

To the Governments of Mexico and the United States

To all International Human Rights Organizations

To the media

To Civil Society Organizations in Mexico and the United States

To migrant groups and organizations in Mexico and the United States

In the context of negotiations with the United States government, the Mexican government has closed its borders to migrants and people with international protection needs

We, the signatory organizations of this appeal, express our concern and rejection of 1) the measures restricting transit for non-essential activities at the land borders of Mexico announced on March 18 of this year by the Mexican Ministry of Foreign Affairs (SRE), as well as 2) the deployment of migratory containment operations along Mexico's southern border, announced in external **bulletin No. 144/2021** published March 19 by Mexico's National Migration Institute (INM). The proposed measures seek to halt the movement of displaced unaccompanied children and adolescents (UC) and migrants with international protection needs, and they were made public in the context of negotiations with the United States to access vaccines against COVID-19

We reject the response of the Mexican State to the displacement of individuals, families and children with international protection needs, because it denies the right to seek asylum, despite the fact that such displacements were foreseeable due to the persistent violence and insecurity, the deepening economic crisis derived from the impact of COVID-19, as well as the disasters caused by hurricanes Eta and Iota in the northern region of Central America.

We reject the response of the Mexican State to the displacement of individuals, families and children with international protection needs, because it denies the right to seek asylum

It is widely known that migration in the Central America and Mexico region is an ongoing process that has developed over the last 30 years, characterized by the need to provide humanitarian aid and international protection to people who enter through the southern border of Mexico, individually or collectively. This protection has been necessary at different historical moments since the 1980s through to the recent migrant caravans,--exoduses--from 2018 to the present. This displacement is the consequence of various forms of structural violence: political violence, economic violence, corruption, poverty, inequality, gender violence, violence committed by gangs and organized crime groups, and the impacts of a broad range of extreme weather events and earthquakes.

Since the enactment late last year by the Mexican government of a regulation that establishes that children, adolescents and their families will not be subject to immigration detention, we have identified deficiencies and gaps that result in human rights violations, evidenced by the monitoring activities of civil society organizations. In particular, we have documented a lack of protocols, inter-institutional coordination, capacities and infrastructure to provide an effective response to

ensure the protection and the best interest of unaccompanied migrant children, and of adolescents accompanied by their families. In some cases, we have documented the prolonged detention and separation of families, among other violations of their human rights.

We also note, with concern, that although there are positive signals from the United States government aimed at restoring and improving the asylum system, and despite the announced plan to develop a strategy to counter the causes of Central American migration, and strengthen access to international protection at the regional level, the specific details and the extent to which the government will carry out actual consultations with civil society organizations in the region are not yet known. In practice, the focus of Honduras, El Salvador, Guatemala, and Mexico towards forced displacement continues to be one of national security; no routes are being created for effective access to international protection or options and pathways for regular migration. This vision is reflected in the public calls made by the governments of the region to try to prevent the departure of people from their countries of origin through threats of deportation and other sanctions, including criminal penalties.

The fact that public health restrictions on the United States—Mexico land border remain in force under the Title 42 order issued by the Centers for Disease Control is extremely

worrisome, as it denies people the possibility of seeking protection in the United States, and because the Mexican government replicates these restrictions through measures that impede access to its territory by land along its southern border. Preventing the entry of people seeking international protection constitutes a violation of international human rights instruments, given that there are measures that could be put into place to ensure public health goals.

It should be noted that the measures restricting land-entry are not supported by any opinion or guideline issued by the Ministry of Health, and Mexico's southern border states are currently under a 'green traffic-light', the lowest level of epidemiological risk according to Mexican protocols in place—so there is no justification in terms of public health. These states, however, are the entry point for workers, migrants and people requesting international protection, most of whom come from Guatemala, Honduras and El Salvador.

This evidences the discriminatory and disproportionate character of these measures, as the largest volume of entries to the country is by air (according to official figures, in January 2021 559,386 people entered the international airports of Mexico City and Cancun), amounting to almost five times the entries by land (only 122,409 entries were registered in January in the four southern border states).

For all the reasons stated above, we demand that the Mexican government:

- **Ensure** the right to migrate and request asylum at all points of entry into the country, in compliance with international commitments and the obligations of the Mexican State laid out in its Constitution. Subsequently, eliminate any and all discriminatory measures, including the transit restriction at land borders, which is not, as underscored above, justified for health reasons.
- **Acknowledge** the structural causes driving the displacement of people in the region and respond effectively, differentiating according to the needs of migrants and those with international protection needs.
- **Eliminate** all immigration containment measures that directly affect the transit of workers and day laborers, and impinge on trade routes, all of which are activities that sustain the economy along the southern border.
- **Develop** the regulations, protocols, operation manuals and adequate and sufficient human and material resources for the effective implementation of the current Migration Law, which prohibits the detention of children, adolescents and their families. And ensure the authorities in charge of the protection of children and adolescents and their families have access to the necessary infrastructure and resources.

- **Adjust** its narrative, communications and institutional actions to ensure they no longer stigmatize and criminalize migrants and people with international protection needs. Especially, the most recent messaging strategy, which baselessly criminalizes families for fleeing their places of origin with children and adolescents to protect their lives and integrity.

In the same vein, we demand the following from the United States government, that it:

- **Implement** the corresponding measures and establish a precise calendar with the objective of restoring the right to access asylum, in coordination with organizations on both sides of the border, beyond scope of the Migrant Protection Protocols.
- **Advance** in crafting and implementing a regional strategy to address the causes of migration and access to international protection, prioritizing a human rights approach and ensuring the participation of civil society organizations in the region at all stages of the process.
- **Advance** in the implementation of the program to give protection to Central American minors who have relatives in the United States (CAM), with a precise timetable.
- **Prioritize** access to international protection in the region, instead of encouraging other countries to detect, detain, reject and deport foreigners, including people who seek protection in other countries that they cannot find in their own.
- **Make** a new designation of temporary protection status (TPS) for nationals of Nicaragua, Honduras, El Salvador, Guatemala and Haiti, in recognition of the impact of disasters and political conditions in their respective countries.

Signed by

- **Colectivo de Observación y Monitoreo de Derechos Humanos en el Sureste Mexicano**
American Friends Service Committee –Oficina Regional América Latina y el Caribe (AFSC), Centro de Derechos Humanos Digna Ochoa, Centro de Derechos Humanos Fray Matías de Córdova, Centro de Derechos Humanos Tepeyac, Centro de Derechos de las Víctimas de la Violencia Minerva Bello, Formación y Capacitación (FOCA), Iniciativas para el Desarrollo Humano, Colectivo Kaltsilaltik A.C., Médicos del Mundo Francia, Médicos del Mundo España, Red Jesuita con Migrantes –Centroamérica y Norteamérica, Servicio Jesuita a Migrantes – Comalapa, Servicio Jesuita a Refugiados México (JRS México), Tzome Ixuk – Mujeres Organizadas A.C., Una Mano Amiga en la Lucha contra el SIDA, Voces Mesoamericanas –Acción con Pueblos Migrantes A.C.
- **Colectivo de Observación de Tijuana**
Al Otro Lado, Aldeas Infantiles, American Friends Service Committee- Oficina Regional América, Latina y el Caribe (AFSC), Asylum Access México (AAMX), A.C., Centro 32 Families Belong Together, México, Espacio Migrante, Programa de Asuntos Migratorios Universidad Iberoamericana CDMX-Tijuana

● **Grupo Impulsor contra la Detención Migratoria y la Tortura**

American Friends Service Committee – Oficina Regional para América Latina y el Caribe (AFSC), Casa del Migrante de Saltillo – CDMS, Centro de Derechos Humanos Fray Matías de Córdova, Colectivo contra la Tortura y la Impunidad – CCTI, FM4 Paso Libre, Grupo de Acción Comunitaria – GAC, Inclusión y Equidad Consultora Latinoamericana - IYEC-, Instituto para la Seguridad y Democracia – INSYDE, Servicio Jesuita a Migrantes – SJM México y Servicio Jesuita a Refugiados – SJR México, Voces Mesoamericanas – Acción con Pueblos Migrantes.

● **Grupo de Trabajo Sobre Política Migratoria-GTPM**

Aldeas Infantiles SOS México, I.A.P.; Alianza Américas; American Friends Service Committee - Oficina Regional para América Latina y el Caribe (AFSC); Asylum Access México (AAMX) A.C.; Casa del Migrante Saltillo (Frontera con Justicia A.C.); Centro de Derechos Humanos Fray Matías de Córdova, A.C.; Coalición Pro Defensa del Migrante de Baja California; Comisión Mexicana de Defensa y Promoción de los Derechos Humanos; Fundación Appleseed México, A.C.; DHIA. Derechos Humanos Integrales en Acción, A.C.; FUNDAR Centro de Análisis e Investigación, A.C.; IMUMI Instituto para las Mujeres en la Migración; Iniciativa Ciudadana para la Promoción de la Cultura del Diálogo, A.C.; INSYDE Instituto para la Seguridad y la Democracia; M3 Movimiento Migrante Mesoamericano; REDIM Red por los Derechos de la Infancia en México; Sin Fronteras, IAP; Servicio Jesuita a Migrantes México; Servicio Jesuita a Refugiados; SMR Scalabrinianas: Misión para Migrantes y Refugiados; Leticia Calderón, Analista en temas migratorios; Brenda Valdés; Elba Coria; Manuel Ángel Castillo, Investigador; IDC International Detention Coalition (Observadoras). Claudia Martínez Medrano, Jocelín Mariscal Agreda y Melissa A. Vértiz Hernández, Secretaría Técnica.

● **Mesa Nacional para las Migraciones en Guatemala -MENAMIG-**

● **Red de Documentación de las Organizaciones Defensoras de Migrantes (REDODEM)**

● **Albergue Casa Nicolás**

● **Alianza Américas**

● **Alianza Binacional Migración y Desarrollo AC. (ABIMyD)**

● **American Friends Service Committee**

● **Asociación Coordinadora Comunitaria de Servicios para la Salud (ACCSS)**

● **Asociación Pop No'j (Guatemala)**

● **Asylum Access México (AAMX), A.C.**

● **CIDES, IAP**

● **Centro de Derechos Humanos Miguel Agustín Pro Juárez, A.C.**

● **Coalition for Humane Immigrant Rights (CHIRLA)**

● **Coalición SOS Migrantes**

● **Coordinación Sistémica con Migrantes del Sistema Universitario Jesuita**

● **Dignidad y Justicia en el Camino A.C "FM4 Paso Libre"**

- Embajada Migrante A.C.
- El Instituto de Geografía para la paz AC (IGP/Geopaz)
- Instituto para las Mujeres en la Migración AC (IMUMI)
- Iniciativa Ciudadana para la Promoción de la Cultura del Diálogo, A. C.
- International Detention Coalition
- International Activist Youth
- International Artivism Colective
- Kids in Need of Defense Mexico (KIND-Mexico)
- Latin America Working Group (LAWG)
- La 72, Hogar-Refugio para personas migrantes
- Oficina en Washington para Asuntos Latinoamericanos (WOLA)
- Organización México Americana para el Desarrollo, A.C.
- Oxfam América
- Oxfam El Salvador
- Oxfam Guatemala
- Oxfam Honduras
- Oxfam México
- Pueblo Sin Fronteras
- Servicio Jesuita a Migrantes, México.
- Sin Fronteras I.A.P.
- SMR: Scalabrinianas Misión con migrantes y Refugiados.
- Superando Juntos A.C.
- Uno de Siete Migrando A.C.

interviews

Yuriria Salvador - CDH Fray Matías de Córdoba A. C.

+52 1 228 824 9106

Helena Olea - Alianza américas

holea@alianzaamericas.org

+1 312 978 2017

Daniela Burgi-Palomino - Latin America Working Group (LAWG)

202 546 7010