



# **Building Effective Management Capacity in Mexico and Central America**

**By Andrea Tanco & Ariel G. Ruiz Soto**

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# GUIDING TOPICS

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- Introduction
- Mexico: Rewiring Institutional Capacity and Mandates to Meet New Migration Challenges
- Guatemala, Honduras, and El Salvador: Emerging Institutions and Critical Partnerships
- Costa Rica and Panama: A Study in Institutional Contrasts for Managing Migration
- Conclusions



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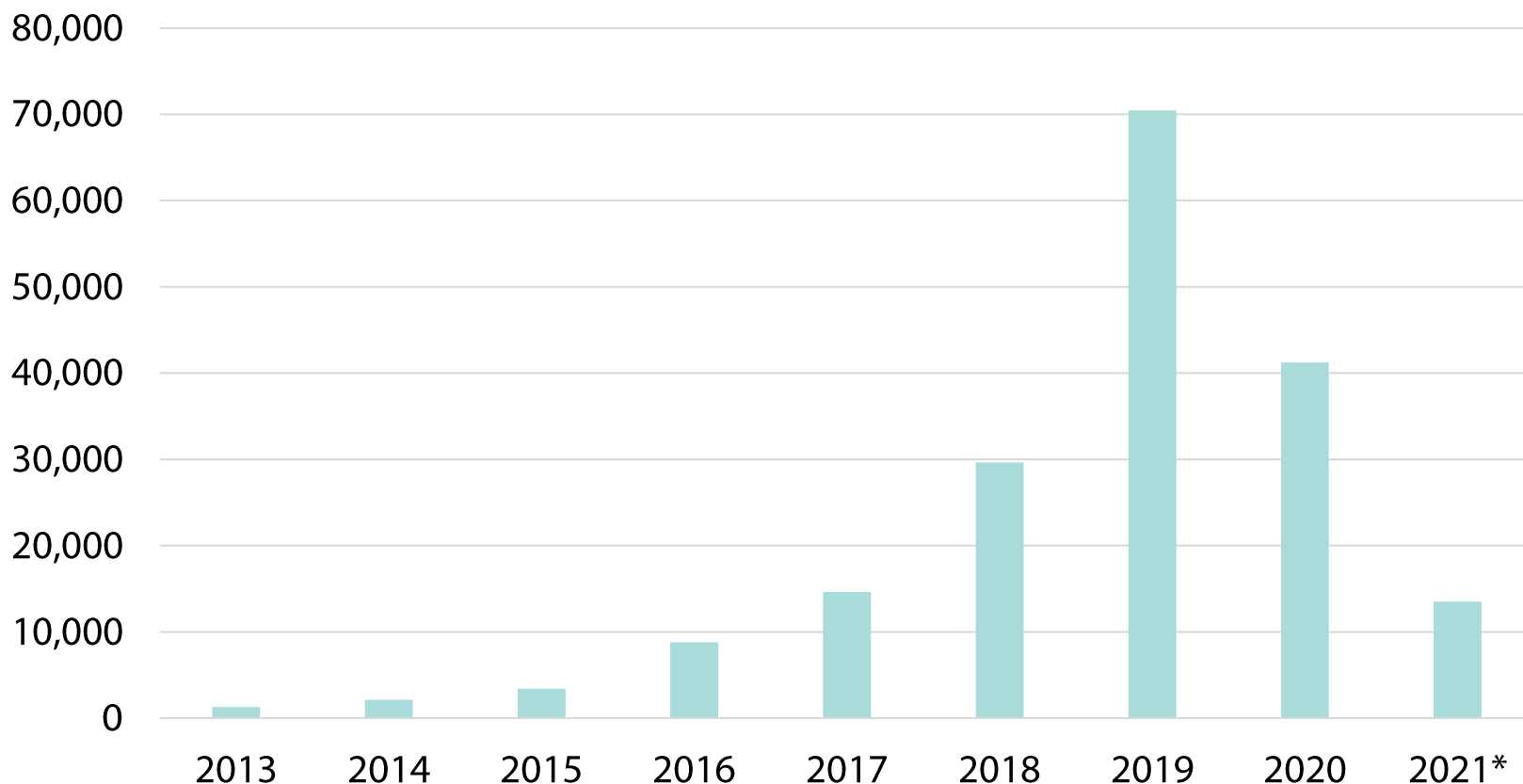
# MEXICO AS A KEY REGIONAL ACTOR

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- Recent developments at the U.S.-Mexico border highlight the critical role of Mexico in managing migration flows in the region.
- The country could also benefit from playing a larger role on regional migration management given its own evolution as a destination country for migrants and refugees.



# HUMANITARIAN PROTECTION REQUESTS SUBMITTED TO MEXICAN AUTHORITIES, 2013-2021\*

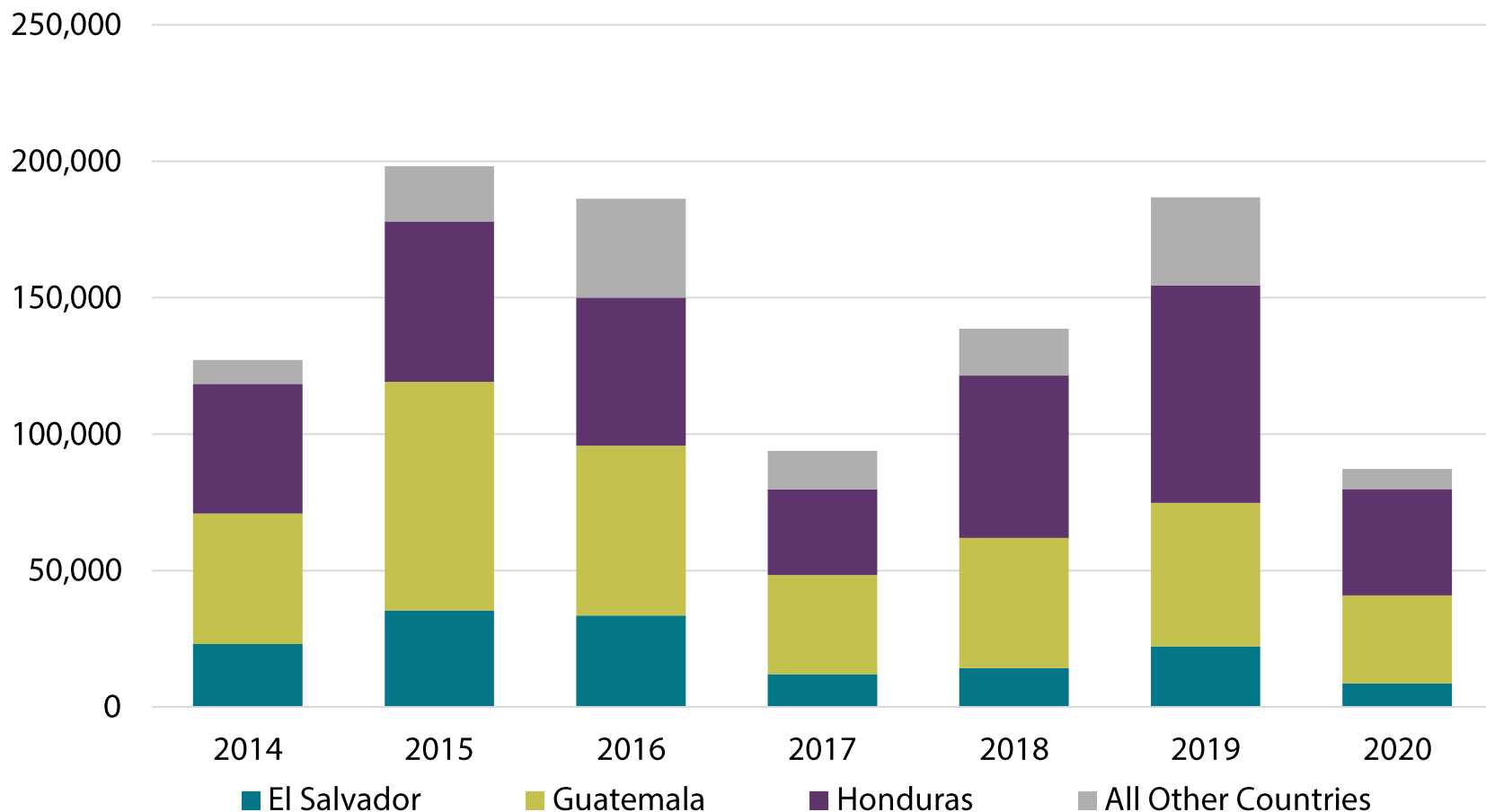


\* Data for 2021 are through February.

Note: The humanitarian protection requests in this figure are applications for refugee status, which are processed by Mexico's Commission for Refugee Assistance (COMAR), but not those for political asylum, which is granted by the Foreign Ministry. In this report, the authors use the terms "applications for asylum" or "for humanitarian protection" interchangeably, following the English usage, to refer to what the Mexican government would call "applications for refuge."

Source: COMAR, "[Solicitudes de Refugio al Cierre de Febrero 2021](#)," accessed March 15, 2021.

# MIGRANT APPREHENSIONS BY MEXICAN AUTHORITIES, BY COUNTRY OF BIRTH, 2014-2020



Source: Mexican Interior Ministry (SEGOB), "[Boletín Mensual de Estadísticas Migratorias, 2014-2020](#)," accessed February 23, 2021.



# POLICY CHANGES AND INSTITUTIONAL MANDATES

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- **2019 Executive decree:** Shifts primary oversight of migration policy and management from the Ministry of Interior (SEGOB) to the Ministry of Foreign Affairs (SRE).
  - Interagency Commission for Comprehensive Assistance in Migration Affairs (Comisión Intersecretarial de Atención Integral en Materia Migratoria), chaired by SRE.
- **National Institute for Migration (INM):**
  - In 2020, SEGOB announces a multistep initiative to modernize INM infrastructure and reduce corruption.
  - To reduce pressures on INM's capacity, the National Guard begins to assist INM in migration control operations since June 2019.





# POLICY CHANGES AND INSTITUTIONAL MANDATES

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- **Mexico's Refugee Agency (COMAR):** Series of cooperation agreements signed between SEGOB and UNHCR between April 2019 and October 2020, to strengthen humanitarian protection in Mexico.
  - Direct financial assistance
  - Personnel
  - Infrastructure
  - Technical Training



# POLICY CHANGES AND INSTITUTIONAL MANDATES

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- **2021 Reform to detention of migrant children**
  - Ends detention of unauthorized migrant children in immigration centers across Mexico, regardless of traveling with or without a parent
  - Transferred custody to DIF (System of Integral Family Development)
  - Federal and state authorities must provide alternative detention conditions when necessary
  - Individual best interest determinations will be conducted by new system of state attorney offices on the protection for children and adolescents
  - Provides humanitarian visa to children pending the resolution of their court case, allowing to receive basic services and protection



# TAKEAWAYS

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- The reactive nature of Mexico's migration policymaking raises serious questions about the capacity of the government to promote safe, legal, and orderly migration over the long term.
- A mix of forward-looking reforms and *ad hoc* policies have resulted in a patchwork of overlapping mandates that prioritize coordination—for example, in SRE's interagency commission, between INM and the National Guard, and with other actors such as COMAR's work with UNHCR—over sustainable institutional capacity-building efforts.
- The lack of long-term, sustainable efforts to strengthen the institutions that are supposed to oversee policy changes is having a significant effect on Mexico's migration policy landscape.



# TAKEAWAYS

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- As a country of origin, reception, and transit migration, Mexico has an opportunity to reimagine its role as a key actor in regional migration management.
- Its success in seizing this opportunity will largely depend on its ability to systematize migration policymaking efforts and develop robust and resilient institutions that can make the overall migration system more sustainable.



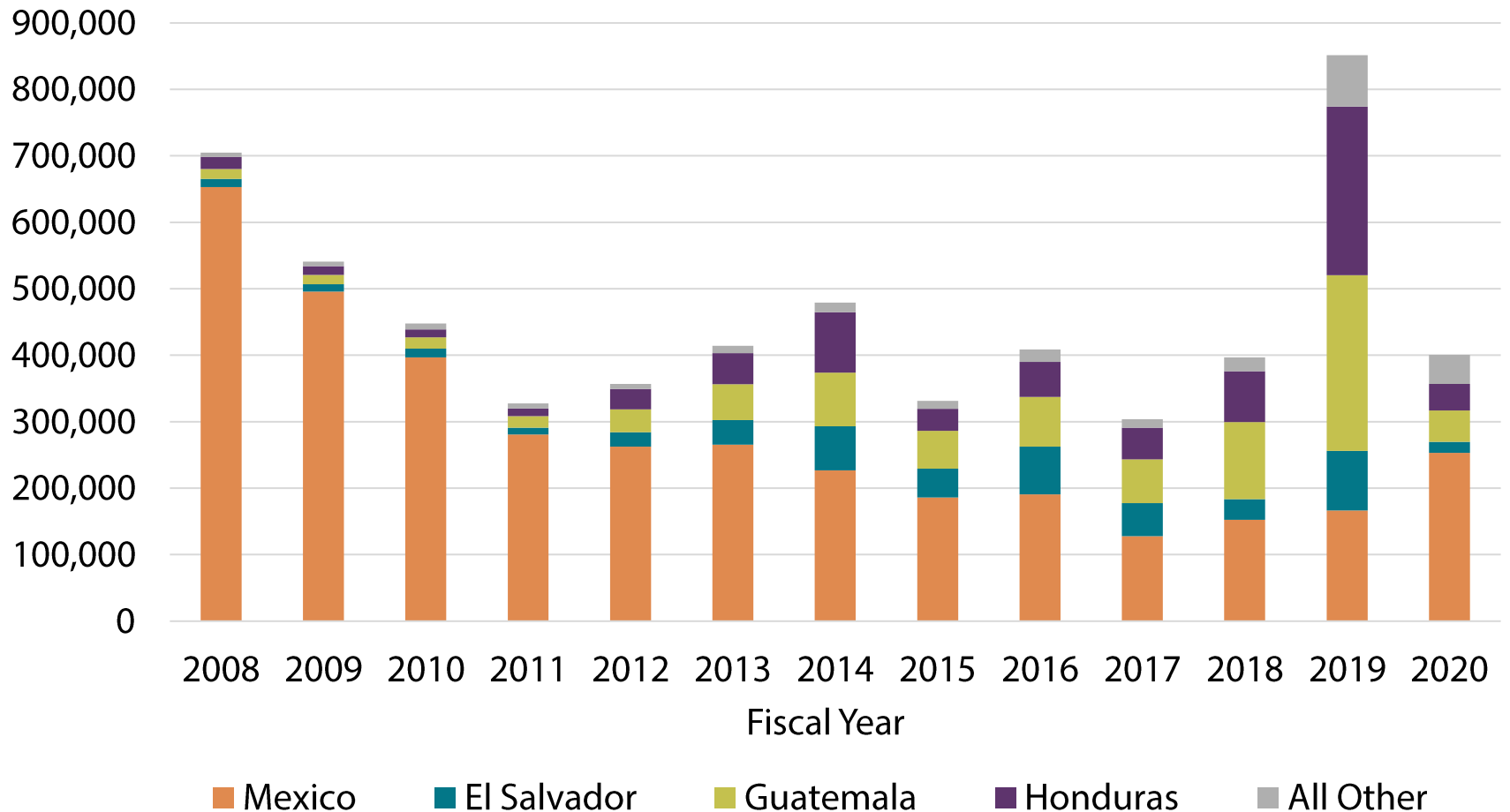
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# MIGRANT APPREHENSIONS FROM CENTRAL AMERICA AND OTHER WORLD REGIONS HAVE INCREASED



Note: These data are for U.S. federal government fiscal years, which run from October 1 through September 30.

Source: MPI calculations based on U.S. Border Patrol, "[U.S. Border Patrol Apprehensions Nationwide by Citizenship and Sector, FY2007-2019](#)," updated January 2020; U.S. Customs and Border Protection, "[U.S. Border Patrol Southwest Border Apprehensions by Sector Fiscal Year 2020](#)," updated November 19, 2020.



# EMERGING MIGRATION MANAGEMENT STRUCTURE

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- Policymaking systems are not fully built and are subject to change as circumstances shift
- Migration institutes and agencies—as well as labor mobility pathways—are weakly institutionalized
- Enforcement left to national police and/or military
- Asylum systems are in nascent stages
- Uneven and underinvested reception and reintegration systems
- Coordinating roles by international organizations also challenged within governments



# EMERGING MIGRATION MANAGEMENT STRUCTURE

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- El Salvador: General Directorate of Migration and Immigration (Ministry of Justice and Public Security)
  - *Enforcement*: Border Patrol focused on irregular crossing points, works with Border Police
- Honduras: National Institute of Migration (2014)
  - *Enforcement*: National Interinstitutional Force for Security (FUSINA) comprised of members from National Police, Army, Attorney General's Office, and intelligence offices
- Guatemala: Guatemalan Migration Institute (2020)
  - *Enforcement*: National Police and military units for enforcement





# ASYLUM AND HUMANITARIAN PROTECTION

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- Asylum Cooperation Agreements (ACAs) with the United States terminated in February 2021
  - Only implemented in Guatemala, paused in March 2020
- International and civil society support
  - Protection Transfer Arrangements (PTA) allowing those in greatest danger to be resettled
  - NGO Cristosal provides relocation and support for immediate cases in El Salvador
- Government improvements to asylum systems
  - Guatemala: Department of Recognition and Refugee Status (DRER) established to support the National Refugee Commission (CONARE)
  - El Salvador: Approved special law to protect victims of forced displacement
  - Honduras: Considering similar internal displacement law



# LEGAL EMPLOYMENT PATHWAYS

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- U.S. agreements on temporary pathways
  - Guatemala on H-2A visas for agricultural workers; Honduras on H-2A and H-2B (non-agricultural worker visas) programs
  - El Salvador: Commitment to increase participation in H-2A and H-2B programs
- Efforts to attract U.S. employer interest in seasonal workers
  - Guatemalan database of 34,000 vetted agricultural workers; El Salvador promotion with U.S. employers
- Guatemalan efforts to expand and facilitate employment pathways in Mexico (Regional Worker Visa)



# RETURN MIGRATION AND REINTEGRATION

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- El Salvador: National Council for the Protection and Development of Migrants and Their Families (CONMIGRANTES) develops policies focused on migrants and their families
- Guatemala: National Council for Migrant Affairs (CONAMIGUA) oversees services for returnees and their families in Guatemala
- Honduras: Law for the Protection of Honduran Migrants and their Families
  - Center for Returned Migrant Care (CAMRs), Center for Adolescent and Family Migrants (CANFM-Belen), Municipal Units for Returnee Care (UMARs)
- Still civil-society organizations and faith groups continue to fill reintegration gaps left by governments



# COORDINATION & COOPERATION

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- Lack of sustainable decision-making system to allow input in policy implementation and planning
- Regional coordination focused predominately on enforcement with Mexico and the United States
- Development and investment in Central America
  - Comprehensive Development Plan (PDI)
  - U.S. Strategy for Engagement in Central America
- Existing regional mechanisms are promising with additional guidance on non-enforcement issues



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# COSTA RICA AND PANAMA: INSTITUTIONAL CONTRASTS

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- Sophisticated migration and humanitarian institutions in Costa Rica, while institutions not fully rebuilt in Panama
- But both countries face increasing number of transit migrants and asylum seekers, overwhelming capacity
  - Migrant flows from Nicaragua, Venezuela, Cuba and increasingly other non-traditional countries
- Major role in humanitarian protection can be expanded in Costa Rica with sufficient investment; Panama's responses have been more *ad hoc* in response to migration flows
- Both must be part of any coordinated approach, not only because they occupy a strategic location but also because of their experience



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# REGIONAL POLICY OPPORTUNITIES

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- Develop clear policymaking and decision-making processes to ensure long-term thinking around migration policy
- Professionalize border and immigration enforcement by deciding which agencies have primary responsibility and then create transparent policies and protocols for the performance of their duties
- Make additional investments in government asylum systems and in internal protection mechanisms
- Develop greater capacity for managing legal migration
- Invest further in return and reintegration programs



# FOR MORE INFORMATION



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# Building Effective Migration Management Capacity in Mexico and Central America

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- Featured Report:

## ***Laying the Foundation for Regional Cooperation: Migration Policy and Institutional Capacity in Mexico and Central America***

By Andrew Selee, Ariel G. Ruiz Soto, Andrea Tanco,  
Luis Argueta and Jessica Bolter

Available in English at: <https://bit.ly/3uRNVja>

Available in Spanish at: <http://bit.ly/3x7Jq>



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