

To:

Luis Videgaray Caso, Minister of Foreign Affairs
Alfonso Navarrete Prida, Minister of the Interior

Olga Sánchez Cordero, appointed by President Elect Andrés Manuel López Obrador as the Minister of the Interior

Alejandro Encinas, appointed as the Undersecretary for Human Rights, Population and Migration, Ministry of the Interior

Michael Pompeo, Secretary of State

Kirstjen Nielsen, Secretary of Homeland Security (DHS)

Sept. 14, 2018

NGOs Oppose U.S. Plans to Fund Mexico for Deportations of Non-Mexican Migrants & Bilateral Negotiations around a Safe Third Country Agreement, Urge Governments to Abandon Plans

The undersigned immigrant rights, refugee rights, humanitarian, human rights, children's rights, women's rights, and faith-based organizations from Mexico and the United States strongly oppose a [reported](#) plan from the United States to fund the Mexican government for the deportations of non-Mexicans from Mexico to their home countries, as well as ongoing bilateral negotiations between the United States and Mexico around a safe third country agreement.

Under the reported notification sent to the U.S. Congress, the U.S. State Department would transfer \$20 million in foreign assistance funds to the Department of Homeland Security, to support the Mexican Government to pay for the transportation costs of up to 17,000 non-Mexican undocumented migrants back to their home countries. This plan is reported after months of ongoing discussions between the two governments to implement a safe third country agreement or a bilateral agreement which would effectively prevent anyone who traveled through Mexico from asking for protection from the U.S. government and require they go back to Mexico to seek international protection.

We oppose these measures. In addition to documented collaboration between migration enforcement agencies of both countries to obstruct access to protection in the United States at ports of entry along the U.S.-Mexico border, these measures represent threats to an individual's right to seek asylum in the country they deem safe as well as an abdication of both government's international obligations to offer an individual access to protection. Forcing the return of migrants from Mexico or the United States without screening for protection concerns is a violation of *non-refoulement*, the right not to return to danger or persecution. Given the levels of forced displacement caused by human rights violations, corruption and impunity in the Northern Triangle countries of Central America, returning individuals without screening them for protection would force thousands of asylum seekers to return to or remain in danger, or to turn

to smugglers for protection, and would further increase internal displacement in the Northern Triangle.

Moreover, Mexico is far from a safe country for many migrants and refugees and forcing migrants to seek protection in Mexico would overwhelm an already weak asylum system in the country. Mexican and international organizations have documented how refugees and migrants traveling through Mexico are frequently victims of crime including kidnapping, extortion, robbery, and sexual assault at the hands of criminal organizations as well as Mexican migration agents and the police. Though the Government of Mexico has taken steps to strengthen its asylum system, access to asylum remains the exception and not the norm in Mexico.

Cooperation between the United States and Mexico on migration enforcement should prioritize respecting the rights of asylum seekers in both countries. U.S. assistance to Mexico should not be directed towards increased detention and deportation and should not support migration and security agencies that have few mechanisms to hold their agents accountable for the abuses they commit against migrants. Moreover, the United States should not be outsourcing its immigration enforcement to Mexico. Instead the United States should support the efforts of the UNHCR and civil society organizations in strengthening regional protection mechanisms. It should also support rights-based foreign assistance to address the root causes of migration from the Northern Triangle countries. Any efforts by the United States to implement a safe third country agreement should not represent an abdication of U.S. responsibility to offer asylum seekers due process.

The current Mexican government and the incoming Administration of Andrés Manuel López Obrador should not accept funding from the United States if such assistance is directed towards increased violations of migrants' rights or a violation of international law.

We strongly urge the U.S. Department of State and DHS to abandon the plan to fund the Mexican government for the deportations of migrants and potential asylum seekers to their home countries. In addition, we urge both governments to abandon negotiations around a safe third country agreement and we call on the incoming Mexican government to express its opposition to such plans. Both countries should uphold their international and moral obligations to migrants, refugees, respecting due process, family unity and the right to seek protection in the country they deem safe.

Signed

Alianza Americas

Alianza Binacional Migración y Desarrollo AC

Asylum Access México (AAMX) A.C.

Calotia, Por una Tierra para Todas y Todos

Casa del migrante de Saltillo - frontera con Justicia AC

Central American Resource Center (CARECEN) DC

Centro de Derechos Humanos Fray Matías de Córdova (Chiapas, México)

Centro Solidario Tsomanotik A.C.

Centro de Estudios en Cooperación Internacional y Gestión Pública, A. C.

Congregation of Our Lady of Charity of the Good Shepherd, US Provinces

Disciples Refugee & Immigration Ministries

Estancia del Migrante González y Martínez A.C

Evangelical Lutheran Church in America, Advocacy Office

Fundar, Centro de Análisis e Investigación

Grupo de Trabajo sobre Política Migratoria

International Detention Coalition

Interfaith Worker Justice

Instituto para las Mujeres en la Migración (IMUMI)

Kino Border Initiative

Kids in Need of Defense (KIND)

Latin America Working Group (LAWG)

National Advocacy Center of the Sisters of the Good Shepherd

Servicio Jesuita a Migrantes y Refugiados México

Sin Fronteras, A.C.

Sisters of Mercy of the Americas - Institute Justice Team

Women's Refugee Commission

Washington Office on Latin America (WOLA)