

 <p>Map data ©2020 Google, INEGI</p>	<b>Quick Facts</b>	
	<b>Immigration detainees (2020)</b>	59,155
	<b>Detained asylum seekers (2018)</b>	Not Available
	<b>Detained minors (2019)</b>	46,476
	<b>Immigration detention capacity (2020)</b>	8,524
	<b>Persons expelled (2017)</b>	82,237
	<b>International migrants (2019)</b>	1,060,707
	<b>New asylum applications (2019)</b>	70,366
	<b>Number of immigration detainees on a given day (2020)</b>	106

## NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/americas/mexico>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

# STATISTICS

## Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
Total number of immigration detainees by year	59,155	2020	Number of immigration detainees on a given day	106	2020
	179,335	2019		3,759	2020
	93,846	2017		Not Available	2017
	186,216	2016		Not Available	2016
	198,141	2015			
	127,149	2014			
	86,298	2013			
	88,506	2012			
	66,583	2011			
	70,102	2010			
	69,033	2009			
	94,723	2008			
	120,455	2007			
Top nationalities of detainees	Honduras, Guatemala, El Salvador, India, Nicaragua	2017	Number of persons granted alternatives to immigration detention	Not Available	2018
				Not Available	2017
Number of detained asylum seekers	Not Available	2018	Total number of detained minors	46,476	2019
	Not Available	2017		29,258	2018
				18,066	2017
				40,114	2016
				38,514	2015
				23,096	2014
				9,630	2013
				6,107	2012
Number of detained unaccompanied minors	7,326	2017	Number of detained accompanied minors	10,740	2017
	17,557	2016		22,557	2016
	20,368	2015		18,146	2015
	10,943	2014		12,153	2014
Number of detained stateless persons	4	2017	Number of apprehensions of non-citizens	Not Available	2017
Immigration detainees as a percentage of total international migrant population	15.61	2015	Estimated total immigration detention capacity	8,524	2020
				Not Available	2017

<b>Number of dedicated long-term immigration detention centres</b>	32	2013	<b>Estimated capacity of dedicated long-term immigration detention centres</b>	3,061	2013
	35	2012		3,550	2011
	52	2007			
	25	2002			
<b>Number of dedicated medium-term immigration detention centres</b>	12	2013	<b>Number of immigration offices</b>	32	2018
	23	2012			
<b>Number of transit facilities</b>	15	2013	<b>Number of criminal facilities</b>	379	2016
<b>Number of ad hoc facilities</b>	Not Available	2018	<b>Number of persons removed/returned (voluntary returns and deportations)</b>	82,237	2017
				159,872	2016
				181,163	2015
				107,814	2014
				80,902	2013
				79,643	2012
<b>Number of deportations/forced returns only</b>	Not Available	2017	<b>Criminal prison population</b>	233,469	2016
				249,912	2014
				246,334	2013
				219,027	2010
				212,841	2007
				193,889	2004
				165,687	2001
				128,902	1998
				93,574	1995
				85,712	1992
<b>Percentage of foreign prisoners</b>	1.2	2013	<b>Prison population rate (per 100,000 of national population)</b>	192	2016
	0.9	2008		209	2013
				197	2010
				197	2007
				186	2004
				164	2001
				133	1998
				101	1995
				98	1992
<b>Demographics and immigration-related statistics</b>					
			<b>Observation Date</b>		
				<b>Observation Date</b>	

<b>Population</b>	128,900,000	2020	<b>International migrants</b>	1,060,707	2019
	130,800,000	2017		1,224,000	2017
	128,600,000	2016		1,193,200	2016
	127,017,000	2015		1,193,000	2015
	118,395,054	2013		1,103,500	2013
	116,100,000	2012			
<b>International migrants as a percentage of the population</b>	0.9	2017	<b>Estimated number of undocumented migrants</b>	Not Available	2017
	0.9	2015			
	0.9	2013			
<b>Refugees</b>	28,517	2019	<b>Ratio of refugees per 1000 inhabitants</b>	0.06	2017
	16,549	2018		0.05	2016
	8,947	2017		0.01	2012
	6,153	2016		0	2011
	2,923	2015			
	1,831	2014			
	1,688	2013			
	1,520	2012			
<b>Total number of new asylum applications</b>	70,366	2019	<b>Refugee recognition rate</b>	36	2017
	14,603	2017		64	2016
	8,732	2016		54.5	2012
	1,524	2014		90.9	2011
	811	2012			
	753	2011			
<b>Stateless persons</b>	13	2018			
	13	2017			
	13	2016			
	13	2014			
	7	2013			
	7	2012			

## DOMESTIC LAW

### LEGAL TRADITION

Legal tradition	Name	Observation Date
	Civil law	

LAWS AND REGULATIONS				
Constitutional guarantees?	Yes/No	Constitution and Articles	Year Adopted	Last Year Amended
	Yes	The Political Constitution of the Mexican United States. Articles 1, 11, 16, 18, 19 and 33.	1917	1917
LAWS AND REGULATIONS				
Core pieces of national legislation	Name		Year Adopted	Last Year Amended
	Ley de Migración. 25 May 2011.		2011	
LAWS AND REGULATIONS				
Additional legislation	Name		Year Adopted	Last Year Amended
	Ley sobre Refugiados, Protección Complementaria y Asilo Político.		2011	2014
	Ley sobre Refugiados y Protección Complementaria. 27 January 2011.		2011	
	Ley General de los Derechos de Niñas, Niños y Adolescentes		2014	2019
LAWS AND REGULATIONS				
Regulations, standards, guidelines	Name			Year Published
	Reglamento de la Ley sobre Refugiados y Protección Complementaria			2012
	Reglamento de la Ley de Migración. 29 September 2012.			2012
	Acuerdo por el que se emiten las Normas para el funcionamiento de las Estaciones Migratorias y Estancias Provisionales del Instituto Nacional de Migración. 8 November 2012.			2012
	Reglamento de la Ley General de los Derechos de Niñas, Niños y Adolescentes			2015
GROUNDS FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION				
Immigration-status-related grounds	Name		Observation Date	
	Detention to establish/verify identity and nationality		2013	
	Detention for unauthorised entry or stay		2013	
	Detention to effect removal		2013	
	Detention to prevent unauthorised entry at the border		2013	
	Detention for failing to respect a voluntary removal order		2013	
CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES				
Does the country provide specific criminal penalties for immigration-related violations?	Fines	Incarceration	Observation Date	
	No		2013	
CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES				
Has the country decriminalized immigration-related violations?	Has the country decriminalized immigration-related violations?			Observation Date
	Yes			2008

LENGTH OF DETENTION				
Maximum length for administrative immigration detention in law.	Number of Days		Observation Date	
	60		2013	
LENGTH OF DETENTION				
Maximum length of time in custody prior to issuance of a detention order	Number of Days		Observation Date	
	15		2013	
LENGTH OF DETENTION				
Maximum length of detention for asylum-seekers	Number of Days		Observation Date	
	No Limit		2013	
PROCEDURAL STANDARDS				
Provision of basic procedural standards	Name	In Law	In Practice	Observation Date
	Information to detainees	Yes	No	2013
	Right to legal counsel	Yes		2013
	Access to free interpretation services	Yes		2013
	Access to consular assistance	Yes		2013
	Access to asylum procedures	Yes		2013
	Right to appeal the lawfulness of detention	Yes		2013
	Complaints mechanism regarding detention conditions	Yes		2013
VULNERABLE PERSONS				
Is the detention of vulnerable persons provided in law? Are they detained in practice?	Name	In Law	In Practice	Observation Date
	Accompanied minors		Yes	2013
	Asylum seekers		Yes	2013
	Women		Yes	2013
	Pregnant women			2013
	Elderly			2013
	Persons with disabilities			2013
	Victims of trafficking			2013
	Stateless persons			2013
Unaccompanied minors		Yes	2012	
MANDATORY DETENTION				
Mandatory detention	Filter	Name	Observation Date	
	No	No	2013	

**EXPEDITED REMOVAL AND RE-ENTRY BAN**

<b>Expedited/fast track removal</b>	<b>Name</b>	<b>Observation Date</b>
	No	2013

**EXPEDITED REMOVAL AND RE-ENTRY BAN**

<b>Re-entry ban</b>	<b>Name</b>	<b>Observation Date</b>
	Yes	2013

## COVID-19 UPDATES

	Update Status	Observation Date
	<p>The National Institute for Migration (INM) has denied that there are COVID-19 cases amongst immigration detainees. However, Mexico's National Human Rights Commission (CNDR) has revealed that at least 19 Honduran detainees confined in the Tapachula Estacion Migratoria (Siglo XXI) detention centre in Chiapas have tested positive. The CNDR also reported that the facility is overcrowded, that face masks are not distributed, that social distancing is not adhered to, and that no antibacterial gel is provided for detainees to use. The 19 infected detainees were reportedly transferred to the El Hueyate Estacion Provisional detention centre after their cases were detected. Having previously taken steps to minimise overcrowding by releasing significant numbers of immigration detainees (see 3 June Mexico update on this platform), non-nationals are once again being arrested and detained in facilities across the country. Despite the fact that immigration detainees have tested positive, and at least one non-national has died since the onset of the pandemic, media outlets have reported that no agency has been regularly testing detained migrants. Civil society organisations have denounced this and urged authorities to step up medical monitoring and to ensure that assistance is available. In a report, several NGOs highlighted the fact that only one detention facility—the Saltillo Estacion Migratoria—has 24-hour medical service in operation, and that the supply of soap and water in many facilities remains “very limited.” An internal email from a senior US border control agent obtained by the New York Times revealed that migrant children from countries such as Guatemala, Honduras, and El Salvador have been sent to Mexico—despite their lack of family connections in the country. These expulsions have taken place under the Trump administration’s aggressive border closure policy, cited as a necessary step to prevent the virus from spreading into the U.S. However, these expulsions appear to violate a diplomatic agreement between the two countries, which provides that only Mexican children and others who have adult supervision can be pushed back into Mexico after attempting to cross the border. The Times reports that most of the children have been put into the care of child welfare authorities in Mexico. In June 2019, Mexico and the United States signed an agreement to work together to control the movements of asylum seekers and other migrants to the U.S. border. The agreement expanded the implementation of the “Quédate en México” (Remain in Mexico) programme (officially known as Migrant Protection Protocols). As of August 2020, around 65,877 people were returned from the US to Mexico, despite the COVID-19 pandemic. During the pandemic, US deportations have continued on the basis of Title 42 Section 265 of the U.S. Federal Code, which provides that the executive can prohibit entrance of people and/or goods based on a determination that this would represent a “serious danger of the introduction” of a disease. The US has used this provision to adopt a policy that for reasons of public health, undocumented persons that cross the U.S. border may be deported from the country without initiating deportation legal proceedings as provided by U.S. immigration law. According to a report published by a group of NGOs, this policy, implemented on 21 March 2020, has been extended indefinitely. From March to end of July 2020, more than 105,000 people were expelled from the United States under this provision. In addition, the report found that since the start of the pandemic only 59 people had been referred to asylum officials to assess non-refoulement claims out of 40,000 expulsions. Of these 59, only two were subsequently allowed to apply for asylum in the U.S.</p>	2020
	<p>Responding to the Global Detention Project survey, Mexico’s immigration authority, the Instituto Nacional de Migración (INM), did not provide answers to the survey question but responded with an explanation of measures taken to protect detained migrants from Covid-19 contagion. The INM explained that on 4 March, their officials at all different levels, including those working in detention centres (estancias y estaciones migratorias), were made aware of measures they should be taken to minimise the risks of infection. On 17 March, all immigration authority staff were informed of the work undertaken by the Mexican government to prevent the spread of the disease. The INM provided a list of recommendations that were provided to staff and detainees in Mexico’s immigration detention centres. These include: - Avoiding close contact with ill-persons; - Avoid touching one’s eyes, mouth and nose; - Remaining at home if one is ill; - Covering one’s mouth and nose when sneezing or coughing; - Cleaning and disinfecting objects and surfaces which are frequently used, with cleaning products; - Using face-masks; - Frequently washing one’s hands with water and soap for at least 20 seconds, especially after eating, going to the bathroom and sneezing or coughing; - If no water or soap are available, using disinfectant to wash one’s hands; - Taking one’s temperature three times a day; - Constantly cleaning the centres; - Strictly monitoring cooking facilities and staff must follow hygiene protocols including, using masks and gloves to protect food from contamination; - Serving food at different times to avoid overcrowding during breakfast, lunch and dinner times; - Avoiding grouping people so as to respect social distancing; and - Consistently disinfecting phones that are used by detainees and staff members. The INM also mentioned that a protocol on procedures to prevent the spread of Covid-19 and measures to take in case of infection within immigration detention centres was published on their website in April (listed as a source below). The Mexican immigration authority said that following recommendations by Mexican health authorities as well as national and international human rights organisations, vulnerable groups were released from detention. The INM mentioned that religious institutions have accommodated many released migrants in their facilities.</p>	2020
Latest Update	<p>Responding to the Global Detention Project’s Covid-19 survey, the UN human rights (OHCHR) country office in Mexico reported that while the country had not adopted a moratorium on new immigration detention orders it had released most people detained for migration-related reasons. Responding to the same survey, the Centro de Derechos Humanos Fray Matías de Córdoba AC also confirmed that there was a decrease in the amount of people placed in immigration detention. The number of detainees fell from 2,940 in March to 1,532 in April and then to less than 292 by the start of May. As of 29 May, there were 234 people detained in the 65 immigration detention centres (estaciones migratorias) in the country, which have a total capacity of 8,524 spaces. In its response, Fray Matías emphasized the fact that not all detainees had been released. Certain groups of people remain in detention, including those: - with ongoing court cases; - with some type of immigration alert; - detained while their immigration status was being verified (this process can last for up to a week) or while their asylum application is being processed; and - returned from the United States from third countries. Regarding the last category of detainees, Mexico has accepted to take Central American migrants and refugees and place them in immigration detention centres. Fray Matías explained that in certain cases, these people were not placed in temporary isolation and no health checks were undertaken, considerably increasing the risk of spreading infection. Despite the releases from detention, the OHCHR country office said that authorities had failed to adhere to human rights standards in the treatment of people after they were released. Most returns to Central American countries, usually conducted via land, were blocked because Guatemala’s borders had been closed. The border closures and ensuing riots that took place in immigration detention centres as fears about contagion spread among detainees (see the 7 April Mexico update on this platform) spurred Mexico’s immigration authority (Instituto Nacional de Migración, or INM) to start releasing people and transporting them a few kilometers from the border with Guatemala, where they were abandoned. Fray Matías also said that they had received information stating that migrants and asylum seekers released from detention had been abandoned or deported to their countries of origin, which may violate the principle of non-refoulement. Some of the released migrants were transferred to civil society shelters, putting the people already accommodated in those facilities at risk of contagion. The OHCHR Mexico country office said that migrants were not being tested for Covid-19 and they were unable to confirm whether any measures had been taken to prevent the spread of Covid-19 amongst released migrants. Fray Matías said that according to information provided directly from released detainees, upon arrival to the detention centres, migrants and asylum seekers are asked a few questions regarding Covid-19 symptoms, they are then placed in isolation for a few hours and later, they join the general population. Responding to the Global Detention Project’s Covid-19 survey, Fray Matías said that the INM was using certain “alternatives to detention” for asylum seekers. However, the organisation said that this was not an effective measure as they were not released within the context of a regularisation programme or humanitarian aid program. Asylum seekers may be left homeless and without support as civil society shelters are overcrowded and do not receive much government support. The OHCHR Mexico country office also reported that deportations were not completely suspended for migrants arriving from Central America and that 4,935 persons had been returned during the period 21 March to 29 May (2,461 were returned by air to Honduras, 406 to El Salvador, and 67 to Nicaragua, as well as 2,001 via land routes to Guatemala). Prior to the release of most immigration detainees (see 29 April Mexico update on this platform), on 17 April, following a legal action supported by more than 40 civil society organisations, a first instance Court ordered the immediate release of vulnerable detainees held in immigration detention centres and that they be provided with a temporary status which would allow them to access health care. The Court also ordered the INM to develop a report detailing the number of persons detained as well as a strategy for migrants and asylum seekers to be able to benefit from economic support.</p>	2020
	<p>On 26 April, Mexico’s Secretaría de Gobernación, through the National Institute of Migration (INM), ordered the immediate release of migrants detained in the country’s immigration detention centres (estaciones/estancias migratorias) to avoid the spread of Covid-19. The announcement came nearly a week after the UN human rights commissioner (OHCHR) urged Mexico to temporarily suspend deportations and to establish mechanisms to protect migrants and ensure they are provided with support. Yet, on 26 April, the INM stated that it had returned 3,653 Central American migrants by land to Guatemala and by air to Honduras and El Salvador. The INM also announced that during the month of March 2020, there were 3,759 migrants detained in the country’s 65 detention centres and “shelters,” (albergues) which have a total capacity of 8,524 spaces. As of 26 April 2020, 106 migrants were still held in the country’s detention facilities. Amnesty International and the United Nations have expressed their concerns for the lack of sanitary measures in Mexico’s detention centres. The INM has nonetheless informed that no Covid-19 cases had been registered in their facilities and that necessary measures to avoid contagion and to detect possible Covid-19 symptoms were in place. Mexico’s Secretary of Foreign Affairs, Marcelo Ebrard, stated on 20 March that Mexico would receive migrants returned from the United States. It is estimated that around 1,250 migrants will be returned daily, with the majority being Mexican citizens and around 125 central americans. On 20 April, the state of Tamaulipas reported that a total of 16 migrants deported from the United States had tested positive for Covid-19. The same scenario took place in Guatemala on 19 April when 50 migrants deported from the United States were diagnosed with Covid-19 upon their arrival.</p>	2020
	<p>With one of the largest immigration detention systems in the world, Mexico faces an enormous task in trying to protect the tens of thousands of people locked up in its “estaciones migratorias” from contracting Covid-19. Even as the country’s leadership downplayed the risks of the pandemic, some key actors in the country began expressing alarm early on about the risks to immigration detainees. By early April the calls for urgent action began growing louder as violence spread in detention centres across the country. On 17 March 2020, Mexico’s National Human Rights Commission issued a press release requesting that urgent actions be taken to avoid overcrowding and the spread of Covid-19 within the detained migrant population. The Commission urged the federal government to provide information to detainees on preventive measures against Covid-19; provide the necessary health products and supplies and carry out permanent monitoring and supervision of detainees, in particular those most vulnerable to suffer from the disease. The country’s immigration authority, the Instituto Nacional de Migración (INM), reportedly applied some measures to avoid contamination such as the provision of hygiene supplies and installation of special filters. On 25 March, a detention monitoring coalition consisting of several NGOs issued a press release denouncing alleged violence used by the National Guard to suppress a demonstration by detainees at the country’s massive Siglo XXI detention centre in Chiapas, near the Guatemalan border. On 1 April 2020, a detainee died and 14 were hospitalised during a protest at the Tenosique immigration detention centre. The detainees were requesting their return to their countries of origin for fear of contracting Covid-19 while in detention. On 2 April 2020, a large group of concerned individuals, NGOs, and academics issued an open letter demanding the urgent release of all immigration detainees in the country, citing the threat of Covid-19, deaths in detention centres, and the “negligent” behaviour of the INM and security forces. Amnesty International also urged Mexican authorities on 2 April to release immigration detainees, but warned that given the fact that migrants and refugees are prime targets for exploitation and violence in Mexico, authorities must ensure that those released have access to key services, as well as care and safety. The Fray Matías Human Rights Centre, which is based near the border with Guatemala, said in an interview with El País, that one critical concern is that advocates assisting migrants are unable to keep up with their efforts because of the impact of the virus, leaving them at greater risk of violence and exploitation. A Fray Matías advisor said that migrants and refugees who are crossing the border seem less concerned with the virus than with the other dangers to their safety that they are fleeing from in their home countries as well as confronting during their migration journeys.</p>	2020

## INTERNATIONAL LAW

Relevant international treaties and date of ratification		
<b>International treaties</b>	<b>Name</b>	<b>Ratification Year</b>
	ICPED, International Convention for the Protection of All Persons from Enforced Disappearance	2008
	CRPD, Convention on the Rights of Persons with Disabilities	2007
	OPCAT, Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	2005
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2003
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	2003
	CRSR, Geneva Convention Relating to the Status of Refugees	2000
	PCRSR, Protocol to the Geneva Convention Relating to the Status of Refugees	2000
	CRSSP, Convention Relating to the Status of Stateless Persons	2000
	ICRMW, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	1999
	CRC, Convention on the Rights of the Child	1990
	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1986
	ICCPR, International Covenant on Civil and Political Rights	1981
	ICESCR, International Covenant on Economic, Social and Cultural Rights	1981
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women	1981
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination	1975
VCCR, Vienna Convention on Consular Relations	1965	
<b>Ratio of relevant international treaties ratified</b>	16/19	
Relevant international treaties and date of ratification		
<b>Individual complaints procedure</b>	<b>Name</b>	<b>Acceptance Year</b>
	CRPD, Optional Protocol to the Convention on the Rights of Persons with Disabilities	2007
	ICERD, declaration under article 14 of the Convention	2002
	CEDAW, Optional Protocol to the Convention on the Elimination of Discrimination against Women, 1999	2002
	CAT, declaration under article 22 of the Convention	2002
	ICRMW, declaration under article 77	1999
	ICCPR, First Optional Protocol to the International Covenant on Civil and Political Rights, 1966	1966
Relevant international treaties and date of ratification		
<b>Ratio of complaints procedures accepted</b>	<b>Number</b>	<b>Observation Date</b>
	6/7	2017

## Relevant international treaties and date of ratification

	Name	Recommendation Excerpt	Recommendation Year
Relevant recommendations issued by treaty bodies	Committee on the Elimination of Discrimination Against Women	48. The Committee recommends that the State party: (a) Revise the Migration Act, with a view to abolishing automatic detention, and, in the interim, expand the release programme to all states; (b) Ensure effective access to fair, efficient and gender-sensitive refugee status determination procedures; (c) Ensure that the rights of migrant, refugee and asylum-seeking women and girls to health services, housing and employment are implemented in all states; (d) Ensure that all necessary services with regard to employment, health care, psychological counselling, education and participation in public affairs are made available to migrant, refugee and asylum-seeking women; (e) Ensure that all cases of enforced disappearances of migrant women are effectively investigated and that perpetrators are prosecuted and punished, to a degree commensurate with the gravity of the crime committed.	2018
	Committee on Migrant Workers	22. The Committee reiterates its previous recommendation (see CMW/C/MEX/CO/2, para. 52), and invites the State party to take effective, prompt and comprehensive steps to: (a) Guarantee the life, liberty and integrity of migrant rights defenders, including measures to prevent, investigate and ensure appropriate penalties for attacks and abuses against them; (b) Publicly acknowledge their work and establish a register of cases reported, investigations conducted and cases settled to be included in the next periodic report; (c) Facilitate the exercise of their work, including by ensuring broad access to migration detention centres, shelters and other similar establishments. [...] 38. The Committee recommends that, as a matter of priority, the State party: (a) Urgently take all necessary steps to put an immediate end to the deprivation of liberty of children and adolescents and of migrant families, guaranteeing in law and in practice adequate alternative measures based solely on the protection of rights under the General Act on the Rights of Children and Adolescents; (b) Ensure effective and immediate action regarding processes of identification and referral of persons in vulnerable situations and their transfer to alternative accommodation; (c) Develop an action plan to ensure that deprivation of liberty on migration-related grounds — for adult migrant workers — is applied only as a measure of last resort and for the shortest possible time, based on the principles of exceptionality, proportionality, necessity and reasonableness; (d) Guarantee, in law and in practice, the provision of alternative non-custodial measures for migrant workers in an irregular situation, to be applied as a first resort and with due regard to the individual's circumstances by the appropriate administrative and/or judicial authorities; (e) Ensure that migrant workers are informed of procedures and rights in a language they understand. [...] 40. The Committee urges the State party to: (a) Ensure due process guarantees, including the right to an interpreter, in migration-related detention procedures; (b) Do everything possible to guarantee the right to free legal assistance and representation in migration-related detention procedures, including by providing resources and training to the Federal Public Defender Service. Additionally, the Committee recommends the conclusion of agreements with civil society organizations specializing in such assistance; (c) Ensure that detention of migrants is an exceptional measure of last resort applied for the shortest possible time, that grounds are specified in each case, giving the reasons why alternative measures cannot be implemented, and that the measure is reviewed in under 24 hours by an independent and impartial judicial authority; (d) Guarantee the right of access to justice, without resulting in the prolonging of detention, in accordance with article 111.V of the Migration Act, to ensure that persons covered by an alternative measure or applying for asylum are not detained for an indefinite period while their application is being considered. [...] 42. The Committee reiterates its previous recommendation (see CMW/C/MEX/CO/2, para. 34), and urges the State party to guarantee adequate, decent conditions in migrant detention centres; the centres should not resemble a prison facility either in appearance or purpose. In particular, the Committee recommends that the State party: (a) Provide adequate, gender-sensitive health services, including sexual and reproductive health services, psychological care, water, sanitation and hygiene, food, and leisure and recreational activities; (b) Put an immediate stop to the use of punishment cells; (c) Put an end to any situation of overpopulation or overcrowding; (d) Investigate and punish in an appropriate manner State officials who violate the rights of migrants in these centres; (e) Train State officials in places of detention on human rights, gender equality, the best interests of children and adolescents and non-discrimination; (f) Implement the recommendations of the National Human Rights Commission and guarantee the full implementation of the national mechanism for the prevention of torture. [...] 44. The Committee recommends that the State party: (a) Ensure that persons subject to an administrative order of expulsion or return, or seeking refugee status, can avail themselves of support services and free legal representation, and are aware of and can exercise their right to an effective remedy; (b) Develop mechanisms to prevent the expulsion of migrants until each individual situation has been appropriately evaluated, in order, among other things, to uphold the principle of non-refoulement and the prohibition of collective and arbitrary expulsion; (c) Strengthen the implementation of policies and mechanisms designed to provide alternatives to expulsion or return, including the right to asylum, complementary protection, leave to remain on humanitarian grounds, and other forms of regularization.	2017
	Committee against Torture	Subcomité por Prevención on Torture: See paragraph 93 on: <a href="http://cmdpdh.org/wp-content/uploads/2018/04/anexo-informe-del-subcomite-sobre-su-visita-a-mexico-del-12-al-21-de-diciembre-de-2016.pdf">http://cmdpdh.org/wp-content/uploads/2018/04/anexo-informe-del-subcomite-sobre-su-visita-a-mexico-del-12-al-21-de-diciembre-de-2016.pdf</a>	2017
	Committee against Torture	"Administrative detention of asylum seekers and undocumented migrants 21. The Committee is concerned by reports of torture and disappearances of migrants present in the territory of the State party. It is also concerned by reports of ill-treatment, overcrowding and substandard conditions of detention in many of the State party's migrant holding centres, where there is a lack of hygiene and insufficient medical care and where men and women are not always held in separate facilities at all times. The Committee notes that effective mechanisms are not in place for the identification and referral of trafficking victims who may be held in these centres. While it applauds the recent promulgation of the Refugees and Supplementary Protection Act and the Migration Act, the Committee regrets that it has not been furnished with detailed statistics on the number of refugees, asylum seekers and other non-citizens in the State party. It also regrets that the data that have been provided on applications for asylum do not correspond to the reporting period and do not include information on the number of persons who have been returned, extradited or expelled (arts. 2, 3, 11 and 16). The State party should: (a) Ensure that thorough investigations are carried out into cases involving acts of torture, including disappearances and ill-treatment of refugees, asylum seekers and other foreigners housed in the territory of the State party; (b) Improve conditions of detention in migrant holding centres."	2012
	Committee on Migrant Workers	33. 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. 34. 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 where migrants are held should be investigated and those responsible should be criminally sanctioned. 35. The Committee is concerned by the information provided by the State party that migrant workers held in migrant holding centres who lodge appeals relating to their migration status or who make use of the procedure to determine refugee status are kept in those centres for prolonged periods. 36. The Committee recommends that the State party limit the detention of migrant workers in holding centres to the shortest time period possible. 41. The Committee notes the efforts made by the State party to inform undocumented migrant workers who are in migrant holding centres about their rights, how to obtain a humanitarian visa if they are victims or witnesses of trafficking in persons or migrants smuggling, the right to consular assistance and the possibility of requesting asylum. However, the Committee is concerned about allegations that such information is not provided to migrant workers in some migrant holding centres or not provided systematically, especially in the case of persons in such centres who opt for voluntary repatriation. 42. The Committee recommends that effective measures be taken to ensure that all migrant workers held in migrant holding centres, including those who opt for voluntary repatriation, are properly informed of their rights in a language they understand, especially with regard to their rights to consular assistance, to seek remedies concerning their migration status, to request asylum and to receive information about the possibility of obtaining a humanitarian visa if they have been victims or witnesses of trafficking in persons. 56. The Committee encourages the State party to continue its efforts to pay adequate attention to the situation of unaccompanied migrant children and to respect the principle of the best interests of the child. In particular, the State party should: (b) Ensure that the detention of migrant children and adolescents is carried out in accordance with the law and used only as a last resort and for the shortest possible time;	2011
		For logistical reasons, and in order not to duplicate efforts, the delegation did not visit any migrant detention centres, which were the subject of a recent assessment by the United Nations Special Rapporteur on the subject.	2009
	Committee on the Elimination of Racial Discrimination	The Committee remains concerned at the situation of migrant workers who originate principally from indigenous communities in Guatemala, Honduras and Nicaragua, particularly as regards women, who are victims of such abuses as long working days, lack of health insurance, physical and verbal ill-treatment, sexual harassment, and threats that they will be handed over to the migration authorities because they are undocumented. (Art.5 (e) (i) Bearing in mind general recommendation No. 30 on non-citizens, the Committee recommends that the State party should ensure the proper implementation in practice of programmes for migrant workers, such as the Programme of Documentation for the Legal and Migratory Security of Guatemalan Farm Workers, the Regularization of Migration Programme, the Programme for upgrading migrant holding centres, the Plan of Action for Cooperation in Migratory Matters and Consular Protection with El Salvador and Honduras and the Agricultural day labourers' programme. The Committee calls on the State party to include in its next periodic report information on progress made in relation to the situation of migrant workers in the State party.	2006
	Committee on the Rights of the Child	The Committee recommends that the State party, taking into account the Committee's general comment No. 6 (2005) on the Treatment of Unaccompanied and Separated Children Outside their Country of Origin, take all necessary measures to: (d) Ensure that asylum-seeking children and children who have an irregular migratory status are not detained and have access to special reception and care arrangements, such as that provided by the Tapachula centre.	2006

Regional treaties, regulations, and directives			
Regional legal instruments	Name		Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)
	ACHR, American Convention on Human Rights		1981
	APACHR, Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights		1996
	CBDP, Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Para)		1998
	IACPPT, Inter-American Convention to Prevent and Punish Torture		1987
	IACFDP, Inter-American convention on Forced Disappearance of Persons		2002
Bilateral/Multilateral agreements linked to readmissions			
Bilateral/multilateral agreements linked to readmission	Name	Year in Force	Observation Date
	El Salvador	2006	2006
	Guatemala	2006	2006
	Honduras	2006	2006
	Italy	2002	2002
	France	1998	1998
Non treaty-based international human rights mechanisms			
Visits by special procedures of the Human Rights Council	Name		Year of Visit
	Special Rapporteur on the human rights of migrants		2008
Non treaty-based international human rights mechanisms			
Relevant recommendations of the UN Universal Periodic Review	Recomendation Issued		Year Issued
	No		2009
	No		2013
		Observation Date	2017
		Observation Date	2017

INSTITUTIONAL INDICATORS		
Governing structures		
Federal or centralized governing system	Federal or centralized governing system	
	Federal system	
Governing structures		
Centralized or decentralized immigration authority	Centralized or decentralized immigration authority	
	Centralized immigration authority	
		Observation Date
		2014

Institutions responsible for immigration detention															
<b>Custodial authority</b>	Agency		Ministry		Ministry Typology		Observation Date								
	Instituto Nacional de Migracion		Secreteria de Gobernacion		Interior or Home Affairs		2012								
	Instituto Nacional de Migracion		Secreteria de Gobernacion		Interior or Home Affairs		2011								
	Instituto Nacional de Migracion		Secreteria de Gobernacion		Interior or Home Affairs		2008								
	Instituto Nacional de Migracion		Secreteria de Gobernacion		Interior or Home Affairs		2005								
Institutions responsible for immigration detention															
<b>Apprehending authorities</b>	Name		Agency		Ministry		Observation Date								
	Instituto Nacional de Migración		Immigration agency		Ministry of Interior (Home Affairs)		2014								
Institutions responsible for immigration detention															
<b>Detention Facility Management</b>	Entity Name					Entity Type		Observation Date							
	Instituto Nacional de Migración					Governmental		2014							
	Instituto Nacional de Migracion					Governmental		2012							
	Instituto Nacional de Migracion/Direccion de Estaciones Migratorias					Governmental		2012							
	Instituto Nacional de Migracion					Governmental		2011							
	Instituto Nacional de Migracion					Governmental		2008							
	Instituto Nacional de Migracion					Governmental		2005							
Institutions responsible for immigration detention															
<b>Formally designated detention estate?</b>	Formally designated immigration detention estate?				Types of officially designated detention centres				Observation Date						
	Yes				Dedicated immigration detention facilities				2014						
Institutions responsible for immigration detention															
Types of detention facilities used in practice	Immigration detention centre (Administrative)	Immigration field office (Administrative)	Transit centre (Administrative)	Reception centre (Administrative)	Offshore detention centre (Administrative)	Hospital (Administrative)	Border guard (Administrative)	Police station (Criminal)	National penitentiary (Criminal)	Local prison (Criminal)	Juvenile detention centre (Criminal)	Informal camp (Ad hoc)	Immigration detention centre (Ad hoc)	Surge facility (Ad hoc)	Observation Date
	Yes														
Detention monitoring institutions															
<b>Authorized monitoring institutions</b>	Institution		Institution Type				Observation Date								
	Consejo Ciudadano del Instituto Nacional de Migración (CCINM)		Non-Governmental Organizations (NGO)				2016								
	Comisión Nacional de Derechos Humanos		National Human Rights Institution (or Ombudsperson) (NHRI)				2013								
	Comisión Nacional de Derechos Humanos. Tercera Visitaduría General		OPCAT National Preventive Mechanism (NPM)				2013								
	Sin Fronteras		Non-Governmental Organizations (NGO)				2013								
	i(dh)eas, Litigio Estratégico en Derechos Humanos, A.C.		Non-Governmental Organizations (NGO)				2013								
	Centro de Derechos Humanos Fray Matías de Córdova		Non-Governmental Organizations (NGO)				2013								

Detention monitoring institutions		
Is the national human rights institution (NHRI) recognized as independent?	Is the NHRI recognized as independent by the International Coordinating Committee of National Human Rights Institutions?	Observation Date
	Yes	2013
Detention monitoring institutions		
Does NHRI carry out visits?	Does NHRI carry out visits in practice?	Observation Date
	Yes	2013
Detention monitoring institutions		
Does NHRI have capacity to receive complaints?	Does NHRI have capacity to receive complaints?	Observation Date
	Yes	2013
Detention monitoring institutions		
Does NHRI publicly release reports on immigration detention?	Does NHRI publicly release reports on immigration detention?	Observation Date
	Yes	2013
Detention monitoring institutions		
Does national preventive mechanism (NPM) carry out visits?	Does NPM carry out visits in practice?	Observation Date
	Yes	2013
Detention monitoring institutions		
Does NPM have capacity to receive complaints?	Does NPM have capacity to receive complaints?	Observation Date
	Yes	2013
Detention monitoring institutions		
Does NPM publicly release reports on immigration detention?	Does NPM publicly release reports on immigration detention?	Observation Date
	Yes	2013
Detention monitoring institutions		
Do NGOs carry out visits?	Do NGOs regularly carry our visits?	Observation Date
	Yes	2013
Detention monitoring institutions		
Do NGOs publish reports on immigration detention?	Do NGOs publish reports on immigration detention?	Observation Date
	Yes	2013

More information about immigration detention in Mexico is available at the website of the Global Detention Project ([www.globaldetentionproject.org](http://www.globaldetentionproject.org))