

FROM NARRATIVE TO PRACTICE: CONTRADICTIONS OF AN AMBIGUOUS MIGRATION POLICY IN CONTEMPORARY MEXICO

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Introduction

Irregular transit migration through Mexico has long been a distinctive component of the Meso-American migratory system, and today we cannot discuss the region of Mexico and Central and North America without examining what is happening with regional migration and mobility (Heredia, 2016).

In the last twenty years, Mexico's agenda on migration turned its focus inward on what was happening in its own territory, given that, while irregular transit migration has been a constant for at least forty years, it was not until the early twenty-first century that it gained prominence as a problem for public policy. This is regardless of the behavior and volume of the broader migratory flow, which has consistently and systematically been made up of Central Americans, primarily from Guatemala, Honduras, and El Salvador. These three countries have been the origin of heterogeneous and diverse streams of irregular transit migration through Mexico to the United States, as can be seen in different available estimates that reflect varying behavior over time in terms of fluctuations in volume from each country. In turn, these help identify and characterize stages of the overall tendency in migration over the first two decades of the twenty-first century (Rodríguez, 2016; Berumen, Ramos, and Ureta, 2011; Martínez, Cobo, and Narváz, 2015; Narváz, 2015, 2019).

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Undeniably, today we are witnessing a new reshaping of irregular transit of persons, as an expression of endemic, internally-driven mobility and migration—given the conditions—in the region. This is expressed not only in shifting volumes of migrants but also in their sociodemographic composition, with a prominent and growing presence of women, children, unaccompanied adolescents, families, elderly adults, and the differently abled. They also have different origins, with a strong influx of extracontinental migrants; they are a different type of migration, with more need for international protection; and they have distinct levels of access to the means of planning and executing their journeys.

Caravans represent the newest migration strategy and provide a new opportunity to understand the mobility of people who enter and pass through Mexico irregularly. Migration in caravans, certainly, is not inherently novel: there are examples dating from before 2018. However, whether due to their size or level of organization, and in view of the social reverberations they produced, we can speak of a turning point in international mobility that puts at the top of the agenda a two-fold dimension that adds to the complexity of irregular migration. On the one hand, this strategy is widely embraced as a means of escaping from various forms of violence, persecution, poverty, and hunger in migrants' places of origin; and, on the other, caravans offer a means of confronting the growing risks and minimizing the cost of crossing Mexican territory: kidnapping, extortion, rape, etc. (COLEF, 2018).

In response to the arrival of the first migrant caravans in late 2018 and through 2020, the Mexican government implemented various strategies to address the visible entry of thousands in need of humanitarian protection. Its response to this phenomenon is characterized by a contradiction between emphasizing a human-rights-based approach in official discourse, on the one hand, and criminalizing migrants by means of migration policies that prioritize detention and deportation over mechanisms of humanitarian protection, on the other.

This chapter offers a reflection on the construction of narratives and the normative and institutional responses implemented. Our discussion seeks to propose answers to the questions: Are caravans a new or unprecedented public problem? Is the formation of these groups a sign of shifting patterns in migratory flows? Is current migration policy appropriate given the social complexity of the phenomenon that begins with the caravans?

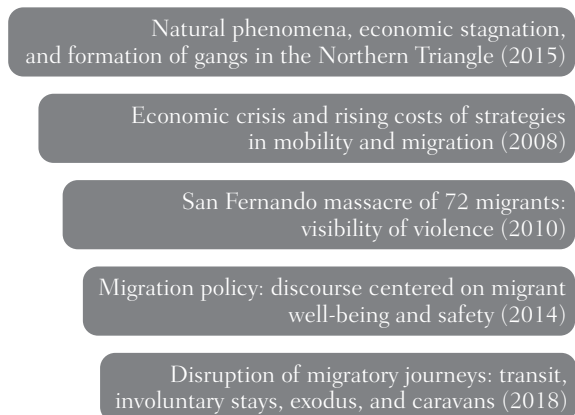
This article draws substantially on the field work the authors have undertaken at various points along the migratory corridor between Central America and the United States, through several individual and collective research projects, and in particular one that started in October 2018, titled “Caravanas y éxodos de personas migrantes centroamericanas en México 2018/2019: Trayectorias, marcos institucionales-normativos e impacto social en México” (Caravans and Exoduses of Central American Migrants in Mexico 2018/2019: Trajectories, Institutional and Normative Frameworks, and Social Impact in Mexico). This study examines three analytical dimensions: migratory routes, institutional and normative frameworks, and the institutional architecture in place to manage migration; it also seeks to add to our understanding of the development of the “old” and “new” Mexican migration policy and the effects and impacts migrant caravans have had on society at large, in both transit areas and those of probable settlement.

The methodological design that supports our findings combines strategies of document review and analysis, through constant monitoring and systematization of official actions and communications on migration policy and the leading media organizations. The fieldwork conducted by the authors between October 2018 and January 2020 examined primarily the cities of Tapachula, Mexico City, and Tijuana. We conducted participant observation and interviews with migrants who entered Mexico in caravans or joined caravans when already in Mexico; we also interviewed officers of the National Institute of Migration (INM) and the Mexican Refugee Aid Commission (COMAR); international organizations, primarily the UN High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM); and various civil society organizations that provide legal and psychological aid for migrants and hostels in the aforementioned three cities. Our aim was to document experiences of migrants crossing Mexico in caravans, as well as institutional reactions and discourse generated as a result of heightened visibility due to exposure in the media and social networks. In the course of our fieldwork, we distinguished three stages in caravans, which we refer to as “waves,” each characterized by the implementation of different strategies and mechanisms of international protection and/or regulation of migration.

Part One: Are caravans a new or unprecedented public problem?

To mark a before and after in the present-day history of irregular transit migration through Mexico, we need to take a step back in time and analyze events associated with migrations that have occurred in the last twenty years. This approach is not meant to disregard events that transpired in previous stages, in the second half of the twentieth century (Berumen, Ramos, and Ureta, 2011; Narváez, 2015 and 2019). And, while it is not the purpose of this chapter, it is important to at least list them, as a short mnemonic exercise that helps us recognize migration and mobility as an organic, living process, in which effects in turn act as causes and are superimposed and integrated in a logic of accretion of difficulties and constraints —structural and situational. This gives shape to what Narváez (2015, 2019) has called the stage of transit migration and complexity, which defines the explicit nature of the public problem of irregular transit migration on the migration policy agenda for government, academia, civil society, media, and international organizations.

FIGURE 1
CHRONOLOGY OF THE PUBLIC PROBLEM
OF IRREGULAR TRANSIT MIGRATION IN MEXICO



SOURCE: Narváez (2019).

To know where we are starting from in our attempt to understand contemporary migration policy and its dimensions as a public problem, we can

begin by reflecting on where we are now, where we have been, and where we aim to go. In this sense, the chronology we present allows us to identify at least six moments that mark the before and after for an approach to migration in Mexico. And while we may have discussed the importance of the first moment defined by the securitization of borders, especially in the context of the Mexico-U.S. border, we have not examined the effects it had on the institutional architecture of migration design and management systems for the region. The approach known as “crimmigration,” consolidated in the early twenty-first century, was not only embodied in the creation of the Immigration and Customs Enforcement (ICE), but expanded along borders and permeated the institutions and authorities responsible for implementing migration policy in Mexico and Central America. This had intended and unintended effects for migration policy and management, among them increased sophistication of human trafficking networks and the relentless efforts of organized crime groups to undermine border security, with parallel and overlapping activities of drug smuggling and migrant trafficking into the United States.

And although the period 2001 to 2010 saw important processes unfold in Mexico and North and Central America that greatly magnified the complexity of transit migration and triggered a kind of risk cycles for mobility, they became expressly visible, or tangible, in the killing of seventy-two migrants in San Fernando, which, ten years later, is still mired in the Mexican justice system. Ironically, this tragedy was what put irregular migration on the agenda as an issue the Mexican state was obliged to address, even with prior evidence of events that had become commonplace on migratory routes since 2006. “As far back as late 2009, the Special Report by the National Human Rights Commission (CNDH, 2009) revealed a series of hazards and risks to which migrants were exposed, the most serious of which included kidnapping and extortion. In this report, the CNDH found that, between September 2008 and February 2009, there were almost 10,000 kidnappings. In 2010, the CNDH reported that the figure had risen to around 11,000 migrants kidnapped, an estimate based on the testimony of 214 kidnapping victims” (Gandini, Fernández, and Narváez, 2020: 59).

Without a doubt, the San Fernando massacre reactivated and strengthened agendas around the public problem of migration and triggered and accelerated work to design a legislative and normative framework to address migration and related issues with a comprehensive vision and a human rights

approach. In this sense, succinctly, the publication of the Migration Law in 2011, the subsequent publication of its regulatory legislation, the Law on Refugees and Complementary Protection in 2014, and a series of new related ordinances and institutions marked a watershed for public management and policy on migration. However, beyond normative dictates, the treatment or narrative of migration policy has recurrently shifted between what we have called the “schizophrenia of migration policy,” defined by an official discourse centered on the well-being of people in contexts of migration, human safety, and a human rights approach, and at the same time a policy that in practice prioritizes detention and incarceration of migrants who enter and remain in Mexico irregularly.

Although the 2014-2018 Special Migration Program (PEM) set a precedent for the Mexican state’s migration policy, we have no way to know for certain what its results would have been, given that, parallel to its publication in 2014, the Mexican government found itself embroiled in the so-called migrant crisis, to which it responded with reactive and situational measures. It created the Southern Border Program, overseen directly by the Office of the President, and, in so doing, obscured the advances of the process of constructing the 2014-2018 PEM, which was defined by extensive outreach to, and participation by, the various sectors involved in the different dimensions of migration, and materialized in various consultations and collaborative efforts to design the program’s objectives, lines, strategies, and indicators. And although the PEM was never truly implemented, it marked a before and after for the Mexican government’s migration policy, as the first policy instrument derived from the National Development Plan, putting the phenomenon of migration and human mobility on the public policy agenda and drawing attention to an effort that, with the stated purpose of building synergies, saw the collaboration of various sectors that work for, around, and with migrants (Narvárez and Gandini, 2021).

In this context and with two federal programs operating in parallel in opposite directions from the National Institute of Migration, a migration control strategy took shape and solidified on Mexico’s southern border, producing a migration policy based on detention, incarceration, and repatriation as the axes of Commissioner Ardelio Vargas’s administration at the National Institute of Migration. In short, the institution moved from a discourse and a narrative based on human rights and migrant safety to an institutional prac-

tice centered on migration control and national security, achieved largely through de facto criminalization of irregular migration and mobility. One of the first changes that became apparent—as yet with scant empirical evidence—as early as 2016 and 2017 is the permanency (settlement) in Mexico of migrants who are even forming small communities and enclaves of irregular (im)migration (Narváez and Gandini, 2021).

Such developments unequivocally stand out as moments in the design of a form of migration management that emerged—and that today is a fixture—in the context for the new migratory patterns that became expressly manifest in 2018. That year marked a new pattern in irregular transit migration, when migrant caravans broke from the paradigm of invisibility. Now, the conversation is about the migrants' social and political agency, collectivity and social mobility, and a host of other categories inspired by the images of thousands of people walking together across the border between two countries and sending shockwaves through the entire region and across all of Mexico, north, central, and south.

In this sense, we can speak of a last stage characterized by disruptive tendencies, not only in terms of reshaping trajectories, transit, permanence, exodus, and caravans, but what those things mean before and after migrants embark on their journey or at the start of their international mobility. Taken together, the individual and collective considerations that influence the decision to migrate or flee one's place of origin are factors and elements that completely reshape—or should reshape—our approach to the public problem of irregular migration, which is defined by its forced nature.

In other words, “to speak today of transit, permanence, and exodus among migrants leads us necessarily to consider events from their origin to their destination, with a highly detailed examination of how transit is accomplished by those who are forced against their will to cross through Mexico” (Narváez, 2019). Therefore, in addition to continued observation and analysis of objective phenomena such as organized crime, trafficking networks, and structural violence, we need to focus closely on the motivations, emotions, and other subjective elements that contribute to the disruption of migrants' trajectories and plans for life and migration, as well as institutional actions that affect the construction of their futures and non-futures.

The present situation suggests a renewal of our approach to the study and analysis of migratory phenomena. Mexico has ceased to be only a country of

origin, transit, and return and has become one presenting a far more complex panorama for mobility that includes an influx of people who have been forced to migrate and need international protection, in a context of stiffening control, closing of borders, and the dismantling of the U.S. asylum system.

Without doubt, the expressions these more recent population movements have developed represent a landmark in contemporary strategies for human mobility, highlighting the increasingly urgent need for dialogue on current and/or future migration policies in Mexico and North and Central America (IOM, 2014; Selee, Amson, and Olson, 2013; Papademetriou, 2015; Narváez, 2015).

Mexico's geostrategic position, marked by its southern and northern borders, make it a hub for regional movement where various inter- and extra-regional flows converge, forcing it to confront the urgency, intensity, and heterogeneity inherent in a migratory process, defined by its complexity and its nature as a public problem. This in turn raises the question of whether the current situation represents a new or unprecedented public problem. Although it may not be entirely new, it has acquired other dimensions and expressions and posed new, never before seen challenges for migration management: dispersion across the entire territory, greatly protracted wait times, and voluntary and involuntary irregular immigration. These issues unquestionably pose challenges for a migration policy that goes beyond managing entry, transit, and departure. In this sense, we may be dealing with a public problem of integrating migrants at the local level.

Part Two: Does the formation of caravans in waves constitute a novelty in migratory flows?

We understand migration as a total social fact (Sayad, 2010), an analytical and methodological postulate that simultaneously accounts for the social conditions immigrants live in and that transform them into emigrants, an experience that cannot be divided rigidly in a before and an after, between an origin and a destination. From this perspective, our focus is drawn not only to the point of departure, but to the relationship between factors driving migration in other contexts (transit, destination, return), an analytical and methodological option that seeks to minimize possible bias due to ethno-

centrism in our research (Wimmer, 2007), to the extent that the migrant experience is conceived as a complex, multifaceted event. In this analytical approach, contexts are neither interpreted nor do they act as separate units, but are seen as interconnected parts of a broader spectrum or social field.

As we have remarked, in recent months we have witnessed the reshaping of a component within migration unique to the dynamic of mobility between Central America, Mexico, and the United States: irregular transit migration through Mexico in the form of migrant caravans, which can be defined as groups of people (hundreds and even thousands) who assemble at a point, usually before crossing Mexico's southern border, and decide to migrate together through Mexico. In this process, we can identify at least three distinctive features:

- a) Visibility: as opposed to the clandestine and invisible nature of migration in small groups, making the need to transit through a territory even without travel documents explicit is part of an effort to obtain greater protection;
- b) Mitigating the financial and non-financial costs of migration: in recent years, hiring a human smuggler (*coyote*) has placed migrants in a position of heightened vulnerability, not only due to the cost of crossing, but by giving broad consent to the people who transport them. It has been documented how, as part of the reshaping and migration routes, at times overlapping with drug smuggling routes, *coyotes* and traffickers move and exchange people along the way.
- c) Organization: unlike individual migration or migration in small groups, the implementation of differentiated strategies for organizing routes and times for migrants to enter and cross Mexico has made it possible for more people with limited means to migrate.

The First Wave

Estimated at around 7,000 people, the first wave had a powerful media and social impact due in part to the novelty of its appeal and organization through social networks like Facebook and WhatsApp. The caravan was noteworthy for its high concentration of Honduran nationals, on the one hand,

and its more balanced gender composition compared with past transit migration flows, and a notable presence of women, children, elderly adults, and entire families, on the other. Although information on their impending arrival was known and spread rapidly in national, regional, and international media, the Mexican government under then-President Enrique Peña Nieto appeared to be caught off guard. The immediate response was to increase migratory control at the border, with the INM operating under the Southern Border Program (PFS) to stem the flow of migrants at the international bridge in Ciudad Hidalgo. As described by migration authorities, the stated aim was to ensure orderly entry, prioritizing women and children. However, in the absence of protocols for such operations, migrants and others described them resorting to containment efforts that included gas and other dissuasive measures. After consulting different agencies and organizations that witnessed the events on site (UNHCR, IOM, and the Fray Matías de Cordova Center for Human Rights, among others) to ascertain what the purpose had been, they concurred that it was unclear and that the authorities were not sure what to do. The circumstances could not have been less auspicious, in the midst of Mexico's presidential transition. Andrés Manuel López Obrador, after campaigning on promises to take a proactive approach to the issue of Central American migration, had won the election but had not taken office, and Enrique Peña Nieto was in the final days of his mandate.

The Second Wave

In the second month of the López Obrador administration, Mexico was faced with a second wave of caravans. Unlike the first wave, from the beginning of January the federal government formed a series of commissions to attend to those intending to join the caravan and the National Civil Protection Council took charge of coordinating different agencies' efforts to that effect. This caravan was clearly different, and all the actors involved (civil society, government agencies, and international organizations) described it that way. From the outset, the greatest difference was the decision to receive the caravan openly, without containment or rejection operations, with an open-door policy and welcoming rhetoric shaping the discourse and narrative behind the new administration's migration policy. At the Rodolfo Robles

Bridge, Mexico created what some described as a “humanitarian carousel,” which included canopies for representatives of government agencies (INM, COMAR, DIF), international organizations (UNHCR, IOM), civil society groups, representatives of Central American consulates, and others. The caravan was made up of some 13,000 people from different Central American countries, with a highly diverse mix of nationalities, ages, and even motives.

In this context and with Tonatiuh Guillén López as commissioner of the National Institute of Migration (INM), on January 18 Mexico issued the first humanitarian cards and visas, and five days later Minister of the Interior Olga Sánchez Cordero visited the southern border and announced the expansion of the visa program and the option for migrants to apply for visas in their countries of origin. As a result of this second wave of caravans, in an unprecedented turn of events, countless humanitarian cards and visas were issued and some 2,000 applications for refugee status were received. However, as described by some UNHCR officials, the strategy of fast-tracking issuance of humanitarian visas was undermined by the time it took for applications to move through the bureaucracy of the Mexican Refugee Aid Commission (COMAR), overrun by the exponential increase in applications for refugee status, especially in the last two years (2018 and 2019), discouraging those in need of international protection from pursuing that option.

Third and Subsequent Waves

The doors slammed shut, the open arms tired, and finally, after producing a pull effect and saturating local migrant services, Mexico faced what we have identified as a third wave of caravans. The migrant movement continued to reshape itself, and in this stage the formation of two groups of caravans comprising some 3,000 people between them combined with smaller groups numbering around 50, 150, and 300 in a constant influx of people, which, although less massive, did not cease. In the official version, they were “small caravans” made up by groups of three or four people who came to the border to “explore” a possible crossing. The distinctive feature of this third wave was that the caravans did not assemble before crossing the border, but rather after entering Mexican territory, in the city of Tapachula. One of them, with around 1,500 members, left Tapachula on March 30, 2019, and, according

to several migrants' human rights defenders, was "diverted," as federal law enforcement authorities later explained to the municipality of Mapastepec; this third wave, in an unusual twist, included a significant number of Cubans who, in the words of *El Abuelo* (Grandad), one of the caravan's spokespersons, supported the formation of this third movement.

Unlike the second wave, the official response, by the same government that had issued Visitor Cards for Humanitarian Reasons (TVRH), was to grant the Central American migrants Regional Visitor Cards (TVR), a migrant regulatory instrument historically used to encourage orderly cross-border movement. It bears mentioning that these permits did not give beneficiaries legal residency or permission to work in Mexico. Although the guidelines and procedures were amended on April 23, 2019, to grant such TVRs more widely, they proved unhelpful for recipients because they allowed them only to enter and remain in Southern Mexico without their stay exceeding seven days and without permission to earn money in Mexico. Previously, such visas had benefited only people from Guatemala and Belize, and the amendments extended their use for migrants from El Salvador and Honduras. And although the area they were allowed to stay and move about in was now expanded to include the states of Campeche, Chiapas, Tabasco, Quintana Roo, and Yucatan, from a legal standpoint, TVRs failed to meet migrants' need for international protection or offer them a pathway to regularization.

In a more prolonged period of expulsions, caravans of migrants from Honduras, Guatemala, El Salvador, Nicaragua, Cuba, Haiti, Sri Lanka, and other nations are the manifestation of a convergence of factors that contribute to mixed flows (IOM, 2014), where migrants with varied motivations may coexist within a group, and an individual may act on different kinds of motivation simultaneously (Posada, 2009).

Part Three: Is existing migration policy appropriate given the social complexity of the emerging migratory phenomenon embodied in caravans?

An analysis of each of the three waves shows that, in effect, each strategy the Mexican government has implemented in response to the caravans had unintended and unforeseen consequences, both for migrants and for the various

actors (those who implement mechanisms to regulate migration and protect migrants; those who perform acts of control, verification, and detention of migrants; and those who provide shelter for migrants and offer legal aid and psychological services).

Although prior examples exist of migrant caravans crossing Mexico from northern Central America, whether those demanding justice as in the case of caravans formed by mothers of disappeared children or other, less visible migrant caravans that have tried to cross into the United States, our analysis covers a highly specific period. In a climate of forced migration and growing structural and community violence in their countries of origin and along the migratory route crossing Mexico northward, starting in late 2018, caravans became increasingly visible and frequent, especially since they provided a strategy that enabled poorer, more vulnerable people to migrate visibly and offered somewhat better protection against the risks inherent to their undocumented status.

The caravan that marked the start of this period appeared in October 2018 and had tremendous impact, with images in domestic and international media showing thousands of people amassed on the border bridge joining Ciudad Hidalgo, Chiapas, and Tecun Uman, Guatemala. After the assembled migrants, among them elderly persons, women, and infants and young children, had waited for three days at the Rodolfo Robles Bridge to cross into Mexico, the Enrique Peña Nieto administration sent federal law enforcement forces to contain them. The flow of information caused confusion, given that, on the one hand, the deployment of law enforcement suggested a kind of “invasion” to which the government was reacting with repression, contrary to the human-rights-based approach the Mexican government itself had negotiated through the Global Compact for Migration, which would be officially signed weeks later (December 2018). On the other hand, the media was broadcasting images of families and elderly people in need of humanitarian protection, focusing on a crisis caused not only by forced migration, but by the enormous risks of continuing to enter and cross Mexican territory irregularly.

Migrants who crossed by the bridge were taken to a temporary shelter on the site of the Meso-American Fair, which was actually an extension of Twenty-First Century Immigration Station, to then be processed for deportation or, when appropriate, to prepare and file applications for refugee status with the Mexican Refugee Aid Commission (COMAR). Those who did not

enter Mexico by the bridge crossed by the river and followed the route northward to Tijuana. This first caravan moved quickly, in part due to the assistance its members received along the way, including provisions and even rides on their journey north. In this first wave the perception among the general population, and quite possibly in the federal government, was that the caravan was “passing through,” given that, unlike the events of 2019, a year that saw a considerable weakening of mechanisms for humanitarian protection, in the first wave migrants’ preferred option was to apply for refugee status, with applications rising from 14,619 in 2017 to 29,630 in 2018 (COMAR, 2017; 2019).

An analysis of the different waves of caravans starting in late 2018 and through all of 2019 reveals that, under pressure from the U.S. government to slow the arrival of migrants on Mexico’s northern border, on the one hand, and given the complexity of forced migration from northern Central America, on the other, Mexico has rapidly transformed into a receiver of forced migrants seeking international protection. In this context, 2019 was marked by a series of contradictions in the area of migration policy, which were exacerbated with the arrival of the new federal administration under President Andrés Manuel López Obrador, who announced a humanitarian migration policy and mere months later ordered the National Guard to conduct operations of migrant control and verification.

The first wave was distinguished by the division between two contingents. First, migrants who continued their journey to the northern border, a majority of whom became the first groups to be processed under the Migrant Protection Protocols (MPP). This meant that they were unable to request asylum promptly on arriving at ports-of-entry into the United States and instead were forced to wait on the Mexican side pending both their application for asylum and a legal process involving a series of hearings before U.S. immigration judges, which can drag on for as long as ten months. Others were forced to stay in Mexico, most of them in the southern states pending deportation or, in the best of cases, awaiting a chance to apply for refugee status.

Like the earlier stages, the main obstacle migrants faced was timely access to information on their regularization proceedings and/or application for refugee status. In Mexico, the Law on Refugees, Complementary Protection, and Political Asylum requires applicants to remain in the state where they initiate the proceeding, subject to having their application processed as “abandoned” if they change their place of residency. Many people were

not informed of this requisite opportunistically, an omission that, added to lengthy processing times for applications (mainly in Tapachula), resulted in many migrants losing hope and continuing the journey north, thereby forfeiting the chance to continue their paperwork in the COMAR.

In the early days of January 2019, a new caravan arrived, greater in number than the previous one and in a climate of renewed optimism encouraged by the largely favorable reception the first caravan had received from society at large, while those not seeking refugee status had advanced rapidly to Northern Mexico. Also, the incoming administration had announced a humanitarian migration policy with a human-rights-based approach. This time, the images from the bridge joining Mexico and Guatemala were very different from those taken months before, showing orderly scenes with canopies for representatives of the various government agencies and international organizations to inform migrants on mechanisms to regularize their status. Mere weeks after signing the Global Compact for Migration, the new administration's discourse was promoting orderly, safe, and regular migration.

This time, the rapid and (temporarily) effective response was to issue Visitor Cards for Humanitarian Reasons, which were granted in under a week and allowed recipients to leave the state of Chiapas (unlike the group that arrived in October 2018) and advance northward more rapidly. This caravan reached Mexico City and was received in a shelter that the local government under Mayor Claudia Sheinbaum set up in the Magdalena Mixhuca Athletics Center. This time, their reception was dominated by a climate of hostility and rejection toward the migrant population. In February 2019, the Mexico City police launched an operation that resulted in attacks on migrant defenders, and weeks later the federal government arbitrarily terminated the emergency humanitarian guest card program. An unforeseen consequence of this second wave was a strong pull effect that led many migrants to make the journey in hopes of benefiting from the program announced by the Mexican government. In this context, in addition to the fact that there were already people who had been waiting since October for a response to their applications for refugee status, in an unforeseen turn of events migrants started planning a new caravan, but this time not from Honduras or Guatemala, but from downtown Tapachula, Chiapas.

The third wave of caravans was characterized by heightened criminalization in migration policy and the limits of humanitarian protection. Starting

in April 2019, Mexico restricted access to humanitarian guest cards and stepped up detention of migrants as growing use of clandestine points of entry to the country increased the risk of crossing. The caravan that formed in this third wave was distinguished by the various nationalities represented, with substantial numbers of Cuban citizens alongside migrants from Honduras and El Salvador. It also was distinguished by the different paths its members had taken, bringing together those who had arrived more recently in smaller groups and been absorbed into larger groups once in Tapachula and others who had been rebuffed in their efforts to qualify for humanitarian protection and/or regularization of their immigration status. Also, a new problem began to emerge, one that would become increasingly prominent in the second half of the year, with the presence of migrants from African countries who were stuck in Tapachula having found their usual means of passing through Mexico blocked.

The balance sheet of this third wave is complex, given that it started a short time before, and may have been a contributing factor in, the U.S. government's threat to raise tariffs on Mexican exports in late May 2019. People who used this strategy either to enter Mexico or to attempt to regularize their legal status and/or continue their journey north faced several complications. Many who traveled with the first group and reached the "temporary shelter" in Mapastepec, which actually operated as an extension of the Twenty-First Century Migration Station, succeeded in obtaining humanitarian guest cards. However, most of those who arrived with a second group days later were denied access to the cards.

The Mexican government's response to Donald Trump's threats was to increase detentions, and, as a result, by late May and in subsequent months migration stations and provisional shelters operated by the National Institute of Migration were overrun. When we visited the Twenty-First Century Migration Station in May, it was operating at double its capacity, with nearly 1,800 people held in overcrowded, unsanitary conditions. Also, even before Trump's tariff threat, the National Guard had made its presence felt at several migration checkpoints, both on highways and near the Guatemalan border.

Beyond the overcrowded, unsanitary conditions, we observed that the evident strategy of detention and criminalization resulted in various human rights violations against migrants in detention. In May we participated in a human rights mission to observe the humanitarian crisis affecting refugees

and migrants in southeastern Mexico and found that many detainees at the Twenty-First Century Migration Station had not been informed of the reason for their detention and had been denied access to telephone calls, medical care, or legal aid. Many detainees had proof of pending applications before the COMAR and nevertheless remained in custody.

By this point, caravans appeared to have ceased to represent a strategy to gain protection and visibility and to have become a source of leverage for Mexico in negotiations seeking to persuade the United States to dial back its threatened 5% tariff increase on imports from Mexico. In June 2019, Mexico agreed to implement two measures that define its current migration policy, in stark contrast with the now clichéd discourse on migrant human rights. The first was to reinforce security on the southern border by deploying at least 6,000 National Guard troops, whose impact was immediately visible in the media with a late January 2020 National Guard operation to block entry by 2,000 migrants at the border along the Suchiate River. The second was Mexico's acceptance of the Migrant Protection Protocols (which the U.S. had started to implement unilaterally in January 2019), under which migrants who crossed its southern border to seek asylum were returned to Mexico to await processing of their requests.¹ Both actions have given rise to complex, highly adverse scenarios for migrants at the two borders, with a convergence along the northern border of domestic migrants and people arriving in caravans, many in hopes of filing a request for asylum in the United States. In the North, they wait in uncertain and precarious conditions in cities like Tijuana, Ciudad Juárez, and Matamoros which, despite networks of shelters run by civil society organizations and the existence of Integrating Centers for participants in the MPP program, are seeing their capacity overrun, as migrants are expelled by poverty and unemployment. And at Mexico's southern border, especially in Tapachula and Tenosique, which concentrate a large percentage of migrants seeking refugee status and where detentions continue, they face a climate of growing xenophobia and nativist hostility.

¹ Between February 2019 and July 2020, around 65,877 people have participated in this program, of whom 49.5 percent have been deported; 32.7 percent are awaiting processing (a situation that during the pandemic has left almost 22,000 people waiting in highly precarious circumstances); 14 percent have been processed and are awaiting deportation; and only 0.85 percent have achieved favorable resolutions (Syracuse University, n.d.).

Conclusions

Central American migration in periods of crisis is an expression of the Latin American region that challenges a context like Mexico, which has historically been a migrant-sending country and more recently has seen emigrants returning, and, although historically a transit country, today that component has grown in parallel to the (potential) growth of its role as a receiving country (planned or acquired). This situation constitutes a stress test for the relatively lax normative frameworks on migration typical of the Latin American region, to which Mexico belongs (Ceriani, 2018; Ferier and Parent, 2019). Responses seeking to manage flows of Central American migrants have been diverse and varied and shift between two non-mutually exclusive planes of (i) a complex and stable institutional matrix, predating today's mass flows from Central America, and (ii) another, adaptive matrix, distinguished by the emergence of exceptional instruments designed to regularize and order the settlement and transit (and eventual destination) of Central American migrants (Betts, 2014). In other words, migratory governance includes a relatively stable, legal framework for migration (with the Migration Law, a human rights approach and international and domestic legal instruments to manage asylum) while simultaneously designing extraordinary, emergency measures. While this migratory flow has its own unique features, this raises the question of whether it can be managed effectively with the options offered by the complex, stable matrix.

In the period analyzed (late 2018 to early 2020), Mexico's migration policy has gone from relying on actions favoring free transit to the imposition of measures designed based on a military logic of criminalization and detention of migrants. In this light, the obligatory questions, from academic debate to family conversation and the institutional context, are, "Is it right or wrong?" or "Do they want to stay?" The answers are as varied as the contingents and collectives that form migrant caravans.

Despite the political pressures facing the Mexican government, current circumstances should allow it to craft a migration policy fully aligned with human rights, honoring the commitment Mexico negotiated and assumed with several fellow nations in December 2018, through the Global Compact for Migration, to respect the legal frameworks and basic principles of humanitarian law while ensuring full protection for migrant rights. Also, Mexico

has the capacity to offer decent living conditions for those who seek to remain here as refugees. Regrettably, the different actions the government has taken in the last two years prove the lack of true political will to honor the commitments assumed and show how poor planning of migration policy has unintended effects, adding to a host of contradictions fueling a context of greater violence and contributing to an increase in criminalization of migrants currently in the custody of the National Guard. This, in turn, increases the risks and costs of passing through Mexico and the operational ineffectiveness of migration policy under a human rights approach.

What we can be sure of is that, either step by step or in diffuse, durable increments, Mexico is facing something unique in its contemporary history, which is unquestionably reshaping how we conceive external and internal borders, national and local identities, and our concept of community. It will have results: positive and negative, expected and unexpected, and good and bad, but all transformative.

Bibliography

ANGUIANO, MARÍA EUGENIA, and RODOLFO CORONA

2009 *Flujos migratorios en la frontera Guatemala-México*. El Colegio de la Frontera Norte, Instituto Nacional de Migración, and DGE Editores, <https://mexico-guatemala.colemex.mx/flujos>.

ANGUIANO, MARÍA EUGENIA, and ALMA TREJO

2007 "Políticas de seguridad fronteriza y nuevas rutas de movilidad de migrantes mexicanos y guatemaltecos," *LiminaR. Estudios Sociales y Humanísticos* 5, no. 2, <https://doi.org/10.29043/liminar.v5i2.250>, pp. 47-65.

BALAM, RODRIGO

2018 *Libro centroamericano de los muertos*. Mexico City: Fondo de Cultura Económica, INBA.

BERUMEN, SALVADOR, LUIS FELIPE RAMOS, and ISABEL URETA

2011 “Migrantes mexicanos aprehendidos y devueltos por Estados Unidos. Estimaciones y características generales,” *Apuntes sobre migración no. 2* (September), INM and Centro de Estudios Migratorios.

BETTS, A.

2014 “El gobierno global de la migración a causa de las crisis,” *Revista Migraciones Forzadas*, no. 45: 76-79.

CASTILLO, MANUEL ÁNGEL

2000 “Tendencias recientes y políticas de países de origen, de tránsito y de destino hacia la migración centroamericana,” lecture prepared for the 2000 meeting of the Latin American Studies Association, Hyatt Regency Miami, March 16-18. El Colegio de México, Center for Demographic and Urban Development Studies.

CASTLES, STEPHEN

2003 “Toward a sociology of forced migration and social transformation,” *Sociology*, SAGE Journals, 37, no. 1: 13-34.

CERIANI, P.

2018 “Migration Policies and Human Rights in Latin America: Progressive Practices, Old Challenges, Worrying Setbacks and New Threats,” Policy Briefs 2018, Global Campus Latin American Caribbean: https://repository.gchumanrights.org/bitstream/handle/20.500.11825/629/PolicyBrief_LatinAmerica_ok.pdf?sequence=4&isAllowed=y.

CNDH (COMISIÓN NACIONAL DE DERECHOS HUMANOS)

2009 *Informe especial sobre los casos de secuestro en contra de migrantes de la CNDH*. June 15, Mexico City: Comisión Nacional de Derechos Humanos.

COLEF (EL COLEGIO DE LA FRONTERA NORTE)

2018 “La caravana de migrantes centroamericanos en Tijuana 2018, Diagnóstico y propuestas de acción,” <https://www.colef.mx/wp-content/>

uploads/2018/12/EL-COLEF-Reporte-CaravanaMigrante_-_Actualizado.pdf.

COMAR (COMISIÓN MEXICANA DE AYUDA A REFUGIADOS)

2017 “Estadísticas 2013—2017,” SEGOB, <https://www.gob.mx/comar/articulos/estadisticas-2013-2017?idiom=es>.

2020 “Estadísticas julio 2020,” SEGOB, <https://www.gob.mx/comar/articulos/la-comar-en-numeros-278596?idiom=es>.

DÚVELL, FRANCK

2006 “Questioning Conventional Migration Concepts: The Case of Transit Migration,” presented at the Gaps and Blind Spots of Migration Research workshop in Budapest’s Central European University.

FERIER, L. F., and N. PARENT

2019 “The Regional Response to the Venezuelan Exodus,” *Current History* (February): 56-61.

GANDINI, LUCIANA, ALETHIA FERNÁNDEZ,

and JUAN CARLOS NARVÁEZ GUTIÉRREZ

2020 *Caravanas*. Mexico City: Departamento de Desarrollo Institucional, Universidad Nacional Autónoma de México.

GANDINI, LUCIANA, FERNANDO LOZANO-ASCENCIO, and SELENE GASPAR

2015 *El retorno en el nuevo escenario de la migración entre México y Estados Unidos*. Mexico City: Consejo Nacional de Población.

GARCIA, MARÍA DEL CARMEN, and MARÍA TARRIO

2008 “Migración irregular centroamericana. Las tensiones entre derechos humanos, ley y justicia,” in Daniel Villafuerte and María del Carmen Garcia, comps., *Migraciones en el sur de México y Centroamérica*. Mexico City: Cámara de Diputados/Universidad de Ciencias y Artes de Chiapas/Miguel Ángel Porrúa, pp. 123-170.

GZESH, SUSAN

2008 "Una redefinición de la migración forzosa con base en los derechos humanos," *Migración y Desarrollo*, no. 10: 97-126.

HEREDIA, CARLOS

2016 *El sistema migratorio mesoamericano*. Mexico City: El Colegio de la Frontera Norte, Centro para la Investigación y Docencia Económicas.

HERRERA-LASSO, LUIS, and JUAN ARTOLA

2011 "Migración y seguridad: dilemas e interrogantes," in Natalia Armijo, ed., *Migración y seguridad: nuevo desafío en México*. Mexico City: Colectivo de Análisis de la Seguridad con Democracia A.C. (CASEDE), 11-34.

HUGO, GRAEME, and CHAN KWOK

1990 "Conceptualizing and Defining Refugee and Forced Migrations in Asia," *Southeast Asian Journal of Social Science* 18, no. 1: 19-42.

I(DH)EAS LITIGIO ESTRATÉGICO

2011 *En tierra de nadie. El laberinto de la impunidad. Violaciones de los derechos humanos de las personas migrantes en la región del Soconusco*. Mexico City: I(dh)eas.

IOM (INTERNATIONAL ORGANIZATION FOR MIGRATION)

2014 *Glossary on Migration*, http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/serial_publications/Glossary_eng.pdf, accessed May 24, 2016.

JÁUREGUI, JOSÉ, and MARÍA DE JESÚS ÁVILA SÁNCHEZ

2009 "México: país de tránsito para migrantes guatemaltecos camino a Estados Unidos," in *Flujos migratorios en la frontera Guatemala-México*. Mexico City: COLEF / Instituto Nacional de Migración: 247-279.

KAUFFER, EDITH

2003 "Entre peligros y polleros: la travesía de los indocumentados," *Ecofronteras*, no. 19: 9-11.

MARTÍNEZ, GRACIELA, SALVADOR COBO, and JUAN CARLOS NARVÁEZ GUTIÉRREZ
2015 “Trazando rutas de la migración de tránsito irregular o no documentada por México,” *Perfiles Latinoamericanos* 23, no. 45: 127-155.

NARVÁEZ GUTIÉRREZ, JUAN CARLOS

2007 *Ruta transnacional: a San Salvador por Los Ángeles. Espacios de interacción juvenil en un contexto migratorio*. Mexico City: Universidad Autónoma de Zacatecas/Instituto Mexicano de la Juventud/Miguel Ángel Porrúa.

2015 “Migración irregular extracontinental en México. Apuntes para el diseño de una política y gestión migratoria,” *Migración y Desarrollo* 13, no. 24 (January-June): 117-132.

2019 *Hasta topar con pared. Historia reciente de la migración en tránsito por México, Caravanas Migrantes: las respuestas de Mexico*. Mexico City: UNAM.

NARVÁEZ GUTIÉRREZ, JUAN CARLOS, and NINA FRÍAS VALLE

2011 “Enfoques teórico-metodológicos y aproximaciones a las sources cualitativas y cuantitativas para el estudio de la migración de tránsito por México,” lecture at the Seventh National Congress for Social Research at Universidad Autónoma del Estado de Hidalgo, October 24.

NARVÁEZ GUTIÉRREZ, JUAN CARLOS, and LUCIANA GANDINI

2021 *De la esperanza a la militarización: agenda de la política migratoria durante el primer año de la 4T*. Mexico City: UNAM, Instituto de Investigaciones Jurídicas.

MEYER, MAUREEN, and STEPHANIE BREWER

2010 *Un trayecto peligroso por México: Violaciones a derechos humanos en contra de los migrantes en tránsito*. Washington, D.C.: Washington Office on Latin America (WOLA).

PAPADEMETRIOU, DEMETRIOS G.

2015 “Migration Crisis Tests European Consensus and Governance,” Migration Policy Institute, December, http://www.cva.itesm.mx/biblioteca/pagina_con_formato_version_oct/apaweb.html.

PAPADOPOULOU, ASPASIA

- 2005 "Exploring the Asylum-Migration Nexus: A Case Study of Transit Migrants in Europe," *Global Migration Perspectives*, no. 23, Global Commission on International Migration.

PARÍS, MARÍA DOLORES

- 2017 *Violencias y migraciones centroamericanas en México*. Tijuana: El Colegio de la Frontera Norte.

PARÍS, MARÍA DOLORES, MELISSA LEY, and JESÚS PEÑA

- 2016 *Migrantes en México: vulnerabilidad y riesgos. Un estudio teórico para el programa de fortalecimiento institucional "Reducir la vulnerabilidad de migrantes en emergencias."* Geneva and Mexico City: IOM/COLEF.

POSADA, PAOLA

- 2009 "Refugiados y desplazados forzados. Categorías de la migración forzada creadas como medidas de contención a las migraciones no deseadas," *Estudios Políticos*, no. 35, Instituto de Estudios Políticos, Universidad de Antioquia: 131-152.

RODRÍGUEZ, ERNESTO

- 2006 *Por una política migratoria integral en la frontera sur. Los nuevos rostros de la migración en el mundo*. Mexico City: Gobierno del Estado de Chiapas/International Organization for Migration and Instituto Nacional de Migración.
- 2016 "Migración centroamericana en tránsito irregular por México: nuevas cifras y tendencias," *CANAMID Policy Brief Series*, no. 14, Guadalajara, CIESAS.

RODRÍGUEZ, ERNESTO, SALVADOR BERUMEN, and LUIS FELIPE RAMOS

- 2011 "Migración centroamericana de tránsito irregular por México. Estimaciones y características generales," *Apuntes sobre migración*, July, no. 1. Mexico City: INM, Centro de Estudios Migratorios.

SASSEN, SASKIA

- 2015 *Expulsiones: brutalidad y complejidad en la economía global*. Buenos Aires: Katz Editores.

SAYAD, ABDELMALEK

2010 *La doble ausencia: De las ilusiones del emigrado, a los padecimientos del inmigrado*. Barcelona: Anthropos.

SELEE, ANDREW, CYNTHIA J. ARNSON, and ERIC L. OLSON

2013 *Crime and Violence in Mexico and Central America: An Evolving but Incomplete US Policy Response*. Washington, D.C.: Migration Policy Institute.

SPENER, DAVID

2009 *Clandestine Crossings. Migrants and Coyotes on the Texas-Mexico Border*. Ithaca, New York: Cornell University Press.

SYRACUSE UNIVERSITY

n.d. Trac Immigration Details on MPP (Remain in Mexico) Deportation Proceedings, TRAC Immigration, <https://trac.syr.edu/phptools/immigration/mpp/>, accessed August 30, 2020.

WIMMER, ANDREAS

2007 "How (Not) to Think about Ethnicity in Immigrant Societies: A Boundary Making Perspective," Working Paper no. 44, ESRC Centre on Migration, Policy and Society, University of Oxford.

VILLAFUERTE, DANIEL, and MARÍA DEL CARMEN GARCÍA AGUILAR

2008 *Migraciones en el sur de México y Centroamérica*. Mexico City: Universidad de Ciencias y Artes de Chiapas/Miguel Ángel Porrúa.