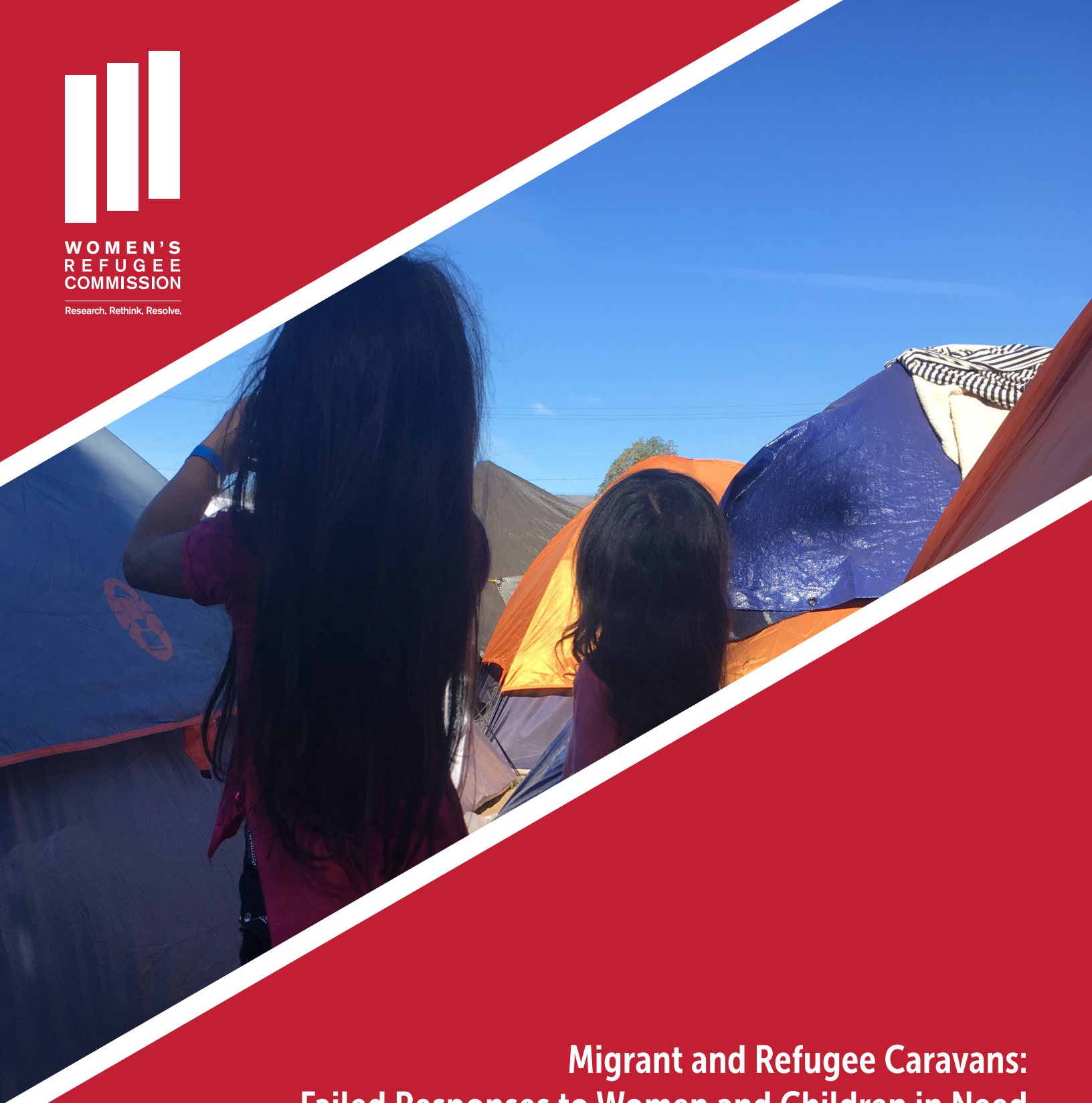



**WOMEN'S
REFUGEE
COMMISSION**

Research. Rethink. Resolve.



Migrant and Refugee Caravans: Failed Responses to Women and Children in Need of International Protection and Humanitarian Aid

May 2019



The Women's Refugee Commission (WRC) improves the lives and protects the rights of women, children, and youth displaced by conflict and crisis. We research their needs, identify solutions, and advocate for programs and policies to strengthen their resilience and drive change in humanitarian practice.

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Cover photo: Girls who traveled with the 2018 caravans at the Benito Juárez sports complex shelter.
© Michelle Brané

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"We left Honduras in July, before the caravans started. The Maras were after us.

"We moved slowly through Mexico. We were taking temporary jobs to have enough money to feed the kids and for a smuggler for the most dangerous parts of the journey. When the caravan arrived, we were already in San Luis Potosi, but we decided to go back and join it in Guadalajara. It would be safer. We were constantly afraid of being deported, extorted, robbed, or having a child kidnapped ... you know, the usual. In that, I do feel the caravan was safer than traveling alone. Also, people were nicer, they gave us food and clothes. Even a police officer helped me when my boy was dehydrated.

"But I never felt safe."

—Lili,¹ a woman from Honduras in her early 20s who joined the caravans in Mexico, traveling with her husband and four children. (Interviewed by the Women's Refugee Commission in Tijuana on November 30, 2018)

BACKGROUND

Over the last decade, an increasing number of Hondurans, Salvadorans, and Guatemalans have been forced to flee their countries of origin due to widespread criminal violence, life-threatening gender and domestic violence, and extreme economic hardship.² In recent years, particularly in the first months of 2019, the number of unaccompanied children and families forced to flee has sharply increased.³ The levels of violence and human rights violations Central Americans experience resemble those of people in war-torn countries.⁴ Notwithstanding, this humanitarian crisis has largely evolved in the shadows. It has been neglected by the US and Mexican governments, which—failing to recognize the refugee nature of the displacement—have turned a blind eye to the lack of safe and legal channels to claim asylum, as well as to the deadly risks and systematic abuses faced by Central Americans in their journey to safety.⁵

On October 12, 2018, a group of 160 people left San Pedro Sula, Honduras,⁶ one of the most violent cities in the world.⁷ The dire living conditions of people from Central America, paired with the well-known dangers of the migrant trail, proved fertile ground for turning the rumors of a historically large caravan into a self-fulfilling prophecy.⁸ By the time it reached the Mexican border with Guatemala, more than 7,000 refugees and migrants were moving north at the same time.⁹ Four additional smaller groups followed, bringing the estimated total to more than 17,900 caravan members traveling through Mexico between October and December 2018.¹⁰ Central Americans saw in caravans a traveling strategy to render themselves and their plight visible and thus obtain safe passage to Mexico and the US.¹¹



Drawing made by Salvadoran boy in psychosocial support activity. When asked to share his drawing and memories about his house in his hometown, he referred to violent incidents.

The size, cohesion, and organization of the 2018 caravan fueled constant monitoring and reporting by journalists and human rights defenders.¹² In the case of this group, putting the spotlight on people on the move generally deterred large-scale criminal activities and human rights violations. Moreover, it rallied humanitarian aid and highlighted the need for policy responses. To a certain extent, the 2018 caravans delivered on the expectation of reducing costs, granting protection, and facilitating transit through Mexico.¹³

However, a risk assessment conducted by the Women's Refugee Commission (WRC) found that the protection offered by caravans is extremely narrow. People who follow this traveling strategy still face myriad risks and protection gaps. Furthermore, WRC is concerned that, due to heightened xenophobia and immigration control, members of the caravans that traveled Mexico in the first four months of 2019 were more exposed to ever-present dangers such as police abuse and criminal activities¹⁴ and received less humanitarian support.¹⁵ Caravans had unintended consequences on public opinion and policy decisions that will affect refugees and migrants adversely over the long term.



OBJECTIVES AND METHODOLOGY OF THE ASSESSMENT

From November 26, 2018 to January 25, 2019, WRC assessed the protection risks faced by women, children, and families traveling in caravans through Mexico.

WRC engaged in semi-structured interviews with members of the caravan to learn about why they were fleeing their countries of origin and traveling in large groups, their needs, the risks they face during the journey, and their intended destination. Individuals were informed that they could refuse to participate or to answer questions they deemed sensitive. The team also met with relevant authorities and key stakeholders, such as international organizations, nongovernmental organizations (NGOs), and faith groups, to map their capacities and share concerns regarding the rights and well-being of caravan members.

WRC began the assessment in Tijuana because asylum seekers and migrants in this border city with the US had completed their journey through Mexico, which allowed them to report on the whole route. Additionally, it was the locality where the largest group concentrated for the longest time. This situation multiplied the needs and challenges in terms of service provision and protection. In Tijuana, WRC visited shelters run by civil society for families, women, and children, as well as the temporary shelters set up by the government at the Benito Juárez sports complex and the Barretal concert venue. Additionally, WRC visited the job fair offered by the Mexican National Employment Service (SNE) to learn about who was availing themselves of the option to regularize their immigration status in Mexico, how they were doing so, and why. WRC also visited the Mexican side of El Chaparral port of entry to document the dynamics that obstruct access to international protection in the US.

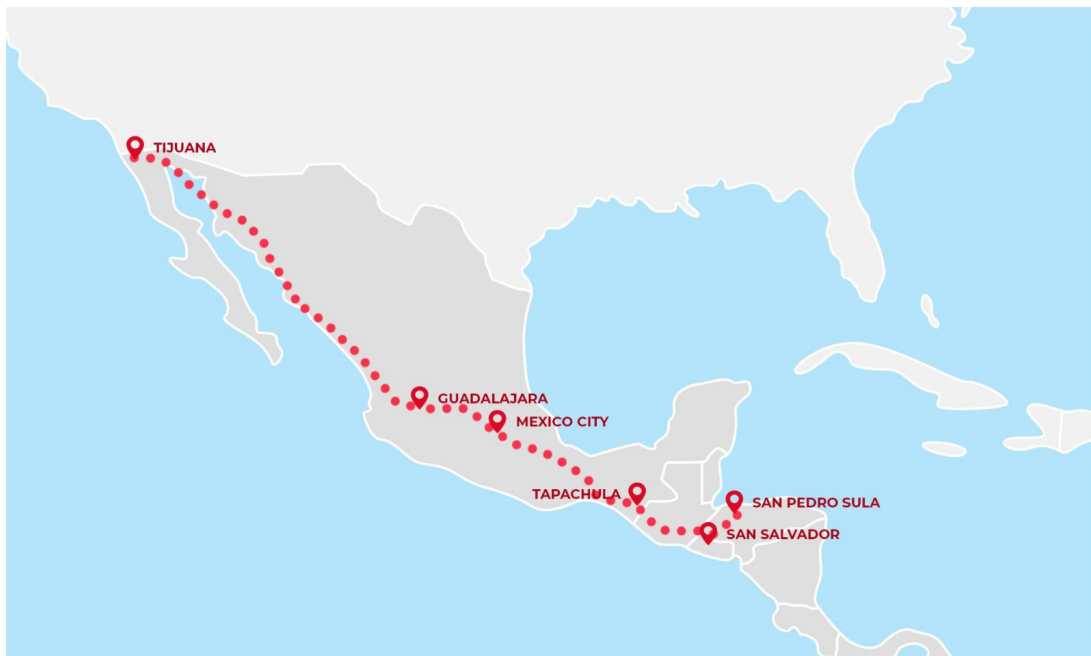
WRC returned to Tijuana to assess the evolution of the situation and follow up with persons interviewed in the first visit. The team identified the impact of having transferred refugees and migrants to Barretal as well as of the policies of the incoming Mexican administration of Andrés Manuel López Obrador.

Following the research conducted in Tijuana, WRC traveled to Tapachula to identify the needs and risks faced by the caravan when they arrived to Mexico, as well as of women, children, and youth who separated from the main group. In this border city with Guatemala, the team made a field visit to the immigration station Siglo XXI, the largest in Mexico; visited shelters run by civil society and UNHCR; and participated in psychosocial activities for refugee children.

To have a comprehensive perspective, WRC met with representatives of the Mexican federal government in Mexico City and of national headquarters of international organizations and NGOs that have provided services and protection to the 2018 Caravans and inquire about their preparedness for future caravans. Additionally, WRC conducted media monitoring and desk research.

This initial evaluation is a snapshot of a moving target and constantly changing dynamic and political context.

MAP OF THE REGION AND MAIN ROUTE OF THE 2018 CARAVAN



MEXICO: PROTECTION GAPS AND RISKS

WRC was particularly troubled by the fact that neither the caravan itself nor the Mexican government response to it provided adequate protection to women and children. The caravans provided unaccompanied children and single women the option to link themselves with a family, friends, or partner for the journey north. While these relationships offer some protections, WRC identified a significant number of cases in which they created problematic situations that led to violence and abuse. A service provider shared a story of a 12-year-old Mexican girl who joined the caravan to look for her mother, who lived in northern Mexico. On the journey, she met a family with whom she stayed for protection but eventually they restricted her movement and prevented her from speaking to or approaching authorities, service providers, and even other children. When her real identity was discovered and she was rescued and referred to Mexico's child services agency (DIF),¹⁶ authorities found her real family had been looking for her.¹⁷

Overall, pressure to stay with the caravan in a group put the most vulnerable populations at high risk by preventing them from seeking assistance and support when needed and rendering them and their specific needs invisible. WRC spoke with women and children who were unwilling to go to specialized shelters that could provide better care and services. They said they would rather sleep on the streets or stay in the overcrowded, unsafe, and unhygienic temporary shelters set up by the government than split from the larger group. A pregnant woman told the WRC that she crossed the Suchiate river just after a threatened miscarriage of her seven-month pregnancy because she did not want to be left behind in Guatemala while the rest of the group advanced into Mexico.¹⁸



Women and children told the WRC that they would rather sleep on the streets or stay in the overcrowded, unsafe, and unhygienic temporary shelters set up by the government than split from the larger group.

Despite the pressure and efforts to stay together, the caravan left women and children behind, in both a metaphorical and a literal sense. Structural barriers, such as security considerations and having to care for the children, prevented them from participating in decision-making meetings.¹⁹ Those who followed the caravan, such as humanitarian workers, human rights and international organizations, reported that, as the group advanced, the presence of women and families reduced. They pointed out that contingents composed mostly of young single men who could move faster took the lead.²⁰ WRC met a boy in southern Mexico who was unable to keep up with the caravan because his prosthetic leg broke.²¹ He is only one example. Many women, families, and people with disabilities who could not maintain the pace lagged or stopped along the route, were left behind, or opted for voluntary repatriation. Women who traveled in the caravan, service providers, and government officials expressed outrage that women and children were pushed to the front of the caravan whenever there was confrontation with authorities. Otherwise, they were left behind.²²

Furthermore, the humanitarian response, both from Mexican authorities and nongovernmental actors, was lacking and had few or no age and gender considerations, reproducing systemic obstacles that hamper women and children's access to information and services, as well as their ability to exercise their rights. WRC did not identify any safe space for women or child care services to assist them. In Tijuana, the Mexican government set up a job fair featuring representatives from the agencies that process asylum claims and humanitarian visas. Due to the lack of services that addressed women's needs, women interviewed by WRC were often unaware of the job fair because this information did not reach them or did not attend because they assumed that having to care for their children meant they would not qualify for a job, or because accessing those locations with children was a challenge.

Service provision was intermittent, placed a heavy reliance on overburdened civil society organizations and inexperienced volunteers, and was distributed without engaging beneficiaries. WRC spoke with women and children who had gone days without eating and who reported that water was scarce or not potable. Mothers and humanitarian aid workers expressed concerns that children were at risk of malnutrition.²³ People on the move slept on the streets or were housed in overcrowded, unsanitary shelters. The WRC team observed how unhygienic conditions and lack of protection against the elements resulted in widespread sickness.

Privacy and safety considerations geared to prevent sexual and gender-based violence were substandard. When WRC visited Benito Juarez and Barretal, the two temporary shelters the Mexican government set up in Tijuana to hold caravan members, the team observed that overcrowding resulted in insufficient designated space for families, women, and children. There was only one space for these three populations, which implied that even single women, women with their children, and unaccompanied girls in a so-called safe space were placed together with men they did not know. Moreover, while these shelters claimed to offer sex-separated toilets, in most cases they were rows of portable toilets that were used interchangeably and had broken locks. Showers had no privacy barriers; at best they were separated by improvised sheets and blankets.

WRC learned of instances of domestic violence, sexual harassment, physical assaults, transactional sex, forced prostitution, and rape, and yet there was no clear referral network for survivors. Assistance services were bureaucratic and cumbersome, rendering them practically inaccessible. The absence of prevention and response to sexual and gender-based violence was stark. There were no safe spaces for women to privately report abuse. When people would raise questions about post-rape care, they were met with silence and frozen looks by health care providers at Barretal, even though by law they should be available.²⁴

Access to protections in Mexico is not always meaningful. The asylum system has considerable shortcomings, including prolonged or unnecessary use of immigration detention, proceedings that last for years with restrictions on geographical mobility that force applicants to remain in insecure and underdeveloped areas, limited integration options, and underdeveloped and under-resourced refugee status determination procedures.²⁵ In the case of unaccompanied children, these shortcomings are compounded by flawed or nonexistent best interests determinations. In Mexico, children in need of international protection are inadequately screened, or not screened at all, and are often returned to places where they fear irreparable harm,²⁶ violating the principle of *non-refoulement*—a cornerstone of refugee protection that prescribes that no one should be returned to a country where his or her life or freedom would be threatened by persecution, other ill-treatment, or torture.²⁷ Furthermore, since the Mexican and US child protection services do not communicate with each other, the Mexican protection service does not consider protection or family reunification in the US as an option.²⁸

The glaring lack of information, coupled with the troubling widespread misinformation, heightened risks. WRC spoke in Tijuana and Tapachula²⁹ with refugees and migrants who were making ill-informed decisions—such as abandoning their asylum applications, rejecting moving to safer spaces, or hiring a smuggler—that increased their vulnerability and in some cases put them at grave danger. The inability of the Mexican government, international organizations, legal service providers, and humanitarian agencies to fill the information void facilitated dangerous power dynamics that led to manipulation and abuse. Both in Tapachula and in Tijuana, WRC spoke to numerous people who were deeply confused and misinformed about immigration procedures both in Mexico and the US. An accredited humanitarian worker shared that, while they gave accurate information about asylum in Mexico, people in the caravan with megaphones accused them of being untruthful.³⁰



Protection gaps were compounded by the indisputable fact that parts of Mexico are not safe.³¹ WRC learned of cases of child labor, forced prostitution, forced recruitment, kidnapping, forced drug dealing, and trafficking, as well as misconduct and human rights violations by authorities. Service providers shared stories of an accusation of sexual assault against a government official in Tapachula,³² men in Benito Juárez shelter being tricked into jobs and having been forced to clean blood from cars,³³ and girls and trans women being forcibly prostituted.³⁴ The two places where caravan members waited the longest—Tapachula and Tijuana— have a large presence of criminal organizations and are hubs of the illegal sex industry.³⁵

“A man offered me and some friends a job. He also offered to bring us to a safe shelter; that is how we got here. We did not follow up with the job offer because I noticed he had a Barrio 18 tattoo.³⁶ I have not left the shelter since we arrived. I do not want to run into him and I’m scared of gangs and organized crime operating in the city.”

—Adriana, a woman in her 40s from El Salvador who traveled in the caravan with some friends. Interviewed by WRC in Tijuana on December 19, 2018.

All service providers interviewed by WRC agreed that institutional challenges were aggravated by the Mexican government’s lack of leadership and preparedness in responding to the caravans. Even though the advance of the 2018 caravan was widely reported, when it reached Mexico there was no protocol in place to grant humanitarian assistance nor to process the arrival of large numbers of people seeking protection. Federal authorities at the time decided that local governments would be responsible for providing basic needs and social services. This resulted in poor planning, for example the government of Tijuana opening a temporary shelter with capacity for 2,000 persons that, two weeks later, held over 6,000 persons in precarious conditions. This shelter later closed, and the people still housed there at the time had to be transferred to a new shelter.³⁷ Additionally, the avenues available to caravan members to seek legal status in Mexico were constantly changing—ranging from strict border enforcement to a two-week pilot program of documenting all caravan members with humanitarian visas.³⁸





Shelters set up for migrants soon became severely overcrowded and unsanitary.

To date, no long-term policy has been outlined or implemented by the Mexican government. As a result, since mid-March there is a mounting administrative and humanitarian crisis at Mexico's southern border. More and more people are stranded in precarious conditions because Mexico's National Institute of Migration (INM) increased immigration enforcement against caravans and temporarily suspended immigration procedures in Tapachula, where the immigration station is at capacity and people are being held in detention-like temporary shelters.³⁹

One reason for the Mexican government's insufficient response for the 2018 caravans was the fact that, in the last third of that year, a significant number of authorities at all levels of government, including the president, were in a lame duck period.⁴⁰ While the synchronized displacement of more than 10,000 people would naturally create challenges, Mexico has the capacity to offer an adequate humanitarian response.⁴¹ Once the new government came into power, it has struggled to reconcile its seemingly contrasting objectives of avoiding a confrontation with the US government⁴² and fulfilling its promise of a new immigration policy that follows a human rights approach and leaves behind its deterrence and contention approach.⁴³

Improvisation, lack of clarity regarding responsibilities, changing strategies, informal procedures, and overreliance on volunteers have prevented the government from mitigating risks and left basic needs unsatisfied.

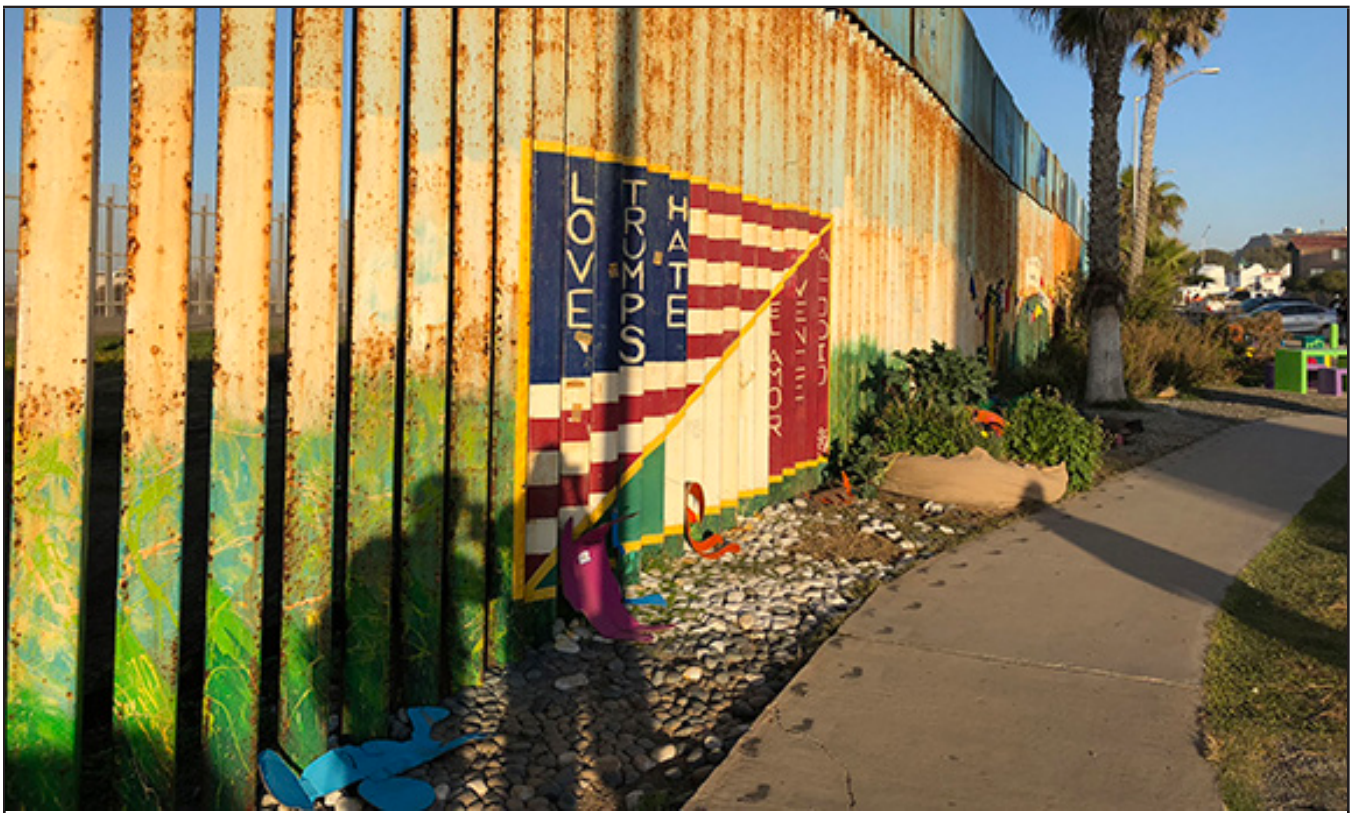
UNITED STATES: CLOSING BORDERS

Caravan members were trapped in one of Mexico's most dangerous cities⁴⁴ as a direct consequence of a preexisting US practice of turning back and regulating the number of asylum seekers that can present themselves at a port of entry (a practice known as "metering").⁴⁵ Everything about this illegal



practice, which is currently under litigation,⁴⁶ jeopardizes the rights and integrity of people in need of international protection. WRC observed on its visits to Tijuana that asylum seekers are asked to register on an unofficial list with an average two-month waiting time to present their claim. This practice was confirmed by a Customs and Border Protection (CBP) officer in San Diego⁴⁷ and is also occurring at ports of entry across the border.⁴⁸ Given that neither the US nor Mexico accept their evident participation in this ad hoc process, the list is run by migrants themselves. As it has no clear guidelines, regulations, oversight, or accountability, the process prevents the most vulnerable populations from being identified, jeopardizes people's privacy, and opens the floodgates for corruption and abuse. On the day after WRC spoke with list managers— questioning what oversight existed to prevent exploitation—the team learned of a migrant who came forward to report demands for sex and/or money in exchange for getting on the list.⁴⁹ Since then, interviews with migrants have revealed numerous instances of extortion.⁵⁰

Even more problematic, WRC identified that metering is leaving unaccompanied children with no avenue to present themselves at a US port of entry, systematically ignoring their best interests and denying their right to seek asylum or be granted protection under US laws. Unaccompanied migrant children are not only turned back by Mexican authorities when they approach a US port of entry, they are also not allowed on the list.⁵¹ CBP confirmed to WRC that unaccompanied children who approach the border without authorization are turned back and told to get in line unless they are with an attorney.⁵² Migrants managing the list in Tijuana told WRC that children must be with an adult in order to get on the list or go the border once their name is called. This practice denies children access to their right to claim protection in the US independent of related adults, in violation of the Trafficking Victims Protection Reauthorization Act, US immigration and asylum law, and the 1951 Refugee Convention.⁵³



The border.

Mexican and US immigration officials are aware of the illegalities of this practice. WRC directly informed them of our findings and concerns.⁵⁴ Nonetheless, CBP continues to accept children only reluctantly in some cases where they are escorted by Members of Congress, lawyers, or advocacy organizations.⁵⁵ These exceptions, while lifesaving for those children who find assistance, do not address the illegality of turning away unaccompanied children. Accompaniment is not a legal requirement for seeking protection. At the time of this writing, unfortunately only a handful of the more than 100 unaccompanied children in Tijuana have been identified and assisted.⁵⁶

WRC observed that unaccompanied children who have not found representation or assistance through volunteers are living in unhealthy and dangerous conditions. Children hesitate to approach Mexico's child services agency (DIF),⁵⁷ because it will not allow them to claim protection in the US—even if doing so is in their best interests. In fact, the WRC team was told repeatedly that children run from and avoid DIF, and that they are often distrustful of adults approaching them to offer assistance.⁵⁸ Left with no other option, unaccompanied children must make impossible choices between the dangers of:

- A. staying stranded in Tijuana indefinitely;
- B. entering the US without inspection between ports of entry;
- C. looking for a smuggler or another adult to accompany them across the border (thereby creating an opportunity for those who wish to traffic or otherwise harm a child to prey upon them by exploiting this practice); or
- D. submitting to voluntary return (even when it means returning to a place where their life and freedom are at risk, amounting to *refoulement*).

All these are situations the US government should aim to prevent rather than encourage. In December 2018, three Honduran children in Tijuana who traveled with the caravan and had not presented themselves at a port of entry due to metering, were tortured—and two of them were brutally murdered. At least two of them had already been identified as having a strong case for accessing protection in the US.⁵⁹ This was a painful confirmation that the caravan, Mexico, and especially the US are failing to protect children on the move. In the words of the director of the shelter where the children were staying: "It was Mexican criminals who killed them, but it was the US government who sent them to the slaughterhouse."⁶⁰

Furthermore, the 2018 caravan had the unintended consequence of giving the US government pretext to move forward with its plans to extra-territorialize the waiting time of asylum procedures to Mexican territory by expanding the interpretation of section 235(b)(2)(C) of the US Immigration and Nationality Act (INA).⁶¹ This expanded interpretation allows for the return to Mexico of asylum seekers—arriving at a port of entry or entering the US from Mexico between ports of entry—for the duration of their immigration proceedings.

This policy, officially named "Migrant Protection Protocols," also known as "Remain in Mexico," has created insurmountable barriers to due process, access to counsel, and the ability to present meaningful defenses to removal before US courts. Remain in Mexico disrupts the right to family unity for those with loved ones already residing in the US and traps asylum seekers in a potentially dangerous environment. On April 8, 2019, a federal court issued an injunction on these returns.⁶² However, this policy has not yet been ruled out. On May 7, 2019, an appeal court overturned the injunction. Remain in Mexico and metering are examples of how the US and Mexican governments are blocking access to protection and endangering migrants.⁶³



HEIGHTENED TENSIONS AGAINST IMMIGRANTS IN MEXICO AND THE US

While the visible forced displacement of large numbers of Central Americans—and the precarious, dangerous conditions in which they traveled—rallied altruistic and humanitarian support among some sectors of Central American, Mexican, and US societies, in others it fueled xenophobic sentiments that led to calls for increased border and immigration enforcement.⁶⁴

In January 2019, a new caravan began its journey in search of a safe haven.⁶⁵ Mexico's incoming administration expressed its intention to offer a comprehensive response following a human rights approach—seeming to signal a positive step to safeguard the rights of migrants, guarantee adequate humanitarian response, and address root causes by promoting regional development.⁶⁶ For two weeks in January, Mexico offered humanitarian visas to more than 12,500 caravan members arriving at Mexico's southern border.⁶⁷ However, six months in, no long-term policy has been put in place and service provision to members of caravans in Mexico still has considerable shortcomings.⁶⁸ President Trump's strong criticism of Mexico's immigration policies⁶⁹ seems to be contributing to a shift in Mexico's policy back to its old deterrence and containment approach.⁷⁰ WRC is concerned that, if implemented without adequate oversight or human rights considerations, immigration enforcement in Mexico will continue to violate people's rights and put them in extremely dangerous situations.

Heightened xenophobia, Mexico's inconsistent policies, and the US decision to continue narrowing avenues to protection suggest that future caravans might face even grimmer conditions than the 2018 caravan.

To prevent another humanitarian disaster and the loss of more lives, the US, Mexico, and Central American countries need to come together to offer a comprehensive regional response— not only to caravans but also to address the underlying refugee situation and its root causes.

RECOMMENDATIONS

Design and implement a comprehensive regional strategy

- El Salvador, Guatemala, Honduras, Mexico, and the US should **design and implement a comprehensive**, rights-based, gender- and age-sensitive **regional strategy** that honors domestic and international obligations to refugees and migrants, ensures adequate humanitarian relief to people on the move, and addresses the root causes of displacement.

Honor domestic and international law

- The US should **allow asylum seekers**—particularly unaccompanied children—to **present themselves immediately at ports of entry**, and should **stop metering** asylum seekers and implementing the Migrant Protection Protocols, also known as **Remain in Mexico**.
- Mexico should oppose **US actions that limit access to protection** in violation of international law,



including the Migrant Protection Protocols and safe third-country declarations.

- Mexico and the US should **establish** communication, collaboration, and referral **mechanisms to respect the best interests of the child** where appropriate.
- Mexico and the US should **streamline** their **asylum systems**—while still ensuring due process, family unity, and non-refoulement—**and enhance reception capacity**.
- All relevant actors should actively **counter growing anti-immigrant rhetoric and practices**.

Ensure adequate humanitarian relief

- All relevant actors⁷¹ should **prioritize planning and preparedness** for large displacements of people, and **meaningfully engage refugees and migrants**.
- Mexico should comply with international standards and guidelines for shelter sites and service provision.
- **International humanitarian agencies should offer technical expertise, and capacity**.
- All actors should **ensure availability of and access to information**.
- **Human rights defenders** should continue to **monitor and take adequate measures when abuse is identified**.

Address root causes

- All governments should continue to advance initiatives that **promote human security, rule of law, accountability, and prosperity in the region**.



ACRONYMS AND ABBREVIATIONS

CBP	US Customs and Border Protection
COMAR	Mexico's Commission for Refugee Assistance
DHS	Department of Homeland Security
DIF	National System for Integral Family Development
IACHR	Inter-American Commission on Human Rights
IOM	International Organization for Migration
INM	Mexico's National Institute of Migration
KIND	Kids in Need of Defense
NGO	Nongovernmental organization
SEGOB	Mexico's Ministry of the Interior
SNE	Mexico's National Employment Service
SRE	Mexico's Ministry of Foreign Affairs
UNICEF	United Nations Children's Fund
UNHCR	United Nations High Commissioner for Refugees
WOLA	Washington Office on Latin America
WRC	Women's Refugee Commission

ENDNOTES

- 1 All names have been changed to protect the privacy and identity of the persons interviewed.
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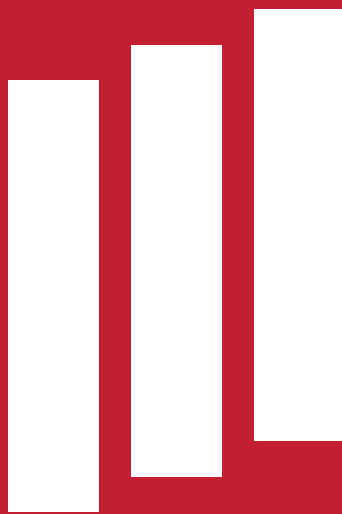


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