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POLICY
BRIEF

Work Toward Integration: Labour Inclusion of Migrants in Mexico

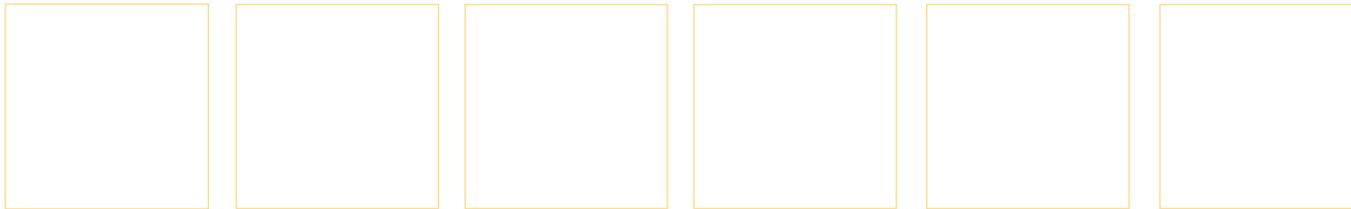
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Introduction

This policy brief argues that the challenge to effective labour market integration of migrants in Mexico is connected to three practical steps: implementing a joint working mechanism to allow stakeholders to exchange experiences and knowledge to further integration and strengthen labour inclusion processes; bringing together the local units for migrant support (*Direcciones de Atención al Migrante*),¹ relevant public institutions, civil society, and the private sector to create a solid network of services that migrants can access; and developing a regional strategy to give migrants more comprehensive access to services. Effective coordination and greater clarity regarding regularization process, however, is unlikely to be achieved if labour market policies are intended as a short-term response to the US effectively subcontracting asylum responsibilities to Mexico.

The above recommendations are based on 60 semi-structured interviews with irregular migrants, civil society, local authorities and employers in Mexico and three focus groups that were conducted with research participants in Mexico City, Tapachula and Tijuana. This was complemented with field observations and the collection of documentary data over an 18-month period ending in October 2019.² The argument made here also builds on an analysis of recent reports and surveys carried out mostly in Mexico on the condition of people on the move.³

1. Every municipality must have one established by Ley de Migración y su Reglamento: Art. 2.
2. This work was supported by H2020 Marie Skłodowska-Curie Actions [752144].
3. See among many others: Hub Migración, <https://kmhub.iom.int/es/>; Informe Regional sobre Migración, https://rosanjose.iom.int/site/sites/default/files/estudio_sica_-_actualizado_al_25_sept_2019_-_digital_compressed.pdf; World Migration Report: <https://www.iom.int/wmr/>



This policy brief is particularly timely because of the pressure coming from the Trump administration to limit movement by asylum applicants to the United States (including threats of punitive tariffs) which has led the Mexican government to take exceptional measures to address what has been referred to at some point by the media and civil society as ‘the exodus’. On October 29, 2018, the secretary of foreign affairs, Marcelo Ebrard, announced that Mexico was working with United Nations Economic Commission for Latin America and the Caribbean (ECLAC) to create a development plan for Central America (the *Plan Nacional de Desarrollo 2019-2024*) aimed to jumpstart economic projects—namely the Mayan Train⁴ and the Coatzacoalcos–Salina Cruz railway connection. Labour market integration was at the core of this new policy approach in which the regional integration of incoming migrants would become a reality through the availability of jobs. The plan also involved the issuance of visitor cards for humanitarian reasons—‘Tarjetas de Visitante por Razones Humanitarias’ (TVRH)—a special permit allowing migrants to legally stay in Mexico for a year, look for a job, and have access to Mexico’s public health services.

Despite the initial fanfare, however, the plan failed to take off and has been put on hold. To begin with, the lack of effective coordination and clarity regarding regularization processes hindered its actual implementation. Most importantly, and in fact rather contradictorily, the Mexican government pushed further its securitization agenda by increasing the number of arrests and deporting thousands of migrants crossing its territory. However, as we shall see in what follows, these developments are far from being surprising: they are (1) a reflection of Mexico’s unwillingness to act as a safe third-country within the framework of the US policy of migration containment; (2) caused by the absence of a clear and effective regularization policy in the country.

Labour Integration: The Visitor Card For Humanitarian Reasons

At first sight, the TVRH seems to be just what is needed to address one of the key policy dilemmas of the Mexican president, López Obrador: fulfilling the humanitarian duty of assisting irregular migrants and boosting

economic development in the country while quenching Trump’s obsession with reducing immigration to historic lows.

Heralded as an important measure of the new migration policy, the TVRH was issued by the National Migration Institute (INM— Mexico’s entity in charge of migration) from November 2018 onwards to Central Americans who had recently entered Mexico and were bound for the United States (Tab 1).⁵ These one-year permits allowed people to reside in Mexico, transit through its territory, and obtain a Unique Population Registry Code (CURP) which grants access to all public services. TVRH holders had access to healthcare, education, and employment, among other benefits. Most importantly, the permit gave migrants the right to work legally in Mexico. The INM stated it received more than 13,000 applications (including 2,649 filed by/for children and adolescents).⁶

On 18 January, 2019, the INM announced the end of the TVRH Pilot Program at the Mexico–Guatemala border, showing that this measure had not been considered a long-term migration management policy, but constituted an attempt to address the exceptional circumstances emerging from the ‘migrant caravans’,⁷ to ensure safe, orderly and regular migration for its members.⁸ How-

5. The INM grants the TVRH in the following situations: being a victim or witness of a crime; being an unaccompanied child; being an applicant for political asylum or refugee. In 2018, however, these cards were issued extraordinarily for people who arrived with the different caravans. This extraordinary measure lasted until February 2019. For more see IMUMI, 2019, Mexican Tarjetas de Visitante por Razones Humanitarias and Firm Resettlement: A Practice Advisory for Advocates. Mexico City: IMUMI.

6. INM, 2019, Entrega de Tarjetas por Razones Humanitarias, Instituto Nacional de Migración, <https://www.gob.mx/inm/articulos/entrega-de-tarjetas-por-razones-humanitarias?idiom=es>

7. For approximately a decade, migrant ‘caravans’ have been organized by civil society organizations to accompany Central Americans as they transit through Mexico’s harsh territory as a means to improve their travel conditions and get the media’s attention. The route is traced based on the location of migrant shelters where they can spend the night and receive basic assistance, most of the time with agreements with transportation companies and state governments. The main feature of the 2018 caravans, however, was their spontaneous nature. Social media and easily accessible communication devices gathered an exceptional amount of people in contrast to the previous caravans—a phenomenon that has been called ‘the exodus’ by the media and civil society.

8. INM, 2019, Entrega de Tarjetas por Razones Humanitarias, Instituto Nacional de Migración, <https://www.gob.mx/inm/articulos/entrega-de-tarjetas-por-razones-humanitarias?idiom=es>

4. The so-called ‘Mayan Train’ is a railroad development project seeking to boost tourism in the South, especially along the world-famous Mayan Riviera in the Mexican Caribbean coast.

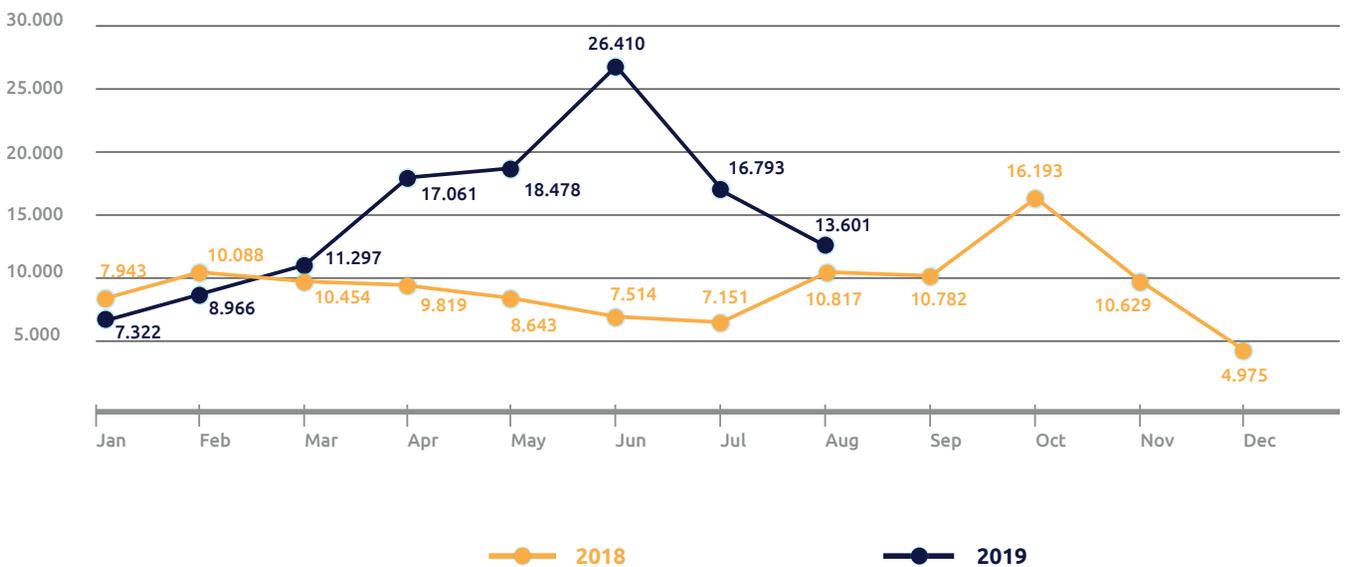


ever, starting on 1 April, 2019, the Mexican department of Interior (SEGOB) reestablished the TVRH program due to the new ‘caravans’ arriving in Mexico.

Not surprisingly, this announcement coincided with the Trump administration’s threats to close the US–Mexico border unless Mexican authorities prevented Central American migrants from reaching the US. The focus on providing work permits for migrants so that they stayed in Mexico can be read as yet another form of containment to keep Central American migrants away from the US and its labour market. The integration of migrants and refugees into the Mexican labour market follows clearly from the security and enforcement imperatives that have guided offshoring and containment by destination countries in the Global North. The United States intends to subcontract a large part of its migration policy to Mexico, which has an incentive to comply because of its considerable economic and social dependence on the US.

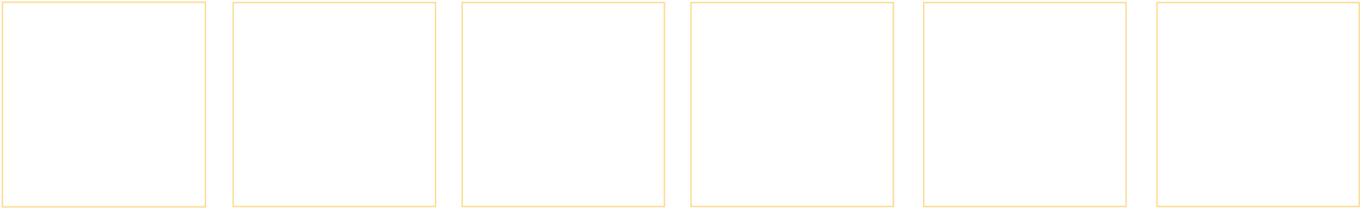
If the US today clearly sees Mexico as a great filter, the TVRH can, in the minds of its proponents, be the perfect answer to address U.S. migration demands from Mexico by fostering economic development and turning Mexico into a ‘safe third country’. By facilitating regularization, the migrant population should ideally be able to enter the formal labour market, settle, improve their socio-economic situation, and integrate in Mexico. Indeed, the Mexican labour can potentially incorporate migrants into its labour force, at least in theory. According to sources from Mexico’s National Employment Service (*Servicio Nacional de Empleo*, or SNE), there are currently 32,000 available positions in multiple sectors at the national level, mostly in the agro-industrial, assembling, and manufacturing fields. Additionally, President López Obrador has also announced the creation of thousands of jobs due to new mega-projects such as the Mayan Train.⁹ As we shall see in what follows, however, the actual inclusion of migrants is easier said than done.

Central American migrants registered by Mexican migration authorities per month, 2018-2019 (January–August)



Source: *Unidad de Política Migratoria, SEGOB*

9. President Lopez-Obrador stated: ‘Mexico will offer employment to Central American migrants. That is our work plan, that people who want to work in our country, get support, get a work visa. We should not only address the issue with deportations and forcible actions.’ See Martínez, Fabiola, Alma E. Muñoz, 2019, *Tren Maya es aceptado por mayoría en sureste del país*, *La Jornada*, <https://www.jornada.com.mx/ultimas/politica/2019/09/20/tren-maya-obra-aceptada-por-mayoria-en-sureste-del-pais-amlo-5673.html>.



Policies and Facts: Reality Check

Even if Mexico was ready to incorporate migrants into its labour market through the TVRH, people interviewed for this brief who were regularized through TVHR claimed that registration with the INM was time-consuming and cumbersome. For asylum seekers in particular, ‘reporting sessions’—the mandatory weekly check-ins at Mexico’s Refugee Council (COMAR) to sign a log book in order to demonstrate their ongoing interest in the case—were problematic since they led applicants to miss work. Employers and financial institutions (namely banks) were often unaware of the documentation they should ask for the migrants, and therefore could not offer the benefits provided under the TVRH. Many migrants declared that employers had rejected their visitor cards on the grounds that they were not entitled to permanent and regular employment since their document read ‘visitor.’ Managers and top staff of local and national companies, which showed unawareness of the documentation and time required to hire migrants, clearly saw the process as red tape. Employers were unaware of public programs that furthered the labour inclusion of migrants, such as the National Employment Service (SNE) training program, through which employees are paid a minimum wage during the first three months in return for training and the commitment that the company will hire 80% of the program’s trainees.¹⁰ The same happened with financial institutions, which would request documentation at their discretion, from passports to proof of residence, birth certificates, and even criminal records.¹¹

Civil society organizations dealt with multiple reports of wage theft, barriers to promotion, and potentially misleading job advertisements. These situations were related to abuse and the absence of due diligence, such as forced resignation once a project had closed out. In many cases, applications from asylum seekers or temporary work visa holders were rejected by employers who thought their status did not grant them access to a regular job. Many said that ‘if [they] can’t get a bank account, [they] will not get paid’, and so migrants found it impossible to build a good credit score and open a bank account.

The absence of a clear employment policy and proper information access coincides with Mexico’s recent history of securitizing its southern border. In 2014, and coin-

ciding with the announcement of the Southern Border Plan (Programa Frontera Sur), deportations increased (Tab 2). With the claim of protecting migrants entering Mexico and increasing the security and prosperity of the region, the Plan increased the militarization of the southern border and exposed migrants to arbitrary arrests and deportation. According to Mexico’s Department of Interior (SEGOB), Mexico deported 94,970 migrants from the beginning of 2019 to August of that year, the vast majority of which were from Central America.¹²

The new labour policy has not put an end to Mexico’s crackdown on irregular migration. Even more worrying, the new government seems to have carried out deportations and arrests of migrants at greater speed. Between 2014 and 2018, Mexico has arrested and deported almost 650,000 people from El Salvador, Guatemala, and Honduras along its south border (UPM, 2019). Since 2007 there have been 1.2 million events of this type, very close to the 1.4 million apprehensions on the southern border of the USA.¹³ Furthermore, although the number of refugee applications in Mexico has multiplied very rapidly over the last four years—an increase of 1,143% between 2014 and 2018—the budget allocated to COMAR has not increased in parallel.¹⁴

The signing of the ‘U.S.–Mexico Joint Declaration’ on June 7, 2019, confirmed this trend. Following Trump’s threat to impose a tariff of 5% on all US imports from Mexico (98% of its exports are to the US), the declaration effectively compelled Mexico to take ‘unprecedented steps to increase enforcement to curb irregular migration.’¹⁵ The recent deployment of 6,000 National Guard troops along the southern border indicates that Mexico is determined to escalate the number of arrests. The 13 contingents of the newly formed National Guard operate like a militarized police force, with 10 groups of 450 to 600 troops assigned to the border with Guatemala. Three additional contingents were deployed to the Isthmus of Tehuantepec in southern Mexico, a geographic chokepoint, to set up roadblocks and highway checkpoints to prevent migrants from moving further north.¹⁶

12. SEGOB, 2019, Datos Unidad de Política Migratoria UPM, Gobierno de México, http://portales.segob.gob.mx/es/PoliticaMigratoria/Boletin_MyH

13. Ibid.

14. UNHCR 2019, Marco Integral Regional para la Protección y Soluciones, UNHCR, <https://www.acnur.org/5be46de64.pdf>

15. US Department of State, 2019, <https://www.state.gov/u-s-mexico-joint-declaration/>

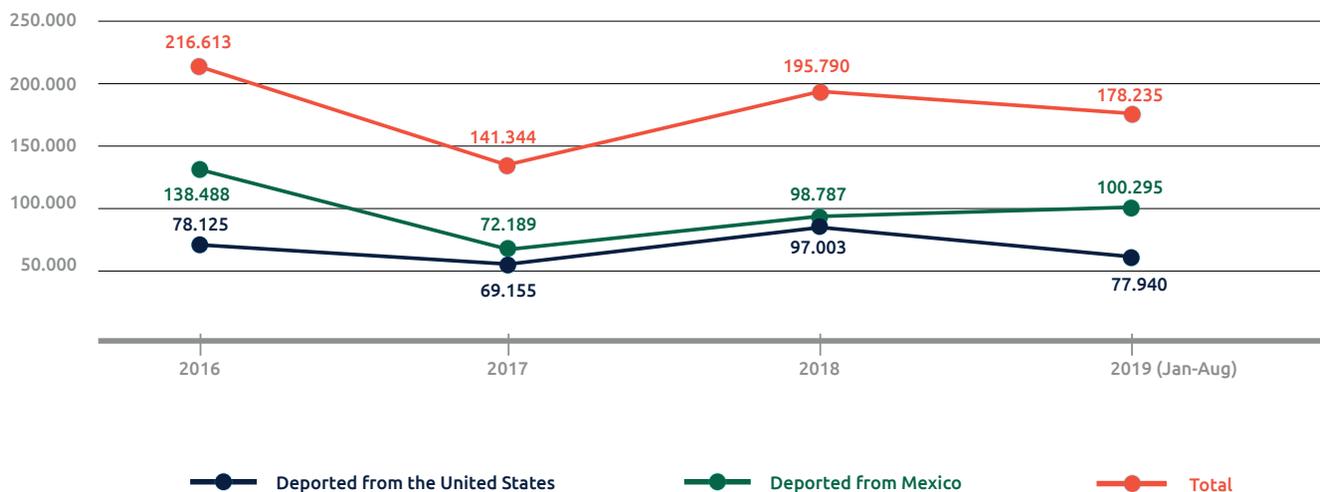
16. Nick Miroff, David J. Lynch and Kevin Sieff, 2019, ‘Mexico aims to avoid tariffs with potential deal limiting migrants

10. See Gobierno de México, <https://conocer.gob.mx/>

11. It is worth noting, though, that some employers actively searched for a solution on their own, such as agreements or other forms of settlement with banks to allow migrants to open a payroll account faster.



Number of Central Americans deported from Mexico and the United States, January–August, 2016–2019



Source: *Iniciativa de Gestión de Información de Movilidad Humana en el Triángulo Norte*, IOM

Chronicle of a Failure Foretold

The labour integration of migrants through the TVRH had been hailed by a plethora of governments and institutions as the silver bullet to tackle the plight of irregular migration in the region. Nonetheless, Mexico’s government seems to be rather reluctant to reimplement it, and current developments along the Southern border suggest that it may never take off. The obstacle does not lie in the absence of vacant positions in the Mexican labour market. So, what are the reasons behind Mexico’s unwillingness to implement its labour policy?

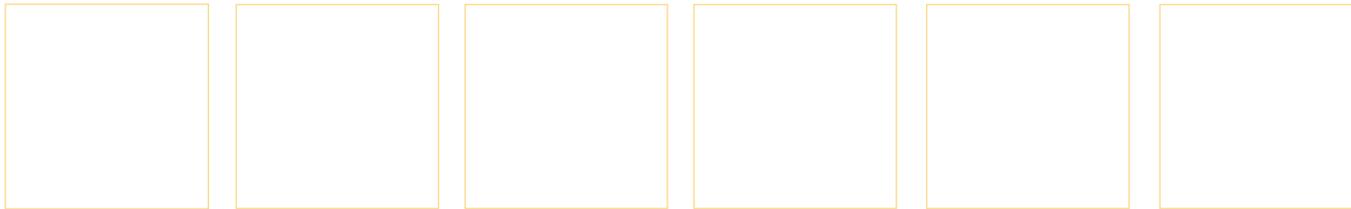
Any serious consideration about labour integration of migrants into Mexico’s economy must include an analysis of the changing scenario of migration flows in Mexico and the United States. Historically, the southern border of the United States has been traversed mainly by Mexican nationals. This group was comprised originally by indigenous peasants and seasonal workers from Mexico’s central states of Michoacán, Guanajuato and Jalisco who, profiting from the proximity of the two countries,

binational agreements and well-established migration networks, began to migrate to the USA in the 1940s (Cornelius and Lewis, 2007). Yet Mexican migration has reversed, and its levels reached historical lows, while violence, economic dispossession, and political turmoil have led people from Central America and other countries to increasingly seek refuge in Mexico. According to IOM, 68% of Central American migrants arriving in Tijuana after November 2018 are still looking for alternative ways to enter the United States. Meanwhile, 22% are looking for a job in Mexico, and 4% want to go back to their country of origin.¹⁷ Full labour market integration of migrants would be a de facto legitimization of Washington’s claims that Mexico is a ‘safe third country’, giving US President Donald Trump the justification to seal the US southern border to most asylum seekers on the basis that their claims can be accommodated by Mexico. This may be just too much for Mexico.

To begin with, the drastic increase in asylum requests has crippled an already unprepared asylum system. According to the head of COMAR, Andrés Ramírez, the refugee agency is overwhelmed, with just 48 permanent

going north, allowing U.S. to deport Central American asylum seekers’. Washington Post, https://www.washingtonpost.com/business/economy/trump-reports-headway-in-us-mexico-talks-on-migrants-but-renews-tariff-threat/2019/06/06/bb0801e4-8860-11e9-98c1-e945ae5db8fb_story.html?noredirect=on&utm_term=.f8f49481095d

17. IOM 2019, Reporte DTM, IOM, <http://mexico.iom.int/reporte-dtm>



employees and an annual budget of only USD 1.2 million.¹⁸ As of June 2019, the agency was handling 28,000 pending cases of refugee status applications in Mexico, and Ramírez estimated that Mexico could reach 60,000 asylum applications by the end of the year. This would be more than twice the 29,600 applications received throughout 2018. As the number of applications increases, so does the significant delay in processing cases.¹⁹

Most importantly, Mexico does not seem to have the capacity and adequate infrastructure to grant asylum to all Central American migrants trying to reach the United States. This is clearly visible if one takes a glance at the recent developments in Mexico northern border. As part of the 7 July migration agreements, all persons seeking asylum in the United States must wait in Mexico while their cases wind through court, a waiting time that is now estimated to be 6 to 18 months. This is simply an extension of the Trump administration's 'Migrant Protection Protocols' (MPP), launched on January 2019, also known as the 'Stay in Mexico' (*Quédate en México*) program. Both programs' implementation has led to the saturation of Northern Mexico's shelters in the cities of Tijuana, Ciudad Juárez, and Mexicali. According to INM, with the expansion of this policy on July 31, 2019, there were 8,170 people registered under MPP waiting in Tijuana on Mexico's northern border, a number that utterly exceeds the reception capacity of the Municipality.

Migrants' integration into the main urban centres of Mexico is extremely difficult. In the absence of government institutions capable of providing accommodation, religious and civil society groups have tried to fill the gap, but federal government budget cuts to citizen associations have drastically diminished their ability to provide assistance. The result is that overcrowded shelters do not have sufficient space to accommodate all migrants, many of whom now lack both accommodation and legal support. Often waiting in cities with high levels of violence, where gangs and drug cartels operate, migrants are exposed to exploitation and violence. Migrants and asylum seekers have also become more 'visible' in Mexico and so too has xenophobic and racist sentiment towards them increased.²⁰

18. Meyer, Maureen, and Gina Hinojosa, 2019, 'Explainer: The Recent U.S.-Mexico Agreement to Address Regional Migration Flows,' WOLA, <https://www.wola.org/analysis/u-s-mexico-agreement-migration/>

19. Ibid.

20. Meyer, Maureen, and Gina Hinojosa, 2019, 'Explainer: The Recent U.S.-Mexico Agreement to Address Regional Migration

Conclusions: A Way Forward

What the current Mexican administration is demonstrating with its ambivalent celebration of cooperation and the enforcement of increasingly restrictive immigration policies is its reluctance to become a 'safe third country'. Mexico has little interest in addressing the current migration flows in ways other than enforcement, especially if the US government does not do its share. Currently, however, the United States is doing very little. In October 2019, the US government announced a drastic reduction in the annual cap on resettlement—cutting the US intake to 18,000.

Accordingly, the first decisive step toward a more effective implementation of labour integration in Mexico involves collaboration with the US government. This seems an unlikely prospect with the current administration, given the transactional and impulsive nature of US foreign policy under Trump, hardly geared to a long-term cooperation, especially in the field of migration. Yet, for a labour integration of migrants in Mexico to succeed, it is necessary that the United States fulfil its legal obligation toward immigrants and refugees, in addition to taking the responsibility granted by the country's geographic and economic position.

If the US shift from short-term approaches to long-term cooperation is accomplished, the next step for a true labour inclusion to effectively work would be the establishment of a clear regularization policy by Mexico. Effective labour market inclusion of migrants requires that regulations be put into practice by facilitating the exchange of information issued by public and private stakeholders working in the labour migration field, and by implementing a joint work plan with clear roles and responsibilities for these stakeholders. The added value is clear: the TVRH grants holders regular stay for a year through a quick process that has no geographical constraints, as opposed to the asylum-seeking process, which requires claimants to stay in the same place until their case is resolved. Moreover, it allows holders to file asylum claims and have regular status during the process.

Flows,' WOLA, <https://www.wola.org/analysis/u-s-mexico-agreement-migration/>



We suggest three practical steps:

- Implementing a joint working mechanism to allow stakeholders to exchange experiences and knowledge to further integration and strengthen labour inclusion processes. Cross-sectoral exchanges could progressively address needs, challenges and best practices.
- Bringing together the local units for migrant support (*Direcciones de Atención al Migrante*),²¹ relevant public institutions, civil society, and the private sector to create a solid network of services that migrants can access.
- Developing a regional strategy to give migrants more comprehensive access to the services. Staff are often not aware of the measures described above, and so the inclusion issues continue. IOM, along with the International Labor Organization (ILO), are implementing pilot capacity-building programs in these offices, whereby staff learn how to efficiently refer migrants to safe and dignified labour opportunities, hence facilitating their integration and inclusion. This strategy seeks to build community-specific capacities among the staff of the Migrant Assistance Directorate's Office, turning it into a liaison office between the local National Employment Service's Office, civil society, shelters—which often have their own vacant positions and labour inclusion units—, and the private sector.

Given the magnitude and characteristics of migration in Mexico, as well as their implications for the country's development, Mexico should work towards achieving a vision that considers migrants both subjects of rights and key development partners. Mexico's new labour policy—with its visitor card for humanitarian reasons—might not be the silver bullet to address irregular migration across the region, but if combined with appropriate policy measures in the United States, it could play a significant role in improving protection or promoting economic opportunities for both the state and the migrants. It should, therefore, not be considered an exceptional solution, but rather part of a long-term policy.

21. Every municipality must have one established by Ley de Migración y su Reglamento: Art. 2.

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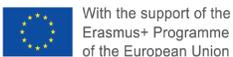
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Migration Policy Centre

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