Mexico’s detention network is human rights disaster - and U.S. policy is making it worse

At all times, and certainly in the context of the COVID-19 pandemic, the governments of Mexico and the U.S. must protect the rights of migrants. In the current context of a global pandemic, both governments must halt enforcement actions and deportations, and release people from detention facilities where their lives are endangered by overcrowded and unsanitary conditions.

On Friday April 3, a fire broke out during a protest in a makeshift facility, located in Piedras Negras, Mexico, which is being used to detain people deported from the United States. There are 163 people in the facility who are mostly non-Mexican nationals who cannot be returned to their home countries as borders in the region are closed in response to the COVID-19 crisis.

The police, National Guard and immigration police were mobilized en masse to respond to the demonstration. Six people were detained by police and another six people were taken to a local hospital with injuries.

Isabel Turcios, a Franciscan sister whose community operates the Frontera Digna shelter in Piedras Negras explained that in recent weeks, as people have been deported into the city the numbers have quickly overwhelmed the capacity of local shelters to provide assistance. Currently, the Frontera Digna shelter can only serve 64 people. As the shelter could not accommodate more people, immigration authorities requested the use of a new shelter that was being prepared exclusively for women and children and the sisters complied with their request. The facility has a capacity to hold 80 people, but as noted, over 160 people were locked in.

Sister Isabel says that the conditions faced by people in the facility led to the demonstration. “The conditions seem to have been very desperate, especially among
the men, because of the overcrowding they had, and they could barely move and they
were screaming to please repatriate them, to their places, to their countries. Since they
were not paying attention to them, well, they made them take heed, burning some of the
mattresses. That was what they did around 10:00 in the morning, in the place where
they were. They started to set the mattresses on fire. And of course the house, some of
the areas, filled with smoke. They had children who were also affected, children and
women affected by the smoke."

In Piedras Negras, the recent wave of deportations from the United States are occurring
alongside the fall out of another Trump policy, “Remain in Mexico,” that requires people
to wait in Mexico for asylum hearings. Those hearings, already a farce, have been put
on hold during the pandemic. And so, people seeking asylum are left in border towns
like Piedras Negras in unsafe conditions, while more and more people are being turned
back at the border into the same conditions. Much as in the United States, the response
by the government in Mexico has been to simply round people up. The resulting
conditions have proven deadly.

On Tuesday, March 31, Héctor Rolando Barrientos Dardón died during a fire at the
Tenosique Migration Station, an immigrant detention facility near Mexico’s border with
Guatemala in the state of Tabasco. His death occurred during a protest by several men
who were denouncing their ongoing detention in the overcrowded facility, a situation
which puts their lives at risk in the context of the COVID-19 pandemic.

In responding to the protest in Tenosique, police blocked people from leaving the
facility, even after a sleeping mat caught fire, resulting in Barrientos’ death and 14 other
people being sent to the hospital due to smoke inhalation and other injuries.

Following events in Tenosique - itself the result of a pattern of abuse, organizations
throughout Mexico denounced the government's response and called for the resignation
of the head of the National Institute on Migration. They also issued three demands:

● The National Institute on Migration must carry out a thorough investigation
  into the death in Tenosique, clarify internal responsibility and take urgent
  measures to ensure that no more deaths occur in migration stations.
● The government of Mexico, in the context of the pandemic, should stop
  the arrest of migrants, release people detained at migrant stations, and
  guarantee the safe return of those who wish to return.
● Authorities at the local, state and federal level of government must work to
  guarantee the rights of migrants to health and protection permanently and with
  special attention for the duration of the pandemic.
U.S. Policy is Making the Situation Worse

The situation in Mexico is made much worse by the Trump administration’s response to the COVID-19 crisis. Trump has refused to release people held in immigration detention within the United States, and has, instead, been engaging in mass deportations to Mexico, Central America and Colombia. Globally, one in four people confirmed COVID-19 positive live in the United States. COVID-19 has been confirmed in both adult immigration detention facilities, and facilities for unaccompanied children run by the Office of Refugee Resettlement. Given the dangers, deporting people with nothing more than a temperature check is certainly going to spread the disease even further. Indeed, a man deported from the Arizona area to Guatemala this week arrived with COVID-19, and many other people deported show symptoms and require quarantine when arriving outside the United States.

Exacerbating the situation is the Trump administration’s decision to summarily return anyone apprehended between ports of entry to Mexico, wherever they are from, and without any due process. The combination of deportation flights from the United States and summary deportations at the border, is contributing to the human rights catastrophe unfolding in Mexico’s overcrowded detention network.

In order to protect the rights of migrants and the public health of our communities, we call for the following steps:

• The government of Mexico must heed the call of civil society organizations and release people from detention immediately, halt enforcement actions, and guarantee the safety of those who are seeking to get to their home countries.

• The United States government must stop its policy of summary expulsions at the border that not only violates U.S. law protecting the rights of anyone to seek asylum within the United States, but also violate international agreements and the guidance of the United Nations High Commissioner for Refugees, who said, “All states must manage their borders in the context of this unique crisis as they see fit. But these measures should not result in closure of avenues to asylum, or of forcing people to return to situations of danger”
The United States must also stop deportation flights immediately. Instead, Immigration and Customs Enforcement should allow for the humanitarian release of people being held in administrative detention within the U.S.

The Franciscan Network on Migration (RFM), emerged in April 2018 during the annual JPIC Course, held in Guadalajara, Mexico, the main theme of which was “Migration: causes, walls and Franciscan perspectives.”

During 2019, a systematic dissemination and construction of the Network was organized with four houses for migrants belonging to the Order: La 72 (Mexico), The Migrant Center of New York (USA), Comedor para Migrantes San Francisco (Mexico) and Pilgrims’ house of the Migrant “Santo Hermano Pedro” (Guatemala). In addition, five working groups were created at the service of migrants: USA, El Salvador, Honduras, Mexico and Guatemala.

Signed: Steering Committee of the Franciscan Network on Migration

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