

URGENT ACTION

HUNDREDS STRANDED ON MEXICO–US BORDER AT RISK
Hundreds of displaced Haitians, Africans and internally displaced Mexicans are stranded in the Mexican cities of Tijuana and Mexicali, many awaiting appointments with US Customs and Border Protection across the border. Many are in precarious conditions without adequate shelter, security and psychological support. Some of them, as well as Central Americans from El Salvador, Guatemala and Honduras, could be at risk of being deported to situations of risk if official asylum screening is not improved.

2016 has seen an unprecedented arrival of Haitians in Mexico, many of them from Brazil where they had temporary work after being displaced from the 2010 Haiti earthquake, and more recently since Hurricane Matthew has killed at least 900 people and left most of southern Haiti devastated. On 22 September the US Department of Homeland Security halted the humanitarian parole that had been granted to Haitians following the 2010 earthquake and announced a resumption of regular removals, intensifying the rush of Haitians to the Mexico-US border before deportations recommence. This influx has overwhelmed migrant shelters in Tijuana and Mexicali that were already at full capacity with many deported Mexicans, and some Central Americans fleeing violence.

The Mexican Ministry of the Interior has also recently reported a spike in arrivals of people from Africa, including war-affected countries such as Congo and Somalia. The Haitians in Tijuana and Mexicali are at times confused with being Africans. In addition, people fleeing violence with possible asylum claims from El Salvador, Honduras and Guatemala are at risk of their needs for international protection being overlooked. Internally displaced Mexicans who have told migrants' rights defenders they are fleeing violence from the states of Michoacán and Guerrero remain in makeshift shelters near the border and report at times having been harassed by local police.

Mexican authorities have not ensured that proper screening is being carried out, including detecting possible needs for international protection. Although many of the Haitians wish to enter the US, the fact that Mexico's refugee agency (Comisión Mexicana de Ayuda a Refugiados, COMAR) is not present in the field means that hundreds of people are not being properly screened. Some of them may be eligible for asylum status in Mexico. Mexican authorities need to work in collaboration with US authorities to ensure proper detection.

Please write immediately in Spanish or your own language:

- Calling on the Mexican authorities to urgently and significantly enhance reception conditions ensuring migrants and possible asylum seekers have access to shelter beds, food, psychological attention and personal safety;
- Urging special attention be given to children, adolescents and women without shelter;
- Calling on the Mexican authorities to immediately deploy COMAR officials to the field in order to ensure proper screening of migrants who may qualify for international protection, ensuring close collaboration with authorities of the United States and ensuring priority to the respect of human rights and principles of family reunification.

PLEASE SEND APPEALS BEFORE 21 NOVEMBER 2016 TO:

Minister of the Interior
 Miguel Ángel Osorio Chong
 Secretaría de Gobernación
 Bucareli 99, Col. Juárez, Del.
 Cuauhtémoc, C.P. 06600
 Ciudad de México, México
 Email: secretario@segob.gob.mx
 Twitter: @osoriochong
Salutation: Dear Minister / Sr. Secretario

Governor of Baja California State
 Francisco Arturo Vega de Lamadrid
 Edificio del Poder Ejecutivo 3er piso
 Calzada Independencia 994, Centro
 Cívico, C.P. 21000
 Mexicali, Baja California, México
 Email: gobernador@baja.gob.mx
 Twitter: @KIKOVEGA_
Salutation: Dear Governor / Sr. Gobernador

And copies to:
Mexico Team, Amnesty International
 Luz Saviñón 519
 Colonia Del Valle, Delegación Benito
 Juárez, C.P. 03100
 Ciudad de México, México
 Email: mexteam@amnesty.org

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR DAVID NAJERA RIVAS, Deputy Head of Mission Embassy of Mexico, 16 St. George Street, London, W1S 1FD Phone: 020 7499 8586 E-Mail: mexuk@sre.gob.mx Facebook: <https://www.facebook.com/pages/Embamex-Reino-Unido/197866996938638> twitter: @Embamexru Salutation: Your Excellency. Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Mexican official statements and calculations estimate that over 400,000 irregular migrants cross Mexico's southern border every year. The vast majority of these come from Honduras, El Salvador and Guatemala, increasingly due to violence in these countries. In 2015, the Mexican Ministry of the Interior found that 198,141 "irregular migrants" were apprehended and detained by the Mexican migration authorities, an increase of more than 50 percent compared to 2014. The UN Refugee Agency (UNHCR) and many civil society organizations have called for urgent action in relation to people fleeing violence in Central America in need of international protection. The vast majority of these were Central Americans, and 98 percent of Central Americans detained by Mexican authorities were sent to their countries of origin in 2015.

In addition, 2016 has seen a sharp rise in the number of people from other continents such as Asia, Africa, and more recently from Haitians travelling north from South America after their temporary jobs expired after the 2016 Rio Olympics. On 22 September the US Department of Homeland Security halted the humanitarian parole that had been granted to Haitians following the 2010 earthquake and announced a resumption of regular removals, intensifying the rush of Haitians to the Mexico-US border before deportations recommence. This influx has overwhelmed migrant shelters in the northern Mexican border cities of Tijuana and Mexicali that were already at full capacity with many deported Mexicans, and some fleeing violence from the Northern Triangle countries of Central America (Honduras, El Salvador and Guatemala). According to Mexico's National Human Rights Commission (Comisión Nacional de Derechos Humanos, CNDH), between 280 and 300 people arrive in Tijuana and Mexicali every day and according to migrants shelters most of these are Haitians. In addition, The Mexican Ministry of the Interior registered 7,366 people from Africa that have presented themselves to the migration authorities between January and August 2016, almost three times the amount of people from Africa registered in 2015. Five thousand two hundred and sixteen of these arrivals in 2016 have been registered as nationals of Congo.

According to migrant shelters on the ground as well as the CNDH, children and adolescent migrants are at particular risk with hundreds of people sleeping in the street, in makeshift conditions or in the hallways of migrant shelters. The bulk of the shelter is being provided by civil associations. Colder weather for November and December in the area will mean many could be at further risk in these conditions. Psychological support is scarce and although police have been deployed to patrol the people sleeping in the street, they are still in a vulnerable position. Many sleep close to a community kitchen in Tijuana where Mexican authorities are handing out tickets to provide appointments over the border with US Customs and Border protection for 50 people per day. Those stranded are currently awaiting appointments for mid-November at the earliest.

Although many Haitians moving across Mexico and into the United States may not be eligible for asylum status under the 1951 UN Refugee convention, the UN High Commissioner for Human Rights (UNHCHR) has on certain occasions recognized the possibility that at times people affected by natural disasters may be in need of international protection, and that this is a complex issue under international law. One of the keys to ensuring refugees are protected includes proper screening of complex migrations flows.

Article 2 of Mexico's Migration Law provides for the conditional respect for the human rights of migrants, no matter what their nationality or migratory status is.