

Migration and Human Rights on the U.S. Mexico Border:

A proposal for a binational approach to politics and logistics

To the governments of Mexico and the United States:

We propose the following recommendations and suggestions as a framework for action that will help avoid a humanitarian crisis related to migrants passing through the border region between Mexico and the United States. These recommendations arise from the reflections and analysis of a group of border and immigration scholars from both sides of the border, who have evaluated recent trends in the region and are concerned about the potential humanitarian crisis.

These proposals are derived from three interrelated phenomena: a) the increase in the number of people arriving at the border with the hope of being able to enter the United States, either as a result of the possibility of immigration policy becoming more flexible, or through the deception of coyotes and human traffickers; b) the increase in the number of people returned to Mexico under Title 42; and c) the completion of MPP that has allowed the crossing of migrants who were active within this program. These proposals seek to contribute to the management and handling of migratory flows organized within a framework of protection for unaccompanied minors and migrant families, while taking into account concerns involving health protocols needed during the Covid-19 pandemic.

1. **Phase out Title 42 restrictions, beginning with family units.** The majority of the unaccompanied minors arriving at the border were travelling with their families who are likely still on the Mexican side of the border. This change will decrease the need for facilities dedicated to unaccompanied minors as families are able to travel to their final destinations upon release and require less immediate support once they have passed the Credible Fear Interview.
2. **Greater coordination is needed between authorities in different levels of government of the two countries.** It is important to know the criteria used to identify who is returned to Mexico and who remains on the US side. The exchange of information will allow for planning and managing of the spaces available in care centers and shelters on the Mexican side. It is important to know why migrants are removed at different locations along the border or released into the United States after being apprehended.
3. **Increase the capacity of migrant care centers and shelters.** The creation of “filters” and the “filter hotel” have proven to be efficient venues for the control of the pandemic prior to transferring migrants to other spaces such as shelters where they receive support. However, it is important to increase capacity, both in terms of the number of spaces and in the application of PCR tests. Additionally, this would be an important point at which to administer one-dose vaccines. Any holding space that is expected to open must have this infrastructure. More dignified holding conditions should be built for unaccompanied children, adolescents, and families on the US side while they are processed and transferred to their final destination.
4. **Greater coordination between federal authorities (INAMI/National Institute of Migration) and the local and state DIF(Integral Family Development).** After the reform of the immigration law that establishes that no accompanied or unaccompanied or unaccompanied children, should remain in migration facilities in Mexico. It is necessary for authorities to propose additional spaces for temporary care, while also providing

support for other spaces such as shelters and centers for attention. The increase in the removal of people from the United States under title 42 and those who intend to enter the United States makes this need an urgent situation.

5. **Build on the successful end to MPP.** This has been an orderly, efficient and safe process. People arrive at facilities in Mexico, are tested for Covid-19 and fill out their paperwork in Mexico. Then they are taken to the border and released to local shelters where they make travel arrangements to their destinations. Without prolonged time in detention there is little risk of logistical bottlenecks that can cause serious health and humanitarian concerns. If people can begin their asylum applications in Mexico it can eliminate the need for detention of families and individuals whose cases are strong and present minimal security risks.
6. **Authorities in Mexico must refrain from interdiction of asylum seekers crossing through Mexico.** There is a strong correlation between violence against migrants in the form of kidnapping, extortion and even massacres with increased immigration enforcement in Mexico. Mass detention will drive people to hide in dangerous and risky conditions which will cause greater humanitarian costs.

While the large numbers of people arriving at the border presents an important challenge, we, a binational group of border scholars, hold that a humanitarian crisis can be avoided by reducing logistical barriers. Relying on old policies of detention and deterrence will not work and will create dangerous conditions that have serious health risks. Strategically opening paths for migration in an orderly fashion will reduce the number of unaccompanied minors, decrease the likelihood of a foreseeable health crisis, and increase protections for families.

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Firms support these proposals:

Promoting committee

María Dolores París Pombo, El Colegio de la Frontera Norte, mdparis@colef.mx
Rodolfo Rubio Salas, El Colegio de Chihuahua, rsalas@coledu.onmicrosoft.com
Jeremy Slack, University of Texas at El Paso, slackjeremy@gmail.com
Robert McKee Irwin, UC Davis, Global Migration Center, rmirwin@ucdavis.edu
Josiah Heyman, University of Texas at El Paso, jmheyman@utep.edu
María Inés Barrios de la O, El Colef, innes.barrios@gmail.com
Emilio López, Universidad Autónoma de Chihuahua, alopez.dem2019@colef.mx
Emiliano Ignacio Díaz Carnero, El Colef, emilianodc@colef.mx
Héctor Padilla, Universidad Autónoma de Ciudad Juárez, hpadilla@uacj.mx
Abraham Paniagua, Universidad Autónoma de Chihuahua, abrahampaniagua@hotmail.com
Marisela Gutiérrez, Universidad Autónoma de Ciudad Juárez, gutierrezmarisela24@gmail.com
Óscar Esparza, Universidad Autónoma de Ciudad Juárez, oesparza@uacj.mx
Alfredo Sánchez Carballo, Universidad Autónoma de Tamaulipas, als-carballo@gmail.com
Alejandro Brugués, El Colef

Supporting signature

Abdel Camargo Martínez, El Colegio de la Frontera Sur, abdel.camargo@ecosur.mx
Abigail Andrews, UC San Diego, Sociology, alandrews@ucsd.edu
Adriana Sletza Ortega Ramírez, BUAP
Aída Silva, UABC Tijuana, aida.silva@uabc.edu.mx.
Alejandro Agudo Sanchíz, U. Iberoamericana
Alethia Fernández de la Reguera, IJ-UNAM
Alma Lizárraga Ramos, CIESAS-Sureste

Amarela Varela Huerta, Universidad Autónoma de la Ciudad de México
Andrea Bautista León, Universidad La Salle, andrea.bautista@lasalle.mx
Blanca Vázquez D., El Colef
Bruno Miranda, UNAM
Carmen Fernández Casanueva, CIESAS
Carolina Rivera Farfán, CIESAS
Catherine Bourgeois, Universidad Libre de Bruselas
Catherine Ramírez, UC Santa Cruz, cathysue@ucsc.edu
Claudia Masferrer León, COLMEX
Cristina Gómez Johnson, U. Iberoamericana
Cristina Oehmichen Bazán, IIA-UNAM
Daniel E. Martínez, University of Arizona
Delphine Marie Prunier, IIS-UNAM
Douglas S. Massey, Princeton University
Eduardo E. Gutiérrez López, Universidad Autónoma de Baja California
Ernesto Zarco, UC Davis, eaortiz@ucdavis.edu
Eunice Vargas Valle, El Colef
Flor Rocío Ramírez Martínez, Universidad Autónoma de Ciudad Juárez
Gabriela Polit, UT Austin, gabriela@austin.utexas.edu
Gabriela Zamora Carmona, El Colegio de México
Gerardo Bueno Acuña, Universidad Autónoma de Chihuahua
Gloria Ciria Valdez Gardea, El Colegio de Sonora
Guillermo Castillo Ramírez, UNAM
Irasema Coronado, Arizona State University
Isabel Gil Everaert, El Colegio de México
Iván Francisco Porras Gómez, ECOSUR
Javier Martínez Morales, Universidad Autónoma de Chihuahua
Jessica Natalia Nájera Aguirre, El Colegio de México
Jesús Peña Muñoz, El Colef
Jorge A. Schiavon, CIDE
Jorge Durand, Universidad de Guadalajara (UDG)
José Ascensión Moreno Mena, UABC
José Eduardo Borunda Escobedo, Universidad Autónoma de Chihuahua
Juan Antonio del Monte M., El Colef, jadelmonte@colef.mx
Juan Manuel Sandoval Palacios, DEAS-INAH
Juan Poblete, UC Santa Cruz, jpoblete@ucsc.edu
Laura Velasco Ortiz, El Colef
Leticia Calderón Chelius, Instituto Mora
Letza R. Bojórquez Chapela, El Colef
Liliana Rivera Sánchez, COLMEX
Luciana Gandini, IJ-UNAM
Luis Carlos Hinojos Gallardo, Universidad Autónoma de Chihuahua
Luis Escala Rabadán, El Colef
Magdalena Barros Nock, CIESAS, Ciudad de México
Manuel Ángel Castillo, COLMEX
María Eugenia Anguiano, El Colef
María Eugenia D'Aubeterre B., BUAP
Marina Ariza, COLMEX
Martha García Ortega, ECOSUR
Martha Rojas Wiener, ECOSUR
Miroslava Chávez García, UC Santa Barbara, mchavezgarcia@history.ucsb.edu
Ofelia Woo Morales, UDG

Olivia Ruiz Marrujo, El Colef
Patricia Zamudio, CIESAS
Paz Trigueros Legarreta, UAM-Azcapotzalco
Rafael Alonso Hernández L., El Colef
Rafael G. Alarcón Acosta, El Colef
Raquel Aldana, UC Davis, Law School, realdana@ucdavis.edu
Rodolfo Cruz Piñeiro, El Colef
Rodolfo García Zamora, Universidad Autónoma de Zacatecas
Scott Whiteford, University of Arizona
Selene Gaspar Olvera, UAZ
Sergio Prieto Díaz, El Colegio de la Frontera Sur
Soledad Álvarez Velasco, U. de Houston
Tania Golash Boza, UC Merced, tgolash-boza@ucmerced.edu.
Teresa E. Cueva- Luna, El Colef
Tonatiuh Guillén López, PUED-UNAM
Valentina Glockner, El Colegio de Sonora
Verónica Montes, Bryn Mawr College, Philadelphia
Yerko Castro Neira, Universidad Iberoamericana, CDMX
Yetzi Rosales Martínez, El Colegio de la Frontera Norte