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Mexico Detention Profile

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Introduction

Mexico's dual roles as a source and transit country for migrants traveling to North America have helped conspire to make it one of the most active detaining countries in the world. With a long-term detention capacity of more than 3,500, the country's immigration detention estate is bigger than those of large European countries like France and Spain. During 2012, the country detained nearly 90,000 migrants. This compares to 10,000 in Italy in 2011 and 25,000 in the United Kingdom in 2010.

On the other hand, in contrast to both its neighbours to the north—Canada and the United States—Mexico does not use criminal prisons for the purposes of immigration-related detention, relying instead on a large network of specially designated detention facilities called *estaciones migratorias*. It has also decriminalized immigration violations like unauthorized entry and stay (Coria 2012).

Mexico's efforts to detain and deport migrants have been advanced in response to pressure from its northern neighbours. Eager to secure a more favourable situation for its own citizens residing outside the country, Mexico has placed increasing pressure on irregular migrants transiting its territory (Flynn 2005). Whereas previously migrants were generally permitted to transit Mexican territory *en camino al norte*, during the past two decades—a period that roughly begins with the 1993 adoption of the North American Free Trade Agreement—Mexico has pursued increasingly aggressive immigration enforcement strategies aimed at preventing pass-through migration (Casillas 2008).

The country did not adopt comprehensive immigration legislation until 2011. Although widely viewed as an important step forward in the effort to protect the rights of immigrants in Mexico, the new law—the *Ley de Migración*—emphasizes the use of administrative detention to assist the processing of undocumented migrants and provides for the indefinite detention of certain detainees (see also Schiavon and Diaz 2011, p. 214).

Various organisations, including nongovernmental groups and Mexico's National Human Rights Commission, have alleged numerous violations in detention centres, including extremely poor conditions in some facilities, physical abuse, overpopulation, official corruption, inadequate healthcare, among other problems (Sin Fronteras 2011; La Jornada 2008; CNDH 2005). Of particular concern is the situation of undocumented children. Although Mexican law stipulates that undocumented minors should be housed in specially adapted facilities, the country continues to confine thousands of children a year in detention centres, often in very poor conditions (CDHUNL 2012).

In 2012, the plight of children in Mexican detention centres became the focus of an international campaign aimed at ending this practice. In a press release, the campaign, which was spearheaded by the International Detention Coalition and included Sin Fronteras and other Mexican organizations, highlighted how children are often separated from parents when in official custody and that many of the facilities used to confine them "do not meet minimum human rights standards." Instead of resorting to detention, said the campaign, "The Mexican government should consider more efficient and effective alternatives to detention mechanisms" (EIDC 2012).

Detention Policy

In 1993, the Mexican government created the National Migration Institute (Instituto Nacional de Migración, or INM), the country's first dedicated immigration administration, which is part of the Ministry of Interior (Secretaría de Gobernación). The INM was created in part "to strengthen and expand the activities of regulation, control, surveillance, and monitoring of migration flows"

(Auditoría Superior de la Federación 2000).

According to Casillas, Mexico began ramping up its construction of dedicated immigration detention facilities (*estaciones migratorias*) during the 1990s. By 2000, there were 25 detention centres; and by 2005, 52 (Casillas 2008, p 162). As of 2011, Mexico had 35 long-term detention facilities with a total estimated capacity of 3,550, as well as several dozen medium-term facilities that could be used to confine people for up to one week (Fernandez 2011).

Mexico adopted its first comprehensive immigration law in May 2011. Previously, migration was regulated by the *Ley General de Población*. The new law, *Ley de Migración*, establishes, *inter alia*, a legal framework for regulating migration and regulations for the maintenance of detention centres. The adoption of this law came on the heels of a broad-based advocacy effort that included actors from civil society, government, and the international community. Also helping spur action on the law were the murders by drug traffickers of several dozen Central American migrants whose bodies were discovered in August 2010 in a clandestine grave in the northern state of Tamaulipas (Schiavon and Diaz 2011).

Key norms. The Mexican Constitution, the 2011 Ley de Migración (Migration Law, or LM), and the Reglamento de la Ley de Migración (Regulations of the Migration Law, or RLM) all contain provisions relevant to the detention and expulsion of non-citizens.

Several articles in the constitution provide rights relevant to immigration-related detention. Article 1 provides that all individuals in Mexico are entitled to the rights provided therein; Article 11 provides the right to claim asylum as well as the right to enter or leave the country without a passport, safe-conduct or similar document, although within the limitations set by judicial and administrative authorities; Article 16 provides that the public prosecutor can only hold a person in custody for 48 hours before transferring him or her to judicial authorities; Article 18 provides that non-criminal detainees must be separated from convicted criminals and kept in separate facilities; Article 19 limits to 72 hours the amount of time a person can be kept in judicial detention before being formally charged; and Article 33 provides that "the Executive of the Union will have the exclusive authority to require immediate departure from the national territory, without prior judgment, of any foreigner whose presence shall be judged undesirable."

The Secretaria de Gobernación (Ministry of Interior) is responsible for overall implementation of the Migration Law (Article 18). The INM is charged with monitoring the entry and departure of nationals and non-nationals. Article 3 authorizes the INM to establish dedicated detention centres (*estaciones migratorias*) to confine non-citizens who have been detained because of their irregular status. Article 20 provides that only officials of the INM are legally empowered to carry out tasks related to immigration control and supervision of foreign nationals. Article 107 describes basic minimum conditions and services that must be provided at detention centres.

The Regulations of the Migration Law establishes the procedures for detention. It provides the regulations for control, checking, and verification. It also defines mechanisms for repatriation and return, and provides specific steps for the treatment of children and other vulnerable groups.

In 2012, the federal government issued an executive order establishing basic norms and regulations for the functioning of immigration detention centres. The order is called the "Agreement to Establish Norms for the Functioning of the Migration Centres of the National Migration Institute" (*Acuerdo por el que se emiten las Normas para el funcionamiento de las Estaciones Migratorias y Estancias Provisionales del Instituto Nacional de Migración*). The agreement classifies "provisional" detention centres according to the length of time people can be detained at them (Article 5); provides details about activities inside detention centres (Article 7); and offers specific security regulations, administrative procedures, and various services provided in the facilities.

Grounds for detention and deportation. Official language used in Mexican law and policy to characterize immigration detention is arcane and misleading (for a commentary on this language, see CDHUNL 2012). A case in point are the relevant articles providing for detention measures in the 2011 Migration Law. For instance, Article 99, which summarizes the key grounds for detention, fails to mention any word or concept relating to detention, confinement, or deprivation of liberty. Instead, the article provides that foreigners are to be "presented" at "migratory stations" while their situation is being determined ("Es de orden público la presentación de los extranjeros en estaciones migratorias o en lugares habilitados para ello, en tanto se determina su situación migratoria en territorio nacional.")

In providing the grounds for detention, Article 99 introduces another euphemism to refer to deprivation of liberty, *alojamiento*, or "accommodation" (before the adoption of the 2011 Migration Law, official discourse in Mexico tended to refer to the detention of immigrants as *aseguramiento*, literally translated as "assurance" or "guarantee"). The article states that foreigners are to be "temporarily accommodated" (*alojamiento temporal*) in order to assist the process of "regularizing" their stay in the country or to assist their "return" (*retorno*).

Article 144 provides numerous grounds for removal from the country, including: 1) entering the country without proper documents or authorization; 2) re-entering the country after being deported and not having received authorisation for readmission; 3) falsely presenting oneself as a Mexican; 4) having been convicted of a serious crime or being considered a threat to national or public security; 5) providing false documents.

In addition, Mexican law provides for the detention of asylum seekers (see the subsection on "Asylum Seekers" below).

Mandatory detention. The Migration Law appears to be unclear with respect to whether detention measures are mandatory in some cases. The vague language used in Article 99, which is described above, seems to indicate that anyone whose status is unclear or who is subject to deportation must be "presented" ("es de orden público") at a detention centre operated by the National Migration Institute. However, experts consulted by the Global Detention Project provided divergent views on the matter.

When asked whether Article 99 provided for mandatory detention, Fernando Batista, the relevant authority on immigration detention at Mexico's quasi-governmental National Commission on Human Rights (CNDH), failed to directly address the question, instead explaining that "Mexican legislation establishes certain requirements, depending on the nationality of the person in question, for entering our country. People who fail to comply with these requirements can incur an administrative infraction, based on which they can be submitted to the National Migration Institute while their situation is being determined" (Batista 2012).

In contrast, Lorena Cano of the non-governmental group Sin Fronteras told the Global Detention Project, "The tendency, in effect, is to detain all irregular migrants and asylum seekers, with the of exception of 'cases of vulnerability'" (Cano 2013).

Length of detention and indefinite detention. Article 111 of the Migration Law establishes that the initial period of administrative confinement for non-citizens cannot exceed 15 working days. This can be extended for an additional 60 working days in certain cases. However, when a detainee appeals rulings on their migratory status, the law appears to provide for indefinite detention. Article 111 states that the 60-day maximum is to be applied only in cases where migrants cannot prove their identity, their consulate cannot provide them travel documents, the conditions of travel are not suitable, and/or if they are not physically able to travel.

According to Batista of CNDH, in cases where a detainee has made an appeal, the time in detention "can be extended until the case is resolved by judicial power" (Batista 2012). Similarly, Cano of Sin Fronteras told the Global Detention Project, "In effect, a person who presents an appeal can remain in detention indefinitely according to the law. We are currently assisting the appeal of a person who has already been in detention for seven months" (Cano 2013).

Detaining authorities. According to Article 20 of the Migration Law, only officials of the INM are legally empowered to carry out tasks related to immigration control and supervision of foreign nationals. Observers have repeatedly alleged that officials not related to the INM have been involved in these activities and that abuses often occur during these procedures. In its recommendations to Mexico during the 2011 review of the country's effort to implement the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the UN Committee on Migrant Workers stated (CMW 2011):

"The Committee is concerned that some operations to verify individuals' migration status have been carried out under circumstances that have endangered the lives or physical well-being of migrant workers in transit, either at night or in places where those who evade migration controls are at the mercy of criminal groups or gangs. The Committee is equally concerned by reports that officials who perform migration controls and inspections have used excessive force, which has resulted in individuals being injured or wounded. The Committee notes that screening is being conducted to verify the suitability and integrity of officials of the National Institute for Migration and other authorities. It is concerned, however, by the fact that no systematic data are available on incidents of abuse and ill-treatment by public authorities of migrant workers and that only a small percentage of cases of ill-treatment and abuse have led to disciplinary measures or criminal sanctions. The Committee also remains concerned by the alleged participation in the operations to verify migration status of officials who are not authorized to do so under the Population Act and its accompanying regulations."

Minimum standards and procedural guarantees. The law provides that detention centres must never exceed their capacity (Article 106). They should provide medical, psychological, and juridical assistance; they must provide three meals per day and take into consideration the special needs of sick people, children, and pregnant women; they must provide separate spaces for women and men; and they must keep children with their parents, unless it is not convenient for them (Article 107).

All detainees have the right to know where they are being detained and the reasons for their detention; to apply for asylum or request voluntary repatriation; to receive consular protection from their country of origin if they request it; to receive visits from family members and legal representatives; and to have an interpreter or translator (Article 109).

Some observers have criticized the implementation of these detention norms. According to Sin Fronteras (SF), although detainees are generally informed of the reasons of detention, this is not always done in a way that enables their comprehension of the situation, in part because the language used is too technical (SF 2011, p. 104). Moreover, although medical services tend to be provided, authorities often fail to take into account gender and age. Plus, psychological attention is not always provided for victims of kidnapping and rape (SF 2011, p. 105).

Minors. The law provides different remedies for minors, depending on whether they are accompanied by a parent or guardian. Minors who are accompanied can be detained alongside their parents in detention centres in order to "preserve the family unit" (Article 109). Custody of unaccompanied minors is transferred to the National Agency for Family Development (Sistema Nacional para el Desarrollo Integral de la Familia, or DIF) (Article 109), a government social welfare network that is charged with accommodating unaccompanied non-citizen minors as well as reuniting unaccompanied Mexican children who have been deported from the United States.

According to observers, legal provisions allowing for the release of children, particularly unaccompanied children, often appear not to be followed. One 2012 study found that "despite the fact that the immigration law ... requires INM to immediately transfer (*canalizar*) migrant children and adolescents, the immigration authorities systematically fail to comply with this order. The transfer presumes an alternative to detention, but to date, it is only a legal prescription that has not permeated actual practice. Children older than 12 years of age, and as we verified, in many case even younger ones, are held in detention centres" (CDHUNL 2012).

In November 2012, the International Detention Coalition and various NGOs in Mexico launched a campaign in that country aimed at highlighting the plight of detained children. Claiming that most of the country's detention facilities "do not meet minimum human rights standards," the campaign advocated adopting non-custodial methods (or, "alternatives to detention") for managing apprehended non-citizen minors (EIDC 2012).

The campaign, which was part of a global effort called "End Immigration Detention of Children," cited official statistics showing that some 4,000 minors were detained in 2011 (some 6,100 minors were detained during 2012, according to INM statistics). It claimed that while the majority of these children were not accompanied by parents, they nevertheless were kept in INM detention centres; that accompanied children were sometimes separated from their parents while in detention; and that in some parts of the country families were split up, with women and children confined in allegedly "closed" (secure) shelters run by DIF while fathers were held in the INM facility (EIDC 2012).

In an extensive 2011 investigation into the treatment of unaccompanied Mexican minors in both the United States and Mexico, the not-for-profit group Appleseed concluded that the treatment of minors in the custody of INM and DIF was fraught with problems. "A patchwork of laws and regulations governs the shelter, treatment, and protection of unaccompanied minors in INM or DIF custody," concluded Appleseed. "The DIF system is not a fully integrated national welfare system, but composed of semi-autonomous state and local units and a national oversight body. As a result, the rights and protections afforded to the minors vary significantly depending on location, and best practices are not easily implemented nationwide" (Appleseed 2011, p. 10).

More recently, the Centro de Derechos Humanos de la Universidad Nacional de Lanus (CDHUNL) and the Centro de Derechos Humanos Fray Matias de Cordova (CDHFMC) published in September 2012 the result of an investigation into the treatment of migrant children and adolescents in the Guatemala-Mexico border region. While welcoming Mexico's incorporation of norms from the Convention on the Rights of the Child into the new Migration Law, the study also highlighted numerous abuses of human rights standards as well as shortcomings in law and practice, including: arbitrary detention and deportations; lack of due process guarantees for detained children; restrictions on access to detained unaccompanied children by researchers because of the claim by authorities that the children's consular representatives are their legal guardian and thus must give permission for the children to be interviewed; the failure of the new Migration Law to provide clarity on the treatment of children in DIF custody and how DIF shelters should operate; the use of euphemisms in official Mexican discourse on migration policy—such as referring to detention as "assurance" (*aseguramiento*) and deportations as "sending back" (*devolución*)—which the study argued "camouflage the true legal nature of state practices … and impede analysis, evaluation, and monitoring of migration policy"; and a lack of reliable data on the situation of undocumented children due to problems in the INM methodology (CDHUNL 2012).

More generally, there appears to be consensus both in and outside Mexico that unaccompanied minors remain particularly vulnerable to abuse in the country in part because of shortcomings in its laws. Reported Appleseed, "According to a recent study by the Mexican law firm Jauregui, Navarette y Nader, S.C., none of the existing federal statutes provides adequate standards for the protection of unaccompanied children, and there is not compatibility or consistency among state, local, and federal laws. This often results in confusion regarding whether local or federal authorities are responsible for lending social assistance to unaccompanied minors. It also means that the scope of a minor's rights and the level of protection they receive vary significantly depending on location" (Appleseed 2011, pp. 57-58).

Although the new migration law—which was adopted after the study by Jauregui, Navarette y Nader was completed—closed many gaps in the protection for minors, experts in Mexico point to on-going systemic problems in their treatment. Elba Coria Márquez, a Mexican lawyer who has undertaken studies for various governments agencies on alternatives to detention, told the Global Detention Project that one of the main problems concerns lack of space for children in shelters. "The INM justifies placing children in detention centres because DIF won't receive them. One key problem is that these institutions do not have enough space to provide for all the unaccompanied minors. Also, some DIF shelters, like the one in Tapachula, will not accept children over the age of 12. Thus, these children remain in detention centres" (Coria 2012).

According to information provided by an official from the Secretaria de Gobernación, as of 2011 at least 16 of Mexico's 35 long-term detention centres (*estaciones migratorias*) had facilities for detaining minors and/or families. These included the facilities in Chetumal, Tapachula, Tenosique, Escarcega, Palenque, Villahermosa, Acayucan, Veracruz, Puebla, Iztapalapa (Mexico City), Pachuca, Zacatecas, Saltillo, Chihuahua, Janos, and Tijuana (Fernandez 2011).

Asylum seekers. The Ley sobre Refugiados y Protección Complementaria (Refugee Law) provides specific rights and guarantees for people seeking asylum in Mexico. Articles 62 and 63 of the Regulations of the Migration Law provide that applicants for asylum and stateless persons can be transferred to detention centres and stay there during the administrative procedure. The Migration Law provides the right for detainees to apply for asylum while in detention (Article 109), although this can result in longer—potentially indefinite—stays in detention if an asylum seeker appeals a ruling on his or her case (Article 111).

Detention of asylum seekers can be prolonged indefinitely because it depends on the duration of a person's particular administrative procedure. According to Coria Márquez: "There are two main ways to apply for asylum: applying directly to the Mexican Commission for Assistance to Refugees or filing a request directly with immigration authorities. In the second case, the asylum seekers are detained during the entire procedure. Here, the problem is that detention can be prolonged indefinitely, for as long as it takes to complete the administrative process" (Coria 2012).

Observers have pointed to a number of weaknesses in Mexican asylum procedures. For instance, according to the 2012 study about migrant children in southern Mexico published by CDHUNL and CDHFMC, "the application for asylum and the eventual appeal of a negative decision are presented without possible recourse to basic guarantees such as legal assistance, a legal guardian (in cases of unaccompanied children), very little information, and very limited participation in the process." Despite fears of abuse or violence in their home countries, several children interviewed by these organizations said they would accept "voluntary" repatriation because they remained in detention during the entire process and faced endless delays in processing their request or appeals (CDHUNL 2012).

Other vulnerable groups. Mexican law provides specific protections for other vulnerable groups of non-citizens. Article 180 of the Regulations of the Migration Law prohibits the detention of victims of human trafficking. Article 133 of the Migration Law provides the right of victims of or witnesses to a crime the right to regularize their migratory status. However, this is different in practice. Although victims of human trafficking and other crimes do not stay in detention centres, they are confined in *casas de seguridad* ("safe house"). Additionally, there have been cases in which migrants who have alleged being victims of crimes have been forced to stay in detention centres during the duration of the investigations into their claims (Coria 2012).

Criminalization. In contrast to other major migrant detaining countries like the United States and Italy, Mexico does not impose penal sanctions for unauthorized entry or stay in the country. According to one expert, such sanctions were eliminated in 2008 (Coria 2012). However, the 2011 Migration Law provides numerous sanctions, including prison sentences, for offenses related to migrant smuggling and trafficking (Articles 159-162).

Transparency. Mexico has a mixed record with respect to access to information about detention practices. On the one hand, the Ministry of Interior provides easy public access to a wealth of statistics on detention and deportation on the website of the National Migration Institute (see "Boletines Estadísticas," http://www.inm.gob.mx/index.php/page/Boletines_Estadisticos). The government also has a federal law on transparency and access to information (Ley Federal de Transparencia y Acceso a la Información Pública Gubernamental).

However, observers appear to have had difficulties using transparency mechanisms to broaden knowledge of the country's immigration detention regime. For instance, during its research into Mexican practices in late 2012, the Global Detention Project made numerous requests for information by phone and email to the National Migration Institute. At the time of this publication in late January 2013, the GDP had yet to receive a response. (It is worth mentioning that this research took place during a period of presidential transition in the country.)

Also in 2012, transparency agencies in the federal government and connected to the National Migration Institute declined to answer a series of questions posed in a freedom of information request regarding: (1) the total cost of operating the country's immigration

detention centres; (2) the daily cost of keeping one person in immigration detention; (3) the total annual amount spent by the government on deportations; and (4) the total number of detention centres in the country (INM 2012b).

The government provided a response to only one of these questions, the last one about the total number of detention centres. However, this response was based on severely dated material—an internal letter from the INM to its regional and departmental heads dating back to September 2010, which listed all the country's detention centres in operation at that time. Regarding the other questions, the government claimed it did not have the requested information. It provided elaborate rationalizations for this failure and twisted the nature of the questions themselves. Thus, for instance, instead of addressing directly the question about the total amount spent annually on deportations, the government said it was impossible to provide a statistic on how much it costs the country to deport or repatriate a single person. The reason for this? Because "every foreigner accommodated [alojado] in a migratory station or provisional facility represents a particular case in which one has to take into account diverse factors such as nationality, gender, age, health, legal situation, food, customs, number of days in detention," among numerous other factors, including whether a particular deportation was funded entirely by the INM or with assistance from the International Organisation from Migration.

Detention Infrastructure

Mexico exclusively employs specially designated administrative detention facilities for confining undocumented non-citizens. The Migration Law excludes using prisons or other criminal incarceration facilities (Article 107). This situation contrasts sharply with that of the United States and Canada, both of which make extensive use of their prison systems for immigration-related detention.

The Migration Law (Article 106) provides for two main types of administrative detention centres: (1) "Provisional" detention centres (or *estancias provisionales*), which are meant for short- or medium-term detention of undocumented migrants; and (2) long-term detention facilities, which are euphemistically called "migratory stations, or *estaciones migratorias*. Both types of facilities are operated by the National Migration Institute (Instituto Nacional de Migración, or INM).

According to various sources consulted by the Global Detention Project, as of 2012, Mexico operated 35 long-term facilities and 23 provisional facilities. These estimates, however, all appear to be based on a single document produced by the INM in 2010, which leaves uncertain the actual number of faculties in operation at the time of publication of this study (Batista 2012; INM 2012b; Cano 2013). The quasi-governmental CNDH stated that the figures provided in this 2010 document remained accurate as of December 2012 (Batista 2012). Over the course of several weeks in late 2012, the Global Detention Project made several attempts to contact officials at the INM to request updated information but never received a reply.

In addition to these administrative detention centres, Article 89 of the law provides for the use of facilities located in transit zones at ports of entry into the country for temporary "stay" (*estancia temporal*) of people who have been prevented from entering the country while their cases are under investigation. The Global Detention Project has been unable to verify the use of any such facilities in Mexico. However, according to some sources, the National Migration Institute (INM) operates offices in international airports, where migrants in an irregular situation are interviewed. These offices are not considered detention centres because interrogations tend to be completed quickly and they do not appear to be used to confine people. Nevertheless, some observers interviewed by the Global Detention Project highlighted that there is very little public information about these facilities or their operations (Coria 2012). It thus remains unclear if these INM interview offices correspond with the transit facilities described in the Migration Law.

Mexico also operates a network of public and privately operated shelters for unaccompanied minors that are mainly situated in the north of the country, with a few also in the south (Appleseed 2012). The National Agency for Family Development (Sistema Nacional para el Desarrollo Integral de la Familia, or DIF), a government social welfare network, is charged with overseeing operations at these facilities and has custody of the minors accommodated in these facilities. The Global Detention Project has received contradictory information about whether these facilities should be considered sites of deprivation of liberty (see "DIF shelters" below).

Provisional detention centres. The Regulation of the Migration Law (Reglamento de la Ley de Migración) describes *estancias provisionales* as "physical installations that the [INM] establishes or authorizes to provisionally house" undocumented foreign nationals until they can be transferred to long-term detention facilities or their migratory situation has been resolved (Article 3.XI). These centres can vary from facilities with dormitories for men and women, to administrative offices where apprehended non-nationals are registered and await transfer to a long-term detention centre.

According to the Reglamento, there are two types of *estancias provisionales*: "category A" facilities, which are limited to 48-hour detention periods; and "category B" facilities, which can be used for confinement periods of up to seven days (Article 5). Officials

and non-governmental experts contacted by the Global Detention Project, including from CNDH and Sin Fronteras, were unable to provide any information about which provisional facilities fell under either category (Batista 2012; Cano 2013). Thus, as of 2013, the GDP categorized all *estancias provisionales* as medium-term detention centres (facilities that can be used to confine people for no longer than 20 days).

According to various sources, between 2011-2012, there were 23 provisional detention centres in operation (Fernandez 2011; Batista 2012).

Long-term facilities. As of 2011, Mexico had a network of 35 *estaciones migratorias*, which had a total capacity of 3,550 (Fernandez 2011). According to CNDH, the same number of facilities were in operation as of 2012 (Batista 2012). Article 107 provides basic requisites with respect to the services and operations at detention centres, including *inter alia* the provision of food, health services, and recreation, as well as the maintenance of these facilities in good conditions; the separation of men, women, and children; and the promotion of family unity.

The largest detention centre is the one in Tapachula, which is called Estación Migratoria Siglo XXI and can confine up to 960 people. Other major facilities include the detention centres in Mexico City (Iztapalapa), which has a capacity of 430; in Acayucan (836); in Tijuana (100); and in Tenosique (100) (Fernández 2011).

Conditions of detention. Many observers have criticized the operations and conditions at Mexican detention facilities (Sin Fronteras 2011; CNDH 2005). Similarly, the coalition of NGOs spearheading the campaign to end the detention of children has claimed that most of the country's detention facilities "do not meet minimum human rights standards" (EIDC 2012).

In its recommendations to Mexico during the 2011 review of the country's effort to implement the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the UN Committee on Migrant Workers stated (CMW 2011): "The Committee remains concerned by the poor conditions in some of the places where migrants are held or detained, where there are still cases of cruel, inhuman and degrading treatment being carried out with impunity, and by the lack of medical care and restrictions on contact with the outside world. It is particularly concerned by situations in which undocumented migrant workers who claim to have been tortured and ill-treated in some cases have to live alongside the perpetrators of these violations. ... The Committee recommends that: (a) further appropriate measures should be taken to improve the conditions of detention in migrant holding centres and other places where migrants are held, in accordance with international standards; (b) complaints of ill-treatment and degrading treatment committed by public officials in migrant holding centres and other places."

DIF shelters. The National Agency for Family Development (Sistema Nacional para el Desarrollo Integral de la Familia, or DIF) operates a network of facilities in northern and southern Mexico that are used for processing and/or housing Mexican minors deported from the United States as well as unaccompanied foreign nationals apprehended in Mexico (a map of locations is provided in Appleseed 2011, p. 57). According to DIF, up to 98 percent of the children who stay in these facilities are deported Mexican minors awaiting reunification with their families. The remaining minors are mainly unaccompanied Central Americans who have been apprehended by Mexican authorities (cited in Appleseed 2011, p. 55).

There are three main types of DIF facilities: processing centres, government-run shelters, and privately-run shelters (Appleseed 2011, p. 56). The processing centres are meant to be used only to undertake administrative procedures and not to house minors for any length of time.

The shelters include a range of public and privately run facilities, including YMCAs, as well as DIF-run "Special Care Units" inside detention centres, like the Tapachula detention centre "Siglo XXI" (CDHUNL 2012). Although not officially recognized as sites of deprivation of liberty (detention centres), some observers have characterized these shelters as "closed" (EIDC 2012) or operating like detention centres (CDHUNL 2012). In their 2012 study on migrant children in southern Mexico, CDHUNL and CDHFMC reported: "In the few cases of children and adolescents that are transferred to the DIF [from the detention centre in Tapachula]—for example, because they are younger than 12 years old—they are also deprived of their liberty in such shelters, even those these are not run by the INM" (CDHUNL 2012).

However, in its assessment of the DIF system, Appleseed found that the facilities it visited generally lacked the ability to keep minors from leaving, and that private shelters like YMCA refuse to prevent minors from leaving because they do not consider themselves to have the legal authority to hold them. "The problem of minors walking out of shelter facilities without authorization is not limited to non-governmental shelters. Although governmental shelters have legal authority to hold children until they are retrieved by family members or returned to their home localities, DIF has limited ability to guard its facilities against escaping, and many are allowed to leave 'voluntarily' with 'friends'" ((Appleseed 2011, p. 56).

Because of the ambiguity surrounding the DIF facilities, and the fact that the vast majority of them appear to be used for housing

Mexican minors and not migrants, the Global Detention Project decided not to include them in our list of detention sites as of January 2013.

Facts & Figures

According to INM statistics, 88,501 migrants were detained in Mexico during 2012. Compared to most major immigration detaining countries in the world, this is a staggeringly high figure. In 2011, Italy detained less than 10,000 immigrants; the United Kingdom detained approximately 25,000 people in 2010; and during FY 2010-2011, Canada detained nearly 9,000. One of the few countries that has detained more people than Mexico in recent years is the United States, which detained nearly 430,000 people in 2011.

The vast majority of detainees in Mexico during 2012 were from Central America, particularly Guatemala (40,058), Honduras (28,887), and El Salvador (12,398). The largest numbers of extra-regional detainees (those from outside of the Americas) were from Somalia (176), China (104), Eritrea (61), India (51), Nepal (37), Bangladesh (29), Ghana (22), Pakistan (21), Nigeria (20), and Spain (20).

In 2012, there were 76,543 male detainees and 11,958 female detainees. Of these, 6,100 were minors, the majority of whom (4,950) were between 12-17. Among minors under the age of 12 (1,150), 944 were accompanied and 206 were unaccompanied.

To detain these people, Mexico makes use of a large infrastructure of specialized immigration detention centres, including 23 shortto medium-term facilities called

estancias provisionales and 35 long-term facilities called estaciones migratorias (Batista 2012; INM 2012b; Cano 2013). The total capacity of the long-term facilities is approximately 3,550 (Fernández 2011).

During 2012, according to INM statistics, most detainees were confined in detention centres located in the south of the country, including in Chiapas (44,619), Veracruz (7,849), Tabasco (5,498), and Oaxaca (5,091). The detention centre in Mexico City held nearly 2,000 people during the year.

The INM reports that during 2012 it expelled 79,426 people. This number continues a multi-year trend during which the numbers of people expelled has decreased. In 2005, approximately 250,000 were deported and in 2008 some 90,000 (INM 2008; Diaz and Kuhner 2007; Univision 2008).

According to UNHCR, during 2010, Mexico received 1,039 asylum applications; by the end of 2011, it had 1,677 refugees.

According to the United Nations Population Fund, Mexico's population of international migrants was 1,112,273.

In 2009, it was estimated that some 300,000 irregular migrants entered Mexican territory every year (EFE 2009).

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List of Detention Sites

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Name	Status (Year)	Location	GDP Facility Type	Detention Timeframe	Security	Authority	Management	Capacity	Demographics & Segregation
Acapulco Estacion Migratoria	In use (2012)	Acapulco, Guerrero	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	10 (2011)	Single adult males, single adult females (2011)
Acayucan Estacion Migratoria	In use (2012)	Acayucan, Veracruz	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	836 (2011)	Single adult males, single adult females, minors (2011)
Agua Prieta Estacion Provisional	In use (2012)	Agua Prieta, Sonora	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	15 (2011)	Single adult males, single adult females (2011)
Aguascalientes Estacion Migratoria	In use (2012)	Aguascalientes, Aguascalientes	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	10 (2011)	Single adult males, single adult females (2011)
Cabo San Lucas Estacion Migratoria	In use (2012)	Los Cabos, Baja California Sur	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	18 (2011)	Single adult males, single adult females (2011)
Campeche Estacion Provisional	In use (2012)	Campeche, Campeche	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	3 (2011)	Single adult males, single adult females (2011)
Cancun Aeropuerto Estacion Provisional		Cancun, Quintana Roo	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	12 (2011)	Single adult males, single adult females (2011)
Chetumal Estacion Migratoria	In use (2012)	Chetumal, Quintana Roo	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	70 (2011)	Single adult males, single adult females, minors (2011)
Chihuahua Estacion Migratoria	In use (2012)	Chihuahua, Chihuahua	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	40 (2011)	Single adult males, single adult females, minors (2011)
Ciudad Cuauht,moc Estacion Provisional		Ciudad Cuauht,moc, Chiapas	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	30 (2011)	Single adult males, single adult females (2011)
Ciudad del Carmen Estacion Provisional		Ciudad del Carmen, Campeche	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	7 (2011)	Single adult males, single adult females (2011)
Ciudad Juarez Estacion Migratoria	In use (2012)	Ciudad Juarez, Chihuahua	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	60 (2011)	Single adult males, single adult females (2011)
Comitan Estacion Provisional	In use (2012)	Comitan, Chiapas	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	80 (2011)	Single adult males, single adult females (2011)
Echegaray Estacion Provisional	In use (2012)	Echegaray, Chiapas	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion		Single adult males, single adult females (2011)
El Ceibo Estacion Provisional	In use (2012)	El Ceibo, Tabasco	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	65 (2011)	Single adult males, single adult females (2011)
El Hueyate Estacion Provisional	In use (2012)	El Hueyate, Chiapas	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	80 (2011)	Single adult males, single adult females (2011)
Escarcega Estacion Migratoria	In use (2012)	Escarcega, Campeche	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	40 (2011)	Single adult males, single adult females, minors (2011)

Name	Status (Year)	Location	GDP Facility Type	Detention Timeframe	Security	Authority	Management	Capacity	Demographics & Segregation
Guadalajara Estacion Provisional	In use (2012)	Guadalajara, Jalisco	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	17 (2011)	Single adult males, single adult females (2011)
Hermosillo Estacion Migratoria	In use (2012)	Hermosillo, Sonora	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	40 (2011)	Single adult males, single adult females (2011)
Huehuetan Estacion Provisional	In use (2012)	Huehuetan, Chiapas	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	30 (2011)	Single adult males, single adult females (2011)
Iztapalapa Estacion Migratoria	In use (2012)	IIztapalapa, Distrito Federal	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	430 (2011)	Single adult males, single adult females, minors (2011)
Janos Estacion Migratoria	In use (2012)	Janos, Chihuahua	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	88 (2011)	Single adult males, single adult females, minors (2011)
La Ventosa Estacion Provisional	In use (2012)	La Ventosa, Oaxaca	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	65 (2011)	Single adult males, single adult females (2011)
Matamoros Estacion Migratoria	In use (2012)	Matamoros, Tamaulipas	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	30 (2011)	Single adult males, single adult females (2011)
Mazatlan Estacion Migratoria	In use (2012)	Mazatlan, Sinaloa	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	38 (2011)	Single adult males, single adult females (2011)
Merida Estacion Migratoria	In use (2012)	Merida, Yucatan	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	30 (2011)	Single adult males, single adult females (2011)
Mexicali Estacion Migratoria	In use (2012)	Mexicali, Baja California	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	34 (2011)	Single adult males, single adult females (2011)
Miguel Aleman Estacion Provisional	In use (2012)	Miguel Aleman, Tamaulipas	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	6 (2011)	Single adult males, single adult females (2011)
Monterrey Estacion Provisional	In use (2012)	Monterrey, Nuevo Le¢n	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	15 (2011)	Single adult males, single adult females (2011)
Morelia Estacion Migratoria	In use (2012)	Morelia, Michoacan	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	25 (2011)	Single adult males, single adult females (2011)
Nogales Estacion Provisional	In use (2012)	Nogales, Sonora	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	3 (2011)	Single adult males, single adult females (2011)
Nuevo Laredo Estacion Migratoria	In use (2012)	Nuevo Laredo, Tamaulipas	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	24 (2011)	Single adult males, single adult females (2011)
Oaxaca Estacion Migratoria	In use (2012)	Oaxaca, Oaxaca	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	40 (2011)	Single adult males, single adult females (2011)
Pachuca Estacion Migratoria	In use (2012)	Pachuca, Hidalgo	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	37 (2011)	Single adult males, single adult females, minors (2011)
Palenque Estacion Migratoria	In use (2012)	Palenque, Chiapas	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	35 (2011)	Single adult males, single adult females, minors (2011)
Piedras Negras Estacion Provisional	In use (2012)	Piedras Negras, Coahuila	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	10 (2011)	Single adult males, single adult females (2011)
Playas de Catazaja Estacion Provisional		Playas de Catazaja, Chiapas	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	20 (2011)	Single adult males, single adult females (2011)
Puebla Estacion Migratoria	In use (2012)	Puebla, Puebla	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	60 (2011)	Single adult males, single adult females, minors (2011)

Name	Status (Year)	Location	GDP Facility Type	Detention Timeframe	Security	Authority	Management	Capacity	Demographics & Segregation
Quertaro Estacion Migratoria	In use (2012)	Quertaro, Quertaro	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	35 (2011)	Single adult males, single adult females (2011)
Reynosa Estacion Migratoria	In use (2012)	Reynosa, Tamaulipas	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	50 (2011)	Single adult males, single adult females (2011)
Salina Cruz Estacion Provisional	In use (2012)	Salina Cruz, Oaxaca	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	25 (2011)	Single adult males, single adult females (2011)
Saltillo Estacion Migratoria	In use (2012)	Saltillo, Coahuila	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	60 (2011)	Single adult males, single adult females, minors (2011)
San Cristobal de las Casas Estacion Provisional	In use (2012)	San Cristobal de las Casas, Chiapas	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	70 (2011)	Single adult males, single adult females (2011)
San Gregorio Chamic Estacion Provisional	In use (2012)	San Gregorio Chamic, Chiapas	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	30 (2011)	Single adult males, single adult females (2011)
San Luis Potosi Estacion Migratoria	In use (2012)	San Luis Potosi, San Luis Potosi	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	21 (2011)	Single adult males, single adult females (2011)
San Pedro Tapanatepec Estacion Provisional	In use (2012)	San Pedro Tapanatepec, Oaxaca	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	30 (2011)	Single adult males, single adult females (2011)
Tampico Estacion Migratoria	In use (2012)	Tampico, Tamaulipas	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	40 (2011)	Single adult males, single adult females (2011)
Tapachula Estacion Migratoria	In use (2012)	Tapachula, Chiapas	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	960 (2011)	Single adult males, single adult females, minors (2011)
Tenosique Estacion Migratoria	In use (2012)	Tenosique, Tabasco	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	100 (2011)	Single adult males, single adult females, minors (2011)
Tijuana Estacion Migratoria	In use (2012)	Tijuana, Baja California	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	100 (2011)	Single adult males, single adult females, minors (2011)
Tlaxcala Estacion Migratoria	In use (2012)	Tlaxcala, Tlaxcala	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	40 (2011)	Single adult males, single adult females (2011)
Torreon Estacion Provisional	In use (2012)	Torreon, Coahuila	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	21 (2011)	Single adult males, single adult females (2011)
Tuxpam de Rodr;guez Cano Estacion Provisional	In use (2012)	Tuxpam, Veracruz	Migrant detention centre	Medium-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	4 (2011)	Single adult males, single adult females (2011)
Tuxtla Gutierrez Estacion Migratoria	In use (2012)	Tuxtla Gutierrez, Chiapas	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	80 (2011)	Single adult males, single adult females (2011)
Veracruz Estacion Migratoria	In use (2012)	Veracruz, Veracruz	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	34 (2011)	Single adult males, single adult females, minors (2011)
Villahermosa Estacion Migratoria	In use (2012)	Villahermosa, Tabasco	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	70 (2011)	Single adult males, single adult females, minors (2011)
Zacatecas Estacion Migratoria	In use (2012)	Zacatecas, Zacatecas	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	20 (2011)	Single adult males, single adult females, minors (2011)
Zihuatanejo Estacion Migratoria	In use (2012)	Zihuatanejo, Guerrero	Migrant detention centre	Long-term	Secure	Secertaria de Gobernacion/Instituto Nacional de Migracion	Instituto Nacional de Migracion	10 (2011)	Single adult males, single adult females (2011)

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(This is only a partial list. For more detailed information please see the Reference list)

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- 45. San Luis Potosi Estacion Migratoria
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Government Agencies

Comision Nacional de los Derechos Humanos. http://www.cndh.org.mx

Secretaría de Relaciones Exteriores http://www.sre.gob.mx/

Secretaría de Gobernacíon http://www.gobernacion.gob.mx

Instituto Nacional de Migración http://www.inami.gob.mx/

International Organizations

International Organization for Migration (IOM) - Mexico http://www.iom.int/jahia/Jahia/pid/484

UNHCR - Mexico http://www.unhcr.org/pages/49e492706.html

Conferencia Regional sobre Migracíon http://www.rcmvs.org/paises/mexico/mexico.htm

NGOs and Research Institutes

Amnesty International Mexico www.amnistia.org.mx

Cáritas Arquidiócesis de México http://www.caritas-mexico.org.mx/

Cáritas Hermanos Indígenas y Migrantes http://www.caritas-mexico.org.mx/organizaciones-y-programas-caritas/caritas-indigenas-y-migrantes.html

Instituto de Investigaciones Sociales, Universidad Autónoma de Baja California http://www.uabc.mx/iis/

Centro de Derechos Humanos del Migrante

http://www.cdmigrante.org/esinicio.html

Servicio Jesuita a Migrantes - México http://www.sjmmexico.org/home/home.asp

Sin Fronteras www.sinfronteras.org.mx

Media

El Norte http://www.elnorte.com

El Proceso http://www.proceso.com.mx/

El Universal http://www.eluniversal.com.mx/noticias.html

La Jornada http://www.jornada.unam.mx/

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