

July 11, 2022

President of the United States Joseph Biden
President of Mexico Andrés Manuel López Obrador

cc:

U.S. Secretary of State Antony Blinken
Mexican Minister of Foreign Affairs Marcelo Ebrard

Dear President Biden and President López Obrador,

We, the undersigned 87 organizations committed to human rights, migrant, and refugee rights, are writing ahead of your bilateral meeting at the White House to urge you to center your discussion of migration on human rights, protection, and expansion of legal pathways. While migration across the hemisphere poses challenges, the United States and Mexico can and should be leaders in the protection of migrants and refugees and make reality the rights-respecting commitments in the [four pillars](#) of the recently signed [Los Angeles Declaration on Migration and Protection](#).

The recent tragedy in San Antonio, where 53 migrants died in a trailer while trying to enter the U.S. undetected, shows the devastating human impact of migration policies centered on limiting access to territory, as people are forced to hire smugglers and take increasingly life-threatening routes. This dire toll is not unique—[55 migrants](#) died in Chiapas last December when their overcrowded trailer truck crashed and overturned; according to various reports, [migrant deaths](#), disappearances, and injuries at the U.S.-Mexico border this year are at an all-time high, and deaths at sea are also on the rise. We [urge](#) authorities to protect the victims of the horrific San Antonio incident.

Pursuing policies that ensure access to safety rather than centering harmful deterrence and enforcement practices

In the face of these tragedies, our organizations remain gravely concerned that, despite the stated commitments of your administrations, including those made in the recent Los Angeles Declaration, to promote regular pathways for migration, access to international protection, and humane migration management, the United States and Mexico are instead continuing ineffective and unlawful deterrence-based policies and practices that disregard and subvert international refugee and human rights law and endanger migrants and asylum seekers. In particular:

- Human rights researchers have tracked at least [10,318](#) reports in Mexico of kidnappings and other brutal attacks against people blocked or expelled under Title 42 since the start of the Biden administration.
- Under Title 42, the United States has deployed thousands of expulsion [flights](#) to send tens of thousands of individuals to Brazil, Colombia, Central America, and Haiti without giving them the opportunity to seek protection, in violation of domestic and international law. Some [4,000 Haitians](#) were expelled or deported on 36 flights in the month of May alone.

- Multiple organizations have recently [documented](#) how migrants and asylum seekers arriving in southern Mexico face a series of government actions and omissions that leave people struggling to survive and vulnerable to [abuse](#) and arbitrary treatment as they navigate multiple backlogged legal processes.
- Since 2020, organizations have [documented](#) deeply concerning incidents of members of Mexico's National Guard and the National Migration Institute (INM) beating Black migrants, separating families, and utilizing excessive force towards migrants along Mexico's southern border. In this same period, researchers have also [registered](#) over 270 allegations of abuse against migrants by U.S. Customs and Border Protection and Border Patrol agents, including excessive use of force, denial of medical care, and family separation. [Women seeking protection](#) also face particularly heightened risks due to U.S. and Mexican migration policies.
- The [violations faced by Indigenous peoples in migration](#) are not well understood due to a lack of disaggregated data, documentation, and misclassification of Indigenous peoples as Hispanic or Latino. We highlight the case of [Juanita Alonzo Santizo, a Maya Chuj Indigenous](#) woman who was arbitrarily detained in Mexico for over seven years. Her case drew national and international attention because of Maya women led advocacy. Juana's case is emblematic of the discrimination and racism faced by Indigenous migrants, including Indigenous language exclusion.
- New visa restrictions in Mexico for Venezuelans, Brazilians, and Ecuadorians force them to take dangerous and lengthier routes by foot, often through the Darien Gap, where migrants are exposed to human rights violations, including rampant rates of [sexual violence](#).

These enforcement-centric policies fuel violence and attacks towards migrants, increase humanitarian crises at our borders, and enable smugglers and traffickers to prey on migrants. Government enforcement efforts have done little to prevent or mitigate the dangers of human smuggling and trafficking in persons patterns and the profits to be made off smuggling and trafficking. All of this demonstrates the urgent need for a change of course. We urge both governments to take concrete and immediate actions to fulfill the Los Angeles Declaration pledge to strengthen the framework for international protection and promote regular pathways.

Restoring access to asylum and protection at the U.S. border

In the United States, we welcomed the recent Supreme Court ruling that the Biden Administration has the legal authority to end the Migrant Protection Protocols (MPP) or Remain in Mexico policy. We now urge the Biden Administration to begin the winddown process of this policy in collaboration with the Mexican government, international organizations, and civil society. It is also crucial for the Biden Administration to take all possible measures to prevent Title 42 expulsions from continuing, including by utilizing exceptions to the widest extent possible and meaningfully complying with a [recent court order](#) by ensuring that no refugee is returned to a country where they would be persecuted or tortured. Fully restoring access to asylum at the U.S.-Mexico border entails safe reception practices that guarantee people the right to make their claims, preserve family unity, and does not hold individuals in border custody or detention for extended periods of time. U.S. authorities should coordinate with nongovernmental organizations and shelters for swift transportation of asylum seekers to destination communities within the United States, establishing access to services,

legal counsel, and community-based case management as individuals pursue their immigration proceedings in the United States.

Increasing access to protection and safety in Mexico

For its part, the Mexican government should take steps to address the widespread insecurity and lack of basic services for migrants and asylum seekers waiting in Mexican border towns and states. At the same time, in the face of unprecedented growth in asylum applications, we urge the Mexican government to provide additional resources for Mexico's refugee agency, COMAR, which has been [understaffed and under-resourced](#) for far too long. In addition to increased access to asylum, the Mexican government should expand the use of temporary humanitarian status and under-utilized regular pathways in the Law on Migration, as well as strengthening the capacity of Mexican consulates in Central America to issue visas. While an expansion of temporary work visas for Central Americans recently announced by the Mexican government may offer some migrants a welcome employment opportunity, this program must be reformed to ensure worker's rights including safe working conditions, freedom of association and collective bargaining regardless of immigration status, dignity, equal treatment, and employment free from exploitation, including the possibility to change employer. Temporary workers must enjoy freedom of movement, and they should not be prevented from interacting with local communities. Particular attention should be paid to ensuring access to women in migrant worker programs. All expansions of work visas should be coordinated with U.S. and Mexican labor rights organizations to prevent recruitment fraud and other rights violations. Labor inspections with inspectors who can communicate with the workers in their languages to ensure safety in the workplace and protections against reprisals are essential.

Creating and increasing alternative and additional pathways to migration, including to address the impact of climate change

As the United States and Mexico have recognized the importance of collaborating to address the [climate crisis](#), we urge you to also create protection and migration pathways for individuals and families that are forced to flee due to the growing impact of climate change and environmental degradation. Regional protection pathways, such as temporary protected statuses and pathways for long-term regularization, must also be established in other countries while allowing migrants and refugees to seek protection where they feel secure. In accordance with the commitment to resettle 20,000 refugees from the Americas, the United States should ramp up operations to increase the number of refugee admissions from this region, which continues to have one of the lowest admission levels of any region in the world. While we applaud the Biden administration's steps to reinstate and expand eligibility for the Central American Minors (CAM) program and the Protection Transfer Arrangement (PTA) for individuals from the northern countries of Central America, these programs are extremely limited in their scope, and there are currently no other mechanisms for people to seek protection in the United States from their home or a transit country in the region. Finally, the Haitian Family Reunification Parole Program must begin operating by sending invitations to eligible individuals as promptly as possible, and the Biden Administration should immediately restaff the consular section of the U.S. Embassy in Havana to fully implement the Cuban Family Reunification Parole program.

Coordination and consultation with civil society is critical to a regional approach to migration

While addressing the root causes of the forced migration patterns in the hemisphere is necessary and important, it must be done carefully and in coordination with civil society, local communities, and international organizations, with the recognition that reducing the drivers of forced displacement takes time. The U.S. and Mexican governments should ensure that cooperation on the northern countries of Central America focuses on protection-centered approaches to addressing corruption, human rights violations, the closing of civic space, inclusive and sustainable community-led development, targeted violence prevention programs, and climate change mitigation and adaptation, all while centering the impacted communities in driving change.

We encourage you to provide true regional leadership by demonstrating that the commitment to uphold human and migrant rights applies to states' own conduct at home, as well as their recommendations for other countries. Our organizations appreciate your consideration and welcome the opportunity to engage with your administrations regarding a comprehensive and collaborative regional vision that respects the rights of migrants and refugees and that promotes access to protection and alternative pathways to migration.

Sincerely,

Al Otro Lado

Albergue Tochan-Nuestra Casa y Comité de Solidaridad y Derechos Humanos Monseñor Romero

Alianza Americas

Americasinmuros.org

Andarhani tz'itz'iki p'urhe

Apoyo a Migrantes Venezolanos

ASISTA

Asociación Pop No'j (Guatemala)

Asylum Access Mexico (AAMX)

Caminamos Juntos AC

Casa Monarca. Ayuda Humanitaria al Migrante, A.B.P.

CCIAPM ABBA A.C. I

Center for Democracy in the Americas

Center for Gender & Refugee Studies (CGRS)

Centro de Derechos Humanos de la Universidad Católica Andrés Bello (CDH-UCAB)

Chicago Religious Leadership Network on Latin America-CRLN

Church World Service

Coalición de Derechos Humanos

Coalición de Migrantes

Coalition for Humane Immigrant Rights (CHIRLA)

Colectivo paa el Desarrollo Transnacional de Michoacan (CODETMICH)

Comunidad Maya Pixan Ixim

Consejo de la crónica

Cuerpo académico Procesos Transnacionales y Migración. Benemérita Universidad
Autónoma de Puebla
El Colegio de la Frontera Sur
Federación de Nayaritas Unidos
Federación Yucateca de California
Florence Immigrant & Refugee Rights Project
Fundación Defensoría Migrante
Fundación EPICENTRO
Fundación Gilberto Rincón Gallardo
Geopaz. Instituto de Geografía para la paz; Geopaz. Institute of Geography for Peace
Global Exchange
Grupo Asesor en Migración y Salud (GAMyS)
Haitian Bridge Alliance
Hispanic Federation
Hope Border Institute
Human Rights First
Human Rights Watch
Incidencia Social A.C.
Institute for Justice and Democracy in Haiti
Instituto para las Mujeres en la Migración (IMUMI)
International Mayan League
International Refugee Assistance Project (IRAP)
Itzel Eguiluz
Jesús Alejandro de la Peña Rodríguez
Juchari Sirhankua
Justice in Motion
Kaltsilaltik AC
Kids in Need of Defense (KIND)
Kino Border Initiative
La Raza Community Resource Center
Latin America Working Group (LAWG)
Martha Rojas
Maryknoll Office for Global Concerns
Migrant Center for Human Rights
Migrantologos
MomsRising
National Immigration Law Center
National Justice For Our Neighbors
Pastoral de Migración Iglesia Luterana Mexicana
Presbyterian Church (USA)
Project Lifeline
RAICES
REDODEM
Refugee Congress
Refugees International
Respond Crisis Translation
Rocky Mountain Immigrant Advocacy Network
Save the Children México

Save the Children US
Servicio Jesuita a Refugiados México
Sin Fronteras
Sínodo Luterano Salvadoreño
South Texas Human Rights Center
Tahirih Justice Center
The Sidewalk School
UNAM
Unitarian Universalists for Social Justice
Universidad Iberoamericana
Universidad Iberoamericana Mexico City/CDMX
Universidad Iberoamericana Puebla
Ustedes Somos Nosotros
Witness at the Border
Washington Office on Latin America (WOLA)
Women's Refugee Commission
Xiomara Peraza Torres