

# ***Social and Institutional Justification of Torture and Ill-Treatment in Immigration Detention Centres in Mexico***

Inputs for psychosocial dynamics conducive to torture and ill-treatment report

Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment – United Nations



**Center of Human Rights Fray Matías de Córdoba**  
Tapachula, Chiapas – Mexico  
[www.cdhfraymatias.org](http://www.cdhfraymatias.org)



**Migration Affairs Programme**  
**Iberoamerican University**  
Mexico City  
[ibero.mx/programa-sobre-asuntos-migratorios](http://ibero.mx/programa-sobre-asuntos-migratorios)

June 2020

## **Social and Institutional Justification of Torture and Ill-Treatment in Immigration Detention Centres in Mexico**

Inputs for psychosocial dynamics conducive to torture and ill-treatment report

Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment – United Nations

---

### **Introduction and context**

1. **Human mobility in Mexico** is an extremely relevant social and political issue in all of its dimensions: the country is a place of origin, transit, destination, and return of thousands of migrants and refugees every year. As a transit and destination country, Mexico receives every year hundreds of thousands of people who irregularly cross its southern border with Guatemala or Belize, coming from regions like Central America, Caribbean, and West Africa, among others.
2. In face of this reality, the **migration management policy** of the Mexican government has been historically based on control, detention, and deportation measures. The Mexican State acknowledges having between 55 and 60 formal immigration detention centers (32 centers called “migratory stations” [*estaciones migratorias*] that concentrate migrants, and the rest of provisional detention facilities, as well as several improvised and non-official centers). The State has detained more than 900 thousand migrants within the last six years (almost half of them in the Mexican south-eastern border region), deporting between 80% to 95% of them each year<sup>1</sup>.
3. The enormous intensity of immigration control in Mexico, and particularly at its southern border, is based on the **militarization of territory under a national security perspective**. Border states become entirely a part of the border control system. The most recent elements of militarization have been: the 2014 creation of the Southern Border Program (PIFS – *Programa Integral de la Frontera Sur*)<sup>2</sup>; the deployment of thousands of National Guard officers<sup>3</sup>, who have since 2019 joined a multitude of military and police forces; and the 2020 legalization of the army’s and the navy’s direct involvement in public security tasks, including the immigration control tasks<sup>4</sup>.

---

<sup>1</sup> See the annual detention and deportation figures in the Statistical Bulletins of the Migration Policy Unit, Interior Ministry: [http://portales.segob.gob.mx/es/PoliticaMigratoria/Boletines\\_Estadisticos](http://portales.segob.gob.mx/es/PoliticaMigratoria/Boletines_Estadisticos)

<sup>2</sup> See the reference regarding the creation of PIFS: <https://www.animalpolitico.com/2014/07/en-esto-consiste-el-programa-que-protegera-a-migrantes-que-ingresan-a-mexico/>

<sup>3</sup> See the National Guard Law, that authorizes this body to assist with immigration control: [http://www.diputados.gob.mx/LeyesBiblio/pdf/LGN\\_270519.pdf](http://www.diputados.gob.mx/LeyesBiblio/pdf/LGN_270519.pdf)

<sup>4</sup> See the Agreement that provides for the permanent Armed Forces to carry out public security tasks in an extraordinary, regulated, audited, subordinated and complementary manner: [http://dof.gob.mx/nota\\_detalle.php?codigo=5593105&fecha=11/05/2020](http://dof.gob.mx/nota_detalle.php?codigo=5593105&fecha=11/05/2020)

4. The **entry of people in need of international protection to the immigration detention centers**, with asylum-seeker status, and at times for prolonged detention periods, is a fact recognized by the National Institute of Migration (INM) and by the Mexican Commission for Refugee Assistance (COMAR).
5. Amid the constant growth of annual asylum claims in Mexico, given the **forced displacement crisis** in the region<sup>5</sup>, the Center of Human Rights Fray Matías de Córdova and other organizations have identified cases of **deportation of asylum-seekers**, violating the Non-Refoulement Principle.
6. Between 20% to 40% of those detained annually are children and adolescents, largely unaccompanied. This population faces higher deportation rates than adults, as well as greater difficulties of access to asylum procedures and other protection measures.
7. The tendency towards the intensification of repression of migrants and refugees corresponds with some of Mexico's internal factors, such as the national security<sup>6</sup> or the nationalist tradition of Mexican politics<sup>7</sup>. In any case, the last decades, and incidents like the aforementioned deployment of security forces to the territory and the borders, aimed to control immigration, are strongly conditioned by the **border externalization scheme of the United States**<sup>8</sup>, the pressures this country's government exerts on the Mexican government, and the enormous framework of bilateral interests that both nations have in terms of politics, economy, and trade.
8. Specifically, the **militarization** and the current pressure against the forcibly displaced arriving in Mexico through its **southern border**, as well as other measures, like the admission of people who seek asylum in the US back to Mexican territory under the Migrants Protection Protocols (MPP)<sup>9</sup>, respond to the threats made by President Trump to Mexico, who conditioned possible commercial sanctions to Mexican migration policy's submission to the State Department's and the Department of Homeland Security's intentions<sup>10</sup>. These episodes concluded in the signature of **bilateral agreements** that consolidated the current scenario<sup>11</sup>.

<sup>5</sup> See the evolution of asylum claims, COMAR:

[https://www.gob.mx/cms/uploads/attachment/file/544676/CIERRE\\_DE\\_MARZO\\_2020\\_1-abril-2020\\_-2\\_1\\_.pdf](https://www.gob.mx/cms/uploads/attachment/file/544676/CIERRE_DE_MARZO_2020_1-abril-2020_-2_1_.pdf)

<sup>6</sup> See "Link between National Security and Migration in Mexico", Mexican Journal of Foreign Policy:

<https://revistadigital.sre.gob.mx/images/stories/numeros/n88/01calleros.pdf>

<sup>7</sup> See "Nation, Nationalism and Borders: Dilemmas and Paradoxes of Migration", Pacarina del Sur:

<http://pacarinadelsur.com/home/mascaras-e-identidades/162-nacion-nacionalismo-y-fronteras-los-dilemas-y-paradojas-de-la-migracion>

<sup>8</sup> See "Securitization of Migration Governmentality through the Externalization of US Borders to Mesoamerica", Con-Temporánea Journal: [https://con-temporanea.inah.gob.mx/del\\_oficio/amarela\\_varela\\_num4](https://con-temporanea.inah.gob.mx/del_oficio/amarela_varela_num4)

<sup>9</sup> See Department of Homeland Security website regarding the MPP:

<https://www.dhs.gov/news/2019/01/24/migrant-protection-protocols>

<sup>10</sup> Media widely covered President Trump's threats to Mexican government. See an example:

<https://cnnespanol.cnn.com/2019/05/30/trump-planea-amenazar-a-mexico-con-aranceles-si-no-detiene-el-flujo-de-migrantes/>

<sup>11</sup> See the Mexican government's reference regarding the agreements:

<https://www.gob.mx/sre/articulos/concluye-con-exito-reunion-entre-el-secretario-de-estado-michael-r-pompeo-y-el-secretario-de-relaciones-exteriores-marcelo-ebard-casaubon-209766>

9. The maintenance of dozens of centers for detention of hundreds of thousands of people through deployment of dozens of thousands of agents of different police and military security forces is at all times accompanied by a **euphemistic institutional language of Mexican authorities**, attempting to conceal the violent and repressive character of its migration policy. Both the legal framework<sup>12</sup> and the language used in the institutional communication use terms like “presentation” (*presentación*), “accommodation” (*alojamiento*), “assisted return” (*retorno asistido*), or “migratory station” (*estación migratoria*), always avoiding the terms “detention”, “deportation” or “immigration detention center”.
10. Beyond the euphemistic institutional discourse, it is the case that the State **does not recognize**, from a legal-political point of view, the fact that “accommodation of foreigners in migratory stations”, meaning **immigration detention, constitutes a form of deprivation of liberty**. Therefore, the State does not respect the international standards of treatment of persons deprived of their liberty, including the established legal guarantees<sup>13</sup>. In this sense, different human rights organizations have highlighted the existing links between the due process violations and torture.

### **Torture and ill-treatment in immigration detention context in Mexico**

11. The immigration detention centers in Mexico have been for decades in a condition that is unacceptable from a human rights perspective. This has been pointed out repeatedly by civil society organizations<sup>14</sup>, United Nations organs<sup>15</sup>, or the National Human Rights Commission (CNDH) in Mexico<sup>16</sup>.

---

<sup>12</sup> See the Mexican Migration Law and its use of terms “presentation” (*presentación*), “accommodation” (*alojamiento*), “assisted return” (*retorno asistido*), and “migratory station” (*estación migratoria*).

<http://www.ordenjuridico.gob.mx/Documentos/Federal/pdf/wo83139.pdf>

<sup>13</sup> See an example of the euphemistic institutional language and the denial of deprivation of liberty context. Interview with the INM Commissioner in La Razón newspaper, 30/12/2019: “INM does not detain people, it presents those who do not have a regular status to the immigration authority”: <https://www.razon.com.mx/mexico/entran-al-pais-179-mil-migrantes-en-el-ano-y-a-99-8-lo-deportan/>

<sup>14</sup> See the examples of civil society reports about the immigration detention in Mexico.

Monitoring Mission of Migratory Stations and Provisional Facilities of National Institute of Migration, by INM’s Citizen Council. [https://cdhfraymatias.org/wp-content/uploads/2017/08/CCINM-Informe\\_Final-Monitoreo.pdf](https://cdhfraymatias.org/wp-content/uploads/2017/08/CCINM-Informe_Final-Monitoreo.pdf)

Impacts of Mexican Migration Policy at the Southern Border, by Observation and Monitoring Group of Human Rights in South-East Mexico. <https://cdhfraymatias.org/wp-content/uploads/2019/11/INFORME-MODH-FINAL.pdf>

<sup>15</sup> Among the most serious and most recent indications by the UN organs, see the concluding observations of Mexico’s exam by CAT in 2019 and by CMW in 2017.

<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhskud1QxuZpgyQMu26z%2bqrVz9ZS0kOMBM5JQI9I%2fMdbPZfhH87ec5F8ItWrKC533VNOqOG0YY%2b1L%2fU5I3I2GYvRqwd7PEgAd1ymXRgnkRe8G>  
<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsg1CB4w%2ft5VRUPDby%2bk4DDEwhiDkWxMGC5LuNUAog1KNT2CwwU0iOhW%2fRmCl%2f1kslfvrB689sQs6qP9wQQTy%2bjmiLrwhHmVz9a19uzmRln6P>

<sup>16</sup> Apart from the numerous complaints issued by CNDH to INM due to the conditions in the detention centers, see the report “Situation of the Migratory Stations in Mexico, Towards a New Model of Alternative to Detention”.

<https://www.cndh.org.mx/sites/default/files/documentos/2019-11/Informe-Estaciones-Migratorias-2019.pdf>

12. Among the most documented **human rights violations** inside of the detention centers need to be highlighted:

**Legal guarantees:**

- Absence of effective and free of charge legal defense.
- Lack of access to information about the detainees' rights and duties.
- Absence of access to the administrative migratory procedure files.
- Lack of access to complaint and reporting procedures.
- Lack of translation and interpreters.
- Arbitrary detention: prolonged, indefinite, and without a legal basis.
- Arbitrary use of migration alerts as a tool of prolonging detention and forcing deportation.
- Arbitrariness of criteria for the usage of alternatives to detention.

**Treatment of migrants:**

- Frequent and prolonged periods of detention in overcrowded conditions in different centers.
- Irregular gender and age classification of migrants.
- Cases of mistreatment, physical and psychological torture: use of force, punching, restraint measures, isolation, sleep deprivation, threats, insults, etc. perpetrated by the agents of INM, National Guard or other security forces, with the intention to punish, exemplify, humiliate, and also to harass migrants in order to discourage them from defending themselves, and persuade them to accept deportation.
- Insecurity inside of the centers. Violence permitted among the detainees.
- Arbitrary disciplinary regime, without access to appeal.
- Use of isolation measures as an arbitrary form of punishment.

**Material conditions:**

- Lack of space, light, and ventilation in the centers.
- Inadequately cold or hot temperatures.
- Deplorable hygiene and health conditions.
- Inadequate and dirty sanitary facilities.
- Insufficient food of poor quality and in bad condition.
- Limitations of access to drinking water.
- Absence of privacy conditions.
- Irregularities in the custody of migrant's possessions.

**Contact with the outside:**

- Lack of access to communication channels (phone, internet).
- Arbitrariness of the regime of visits by relatives and close persons.
- Incidents of obstruction of access for social organizations.
- Centers without periodic visits by international organizations, CNDH, NMP, etc.
- Absence or negligence of consular assistance.

- Lack of intimacy in places of visit and monitoring.

**Physical and mental health:**

- Appearance of frequent physical ailments due to the detention: impact on the respiratory and digestive system, fever, headaches, epidermic problems. Special impact on children and babies.
- Identification of strong psychosocial impact due to detention: anxiety and depression symptoms.
- Denial of medical care, denial of channeling to medical services, or insufficient and inadequate treatment.
- Cases of deaths and suicides inside the centers.

**Especialmente vulnerable population:**

- Insistence on the already mentioned systematic sustainment of prolonged and indefinite detention of asylum-seekers, as well as of children and adolescents<sup>17</sup>, including those unaccompanied. Both population groups are frequently deported.
- Existence of a specific pattern of abuse against women, especially pregnant women and lone mothers.
- LGBTTTI population is particularly abused and threatened, within the context of homophobia and transphobia of the authorities' agents and partially the other detainees.
- Presence of the Caribbean and extracontinental migrants in detention has increased, bearing special vulnerabilities associated with racism, language barrier, and cultural barrier.

13. Ultimately, the way the authority treats the detainees, the conditions in the centers, and the legal procedure that falls short of guarantees and due process, are not coincidental or circumstantial elements. They **respond to the State's strategy** intended to punish, harass and discourage migrants and refugees from trying to arrive in Mexico and vindicate their rights, as well as to break their will regarding the migratory life project on a personal and familial level<sup>18</sup>.

14. Regardless of that in these contexts it is sometimes confusing to identify "classic" methods of torture, the combination and accumulation of the listed factors inflict physical and psychological suffering on detainees, leading to a "**torturing environment**"<sup>19</sup>.

---

<sup>17</sup> See the CNDH report "The Issue of Central American Children and Adolescents in Context of International Migration, Unaccompanied in Their Transit through Mexico and in Need of International Protection".

<https://www.cndh.org.mx/sites/default/files/documentos/2019-04/Informe-Ninez-Adolescentes-Centroamericanos-Migracion.pdf>

<sup>18</sup> See the document: "Immigration Detention and Torture: from Emergency State to Rule of Law", Advocacy Group Against Immigration Detention and Torture:

<https://cdhfraymatias.org/wp-content/uploads/2019/01/GIDMT-Documento-Inicial.pdf>

<sup>19</sup> See the book "Psychological Torture: Definition, Evaluation, and Measures", of Pau Pérez-Sales:

<http://www.pauperez.cat/tematico/libros/tortura-psicologica-definicion-evaluacion-y-medida-2/>

15. In this scenario, the emergence of the so-called “**migrant caravans**” as a strategy for the forcibly displaced population has been confronted with real military operations to contain these flows. Particularly since the deployment of National Guard in Chiapas, this body, along with Federal Police and National Institute of Migration (INM), have used physical and psychological abuse and exhaustion to arrest hundreds of migrants in few hours. This has also meant the overcrowding of the centers, conversion of premises to provisional immigration detention centers without any conditions, cases of family separation, and mass deportations without guarantees<sup>20</sup>.
16. The aforementioned US-Mexico agreements to reinforce the containment of migratory flows also caused the stranding of thousands of **people of Caribbean and African origin** in Tapachula. The handling of this issue by the authority also involved mistreatment of this population and an attitude of **institutional racism**<sup>21</sup>, which led this population into a humanitarian emergency, as well as to a greater uncertainty and confusion due to the lack of information and advice in their own language<sup>22</sup>.
17. The management of the **COVID-19 crisis** in relation to immigration detention is proving extremely problematic. The extension of detention periods, and the feeling of health risk, triggered a series of protests in the centers, which were repressed with extreme use of force. The protest at the Tenosique detention center on March 31 resulted in the death of a Guatemalan man in presence of his wife and children, who was not evacuated from a fire. The INM finally almost completely evacuated the centers, abandoning the detainees in cities and roads without any humanitarian aid, in contravention of the guidelines issued by UNHCR and AEO, and even forcing many people into clandestinely crossing the border to Guatemala<sup>23</sup>. In addition to the indefinite suspension of the legal periods for the conduct of immigration and refugee procedures, there has been a significant increase of psycho-emotional crisis cases among the people on the move.

### **The State's response to International Organizations and National Human Rights Institutions**

18. In recent years, the Mexican State has faced international human rights scrutiny, under which both the **United Nations** system and the **Inter-American Human Rights System (IAHRS)** have

---

<sup>20</sup> The authority conduct regarding the caravans and other scenarios at the southern border has been documented by the Observation and Monitoring Group of Human Rights in Southeast Mexico.

See: <http://caravanamigrante.iberomx.com/frontera-sur>

<sup>21</sup> See the journalistic work “Migrants from Other World”, Animal Político and other media:

<https://www.animalpolitico.com/migrantes-de-otro-mundo/>

<sup>22</sup> See the communiqué issued in August 2019 by this African population in Tapachula:

[http://caravanamigrante.iberomx.com/uploads/monitoreos\\_pdf/d8c544ca912eef2664856f120acf125a.pdf](http://caravanamigrante.iberomx.com/uploads/monitoreos_pdf/d8c544ca912eef2664856f120acf125a.pdf)

<sup>23</sup> See the article “Being a Migrant in Mexico During a Global Pandemic”, Mexican Commission of Defense and Promotion of Human Rights: <https://www.animalpolitico.com/verdad-justicia-y-reparacion/ser-migrante-en-mexico-durante-una-pandemia-mundial/>

reported discrimination and serious violations of rights against migrants and refugees, including torture and ill-treatment<sup>24</sup>.

19. In all the referred processes before the UN and the IAHR, the **Mexican State** has reacted by discrediting the complaints of civil society, denying human rights violations, and showing an image of having a public policy that is respectful of migrants and refugees<sup>25</sup>.
20. Although different UN bodies have insisted that **immigration detention** is for all purposes a **form of deprivation of liberty**<sup>26</sup>, sometimes pointing out to Mexico directly<sup>27</sup>, the State resists at all times to make this acknowledgment. Therefore, the Executive and Judicial powers do not treat this issue under due legal standards of treatment of people deprived of their liberty.
21. However, the Mexican State has not hesitated to **instrumentalize the role of the UN agencies** operating on the ground, trying to make the public opinion believe that the State acts with these agencies' permanent approval regarding the respect of human rights<sup>28</sup>, taking advantage of some moments when these agencies, within the framework of their mandate, have lacked strength and opportunity to condemn the impacts and major risks inflicted on migrants by this immigration policy.
22. Similarly, the role that Mexico played in promoting the **Global Compact for Migration**, and its obsession with proclaiming a "safe, regular and orderly migration", is instrumentalized by the State to give a false image of commitment to migrants' and refugees' human rights<sup>29</sup>.
23. Domestically, although a large part of the **recommendations issued by CNDH to INM** regarding immigration detention are not accepted, or only pretendedly<sup>30</sup>, the Federal Government strives to give an image of absolute compliance with the Ombudsperson's criteria regarding the matter<sup>31</sup>.

---

<sup>24</sup> Apart from the aforementioned examples of CAT and CMW, a mention should be made of the recently convened hearings before the IACHR on human rights violations of migrants and refugees in Mexico, with an emphasis on children. See: <https://www.youtube.com/watch?v=q2z9hgD2YPI> / [https://www.youtube.com/watch?v=i8eQaP89u\\_c](https://www.youtube.com/watch?v=i8eQaP89u_c) <https://www.youtube.com/watch?v=K-RvzEI5Nks> / [https://www.youtube.com/watch?v=s3\\_Wu4WNNbE](https://www.youtube.com/watch?v=s3_Wu4WNNbE)

<sup>25</sup> Returning to the example of CAT, the record of the last exam's public session is revealing: <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsmoIqL9rS46HZROnmdQS5bP6712inoZF%2fQ5Z%2btBB%2fmK%2fPfdYkLsHjdhUeELb18jXSRx1yp3Cz9BibvA9Ypp5yD1f%2fpU6beeKiNHKfcJ3EZp>

<sup>26</sup> The "Principles and practical guidelines on the protection of the human rights of migrants in vulnerable situations", issued by the OHCHR, are an emblematic example: <https://undocs.org/en/A/HRC/37/34>

<sup>27</sup> See the CMW's concluding observations for Mexico in 2017, especially paragraphs 37 and 38: <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsq1CB4w%2ft5VRUPDby%2bk4DDEwhjDkWxMGC5LuNUAog1KNT2CwwU0iOhW%2fRmCl%2f1kslfvrB689sQs6qP9wQQTy%2bjmiLrwhHmvz9a19uzmRln6P>

<sup>28</sup> See an example of the image of collusion with UN that the INM intends to show: <https://www.gob.mx/inm/prensa/recorreran-representantes-de-cndh-onu-dh-unicef-oim-y-acnur-estacion-migratoria-siglo-xxi-232928?idiom=es>

<sup>29</sup> See "Mexico, The First Country to Sign the UN Global Compact for Migration", Sin Embargo: <https://www.sinembargo.mx/03-03-2019/3545199>

<sup>30</sup> See the summary of CNDH's recommendations to INM: <https://www.gob.mx/inm/documentos/recomendaciones-dirigidas-al-inm>

<sup>31</sup> See "Heads of INM and CNDH Agree to Maintain Communication and Direct Effort in Favor of Migrants", INM:

24. In the same way, in context of the COVID-19 emergency, INM announced compliance with CNDH's guidelines, but we have already indicated that the management in this regard meant a disaster in terms of human rights<sup>32</sup>.
25. Regarding the pandemic, the Federal Government issued the "**Action Protocol for Prevention and Care of Suspected and Confirmed COVID-19 Cases in Migratory Stations and Provisional Facilities of National Institute of Migration**"<sup>33</sup>, which thoroughly describes a whole series of planned health measures. These measures have not been implemented in practice in any way.

### The role of some social actors

26. Historically and due to various factors, the **local population in Mexico**, and especially in the border regions, displays visible attitudes of **racism and xenophobia** against migrants and refugees. There is an idea that the foreign population is a threat to society, causes citizen insecurity, overwhelming of public services, and labor market competition. In particular, there is a widespread belief that Central American men are criminals, and the women are sexual objects; and also that people arriving from African countries transmit infectious diseases<sup>34</sup>.
27. The **local media** are one of the main actors contributing to the construction of the **collective idea that justifies institutional ill-treatment of migrants and refugees in Mexico**, particularly at the southern border. The State's hostile response to the arrival of very significant numbers of Central American, Caribbean, or extra-continental migrants to the border municipalities of Chiapas is justified by the media that emphasize the allegedly threatening nature of the foreign people<sup>35</sup>.

---

<https://www.gob.mx/inm/prensa/acuerdan-titulares-del-inm-y-de-la-cndh-mantener-comunicacion-y-encaminar-esfuerzos-a-favor-de-personas-migrantes-234156>

<sup>32</sup> See the INM's note regarding the CNDH's guidelines and the pandemic:

<https://www.gob.mx/segob/prensa/acepta-inm-medidas-cautelares-emitidas-por-la-cndh>

<sup>33</sup> See the INM's Protocol here:

[https://www.gob.mx/cms/uploads/attachment/file/547982/Protocolo\\_de\\_actuacion\\_INM\\_DGPS.pdf](https://www.gob.mx/cms/uploads/attachment/file/547982/Protocolo_de_actuacion_INM_DGPS.pdf)

<sup>34</sup> See the report "Myths and Realities About the Migrant Caravan and Refugees", National Council for Prevention of Discrimination (CONAPRED): [https://www.conapred.org.mx/userfiles/files/MR\\_Caravana\\_OK.pdf](https://www.conapred.org.mx/userfiles/files/MR_Caravana_OK.pdf)

And its thematic note about migrants:

[https://www.conapred.org.mx/userfiles/files/FichaTematica\\_Personas\\_migrantes.pdf](https://www.conapred.org.mx/userfiles/files/FichaTematica_Personas_migrantes.pdf)

<sup>35</sup> We attach examples of the main local media outlets in Tapachula, with a clear xenophobic overtones, justifying social and institutional racism:

<https://elorbe.com/al-instante/2020/06/10/en-tapachula-deambulan-miles-de-migrantes-sin-proteccion-sanitaria-provocando-panico-por-el-riesgo-de-contagio-del-mortal-coronavirus.html>

<https://elorbe.com/seccion-politica/local/2020/05/25/migrantes-se-drogan-y-acosan-en-la-via-publica-sin-ser-molestados.html>

<https://elorbe.com/portada/2020/01/18/activan-operativo-guardia-nacional-e-inm-para-contener-la-nueva-caravana-migrante.html>

<https://elorbe.com/portada/2020/01/13/exigen-control-en-frontera-sur-para-evitar-el-ingreso-de-mas-caravanas-migrantes.html>

<https://elorbe.com/seccion-politica/local/2019/10/22/migrantes-invaden-colonias-generando-focos-de-inseguridad-y-contaminacion.html>

28. Linked to the media outlets they own, part of the **local business and commercial class** also constitutes a social actor with a clear capacity of political influence, which has played a role in demanding and justifying security measures against the migrant population. The associations and federations of businessmen and merchants in Tapachula have issued a multitude of public statements, demanding an intensification of immigration control<sup>36</sup>.

## Conclusion

29. Despite the State's denial of perpetrating human rights violations against migrants and refugees, and pretending to promote public policies that guarantee their rights, the Federal Government has promoted the idea that the immigration control and border control policy is necessary and justified by the fulfillment of commitments with the United States<sup>37</sup>. In other words, Mexico is using **migrants as a bargaining chip to safeguard the economic and trade interests** of its political and business elites<sup>38</sup>.
30. Amid the main human rights violations against the migrant population that have been identified by international organizations, social organizations, and national human rights institutions (like CNDH and MNP), it is clear that the Mexican State has perpetrated **acts of torture and ill-treatment in the immigration detention centers**<sup>39</sup>, in a regime of opacity, defenselessness, and impunity.
31. The institutional discourse of the State and the political party that sustains the Mexican Federal Government, the editorial line of certain media outlets, and the support of business class sectors, have contributed to a **generalized public opinion**<sup>40</sup> which is hostile towards migrants and refugees, and that fully justifies the “heavy-handed” policy towards migratory flows exercised by the State through its security forces, which ends up taking shape in cases of torture

---

<sup>36</sup> See examples of news with xenophobic positions of entrepreneurs and merchants:

<https://www.diariodelsur.com.mx/local/temen-colapse-economia-ante-nueva-caravana-migrante-4694300.html>

<https://www.diariodelsur.com.mx/finanzas/migrantes-han-ahuyentado-el-desarrollo-empresarial-de-tapachula-3316360.html>

<sup>37</sup> See “Trump Announces a 5% General Tarriff for Mexico as Punishment for Irregular Immigration”:

[https://elpais.com/internacional/2019/05/31/estados-unidos/1559256743\\_016777.html](https://elpais.com/internacional/2019/05/31/estados-unidos/1559256743_016777.html)

<sup>38</sup> See the article “Security, Migration and Trade in Mexico-United States Relations During the Presidency of Donald Trump”, of Ortega Ortiz, El Colegio de México: <https://www.redalyc.org/jatsRepo/599/59960298007/html/index.html>

<sup>39</sup> See “United Nations’ Committee Against Torture Points to Mexico Due to Rights Violations in Immigration Detention Context”: <http://periodistasunidos.com.mx/2019/05/el-comite-contra-la-tortura-de-naciones-unidas-senala-a-mexico-por-violaciones-a-derechos-en-contexto-de-detencion-migratoria/>

<sup>40</sup> See examples of an opinion poll that fully supports the repression against migrants and refugees:

<https://www.eluniversal.com.mx/estados/opinan-en-encuesta-que-amlo-debe-frenar-migrantes>

<https://www.eluniversal.com.mx/nacion/se-desploma-el-apoyo-de-mexicanos-migrantes>

<https://www.eluniversal.com.mx/nacion/refugio-migrantes-divide-opiniones-entre-mexicanos-revela-encuesta>



**Social and Institutional Justification of Torture and Ill-Treatment in Migration Detention Centers in Mexico**

Inputs for psychosocial dynamics conducive to torture and ill-treatment report. Special Rapporteur on Torture.

and ill-treatment, both in the identification and control operations, and inside of the immigration detention centers.