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## **Mexico: Caught Between the United States and Central America**

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Mexico, the southernmost country of North America, borders the northern countries of Central America, Guatemala, and Belize. However, the main flows of Central American nationals headed to the United States usually cross Mexico's border with Guatemala. The most trafficked part of the border is along the Mexican state of Chiapas, a predominantly agricultural and impoverished area home to a large indigenous population.

Migration between Mexico and its Central American neighbors were negligible until the 1970s, except for the seasonal, annual movement of Guatemalan peasants working on coffee plantations in Chiapas. As a result of the civil wars in Central America, Mexico became home to refugees and served as a transit country for Central Americans seeking to reach the United States.

Today, Mexico faces increased pressure from the United States to enforce its southern border. Mexico has participated in multilateral efforts aimed at reducing poverty and decreasing migration, and, more recently, has joined a regional initiative that aims to influence the debate on US immigration reform.

### **Historical background**

After Mexico and Central America gained independence from Spain, in 1821, the Central American states came briefly under Mexican rule before separating in 1823 and creating a unified nation called the United Provinces of Central America. In the process, the province of Chiapas was annexed to Mexico.

The modern-day border between Mexico and Guatemala was finally determined in 1882, after both countries signed the Treaty of Limits.

### **Seasonal Migration**

The seasonal migration of Guatemalan peasants (including families and children) to Chiapas since the early 20th century is not surprising, given the history of the state. Although most peasants initially worked on coffee plantations, they later participated in the planting and harvest of sugar cane, bananas, and other produce. The earnings from working in Mexico have long complemented income from subsistence farming on small plots of land in Guatemala.

To date, there has been no bilateral agreement to organize this movement or to ensure the validity and protection of the rights of workers and their families. It is difficult to calculate their volume, since an indeterminate proportion is undocumented. Estimates fluctuate within a wide margin of 45,000 to 75,000 people annually, distributed over the year and peaking at harvest time.

### **Policies Toward Guatemalan Refugees**

Although Mexico had received small numbers of Spaniards in the 1940s and South Americans in the 1970s fleeing civil wars, the first challenge to Mexico's migration policies were the flows of Guatemalans who entered between 1981 and 1983 in search of protection. According to the United Nations High Commissioner for Refugees (UNHCR), about 200,000 Guatemalans fled to Mexico; only

46,000 were officially registered and assisted by UNHCR.

At the time, Mexico was not a signatory to the 1951 UN Convention or the 1967 Protocol Relating to the Status of Refugees. Some of the first arrivals were granted protection, but many others were turned back to their country of origin. Local authorities were not prepared to manage the flows, nor were they trained to recognize those in need of protection.

Civil society organizations and the international community, however, helped ensure the adoption of a humanitarian policy of protection and assistance, a position that was confirmed and supported by the Cartagena Declaration of 1984, which Mexico strongly supported. To this end, Mexico sought support from UNHCR and from various Mexican and foreign nongovernmental organizations. These groups initially contributed to refugees protection and emergency assistance — including health services, children care and education, among others — but later promoted development projects that promoted refugee self-sufficiency.

Subsequently, the Mexican government also participated in the search for solutions for repatriation, but the Guatemalan government could not meet the refugees' demands for resettlement, which related to security and land for farming.

This issue was eventually resolved in the form of voluntary, collective, and organized return of about 43,000 refugees, a process that required the joint action of UNHCR, the Mexican government, and civil organizations in Mexico as well as the support of the Guatemalan government and UNHCR offices in Guatemala. The latter conducted an unusual repatriation program, which helped both the return and the resettlement of Guatemalans in difficult conditions. The process took place between 1993 and 1999, when it was formally declared to have concluded.

A program of migratory stabilization was implemented for the 22,000 remaining refugees who decided to remain in Mexico. This group included adults and children born in Guatemala, whose legal status, in contrast to children born in Mexico and therefore entitled to Mexican citizenship, was not guaranteed. Indeed, the first stage involved a naturalization program for Guatemalan-born refugees, some of whom had arrived in Mexico during their youth; many now hold Mexican citizenship.

Since then, a little-known process of integration has taken place, mainly under the direction of COMAR, the Mexican Commission for the Aid of Refugees, which coordinates with federal and local institutions, depending on the jurisdictions involved. Prior to 1999, the refugee camps — in Chiapas as well as in the states of Campeche and Quintana Roo — had their own system of organization, which included direct links to federal agencies and the civil and international organizations that supported them. As these camps were turned into villages, their system of government was incorporated into the political-administrative systems of the municipalities in which they were located.

Since Mexico became a signatory to the 1951 Convention and the 1967 Protocol in 2000, it has passed laws and created new institutional frameworks, entities, and procedures for handling asylum applications. It is likely that the country's experience with Guatemalan refugees, especially along its southern border, will influence its position if confronted with refugee flows in the future.

### **Central American Population Today**

Immigrants have never composed a large portion of Mexico's population. In the last three decades, the percent of foreign born has hovered around 0.5 percent. The 2000 census recorded 492,617 foreign born out of about 100 million inhabitants.

Of those foreign born, the majority (69 percent) were from the United States; most of those are thought to be the American-born children of Mexican migrants or of Mexican border residents. Just 5.6 percent (about 27,600) were born in Guatemala, putting it in second place, and 1.1 percent (about 5,420) were born in eighth-ranked El Salvador.

Many observers and the media believe the actual number of Central Americans in Mexico could be much higher than reported in the 2000 census.

The Chiapas side of the Mexico-Guatemala border is likely home to the majority of Guatemalans residing in Mexico, as the 2000 Census sample estimates that 55 percent live in that state. That number most likely includes former refugees born in Guatemala. Their communities, built on both social and economic networks, are typical of many border regions, where border crossings eventually turn into permanent settlements.

### **Transit Migration and Border Policy**

In the 1980s, the Mexican government purposely chose not to enforce its southern border with physical barriers because it wanted to facilitate cross-border markets and family interactions, among other reasons. Migrants' journeys were — and still are — far from easy, however, as they often suffer abuses and eventually have to pay bribes to local authorities and also deal with being robbed and raped by criminals.

Although some Central American migrants in the 1980s attempted to find low-wage work in Mexico, they quickly learned that local labor markets were quite limited and earnings were not high enough to consider settling. Therefore, the flow continued north to the United States, with Mexico becoming a transit country.

Early on, the differences between asylum seekers and those motivated by labor and economic reasons were blurred. Many scholars argued that in the context of crises, such as the civil wars in Central American countries, it was hard to distinguish between refugees and economic migrants, and that such a distinction was inappropriate in the case of Central American migrants. Only when the conflicts ended in the early 1990s was it clear that transit migrants were headed north in search of better opportunities.

Mexico has not erected physical barriers in response to the economically driven flows and pressure from the United States (especially since 9-11), but it has reaffirmed its interest in stopping unauthorized migrants from reaching its northern border.

To achieve its goal of containment, control operations and mechanisms were implemented at strategic points in the 1990s, particularly along the highway routes migrants and their guides favor. Migratory agents and members of the Federal Preventive Police perform control and verification activities, such as asking to see identification, at specific points but also in any location they choose. They stop buses and other vehicles as well as people walking or staying in certain areas or routes that migrants frequent. A number of agents from other governmental agencies also participate in these checks although the law has not authorized them to do so.

Given the increasing difficulty of avoiding controls on highways, alternative routes and means of transport have opened up, such as freight trains, an extremely hazardous choice; migrants have died trying to jump on and off moving trains.

New routes have also been opened up along quiet roads and paths that are nonetheless dangerous because they have become the operating territory of criminals and organized gangs. These people regard migrants as an easy target, not only because of the few though attractive resources they possess, but also because of their unfamiliarity with the area.

### **Deportation Policy**

Once unauthorized migrants from Central America are apprehended, Mexico — per its last agreement signed in December 2003 with Guatemala to ensure the safe, orderly repatriation of undocumented Central American migrants — deports them to Guatemala; however, the agreement has been written to allow for periodical revision. From there, Guatemala takes them to their borders with El Salvador and Honduras.

With a few exceptions, the number of deportations has steadily increased each year since the 1990s. In 2004 and 2005, the yearly average exceeded 200,000 deportation events. It's important to keep in mind that this number is an indirect measurement; it records only those who failed to cross on their way to the United States. Also, since Mexico — as other countries do — records apprehension and

deportation events, it is possible that the same person was deported multiple times.

Most of the deportees have been Guatemalans, followed by migrants from Honduras, El Salvador, and Nicaragua. Groups of persons from more distant countries, not only in South America but also from Asia, have also been recorded; they must be deported directly to their countries of origin, which requires not only consular arrangements with their governments but also a budget to fund travel expenses.

Mexico temporarily halted deportations after Hurricane Stan devastated Central America and the Yucatan Peninsula in October 2005. Since then, the press office of the National Institute of Migration has reported that the number of deportations has bounced back to pre-Stan levels; for instance, the number of deportations in January 2005 was 16,441 compared to 20,241 in January 2006.

### **Multilateral Efforts**

Within the multilateral sphere, Mexico has been involved in the Regional Conference on Migration (RCM, initially known as the Puebla Process), which began in 1996. Although its membership initially was limited to North and Central American countries, it was later widened to include the Dominican Republic as a regular member and some South American nations as observers.

RCM was set up as a forum for exchanging experiences and information. As part of its Plan of Action, it has organized workshops, seminars, and meetings on certain topics that have mainly helped to link migration to development and to improve the mechanisms for protecting the human rights of migrants and their families. Mexico was a vigorous member of the original group of countries and led its first initiatives. However, since 2001, increasing concerns about security and terrorism altered RCM's agenda, stalling the process and diminishing Mexico's ability to push that agenda.

More recently, foreign secretaries of Mexico and countries in Central and South America have come together to show a "face of Latin unity" and oppose restrictive immigration legislation currently before the US Congress. The "Pro-Migratory Alliance" faces numerous pressures and will have a difficult time influencing the US legislative process.

The group's main achievement so far, the creation of a Working Party on Migration, will have to overcome the common characteristics of reactive proposals whose first achievement has usually been to resort to the traditional practice of creating commissions with doubtful outcomes. Some of the foreign secretaries will tour Washington, DC, in May 2006 to lobby for reform that legalizes the unauthorized and creates opportunities for their citizens to work legally.

### **Looking Ahead**

It is hard to predict the future of Central American migration towards the north, just as predictions about the migration of Mexicans to the United States are open to debate. Consequently, forecasting what path Mexican policies towards immigrants and transmigrants will follow is also difficult.

The current migration debate in Mexico overwhelmingly revolves around the importance and need to influence the immigration reform in the United States, which is also a concern of its Central American neighbors. Any US immigration reform will affect Central American migration, but US reform will also create a new context for migratory policymaking in Mexico.

The document "Mexico and the Migration Phenomenon," issued in 2006 by Mexican legislators and federal government officials with the support of academics, foreign policy experts, and civil-society organizations, provides a platform for discussion.

Mexico is beginning to see itself as a country of emigration, immigration, and transmigration, a realization that requires it to shape and adopt an integral and coherent migration policy, not just react to the United States. Such a policy will need to be based on principles that allow both developed and developing countries to engage in rational discourse.

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