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**Ref: Request for thematic hearing on human mobility and structural racism in the region
and the need for an anti-racist approach**

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The Promise Institute for Human Rights at the University of California, Los Angeles, RacismoMX, the Center for Immigration Law and Policy at the University of California, Los Angeles, the Center for Justice and International Law (CEJIL), the Observatorio de Racismo en México y Centroamérica, composed of Asociación Enlaces Nicaragüenses, Grupo de Monitoreo independiente de El Salvador, Asociación Pop No'j, Comisión de Acción Social Menonita, Trans Queer Pueblo, El Jardín de las Mariposas, Espacio Migrante, Programa de Asuntos Migratorios de la Universidad Iberoamericana, Una mano amiga en la lucha contra el Sida, A.C., Kanan DDHH, Casa Arcoíris, A.C., Centro de Derechos Humanos Fray Matías de Córdova, A.C., in conjunction with Comunidades Indígenas en Liderazgo (CIELO), Haitian Bridge Alliance (HBA), Black Alliance for Just Immigration (BAJI), Migrant Workers Alliance for Change (MWAC), Center for Gender & Refugee Studies (CGRS), and Refugee Studies (CGRS) and National Immigration Project of the National Lawyers Guild (NIPNLG), hereinafter referred to as the petitioners, are writing pursuant to Articles 61, 62 and 66 of the Rules of Procedure of the Inter-American Commission on Human Rights (IACHR) to request a thematic hearing on "Human mobility and structural racism in the region and the need for an anti-racist approach" in the framework of the 186th Regular Session of the IACHR, to be held March 6-10, 2023 in Los Angeles, USA.

In this regard, it is important to note that all the petitioners are organizations that work in the promotion and defense of the human rights of people in situations of mobility and/or racialized people in the region of Central and North America, through documentation, advocacy, litigation, and enforcement actions to achieve legal, social, and cultural change in favor of their rights.

I. Justification

Despite the fact that a series of international instruments¹ have recognized the right to equal treatment and non-discrimination of people in a situation of human mobility, the current regional migration policy for Central and North America is based on racialized responses, in which racial

¹ See, for example, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; Convention Relating to the Status of Refugees; American Convention on Human Rights; and International Convention on the Elimination of All Forms of Racial Discrimination.

discrimination against certain groups has historically generated a series of restrictive policies and measures that make regional migration dynamics more complex.

In this regard, for example, the "Inter-American Principles on the Human Rights of All Migrants, Refugees, Stateless Persons and Victims of Trafficking in Persons" has highlighted the importance of addressing the forms of discrimination that exist against these people, including structural racism; and calls on States to implement public policies to protect people in a situation of human mobility and prevent them suffering this structural discrimination.

Likewise, the *Office of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance*, in its report addressing the issue of racial discrimination in the context of laws, public policies, and practices relating to citizenship, nationality, and immigration, observed that contrary to their international obligations, States justify, adopt, and implement policies that racially discriminate on migratory grounds based on ethno-nationalism, national security, and possible economic repercussions.² All of these factors are visible in the current regional context.

However, the link between race and human mobility has not been explored in depth by any international human rights protection mechanism. In particular, to date, there has not been a thematic hearing that analyzes and observes the link between the historical racialization³ in Central America, Mexico, the United States and Canada, with the discriminatory migration policies that are currently being adopted. Similarly, there have been no specialized reports by international protection mechanisms explaining how the processes of racialization, in various forms, have impacted, and are currently impacting, the rights of people in a situation of human mobility. In other words, to date, there has been no analysis of human mobility from an anti-racist approach. Therefore, the hearing is an opportunity for this honorable Commission to contribute an analysis of racial, structural, and transnational justice to migration in the region.

This is despite the fact that racialization within the current context of human mobility is relevant both as a cause that generates the phenomenon and as a process that has consequences for the people who find themselves in this situation, both in transit and in the host communities. Therefore, this thematic hearing aims to observe, with concrete and clear examples from the region, the link between race and human mobility, including discriminatory practices that are not only related to people in mobility seeking international protection, but also to regular migration or labor migration of migrant workers. In addition, the purpose of this hearing is to analyze how

² Special Rapporteurship on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. A/HRC/38/52, 25 April 2018. Available at: https://promiseinstitute.law.ucla.edu/wp-content/uploads/2022/06/A_HRC_38_52-Race-Migration-and-Ethno-Nationalist-Ideals.pdf

³ "One of the most useful definitions of this concept is "the social production of human groups in racial terms." Racialization is a very particular and specific way of seeing and labeling people's bodies in terms of "races". This means that human groups are conceived as if each of those who inhabit them belong to the same "race". Thus, when a person sees another person whom he or she assumes to belong to a specific "race" and assigns stereotypes to him or her that are consistent with that generalization, he or she is making it. What is racism and how does it manifest itself?" CONAPRED, July 2021. Available at: https://www.conapred.org.mx/documentos_cedoc/Queycomo_manifiesta_racismo_02_WEB.Ax.pdf.

human mobility, from its structural causes, presents patterns of racialization that must be addressed by the States of origin, as well as those of transit and reception.

An example of this is how indigenous communities that have historically been racialized in the region are more susceptible to forced internal displacement, or to having to migrate to another country, since this racialization has placed them in conditions that differentiate them from the rest of society, and as a result of which they face greater complications in accessing their rights. Being in this differentiated situation of greater vulnerability, forced internal displacement or migration can occur for reasons ranging from the arrival of extractive projects in the communities; the consequences of environmental risks, and the lack or exclusion of certain communities in the design and implementation of public policies for mitigation or humanitarian assistance related to these risks; the presence of organized crime, or the situation of generalized poverty experienced in these areas.

On the other hand, with regard to transit and host communities, public policies with racist approaches implemented by the States are notable, as well as the practices carried out by State agents in the containment of migratory flows, where it has been observed that there is a criminalization of migration that has as its main focus the racialization and stigmatization of people who are brown, indigenous, Black and Afro-descendant, or of any racialized nationality.

Consequently, the petitioners consider that addressing the issue of racism and human mobility in a hearing with the Commission is of great importance, since to date human mobility has not been addressed with a differentiated anti-racist approach; it is necessary to begin to build such an approach in order to guarantee the effective protection of the rights of persons in a situation of human mobility in the continent.

II. Purpose of the hearing

The petitioners propose to appear before the IACHR with the objective of presenting in a comprehensive and detailed manner how various practices and policies of racial discrimination and national and regional racialization processes impact people in a situation of human mobility in the region. The purpose would be to begin to build an anti-racist approach in the response to human mobility. To this end, the following will be analyzed and observed:

- a.** The processes of racialization in the countries of origin that generate forced internal displacement to racialized communities, and how structural racism determines the experience of mobility.
- b.** Discriminatory practices and policies that respond to the migratory flow of certain racialized groups. We will observe, among others, processes of racialization, differentiated impacts, and racial profiling.
- c.** The impact of racialization processes and practices on the host communities or communities to which migrants are returned.
- d.** Explanation of an anti-racist approach to human mobility and good practices identified in this regard.

III. Analysis of context and relevance of the thematic hearing

1. Processes of racialization and racial discrimination in the panorama of human mobility in the region

As noted in the justification, the relevance of this hearing lies in the fact that, to date, human mobility has not been approached with a clear anti-racist focus, observing the way in which processes of racialization and racial discrimination impact and affect migration policies and the rights of people in a situation of human mobility in the region.

In this sense, the processes of racialization⁴ in Latin America are a response to the historical structural discrimination linked to concepts of mestizaje in national imaginaries together with processes of assimilation or erasure of indigenous populations and an underlying anti-Black racism, expressed in "colorism". While in the United States racism had an explicit focus on white supremacy that in different historical periods has manifested itself in violence and segregation of Afro-descendant populations and in the extermination of indigenous populations, the processes in Latin American states stripped millions of indigenous and African people of their roots. Nevertheless, there are shared characteristics in the construction of racial hierarchies with the legacies of colonial logic. Therefore, we insist on the importance of making visible this historical discrimination and systemic racism, which has affected not only African or Afro-descendant populations and indigenous communities, but also a large population that, without self-determining in one way or another, have been subjected to racism in Latin America because of their ethno-racial characteristics.⁵

Mestizaje, as a project of many nations in the region, had as its main objective the creation of a new identity resulting from a supposed genetic mixture of the people who already inhabited the American territories and the European people. This meant that, during the colony, indigenous and African people had to strip themselves of their roots in order to integrate into this new society. However, in these projects to create new societies there were several implicit strategies: whiten the society so that they would integrate into its dynamics, that is, the European social dynamics; whiten the people in terms of skin tone, in fact this is where phrases like "marry white to improve the race," used commonly in Latin America, make sense; strip the indigenous peoples of their roots so that they would adopt the European ways of living since they were considered the best, most modern ones; stop the speaking of their languages and the use of their traditional clothes, among others.

⁴ "Racialization is the process of giving meaning or reading to certain physical attributes of people in order to assign them to general categories of "races", which are usually projected as actual biological groups that reproduce each other." Segato, R. L., Los cauces profundos de la raza latinoamericana: una relectura del mestizaje. *Criticism and Emancipation*, 2(3), 11-44 (2010). Available at: <http://biblioteca.clacso.edu.ar/ojs/index.php/critica/article/view/166/151>.

⁵ Ethno-racial characteristics can be understood as ethnic markers that correspond to culture, traditions, language, religion and clothing, and racial markers shall be understood as phenotype, skin tone, hair texture, height, facial features, etc.

This has dangerous consequences because it has left a large number of racialized and mixed race people in the most precarious echelons of society and without the possibility of moving in the social schemes. In other words, power dynamics have continued to benefit a few people to the detriment of others. It is no coincidence that today white people maintain privileges and are those leading these power groups, while racialized people (brown, indigenous, Afro-descendant or Black) occupy the most precarious spaces in all spheres, including political, cultural, economic, and social.

It is common to hear that racism does not exist in Latin America, precisely because mixing made us all equal in our territories and that only in the United States and Brazil is it a problem because in those countries there are Afro-descendant populations. However, it is important to highlight that as a result of this invisibilization, for example, it was not until 2019 that in Mexico the Afro-descendant populations were censused and legally recognized in the Political Constitution; or that in other Latin American states there are several ways of naming Afro-descendant populations, such as "pardo" in Brazil, which despite denoting a person of African descent, is a way of highlighting that they are less Black.

Thus, racial discrimination has been a historical dynamic involving the hierarchization of people according to their ethnic-racial characteristics, which has valued white people and disadvantaged people with darker skin tones.

This has caused racialized populations to find themselves in circumstances of poverty and in a situation of greater vulnerability to the violence exercised by organized crime groups, phenomena related to climate change and environmental degradation, dispossession of their lands to make way for extractive projects, causing them to be at greater risk of mobility and forced displacement. For example, indigenous communities in Central America have been severely impacted by climate change and frequently forcibly displaced as a result.

There is also evidence of the particular effects of drought and food insecurity experienced by various indigenous communities in the highlands of Guatemala, the forced displacement of communities and indigenous peoples by megaprojects—which contribute to or do not mitigate climate change⁶—such as the situation of the *Mayan Train* in Mexico,⁷ the effects on Garifuna communities due to coastal erosion,⁸ and also the situation of the Miskitu people of Nicaragua.⁹

⁶ Swissinfo, *Piden en Suiza apoyo a los DDHH en Oaxaca*, September 28, 2017. Available at: https://www.swissinfo.ch/spa/sos-de-pueblos-ind%C3%ADgenas_piden-en-suiza-apoyo-a-los-dd-hh-en-m%C3%A9xico/43555712.

⁷ El Espectador, *Cenotes in Mexico are at risk. Indigenas piden que sean sujetos de derecho*, May 17, 2022. Available at: <https://www.elespectador.com/ambiente/blog-el-rio/cenotes-de-mexico-estan-en-riesgo-indigenas-piden-que-sean-sujetos-de-derecho/>.

⁸ Bio Diversidad LA, Honduras: Garifunas and the right to consultation, water for La Ceiba or beach for Sambo Creek, October 27, 2016. Available at: https://www.biodiversidadla.org/Noticias/Honduras_Garifunas_y_el_derecho_a_la_consulta_agua_para_La_Ceiba_o_playa_para_Sambo_Creek.

⁹ Confidential, *Climate Change: The unexpected Miskitu migration to Costa Rica after the hurricanes*, January 23, 2022. Available at: <https://www.confidencial.com.ni/migrantes/reportajes/cambio-climatico-la-inesperada-migracion-miskitu-a-costa-rica-tras-los-huracanes/>.

In turn, when racialized populations in a situation of mobility move to other countries in the region, they are victims of racism and discrimination. Given the concept of mestizaje and the understanding of national identity as unique, people who are brown, Afro-descendant, Black or indigenous are detained, watched, or persecuted by migration and security agents, associating their identity with stereotypes linked to dangerousness or criminality. An example of this is the difference in the treatment and reception of Ukrainian migrants compared to Central American, Caribbean and African migrants on Mexico's northern border. The Observatory of Racism in Mexico and Central America published a communiqué on April 25, 2022 on the inequality of opportunities and access to rights among populations in the context of mobility due to systemic racism.¹⁰ In other words, human rights violations and cases of discrimination against people in the context of mobility have an indissoluble link with raciality.

Faced with this racist and discriminatory scenario, the migration policies of countries such as the United States have blocked access to asylum procedures, violating in turn, the prohibition of non-refoulement of asylum seekers under the precepts of the 1951 Convention; for example, since March 2020 Title 42, has caused massive and expeditious expulsions of migrants of different nationalities with international protection needs from its borders, and with the cooperation of Mexico for the reception and expulsion of people from El Salvador, Guatemala, Honduras.¹¹ The use of this health law has been considered racist and xenophobic, exposing migrants to precarious situations, cruel, degrading, and inhuman treatment, criminalization, and systematic human rights violations.

Along the same lines, the U.S. government recently implemented a new immigration policy with the purpose of building an orderly, safe, and fair migration system for Venezuelans in view of the historic increase in irregular migration of people from Venezuela.¹² The expeditious measure decreed by Biden and supported by the Mexican government, surprised the Venezuelan migrant population in transit, since in addition to being stranded in Mexico, the authorities have not given enough attention to the migrants, on the contrary, they have been left unprotected and in danger, without access to asylum procedures, without economic resources, and without support to return safely to their country of origin.

Amnesty International has referred to the new immigration policy as "shameful"¹³ and aimed at stopping migrants, revealing an administration focused on preventing access to asylum for Venezuelans who, in the face of political repression and economic collapse in their country of origin, have been forced to flee their country, seeking international protection. The eligibility

¹⁰ Observatory on Racism in Mexico and Central America: Asylum is a right regardless of nationality, April 25, 2022. Available at: <https://www.instagram.com/p/Cc22nZdulwf/>.

¹¹ Office of the United Nations High Commissioner for Refugees, Statement attributable to UN High Commissioner for Refugees Filippo Grandi on the need to end US COVID-19 asylum restrictions, May 20, 2021. Available at: <https://www.unhcr.org/news/press/2021/5/60a687764/statement-attributable-un-high-commissioner-refugees-filippo-grandi-need.html>.

¹² Department of Homeland Security, Press Release: DHS Announces New Immigration Control Process for Venezuelans, October 12, 2022. Available at: <https://www.dhs.gov/news/2022/10/12/dhs-anuncia-nuevo-proceso-de-control-migratorio-para-venezolanos>.

¹³ Amnesty International, United States: Biden administration must reverse decision to extend Title 42, October 13, 2022. Available at: <https://www.amnesty.org/es/latest/news/2022/10/usa-biden-administration-expand-title-42/>.

requirements for applying to this program severely limit the number of beneficiaries,¹⁴ which would continuously limit and restrict Venezuelans from accessing an asylum procedure. In this way, the U.S. government shows how the implementation of this policy and the continuation of Title 42 are not aimed at the construction of a migration and asylum system under the observance of human rights and treaties on the matter or based on public health, but rather oriented towards reinforcing and consolidating a discriminatory and racist administration of the United States towards migrants, as it has historically been carried out.

In addition, it is important to mention that according to studies,¹⁵ Venezuelan migrants have been victims of discriminatory, sexist, xenophobic, and racist practices during their migratory route from the south to the north of the Americas, a situation that has been systematically reproduced by migration policies such as the one decreed by Biden in October 2022.

The growth of the migratory flow to the United States in 2018 brought with it the large-scale deportation of migrants through the instrumentalization of discriminatory, racist, and xenophobic policies. As Amnesty International reflects in its testimonial report "*We were not treated as people*", Haitian people reported having suffered cruel, inhuman and degrading treatment in migrant detention centers.¹⁶ The practice of such treatment is rooted in the racist discourse of U.S. authorities, as well as in discrimination based on nationality and migratory status, linked to the history of slavery suffered by people of African descent, giving rise to systematic racism.¹⁷

Likewise, in the case of Mexico, containment actions for the migratory crisis have been implemented along the same lines as the United States, which represents a risk of discrimination, abuses, and precarious conditions for migrants, especially for people of Haitian and Venezuelan origin. By 2021, the increase in asylum requests from Haitian people in Mexico had surpassed

¹⁴ Pachico, E. , Biden's new immigration policy for Venezuela closes the door to asylum seekers, Alianza Americas, October 14, 2022. Available at: <https://www.alianzaamericas.org/press-releases/nueva-politica-migratoria-venezuela-cierra-puerta-asilo/>.

¹⁵ OXFAM. Yes, but not here. Perceptions of xenophobia and discrimination towards migrants from Venezuela in Colombia, Ecuador and Peru (2019). Available at: <https://oxfamilibrary.openrepository.com/bitstream/handle/10546/620890/bp-si-pero-no-aqui-251019-es.pdf;jsessionid=DC1C9013FFBB2E475EE68D00D590C23E?sequence=8>.

¹⁶ Amnesty International, "They did not treat us like people," pp. 2 and 7 (2022). Available at: <https://www.amnesty.org/es/documents/amr36/5973/2022/es/>.

¹⁷ According to the United Nations High Commissioner for Human Rights, "systemic racism against Africans and people of African descent - also in terms of structural and institutional racism - is understood as the operation of a complex and interrelated system of laws, policies, practices and attitudes in State institutions, the private sector and social structures that, in combination, result in discrimination, distinction, exclusion, restriction or preference, direct or indirect, intentional or unintentional, in fact or unintentional, practices and attitudes in state institutions, private sector and social structures that, in combination, result in discrimination, distinction, exclusion, restriction or preference, direct or indirect, intentional or unintentional, de jure or de facto, on the basis of race, color, descent, or national or ethnic origin. Systemic racism often manifests itself in the form of pervasive racial stereotyping, prejudice and bias, and is rooted in the histories and legacies of slavery, the transatlantic African slave trade and colonialism." Report of the United Nations High Commissioner for Human Rights, Promotion and protection of human rights and fundamental freedoms of Africans and people of African descent from excessive use of force and other human rights violations by law enforcement officials, 1 June 2021, UN doc: A/HRC/47/53, para. 9. See also: Amnesty International, "We were not treated as people". Pp. 2 and 7 (2022). Available at: <https://www.amnesty.org/es/documents/amr36/5973/2022/es/>.

the number of previous years,¹⁸ around 18,833 by August.¹⁹ That same year, there were also documented instances of excessive use of force being used by authorities towards Haitian migrants in the south of the country. Given this new trend for the second half of 2021, it was reported that Haitian people were also being denied tickets at bus stations,²⁰ a measure used to carry out raids against, and detain and deport this population, a situation that was recognized as discriminatory, racist, and unconstitutional against Haitian people in Mexico.

Another of the most recent dynamics in the migratory and racist context is taking place in Costa Rica, with the migratory measures recently implemented at the end of November 2022, aimed at restricting access to international protection for migrants. The country will be implementing a stricter immigration policy, citing the warning of the government of Rodrigo Chaves that Costa Rica is not receiving an increase in international aid to respond to the migratory crisis that it is experiencing.²¹ With this, it intends to prevent asylum requests from Nicaraguan people in the context of labor or economic migration, despite the serious socio-political and economic situation that has caused the migration of more than 200,000 people since 2018, who in turn have sought asylum in Costa Rica.²²

According to Vasilka Sancin, member of the Advisory Committee of the United Nations Human Rights Council, the implementation of these measures is worrying, since at least 200,000 Nicaraguans could be affected, who would be denied access to asylum, implying a regression in terms of human rights and international refugee law.²³

All of the above demonstrates that the response of the States of the region to the increase in migratory flows and the new dynamics are oriented towards the criminalization of human mobility motivated by racialized processes of discrimination and exclusion, violating the human rights of migrants, restricting access to protection mechanisms, so the challenge lies in an approach focused on human rights, where States take action to build a regional system of protection for migrants.

¹⁸ López-Mills, D., Report warns of risks for migrants in Mexico, Los Angeles Times, June 2, 2022. Available at: <https://www.latimes.com/espanol/eeuu/articulo/2022-06-02/informe-alerta-sobre-riesgos-para-migrantes-en-mexico>.

¹⁹ Instituto para las Mujeres en la Migración A.C. IMUMI, Mexican Government needs to implement solution for the protection of Haitian migrants, September 2, 2021. Available at: <https://imumi.org/2021/09/02/gobierno-mexicano-necesita-implementar-solucion-para-la-proteccion-de-personas-migrantes-haitianas/>.

²⁰ María Ruiz, La persecución de migrantes de Haití en las centrales de autobuses, October 5, 2022. Available at: <https://piedepagina.mx/la-persecucion-de-migrantes-de-haiti-en-las-centrales-de-autobuses/>.

²¹ Rodríguez, G., Costa Rica hará cambios a su política migratoria si no aumenta el apoyo internacional, La Prensa, October 26, 2022. Available at: https://www.prensa.com/mundo/costa-rica-hara-cambios-a-su-politica-migratoria-si-no-aumenta-el-apoyo-internacional/?utm_source=Prensacom&utm_medium=Portada&utm_campaign=Recomendado%20para%20ti.

²² Benavides, W., Costa Rica will no longer receive economic migrants, Article 66, November 16, 2022. Available at: <https://www.articulo66.com/2022/11/16/costa-rica-migrantes-economicos-nicaragua-refugio/>.

²³ Castillo, H., UN expert sees Costa Rican immigration measures that would affect Nicaraguans as "regression". Voice of America, December 6, 2022. Available at: <https://www.vozdeamerica.com/a/asesora-de-la-onu-ve-como-una-regresion-medidas-migratorias-de-costa-rica-que-podrian-afectar-anicas/6865167.html>.

Therefore, it is of utmost importance that the analysis of migration-related problems in the American continent incorporates an analysis of racism. This is not only towards people of African descent, Black or indigenous people, but also towards people of brown skin tones who are racialized and discriminated against. This would allow the creation of strategies to understand the racist social dynamics towards migrants and eradicate stereotypes and prejudices towards this vulnerable group. Specifically, in this request we highlight a list of migratory processes and policies that the Commission has had little opportunity to address and analyze from the perspective of non-discrimination and anti-racism.

2. Migration policies affecting the transit of racialized migrants

a. The US responds to the migratory flow of certain racialized groups in a discriminatory manner by criminalizing human mobility with a criminal statute based on and executed with racism.

The U.S. response to human mobility, especially when it involves racialized migrants, has a profound impact at both the individual and regional levels. That is to say, it has a significant effect on individuals, as well as other countries in the region which adopt the racist and xenophobic approach that often defines U.S. migration policy.

Several racist U.S. immigration policies have been highlighted in recent years—such as Title 42 and the Migrant Protection Protocols (MPP)—but there is another lesser-known policy with a long racist history. For nearly a century, the U.S. has criminalized human mobility, with criminal statutes historically targeting racialized people. One such statute criminalizes "illegal reentry," which prohibits entry into or presence in the US after a prior denial of admission, exclusion, or deportation.²⁴ The crime is punishable by up to 20 years in prison.²⁵ Enforcement of this law focuses on Latin American individuals: between October 2021 and June 2022, 10,189 individuals were prosecuted under this statute,²⁶ of which 7,383 were Mexican,²⁷ or 72%. In 2021, 99% of those convicted under this statute were "Hispanic."²⁸ As elaborated above, this group is made up of people racialized in different ways—indigenous people, people of African descent, mixed race and others—but who uniformly suffer racist treatment and serious consequences,²⁹ as intended by the congressmen who passed the law.

²⁴ Another statute criminalizes "illegal entry," i.e., it prohibits entry into the U.S. without authorization and carries a maximum penalty of six months. 8 U.S.C. 1325. Available at: <https://www.law.cornell.edu/uscode/text/8/1325>. The Trump administration used this statute to separate migrant families. See e.g., Human Rights First, Punishing Refugees and Migrants: The Trump Administration's Misuse of Criminal Prosecutions, January 2018. Available at: <https://humanrightsfirst.org/wp-content/uploads/2022/01/2018-Report-Punishing-Refugees-Migrants.pdf>.

²⁵ 8 U.S.C. 1326. Available at: <https://www.law.cornell.edu/uscode/text/8/1326>.

²⁶ See, <https://www.justice.gov/usao/page/file/1460666/download>.

²⁷ See, <https://www.justice.gov/usao/page/file/1460661/download>.

²⁸ See, https://www.ussc.gov/sites/default/files/pdf/research-and-publications/quick-facts/Illegal_Reentry_FY21.pdf.

²⁹ See, e.g., Brief for Amici Curiae Advocates for Basic Legal Equality, Justice Strategies, LatinoJustice PRLDEF, Legal Aid Justice Center, Massachusetts Law Reform Institute, and National Immigration Law

The unconscionable impact this statute has had on Latine communities is no accident, but was the intention of its architects. In that vein, in August 2021, a federal district judge in the state of Nevada ruled that the statute is unconstitutional because of its racist history and impact.³⁰ When the law was enacted in 1929, contemporaneous statements by congressmen reveal that the purpose of the law was to preserve the white race in the US. For example, Congressman William Fitzgerald said that Mexican people were "undesirable" and were "poisoning the American citizen."³¹ Those perspectives persisted during the repromulgation of the law in 1952, with the use of derogatory words to refer to Mexican people. On December 8, 2022, the Court of Appeals for the Ninth Circuit, a federal court of second instance, heard arguments from the parties.

The troubling aspects of this law are both the criminalization of migration and the violation of the right to non-discrimination, two important principles in the regional legal framework on human mobility. For example, according to the Special Rapporteur on the human rights of migrants, "*irregular migrants are not criminals per se and should not be treated as such.*"³² Likewise, the Inter-American Court of Human Rights considers that "*the purpose of imposing a punitive measure on a migrant who irregularly re-enters the country after a previous deportation order does not constitute a legitimate aim under the Convention.*"³³ The criminalization of "illegal re-entry" directly contravenes this pronouncement.

With regard to the right to non-discrimination, it should be noted that States have the obligation to guarantee the enjoyment of human rights "*to all persons within their territory, without discrimination on the basis of regular or irregular stay, nationality, race, gender or any other cause.*"³⁴ The inordinate proportion of "Hispanic" people—according to the U.S. racial lexicon—who are prosecuted under this statute, coupled with the racist history of its enactment, raises serious doubts as to that guarantee.

Center Brief in Support of Appellant, *United States v. Rodrigues-Barrios*, No. 21-50145 (U.S. March 21, 2022). Available at: https://nippnl.org/PDFs/practitioners/our_lit/sel_amicus_briefs/2022_21March-Disparities-amicus-NILC-LJ.pdf.

³⁰ *United States v. Carrillo-Lopez*, 555 F. Supp. 3d 996 (D. Nev. 2021). Available at: <https://casetext.com/case/united-states-v-carrillo-lopez-3>.

³¹ *Ibid.*

³² United Nations, Human Rights Council, "Report of the Special Rapporteur on the human rights of migrants, François Crépeau," 20th session, A/HRC/20/24, April 2, 2012, para. 13; see also, United Nations, Working Group on Arbitrary Detention, "Promotion and Protection of all Human Rights, Civil, Political, Economic, Social and Cultural Rights, including the Right to Development," A/HRC/7/4, January 10, 2008, para. 53.

³³ Case of Vélez Looor v. Panama. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 23, 2010. Series C No. 218, para. 169.

³⁴ Inter-American Court of Human Rights, Juridical Condition and Rights of Undocumented Migrants. Advisory Opinion OC-18/03 of September 17, 2003. Series A No. 18, para. 118. See also, Inter-American Commission on Human Rights, Inter-American Principles on the Human Rights of All Migrants, Refugees, Stateless Persons and Victims of Trafficking in Persons, Resolution 04/19 adopted by the Commission on December 7, 2019, Principle 12.

It is of particular concern that the criminalization of human mobility by the U.S. leads to family separation, deprivation of liberty, and the violation of the right to seek and receive asylum.³⁵ In this regard, it is imperative to develop and expand the regional legal framework regarding the racist criminalization of human mobility.

b. The lived experiences of Black people subjected to immigration deterrence policies.

Black people in mobility in the Americas are harmed by immigration deterrence and border externalization policies and laws, along with historical structural racism in all regions. The deterrence model used in the United States and elsewhere in the region has resulted in pain, trauma and death for migrants fleeing extreme poverty, labor exploitation, collapsed States, colonial legacies, and racial violence in their countries of origin and along their migratory route. Immigration laws and policies and their enforcement, including, in particular, the externalization of the U.S. southern border to Mexico and further south, a major feature of the current U.S. approach to migration governance, is disproportionately harming Black migrants and denying them access to human rights and other protections. These transnational efforts to shut down access to international protection have revealed a persistent and profound racism against Black people inherent in immigration enforcement and border control, including hatred, violence, racial discrimination, xenophobia, and racist policies, measures, practices, and laws that undermine the lives and rights of Black migrants in the US, in border regions, and in non-border regions.³⁶

However, Black migrants rarely occupy a central place in broader narratives about human mobility in South and Central America, which is a major failure of public discourse and policy analysis.³⁷ Given the increasing displacement of Black migrants through border areas, which recently attracted popular attention in Del Rio, Texas, we cannot ignore the racist legacy and violence that permeates border governance.³⁸ Instead, we must look closely at racial disparities in migration as discrimination that leads to other human rights violations, and take steps to protect Black migrants and asylum seekers from exclusion, expulsion, deportation, and family separation.³⁹

³⁵ See e.g., Human Rights First, Punishing Refugees and Migrants: The Trump Administration's Misuse of Criminal Prosecutions, January 2018. Available at: <https://humanrightsfirst.org/wp-content/uploads/2022/01/2018-Report-Punishing-Refugees-Migrants.pdf>. See also, Adolfo Flores, The Law That Led To Trump's Family Separation Crisis Has A Racist History. Now These Attorneys Are Fighting Against It In Court, BuzzFeed, December 4, 2022. Available at: <https://www.buzzfeednews.com/article/adolfoflores/racist-lawmakers-immigration-laws-attorneys-tactic>.

³⁶ Tsion Gurmu, Combating Transnational Efforts to Detain and Deport Black Migrants Traveling to the U.S.-Mexico Border in "Spotlight Report on the Borderlands: How Racism, Militarization, and Surveillance Create a Human Rights Crisis on the U.S.-Mexico Border." National Network for Immigrant and Refugee Rights (2022).

³⁷ S. Priya Morley et al., A Journey of Hope: Haitian Women's Migration to Tapachula, Mexico (2021).

³⁸ "Spotlight Report on the Borderlands: How Racism, Militarization, and Surveillance Create a Human Rights Crisis on the U.S.-Mexico Border." National Network for Immigrant and Refugee Rights, USA (2022). See also, Amanda Pinheiro, "A Letter to the Four Haitian Asylum Seekers I Met on This Side of the Rio Grande" (2021). Available at: <https://www.independent.com/2021/10/30/a-letter-to-the-four-haitian-asylum-seekers-i-met-on-this-side-of-the-rio-grande/>.

³⁹ "Spotlight Report on the Borderlands: How Racism, Militarization, and Surveillance Create a Human Rights Crisis on the U.S.-Mexico Border." National Network for Immigrant and Refugee Rights (2022).

The Black Alliance for Just Immigration (BAJI) and the Haitian Bridge Alliance (HBA), two organizations leading the fight for racial justice and in defense of the rights of Black and Afro-descendant migrants, including specifically African and Haitian migrants, have recently documented how the situation of Black migrants who have been forcibly displaced and are in transit through the Americas has been worsening:

Deaths on the U.S.-Mexico Border

In the United States, immigration enforcement and border control has caused the deaths of thousands of migrants in the border region with Mexico over the past two decades. According to U.S. Border Patrol figures, 8,050 migrants died between 1998 and 2020, an average of 365 deaths per year, or one death per day. So far, 2022 is already the worst year on record for migrant deaths at the U.S.-Mexico border. Between January and October 2022, CBP found 605 migrant remains, which already surpassed the FY 2021 total of 566, which was itself a record. This is roughly doubles the number of deaths CBP recorded each year between 2014 and 2020.⁴⁰

The lived experiences of Black immigration deterrence

BAJI reports that the U.S. externalization and immigration deterrence model fuels anti-Black racism and turns borders into sites of criminalization and dehumanization. The border externalization project subjects Black migrants and asylum seekers to intensified policing resulting in high levels of physical and emotional trauma and serious human rights violations at the Guatemala-Mexico border.⁴¹ "We have slept in the mud, gone hungry and drank rainwater to survive... We have seen bodies of migrant brothers and sisters on the road, dead from exhaustion or drowned in the rivers."⁴²

Through "smart border" enforcement technologies, the precision of racial discrimination has intensified. The mobility of border communities has been regulated and controlled through checkpoints, cameras, drones, and surveillance towers. These technologies also push migrants into deserts and mountains, fueling the crisis of increased migrant deaths.⁴³ The recent Borderlands Spotlight Report calls attention to the fact that immigration deterrence and border externalization will never make migration safe, regular, or orderly; instead, these practices lay the groundwork for the use of excessive force, acts of torture and other threats to physical integrity.

⁴⁰ *Ibid.*

⁴¹ Tsion Gurmu, Combating Transnational Efforts to Detain and Deport Black Migrants Traveling to the U.S.-Mexico Border in "Spotlight Report on the Borderlands: How Racism, Militarization, and Surveillance Create a Human Rights Crisis on the U.S.-Mexico Border." National Network for Immigrant and Refugee Rights (2022).

⁴² "Spotlight Report on the Borderlands: How Racism, Militarization, and Surveillance Create a Human Rights Crisis on the U.S.-Mexico Border." National Network for Immigrant and Refugee Rights (2022).

⁴³ *Ibid.*

Violence against Black Migrant Women in the Darien Gap

The Haitian Bridge Alliance reports that migrants' rights to life and safety are regularly violated on the journey through the Darien Gap, including assaults and deaths.⁴⁴ Migrants consistently report violence, murder, sexual assault, and robbery against them by gangs and state law enforcement, as well as loss of life from drowning, injuries, and other health problems during the journey.⁴⁵ In October 2022, HBA led a delegation to Panama, involving CGRS and other organizations, that responded to the sexual and gender-based violence crisis reported to the organization predominantly by Haitian women who had migrated through the Darien Gap in 2020 and 2021. Through that research, HBA found a series of interconnected harms, suffered not only by Haitian and other Black women, but by people seeking refuge from insecurity in their home States from around the world of all genders, ages, and national origins.⁴⁶

Laws and policies to facilitate temporary labor exploitation

In several Latin American countries through which Haitian migrants passed, immigration laws and policies initially welcomed them, although they were only intended to facilitate the temporary exploitation of "cheap" Haitian labor. For example, according to a 2018 study that surveyed the working conditions of Haitian migrants in Chile, of which 33.8% of the sample were women, 48% had experienced discrimination and said that this was a major barrier to obtaining employment.⁴⁷

Haitian people and racial violence in the Americas

Haitian migrants in particular have experienced decades of racist and xenophobic immigration policies in the Americas designed to prevent them from reaching U.S. territory and seeking access to the U.S. asylum process.⁴⁸ As Professor E. Tendayi Achiume, former Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, observed, "*racist and xenophobic U.S. policies are enforced even beyond U.S. territories because they are outsourced for enforcement by Mexican and other officials long before refugees and migrants approach the U.S. border.*"⁴⁹ A 2021 Amnesty International report on Haitian migrants

⁴⁴ Haitian Bridge Alliance, Violence against Black Migrant Women in the Darien Gap (CEDAW Articles 1, 2, 3, 5, 6, 12, 15), January 12, 2022. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCEDAW%2fCSS%2fPAN%2f47481&Lang=en. See also, CEDAW, Concluding observations on the eighth periodic report of Panama, UN Doc. CEDAW/C/PAN/CO/8, February 24, 2022. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fPAN%2fCO%2f8&Lang=en.

⁴⁵ *Ibid.*

⁴⁶ Haitian Bridge Alliance. Press release "Haitian Bridge Alliance Responds to Temporary Protected Status (TPS) Extension and Redesignation for Haiti," December 5, 2022. Available at: <https://haitianbridgealliance.org/our-impact-2/>.

⁴⁷ S. Priya Morley et al., A Journey of Hope: Haitian Women's Migration to Tapachula, Mexico (2021).

⁴⁸ Complaint at ¶ 47, *Haitian Bridge Alliance v. Biden*, No. 1:21-CV-03317 (D.D.C.), Dec. 20, 2021. Available at: <https://int.nyt.com/data/documenttools/hba-v-biden/a8106eacd7c45afe/full.pdf>; see also, Sarah Decker et. al, Beyond the Bridge: Documented Human Rights Abuses and Civil Rights Violations against Haitian Migrants in the Del Rio, Texas Encampment (2022). Available at: <https://rfkhr.imgix.net/asset/Del-Rio-Report.pdf>.

⁴⁹ E. Tendayi Achiume, Foreword in S. Priya Morely et al., A Journey of Hope: Haitian Women's Migration to Tapachula, Mexico (2021). Available at: <https://imumi.org/attachments/2020/A-Journey-of-Hope-Haitian-Womens-Migration-to%20-Tapachula.pdf>.

found that countries in the Americas are *"limiting access to international protection and failing to protect Haitians from a range of human rights violations in host countries, including illegal detention and refoulement, extortion, anti-Black racism, abuse, including gender-based violence by armed groups, and destitution."*⁵⁰ The illegal and anti-Black efforts that have been pushed in the U.S. and other countries to impose and push for policies and practices that prevent people from crossing borders and reaching the U.S. undermine the right to seek asylum, put refugees at risk of refoulement, and have pushed displaced and migrant Black people from Africa and the Caribbean into increasingly dangerous migration routes.⁵¹ And, in the example of Haiti, one of the root causes of the migration of Haitian people in the Americas is the structural undermining of Haiti's right to self-determination and its right to development due to the unremedied effects of colonialism and ongoing neocolonial imperialism.⁵²

3. Policies affecting racialized migrants in host communities.

a. Indigenous erasure, discrimination, and linguistic violence in the U.S.A.

As described above, the mobility of Indigenous peoples in the region is due to the continuation of the logics of marginalization and social exclusion, of displacement caused by the exploitation of natural resources in their territories, and of the historical exploitation of natural resources by industrialized capitalism, mainly in developed countries, which has caused climate change. All these processes have a marked racial character, a product of the structures of colonial racialization. The demand of Indigenous peoples—and Afro-descendants—to seek life possibilities in the United States, the country that exercises hegemony over these processes, is an expression of resistance and survival in the face of these processes that violate their ways of life.

On the U.S. border, Indigenous peoples encounter new forms of demonstration of colonial racist logics applied to Indigenous peoples. First, they are denied their Indigenous identity, as they are classified according to their country of origin and not according to their Indigenous identity. It is assumed that they speak Spanish, taking away their power to speak their own language. Because of the experience of racism in their countries of origin, many prefer to hide their Indigenous identity

⁵⁰ Amnesty International, Not Safe Anywhere: Haitians on the move need urgent international protection, October 2021. Available at: <https://www.amnestyusa.org/wp-content/uploads/2021/10/Not-Safe-Anywhere-Haitians-need-urgent-international-protection-READY-FOR-PUBLISHING1.pdf>.

⁵¹ S. Priya Morley et al, "There is a Target on Us" - The Impact of Anti-Black Racism on African Migrants at Mexico's Southern Border (2021); see also, Caitlyn Yates, A Case Study in the Outsourcing of US Border Control, Lawfare, Apr. 11, 2019. Available at: <https://www.lawfareblog.com/case-study-outsourcing-us-border-control>; Pushing Back Protection: How Offshoring and Externalization Imperil the Right to Asylum, National Immigrant Justice Center and FWD.us, 6 (2021). Available at: https://immigrantjustice.org/sites/default/files/content-type/commentary-item/documents/2021-09/Offshoring%20Asylum%20Report_Chapter4.pdf.

⁵² Erik Crew & Nicole Phillips, Report on 20th anniversary of the Durban Declaration and Programme of Action: Response to call for input issued by the UN's Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Haitian Bridge Alliance, August 16, 2021, paras. 10-11. Available at: <http://www.ijdh.org/wp-content/uploads/2021/10/Haitian-Bridge-Alliance-IJDH-Bertha-Submission-to-the-UN-Rapporteur-August-2021-1.pdf>.

so as not to suffer further racism from the authorities they encounter. When they are identified as Indigenous and their language is noted, they rarely find adequate interpretation to help them in their immigration case. Because of this invisibilization and discrimination, Indigenous families were among those who suffered the most from the family separation policy in the U.S. immigration system, and also the result of five deaths of minors in immigration custody in the space of 6 months between 2018-19.⁵³

Within the U.S., they again encounter the erasure of their Indigenous identity by being subsumed into the racial category of "Latino/a". There is a constant struggle to be recognized as Indigenous in the U.S. Indigenous women and men from Latin America are doubly racialized in the US, first as "Latinas/os", a category already racialized in the U.S. Informal migration from Latin America reinforces this racialization, since most informal migrants come from the economically poorer classes and are therefore "less white". But this racialized imposition is itself discrimination against their own Indigenous identity, which is denied and erased. Then, as soon as they assert their Indigenous identity, they suffer discrimination because of their distinct culture, language, and identity. Even within the U.S. Latino population, Indigenous migrants experience racism as a residue of the racism they experience in Latin America. This was recently manifested in the revelation of overt racism expressed by some Latino members of the Los Angeles City Council.⁵⁴ This racism and discrimination manifests itself in encounters with public and private institutions such as law enforcement, hospitals, and health centers, and other social service agencies. Lack of linguistic access is a violation suffered by Indigenous peoples in their encounters with these institutions and is emblematic of racism and discrimination.

b. Structural discrimination and its impact on temporary migrant workers in the region

Throughout the region, racial discrimination and precarious immigration status lead to the exploitation of migrant workers. For example, in Canada, a group of Jamaican farmworkers under

⁵³ Amir Vera, *Autopsy Determines 7-year-old Guatemalan Girl died from Sepsis While in US Custody*, CNN, March 30, 2019. Available at: <https://www.cnn.com/2019/03/29/us/guatemala-jakelin-caal-maquin-autopsy> and <https://www.nytimes.com/2018/12/15/us/migrant-girl-border-patrol-jakelin.html>. Chris Boyette, Edith Bracho-Sanchez and Michelle Mendoza, *Guatemalan Boy Died of Flu and a Bacterial Infection While in US Custody*, CNN, April 2, 2019. Available at: <https://www.cnn.com/2019/04/02/us/guatemala-felipe-gomez-alonzo-autopsy#:~:text=Felipe%20G%C3%B3mez%20Alonzo%20died%20of,the%20Guatemalan%20Foreign%20Ministry%20said.&text=The%20boy%20died%20on%20Christmas,crossing%20in%20El%20Paso%2C%20Texas>. Adolfo Flores, *A Guatemalan Boy Who Died in US Custody Told His Father "I'm Going to Die,"* BuzzFeed News, April 5, 2020. Available at: <https://www.buzzfeednews.com/article/adolfoflores/guatemalan-immigrant-boy-death-border-patrol-report>. Sign-on: *Open Letter From Mayab' Scholars in Diaspora to the United States, Mexican, and Guatemalan Governments.* Available at: <https://docs.google.com/forms/d/e/1FAIpQLSfWIVXR6QryalGkzz3DyVhCxPqxaEq15I7oh0HNZPi1dVL9w/viewform>.

⁵⁴ Brittny Mejia, "Following City Council members' racist remarks, hundreds of Oaxacans march for justice in LA," Los Angeles Times, October 15, 2022. Available at: <https://www.latimes.com/california/story/2022-10-15/los-angeles-city-council-members-racist-remarks-oaxacans-march>.

the Seasonal Agricultural Workers Program ("SAWP") recently described their experience as "systematic slavery."⁵⁵ Supported by Migrant Workers Alliance for Change, they sent an open letter to Jamaican Minister of Labor, Karl Samuda, before he visited farms in Canada, and described the racist and exploitative treatment by their employers and the human rights violations they suffered in Canada. The letter explains, "We are in a first world country, but on these two farms the rats eat our food. We have no clothes dryers, so when it rains we are forced to wear cold, wet clothes to work. We live in overcrowded conditions and have no privacy. There are cameras around the houses, so it feels like we are in jail."⁵⁶ However, both the Jamaican and Canadian governments have failed to respond meaningfully to their complaints.

Under the SAWP, workers come from Mexico and the Caribbean to work temporarily on Canadian farms. Many of the workers have been coming to Canada to work on the same farms for several years. However, they do not obtain permanent residency or any other more stable immigration status in Canada. The SAWP was created in 1966 and has long been a pillar of Canadian policy on temporary foreign labor. At the Ninth Summit of the Americas in 2022, Canada touted the SAWP as a success.⁵⁷ However, as Canadian civil society has recently documented, workers in the program often face intimidation, surveillance, and threats from their employers, and this situation was exacerbated during the COVID-19 pandemic.⁵⁸ Among Caribbean migrant farmworkers, who are disproportionately Black men (19.7% of Caribbean workers, compared to 12.8% of Spanish-speaking workers) most frequently described threats from their employers. A recent report, based on interviews with over 400 migrant farmworkers in Canada, details the inhumane living conditions and violations of basic human rights they face: "We live in conditions of modern slavery. We want decent homes, not barns. We feel worse than if we were in jail. We want our children with us because we miss them terribly."⁵⁹

Because of their precarious immigration status under the SAWP, workers are more vulnerable to racial discrimination, violence, and other human rights violations. Without access to permanent

⁵⁵ Jillian Kestler-D'Amours, "Jamaican farmworkers decry 'seismic-level exploitation' in Canada," Al Jazeera, August 24, 2022. Available at: <https://www.aljazeera.com/news/2022/8/24/jamaican-farmworkers-decry-seismic-level-exploitation-in-canada>.

⁵⁶ "Employers treat us like we're not human beings," Jamaica Observer, August 15, 2022. Available at: <https://www.jamaicaobserver.com/news/employers-treat-us-like-were-not-human-beings/>. *Original quote in English; translated into Spanish.*

⁵⁷ The White House, "Fact Sheet: The Los Angeles Declaration on Migration and Protection U.S. Government and Foreign Partner Deliverables," June 10, 2022. Available at: <https://www.whitehouse.gov/briefing-room/statements-releases/2022/06/10/fact-sheet-the-los-angeles-declaration-on-migration-and-protection-u-s-government-and-foreign-partner-deliverables/>.

⁵⁸ Migrant Workers Alliance for Change, "Unheeded Warnings: COVID-19 & Migrant Workers in Canada," June 2020. Available at: <https://migrantworkersalliance.org/wp-content/uploads/2020/06/Unheeded-Warnings-COVID19-and-Migrant-Workers.pdf>.

⁵⁹ Migrant Rights Network-Food & Farmworkers Working Group Submissions to Consultations on Mandatory Requirements for Employer-Provided Accommodations in the TFW Program (2020). Available at: https://migrantworkersalliance.org/wp-content/uploads/2020/12/MRN-Submission_-Decent-Dignified-Housing-for-Migrant-Farmworkers.pdf. *Original citation in English; translated into Spanish.*

residency in Canada, they suffer reprisals when they claim their rights, and face the risk of being returned to their country of origin, losing the income on which their families depend.⁶⁰

IV. Petition

In view of the foregoing, and in accordance with Article 66 of the Regulations for the IACHR, we respectfully request that this Honorable Commission:

1. Grant a hearing to expose the object of the present hearing, adding updated and relevant information through statistics, case studies, and others.
2. Take the necessary steps to ensure the participation of Commissioner Joel Hernández García, in his capacity as Rapporteur on the Rights of Migrants, Commissioner Margarete May Macaulay, in her capacity as Rapporteur on the Rights of Persons of African Descent and against Racial Discrimination, Commissioner Esmeralda Arosemena de Troitiño, in her capacity as Rapporteur on the Rights of Indigenous Peoples, and the Special Rapporteur on Economic, Social, Cultural and Environmental Rights, Soledad García Muñoz.
3. Indicate in a timely manner the day, time and place for the holding of the thematic hearing. We also request that the IACHR direct all notifications associated with this request to the following e-mail addresses: meso.notificaciones@cejil.org; goviedo@cejil.org; cilp@law.ucla.edu; hairapetian@law.ucla.edu; observatorio@racismo.mx; morley@law.ucla.edu.

We take this opportunity to reiterate our expressions of gratitude to you.

Respectfully,

Promise Institute for Human Rights, University of California, Los Angeles, School of Law
RacismoMX

Center for Immigration Law and Policy, University of California, Los Angeles, School of Law
Center for Justice and International Law (CEJIL)

Observatory on Racism in Mexico and Central America, comprised by

- Asociación Enlaces Nicaragüenses
- Independent Monitoring Group of El Salvador
- Asociación Pop No'j, the Mennonite Social Action Commission
- Trans Queer Pueblo
- The Butterfly Garden
- Migrant Space
- Universidad Iberoamericana Migration Affairs Program

⁶⁰ Kathryn Blaze Baum and Tavia Grant, "Migrant farm workers call for safety from reprisals for speaking out," The Globe and Mail, August 17, 2020. Available at: <https://www.theglobeandmail.com/canada/article-migrant-farm-workers-call-for-safety-from-reprisals-for-speaking-out/>.

- A helping hand in the fight against AIDS, A.C.
- Kanan DDHH, Rainbow House, A.C.
- Fray Matías de Córdova Human Rights Center, A.C.

Indigenous Communities in Leadership (CIELO)

Haitian Bridge Alliance (HBA)

Black Alliance for Just Immigration (BAJI)

Migrant Workers Alliance for Change (MWAC)

Center for Gender & Refugee Studies (CGRS)

National Immigration Project of the National Lawyers Guild (NIPNLG)