

URGENT ACTION

48 ASYLUM SEEKERS AT RISK OF REFOULEMENT

48 people including families and children, who came to Mexico looking for protection, are at risk of being deported to possible persecution or grave human rights violations in their countries due to unusual failures in the procedures of Mexico's refugee agency and migration authority.

48 asylum seekers from El Salvador, Honduras and Venezuela, currently living in the city of Saltillo, in the north of Mexico, are at risk of refoulement to their countries. Among the asylum seekers are 8 families, including 8 children and adolescents ranging from 1 to 17 years old.

Mexico's refugee agency, the Comisión Mexicana de Ayuda a Refugiados (COMAR), has failed to provide these people with a certificate that confirms they have filed an asylum claim. These certificates are usually issued very shortly after lodging a claim. Some requests go as far back as January 2017. The situation leaves asylum seekers vulnerable to being detained at any given time by migration authorities and deported back to their countries.

Legal representatives have sent urgent communications to the COMAR requesting the emission of certificates, yet have not received any response. In addition, the National Institute of Migration (INM), has denied these asylum seekers their right to a one-year humanitarian visa, despite the fact that Mexican law stipulates that asylum seekers are entitled to this document while their claim is in process. The INM claims that it requires a valid certificate from the COMAR in order to emit a humanitarian visa, even when there are a number of other ways the INM is able to validate that a person is an asylum seeker, given the joint official information they share with COMAR.

In 7 of the cases, asylum seekers were issued certificates from the COMAR, which expired, given they are only valid for 45 days. The COMAR has failed to provide them with a new certificate.

The asylum seekers are living in precarious conditions in Saltillo, given the INM carries out routine raids in the city. Without the papers issued by the COMAR, they are at risk of being detained in these raids and deported back to countries from which they have fled. Representatives of the asylum seekers have lodged injunctions before federal judges, who have yet to provide a resolution.

Please write immediately in Spanish or your own language:

- Calling the Head of the COMAR to urgently issue the 48 asylum seekers with the certificates required to prove they are requesting asylum;
- Calling the Head of COMAR to urgently analyse and resolve on each of these 48 cases in accordance with international standards, taking into account the situation of families and children seeking protection;
- Calling the Commissioner of the INM to provide humanitarian visas for the 48 asylum seekers while their claim for asylum is in process.

PLEASE SEND APPEALS BEFORE 27 APRIL 2018 TO:

Commissioner of the National Migration Institute (INM)

Gerardo García Benavente
Avenida Homero 1832, Polanco, Los
Morales Polanco, 11510 Ciudad de
México, CDMX, Mexico
Email: ggbenavente@inami.gob.mx
Salutation: Commissioner

Head of the COMAR

Elisabeth Cataño Navarro
Av. Ejército Nacional 862,
Los Morales, Ciudad de México. C.P.
11540
Email: ecatano@segob.gob.mx
Salutation: Ms. Catano Navarro

And copies to:

Secretary of the Interior

Alfonso Navarrete Prida
Río Amazonas 91, Col. Renacimiento,
Cuauhtémoc, 06500 Ciudad de México,
CDMX, Mexico
Email: secretario@segob.gob.mx

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

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ADDITIONAL INFORMATION

In recent months, the COMAR has reported a number of delays in processing asylum claims all throughout the country, yet Amnesty International was unaware of such prolonged responses to give asylum seekers the most basic form in their process. Lawyers told Amnesty International that at the end of 2017, another asylum seeker, in a different case, was detained in the city of Saltillo by INM because he never got an identity paper from COMAR. Lawyers and the national human rights commission were informed and able to release him from detention.

According to the UNHCR, an estimated 400,000 to 500,000 irregular migrants enter through Mexico's southern border each year, and at least half of these people could be in need of international protection as refugees. The majority of these people come from El Salvador, Honduras, and Guatemala, some of the most violent countries in the world. In recent years, Mexico has been receiving an increased number of asylum claims, with 2017 registering over 14,596 claims. At the end of 2017, 7,719 of these claims remained unresolved, in large part due to delays in COMAR's procedures.

Of these claims, 4,272 came from Honduras, 4,042 from Venezuelans and 3,708 from El Salvador.

Amnesty International recently published a report entitled *Overlooked, Under-Protected: Mexico's Deadly Refoulement of Central American asylum seekers*. This report demonstrated that the Mexican government is routinely failing in its treaty obligations under international law to protect those who are in need of international protection, as well as repeatedly violating the non-refoulement principle, a binding pillar of international law that prohibits the return of people to life-threatening situations. See here for more information: <https://www.amnesty.org/en/documents/amr41/7602/2018/en/>

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