

**“ THERE IS  
A TARGET  
ON US ”**

**The Impact of Anti-Black  
Racism on African Migrants  
at Mexico’s Southern Border**

## **“There is a Target on Us” - The Impact of Anti-Black Racism on African Migrants at Mexico’s Southern Border**

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African Migrants at Mexico’s Southern Border

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**El Instituto para las Mujeres en la Migración, A.C.** (“Institute for Women in Migration” or “IMUMI”) is a Mexican NGO that advocates for women migrants and their families within the region of Mexico, the U.S., and Central America. IMUMI addresses issues important to migrant women through legal strategies, research, communication, and advocacy. IMUMI collaborates with other civil society organizations, academic institutions, and governments to advocate for gender-specific migration and human rights policies.

**The Black Alliance for Just Immigration** (“BAJI”) is a racial justice and migrant rights organization which engages in legal representation, advocacy, community organizing, education, and cross-cultural alliance-building in order to end the racism, criminalization, and economic disenfranchisement of African American and Black immigrant communities. BAJI was founded in Oakland, CA by veteran civil rights activists and clergy who were concerned about a wave of unjust immigration enforcement laws. BAJI subsequently expanded its mission to include advocacy on behalf of all Black immigrants and refugees, and today has offices and/or staff members in New York, NY; Los Angeles, CA; Oakland, CA; Atlanta, GA; Miami, FL; Washington, DC; Minneapolis, MN; and Houston, TX.

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## LIST OF ENTITIES INTERVIEWED FOR THE STUDY

*La Asamblea de Migrantes Africanos y Africanas en Tapachula* (“Assembly of African Migrants” or the “Assembly”), Tapachula, Mexico

*Centro de Derechos Humanos Fray Matías de Córdova A.C.* (“Fray Matías Human Rights Center” or “Fray Matías”), Tapachula, Mexico.

*Programa Casa Refugiados* (“Casa Refugiados” or “PCR”), Mexico City, Mexico

*Servicio Jesuita a Migrantes* (“Jesuit Refugee Services” or “JRS”), Tapachula, Mexico

*Sin Fronteras IAP* (“Sin Fronteras”), Mexico City, Mexico

## TABLE OF ACRONYMS

**BAJI.** Black Alliance for Just Immigration

**CEDAW.** Committee on the Elimination of Discrimination Against Women

**CERD.** Committee on the Elimination of Racial Discrimination

**CMW.** Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

**COMAR.** Comisión Mexicana de Ayuda a Refugiados

**CONAPRED.** Consejo Nacional Para Prevenir La Discriminación

**CNDH.** Comisión Nacional de los Derechos Humanos

**EU.** European Union

**HRW.** Human Rights Watch

**IMUMI.** Instituto para las Mujeres en la Migración

**INEGI.** Instituto Nacional de Estadística y Geografía

**INM.** Instituto Nacional de Migración

**IRC.** International Rescue Committee

**LGBTQIA+.** Lesbian, gay, bisexual, transgender, queer/questioning, intersex, asexual+

**MSF.** Médecins Sans Frontières

**SGBV.** Sexual and Gender-Based Violence.

**TRT.** Tarjeta de Residente Temporal

**TRP.** Tarjeta de Residente Permanente

**TVRH.** Tarjetas de Visitante Por Razones Humanitarias

**UNSOM.** United Nations Assistance Mission in Somalia

**UNHCR.** United Nations High Commissioner for Refugees

**UN.** United Nations

**UPR.** Universal Periodic Review

## DEFINITIONS

The Authors use the umbrella term “migrant”, defined as “a person who moves away from his or her place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons.”<sup>1</sup>

The Authors use the term “refugee” to describe someone who, it has been recognized, “has been forced to flee his or her country because of persecution, war or violence.” “Asylum seeker” describes someone who is applying for refugee status but has not yet been determined to be a refugee.<sup>2</sup>

The Authors use the term “Black” to describe all peoples of African descent who are in Mexico as migrants. When referring to Black Mexicans, the Authors use the term “Afro-Mexican” but recognize that individuals and communities in Mexico may identify otherwise, for example as “Afro-descendant” or “Black.”<sup>3</sup>

The Authors use the term “sexual and gender-based violence” or “SGBV” to describe “any act that is perpetrated against a person’s will and is based on gender norms and unequal power relationships. It encompasses threats of violence and coercion. It can be physical, emotional, psychological, or sexual in nature, and can take the form of a denial of resources or access to services.”<sup>4</sup>



# The Impact of Anti-Black Racism on African Migrants at Mexico's Southern Border:

*"There is a Target on Us" - The Impact of Anti-Black Racism on African Migrants at Mexico's Southern Border* comes at an important moment and centers the stories of people of African descent migrating through Mexico. As this Report goes to press, the world grapples with the intersections of draconian family separation and detention policies, dramatic disregard of refugee and migration rights, a stunning lack of compassion for people fleeing violence and conflict, and a global pandemic that has shown dramatic racial disparities and devastated Black and Brown communities internationally.

This Report offers specific stories that highlight resilience, even in the face of racial discrimination and violence. This includes the Assembly of African Migrants, a source of safety and mutual support for people navigating the life-threatening risks in migration. In addition, this Report offers context for the journeys that test local and national commitments to human rights and international treaty obligations and which, in many cases, are found quite wanting. This Report also offers a fresh and timely analysis of how intersecting policies, procedures, and practices have increasingly eviscerated the rights to freedom of movement and migration rights, including the meaningful right to seek asylum and sovereign obligations under the Refugee Convention and associated domestic law in relevant countries.

As importantly, this work highlights how racial bias creates widespread discrimination, racial violence, and diminished access to the resources that do exist for migrants, refugees, and asylum-seekers. As the authors indicate herein, this is particularly true for people of African descent, who face violence and disparagement from the state, with a particular focus here on the United States and Mexico, and non-state actors fail to have the ability to turn to the relevant state authorities for recourse from racial violence from non-state actors.

**Dominique Day**  
Chair, UN Working Group of Experts on People of African Descent

## CHAPTER ONE: INTRODUCTION

“We passed through rivers and great hardship to arrive here and look at how they welcome us – with hate and racism.”

-Adamo, a Cameroonian migrant in Tapachula

Each year, Africans continue to flee their countries of origin in order to find safety and survival. As immigration to Europe has become more difficult, particularly since the continent began externalizing its immigration policy in 2015, many Africans have been forced to take an alternative route – flying to South America and making the harrowing journey through jungles and rivers to reach Mexico and travel onward to the United States or Canada. This has led to an increase in African migration into Mexico, including from Cameroon, the Democratic Republic of the Congo, Eritrea, Ghana, and Somalia, over the same period.

Since 2019, the current U.S. and Mexican Administrations have been working together to externalize U.S. immigration enforcement into Mexican territory.<sup>5</sup> This resulted in thousands of African migrants being stranded in the southern Mexican city of Tapachula from mid-2019 on. It was difficult or impossible for Mexico to deport them back to their countries of origin, yet immigration officials would not permit them to travel freely to the Mexico-U.S. border. In Tapachula, African migrants congregated around the main immigration detention center, *Siglo XXI*. They organized and formed the Assembly of African Migrants, outlined their demands in a written statement, and protested their treatment. This movement shed light on the particular experiences of African, Caribbean, and other Black migrants in Mexico. The Assembly raised the issue of the anti-Black discrimination that migrants face in their interactions with Mexican immigration officials, other government officials, and citizens, as well as when looking for work or accessing services like education or health care. In the course of its work providing immigration and other support to Black migrants, BAJI, a signatory to the Assembly’s written statement, travelled to Tapachula ten times in 2019 and interviewed 20 migrants about their experiences of anti-Black discrimination in Mexico.

In this Report, the Authors situate those interviews, and African migration to Mexico in general, within a broader discourse of anti-Black racism in the country. The Report begins with an overview of how discrimination on the bases of race and skin color impacts Afro-Mexicans, Black migrants, and other peoples of African descent. Next, the Report describes the recent migration of Africans to and through Mexico, including the causes of migration out of Africa and through Latin America. The Report then highlights how African migration through Mexico has been impeded by the current Mexican Administration’s restrictive immigration enforcement. Within this context, the Report outlines the findings from BAJI’s interviews and additional interviews that the Authors conducted with a leader of the Assembly as well as service providers, including about the intersectional discrimination faced by African women in Mexico. Finally, the Authors recommend some steps to address the impact of Mexico’s anti-Black racism on African migrants, as well as other Black migrants, at the country’s southern border.

African migrants rarely form part of the narrative of migration through Latin America, or in Mexican society in general. This Report is a partial response to that failure of public discourse and policy analysis, and points to the need to address that void in a systemic way. The current context in Mexico - like the current global anti-Black racism movement - demands and creates an opening for this work.

## CHAPTER TWO: OBJECTIVES OF THE REPORT AND METHODOLOGY

### Mujeres Negras Migrantes en México

This Report forms part of *Mujeres Negras Migrantes en México* (“Black Migrant Women in Mexico”), a research project on the experiences of Black migrant women entering, transiting through, and/or settling in Mexico. This project was initiated in 2019 and is supervised by S. Priya Morley (NYU School of Law) and Molly Goss (IMUMI). From fall 2019 to early 2020, S. Priya Morley conducted preliminary desk research and outreach with experts and stakeholders, including: UN agencies, international organizations, academia, Mexican and U.S. civil society organizations, and members of the Afro-Mexican community.

As a result of these consultations, the project’s initial focus was on Black African and Caribbean migrant women that had entered Mexico via its southern border. For this project, S. Priya Morley developed a survey in order to interview women in Tapachula and Mexico City in spring 2020. With partner organizations, IMUMI conducted interviews with Haitian migrant women in Tapachula in March 2020 and published a report on the findings: *A Journey of Hope: Haitian Women’s Migration to Tapachula, Mexico*. As part of this project, IMUMI had planned to conduct further interviews with African and Caribbean migrant women in Tapachula and Mexico City in spring 2020, but was unable to proceed due to the COVID-19 pandemic.

Instead, IMUMI partnered with BAJI in order to situate their previously-collected interview data, outlined below, within the framework of anti-Black discrimination in Mexico.

### BAJI’s Interviews in 2019

While working with Black asylum seekers at the Mexico-U.S. border in 2019, BAJI learned about more than 3,000 African and Caribbean migrants being forcibly held in Tapachula. BAJI organized a delegation to southern Mexico to bear witness, engage in advocacy efforts, and document the human rights abuses experienced by Black migrants traveling through Mexico. During the course of ten visits in 2019, BAJI interviewed 20 Black migrants about their experiences with, and perspectives on, anti-Black racism in Mexico. BAJI also interviewed staff at human rights organizations that work closely with Black migrants in Tapachula, including *Centro de Derechos Humanos Fray Matías de Córdova A.C.* (“Fray Matías Human Rights Center” or “Fray Matías”). *Fray Matías* is a non-governmental, non-profit organization with more than 15 years of experience and located in the city of Tapachula, Chiapas, at the southern border between Mexico and Guatemala. The organization was founded in 1994 and was constituted as a civil association in 1997.

All 20 Black migrants interviewed were residing in Tapachula at the time of their interview. They were from Angola, Cameroon, Congo, the Democratic Republic of the Congo (“DRC”), Eritrea, Ethiopia, Ghana, Guinea, Haiti, and Sierra Leone. BAJI sought to interview Black migrants of different ethnicities,

age groups, immigration status, professions, and gender identities. Despite extensive efforts, all interviewees were cis-gender and the voices of trans and gender nonconforming Black migrants are absent from the interview data. There were also few Black women interviewees due to various barriers including practical challenges relating to childcare, fear of retribution for speaking about their lived experiences, and a culture of gender inequality.

All interviews were preceded by a detailed discussion and agreement on informed consent, and interviewees were informed of how the information they shared would be used in BAJI publications and advocacy. To ensure that no interviewees face any risk of repercussions for sharing information about their experiences, BAJI has used pseudonyms to protect their identities and withheld the date of individual interviews. Interviewees did not receive any compensation for participating in interviews, but were reimbursed for any transportation costs to and from the interview. All interviews were conducted in person by researchers and attorneys from BAJI. Some interviews were conducted with the assistance of a French-language interpreter, otherwise they were conducted in English. The findings from BAJI's interviews are summarized later in the report (see Chapter 6).

### **Additional Interviews from March to August 2020**

From March to July 2020, the Authors conducted interviews with experts, service providers in Mexico, academics, and Mexican immigration lawyers. In particular, the Authors interviewed the following non-profit human rights organizations that provide legal, psycho-social, and other services to migrants: *Servicio Jesuita a Migrantes* ("Jesuit Refugee Services" or "JRS"); *Programa Casa Refugiados* ("Casa Refugiados" or "PCR"); and *Sin Fronteras IAP* ("Sin Fronteras"). JRS provides service to people in transit through Mexico as they migrate to the United States and those who have decided to settle in the southern area of Mexico. *Casa Refugiados* is a Mexican non-profit, non-partisan, and secular Mexican civil society organization that operates in collaboration with the United Nations High Commissioner for Refugees ("UNHCR"). *Sin Fronteras* is a civil society organization founded by social activists and academics in 1995 to respond to international migration from a human rights perspective.

In addition, in August 2020, the Authors interviewed one of the leaders of *La Asamblea de Migrantes Africanos y Africanas en Tapachula* ("Assembly of African Migrants" or the "Assembly") who has settled in the United States (see Chapter 6). The Assembly, a collective of several thousand migrants from different African countries, was formed in Tapachula in 2019 to advocate for African and other Black migrants' rights.<sup>6</sup> This interview was conducted in Spanish.

### **Objectives of the Report and Methodology**

This Report (1) documents the factors behind, and migration route of, the increasing number of African migrants arriving to Mexico's southern border, (2) outlines how Mexico's restrictive immigration policies under the current Administration has directly impacted African migrants, as exemplified by the experiences of African migrants stranded in Tapachula in fall 2019, and (3) highlights the anti-Black racism, xenophobia, and gender-based discrimination experienced by these African migrants as well as other Black migrants.

In relation to Objectives (2) and (3), the Report relies on data from BAJI's and the Authors' additional interviews, outlined above. In addition, in relation to (1), (2), and (3), the Report relies on data from a number of secondary sources to supplement the Authors' understanding, including: Mexican and U.S. immigration law; Mexican and international human rights law; migration statistics published by the Mexican government; studies and reports published by academics, human rights organizations, and the UNHCR and other UN agencies; and media coverage on relevant issues. The analysis in this Report was done with an intersectional lens that recognizes, and highlights where possible, the heightened vulnerability of Black migrant women in Mexico.

## CHAPTER THREE: RACIAL DISCRIMINATION IN MEXICO AND ITS HISTORY

Before discussing the situation of African and other Black migrants in Mexico, as well as BAJI's and the Authors' interviews, it is necessary to first examine the broader discourse and history of racial discrimination in Mexico. This Chapter provides an overview of racial inequalities, particularly against the Afro-Mexican population, and the prevalent but seldom-discussed anti-Black racism in Mexican society. It then outlines the existing legal protections against discrimination in Mexico.

### A. HISTORICAL ROOTS OF RACISM IN MEXICO

Many Mexicans identify as *mestizos*, a term with historical roots dating back to the caste systems established during Spanish colonization.<sup>7</sup> The term *mestizo* originally referred to the offspring of a Spanish man and an Indigenous woman, considered lower in caste than a *peninsular* (one who was born in Spain) or a *criollo* (one who was born in the New World to Spanish parents). The caste system established during these times created terms for various racial mixtures of Spanish, Indigenous, and Black people, as depicted in paintings of those times. Some of these include: *mulato* (Spanish man with a Black woman) and *morisco* (*mulatto* man with a Spanish woman). One caste painting shows that if a *castizo* man (offspring of a *mestizo* man and a Spanish woman) had a child with a Spanish woman, their offspring would then be considered an *español* (Spaniard), showing that the addition of Spanish blood (and thus diminution of Indigenous blood) could confer higher status. In addition to the establishment of the caste system and the assignment of castes to individuals, skin color was another determinant of social status during these times. For example, if an Indigenous person had fair skin, then they could pass as *mestizo* or white.<sup>8</sup>

These concepts of European descent and whiteness dictating social status are still reflected in modern Mexican society. Post-colonial Mexico defined itself as a nation of *mestizos*. Much of this *mestizo* identity originated in José Vasconcelos' *La raza cósmica* ("The Cosmic Race"), in which he discussed a new race - a cosmic race - comprised of various races.<sup>9</sup> Despite the apparent universality of this concept, Vasconcelos also hypothesized on the eventual disappearance of undesirable traits in this form of "aesthetic eugenics," including Black people.<sup>10</sup> Additionally, concepts like "improving the race" by marrying someone with fairer skin are still in existence in Mexico today.<sup>11</sup> So while Mexico's identity as *mestizo* appears to honor racial mixing, it has done so at the expense of neglecting Blackness and Indigenous identities and upholding whiteness.

This idea of *mestizo* has contributed to the popularization of a race-blind rhetoric in modern Mexican society.<sup>12</sup> However, as outlined below, different studies have revealed that skin tone as well as Blackness impact educational and financial prosperity in Mexico. Racial discrimination is pervasive in Mexico and has significant effects on Afro-Mexicans and Black migrants, including unequal treatment by government officials and barriers to accessing services and integrating into society.

## B. AFRO-MEXICANS

In the last five years, Afro-Mexicans – and the racial discrimination they experience – have gained visibility at the national level. Since colonization, Mexico has been inhabited by people of African descent, in addition to European colonizers and Indigenous peoples.<sup>13</sup> Afro-Mexicans, who predominantly live in the coastal states of Guerrero, Oaxaca, and Veracruz, make up at least 1.2 percent of the country's population.<sup>14</sup> The Mexican government has recently begun to officially count and recognize them as the country's *tercera raíz* ("third root").<sup>15</sup> After years of organizing, the national government allowed Afro-Mexicans to self-identify for the first time<sup>16</sup> in the 2015 intercensal survey, and again in the 2020 national census.<sup>17</sup> Further, the Constitution of Mexico was amended in 2019 to officially recognize Afro-Mexicans.<sup>18</sup> This was an important first step to address the discrimination, including on the basis of race, that affects both Afro-Mexicans and Black migrants in Mexico. This racism manifests overtly, such as almost a quarter of all Mexicans saying they would not rent to an Afro-descendant person;<sup>19</sup> and structurally, such as the inverse correlation between dark skin and educational and economic outcomes in Mexico.<sup>20</sup>

The human rights violations experienced by Afro-Mexicans and Black migrants are intertwined. For instance, officials of the *Instituto Nacional de Migración* ("National Institute for Migration" or "INM") have routinely targeted Afro-Mexicans at immigration check-points. In one case, INM officials detained two Mexican brothers, intended to deport them to the Dominican Republic, and only released them after over two weeks when the family's advocacy efforts were finally successful.<sup>21</sup> In another example, a Mexican tour guide was detained at an airport for one day on the suspicion that he was Honduran because of his darker skin color.<sup>22</sup> In some egregious cases, Mexican citizens have been unlawfully deported to countries with visible Black populations – like Haiti and Honduras – due to the colour of their skin.<sup>23</sup> The INM has been admonished by Mexico's *Comisión Nacional de los Derechos Humanos* ("National Human Rights Commission" or "CNDH") (described in Section D below) for this practice of treating Mexican citizens as if they are foreigners.<sup>24</sup>

## C. WIDESPREAD ANTI-BLACK RACISM IN MEXICO

Inequality in Mexico has typically been associated with socioeconomic status or ethnicity.<sup>25</sup> Many Mexicans believe that age, gender, and social class have a more significant impact on their daily lives than race (or, relatedly, skin color).<sup>26</sup>

While some Mexicans still dispute that racial discrimination exists in Mexico,<sup>27</sup> a 2017 study revealed that skin color is a significant determinant of economic and educational attainment in the country.<sup>28</sup> On average, people with white skin complete 10 years of schooling while people with darker skin complete about 6.5.<sup>29</sup> Although the average income of a Mexican household was about US \$193 per month, people with lighter skin earned more than that – about US \$220 per month. Conversely, darker-skinned people earned US \$137 per month – 41.5 percent less than their lighter-skinned counterparts.<sup>30</sup> These social and economic inequalities further demonstrate that Mexico's *mestizo* identity is a fiction, and whiteness is socially and economically valued in Mexican society.



These findings have been echoed in subsequent reports. A 2019 Oxfam report found that 35 percent of Mexicans who self-identify as dark skinned (and 72 percent of those who speak an Indigenous language) fall in the bottom quartile of an index that measures occupational, educational, and economic indicators.<sup>31</sup> The Mexican government generally does not admit that racism exists,<sup>32</sup> but racism has been documented in Mexico's allocation of public resources,<sup>33</sup> politics,<sup>34</sup> and the labor market.<sup>35</sup> According to a national survey conducted by *Instituto Nacional de Estadística y Geografía* ("National Institute of Statistics and Geography" or "INEGI"), 21 percent of women and 24 percent of men surveyed would not rent a room to an Afro-descendant person, 11 percent of women and 12 percent of men would not be in agreement with their child marrying an Afro-descendant person, and 56 percent of those surveyed believed that the rights of Afro-descendant people were respected little or not at all.<sup>36</sup>

A 2019 study from *El Colegio de México* ("College of Mexico") showed that racialized physical features - particularly skin tone - was the main trigger for discrimination.<sup>37</sup> Most respondents said that they experienced discrimination in the workplace and job market more than anywhere else,<sup>38</sup> and that family, friends, and relatives were the main perpetrators of racial discrimination.<sup>39</sup> In one example, a restaurant owner explained how skin color determined where customers are seated. He stated that "young, good-looking people" were seated in the outside tables while people with "darker skin, you hide them a bit in the back tables."<sup>40</sup> Another example of how deeply embedded racism is in Mexico was a casting call by Aeroméxico (a Mexican airline) that excluded dark-skinned people from applying to the advertised position.<sup>41</sup>

Black women in particular face widespread racial and gender-based discrimination in Mexico. In addition, African immigrant women in Mexico, as in many countries in the world, are particularly affected by job market inequalities, isolation and absence of social networks, and inadequate social services to meet mental health needs.<sup>42</sup> (See Chapter 6, Section D.)

Amid the resurgence of the Black Lives Matter movement since the death of George Floyd by the police in Minnesota, United States on May 25, 2020, demonstrators have also taken to Mexican streets to protest anti-Black violence. Both Mexican civilians and the police have been shown to commit violence against Afro-Mexicans and Black migrants.<sup>43</sup> Police violence is particularly endemic in the country. In one recent example, protests erupted after Giovanni Lopez, a Mexican construction worker, was beaten to death by the police.<sup>44</sup> Some protestors - on their way to protest police violence - revealed that plainclothes policemen had forced them into an unmarked van and told them, "We're going to disappear you."<sup>45</sup> The police in Mexico apprehended protestors, some of whom reported that they were robbed and shot with stun guns or beaten with wooden clubs.<sup>46</sup> In another recent incident, which further highlights the interconnection of Afro-Mexican and Black migrant experiences in Mexico, Black Lives Matter protesters in Tijuana chanted "*No puedo respirar*" ("I can't breathe"), evoking the message commonly expressed by their counterparts in the United States.<sup>47</sup> Black Lives Matter Tijuana issued a letter in June 2020 specifically connecting the movement in both countries and condemning racism faced by Afro-Mexicans, Haitian, and African migrants, as well as all other members of the Black community in Tijuana.<sup>48</sup>

## D. DISCRIMINATION LAW IN MEXICO

Mexican law prohibits discrimination, including on the bases of race and gender. The Constitution of Mexico expressly prohibits discrimination against any person in Mexican territory and guarantees the full enjoyment of human rights contained in the Constitution, as well as in the international instruments that Mexico has ratified with no restrictions under any circumstances.<sup>49</sup> Further, the *Ley Federal Para Prevenir Y Eliminar La Discriminación* (“Federal Law to Prevent and Eliminate Discrimination” or “Discrimination Law”)<sup>50</sup> aims to prevent and eliminate all forms of discrimination and to promote equality of opportunity and treatment.<sup>51</sup> It specifically prohibits discrimination based on the following grounds: ethnic or national origin, skin color, culture, sex, gender, age, disabilities, social status, economic status, health or legal issues, religion, physical appearance, genetic characteristics, pregnancy, language, opinions, sexual preferences, identity or political affiliation, marital status, family situation, family responsibilities, language, criminal record, or any other reason.<sup>52</sup> The *Consejo Nacional Para Prevenir La Discriminación* (“National Council to Prevent Discrimination” or “CONAPRED”) is a federal body created pursuant to the Discrimination Law.<sup>53</sup> CONAPRED has authority to hear complaints of alleged discrimination against individuals or federal authorities, and any person in Mexican territory (including migrants) can file complaints.<sup>54</sup> The CNDH, which is the national human rights institution, also receives complaints of alleged violations of Mexico’s domestic and international human rights obligations.<sup>55</sup> The CNDH has as its mandate “the defence, promotion, study and dissemination of human rights recognized in the Mexican Constitution, international treaties and laws.”<sup>56</sup>

Mexico is also party to a number of international instruments that prohibit discrimination, including on the bases of race and gender.<sup>57</sup> International instruments ratified by Mexico enjoy the same legal status as the Mexican Constitution.<sup>58</sup> Therefore, they have primacy over federal and local laws, and the obligations created by those instruments can also be regarded as domestic human rights obligations. Pursuant to these international instruments, such as the International Convention on the Elimination of all Forms of Racial Discrimination, Mexico has a duty to refrain from engaging in any “act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation.”<sup>59</sup> The Convention on Elimination of All Forms of Discrimination Against Women requires that States Parties “condemn discrimination against women in all its forms,” and “pursue by all appropriate means and without delay a policy of eliminating discrimination against women.”<sup>60</sup> Mexico recently became a party to the Inter-American Convention Against Racism, Racial Discrimination and Related Forms of Intolerance, which provides that States “undertake to prevent, eliminate, prohibit, and punish, in accordance with their constitutional norms and the provisions of this Convention, all acts and manifestations of racism, racial discrimination, and related forms of intolerance.”<sup>61</sup>

Notwithstanding these legal obligations, the Mexican government has been repeatedly admonished by international bodies for failing to meet its human rights obligations towards Afro-Mexicans and migrants (including Black and women migrants). In its concluding observations on Mexico from December 2019, the Committee on the Elimination of Racial Discrimination (“CERD Committee”) found that Mexico is not doing enough to combat racial discrimination within its borders. The CERD

Committee noted that racial discrimination against Afro-Mexicans “continues to be deeply rooted and is an obstacle to the construction of a multicultural society based on equality and fairness.”<sup>62</sup> The CERD Committee further noted that Afro-Mexicans “continue to face discrimination, high levels of marginalization and social exclusion.”<sup>63</sup> In addition, the CERD Committee expressed concern that Mexico’s migration policies have violated the rights of migrants and asylum seekers.<sup>64</sup> In particular, the CERD Committee expressed concern about the negative impact of using the *Guardia Nacional* (“National Guard”), a civilian-led security force involved in migration control (see Chapter 5, Section B), and the increased use of “racial profiling by migration authorities, which has led to arbitrary detention and systematic refoulement without adequate legal advice.”<sup>65</sup> Similarly, the CERD Committee noted the use of excessive force against migrants and the increase in “discourse informed by discriminatory views, racial hatred and xenophobia targeting migrants.”<sup>66</sup>

In addition, in its December 2018 Report, the Working Group on the Universal Periodic Review (“UPR”) recommended that Mexico take specific measures and elaborate policies to address systemic discrimination against women, migrants, and peoples of African descent.<sup>67</sup> The UPR is a mechanism of the UN Human Rights Council through which the human rights records of UN member states are reviewed to ensure member states are fulfilling their human rights obligations.

Further, in its concluding observations from July 2018, the Committee on the Elimination of Discrimination against Women (“CEDAW Committee”) was especially concerned by the fact that some migrant women in Mexico were automatically detained, the lack of gender-sensitive asylum procedures, and the lack of adequate protection of rights of migrant women to work and healthcare.<sup>68</sup> The CEDAW Committee noted that Mexican women of African descent faced high levels of poverty and inequality,<sup>69</sup> as well as limited access to employment opportunities.<sup>70</sup> The CEDAW Committee further encouraged the Mexican government to ensure that migrant, refugee, and asylum-seeking women and girls have access to health services, housing, and employment.<sup>71</sup> Similarly, in its concluding observations from September 2017, the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (“CMW Committee”) found that women migrant workers in traditional roles (i.e. domestic work) in Mexico do not have enough legal guarantees protecting their rights.<sup>72</sup> The CMW Committee recommended that Mexico implement better measures to protect the rights of women migrant workers, monitor working conditions, and ensure a more gender-sensitive approach.<sup>73</sup>

Having outlined the context of anti-Black racism and xenophobia, as well as gender-based discrimination, that pervades Mexican society, the next Chapter examines the increase in African migration to and through Mexico since 2015.

## **CHAPTER FOUR: AFRICAN MIGRATION TO AND THROUGH MEXICO**

Many African migrants leave their countries of origin because they require protection as a refugee. Under the the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees, a refugee is defined as a person who flees their country of origin to seek protection in another country to escape danger or persecution based on “their race, religion, nationality, membership in a particular social group, or political opinion.”<sup>74</sup> Mexican law incorporates this definition, and also recognizes gender-based asylum claims (see Chapter 5, Section A for an overview of Mexican immigration law).<sup>75</sup>

Other African migrants, including some who may not fit the Convention definition of a refugee, undertake undocumented migration out of economic necessity.<sup>76</sup> As observed by the UN, many are migrating to Europe and North America in search of employment or higher education, in addition to asylum seekers.<sup>77</sup> Migrants move because of complex, often interrelated reasons, and many do not fall into the “refugee” and “economic migrant” dichotomy, the premise of which is itself subject to scrutiny.<sup>78</sup> Most migrants’ decisions and actions are based on multiple reasons.<sup>79</sup> Their migration experiences are not linear or static, and they can cross back and forth between being considered a refugee or economic migrant over the course of their journey.<sup>80</sup>

### **A. RECENT AFRICAN MIGRATION TO THE AMERICAS**

Although modern African migration has largely been intra-continental or extra-continental to former colonial powers in Europe, African migration to the Americas has been steadily increasing since the end of the 20<sup>th</sup> century.<sup>81</sup> Some African migrants enter the United States or Canada directly. For instance, in 2010, a large number of Africans immigrated to or were resettled in the United States under the diversity visa program, family reunification, or refugee resettlement.<sup>82</sup> By comparison, recent African migration into Mexico has largely been transitory and undocumented.<sup>83</sup> Several sources have recorded Africans migrating north through the Americas since the beginning of the 21<sup>st</sup> century: Ghanaians and Ethiopians since 2000,<sup>84</sup> Somalis as early as 2001,<sup>85</sup> and Eritreans since the early 2000s.<sup>86</sup> In 2007, Mexico started including African migrants in its annual reports.<sup>87</sup> Since this data has been collected, there has been a steady increase in the number of African migrants who have had contact with Mexican immigration authorities.<sup>88</sup> In 2014, Mexico registered 785 detentions of African nationals.<sup>89</sup> By 2019, the number increased to 7065.<sup>90</sup> Based on a review of available data in the last five years, nationals from Cameroon, the DRC, Eritrea, Ghana, and Somalia represent the highest numbers of African nationals detained by INM authorities.<sup>91</sup> While it is not possible to determine the exact numbers of Africans entering Mexico, the data on detentions suggests that these five countries are among the top countries of origin of African migrants in the country.

African migration to and through Mexico continues to increase as more Africans flee their countries of origin and use the Americas as a corridor to seek refuge in the United States or Canada. However, due to increasingly restrictive immigration policies, it is more difficult to transit through Mexico to the

Mexico-U.S. border (see Chapter 5, Section B). This new phenomenon has been changing Mexico from a transit country to, in some cases, a country in which African migrants are settling temporarily or permanently.<sup>92</sup>

## **B. CAUSES OF AFRICAN MIGRATION TO AND THROUGH MEXICO**

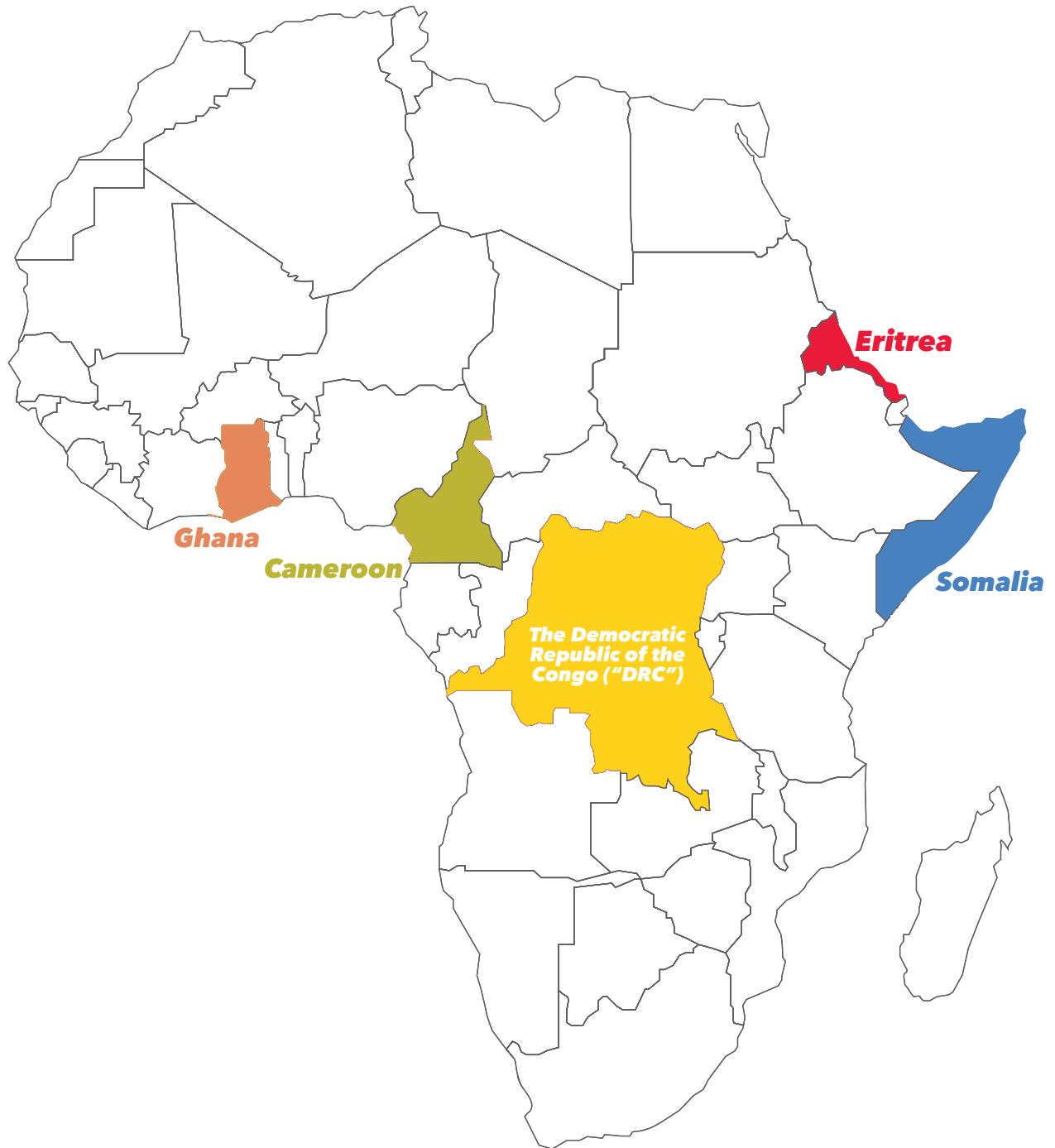
This section outlines some of the recent social and political dynamics that have led Africans to arrive in growing numbers to Mexico, including conditions causing them to leave their countries of origin as well as increased European immigration enforcement. With migration to Europe becoming more difficult, African migrants have been forced into other options and have relied on permissive immigration policies in Ecuador, Brazil, or Guyana as an entry-point for a difficult and dangerous journey by land towards Mexico and onwards to the United States or Canada (see Section C).

### **Push Factors From Countries of Origin**

African migration is increasing, both within and outside of the continent.<sup>93</sup> The surge in the number of African migrants seeking asylum has been linked to political upheaval and violence in some African countries, which has caused death, displacement, and increases in rape and other forms of sexual and gender-based violence (“SGBV”).<sup>94</sup> The effects of this upheaval are reflected in the number of sub-Saharan Africans displaced within their own countries, which doubled to nine million between 2010 and 2016.<sup>95</sup> Further, although the economies of some African countries are growing, many countries still have persistent high unemployment rates and low wages. In some cases, this economic disparity persists even in countries with abundant natural resources; as some African migrants have observed, corrupt regimes are in some cases receiving support from developed countries who rely on these natural resources.<sup>96</sup>

The factors that cause Africans to migrate vary depending on their country of origin, but generally include one or a combination of the following factors: civil wars and violence, including SGBV, political instability, poor standard of living, persecution based on sexual orientation or gender identity, or the desire for better economic opportunities.<sup>97</sup> Although it is outside the scope of this report to engage deeply with the root causes of migration from all African countries of origin, this section provides a contextual overview of conditions in Cameroon, the DRC, Eritrea, Ghana, and Somalia.<sup>98</sup>

# AFRICA





## ***The Democratic Republic of the Congo (“DRC”)***

The DRC, like Cameroon and other countries in the region, has a history of political violence that has caused external migration. The DRC’s history of political violence goes back to its independence in 1960.<sup>114</sup> In more recent years, the country has seen violent clashes and political turmoil,<sup>115</sup> most often between government forces and ethnic militias.<sup>116</sup> In particular, the waves of violence in the DRC since the end of the civil war in 2003 have killed and displaced millions of civilians.<sup>117</sup> In 2017 and 2018, the DRC had the highest number of internally displaced people in Africa, with a total of about 4.5 million people.<sup>118</sup> It was estimated in 2019 that about 12.8 million people in the DRC needed humanitarian assistance and protection.<sup>119</sup>

Most of the people affected by the conflict, including internally displaced people, are exposed to various human rights abuses and health problems, such as SGBV, chronic malnutrition, and epidemics such as cholera, measles, and Ebola. For example, between May 2017 and September 2018, *Médecins Sans Frontières* (“Doctors Without Borders” or “MSF”) treated 2,600 victims of sexual violence just in the town of Kananga in Kasai Central province.<sup>120</sup> Victims also told MSF about other forms of violence, such as decapitations, multiple rapes of teenagers, and systematic theft and beatings.<sup>121</sup> The country has also had to contend with an Ebola outbreak that disproportionately affected women and children.<sup>122</sup> The latest (and tenth) Ebola outbreak in the DRC was declared over on June 25, 2020; there were 3,470 cases, 2,287 deaths and 1,171 survivors.<sup>123</sup>

Political violence is not the only reason citizens of the DRC are fleeing their country. LGBTQIA+ people also leave to avoid persecution on the basis of gender identity and/or sexual orientation. Although homosexuality is not illegal in the DRC, members of the LGBTQIA+ community still face discrimination and are subjected to intimidation, violence, kidnapping, and arrest.<sup>124</sup> Student activists or organizers fleeing government oppression also represent a small number of Congolese needing to seek asylum.<sup>125</sup>

While some refugees from the DRC have been resettled directly to the United States, many have had to seek alternative routes to find refuge. In Mexico, the data shows significant increases in the number of detentions of Congolese migrants in the past four years: 1,009 were detained in 2016, up from eight the previous year, and 2019 saw a record of 1,822 detentions of Congolese migrants.<sup>126</sup> Few Congolese migrants sought asylum in Mexico between 2013 and 2017; there were between zero and five asylum/refugee status applications recorded each year.<sup>127</sup> That changed in 2018-2019, when 207 asylum/refugee status applications of Congolese migrants were recorded in Mexico, the highest to date by far.<sup>128</sup> A handful of TRT and TRP cards have been issued to Congolese migrants, mostly under the work category.<sup>129</sup> (See Appendix 1 for more migration data.)



## **Eritrea**

There have also been many Eritreans migrating to or through Mexico, though for different reasons than the countries mentioned above. Human rights abuses, including indefinite military service and forced labor, by the Eritrean government have led to a large number of civilians fleeing the country.<sup>130</sup> The President of Eritrea used his country's conflict with Ethiopia to justify his nearly three decades of authoritarian rule.<sup>131</sup> Most men and unmarried women are forced into open-ended service for the government.<sup>132</sup> Eritreans need exit permits to leave the country and those who leave without obtaining a permit from the government may be killed or arrested.<sup>133</sup> In addition, the government also officially recognizes only four religions – Sunni Islam, Eritrean Orthodox, Roman Catholic, and Evangelical churches – and citizens who profess a religion other than these four are at risk of raids on their homes, arrest, or torture.<sup>134</sup> Unrecognized denominations such as Evangelical and Pentecostal Christians, as well as Jehovah's Witnesses, account for less than five percent of the Christian population and have been subjected to violations of their religious and personal freedoms.<sup>135</sup> Further, the government has also clamped down on freedom of speech, expression, and association. Eritrea has been described by the Committee to Protect Journalists as the “world's most censored country” and also the sub-Saharan African country with the highest number of incarcerated journalists.<sup>136</sup> All these factors have led to a steady rise in the number of Eritreans fleeing the country over the years, especially with the opening of the Ethiopian-Eritrean border in 2019.<sup>137</sup>

Although hundreds of Eritreans have been detained in Mexico by the INM since 2007 – a peak of 723 in 2010, followed by 636 in 2017, and only 47 in the first five months of 2020 – very few have chosen to seek legal status in Mexico.<sup>138</sup> The record number of asylum seekers was four in 2014, three TRT cards issued in 2016, and two permanent residency cards issued as recently as 2019.<sup>139</sup> It can be implied from the data that many Eritreans intend to continue to the Mexico-U.S. border. (See Appendix 1 for more migration data.)

## **Ghana**

Unlike migrants from the previously discussed African countries, the majority of Ghanaians leaving their country of origin are not fleeing conflict.<sup>140</sup> There is no ongoing war in Ghana, and ethnic or religious conflicts have historically been rare.<sup>141</sup> Ghana has a vibrant democracy, and elections are generally free and fair.<sup>142</sup> Instead, unemployment and poverty are the main reasons that Ghanaians are migrating, and others flee to avoid violence and discrimination based on their sexual orientation.<sup>143</sup> The criminalization of homosexuality under Ghanaian law is vague; strictly speaking, only sodomy is illegal.<sup>144</sup> Nevertheless, LGBTQIA+ people are often targets of “physical violence and psychological abuse, extortion and discrimination in many different aspects of daily life, because of their sexual orientation and gender identity.”<sup>145</sup> Human Rights Watch (“HRW”) documented how people suspected of being LGBTQIA+ have been attacked by mobs and even members of their own families, as well as being subjected to physical and sexual assault and extortion.<sup>146</sup> For instance, in August 2015 in Nima, Accra, a man was physically assaulted by members of a vigilante group known as *Safety Empire* simply because they suspected he was gay.<sup>147</sup>

Although few Ghanaian migrants have been detained by INM authorities since 2007, like their Cameroonian and Congolese counterparts, some Ghanaian migrants have settled in Mexico over the last few years. The record number of asylum/refugee status applications by Ghanaian asylum seekers was 97 in the time period between January 2018 and October 2019; more have sought TRT and TRP cards per year in the last three years compared to the previous seven; and several have been granted humanitarian status with *tarjetas de visitante por razones humanitarias* (“visitor cards for humanitarian reasons” or “TVRH cards,” often referred to as “humanitarian visas”) (see Chapter 5, Section A for more information).<sup>148</sup> (See Appendix 1 for more migration data.)

## **Somalia**

Similar to Eritreans, there is data of Somalis being detained in Mexico since data collection began in 2007.<sup>149</sup> Clan identity became politicized in Somalia in the 1970's, with some clans enjoying the favor of the government and some not.<sup>150</sup> This categorization led to frequent and deadly power struggles between clans that continue today. All the actors in the conflict – the government forces, Al-Shabab, foreign troops, and warring clans – have been accused of “serious abuses against children, including killings, maiming, and the recruitment and use of child soldiers.”<sup>151</sup> Currently, armed conflict and drought in Somalia have been the driving factors that have forced Somalis to flee their country.<sup>152</sup> Government forces have been accused by human rights groups of responding to peaceful demonstrations with deadly force.<sup>153</sup> The United Nations Assistance Mission in Somalia (“UNSOM”) estimated that Al-Shabab, the armed Islamic terrorist group, is responsible for 67 percent of the 1,154 civilian casualties that occurred in the country between January and mid-November of 2019.<sup>154</sup>

Somalis began to flee their country in the early 1990s, and by the end of 2013 there were over 970,000 Somali refugees in the world.<sup>155</sup> Although the number has decreased since then, an estimated 2.2 million people still face food insecurity, and about 2.6 million people are displaced, with drought increasingly said to be the reason for displacement.<sup>156</sup> Women and girls are always more vulnerable under these circumstances and the UN has documented many cases of sexual violence against girls.<sup>157</sup>

Similar to Eritreans, existing data does not suggest that Somali migrants intend to stay in Mexico. The record number of detained Somali migrants was 864 in 2015.<sup>158</sup> However, there were only three asylum/refugee status applications by Somali nationals in all of 2017, one Somali was granted asylum in 2015, three Somalis have been granted TRP cards since 2009, and three have renewed their TRP since 2010.<sup>159</sup> Few Somalis have been granted humanitarian status with TVRH cards – a record number of 11 TVRH cards were issued to Somalis in 2017.<sup>160</sup> As Somalis continue to be exposed to human rights abuses, deaths, and continued conflict in the country, it is likely that outward migration will continue in the coming years. (See Appendix 1 for more migration data.)

## Impact of more restrictive migration policies in Europe

International migration policies have significantly impacted the travel route and preferred destination of African migrants. Since 2015, there has been an increase in the number of Africans attempting to travel through Mexico to reach the United States or Canada.<sup>161</sup> The change in immigration policies of the European Union (“E.U.”) is partially responsible.<sup>162</sup> Mexican authorities reported that 785 African migrants were detained in Mexico in 2014.<sup>163</sup> That number more than doubled to 2,078 in 2015 and continued to climb until recent border closures resulting from the COVID-19 pandemic.<sup>164</sup>

This increase coincided with the E.U.’s increasingly hard-line approach to immigration. Since 2015, undocumented migration has been a popular topic in European politics, with right-wing populist parties in countries such as France, Germany, and Poland stoking anti-migration sentiments to win support.<sup>165</sup> The E.U. has responded to the influx of migrants, many of whom arrive by boat over the Mediterranean Sea in extremely dangerous conditions, by externalizing its migration policy.<sup>166</sup> In other words, the E.U. has increasingly tried to exert control over migration by influencing the migration policies of non-E.U. countries from which migrants arrive to its territory. The E.U. has achieved this by making migration a central issue in its foreign relations with non-E.U. countries.<sup>167</sup> For example, in 2016, the E.U. signed a statement with Turkey that sped up the elimination of visa requirements for Turkish citizens, while at the same time providing that, going forward, all undocumented migrants crossing from Turkey into the Greek islands will be returned to Turkey unless they successfully applied for asylum in Greece.<sup>168</sup>

One of the most significant consequences of the E.U.’s policies is the situation faced by African migrants in Libya. Many African migrants travel north across the continent to Libya, from where they continue by boat to Italy or Greece. Since 2016, the E.U. has intensified its cooperation with Libya to prevent boat departures from Libya towards Europe.<sup>169</sup> The E.U. has provided millions of Euros to strengthen the Libyan Coast Guard and other government authorities to enable them to apprehend asylum seekers and other migrants.<sup>170</sup> Libya has become an official processing hub for African migrants, and migrants apprehended while attempting to cross the Mediterranean Sea from any African country into Greece are detained in Libya.<sup>171</sup> With the fall of the former government led by Colonel Muammar Gaddafi, and the political chaos and militia fighting that resulted, Libya is a dangerous place for anyone and especially migrants, who have been subjected to violence from smugglers and armed groups.<sup>172</sup> There is currently no unified government in Libya; the two main Administrations are propped up by armed militias that shift allegiances to survive.<sup>173</sup>

Libya does not have a legal framework on refugees and does not recognize refugee status, which increases migrants’ vulnerability. The country does have laws that criminalize illegal entry, exit, and departure from the country, thereby forcing refugees and migrants who do not have the protection of the law into the fringes of society.<sup>174</sup> There have been documented reports of migrants who are captured by the Libyan coastguard, with help from the Italian military, and tortured after they are returned to Libya.<sup>175</sup> HRW has observed inhumane conditions in detention centers in Libya, such as “severe overcrowding, unsanitary conditions, poor quality food and water that has led to malnutrition, lack of adequate healthcare, and disturbing accounts of violence by guards, including beatings,

whippings, and the use of electric shocks.”<sup>176</sup> The dire humanitarian situation in detention centers in Libya have been well documented, and the addition of migrants and asylum seekers apprehended at sea has made the situation worse.<sup>177</sup>

The desire to avoid the detention centers in Libya has contributed to the increased numbers of Africans traveling overland in the Americas instead of making the journey from northern Africa to Europe. The E.U. has been able to externalize its borders by keeping Europe-bound asylum seekers in Libya, in the same way that the current U.S. and Mexican Administrations have taken steps to prevent asylum seekers from entering the United States (see Chapters 5 and 6).

### C. MIGRATION ROUTE

Africans arrive to Mexico using various routes. The majority travel through South and Central America, while others take a more direct approach by flying into Mexico. The choice of route depends on different factors, such as the presence of family members in Mexico, the financial situation of the migrants, and reason(s) for leaving their countries of origin.



## Migration to and through South and Central America

There has been a steady increase of African migrants making the harrowing journey overland from South America, through Central America and into Mexico, in an attempt to cross the Mexico-U.S. border into the United States and, in some cases, continue on to Canada.<sup>178</sup> Although Central American migrants are most often in the spotlight, many Asian, African, and Caribbean migrants also transit through Latin America.<sup>179</sup>

Over the past five years, with the tightening of immigration controls in Europe, many African migrants have looked to the Americas as a more viable and accessible destination.<sup>180</sup> It is often cheaper to fly from Africa into South America rather than North America.<sup>181</sup> In addition, since the United States began blocking travel to the country from certain Muslim-majority countries, including Somalia, in 2017, more Somalis have been traveling through South and Central America into Mexico.<sup>182</sup> African migrants first enter the continent through visa-friendly countries such as Ecuador and Brazil.<sup>183</sup> For example, prior to August 2019, citizens of Ghana, Cameroon, and the DRC could enter Ecuador without a visa and stay for 90 days.<sup>184</sup> After entering South America, migrants progress north to Mexico, sometimes with the help of smugglers (i.e. coyotes) or the aid of social media posts of those who have gone before them.<sup>185</sup> This overland migration route usually originates in Brazil, then Peru, Ecuador, Colombia, Panama, Costa Rica, Nicaragua, Honduras, and Guatemala, to reach Mexico,<sup>186</sup> and the transportation methods used typically include a combination of buses, private cars, walking on foot, and boats.<sup>187</sup> The complete journey from Brazil to Mexico can take anywhere from two to four months, and can cost between \$2,500 and \$13,000 U.S. dollars, depending on negotiating skill and number of travelers.<sup>188</sup>

The most dangerous part of the journey is crossing the Darien Gap, a jungle on the border of Colombia and Panama.<sup>189</sup> The Gap is dominated by armed groups and guerillas, as well as drug traffickers; migrants also have to safely navigate natural dangers when trekking through the jungle, such as venomous snakes, dangerous wildlife, starvation, and flash floods.<sup>190</sup> Another difficult part of the trip is the need to enlist the services of smugglers, sometimes in multiple countries, who can charge as much as \$1,500 U.S. dollars per person.<sup>191</sup> Migrants also have to be wary of smugglers who may rob and abandon them,<sup>192</sup> or even rape and kill them.<sup>193</sup>

As with other migrants making the journey, even after the Darien Gap, Africans face significant harm when making their way through Central America to Mexico.<sup>194</sup> The violence faced by migrants typically begins in their countries of origin and continues during their transit through Central America, into Mexico, while crossing the U.S. border, and even upon arrival at their destination.<sup>195</sup> For example, in a report published by MSF in 2020, 61 percent of migrants and refugees surveyed had experienced violence in the two years prior to leaving their countries of origin,<sup>196</sup> and 57.3% had experienced some form of violence along the migration route to and in Mexico.<sup>197</sup> While almost all of the migrants surveyed in this report were from Guatemala, Honduras, and El Salvador, Africans also travel through Central America and confront various forms of violence, including racialized violence. In addition to the risks of extortion, kidnapping, violence, and abuse that migrants face, migrant women are also

vulnerable to SGBV, including rape and sexual assault.<sup>198</sup> In the same cross-sectional study, sexual violence was observed among women more than men, with 21.6 percent of women reporting rape, compared to 1.5 percent of men.<sup>199</sup>

A different cross-sectional study between 2009-2015 also confirmed the dangers that migrants navigate on their journey.<sup>200</sup> This study documented the experiences of migrants after they arrived to Mexico, and showed that 29.4 percent of migrants transiting between Mexico and the United States suffered from many different forms of violence.<sup>201</sup> Nearly 24 percent reported physical violence, 19.5 percent experienced psychological violence, and approximately two percent reported sexual violence.<sup>202</sup>

Language and cultural barriers increase the vulnerability of African migrants on the migration route, and they have less access to services when travelling through a continent where services are usually not provided in their native language.<sup>203</sup>

### **Migration directly to Mexico**

While the majority of African migrants take the route described in the previous section, some also fly directly into Mexico and go through a regular immigration process. Many of the Africans who travel directly into Mexico either have relatives in the country, or travel because of an arranged marriage or job opportunity.<sup>204</sup> In many cases, where the arranged marriages and job opportunities fall through, the migrants fall into undocumented status.<sup>205</sup> Some of them become undocumented because they lack options to regularize their status and it is often too late to apply for asylum, even where the basis for an asylum claim exists, and many do not have the financial means to travel back home.<sup>206</sup> Some Africans fly into Caribbean countries and travel by boat to the Mexican port city of Veracruz.<sup>207</sup>

### **Intended destination(s)**

The available migration data suggests that few African migrants seek asylum or otherwise settle in Mexico. Instead, each year, the number of African migrants that are apprehended and registered as detained by immigration authorities (which suggests in many cases that they are in transit) far exceeds the number of asylum/refugee claims or other types of residency issued.<sup>208</sup> For some migrants, the high level of violence in Mexico makes them feel unsafe in the country and reluctant to stay.<sup>209</sup> Also, African migrants primarily speak French or English, which makes communicating in Spanish with officials and even other migrants difficult. Those who do not want to stay in Mexico often believe that the United States or Canada are safer and also offer better economic opportunities; as one migrant from Cameroon told a reporter, "Mexico has nothing to offer me."<sup>210</sup>

Furthermore, as outlined throughout this Report, African migrants arriving via Mexico's southern border experience racial and other forms of discrimination that impact their ability to find safety, security, and protection in Mexico. In its written statement issued in late August 2019, the Assembly of African Migrants advised that some of its members needed to continue their journey north to seek refuge in the United States or Canada, whereas some others were intending to claim asylum

in Mexico.<sup>211</sup> Few African migrants initially perceive Mexico as a destination country, in which to seek refuge. As noted by staff members of *Sin Fronteras*, a civil society organization based in Mexico City, those who settle in Mexico typically do so as a result of the restrictions and obstacles they must overcome to reach the United States.<sup>212</sup> Others apply for asylum in Mexico in order to be released from immigration detention, where they are detained under deplorable conditions.<sup>213</sup> (See Chapter 6 for more information about racial discrimination in Tapachula and the Assembly.)

Whether or not they intend to seek asylum or another form of residence in Mexico, African migrants still have to engage with the Mexican immigration system. As discussed further below, under the current U.S. and Mexican Administrations, it became increasingly difficult for them to leave southern Mexico and transit north to the Mexico-U.S. border.

## CHAPTER FIVE: AFRICAN MIGRANTS IN THE MEXICAN IMMIGRATION SYSTEM

Given the recent influx of African migrants into Mexico, it is necessary to understand the Mexican immigration system's response. This Chapter provides a basic overview of Mexican immigration law before discussing recent changes in Mexico's approach to immigration enforcement and the resulting impact on African migrants' ability to transit freely through Mexico.

### A. HIGHLIGHTS OF MEXICAN IMMIGRATION LAW

Mexican law defines a "refugee" more broadly than other jurisdictions, including the United States. The *Ley Sobre Refugiados, Protección Complementaria y Asilo Político* ("Law on Refugees, Complementary Protection and Political Asylum" or "Refugee Law") incorporates the international definition of "refugee" outlined in the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees: a refugee is a person who, "owing to a well-founded fear of being persecuted" on the basis of race, religion, nationality, membership in a particular social group, or political opinion, cannot return to their country of origin.<sup>214</sup> The Mexican definition goes further by recognizing gender-based persecution as a basis for a claim. In addition, the Refugee Law incorporates "complementary protection" (known internationally as the principle of *nonrefoulement*). This protection applies where, even if a person is not found to be a refugee, their life would be in danger or they have well-founded fear of being subjected to torture or other cruel, inhuman, or degrading treatment if returned to their country of origin.<sup>215</sup>

The Refugee Law also incorporates the protections outlined in the 1984 Cartagena Declaration, a regional non-binding agreement that defines a "refugee" to include a person who had fled their country of origin due to generalized violence, foreign aggression, internal conflicts, massive human rights violations, or other circumstances that have gravely disturbed public order.<sup>216</sup> Currently, the Mexican government applies the Declaration protections to asylum seekers from Venezuela, Honduras, and El Salvador, which "implies *prima facie* recognition that these countries are plagued by generalized violence and/or massive human rights violations."<sup>217</sup>

Asylum seekers may file claims with Mexico's *Comisión Mexicana de Ayuda a Refugiados* ("Mexican Commission for Refugee Assistance" or "COMAR") or the INM within 30 business days of entering Mexico, irrespective of whether they entered the country with documentation. Claims are processed by COMAR in accordance with the procedure outlined in the *Reglamento de la Ley Sobre Refugiados y Protección Complementaria* ("Regulation of the Law on Refugees and Complementary Protection").<sup>218</sup> (For more information on asylum/refugee law and procedure, see Chapter 3 of *A Journey of Hope: Haitian Women's Migration to Tapachula, Mexico* and the cited materials.)<sup>219</sup> The number of African migrants filing refugee claims in Mexico has historically been small (see Chapter 4).



In addition to asylum/refugee status, as referenced above, Mexican law also provides for the granting of humanitarian status or TVRH cards. The *Ley de Migración* ("Migration Law")<sup>220</sup> outlines specific circumstances in which a person may be issued a TVRH card, such as an asylum seeker whose claim is pending with COMAR. The Migration Law also includes a 'catch-all' provision that TVRH cards may be granted where it is in the public interest or for a humanitarian purpose.<sup>221</sup> Humanitarian status entitles the recipient to work in Mexico,<sup>222</sup> but is temporary and granted for a term of up to one year (renewable for so long as underlying conditions persist, i.e. for so long as an individual remains an asylum seeker).<sup>223</sup> Between 2014 and May 2020, only 311 Africans were granted TVRH cards.<sup>224</sup>

Migrants have rights to access various services while in the country. Asylum claimants, refugees, and beneficiaries of complementary protection have the right to work.<sup>225</sup> Further, the *Secretaría de Salud* ("Secretary of Health"), in coordination with the health authorities at different levels of government, is obligated to promote health services for foreigners, without prejudice to their immigration status and in conformity with any applicable laws.<sup>226</sup> The Mexican government has specifically stated that healthcare for migrants is a priority.<sup>227</sup> In addition, public education is free in Mexico and the Constitution of Mexico guarantees the right to education for everyone.<sup>228</sup> The current Administration's Migration Policy emphasizes the importance of guaranteeing access to education for all migrants without discrimination on the basis of their ethnic or national origin, sex, gender, age, disability, social or economic condition, health status, pregnancy, language, religion, opinions, sexual preferences, or marital status.<sup>229</sup> In practice, however, migrants have not always been able to access these services due to various barriers. For instance, *Casa Refugiados*, which supports refugees in Mexico City, has documented instances where public officials have denied them the right to education<sup>230</sup> Furthermore, with little or no official documentation, some refugees have been prevented from registering themselves at healthcare facilities and subsequently denied healthcare.<sup>231</sup>

As noted in Chapter 4, the number of African migrants who have sought asylum or other forms of residency in Mexico has been limited. Instead, it appears that most African migrants enter Mexico in order to travel north to the United States or Canada. Until mid-2019, many Africans could simply transit through Mexico after receiving an *oficio de salida del país* ("exit permit," often called "salvoconducto") from the INM in Tapachula. This document gave recipients a specified amount of time (often 20 days) to leave the country, which they used to travel north.<sup>232</sup> Immigration officials usually issued exit permits to migrants who were not eligible for, or not requesting, asylum in Mexico; whose intended destination was the United States (or Canada); and who came from countries to which repatriation by Mexico would be "difficult and expensive," meaning that the receiving country lacked consular representation or repatriation agreements with Mexico, or where the receiving country would not accept the citizen's return.<sup>233</sup> African nationals were among the groups that were, until mid-2019, often issued *oficios de salida del país*. Due to the limited consular representation of some African countries in Mexico, African nationals are rarely returned to their countries of origin. For example, in 2013, of the 545 Africans that were detained by INM, only 12 were returned."<sup>234</sup>

## B. MEXICO'S RESTRICTIVE IMMIGRATION ENFORCEMENT SINCE 2019

After President Andrés Manuel López Obrador took office in December 2018, there was a brief period of time in which his Administration claimed to adopt a more permissive, human rights-based approach to immigration than his predecessor.<sup>235</sup> For example, in early 2019, in response to migrant caravans arriving to the Mexico-Guatemala border, immigration authorities increased the number of TVRH cards being issued on public interest/humanitarian bases.<sup>236</sup> During these six months, Mexico's deportation rates were low compared with recent years.<sup>237</sup>

However, in response to economic pressure exerted by the United States, President López Obrador's Administration quickly adopted a hard-line approach to immigration enforcement in southern Mexico.<sup>238</sup> In late May 2019, U.S. President Donald Trump threatened to impose tariffs on imported Mexican goods if Mexico did not prevent undocumented migrants from entering the United States through the Mexico-U.S. border.<sup>239</sup> In response, Mexico deployed thousands of National Guard officers to conduct immigration enforcement at its southern border – to curb the flow of migrants into Mexico.<sup>240</sup> The National Guard is mandated to be a civilian-led security force that addresses crime and public security.<sup>241</sup> In reality, it has been staffed in part by Mexican military officers and federal police officers. This militarization of public security, which violates international law, has been condemned by international human rights groups.<sup>242</sup> While the National Guard was mentioned in the Mexican Constitution of 1917, it was not created or mobilized until the current Administration. Under the current Administration, the National Guard has been given significant powers to exercise its public security functions in the context of migration.<sup>243</sup> Mexican civil society groups, including IMUMI, argue that this is unconstitutional and frames migration as a national security – rather than a human rights – issue.<sup>244</sup>

The deployment of the National Guard resulted in a significant increase in the apprehension and detention of migrants. There was a surge of detentions in June, with an estimated 31,416 migrants detained that month alone, reflecting “the highest monthly total in all publicly available data going back to 2001.”<sup>245</sup> In the state of Chiapas, in which Tapachula is located, 66 percent more migrants were apprehended between January and September 2019 than over the same period in 2018.<sup>246</sup> This caused extreme overcrowding in immigration detention centers, including at *Siglo XXI* (“21<sup>st</sup> Century”) detention center in Tapachula.<sup>247</sup> In addition, as outlined in Chapter 6, the INM in Tapachula stopped issuing *oficios de salida del país* that allowed African and other migrants to travel north.

Due to their skin color, African and other Black migrants are often more visible to immigration authorities when travelling without documentation.<sup>248</sup> They are afraid to challenge officials, and are also easy targets for local gangs.<sup>249</sup> Some attempt to evade apprehension by travelling north by boat off Mexico's Pacific Coast, but this journey is dangerous and has proved fatal. For example, in October 2019, a small boat carrying Cameroonian migrants sank off the coast of Chiapas, killing two of the men on board.<sup>250</sup>

### C. RESTRICTIVE IMMIGRATION POLICY IN THE UNITED STATES

Under the current U.S. Administration, even migrants who successfully reach the Mexico-U.S. border face additional hurdles to claiming asylum in the United States. This section, while not comprehensive, outlines some of these U.S. policies.

The Trump Administration has consistently implemented policies that limit the eligibility of migrants arriving at the Mexico-U.S. border to claim asylum in the United States. The “third country transit ban,” which went into effect in July 2019, required asylum seekers arriving to the border to have already claimed asylum (and been rejected) in at least one transit country before being eligible to claim asylum in the United States.<sup>251</sup> This ban fails to acknowledge that it is counterintuitive for migrants arriving to the United States to seek asylum in many of these transit countries. El Salvador, Guatemala, and Honduras, in particular, have some of the highest homicide, rape, trafficking, femicide, and overall violence rates in the world.<sup>252</sup> Likewise, for the reasons discussed throughout this Report, Mexico is not viewed by many African migrants as a viable place to seek asylum due to the continuing violence and discrimination they experience in the country. As of August 2020, the ban is not operational due to a decision of the U.S. Federal Court, but already had a significant and devastating impact on Africans that arrived to the Mexico-U.S. border when the ban was in place.<sup>253</sup>

Further, the Trump Administration has been preventing African and other asylum seekers from even entering the United States for years. The so-called “metering” policy limits the number of migrants that can be processed by U.S. immigration officials each day at official ports of entry on the Mexico-U.S. border, and requires all others to wait in Mexico.<sup>254</sup> Although metering was first instituted under the previous U.S. Administration, reports from non-governmental organizations along the Mexico-U.S. border indicate that, since early 2018, metering has gone from a temporary measure at some ports to standard procedure at major border crossings.<sup>255</sup> The Cameroon American Council documented around two dozen cases of human rights violations against Cameroonians that occurred in the period that they were forced to stay in northern Mexico due to metering.<sup>256</sup> The long wait times have had a detrimental effect on the health of African migrants. For instance, when a woman from Uganda died in Ciudad Juárez in 2019, her companions believed that the long wait times and language barrier hindered her medical care, and that her death could have been prevented.<sup>257</sup> In addition, reports indicate that it is more difficult for Africans to get on the metering list than for other migrants, and Africans are required to submit more documentation than Latin Americans to be added to the list.<sup>258</sup> As of May 2020, there were approximately 14,580 asylum seekers on waitlists in 11 Mexican border cities.<sup>259</sup> About 40 percent of asylum seekers in Reynosa, one of these cities, are from African countries.<sup>260</sup>

Having outlined the recent Mexican and U.S. immigration policies in this Chapter, the next Chapter highlights how this hard-line approach to immigration resulted in thousands of African migrants being stranded in Tapachula in 2019, and the harm they suffered and protested against.

## CHAPTER SIX: AFRICAN MIGRANTS STRANDED IN TAPACHULA FROM MID-2019

In the context of Mexico's increasingly hard-line approach to migration, discussed in Chapter 5, immigration officials in Tapachula stopped facilitating the onward migration of Africans to the Mexico-U.S. border. Starting in mid-2019, the INM in Tapachula began issuing the *oficios de salida del país* with a requirement that the recipient leave Mexico by its southern border.<sup>261</sup> With this shift in the INM's practices, thousands of African migrants entering Mexico by its southern border were unable to continue their journey: they lacked documentation that facilitated their journey north but were unable to leave Tapachula without being apprehended by immigration authorities. Many of them did not intend to seek asylum in Mexico, either because their destination was the United States or Canada, or because they believed Mexico to be too unsafe, insecure, or discriminatory to provide refuge. This Chapter outlines the experience of some of these migrants, from their perspective, including by reference to interviews BAJI and the Authors conducted with African migrants and service providers that supported them.

### A. ORGANIZING BY AFRICAN MIGRANTS IN TAPACHULA

Beginning in June 2019, African migrants who were unable to leave Tapachula began settling around the *Siglo XXI* immigration detention center. The migrants, including children and pregnant women, that were camped outside of *Siglo XXI* were living without shelter and their basic needs were not being met.<sup>262</sup> They began organizing, informally at first. Local civil society organizations, like *Fray Matías*, helped to organize roundtables and press conferences to allow African migrants to communicate their concerns about being stranded in Tapachula and the abuse they were suffering.<sup>263</sup> The migrants persisted even through periods of extreme heat and heavy rain.<sup>264</sup> As observed by a staff member of JRS, a civil society organization that supports migrants in Tapachula, this took an "inhuman physical, emotional, and mental toll" on people who had already endured a difficult journey to Mexico.<sup>265</sup>

By August 2019, about 3,000 migrants came together to form a collective: the Assembly of African Migrants (the "Assembly").<sup>266</sup> The Assembly was comprised of migrants from many different African nations, all of whom had fled their countries of origin in order to survive. Its membership continued to grow as more migrants entered Tapachula.<sup>267</sup> In a written statement issued in late August, the Assembly expressed the migrants' "despair, hopelessness, fear, demoralization, loneliness, and abandonment."<sup>268</sup> The majority of the members of the Assembly had been detained for a period in the *Siglo XXI* detention center, without ever benefitting from language interpretation in order to better understand their situation. They described how Mexican officials "made them sign [immigration] documents that they did not understand" yet, in many cases, they were still not able to leave Tapachula.<sup>269</sup> The Assembly asserted that the government provided no assistance to them and, on the contrary, they were under constant surveillance of the National Guard and police. With the Mexican government no longer issuing *oficios de salida del país*, which facilitated onward travel to the Mexico-U.S. border, the Assembly demanded other immigration documents from the Mexican

government. They sought for those migrants who intended to continue north to the United States or Canada to be granted humanitarian status in Mexico, in order that they could at least leave Tapachula. Further, for those migrants who wished to seek asylum in Mexico, the Assembly requested that their asylum claims be processed without delay. The Assembly also requested humanitarian assistance as well as protection from the National Guard and police.<sup>270</sup>

The Assembly organized demonstrations to assert their human rights.<sup>271</sup> Despite not always being able to communicate in Spanish, they were creative in their use of “traditional songs, dances, performances, all of which were representative of their African cultures and identities,” as a means of communication.<sup>272</sup> National and international coverage of these events brought attention to the heightened vulnerability faced by African and other Black migrants in Mexico. A staff member of JRS noted that many local residents “observed the marches with curiosity, even joy.”<sup>273</sup> However, locals did not always recognize the marches as a “demonstration for rights” due to their lack of exposure to and awareness of Africans and other Black migrants.<sup>274</sup> Further, some of the demonstrations outside *Siglo XXI* turned violent with the involvement of the National Guard and police.<sup>275</sup> The demonstrations continued through fall 2019 and, when the situation did not improve, a group of African, Caribbean, and Central American migrants attempted to travel north in a caravan.<sup>276</sup> They were blocked almost immediately by the National Guard and many were detained.<sup>277</sup>

In November 2019, Mexican officials demanded that the migrants camped outside of *Siglo XXI* evacuate the premises by December 15, 2019.<sup>278</sup> Some African migrants were issued TVRH cards and, with this temporary status, could leave Tapachula. Others, including some of the Assembly’s leaders, were subsequently subject to an expedited process to obtain permanent residence in Mexico after being determined as stateless (see Jean’s personal account in Section B below).<sup>279</sup> Mexican law provides that the INM, acting on behalf of the *Secretaría de Relaciones Exteriores* (“Secretariat of Foreign Affairs”), may determine a migrant to be stateless where they have no nationality or where it is determined to be impossible to verify their identity. Stateless persons, along with refugees or recipients of complementary protection, gain permanent residency in Mexico.<sup>280</sup> While permanent residence is in many cases a desirable outcome for migrants who seek documentation to settle in Mexico, many of the African migrants in this case intended to seek asylum in the United States or Canada instead. In violation of their rights, they were often not informed about the immigration process in Mexico in a language they understood (see Section C below for some personal accounts from this period).<sup>281</sup> They were also unaware of the potential that accepting permanent residence in Mexico might make it more challenging to seek asylum in the United States.<sup>282</sup> Neither the migrants nor service providers interviewed for this Report were given an explanation for why, in November 2019, Mexican officials took this approach. As a staff member from JRS noted, this outcome seemed to be a direct result of the Assembly’s demands, over many months, that the Mexican government find a solution that allowed Africans to leave Tapachula.<sup>283</sup>

## B. JEAN'S MIGRATION JOURNEY

In August 2020, the Authors conducted an interview with Jean<sup>284</sup> – one of the leaders of the Assembly – about his migration journey and experience in Tapachula. This section outlines, from his perspective, his family's journey from the DRC, through South America, into Mexico, and finally to the United States (where the family is currently settled).

Jean is originally from Kinshasa, the capital city of the DRC. His native languages are *Kikongo* and *Bambara* and he also speaks fluent French. Jean explained, in the DRC “we had so many problems – violations, war, political issues, many problems. I don't feel happy talking about my country. We had to leave everything. We left our country to find protection, as human beings. So many people [in the DRC] are looking to migrate.” Sometime in 2016, Jean, his wife Marie, and their children travelled from the DRC to South Africa. They then flew to Brazil. After spending some time in Brazil, they went first to Argentina, then traveled through Bolivia, Peru, Ecuador, and into Colombia. They were in South America for a long time but were never settled anywhere. To leave Colombia, the family spent eight days travelling on foot in the Darien Gap jungle. It was raining and wet, and they had to sleep outside without any shelter. Jean said that, while traversing the Darien Gap, “we saw dead bodies and people dying, suffering, and attacked by bandits” as well as “people with nothing to eat.” It was an immensely challenging part of the journey. After reaching Panama, the family continued on through Costa Rica, Nicaragua, Honduras, Guatemala, and finally across the Mexican border into Tapachula in July 2019.

After arriving in Mexico, the family was detained for a period before they were released without

being issued any documentation. After their release, until November 2019, the family camped outside the *Siglo XXI* detention center along with Africans from 17 countries “such as [the DRC], Angola, Burkina Faso, Mali, Cameroon, Congo-Brazzaville,” including 32 pregnant women. Marie was also pregnant at the time. As Jean described, “Mexico didn't let us pass and they didn't give us anything to eat, or anywhere to put our heads down to sleep. The kids slept outside while it rained every day and in lots of heat, like 38-40 degrees Celsius [100-104 degrees Fahrenheit].” Despite the protections in Mexican law, Marie and the other pregnant women “didn't [in practice] have the right to go to the hospital, get a consult, or anything. If you arrive at a health center with pain, they attend to the [Mexican] nationals first and if you are a migrant they require a document from COMAR – without this you can't be seen. Only if they needed to give birth, would they let [the pregnant women] into the hospital, but after they gave birth they had to leave and go back to the camp [outside *Siglo XXI*] and live in the heat with the newborn baby.” Marie's experience of being pregnant in Tapachula was “torture.” The only help the family received was from JRS and other humanitarian organizations. “Life was very difficult. We weren't considered to be human beings in Mexico.”

Over time, in August 2019, Jean, Marie, and thousands of other migrants organized and formed the Assembly. Jean recalled that the majority (around 1800) of the members were from Cameroon, around 600 were from the DRC, around 700 were from Angola, and the rest were from other countries. While they were stuck in Tapachula, more migrants continued to come into the city. The Assembly grew to around 4500 migrants, few of whom spoke or understood

Spanish. Jean and Marie, who had learned Spanish in South America, were both leaders of the Assembly and were able to interpret for the other Africans as well as speak with Mexican and international media. The Assembly formed out of a sense of solidarity among the Africans stuck in Tapachula. As Jean described, “we shared advice on how to live, how to find food, and how to be supported.” They were united in looking for protection and they gathered support, including from local human rights defenders, who informed them about Mexican migration law. As a result, as Jean said, “we saw that we had rights in the law but they were not being put into practice, and that’s why we were abused and dehumanized.” As a visible member of the Assembly’s leadership, Jean was threatened by municipal police and feared for his life. On one occasion, the police shot at and injured another man who they mistook for Jean. After this incident, Jean made a complaint to the INM but he was not aware of any action being taken.

In late September 2019, the UN High Commissioner for Refugees visited Tapachula. This coincided with the inauguration of a new COMAR office there. Jean, Marie, and other migrants tried to speak with the High Commissioner about their situation but were blocked by federal police. Sometime after the High Commissioner’s visit, INM officers came to the camp outside *Siglo XXI* and told the migrants to return to detention, as if they had just entered Mexico, and start the immigration process again. After Jean, Marie, and their children returned to detention for 14 days, the INM declared them as “stateless” on the basis that the DRC did not have consular representation in Mexico. Jean was not told why this happened or what had changed. However, with this documentation, the family was finally permitted to leave Tapachula, after

over four months in the city. They travelled by bus to the Mexico-U.S. border. They encountered numerous immigration checkpoints on the journey but were able to pass through each one after showing the documentation they had received from the INM. After three days on the bus, the family reached Mexico’s northern border. Jean told (U.S.) immigration that they were stateless, registered their names with the authorities (on the metering list), and waited on the Mexico side of the border until they were allowed to cross into the United States and seek asylum. Marie gave birth to their fourth child shortly after they left Mexico, in December 2019.

When Jean and Marie left the DRC in 2016, it was not their goal to settle in the United States. Their only “objective was to get to a country where we could be protected and start our lives again.” For the whole journey, Jean was motivated by the thought that “we would eventually arrive somewhere where we would be considered as human beings. But we were never considered as human beings” anywhere in Latin America – especially not in Mexico. Since arriving to the United States, the family has experienced discrimination and xenophobia but at least “we are considered and treated like human beings.” Even months later, Jean does not like talking about his experience in Mexico: “Normally, I don’t want to talk more about it. The experience hurt my heart. Because of the Mexican authorities, we had a very bad time. It was a very bad time in our life.”

## C. ANTI-BLACK RACISM IN TAPACHULA

In 2019, while African migrants were camped outside of *Siglo XXI* as described above, BAJI traveled to Tapachula and spoke with 20 Black migrants - from Angola, Cameroon, Congo, DRC, Eritrea, Ethiopia, Ghana, Guinea, Haiti, and Sierra Leone - about their experiences since arriving in Mexico. These migrants raised a number of concerns, specifically about the discrimination they faced from immigration authorities, police, and other government officials. In addition, the migrants described the poor conditions they were living in and their experiences of racism in the contexts of employment, housing, and education. This section summarizes the findings from the interviews.<sup>285</sup>

### Racism in Detention Facilities

After the INM in Tapachula stopped facilitating the onward migration of African migrants by issuing *oficios de salida del país*, many were detained in immigration detention centers (like *Siglo XXI*) either while waiting to be processed in the immigration system or after attempting to leave Tapachula without documentation and being apprehended by immigration authorities. Abdul, a Sierra Leonean migrant, said about his experience in detention: "The Mexican immigration officials tell Black people that detention is a necessary part of seeking status in Mexico, but this is not the case for non-Black migrants." He observed, "All Black people are detained for at least 21 days, including babies, children, and sick people. Also, if we attempt to leave Tapachula, then we are detained again. Some people have been detained up to five or six times." Abdul concluded from his experience that, "Mexican officials are much harsher inside the detention centers than they are outside in public."

The interviewees shared multiple accounts of anti-Black racism within immigration detention centers. In some cases, the interviewees were denied the basic necessities of water and access to medical care. Dauda, who is from Sierra Leone, noted the frequency of illness in detention and stated,

"When Black migrants require medication, we are only given pain relievers and not proper medication like other migrants. [One week before the date of the interview], a Black migrant from Mauritania almost died in detention because he was not given medication. While we were in detention together, he collapsed and they gave him the same tablets."

The poor conditions in detention fostered the spread of illnesses, such as flus and fevers. As Adamo, a migrant from Cameroon, stated, "Black people are dying in detention and the Mexican officials do not even care enough to allow us access to proper medical care."

Further, interviewees described a stark difference in the quality of food provided to Black migrants in detention relative to other detainees. Manu, who is from Cameroon, summarized the food disparities: "Black people are the last to eat and severely mistreated. If you are Black, you are not able to access the same food in detention. Black people are only given rice to eat while in detention, while other detainees are given rice and chicken." Prison officials went so far as to change the food once they saw Black migrants approaching, giving more nutritious food to other detainees. Mohamed, a migrant from Guinea, recalled officials making statements such as, "You are African, so you cannot eat that." In all aspects, the interviewees expressed that they were treated as subhuman.



Finally, interviewees described the ways in which systems of segregation played out inside the detention facilities. Mohamed stated, “When an Ethiopian man attempted to enter a line designated for Honduran detainees, he was beat up by all of the Hondurans while the Mexican officials watched the attack take place and did not stop it.”

### **Police Violence**

Even after being released from detention and living in informal housing settlements, the interviewees were still subjected to racism and abuse from state actors. Patrick, a Cameroonian migrant, cited the constant presence of police and frequent arrests:

“We have many experiences of being harassed and attacked by the Mexican police and immigration officials who bully those of us who are living here in the makeshift camp. Once, the officers stopped a Black man who was walking back to the camp. He was stopped, harassed, forced into a car, and robbed by the police – the people who are supposed to be protecting us. We do not feel safe walking around in Tapachula.”

Most interviewees recalled several instances of local police harassing, robbing, and physically attacking Black migrants. Rui, a migrant from Angola, recalled one particularly gruesome attack:

“At around 7 or 8pm one evening, an Angolan man was coming back to the *Siglo XXI* area. One of the municipal police cars blocked him, and the police came out and pointed a gun at him. While pointing a gun at him, another officer used his baton to choke the man. They beat him up and took all of his money and possessions. Then they put him in the car and left him in the forest. Eventually, the man came to and returned to the *Siglo XXI* area beaten and bloody. We took him to the hospital and discovered that he had internal bleeding and could not walk for a few days...

After seeing the abuse and violence inflicted by immigration officials and police on Black people, [Mexico] is not a place where we feel safe. We left home with hopes of a better future, but here we have less safety and access to basic needs than we did in our home countries.”

The interviewees identified significant fear of police and said there was no accountability for this type of police violence. Thierno, an Angolan migrant stated, “Whenever we see police cars at night, we must run because we know that no one will protect us from their abuse.” Even when police violence was reported, there were no consequences or increased protections for Black migrants. As Emmanuel, a migrant from the DRC, described, “The municipal police are also extremely violent and attack Black migrants. We reported this to the federal police...but there was no consequence for this violence.”

### **Language Barriers**

Many of the interviewees believed that the United States would be a safer country in which to seek protection as a refugee than Mexico, due to the discrimination that Black migrants experience in Mexico and the barriers to integration in Mexican society. However, many of the interviewees felt that

they had been forced by Mexican immigration officials to agree to immigration outcomes that they did not fully understand or want. They felt pressured to sign documents that were not in a language they understood, without any translation or interpretation, and they had no legal representation. As described by Patrick, "Many of us were tricked into signing documents that gave us permanent residence here in Mexico, which is not what we wanted." Manu stated, "They know that we are unable to communicate in Spanish, and so unable to work [in Mexico]. Also, we are unable to understand immigration documents, but were forced to sign these documents." Similarly, Adamo stated: "They use the language barrier to make Black migrants seem uneducated and below others. They also use this to confuse and force Black migrants to seek status in Mexico against our will."

### **Racism in Public Spaces**

Black migrants were often subjected to extreme forms of social isolation and psychological harm in public spaces. Many interviewees stated that they were faced with stereotypes of being "smelly" or "rowdy." Patrick stated, "The Mexican people insult us on the street, try to avoid getting close or touching us, and cover their noses when we get close to them on minibuses." Many interviewees noted high levels of anti-Black discrimination in stores and other establishments and expressed skepticism about whether language barriers were the cause of such discrimination. Artur, an Angolan migrant, stated, "When you enter stores, you experience immediate discrimination based on your skin color. They do not even respond to us when we speak to them. I speak Spanish, and they will ignore me as well." Many interviewees also recalled Mexican nationals regularly referring to Black migrants as "Negroes" or "apes."

### **Employment Discrimination**

The widespread racial discrimination complicates Black migrants' access to employment in Tapachula, and their ability to provide for themselves and their families. Several interviewees recounted that Black migrants were repeatedly denied jobs after persistently searching for employment, or were paid significantly less than other employees, if at all. None of the interviewees had been able to secure employment in Mexico. Rui stated, "There have been multiple shops that have posted hiring signs, but when Black migrants (including those with immigration status here) apply they claim that they are no longer hiring. Then when non-Black individuals approach the stores, they are suddenly hiring again." Manu said, "We cannot get jobs due to our race and immigration status. As a result, we are unable to support ourselves, much less provide support for our family members left in Africa." The inability to find work has serious consequences for migrants in Tapachula. In Patrick's words: "We are resorting to various means to escape Tapachula because we are struggling to stay alive here. We do not have money and we are unable to work."

The interviews demonstrated that employment discrimination exists irrespective of immigration status. As described by Abdul, "Even Black migrants who have been granted legal permanent residence in Mexico are unable to find employment in Tapachula because of widespread discrimination. I have not seen any employed Black migrant men in Tapachula, unless they are working under the table." Jean, a Cameroonian migrant, recounted his own experience looking for work "under the table":

"I asked about employment helping with construction. They said that they would pay us at least 4,000 pesos (approximately \$200 US dollars), even though other workers were given 6,000 pesos (approximately \$300 US dollars) for the same job. But in the end, they refused to pay us altogether. I worked for 5 days (4 hours a day) from the morning until the afternoon, and I have nothing to show for it. I was very confused about what to do when they refused to pay me because I had nowhere to turn. I know that the police are racist against Blacks, as are the immigration officials."

For Black families traveling together, employment discrimination can result in family separation. Emmanuel cited employment discrimination as the main reason for his family being separated in Mexico: "I could not find a job, so I gave the money we had to my wife and child so they could continue north to the Mexico-U.S. border, and I am waiting to get enough money to go north as well - she left Tapachula two days ago. I think she is still on the road to Acuña, but I do not have a phone and she does not have a phone either, so we are not able to communicate."

### **Housing Discrimination**

As a result of rampant housing and employment discrimination, many Black migrants were homeless or living in a makeshift refugee shelter outside of the *Siglo XXI* detention facility, where they were holding regular protests and actions (as described in Section A above). Many of the Black migrants did not have tents, and slept on the bare, dirty floor until BAJI and other humanitarian organizations provided tents. Rui, who was living outside of *Siglo XXI* in a tent provided by BAJI, stated, "When we attempt to rent homes, they hike up the prices or deny us housing altogether. Hotels in the city center hike up prices for Black migrants because they do not want Black people residing in their hotels. There is no opportunity here for us to live safely or comfortably." This view was echoed by other interviewees who were unable to secure housing. Manu said: "Even when we attempt to stay in local hotels, we are told to keep our money and get out of their hotels because we are Black and stink." Emmanuel stated, "Before organizations like BAJI came here, there were not tents for people. Other Black people came as individuals and NGOs from the US and provided food and shelter for the Black migrants here. We would have expected the Mexican government to provide these things, but it did not. The fact that they have not done these things shows they do not want us here."

### **Educational Barriers**

According to the interviewees, local educational institutions were sometimes unwilling to accept Black migrant students, which prevented them from benefitting from the supports available to them. The UNHCR office in Tapachula offered to assist Black migrant youth to enroll in continuing education. However, in practice, the students were denied access to the classes. As Rui explained,

"The UNHCR helped us register in an IT class and as soon as we came to the class, the teacher immediately stopped the class and told all of the students that they could leave - even before we had the opportunity to introduce ourselves. The first day, we arrived late, so we thought that was perhaps why they stopped the class so abruptly. But we arrived on

time the following five days and the same thing happened. We [were informed] that the teachers refused to teach Black migrants because they say we smell and are rowdy. We stopped attending classes for this reason.”

Similarly, Adamo stated, “Our Black children are not going to school, and the Mexican officials do not care. There is no reason why the potential of our children is wasting away here.”

#### **D. GENDER-BASED DISCRIMINATION IN TAPACHULA**

As noted above, BAJI was not able to speak with many African women. In order to add a gender perspective to the racial discrimination faced by African migrants, the Authors interviewed various service providers in Mexico about the unique challenges faced by African migrant women in Tapachula. Migration laws and policies, and the migration process overall, affect women differently.<sup>286</sup> The experience of women in migration is dependent on “the social roles of women, their autonomy and capacity to make decisions, their access to resources, and the existing gender stratification in countries of origin and destination.”<sup>287</sup> The intersection of gender, race, and migratory status often make it more challenging for women to navigate the migratory process than men. Further, irrespective of their immigration status, women in Mexico are generally subjected to greater social and economic discrimination.<sup>288</sup>

Although many African women pass through Tapachula, they more often stay close to home than their male family members. In her work with African migrants, a staff member from JRS observed that women’s contribution to the family economy tended to be through non-remunerated work such as “caring for children, preparing food, [and] going to the river to wash clothing.”<sup>289</sup> Conversely, the men are usually responsible for the family’s interactions with the INM. Because the women are not always aware of the details of the family’s immigration case, they are left in a precarious situation relative to the immigration authorities and, in some cases, at risk of domestic violence or other abuse.<sup>290</sup> This lack of knowledge or involvement with immigration officials is also problematic if the family’s asylum claim relies on persecution of which the woman has primary knowledge, or if she has a freestanding gender-based violence asylum claim (including with respect to an abuser she may be traveling with).

African women face numerous barriers to integration in Tapachula and are especially vulnerable in the context of healthcare. Many who give birth in the public hospitals “suffer discrimination, negligence and obstetric-gynecological violence because of their race.”<sup>291</sup> This discrimination includes racist comments and critiques of their cultural practices. In addition, some locals “believe that the women bring deadly diseases like Ebola.”<sup>292</sup> The public hospitals do not have interpreters available to explain the procedures the women are undergoing, and there is often inadequate access to medications. JRS is aware of “several cases of stillbirth or neonatal death resulting from a lack of medical attention during pregnancy or being denied access to timely medical services during delivery.”<sup>293</sup>

As explored in the next Chapter, all African and other migrants in Tapachula are especially vulnerable in the context of the COVID-19 pandemic.

## CHAPTER SEVEN: CURRENT SITUATION IN MEXICO

Prior to March 2020, when the United States suspended the processing of asylum claims due to the COVID-19 pandemic, shelters in Mexico were already full and migrants were living in tents along the Mexico-U.S. border, with the pandemic worsening the situation.<sup>294</sup> As of August 2020, Mexico has one of the highest infection rates in the world, and asylum seekers are facing an increased risk of contracting the virus.<sup>295</sup> Some shelters in Mexico have had to stop accepting newcomers as a precaution because the United States is not testing migrants for COVID-19 before deporting them.<sup>296</sup> In addition, although Mexican law provides that migrants have access to healthcare, many are currently being turned away because hospitals are overwhelmed.<sup>297</sup> The federal government has failed to provide support to migrant shelters or civil society organizations working with migrants.<sup>298</sup>

Since the outbreak began, the job and socio-economic security of migrants in Mexico has deteriorated, leading to increased difficulties in accessing housing, healthcare, and food. The stay-at-home order caused many asylum seekers, who mostly have jobs in restaurants, factories, and construction, to become unemployed.<sup>299</sup> In addition, there has also been a noticeable increase in SGBV, family violence, as well as violence against girls, boys, and adolescents.<sup>300</sup>

While the pandemic led to a drastic fall in the number of asylum claims in Mexico, hundreds of people are still making claims.<sup>301</sup> By the end of May 2020, 19,211 had applied for asylum.<sup>302</sup> COMAR is currently accepting fewer asylum claims, and has suspended reviewing them indefinitely.<sup>303</sup> COMAR is operating at reduced hours, and has eliminated the requirement for applicants to check-in weekly at a COMAR office.<sup>304</sup>

The COVID-19 pandemic has left many migrants at different points in transit. Honduras, El Salvador, and Guatemala closed their borders in mid-March 2020.<sup>305</sup> However, the pandemic and border closures have not deterred migrants from attempting to cross into Mexico. For example, in June 2020, African, Cuban, and Haitian migrants who had been stranded in Honduras since March due to border closures started migrating north in a bid to reach the United States; Honduran authorities ultimately detained 300 of the migrants.<sup>306</sup> There have also been reports of smaller migrant caravans departing from Honduras at various times in 2020.<sup>307</sup> As many as 1,600 migrants - among them Africans - have been stranded in Panama since the pandemic began.<sup>308</sup> In June, there were reports of 200 migrants who were isolated in the treacherous Darien Gap jungle, after 90 had tested positive for COVID-19.<sup>309</sup> Despite the current challenges, migrants will continue to travel towards Mexico's southern border.

## **CHAPTER EIGHT: KEY TAKEAWAYS AND RECOMMENDATIONS**

As outlined in this Report, the racism, as well as xenophobia and gender-based discrimination, in Mexico continues to impact African and other Black migrants in the country. Moreover, the forces behind migration from Africa and through South America still persist. Africans will continue to make the long and dangerous journey to Mexico's southern border in hopes of finding safety and security the United States or Canada. Further, with entry across the Mexico-U.S. border becoming increasingly elusive, more Africans may - by choice or necessity - begin seeking asylum or otherwise settling in Mexico.

It is therefore increasingly important for Mexico to take steps to address the discrimination and other barriers that impact African and other Black migrants in transit or seeking asylum in the country. Recent events - including the official national recognition of Afro-Mexicans, the Assembly of African Migrants' work to raise awareness about their situation, and the current global anti-Black racism movement - suggest that there is an opening for change. However, genuine political will and concrete action at the national level are necessary in order to begin to dismantle the structures that perpetuate racism against Africans and others in Mexico's immigration system.

The events in Tapachula from June-December 2019 highlighted both how the demographics of Mexico's migrant population are shifting, as well as the limits of the country's response. While in no way comprehensive, the Authors make the following recommendations to address and improve the situation in Tapachula. The Authors also hope that this Report will initiate a conversation about what further steps must be taken.

# Recommendations for the Mexican government and its agencies, including the INM and COMAR

## 1. Ensure the non-detention of migrant children and families

The Assembly, as well as African and other Black migrants interviewed for this Report, identified the deplorable conditions in immigration detention centers in Tapachula, including *Siglo XXI*. In particular, they noted the discrimination against Black migrants relative to other detained migrants and the segregation of detained migrants by race. Migrants often did not receive culturally appropriate language services (like interpreters), medical care, food, or other necessities while in immigration detention. The CNDH, which monitors human rights violations in immigrant detention facilities, must exercise this responsibility with more attention and the government must provide the funding necessary for this work to be done.

Immigration detention must be the exception, not the rule, and immigration officials must comply with the limits to detention under Mexican law.<sup>310</sup> Under the Migration Law, migrants must be released from detention in 15 business days.<sup>311</sup> Also, according to the regulations of the *Ley General de los Derechos de Niñas, Niños y Adolescentes* (“General Law on the Rights of Children and Adolescents”), no child – accompanied or unaccompanied – may be detained.<sup>312</sup> As IMUMI has argued elsewhere, this means that migrant families must not be detained.<sup>313</sup>

In addition, despite the fact that in November 2020 reforms were approved that integrate the content of the General Law on the Rights of Children and Adolescents with the Migration Law, prohibiting the detention of children and adolescents, to date, they continue to be housed in detention facilities until these reforms go into effect.

BAJI is always working toward the abolition of immigration detention. BAJI’s demand for the eradication of immigration detention recognizes that reforming immigration detention, which incarcerates human beings and separates families, is not practical. BAJI promotes community-based alternatives to detention that allow families to remain together while their immigration cases are being processed.<sup>314</sup>

## 2. Provide migrants that have been released from detention with housing and other humanitarian support

The interviewees identified that they were forced to live in informal housing settlements upon their arrival in Tapachula or after being released from immigration detention. This increased their vulnerability to abuse, including police violence. As the interviewees noted, even where they sought accommodation, or employment to be able to support themselves, they were often discriminated against on the basis of race.

Although some civil society organizations were able to provide tents and other interim support in fall 2019, the state must take the responsibility – with UN support – to appropriately house and

provide humanitarian support to migrants waiting in Tapachula while they are being processed in the immigration system. While the UNHCR provides limited financial support to migrants arriving in Mexico, clearly this has not been sufficient given the backlog of cases in the immigration system and resulting delays in processing migrants arriving in Tapachula.

### **3. Provide immigration officials, police, and other state actors interacting with migrants with anti-Black racism, gender discrimination, and cultural competency training**

The interviewees described their experiences of anti-Black racism by government officials and in their interaction with the immigration system. Immigration officials, including at COMAR, the INM, and in immigration detention, must be trained on anti-Black racism, cultural competency, and how to bring a gendered lens to their work.

### **4. Provide anti-Black racism, gender discrimination, and cultural competency training to service providers, including in educational institutions and public hospitals**

Many interviewees and service providers identified the negative treatment - ranging from ignorance to overt discrimination - that African and other Black migrants experience in educational institutions and hospitals. The government must ensure that staff in public institutions serving migrants are trained in anti-Black racism, gender discrimination, and cultural competency. The government should support private institutions serving migrants to do the same. Further, the public hospitals in Tapachula must provide the translation/interpretation support necessary to ensure that migrant patients receive the care that they need.

### **5. Immigration officials must provide necessary translation/interpretation to ensure that migrants understand the Mexican immigration process, and the INM must not pressure migrants to accept any particular immigration outcome**

Due in part to language barriers and a lack of legal representation, numerous interviewees felt “tricked” into signing immigration documents without understanding their significance or potential implications for later seeking asylum in the United States. Immigration officials must not, in any way, pressure Africans or other migrants to accept any particular immigration outcome. Further, all actions undertaken by immigration officials regarding a migrant’s case must be taken only with the migrant’s informed consent. This includes an explanation in a language they understand and, where applicable, access to their own legal representative both of which are guaranteed under Mexican law.

### **6. The National Guard must not carry out any immigration enforcement functions**

As outlined in the Report, deploying the National Guard to southern Mexico to conduct immigration enforcement led to the apprehension and detention of migrants in alarming numbers, including in Chiapas state. As noted in the Report, IMUMI, along with other Mexican civil society organizations, disputes the constitutional and international legal legitimacy of the National Guard, which despite being a civilian-led force in name is comprised of numerous military and federal police officers. The National Guard should not be involved in any way in immigration enforcement.



## **7. CONAPRED, the CNDH, and the INM's internal complaint processes must provide an effective response to discrimination complaints by Black migrants**

Numerous interviewees identified overt discrimination and violence at the hands of police and other state actors, including in the detention context. Yet, they either did not know how to report these violations or when they filed complaints they did not result in accountability.

CONAPRED and the CNDH both have jurisdiction over migrants' human rights complaints and must respond effectively to the human rights violations they are experiencing. The Authors encourage CONAPRED and the CNDH to provide, within their respective mandates, specific support to Black migrants that are experiencing discrimination in the immigration system as well as in access to housing, employment, education, and health. In addition, the Authors note that President López Obrador suggested dismantling CONAPRED and strongly reject this proposal.<sup>315</sup>

Further, the Órgano Interno de Control ("Internal Control Mechanism"),<sup>316</sup> which has jurisdiction over misconduct by public servants such as INM officials, must respond to and root out misconduct by officers who violate migrants' rights.

## **8. The Mexican government must accept the outstanding request of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to visit Mexico**

Since March 2001, Mexico has issued a "standing invitation" to all UN thematic special procedures to officially visit the country.<sup>317</sup> This means that Mexico has announced that it will always accept requests to visit the country from all special procedures. However, as of the drafting of this report on contemporary forms of racism, racial discrimination, xenophobia and related intolerance ("Special Rapporteur") has not visited Mexico.<sup>318</sup> An initial visit request was issued to Mexico on September 9, 2008, and a reminder visit request was issued by the current Special Rapporteur on January 30, 2019.<sup>319</sup> Mexico must respond to and facilitate an official visit by the Special Rapporteur. This would constitute an important step to acknowledging and, subsequently, addressing the structures that perpetuate racism in Mexico. The Authors hope that the Special Rapporteur will scrutinize the situation of African migrants and others in Mexico's immigration system, including in southern Mexico.

## **Recommendations for international organizations and civil society organizations operating in Tapachula**

### **9. Organizations should engage in public education and awareness-raising efforts**

Many interviewees and service providers identified the anti-Black racism that migrants experience in public spaces, as well in the contexts of employment, housing, education, and healthcare. This reflects the deeply rooted racism that pervades Mexican society, which affects not only Black migrants but also Afro-Mexicans and other darker-skinned Mexicans and migrants.

Effecting a cultural shift is complex and outside the scope of this Report. However, as an initial step, the Authors recommend that organizations working with and in support of Black migrants in Tapachula consider public education and other awareness-raising efforts (such as public art installations or other cultural events) to inform locals about the migrants' cultures and facilitate cross-cultural exchange.

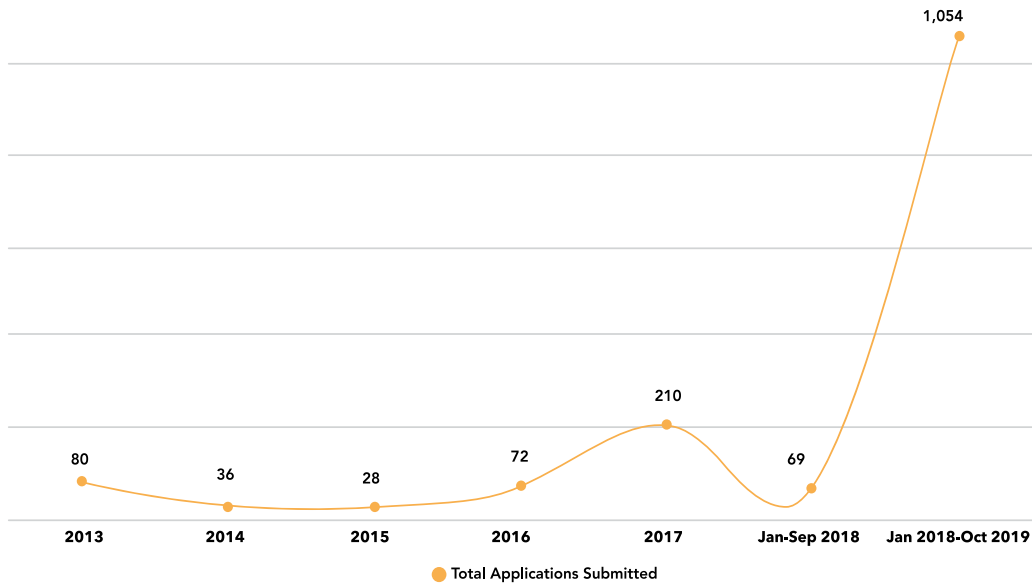


# APPENDIX **ONE**



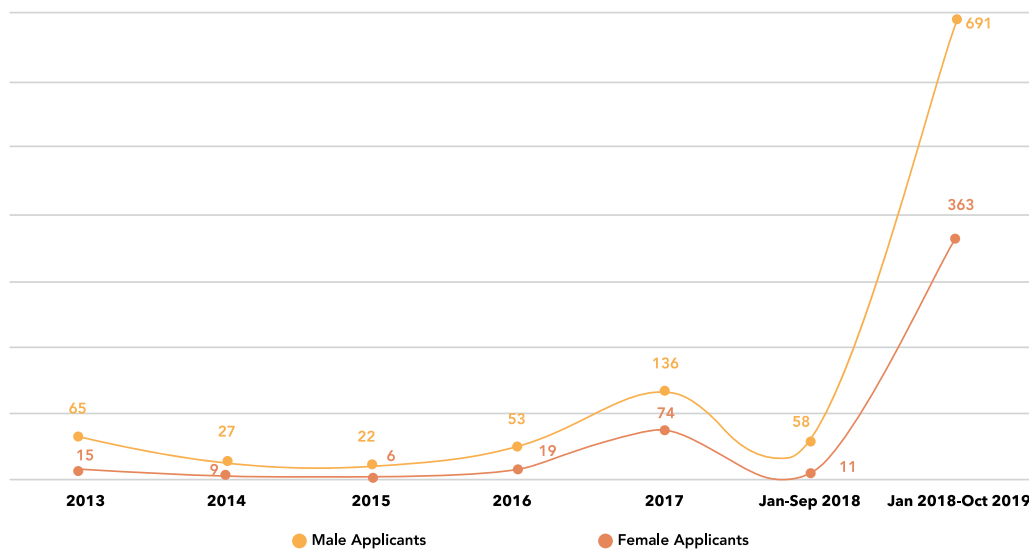
# Statistics of African Migration in Mexico

**Figure 1.** Asylum/refugee status applications submitted by nationals of all African countries, 2013 - October 2019



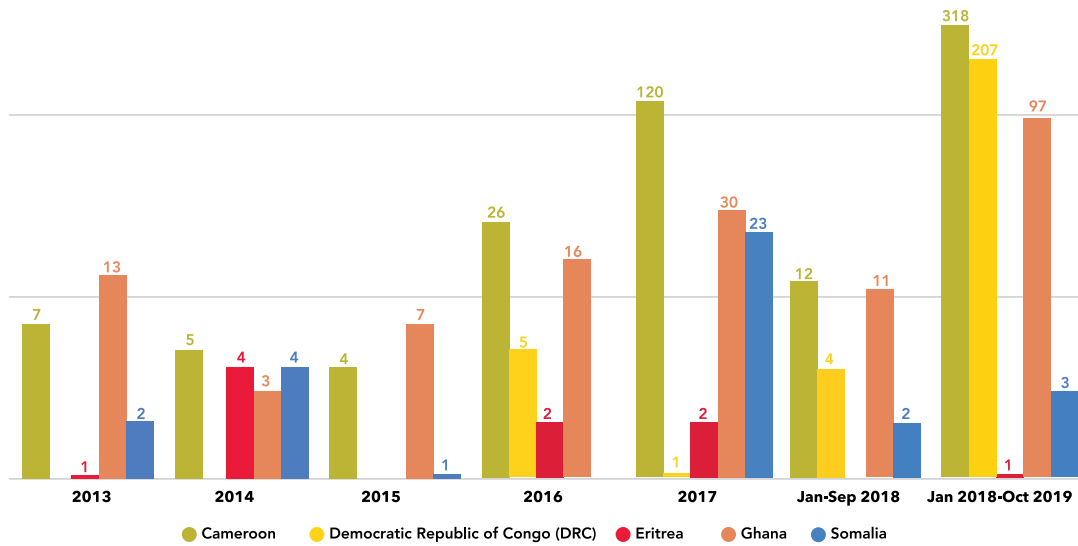
**Sources:** Government of México, Secretaría de Gobernación, Comisión Mexicana de Ayuda a Refugiados (COMAR). *Boletín Estadístico de Solicitantes de Refugio en México (2013 - 2018)*. Asylum Access, “New COMAR data shows over 13,000 asylum applicants waiting since 2018”, 2020. Prepared by Katherine La Puente.

**Figure 2.** Asylum/refugee status applications submitted by nationals of all African countries, 2013 - October 2019, by gender



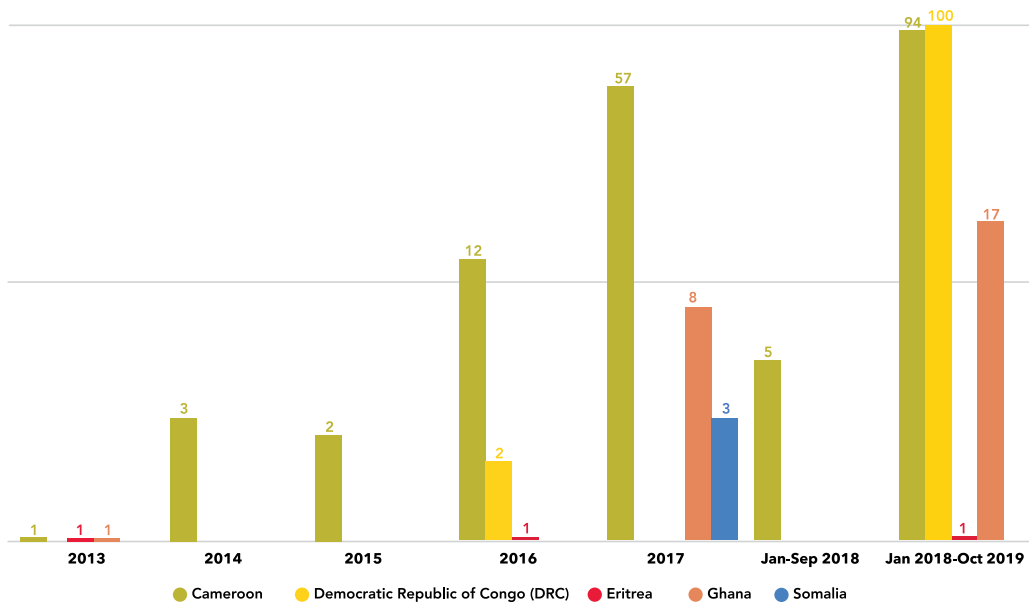
**Sources:** Government of México, Secretaría de Gobernación, Comisión Mexicana de Ayuda a Refugiados (COMAR). *Boletín Estadístico de Solicitantes de Refugio en México (2013 - 2018)*. Asylum Access, “New COMAR data shows over 13,000 asylum applicants waiting since 2018”, 2020. Prepared by Katherine La Puente. Note: COMAR does not specify transgender individuals.

**Figure 3.** Asylum/refugee status applications submitted by nationals of selected five African countries, 2013 - October 2019



**Sources:** Government of México, Secretaría de Gobernación, Comisión Mexicana de Ayuda a Refugiados (COMAR). *Boletín Estadístico de Solicitantes de Refugio en México (2013 - 2018)*. Asylum Access, “New COMAR data shows over 13,000 asylum applicants waiting since 2018”, 2020. Prepared by Katherine La Puente.

**Figure 4.** Asylum/refugee status applications submitted by females of selected five African countries, 2013 - October 2019



**Sources:** Government of México, Secretaría de Gobernación, Comisión Mexicana de Ayuda a Refugiados (COMAR). *Boletín Estadístico de Solicitantes de Refugio en México (2013 - 2018)*. Asylum Access, “New COMAR data shows over 13,000 asylum applicants waiting since 2018”, 2020. Prepared by Katherine La Puente.  
 Note: COMAR does not specify transgender individuals.

**Table 1.** Migrants presented to migration authorities and detained in INM migration stations, by selected five African countries, 2007 - May 2020

Year	Africa (all)	Cameroon	DRC	Eritrea	Ghana	Somalia
2020 (Jan - May)	482	45	162	47	80	7
2019	7,065	3,124	1,822	369	196	4
2018	2,791	950	704	539	131	39
2017	2,178	425	316	636	116	98
2016	3,910	199	1,009	334	606	373
2015	2,078	93	8	155	631	864
2014	785	21	1	83	169	403
2013	545	14	3	69	65	339
2012	323	6	0	61	22	176
2011	287	4	1	136	13	83
2010	1,282	6	4	723	13	311
2009	823	8	4	330	9	303
2008	658	7	0	363	9	134
2007	460	10	0	232	1	110

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2007-2020)*. Prepared by Katherine La Puente.

**Table 2.** Minors presented to migration authorities and detained in INM migration stations, by selected five African countries, 2007 - May 2020

Year	Africa (all)	Cameroon	DRC	Eritrea	Ghana	Somalia
2020 (Jan - May)	95	5	65	0	13	0
2019	1,218	28	701	5	19	0
2018	396	3	300	6	12	0
2017	155	7	98	1	3	6
2016	120	9	47	2	7	9
2015	31	0	0	1	8	11
2014	12	0	0	6	2	3

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2014-2020)*. Prepared by Katherine La Puente.

**Table 3.** Migrants returned by INM authorities, by selected five African countries, 2007 - 2013\*

Year	Africa (all)	Cameroon	DRC	Eritrea	Ghana	Somalia
2013	12	5	0	0	1	0
2012	10	1	0	0	0	0
2011	11	0	0	0	0	0
2010	24	1	2	0	2	0
2009	17	1	0	0	5	0
2008	13	0	0	0	0	0
2007	53	7	0	0	0	0

\*Includes minors.

**Sources:** Government of México, Instituto Nacional de Migración. Boletín mensual de estadísticas migratorias (2007-2013). Prepared by Katherine La Puente.

Note on immigration categories: Family includes financial dependents; Work includes foreigners whose motive to stay is work or an offer of employment; Property owner, which includes property and real estate owners, investors, retirees or pensioners; Humanitarian includes victims or witnesses or humanitarian causes; Others include those whose motive to stay are scientific research projects, public interest, or others.

Note on visa types: Temporary Resident Visa was previously known as FM3 and referred as such in INM documents. Permanent Resident Visa was previously known as FM2.





**COUNTRY 1**  
**CAMEROON**

**Table 1.1.** Asylum/Refugee Status Application Outcomes of Cameroonians by outcome type and by female gender, 2013 - October 2019.

Year or Time Period	Asylum/Refugee Status Granted  Total (# Female)	Complementary Protection (CP) Granted  Total (# Female)	Asylum/Refugee Status Denied  Total (# Female)	Abandoned or Withdrawn Case  Total (# Female)	Total Number  Total (# Female)	Grant Rate^ Overall	Grant Rate^ for Females
2013	1 (0)	0 (0)	4 (1)	2 (0)	7 (1)	20%	0%
2014	1 (1)	1 (0)	2 (1)	1 (1)	5 (3)	50%	50%
2015	2 (1)	0 (0)	1 (1)	1 (0)	4 (2)	66.7%	50%
2016	1 (0)	0 (0)	8 (3)	17 (9)	26 (12)	11.1%	0%
2017	2 (2)	3 (1)	3 (0)	82 (43)	90 (46)	62.5%	100%
2018 (Jan - Sep)	0 (0)	0 (0)	0 (0)	1 (0)	1 (0)	-	-
Jan 2018 - Oct 2019	3 (2)	N/A	0 (0)	8 (3)	11 (5)	100%	100%

**Sources:** Government of México, Secretaría de Gobernación, Comisión Mexicana de Ayuda a Refugiados (COMAR). *Boletín Estadístico de Solicitantes de Refugio en México (2013 - 2018)*; Asylum Access, "New COMAR data shows over 13,000 asylum applicants waiting since 2018", 2020. Prepared by Katherine La Puente.

- / grant rate not applicable since applications were neither granted nor denied.

\* includes unaccompanied minors

^Grant rate is defined as asylum/refugee status and complementary protection (CP) granted out of all applications that were either granted or denied. It does not include applications that were abandoned or withdrawn.

**Table 1.2.** Cameroonians not subject to return, by alternative option, 2016 - May 2020

Year	Regularization of migration status	Exit permit	Asylum/refugee applications	Total
2020 (Jan - May)	13	7	17	37
2019	2,364	304	403	3,071
2018	24	911	N/A	935
2017	207	211	N/A	418
2016	100	93	N/A	193

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2016-2020)*. Prepared by Katherine La Puente.

**Table 1.3.** Temporary Residence Card (TRT) Issued for Cameroonians, by immigration category, 2009 - May 2020

Year	Family	Work	Property Owner	Student	Humanitarian	Others	Total		
2020 (Jan - May)	1	1	0	0	N/A	0	2		
2019	3	2	0	1	N/A	4	10		
2018	2	3	0	1	N/A	1	7		
2017	2	10	0	0	N/A	3	15		
2016	4	6	0	1	N/A	4	15		
2015	0	11	0	4	N/A	2	17		
2014	8	9	0	3	N/A	2	22		
2013	0	4	0	5	0	2	11		
2012	0	0	0	4	0	1	5		
	Political Asylum	Correspondent	Student	Minister	Refugee	Visitor	Distinguished Visitor	Provisional Visitor	Total
2011	0	0	0	1	0	7	0	0	8
2010	0	0	0	2	1	6	0	0	9
2009	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	13

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2009-2020)*. Prepared by Katherine La Puente.

**Table 1.4.** Temporary Residence Card (TRT) Renewed for Cameroonians, by immigration category, 2010 - May 2020

Year	Family	Work	Property Owner	Student	Humanitarian Reasons	Others	Total		
2020 (Jan - May)	0	5	0	1	N/A	0	6		
2019	1	6	0	3	N/A	3	13		
2018	0	9	0	3	N/A	4	16		
2017	4	11	1	8	N/A	1	25		
2016	4	12	1	6	N/A	2	25		
2015	3	10	0	8	N/A	1	22		
2014	0	10	1	9	N/A	0	20		
2013	2	14	3	8	0	4	31		
2012	2	5	0	1	0	6	14		
	Political Asylum	Correspondent	Student	Minister	Refugee	Visitor	Distinguished Visitor	Provisional Visitor	Total
2011	0	0	4	8	0	7	0	0	19
2010	0	0	4	4	2	18	0	0	28

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2010-2020)*. Prepared by Katherine La Puente.

**Table 1.5. Permanent Residence Card (TRP) Issued for Cameroonians, by immigration category, 2009 - May 2020**

Year	Family	Work	Property Owner	Humanitarian Reasons	Others	Total
2020 (Jan - May)	3	1	0	1	1	6
2019	12	4	0	3	2	21
2018	11	3	0	1	0	15
2017	8	2	0	3	1	14
2016	6	2	0	6	1	15
2015	5	4	0	1	2	12
2014	11	10	0	2	0	23
2013	18	4	0	2	5	29
2012	0	4	0	0	1	5

	Artists & Athletes	Assimilated	Trusted Director	Scientist	Relatives	Investor	Professional	Property Owner	Technician	
2011	0	1	6	0	0	0	1	0	0	8
2010	0	1	12	0	8	0	0	0	10	31
2009	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	19

Sources: Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2009-2020)*. Prepared by Katherine La Puente.

**Table 1.6. Permanent Residence Card (TRP) Renewed for Cameroonians, by immigration category, 2010 - May 2020**

Year	Family	Work	Property Owner	Humanitarian Reasons	Others	Total
2020 (Jan - May)	0	0	N/A	0	0	0
2019	0	0	N/A	0	0	0
2018	0	0	N/A	0	0	0
2017	0	N/A	N/A	0	0	0
2016	0	N/A	N/A	0	0	0
2015	0	N/A	N/A	0	0	0
2014	0	0	0	0	0	0
2013	1	0	0	0	0	1
2012	4	29	1	0	9	43

	Artists & Athletes	Assimilated	Trusted Director	Scientist	Relatives	Investor	Professional	Property Owner	Technician	
2011	2	7	26	0	18	0	0	1	7	61
2010	1	2	14	0	4	0	0	0	2	23

Sources: Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2010-2020)*. Prepared by Katherine La Puente.

Note: 2010-2012 refers to renewals as "refrendos", which we take to mean renewals in this context.

**Table 1.7. Permanent Residence Card (TRP) for regularization of migration situation for Cameroonians, 2013 - May 2020**

Year	Family	Work	Property Owner	Humanitarian Reasons	Others	Total
2020 (Jan - May)	2	N/A	N/A	0	0	2
2019	3	N/A	N/A	0	0	3
2018	3	N/A	N/A	0	0	3
2017	6	N/A	N/A	0	0	6
2016	2	N/A	N/A	0	0	2
2015	2	N/A	N/A	0	0	2
2014	5	0	0	0	0	5
2013	3	0	0	0	0	3

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2013-2020)*. Prepared by Katherine La Puente.

**Table 1.8. Cameroonians documented as permanent residents due to recognition of refugee status, 2012 - May 2020**

Year	Number of Individuals
2020 (Jan - May)	1
2019	3
2018	1
2017	2
2016	6
2015	0
2014	1
2013	2
2012	1

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2012-2020)*. Prepared by Katherine La Puente.

**Table 1.9. Visitor Cards for Humanitarian Reasons (TVRH) Issues and Extensions for Cameroonians, 2014 - May 2020**

Year	Issues	Extensions
2020 (Jan - May)	9	0
2019	19	2
2018	13	0
2017	5	0
2016	1	0
2015	0	0
2014	2	0

**Note:** Although the condition of visitor for humanitarian reasons (TVRH) was established under the Migration Law passed in 2011, there is only publicly available data for TVRH issues beginning in 2014.

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2014-2020)*. Prepared by Katherine La Puente.

**Table 1.10.** TRT Issued under Migratory Regularization Program, by immigration category for Cameroonians, 2015-2018

Year	Family	Work	Property Owner	Student	Humanitarian Reasons	Others	Total
2018	0	0	0	0	0	0	0
2017	0	0	0	0	0	1	0
2016	0	0	0	0	0	0	0
2015	1	2	0	0	0	0	3

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2015-2018)*. Prepared by Katherine La Puente.



**COUNTRY 2**  
**DEMOCRATIC REPUBLIC**  
**OF CONGO (DRC)**

**Table 2.1.** Asylum/Refugee Status Application Outcomes of Congolese (DRC) by outcome type and by female gender, 2013 - October 2019

Year or Time Period	Asylum/ Refugee Status Granted	Complementary Protection (CP) Granted	Asylum/ Refugee Status Denied	Abandoned or Withdrawn Case	Total Number	Grant Rate <sup>^</sup> Overall	Grant Rate <sup>^</sup> for Females
	Total (# Female)	Total (# Female)	Total (# Female)	Total (# Female)	Total (# Female)		
2013	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	-	-
2014	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	-	-
2015	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	-	-
2016	1 (0)	2 (2)	2 (0)	0 (0)	0 (0)	60%	100%
2017	1 (0)	0 (0)	0 (0)	0 (0)	1 (0)	100%	-
2018 (Jan - Sep)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	-	-
Jan 2018 - Oct 2019	1 (0)	N/A	0 (0)	0 (0)	0 (0)	100%	-

**Sources:** Government of México, Secretaría de Gobernación, Comisión Mexicana de Ayuda a Refugiados (COMAR). *Boletín Estadístico de Solicitantes de Refugio en México (2013 - 2018)*; Asylum Access, "New COMAR data shows over 13,000 asylum applicants waiting since 2018", 2020. Prepared by Katherine La Puente.

- / grant rate not applicable since applications were neither granted nor denied.

\* includes unaccompanied minors

<sup>^</sup>Grant rate is defined as asylum/refugee status and complementary protection (CP) granted out of all applications that were either granted or denied. It does not include applications that were abandoned or withdrawn.

**Table 2.2** Congolese (DRC) not subject to return, by alternative option, 2016 - May 2020

Year	Regularization of migration status	Exit permit	Asylum/refugee applications	Total
2020 (Jan - May)	40	44	1	85
2019	1,324	291	202	1,817
2018	4	695	N/A	699
2017	199	109	N/A	308
2016	943	67	N/A	1,010

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2016-2020)*. Prepared by Katherine La Puente.



**Table 2.3.** Temporary Residence Card (TRT) Issued for Congolese (DRC), by immigration category, 2009 - May 2020

Year	Family	Work	Property Owner	Student	Humanitarian	Others	Total		
2020 (Jan - May)	0	2	0	0	N/A	0	2		
2019	0	8	0	5	N/A	0	13		
2018	2	2	0	2	N/A	5	11		
2017	2	4	0	0	N/A	5	11		
2016	2	12	0	1	N/A	3	18		
2015	0	10	0	7	N/A	1	18		
2014	4	4	0	10	N/A	2	20		
2013	0	5	0	5	2	0	12		
2012	0	7	0	0	0	1	8		
	Political Asylum	Correspondent	Student	Minister	Refugee	Visitor	Distinguished Visitor	Provisional Visitor	
2011	0	0	1	3	0	2	0	0	6
2010	0	0	1	1	5	3	0	0	10
2009	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	30

Sources: Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2009-2020)*. Prepared by Katherine La Puente.

**Table 2.4.** Temporary Residence Card (TRT) Renewed for Congolese (DRC), by immigration category, 2010 - May 2020

Year	Family	Work	Property Owner	Student	Others	Total			
2020 (Jan - May)	1	5	0	1	0	7			
2019	4	9	0	2	0	15			
2018	0	13	0	4	1	18			
2017	0	21	1	4	4	30			
2016	0	12	1	5	2	20			
2015	4	8	0	12	0	24			
2014	1	6	1	13	0	21			
2013	1	10	0	8	3	22			
2012	2	8	0	3	4	17			
	Political Asylum	Correspondent	Student	Minister	Refugee	Visitor	Distinguished Visitor	Provisional Visitor	
2011	0	0	6	8	2	4	0	0	20
2010	0	0	3	4	5	3	0	0	15

Sources: Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2010-2020)*. Prepared by Katherine La Puente.

**Table 2.5.** Permanent Residence Card (TRP) Issued for Congolese (DRC), by immigration category, 2009 - May 2020

Year	Family	Work	Property Owner	Humanitarian Reasons	Others	Total
2020 (Jan - May)	3	3	0	0	4	10
2019	6	1	0	7	0	14
2018	4	1	0	5	4	14
2017	3	4	0	0	0	7
2016	7	7	0	0	7	21
2015	6	2	0	1	0	9
2014	1	2	0	2	7	12
2013	6	3	0	5	4	18
2012	0	0	0	0	0	0

	Artists & Athletes	Assimilated	Trusted Director	Scientist	Relatives	Investor	Professional	Property Owner	Technician	
2011	0	0	0	0	0	0	0	0	2	2
2010	0	0	1	0	0	0	0	0	1	2
2009	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2009-2020)*. Prepared by Katherine La Puente.

**Table 2.6.** Permanent Residence Card (TRP) Renewed for Congolese (DRC), by immigration category, 2010 - May 2020

Year	Family	Work	Property Owner	Humanitarian Reasons	Others	Total
2020 (Jan - May)	0	0	N/A	0	0	0
2019	2	0	N/A	0	1	3
2018	0	0	N/A	0	0	0
2017	0	N/A	N/A	0	0	0
2016	0	N/A	N/A	0	0	0
2015	0	N/A	N/A	0	0	0
2014	0	0	0	0	0	0
2013	0	0	0	0	0	0
2012	3	4	0	0	3	10

	Artists & Athletes	Assimilated	Trusted Director	Scientist	Relatives	Investor	Professional	Property Owner	Technician	
2011	0	1	4	2	4	0	0	0	0	11
2010	0	0	1	1	4	0	0	0	0	6

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2010-2020)*. Prepared by Katherine La Puente.

**Note:** 2010-2012 refers to renewals as "refrendos", which we take to mean renewals in this context.

**Table 2.7.** Permanent Residence Card (TRP) for regularization of migration situation for Congolese (DRC), 2013 - May 2020

Year	Family	Work	Property Owner	Humanitarian Reasons	Others	Total
2020 (Jan - May)	1	N/A	N/A	0	0	1
2019	2	N/A	N/A	0	0	2
2018	1	N/A	N/A	0	0	1
2017	0	N/A	N/A	0	0	0
2016	0	N/A	N/A	0	0	0
2015	2	N/A	N/A	0	0	2
2014	0	0	0	0	0	0
2013	0	0	0	0	0	0

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2013-2020)*. Prepared by Katherine La Puente.

**Table 2.8.** Congolese (DRC) documented as permanent residents due to recognition of refugee status, 2012 - May 2020

Year	Number of Individuals
2020 (Jan - May)	0
2019	7
2018	4
2017	0
2016	0
2015	1
2014	2
2013	3
2012	6

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2012-2020)*. Prepared by Katherine La Puente.

**Table 2.9.** Visitor Cards for Humanitarian Reasons (TVRH) Issues and Extensions for Congolese (DRC), 2014 - May 2020

Year	Issues	Extensions
2020 (Jan - May)	0	0
2019	11	0
2018	4	1
2017	0	0
2016	0	0
2015	1	0
2014	1	0

**Note:** Although the condition of visitor for humanitarian reasons (TVRH) was established under the Migration Law passed in 2011, there is only publicly available data for TVRH issues beginning in 2014.

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2014-2020)*. Prepared by Katherine La Puente.

**Table 2.10.** TRT Issued under Migratory Regularization Program, by immigration category for Congolese (DRC), 2015-2018

Year	Family	Work	Property Owner	Student	Humanitarian Reasons	Others	Total
2018	0	0	0	0	0	0	0
2017	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0
2015	0	1	0	0	0	1	2

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2015-2018)*. Prepared by Katherine La Puente.



**COUNTRY 3**  
**ERITREA**

**Table 3.1.** Asylum/Refugee Status Application Outcomes of Eritreans by outcome type and by female gender, 2013 - October 2019

Year or Time Period	Asylum/ Refugee Status Granted <i>Total (# Female)</i>	Complementary Protection (CP) Granted <i>Total (# Female)</i>	Asylum/ Refugee Status Denied <i>Total (# Female)</i>	Abandoned or Withdrawn Case <i>Total (# Female)</i>	Total Number <i>Total (# Female)</i>	Grant Rate <sup>^</sup> Overall	Grant Rate <sup>^</sup> for Females
2013	1 (1)	0 (0)	0 (0)	0 (0)	1 (1)	100%	100%
2014	0 (0)	0 (0)	0 (0)	4 (0)	4 (0)	-	-
2015	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	-	-
2016	0 (0)	0 (0)	0 (0)	2 (1)	2 (1)	-	-
2017	0 (0)	0 (0)	0 (0)	2 (0)	2 (0)	-	-
2018 (Jan - Sep)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	-	-
Jan 2018 - Oct 2019	0 (0)	N/A	0 (0)	0 (0)	0 (0)	-	-

**Sources:** Government of México, Secretaría de Gobernación, Comisión Mexicana de Ayuda a Refugiados (COMAR). *Boletín Estadístico de Solicitantes de Refugio en México (2013 - 2018)*; Asylum Access, “New COMAR data shows over 13,000 asylum applicants waiting since 2018”, 2020. Prepared by Katherine La Puente.

- / grant rate not applicable since applications were neither granted nor denied.

\* includes unaccompanied minors

<sup>^</sup>Grant rate is defined as asylum/refugee status and complementary protection (CP) granted out of all applications that were either granted or denied. It does not include applications that were abandoned or withdrawn.

**Table 3.2** Eritreans not subject to return, by alternative option, 2016 - May 2020

Year	Regularization of migration status	Exit permit	Asylum/refugee applications	Total
2020 (Jan - May)	13	19	0	32
2019	263	34	45	342
2018	16	523	N/A	539
2017	34	564	N/A	598
2016	182	155	N/A	337

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2016-2020)*. Prepared by Katherine La Puente.

**Table 3.3.** Temporary Residence Card (TRT) Issued for Eritreans, by immigration category, 2009 - May 2020

Year	Family	Work	Property Owner	Student	Humanitarian	Others	Total		
2020 (Jan - May)	0	0	0	0	N/A	0	0		
2019	0	0	0	0	N/A	0	0		
2018	0	0	0	1	N/A	1	2		
2017	0	0	0	0	N/A	0	0		
2016	1	0	0	1	N/A	1	3		
2015	0	2	0	0	N/A	0	2		
2014	0	0	0	0	N/A	0	0		
2013	0	0	0	0	1	0	1		
2012	0	1	0	0	0	0	1		
	Political Asylum	Correspondent	Student	Minister	Refugee	Visitor	Distinguished Visitor	Provisional Visitor	
2011	0	0	0	0	0	0	0	0	0
2010	0	0	0	0	0	0	0	0	0
2009	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1

Sources: Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2009-2020)*. Prepared by Katherine La Puente.

**Table 3.4.** Temporary Residence Card (TRT) Renewed for Eritreans, by immigration category, 2010 - May 2020

Year	Family	Work	Rentier	Student	Humanitarian Reasons*	Others	Total		
2020 (Jan -May)	0	0	0	0	N/A	0	0		
2019	0	0	0	1	N/A	0	1		
2018	0	2	0	1	N/A	0	3		
2017	0	2	0	1	N/A	0	3		
2016	0	2	0	0	N/A	0	2		
2015	0	0	0	0	N/A	0	0		
2014	0	0	0	0	N/A	0	0		
2013	0	1	0	0	0	0	1		
2012	0	0	0	0	0	0	0		
	Political Asylum	Correspondent	Student	Minister	Refugee	Visitor	Distinguished Visitor	Provisional Visitor	
2011	0	0	0	0	0	1	0	0	1
2010	0	0	0	1	1	1	0	0	3

Sources: Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2010-2020)*. Prepared by Katherine La Puente.

**Table 3.5.** Permanent Residence Card (TRP) Issued for Eritreans, by immigration category, 2009 - May 2020

Year	Family	Work	Property Owner	Humanitarian Reasons	Others	Total
2020 (Jan - May)	0	0	0	0	0	0
2019	0	1	0	0	1	2
2018	0	0	0	0	0	0
2017	0	0	0	0	0	0
2016	0	0	0	0	0	0
2015	0	0	0	1	0	1
2014	0	0	0	0	0	0
2013	1	0	0	1	0	2
2012	0	1	0	0	0	1

	Artists & Athletes	Assimilated	Trusted Director	Scientist	Relatives	Investor	Professional	Property Owner	Technician	
2011	0	0	0	0	0	0	0	0	0	0
2010	0	0	0	0	0	0	0	0	0	0
2009	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

Sources: Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2009-2020)*. Prepared by Katherine La Puente.

**Table 3.6.** Permanent Residence Card (TRP) Renewed for Eritreans, by immigration category, 2010 - May 2020

Year	Family	Work	Property Owner	Humanitarian Reasons	Others	Total
2020 (Jan -May)	0	0	N/A	0	0	0
2019	0	0	N/A	0	0	0
2018	0	0	N/A	0	0	0
2017	0	N/A	N/A	0	0	0
2016	0	N/A	N/A	0	0	0
2015	0	N/A	N/A	0	0	0
2014	0	0	0	0	0	0
2013	0	0	0	0	0	0
2012	0	1	0	0	0	1

	Artists & Athletes	Assimilated	Trusted Director	Scientist	Relatives	Investor	Professional	Property Owner	Technician	
2011	0	1	0	0	0	0	0	0	0	1
2010	0	1	0	0	0	0	1	0	0	2

Sources: Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2010-2020)*. Prepared by Katherine La Puente.

Note: 2010-2012 refers to renewals as "refrendos", which we take to mean renewals in this context.



**Table 3.7.** *Permanent Residence Card (TRP) for regularization of migration situation for Eritreans, 2013 - May 2020*

Year	Family	Work	Property Owner	Humanitarian Reasons	Others	Total
2020 (Jan - May)	0	N/A	N/A	0	0	0
2019	0	N/A	N/A	0	0	0
2018	0	N/A	N/A	0	0	0
2017	0	N/A	N/A	0	0	0
2016	0	N/A	N/A	0	0	0
2015	0	N/A	N/A	0	0	0
2014	0	0	0	0	0	0
2013	0	0	0	0	0	0

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2013-2020)*. Prepared by Katherine La Puente.

**Table 3.8.** *Eritreans documented as permanent residents due to recognition of refugee status, 2012 - May 2020*

Year	Number of Individuals
2020 (Jan - May)	0
2019	0
2018	0
2017	0
2016	0
2015	1
2014	0
2013	1
2012	0

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2012-2020)*. Prepared by Katherine La Puente.

**Table 3.9.** *Visitor Cards for Humanitarian Reasons (TVRH) Issues and Extensions for Eritreans, 2014 - May 2020*

Year	Issues	Extensions
2020 (Jan - May)	0	0
2019	0	0
2018	0	0
2017	0	0
2016	0	0
2015	0	0
2014	0	0

**Note:** Although the condition of visitor for humanitarian reasons (TVRH) was established under the Migration Law passed in 2011, there is only publicly available data for TVRH issues beginning in 2014.

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2014-2020)*. Prepared by Katherine La Puente.

**Table 3.10.** TRT Issued under Migratory Regularization Program, by immigration category for Eritreans, 2015-2018

Year	Family	Work	Property Owner	Student	Humanitarian Reasons	Others	Total
2018	0	0	0	0	0	0	0
2017	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0

Sources: Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2015-2018)*. Prepared by Katherine La Puente.



**COUNTRY 4**  
**GHANA**

**Table 4.1. Asylum/Refugee Status Application Outcomes of Ghanaians by outcome type and by female gender, 2013 - October 2019**

Year or Time Period	Asylum/ Refugee Status Granted	Complementary Protection (CP) Granted	Asylum/ Refugee Status Denied	Abandoned or Withdrawn Case	Total Number	Grant Rate <sup>^</sup> Overall	Grant Rate <sup>^</sup> for Females
	Total (# Female)	Total (# Female)	Total (# Female)	Total (# Female)	Total (# Female)		
2013	1 (0)	0 (0)	5 (1)	7 (0)	13 (1)	16.7%	0%
2014	0 (0)	0 (0)	2 (0)	1 (0)	3 (0)	0%	-
2015	1 (0)	0 (0)	1 (0)	5 (0)	7 (0)	50%	-
2016	0 (0)	0 (0)	15 (0)	0 (0)	15 (0)	0%	-
2017	1 (0)	1 (0)	3 (2)	11 (3)	16 (5)	40%	0%
2018 (Jan - Sep)	0 (0)	0 (0)	0 (0)	1 (0)	1 (0)	-	-
Jan 2018 - Oct 2019	1 (0)	N/A	2 (0)	1 (0)	4 (0)	33.3%	-

**Sources:** Government of México, Secretaría de Gobernación, Comisión Mexicana de Ayuda a Refugiados (COMAR). *Boletín Estadístico de Solicitantes de Refugio en México (2013 - 2018)*; Asylum Access, "New COMAR data shows over 13,000 asylum applicants waiting since 2018", 2020. Prepared by Katherine La Puente.

- / grant rate not applicable since applications were neither granted nor denied.

\* includes unaccompanied minors

<sup>^</sup>Grant rate is defined as asylum/refugee status and complementary protection (CP) granted out of all applications that were either granted or denied. It does not include applications that were abandoned or withdrawn.

**Table 4.2 Ghanaians not subject to return, by alternative option, 2016 - May 2020**

Year	Regularization of migration status	Exit permit	Asylum/refugee applications	Total
2020 (Jan - May)	36	26	1	63
2019	146	26	16	188
2018	2	129	N/A	131
2017	92	23	N/A	115
2016	449	196	N/A	645

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2016-2020)*. Prepared by Katherine La Puente.

**Table 4.3.** Temporary Residence Card (TRT) Issued for Ghanaians, by immigration category, 2009-May 2020

Year	Family	Work	Property Owner	Student	Humanitarian	Others			Total
2020 (Jan - May)	3	5	0	0	N/A	5			13
2019	4	6	0	1	N/A	3			14
2018	5	10	0	1	N/A	6			22
2017	4	11	0	0	N/A	0			15
2016	3	3	0	1	N/A	1			8
2015	1	2	0	1	N/A	1			5
2014	2	5	0	2	N/A	0			9
2013	2	6	0	0	0	1			9
2012	0	1	0	1	0	2			4
	Political Asylum	Correspondent	Student	Minister	Refugee	Visitor	Distinguished Visitor	Provisional Visitor	
2011	0	0	1	1	0	3	0	0	5
2010	0	0	0	0	0	2	0	0	2
2009	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1

Sources: Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2009-2020)*. Prepared by Katherine La Puente.

**Table 4.4.** Temporary Residence Card (TRT) Renewed for Ghanaians, by immigration category, 2010-May 2020

Year	Family	Work	Rentier	Student	Humanitarian Reasons	Others			Total
2020 (Jan - May)	0	2	0	0	N/A	3			5
2019	1	7	0	1	N/A	1			10
2018	0	6	0	0	N/A	1			7
2017	0	4	1	0	N/A	0			5
2016	0	4	0	1	N/A	0			5
2015	1	4	0	0	N/A	1			6
2014	1	2	0	1	N/A	1			5
2013	0	2	2	1	0	1			6
2012	0	2	0	1	0	1			4
	Political Asylum	Correspondent	Student	Minister	Refugee	Visitor	Distinguished Visitor	Provisional Visitor	
2011	0	0	1	1	0	3	0	0	5
2010	0	0	3	1	0	2	0	0	6

Sources: Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2010-2020)*. Prepared by Katherine La Puente.

**Table 4.5.** Permanent Residence Card (TRP) Issued for Ghanaians, by immigration category, 2009-May 2020

Year	Family	Work	Property Owner	Humanitarian Reasons	Others	Total
2020 (Jan - May)	4	0	0	6	0	10
2019	4	0	0	7	0	11
2018	5	1	0	1	0	7
2017	2	1	0	1	0	4
2016	2	1	0	1	0	4
2015	2	0	0	1	0	3
2014	2	1	0	0	0	3
2013	2	2	0	2	0	6
2012	0	1	0	0	0	1

	Artists & Athletes	Assimilated	Trusted Director	Scientist	Relatives	Investor	Professional	Property Owner	Technician	
2011	0	1	2	0	1	0	0	0	0	4
2010	0	1	1	0	1	0	0	0	0	3
2009	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2009-2020)*. Prepared by Katherine La Puente.

**Table 4.6.** Permanent Residence Card (TRP) Renewed for Ghanaians, by immigration category, 2010 - May 2020

Year	Family	Work	Property Owner	Humanitarian Reasons	Others	Total
2020 (Jan - May)	0	0	N/A	2	0	2
2019	0	0	N/A	0	0	0
2018	0	0	N/A	0	0	0
2017	0	N/A	N/A	0	0	0
2016	0	N/A	N/A	0	0	0
2015	0	N/A	N/A	0	0	0
2014	0	0	0	0	0	0
2013	0	0	0	0	0	0
2012	1	4	1	0	2	8

	Artists & Athletes	Assimilated	Trusted Director	Scientist	Relatives	Investor	Professional	Property Owner	Technician	
2011	0	3	3	0	0	0	0	0	1	7
2010	0	2	1	0	0	0	0	0	1	4

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2010-2020)*. Prepared by Katherine La Puente.

**Note:** 2010-2012 refers to renewals as "refrendos", which we take to mean renewals in this context.

**Table 4.7.** Permanent Residence Card (TRP) for regularization of migration situation for Ghanaians, 2013 - May 2020

Year	Family	Work	Property Owner	Humanitarian Reasons	Others	Total
2020 (Jan - May)	2	N/A	N/A	0	0	2
2019	1	N/A	N/A	0	0	1
2018	1	N/A	N/A	0	0	1
2017	0	N/A	N/A	0	0	0
2016	2	N/A	N/A	0	0	2
2015	0	N/A	N/A	0	0	0
2014	0	0	0	0	0	0
2013	1	0	0	0	0	1

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2013-2020)*. Prepared by Katherine La Puente.

**Table 4.8.** Ghanaians documented as permanent residents due to recognition of refugee status, 2012 - May 2020

Year	Number of Individuals
2020 (Jan - May)	3
2019	2
2018	0
2017	1
2016	1
2015	1
2014	0
2013	2
2012	2

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2012-2020)*. Prepared by Katherine La Puente.

**Table 4.9.** Visitor Cards for Humanitarian Reasons (TVRH) Issues and Extensions for Ghanaians, 2014 - May 2020

Year	Issues	Extensions
2020 (Jan - May)	3	1
2019	16	0
2018	5	0
2017	32	0
2016	2	0
2015	4	1
2014	2	0

**Note:** Although the condition of visitor for humanitarian reasons (TVRH) was established under the Migration Law passed in 2011, there is only publicly available data for TVRH issues beginning in 2014.

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2014-2020)*. Prepared by Katherine La Puente.

**Table 4.10.** TRT Issued under Migratory Regularization Program, by immigration category for Ghanaians, 2015-2018

Year	Family	Work	Property Owner	Student	Humanitarian Reasons	Others	Total
2018	0	0	0	0	0	0	0
2017	0	0	0	0	0	0	0
2016	0	0	0	0	0	1	1
2015	0	0	0	0	0	1	1

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2015-2018)*. Prepared by Katherine La Puente.





**COUNTRY 5  
SOMALIA**

**Table 5.1.** Asylum/Refugee Status Application Outcomes of Somalis by outcome type and by female gender, 2013 - October 2019

Year or Time Period	Asylum/ Refugee Status Granted	Complementary Protection (CP) Granted	Asylum/ Refugee Status Denied	Abandoned or Withdrawn Case	Total Number	Grant Rate <sup>^</sup> Overall	Grant Rate <sup>^</sup> for Females
	Total (# Female)	Total (# Female)	Total (# Female)	Total (# Female)	Total (# Female)		
2013	0 (0)	0 (0)	0 (0)	2 (0)	2 (0)	-	-
2014	0 (0)	0 (0)	0 (0)	4 (0)	4 (0)	-	-
2015	1 (0)	0 (0)	0 (0)	0 (0)	1 (0)	100%	-
2016	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	-	-
2017	0 (0)	0 (0)	8 (0)	12 (3)	20 (3)	0%	-
2018 (Jan - Sep)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	-	-
Jan 2018 - Oct 2019	0 (0)	N/A	0 (0)	0 (0)	0 (0)	-	-

**Sources:** Government of México, Secretaría de Gobernación, Comisión Mexicana de Ayuda a Refugiados (COMAR). *Boletín Estadístico de Solicitantes de Refugio en México (2013 - 2018)*; Asylum Access, "New COMAR data shows over 13,000 asylum applicants waiting since 2018", 2020. Prepared by Katherine La Puente.

- / grant rate not applicable since applications were neither granted nor denied.

\* includes unaccompanied minors

<sup>^</sup>Grant rate is defined as asylum/refugee status and complementary protection (CP) granted out of all applications that were either granted or denied. It does not include applications that were abandoned or withdrawn.

**Table 5.2** Somalis not subject to return, by alternative option, 2016 - May 2020

Year	Regularization of migration status	Exit permit	Asylum/refugee applications	Total
2020 (Jan - May)	3	4	0	7
2019	3	1	0	4
2018	1	38	N/A	39
2017	2	87	N/A	89
2016	240	164	N/A	404

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2016-2020)*. Prepared by Katherine La Puente.

**Table 5.3.** Temporary Residence Card (TRT) Issued for Somalis, by immigration category, 2009 - May 2020

Year	Family	Work	Property Owner	Student	Humanitarian	Others	Total		
2020 (Jan - May)	0	0	0	0	N/A	0	0		
2019	0	0	0	0	N/A	0	0		
2018	0	0	0	0	N/A	0	0		
2017	0	0	0	0	N/A	0	0		
2016	0	0	0	0	N/A	0	0		
2015	0	0	0	0	N/A	0	0		
2014	0	0	0	0	N/A	0	0		
2013	0	0	0	0	0	0	0		
2012	0	0	0	0	0	0	0		
	Political Asylum	Correspondent	Student	Minister	Refugee	Visitor	Distinguished Visitor	Provisional Visitor	Total
2011	0	0	0	0	0	0	0	0	0
2010	0	0	0	0	0	0	0	0	0
2009	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0

Sources: Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2009-2020)*. Prepared by Katherine La Puente.

**Table 5.4.** Temporary Residence Card (TRT) Renewed for Somalis, by immigration category, 2010 - May 2020

Year	Family	Work	Property Owner	Student	Humanitarian Reasons	Others	Total		
2020 (Jan - May)	0	0	0	0	N/A	0	0		
2019	0	0	0	0	N/A	0	0		
2018	0	0	0	0	N/A	0	0		
2017	0	0	0	0	N/A	0	0		
2016	0	0	0	0	N/A	0	0		
2015	0	0	0	0	N/A	0	0		
2014	0	0	0	0	N/A	0	0		
2013	0	0	0	0	0	0	0		
2012	0	0	0	0	0	0	0		
	Political Asylum	Correspondent	Student	Minister	Refugee	Visitor	Distinguished Visitor	Provisional Visitor	Total
2011	0	0	0	0	0	0	0	0	0
2010	0	0	0	0	0	0	0	0	0

Sources: Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2010-2020)*. Prepared by Katherine La Puente.

**Table 5.5.** Permanent Residence Card (TRP) Issued for Somalis, by immigration category, 2009 - May 2020

Year	Family	Work	Property Owner	Humanitarian Reasons	Others	Total
2020 (Jan - May)	0	0	0	0	0	0
2019	0	0	0	1	0	1
2018	0	0	0	1	0	1
2017	0	0	0	0	0	0
2016	0	0	0	0	0	0
2015	0	0	0	0	0	0
2014	0	0	0	0	0	0
2013	0	0	0	0	0	0
2012	0	0	0	0	0	0

	Artists & Athletes	Assimilated	Trusted Director	Scientist	Relatives	Investor	Professional	Property Owner	Technician	
2011	0	0	0	0	0	0	0	0	0	0
2010	0	0	0	0	0	0	0	0	0	0
2009	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1

Sources: Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2009-2020)*. Prepared by Katherine La Puente.

**Table 5.6.** Permanent Residence Card (TRP) Renewed for Somalis, by immigration category, 2010 - May 2020

Year	Family	Work	Property Owner	Humanitarian Reasons	Others	Total
2020 (Jan - May)	0	0	N/A	0	0	0
2019	0	0	N/A	0	0	0
2018	0	0	N/A	0	0	0
2017	0	N/A	N/A	0	0	0
2016	0	N/A	N/A	0	0	0
2015	0	N/A	N/A	0	0	0
2014	0	0	0	0	0	0
2013	0	0	0	0	0	0
2012	1	0	0	0	0	1

	Artists & Athletes	Assimilated	Trusted Director	Scientist	Relatives	Investor	Professional	Property Owner	Technician	
2011	0	0	0	0	1	0	0	0	0	1
2010	0	0	0	0	1	0	0	0	0	1

Sources: Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2010-2020)*. Prepared by Katherine La Puente.

Note: 2010-2012 refers to renewals as "refrendos", which we take to mean renewals in this context.

**Table 5.7.** *Permanent Residence Card (TRP) for regularization of migration situation for Somalis, 2013 - May 2020*

Year	Family	Work	Property Owner	Humanitarian Reasons	Others	Total
2020 (Jan - May)	0	N/A	N/A	0	0	0
2019	0	N/A	N/A	0	0	0
2018	0	N/A	N/A	0	0	0
2017	0	N/A	N/A	0	0	0
2016	0	N/A	N/A	0	0	0
2015	0	N/A	N/A	0	0	0
2014	0	0	0	0	0	0
2013	0	0	0	0	0	0

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2013-2020)*. Prepared by Katherine La Puente.

**Table 5.8.** *Somalis documented as permanent residents due to recognition of refugee status, 2012 - May 2020*

Year	Number of Individuals
2020 (Jan - May)	0
2019	0
2018	0
2017	0
2016	0
2015	0
2014	0
2013	0
2012	0

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2012-2020)*. Prepared by Katherine La Puente.

**Table 5.9.** *Visitor Cards for Humanitarian Reasons (TVRH) Issues and Extensions for Somalis, 2014 - May 2020*

Year	Issues	Extensions
2020 (Jan - May)	0	0
2019	2	0
2018	0	1
2017	11	0
2016	0	0
2015	0	0
2014	0	0

**Note:** Although the condition of visitor for humanitarian reasons (TVRH) was established under the Migration Law passed in 2011, there is only publicly available data for TVRH issues beginning in 2014.

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2014-2020)*. Prepared by Katherine La Puente.

**Table 5.10.** TRT Issued under Migratory Regularization Program, by immigration category for Somalis, 2015-2018

Year	Family	Work	Property Owner	Student	Humanitarian Reasons	Others	Total
2018	0	0	0	0	0	0	0
2017	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0

**Sources:** Government of México, Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias (2015-2018)*. Prepared by Katherine La Puente.

## REFERENCES

1. México, Secretaría de Gobernación, Subsecretaria de Población, Migración, y Asuntos Religiosos, Unidad de Política Migratoria, Comisión Mexicana de Ayuda a Refugiados. *Boletín Estadístico de Solicitantes de Refugio en México 2013*. 2018.
2. México, Secretaría de Gobernación, Subsecretaria de Población, Migración, y Asuntos Religiosos, Unidad de Política Migratoria, Comisión Mexicana de Ayuda a Refugiados. *Boletín Estadístico de Solicitantes de Refugio en México 2014*. 2018.
3. México, Secretaría de Gobernación, Subsecretaria de Población, Migración, y Asuntos Religiosos, Unidad de Política Migratoria, Comisión Mexicana de Ayuda a Refugiados. *Boletín Estadístico de Solicitantes de Refugio en México 2015*. 2018.
4. México, Secretaría de Gobernación, Subsecretaria de Población, Migración, y Asuntos Religiosos, Unidad de Política Migratoria, Comisión Mexicana de Ayuda a Refugiados. *Boletín Estadístico de Solicitantes de Refugio en México 2016*. 2018.
5. México, Secretaría de Gobernación, Subsecretaria de Población, Migración, y Asuntos Religiosos, Unidad de Política Migratoria, Comisión Mexicana de Ayuda a Refugiados. *Boletín Estadístico de Solicitantes de Refugio en México 2017*. 2018.
6. México, Secretaría de Gobernación, Subsecretaria de Población, Migración, y Asuntos Religiosos, Unidad de Política Migratoria, Comisión Mexicana de Ayuda a Refugiados. *Boletín Estadístico de Solicitantes de Refugio en México 2018*. 2018.
7. México, Secretaría de Gobernación, Instituto Nacional de Migración, Centro de Estudios Migratorios. *Boletín mensual de estadísticas migratorias 2007*. 2008.
8. México, Secretaría de Gobernación, Instituto Nacional de Migración, Centro de Estudios Migratorios. *Boletín mensual de estadísticas migratorias 2008*. 2009.
9. México, Secretaría de Gobernación, Instituto Nacional de Migración, Centro de Estudios Migratorios. *Boletín mensual de estadísticas migratorias 2009*. 2009.
10. México, Secretaría de Gobernación, Instituto Nacional de Migración, Centro de Estudios Migratorios. *Boletín mensual de estadísticas migratorias 2010*. 2010.
11. México, Secretaría de Gobernación, Instituto Nacional de Migración, Centro de Estudios Migratorios. *Boletín mensual de estadísticas migratorias 2011*. 2011.
12. México, Secretaría de Gobernación, Subsecretaria de Población, Migración, y Asuntos Religiosos, Unidad de Política Migratoria Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias 2012*. 2013.
13. México, Secretaría de Gobernación, Subsecretaria de Población, Migración, y Asuntos Religiosos, Unidad de Política Migratoria Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias 2013*. 2013.

14. México, Secretaría de Gobernación, Subsecretaria de Población, Migración, y Asuntos Religiosos, Unidad de Política Migratoria Instituto Nacional de Migración. *Boletín mensual de estadísticas migratorias 2014*. 2014.
15. México, Secretaría de Gobernación, Subsecretaria de Población, Migración, y Asuntos Religiosos, Unidad de Política Migratoria. *Boletín mensual de estadísticas migratorias 2015*. 2016.
16. México, Secretaría de Gobernación, Subsecretaria de Población, Migración, y Asuntos Religiosos, Unidad de Política Migratoria. *Boletín mensual de estadísticas migratorias 2016*. 2017.
17. México, Secretaría de Gobernación, Subsecretaria de Población, Migración, y Asuntos Religiosos, Unidad de Política Migratoria. *Boletín mensual de estadísticas migratorias 2017*. 2018.
18. Subsecretaria de Derechos Humanos, Población, y Migración, Unidad de Política Migratoria, Registro e Identidad de Personas. *Boletín mensual de estadísticas migratorias 2018*. 2019.
19. México, Secretaría de Gobernación, Subsecretaria de Derechos Humanos, Población, y Migración, Unidad de Política Migratoria, Registro e Identidad de Personas. *Boletín mensual de estadísticas migratorias 2019*. 2020.
20. México, Secretaría de Gobernación, Subsecretaria de Derechos Humanos, Población, y Migración, Unidad de Política Migratoria, Registro e Identidad de Personas. *Boletín mensual de estadísticas migratorias 2020*. 2020.
21. "New COMAR data shows over 13,000 asylum applicants waiting since 2018". *Asylum Access*, 8 Jan. 2020, <https://asylumaccess.org/new-comar-data-shows-over-13000-asylum-applicants-waiting-since-2018/>. Press Release.



# ENDNOTES

1. International Organization for Migration – UN Migration, Who is a Migrant?, Migration, IOM – UN Migration, <https://www.iom.int/who-is-a-migrant> (accessed July 30, 2020).
2. USA for UNHCR – The UN Refugee Agency, What is a Refugee?, Refugee Facts, UNHCR, <https://www.unrefugees.org/refugee-facts/what-is-a-refugee/> (accessed July 30, 2020).
3. Ciudad de Mexico, Personas Afrodescendientes, Monografías por la No Discriminación, Consejo para Prevenir y Eliminar la Discriminación de la Ciudad de México (COPED), <http://data.copred.cdmx.gob.mx/por-la-no-discriminacion/personas-afrodescendientes/>.
4. USA for UNHCR – The UN Refugee Agency, Sexual and Gender Based Violence, Protection, What We Do, UNHCR, <https://www.unhcr.org/sexual-and-gender-based-violence.html> (accessed July 30, 2020).
5. This Report is focused on the current Mexican Administration’s approach, including deploying the Guardia Nacional (“National Guard”) to the southern border, and the resulting barriers to entry/transit through Mexico for migrants. However, the Authors recognize that previous Administrations have undertaken policies to control immigration, including at the southern border. For instance, the Programa Frontera Sur (“Southern Border Program”), launched in July 2014 by Former Mexican President Enrique Peña Nieto, also focused, inter alia, on increasing security at border crossings into southern Mexico. Christopher Wilson & Pedro Valenzuela, Mexico’s Southern Border Strategy: Programa Frontera Sur, Wilson Center (July 11, 2014), <https://www.wilsoncenter.org/publication/mexicos-southern-border-strategy-programa-frontera-sur>.
6. Voces Meso Americanas, [Comunicado] Asamblea de Migrantes Africanos y Africanas en Tapachula [Communication] Assembly of African and African Migrants in Tapachula, Voces Meso Americanas (Aug. 29, 2019), <https://vocesmesoamericanas.org/prensa/comunicado-asamblea-de-migrantes-africanos-y-africanas-en-tapachula-29-de-agosto-2019/>.
7. Darío Brooks, Criollos, mestizos, mulatos o saltapatrás: cómo surgió la división de castas durante el dominio español en América, BBC Mundo (Oct. 12, 2017), <https://www.bbc.com/mundo/noticias-america-latina-41590774>.
8. Ibid.
9. María Elisa Velázquez & Gabriela Iturralde Nieto, Afrodescendientes en Mexico (Consejo Nacional para Prevenir la Discriminación, Instituto Nacional de Antropología e Historia, 2012).
10. José Vasconcelos, La Raza Cósmica (Editorial Stylo, 1948).
11. Alberto Nájjar, 10 frases que los mexicanos usan todos los días... y no saben que son racistas, BBC Mundo (May 19, 2016), [https://www.bbc.com/mundo/noticias/2016/05/160517\\_mexico\\_frases\\_racistas\\_cultura\\_an](https://www.bbc.com/mundo/noticias/2016/05/160517_mexico_frases_racistas_cultura_an).
12. Daniel Zizumbo-Colunga & Ivan Flores Martinez, Study Reveals Racial Inequality in Mexico, Disproving its ‘Race-Blind’ Rhetoric, The Conversation (Dec. 13, 2017), <https://theconversation.com/study-reveals-racial-inequality-in-mexico-disproving-its-race-blind-rhetoric-87661>.
13. Afro-Mexicans Profile, Minority Rights, <https://minorityrights.org/minorities/afro-mexicans/> (accessed Aug. 8, 2020). María Elisa Velázquez & Gabriela Iturralde Nieto, INAH, CONAPRED, *Afrodescendientes en México, Una historia de Silencio y Discriminación* (Mar. 8, 2016), <http://www.africafundacion.org/afrodescendientes-en-mexico-una-historia-de-silencio-y-discriminacion-por-m%C2%AA-elisa-velazquez-gabriela-iturralde-nieto-inah-conapred>. María Camila Díaz Casas & María Elisa Velázquez, *Estudios Afromexicanos: Una Revisión Historiográfica y Antropológica* (Oct. 10, 2017), <https://www.revistatabularasa.org/numero27/estudios-afromexicanos-una-revision-historiografica-y-antropologica/>.
14. Consejo Nacional para Prevenir la Discriminación, Discriminación Afrodescendientes, [http://www.conapred.org.mx/index.php?contenido=pagina&id=99&id\\_opcion=40&op=40](http://www.conapred.org.mx/index.php?contenido=pagina&id=99&id_opcion=40&op=40) (accessed August 21, 2020). Gobierno de México, Infografía de la población afrodescendiente, 2015, Consejo Nacional de Población (May 10, 2016), <https://www.gob.mx/conapo/documentos/infografia-de-la-poblacion-afrodescendiente-2015>.
15. Gabriel Moysen, Afro-descendants: Mexico’s forgotten third root, El Universal (Feb. 22, 2019), <https://www.eluniversal.com.mx/english/afro-descendants-mexicos-forgotten-third-root>.
16. Some state governments had previously officially recognized Afro-Mexicans in their state constitutions.
17. Instituto Nacional de las Mujeres, Datos de la Población Afrodescendiente en México, México – Gobierno de la República, [https://www.gob.mx/cms/uploads/attachment/file/199489/Datos\\_INEGI\\_poblacion\\_afromexicana.pdf](https://www.gob.mx/cms/uploads/attachment/file/199489/Datos_INEGI_poblacion_afromexicana.pdf) (accessed Aug. 8, 2020). Instituto Nacional de Estadística y Geografía, *Muestra Cuestionario para Viviendas Particulares Habitadas y Población*, Encuesta Intercensal 2015, [https://www.inegi.org.mx/contenidos/programas/intercensal/2015/doc/eic2015\\_cuestionario.pdf](https://www.inegi.org.mx/contenidos/programas/intercensal/2015/doc/eic2015_cuestionario.pdf) (accessed Aug. 8, 2020). Instituto Nacional de Estadística y Geografía, *Perfil sociodemográfico de la población afrodescendiente en México*, Encuesta Intercensal 2015 (2017), <https://www.cndh.org.mx/documento/perfil-sociodemografico-de-la-poblacion-afrodescendiente-en-mexico>.
- Gretel Morales, *Mexico seeks to vindicate the Afro-Mexican community*, El Universal (Feb. 6, 2020), <https://www.eluniversal.com.mx/english/mexico-seeks-vindicate-afro-mexican-community>.

18. Constitución Política de los Estados Unidos Mexicanos, CP, Artículo 2(C), Diario Oficial de la Federación [DOF] 05-02-1917, Última reforma publicada DOF 08-05-2020 (Mex.).
- Ebony Bailey, *Afro-Mexicans May Finally Get Recognition in the Mexican Constitution, But Many Say That's Not Enough*, Culture, Remezcla (May 3, 2019, 1:57 PM) <https://remezcla.com/features/culture/afro-mexicans-constitution-recognition/>.
19. Secretaría de Gobernación, Consejo Nacional para Prevenir la Discriminación, Ficha Temática Pueblos y Comunidades Afromexicanas, <http://www.conapred.org.mx/userfiles/files/160620Ficha%20tem%C3%A1tica%20-%20Pueblos%20y%20comunidades%20afrodescendientes.pdf> (accessed August 21, 2020).
20. Daniel Zizumbo-Colunga & Iván Flores Martínez, *Is Mexico a Post-Racial Country?*, Latin American Public Opinion (LAPOP) (Nov. 6, 2017) <https://www.vanderbilt.edu/lapop/insights/ITB031en.pdf>.
21. Témoris Grecko, *Afromexicanos: La discriminación visible*, El Proceso (Apr. 1, 2017), <https://www.proceso.com.mx/480201/afromexicanos-la-discriminacion-visible>.
22. Id.
23. Arlene Gregorius, *The black people 'erased from history'*, BBC News, Mexico (Apr. 10, 2016) <https://www.bbc.com/news/magazine-35981727>.
24. See, for example: Luis Raúl González Pérez, *Comisión Nacional de los Derechos Humanos (CNDH), Recomendación No. 68/2017* ¶ 78 (Dec. 11, 2017) [hereinafter *Recomendación No. 68/2017*].
25. Zizumbo-Colunga, *supra* note 12.
26. *Ibid.*
27. David Páramo, *Guerra de Castas Recargada*, translated in *Dinero en Imagen* (June 19, 2017), <https://www.dineroenimagen.com/2017-06-19/87906>
28. Zizumbo-Colunga, *supra* note 20.
29. *Ibid.*
30. *Ibid.*
31. Patricio Solís, Braulio Guemez Graniel & Virginia Lorenzo Holm, *Por Mi Raza: Hablara La Desigualdad*, translated by Oxfam Mexico (July 2019), [https://www.oxfamMexico.org/sites/default/files/Por%20mi%20raza%20hablara%20la%20desigualdad\\_0.pdf](https://www.oxfamMexico.org/sites/default/files/Por%20mi%20raza%20hablara%20la%20desigualdad_0.pdf).
32. Benjamin Russell, *Mexico's Messy Reckoning with Racism*, *Americas Quarterly* (June 22, 2020), <https://www.americasquarterly.org/article/mexicos-messy-reckoning-with-racism/>.
- Earl Ofari Hutchinson, *Mexican Officials Must Come Clean on Racism*, *IMDiversity*, <https://imdiversity.com/villages/hispanic/mexican-officials-must-come-clean-on-racism> (last visited Aug. 8, 2020).
33. Guillermo Trejo & Melina Altamirano, *The Mexican Color Hierarchy: How Race and Skin Tone Still Define Life Chances 200 Years After Independence*, *The Double Blind: The Politics of Racial & Class Inequalities in the Americas* 3-16 (Juliet Hooker and Alvin B. Tillery, Jr., American Political Science Association eds., 2016).
34. Rosario Aguilar, "The Tones of Democratic Challenges: Skin Color and Race in Mexico," *Política y gobierno* 25-57 (2013).
35. Eva O Arceo-Gomez & Raymundo M. Campos-Vazquez, *Race and Marriage in the Labor Market: A Discrimination Correspondence Study in a Developing Country*, *American Economic Review* 104, No.5, 376-80 (2014).
36. Instituto Nacional de Estadística y Geografía, *Principales Resultados, Encuesta Nacional Sobre Discriminación 2017*, INEGI, [https://www.inegi.org.mx/contenidos/programas/enadis/2017/doc/enadis2017\\_resultados.pdf](https://www.inegi.org.mx/contenidos/programas/enadis/2017/doc/enadis2017_resultados.pdf) (last visited Aug. 8, 2020).
37. Patricio Solís, Alice Krozer, Carlos Arroyo Batista, & Braulio Guemez Graniel, *Ethnic/Racial Discrimination in Mexico: A Taxonomy of Discrimination Practices*, Working Paper #1, Project On Ethnic/Racial Discrimination in Mexico (PRODER), *El Colegio de Mexico* 10 (Aug. 21, 2019), <https://discriminacion.colmex.mx/wp-content/uploads/2019/08/dt1-en.pdf>.
38. *Id.* at 8.
39. *Id.* at 9-10.
40. *Id.* at 18.
41. Cindy R. Rodriguez, *Aeromexico: Sorry for casting call telling dark-skinned people to not apply*, CNN (Aug. 18, 2013), <https://edition.cnn.com/2013/08/16/world/americas/mexico-dark-skinned/index.html>.
42. Researchers from the University of Alberta conducted a scoping review of African immigrant women who have settled in the United States, Canada, United Kingdom, Australia, Germany, France, and Spain that revealed that African immigrant women are particularly affected by job market inequalities, isolation and absence of social networks, and inadequate social services to meet mental health needs. See: Okeke-Ihejirika, Philomina, Bukola Salami & Ahmad Karimi, *African Immigrant Women's Experience in Western Host Societies: A Scoping*

Review, *Journal of Gender Studies* 27, no. 4 at 438 (2016).

43. Madeleine Wattenbarger, *Protests against anti-Black violence and polices spread to Mexico, Toward Freedom* (June 7, 2020), <https://towardfreedom.org/story/protests-against-anti-black-violence-and-police-spread-to-mexico>.

44. *Ibid.*

45. Anay Nuno & David Agren, 'We'll Disappear You': Mexican Protesters Recount Terror of Police Abduction, *The Guardian* (June 8, 2020), <https://www.theguardian.com/world/2020/jun/08/well-disappear-you-mexican-protesters-recount-terror-of-police-abduction>.

46. *Ibid.*

47. Paulina Olvera Cáñez, Ebony Bailey & Leslie Meyer, Commentary: "No puedo respirar." The Black Lives Matter movement is growing in Tijuana, *The San Diego Union-Tribune* (June 25, 2020), <https://www.sandiegouniontribune.com/opinion/commentary/story/2020-06-25/commentary-no-puedo-respirar-the-black-lives-matter-movement-is-growing-in-tijuana>.

48. Al Otro Lado (@AlOtroLado\_org), Twitter (June 22, 2020, 2:02 PM), [https://twitter.com/alotrolado\\_org/status/1275172387554840578?s=21](https://twitter.com/alotrolado_org/status/1275172387554840578?s=21).

49. Constitución Política de los Estados Unidos Mexicanos, CP, Artículo 1, Diario Oficial de la Federación [DOF] 05-02-1917, Última reforma publicada DOF 08-05-2020 (Mex.).

50. Ley Federal Para Prevenir Y Eliminar La Discriminacion [LFPED], Artículo 1, Diario Oficial de La Federacion [DOF] 06-11-2003, Última reforma publicada DOF 21-06-2018, (Mex.).

51. *Ibid.*

52. *Id.* Artículo 1(iii).

53. *Ibid.*

54. *Id.* Artículo 43.

55. CNDH Mexico, "Regulatory framework", <https://www.cndh.org.mx/cndh/marco-normativo> (accessed August 13, 2020).

56. CNDH Mexico, "Frequent questions", <https://www.cndh.org.mx/cndh/preguntas-frecuentes> (accessed August 13, 2020).

57. United Nations, International Convention on the Elimination of All Forms of Racial Discrimination art. 2, adopted by the General Assembly of the United Nations in resolution 2106 (XX) of Dec. 21, 1965, 660 U.N.T.S. 195 (entered into force Jan. 4, 1969); Organization of American States, American Convention on Human Rights art. 1.1, Nov. 22, 1969, 1144 U.N.T.S. 123; United Nations, International Covenant on Civil and Political Rights art. 26, opened for signature at New York on Dec. 19, 1966, 999 U.N.T.S. 171 (entered into force Mar. 23, 1976; Mar. 28, 1979); United Nations, International Covenant on Economic, Social and Cultural Rights art. 2(2), opened for signature at New York on Dec. 19, 1966, 993 U.N.T.S. 3 (entered into force Jan. 3, 1976); United Nations, Convention on the Elimination of All Forms of Discrimination against Women art. 2, opened for signature at the United Nations Headquarters on Mar. 1, 1980, 1249 U.N.T.S. 13 (entered into force Sept. 3, 1981); United Nations, International Convention on the Protection of the Rights of All Migrant Workers and Their Families art. 7, adopted by the General Assembly of the United Nations in resolution A/RES/45/158 of Dec. 18, 1990, 2220 U.N.T.S. 3 (entered into force July 1, 2003); Organization of American States, Inter-American Convention Against Racism, Racial Discrimination and Related Forms of Intolerance art. 2, adopted by the OAS General Assembly at La Antigua on June 5, 2013, annex A, No. 54915 (entered into force Nov. 11, 2017).

58. Constitución Política de los Estados Unidos Mexicanos, CP, Artículo 133, Diario Oficial de la Federación [DOF] 05-02-1917, Última reforma publicada DOF 08-05-2020 (Mex.).

59. CP, Artículo 2(a).

60. *Id.* Artículo 2.

61. *Id.* Artículo 4.

62. Committee on the Elimination of Racial Discrimination, Concluding observations on the combined eighteenth to twenty-first periodic reports of Mexico § 14, International Convention on the Elimination of All Forms of Racial Discrimination (Sept. 19, 2019).

63. *Id.* at § 16.

64. *Id.* at § 34.

65. *Ibid.*

66. *Ibid.*

67. Human Rights Council, Report of the Working Group on the Universal Periodic Review: Mexico § 132, United Nations General Assembly, Universal Periodic Review (Dec. 27, 2018).

68. Committee on the Elimination of Discrimination Against Women, Concluding observations on the ninth periodic report of Mexico § 47 (July 20, 2018).

69. *Id.* at § 43(a).

70. *Id.* at §39(e).
71. *Id.* at § 48(c).
72. Committee for the Protection of All Migrant Workers and Members of their Families, Concluding observations on the third periodic report of Mexico § 29, International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Sept. 27, 2017).
73. *Ibid.*
74. The United Nations High Commissioner for Refugees (UNHCR), Convention and Protocol Relating to The Status of Refugees art. 1(A)(2), UNHCR, <https://www.unhcr.org/3b66c2aa10> (accessed June 17, 2020).
75. Although the Convention definition does not explicitly include gender, the UN has encouraged states to include gender-based asylum claims, which Mexico has. See: Executive Committee of the High Commissioner's Programme, Refugee Women and International Protection No. 39 (XXXVI) § (k), UNHCR (Oct. 18, 1985), <https://www.unhcr.org/excom/exconc/3ae68c43a8/refugee-women-international-protection.html>. See also Jane Freedman, Mainstreaming gender in refugee protection, *Cambridge Review of International Affairs*, 589-607 (Jan. 6, 2011), <https://doi.org/10.1080/09557571.2010.523820>.
76. United Nations Development Program, *Scaling Fences: Voices of Irregular African Migrants to Europe*, UNDP 2019, <https://www.undp.org/content/dam/rba/docs/Reports/UNDP-Scaling-Fences-EN-2019.pdf> (accessed Aug. 8, 2020).
77. *Id.* at pp 5-6, 31; Tendayi Achiume, *Migration as Decolonization*, 71 *Stan. L. Rev.* 1509 (2019).
78. Heaven Crawley & Dimitris Skleparis, Refugees, migrants, neither, both: categorical fetishism and the politics of bounding in Europe's "migration crisis", 44 *Journal of Ethnic and Migration Studies* 48, 59 (July 6, 2017), [tandfonline.com/doi/full/10.1080/1369183X.2017.1348224](https://doi.org/10.1080/1369183X.2017.1348224).
79. Jorgen Carling, *Refugee Advocacy and the Meaning of "Migrants"*, Peace Research Institute Oslo, PRIO Policy Brief, p. 3 (Feb. 2017), <https://www.prio.org/Publications/Publication/?x=10471>.
80. Crawley, *supra* note 78.
81. April Gordon, *The New Diaspora - African Immigration to the United States*, 15 *Journal of Third World Studies* No. 1, pp. 79-103 (1998), <https://www.jstor.org/stable/45197785> (accessed July 23, 2020). Kevin J. A. Thomas, *What Explains the Increasing Trend in African Emigration to the U.S.?*, 45 *International Migration Review* No. 1, pp3-28 (2011) <https://www.jstor.org/stable/23016187> (accessed July 23, 2020).
82. Randy Capps, Kristen McCabe, & Michael Fix, *Diverse Streams: African Migration to the United States*, National Center on Immigration Policy, Migration Policy Institute, <https://www.migrationpolicy.org/pubs/CBI-AfricanMigration.pdf> (accessed on Aug. 8, 2020).
83. Although undocumented migration from Africa to the Americas is a relatively recent phenomenon, there is a history of migration from Africa to Mexico. After African countries gained independence from former colonial powers, many formally established diplomatic ties between newly formed African nations and Mexico in the mid-20th century. This led to more Africans migrating to Mexico for scientific, academic, or cultural reasons. For instance, under cultural cooperation agreements, African students from various countries, such as Ethiopia, Angola, and Ghana, were granted scholarships to study in Mexico and some chose to stay permanently. See Maguemati Wabgou, *Aiming for Latin America: African Immigration to Mexico*, *Migration in the Service of African Development* 113, [muse.jhu.edu/book/26143](https://muse.jhu.edu/book/26143) (accessed on July 11, 2020); Massimango Cangabo Kagabo, *La presencia contemporánea de África en México*, 1 *Asociación Latinoamericana de Estudios Afroasiáticos* sec. 2, (2001).
84. Marc R. Rosenblum & Ariel G. Ruiz Soto, *An Analysis of Unauthorized Immigrants in the United States by Country and Region of Birth*, Migration Policy Institute (MPI) (Aug. 2015), <https://www.migrationpolicy.org/research/analysis-unauthorized-immigrants-united-states-country-and-region-birth> (accessed on Aug. 17, 2020).
85. Gretchen Kuhner, *Problemas Que Enfrentan Los Migrantes En Las Fronteras Sur Y Norte De México, Y En Su Viaje Entre Las Dos*, BBC Mundo, <http://www.bbc.co.uk/spanish/especiales/humanrights/entrefront.shtml> (accessed on Aug. 9, 2020).
86. Tricia Redeker Hepner, *Generation Nationalism and Generation Asylum: Eritrean Migrants, the Global Diaspora, and the Transnational Nation-State*, 18 *Diaspora: A Journal of Transnational Studies* no. 1, 184-207, Project Muse, <https://muse.jhu.edu/article/573619>.
87. Gustavo Solis, *Record Number of African Migrants at U.S.-Mexico Border*, *The Los Angeles Times* (Dec. 8, 2019), <https://www.latimes.com/story/2019-12-08/record-number-of-african-migrants-at-u-s-mexico-border>.
88. *Ibid.*
89. Gobierno de Mexico, *Boletín Mensual de Estadísticas Migratorias 2014*, Secretaría de Gobernación, <http://portales.segob.gob.mx/es/PoliticaMigratoria/CuadrosBOLETIN?Anual=2014> (accessed on Aug. 9, 2020).
90. Gobierno de Mexico, *Boletín Mensual de Estadísticas Migratorias 2019*, Secretaría de Gobernación. [http://www.politicamigratoria.gob.mx/work/models/PoliticaMigratoria/CEM/Estadisticas/Boletines\\_Estadisticos/2019/Boletin\\_2019.pdf](http://www.politicamigratoria.gob.mx/work/models/PoliticaMigratoria/CEM/Estadisticas/Boletines_Estadisticos/2019/Boletin_2019.pdf) (accessed on Aug. 12, 2020).
91. Gobierno de Mexico, *Boletín Mensual de Estadísticas Migratorias 2015-2020*, Secretaría de Gobernación, <http://portales.segob.gob>.

mx/es/PoliticaMigratoria/Boletines\_Estadisticos (accessed on Aug. 9, 2020).

92. Luis Andres Henao, African immigrants drift toward Latin America, Reuters World News (Nov. 15, 2009), <https://www.reuters.com/article/us-latinamerica-africans-idUSTRE5AF0AG20091116>. ACNUR, Movimientos migratorios mixtos cambian el perfil del asilo en las Américas, UNHCR (Nov. 9, 2010), <https://www.acnur.org/noticias/noticia/2010/11/5b0c205512/movimientos-migratorios-mixtos-cambian-el-perfil-del-asilo-en-las-americas.html>.

93. See for example, Pew Research Center, At Least a Million Sub-Saharan Africans Moved to Europe Since 2010, Global Attitudes & Trends, Pew Research Center (Mar. 22, 2018), <https://www.pewresearch.org/global/2018/03/22/at-least-a-million-sub-saharan-africans-moved-to-europe-since-2010/>.

94. Sarah Salvadore, U.S.-Mexico Border Sees Surge in African Migrants, Who Face Limited Options, National Catholic Reporter (Nov. 18, 2019), <https://www.ncronline.org/news/people/us-mexico-border-sees-surge-african-migrants-who-face-limited-options>.

95. Pew Research Center, supra note 93.

96. Voces Meso Americanas, supra note 6.

97. Giovanni Carbone, Between a Rock and Hard Place: Why African's Migrate, in *Out of Africa: Why People Migrate* 13-30 (Giovanni Carbone ed., 2017).

98. Cameroon, the DRC, Eritrea, Ghana, and Somalia were chosen as the countries for analysis as they were the African countries of origin with the highest total number of migrants detained in migration stations by INM when taking the total of the past 6 years, according to statistics published yearly by INM during 2015-2020. For more information on statistics, see Appendix 1 Statistics of African Migration in Mexico.

99. Jess Craig, Briefing: Cameroon's Intensifying Conflict and What it Means for Civilians, *The New Humanitarian* (Feb. 6, 2020), <https://www.thenewhumanitarian.org/news/2020/02/06/Cameroon-elections-anglophone-separatist-insurgency-Ambazonia>; Ngala Killian Chimtom, Cameroon's Conflict: Will The National Dialogue Make Any Difference?, *BBC News* (Oct. 5, 2019), <https://www.bbc.com/news/world-africa-49931662>; UNHCR Reporting Cameroon, <https://reporting.unhcr.org/cameroon>.

100. Siobhan O'Grady, Divided by Language: Cameroon's Crackdown on its English-Speaking Minority is Fueling a Support for a Secessionist Movement, *The Washington Post* (Feb. 5, 2019), <https://www.washingtonpost.com/graphics/2019/world/cameroon-anglophone-crisis/>.

101. *Ibid.* Craig, supra note 99.

102. Craig, supra note 99.

103. O'Grady, supra note 100.

104. *Ibid.*

105. Thomson Reuters Foundation, Separatist Conflict in Cameroon Traps Girls in Sex and Servitude, Thomson Reuters Foundation News (June 3, 2019), <https://news.trust.org/item/20190602234353-9x3nh>.

106. Amindeh Blaise Atabong, Women and children bear the brunt of Cameroon's conflict, *Equal Times* (Oct. 3, 2018), <https://www.equal-times.org/women-and-children-bear-the-brunt?lang=en#.XwYR3y2z3fZ>.

107. *Ibid.*

108. Katy Migiro, Lesbian 'Witches' Chained and Raped by Families in Cameroon, *Reuters News* (Oct. 1, 2018), <https://www.reuters.com/article/us-cameroon-lgbt-rape/lesbian-witches-chained-and-raped-by-families-in-cameroon-idUSKCN1MC001>.

109. Moki Edwin Kindzeka, Study: Abortions From Rape on Rise in Cameroon's Conflicts Zones, *VOA News* (Feb. 20, 2019), <https://www.voanews.com/africa/study-abortions-rapes-rise-cameroons-conflict-zones>; Human Rights Watch, Security Forces Kill Civilians, Rape Women, Human Rights Watch (July 22, 2019, 3:00 AM), <https://www.hrw.org/news/2019/07/22/cameroon-security-forces-kill-civilians-rape-woman>.

110. International Rescue Committee, IRC Cameroon Country Program Women's Protection and Empowerment, International Rescue Committee (Jan. 19, 2019), [https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/gbv\\_rapid\\_assessment\\_key\\_findings\\_-\\_south\\_west\\_cameoron\\_-\\_irc\\_-\\_january\\_2019\\_-\\_final\\_0.pdf](https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/gbv_rapid_assessment_key_findings_-_south_west_cameoron_-_irc_-_january_2019_-_final_0.pdf).

111. UNHCR, Cameroon MCO-Factsheet, UNHCR The UN Refugee Agency (May 2020), <https://data2.unhcr.org/en/documents/download/77406>.

112. See Appendix 1, Table 1. Migrants presented to migration authorities and detained in INM migration stations, by selected five African countries, 2007 - May 2020. See Appendix 1 for more statistics of Cameroonian migrants in Mexico.

113. See Appendix 1, Figure 3.

114. USA for UNHCR, Democratic Republic of the Congo Refugee Crisis Explained, UNHCR (Feb. 6, 2020), <https://www.unrefugees.org/news/democratic-republic-of-the-congo-refugee-crisis-explained/#:~:text=In%20addition%20to%20the%20over,to%20conflict%20>

in%20the%20country.&text=Despite%20the%20end%20of%20a,to%20flee%20from%20their%20homes.

115. Jason Burke Masisi, 'The Wars Will Never Stop'- Millions Flee Bloodshed as Congo Falls Apart, *The Guardian* (Apr. 3, 2020), <https://www.theguardian.com/world/2018/apr/03/millions-flee-bloodshed-as-congos-army-steps-up-fight-with-rebels-in-east>.

116. Kathryn Reid, DRC Conflict: Facts, FAQs, and How to Help, *World Vision* (July 23, 2019), <https://www.worldvision.org/disaster-relief-news-stories/drc-conflict-facts>.

117. *Ibid.*; Jason Burke Masisi, 'The Wars Will Never Stop'- Millions Flee Bloodshed as Congo Falls Apart, *The Guardian* (Apr. 3, 2020), <https://www.theguardian.com/world/2018/apr/03/millions-flee-bloodshed-as-congos-army-steps-up-fight-with-rebels-in-east>; Human Rights Watch, Democratic Republic of Congo. Events of 2018, *World Report 2019*, Human Rights Watch, <https://www.hrw.org/world-report/2019/country-chapters/democratic-republic-congo> (accessed June 19, 2020).

118. Reid, *supra* note 116.

119. United Nations Office for the Coordination of Humanitarian Affairs, About OCHA DRC, OCHA, <https://www.unocha.org/democratic-republic-congo-drc/about-ocha-drc> (accessed July 3, 2020).

120. Doctors Without Borders, Rape in Democratic Republic of Congo: MSF Reports Shocking Levels of Sexual Violence in Kasai Region, *Doctors Without Borders* (Nov. 2, 2018), <https://www.doctorswithoutborders.ca/article/rape-democratic-republic-congo-msf-reports-shocking-levels-sexual-violence-kasai-region>; See also Jason Burke, They Killed my Children and Raped Me: Sexual Violence Remains Rife in Congo, *The Guardian* (Nov. 2, 2018, 11:04 AM), <https://www.theguardian.com/global-development/2018/nov/02/they-killed-my-children-and-raped-me-horrific-violence-remains-rife-in-democratic-republic-of-the-congo>.

121. Burke, *supra* note 120.

122. Vittoria Elliot, Briefing: Why Women and Children are at Greatest Risk as Ebola Continues to Spread in Congo, *The New Humanitarian* (Sept. 5, 2019), <https://www.thenewhumanitarian.org/news/2019/09/05/Congo-Ebola-epidemic-hits-women-children-hardest>.

123. World Health Organization, 10th Ebola Outbreak in the Democratic Republic of the Congo Declared Over; Vigilance against Flare-ups and Support for Survivors Must Continue, *World Health Organization Newsroom* (June 25, 2020), <https://www.who.int/news-room/detail/25-06-2020-10th-ebola-outbreak-in-the-democratic-republic-of-the-congo-declared-over-vigilance-against-flare-ups-and-support-for-survivors-must-continue>.

124. Esther Nsapu, Members of the LGBT Community in DRC Face Violence and Excommunication, *Global Press Journal* (Mar. 30, 2018), <https://globalpressjournal.com/africa/democratic-republic-of-congo/members-lgbt-community-drc-face-violence-excommunication>.

125. Sarah Salvadore, *supra* note 94; Jason Burke, 'They killed my children and raped me': sexual violence remains rife in Congo, *The Guardian* (Nov. 2, 2018, 11:04 AM), <https://www.theguardian.com/global-development/2018/nov/02/they-killed-my-children-and-raped-me-horrific-violence-remains-rife-in-democratic-republic-of-the-congo>.

126. See Appendix 1, Table 1. Migrants presented to migration authorities and detained in INM migration stations, by selected five African countries, 2007 - May 2020. See Appendix 1 for more statistics of Congolese migrants in Mexico.

127. See Appendix 1, Figure 3. Asylum/refugee status applications submitted by nationals of selected five African countries, 2013 - October 2019.

128. *Ibid.*

129. *Ibid.*

130. Alex Green, Why Are So Many People Fleeing Eritrea?, *Help Refugees* (Feb. 27, 2019), <https://helprefugees.org/news/why-are-so-many-people-fleeing-eritrea/>.

131. Human Rights Watch, Eritrea: Events of 2019, *World Report 2020*, 195 [https://www.hrw.org/sites/default/files/world\\_report\\_download/hrw\\_world\\_report\\_2020\\_0.pdf](https://www.hrw.org/sites/default/files/world_report_download/hrw_world_report_2020_0.pdf) (accessed on Aug. 8, 2020).

132. *Id.* at 196.

133. *Id.* at 199. UN Human Rights Council, Report of the Special Rapporteur on the Situation of Human Rights in Eritrea, A/HRC/44/23 para. 70 (May 11, 2020), <https://undocs.org/a/hrc/44/23>.

134. *Id.* at 197; UN Human Rights Council, Report of the Special Rapporteur on the Situation of Human Rights in Eritrea, A/HRC/44/23 para. 43 (May 11, 2020), <https://undocs.org/a/hrc/44/23>.

135. Ewelina V. Ochab, Is Eritrea Becoming the North Korea of Africa?, *Forbes Business* (June 13, 2018), <https://www.forbes.com/sites/ewelinaochab/2018/06/13/is-eritrea-becoming-the-north-korea-of-africa/#21159c733248>; U.S. Department of State, 2018 Report on International Religious Freedom: Eritrea 3, <https://www.state.gov/wp-content/uploads/2019/05/ERITREA-2018-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf> (accessed July 21, 2020).

136. Human Rights Watch, *supra* note 131, at 199.

137. Human Rights Watch, *supra* note 131, at 199. For more information on the situation in Eritrea, see Nicole Hirt, *Fleeing Repression:*

Inside Eritrea, in *Out of Africa: Why People Migrate* 95-118 (Giovanni Carbone ed., 2017).

138. See Appendix 1, Table 1. Migrants presented to migration authorities and detained in INM migration stations, by selected five African countries, 2007 - May 2020. See Appendix 1 for more statistics of Eritrean migrants in Mexico.

139. See Appendix 1, Tables 3.1 - 3.10.

140. Brennan Weiss, *Ghana is Safe and Stable, but It's Young People Are Still Risking Their Lives to Cross to Europe*, Quartz Africa (June 13, 2017), <https://qz.com/africa/1003249/young-ghanaians-are-risking-their-lives-to-get-to-europe-illegally/>.

141. *Ibid.*

142. Cadman Atta Mills, *Politics, Policy, and Implementation: The 'Ghanaian Paradox'*, Brookings (July 18, 2018), <https://www.brookings.edu/blog/africa-in-focus/2018/07/18/politics-policy-and-implementation-the-ghanaian-paradox/>.

143. Human Rights Watch, *No Choice but to Deny Who I Am*, Human Rights Watch (Jan. 8, 2018), <https://www.hrw.org/report/2018/01/08/no-choice-deny-who-i-am/violence-and-discrimination-against-lgbt-people-ghana>.

144. For an in-depth discussion of homosexuality under Ghanaian law, see Raymond Atuguba, *Homosexuality in Ghana: Morality, Law, Human Rights*, 12 *Journal of Politics and Law* No. 4, 113-126, <http://www.ccsenet.org/journal/index.php/jpl/article/download/0/0/41428/42916> (accessed on Aug. 8, 2020).

145. Human Rights Watch, *supra* note 143.

146. *Ibid.*

147. *Ibid.*

148. See Appendix 1, Tables 4.1 - 4.10.

149. See Appendix 1.

150. Mohammed Haji Ingiriis, *State and Clan Violence in Somalia*, in 8 *African Conflict and Peacebuilding Review* No. 1, 80, <https://www.jstor.org/stable/10.2979/africanconfpeacrevi.8.1.04?seq=1> (accessed on Aug. 8, 2020).

151. Human Rights Watch, *Somalia: Events of 2019*, Human Rights Watch, *World Report 2020*, <https://www.hrw.org/world-report/2020/country-chapters/somalia> (accessed on Aug. 8, 2020).

152. United Nations Children's Fund (UNICEF), *Somalia: Humanitarian Situation Report No. 1*, UNICEF (Jan. 1-31, 2020), [https://www.unicef.org/appeals/files/UNICEF\\_Somalia\\_Humanitarian\\_Situation\\_Report\\_January\\_2020.pdf](https://www.unicef.org/appeals/files/UNICEF_Somalia_Humanitarian_Situation_Report_January_2020.pdf).

153. Human Rights Watch, *supra* note 151.

154. *Ibid.*

155. USA for UNHCR, *Somalia Refugee Crisis Explained*, UNHCR (Jan. 7, 2020), <https://www.unrefugees.org/news/somalia-refugee-crisis-explained/#is%20the%20number%20of%20people%20fleeing%20Somalia%20increasing%20or%20decreasing?>.

156. United Nations Office for the Coordination of Humanitarian Affairs, *Somalia: Humanitarian Dashboard-July 2019*, OCHA (Aug. 25, 2019), [https://reliefweb.int/sites/reliefweb.int/files/resources/Somalia%20Humanitarian%20Dashboard\\_July%202019.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/Somalia%20Humanitarian%20Dashboard_July%202019.pdf).

157. Human Rights Watch, *supra* note 149.

158. See Appendix 1, Table 1. Migrants presented to migration authorities and detained in INM migration stations, by selected five African countries, 2007 - May 2020. See Appendix 1 for more statistics of Somali migrants in Mexico.

159. See Appendix 1, Tables 5.1 - 5.10.

160. See Appendix 1, Table 5.9.

161. Nicole Narea, *More Migrants from Africa Are Trying to Reach the U.S. Through Mexico*, Vox (Dec. 9, 2019, 1:20 PM), <https://www.vox.com/2019/12/9/21002715/africa-migrant-asylum-refugee-mexico-central-america-cameroon-sierra-leone-congo-eu-immigration>.

162. *Ibid.*

163. Gobierno de Mexico, *Boletín Mensual de Estadísticas Migratorias 2014*, Secretaría de Gobernación, <http://portales.segob.gob.mx/es/PoliticaMigratoria/CuadrosBOLETIN?Anual=2014> (accessed on Aug. 9, 2020).

164. Gobierno de Mexico, *Boletín Mensual de Estadísticas Migratorias 2015*, Secretaría de Gobernación, <http://portales.segob.gob.mx/es/PoliticaMigratoria/CuadrosBOLETIN?Anual=2015&Secc=3> (accessed on Aug. 9, 2020).

165. Nadia Petroni, *Why E.U States are Converging on Restrictive Migration Policies, Despite their Different Political Traditions*, *European Politics and Policy*, The London School of Economics and Political Science (July 17, 2019), <https://blogs.lse.ac.uk/europpblog/2019/07/17/why-eu-states-are-converging-on-restrictive-migration-policies-despite-their-different-political-traditions/>.

166. Natasja Reslow, *Horizontal and Vertical Diversity: Unintended Consequences of EU External Migration Policy*, 54 *The International Spectator* (Special Issue) No. 1, 31-44, <https://doi.org/10.1080/03932729.2019.1548840>.



167. Ibid.

168. Council of Europe, E.U.-Turkey Statement, Council of the EU (Mar. 18, 2016), <https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/pdf>; See also Elena Becatoros, 3 Years on, What's Become of the E.U.-Turkey Migration Deal?, AP (Mar. 20, 2019), <https://apnews.com/2eb94ba9aee14272bd99909be2325e2b>.

169. Human Rights Watch, No Escape from Hell: E.U. Policies Contribute to Abuse of Migrants in Libya, Human Rights Council (Jan. 21, 2019), <https://www.hrw.org/report/2019/01/21/no-escape-hell/eu-policies-contribute-abuse-migrants-libya>.

170. Human Rights Watch, Time to Review and Remedy Cooperation Policies Facilitating Abuse of Refugees and Migrants in Libya, Human Rights Watch (Apr. 28, 2020, 5:56 AM), <https://www.hrw.org/news/2020/04/28/eu-time-review-and-remedy-cooperation-policies-facilitating-abuse-refugees-and>.

171. Nicole Narea, *supra* note 161.

172. Tracey Shelton, Moamar Gaddafi has been dead eight years yet Libya is still at war with itself. What went wrong?, ABC News (Oct. 19, 2019, 12:46 PM), <https://www.abc.net.au/news/2019-10-20/libya-civil-war-gaddafi-eight-years-on/11210742>; Marwa Mohamed, Locked up with no escape: Refugees and migrants in Libya face bombs, virus, and everything in between, Open Democracy (May 18, 2020), <https://www.opendemocracy.net/en/north-africa-west-asia/locked-no-escape-refugees-and-migrants-libya-face-bombsvirus-and-everything-between/>.

173. BBC News, Why is Libya so Lawless?, BBC News Africa (Jan. 23, 2020), <https://www.bbc.com/news/world-africa-24472322>.

174. Marwa Mohamed, *supra* note 172.

175. Charles Heller & Lorenzo Pezzani, Mare Clausum: Italy and the EU's undeclared operation to stem migration across the Mediterranean, *Forensic Oceanograph* 67-84 (May 2018), pg. 67-84, <https://content.forensic-architecture.org/wp-content/uploads/2019/05/2018-05-07-FO-Mare-Clausum-full-EN.pdf> (accessed on Aug. 9, 2020).

176. Human Rights Watch, No Escape From Hell: E.U Policies Contribute to abuse of Migrants in Libya, Human Rights Watch (Jan. 21, 2019), <https://www.hrw.org/report/2019/01/21/no-escape-hell/eu-policies-contribute-abuse-migrants-libya>.

177. Human Rights Watch, Time to Review and Remedy Cooperation Policies Facilitating Abuse of Refugees and Migrants in Libya, Human Rights Watch (Apr. 28, 2020, 5:56 AM), <https://www.hrw.org/news/2020/04/28/eu-time-review-and-remedy-cooperation-policies-facilitating-abuse-refugees-and>.

178. Gustavo Solis, *supra* note 87.

179. Caitlyn Yates, As More Migrants from Africa and Asia Arrive in Latin America, Governments Seek Orderly and Controlled Pathways, Migration Policy Institute (Oct. 22, 2019), <https://www.migrationpolicy.org/article/extracontinental-migrants-latin-america>.

180. Deborah Bonello, From Africa to Mexico: How Far Would You Go for the American Dream?, *The Telegraph*, <https://www.telegraph.co.uk/news/african-migrants-in-america/> (accessed June 22, 2020); Molly O'Toole, As Trump Blocks Refugees, Africans Fleeing Violence Make the Treacherous Trip to the U.S. Through Mexico, *The Intercept* (Dec. 13, 2017), <https://theintercept.com/2017/12/13/africans-refugees-mexico-immigration-trump/>.

181. Telephone Interview with El Instituto para las Mujeres en la Migración, A.C., [IMUMI].

182. Ibid.

183. Bonello, *supra* note 180; O'Toole, *supra* note 180.

184. Ministerio de Relaciones Exteriores Y Movilidad Humana [Ministry of Foreign Relations and Human Mobility], Ecuador Exige Visa a los Ciudadanos de 11 Países, Cancillería (Aug. 12, 2019), <https://www.cancilleria.gob.ec/2019/08/12/ecuador-exige-visa-a-los-ciudadanos-de-11-paises/>.

185. Shola Lawal, For African Migrants Trying, and Dying, to Reach North America and the Darien Gap is the 'New Mediterranean', *Equal Times* (Dec. 9, 2019), <https://www.equaltimes.org/for-migrants-trying-and-dying-to?lang=en#.XvDXnGpKjfy>.

186. O'Toole, *supra* note 180.

187. Yates, *supra* note 179.

188. Jacqueline Charles, New Migrations: Haitians Carve a Dangerous 7,000 Mile Path to the U.S., *Miami Herald* (Sept. 24, 2016, 8:33 AM), <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article103920086.html>.

189. For a video representation of this journey in the Darien Gap, see PBS NewsHour, "What migrants face as they journey through the deadly Darien Gap," <https://www.youtube.com/watch?v=XMPX1547Pss> (accessed August 15, 2020).

190. Jason Motlagh, A Terrifying Journey Through the World's Most Dangerous Jungle, *Outside Online* (July 19, 2016), <https://www.outsideonline.com/2098801/skull-stake-darien-gap>; Yates, *supra* note 179.

191. Kirk Semple, Haitians After Perilous Journey, Find Door to U.S. Abruptly Shut, *The New York Times* (Sept. 23, 2016), <https://www.nytimes.com/2016/09/24/world/americas/haitians-mexico-brazil-deport-united-states.html?>; Kate Linthicum, Crossing the Darien Gap,

- Los Angeles Times (Dec. 22, 2016), <https://www.latimes.com/projects/la-fg-immigration-trek-america-colombia/>; Charles, *supra* note 188.
192. Semple, *supra* note 191.
193. Linthicum, *supra* note 191; Lawal, *supra* note 185.
194. Washington Office on Latin America (WOLA), Five Facts about Migration from Central America’s Northern Triangle, WOLA (Jan. 15, 2016), <https://www.wola.org/analysis/five-facts-about-migration-from-central-americas-northern-triangle/>; Lisa Laventure, Central American Corridor a Dangerous Route for Migrants Heading to Canada, CBC News (Feb. 22, 2017), <https://www.cbc.ca/news/world/african-migrants-mexico-dreams-canada-1.3992471>.
195. Wendy A. Vogt, Crossing Mexico: Structural violence and the commodification of undocumented Central American migrants, 40 *American Ethnologist* No. , 764-780 (accessed on Aug. 9, 2020); Daniel E. Martinez, Robin C. Reineke, Raquel Rubio-Goldsmith, Bruce O. Parks, Structural Violence and Migrant Deaths in Southern Arizona: Data from the Pima County Office of the Medical Examiner, 1990-2013, 2 *Journal on Migration and Human Security* No. 4, 257-286 <https://doi.org/10.1177/233150241400200401> (accessed on Aug. 9, 2020); Cesar Infante, Alvaro J. Idrovo, Mario S. Sanchez-Dominguez, Stephanie Vinhas, Tonatiuh Gonzalez-Vazquez, Violence Committed Against Migrants in Transit: Experiences on the Northern Mexican Border, 14 *Journal of Immigrant and Minority Health* No. 3, 449-459, <https://doi.org/10.1007/s10903-011-9489-y> (accessed on Aug. 9, 2020).
196. Médecins Sans Frontières (“Doctors Without Borders”), No way out: The humanitarian crisis for migrants and asylum seekers trapped between the United States, Mexico and the Northern Triangle of Central America, *Doctors Without Borders* 11 (Feb. 2020), <https://www.msf.org/report-no-way-out-central-american-migration>.
197. *Id.* at 17.
198. Anjali Fleury, Women Migrating to Mexico for Safety: The Need for Improved Protections and Rights, Policy Report No. 03/08. Barcelona: United Nations University Institute on Globalization, Culture and Mobility (UNU-GCM) 6 (2016); United Nations High Commissioner for Refugees (UNHCR), Women on the Run: First-Hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico, UNHCR, <https://www.unhcr.org/publications/operations/5630f24c6/women-run.html> (accessed on Aug. 9, 2020).
199. Rene Leyva-Flores, Cesar Infante, Juan Pablo Gutierrez, Frida Quintino-Perez, Maria Gomez-Saldivar, Christian Torres- Robles, Migrants in transit through Mexico to the US: Experiences with violence and related factors, 2009-2015, 14 *PLOS ONE* No. 8, 1, <https://doi.org/10.1371/journal> (accessed on Aug. 9, 2020).
200. *Ibid.*
201. *Ibid.*
202. *Ibid.*
203. Gustavo Solis, *supra* note 87.
204. Telephone Interview with El Instituto para las Mujeres en la Migración, A.C., [IMUMI].
205. *Ibid.*
206. *Ibid.*
207. *Ibid.*
208. See Appendix 1, Tables 1-2 and 1.1 - 5.10.
209. Mary Beth Sheridan, Mexico’s Homicide Count in 2019 Among its Highest, *The Washington Post* (Jan. 21, 2020), <https://www.washingtonpost.com>; Santiago Perez, Violence Makes Mexico an Unwelcoming Refuge, *The Wall Street Journal* (June 7, 2019), <https://www.wsj.com/articles/violence-makes-mexico-an-unwelcoming-refuge-11559899802>.
210. Shola Lawal, Exporting the American Dream, *Boston Globe* (Dec. 6, 2019), <https://www.bostonglobe.com/2019/12/05/opinion/mexico-is-trumps-wall/>.
211. Voces Meso Americanas, *supra* note 6.
212. Telephone Interview with Sin Fronteras IAP (“Sin Fronteras”). See also Delphine Schrank, Migrants describe overcrowded Mexican Detention Centers as Trump Ratchets up Pressure, *Reuters* (June 23, 2019), <https://www.reuters.com/article/us-mexico-immigration/migrants-describe-overcrowded-mexican-detention-centers-as-trump-ratchets-up-pressure-idUSKCN1TO0DF>; Associated Press, Overcrowding, Abuse seen at Mexico Migrants Detention Center, *NBC News* (June 17, 2019), <https://www.nbcnews.com/news/latino/overcrowding-abuse-seen-mexico-migrant-detention-center-n1018231>.
213. Telephone Interview with Sin Fronteras.
214. UNHCR, Convention and Protocol Relating to the Status of Refugees Article 1, <https://www.unhcr.org/3b66c2aa10> (accessed on Aug. 9, 2020). Ley Sobre Refugiados, Protección Complementaria y Asilo Político art 13, sec. 1, *Diario Oficial de la Federación* [DOF] 27-01-2011, última reforma publicada DOF 30-10-2014 (Mex.).
215. *Id.* at art 28, art 2 sec. VII. See also arts 29-31.

- 216.** UNHCR, Cartagena Declaration on Refugees, UNCHR, <https://www.unhcr.org/about-us/background/45dc19084/cartagena-declaration-refugees-adopted-colloquium-international-protection.html> (accessed on Aug. 9, 2020). Ley Sobre Refugiados, Pretección Complementaria y Asilo Político art 13 sec. 2.
- 217.** Asylum Access Mexico, Asylum in Mexico by the Numbers, Asylum Access, <https://asylumaccess.org/wp-content/uploads/2020/01/Asylum-in-Mexico-by-the-Numbers.pdf> (accessed on Aug. 9, 2020).
- 218.** Reglamento de la Ley Sobre Refugiados y Protección Complementaria [Regulation of the Law on Refugees and Complementary Protection], RLRPC, Diario Oficial de la Federación DOF 21-02-2012, nuevo reglamento publicado en el Diario Oficial de la Federación 21-02-2012 (Mex.).
- 219.** For more information about Mexico's asylum/refugee system in English, see: Asylum Access, Mexican Asylum System for U.S. Immigration Lawyers FAQ, Asylum Access Mexico (Nov. 2019) <https://asylumaccess.org/wp-content/uploads/2019/11/Mexican-Asylum-FAQ-for-US-Immigration-Lawyers.pdf> (accessed on Aug. 9, 2020); Ariel G. Ruiz Soto, One Year after the U.S.-Mexico Agreement: Reshaping Mexico's Migration Policies, Migration Policy Institute (June 2020), <https://www.migrationpolicy.org/research/one-year-us-mexico-agreement> (accessed on Aug. 9, 2020); Helen Kerwin, The Mexican Asylum System in Regional Context, 33 Maryland Journal of International Law No. 1, 297, <https://digitalcommons.law.umaryland.edu/cgi/viewcontent.cgi?article=1680&context=mjil> (accessed on Aug. 9, 2020);
- 220.** Ley de Migración [Migration Law], LM, Diario Oficial de la Federación, DOF 25-5-2011.
- 221.** Ley de Migración [Migration Law], art 52 sec. V. See also Reglamento de la Ley de Migración [Regulation of Law on Migration] art 137, Diario Oficial de la Federación, DOF 28-9-2012, Última Reforma DOF 23-05-2014. Note: The Migration Law also provides for the regularization of status, and subsequent permanent residency. This pathway is available where a migrant has close family ties with a Mexican national or legal resident, in cases of extreme vulnerability, or in other circumstances.
- 222.** Kerwin, *supra* note 219.
- 223.** Ley de Migración [Migration Law], art 52 sec. V. See also Reglamento de la Ley de Migración [Regulation of Law on Migration] art 137, Diario Oficial de la Federación, DOF 28-9-2012, Última Reforma DOF 23-05-2014.
- 224.** Gobierno de Mexico, Boletín Mensual de Estadísticas Migratorias 2014-2020, Secretaría de Gobernación, [http://portales.segob.gob.mx/es/PoliticaMigratoria/Boletines\\_Estadisticos](http://portales.segob.gob.mx/es/PoliticaMigratoria/Boletines_Estadisticos) (accessed on Aug. 9, 2020).
- 225.** Constitución Política de los Estados Unidos Mexicanos, CP, Artículo 123; the Law on Refugees, Complementary Protection and Political Asylum, Art. 44, section IV. and Ley de Migración [Migration Law], art. 52 sec. V (c).
- 226.** Ley de Migración [Migration Law], LM art. 27, sec. 1, Diario Oficial de la Federación, DOF 25-5-2011. The right to public healthcare is also established in Ley Sobre Refugiados, Pretección Complementaria y Asilo Político art 44 sec II; Ley General de Salud [General Health Law], LGS art 77 sec 7, Diario Oficial de la Federación [DOF] 07-02-1984, última reforma publicada DOF 29-11-2019 (Mex.); Reglamento de la Ley General de Salud en Materia de Protección Social en Salud [Regulations of the General Health Law Regarding Social Protection], RLGSMPS art 42, Diario Oficial de la Federación [DOF] 04-05-2004, última reforma publicada DOF 17-12-2014 (Mex.).
- 227.** Gobierno de México, Prioritaria e inmediata la atención médica a migrantes, Secretaría de Relaciones Exteriores (June 28, 2019), <https://www.gob.mx/sre/prensa/prioritaria-e-inmediata-la-atencion-medica-a-migrantes-206873>.
- 228.** Constitución Política de los Estados Unidos Mexicanos, CP, Artículo 3. See also the Law on Refugees, Complementary Protection and Political Asylum, Art. 44., Ley General de Educación [General Education Law], LGE art. 4, Art. 33, section XI, and the Agreement 286, Guidelines of the Ministry of Public Education for revalidation and equivalence of studies, accreditation of knowledge and certification of training for work.
- 229.** Gobierno de México, Nueva Política Migratoria del Gobierno de México 2018-2024, Secretaria de Gobernación 24, [https://www.gob.mx/cms/uploads/attachment/file/530166/Nueva\\_Politica\\_Migratoria\\_2018-2024.pdf](https://www.gob.mx/cms/uploads/attachment/file/530166/Nueva_Politica_Migratoria_2018-2024.pdf) (accessed on Aug. 9, 2020).
- 230.** Telephone Interview with Programa Casa Refugiados ("Casa Refugiados").
- 231.** *Ibid.*
- 232.** Telephone Interview with Servicio Jesuita de Migrantes [JRS] and El Instituto para las Mujeres en la Migración, A.C. [IMUMI]; Ley de Migración [Migration Law], LM art. 3, XVII: "Oficio de salida del país: a la resolución que expide la autoridad migratoria del lugar destinado al tránsito internacional de personas, que autoriza a la persona extranjera en situación migratoria irregular a abandonar territorio nacional dentro del plazo otorgado."
- 233.** Jessica Bolter, The Evolving and Diversifying Nature of Migration to the U.S.-Mexico Border, Migration Information Source, Migration Policy Institute (Feb. 16, 2017), <https://www.migrationpolicy.org/article/evolving-and-diversifying-nature-migration-us-mexico-border>. Maureen Meyer and Adam Isacson, The 'Wall' Before the Wall: Mexico's Crackdown on Migration at its Southern Border 38, Washington Office on Latin America (WOLA) (Dec. 17, 2019), <https://www.wola.org/analysis/mexico-southern-border-report/>; See: Caitlin Katsiaticas & Areil G. Ruiz Soto, Migrants and Smugglers Get Creative to Circumvent Immigration Enforcement, Migration Information Source, Migration

- Policy Institute (Dec. 8, 2016), <https://www.migrationpolicy.org/article/migrants-and-smugglers-get-creative-circumvent-immigration-enforcement>.
- 234.** Only 8 African countries have consular representations in Mexico. See Maguemati Wabgou. “Aiming for Latin America: African Immigration to Mexico”, 2012. Of the countries discussed in Chapter 4, only Ghana has an embassy in Mexico, which is closed at the time of writing: Secretaría de Relaciones Exteriores, Comunicado Conjunto: Secretaría de Relaciones Exteriores de México y Ministerio de Asuntos Exteriores e Integración Regional de Ghana, Gobierno de México (Aug. 21, 2019), <https://www.gob.mx/sre/prensa/comunicado-conjunto-secretaria-de-relaciones-exteriores-de-mexico-y-ministerio-de-asuntos-exteriores-e-integracion-regional-de-ghana>. INM 2013 Boletín and *Appendix 1, Tables 1 and 3*.
- 235.** Joshua Partlow & Nick Mirroff, Mexico’s Next President Could be on a Collision Course with Trump Over Immigration, *The Washington Post* (Sept. 21, 2018), [https://www.washingtonpost.com/world/the\\_americas/mexicos-next-president-could-be-on-a-collision-course-with-trump-over-immigration/2018/09/21/f3d934ca-b5de-11e8-ae4f-2c1439c96d79\\_story.html](https://www.washingtonpost.com/world/the_americas/mexicos-next-president-could-be-on-a-collision-course-with-trump-over-immigration/2018/09/21/f3d934ca-b5de-11e8-ae4f-2c1439c96d79_story.html); Lydia Arista, México va a hacer su parte con los migrantes centroamericanos: Alejandro Encinas [ Migrant Exodus, Mexico is Going to do its Part with Central American Migrants: Alejandro Encinas], *El Economista* (Nov. 3, 2018), <https://www.economista.com.mx/politica/Mexico-va-a-hacer-su-parte-con-los-migrantes-centroamericanos-Alejandro-Encinas-20181103-0009.html>; Meyer & Isacson, *supra* note 233, at 6; Rodrigo Dominguez-Villegas, Protection and Reintegration: Mexico Reforms Migration agenda in an Increasingly Complex Era, *Migration Policy Institute* (Mar. 7, 2019), <https://www.migrationpolicy.org/article/protection-and-reintegration-mexico-reforms-migration-agenda>.
- 236.** Meyer & Isacson, *supra* note 233, at 6.
- 237.** Meyer & Isacson, *supra* note 233, at 6.
- 238.** Although the Administration took additional measures throughout Mexico, including at the Mexico-U.S. border, this Report outlines the situation in Tapachula in particular.
- 239.** Donald Trump (@realDonaldTrump), Twitter (May 30, 2019, 4:30PM), <https://twitter.com/realdonaldtrump/status/1134240653926232064> “On June 10th, the United States will impose a 5% Tariff on all goods coming into our Country from Mexico, until such time as illegal migrants coming through Mexico, and into our Country, STOP. The Tariff will gradually increase until the Illegal Immigration problem is remedied, ...”
- 240.** Asylum Access, Mexican Asylum System for U.S. Immigration Lawyers FAQ, Asylum Access Mexico (Nov. 2019), <https://asylumaccess.org/wp-content/uploads/2019/11/Mexican-Asylum-FAQ-for-US-Immigration-Lawyers.pdf> (accessed on Aug. 9, 2020); Joint Declaration; Carin Zissis, *LatAm in Focus: Explaining Mexico’s National Guard, AS/COA* (July 17, 2019), <https://www.as-coa.org/articles/latam-focus-explaining-mexicos-national-guard>; Anthony Esposito, Mexico’s New National Guard was Created to Fight Crime, but now It’s in a Face-off with Migrants, *Reuters* (July 7, 2019), <https://www.reuters.com/article/us-usa-immigration-mexico-security/mexicos-new-national-guard-was-created-to-fight-crime-but-now-its-in-a-face-off-with-migrants-idUSKCN1U20HU>; Lorenza Hope, *El Sol de México* (August 21, 2020), <https://www.elsoldemexico.com.mx/analisis/la-gn-como-policia-migratoria-de-trump-5653720.html>.
- 241.** Andres Manuel Lopez Obrador, Plan Nacional de Paz y Seguridad [National Peace and Security Plan] 2018-2024, Lopez Obrador, [https://lopezobrador.org.mx/wp-content/uploads/2018/11/Plan-Nacional-de-Paz-y-Seguridad\\_.pdf](https://lopezobrador.org.mx/wp-content/uploads/2018/11/Plan-Nacional-de-Paz-y-Seguridad_.pdf) (accessed on Aug. 9, 2020); Inigo Guevara Moyano, Mexico’s National Guard: When Police are Not Enough, *Wilson Center* (Jan. 2020), <https://www.wilsoncenter.org/sites/default/files/media/uploads/documents/Mexico%27s%20National%20Guard.pdf> (accessed on Aug. 9, 2020); Elizabeth Melimopoulos, Mexico’s National Guard: What, Who, and When, *Al Jazeera* (June 30, 2019), <https://www.aljazeera.com/news/2019/06/mexico-national-guard-190630095444350.html>. The National Guard began formal operations on June 30, 2019.
- 242.** International Organizations Denounce that Proposed National Guard Model in Mexico Violates International Law, *WOLA* (February 21, 2019), <https://www.wola.org/2019/02/mexico-national-guard-violates-international-law/>; Mexico: Rushed Approval of Public Security Laws is Putting Human Rights at Risk, *Amnesty International* (May 22, 2019), <https://www.amnesty.org/en/latest/news/2019/05/mexico-leyes-de-seguridad-publica-ponen-en-riesgo-derechos-humanos/>; Melimopoulos, *supra* note 241.
- 243.** *WOLA*, *supra* note cclxii; *Amnesty International*, Mexico: Rushed Approval of Public Security Laws is Putting Human Rights at Risk, *Amnesty News* (May 22, 2019), <https://www.amnesty.org/en/latest/news/2019/05/mexico-leyes-de-seguridad-publica-ponen-en-riesgo-derechos-humanos/>; Melimopoulos, *supra* note 241.
- 244.** Clínica Jurídica del Programa Universitario de Derechos Humanos de la UNAM, Análisis sobre la inconstitucionalidad de la Ley de la Guardia Nacional en materia migratoria (June 6, 2019) unpublished memo on file with IMUMI).
- 245.** A total of 31,416 migrants were apprehended at Mexico’s Southern border in July 2019. Maureen Meyer & Adan Isacson, *The “Wall” Before the Wall: Mexico’s Crackdown on Migration at its Southern Border 9*, *WOLA* (Dec. 17, 2019), <https://www.wola.org/analysis/mexico-southern-border-report/#introduction>; the July 2019 statement by IMUMI and others states 23,917. See the Mexican government’s database on migrant apprehensions: Registro e Identidad de Personas, Boletín Mensual de Estadísticas Migratorias 2020, Unidad de Política Migratoria (July 2020), [http://portales.segob.gob.mx/es//PoliticaMigratoria/Boletines\\_Estadisticos](http://portales.segob.gob.mx/es//PoliticaMigratoria/Boletines_Estadisticos) (accessed Aug. 17, 2020).
- 246.** Meyer & Isacson, *supra* note 233, at 17. Regarding the impact of the US-Mexico agreement in June 2019: *WOLA*, 6 Points About the

- U.S.-Mexico Migration Agreement and the Latest Border Apprehension Numbers, WOLA (Sept. 10, 2019), <https://www.wola.org/analysis/migration-agreement-mexico-border-migrant-arrests/>.
247. Maria Verza, Overcrowding, Abuse seen at Mexico Migrant Detention Center, AP News (June 17, 2019), <https://apnews.com/cae4919e5d5d4d6eb280785618dfa865>. ]
248. Carrie Khan, African Migrants Stuck in Mexico Plan to March Toward U.S., NPR (Oct. 7, 2019), <https://www.npr.org/2019/10/07/768032924/african-migrants-stuck-in-mexico-plan-to-march-toward-u-s>.
249. Anna-Catherine Brigida, Death of Ugandan Shows Risks for African Asylum Seekers in Mexico, The New Humanitarian (Feb. 3, 2020), <https://www.thenewhumanitarian.org/news/2020/02/03/African-migrants-Mexico-metering>.
250. Al Jazeera, Two Dead as Migrant Boat Sinks Off Mexico, Al Jazeera (Oct. 12, 2019), <https://www.aljazeera.com/news/2019/10/dead-migrant-boat-sinks-mexico-191012054725447.html>.
251. Homeland Security Department & Executive Office for Immigration Review, Asylum Eligibility and Procedural Modifications, Federal Register (July 16, 2019), <https://www.federalregister.gov/documents/2019/07/16/2019-15246/asylum-eligibility-and-procedural-modifications>.
252. Human Rights First, Asylum Denied, Families Divided: Trump Administration's Illegal Third-Country Transit Ban, Human Rights First (July 2020), <https://www.humanrightsfirst.org/sites/default/files/AsylumDeniedFamiliesDivided.pdf> (accessed on Aug. 9, 2020).
253. CAIR Coalition v. Trump; Spencer S. Hsu, Federal judge strikes down Trump asylum rule targeting Central Americans, The Washington Post (July 1, 2020), [https://www.washingtonpost.com/local/legal-issues/us-judge-strikes-down-trump-asylum-rule-targeting-central-americans/2020/07/01/96e57616-bb4a-11ea-bdaf-a129f921026f\\_story.html](https://www.washingtonpost.com/local/legal-issues/us-judge-strikes-down-trump-asylum-rule-targeting-central-americans/2020/07/01/96e57616-bb4a-11ea-bdaf-a129f921026f_story.html); Katie Shepherd, Federal Court Strikes Down Trump's Asylum Transit Ban in Momentous Victory, American Immigration Council (July 1, 2020), <https://immigrationimpact.com/2020/07/01/asylum-transit-ban-legal-litigation/>.
254. Brigida, *supra* note 249. For more information on metering, see the Robert Strauss Center for International Security and Law's reports: <https://www.strausscenter.org/campi-publications/>.
255. Dara Lind, "The U.S. has Made Migrants at the Border Wait Months to Apply for Asylum. Now the Dam is Breaking." Vox, November 18, 2018, <https://www.vox.com/2018/11/28/18089048/border-asylum-trump-metering-legally-ports>
256. Brigida, *supra* note 249.
257. Brigida, *supra* note 249; Alfredo Corchado, Her Hopes for America Ended in Death, but it Took Black Lives Matter to get her Buried, The Dallas Morning News (June 12, 2020), <https://www.dallasnews.com/news/immigration/2020/06/12/her-hopes-for-america-ended-in-death-and-it-took-black-lives-matter-to-get-her-buried>.
258. Brigida, *supra* note 249.
259. Stephanie Leutert et. al, Metering Update, Robert S. Strauss Center at The University of Texas at Austin and the Center for U.S.- Mexican Studies (USMEX) 1 (May 2020), [https://usmex.ucsd.edu/\\_files/metering-update\\_may-2020.pdf](https://usmex.ucsd.edu/_files/metering-update_may-2020.pdf) (accessed on Aug. 9, 2020).
260. Leutert, *supra* note 259, at 5.
261. Meyer & Isacson, *supra* note 233, at 38; Telephone Interview with Servicio Jesuita de Migrantes [JRS]. Service providers in Tapachula observed that, since late 2019, the INM has stopped issuing *oficios de salida del país* altogether.
262. Voces Meso Americanas, *supra* note 6.
263. Telephone interview with Servicio Jesuita de Migrantes [JRS].
264. Carolina Jimenez, An Invisible Crises: Thousands of African Migrants Are Stranded in Mexico Hoping to Head North, Democracy Now (Sept. 10, 2019), [https://www.democracynow.org/2019/9/10/african\\_migrants\\_mexico\\_transit\\_policy](https://www.democracynow.org/2019/9/10/african_migrants_mexico_transit_policy); Fernanda Hernandez, Racism Without Borders: Experts Share Struggles of Afro and Indigenous Migrants, University Times (Jan. 8, 2020), <https://csulauniversitytimes.com/racism-without-borders/>; Ann Deslades, African Migrants are Trying to Cross North America to Make it to Canada. Trump is Keeping them in Mexico, Insider (October 2, 2019), <https://www.insider.com/african-migrants-us-mexico-border-canada-2019-10>; Sandra Cuff, One Year into 'Remain in Mexico', The U.S. is Enlisting Central America in its Crackdown on Asylum, The Intercept (Jan. 29, 2020), <https://theintercept.com/2020/01/29/remain-in-mexico-year-anniversary-central-america/>; Telephone interview with Servicio Jesuita de Migrantes [JRS].
265. Telephone interview with Servicio Jesuita de Migrantes [JRS].
266. Deslades, *supra* note 264; Voces Meso Americanas, *supra* note 6.
267. *Id.*
268. *Id.*
269. *Id.*

270. Deslades, *supra* note 264.
271. Chloe Lauvergner, African Migrants Trapped in Mexico, *The Observers* (Aug. 27, 2019), <https://observers.france24.com/en/20190826-mexico-african-migrants-trapped-protest-journey>; Mexico News Daily, Migrants' Protest in Chiapas Triggers Confrontations with Security Forces, *Mexico News Daily* (Aug. 23, 2019), <https://mexiconewsdaily.com/news/migrants-protest-in-chiapas-triggers-confrontations/>; Alianza Americas, Africans and Haitians Under Siege Due to New Restrictions on Mobility in Mexico, *Alianza Americas* (Aug. 28, 2019), <https://www.alianzaamericas.org/blog/africans-and-haitians-under-siege-due-to-new-restrictions-on-mobility-in-mexico/?lang=en>.
272. Telephone Interview with Servicio Jesuita de Migrantes [JRS].
273. *Ibid.*
274. *Ibid.*
275. *Voces Meso Americanas*, *supra* note 6.
276. Benjamin Alfaro & Amy Guthrie, Hundreds of Migrants Corralled at Detention Center in Mexico, *AP News* (Oct. 13, 2019), <https://ap-news.com/bc196d02586e4978bc8f236f23d7c046>; Sandra Cuff, Mexican National Guard Blocks U.S.-Bound Migrant Caravan, *Al Jazeera* (Oct. 13, 2019), <https://www.aljazeera.com/news/2019/10/mexican-national-guard-blocks-bound-migrant-caravan-191013185355131.html>.
277. Alfaro, *supra* note 276.
278. Telephone interview with BAJI.
279. Telephone interview with Servicio Jesuita de Migrantes [JRS]; Telephone interview with BAJI.
280. Note: In addition to the above, Mexican authorities may also determine a migrant to be stateless where they have no nationality or it is found to be impossible to verify their nationality (Regulation of Migration Law, arts. 149-151). The governing regulation provides that if a foreign national requests a determination of statelessness, the INM (acting on behalf of the Secretariat of Foreign Affairs) will request an opinion from COMAR. In rendering this opinion, COMAR will conduct at least one interview with the foreign national where it will provide interpretation or translation, if needed, to ensure the migrant understands. The INM is ultimately responsible for exercising its discretion to make determinations of statelessness. Mexico's law on statelessness has been criticized for lacking guidelines that clearly determine what is meant by a "stateless person" or what procedural criteria immigration authorities must consider ( Universidad Iberoamericana, *Apatridia en México: El uso de la protección internacional como instrumento de la política migratoria*, Program de Derechos Humanos, [https://ibero.mx/files/2019/3-pdh2018\\_apatridia.pdf](https://ibero.mx/files/2019/3-pdh2018_apatridia.pdf) (accessed on Aug. 9, 2020).) Migrants are sometimes declared stateless where their country of origin lacks consular representation in Mexico and, therefore, immigration officials are unable to verify their passport or other documentation. Migrants determined to be stateless, along with refugees, asylees, or recipients of complementary protection, are eligible for permanent residency in Mexico at the conclusion of their process (Ley de Migración [Migration Law], LM art. 59).
281. See rights to interpretation/translation and legal representation throughout the process in: Refugee Law, Regulation of the Law on Refugees and Complementary Protection, Migration Law; Regulation of Migration Law.
282. Telephone interview with BAJI; telephone interview with Servicio Jesuita de Migrantes [JRS]. For more information about "firm resettlement" under U.S. law, see: "Mexican Tarjetas de Visitante por Razones Humanitarias and Firm Resettlement: A Practice Advisory for Advocate," <https://imumi.org/attachments/2019/Mexican%20Tarjetas%20de%20Visitante%20por%20Razones%20Humanitarias%20and%20Firm%20Resettlement%20-%20A%20Practice%20Advisory%20for%20Advocates.pdf> (accessed August 19, 2020).
283. Telephone interview with Servicio Jesuita de Migrantes [JRS].
284. Note: Both "Jean" and "Marie" are pseudonyms.
285. Note: All names used in this section are pseudonyms.
286. Institute for Women's Migration (IMUMI), *What is the Institute for Women's Migration (IMUMI)* 9, 2018.
287. Division for the Advancement of Women, Women and International Migration, Department of Economic and Social Affairs, United Nations, [https://www.un.org/en/development/desa/population/migration/events/coordination/3/docs/P01\\_DAW.pdf](https://www.un.org/en/development/desa/population/migration/events/coordination/3/docs/P01_DAW.pdf) (accessed July 23, 2020).
288. Observatorio Genero Y COVID-19 En Mexico, *Mujeres Migrantes [Migrant Women]*, Observatorio Genero Y COVID-19 En Mexico, <https://genero-covid19.gire.org.mx/tema/mujeres-migrantes/> (accessed on July 24, 2020).
289. Telephone interview with Servicio Jesuita de Migrantes [JRS].
290. *Ibid.*
291. *Ibid.*
292. *Ibid.*
293. *Ibid.*

294. Alfredo Pena, First COVID-19 Case Confirmed in Asylum Seeker Camp at U.S.-Mexico Border, TIME (June 30, 2020), <https://time.com/5862084/asylum-seekers-u-s-mexico-border-covid-19/>; Alice Driver, At the U.S.- Mexico Border, Asylum Chaos and Coronavirus Fear, The New Humanitarian (June 22, 2020), <https://www.thenewhumanitarian.org/news/2020/06/22/US-Mexico-border-asylum-chaos-coronavirus-fear>.
295. Driver, supra note 294.
296. Ibid.
297. Julia Ainsley, As COVID-19 Looms, Conditions for Migrants Stalled at U.S. Border are a 'Disaster in the Making', NBC News (May 12, 2020), <https://www.nbcnews.com/politics/immigration/covid-19-loom-conditions-migrants-stalled-u-s-border-are-n1204506>; Observatorio Género Y COVID-19 En Mexico, Migrant Population,, <https://genero-covid19.gire.org.mx/tema/mujeres-migrantes/> (accessed July 24, 2020).
298. Andrea Jiménez, No habrá recursos para migrantes: delegado, Press Reader (May 26, 2020), <https://www.pressreader.com/mexico/la-cronica/20200526/281578062869576>.
299. Leutert, supra note 259, at 2.
300. Observatorio Genero Y COVID-19 En Mexico, Migrant Population,, <https://genero-covid19.gire.org.mx/tema/mujeres-migrantes/> (accessed July 24, 2020).; Carlos Mari, Coronavirus jaque a migrantes en Mexico, Inter Press Service (May 6, 2020), <http://www.ipsnoticias.net/2020/05/coronavirus-pone-jaque-migrantes-mexico/>.
301. Pierre-Marc Rene, Death Threats Drive Refugees to Flee Coronavirus Lockdown, UNHCR (Apr. 28, 2020), <https://www.unhcr.org/news/stories/2020/4/5ea713024/death-threats-drive-refugees-flee-coronavirus-lockdown.html>.
302. Diego Carranza Jimenez, Mexico Exceeds 10,000 Deaths From COVID-19 and Reaches More Than 93,400 Infections, AA (June 2, 2020), <https://www.aa.com.tr/es/mundo/m%C3%A9xico-supera-las-10-mil-muertes-por-covid-19-y-alcanza-m%C3%A1s-de-93400-contagios/1861500>.
303. COMAR, Comunicado No. 61/2020 [Release No. 61/2020], Gobierno de México (May 27, 2020), <https://www.gob.mx/comar/articulos/comunicado-no-61-2020>.
304. Asylum Access, Asylum Law in a Pandemic: Interview With an Asylum Access Mexico Lawyer in Tijuana, Asylum Access (Ap. 9, 2020), <https://asylumaccess.org/asylum-law-in-a-pandemic-interview-with-an-asylum-access-mexico-lawyer-in-tijuana/>.
305. Gustavo Palencia, African, Haitian Migrants in Honduras Defy Border Closure in Attempt to Reach U.S., Reuters (June 2, 2020), <https://www.reuters.com/article/us-usa-immigration-honduras/african-haitian-migrants-in-honduras-defy-border-closure-in-attempt-to-reach-us-idUSKBN2392U3>.
306. Ibid. Forbes Staff, Honduras frena caravana de africanos, cubanos y haitianos rumbo a E.U, Forbes Centroamerica (June 3, 2020, 12:24 PM), <https://forbescentroamerica.com/2020/06/03/honduras-frena-caravana-de-africanos-cubanos-y-haitianos-rumbo-a-e-u/>.
307. Jason Pena, Guatemala to Screen New U.S.-Bound Migrant Caravan from Honduras for Coronavirus, Center for Immigration Studies (Mar. 10, 2020), <https://cis.org/Pena/Guatemala-Screen-New-USBound-Migrant-Caravan-Honduras-Coronavirus>; Jason Pena, A Second Migrant Caravan from Honduras Heads North, Center for Immigration Studies (March 13, 2020), <https://cis.org/Pena/Second-Migrant-Caravan-Honduras-Heads-North>.
308. Juan Zamorano, Panamá promueve mejorar condiciones de migrantes en Darién, AP News (Apr. 17, 2020), <https://apnews.com/40c3af252fa520b689f9508ed2cec6a8>.
309. Andres Suárez Jaramillo, Panamá obligó a cientos de migrantes a confinarse en la agreste selva del Darién, France 24 (June 11, 2020, 10:09 PM), <https://www.france24.com/es/20200611-los-mas-vulnerables-panama-migrantes-confinados-darien>.
310. See: IMUMI et. al., Propuestas y Recomendaciones para la Construcción de una Agenda Migratoria y de Asilo en México, <http://pendientesenmigracion.imumi.org/wp-content/uploads/2019/07/Propuestas-y-recomendaciones-para-la-construcci%C3%B3n-de-una-agenda-migratoria-y-de-asilo-en-M%C3%A9xico.pdf>, p. 29 (accessed on August 24, 2020). While it is outside the scope of this Report to engage in legal arguments regarding the validity of immigration detention under international human rights law, please see for example: "Revised Deliberation No. 5 on deprivation of liberty of migrants," UN Working Group on Arbitrary Detention, 7 February 2018, [https://www.ohchr.org/Documents/Issues/Detention/RevisedDeliberation\\_AdvanceEditedVersion.pdf](https://www.ohchr.org/Documents/Issues/Detention/RevisedDeliberation_AdvanceEditedVersion.pdf) (accessed August 24, 2020). Further, while not the focus of this Report, the Authors affirm the arguments made elsewhere that migrants must be released from immigration detention in Mexico in the context of the COVID-19 pandemic. See the ongoing litigation of IMUMI and other civil society organizations regarding Mexico's obligation to release vulnerable migrants from immigration detention and provide health care. See also: Human Rights Watch, "Mexico: Free Detained Migrants Amid Pandemic", April 14, 2020, <https://www.hrw.org/news/2020/04/14/mexico-free-detained-migrants-amid-pandemic> (accessed on August 24, 2020).
311. Ley de Migración [LM], Artículo 111, Diario oficial de la Federación [DOF] 12-07-2018, Última reforma publicada 12-07-2018, (Mex.).
312. Reglamento de la Ley General de los Derechos de Niñas, Niños y Adolescentes, Artículo 111, Diario Oficial de la Federación [DOF]

2-12-2015, Última reforma publicada DOF 2-12-2015, (Mex.); IMUMI, Propuestas y Recomendaciones Para la Construcción de Una Agenda Migratoria y de Asilo en México Ficha #5 [Proposals and Recommendations for the Construction of a Migration and Asylum Agenda in Mexico: File #5], available at: <http://pendientesenmigracion.imumi.org/wp-content/uploads/2019/07/Ficha-6-Eliminar-la-detenci%C3%B3n-de-ni%C3%B1as-ni%C3%B1os-y-adolescentes.pdf> (accessed on August 24, 2020).

**313.** See: IMUMI, Gabriela Díaz Prieto, Familias Centroamericanas Migrantes en México, <http://observatoriocolef.org/wp-content/uploads/2017/11/Familias-centroamericanas-completo-IMUMI-ilovepdf-compressed.pdf>, p. 4 (accessed on 24, 2020).

**314.** For more information, see: Detention Watch Network, “#CommunitiesNotCages”, <https://www.detentionwatchnetwork.org/take-action/communitiesnotcages> (accessed on August 25, 2020).

**315.** Mario González, López Obrador: Se tiene que combatir el racismo sin necesidad de más instituciones, CNN Español (June 18, 2020, 8:54 PM), <https://cnnespanol.cnn.com/video/amlo-conapred-eliminacion-lopez-obrador-consejo-gobernacion-olga-cordero-perspectivas-mexico-cnne-vo-sot/>.

**316.** “Órgano Interno de Control”, Gobierno de México, <http://www.imss.gob.mx/transparencia/oic#:~:text=El%20%C3%93rgano%20Interno%20de%20Control,p%C3%BAblicos%2C%20mediante%20la%20realizaci%C3%B3n%20de> (accessed August 15, 2020).

**317.** United Nations Human Rights Office of the High Commissioner, Standing Invitations, UNHR, <https://spinternet.ohchr.org/StandingInvitations.aspx?lang=en> (accessed on Aug. 8, 2020).

**318.** United Nations Human Rights Office of the High Commissioner, Special Rapporteur on contemporary forms of racism, UNHR, <https://www.ohchr.org/en/issues/racism/srracism/pages/indexsrracism.aspx> (accessed on Aug. 9, 2020); United Nations Human Rights Office of the High Commissioner, Country Visits, UNHR, <https://www.ohchr.org/EN/Issues/Racism/SRRacism/Pages/CountryVisits.aspx> (accessed on Aug. 9, 2020).

**319.** United Nations Human Rights Office of the High Commissioner, View Country visits of Special Procedures of the Human Rights Council since 1998, UNHR, <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&country=MEX&Lang=en> (accessed on Aug. 9, 2020).



