Spring 5-15-2020

A Migration System in the Making: Institutional and Experiential Dynamics of Refugees and Asylum-Seekers in Mexico

Melissa Balliet
University of San Francisco, mballiet@dons.usfca.edu

A Migration System in the Making:
Institutional and Experiential Dynamics of Refugees and Asylum-Seekers in Mexico

Master of Arts Thesis

University of San Francisco

By: Melissa Balliet

A MIGRATION SYSTEM IN THE MAKING:
INSTITUTIONAL AND EXPERIENTIAL DYNAMICS OF REFUGEES AND ASYLUM-SEEKERS IN MEXICO

In Partial Fulfillment of the Requirements for the Degree

MASTER OF ARTS

in

INTERNATIONAL STUDIES

by **MELISSA BALLIET**

May 1, 2020

UNIVERSITY OF SAN FRANCISCO

Under the guidance and approval of the committee, and approval by all the members, this thesis project has been accepted in partial fulfillment of the requirements for the degree.

APPROVED:

_____ _____

Capstone Adviser Date

_____ _____

ABSTRACT

This thesis argues that Mexico's refugee regime - its institutions, its legal instruments and its norms - are under serious pressure and, as a result of that pressure, a new refugee regime is emerging in the country. This new refugee regime is based on the notion that the movement of refugees, asylum-seekers and irregular migrants should be effectively managed and strictly controlled. Such pressure, resulting in an aggressive border enforcement strategy implemented by the Mexican state, has come directly from the United States government. New policies and contractual agreements emerging from the United States and Mexico (2018-2019) have made it nearly impossible for Central American refugees to receive asylum status in the United States, leading many to question the capacity of Mexico's refugee institutions to respond to the needs of the 'migrant caravans' in accordance with human rights principles.

Through an in-depth analysis of the institutional framework addressing the needs of refugees in Mexico as well as interviews with refugees and asylum-seekers in Tijuana, Mexico, this thesis examines and responds to growing concerns regarding the capacity of the Mexican state to address migratory crises. Rather than justify the expansion of developing states' refugee institutions, the main contribution of this thesis is to problematize this expansion under pressure from wealthy, developed states like the United States.

TABLE OF CONTENTS

LIST OF FIGURES

ACKNOWLEDGEMENTS

I would like to thank my family - Mom, Dad, Sammi and Agung - my best friend, Kathryn, and my biggest supporter and partner in life, Tony, for being essential players in the completion of this project. Without your love, words of encouragement and wisdom it is questionable whether this thesis would have reached fruition. Thank you from the bottom of my heart.

MAIS, thank you for the magical journey. You have opened my eyes to a whole new world of social justice and interconnectedness and for that I am grateful.

I would also like to send my warmest regards and gratitude to my classmates from around the world. I hold your diverse histories and personal stories of perseverance close to my heart.

Finally, I must thank my research participants. You inspire me more than you know.

> *Mil gracias a todos mis participantes en Tijuana. Me inspiran más de lo que saben. Sigue sonriendo y sigue luchando.*

1. Introduction

Mexico is currently experiencing a refugee crisis, particularly acute in the northern border of the country. This crisis developed over the past several years as forced migration from Central America intensified without the Mexican state strengthening its asylum institutions, in combination with increasingly punitive measures against asylum-seekers emerging from the U.S. government. The manifestation of this crisis is most clear in what have come to be known as 'migrant caravans,' many of which have left Central America each year since 2018. In Mexico, the vast majority of refugees come from Central America but there are also smaller populations of Africans, Colombians and other international irregular migrants. According to the country of origin, the factors that are forcing people to flee are various: poverty, political instability and authoritarian government, mass human rights violations, entrenched systems of corruption and organized crime. These factors are far from being resolved in most of the refugee-producing countries.

Reaching Mexico's northern border in order to apply for asylum in the United States has become more difficult for refugees as a result of Mexico's draconian, deterrence-driven border enforcement strategies. Additionally, asylum policy under the D. Trump Administration (2016-current) has made it significantly more challenging for asylum-seekers to access protection under refugee status in the United States. As a result of these binational factors, the number of refugees staying in Mexico has risen rapidly. According to the United Nations, there has been over a 3,500% increase in asylum applications in Mexico over the past seven years, with approximately 80,000 applications in 2019, compared to 30,000 in 2018 and 1,300 in 2013[1] (see Figure 2). This

[1] BBC. 'Mexico under pressure as asylum applications skyrocket.' *BBC*, 15 October 2019, https://www.bbc.com/news/world-latin-america-50040477 (Accessed 12 November 2019); COMAR, https://www.gob.mx/comar (Accessed 2 March 2020).

surge in protection needs undoubtedly presents a large policy challenge for the Mexican government. Throughout its history, Mexico has not had a legitimate reception system let alone a program for refugee integration, despite the substantial flows of refugees it experienced in the late 20th century. The state's refugee institutions have remarkably low budgets which do not allow them to fulfill their basic responsibility, which is to provide protection for refugees in line with international, regional and domestic laws.

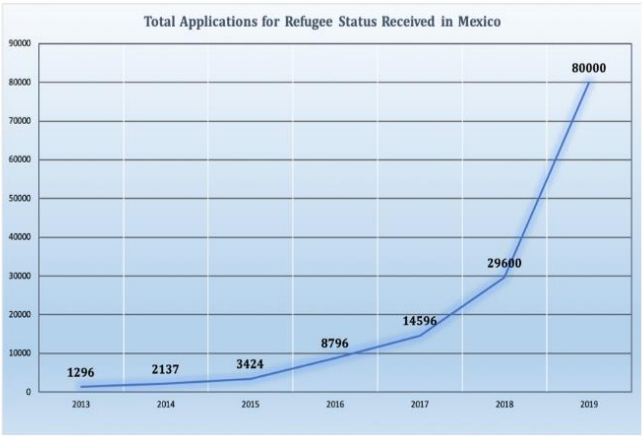


Figure 2. COMAR website (https://www.gob.mx/comar)

Because the number of migrants with international protection needs will not decrease in the near future and the asylum policies developed by the U.S. and Mexican governments continue to reflect a restrictive and xenophobic propensity, the pressure on Mexico to recognize and provide protection to refugees in its country will continue to grow at an alarming rate. Under these conditions, if the state does not take aggressive measures to significantly expand the response capacity of its refugee institutions, Mexico will likely face an institutional collapse in the short term and refugee-based humanitarian crisis in the long term.

Within this contextual background, a number of research questions come into view. First, to what degree is Mexico poised to receive and accommodate the increasing number of refugees

who are seeking asylum there? Second, how has Mexico responded to the mass migration flows while simultaneously working to maintain healthy relations with its northern neighbor? And finally, how does Mexico's capacity to process and provide services to the growing number of refugees within its borders affect refugees' experiences?

The main contribution of the thesis should not be confused; it is not to support the expansion of developing states' refugee programs while wealthy states attempt to avoid their fair share of the burden. Rather, it is to problematize and examine this expansion under the pressure from powerful, developed states like the United States. This thesis does not dwell on Mexico's responsibility in providing protection for Central American refugees - despite its undoubted importance - but instead highlights the increasing burden placed on developing, middle-income countries like Mexico to shoulder the obstacles refugees present.

The findings of my research demonstrate that Mexico does not have the capacity to protect the rights of refugees and asylum-seekers in its country; most migrants are wary of Mexico as an option for resettlement despite growth in applications for asylum; civil society and church-based groups are operating in the absence of the Mexican state by offering basic needs to migrants in waiting. Furthermore, it is clear that Mexico has been forced into a game of keeping the Unites States placated and satisfying the Trump administration, resulting in mass violations of refugee rights. Jointly, these dynamics speak to the influence and consequences of superpowers in shaping global attitudes, behavior and policies.

In the next section, I review the literature surrounding refugee studies, including concepts such as liminality, international refugee law, resettlement as a durable solution and obligations of states. I also review the literature surrounding theological studies of migration. emphasizing the

role of church-based migrant shelters in the experiences of refugees and asylum-seekers in Mexico as well as teachings in the Catholic Social Tradition.

2. Literature Review

2.1 Refugee Protection

Although Latin American countries have a long tradition of providing asylum and refugee protection (Grandi 2017; Lavanchy 2006), Mexico's current system has fallen short in its legal responsibility to provide protection for the thousands of Central American refugees who have increasingly crossed its southern border over the past couple of years. While Mexico does have experience responding to migrant flows as a result of regional conflicts in the late 20th century that caused massive surges of war refugees to enter Mexico, it is considered an emergent asylum country as it's programs and policies are still in formation (Jubilut and Caneiro 2011). In fact, the terrain of Mexican asylum law is shifting under our feet in this moment.

There is a renewed interest in emergent host countries as the number of refugees worldwide continues to grow – at the beginning of 2019 there were approximately 1.4 million refugees in need of resettlement (UNHCR 2019) – and additional options beyond the traditional durable solutions are strongly needed. Moreover, the promotion of third country resettlement as a durable solution is one of the primary objectives of the recent Global Compact on Refugees and is therefore increasingly regarded as the best solution for refugees who are unable to repatriate or locally integrate. This renewed interest calls for an examination and analysis of the ways in which refugee protection has been achieved, implemented, and experienced by refugees themselves. This thesis attempt to do so for the case of Mexico.

Although plenty of research has been conducted on Mexico as a sending country for migrants, there has been little research published in the scholarly literature that considers Mexico as a potential country of refugee integration and resettlement (Barichello 2016). The existing

literature surrounding Mexico and migration is largely centered around illegal and legal migration from Mexico to the United States (Délano 2011; Massey 1997; Winters 2001). Therefore, most of the literature on this topic analyzes key indicators that cause Mexicans to emigrate to the United States, as well as the effects of migration (effects on heath, policy, education, etc.). Furthermore, the broader literature on refugee resettlement countries generally pertains to developed states in the Global North (Lanphier 1983; Simich 200; Parsons 2005). Developing countries are primarily classified as countries of flight, not as countries of resettlement.

The political marginality of refugees and asylum-seekers often means that governments can implement rapid changes in policy – in either negative or positive manners – with impunity. It is worthy to note that these changes, which are made at the bureaucratic level, inherently influence the experiences of refugees on the ground in significant ways. Therefore, the 'refugee studies' literature reflects the dynamic nature of refugeehood and highlights the variation in resettlement strategies and models, from emphasizing techniques of intake to economic protections to cultural and social adaption strategies (Lanphier 1983; Jacobson 1996; Espinoza 2018). Unfortunately, restrictive migration control policies are increasingly the primary response of the developed world to rising numbers of asylum-seekers and refugees. This has led to the emergence of a "distorted refugee regime," both in the United States and globally, that is "driven by principles of deterrence and security rather than the protection of human rights" (Gammeltoft-Hansen and Tan 2017). Many refugees, including those involved in this study, continue to face obstacles that are inherent to irregular migration (e.g. risk of exploitation, physical violence, dangerous border crossings). However, they also continue to experience state-made challenges, such as government corruption and advanced migration controls. Due to this combination of

state-made and intrinsic challenges, refugees are increasingly being denied access to asylum as developed states begin to shift the flow of asylum-seekers to neighboring countries.

This thesis aims to fill a gap in the literature by broadening the scope of 'resettlement studies' through problematizing conceptions about which countries qualify as potential places of refugee resettlement. Irregular migration flows – as seen in the cases of the European refugee crisis in 2015 and the Central American migrant caravans in 2018 and 2019 – are likely to become more frequent in the coming years as the result of climate change, the neo-liberalization of trade and capital flows, political instability in the Global South, the global escalation of ethnic conflict and civil wars, and looming financial crises. Furthermore, Mexico's geographical position makes it a country with complex displacement and migration flows driven by regional instability and underdevelopment.

In response to these powerful dynamics, this thesis highlights the increasing burden placed on developing, middle-income countries like Mexico, to shoulder the burden of refugees and asylum-seekers in the place of wealthy Northern states. However, the existing literature demonstrates that an increasing number of refugees in need of protection see Mexico as a destination country, not only a transit country, and the trend is likely to continue. More people, mostly from Central America, are displaying interest in remaining in Mexico and fully integrating in the country, regardless of their desire and worry.

2.1.1. The Responsibility to Protect Refugees in Latin America

When governments fail to guarantee the basic rights and physical security of their citizens, those citizens become refugees who are forced to seek protection from a state other than

their own (Kneebone 2014). Refugees are vulnerable; they are living in the absence of a safety net that is generally granted by governments. International human rights law and regional, as well as national, policies regarding the rights of refugees were developed to ensure the protection of refugees in the face of persecution.

Although many countries in Latin America have only recently emerged as resettlement countries, several scholars identify the Cartagena Declaration of 1984 and the subsequent Mexico Plan of Action of 2004 as significant developments in the area of refugee protection (Barichello 2016; Espinoza 2018; Spindler 2005). While the Cartagena Declaration, a regional refugee convention in Latin America, expanded the 1951 United Nations Convention definition of a refugee to include those fleeing generalized violence, gender-based violence and more, the Mexico Plan of Action was created in response to the humanitarian crisis in Colombia and served to protect Colombian refugees through responsibility-sharing and solidarity-building (Barichello 2016, 191). Although originally implemented in a different geographic and historical context, the Plan's mandate is to ensure protection and provide durable solutions for all refugees in Latin America, and will therefore serve as an important tool for examining the ways in which refugees and asylum seekers experience Mexico's current system.

The 'refugee protection' body of literature is rather varied in nature: while Jacobsen (1996) and Brysk (2018) offer legal and political approaches to understanding refugee protection on the global scale, Barichello (2016) analyzes refugee protection through notions of solidarity and responsibility within the Latin American context and Kneebone (2014) takes a critical approach and suggests that refugee protection is increasingly under threat as there are gaps and inconsistencies in practice. Kneebone (2014) also examines the ways in which refugee identity is shaped by and responds to the regime of refugee protection, which will become increasingly

important in my analysis of the experiential dynamics of refugeehood in Mexico. These scholars present refugee protection through critical, social and legal lenses, availing their work to be applied to various cases.

2.1.2. Resettlement as a Durable Solution

Refugee resettlement, officially known as 'third country resettlement' and often times referred to as 'permanent resettlement,' is one of the fundamental principles of the 1951 United Nations Refugee Convention as it is listed as one of three durable solutions. The United Nations High Commissioner for Refugees (UNHCR) defines resettlement as:

> the selection and transfer of refugees from a State in which they have sought protection to a third State that has agreed to admit them - as refugees - with permanent residence status.

According to UNHCR's guidelines, the status provided by the resettlement country must ensure a multitude of assurances to the refugee and his/her family or dependents. They include protections against *refoulement* – or return to a country in which the refugee faced persecution - and providing access to civil, political, economic, social and cultural rights aligned with those held by nationals. This status also carries with it the opportunity to become a naturalized citizen of the resettlement country in the future. Official resettlement countries have established refugee resettlement programs and are expected to accept a certain number of submissions from UNHCR each year.

"Governments have the essential role of establishing and maintaining effective

resettlement programs, including services and support to assist resettled refugees to integrate into their new communities" (UNHCR).

There are other countries that do receive refugee applications but do not have an established resettlement program. These countries, such as Mexico, resettle refugees on an ad hoc basis.

In "The Limits and Opportunities of Regional Solidarity: Exploring Refugee Resettlement in Brazil and Chile," Marcia Vera Espinoza analyzes how the notion of solidarity is understood in the context of refugee resettlement in Latin America. The author assesses refugee resettlement as an instrument of not only international but also regional cooperation. She analyzes successes and failures of refugee resettlement in relation to refugees' residency status and access to rights in the host country. Espinoza's regional approach to refugee resettlement offers a helpful model for analyzing the case of refugees in Mexico as she elaborates on the need for capacity building and calls for a reexamination of the essential relationship between refugees and the state. Espinoza concludes in her article that viewing "resettlement in Latin America through the lens of solidarity contributes to the regional and global discussions on refugee resettlement, its impacts, and the power imbalances in resettlement as humanitarian governance" (Espinoza 2018, 93).

2.2 Theology of Migration: The role of church-based organizations

For more than 100 years, the Catholic Church has partnered with local dioceses and parishes, clergy, and various faith-based organizations to offer direct pastoral and humanitarian care to migrants along the United States-Mexico border. Church-based civil society organizations have established themselves as the primary caretakers for migrants traversing

Mexico in the face of government indifference and even hostility. In the case of Tijuana, church-based migrant shelters have largely taken the place of the state by providing shelter and humanitarian aid to refugees and asylum seekers who find themselves in Mexico for protracted periods of time.

The Catholic Church has well established social teachings on immigration. An essential principle in Catholic Social Teaching is that people have the right to migrate in order to preserve their livelihoods and those of their dependents (*Rerum Novarum* 1891). Both the Old and New Testaments depict compelling accounts of refugees forced to flee due to persecution. For example, in the Old Testament, there is the story of the Hebrews who were slaves in Egypt. According to the text, God's intervention allowed the Hebrews to escape, but they wandered in the desert without a home for forty years. Finally, God settled them in their new homeland of Israel. The 'Israelites' experience of living as homeless refugees led God to command of his people to love and care for the stranger:

> You shall treat the alien who resides with you no differently than the natives born among you; have the same love for him as for yourself; for you too were once aliens. (Leviticus 19:33-34)

At the onset of the New Testament, Jesus reiterates the notion of welcoming the stranger:

> For I was hungry and you gave me food, I was thirsty and you gave me drink, a stranger and you welcomed me. (Matthew 25:35)

Findings from Pew Research Center show that the majority of the world's migrants are Christian, with most Central American refugees being part of this group. Religion is often not taken into consideration in the 'refugee studies' literature, but in *Toward a Theology of*

Migration: Social Justice and Religious Experience, Gemma Tulud Cruz combines for the first time the insights of personal experiences of migrants and questions about religion to offer a systematic articulation of a theology of migration. Cruz looks at how migrants draw on religious practices, cultural resources and their own spirituality to find hope, perseverance and community in their process of leaving home, crossing borders and resettling in a new place. Cruz's main contribution to the existing literature on theology and migration is her challenge to the church to see the migrant not as a threatening outsider or an object of charity, but as a revitalization of the church itself. In other words, Cruz calls on the church to be a "church of the stranger," which means engaging with new and different peoples, cultures and traditions (92). Cruz argues that the church can learn such an ethic from migrants who know what it means to be a stranger on the move. Cruz goes further by encouraging churches in communities with migrant populations to embrace a theology grounded in human movement – they should welcome new ways of being a church informed by the practices and experiences of migrants:

> To be a church of the migrant would, in turn, change how a church is for and with the migrant (Allard 2015, 327).

One of the principle ways in which the church manifests itself in the migrant experience in Mexico is through the migrant shelter network that has developed throughout the country over the last couple of decades. The role of church-based migrant shelters and their influence on the trajectories of migrants in Mexico has been little studied, as the focus of academics and other interlocutors in this field has largely been on the dangers migrants face in Mexico at the hands of state authorities and criminal organizations (Boxes 2008; Dudley 2012; Kuhner 2011; Arriola Vega 2009; Bustamente 2011).

3. Methodology and Research Design

3.1 Research Design

The purpose of this study is to produce a better understanding of how the capacity of the Mexican government in responding to increased migration flows has affected the lived experiences of refugees in Mexico. Because the research is interested in both the institutional and the experiential dynamics of the emerging refugee regime in Mexico, the design of my study reflects these two elements. In order to obtain insights into the various dynamics that shape the experiences of refugees living in Mexico, my research was carried out as a brief ethnographic study which included informal and formal interviews and participant observation. Due to the political sensitivity of the topic and the oftentimes vulnerable legal status of the interviewees, formal interviews with migrants were difficult to conduct. Thus, as a natural result of the nature of the project and ethical concerns on participant protection, informal interviews and participant observation were the most effective approaches to gathering data regarding the experiential dynamics of refugeehood in Mexico. An additional precaution that was taken during the writing process regarding ethical concerns on participant protection was the use of pseudonyms for all interviewees, migrant shelters and the organizations among which I conducted my fieldwork.

While the primary population of the study was refugees and asylum-seekers living in migrant shelters in Tijuana, interviews were also conducted with two shelter directors, a shelter employee, a Mexican consular official with experience in the international refugee regime and a professor of migration studies at a local university. Gathering data from individuals of various fields and backgrounds allowed me to include a diverse set of worldviews in my analysis. The fieldwork was carried out in two periods. The first period was July 1, 2019 to August 1, 2019.

The second visit was December 4, 2019 to December 6, 2019. The institutional capacity of the Mexican state was largely analyzed using data gathered from library and online research.

3.2 The Fieldsite

My fieldwork took place in Tijuana, Baja California, Mexico, commonly known amongst Tijuanenses as "the corner of Latin America," and was based out of the local NGO, Ayudantes Migrantes (in English, Migrant Helpers). Migrant Helpers is a non-profit organization headquartered in San Diego with a regional office in Tijuana. It is focused on migrant rights, immigrant reform and more specifically, providing humanitarian assistance to migrants in Tijuana. The mission of the organization is to humanize the situation at the border thorough research, advocacy and community engagement.

Migrant Helpers works to serve the immigrant population within the larger San Diego—Tijuana area through various outreach initiatives and pro bono legal services. One of Migrant Helpers' most well-known programs is the Water Drop. The bi-weekly Water Drop consists of a group of volunteers driving to a remote desert area near the United States-Mexico border and hiking in order to leave gallons of water and other basic supplies for migrants to discover during their journey. As an intern, I had the opportunity to collaborate with Migrant Helpers staff on this project as well as several others, allowing me to gain a unique perspective on the impact civil society organizations have on the lives of migrants in the San Diego—Tijuana area.

Migrant Helpers' Caravan of Love initiative was central in my research. The Caravans are designed to bring donations collected in San Diego across the international border and distribute them to the migrant shelters scattered throughout Tijuana. As a Migrant Helpers intern,

I had access to refugees and asylum-seekers residing in Tijuana's migrant shelters. Due to the intense security measures surrounding the privacy of the migrant shelter network within Tijuana,

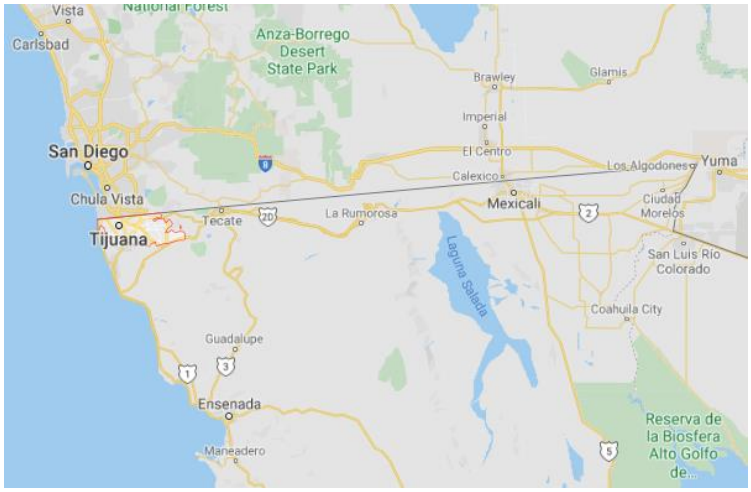


Figure 1. Google Maps, Accessed March 12, 2020

it would have been nearly impossible to access these populations, let alone find the shelters at all. Additionally, arriving at the shelters with the Migrant Helpers Tijuana director – an established interlocutor within Tijuana's migrant services community – and other representatives of the organization, allowed me to interact with the shelter residents with ease and humility. My affiliation with the director helped to establish initial trust between myself and migrants in the shelters.

As an obvious member of the Migrant Helpers team, I also acknowledge that my perceived affiliation with the organization had the potential to influence interviewees' decision-making in terms of how they formed their responses during our conversations. Nonetheless, Migrant Helpers' relentless fight for more than 30 years in resisting the inhumane treatment of migrants along the United States-Mexico border has led to overall positive relations between the organization and the populations it seeks to help.

3.3 Methodology

Because one of the main goals of the study is to better understand the institutional capacity of the Mexican state through migrants' own perspectives, my research utilized a participatory methodology. This particular methodology constitutes a form of social research that aims to transfer power from the researcher to the research participant by not only discussing challenges they may be experiencing or have experienced in the past, but also inviting a conversation around possible solutions to those issues. In this way, the research participants played important roles in generating the data for my study and in determining how it was framed in the final analysis. Due to the severe marginalization faced by irregular migrants in Tijuana – the primary research participants of my study – their voices are largely absent in public forums and powerful circles. Therefore, this methodology is especially impactful in its ability to generate data on these perspectives and bring them into policy processes and other spheres of influence.

My research follows a deductive logic which is founded in established concepts and pre-existing knowledge about refugees in Mexico: develop a hypothesis, determine what data to collect and what it means, generate discussion points and interview questions and anticipate potential answers. When writing my interview guides I was careful in considering the theories from the scholarly literature that inform my work, especially the concept of liminality. 'Liminality' – originally developed by anthropologist Arnold Van Gennep (1909) and introduced to refugee studies by Lisa Malkki (1995) in her analysis of Hutu refugees in Tanzania – refers to an in-between period, a state of ambiguity and anonymity, a sense of disorientation due to dissolution of identity, often with a sudden break down of agency. Refugees and asylum-seekers

are increasingly subjected to the aforementioned forces of liminality and their lived experiences are manifestations of these forces in action. Due to the security-driven and unpredictable nature of immigration policy under the Trump administration, thousands of migrants have been stranded at Mexico's northern border, unsure of what will come next. Keeping this in mind, I drafted interview questions and discussion points prior to entering the field that took into account the impact of living in a state of liminality, using language like "in the case of / would you / thus far / do you expect / if not" (see Appendix A). In addition to the concept of 'liminality' from the scholarly literature, media and news content and policies emerging from the U.S. and Mexican governments were also important sources of existing knowledge on my topic due to the fact that the phenomenon was unfolding on the ground throughout the research process.

Although my study follows a deductive logic, I was able to establish a more grounded conceptualization of refugeehood in Mexico through the data I collected from refugees themselves, demonstrating the use of inductive reasoning as well. By considering the participants' perceptions of some of my major concepts (e.g. refugee reception, state capacity of Mexico), I was able to develop new understandings of those concepts that come much closer to their lived realities and worldviews.

3.4 Research Methods

The primary research methods for my study were participant observation along with semi-structured and informal interviews. I completed nine interviews in Tijuana: six of them were with asylum-seekers and refugees, two were with the directors of the migrant shelters I visited, and one was with was a shelter employee. I conducted two additional interviews outside

of the fieldsite: one with a Mexican consular official who has experience working at the United Nations High Commissioner for Refugees (UNHCR) and the other with a prominent Mexican academic of migration and political sociology. These interviews were more formal in nature while all the interviews conducted in the field were semi-structured or informal.

Semi-structured interviews present the benefit of having specified questions (see Appendix A), while also maintaining room for the interviewee to elaborate if they wish. The researcher is provided with a more in-depth perspective compared to highly structured interviews or surveys. In some cases, the information provided by the interviewees led me to new questions which I was able to ask due to the flexible format of the interview.

Before returning to Tijuana for my second round of research, it was clear that I would need to use a translator. This short round of research was not done in partnership with Migrant Helpers, and therefore I would not be surrounded by bilingual speakers like I was during my first trip; I needed to find someone in advance to accompany me and provide translating services. It was crucial that I carefully consider the characteristics of the translator, so I put a lot of thought into who this individual could be. In order to have productive and efficient interviews with the research participants, I knew my translator should be someone well-versed in Spanish, preferably a native speaker from one of the relevant regions (Mexico or Central America). This was a key component because I knew that the majority of the research participants would be Spanish speakers who come from impoverished backgrounds, oftentimes with little or no education, and therefore speak in a manner that includes slang and other jargon that make it extremely difficult for a non-native Spanish speaker, like myself, to understand. I eventually decided to reach out to a friend who was born and raised in Guatemala and fortunately, he was able and willing to work with me on this project.

Beyond the ethnographically driven research I conducted in Tijuana through interviews and participant observation, analysis of secondary sources was also an important component of the project. While observations and interviews in the field helped to shed light on the experiential dynamics of refugees and asylum-seekers in Mexico, secondary sources including reports and articles were also analyzed. The websites of institutions such as COMAR and UNHCR were also essential sources of information for the institutional analysis portion of the research.

3.5 Limitations

There are a number of limitations that are important to mention when laying out my research design. The main limitations of my study are the small sample size (n=11) and short time spent in the field (four weeks). Due to limited resources and time, as well as distance and security issues in Tijuana, sample size and time spent in the field were not ideal. Time and resource constraints had a negative effect on the quality of research I could conduct in the field, as four weeks of fieldwork does not constitute a comprehensive study. Additional time spent in Tijuana could have proven especially impactful, as I could have delved deeper into the local culture and knowledge, conducted more interviews, and therefore produced a more well-rounded, well-informed analysis.

Other limitations were the lack of neutrality and randomness in the participant selection. It is worth noting that, at times, I was directed by the shelter directors towards the migrants with whom I could speak. Therefore, I acknowledge the population sampling in these cases was not undertaken randomly, as the participant selection was heavily influenced by an individual in a position of authority. It is difficult to ascertain whether or not the participants were selected on

the grounds of a particular bias on behalf of the directors, or if they were chosen because of their strength as possible key informants. Two of the migrant interviewees, though, I had met and spoken with in the course of one of Migrant Helpers' Caravans of Love. With the abundance of bilingual Spanish-English speakers available during the Caravan, I was easily able to find a translator in that moment to help me converse with these two migrants. Reliance on translators poses both limitations and opportunities for researchers who do not have proficiency in the target language, as it opens up access to linguistic data that might otherwise remain inaccessible and allows participants to speak in the linguistic register in which they feel comfortable. However, it also introduces potential issues of incorrect or incomplete translations that the researcher must rely on.

Throughout the research and writing process, the provisions for refugees and asylum seekers in Mexico were being extensively reviewed and reorganized, with new policies rolling out and new contractual agreements being tested. This also created challenges for the study.

Another limitation was the lack of privacy during the interviews with the migrants. These interviews took place in common areas at the shelters that were open to all the shelter's inhabitants. It is possible that an interviewee may have felt conflicted to truthfully answer questions regarding quality of life at the shelter or services offered by the shelter, which were essential points of inquiry as they touched on the role of civil society in the absence of state-provided protection.

In the next section, the historical and contextual background of Mexico regarding migration, refugees and asylum will be laid out. The section begins with a look at the history of migration into and through Mexico, examining various migratory flows from the 1970s until present day, and the Mexican state's response to said flows. It then outlines the existing legal

framework that exists in Mexico in relation to the treatment of refugees and other irregular migrants. The section concludes with a description of the 2018-2019 ‘migrant caravans’ in order to situate the remainder of the thesis in its proper contextual background.

4. Background

Due to its geographical location and border with the United States, Mexico is a country where various migratory flows are combined: return of migrants, transit of irregular migrants, emigration (i.e. Mexicans leaving Mexico), and more recently, a final destination for migrants. While Mexico indeed produces a number of its own immigrants and is heavily impacted by the return of Mexican migrants (mostly from the U.S.), this thesis focuses on the experiences of irregular migrants - refugees in particular - in transit through Mexico and problematizes an emerging notion that designates Mexico as a plausible resettlement country. At present, these factors largely dominate the national context in Mexico surrounding migration, generating a diverse set of challenges for Mexican authorities at the federal, state and municipal levels, as well as civil society and international organizations working in the country. While competing geopolitical pressures have forced Mexico into a phase of gamesmanship between its southern and northern neighbors, refugees have been caught in the middle.

Irregular migratory flow from Central America into Mexico is a phenomenon which took root in the late 20th century and has maintained its influence in the 21st century despite major changes in its composition and characteristics over time. While 20th century emigration from this region was shaped by political instability, civil wars and poor economies, 21st century emigration from this region has been shaped by a combination of dynamics associated with globalization, organized crime and climate change.

The region exhibits three distinct emigration periods. The first wave, and one of the most major, was from the 1970s to the 1990s. This period saw waves of Central American refugees fleeing their countries due to conflict-related dynamics including military dictatorships, civil wars and political repression. Most of the migrants that sought refuge in Mexico during this

period were from Honduras, El Salvador and Guatemala. When a mass exodus of war refugees fled the Northern Triangle[2] into southern Mexico in the 1980s, the Ministry of the Interior responded with the establishment of a permanent body mandated with attending to the needs of Central American refugees. They called this new governmental institution the Mexican Commission for Refugee Assistance, more commonly known as COMAR, its Spanish acronym (COMAR continues to be the principle governing body in Mexico addressing refugee-related issues). With the help of the United Nations Refugee Agency, COMAR set up refugee camps and reception centers, developed integration programs, established self-sufficiency projects through agriculture and other income-generating activities, and provided protection to the estimated 250,000 Central American refugees who sought refuge in Mexico in the 1980s.[3]

The second wave occurred in the context of the post-civil war transition and integration into the global economy through neo-liberalization and capitalization. With the end of internal conflicts in Guatemala, Honduras and El Salvador in the 1990s, the flow of refugees from these countries came to a slow stop. In their place came economic migrants trying to escape the deep poverty that continued to afflict their countries. During this wave, economic rationale was the main driver for immigration to the United States; it was a rationale based partially on economic necessity and partially on demand for cheap, foreign labor. This trend dominated the migratory landscape in the region for nearly two decades. These economic migrants used Mexico solely as a path to the United States, with no intent to seek permanent residency in Mexico, ask for protection from its authorities or remain within its borders. Large-scale natural disasters

[2] The Northern Triangle refers to three Central American countries: Guatemala, Honduras and El Salvador

[3] Estimates for this number vary. This figure is based on estimates prepared by the UNHCR in Mexico City, Mexican government officials and COMAR, as well as non-governmental agencies working directly with refugees and Catholic relief organizations. See for example Church World Service, 1983; ACLU, 1983; U.S. Committee on Refugees 'World Refugee Survey,' 1983. It is likely that the true number is much higher.

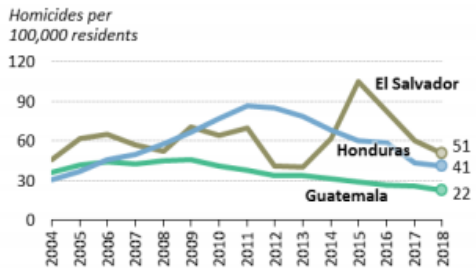
including Hurricane Mitch (1998) which tremendously affected Honduras and the 2001 earthquake in El Salvador triggered further emigration from Central America to the United States.

The final and current wave is shaped by continued demand for foreign labor, poorly performing economies and widespread poverty, and violence and insecurity resulting from the activities of powerful criminal organizations. The latter has garnered significant attention in recent years. Since 2010, the Northern Triangle has experienced significant shifts regarding insecurity and violence. In each of the countries, domestic insecurity including corruption- and gang-related violence increased rapidly from 2010 to 2015, resulting in thorough concerns

Figure 1. Northern Triangle of Central America

Source: Map Resources. Adapted by CRS.

Figure 3. Homicide Rates in the Northern Triangle



Sources: Fundación Salvadoreña para el Desarrollo Económico y Social and Insight Crime (El Salvador); Diálogos (Guatemala); and Observatorio de la Violencia (Honduras).

regarding the livelihoods of people living there. Hundreds of thousands of Central Americans left their countries and migrated, via Mexico, to the United States[4] during this period, including the surge of unaccompanied minors that arrived at the United States southern border to seek protection in 2014.[5] Although homicide rates in the Northern Triangle have statistically

[4] Between 2013 and 2018, approximately 265,000 people left the Northern Triangle each year, mostly bound for the US (https://fas.org/sgp/crs/row/lF11151.pdf).

[5] *For more information see* Musalo, Karen and Lee, Eunice. Seeking a Rational Approach to a Regional Refugee Crisis: Lessons from the Summer 2014 "Surge" of Central American Women and Children at the US-Mexico Border. Journal on Migration and Human Security, Vol. 5, No. 1 (2017): 137-179.

decreased since 2015 (see Figure 3), they remain extremely high by global standards. Criminal gangs in El Salvador, Honduras and to a lesser extent, Guatemala, have all successfully taken advantage of their corrupt and weak states that are unable – or unwilling – to dismantle their power.

Criminal organizations and gangs in all these countries continue in 2020 to exercise territorial control and extort individuals in their respective localities. Violence and insecurity related to gang activity in these countries has been felt at all corners of society, irrespective of age and gender in many cases. The data presented below supports these claims and clearly demonstrates why thousands of Central Americans gathered in 2018 and 2019 in what have come to be known as 'migrant caravans' to make the journey north to the United States:

- According to the 2019 United Nations Global Study on Homicide[6], El Salvador is the most murderous country in the world, with an annual murder rate of 61.8 per 100,000 people; Honduras is no. 3 with a murder rate of 41.7; Guatemala is no. 9 with a murder rate of 26.1. El Salvador has held the no. 1 spot since 2014.
- The criminal gangs in these countries have, over time, developed substantial influence in practically every locality of their respective country, leaving very few communities unaffected. For example, as of late 2018, approximately 60,000 gang members resided in at least 247 out of El Salvador's 262 municipalities.[7]
- In February 2020, Doctors Without Borders published a report[8] based on

[6] United Nations Office on Drugs and Crime. 'Global Study on Homocide: Executive Summary.' https://www.unodc.org/documents/data-and-analysis/gsh/Booklet1.pdf. 2019.
[7] Human Rights Watch. 'World Report 2019: El Salvador (Events of 2018).' 2019, (Accessed 6 February 2020).
[8] Doctors Without Borders. "No Way Out: The Humanitarian Crisis for Migrations and Asylum Seekers Trapped between the United States, Mexico and the Northern Triangle of Central America." February 2020, (Accessed 1 February 2020).

> interviews with 480 Central American refugees and medical data from more than 26,000 migrants helped along the migration route during the first nine months of 2019. The report revealed that 61.9% of interviewees were exposed to a violent situation during the two years prior to leaving their home country and more than 75% of interviewees with children reported leaving home due to violence.

Although motives for emigration vary by individual, many observers conclude that conditions of insecurity driven by criminal gang activity and difficult socioeconomic circumstances are the main drivers of the recent migratory flows, including the 2018-2019 'migrant caravans' (US Congressional Research Service 2019; Bermeo 2018; Doctors Without Borders 2016).

As we have seen, Mexico has historically been the transit corridor to the United States. Irregular migrants from Mexico, Central America and many other countries cross (or attempt to cross) the 3,141-kilometer United States-Mexico border every day, seeking a more prosperous life in the 'land of opportunity.' In fact, the Central America-Mexico-United States migration route is one of the largest in the world, with the UN Refugee Agency estimating that nearly 500,000 people pass through Mexico en route to the United States each year.[9] In 2014, approximately 390,000 migrants transited Mexico, of which nearly 345,000 came from the Northern Triangle of Central America.[10] In 2016, Mexico's migration enforcement agency, the National Institute for Migration (INM), intercepted more than 150,000 Central American migrants, mostly from the Northern Triangle of Central America.[11]

[9] Wollny, Hans. "Asylum policy in Mexico: A Survey." *Journal of Refugee Studies* 4, Issue 3 (1991): 219–236.
[10] Amnesty International. 'Fleeing for Our Lives: Central American Migrant Crisis.' *Amnesty International*, n.d. https://www.amnestyusa.org/fleeing-for-our-lives-central-american-migrant-crisis/, (Accessed 1 December 2019).
[11] National Institute of Migration (INM). 'Que hacemos?' Government of Mexico, https://www.gob.mx/inm/que-hacemos, (Accessed 14 April 2020).

In addition to these migratory flows from Central America, in the last 10 years Mexico has witnessed an increase in extra-continental migrants transiting its territory. These migrants come from Africa, Asia, Europe and South America. According to the INM, in 2016 this population of migrants consisted of nearly 17,000 African migrants - of whom 13,650 came from the Democratic Republic of the Congo - and approximately 5,000 Asian migrants, of whom half came from India.[12] In the same year, approximately 10,000 Haitian migrants transited Mexican territory, with several thousand of them stranded in the northern cities of Tijuana and Mexicali, often in a state of seemingly endless liminality. These extra-continental irregular migrants find themselves in a situation of unique vulnerability in Mexico, as cultural and linguistic differences can be restrictive and overbearing.

Migrants enter Mexico at its border with Guatemala, through the states of Chiapas, Tabasco, Quintana Roo, and Campeche. From there, migrants travel north en route to the United States, via foot, car, truck, bus and/or train. At the end of 2019 there were approximately 140 migrant shelters operating along the migratory routes in Mexico, largely run and owned by churches and civil society organizations.[13] While many of these humanitarian groups have taken measures to tackle issues associated with the risks migrants face in transit through Mexico, hundreds of criminal organizations continue to use the Mexican territory for their illegal and oftentimes ruthless enterprises.

The irregular migrant journey across Mexico is a site of intense violence, exploitation and profit-making as a result of human mobility. According to a survey on aggression and abuse

[12] International Organization for Migration (IOM). 'Strategic Plan for Mexico (2017-2019).' *IOM* (Accessed 25 February 2020).
[13] UN Refugee Agency (UNHCR). 'Fact Sheet: Mexico.' April 2019, http://reporting.unhcr.org/node/22224, (Accessed 27 January 2020).

towards migrants carried out by the Colegio de la Frontera Norte (COLEF) between 2011 and 2012, 41% of migrants from Central American were victims of extortion, 35% were victims of

A mural map of Mexico showing migrant routes, train tracks, shelters, and particularly dangerous areas (Tenosique, Tabasco, Mexico. Photo: Tamara Skubovius. OxfamAmerica.org)

theft, 14% were victims of threat, 8% were victims of physical aggression and 3% were victims of kidnapping perpetrated by criminal organizations, civilians, police and other authorities.[14] At a more alarming rate, the Mexican National Human Rights Commission (CNDH) estimates that 20,000 migrants are kidnapped by criminal gangs every year in transit in Mexico.[15] Moreover, CNDH reported that in a six-month period between 2008 and 2009, approximately 10,000 migrants were kidnapped and in the first six months of 2011, nearly 12,000 migrants were kidnapped. Such abductions are lucrative as they can earn criminal gangs in Mexico up to $50 million each year.[16]

[14] International Organization for Migration (IOM). 'Strategic Plan for Mexico (2017-2019).' *IOM* (Accessed 25 February 2020).
[15] Anjali, Fleury. 'Fleeing to Mexico for Safety: The Perilous Journey for Migrant Women.' *United Nations University.* 4 May 2015, https://unu.edu/publications/articles/fleeing-to-mexico-for-safety-the-perilous-journey-for-migrant-women.html, (Accessed 17 March 2020).
[16] Salil, Shetty, 'Most Dangerous Journey: What Central American Migrants Face When They Try To Cross The Border.' *Amnesty International,* n.d., https://www.amnestyusa.org/most-dangerous-journey-what-central-american-migrants-face-when-they-try-to-cross-the-border, (Accessed 26 October 2019).

In addition, migrant women and girls are extremely vulnerable to sexual and gender-based violence during migration. According to Amnesty International, 60% of migrant women and girls experience rape while migrating through Mexico, while other data indicate that up to 80% of women experience rape or sexual assault during their journey north.[17] These data clearly illustrate the extreme dangers that migrants face in transit through Mexico.

4.1 The Existing Legal Framework

Mexico acceded to the 1951 Geneva Convention Relating to the Status of Refugees and its 1967 Protocol in 2000. In 2002, the Mexican government began adjudicating asylum claims on its own, a job that the United Nations Refugee Agency (UNHCR) had been doing in the country since 1982. Despite Mexico's extensive historical experience with refugee and asylum-related issues as detailed in the writing above, becoming a signatory to these international bodies of law formalized Mexico's position as a country committed to the protection of refugees and asylum-seekers. According to the 1951 Refugee Convention - the key legal document that forms the basis of the international refugee regime and its legal principles – a "refugee" is a person who:

> is outside their country of nationality or habitual residence; has a well-founded fear of being persecuted because of their race, religion, nationality, membership of a particular social group or political opinion; and is unable or unwilling to avail themself of the protection of that country, or to return there, for fear of persecution. (Article 1A(2)

[17] Anjali, Fleury. 'Fleeing to Mexico for Safety: The Perilous Journey for Migrant Women.' *United Nations University.* 4 May 2015, https://unu.edu/publications/articles/fleeing-to-mexico-for-safety-the-perilous-journey-for-migrant-women.html, (Accessed 17 March 2020).

The core principle of the 1951 Refugee Convention is *non-refoulement*, which asserts that a refugee should not be returned to a country where they face persecution including threats to their life or freedom. This principle is considered a rule of customary international law.[18]

Mexico is also party to the 1984 Cartagena Declaration on Refugees. The 1984 declaration goes beyond the definition of "refugee" that appears in the 1951 Refugee Convention. It expands the definition to include:

> persons who have fled their countries because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order. (UNHCR, Cartagena Declaration on Refugees, conclusion no. 3)

Concerning the case of Central American refugees, the addition of 'generalized violence' as a legitimate condition for refugee status in Mexico cannot be understated. Under the 1951 Refugee Convention alone, a large majority of the Central American refugees in Mexico in the 21st century would not qualify for refugee status as they find themselves fleeing, in most cases, not individual persecution based on race, religion, membership of a particular social group, political opinion or nationality – as the United Nations has classified it – but rather gang-related violence resulting in insecure livelihoods in their communities (i.e. generalized violence). Moreover, in 1994 the San Jose Declaration on Refugees and Displaced Persons was drafted in San Jose, Costa Rica, of which Mexico was also a party. In commemoration of the Tenth Anniversary of the Cartagena Declaration on Refugees, Mexico and eight other signatories reiterated the

[18] International customary law can be understood as general practices accepted as law. These customs are usually determined through either the general practice of states or what states have accepted as law. States are typically bound by customary international law regardless of whether they have codified these laws domestically or through treaties.

importance of and reaffirmed their commitment to the Cartagena Declaration through the San Jose Declaration and broadened its scope to extend protection to internally displaced persons (IDPs).

Mexico's Migration Law was adopted in 2011 and entered into force in 2012 with the objective of regulating the entry and exit of Mexicans and foreigners from national territory, which included the transit and settlement of migrants. The law was embedded in a framework of respect and protection of human rights, support for development and preservation of national security and sovereignty. In some ways, this new migration law was the Mexican government's response to the worsening condition of migrants in transit through Mexico, recognizing its obligation to protect the human rights of all migrants within its borders, regardless of their legal status.[19] It also created a formal statelessness determination procedure (SDP) in order to better respond to the thousands of irregular migrants entering the country each year. The SDP allows refugees and other irregular migrants to apply for statelessness status in Mexico and if approved, receive protection from the state. Applications are generally received by the National Migration Institute (INM) which then requests a legal opinion from the Mexican Refugee Commission (COMAR).

Mexico did not have national legislation specifically concerning "refugees" and "asylum-seekers" until another, more influential law was signed into law in late 2011. The Law on Refugees, Complementary Protection and Political Asylum was written with technical support from the UNHCR and incorporated the broader definition of a "refugee" found in the Cartagena Declaration into Mexican legislation. Therefore, refugees can seek protection from the Mexican

[19] The law does not consider migrants' legal status, whether they are solely in transit or see Mexico as their destination, in the determination of the protections they allocate

state – if desired – if their lives had been threatened by generalized violence in their countries of origin. Notably, the Law also established gender as a premise for persecution, making experiences of gender-based violence credible claims for asylum, a rather progressive asylum policy. Importantly, the Law officially incorporated the international customary principle of *non-refoulement* into Mexican legislation, despite Mexico already being a signatory to the 1951 Refugee Convention.

The Law on Refugees, Complementary Protection and Political Asylum (2011) together with the Migration Act (2011) constitute the domestic legal framework governing asylum in Mexico. But, despite efforts made by the Mexican government to establish a solid legal framework with legal norms and public policies for migration management, the ever-changing dynamics of migratory flows entering its territory continue to generate serious challenges at the local and national levels to attend to the needs of irregular migrants in transit through Mexico. As waves of Central American refugees began to flood its borders and overwhelm its institutions in late 2018, the importance of these laws and regulatory frameworks was heightened.

4.2 The Migrant Caravans (2018-2019)

Since mid-October of 2018 several thousand migrants have fled Honduras, El Salvador and Guatemala to form large caravans and travel north towards the United States. Between 13 October 2018 (the day the first caravan left the city of San Pedro Sula, Honduras) and 19 October 2018, at least 9,000 Central American migrants entered Mexican territory at its border with Guatemala as part of the first 'migrant caravan,' of which an estimated 2,300 were

children.[20] According to the United States Congressional Research Service, from January 2019 to August 2019 approximately 508,000 migrants from the Northern Triangle left their homes and transited Mexico en route to the United States as part of various 'migrant caravans.'[21] There were several protection concerns that emerged within Mexico and the international community at the onset of the caravans, including urgent food, water, health and shelter needs.

Figure 4. A map of Mexico showing the various routes the caravans took, with the border towns of Tijuana, Ciudad Juarez and Nuevo Laredo receiving the most (Photo: ACAPS, October 2018)

In the ensuing months, several more caravans formed and took various migrant routes (see Figure 4) through Mexico in the hopes of eventually reaching the United States-Mexico border. The Mexican government, then led by Enrique Peña Nieto, approached the caravans with a combination of policies, some adversarial and some protective. As part of his response, President Peña Nieto deployed hundreds of federal police to the country's southern border in the attempt to stop the advancement of the incoming caravan. A clash broke out between the police and caravan members upon their arrival at the Mexico-Guatemala border and tear gas was

[20] ACAPS. 'Briefing Note: Mexico: Migrant Caravan.' *ACAPS*, 31 October 2018, https://www.acaps.org/special-report/mexico-migrant-caravan (Accessed 10 January 2020).
[21] Meyer, Peter J. and Maureen Taft-Morales. 'Central American Migration: Root Causes and U.S Policy.' *Congressional Research Service*, 13 June 2019, https://fas.org/sgp/crs/row/IF11151.pdf (Accessed 2 January 2020); Reliefweb, 'An estimated 2,300 children traveling with migrant caravan in Mexico need protection and essential services – UNICEF.' *UNICEF,* 26 October 2018, https://reliefweb.int/report/mexico/estimated-2300-children-traveling-migrant-caravan-mexico-need-protection-and-essential (Accessed 29 July 2019).

deployed by the police, along with other violent measures, in order to prevent their progress. However, the forces eventually allowed the caravan to continue its journey north.

Several days following the clash at the border, President Peña Nieto offered work permits for asylum-seekers willing to stay in the southern states of Oaxaca and Chiapas, but it was largely seen as an attempt to stop the caravan from moving forward. Therefore, the offer was rejected by most caravan members. Approximately a week into its journey, the caravan was already hundreds of miles inside Mexico. In the effort to address the needs of the migrants who were part of the caravan, local and state governments as well as civil society and religious organizations set up improvised shelters along the migratory routes to temporarily house the caravan members and provide them with basic aid such as food, water and hygiene. The shelters ranged from tents in a town square to sports stadiums to small tent cities on the outskirts of cities. The border city of Tijuana, the last stop for most migrants in the caravans, responded by setting up a makeshift shelter. However, the shelter quickly overflowed and local resources became depleted.

Andrés Manuel López Obrador (AMLO), who assumed office as President of Mexico in December 2017, initially responded to the caravans with a humanitarian and protection-based approach. Instead of deploying the federal police, the government launched an initiative that would issue humanitarian visas to Central American migrants who register themselves upon entry to Mexico at the border with Guatemala. The one-year permits allowed the migrants to

move freely and work during their stay. In the first six weeks of 2019, the government issued approximately 12,000 humanitarian visas.[22]

But these migratory programs based on protecting the rights and dignity of migrants in Mexico didn't last long, as geopolitical pressures from the United States resulted in a stark change in Mexico's policy towards the migrant caravans: toward militarization, enforcement and security. In June of 2019, the AMLO administration deployed 6,000 National Guard[23] troops to the country's southern border in order to stop the flow of the migrant caravans.[24] Since then, reports of mass deportations of caravan members that arguably amount to the international crime of *refoulement* and widespread detention of caravan members within Mexico have become the norm in the Mexican state's new approach to the migrant caravans. These changes in reception and protection measures in Mexico indicate the development of a national plan for migration that is more in line with the Trump Administration's vision of exclusion, strict borders and xenophobia.

The social response to the migrant caravans has been rather mixed. The October and November 2018 caravans were received favorably by most Mexicans. Several public opinion surveys were conducted in Mexican cities in October 2018 which showed that approximately half of all Mexicans supported the migrants and their search for a better life. Such a sentiment is reflected in the outpouring of donations from Mexican citizens to the improvised migrant

[22] Sheridan, Mary Beth and Sarah Kinosian. 'More than 10,000 migrants request visas as caravan hits Mexico.' *The Washington Post*, 23 January 2019, https://www.washingtonpost.com/world/the_americas/more-than-10000-migrants-request-visas-as-caravan-hits-mexico/2019/01/23/340169b8-1f2b-11e9-a759-2b8541bbbe20_story.html (Accessed 20 February 2020).

[23] The National Guard was created by AMLO to replace the federal police

[24] Wilkinson, Daniel. 'Mexico to Deploy its National Guard to Confront Migrant Families: Plan is a Recipe for Abuse.' *Human Rights Watch*, 12 June 2019, https://www.hrw.org/news/2019/06/12/mexico-deploy-its-national-guard-confront-migrant-families?fbclid=IwAR1 (Accessed 2 March 2020).

shelters emerging throughout the country during that time. However, signs of xenophobia and an anti-immigrant backlash began to emerge in Mexican society. Some expressed concerns over increases in violence and decreases in employment availability as imminent results of the migrant caravans passing through the country. In Tijuana, the fieldsite for this study and the largest waiting room for Central American asylum-seekers and refugees looking to seek asylum in the United States, locals marched against the arrival of the caravans in their city. Some wore red hats reading "Make Tijuana Great Again," while the mayor of Tijuana called the caravan members "stoners" and claimed that "human rights are just for the right humans."[25] These dynamics illustrate the multifaceted nature of the social response to the migrant caravans in Mexico.

[25] Dominguez-Villegas, Rodrigo. 'Protection and Reintegration: Mexico Reforms Migration Agenda in an Increasingly Complex Era.' *Migration Policy Institute,* 7 March 2019, https://www.migrationpolicy.org/article/protection-and-reintegration-mexico-reforms-migration-agenda (Accessed 1 December 2019).

5. Findings and Analysis

5.1 Institutional Response Capacity in Mexico

> "Mexico has no capacity to receive and integrate refugees" said Mónica, an employee at a bustling migrant shelter in Tijuana, as she braided the long dark hair of a young Guatemalan refugee named Valeria. She continued, "In reality, they don't receive food or housing or any of the protections that refugees need. We don't have that in Mexico." -Fieldnotes, 4 December 2019

Mexico is currently experiencing a refugee crisis, particularly acute in the northern and southern border regions of the country. This crisis has been developing over the past several years as forced migration originating in Central America has intensified without the Mexican state strengthening its host institutions, such as the Mexican Commission for Refugee Assistance (COMAR), as well as municipal, state and local reception systems. People seeking refuge in Mexico face increasingly precarious conditions due to the lack of institutional support that is needed to guarantee their economic, social and cultural rights.

The study of Mexico's refugee institutions provides insights into the ways in which refugees experience the asylum system in Mexico. Through national and international channels, Mexico has established an institutional framework to protect the rights of refugees. This framework, which notably consists of only a handful of institutions, informs the scope of protection available to the increasing number of migrants remaining in Mexico. This section examines the functioning of Mexico's asylum system and its response to an exponential increase in asylum claims within the larger context of 'migrant caravans' and against a background of aggressive border enforcement strategies, in cooperation with the United States, that limit access to asylum.

Through an in-depth institutional analysis, this section accesses the capacity and behavior of the institutions carrying out policies and providing services relating to refugees in Mexico. It also identifies constraints within these institutions which may be undermining proper implementation in practice. In order to understand the capacity of the Mexican state to effectively address the protection needs of Central American refugees, Mexico's institutional framework relating to refugees and programs that these institutions have created for refugees will be detailed here.

Principally, this section demonstrates that scarcity of resources to attend to the ever-growing population of refugees and asylum-seekers in Mexico and overall institutional underdevelopment both play significant roles in the existing protection gaps. But these factors contribute only partially to the weakness of Mexico's asylum system. In addition to the lack of state capacity to effectively respond, the impact of the United States in creating a sociopolitical environment that views refugees and asylum-seekers as burdensome and illegal should not be overlooked. As a result of the U.S government's Remain in Mexico policy towards Central American asylum-seekers, many refugees have requested asylum in Mexico instead of in the United States, raising further questions about the capacity of Mexico's refugee institutions to process and serve greater numbers of resettling refugees and asylum-seekers.

There are two main institutions in Mexico that are responsible for addressing the needs and requests of migrants, refugees and asylum-seekers. Both institutions are located at the federal level but they are highly differentiated in size, scope, mandate and capacity. The first is the Mexican Commission for Refugee Assistance (COMAR), the much smaller of the two, and the other is the National Institute of Migration (INM). COMAR is the only governmental institution dedicated to tackling refugee issues at the federal level in Mexico. Although the INM

is not a refugee institution, it has played a crucial role in the enforcement of the state's deterrence and detention strategy towards refugees and asylum-seekers – the INM has actively participated in the state's response to the migrant caravans by setting up roadblocks, (unlawfully) visiting migrant shelters and requesting identification documentation, and carrying out widespread arrests and deportations of caravan members which often amount to *refoulement.*[26] With over 8,000 employees, the INM has a wide-reaching and significant influence on all migrants in Mexico but the impact on 'migrant caravan' members has been particularly notable.

International refugee institutions, whose influence in Mexico has continued to grow considerably over the past few years, constitute a significant proportion of the service-providers and capacity-builders in Mexico's emerging refugee regime. The United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM) are increasingly engaged. The UNHCR is very active in Mexico, leading initiatives to help develop and expand the capacity of the country's institutions, particularly COMAR. The IOM - an intergovernmental organization related to the United Nations which provides services and advice to governments and migrants in order to ensure orderly and humane approaches to migration - is also providing substantial international support and humanitarian aid in Mexico.

The Central American migrant caravans and concomitant humanitarian crisis have highlighted the bureaucratic inconsistencies in the policies and institutions of Mexico's refugee protection and asylum determination system. The increase in forced migration to Mexico along with limited institutional capacities to detect and process migrants with international protection

[26] Recall that *non-refoulment* is a principle in customary international law which forbids states from returning asylum-seekers to a country in which they are at risk of being persecuted

requirements has led to a near collapse of Mexico's asylum system, including COMAR, the country's primary institution dealing with refugee issues.

5.1.1. COMAR - The Mexican Commission for Refugee Assistance

"We at COMAR are simply trying to survive. Our central issue is a concern with resources. We are fighting for them. We are struggling for them. But we can't self-finance. We don't have the capacity in our hands alone to resolve this" said Andres Ramirez, the head of COMAR, to Reuters during an interview in May of 2019.[27] Ramirez, who worked at UNHCR for 28 years before joining COMAR, explained that the institution was so overwhelmed that he decided to turn to his former employer for support.

The Mexican Commission for Refugee Assistance (COMAR) is the principal government body responsible for refugee and asylum-related issues in Mexico. It was created by presidential decree in 1980 under the Ministry of the Interior. The decree established COMAR's main objective as studying the needs of the refugee population in Mexico in order to provide adequate protections as well as assist refugees in the integration and transition process once granted refugee status. During the 1980s and 1990s, COMAR dealt exclusively with Central American war refugees, who were mostly residing in camps located in the southern state of Chiapas and later in the states of Campeche and Quintana Roo. Since its inception, COMAR has worked in close collaboration with the United Nations Refugee Agency (UNHCR), who helped to build and maintain these refugee camps.

[27] Diaz, Lizbeth and Delphine Schrank. 'Mexico's refugee agency turns to U.N. amid asylum surge, funding cuts.' *Reuters*, 21 May 2019, https://www.reuters.com/article/us-usa-immigration-mexico/mexicos-tiny-refugee-agency-turns-to-un-amid-asylum-surge-funding-cuts-idUSKCN1SS06N (Accessed June 17, 2019).

Although the arrival of thousands of Central American refugees fleeing their war-stricken countries presented a great deal of challenges to the Mexican government, Mexico opened its arms and provided shelter and other assistance to all who had sought refuge there.[28] In 1982, COMAR recognized and offered protection to approximately 46,000 Guatemalan refugees, establishing Mexico in the international arena as a state fully committed to protecting and assisting refugee populations.[29]

But, despite the large number of war refugees fleeing Central America and requesting asylum in Mexico throughout the late 20th century, COMAR experienced very few requests in the ensuing years. Between 2000-2010 COMAR only received approximately 115 applications for asylum each year. Then, in 2012, COMAR began to experience an increase in applications after an important piece of Mexican legislation, *the Law on Refugees, Complementary Protection and Political Asylum*, was fully implemented into practice. The law formally recognized the status of refugees and institutionalized the system to grant asylum in Mexico. The caseload was manageable, until 2018 when asylum applications rapidly spiked from 14,596 in 2017 to 29,600 in 2018, to more than 80,000 in 2019.[30] In the first month of 2020, COMAR received 5,936 applications for asylum, a 50% increase from January of the previous year.[31] According to estimates by the UNHCR, COMAR will receive approximately 110,000 asylum applications in 2020 as a result of increased institutional capacity.[32]

[28] Ferris, Elizabeth G. "The Politics of Asylum: Mexico and the Central American Refugees." *Journal of Interamerican Studies and World Affairs* 26, no. 3 (1984): 357-384.
[29] Wollny, Hans. "Asylum policy in Mexico: A Survey." *Journal of Refugee Studies* 4, Issue 3 (1991): 219–236.
[30] La Comisión Mexicana de Ayuda a Refugiados (COMAR). https://www.gob.mx/comar. El gobierno de México. Accessed 20 February 2020.
[31] Ibid.
[32] UNHCR. 'Mexico.' Global Focus, Operations, Reporting. http://reporting.unhcr.org/node/2536. The UN Refugee Agency (UNHCR). Accessed 26 April 2020.

COMAR is responsible for conducting refugee protection policy as well as managing the refugee status determination system all while maintaining full respect for applicants' human rights. Furthermore, COMAR makes recommendations and proposes solutions that aim to optimize the social, cultural and economic integration of refugees in Mexico. COMAR conducts refugee protection in the following areas:

- Social assistance - aiming to obtain social services related to food, housing and other temporary accommodations
- Health assistance - managing refugees and asylum-seekers access to healthcare in public hospitals and other health services offered by the state
- Education assistance - providing access to public schools and technical training for those seeking employment
- Migratory procedure - aiming to obtain immigration and identification documentation in order to verify refugee status in Mexico; also assisting in replacement of documents lost during travel
- Naturalization procedure - providing guidance and support in the naturalization process before the Ministry of Foreign Affairs

Although on paper COMAR is relatively generous – with a uniquely far-reaching operational definition of "refugee"[33] – in practice the institution is severely underfunded, underdeveloped and dysfunctional. Critical staffing limitations including high rates of turnover, low salaries and inadequate training of personnel, in combination with infrastructural limitations such as minimal office locations, poor internal organization and lack of funding have led to the mismanagement

[33] Refer back to *4.1 The Existing Legal Framework*

of cases and outcomes inconsistent with international law. For example, there have been cases in which migrants who appear to meet international and/or Mexican standards for protection are denied asylum either erroneously or unjustly.[34] Edgar Martinez, a Honduran refugee, described an experience he had with COMAR which reflects this inconsistency in status adjudication:

> The gangs started coming outside of my high school because they wanted to recruit us and recruit us very young. I didn't get involved and then they started killing a lot of young people for that same thing. Because they didn't want to join the gang. And that was my request that [COMAR] said wasn't credible, it wasn't a credible testimony to them. – Fieldnotes, December 2019

Moreover, evidence has shown that COMAR adjudicators deny asylum at higher rates to applicants from El Salvador, Guatemala and Honduras.[35] Adrián Rodriguez, a Honduran refugee, shared his thoughts:

> [COMAR] recognizes me as a person who is seeking refuge but at the same time, they want me to wait for safety. And let me tell you my friend…that waiting turns into an eternity. It turns from days to months to years and that's the reality in Mexico. Especially for the people of Honduras, as I have come to understand, it's especially hard for us. – Fieldnotes, December 2019

These data illustrate the ways in which Central American cases are adjudicated and persecution is established based upon differing standards.

[34] Human Rights First. 'Dangerous Territory: Mexico Still Not Safe for Refugees.' *Human Rights First*, July 2017, pg. 6.
[35] Ibid, pg. 7.

COMAR's budget has fallen each year since 2015 even as asylum applications have skyrocketed. Thus, the allocated budget has not been able to meet the institution's growing needs. The vast majority of the asylum applications which COMAR received in 2019 are still being reviewed and some are backlogged from 2017 and 2018. In 2018, nearly 30,000 applications for asylum were submitted to COMAR and in that year only 3,000 applicants were granted refugee status while approximately 1,000 received complementary protection.[36] Under the AMLO administration, COMAR's overall budget was cut by 19%, to about $1.1 million, amounting to approximately $20 per asylum application it receives.[37] To date, there have been no signs of a reversal or modification to this policy.[38] The administration's prioritization of enforcement over protection in its migratory approach is evident from the fact that the 2019 budget for the National Guard is almost three times that of COMAR's.[39]

The COMAR office in Tapachula, one of only four offices in the entire country, and the one with the closest proximity to the Mexico-Guatemala border, has been the hardest hit by the 'migrant caravans.' The office received more than 30,000 applications for asylum from January to August 2019, more than half of the nationwide total of asylum applications during that period.[40] Despite such a high volume of applications, the Tapachula office is severely under-staffed with only nine official asylum officers.[41] More employees have been hired with the

[36] La Comisión Mexicana de Ayuda a Refugiados (COMAR). https://www.gob.mx/comar. El gobierno de México. Accessed 20 February 2020.
[37] Mexico News Daily. 'Refugee agency overwhelmed with 18,000 applications from asylum seekers.' *Mexico Daily News*, 22 May 2019, https://mexiconewsdaily.com/news/refugee-agency-overwhelmed/ (Accessed 4 August 2019).
[38] as of March 2020
[39] Meyer, Maureen and Adam Isacson. 'The "Wall" Before the Wall: Mexico's Crackdown on Migration at its Southern Border.' *The Washington Office on Latin America* (*WOLA)*, 17 December 2019.
[40] Burgi-Palomino, Daniella and Rachel Dotson. 'Migration enforcement & access to asylum at Mexico's southern border.' *Latin America Working Group (LAWG)*, September 2019, pg. 3.
[41] Ibid.

support of the UNHCR – there are now approximately 50 COMAR employees nationwide – but the agency has made clear that such institutional and financial support is only temporary.

Tensions reached a level of crisis in May 2019 at COMAR's Tapachula office when extensive wait lines were forced to circle around the building. The non-governmental organization, Latin America Working Group (LAWG), monitored the situation on the ground and reported that COMAR staff identified insufficient space for interviewing migrants and lack of translation services for non-Spanish speaking applicants as major obstacles in efficiently processing such a high volume of applicants.[42] The head of COMAR told employees there to cut back on 12-hour days to avoid burnout. According to LAWG's report, individuals, families, and minors slept overnight outside of the office to hold their place in the line. Moreover, the chance to have an interview in the Tapachula office reached such a premium that migrants told Reuters in May 2019 that spots on the sidewalk outside the buildings front gate sell for up to $11 (200 *pesos*) in order to guarantee a spot in the front of the waiting lines.[43]

Lack of funding, personnel and organizational capacity have all contributed to significant and sustained hollowing-out of COMAR. The migrant caravans of 2018 and 2019, and the challenges they brought with them, proved to be too much for the small institution to handle.

5.1.2. INM – The National Institute of Migration

The Ministry of the Interior is responsible for the implementation of Mexico's migration

[42] Burgi-Palomino, Daniella and Rachel Dotson. 'Migration enforcement & access to asylum at Mexico's southern border.' *Latin America Working Group (LAWG)*, September 2019, pg. 3.
[43] Diaz, Lizbeth and Delphine Schrank. 'Mexico's refugee agency turns to U.N. amid asylum surge, funding cuts.' *Reuters*, 21 May 2019, https://www.reuters.com/article/us-usa-immigration-mexico/mexicos-tiny-refugee-agency-turns-to-un-amid-asylum-surge-funding-cuts-idUSKCN1SS06N (Accessed 28 January 2020).

laws and their regulation throughout the country via the National Institute of Migration (INM). In the last few years, the Mexican state – through the INM – has focused its institutional response capacity in two main areas: verification and control in the southern border region as a direct response to the 'migrant caravans,' and documentation and reception of Mexican migrants deported from the United States. Thus, the focus of this thesis is not part of the INM's current mandate. While there have been measures taken on behalf of the state to protect and provide aid to migrants in transit in Mexico, these have been much smaller in scope and lower in priority than the two aforementioned goals.

The National Institute of Migration in Mexico performs the work that the Department of State, Immigration and Customs Enforcement (ICE), U.S. Citizenship and Immigration Services (USCIS), and Customs and Border Protection (CBP) perform collectively in the United States. In other words, any migration-related issues that Mexico faces are most likely handled by the INM.

According to INM website statements, the institution is a "decentralized administrative body" of the Federal Public Administration which functions under the auspices of the Ministry of the Interior in order to apply current migration legislation. The INM states on its website that its mission is to:

> strengthen the protection of the rights and security of national and foreign migrants, recognizing them as subjects of the law, through efficient migration management, based on the legal framework and with full respect for human rights.[44]

And its vision is to establish Mexico as:

[44] Instituto Nacional de Migración (INM). 'Que hacemos?' https://www.gob.mx/inm/que-hacemos, El Gobierno de México, Accessed 27 April 2020.

> a country of origin, transit, destination and return, [which] permanently protects the human rights of all foreigners who transit through the national territory regardless of their immigration status.[45]

Public statements emerging from the INM suggest that the institution is fully committed to human rights principles and carries out its fieldwork with strict adherence to protecting the rights and dignity of migrants in Mexico. The INM recognizes that "human mobility is a right of the migrant" and therefore the institution has established the necessary mechanisms to implement "legal, orderly and safe migration procedures that allow [migrants] to enter and stay in the national territory."[46]

Although this is how they portray their work to the public, the INM has received extreme criticism in its approach to the migrant caravans. While they may portray their work to the public in a positive light, the reality on the ground for migrants in Mexico is much harsher. Over the last few years, the INM has attempted to mesh criminal enforcement with migration protection, leading to significant problems in the handling of the migrant caravans in accordance with international treaties and national law. As a result of the INM's focus on strict border enforcement in the south of the country – which has resulted in thousands of Central Americans being sent back to their countries without considering the risk to their life and safety upon returning – many observers have noted that the INM is guilty of committing *refoulement*, thereby violating customary, international and domestic law. [47]

[45] Instituto Nacional de Migración (INM). 'Que hacemos?' https://www.gob.mx/inm/que-hacemos, El Gobierno de México, Accessed 27 April 2020.
[46] Ibid.
[47] Amnesty International. 'Overlooked, Under-Protected: Mexico's deadly refoulement of Central Americans seeking asylum.' *Amnesty International*, n.d. https://www.amnestyusa.org/reports/overlooked-under-protected-mexicos-deadly-refoulement-of-central-americans-seeking-asylum/, (Accessed 28 April 2020).

5.1.3. UNHCR - The United Nations High Commissioner for Refugees

"Without the UNHCR, COMAR would be a disaster. It almost is a disaster. I don't know how they would deal with this situation without the UNHCR because Mexico's support system for refugees barely exists." – Professor of Migration Studies, Mexico

In recent years, international institutions have had a very big influence in Mexico. In particular, UNHCR is providing significant support to institutions working with refugees in Mexico. Mexico is not one of the official 27 resettlement countries according to the UNHCR. However, the agency contributes extensive resources and capacity-building expertise to the Mexican government as a result of the large number of refugees who have international protection needs, including those who are transiting the territory on their way to the United States and those who wish to apply for refugee status in Mexico. UNHCR has its branch office in Mexico City, a sub-office in Tapachula, two field offices in Monterrey and Tenosique and four field units in Saltillo, Aguacalientes, Acayucan and Tijuana.

The Central American 'migrant caravans,' which started to arrive in Mexico in late 2018, quickly demonstrated the need to scale up Mexico's refugee institutions. Furthermore, as a response to the 'caravans,' the Trump Administration introduced several immigration policies that essentially closed its southern border and access to its asylum system, leading many to begin to question the capacity of the Mexican state to adequately respond to these pressures. The 'caravans' created a new set of challenges for UNHCR Mexico, highlighting the need to alter current operations, adjust mandates and increase Mexico's institutional response capacity for refugees.

In partnership with Mexico and other states in the region, UNHCR has developed several protection frameworks in order to provide a humane and coordinated approach to the migratory challenges currently impacting the region. One of the most influential frameworks is the Comprehensive Regional Protection and Solutions Framework, which, as of February 2019, the government of Mexico represents in the capacity of temporary president. At a 2016 United Nations summit, Mexico and five other states committed to applying a new comprehensive response effort under the auspices of the recently developed New York Declaration for Refugees and Migrants, which they called the Comprehensive Regional Protection and Solutions Framework (MIRPS, by its Spanish acronym). The goal of the MIRPS was to make existing commitments more operational and to promote approaches to forced displacement with a comprehensive and regional framework, linking and involving countries of origin, transit and destination.

By making use of their long tradition of providing asylum and other protections to migrants, six states in the region – Mexico, Honduras, Belize, Costa Rica, Guatemala, Panama – confirmed their commitment via MIRPS to strengthen regional cooperation through burden and responsibility sharing. The MIRPS was designed by its member states as a regional version of the Global Compact on Refugees. In fact, it was the first of its kind in this manner. Kelly Clements, United Nations Deputy High Commissioner for Refugees, said of the new framework:

> The MIRPS is one of the leading examples of how to implement the Global Compact on Refugees, which calls for states to manage forced displacement through comprehensive response frameworks, forged in national action plans and embedded in regional approaches. The importance and need for greater cooperation between states, in a true

> responsibility-sharing effort, is evident. The MIRPS can and should provide the framework for this collective effort.[48]

Commitments made at the global level (like the New York Declaration and the Global Compact on Refugees, which are in turn reflected in the MIRPS) have helped to promote a protection-based, durable strategy at the national level in Mexico. The MIRPS has four strategic objectives in Mexico: meet refugees' immediate and basic needs, provide refugees access to safe territory, offer support to host communities, and administer durable solutions.

The UNHCR has committed to providing technical and strategic support to the government of Mexico in order to achieve the commitments it has made as part of MIRPS. This includes supporting the government in strengthening its asylum institutions as well as supporting the expansion of reception, protection and local integration spaces. According to my research, the UNHCR has paid particular attention to Mexico's various regions and the diverse needs they require when shaping new programs and approaches. Concrete steps taken by the UNHCR in this regard include:

- implementing programs that increase refugees' access to public services in the southern border region
- building government-run migrant shelters in the northern border region
- establishing schools and training centers in migrant-dense communities to increase access to education and ensure its guarantee throughout the waiting and integration process

[48] UNHCR. 'UNHCR welcomes commitment by Central American states and Mexico to address forced displacement.' *UN Refugee Agency*, 9 November 2019, https://www.unhcr.org/enus/news/press/2019/11/5dc6849c4/unhcr-welcomes-commitment-central-american-states-mexico-address-forced.html (Accessed 8 April 2020).

- strengthening Mexico's local integration through a relocation program which places asylum-seekers in safer and more prosperous parts of the country

Seeking to leverage the commitments Mexico made through the MIRPS process, the UNHCR integrated the goals with its own multi-year multi-partner strategy (MYMP). The UNHCR designed the MYMP to ensure an eventual transition from humanitarian assistance to self-reliance, economic inclusion and social integration. Furthermore, the UNHCR expects that Mexico's temporary leadership of the MIRPS – coupled with the state's recently rolled out development plans with the Northern Triangle countries of Central America – will eventually produce a more coordinated response to the needs of refugees and asylum-seekers from the Northern Triangle, as well as bolster the humanitarian and institutional response capacity of Mexico's asylum system.

In addition to the aforementioned efforts, one of the UNHCR's primary roles in Mexico is in bolstering the internal capacity of COMAR, Mexico's refugee agency. UNHCR has assisted COMAR in expanding its national presence by opening new offices in key locations and improving its internal procedures in order to ensure fair and efficient refugee status determination. UNHCR supports COMAR through targeted and thematic capacity-building, expert consulting in areas such as institutional organization and sustainable development, as well as financial support. UNHCR provided COMAR with additional financial, personnel and technical support in 2019 to deal with the surge in asylum applications following the migrant caravans. In 2019, UNHCR pledged nearly a million dollars to help COMAR process the rising numbers of asylum applications.[49] Additionally, UNHCR sent 104 contractors to work with

[49] Carranza, Rafael. 'Mexico's tiny refugee office seeks help to process record number of asylum seekers.' *AZ Central*, 24 June 2019, https://www.azcentral.com/story/news/politics/immigration/2019/06/24/united-nations-central-america-asylum-seekers-mexico-refugees-migrants/1549975001/ (Accessed April 26, 2020).

COMAR in Mexico.[50] "Reinforcing capacity requires an increase in the allocation in the federal budget for COMAR, but also measures to simplify procedures and speed up asylum processing" said Silvia Garduno, a spokeswoman for UNHCR in Mexico.[51]

Opening new COMAR offices throughout the country has been one of the main measures taken by the UNHCR in its efforts to strengthen Mexico's asylum system and close existing protection gaps. Recognizing the limited field presence of COMAR in the north of the country, especially in the border region, the first new office was opened in Tijuana in late 2019, then Monterrey. The third new office was opened in Palenque, located in the southern state of Chiapas, where the vast majority of migrant caravan members cross into Mexico from Guatemala. These new offices nearly doubled COMAR's field presence. By expanding COMAR's presence in the country, the UNHCR hoped to relieve some of the existing offices' workload and thereby improve the agency's ability to process and provide adequate protections to asylum applicants. Moreover, by placing two of the new offices near the U.S.-Mexico border, the UNHCR took precautionary steps to help COMAR be better prepared for future challenges.

Looking ahead, in 2020 the UNHCR plans to continue its efforts throughout Mexico. This includes close and careful monitoring of the situation at the border with the United States and in particular, the implementation and impacts of the Migrant Protection Protocols, more commonly known as the "Remain in Mexico" policy. Furthermore, UNHCR expects COMAR to receive nearly 110,000 new asylum applications in 2020 and will have the capacity to process

[50] Diaz, Lizbeth and Delphine Schrank. 'Mexico's refugee agency turns to U.N. amid asylum surge, funding cuts.' *Reuters*, 21 May 2019 (Accessed June 17, 2019).
[51] as of May 2020; Diaz, Lizbeth and Delphine Schrank. 'Mexico's refugee agency turns to U.N. amid asylum surge, funding cuts.' *Reuters*, 21 May 2019 (Accessed June 17, 2019).

them as a result of UNHCR's continued interventions.[52] This data indicates that migrants are becoming more inclined to make their asylum claims in Mexico as the outlet at the U.S. border has essentially closed to many of them. This migratory trend is likely to continue as a result of persisting push factors in refugee-producing countries, the work of the Mexican government in collaboration with civil society and UNHCR to establish Mexico as a country of asylum, and tightening of the U.S. immigration system. COMAR's ability to handle such a high number of asylum applications in 2020 will largely depend on the success of the UNHCR's continued efforts in strengthening the agency's internal capacity. In 2020, such efforts include increasing the ability to issue timely substantive decisions, introducing additional operations out of the new COMAR field offices and improving the accuracy of COMAR data.

2020 UNHCR PLANNING FIGURES

75%	of social and economic integration is realized
70%	of applicants can benefit from efficient status determination
60%	of people of concern access legal assistance
30,000	people will receive information regarding the asylum procedure and other available options

UNHCR's 2020 budget for Mexico is USD$61,481,693. With said budget, UNHCR will continue to support the government of Mexico in building up its asylum system and the institutions it depends on as well as stimulating the expansion of reception, durable solutions and protections for migrants while in waiting. It is important to note that UNHCR is also doing crucial work in Mexico on behalf of host communities in the southern parts of the country. In

[52] UNHCR. 'Mexico.' Global Focus, Operations, Reporting. http://reporting.unhcr.org/node/2536. The UN Refugee Agency (UNHCR). Accessed 26 April 2020.

2020, UNHCR plans to introduce several programs to support host communities, and refugees, in Chiapas and Tabasco states. These programs aim to improve access to public services such as healthcare, education and public safety. UNHCR also plans to coordinate with public and private partners within the country to develop a network that provides information and assistance to migrants in need of international protection. UNHCR's goal is to provide information to 30,000 migrants in 2020.

5.1.4. IOM – The International Organization for Migration

In 2002, Mexico went from an observer to a full member of the International Organization for Migration (IOM) and in April 2004, the government of Mexico and the IOM signed an agreement to establish a representative office in the country. In March 2005, IOM Mexico was inaugurated with the first office opening in the Federal District (Mexico City). By the end of that year, the IOM had already rolled out a number of initiatives in the southern border region of the country through their new office in Tapachula, Chiapas. Although it took nearly five years to establish its presence in the north of the country, in May 2010, the IOM finally began to implement programs there as a result of a new office in Juarez City, Chihuahua. There are currently four IOM offices operating in Mexico. According to IOM Mexico's website, the main gaps in protection and assistance for migrants in transit through Mexico are:

- lack of systematized information on migrants' rights, the option of asylum, voluntary repatriation, and locations where basic services are offered
- insufficient shelter space, water, medical aid, clothing and food
- need for communication

- coordination deficiencies between public institutions, civil society organizations and local governments and municipalities
- need for qualified personnel in the field
- insufficient access to education and employment

In order to address these protection gaps, IOM Mexico supports the Mexican government through several programs that are designed to: assist migrants in transit, return migrants voluntarily to their countries of origin, strengthen the capacity of the INM and COMAR, and combat human trafficking. One of these programs is The Migrant Support Fund, which operates in 24 of Mexico's 32 federal municipalities and is coordinated by the municipalities themselves. The money from the fund goes to different programs, activities, infrastructure projects and the equipment they require. These projects support migrants in waiting in Mexico as well as migrants returned from the United States. The goal of the program is to help migrants find formal, stable employment as well as develop self-employment options. It also contributes housing support to migrants by working closely with local shelters to improve their operations and thereby increase their capacity to receive and assist migrants in transit.

The "Prevention of Migrant Kidnapping and Assistance to Victims Program" has been one of the IOM's highest impact initiatives in Mexico. Despite its geographic limitations – it is only implemented in four of Mexico's 31 states (Tabasco, Veracruz, Chiapas and Oaxaca) – the program addresses one of the primary vulnerabilities migrants in transit face in Mexico, kidnapping and human trafficking. The program conducts field research to collect data and analyze the dynamics surrounding migrant kidnapping and human trafficking to then identify best practices to prevent such crimes from occurring. Through this initiative, IOM Mexico developed a Procedures Manual for government workers (e.g. COMAR and INM employees)

and civil society members to improve the identification of not only victims of kidnapping but also perpetrators. Additionally, the manual provides various recommendations to assist migrants who have been victims of kidnapping in Mexico. In order to avail such assistance to migrant victims, the project created a small fund to provide psychological and medical services, shelter and food, and when requested, repatriation to the victim's country of origin.

Soon after its establishment in Mexico, the IOM created the Labor Migration Unit. The Unit was created to provide technical assistance to local governments in order to manage and implement various programs relating to the protection of migrant workers' rights in Mexico. One of the Unit's first projects was to conduct research in coordination with the state government of Chiapas to better understand the needs of migrant agricultural workers in banana, papaya and coffee plantations along the southern border. Furthermore, the Labor Migration Unit is responsible for the implementation of a unique project known as "The Promotion and Strengthening of *Grupos Beta*[53] and *Programa Paisano*[54] as Examples of Successful Partnerships for the Benefit of Migrants." The project was created to disseminate best practices of the Mexican government relating to the treatment of migrants in transit and in waiting. Moreover, IOM Mexico has carried out several trainings for *Programa Paisano* and *Grupos Beta* employees, including one in 2011 that reached 96 employees.[55]

The promotion of education for migrants is one of IOM Mexico's main pillars. An impressive example of IOM Mexico's efforts in this regard can be found in the northern state of

[53] Grupos Beta is the humanitarian and rescue division of the INM. It strives to safeguard migrants in risk by providing social and humanitarian assistance.
[54] Programa Paisano is an INM-based program that assists Mexican migrants in their return to Mexico from the U.S. by ensuring safe, orderly and dignified migration. It provides information, promotes awareness and conducts trainings for public servants and civil society actors. It also follows up on complaints migrants bring to them.
[55] International Organization for Migration (IOM). 'Strategic Plan for Mexico (2017-2019).' *IOM* (Accessed 25 February 2020).

Sonora where IOM Mexico has implemented projects financed by the state government of Sonora, the Canadian Embassy's Fund for Local Initiatives, and local civil society groups. These initiatives promote access to education and educational continuity for migrant children in the particularly vulnerable and poverty-stricken state of Sonora.[56] Specifically, these projects have created collaborative efforts between parents, educational authorities, teachers and government representatives in order to develop supportive informational materials. Such materials provide information on student enrollment procedures for migrants depending on their legal status in Mexico. They also provide information on the procedures for validating one's studies in Mexico for those migrants who have studied in their country of origin. Research is also being conducted in Sonora in the effort to identify best practices regarding educational programs and curriculum geared towards migrant children. IOM Mexico plans to carry out a series of training events throughout the state of Sonora in July 2020 for teachers, government officials and migrants to present to them the results of the research.

Due to the recurrence of migratory flows originating in Central America and the heavy effects of those flows on the government of Mexico and its asylum system, the IOM developed a three-year Strategic Plan for 2017-2019. The Plan is based on the Operational Framework for Migration Crisis Situations (MOCM) which emphasizes the need to prepare a response network that can effectively address the needs of migrants in transit through Mexico as well as work to mitigate the suffering and vulnerability of migrants stranded in the country. The Strategic Plan is divided thematically into seven areas of service. Each of those seven areas are then further organized into phases of *before* (preparation and prevention), *during* (mitigation and response

[56] Potter, Allie. '2019 was Mexico's most violent, Sonora saw biggest jump in homicides.' *KVOA News*, 24 January 2020, https://kvoa.com/news/top-stories/2020/01/24/2019-was-mexicos-most-violent-sonora-saw-biggest-jump-in-homicides/ (Accessed 25 March 2020).

operations) and *after* (recovery and transition to development).[57] This strategic framework is laid out here:

Health support

- Before: support the updating of health policies that impact migrants and build the capacities of the government and its partners to provide preventative care for migrants in transit
- During: assist the existing healthcare infrastructure such as working with healthcare professionals to develop awareness campaigns aimed at preventing the spread of diseases like tuberculosis and cholera

Psychological support

- Before: identify the capacity of health professionals in a certain locality to respond to emergency situations; offer training courses to health professionals on the unique needs of migrant populations; develop a network of social psychology experts
- During: address the immediate psychosocial needs of migrants in transit via the provision of mobile teams of psychologists

Humanitarian communications

- Before: establish a humanitarian communications system for the dissemination of information and the response of migrants
- During: inform migrants about services, risks and options; implement the information obtained from migrants through the humanitarian communications

[57] Note that several of the thematic areas do not have plans for the "after" phase

system to improve the provision of timely aid and to increase contact with the most vulnerable persons

Fighting against trafficking of migrants

- Before: increase governmental and non-governmental institutional capacity to effectively respond to the challenges posed by human trafficking during times of crisis
- During: assist civil society groups and governmental agencies, particularly the INM, in identifying and protecting victims of trafficking
- After: provide technical assistance to INM and other government authorities for the development of local strategies and national policies to combat the trafficking of migrants; provide training to INM and other border management authorities in prevention, identification and intervention of human trafficking

Technical assistance for humanitarian management of borders

- Before: support the creation of strong border management systems, backed by appropriate laws and policies, and equipped with qualified personnel; support the establishment of mechanisms that encourage interstate coordination which can be activated in a time of crisis
- During: supply equipment and registration systems for migrants transiting through border checkpoints
- After: harmonize activities and efforts carried out by IOM Mexico with all other border management stakeholders

Integration assistance

- Before: help build the capacity of migration agencies to establish a humane framework to offer migrants durable solutions
- During: carry out integration programs and projects and implement durable solutions to migrants who wants to remain in Mexico
- After: provide operational, advisory and technical support to COMAR and INM regarding the integration of migrants into Mexican society

Host community stabilization & transition support

- Before: develop violence prevention and social cohesion activities in host communities; consolidate the resilience of host communities
- During: administer activities to improve migrants' access to basic social services in their new community; teach migrants about income-generating opportunities in and around their new community
- After: work with host community members to promote social cohesion and understand the causes of irregular migration

IOM Mexico has recognized that migratory flows into Mexico have reached such high levels that they are exceeding the capacities of local governments, the federal government and civil society, to protect and assist migrants in transit and those left in limbo in border towns. Therefore, while it is true that programs and institutions exist that provide critical and direct assistance to the migrant population in Mexico, the needs of migrants have been steadily growing throughout the past several years. Additionally, their needs are increasingly less attended to and their rights less respected by Mexican and U.S. authorities. This has only led to a considerably greater number of migrants stranded in Mexico's border regions and more challenges for IOM Mexico. In fact, IOM Mexico has certain weaknesses which have hindered

its ability to reach its full potential in protecting migrants in Mexico, such as lack of offices and presence in the northern part of the country in comparison to the southern and central parts, high staff turn-over, difficulties with funding, and lack of effective strategies to disseminate information on migratory issues.

5.1.5. Conclusion

Through an institutional analysis of the migratory framework operating in Mexico, we are able to better understand how refugee institutions are functioning, what support they have received and continue to need, identify protection gaps and ideally, begin to better understand ways to improve the existing structure. Mexican state institutions are clearly working with transnational intergovernmental agencies, who are bringing expertise and support to Mexico, in order to provide protection to refugees, asylum-seekers and other irregular migrants. This collaboratory framework is designed to ensure the human rights and protection of irregular migrant in transit through Mexico and in their integration and settlement in the country if desired.

Although the Mexican Refugee Commission (COMAR), Mexico's National Institute of Migration (INM), the UN Refugee Agency (UNHCR) and the International Organization for Migration (IOM) have made numerous efforts that appear on paper to be comprehensive and efficient, gaps continue to exist. There is no doubt that these institutions have aided the Mexican government in strengthening the overall response capacity of the country's refugee regime, but it has not been enough to cover needs. Moreover, while public relations from these organizations indicate that the efforts being made are sufficient, most of the migrants interviewed for this thesis

had never made contact with any of these organization. This indicates inconsistent organizational and outreach capacity as well as discrepancies in the information being disseminated from these organizations.

In the next section, the role of civil society and more specifically, church-based migrant shelters, in the absence of state-provided protection will be analyzed through the experiences of refugees, asylum-seekers and various civil society interlocutors in Tijuana, Mexico. The section demonstrates the ways in which religious values and attitudes have informed refugee services in Tijuana, discusses how migrants' experiences are shaped by time spent in shelters, and provides information on the various services and protections that are offered by some of Tijuana's migrant shelters in the face of an insufficient state system to serve and protect refugees.

5.2 The Role of Civil Society and Church-based Migrant Shelters

"I believe that we are doing the best we can. It has to do with good will" said Sergio Martín, administrator of Lugar de Refugio Evangélico migrant shelter in Tijuana, as he tilted his head back and let the sun beam on his freckled face. He continued, "It's like your job, being a researcher, that's your mission. It's your passion. So you move in this environment because it's what moves you.

We are moved by serving." – Fieldnotes, 5 December 2019

Five out of the six migrant shelters I visited in Tijuana were churches that had been turned into reception centers and temporary homes for refugees and asylum-seekers. Additionally, these shelters were directed by either a pastor or priest. This element of Tijuana's migrant shelter network stands out but could be easily overlooked in the context of refugee studies. What is the role of church-based shelters in shaping the experiences of refugees and asylum seekers in Mexico? Why are religious organizations so central in this sphere? In many ways, this religious infrastructure corresponds to questions about institutional capacity and state response; it speaks to Mexico's ability (or lack thereof) to effectively address the needs of rising numbers of refugees deciding to stay in the country by highlighting the prevalence of non-state actors in the absence of robust state action to provide refugee protections.

In this section, I explore how church-based shelters and civil society at large are operating in the current Mexican migratory context. Do church-based organizations view themselves as working in coordination with the Mexican state, or do they see themselves as filling a gap created by the state, or both? Interviews with shelter directors and migrants themselves revealed a myriad of viewpoints on this topic. In short, these organizations view themselves as neither working with the state nor resisting it, but rather responding to a crisis

created by the state. Father Mike Murry, director at *La Casa Segura* migrant shelter in Tijuana, shared his thoughts on the dynamic between the Mexican state and civil society:

> The state's not doing anything here. The new government of AMLO said they are not going to help [*La Casa]*. We used to get 20% of our funding from the Mexican government. So now we are here with this change and trying to adapt as things happen.

Sergio Martín, administrator of *Lugar de Refugio Evangélico* migrant shelter in Tijuana, expressed a similar sentiment:

> The Mexican government doesn't offer any assistance. They bring the migrants, but they don't bring the donations.

These statements indicate the sentiment among service-providers in church-based organizations that even as asylum-seeker and refugee numbers are increasing in Mexico, state support for civil society in this sector has decreased. In fact, AMLO cut 20% of funding to all social services in 2019, not only in migration but across the board.[58]

Migrant shelters provide access to information when international and domestic frameworks are less accessible. They equip refugees and asylum seekers with an institutional forum to learn about their rights. They serve as waiting places for migrants to reflect and plan, and they build communities of support around notions of solidarity and respect. The role of church-based migrant shelters is multifaceted but my research shows that the principal roles played by migrant shelters in Tijuana are as the following: medical and psychological service-

[58] The Economist. 'Mexico's new president presents a sober budget.' *The Economist*, 18 December 2018, https://www.economist.com/the-americas/2018/12/18/mexicos-new-president-presents-a-sober-budget (Accessed 17 January 2019).

providers, information centers, and illuminators of refugees' struggles and liminal status.

Given that Mexico is actively building up its own asylum system, it is puzzling as to why civil society – and more specifically church-based shelters – have been so central in the response to asylum-seeking migrants. Well, as the previous sections have illustrated, the Mexican state and its institutions do not have the response capacity necessary to address the urgent needs of refugees and asylum seekers. Despite this, the state's propensity to make contractual commitments to protect the rights of migrants while simultaneously handling migratory flows with militarized techniques suggests that Mexico has developed a diverse set of mechanisms to confront the challenges migrants present. Civil society and religious organizations have also developed mechanisms to confront challenges, but these mechanisms aim to mitigate the impact of state-made obstacles that migrants encounter. One of those mechanisms is the establishment of church-based migrant shelters.

In addition to this humanitarian shelter network developing as a response to Mexico's lack of capacity and political will to properly address the migratory flows, it was also designed to reduce the vulnerability, precariousness and insecurity faced by refugees and asylum-seekers. Sergio Martín, administrator of *Lugar de Refugio Evangélico*, described this ethos as follows:

> We started this shelter with the idea that it is better to give than to receive. This is a place of hope, humanitarian aid, service. This is our mission. People here arrive with sadness, without hope, flying away from death, and God prepared this place to save these people.

Emilia Santiago, a 33-year-old Mexican asylum-seeker, gave me her perspective:

> [This shelter] has helped me a lot. I feel happy and safe here because it was a church before, so bad things are less likely to happen here. After everything I have experienced traveling through Mexico, it feels very peaceful here.

These quotes show how church values are informing the culture of service within the migrant shelters.

5.2.1. Living in Liminality: Migrant shelters as 'home away from home'

At their core, migrant shelters allow refugees and asylum seekers to make a stop on their route toward the United States ("*pa'el norte*"). During their time at the shelters, migrants are able to build their personal network, create communities of support and solidarity, and receive much needed physical and psychological care. This has been true in Mexico for many years. But, in the geopolitical context of this case study, the role of migrant shelters has become exponentially more important in migrants' livelihoods and trajectories.

On January 25, 2019 the United States government began to implement the Migrant Protection Protocols (MPP) – more commonly known as 'Remain in Mexico' – which resulted in more than 60,000[59] migrants being forced to wait in border cities like Tijuana[60] while their asylum cases are processed in U.S. immigration courts. Under such policies, shelters not only serve as temporary waiting spaces but provide migrants with a 'home away from home' in the face of the increasingly protracted reality of asylum-seeking in the United States. As a result of

[59] Human Rights Watch. 'We Can't Help You Here: US Returns of Asylum Seekers to Mexico.' *Human Rights Watch*, July 2019.
[60] Approximately 12,000 asylum-seekers have been sent to Tijuana under MPP (Commotion, 'Mexican govt opening new shelter in Tijuana as deportations and MPP continue in the US' 24 July 2019, https://commotion.world/2019/07/24/mexican-govt-opening-new-migrant-shelter-in-tijuana/ (Accessed 27 August 2019).

MPP and other asylum-restricting policies, migrants are finding themselves relying on the hospitality and services of shelters for longer periods of time than in the past. Many asylum seekers I spoke with who were subject to the MPP program saw no end in sight.

> Ana Nieto, 29: I have already been here for four months and there are more than 3,000 people ahead of me on the list. I don't know how much longer I can wait.
>
> Emilia Santiago, 33: I only know I am here for as long as necessary.
>
> Edgar Martinez, 19: I just hope that all of this waiting and the tears at night, the suffering, is worth it in the end. If they deny me after all these months… I don't know.

Although their futures may be unknown, the one thing migrants can count on is support from civil society and religious organizations. From January to June 2019, civil society groups in partnership with the Catholic Church housed more than 10,000 asylum seekers returned to the border region under MPP.[61] As noted previously, the protection needs of Central American migrants has grown in the past year as a result of the increasingly xenophobic policies that have emerged from the Mexican and U.S. governments, such as MPP. The legal reality refugees and asylum seekers are currently facing at the U.S.-Mexico border is harsher, more restrictive and more violent, than before. This suggests that shelters have provided housing and aid to considerably more than 10,000 Central Americans subject to MPP in the meantime.

The time migrants spend waiting in the shelter should not be understood as something contrary to mobility. Rather, it should be seen as an active practice that allows migrants to stay in

[61] Agren, David. 'Catholic shelter operators in Mexico: 'We live off people's solidarity.' *Crux*, Catholic News Service, 19 June 2019, https://cruxnow.com/church-in-the-americas/2019/06/catholic-shelter-operators-in-mexico-we-live-off-peoples-solidarity/ (Accessed 18 January 2020).

mobility, reflect and plan. Furthermore, while waiting, the trajectories and goals of migrants can be fundamentally altered. Migrant shelters as waiting places are in fact a consequence of mobility and are born in mobility. They offer migrants a safe space to generate new knowledge, express themselves, communicate and organize. For example, the *Lugar de Refugio Evangélico* migrant shelter offers an optional mass on Sunday mornings, open to all shelter residents, and a "community barbeque" in the shelters common area each Sunday afternoon. These activities provide a way for refugees to empower themselves; they remind the shelter residents that despite their seemingly stagnant circumstance, they can continue to be active with community and create purpose in their lives.

My results show that the most common services offered by Tijuana's migrant shelters are housing, food, sanitation and health care. When providing such services, shelters contribute to facilitating the mobility of migrants and shaping their trajectories. Migrants who arrive at the shelters discover a diversity of dynamics. These dynamics are influenced by the kind of service and level of support offered by the shelter and can cause the logic of a migrant's wait to adjust or evolve.

One of the most observed dynamics was the use of shelters to rest, recover, and sometimes to even receive medical attention. For example, many migrants arrive with lice infestation, blisters and a plethora of other ailments after trekking thousands of miles. Because most shelters provide migrants access to medical services during their stay, they are able to assist migrants in their journey by treating or ameliorating physical or health constraints. In addition to medical attention, access to food was another essential factor in migrants' efforts to recover in waiting. Ana Nieto, a 29-year-old Honduran asylum seeker, described only wanting "a hot meal"

upon her arrival, “preferably soup or chicken,” after two weeks of traversing Mexican territory. Adrián Rodriguez, a 36-year-old Honduran asylum-seeker, affirmed Nieto’s sentiment:

> I’m happy to have a bed and everything, but I am the happiest about the food. I got so skinny when I was in the caravan. They give us breakfast and dinner here. It’s not easy to feed human beings so I take anything they give me.

These quotes highlight the struggles many migrants go through while transiting Mexican territory and the ways in which migrant shelters have responded. By providing basic services and goods like food and medical attention, migrants shelters provide migrants with a ‘home away from home’ where they can rest, recover and prepare for the remainder of their journey.

5.2.2. Variation Amongst Tijuana’s Migrant Shelters: Approaches and Kinds of Service

The migrant shelter network in Tijuana does not constitute a homogenous or fully articulated movement. Not all shelters are equal either in their constitution or in the services offered, therefore their effects vary widely. The shelters participate in migration management and protection through various channels and they employ different strategies and offer different services. Services differ depending on a number of factors: available resources, objectives and goals, degree of collaboration with other civil society groups, religious character or secular, and level of formality. Some of the major differences I noted between the various shelters are described here.

While *Lugar de Refugio Evangélico* assists migrants with job placement during the waiting time, *Albergue Para Todas Las Familias* migrant shelter does not. While *La Casa Segura* administers classes for child and adolescent migrants in order to maintain their education

in mobility, none of the other shelters had the capacity to provide education to its residents. And while *La Casa Segura* offers breakfast, lunch and dinner *Lugar de Refugio Evangélico* provides lunch and dinner and *Albergue Para Todas Las Families* provides dinner only. These examples indicate the wide variation in Tijuana's migrant shelter network.

> MB: There's another shelter called the Salvation Army[62] and the director is strict. He's very strict in order to keep everybody in line. No drugs, be inside by dark.
>
> José: Ah, what you said, I was in the Salvation Army shelter and there is more pressure. There is a mandatory daily fee you have to pay and if you do not have it they do not let you in. Here, no, they don't tell us anything. Everything's calm. No one has the will to put pressure on you.

José was a Colombian migrant who had recently received the status of political asylum from Mexico. To José's disappointment, the state didn't offer him any employment assistance and he quickly found himself without an income. Unemployed for four months, José was unable to pay his rent, and he was referred to *Lugar de Refugio Evangélico* migrant shelter for support. Within a week, the director of the shelter, Sergio, had helped José land a job as a security guard in downtown Tijuana. Sergio discussed his role as director of *Lugar de Refugio Evangélico*:

> I know the story of each one of them. I sit with them for hours because I do a job here, completely at their service. I live here with them. I try to have that coexistence as a missionary, I am a missionary in this place. I am the director and I dig, I clean, I do everything. I want to be a director here because in order to be a servant I need someone to serve and we are all important, nobody is more.

[62] The Salvation Army is an Evangelical organization (https://www.salvationarmy.org/ihq/news/inr040219)

> We – here in this place – do not see them as migrants. For us they are not "migrants." For us they are human beings with needs and we try to join with them to be different again, to dream again. Here they are offered the chance to dream again.

This quote highlights the role of migrant shelters in attending to and highlighting the struggle of refugees and their liminal circumstances.

Another key element in the decision-making and experience of migrants is the amount of time migrants are allowed to stay in one shelter. The duration of stay allowed in the shelter plays a fundamental role in residence management and consequently, in the structuring of the migratory trajectory. It should be noted that the regulation of waiting is a product of shelters' needs, operability and daily functionality. Therefore, some shelters decide to regulate waiting by setting maximum stay times. There are shelters that are stricter with respect to times of stay (with the objective of being able to serve as many migrants as possible). In these cases, migrants often use the shelter as a humanitarian post to rest and then continue. On the other hand, some shelters have no limits on the maximum amount of time one is allowed to stay. Others have certain conditions that a migrant must meet in order to stay for an extended period of time, for example, the migrant must begin working within one week of arrival or the migrant must display a willingness to contribute to the maintenance and well-being of the shelter.

As we have seen, the possibility of rest, recovery, food and medical attention offered by shelters are key in migratory circulation. They serve as footholds where migrants can build their trajectories or reformulate them according to the services offered, which fundamentally influences the decision-making and experience of migrants.

5.2.3. Access to Information and the Development of 'Migratory Know-How'

The use of the migrant shelter as an institutional basis for refugees and asylum seekers to access information and learn about their rights is another dynamic that migrants discover upon their arrival at the shelter doors. While access to food and medical care tends to the physical needs of migrants, access to new knowledge tends to their intellectual and legal needs. This has become more important in recent years as international and regional frameworks that are designed to protect refugees have become increasingly less accessible. At the shelters, migrants establish social relations and obtain fundamental information through these relations that contribute to the development of 'migratory know-how.' The development and incorporation of 'migratory know-how' then becomes an essential condition in the migrant's ability to deal with the various obstacles they face along their trajectories. I define it as the migrant's ability to build and mobilize their migratory network, their knowledge and the deployment of circumvention strategies in order to achieve their goals.

The relationships that migrants develop during their stay at the shelters increase their likelihood to share food, money and emotional support as well as acquire resources that would usually be out of reach. Information circulates within the shelters along with migrants, growing their 'migratory know-how.'

> Samuel, asylum-seeker from Ghana, 49: I stayed at that shelter for two or three days, listening to people talk about their experiences. Because I don't like to take a road without knowing. I listen to what people are talking about and then take my own measurements.

Moreover, the shelters provide migrants a safe place to obtain and exchange information

regarding the state of the route, the situation at the borders, local politics and culture, and relevant laws and regulations concerning the status of migrants. In some of Tijuana's shelters, posters that presented important information about asylum were displayed on the walls: 'Are you fearful to return to your country? Are your life, security and freedom in danger in your country?' It is difficult to measure the impact such posters have on the decision-making and experiences of the refugees and asylum seekers who see and read them. However, considering how common it is for migrants to arrive at a shelter with little to no pre-existing knowledge about their rights as refugees, my results suggest that they serve as significant points of entry for access to information and the development of migrants' trajectories.

> Edgar Martinez, asylum-seeker from Honduras, 19: I did not know what a refugee was. I did not know I had rights to protection only because I am a migrant. Not until I came here.
>
> Mónica, shelter employee, 22: The migrants learn a lot here. They learn about their rights and we spend a lot of time trying to think of creative and fun ways to teach them like the posters and the presentations.
>
> Adrián Rodriguez, asylum-seeker from Honduras, 36: Since the moment I arrived here they started to give me all this new information…On some Sundays we all make dinner together.

Due to the absence of effective reception measures and the overall weakness of Mexico's response capacity, the role of religious organizations and civil society in providing information to migrants about their rights to asylum (among other rights) has grown extraordinarily. In each of the shelters I visited in Tijuana, I found at least one form of this dissemination of information.

It oftentimes came in the form of pamphlets or documents that were displayed for migrants and other visitors to take with them – "The Human Rights of Persons in Migration," "Asylum and Credible Fear Interview (CFI) Information," and "Healing and Calming Practices for Refugees and Asylum-seekers." These documents were created by both non-governmental and governmental organizations, including the National Human Rights Commission of Mexico and Migrant Helpers.

Numerous civil society groups also contribute to the development of migratory 'know how' by providing legal services to asylum-seekers in shelters. For example, U.S. National Association of Evangelicals led 24 trips to the U.S.-Mexico border between May 2018 and June 2019.[63] During these trips the Association organized more than 250 one-on-one consultations between U.S. immigration lawyers and asylum-seekers. Moreover, World Relief, an international Christian NGO, brought legal professionals to Tijuana in the summer of 2019 to educate shelter residents on U.S. asylum law. They instructed refugees and asylum-seekers on how to highlight the relevant facts of their cases and present convincing arguments to asylum officers should they decide to seek asylum in the United States. World Relief hasn't only provided presentations at migrant shelters but also at legal clinics, in parks and in churches throughout Tijuana. The presentations are designed to teach refugees and asylum-seekers about the process of seeking asylum in the U.S. as well as their rights while waiting in Mexico.

Each of the shelters I visited in Tijuana, besides *La Casa Segura*, were partners with or were in some degree of collaboration with Migrant Helpers. At the time of the research, Migrant

[63] Smith, Samuel. 'How churches are helping asylum seekers on both sides of the southern border.' *The Christian Post*, 10 June 2019, https://www.christianpost.com/news/how-churches-are-helping-asylum-seekers-on-both-sides-of-the-southern-border.html (Accessed 25 February 2020).

Helpers officially supported 19 shelters (17 in Tijuana, 2 in Mexicali). In addition to providing humanitarian aid in the form of material assistance, Migrant Helpers offers the opportunity for migrants to access information about their rights in a time when sound asylum policies and international refugee protection are deficient. To better inform refugees and asylum seekers of their rights, Migrant Helpers administers free legal consultations in Tijuana. Every two weeks, Migrant Helpers arranges a group of pro bono immigration lawyers to travel from San Diego to Tijuana to conduct legal consultations with refugees and asylum-seekers. During these consultations, refugees and asylum-seekers are able to develop relationships with Migrant Helpers' lawyers and learn about their rights under U.S. asylum law.

One of the responsibilities of these attorneys is to be realistic and honest with migrants in their representation of asylum-seeking in the United States. Due to the increasingly restrictive nature of seeking asylum in the United States, some migrants have resorted to seeking legal residency in Mexico or simply remaining in Mexico for an unforeseeable amount of time. In order to address the unique needs of the migrant community in Tijuana, in 2018 La Casa Segura migrant shelter partnered with the UNHCR to develop an educational center specifically for this population. The center is called "The Scalabrini Center for the Formation of Migrants" or CESFOM, its Spanish acronym, and it offers various educational courses to migrants in Tijuana. All courses are free of cost and available to all adult migrants, international refugees, deportees and internally displaced persons in Tijuana.

> "At CESFOM many families and adults can meet their goals, dreams and life plans. It will be a new safe space, in which we will continue a struggle that began more than 130 years ago for our congregation and that is still in force: Protect the Migrant," said Father Mike Murry, executive director of La Casa Segura. (Fieldnotes, 4 December 2019)

According to Father Mike Murry, CESFOM's mission is to promote successful social integration and facilitate migrants in reaching their work, personal and familial goals. Since its opening in 2018, CESFOM has provided 35 free courses, benefiting more than a thousand migrants. The courses include training in various trades, general education, spirituality and religious strengthening, documentation validation and certification, and training in the defense of human rights. At the completion of training, CESFOM works to facilitate its students transition into legitimate, stable jobs. Diego Morales, UNHCR Program Director in Mexico, shared his thoughts on CESFOM:

> This project is the result of the efforts of the UNHCR to safeguard the right to well-being of refugees and asylum-seekers at the same time benefiting the local population while promoting integration and peaceful coexistence.[64]

UNHCR and La Casa Segura are expected to increase CESFOM's capacity upon the completion of a new three-level building in mid-2020. While the Missionary Congregation of Saint Carlos Scalabrini made possible the purchase of the land, UNHCR financed the construction of the facility. Furthermore, 80% of services from the new facility will go to migrants and refugees who have recently arrived in Tijuana while the remaining 20% will go to those already integrated in Tijuana.[65] Essentially, the new facility will be a school for Tijuana's migrant and refugee communities. Students there will be able to take courses in literacy (Spanish and English), computers, carpentry, ironwork, electrical training, sustainably gardening and machinery repair, among several others. The new building will consist of a reception area, two professional

[64] La Casa Segura and UNHCR. "ACNUR y Scalabrinianos Construyen Centro de Educación para Personas Migrantes y Refugiados en Tijuana." Press Communication Release. 22 January 2020.
[65] Ibid.

workshops for trades courses, two large classrooms and one multi-use classroom with computers.

5.2.4. Conclusion

Church-based migrant shelters and civil society at large have been key in the protection of refugees in Tijuana, and throughout Mexico, in the face of state inaction. Through fieldwork in Tijuana, it is clear that these organizations do not view themselves as explicitly resisting or supporting the state in its evolving refugee regime. Instead, they view themselves as crucial responders to a state-made refugee crisis.

In order to gain a deeper understanding of the dynamics within and around the migrant shelter network in Tijuana, I employed the concepts of 'migratory know-how' – or 'saber-migrar' (literally translated to 'to know-to migrate') in Spanish – and 'home away from home.' As a result of the Remain in Mexico policy, many of the migrant caravan members have found themselves staying in Tijuana's migrant shelters for extended periods of time, even up to a year. During this time, the shelters become homes for migrants. They offer migrants a safe place to rest, reflect and plan. Furthermore, while in the shelters, migrants are able to build communities of support and solidarity with others in the shelter.

My research indicates that the principal roles played by church-based migrant shelters are as information centers, illuminators of refugees' struggles and liminal circumstances, and medical and psychological service providers. Migrant shelters provide refugees with an institutional forum to learn their rights, which is especially important as international and domestic frameworks which are designed to provide information and protection to migrants have become increasingly less accessible.

6. Conclusion

A mass influx of refugees usually signifies a political, social and economic burden which, particularly in the developing world, bears with it the danger of internal and international destabilization. Under such circumstances, more so than in times of lower refugee inflow, the basic criterion for all governmental asylum policies becomes clear: the interests of the state and its foreign affairs vis á vis the interests of the refugee. Unquestionably, due to their mere size, social makeup and foreign policy implications, the migrant caravans that fled the Northern Triangle in 2018 and 2019 posed unique problems for Mexico, problems that Mexico had not faced before.

The Central American migrant caravans and subsequent refugee crisis highlight the bureaucratic inconsistencies in the asylum policies of the United States and Mexico. Instead of building a regional response mechanism with enough capacity to effectively address the refugee crisis, the Mexican and U.S. governments responded to the migrant caravans based on their own state interests. Both governments failed to develop a method that would collectively share the burden of protecting and supporting the Central American refugees. It is important to note that in such a globalized world, sharing responsibility for global issues – including the mass movement of international refugees – is the most sensible act.

The goal of Mexico and the United States should be to build and implement procedural safeguards, within their respective asylum systems, that adhere to the principle of human rights and safety of all migrants. For asylum-seekers and refugees, these rights include: the right to apply for asylum in their country of choice; the right to humane living conditions while their applications are under consideration; the right to legal counsel and representation and a timely

hearing; and in the case of a denial, the right to appeal. It is only when these conditions are met can Mexico (and the United States) be recognized as a haven for refugees and asylum-seekers.

There are numerous efforts that the Mexican and U.S. governments, the UNHCR and donor states can do to improve refugee protection in Mexico and aid in the development of an effective and fair asylum system. The U.S. and other donor states like Canada should increase their financial and institutional support for the UNHCR's work in Mexico. As we have seen, in Mexico the UNHCR has focused on strengthening the capacity of the asylum system and the institutions it depends on, especially COMAR, Mexico's refugee agency.

By enhancing refugee protection in Mexico, UNHCR and its partners are enabling refugees who transit the country to seek protection in Mexico if desired, thereby opening access to international asylum protections. However, regardless of any progress Mexico makes on refugee protection, Mexico cannot justify U.S. abdication of its legal and moral obligations. Moves to foist U.S. refugee protection obligations onto Mexico – such as returning refugees to Mexico and forcing them to remain there – subvert international law, undermine the rule of law, and poignantly, set a poor example for other states. Such efforts on behalf of the United States profoundly clash with the ideals of a nation that President Ronald Reagan described as a "beacon" of light for people searching for freedom. By pressuring Mexico to keep the United States placated and satisfy the Trump administration's approach to Central American asylum-seekers, the United States is modeling a behavior that other states may look to and mimic. Even if Mexico had an effective refugee protection system, these moves still violate U.S. legal responsibilities and ultimately, undermine U.S. global leadership. Given the fact that Mexico does not have the institutional capacity to provide comprehensive protection to refugees within its territory, these moves are even more dangerous. These dynamics speak to the influence and

consequences of superpowers in shaping global attitudes, behavior and policies. It is critical that the United States, and other global superpowers, never forget their role as ethical leaders in the world.

Bibliography

ACAPS. “Briefing Note: Mexico: Migrant Caravan.” *ACAPS*, 31 October 2018.

https://www.acaps.org/special-report/mexico-migrant-caravan.

Agren, David. “Catholic shelter operators in Mexico: ‘We live off people’s solidarity.’” *Crux*, Catholic News Service, 19 June 2019.

https://cruxnow.com/church-in-the-americas/2019/06/catholic-shelter-operators-in-mexico-we-live-off-peoples-solidarity/.

Allard, Silas W. “Who Am I? Who Are You? Who Are We? Law, Religion and Approaches to an Ethic of Migration.” *Journal of Law and Religion* 30, no. 2 (2015): 320–334.

Amnesty International. “Fleeing for Our Lives: Central American Migrant Crisis.” *Amnesty International*, n.d.

https://www.amnestyusa.org/fleeing-for-our-lives-central-american-migrant-crisis.

Amnesty International. “Overlooked, Under-Protected: Mexico’s deadly refoulement of Central Americans seeking asylum.” *Amnesty International*, n.d.

https://www.amnestyusa.org/reports/overlooked-under-protected-mexicos-deadly-refoulement-of-central-americans-seeking-asylum.

Anjali, Fleury. “Fleeing to Mexico for Safety: The Perilous Journey for Migrant Women.” *United Nations University*, 4 May 2015.

https://unu.edu/publications/articles/fleeing-to-mexico-for-safety-the-perilous-journey-for-migrant-women.html.

Barichello, Stefania Eugenia. "Refugee protection and responsibility sharing in Latin America: solidarity programmes and the Mexico Plan of Action." *International Journal of Human Rights* 20, no. 2 (2016): 191-207.

BBC. “Mexico under pressure as asylum applications skyrocket.’ *BBC*, 15 October 2019.

https://www.bbc.com/news/world-latin-america-50040477.

Bermeo, Sarah. “Violence drives immigration from Central America.” Future Development (blog), *Brookings*, 26 June 2018.

https://www.brookings.edu/blog/future-development/2018 /06/26/violence-drives-immigration-from-central-america/.

Brysk, Alison and Michael Stohl. 2018. “Contracting the Refugee Regime: the global citizenship gap.” In *Contracting Human Rights: Crisis, Accountability, and Opportunity*. Edward Elgar Publishing: Elgar Studies in Human Rights.

Burgi-Palomino, Daniella and Rachel Dotson. “Migration enforcement & access to asylum at Mexico’s southern border.” *Latin America Working Group (LAWG)*, September 2019.

Carranza, Rafael. “Mexico’s tiny refugee office seeks help to process record number of asylum seekers.” *AZ Central*, 24 June 2019.

https://www.azcentral.com/story/news/politics/immigration/2019/06/24/united-nations-central-america-asylum-seekers-mexico-refugees-migrants/1549975001/.

Comisión Mexicana de Ayuda a Refugiados. “COMAR.” El gobierno de México. n.d.

https://www.gob.mx/comar.

Commotion, “Mexican govt opening new shelter in Tijuana as deportations and MPP continue in the US.” *Commotion*, 24 July 2019.

https://commotion. world/2019/07/24/mexican-govt-opening-new-migrant-shelter-in-tijuana.

Cruz, Gemma Tulud. 2014. *Toward a Theology of Migration: Social Justice and Religious Experience*. New York: Palgrave Macmillan.

Délano, Alexandra. 2011. *Mexico and its Diaspora in the United States: Policies of Emigration since 1848*. New York: Cambridge University Press.

Diaz, Lizbeth and Delphine Schrank. “Mexico’s tiny refugee agency turns to U.N. amid asylum surge, funding cuts.” *Reuters*, 21 May 2019.
https://www.reuters.com/article/us-usa-immigration-mexico/mexicos-tiny-refugee-agency-turns-to-un-amid-asylum-surge-funding-cuts-idUSKCN1SS06N.

Doctors Without Borders. “Central America migration crisis: People are fleeing the kind of violence we usually see in war zones.” *Doctors Without Borders*, n.d.

https://www.doctorswithoutborders.org/central-amer ica-migration-crisis.

Doctors Without Borders. 2020. “No Way Out: The Humanitarian Crisis for Migrations and Asylum Seekers Trapped between the United States, Mexico and the Northern Triangle of Central America.” February 2020.

Economist. “Mexico’s new president presents a sober budget.” *The Economist*, 18 December 2018.

https://www.economist.com/the-americas/2018/12/18/mexicos-new-president-presents-a-sober-budget.

Espinoza, Marcia Vera. "The Limits and Opportunities of Regional Solidarity: Exploring Refugee Resettlement in Brazil and Chile." *Global Policy* 9, no. 2 (2018) 85-94.

Ferris, Elizabeth G. "The Politics of Asylum: Mexico and the Central American Refugees." *Journal of Interamerican Studies and World Affairs* 26, no. 3 (1984): 357-384.

Grandi, Filippo. “Foreword: Regional solidarity and commitment to protection in Latin America and the Caribbean." *Forced Migration Review* 56 (2017): 4-5.

Human Rights First. “Dangerous Territory: Mexico still not safe for refugees.” *Human Rights First*, July 2017.

https://www.humanrightsfirst.org/resource/dangerous-territory-mexico-still-not-safe-refugees.

Human Rights Watch. 2019. World Report 2019: El Salvador (Events of 2018). *Human Rights Watch*.

https://www.hrw.org/world-report/2019/country-chapters/el-salvador.

Human Rights Watch. "We Can't Help You Here: US Returns of Asylum Seekers to Mexico." *Human Rights Watch*, July 2019.

International Organization for Migration (IOM). "Strategic Plan for Mexico (2017-2019)." *IOM*.

Jacobsen, Karen. "Factors Influencing the Policy Responses of Host Governments to Mass Refugee Influxes." *International Migration Review* 30, no. 3 (1996): 655-678.

Jubilut, Liliana Lyra and Wellington Pereira Carneiro. "Resettlement in Solidarity: A New Regional Approach Towards a More Humane Durable Solution." *Refugee Survey Quarterly* 30, no. 3 (2011): 63–86.

Kneebone, Susan, Dallal Stevens, and Loretta Baldassar. 2014. *Refugee protection and the role of law: conflicting identities*. Abingdon, Oxon: Routledge.

Lanphier, Michael. "Refugee Resettlement: Models in Action." *International Migration Review* 17, no. 1 (1983): 4-33.

Lavanchy, Philippe. "The Mexico Declaration and Plan of Action: Reaffirming Latin America's Generous Tradition of Asylum and Innovative Solutions." *International Journal of Refugee Law* 18, no. 2 (2006): 450-451.

Malkki, Liisa H. 2012. *Purity and exile: Violence, memory, and national cosmology among Hutu refugees in Tanzania*. Chicago: University of Chicago Press.

Massey, Douglas S., and Kristin E. Espinosa. "What's driving Mexico-US migration? A theoretical, empirical, and policy analysis." *American Journal of Sociology* 102, no. 4 (1997): 939-999.

Meyer, Maureen and Adam Isacson. "The "Wall" Before the Wall: Mexico's Crackdown on Migration at its Southern Border." *The Washington Office on Latin America (WOLA)*, 17 December 2019.

Meyer, Peter J. and Maureen Taft-Morales. "Central American Migration: Root Causes and U.S. Policy." *Congressional Research Service*, 13 June 2019.

Mexico Daily News. "Refugee agency overwhelmed with 18,000 applications from asylum seekers." *Mexico Daily News*, 22 May 2019.

https://mexiconewsdaily.com/news/refugee-agency-overwhelmed.

Musalo, Karen and Lee, Eunice. "Seeking a Rational Approach to a Regional Refugee Crisis: Lessons from the Summer 2014 "Surge" of Central American Women and Children at the US-Mexico Border." *Journal on Migration and Human Security* 5, no. 1 (2017): 137-179.

National Institute of Migration (INM). "Que hacemos?" El Gobierno de México. n.d.

https://www.gob.mx/inm/que-hacemos.

Parsons, Lynsey. 2005. "Refugee Resettlement in New Zealand and Canada." RMS Refugee Resettlement Report.

Potter, Allie. “2019 was Mexico’s most violent, Sonora saw biggest jump in homicides.” *KVOA News,* 24 January 2020.

https://kvoa.com/news/top-stories/2020/01/24/2019-was-mexicos-most-violent-sonora-saw-biggest-jump-in-homicides/.

Reliefweb. “An estimated 2,300 children are traveling with migrant caravan in Mexico need protection and essential services – UNICEF.”*UNICEF,* 26 October 2018.

https://reliefweb.int/report/mexico/estimated-2300-children-traveling-migrant-caravan-mexico-need-protection-and-essential.

Salil, Shetty, ‘Most Dangerous Journey: What Central American Migrants Face When They Try To Cross The Border.’ *Amnesty International*, n.d.

https://www.amnestyusa.org/most-dangerous-journey-what-central-american-migrants-face-when-they-try-to-cross-the-border.

Sheridan, Mary Beth and Sarah Kinosian. “More than 10,000 migrants request visas as caravan hits Mexico.” *The Washington Post,* 23 January 2019.

Siegfried, Kristy. “The Refugee Brief.” UNHCR. 22 May 2019.

https://www.unhcr.org /refugeebrief/the-refugee-brief-22-may-2019/.

Simich, Laura. “Negotiating Boundaries of refugee support; A study of Settlement patterns and social support.” *Canadian Review of Sociology and Anthropology* 40, no. 5 (2003): 575-591.

Smith, Samuel. “How churches are helping asylum seekers on both sides of the southern border.” *The Christian Post,* 10 June 2019.

https://www.christianpost.com/news/how-churches-are-helping-asylum-seekers-on-both-sides-of-the-southern-border.html.

Spindler, William. "The Mexico Plan of Action: Protecting Refugees Through International Solidarity" *Forced Migration Review* 24 *(*2005): 64-65.

United Nations Office on Drugs and Crime. ‘Global Study on Homocide: Executive Summary.’ 2019.

UNHCR. “ACNUR y Scalabrinianos Construyen Centro de Educación para Personas Migrantes y Refugiados en Tijuana.” Press Communication Release. 22 January 2020.

UNHCR. “Fact Sheet: Mexico.” *United Nations High Commissioner for Refugees.* April 2019.

http://reporting.unhcr.org/node/22224.

UNHCR. “Mexico: Global Focus” *Operations, Reporting, United Nations High Commissioner for Refugees*, n.d.

http://reporting.unhcr.org/node/2536.

UNHCR. “UNHCR welcomes commitment by Central American states and Mexico to address forced displacement.” *United Nations High Commissioner for Refugees*, 9 November 2019.

https://www.unhcr.org/enus/news/press/2019/11 /5dc6849c4/unhcr-welcomes-commitment-central-american-states-mexico-address-forced.html.

UNHCR. “UN Refugee Chief in Mexico hears stories of hope and despair from Central American refugees, calls for more support for refugee response.” *United Nations High Commissioner for Refugees*, 2 October 2019.

https://www.unhcr. org/en-us/news/press/2019/10/5d94541f4/un-refugee-chief-mexico-hears-stories-hope-despair-central-american-refugees.html.

UNHCR. “Mexico: An overview of how Mexico is addressing the objectives of the Global Compact on Refugees.” *UNHCR: Global Compact on Refugees Digital Platform*, n.d.

https://www.globalcompactrefugees.org/article/mexico.

Van Gennep, Arnold. 1909. *The rites of passage.* Translated by Monika B. Vizedom and Gabrielle L. Caffee (1960). Chicago: Chicago University Press.

Wilkinson, Daniel. “Mexico to Deploy its National Guard to Confront Migrant Families: Plan is a Recipe for Abuse.” *Human Rights Watch*, 12 June 2019.

https://www.hrw.org/news/2019/06/12/mexico-deploy-its-national-guard-confront-migrant-families?fbclid=IwAR1.

Winters, Paul, Alain De Janvry, and Elisabeth Sadoulet. "Family and community networks in Mexico-US migration." *Journal of Human Resources* 36, no. 1 (2001): 159-184.

Wollny, Hans. "Asylum policy in Mexico: A Survey." *Journal of Refugee Studies* 4, no. 3 (1991): 219–236.

Appendix A

1. What's your name and where are you from?
   ¿Cómo se llama y de dónde eres?

2. What is your desired final resettlement country?
   ¿Cuál es su país de reasentamiento final deseado?

3. Would you consider seeking asylum in Mexico? Why/why not?
   ¿Consideraría buscar asilo en México? ¿Por qué o por qué no?

4. What has your legal relationship been with Mexico thus far?
   ¿Cuál ha sido tu relación legal con México hasta ahora?

5. What challenges have you faced in the journey from your country of origin to here?
   ¿Qué desafíos ha enfrentado en su viaje desde su país de origen hasta aquí?

6. What challenges do you continue to face?
   ¿Qué desafíos sigues enfrentando?

7. Are certain states/regions more attractive than others? Which ones? And why?
   ¿Son ciertos estados/regiones de México más atractivos que otros? ¿Cuáles? ¿Y por qué?

8. Do you consider yourself a refugee and/or asylum-seeker?
   ¿Te consideras un refugiado?

9. Has your asylum claim been rejected by the United States or elsewhere?
   ¿Su solicitud de asilo ha sido rechazada por los Estados Unidos o en otro lugar?

10. Do you expect to receive asylum in Mexico?
    ¿Esperas recibir asilo en México?

11. If you do not receive asylum in Mexico:
    Si no recibe asilo en México:
    a. What would you do? ¿Qué harías?
    b. What options would you consider? ¿Qué opciones considerarías?

12. For those already settled in Mexico:
    a. What were your expectations? ¿Cuáles fueron tus expectativas?
    b. Has it been different than what you expected? If so, in what ways?
       ¿Ha sido diferente a lo que esperabas? ¿Si es así, cómo?