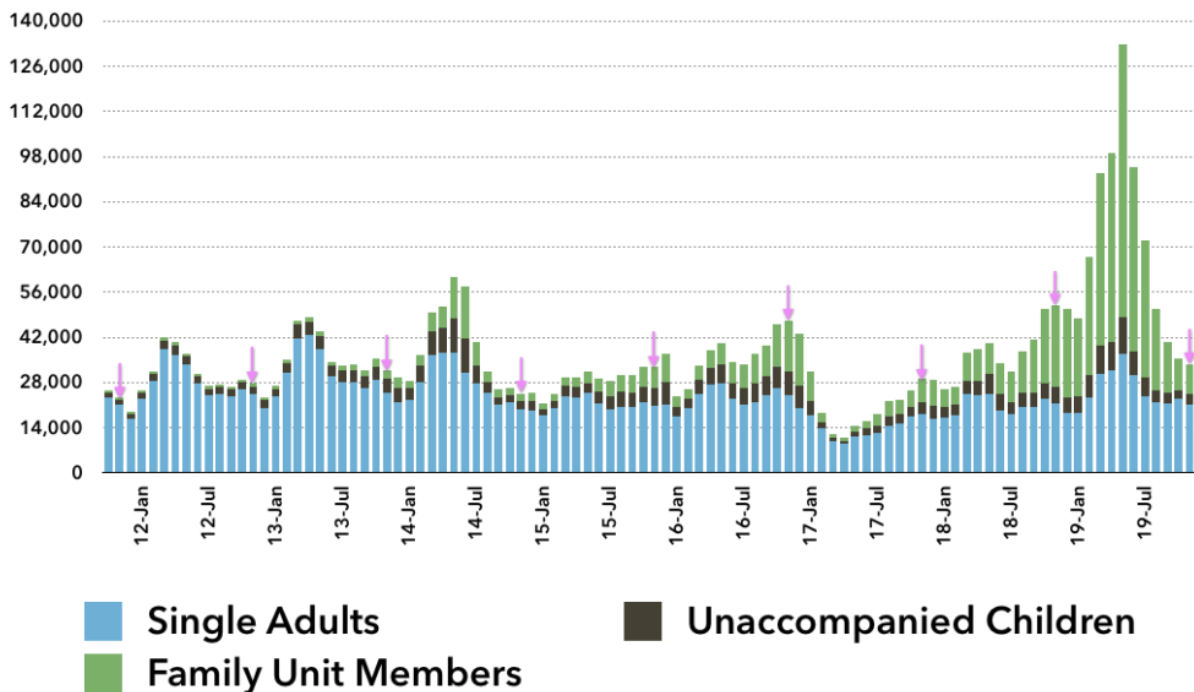
Migrant shelters throughout the southern border zone received record numbers of migrants during the first half of 2019. On average, La 72 Hogar y Refugio in Tenosique provided

shelter to 2,000 migrants per month between March and July 2019.⁴⁴ Like others, this shelter registered far more families than ever before. However, while many shelters remain at or above capacity, occupancy has dropped significantly since the crackdown began in June.

Traditionally, migrant shelters in Mexico have typically hosted migrants in transit for 2-3 days before they continue on their journey to the United States. In recent years, however, as more asylum seekers look to settle in Mexico instead of making their way to the U.S.-Mexico border, shelters are hosting many migrants for much longer periods of time in order to support them throughout the duration of their asylum case. It's becoming more common for shelters to house asylum seekers until the Mexican government certifies their asylum requests, when they can then access cash assistance from the UNHCR to find their own housing.

Shelters are only a partial indicator of the population in transit and tend to reflect the population that is unable to afford a smuggler and/or who quickly fled their homes in search of protection. Those traveling with a smuggler, who appeared to be the majority reaching the U.S. border during the months of heaviest migration in 2019, tend not to use shelters. Most unaccompanied children also travel with smugglers.

Migrant Apprehensions at the U.S.-Mexico Border, October 2011-November 2019



Months of November denoted with pink arrows



Source: <http://bit.ly/2mDr1fQ>

All those interviewed in the southern border region agreed that the National Guard deployment, and other aspects of Mexico's crackdown since June, had reduced the number of migrants, including families, coming to Mexico. Some, however, said that the reduction has not been sharp, noting that many migrants continue to arrive every day. In Frontera Comalapa, shelter personnel described the post-crackdown reduction as "not very significant."⁴⁵ In Tapachula, one described it as "probably just around 30 percent."⁴⁶ The director of a Tapachula migrant shelter, which saw no real reduction in its population since so many occupants are seeking asylum in Mexico, said that the National Guard deployment at first had an impact on migrant arrivals, but that now, "Many [migrants] just walk past them without getting noticed."⁴⁷

For those who are able to reach Tapachula, Tenosique or other towns along the southern border, however, the journey further north has become much more difficult, resulting in thousands stranded in these border-area towns with very few options, as discussed below.

Extra-Continental Migrants

The numbers and nationalities of migrants and asylum seekers vary along different parts of Mexico's southern border. The Tapachula area of Chiapas has seen a steady flow of Central American migrants in recent years. However, it has also been the destination city for a growing number of extra-continental migrants. A large Tapachula shelter reported receiving more Hondurans than other nationalities, but also many Cubans, Haitians, Guatemalans, Salvadorans, and Africans, but no Venezuelans.⁴⁸

Until recent months' changes, extra-continental migrants would present themselves before INM authorities, at times spend a few weeks in detention, and then be issued an "*oficio de salida*," a type of exit visa that enabled them to travel legally in Mexico for 20-30 days. Changes in how the INM is issuing these visas, and how these changes impact this population, are discussed below.

The director of a Tapachula-based group assisting asylum-seekers noted that the accustomed order, from most migrants to fewer, had been Honduras, Guatemala, El Salvador, then Nicaragua. However, the past year had seen two waves of Cubans, and since March, many Haitians and Africans from Congo, Cameroon, and more recently Angola and the horn of Africa, especially Somalia. "One could even say [our clients have been] majority Haitian since May or June."⁴⁹

In Frontera Comalapa, the migrant population in the town's one shelter was mostly Central Americans. Staff reported no Haitians or Africans.⁵⁰ In Tenosique, the "La 72" shelter was accustomed to receiving about 95 percent Central American migrants, but "there has been a reduction in Central Americans" with more Haitian and Cuban arrivals in recent months. However, they also noted that 85 percent of the shelter population was Honduran.⁵¹

African migrants routinely take six months to make a multi-country journey, leading mainly to Tapachula.⁵² Haitians and some Asians, too, often start moving northward from Brazil or Ecuador.⁵³ Some of the northward-bound Haitian children are citizens of Brazil, Chile, or other South American nations because they were born there.⁵⁴ Until August, the Ecuadorian government did not require visas for citizens of Cameroon, the Democratic Republic of the Congo, India, Somalia, Ghana, and elsewhere, which facilitated their arrival in the region.⁵⁵

Those who travel to Mexico from South America cite eastern Panama’s Darién Gap, a densely jungled region where the Pan-American Highway is interrupted, as the most frightening and dangerous part of the route. Criminal groups, disease, venomous snakes, and treacherous jungle conditions claim an untold death toll. “Panama is a cemetery of migrants,” a Tapachula-based advocate told us.⁵⁶



A dirt turnoff leads to a “punto ciego” at the border south of Maravilla Tenejapa, Chiapas.

Shifts in Migration Routes

The crackdown has caused a shift in migration routes, for now. Migrants are relying more on “*puntos ciegos*” (blind spots), unofficial border crossings that are often heavily transited.⁵⁷ These may be near an existing official crossing, or may just be a dirt road, a path, or a meeting of Mexican and Guatemalan communities without a fixed presence of immigration authorities.

The shift in routes is best understood by thinking of three corridors through which migrants travel (a fourth, less transited corridor is further north, leading from Belize into the Yucatan Peninsula.):

- A “coastal” corridor leading from San Marcos, Guatemala, through Tapachula and up Chiapas’s Pacific coastal highway;
- A “central” corridor leading from Huehuetenango, Guatemala and transiting through mountainous terrain either along the Pan-American Highway or other, less patrolled, rural roads that roughly parallel it; and
- A “jungle” corridor leading from Quiché and Petén, Guatemala, up to towns along the railroad route that follows Mexico’s southern Gulf coast, like Palenque, Chiapas and Tenosique, Tabasco.

Our fieldwork left a strong impression that Mexico’s crackdown had diminished migration along all three corridors, but that the impact was felt least in Chiapas’s central corridor, largely due to migrants and smugglers readily employing new routes.⁵⁸

The Coastal Corridor

In the coastal corridor, the crackdown has made travel near official crossings, including use of the famous rafts to cross the Suchiate River, nearly impossible for migrants. In response, Central Americans continue to cross through more remote “blind spots” here, but few avoid capture amid increased patrols and checkpoints on main roads.

The Central Corridor

In the central corridor, the border is not a river, just a line marked by obelisks. The crackdown has made it more difficult for migrants to cross within the immediate vicinity of official border crossings. Flows continue, though, in areas like the twin villages of Gracias a Dios, Guatemala and Carmen Xhan, Mexico, where official border crossings were never established. (The *Los Angeles Times* reported in August that National Guard patrols had dramatically slowed migration through the Carmen Xhan corridor, at least for a time.⁵⁹)

In this corridor, smugglers continue to operate robustly. “This corridor is strong. They come at night. Narcotraffickers, polleros, after 6:00 PM,” we were told in this region. Instead of main highways, smugglers are reportedly transporting migrants on secondary roads in the mountainous Lagos de Colón, Chamic, and Angostura reservoir region of central Chiapas.⁶⁰

Apart from smuggling, the main organized- crime-related activity that occurs in the central corridor is drug trafficking, which doesn’t involve migrants. “This is a cocaine route, but not a much-disputed route,” we were told.⁶¹ About 1,400 tons of cocaine—probably over 90 percent of U.S. consumption—likely passes through Guatemala each year, according to the State Department.⁶²



Obelisks indicate the land border between Ciudad Cuauhtémoc, Mexico and La Mesilla, Guatemala.

The Jungle Corridor

In the jungle corridor, migrants cross the Usumacinta river in towns with official crossings but scant state presence, like Benemérito de las Américas and Frontera Corozal. Most make their way to Palenque, Chiapas and northward.⁶³ As noted below, much of this route takes migrants through towns sympathetic to the Zapatista movement, where residents have established autonomous zones that operate outside of Mexican authorities. Further along, though, closer to Palenque, the journey becomes more dangerous.

To the north in the jungle corridor is the El Ceibo border crossing between Petén, Guatemala, and Tabasco, Mexico. From here, a 40-mile road leads to Tenosique, Tabasco, along the train line. It has always been easy to see groups of migrants walking this road. Due to the crackdown, though, their numbers are smaller—about 30-50 per day cross at

informal points, Tenosique-based humanitarian workers told us.⁶⁴ They now travel in smaller groups, and “they jump to the side [off the road] when they see a car that could be INM.”⁶⁵ Traveling off of this road makes them more vulnerable to assault, robbery, or rape in a region where criminal groups prey on migrants.

On the route from El Ceibo, through Tenosique, Palenque, and Villahermosa, the likelihood of being detained is high. The migration and security forces’ operations “are effective, you can tell from the full detention centers” along this route, a humanitarian worker told us.⁶⁶ People continue to ride atop the La Bestia cargo trains, which pass through Tenosique and Palenque every two or three days. Their numbers are smaller, though: “Maybe 60 to 70 ride on a train, not like 200-plus in the past,” a Tenosique-based shelter worker said.⁶⁷

Shelter personnel in Tapachula said that *enganchadores* (“hook-up men”)—people who mix in with the shelter’s migrants and try to convince them to hire smugglers—are a constant problem. Those who don’t pass through the shelter “already have their coyotes, for the most part,” they added.⁶⁸

Narcotraffickers appear to exert great influence in the route leading from Guatemala’s sparsely populated Petén province to Palenque and Tenosique. On the Guatemalan side, criminality is dominated by “ex-politicians, narco-ranchers, large landowners, military people up to their [expletives] in the business, and Mexicans who cross over,” a Guatemalan ex-policeman told investigative reporter Oscar Martínez.⁶⁹

Frontera Corozal and Benemérito de las Américas, also have a great deal of organized crime activity. Though preying on migrants is not these groups’ main focus, “migrants can end up victims of criminal bands” in this area, a humanitarian worker in Tenosique told us.⁷⁰

Trends in Corridors

The central corridor is probably the most transited by migrants who have hired coyotes. There, migration is “invisible” because the migrants are accompanied and hidden.⁷¹ In La Mesilla, Guatemala, along the Pan-American Highway across from Ciudad Cuauhtémoc, Mexico, “you see more Central Americans,” said a humanitarian worker in this region. “They get there, and *mototaxis* take them to hotels. Then there is a handoff from a Guatemalan coyote to a Mexican coyote.”⁷² Even now, after the crackdown, coyotes and their human cargo tend to avoid apprehension and detention because of corruption, discussed further below.

Migration of unaccompanied children and families from Central America in recent years is largely a product of widespread violence and insecurity in the region. During this and past trips to Mexico’s southern border, shelter workers identified for us several families, particularly from Honduras, who had fled their homes due to violence, often after other family members had been killed.

However, particularly in the last year, word had gotten out that traveling with a child would ease the process of entry into the United States. Smugglers often used this line to recruit people to leave, but many migrants who had reached the United States also reported back to their communities that they and their children were allowed to remain in the United States for years pending an eventual asylum hearing date. As a result, more families likely decided to emigrate.



Families at the “La 72” shelter in Tenosique.

At least until the present crackdown, coyotes were advising migrants to travel with a child, and offering steep cuts in fees for parents and children. The fee was often less than half the traditional price, because the smuggler only had to bring the parent and child across the U.S.-Mexico border to await apprehension, rather than accompany them in the desert trying to avoid detection.⁷³ The likelihood of being forced to “remain in Mexico” for months while their asylum case moves through immigration court, and the new regulations banning asylum for individuals who have transited through a third country that has a “functioning” asylum system, however, may be changing this calculus.

Some humanitarian workers acknowledge that they have heard of cases where smugglers are “renting” unrelated children, calling them “*niños pasaportes*” (CBP calls it “child recycling”).⁷⁴ We have no sense of how frequently this happens. Acting Homeland Security Secretary Kevin McAleenan claimed on September 4, “In a recent pilot study, Immigration and Customs Enforcement’s Homeland Security Investigations identified 95 fraudulent families out of 562 interviewed during a three-week period.”⁷⁵ McAleenan did not report how many of the adults in this one-sixth of cases were truly unrelated, and how many were non-parent relatives (grandparents, uncles, cousins, adult siblings) or close family friends given guardianship.

The Human Rights Impact of Mexico's Crackdown

Detention Facilities

In late June, Mexico's National Human Rights Commission denounced that the majority of Mexico's 29 detention centers and 23 short-term detention facilities that are currently operating were overcrowded, with some of them 300 percent over capacity.⁷⁶

For months, the number of migrants transiting through Tapachula was so high that the Mexican government maintained a former fairground as an impromptu shelter, in addition to the Siglo XXI shelter operating at or above capacity. A local church diocese in Villahermosa loaned some of its land to the Mexican government to open a facility called the "annex" to accommodate detained migrants. This facility held around 1,000 detained migrants in June and July.⁷⁷ The Tenosique detention facility, with a capacity of 80-100 people, reached a maximum of 471.⁷⁸ Similar trends were reported in the roughly 100-capacity detention centers in Villahermosa and Palenque.⁷⁹ In early August, then-INM Director Garduño confirmed in a meeting with the Consultative Council for Migration Policy that on average detention centers were operating 61 percent above capacity.⁸⁰

If you wish to seek asylum, "you end up detained four to six weeks in hellish conditions" at these facilities, a humanitarian worker told us.⁸¹ Migrants held in the fairgrounds and in detention centers denounced mistreatment by Mexican security forces and migration officials, poor sanitary conditions, and lack of adequate healthcare, food, and water.⁸² On August 6, a Haitian migrant who had been detained for 20 days, and spent his last days gravely ill, died in the Siglo XXI facility. Others detained at the center have affirmed that he had been asking for medical attention for several hours before he passed away but never received any assistance.⁸³ The migrants and asylum seekers with whom WOLA staff spoke outside of Siglo XXI, all of whom had been detained for at least a few weeks, spoke of the "horrible" conditions inside; most said that they had gotten sick while in detention.

During our visit in August, a UNHCR official estimated that around 800 people were detained in Siglo XXI, below its 960 capacity.⁸⁴ Extra detention space was reported in Comitán and in Tuxtla Gutiérrez as well. The detention center between Tuxtla and Chiapa de Corzo, Cupape 2, known as "*La Mosca*" ("The Fly"), is "a terrible place," according to a humanitarian worker.⁸⁵

In November, organizations that monitor human rights in southern Mexico denounced inhumane conditions in several detention centers in Chiapas. In Huixtla, dozens of migrants, particularly from Cameroon, were being held for over 2 weeks in that town's short-term detention facility, which is designed to hold people for no more than 48 hours. The facility itself was operating at over 200 percent capacity and had no potable water available in the

bathrooms. The organizations also denounced lack of adequate healthcare, overcrowding, and rotten food.⁸⁶

Mexico's detained migrant population includes a lot of children. Advocates at Tapachula's Fray Matías de Córdova Human Rights Center said that 30-40 percent of those held at Siglo XXI are children. "They're the ones who get sick first," they reported.⁸⁷ In Tenosique, Mexico's child welfare institute (*Sistema Nacional para el Desarrollo Integral de la Familia*, DIF) has a facility that can hold 20 minors. Once it fills up, unaccompanied children get sent to regular detention facilities. They routinely wait a week in detention before even having contact with their countries' consulates. "Kids seem to slip through the best-interest determination and get sent back" to the countries they are fleeing, a humanitarian worker told us.⁸⁸

Despite widespread concerns about health conditions and allegations of mistreatment, the Mexican government continues to resist or restrict independent monitoring of conditions at Siglo XXI and other detention facilities. Organizations supporting detained asylum seekers may enter the centers, but only on a limited basis, and they only have access to areas outside of the holding areas.

Only the CNDH and the International Committee of the Red Cross may monitor conditions. The UNHCR may only enter detention facilities to provide migrants information about their rights; it may not monitor.⁸⁹

The INM's Citizen Council has also accessed the detention centers. In 2017, the council produced a report detailing the findings of an observation mission it conducted in several facilities across the country. The report exposed inadequate conditions, poor access to healthcare, family separation, a failure to inform detainees about their rights, among other concerns.⁹⁰

Crimes against Migrants

Migrants in Mexico's southern border zone continue to suffer assaults, robberies, rapes, and kidnappings at the hands of organized crime or common criminals, and almost the entirety of these crimes go unpunished. The majority of shelter workers and human rights defenders that we interviewed told us that the problem, while at serious levels, did not worsen with the 2018-19 increase in migration and subsequent crackdown.

In Tapachula, Central American migrants face threats from gangs affiliated with the maras in the countries they are fleeing. "They do operate here [in Tapachula], even having power over some neighborhoods," a Mexican official told us.⁹¹ A Tapachula-based scholar noted that the city has seen a slightly greater presence of Central American gangs.⁹²

A Tapachula-based shelter director, on the other hand, affirmed to us that levels of abuses and crimes against migrants in the city “aren’t serious” and that abuses tend to concentrate more often along migrant routes outside the city.⁹³

Near Frontera Comalapa, “crimes against migrants are very sporadic,” a shelter worker there told us, but when they do occur, the most common is robbery, with occasional cases of assault, rape, or kidnapping. There is not much presence of Central American gangs, this individual said, and local “social organizations have been very vigilant about it,” with business associations even sponsoring neighborhood watch groups.⁹⁴

A particular hotspot for assaults on migrants is the approximately 100-mile route between Frontera Corozal, a border town in the Lacandón jungle region, and the city of Palenque, Chiapas, a big stop along the northbound cargo train route. Much of the journey is relatively safe, as the road passes through self-managed Zapatista communities who keep out most authorities and outsiders. Starting about 25 miles before Palenque, though, danger increases, especially around a crossroads town called Chancalá, where local migrant-rights advocates have documented numerous assaults and kidnappings. They note the correlation between the presence of security and migration forces and the intensity of criminal assaults on migrants.⁹⁵



A sign outside a Zapatista-aligned community warns off the security forces and other outsiders.

In Tenosique, as of the end of October, the La 72 migrant shelter had identified 1,125 crime victims among its population over the course of 2019. The most cited crimes were robbery, abuse of authority, extortion and fraud. Migrants told shelter personnel about eight rapes in March, eight in April, and four in May.⁹⁶ While “the National Guard presence brought a temporary drop in crimes,” a La 72 shelter worker noted, this appears to have been temporary.

In early October, the shelter issued a press release documenting a significant uptick in cases of kidnappings, some involving horrific acts of violence, between July and September 2019. They registered 36 victims in seven different incidents during this period. In one concerning incident, Tabasco authorities found the murdered body of a Guatemalan woman in September. Meanwhile, there has also been a concerning presence of armed individuals outside of the shelter.⁹⁷ Staff from Doctors without Borders, who provide medical assistance to migrants in this area, have documented a similar trend of increased kidnappings and criminal violence.⁹⁸

In Tenosique, groups that prey on Central American migrants “can’t be said to have a controlling presence. Threats arrive more by text or Facebook,” a shelter worker told us.⁹⁹ “People are afraid, they feel unsafe being this close to Honduras. I’m not sure if their fear is fully founded.” Threats against migrants tend to come more from local criminal groups. “We can’t talk about ‘organized’ [crime], it’s more like bands that are very small and local. Not the Jalisco cartel or something.”¹⁰⁰ For instance, in mid-2018, authorities broke up a small group called “*Las Maldades*” (“The Evils”) that preyed on migrants. Many of these criminal groups have been operating for years in specific areas along the route used by migrants to travel to Tenosique from the Guatemalan border, yet Mexican authorities have largely failed to investigate these groups and put an end to their operations.

Apart from the Tenosique area, we heard reports of kidnapping for ransom across the southern border region. “If you’re too poor for a coyote, you might end up in a trap,” a humanitarian worker told us.¹⁰¹ An encounter with criminals, or with security or immigration forces linked to criminals, could lead to a migrant being held until relatives wire a payment. Asylum seekers who receive UNHCR subsidies while awaiting decisions on their cases are also vulnerable because criminals see them as a source of money. Cuban migrants are especially vulnerable. Kidnappers, knowing they may have relatives in the United States with some means, charge ransoms as high as USD\$6,000-\$8,000, according to one investigative reporter.¹⁰²

WOLA’s 2017 joint report on access to justice for migrants in Mexico noted the vast obstacles migrants face when pursuing justice for a crime they suffered in Mexico.¹⁰³ While Chiapas and Tabasco state governments have prosecutorial units charged with investigating and trying crimes against migrants, these are barely functional, with meager budgets and—in many cases—personnel who show zero passion for the mission of migrant protection.

In Tapachula, local organizations have little contact with José Manuel Figueroa Díaz, the current head of the specialized prosecutor's office for migrants in Chiapas. Prior to this post, Figueroa Díaz had been a deputy delegate of the INM in Chiapas and was the subject of complaints by migrant rights organizations for being involved in an extortion scheme targeting Cuban migrants held in detention.¹⁰⁴

In the region around Frontera Comalapa, lawyers have presented 30 cases of crimes against migrants to the prosecutor's office that have yet to result in a conviction.¹⁰⁵ A significant obstacle for victims of crime is that they have to go to the city of Comitán, an hour and a half away by bus, to obtain expert reports (*peritajes*) documenting the harm they suffered, including medical evidence. However, it is impossible for migrants to travel to Comitán, past immigration checkpoints, because they lack the legal documents to do so.

In Tenosique, the local prosecutor's office is "a mess," a humanitarian worker told us. "It's open from 9:00 a.m. to 1:00 p.m.. If you've been raped, you need to wait until Wednesday [to issue your complaint]; that's the day the psychologist is there. In domestic violence cases, lawyers have said, 'why don't you work things out with your partner?'"¹⁰⁶ Some cases, a shelter worker told us, have had to be handed off to investigative police because prosecutor's office personnel said "we don't have gas" to come to crime scenes and investigate.¹⁰⁷

During our visit, Tenosique's newly-named migrant crimes prosecutor, Sara Cabrales, wasn't around— she was away at a four-month training retreat. In October, La 72 denounced that Cabrales had been focusing almost exclusively on less violent crimes like robbery, while leaving kidnappings uninvestigated. Moreover, migrants have reported bribery within the prosecutor's office, saying that Cabrales and her staff have requested payments from victims in exchange for opening an investigation into the crimes they have reported, or prioritizing the ongoing investigation of their case.¹⁰⁸

Migrants and the Local Population

"There are domestic political reasons why the electorate might want a crackdown on migrants," a Mexico-based U.S. official told us.¹⁰⁹ Indeed, a July *Washington Post-Reforma* poll showed Mexican public opinion souring on migrants and demonstrated broad public support for the López Obrador government's crackdown. In the southern border zone, respondents generally reported an increase in xenophobic attitudes toward migrants, but did not view them as reaching crisis levels.¹¹⁰

Throughout Chiapas, residents had received the initial 2018 migrant caravans with hospitality, providing food, water, and other forms of humanitarian assistance. "After the fourth or fifth caravan, though, people shut their doors and closed their businesses," a local government official told us. "There's a climate of xenophobia."¹¹¹ A Tapachula-based analyst and shelter worker also cited "increasing xenophobia," which may be worsening as more migrants are stranded in the city (discussed below).¹¹² Many residents, we were told, believe that the migrant presence has made the city's center a no-go zone due to petty crime: "You

get a sense of menace,” a local academic told us.¹¹³ A human rights advocate said that residents also voice a racist belief that African migrants bring disease.¹¹⁴

In Tapachula, local residents put up a banner demanding that the COMAR’s office be relocated, as it was in a residential neighborhood close to downtown. COMAR has since moved into facilities that are better able to accommodate the larger number of asylum seekers. However, prior to the move we were also told that there had been some pushback from local businesses about the new location.

In Frontera Comalapa, too, while there are fewer migrants in the area, locals blame them for petty crime and robberies, and there is latent “hostility,” a shelter worker said.¹¹⁵ Xenophobia is also present in Tenosique, a shelter worker told us, “but it isn’t worse” than in the past.¹¹⁶



The sign reads: “We request the relocation of COMAR, and that no other office with migratory purposes be installed within this zone (UNHCR, CNDH, etc.). We’re not against your migratory processes, but we demand respect for our rights. July 2019”

Asylum and Detention

Why Migrants are Fleeing

As WOLA has documented in multiple reports, many factors are contributing to the surge in migrants traveling through the region. An individual or family is likely not motivated to leave based on just one factor, but a combination of reasons driving them from their homes.

For Central Americans, it is a combination of violence and insecurity, poverty and lack of economic opportunity, and corruption, among others. Guatemala, Honduras and El Salvador continue to rank among the nations with the world's 16 highest homicide rates, including countries at war.¹¹⁷ Security forces are either unable or unwilling to protect people from gangs, organized crime and gender-based violence. Often, people fleeing gang persecution have already relocated internally, in their own countries or elsewhere in Central America, several times before finally fleeing the region. In some cases, citizens have been victims of repressive police tactics and abuse by state security forces.

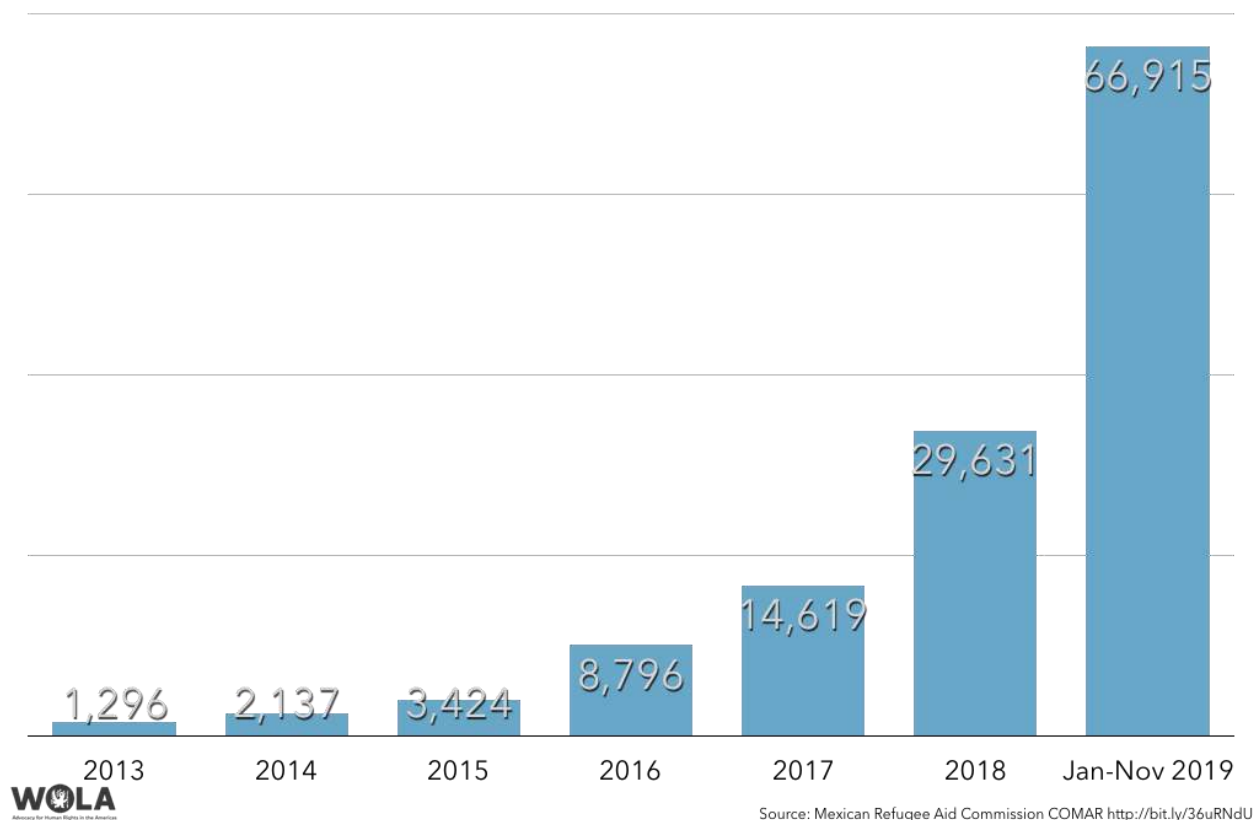
Economic hardship is also a factor. After Haiti and Nicaragua, Guatemala and Honduras are the poorest countries in the western hemisphere. Their rural zones, affected by drought, flooding, and coffee blight, are in a state of economic collapse with a real danger of famine. Northern Triangle governments have been hobbled by endemic and unpunished corruption, and international organization efforts to help combat it, like the UN-sponsored Commission against Corruption and Impunity in Guatemala (*Comisión contra la Impunidad y la Corrupción*, CICIG), have been weakened or ejected. Security forces don't effectively pursue gangs that extort small businesses into closure. Landowners and criminals with designs on projects like mining displace rural-dwellers from their land. Public funds to support healthcare, education and anti-poverty efforts are embezzled by politicians more interested in personal enrichment than their citizenry's well-being.

Migrants fleeing Cuba cite poverty and political persecution. Most come through Tapachula, but their numbers are increasing in the central corridor and in Tenosique.¹¹⁸ According to one press report, some Africans who had lived in Brazil began leaving after the election of Jair Bolsonaro.¹¹⁹

Mexico's Asylum System

Mexico has seen a stratospheric rise in migrants seeking asylum within its refugee protection system. As of the end of November, COMAR reported that Mexico had received 66,915 asylum requests for the year. This is more than double the requests that Mexico had received in 2018. Just four years ago, in 2015, Mexico only received 3,424 asylum requests.¹²⁰

Asylum Requests Made Before Mexican Authorities



In Tapachula, staff from a shelter told us that about 90 percent of their current population are people awaiting decisions on their asylum cases in Mexico’s system.¹²¹ Though a high number of people now consider Mexico a destination, the majority were still aiming to arrive in the United States. Those who seek family reunification, a Tapachula-based migrant rights advocate said, are those most determined to seek protection in the United States. Some others, though, just prefer to be where they feel safe, and are staying in Mexico.¹²²

Under Mexico’s law, asylum seekers must stay in the state where they made their request while their claim is being processed, including going to either COMAR’s or INM’s offices every 15 or 8 days, respectively, to certify that they are present and interested in moving forward with their claims. With the backlog of cases and staff shortages, this means that thousands of asylum seekers are waiting months for resolution of their cases, well beyond the 45-day processing period mandated by law.

While asylum seekers can request a humanitarian visa that enables them to work while their requests are being processed, in practice this is not happening. INM, which approves these visas, is also overwhelmed. Even if an asylum seeker can work, most of the requests are in Mexico’s poorer southern states, which are some of the least capable of absorbing such a

large population. As of November 2019, 65 percent of the asylum claims submitted in Mexico for the year, involving 43,647 people, had been made in Chiapas, with a little under 8 percent submitted in Tabasco (5,052 asylum seekers).¹²³ Chiapas is Mexico's poorest state, where over three fourths of the population live in poverty. While UNHCR provides cash support to asylum seekers once they have made their claims, this is only temporary. Other challenges include housing, access to public services, and exploitation by the local population, which often charges them more for taxis and other services.

Requesting asylum in Mexico is also full of obstacles. First there is a 30-day limit from first entry into the country to request asylum, which is currently being challenged before Mexico's Supreme Court.¹²⁴ Requesting asylum in Mexico also often means spending some time in detention. Increased enforcement, for example, has made it hard to reach COMAR's office in Tapachula, 30 miles from borderline, or a shelter that can assist migrants in making claims, without first being apprehended by the INM, or by a National Guardsman or other security force supporting the INM. Even those who approach a port of entry and request asylum will be detained for at least a few weeks by the INM. Mexico does have an "alternatives to detention" program, which releases asylum seekers from detention and places them with shelters for housing; several thousand people have been released from detention since this program started in 2016.¹²⁵ However, given its limited scope, thousands more will be held in detention for their duration of their asylum claims.

Lack of services, poor food and healthcare, and overcrowding have resulted in some asylum seekers dropping their claims just to get out of detention. From January to September 2018, for example, approximately 13 percent of asylum claims were either abandoned or dropped.¹²⁶ Other individuals detained by the INM may never submit a claim due to lack of proper screening for protection needs. As of October, Mexico had returned 111,073 people back to their country of origin in 2019, including some individuals who were likely in need of international protection.¹²⁷ Past cases have shown that many potential asylum seekers are not adequately informed of their right to seek protection in Mexico. A 2016 monitoring mission of migrant detention centers carried out by the INM's Citizen Council found that the focus of INM agents is on the detection, detention and deportation of migrants. The majority of the detainees interviewed at the centers reported never receiving information about their right to apply for asylum, or that the information was not clear.¹²⁸

Asylum seekers in detention also have great difficulty accessing legal support. While organizations like Fray Matias in Tapachula can go to the detention center to assist asylum seekers, their staffs' visits are limited to a few days and hours during the week.

COMAR on the Brink

The surge in asylum seekers in Mexico has put COMAR on the verge of collapsing, a warning originally raised by the CNDH in 2018.¹²⁹ COMAR continues to have only three main offices nationwide (in Tapachula, Chiapas; Acayucan, Veracruz; and Mexico City) as well as a presence in Tenosique, Tabasco, while COMAR agents also travel to other regions on a regular

basis.¹³⁰ Even with essential support from UNHCR, COMAR staff is overworked and under-resourced. Given that over half of claims are being processed in Chiapas, the situation in this state is particularly dire. We heard of staff having to buy their own office supplies while putting in 12 hour shifts, plus weekend work, to address the backlog of cases. This office receives between 125-150 asylum requests every day and each of its 21 case workers handles about 1,300 cases.¹³¹



Asylum seekers crowd around the COMAR offices in downtown Tapachula.

The head of COMAR, Andrés Ramírez, is aware of the challenges his office is facing. In interviews, Ramírez has stated that COMAR needs to double its staff, improve training, and have six times its current resources in order to improve its capacity to receive and process requests.¹³² COMAR staff spoke to us about the need to devise a new registration plan and receive additional training, as well as access to interpreters for the rising number of non-Spanish speaking asylum seekers (including almost 5,069 Haitians for 2019 alone).¹³³ In spite of this clear diagnosis, the proposed budget for COMAR for 2020 is a mere USD\$2.35 million dollars. Although this is almost twice as much as the agency's USD\$1.2 million budget for 2019, it is about a third of what it had requested.¹³⁴

Even with budget limitations, COMAR is making progress, in part due to the commitment and dedication of Ramírez and other staff to increase its effectiveness. However, the biggest factor to this improved capacity is the support of UNHCR, whose 2019 operating budget for Mexico is over USD\$60 million.¹³⁵ UNHCR is supporting opening new COMAR offices in Monterrey, Tijuana, and Palenque, and it has provided support to hire 110 staffers to support the processing of cases. It is also providing technical assistance, including a "Quality Assurance Initiative" to attend a larger quantity of cases in a more effective way.¹³⁶

Apart from direct support to COMAR, UNHCR has provided funding to improve shelter capacity, particularly for temporary housing for asylum seekers; direct cash assistance programs for asylum seekers while their claims are being processed; support to organizations to provide legal assistance to asylum seekers; and a relocation program that moves people who gain refugee status to areas in Mexico, such as Saltillo, Guadalajara and Monterrey, that can provide improved economic opportunities and that are better able to integrate them.¹³⁷

This work to strengthen COMAR and asylum seekers' ability to access more legal support for their cases is having a positive impact in the resolution of claims. Compared to the United States, Mexico has a broader definition of who can qualify for asylum, including "persons who have fled their country because their lives, security or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order."¹³⁸ Though it is in the law, this definition has not always been fully applied. It was only in the past two years that, with UNHCR support, these categories were more rigorously applied to determine asylum cases from Central America, rather than just to Venezuelans who were almost all being granted protection. In 2017, for example, only half of asylum seekers from Honduras were granted refugee status or complementary protection; for the first 10 months of this year, it has increased to 82 percent. For El Salvador, the number has gone from 65 percent in 2017 to 83 percent in 2019.¹³⁹

These gains are undoubtedly important, but Mexico is not safe for all asylum seekers from the Northern Triangle and elsewhere. Apart from widespread crimes against migrants in transit and asylum seekers, we heard, from shelter workers and others, accounts of persecutors following victims into Mexico and asylum seekers feeling particularly vulnerable

when they are waiting outside of COMAR's offices to have their papers signed. Members of the LGBTI community may also be persecuted in Mexico.

In a country where less than 1 percent of the population is foreign born, Mexico is also facing integration challenges for this emerging refugee population. In 2017, Mexican organizations alerted the Inter-American Commission on Human Rights (IACHR) of the challenges facing refugees in Mexico, such as struggling to find adequate housing, healthcare, education, and other critical services. Moreover, documents displaying migrants' refugee status are often rejected by government offices, banks, employers, and other entities.¹⁴⁰

Exit Visas

While many Central Americans are requesting asylum with the intention of staying in Mexico—they account for 65 percent of the claims filed this year, with Honduras alone accounting for 44 percent of all claims—others view requesting asylum as their only option to have a legal document that will allow them to continue on their journey to the United States without being apprehended.¹⁴¹ In conversations with asylum seekers outside of Siglo XXI, it was clear this is often the case with Cubans and others, particularly from Africa. While this is far from optimal, changes in Mexican migrant policy this year have left them with very few other options.

Until the spring of 2019, most Cuban migrants apprehended in Mexico were processed by INM and given an exit visa (*oficio de salida*) that allowed them to travel legally in the country for a period of 20–30 days. These travel documents have typically been granted to citizens from countries that lack consular representation in Mexico, or that did not accept the return of their citizens. While Cuba signed a memorandum of understanding with the Mexican government in May 2016 that allowed for the return of its citizens, in practice most continued to receive a visa, which Cubans commonly called a safe passage document (*pase de salvoconducta*). In February 2019, and under increasing pressure from the United States to reduce the number of migrants reaching the border, Mexico ceased to issue these visas and a growing number of Cubans began to be flown back to the island.¹⁴²

The use of *oficios de salida* gradually began to be curtailed for other populations of extra-continental migrants. Starting in July, these visas were issued with a caveat: the person had to leave Mexico from the nearest (southern) border. Now, thousands of people from Africa, Asia and elsewhere found themselves stuck in Tapachula and surrounding areas, with very few ways to travel safely north without being apprehended.

This population became increasingly restless, as they were not given clear options from the Mexican government about their possibilities to stay in the country, nor access to adequate housing or other services. Starting in August, several mostly peaceful protests and occasional clashes took place between chiefly African and Haitian migrants and Mexican security forces outside of Siglo XXI. On October 13, hundreds of migrants from Africa and elsewhere, tired

of a lack of response, started a caravan from Tapachula, hoping to travel north, only to be quickly stopped by the Federal Police and National Guard.¹⁴³

In another sign of the dramatic shift in policy, on October 16 the INM flew 300 Indian nationals back to New Delhi, the first time such a flight has occurred. Commissioner Garduño has affirmed that there will be more flights like this one in the future, regardless of where the migrant is coming from, “even if they are from Mars.”¹⁴⁴ Indeed, Mexican officials are meeting with the embassies of many of these migrants’ countries of origin in Washington, DC to develop ways to repatriate their citizens or to determine ways they can legally stay in Mexico.

With limited options to travel north, an increasing number of extra-continental migrants are also requesting asylum in Mexico, including 467 from Cameroon and 8,042 from Cuba. In the case of Cubans, past data suggests that the odds of receiving asylum are low. In 2017, only 14 percent of the Cubans who requested asylum in Mexico obtained it or received complementary protection.¹⁴⁵

What remains to be seen is whether individuals from these countries, if granted asylum in Mexico, will stay in the country. From conversations outside of Siglo XXI it was clear that many did not understand the implications of obtaining asylum in Mexico for their possibility to settle elsewhere. Under U.S. law, those granted protection in another country will be denied asylum in the United States unless they can prove persecution in this third country.

Buses from the Northern Border

In response to the “Remain in Mexico” program’s expansion to dangerous Mexican border cities like Nuevo Laredo and Matamoros, where asylum seekers are frequently kidnapped and robbed, the Mexican government began offering this population the opportunity to leave the northern border region and travel south. One option is a voluntary return program run by the International Organization for Migration (IOM), with U.S. funding, which after a screening process repatriates “Remain in Mexico” asylum seekers who wish to desist from their claims, as well as other migrants at the northern border.¹⁴⁶

Apart from this program, however, the Mexican government began stealthily operating another busing program offering asylum seekers a one-way ticket to the border town of Ciudad Hidalgo, Chiapas, with the option to “self-deport.” WOLA witnessed this busing program during its first week of operation. Conversations with UNHCR staff, who were able to speak with several of the individuals, made clear that Mexican officials did not provide them with information about how to get back to the northern border for their next immigration hearings, what services might be available to them in southern Mexico, or even how they could return to Mexico if they decided to go back to their home countries.



Migrants bused back from the northern border disembark in Ciudad Hidalgo.

Media interviews with migrants bused back to the southern border suggest that the government continues to operate this program with no real interest in ensuring that the individuals understand the legal implications for their asylum cases in the United States. While framed as a way to “decongest” the northern border, the fact that so many asylum seekers are opting for the buses—due to lack of shelter and access to basic services, and out of fear of falling victim to even more crime in some of the most dangerous cities in northern Mexico—attests to the Mexican government’s complete failure to provide the humanitarian support it had promised when it acceded to the Remain in Mexico program.¹⁴⁷ It suggests that the Mexican government’s main interest, like that of the United States, is to make the conditions so difficult for asylum seekers—either in northern or southern Mexico—that they will opt to return home, many times to the very dangers they were fleeing.

Official Corruption in the Border Zone

In most of the southern border territories we visited, observers agreed that undocumented migration depends on security forces' and migration authorities' corruption. "The communities say, 'we see these cars go by, but they're not the ones that migration is stopping.' They [the coyotes] are basically accompanied by the authorities" due to corruption networks, said a Tenosique-based humanitarian worker. "Go with an expensive coyote, and it [the road] is clear all the way up."¹⁴⁸

Much of the exorbitant fees that migrants pay to coyotes get spread out among corrupt officials at checkpoints and elsewhere up the migrant route. Those who can pay or get a loan, then, tend to avoid apprehension and detention. As a result, Mexico's crackdown is effectively a crackdown on the poorest migrants, not on the entire migrant population.

Corruption played a big role in the post-2017 emergence of buses, arranged by well-paid coyotes, as a principal vector for bringing migrants across Mexico. The quick arrival of entire busloads of migrants underlay some of the arrivals of hundreds of asylum-seeking families at a time, often in remote desert locations, along the U.S.-Mexico border during the spring of 2019.¹⁴⁹

While we did not see any of these so-called "express buses" boarding anywhere along the border region, we heard that a common method is for Guatemalan coyotes to hand off a large number of migrants to Mexican counterparts at an unofficial border crossing, often at night in the southern border's central corridor. These buses, with about 40 migrants aboard, then travel across Mexico in two or three days, passing through checkpoints thanks to pre-arranged payments to corrupt officials. Journalist Sarah Kinosian, speaking to a coyote named "Daniel," documented how this works in *The Guardian*:

Daniel's group charged \$2,600 a head for the group of 40 travelers – all of whom planned to turn themselves in to US agents at the end of their five-day journey through Mexico.

Up to half of the total goes towards paying off criminal groups and officials in Mexico, he said. Buses typically pay about \$2,600 at each of five checkpoints. In the border state of Sonora, they must pay another \$20,000 (\$500 per person) to organized crime groups.

After deducting food, water, fake documents and other expenses, the remainder is divided between the six members of the smuggling chain and the bus driver. Daniel makes roughly USD\$650 a trip.¹⁵⁰

In the "jungle corridor," the Frontera Corozal border crossing, on the Usumacinta River, corruption is "notoriously bad," a Tenosique-based shelter worker told us. Journalist Oscar Martínez, writing for *El Faro*, found the same thing at the crossing between Bethel, Guatemala and Frontera Corozal:

This is a zone where one crosses with a coyote. The coyotes usually wait for their "line" to be active in Mexico before crossing. "Line" is what they call the network of contacts with criminals and Migration agents

*that will allow them to cross without any problem, once earnings are shared. It's normal for a coyote to wait some days until his contact at Migration is in charge of the border crossing that they will go through, then they leave the jungle and start traveling on the road.*¹⁵¹

Tonatiuh Guillén, the migration expert who headed the INM for the first several months of the López Obrador government, tried to take on the agency's stubborn corruption problem. "There are fewer corrupt agents now, 600 were fired," a Tapachula-based migrant defender said (media reports say about 500). As a result, "the cost of corruption has increased, it has had to get more sophisticated."¹⁵²

"Corruption in the past brought predictability" to smugglers' dealings with INM officials, this individual told us. "But under Tonatiuh [Guillén], there was a dissociation." In the end, though, "he couldn't purge the Institute, and it ended up eating him."¹⁵³

In the vicinity of Tenosique, apart from the bribes asked in order to process criminal complaints for migrants (discussed above), La 72 has also denounced corruption within the INM and at the Tenosique detention center. Complaints about corrupt behavior in local Army units, we heard, are infrequent, at least where migrants are concerned.¹⁵⁴

In general, local advocates and analysts agreed that corruption is likely to undermine the Mexican government crackdown's "success" in reducing undocumented migration. "There's a sense that migration reductions will continue until a new agreement gets made with the National Guard," said one Tenosique-based advocate. "There are rumors that this is already happening now."¹⁵⁵

U.S. Assistance in the Border Region

U.S. assistance to Mexico is well below the levels of ten years ago, the initial years of the “Mérida Initiative” aid package, after many years of gradual reductions in new appropriations. 2019 appropriations for Mexico in annual foreign aid legislation, for both security and economic initiatives, totaled USD\$166.66 million. USD\$110 million of that is managed by the State Department’s International Narcotics Control and Law Enforcement (INCLE) account, which funds police assistance, a small amount of military assistance, and much of the migration and border security initiatives discussed below, along with judicial reform programs. USD\$45 million is managed by the U.S. Agency for International Development (USAID), mainly for efforts to support judicial reform, human rights, anti-corruption, and violence-reduction initiatives. Very little in USAID’s portfolio goes to Mexico’s southern border zone. Over USD\$6 million nationwide goes through accounts that primarily provide military assistance.¹⁵⁶

Mexico received an additional USD\$64.2 million in assistance from the Defense Department’s counter-drug account in 2016, and USD\$46.15 million in 2017, the last years for which we have data.¹⁵⁷ According to the Congressional Research Service, the Defense budget assistance

*has enabled NORTHCOM (U.S. Northern Command) to train and equip an increasing number of Mexican military personnel. Training has included courses on information fusion, surveillance, interdiction, cybersecurity, logistics, and professional development. Equipping efforts provided nonlethal equipment (such as communications tools, aircraft modifications, night vision, boats, etc.) to support those training courses.*¹⁵⁸

We do not know how much of this assistance went to units in Mexico’s southern border zone.

Contrary to what happened during the Peña Nieto administration, Mexico’s transition to a new presidential administration from another party has not paused the implementation of most U.S. assistance programs, which are continuing as before. Still, U.S. officials went months without knowing whom their new points of contact were, as Mexican personnel changed even at very low levels. As the López Obrador government has been cutting budgets across the board, including for security forces, “there is receptivity in agencies to U.S. assistance,” a Mexico City-based U.S. official told us.¹⁵⁹

The U.S. government is not yet providing assistance to the new National Guard, or at least it wasn’t as of August 2019, the official said.¹⁶⁰ One challenge is that U.S. officials do not yet have clarity on the “end users” of equipment it has provided to the Federal Police, which will now be transferred over to the National Guard. Guardsmen, meanwhile, are being trained by trainers from Mexico’s Federal Police Academy, who in turn have received U.S.-funded training.

Amid changes in Mexico's federal government, many INCLE programs are focusing on assistance to state-level forces on longtime U.S. priorities like forensics, use of force, and basic police training. At the federal level, a basic training program continues for agents of the INM and the customs and revenue service (*Servicio de Administración Tributaria, SAT*).

Past INCLE assistance under the 2014-2015 "Southern Border Plan" had funded the installation of kiosks to collect biometric data on detained migrants. The kiosks shared information about the migrants with the U.S. government, which crossed them with Homeland Security databases. These kiosks were barely used. "They took about a half hour to register one person, the information just went one-way to DHS, and Mexican officials couldn't see the purpose," a U.S. official told us. "The new equipment is portable, 'pings' the DHS IDENT database, and gives a response within a few minutes." All of Mexico's 52 migrant detention facilities now have the biometric equipment, and the State Department is working to convince other Mexican agencies to use it as well.¹⁶¹ Asked whether the new equipment is working better than the old, the official replied, "If it's being used, it's working."¹⁶²

Another multi-million-dollar component of U.S. assistance to the 2014-15 Southern Border Plan was the construction of a network of communications towers along Mexico's southern border region, so that security and migration forces could communicate despite gaps in cellular and radio coverage. Most towers are now built, but final construction awaits Mexico's issuance of a deployment plan, or border protection plan, for the southern border zone.¹⁶³

Even as U.S. assistance helps tighten border controls, other accounts, particularly the State Department's Population, Refugees, and Migration funds, are supporting the Mexican government's "softer-side" approaches to migration. U.S. support for the UN High Commissioner for Refugees helps UNHCR assist COMAR. Funding to UNHCR and the International Organization for Migration (IOM) is also helping local organizations and governments to set up shelters along Mexico's northern border. Funding to IOM also supports the voluntary bus deportations discussed above.¹⁶⁴ "It's in the U.S. interest to be able to say that Mexico has a functioning asylum system," a U.S. official told us.¹⁶⁵

Conclusions

U.S. and Mexican authorities combined apprehended over a million migrants and asylum seekers in fiscal year 2019. Hundreds of thousands of these individuals fled endemic violence and persecution in their home countries, while others sought to escape crippling poverty that had hindered their ability to meet even their most basic needs.

Rather than seeking sound policy measures to address this mixed flow of people, the Trump administration has cut aid to Central America, all but ended access to asylum at the U.S.-Mexico border, and bullied Mexico and Central America into accepting programs that outsource the United States' international protection obligations.

Going into 2020, the Trump administration will likely continue to pursue policies that further limit access to asylum in the United States and restrict legal migration. The future of the Remain in Mexico program and other policies that likely violate U.S. and international law will rely on the will of Congress and the courts to push back: Congress has the power to defund these programs and the courts have the ability to block their continuation.

In the meantime, migrants traveling through Mexico are those most acutely feeling the impact of the Trump administration's attempt to all but end access to asylum at the U.S.-Mexico border. Far from López Obrador's campaign promises to make Mexico a welcoming country for migrants, his government has followed the steps of his predecessor, Enrique Peña Nieto, and cracked down on migrants and asylum seekers traveling in the country.

While recent attention has focused primarily on the growing humanitarian crisis in Mexico's northern border towns as a result of the Remain in Mexico program, it is important to call attention to the crisis at Mexico's other border. Thousands of migrants are stranded in Mexico's southern border zone, where many have fallen victim to crime and abuse.

Those who decide to seek asylum in Mexico must face an understaffed and under-resourced asylum system that the Mexican government has yet to commit to adequately fund. In this system, backlogs mean months of waiting in precarious conditions.

To become a country that effectively advocates for the rights of its citizens abroad, the Mexican government must also work to ensure the rights of migrants, asylum seekers, and refugees in its own territory. The United States should support Mexico in these efforts while upholding its own national and international responsibility to provide protection to asylum seekers and refugees.

RECOMMENDATIONS

For the Mexican Government:

- **The López Obrador administration should provide COMAR with the funds and human resources it needs to improve its capacity to receive and process asylum requests.** The administration must commit its own resources to build up its refugee agency. It can't rely on the UNHCR's support alone. Asylum requests more than doubled between 2018 and 2019 and will likely increase in 2020. In this context, the federal government should continue to increase COMAR's budget dramatically. When comparing COMAR's 2019 budget to the number of asylum applications it received in the first 11 months of 2019, it can be seen that the Mexican government spent an average of just USD\$22 on each application it processed this year.
- **The INM should strengthen its protocols to guarantee that agents adequately screen all migrants for protection concerns.** INM agents often fail to fulfill their obligation to ensure detained migrants understand that they have the right to seek protection in Mexico. The INM must work to adequately screen all potential asylum seekers for protection concerns. In addition, the INM should grant civil society actors increased access to detention centers to provide legal assistance to those who wish to apply for asylum.
- **The INM should address the appalling conditions within many of its detention centers.** In doing so, it should follow the recommendations put forth by the National Human Rights Commission, the INM Citizen Council, and other organizations. These recommendations lay out strategies for how to decrease overcrowding, guarantee adequate access to food, healthcare, and other basic services, and adequately protect particularly vulnerable migrants. In addition, the INM should strengthen its compliance with Mexico's Child Rights Law, which prohibits the detention of migrant children. The INM should also establish an orderly system within detention centers that allows detained migrants to lodge criminal complaints for the crimes and human rights violations they have suffered in Mexico. Finally, the agency should expand alternatives to detention programs so that the detention of potential asylum seekers becomes the exception, rather than the norm.
- **Agencies involved in migration enforcement should strengthen their internal affairs units in order to guarantee strong oversight and accountability measures.** During the first half of 2019, while Tonatiuh Guillén headed the INM, the agency purged around 500 personnel for acts of corruption. The New INM Commissioner, Francisco Garduño, committed to continuing these efforts when he came into power. Part of this initiative should focus on ensuring that the INM strengthens oversight mechanisms over its agents, including by establishing an internal affairs unit to investigate possible criminal acts and grave cases of misconduct. Likewise, the National Guard must make full use of

its own internal affairs unit to investigate any crimes or human rights violations that guardsmen may commit against migrants.

- **Investigative authorities should promptly and thoroughly investigate crimes and human rights violations committed against migrants and asylum seekers.** Prosecutor's offices at the state and federal level should establish mechanisms that make it easier for migrants to report the crimes they have suffered in Mexico. Prosecutors should regularly visit migrant shelters and human rights organizations to receive crime reports, and the Mexican government should establish new specialized prosecutor's offices in areas where there is a high number of crimes against migrants. In addition, internal affairs units should immediately investigate any official within prosecutor's offices who ask migrants for bribes in return for investigating the crimes they have reported. Finally, federal and state governments should guarantee that prosecutor's offices have the financial and human resources they need to effectively investigate crimes against migrants.
- **The Mexican government should develop a plan to withdraw the National Guard from migration enforcement operations.** While the López Obrador administration created the National Guard as a public security force, in its current form, it is a military-led security force staffed primarily by members of the armed forces. As we have repeated in multiple reports on Mexico's southern border, we do not believe that military forces should have a role in citizen security and migration enforcement missions, given the risks associated with placing military personnel in regular contact with citizens and vulnerable populations. The National Prosecutor's Office must thoroughly investigate any guardsmen accused of violating migrants' rights. Any U.S. support to the National Guard should be restricted to improving the professionalism and accountability of the National Guard, including by supporting strong internal and external accountability mechanisms.

For the U.S. Government:

- **The U.S. government should continue to provide robust funding to support the UNHCR's efforts in Mexico.** The UNHCR continues to provide critical support to increase COMAR's technical capacity. It also provides crucial assistance to civil society organizations and migrant shelters that assist asylum seekers and refugees. While the Mexican government must commit to designating its own resources toward strengthening COMAR, the U.S. government can provide important support by continuing to provide funding to the UNHCR.
- **The U.S. government should contribute to efforts to make Central America a place people don't need to flee.** Cutting assistance to the countries of the Northern Triangle is counterproductive. The only way to tackle the large-scale challenges facing the region is with long-term, sustainable strategies that acknowledge realities on the ground and partner assistance with political support. The U.S. government should bolster efforts to strengthen the rule of law and tackle corruption in Central America. Assistance should

focus on efforts to reduce violence, strengthen law enforcement and judicial capacity, combat corruption, and increase accountability and transparency. It should also go towards evidence-based employment creation and job training programs. Any aid to the Central American government agencies should be conditioned on demonstrable progress on much needed reforms.

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ABOUT WOLA

The Washington Office on Latin America (WOLA) is a leading research and advocacy organization advancing human rights in the Americas. We envision a future where public policies in the Americas protect human rights and recognize human dignity, and where justice overcomes violence.

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