

MEXICO | PROFILE 2022

# MIGRATION GOVERNANCE INDICATORS



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# MIGRATION GOVERNANCE INDICATORS



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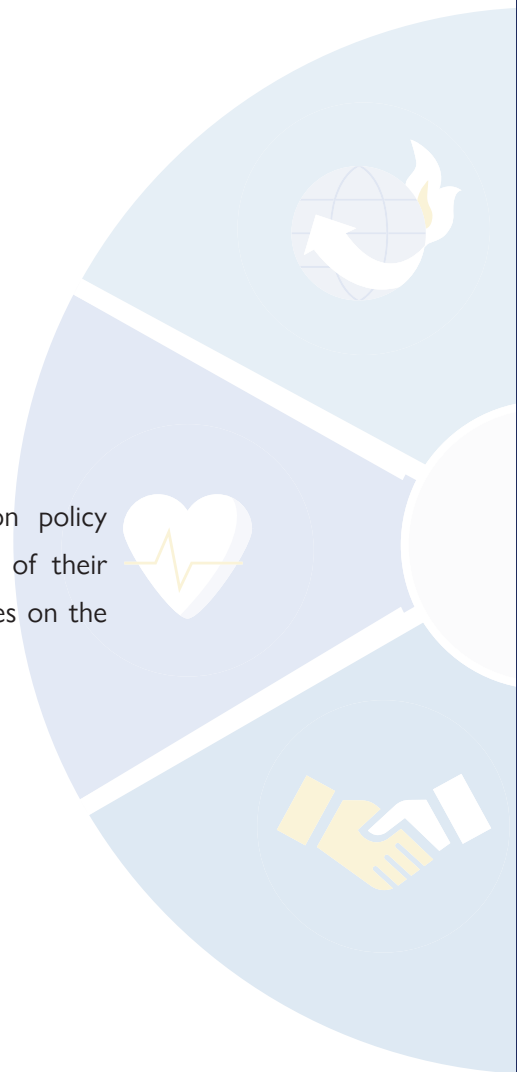
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## OBJECTIVE

The MGI aims to support well-managed migration policy by helping countries assess the comprehensiveness of their migration governance structures and identify priorities on the way forward.



The MGI can be used to spark a discussion with governments and other relevant stakeholders in the country on existing migration policy structures. It can help assess whether these structures, which have often been in place for several years, still address the main challenges and opportunities of today's reality.

# INTRODUCTION

In an era of unprecedented mobility, the need to facilitate orderly, safe, regular and responsible migration and mobility is becoming increasingly important.<sup>1</sup> The need to face the challenges and maximize the opportunities that this mobility brings has been recognized with the inclusion of migration in the 2030 Agenda for Sustainable Development, which highlights the positive contribution of migrants to inclusive growth and development. Migration is integrated in a number of Sustainable Development Goal (SDG) targets, such as ending modern slavery and addressing the vulnerability of migrant workers. However, the central reference to migration in the SDGs is target 10.7 on facilitating “orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies”.<sup>2</sup>

The incorporation of target 10.7 into the 2030 Agenda created the need to define “planned and well-managed migration policies”. This is why, in 2015, the International Organization for Migration (IOM) developed the Migration Governance Framework (MiGOF). This framework offers a concise view of an ideal approach that allows a State to determine what it might need to govern migration well and in a way that suits its circumstances.<sup>3</sup> The framework was welcomed by IOM Member States in the same year.

In an effort to operationalize the MiGOF, IOM worked with Economist Impact to develop the Migration Governance Indicators (MGIs), a standard set of approximately 90 indicators to assist countries in assessing their migration policies and advance the conversation on what well-governed migration might look like in practice.

The MGIs help countries identify good practices as well as areas with potential for further development and can offer insights on the policy levers that nations can use to develop their migration governance structures. However, the MGIs recognize that all countries have different realities, challenges and opportunities that relate to migration. Therefore, the MGIs do not rank countries on the design or implementation of their migration policies. Finally, the MGIs do not measure migration policy outcomes or institutional effectiveness. Instead, they take stock of the migration-related policies in place and operate as a benchmarking framework that provides insights on policy measures that countries can consider as they progress towards further optimize migration governance.

The United Mexican States (hereinafter Mexico) applied the MGI methodology for the first time at subnational level in 2020 in the states of Chihuahua<sup>4</sup> and Oaxaca<sup>5</sup>, and again in 2021 in Guanajuato<sup>6</sup> and Tamaulipas<sup>7</sup> as part of the Strategy to Strengthen Local Governance under the IOM Regional Programme on Migration. In 2022, local MGI studies were conducted in Mexico City<sup>8</sup> and the states of Durango<sup>9</sup>, Guerrero<sup>10</sup> and Michoacán<sup>11</sup> to supplement the national MGI diagnosis.

This profile summarizes the well-developed areas and others with potential for further enhancement of Mexico's migration governance structure as assessed by the MGIs.<sup>12</sup>

<sup>1</sup> IOM, Migration Governance Framework – The essential elements for facilitating orderly, safe, regular and responsible migration and mobility of people through planned and well-managed migration policies (C/106/40 of 4 November 2015), para. 2. Available at <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

<sup>2</sup> United Nations, Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1 of 21 October 2015), p. 21. Available at [www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A\\_RES\\_70\\_1\\_E.pdf](http://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_70_1_E.pdf).

<sup>3</sup> IOM, Migration Governance Framework, para. 5(c).

<sup>4</sup> IOM, Indicadores de Gobernanza de la Migración a Nivel Local. Perfil 2020 – Estado de Chihuahua, Geneva, 2021. Available at <https://publications.iom.int/books/nivel-local-indicadores-de-gobernanza-de-la-migracion-perfil-2020-estado-de-chihuahua>.

<sup>5</sup> IOM, Indicadores de Gobernanza de la Migración a Nivel Local. Perfil 2020 – Estado de Oaxaca, Geneva, 2021. Available at <https://publications.iom.int/books/nivel-local-indicadores-de-gobernanza-de-la-migracion-perfil-2020-estado-de-oaxaca>.

<sup>6</sup> IOM, Indicadores de Gobernanza de la Migración a Nivel Local. Perfil 2021 – Estado de Guanajuato, Geneva, 2022. Available at <https://publications.iom.int/books/indicadores-de-gobernanza-de-la-migracion-nivel-local-perfil-2021-estado-de-guanajuato>.

<sup>7</sup> IOM, Indicadores de Gobernanza de la Migración a Nivel Local. Perfil 2021 – Estado de Tamaulipas, Geneva, 2022. Available at <https://publications.iom.int/books/indicadores-de-gobernanza-de-la-migracion-nivel-local-perfil-2021-estado-de-tamaulipas>.

<sup>8</sup> IOM, Local Migration Governance Indicators Profile 2022 | Mexico City, Geneva, 2022. Available at <https://publications.iom.int/books/local-migration-governance-indicators-profile-2022-mexico-city>.

<sup>9</sup> IOM, Indicadores de Gobernanza de la Migración a Nivel Local. Perfil 2022 – Estado de Durango, Geneva, 2022. Available at <https://publications.iom.int/books/indicadores-de-gobernanza-de-la-migracion-nivel-local-perfil-2022-durango-mexico>.

<sup>10</sup> IOM, Indicadores de Gobernanza de la Migración a Nivel Local. Perfil 2022 – Estado de Guerrero, Geneva, 2022. Available at <https://publications.iom.int/books/indicadores-de-gobernanza-de-la-migracion-nivel-local-perfil-2022-estado-de-guerrero-mexico>.

<sup>11</sup> IOM, Indicadores de Gobernanza de la Migración a Nivel Local. Perfil 2022 – Estado de Michoacán, Geneva, 2022. Available at <https://publications.iom.int/books/indicadores-de-gobernanza-de-la-migracion-nivel-local-perfil-2022-estado-de-michoacan-mexico>.

<sup>12</sup> The MGI initiative is a policy benchmarking programme led by IOM and implemented with the support of Economist Impact. Funding is provided by IOM's Member States. The terms used in this publication are aligned with A. Sironi, C. Bauloz and M. Emmanuel (eds.), *Glossary on Migration*, International Migration Law No. 34, IOM, Geneva, 2019 (available at <https://publications.iom.int/books/international-migration-law-ndeg34-glossary-migration>).



# CONCEPTUAL FRAMEWORK

## MiGOF

The IOM MiGOF sets out the essential elements to support planned and well-managed migration. It seeks to present, in a consolidated, coherent and comprehensive way, a set of three principles and three objectives which, if respected and fulfilled, would ensure that migration is humane, orderly, and benefits migrants and society.

### PRINCIPLES

1. **Adherence** to international standards and fulfilment of migrants' rights.
2. **Formulates** policy using evidence and "whole-of-government" approach.
3. **Engages** with partners to address migration and related issues.

### OBJECTIVES

1. **Advance** the socioeconomic well-being of migrants and society.
2. **Effectively** address the mobility dimensions of crises.
3. **Ensure** that migration takes place in a safe, orderly and dignified manner.

At the basis of

## MGI

### WHAT IT IS



A set of indicators that offers insights on policy levers that countries can use to strengthen their migration governance structures



A tool that identifies good practices and areas that could be further developed



A consultative process that advances dialogues on migration governance by clarifying what "well-governed migration" might look like in the context of SDG target 10.7

Which supports the measurement of

### WHAT IT IS NOT



Not a ranking of countries



Not assessing impacts of policies



Not prescriptive



### TARGET 10.7

"Facilitate orderly, safe, regular and responsible migration and mobility of people, including through implementation of planned and **well-managed migration policies**."



KEY

FINDINGS

The MGI is composed of around 90 indicators grouped under the 6 different dimensions of migration governance that draw upon the MiGOF categories:



MIGRANTS'  
RIGHTS  
PAGE 12

Indicators in this domain look at the extent to which migrants have access to certain social services such as health, education and social security. It also looks at family reunification, access to work, and access to residency and citizenship. The international conventions signed and ratified are also included.



WHOLE-OF-GOVERNMENT  
APPROACH  
PAGE 16

Indicators in this area assess countries' institutional, legal and regulatory frameworks related to migration policies. This area also looks at the existence of national migration strategies that are in line with development objectives and overseas development efforts, as well as institutional transparency and coherence in relation to migration management.



PARTNERSHIPS  
PAGE 19

This category focuses on countries' efforts to cooperate on migration-related issues with other States and with relevant non-governmental actors, including civil society organizations and the private sector.



WELL-BEING  
OF MIGRANTS  
PAGE 21

Indicators in this area assess countries' policies on the recognition of migrants' educational and professional qualifications, provisions regulating student migration and the existence of bilateral labour agreements between countries. Aspects of diaspora engagement in the country of origin and migrant remittances are also under this domain.



MOBILITY DIMENSION  
OF CRISES  
PAGE 24

This category looks at the type and level of preparedness of countries when they are faced with mobility dimensions of crises. The questions look at the processes in place for nationals and non-nationals both during and after disasters, including if humanitarian assistance is equally available to migrants as it is to citizens.



SAFE, ORDERLY AND  
REGULAR MIGRATION  
PAGE 26

This area looks at countries' approach to migration management in terms of border control and enforcement policies, admission criteria for migrants, preparedness and resilience in the case of significant and unexpected migration flows, as well as the fight against trafficking in persons.



## 1

## ADHERENCE TO INTERNATIONAL STANDARDS AND FULFILMENT OF MIGRANTS' RIGHTS

## 1.1. International conventions ratified

**Table 1.** Signature and ratification of international conventions

Convention name	Ratified (Year)
International Labour Organization (ILO) Migration for Employment Convention (Revised), 1949 (No. 97)	No
United Nations Convention relating to the Status of Refugees (also known as the Refugee Convention), 1951	Yes (2000)
United Nations conventions on statelessness, 1954 and 1961	No
ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	No
United Nations Convention on the Rights of the Child, 1989	Yes (1990)
United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990	Yes (1999)

## 1.2. Migration governance: Examples of well-developed areas

Article 4 of the Constitution of Mexico (1917) establishes that all persons residing in the country's national territory have the right to health care. The Migration Law (2011) establishes the right to health care for the migrant population (regular and irregular).<sup>13</sup> Facilities providing free health services to migrants at the national level, regardless of immigration status, include the General Hospital of the Health Secretariat, assisted by the Institute of Health for Well-being, and the hospitals administered by the Health Secretariat. These hospitals serve people who do not have social security or health insurance. The country's other public health facilities are restricted to beneficiaries, such as people registered with social security institutions, including the Mexican Social Security Institute (*Instituto Mexicano del Seguro Social*) and the Civil Service Social Security and Services Institute (*Instituto de Seguridad Social para los Trabajadores del Estado*). In addition, migrants can receive first aid and emergency treatment when required at any public hospital, be it the Mexican Social Security Institute, Civil Service Social Security and Services Institute or a Health Secretariat hospital.

All people in Mexico, including migrants regardless of their migration status, can access basic education (primary and secondary). At the federal level, the Constitution establishes that every person has the right to education. Similarly, the General Law on Education (2019a) determines that everyone is entitled to quality education, while the Migration Law (2020) states that migrants can access public and private education services, regardless of migration status. The Mexterior website of the Secretariat of Public Education<sup>14</sup> provides information on education matters for all Mexicans abroad and those who wish to rejoin the national

<sup>13</sup> The Migration Law defines "migration status" as the legal postulate pertaining to foreign nationals based on compliance or non-compliance with the provisions for admission and staying in the country. Foreign nationals are considered to be in a regular migratory situation when they have complied with such provisions or in a irregular migratory situation in the event of non-compliance.

<sup>14</sup> See [www.gob.mx/ime/es/articulos/nueva-plataforma-mexterior?idiom=es](http://www.gob.mx/ime/es/articulos/nueva-plataforma-mexterior?idiom=es).

education system. Likewise, in collaboration with the Institute for Mexicans Abroad, the Educatel migrante telephone line<sup>15</sup> has provided personalized guidance and services to Mexican communities abroad and potential returnees since July 2021, enabling them to access information on the validation and continuation of studies and testing rules applied at different levels of the system.

Likewise, in coordination with the United Nations Children's Fund (UNICEF), the Secretariat of Public Education is developing a protocol for the comprehensive care of children and adolescents in the national education system. The protocol will include an operational guide for authorities on migrant children's access to education with a step-by-step outline on, for example, where to get assistance, procedures and documents.<sup>16</sup> The project is being carried out under the auspices of the Work Programme of the Commission for the Comprehensive Protection of Child and Adolescent Migrants and Asylum Seekers, of the Executive Secretariat of the National System for the Integrated Protection of Children and Adolescents.

Regular status migrants can access occupational training provided by the Training Centres for Industrial Work (CECATI), Training Institute for Work (ICAT) and other occupational training centres linked to the Secretariat of Public Education.<sup>17</sup> The requirements for CECATI and ICAT include proof of address and the Unique Population Registry Code (CURP).<sup>18</sup> Secretariat of Public Education programmes carried out by CECATI and ICAT, such as Capacita T, encompass migrants. However, the documents required for admission can only be obtained by long-term or permanent residents.

Under Mexico's Constitution, "Everyone has the right to dignified and socially useful work" and foreign nationals "enjoy the human rights and guarantees recognized by this Constitution". Foreigners can, therefore, apply for a work permit if they have a job offer or are temporary or student temporary residents. The work permit is processed by the Interior Secretariat's National Migration Institute, which requires *inter alia* that the applicant submit a temporary or student temporary resident card and a job offer from a natural or legal person with an employer registration certificate. The Migration Law stipulates that foreigners must notify the National Migration Institute of any change in their workplace within 90 days.

To work in Mexico, foreign nationals can apply for an employment offer visa<sup>19</sup> which, depending on the duration indicated in the employment offer letter, authorizes them to remain in the country as visitors or temporary residents permitted to engage in paid activities.<sup>20</sup> They can also apply for a border worker visitor card, which is available for citizens of Belize and Guatemala and allows them to work on provinces of Mexico along the southern border,<sup>21</sup> or a visitor card for humanitarian reasons, which implicitly entails a work permit.

Foreign nationals with a permanent or temporary resident's permit have the same rights to self-employment as nationals. Should the former wish to engage in paid activities on a self-employed basis, the National Migration Institute requires a document providing detailed information on the type and location of labour activities as well as proof of registration with the Federal Taxpayer Registry.<sup>22</sup>

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<sup>15</sup> Personal guidance can be obtained by calling 1 866 572 9836.

<sup>16</sup> The authorities are planning to produce a simplified version for the migrant population.

<sup>17</sup> ICAT offers training courses and labour skills certification. Likewise, CECATI offers official courses, diplomas and workshops on activities related to the manufacturing, industrial, technology and services sectors.

<sup>18</sup> The National Registry of Population and Identity (Secretariat of Home Affairs) is in charge of registering and certifying the identity of all persons residing in the country. When a person is added to the registry, they are given a code known as the "Clave Única de Registro de Población" or CURP, which can only be obtained by regular migrants. Following the publication in the *Diario Oficial de la Federación* of the statutory instruction for the assignment of the CURP, any foreigner can obtain a temporary or permanent CURP in line with their resident status in Mexico, as can applicants for refugee status, additional protection and political asylum.

<sup>19</sup> Applications require valid official identification (voter's credential or CURP), proof the applicant does not have a pending application with the National Migration Institute for a temporary resident or visitor visa authorizing them to engage in paid activities on the grounds of an offer of employment, a job offer confirmed by the employer and a passport or travel identity document.

<sup>20</sup> The documents required to process this visa are an application form, an identity document, a permit from the National Migration Institute, a photograph and proof of legal resident status for non-Mexicans.

<sup>21</sup> This visa requires an employment offer (from the employer or its legal representative) and the payment of a fee.

<sup>22</sup> The Federal Taxpayer Registry provides a personal code used by the Secretariat of Finance to track the payment of taxes by individuals or companies. Any person engaged in paid activities on a self-employed basis must file an annual statement of income.

Family reunification is possible for foreign nationals who are established as legal temporary or permanent residents in Mexico and for refugees. Under the Migration Law, people with temporary or permanent resident permits have the right to preserve the family unit. Article 44.VI of the Law on Refugees, Additional Protection and Political Asylum (2011) provides that refugees and people benefiting from additional protection or political asylum have the right to family reunification under terms of the Migration Law. In the case of children, family reunification is determined based on the best interests of the child. The Office for the Protection of Children and Adolescents has a special protection procedure to determine whether family reunification is in the best interests of the child or adolescent.

Mexico has policies and strategies to combat hate crimes, violence, xenophobia and discrimination against migrants. The Federal Law to Prevent and Eradicate Discrimination, approved and published in 2003, led to the establishment of the National Council to Prevent and Eradicate Discrimination, a decentralized Interior Secretariat body that promotes policies and measures aimed at preventing, counteracting and eliminating discrimination against all segments of society in Mexico, including migrants. It also coordinates public policy tools, campaigns and workshops to combat the racial discrimination, violence, xenophobia and hate crimes that migrants are regularly subjected to. The council's governing board is comprised of the council president, seven representatives each of the federal executive branch and the council's advisory assembly. The council hears complaints about alleged discriminatory acts, omissions or social practices attributed to individuals, civil servants or public authorities. If the act is determined to have taken place, the council can formulate administrative measures and order reparations. This free-of-charge process allows for complaints to be submitted online, by telephone or in person.<sup>23</sup> In addition, the council has an online education programmes on equality and non-discrimination as well as migration and xenophobia and is open to the public year round.<sup>24</sup>

The National Programme for Equality and Non-Discrimination (2021–2024), which all federal government institutions must implement, sets out the public policy against discrimination, hatred and xenophobia. It drives the agenda in six main fields (health, education, security and justice, social security, labour and inter-institutional coordination for cultural change) through specific activities to reduce inequality within all aspects of society and among all vulnerable populations, including migrants and refugees.

Other institutions, such as the National Human Rights Commission and the National Institute for Women, also coordinate campaigns against hate crimes, violence, xenophobia and discrimination against migrants. The #MigraresHumano campaign, launched by the National Human Rights Commission in 2022, aims to generate empathy for people who transit through the country and counter xenophobia and discrimination against migrants. Likewise, through its Migrant Management Programme since 1990, the commission provides guidance and support services in cases of abuse and migrants' rights violations. In addition, one of the *ad hoc* activities of the National Gender Equality Programme 2020–2024 is to “promote actions that allow migrant women and women on the move to have access to emergency and daily health services from a gender perspective and with full respect for human rights”. Another activity is to “strengthen campaigns to prevent violence against women and discrimination against LGBTI [lesbian, gay, bisexual, transgender and intersex] migrants in the Mexican diaspora”.

The Executive Committee for Victim Assistance (*Comisión Ejecutiva de Atención a Víctimas*) provides free services to migrants transiting via Mexico and survivors of crimes or human rights violations. The committee provides services such as legal representation, medical care and psychological assistance through integrated care centres located in each Mexican state. Professionals from various fields of expertise assist migrant victims with judicial proceedings to obtain reparations for any harm suffered, with a view to resuming their lives after an event.

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<sup>23</sup> The online form is available from the council at [www.conapred.org.mx/index.php?contenido=queja&id=71&id\\_opcion=116&op=116](http://www.conapred.org.mx/index.php?contenido=queja&id=71&id_opcion=116&op=116).

<sup>24</sup> The Conéctate programme is available from the council at <http://conectate.conapred.org.mx/>.

### 1.3. Areas with potential for further development

Although there is a universal right to access basic education in Mexico, in practice certain administrative requirements make it impossible to validate and issue study certificates. While it is incumbent on all schools to allow migrant children to access education, some local educational authorities require children and adolescents to present identity documents to issue a certificate of studies. By law, all migrant children and adolescents in an irregular situation identified by the National Migration Institute and referred to the National Integrated Family Development System “must receive a visitor card for humanitarian reasons”, issued by the institute, until a plan for restoring their rights has been drawn up by the Office for the Protection of Children and Adolescents. The card contains a temporary CURP that serves to identify the child or adolescent. In practice, however, it is sometimes rejected by local educational authorities who are unaware of its validity.

In Mexico, only regular status migrants can access social protection services. The right to unemployment benefits, subsidized housing, a pension, disability and family benefits and social security health services are obtained when the employer registers the worker with the Mexican Social Security Institute (for the private sector) or the Civil Service Social Security and Services Institute (for the public sector). This means being registered for social security by employers<sup>25</sup> and therefore being engaged in formal employment and, when it comes to migrants and foreigners, having regular migrant status.

Private sector employment of migrants is subject to restrictions. Article 7 of the Federal Labour Law (1970) establishes that the workforce in any company must be at least 90 per cent Mexican. In the category of technicians and professionals, companies are allowed to hire a foreign national if they can find no Mexican worker to fill the position. However, the number of foreigners cannot exceed 10 per cent of workers in that category and “foreign employers and workers have several obligations to train Mexicans in the specialization in question”. For the public sector, Article 9 of the Federal Law on Public Sector Workers (1963) establishes that “base workers<sup>26</sup> must be of Mexican nationality and may only be replaced by foreigners when no Mexican is able to provide the service in question. The replacement is decided by the head of the unit in agreement with the trade union.”

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<sup>25</sup> Under the Federal Labour Law (1970).

<sup>26</sup> Public sector workers, under the Federal Law on Public Sector Workers, are divided into two groups: those in a position of trust and base workers. The workers in a position of trust are not limited to Mexican nationals.





## 2

## FORMULATES POLICY USING EVIDENCE AND WHOLE-OF-GOVERNMENT APPROACH

### 2.1. Migration governance: Examples of well-developed areas

Mexico has numerous national inter-secretariat coordination mechanisms on migration. The Interior Secretariat's Migration Policy Advisory Council meets in regular session at least three times a year and has set up 15 working groups to address various issues since its inception. The groups' activities depend on the national and international context. Council members include the Secretariats of Foreign Affairs, Labour and Social Welfare, and the Interior (through the Mexican Commission for Refugee Assistance), the National Migration Institute, while civil society organizations and representatives of academia also take part. The Secretariat of Foreign Affairs, for its part, has two coordination mechanisms: the Inter-secretariat Commission for Integrated Migration Management, established in 2019<sup>27</sup> and the Inter-institutional Board for Integrated Services for Returning Mexican Families, which it runs together with the Interior Secretariat and in which other secretariats, civil society representatives and the private sector also participate. Each mechanism meets at different intervals: the Inter-secretariat Commission usually meets twice a year, while the Inter-institutional Board meets every three months.

The Mexican Commission for Refugee Assistance coordinates the Inter-institutional Board on Refuge and Additional Protection, in which other secretariats, United Nations agencies and representatives of civil society and the private sector also participate. The board has four thematic working groups: (i) identity and documentation, (ii) educational inclusion, (iii) access to public health and (iv) labour inclusion.

The National System for the Integrated Protection of Children and Adolescents established the Commission for the Integrated Protection of Migrant and Asylum-seeking Children and Adolescents in 2019. Its members include the National Migration Institute, Interior Secretariat's Unit for Migration Policy, Registration and Identification of Persons, the National Integrated Family Development System, intergovernmental organizations (International Organization for Migration (IOM), United Nations High Commissioner for Refugees (UNHCR) and United Nations Children's Fund (UNICEF)) and the National Human Rights Commission. The Commission for the Integrated Protection of Migrant and Asylum-seeking Children and Adolescents seeks to "coordinate the strategies and actions needed to guarantee the enjoyment of, respect for and protection of human rights in this sector, which works to meet the best interests of the child in accordance with the applicable conventions and laws". In 2020, it approved the Road Map for the Integrated Protection of the Rights of Migrant Children and Adolescents, which systematically attributes responsibility for migration issues, including the participation of various government bodies. The road map lays out a preparatory stage – monitoring of migratory movements and preparation, with four implementing stages: (i) entry into the territory, identification of children/adolescents and emergency measures, (ii) determination of the best interests of the child, (iii) restoration of rights by related public institutions and (iv) preparation for and transition to an independent life.

The national migration strategy is set out in the Interior Secretariat's Governance Sector Programme 2020–2024, which is itself derived from the National Development Plan 2019–2024. Objective 4 of the programme is to guarantee full realization of human rights for all persons who enter, transit through, reside in or return to Mexico, thanks to the implementation of a series of priority strategies and specific actions. The programme constitutes Mexico's main public policy instrument on migration matters and is binding on

<sup>27</sup> The commission is made up of the heads of the following units, decentralized administrative bodies and entities of the Federal Public Administration: the Interior Secretariat, Secretariat of Foreign Affairs, Secretariat of Security and Citizen Protection, Secretariat of Finance and Public Credit, Secretariat of Welfare, Secretariat of Health, Secretariat of Labour and Social Welfare, Secretariat of Tourism, Mexican Agency for International Development Cooperation, General Coordinating Office of the Mexican Commission for Refugee Assistance, Institute for the Administration and Appraisal of National Assets, National Migration Institute, Tax Administration Service, National Institute for Women, Property and Assets Administration Institute and the National Integrated Family Development System.



the Interior Secretariat and all decentralized bodies that compose it.<sup>28</sup> In addition, it establishes strategies that are coordinated with other secretariats. In operational terms, the National Migration Institute's Strategic Plan 2019–2024 lists five key objectives, including to strengthen the mechanisms aimed at simplifying and facilitating regular migratory flows and to reinforce activities to monitor and verify irregular migratory flows.

Migration data are regularly collected and published. The National Institute of Statistics, Geography and Informatics is in charge of generating the country's official statistics, and its electronic publications have sections on migration presenting information on emigration and immigration by state and place of origin, and data disaggregated by age cohort and sex, among others.<sup>29</sup> Through the National Survey on Discrimination, last carried out in 2017 and at the time of writing in the process of being compiled for the 2022 edition, the institute also collects data on the cultural components of discrimination in the form of sexism, ageism, xenophobia, racism, lesbophobia, homophobia and transphobia.

In addition, the Interior Secretariat's Unit for Migration Policy, Registration and Identification of Persons is in charge of compiling, generating and publishing Mexico's official international mobility and migration-related statistics. Its monthly, quarterly and annual publications take the form of statistical bulletins, graphic syntheses and annual reports. Statistics are published on pertinent issues such as crimes against migrants, children and adolescents in irregular migratory situations, applicants for refugee status, registration of entries, documentation and status of stay in Mexico. All such information can be publicly consulted in bulletins or in an editable format for use by various target groups.<sup>30</sup>

Lastly, in 2022 the National Integrated Family Development System and the Federal Attorney's Office for the Protection of Children and Adolescents, together with the Interior Secretariat's National Migration Institute, the Mexican Commission for Refugee Assistance and the Unit for Migration Policy, Registration and Identification of Persons, launched the information system "For your rights", which contains a registry of information on children and adolescents on the move identified by the National Migration Institute. The registry compiles data on why the children and adolescents migrated, their transit conditions and family ties, risk factors in the country of origin and transit, legal representatives, accommodation and legal situation, for example.<sup>31</sup>

## 2.2. Areas with potential for further development

Mexico has a clear and transparent set of rules and regulations on migration, but the majority are only available in the Spanish language. The National Migration Institute's website<sup>32</sup> outlines migration-related processes and administrative locations, the costs involved and notices on entering or leaving the national territory. Several formalities can be completed online, at any time.<sup>33</sup> The majority of information is presented in Spanish language, except for some programmes such as for Sport Fishing and Reliable Traveler, which are also in English.

Mexico does not have legislation that specifically regulates emigration. Although the Migration Law and Migration Law Implementing Regulations (2012) are federal statutes governing all migration-related aspects in Mexico, neither regulates emigration as such. The National Development Plan 2019–2024 establishes as a priority that migration be addressed at the roots and describes cross-cutting activities for actions and policies derived from the plan, which is Mexico's highest public policy document.

<sup>28</sup> The Interior Secretariat's decentralized bodies are the National Migration Institute, National Population Council, Mexican Commission for Refugee Assistance, Executive Secretariat of the National System for the Integrated Protection of Children and Adolescents, National Tracing Commission and the Coordinating Office for the Integrated Management of Migration on the Southern Border.

<sup>29</sup> See National Institute of Statistics, Geography and Informatics available at [www.inegi.org.mx/temas/migracion/#Tabulados](http://www.inegi.org.mx/temas/migracion/#Tabulados).

<sup>30</sup> Migration policy, Statistics Directorate. Available at [www.politicamigratoria.gob.mx/es/PoliticaMigratoria/Direccion\\_de\\_Estadistica#est](http://www.politicamigratoria.gob.mx/es/PoliticaMigratoria/Direccion_de_Estadistica#est).

<sup>31</sup> Information system "For your rights: protected children and adolescents". Available at <https://portusderechos.dif.gob.mx/>.

<sup>32</sup> See [www.gob.mx/inm](http://www.gob.mx/inm).

<sup>33</sup> Users can apply from the microsite, but it is not possible to carry out the entire immigration administrative process online.

The Government is endeavouring to mainstream the gender and human rights perspective into the 2020–2024 Governance Sector Programme, and certain related advances, such as the priority policies report on women on the move in Mexico drawn up by the National Institute for Women. However, as of the time of writing, no specific strategy recognizes migrant women as social, political and economic agents of migration processes and no action has been taken to strengthen the institutional response to protect and safeguard the rights of migrant women and girls.

## 3

ENGAGES WITH PARTNERS TO ADDRESS  
MIGRATION AND RELATED ISSUES

## 3.1. Migration governance: Examples of well-developed areas

Mexico participates in bilateral consultations on migration, mainly with Canada, Guatemala and the United States. Since 2020, bilateral consultations with the United States have focused on trade, security, migration – particularly how to address the drivers of migration in Central America, labour cooperation, attracting investment to southern Mexico, joint action to combat human trafficking and smuggling, and disappearances of migrants on national territories. In addition, since 1986, Mexico has participated in the Mexico–Guatemala Bi-national Commission, which meets periodically to coordinate action on issues of bilateral interest, migration being a key topic. In January 2021, Mexico's Secretariat of Foreign Affairs paid a working visit to Guatemala for the purpose of strengthening the commission's work. Likewise, Mexico has participated in the Mexico–Canada High-Level Dialogue on Mobility since 2016, which focuses on issues of mobility, labour migration and educational cooperation.

The Regional Conference on Migration is an intergovernmental mechanism for dialogue on migration issues, in which 11 countries from North America, Central America and the Caribbean participate alongside observers, with technical support from the International Organization for Migration (IOM) Regional Office in San José. Mexico has served as President Pro Tempore on two occasions, most recently in 2021. As it is intergovernmental in nature, the conference does not make all its reports public. However, the member countries coordinate with a view to adopting regional positions on various issues. During Mexico's Presidency Pro Tempore in 2021, it adopted positions set out in a series of declarations agreed by all member countries.<sup>34</sup> In addition, high-level groups discuss specific issues, including the High-level Group on Security between Mexico and the United States – established in 2021 and headed by Mexico's Secretariat of Foreign Affairs and the Secretariat of Citizen Security and Protection. The High-level Group on the Pacific Alliance was established in 2011 and is headed by the Secretariat for Foreign Affairs.

At the national level, within the framework of the Interior Secretariat's Migration Policy Advisory Council, the Unit for Migration Policy, Registration and Identification of Persons planned four regional human mobility forums in 2022 to train civil servants at all three levels of government to identify the country's needs in terms of human mobility, to develop joint strategies and provide technical assistance to local authorities to design public policies. As of the time of writing, two forums had been held: in the Bajío Morelia region (Michoacán) and the North Forum in Tijuana (Baja California). They will be followed by the Centre-South Forum and the South Forum in Acapulco (Guerrero) and Campeche (Campeche), respectively.<sup>35</sup>

Mexico involves civil society organizations (CSOs) in setting the agenda and responding to migration-related issues, with formal cooperation mechanisms between migration authorities and CSOs. In the Interior Secretariat, these include the Citizen Council of the National Migration Institute and the Migration Policy Advisory Council. The Citizen Council, in operation since 2012, is an advisory body that formulates proposals and coordinates action with federal entities and in consultation with non-governmental organizations, academia and other relevant stakeholders. It last met in March 2022.<sup>36</sup> The National Migration Institute, for its part, runs the Migrant Protection Area that coordinates activities with civil society through mechanisms to assist vulnerable populations, such as Grupos Beta (brigades to assist migrants in border areas) and child protection officers (civil servants who assist migrant children and adolescents).

<sup>34</sup> See [www.portales.segob.gob.mx/es/PoliticaMigratoria/Declaraciones](http://www.portales.segob.gob.mx/es/PoliticaMigratoria/Declaraciones).

<sup>35</sup> Forum outcomes are available at [www.politicamigratoria.gob.mx/es/PoliticaMigratoria/foros](http://www.politicamigratoria.gob.mx/es/PoliticaMigratoria/foros).

<sup>36</sup> Organizations that have sat on the council include the Grupo de Monitoreo Independiente del Salvador, Human Rights Observatory, Episcopal Conference of Mexico, Latin American and Caribbean Ecclesiastic Network on Migration, Displacement, Refuge and Human Trafficking (RED CLAMOR), Xenia Consultoras, Uno de Siete Migrando A.C., Fray Matías de Córdova Human Rights Centre, Fundación Sertull Human Rights Committee, Formación y Capacitación A.C., Casa Monarca, Humanitarian Aid for Migrants, Apoyo a Migrantes Venezolanos A.C. and the Washington Office on Latin America.

In addition, the National Migration Institute often relies on CSOs<sup>37</sup> working to assist migrants to provide counselling and assistance with migration regularization formalities, logistical support at migratory stations, accommodation for migrants, guidance on compliance with human rights protocols and, in some cases, working groups. For example, human rights and migrant support associations regularly visit migratory stations to assess facilities and the situation of irregular migrants.

In this context, the National Migration Institute and the National Institute for Women entered into a general coordination agreement in July 2022 to strengthen inter-institutional activities aimed at promoting, protecting and respecting the human rights of national and foreign women and girls on the move. With support from CSOs and other key care and protection agents, those activities are implemented in Mexico, specifically at migratory stations.

Migration authorities in Mexico engage the private sector and social partners in setting the migration-related agenda and implementing activities. The private sector participates in the labour inclusion working group of the Inter-institutional Board on Refuge and Additional Protection of the Mexican Commission for Refugee Assistance. Private sector companies and representatives to have participated in the working group include the Employers' Confederation of the Mexican Republic, Coppel Foundation and the retail company FEMSA, which expressed interest in offering vacant positions to refugees and applicants for additional protection.

### 3.2. Areas with potential for further development

Mexico is not a party to any regional labour mobility agreements, but it has bilateral ones with countries such as Canada (1974), the United States (1994), while it is in negotiation with Germany.<sup>38</sup> The National Employment Service (Secretariat of Labour and Social Welfare) is the government agency that coordinates these programmes, which aim to “promote in an orderly, legal and safe manner the flow of temporary Mexican workers”. People interested in working in these countries must be Mexican and reside in the national territory, be at least 18 years old, be able to speak the country of destination’s language, have requisite work experience and valid identification, and provide proof of the highest level of education completed.

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<sup>37</sup> For example, Sin Fronteras, Casa Refugiados, Casa de Acogida, and Formación y Empoderamiento de la Mujer Internacional y Nacional.

<sup>38</sup> As of July 2022, this agreement was still being negotiated.



## 4

## ADVANCES THE SOCIOECONOMIC WELL-BEING OF MIGRANTS AND SOCIETY

## 4.1. Migration governance: Examples of well-developed areas

Mexico collects labour market data disaggregated by migration status and sex through the National Occupation and Employment Survey conducted by the National Institute of Statistics, Geography and Informatics. It analyses employment figures at the national level and by state on a quarterly basis. The main variables are sex, place of birth and age. Information on the total number of people employed in the country is segregated between nationals and foreigners.

Studies are also conducted at state level. For example, in 2022 the Unit for Migration Policy, Registration and Identity of Persons, working in coordination with the Colegio de la Frontera Norte and International Organization for Migration (IOM), conducted a diagnostic study of Guatemalan workers in Chiapas.<sup>39</sup> The study analysed the most current information available on international labour migration, specifically workers' incorporation into the market, experience and conditions. It also considered practices for hiring migrants transiting across the Mexico–Guatemala border.

Steps have been taken by the government to promote the ethical recruitment of migrant workers. To access a formal job, it is essential to be a legal resident in Mexico. Migration regularization is thus a means of promoting the ethical hiring of migrants. In addition, one of the essential requirements for hiring foreign personnel is having an employer registration certificate,<sup>40</sup> a document issued by the National Migration Institute that allows any company or person to complete formalities for hiring a foreign national. The institute, acting in coordination with IOM, developed a campaign in 2022 aimed at the private sector on the importance of this certificate, the requirements and procedure for obtaining it. As the certificate must be renewed annually, the campaign also communicated the importance of renewal and relevant formalities.

In this respect, the Institute for Mexicans Abroad – in collaboration with the National Council for the Standardization and Certification of Labour Skills and the National Migration Institute, in 2021 presented the labour skills certification initiative “Mexico recognizes your experience”. The initiative seeks to evaluate and certify the skills of returnees to the country, with a view to facilitating their employment through issuance of an official Ministry of Education Public document valid nationwide.<sup>41</sup>

Foreign nationals with permanent resident status can access the benefits of some Mexican social welfare programmes. For example, foreigners aged 65 years and over can access the Pension Programme for the Well-being of Elderly Adults, which seeks to improve the social protection of this group through financial support. To access the programme, foreign nationals must submit a permanent resident credential issued by the National Migration Institute at least 25 years earlier, submit their migration history issued by the National Migration Institute, their permanent Unique Population Registry Code (CURP) and proof of address. In addition, the Youth Building the Future Programme, which seeks to involve young people aged 18–29 years who neither study nor work in productive activities, also admits foreigners able to prove they are legally in the country thanks to documents issued by the National Migration Institute.

Other programmes promote the financial inclusion of migrants and their families. Objectives of the National Financial Inclusion Policy (2020) include facilitating access to financial products and services for individuals and small and medium-sized companies, encouraging the population to make more electronic payments and

<sup>39</sup> See [www.portales.segob.gob.mx/es/PoliticaMigratoria/Trabajadores\\_guatemaltecos](http://www.portales.segob.gob.mx/es/PoliticaMigratoria/Trabajadores_guatemaltecos).

<sup>40</sup> The employer registration certificate allows natural or legal persons to prove their legal personality, attest their skills and show that they are working regularly.

<sup>41</sup> In July 2022, the National Council for the Standardization and Certification of Labour Skills and the National Migration Institute delivered labour skills certificates to more than 150 repatriated migrants participating in the “Mexico recognizes your experience” initiative.

facilitating access to and provision of financial products and services. Objective six of the policy is to “foster the financial inclusion of people in vulnerable situations, such as women, migrants, the elderly, indigenous people and the rural population”. In addition, since 2021 the Banking Programme for Migrants and their Families has focused on extending banking services to Mexican migrants in the United States and their families in Mexico, enabling them to open bank accounts remotely from the United States using consular registration or passports issued by the Secretariat of Foreign Affairs. Likewise, the Institutional Programme 2020–2024 of Banco del Bienestar, published in 2021 at federal level, makes it a priority to “promote the use of financial services by migrants to increase ease of transaction and financial penetration”. It also sets out specific actions, such as the provision of financial training to consulate personnel and key stakeholders in migrant communities. Finally, IOM and the National Migration Institute have worked together to distribute documents issued by the latter, which banking institutions must accept as valid from foreign nationals wishing to open a bank account in Mexico.<sup>42</sup>

The Government is implementing measures to promote gender equality among the general population. The Gender Equality Law (2006) recognizes the right of migrant women to hold a job. In addition, at the December 2020 meeting of the Regional Conference on Migration with the National Institute for Women as participant, Mexico reaffirmed its commitment to defend women’s rights at all stages of the migration process. In this respect, the National Institute for Women and the Interior Secretariat published, through the National Migration Institute, the Charter of Rights of Migrant Women (2018), which establishes that migrant women must be economic and social participants in the country. The charter provides migrant women living in Mexico with guidance about the State institutions that “promote, disseminate and protect their rights”.

## 4.2. Areas with potential for further development

Article 52 of the Migration Law (2011) stipulates the various types of residency in the country, including those that allow people to work. However, at the time of writing, Mexico had no programmes to manage labour immigration or to promote the labour integration of migrants.

One area with potential for further development is more farsighted measures to promote gender equality for migrants in the labour market, as the sexual division of labour in the market remains an obstacle. For example, the work conducted by women is undervalued, perpetuating their employment in the most precarious and lowest-paid jobs, including in the informal sector.

Although Mexico allows equal access to university education for all international students, the specifications of individual academic programmes vary according to the university and the course for which the students apply, and some have language requirements (proficiency in either Spanish or English). Public universities, such as the National Autonomous University of Mexico, usually have higher tuition fees for foreign students. In addition, applicants must have a student visa or be permanent residents.

At the federal level, there are positive practices aimed at reducing commissions on remittances sent from the United States to Mexico and creating ties with banks established in the latter to facilitate access to financial services for refugees in Mexico. In addition, the Welfare Secretariat has taken steps to support migrant savings. For example, at the federal level, it plans to create a mobile phone app to manage remittances, enabling Mexican migrants to check their accounts or transfer funds to them. As of August 2022, however, there was still no date for the app’s launch. Likewise, in May 2022, the President of Mexico announced that Mexico Telecommunications, a decentralized public entity that is part of the communications and transportation sector, would become “Finance for Well-being”, to bolster its capacity to receive remittances and savings. It plans to establish a support centre for returning migrants, but no date for the start of operations has been set.

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<sup>42</sup> Despite efforts to promote the financial inclusion of migrants in the country, reports persist that certain financial institutions and local banks take a discretionary approach to accepting official documents issued by the National Migration Institute to foreign nationals to open bank accounts.

The Labour Observatory of the Secretariat of Labour and Social Welfare compiles information on current labour market trends,<sup>43</sup> statistics on employment by field of study or occupation, and the percentages of people working for the State. The information is disaggregated by sex, occupation and economic sector, but not by migration status. In addition, neither the Labour Observatory nor the National Institute of Statistics, Geography and Informatics provides information or national evaluations to monitor labour market demand for immigrants.

The private sector in Mexico has sought to identify, through the National Employment Service, migrants and people with refugee status to fill job vacancies. However, despite the existence of an employment portal,<sup>44</sup> where users can find vacancies or people looking for a job, the system does not provide information on the labour profiles of migrants in Mexico. Consequently, this information cannot be provided to companies seeking to hire migrants or refugees in the country.

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<sup>43</sup> See [www.observatoriolaboral.gob.mx/static/estudios-publicaciones/Tendencias\\_actuales.html](http://www.observatoriolaboral.gob.mx/static/estudios-publicaciones/Tendencias_actuales.html).

<sup>44</sup> See [www.empleo.gob.mx/PortalDigital](http://www.empleo.gob.mx/PortalDigital).



## 5

EFFECTIVELY ADDRESSES THE  
MOBILITY DIMENSIONS OF CRISES

## 5.1. Migration governance: Examples of well-developed areas

At the national level, two programmatic instruments cover internal forced displacement as part of their specific strategies and actions: the Governance Sectoral Programme 2020–2024's priority objectives include to “promote the adoption of a forced internal displacement prevention and response policy”, and the National Human Rights Programme 2020–2024's goals include “disseminate information on internal forced displacement in order to raise the population's awareness of the phenomenon”. At the time of writing, the regulatory framework was pending discussion and approval by the Senate following the Chamber of Deputies' approval, in 2020, of the General Law to Comprehensively Prevent, Address and Remedy Internal Forced Displacement.

Mexico has adopted measures to help citizens living abroad in times of crisis. The consular protection provided by the Secretariat of Foreign Affairs is the main means of help for Mexicans residing abroad, and embassies or consulates constitute the main means by which Mexicans abroad can communicate with the authorities at home in the event of a crisis or emergency. The consular protection portal<sup>45</sup> lists the telephone numbers and contact details of Mexican embassies, consulates and of the Information and Assistance Centre for Mexicans. It also provides a travel guide<sup>46</sup> containing advice and information by destination. Should a country be struck by a crisis or emergency, the Mexican embassy and consulates keep their communication channels open round the clock and provide updated information on their online portals and by email.

At the federal level, the National Disaster Prevention Centre informs the population via television, radio and the internet about the potential risks of and developments in crises or disaster situations. Article 13 of the General Civil Protection Law (2012) states that all media, written and electronic, are part of the National Civil Protection System and as such must inform the population in a timely and truthful manner about the evolving nature of crises. The National Risk Atlas<sup>47</sup> Natural Phenomena Monitoring and Warning application is an additional information tool created by the National Disaster Prevention Centre that the public can use to monitor changes in threatening meteorological phenomenon. State and municipal civil protection offices are in charge of informing the population via communication channels and the location of shelters should homes be evacuated. They also open radio, television, social media and internet channels so people can communicate their needs to the Government.

In 2019, the Government of Mexico created the Programme for the Well-being of People in Social or Natural Emergencies, to grant direct economic support, in kind or in cash, to people affected by a social or natural phenomenon who require recovery assistance. The programme prioritizes children and adolescents, the elderly, people with disabilities, indigenous and Afro-Mexican people of Mexican nationality, and foreign nationals in the country. It recognizes migratory emergencies as comparable to a social or natural emergency for any person in a situation of migratory vulnerability on Mexico's southern border. Irregular migrants wishing to access the programme's benefits must demonstrate they have commenced administrative formalities for migration until such time as they obtain the document that allows them to remain in the country on a regular basis.

In 2021, the International Organization for Migration (IOM) and the Executive Secretariat of the National System for the Integrated Protection of Children and Adolescents developed a component of the Road

<sup>45</sup> Secretariat of Foreign Affairs, Consular protection. Available at [www.gob.mx/proteccionconsular](http://www.gob.mx/proteccionconsular).

<sup>46</sup> See [www.gob.mx/guiadelviajero](http://www.gob.mx/guiadelviajero).

<sup>47</sup> See [www.atlasnacionalderiesgos.gob.mx/](http://www.atlasnacionalderiesgos.gob.mx/).



Map for the Integrated Protection of the Rights of Migrant Children and Adolescents that covers crisis or emergency situations in Mexico. The objective is to interpret the road map guidelines based on principles and resources of comprehensive risk management and international standards for crisis or emergency response. The component is expected to be approved during the regular meeting of the National System for the Integrated Protection of Children and Adolescents in November or December 2022.

## 5.2. Areas with potential for further development

The Government has specific strategies and measures for providing assistance across society in the event of crises, encompassing nationals as well as migrants and foreign nationals. However, in view of the broad approach of comprehensive risk management,<sup>48</sup> no distinction is made between groups during a crisis, which is why there is no strategy comprising specific measures for assistance to migrants before, during and after a crisis. At the federal level, executive coordination of the National Civil Protection System falls to the National Civil Protection Coordinating Office of the Secretariat of Security and Citizen Protection. The office coordinates emergency and disaster management and assistance with all public administration agencies and entities through a national emergency committee. In terms of prevention, the technical body in charge of drawing up and promoting public disaster risk reduction policies is the National Disaster Prevention Centre. Owing to the subsidiary nature of civil protection in Mexico, it is up to the authorities of federal entities to prepare prevention plans at the local level.

The Special Climate Change Programme 2021–2024 contains an analysis of the challenges and effects of environmental degradation and climate change, as well as proposals to mitigate climate change impacts. However, at the time of writing, no strategies exist to address migration related to environmental degradation and the adverse effects of climate change, since the programme focuses on impact prevention and mitigation.

By the same token, Mexico still has no contingency plans for managing large-scale population movements in crisis situations. Such responses are carried out by the Ministry of National Defence in coordination with the federal government, working in conjunction with local and state authorities.

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<sup>48</sup> The General Civil Protection Law defines integrated risk management as “the set of actions aimed at identifying, analyzing, evaluating, monitoring and reducing risks, considered from the point of view of their multifactor origin and as part of a permanent process of construction involving all three levels of government and sectors of society. This facilitates the implementation of action aimed at establishing and implementing public policies, strategies and procedures for the achievement of sustainable development guidelines that combat the structural causes of disasters and strengthen the resilience or resistance of society. It involves the stages of risk identification and/or formation, forecasting, prevention, mitigation, preparation, assistance, recovery and reconstruction.”



## 6

## ENSURES THAT MIGRATION TAKES PLACE IN A SAFE, ORDERLY AND REGULAR MANNER

## 6.1. Migration governance: Examples of well-developed areas

The Interior Secretariat's National Migration Institute trains federal migration agents on issues pertaining to migration procedures, human rights, protection of children and adolescents, care of vulnerable groups, first aid and security at its immigration training centre. In addition, the National Human Rights Commission has ongoing training programmes on various human rights issues for the general public and civil servants wishing to take a course. Lastly, the National Council to Prevent and Eradicate Discrimination offers 17 online and face-to-face courses (one of which covers migration and combating xenophobia) for civil servants and the public.

The overall objective of the Inter-institutional Strategy for the Integrated Management of Repatriated and Returning Mexican Families (2021), drawn up by the Secretariats of the Interior and Foreign Affairs, is to promote and ensure migrants' access to health, identity and psychosocial, cultural, economic and educational services, programmes and activities offered by various government agencies. Likewise, as part of efforts of agencies comprising the Inter-institutional Board for Integrated Services for Returning Mexican Families, established in 2020 by the National Registry of Population and Identity, the Interior Secretariat has taken action to guarantee that migrants can access identity confirmation. This is achieved through the issuance of a temporary Unique Population Registry Code (CURP) with a photo for repatriated persons and temporary CURPs for foreigners.<sup>49</sup> It has also developed a webpage for returnees seeking information on procedures or job opportunities.<sup>50</sup> Within the framework of this board, the Secretariats of the Interior and Foreign Affairs in March 2021, acting through the National Migration Institute and the Institute for Mexicans Abroad, coordinated four sessions for seven working groups (Right to Identity, Regulatory Framework, Education, Health, Economic Development and Border, Labour Relations and Vulnerable Population). In addition, the National Migration Institute's Human Repatriation Programme (2007) promotes the reintegration of Mexicans returning from the United States and Canada by coordinating with all three levels of government, civil society and the private sector.

The reforms introduced by the Migration Law (2020)<sup>51</sup> created the obligation for the National Migration Institute to immediately notify all identified cases of migrant children to the corresponding Office for the Protection of Children and Adolescents and refer them to the National Integrated Family Development System. Once the National Migration Institute has determined the migratory status of such children or adolescents, the National Integrated Family Development System must provide them with protection and care, as they cannot be housed at National Migration Institute migratory stations or temporary residences. During the migration administrative process, the decision may be taken to prioritize family unity or, where appropriate, family reunification if this is not contrary to the best interests of the child. Likewise, in 2021 and 2022, the Interior Secretariat coordinated an inter-institutional working group with authorities for preparation of draft implementing regulations for the Migration Law, derived from the amended version in 2020, to guarantee due process for these people and their rights.

In July 2022, the National Integrated Family Development System, the Federal Office for the Protection of Children and Adolescents and International Organization for Migration (IOM) launched a campaign "Your rights travel with you" to provide clear information on the rights of migrant children and adolescents and on the work of Offices for the Protection of Children and Adolescents. The offices are responsible for ensuring

<sup>49</sup> See [www.gob.mx/segob/renapo/acciones-y-programas/preguntas-frecuentes-sobre-la-clave-unica-de-registro-de-poblacion-temporal-para-extranjeros](http://www.gob.mx/segob/renapo/acciones-y-programas/preguntas-frecuentes-sobre-la-clave-unica-de-registro-de-poblacion-temporal-para-extranjeros).

<sup>50</sup> See [www.politicamigratoria.gob.mx/es/PoliticaMigratoria/BienvenidosAcasa](http://www.politicamigratoria.gob.mx/es/PoliticaMigratoria/BienvenidosAcasa).

<sup>51</sup> Amending various articles of the Migration Law and the Law on Refugees, Additional Protection and Political Asylum with respect to migrant children, 11 November 2020.

the best interests of children/adolescents and taking protective measures required to reinstate their rights. In parallel, the National Integrated Family Development System, Federal Office for the Protection of Children and Adolescents and United Nations Children's Fund (UNICEF) developed the Integrated Response Model for Migrant Children and Adolescents. It establishes general lines of action for the effective and individualized monitoring of children/adolescents who receive accommodation and care in social assistance centres or authorized spaces, prioritizing the right to live as a family or in a similar environment.

The priority objectives of the Interior Secretariat's Integrated Programme to Prevent, Address, Punish and Eradicate Violence against Women 2021–2024 include to reduce violence against women by implementing measures to prevent risk factors. The programme recognizes migrant women, girls and adolescents as a population group with a higher degree of vulnerability. The specific actions listed under the programme for the migrant population include the promotion of campaigns against harassment and sexual harassment of women, girls, young women migrants, women refugees and women beneficiaries of additional protection, and encouragement to denounce violence against women, girls, young women migrants, women refugees and women beneficiaries of additional protection.

In 2017, the Secretariat of Labour and Social Welfare drew up the Protocol on Inspection to Prevent and Detect Trafficking in Persons in Workplaces, which describes responses in the event that current legislation on lawful hiring and identification of exploitative labour practices is flouted. The protocol reinforces action if evidence of human trafficking crimes are detected in the workplace focused on women, children and migrants. It provides guidelines for inspectors in the form of questions to ask workers should any irregularity be detected and the steps to take should vulnerable groups, especially children and pregnant women, be discovered working in dangerous or unhealthy environments.

In response to the Migrant Protection Protocols<sup>52</sup> established by the United States Government in 2019, the Government of Mexico through the Secretariats of Welfare and of Labour and Social Protection, set up three migrant integration centres at the northern border.<sup>53</sup> The centres serve the migrant population returning to Mexico pending an asylum decision in the United States and offers services such as free housing and food, round-the-clock medical and emergency support, education, dental and psychological care, workshops and activities. They also make available mobile offices of the National Employment Service, Mexican Institute of Social Security, Tax Administration System and the National Migration Institute.

Mexico has a system for cooperation with other countries to trace and identify missing migrants on its national territory. In 2015, the Office of the Attorney General of the Republic established the Criminal Investigation Unit for Migrants and its Mexican Foreign Support Mechanism for Search and Investigation. The mechanism comprises government authorities, operational personnel (police, forensic scientists), the unit's leaders, attaché offices and international affairs coordinating offices. It provides a "means of investigation, search, access to justice and reparation" and involves agreements with other countries (El Salvador, Guatemala and Honduras, the main countries of origin of foreign migrants). In addition, the mechanism issued Operational Guidelines (2016) establishing its principles (non-discrimination, free services, non-revictimization) and identifying the relevant institutions and their actions, such as receiving complaints and tracing migrants.

When migrants disappear, the Executive Committee for Victim Assistance participates in investigations carried out by the Criminal Investigation Unit, providing legal representation to the relatives of migrants who went missing on Mexican territory and economic support for transport, accommodation and food, so that indirect victims can search for their next-of-kin. If the missing migrants are found lifeless on Mexican territory, aid is provided for the repatriation of their remains and funeral expenses.

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<sup>52</sup> The Government of Mexico recognizes the Migrant Protection Protocols as a unilateral measure on the part of the United States Government.

<sup>53</sup> The migrant integration centres are located in Tijuana (Baja California), Ciudad Juárez (Chihuahua) and Matamoros (Tamaulipas).

Mexico has mechanisms promoting the reintegration of nationals who migrated, providing specific benefits such as customs waivers for household items. The government has signed several double taxation agreements to ensure that Mexican workers do not pay taxes in Mexico as well as in the country where they reside. In 2022, Mexico had agreements of this type with Australia, Austria, Canada, Chile, France, Japan, Panama, the Republic of Korea, Singapore, Spain and the United States, and with Bermuda, Guernsey, the Isle of Man and Jersey. Moreover, the Customs Law (1995) establishes that all Mexicans who return permanently to Mexico after having resided abroad for a minimum of six months may certify their list of household items, in order to import them tax-free.

## 6.2. Areas with potential for further development

At the time of writing, approval of the National Programme against Trafficking in Persons had remained pending since 2019, leaving the country without a unified public policy aimed at combating this scourge. However, the Intersecretariat Commission to Prevent, Punish and Eradicate Human Trafficking, established in 2009, continues to operate without interruption. IOM participates in this mechanism as a guest, seeking to position the approach to situations of vulnerability faced by people in contexts of human mobility in the face of this crime.

Mexico has no centralized system for checking that people do not exceed their visa stays.<sup>54</sup> The Interior Secretariat is the authority in charge of border management and visa reviews, two tasks carried out by the National Migration Institute.

Migrants, except children and adolescents, brought before migration authorities in Mexico must remain at a migratory station pending completion of administrative formalities. In this respect, Article 99 of the Migration Law (2011) establishes that adult migrants must attend hearings to determine their migration status, while Article 144 stipulates that foreign nationals can be deported if they submit false information, falsely claim to be Mexican, have a criminal record, entered Mexico without the required documents or failed to leave the country when ordered to by the National Migration Institute. Mexico's 35 migratory stations in 26 federal entities can house a total of 4,300 people at any one time. In addition, persons unable to prove their regular migration status may stay at one of 348 A-temporary residences for up to 48 hours or 1,620 B-temporary residences for up to seven days.<sup>55</sup>

The amendments to the Migration Law (2020) that prohibited children and adolescents from being housed at migratory stations (Article 11) have proven challenging to implement. The National Integrated Family Development System must provide accommodation to children and adolescents and their families, and to unaccompanied and separated children. Hence, it is challenging to find sufficient space in public shelters or social assistance centres and to obtain financial, human and material support.<sup>56</sup>

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<sup>54</sup> Mexican entry visas are valid for 180 days and, depending on the authorized purpose of their stay, on arrival at their point of entry foreigners are given a multiple migration form which they can exchange for a temporary or permanent resident card, or which certifies that they are visitors authorized to remain in Mexico for no more than 180 days.

<sup>55</sup> Temporary residences are physical facilities provided by the National Migration Institute provisionally to house foreigners who cannot prove they are regular migrants, pending their transfer to a migratory station or the processing of their situation in accordance with the law.

<sup>56</sup> According to a UNICEF report (2019), in 2019 the protection offices operated with less than 30 per cent of the budget required to function effectively, and multidisciplinary teams were unable to operate in some of the country's protection offices.



## PREPAREDNESS AND RESPONSE PROTOCOLS ON THE RISKS OF THE NOVEL CORONAVIRUS (COVID-19)

This page summarizes key national COVID-19 policy responses in Mexico from a migration governance perspective. It is based on 12 questions that were added to the standard MGI assessment<sup>1</sup> in Mexico in order to effectively assess national migration governance in the context of the COVID-19 pandemic.



To date, Mexico has not closed its borders since the start of the health emergency triggered by the COVID-19 pandemic. In addition, the Interior Secretariat has declared the activities of the Mexican Commission for Aid to Refugees and the National Migration Institute as essential work.



Migrants in Mexico can access COVID-19-related health services under the same conditions as nationals. The Health Secretariat established the Operational Response Plan for the Migrant Population in April 2020, in collaboration with the National Migration Institute. The plan covers all health facilities (encompassing social security) and includes monitoring of suspected and confirmed cases and contacts.<sup>2</sup> The Health Secretariat instructed the National Migration Institute to send migrants to public hospitals for treatment.<sup>3</sup> In addition, the Action Protocol for the prevention and treatment of suspected and confirmed cases of COVID-19 in the migratory stations and temporary residences, adopted in May 2020, has a directory of COVID-19 hospitals treating migrants.

Migrants have the right to be vaccinated under the same conditions as nationals, once they have registered via the Health Secretariat portal.<sup>4</sup> Migrants are one of the priority groups under the third axis of prioritization of the vaccination strategy.<sup>5</sup> In addition, migrant integration centres have organized COVID-19 Vaccination Days for the first, second, third and even fourth doses, for both the migrant population and staff members.

<sup>1</sup> For more information, see [www.migrationdataportal.org/es/overviews/mgi#0](http://www.migrationdataportal.org/es/overviews/mgi#0).

<sup>2</sup> The plan is available at [www.gob.mx/salud](http://www.gob.mx/salud).

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<sup>5</sup> The first groups to be prioritized were the elderly and persons with comorbidities. See Government of Mexico, Política Nacional rectora de vacunación contra el SARS-CoV-2 para la prevención de la COVID-19 en México, 2021. Available at [www.gob.mx/salud](http://www.gob.mx/salud).



## PREPAREDNESS AND RESPONSE PROTOCOLS ON THE RISKS OF THE NOVEL CORONAVIRUS (COVID-19)



The main fiscal measures taken by the Federal Government as of 2022 relate to increased health sector spending, mainly for workers in Mexico, which only applies to migrants with permanent resident status. For example, economic support and loans have been provided to shops, businesses and households to ensure their liquidity. In addition, social welfare benefits – such as pensions for the elderly – have been paid in advance, tax refunds accelerated, loans granted to small and medium-sized businesses registered in the Welfare Census, and unemployment insurance provided for people holding a mortgage from the National Housing Institute.<sup>6</sup>



Measures have been taken to guarantee physical distancing and adequate prevention in places with a high concentration of migrants and asylum seekers. The Operational Response Plan for the Migrant Population in the face of COVID-19 (2020) includes sections on how to avoid activities that draw crowds, and on hygiene and sanitation measures, the dissemination of COVID-19 information via posters at migratory stations, the need for frequent hand washing, availability of hand sanitizer, cleaning, disinfectant, waste management and guaranteeing the supply of required inputs.<sup>7</sup> These actions remained in force in July 2022. In addition, the action protocol for the prevention and care of suspected and confirmed cases of COVID-19 at migratory stations and temporary residences included provisions on capacity control at the stations, hygiene and cleaning measures, instructions for staff, and quarantine sites for positive cases.<sup>8</sup>



Migration status is not one of the variables reflected in key COVID-19 health statistics. The National Migration Institute reports the number of COVID-19 cases and deaths and the Health Secretariat database contains data on the number of suspected and confirmed cases among migrants, disaggregated by sex, age, number of infections and deaths by state, but not by migratory state or status. At the time of writing, these data were published weekly.<sup>9</sup>



In 2020 and 2021, the Secretariat of Foreign Affairs, through its network of embassies and consulates, planned the transfers of Mexican and foreign residents stranded abroad due to the pandemic and facilitated communications between members of the Mexican diaspora and the embassy in their country of residence.<sup>10</sup>

<sup>6</sup> International Monetary Fund, Policy Responses to COVID 19, Mexico, n.d. Available at [www.imf.org/en/Topics/imf-and-covid19/Policy-Responses-to-COVID-19#M](http://www.imf.org/en/Topics/imf-and-covid19/Policy-Responses-to-COVID-19#M).

<sup>7</sup> Health Secretariat, Plan Operativo de Atención a Población Migrante por COVID-19, 2020. Not available online.

<sup>8</sup> National Migration Institute, op. cit., note 3.

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# ANNEXES

## MiGOF: Migration Governance Framework<sup>57</sup>

In an attempt to define the concept of “well-managed migration policies”, the International Organization for Migration (IOM) devised a Migration Governance Framework (MiGOF), which was welcomed by the IOM Council in November 2015. For the purposes of the Migration Governance Framework, IOM defines governance as “the traditions and institutions by which authority on migration, mobility and nationality in a country is exercised, including the capacity of the government to effectively formulate and implement sound policies in these areas”.

The Framework sets out the essential elements of “good migration governance” – three principles and three objectives which, if respected and fulfilled, would ensure that migration is humane, safe and orderly, and that it provides benefits for migrants and societies.<sup>58</sup> IOM’s view is that a migration system promotes migration and human mobility that is humane and orderly and benefits migrants and society:

When it:

- (i) Adheres to international standards and fulfils migrants’ rights;
- (ii) Formulates policy using evidence and a “whole-of-government” approach;
- (iii) Engages with partners to address migration and related issues.

As it seeks to:

- (i) Advance the socioeconomic well-being of migrants and society;
- (ii) Effectively address the mobility dimensions of crises;
- (iii) Ensure that migration takes place in a safe, orderly and dignified manner.

The MiGOF does NOT create new standards or norms. In drafting the Framework, IOM relied on its expertise and analytical work, as well as on existing commitments, non-binding declarations and statements. It does NOT address global migration governance that is the international architecture for dealing with issues related to migration and human mobility. Instead, the focus is on the governance and management of migration from the point of view of the State as the primary actor. It does NOT propose one model for all States. The Framework presents a “high road” or ideal version of migration governance, to which States can aspire.

The MiGOF is based on the understanding that, as the primary actor in migration, mobility and nationality affairs, a State retains the sovereign right to determine who enters and stays in its territory and under what conditions, within the framework of international law. Other actors – citizens, migrants, international organizations, the private sector, unions, non-governmental organizations, community organizations, religious organizations and academia – contribute to migration governance through their interaction with States and each other.

<sup>57</sup> IOM Council, Migration Governance Framework, 106th Session, C/106/40 (4 November 2015). Available at <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

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## The MGI process



# 1

### Launch of the MGI process

The first step of the process is to explain what the MGI entails to key government officials, in order to ensure full understanding of the project and complete buy-in.



# 2

### Data collection

The second step of the process is to start the collection and analysis of data, based on about 90 indicators grounded in the 6 dimensions of the MiGOF. A migration governance profile based on the analysis of the findings is then drafted and shared with the government counterparts.



# 3

### Interministerial consultation

The third step of the process is to convene an interministerial consultation where all relevant ministries and other stakeholders discuss the good practices and main areas that could be developed further as identified in the draft migration governance profile, as well as priorities on the way forward. It is also an opportunity for them to comment and provide suggestions on the draft profile.



# 4

### Publication of the report on the Global Migration Data Portal

After the migration governance profiles are finalized and vetted by government counterparts, they are published on the Global Migration Data Portal<sup>59</sup> and uploaded on the IOM Publications Platform.<sup>60</sup>

<sup>59</sup> You can find the profiles at [www.migrationdataportal.org/overviews/mgi](https://www.migrationdataportal.org/overviews/mgi).

<sup>60</sup> Please see <https://publications.iom.int/>.





[www.migrationdataportal.org/mgi](http://www.migrationdataportal.org/mgi)

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