



IMIGRAN KÒM PYÈS NEGOSYASYON: IMMIGRANTS AS A BARGAINING CHIP

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I. Preface from Victor Louidor

Mexico has long been recognized worldwide for its deep solidarity with vulnerable individuals in need of international protection. Nations across the region and other continents have historically benefitted from Mexico's asylum system, cementing the State's humanitarian tradition as a cornerstone of its foreign policy and its commitment to human rights.

For approximately fifteen years, the Haitian population has benefitted from this protection system as a direct result of the complex wave of violence and political instability affecting their country of origin. Today, Mexico finds itself at a critical juncture regarding humanitarian matters in the international stage. This situation demands a rigorous analysis of the robustness and current scope of its asylum and refugee system.

However, as with any legal framework or structure developed by human beings, it is essential to offer constructive, scholarly criticism that facilitates the renewal, modernization, and optimization of its operational mechanisms. At present, the Mexican Commission for Refugee Assistance (COMAR) faces an imperative need to undertake a profound process of self-evaluation and self-critique. This analysis must be conducted from a contemporary, forward-looking perspective, meticulously examining the past present, and future of this noble institution considering the humanitarian and migration challenges directly affecting the Mexican State.

This document presents the results of months of scientific, documentary, and field research regarding the national asylum and refugee system. Its primary aim is to raise awareness among the relevant institutional, legal, and social stakeholders to fully capitalize on this new historic opportunity in the interest of social justice and international law.

Long live human dignity! Long live universal fraternity!

— *Victor Louidor, Mexican Haitian Attorney*

II. Introduction and Political Context

After a fierce court battle, the U.S. Supreme Court on June 25, 2026 cleared the way for the Trump administration to remove temporary protected status (TPS) for some 350,000 Haitians.¹ Homeland Security Secretary Markwayne Mullin stated on August 5, 2026, "We're going after [Haitian TPS

holders] right now. ...These individuals can either self-deport, or we will arrest you and send you back. It's that simple."²

Haitians and experts have argued that they cannot safely return to Haiti amid unprecedented political instability, armed-group violence, and food shortages.³ Many Haitians may choose to flee to a third country rather than face deportation to Haiti — and Mexico has agreed to accept non-Mexicans deported from the United States, including Haitians.⁴ This paper asks: is Mexico ready to receive them? The evidence says no — and without urgent intervention, a new wave of Haitian arrivals will find themselves without shelter, protection, or a path to safety.

Mexico has militarized its borders and tightened its immigration system as the United States uses economic pressure, including tariff threats, against Mexico to advance its immigration agenda.⁵ Though the Supreme Court declared the initial tariffs unconstitutional in February 2026,⁶ trade talks resumed in May and July 2026 over the United States-Mexico-Canada Agreement, with President Trump signaling he is “not looking to renew” — a new lever to pressure Mexico into stricter border enforcement.⁷ Caught between competing pressures, President Claudia Sheinbaum's administration has largely acquiesced to U.S. demands, prioritizing the estimated 4 million undocumented Mexicans living in the United States and the capacity to receive Mexican returnees.⁸ That strategy has so far buffered Mexico from tariffs and preserved Sheinbaum's popularity, though her approval has dipped amid other rising concerns.⁹

Both governments are leveraging migrants and asylum seekers as bargaining chips in bilateral trade talks, though the stark asymmetry in their power shapes vastly different strategies. Under U.S. pressure, Mexico has deprioritized the human rights of migrants and asylum seekers and intensified an already historic crackdown. An estimated 20,000 Haitian migrants and asylum seekers are stranded in Tapachula,¹⁰ a town on Mexico's border with Guatemala that has long served as a blockade preventing migrants and asylum seekers from traveling toward the U.S. border — an extension, or externalization, of the U.S. border itself.¹¹ Bureaucratic bottlenecks, deliberate barriers, and a lack of funding within Mexico's refugee agency (COMAR) have worsened under the Sheinbaum administration, causing significant suffering, particularly for Haitians, who face additional language barriers and racial discrimination on top of the barriers confronting all asylum-seekers.¹²

In February and March 2026, a group of law students and professors with the University of California, College of the Law, San Francisco conducted fifteen interviews with organizations, humanitarian service providers, lawyers, and policy experts in Mexico City and Tapachula.¹³ In May 2026, Quixote Center staff visited Tapachula, Villahermosa, and Tenosique in southern Mexico, and interviewed human rights defenders, migrant shelter staff, representatives from the International Organization for Migration (IOM), and more than a dozen stranded migrants and asylum seekers.

Each interview circled back to the same themes: significant barriers prevent all asylum-seekers from attaining legal status in Mexico, with additional obstacles for those seeking asylum in Tapachula specifically and for Haitian migrants because of language barriers and racial discrimination. All interviewees agreed that Haitians are more vulnerable than other migrants in Mexico. As one interviewee said, “Although in Tapachula, there are many organizations regarding legal, health, and psychosocial matters, [the system is] overwhelmed and will need way more

support to be able to help more people." This paper details the root causes of the current crisis before offering recommendations to improve conditions and support long-term human rights progress. This paper focuses on Tapachula because it is the point of entry to Mexico for nearly all Haitians. However, the issues of racism and language barriers hold true throughout Mexico.

III. U.S. Funding Cuts Undermine Advances in Refugee Protection in Mexico

A. The U.S. Guts Foreign Aid Funding

In 2025, the Trump Administration suspended \$77.7 million in U.S. Agency for International Development (USAID) funding to Mexico as part of a sweeping freeze on global foreign aid.¹⁴ Mexico had ranked among the top nine Latin American recipients of USAID funding in 2024,¹⁵ which supported programs on rule of law, human rights, refugee support, and environmental protection. Overall U.S. financial assistance to Mexico — \$280 million in 2020, \$230 million in 2022, and roughly \$250 million annually in 2023–2024 — fell to \$51 million in 2025.¹⁶

From 2018 to 2023, the U.S. State Department also provided \$163 million to the United Nations High Commissioner for Refugees (UNHCR) and IOM to “improve access to asylum in Mexico and increase COMAR's asylum processing capacity.”¹⁷ That support reportedly allowed COMAR to increase its processing capacity by over 500% from 2017 to 2023.¹⁸

The impact of the cuts on an already under-resourced COMAR has been severe. Sixty percent of UNHCR Mexico's budget has been revoked.¹⁹ By the end of May 2026, UNHCR Mexico had only received 17% of the funds needed in its operational budget.²⁰ UNHCR had supplied 46% of COMAR's budget from 2021 to 2023,²¹ and in 2024 the United States contributed 86% of UNHCR's \$58 million Mexico operating budget.²² The Mexican government has not filled this funding gap, and there is no indication it plans to.

Funding cuts have also gutted NGO legal assistance, leaving many asylum-seekers with ineffective or no representation. Haitians have been disproportionately affected: NGOs and UNHCR hired Haitian Kreyol interpreters and staff in 2021 and 2022 to support the asylum process, but nearly all of that staff in Tapachula has been cut. The resulting scarcity has also fed a climate of fear among community workers and lawyers, who feel pressured to accept, rather than question, COMAR's broken system. This also causes a rise in corruption and the abuse by human smugglers and middlemen.

B. Processing Times Dramatically Increase

Under Mexico's 2011 Law on Refugees, COMAR must issue asylum-seekers a *constancia de ser solicitantes del reconocimiento de la condición de refugiados* (proof that they are applicants for refugee status) — proof of a pending claim that shields against deportation and allows the applicant to seek a *Clave Única de Registro de Población* (Unique Population Registry Code or CURP), the identification card that facilitates access to work, attend school, access healthcare, pay taxes, obtain a driver's license, and even have a bank account. COMAR must also resolve asylum claims within 45 days, with a few permissible extensions that allow a maximum of 100 business days of the total process.²³ In practice, few asylum seekers receive their *constancia* on the spot; most wait months. Lawyers report that COMAR now takes 92 to 123 business days to issue CURPs in Tapachula, and asylum eligibility determinations take 6 to 18 months — even after a federal judge has ordered

COMAR to make a determination. Fray Matías de Córdova Human Rights Center in Tapachula has expressed “serious concern about the institutional deterioration of the COMAR, which affects the access to fundamental rights of asylum seekers, such as the asylum procedure in southeastern Mexico.”²⁴

Haiti Refugee Status Applications and Resolutions 2024, 2025, and January–May 2026, provided by IMUMI					
Period	Nationality	Positive resolution	Negative resolution	Supplemental Protection	Applications for refugee status
2024	Haiti	1265	251	1054	10,853
2024	Total general	24,969	6989	1,886	78,975
2025	Haiti	4,647	329	0	9,085
2025	Total general	16,978	4,634	1,154	70,552
January–May 2026	Haiti	941	35	0	7,020
January–May 2026	Total general	2,500	845	295	19,095

Source: Information obtained through the transparency system, reference number: 340011500009225

Given the gravity of the situation, the Mexican government has now added a preliminary step for asylum seekers, requiring them to complete a pre-registration process that is nothing more than an informal list for a lengthy wait for their turn and that does not guarantee any kind of protection for these individuals.

These delays fall hardest on Haitians and other non-Spanish speakers, who struggle to access interpretation for their asylum eligibility interviews. In 2026, COMAR reportedly has zero Kreyol interpreters, compared with seven in 2024 — a direct casualty of the funding cuts described above. UNHCR's Tapachula office has just four Kreyol interpreters supporting eligibility interviews a few times per month.²⁵ Tapachula is the main point of entry for Haitian asylum-seekers,²⁶ who must complete their asylum process there before traveling elsewhere in Mexico. Asylum case transfers to other jurisdictions in Mexico are legally permitted, but rarely granted. In 2025, roughly 66% of all asylum applications nationwide were filed in the Chiapas region, most in Tapachula,²⁷ and local sources estimate that more than 20,000 Haitians applied for asylum that year.²⁸

With ordinary channels exhausted, lawyers have turned to *amparos* — a constitutional writ of protection and defense of the human rights protected by the Constitution — to force COMAR to act, largely without success. In one case, a federal court ordered by a final judgment on an *amparo* filed on behalf of thirty asylum-seekers,²⁹ ordering COMAR to schedule their eligibility interviews.³⁰ COMAR has not complied, and none of the petitioners has received a determination, nor has the authority been punished for the contempt. Other lawyers interviewed describe filing multiple *amparos* citing “excessive and unjustified delay,” and while they acknowledge staff shortages and work overload, they also report evidence of institutional apathy and outright disobedience of court orders. A few lawyers also alleged corruption, including instances of former

COMAR staff obtaining faster interview slots for private clients through personal contacts, for a higher fee. Other lawyers have confirmed that the judicial reform has also had a negative impact on these cases. Taken together, COMAR's disregard for judicial orders is rendering Mexico's legal mechanisms powerless and leaving asylum-seekers without an effective remedy.

C. Delays Exacerbate Access to Public Services

COMAR's delays at various stages of the asylum procedure have direct consequences on people's rights, such as obtaining CURPs. While not legally required, hospitals, schools, and employers generally turn migrants and asylum seekers away unless they have a CURP.³¹ The consequences have been dire on the Haitian community. Quixote Center observed Haitian people sleeping outside and milling around the central square in Tapachula. With no options for formal employment, people seek to sustain themselves through an informal economy, including sex work, according to local organizations.

Mexican ministerial data show that 29 of 38 (69%) recent migrant deaths from disease in Tapachula were Haitian,³² and Haitian migrants and asylum seekers awaiting their CURP have reportedly been turned away from hospitals and redirected back to COMAR. Mental health needs are acute: Doctors Without Borders in Tapachula describes Haitian migrants arriving with trauma "that will be complicated to treat, just as happens with the trauma of conflict or war," and estimates that 30% of the Haitian population served by Tapachula's public health system has experienced suicidal thoughts or tendencies — yet only four psychologists and one psychiatrist serve the entire system.³³ None of them speaks Kreyol.

Interpretation gaps compound the problem: one interviewee described "no official interpreters in hospitals," adding that "the language barrier makes things a lot harder, regarding healthcare access."³⁴ Two interviewees — an organization and a lawyer — said they have had to personally accompany Haitian patients to appointments, "because otherwise there were no interpreters."³⁵ As Tapachula's local secretary of health put it, Haitians are "discriminated against because of their skin color and their limited resources," leaving them "extremely vulnerable to mistreatment by immigration agents or hospital officials who refuse to treat their ailments in a language they do not understand."³⁶

Experience has shown that keeping migrants in a single (border) city benefits neither the local population nor the migrants themselves, because it creates greater demands for services—such as healthcare, support, and employment—while available opportunities become even scarcer. A few years ago, UNHCR launched a "border decongestion" project through the relocation of some refugees and asylum seekers. While it cannot be said to have been a complete success, they did have more and better opportunities than they had in Tapachula.³⁷

D. Humanitarian Visas Offer a Temporary Solution

Haitian migrants and asylum seekers should be granted humanitarian visas (*tarjetas de visitante por razones humanitarias* or "TVRH"), which permit migrants and asylum seekers to remain in the country for up to one year with work permit authorization while their asylum applications are pending.³⁸ INM largely stopped issuing TVRHs to all asylum seekers in late 2023, which has restricted access to work and services for migrants and asylum seekers. Issuing TVRHs again

would relieve much of the burden on Haitian and other migrants and asylum seekers who are legally stuck in Tapachula without work while they await their asylum cases to be adjudicated.

IV. Shifts in Mexico's Migration Policies Amplify Risks to Haitian Asylum Seekers

As the United States exerts economic and other pressure on Mexico, it leaves a vacuum in assistance for the capacity and infrastructure needed to integrate migrants and asylum seekers who want to stay in Mexico — beyond detention and deportation.³⁹ At the same time, as the United States exerts pressure to keep asylum seekers from reaching its border, those who would otherwise have been able to avail themselves of asylum procedures, social support, and decent reception conditions are increasingly relegated to countries of first arrival or transit that have comparatively less capacity to protect human rights in accordance with international standards — placing significant and unequal burdens on those third countries.⁴⁰ That external pressure has combined with shifts inside Mexico's own migration policy to further heighten risk for Haitian asylum-seekers specifically.

A. Decreased Transparency and Oversight

Beyond the funding-driven delays described above, interviewees also described a worsening climate of fear and opacity under the Sheinbaum administration. COMAR previously shared data with migrant service providers and lawyers — lists of upcoming eligibility interviews and cases, used to coordinate representation and flag urgent and vulnerable cases — but multiple organizations report that this collaboration has largely stopped. COMAR also stopped publishing its processing statistics online. COMAR denied the Quixote Center's request for a meeting in May, though meetings were granted in previous years. Local groups do not understand why COMAR reaches faster decisions in some cases than others; many believe applications are effectively processed in reverse order, with lawyers who raise the issue facing further delays for their clients.⁴¹

Interviewees attribute part of this shift to leadership changes and the centralization of COMAR in Mexico City,⁴² compounded by the elimination of Mexico's National Institute for Transparency, Access to Information, and Personal Data Protection (INAI), an autonomous constitutional watchdog established in 2002 that processed freedom-of-information requests, exposed corruption, and provided independent oversight — such as helping to make public the case file on the 2010 massacre of 72 migrants in San Fernando, Tamaulipas.⁴³ Civil society organizations, international watchdogs, and journalists view INAI's elimination, ostensibly justified by austerity measures, as a serious democratic setback — one that has left organizations with far less ability to monitor how COMAR is treating asylum seekers in Mexico.⁴⁴

B. Discrimination Against Haitians Compounds Unfair Treatment

In theory, Haitians should have an easier path to refugee status: in 2024, Mexico incorporated the Cartagena Declaration's expanded refugee definition, a non-binding regional instrument adopted by Mexico, to Haitian asylum seekers.⁴⁵ The broader refugee definition (which expands protection to large groups fleeing systemic disruptions such as generalized violence and massive violations of human rights) was expected to enhance COMAR's ability to efficiently process asylum claims from Haiti. Indeed, Mexico stopped deporting Haitians to Haiti, though they continue to deport

other nationalities, even facilitating their indirect forced return to danger (“chain refoulement”) from the United States.⁴⁶

Yet Haitians continue to wait months in limbo, raising serious questions about whether Cartagena is being applied fairly to them.⁴⁷ Interviewees consistently pointed to this gap as evidence of broader discrimination: as Black, non-Spanish speakers, Haitians face language and race-based bias that leaves them uniquely vulnerable within a system that treats them as more disposable than other migrants and asylum seekers. Without options to live with dignity, many Haitians are desperate to move elsewhere in Mexico to find work. But without recognition of refugee status, they risk being stopped by INM, detained, and deported back to Tapachula. Their darker skin and limited Spanish make them easy targets for both Mexican authorities and cartels.⁴⁸

This discrimination compounds the risk facing Haitians who might be sent to Mexico (voluntarily or involuntarily) in the aftermath of TPS termination. The United States deported 222 Haitians to Mexico between January 2025 and December 2025, out of roughly 13,000 non-Mexicans Mexico received from the United States in that period.⁴⁹ INM bused most of them between 35-50 hours south of the border to Villahermosa, Tabasco, or Tapachula, where they have been left for months in legal limbo without infrastructure.⁵⁰ Between January 1, 2026 and July 15, 2026, 5983 third country nationals were received by Mexico from the United States, 146 of whom were Haiti.⁵¹ Rather than expand services for this population, Human Rights Watch (HRW) found that people deported in 2025 and 2026 experienced “the almost complete absence of government support ... without access to shelter or food, and vulnerable to high levels of violence.”⁵²

The HRW report focused mainly on Cuban nationals, but given the discrimination Haitians already face in Mexico, it is likely they will fare even worse in every respect — from healthcare, to housing, to work, to the COMAR process itself.⁵³ Haitians who previously held some form of status in Mexico may also have to restart the asylum process from scratch, since COMAR treats missed check-ins as abandonment of a claim. When asked what the most pressing concerns were of the Haitian community in Tapachula, lawyers and service providers said language barriers, immigration regularization, healthcare, safe housing, and sustainable work that enables self-sufficiency.

V. Recommendations

Suffering plays all too common a role in any migrant’s story; the intersectionality of the Haitian migrant experience engenders disproportionate suffering. As Black, non-Spanish speakers, Haitians struggle for recognition in a transnational system that often keeps them “illegal” and excluded. As former Special Rapporteur on Racism Tendayi Achiume stated, “the movement of Black Haitians... I think of that as Black sovereignty, as attempts to say, ‘I want to live a life on my own terms,’ and the hostility to that truly persists.”⁵⁴

The following recommendations are intended to assist the U.S. and Mexican governments to fulfill their legal obligations to protect the human rights of Haitian migrants and asylum seekers, which are enshrined in international treaties.⁵⁵

Recommendations to the United States

The United States plays a critical role in protecting the lives and security of Haitian asylum seekers and migrants. As such, we urge the United States to implement four immediate recommendations to protect the human rights of Haitian migrants and asylum-seekers.

1. **Reinstate Temporary Protected Status (TPS) for Haiti and Ensure Long-Term Security for Haitian Nationals.** Affecting up to 348,000 Haitians in the United States, the termination of Haiti's TPS status is leading to devastating human rights abuses and undermining key sectors of the U.S. economy.⁵⁶ Due to the ongoing humanitarian and security crisis in Haiti, Congress should pass legislation restoring and extending TPS for Haitian nationals, such as Senate Bill 4814, and the Administration should use its executive authority to reinstate Haiti's TPS designation without delay. More broadly, both Congress and the Administration bear responsibility for ensuring the safety and long-term security of Haitian nationals in the United States — whether through TPS, permanent legislative status, or other durable protections — for as long as conditions in Haiti continue to pose a serious threat to their safety.
2. **Cease All Deportations from the United States to Haiti.** The United States deported 1,553 Haitians to Haiti in 2024, and 1,159 Haitians in 2025.⁵⁷ In July 2026, the Administration announced it would increase deportation flights to Haiti from one flight per month up to two flights per week.⁵⁸ According to UN expert William O'Neill, "The human rights situation in Haiti is catastrophic by any measure. In my 30 years working in, and on, the country, I have never seen this level of sustained violence and fear... Nowhere is safe in Haiti right now."⁵⁹ Due to the substantial risk of persecution, torture, and harm if an individual is returned to Haiti, all deportations to Haiti should cease.
3. **Cease All Involuntary Repatriations of Haitian Migrants and Asylum Seekers from the United States to Mexico.** As discussed above, the United States repatriated at least 222 Haitians to Mexico in 2025. According to reports and interviews, Mexico's migration policy depends on its economic dialogue with the United States, whose current goal, as imposed on Mexico, is to push all migrants and asylum seekers to southern Mexico. Because conditions in southern Mexico, specifically Tapachula, are inhumane and lack due process under Mexican and international law, as detailed in this paper, it is cruel and unusual to repatriate any Haitian migrant or asylum seekers to Mexico, where they will likely be forced to relocate to southern Mexico to seek legal status.
4. **Expand Asylum Access at the U.S. Border.** The United States has long used restricting access to asylum at the U.S.-Mexico border as a tool of deterrence.⁶⁰ However, policies restricting asylum access violate the United States' legal and moral commitment to protect asylum seekers. As described above, the extra-territorial barriers in southern Mexico also serve to drastically reduce asylum access to the United States, making it impossible for asylum-seekers to reach the U.S. border.
5. **Increase funding to UNHRC and COMAR** to assure adequate staff and resources to provide translation, adjudicate asylum claims, and otherwise support asylum seekers and refugees, especially non-Mexican nationals deported by the United States to Mexico.

Recommendations to Mexico

Integrating the key themes that emerged in each interview, we call on the Mexican government to implement the following recommendations:

1. **Reduce wait times** for *constancia de trámites*, CURPs, eligibility interviews, and eligibility determinations. This includes adequately funding COMAR to provide ample staff and resources, and taking other measures to address COMAR's backlog.
2. **Restart processing *Tarjeta Visitante por Razones Humanitarias* (TVRHs).**
3. **Ensure application of accelerated asylum determinations under the Cartagena framework.**
4. **Enforce judicial remedies, including *amparos*.**
5. **Provide for the financial and budgetary sustainability of COMAR** for both material resources and personnel. For example, the Government of Mexico could second staff from other institutions to support COMAR or increase hiring with shorter-term contracts to surge resources for processing claims. Given that the number of asylum claims in Mexico decreased in 2026, Mexico could use this time to surge personnel resources to process the backlog.
6. **Hire Haitian Kreyol interpreters** and provide interpretation throughout the COMAR process and in public medical facilities. Temporary hires, volunteers, and collaboration arrangements with other organizations create uncertainty and unfairness compared to the rest of the staff.
7. **Stop the practice of busing third-country nationals south and allow deported individuals to choose where they reside in Mexico.** Tijuana, for example, has a Haitian community and more work opportunities. Southern Mexico does not offer as many economic opportunities and can be unsafe and unstable, especially for Black migrants who are more visible.

¹Amy Howe, Court Allows Trump Administration to End Removal Protections for Syrian and Haitian Nationals, SCOTUS blog (Jun. 25. 2026), <https://www.scotusblog.com/2026/06/supreme-court-allows-trump-administration-to-end-removal-protections-for-syrian-and-haitian-nati/>.

²Catherine E. Shoichet, Ankle Monitors, Arrests and The New Realities Many Haitians Are Facing, CNN (Aug. 9, 2026), <https://www.cnn.com/2026/08/09/us/haitians-tps-fear-arrests>.

³Sarah Szilagy, The Supreme Court's Pending Decision on Haitians' Humanitarian Status is a Matter of "Life and Death," Mother Jones (Jun. 12, 2026), <https://www.motherjones.com/politics/2026/06/the-supreme-courts-pending-tps-decision-on-haitians-humanitarian-status-is-a-matter-of-life-and-death/>; see also Maye Primera, Nobody Should Be Forced to Return to Haiti: UN Expert Warns the Island Is Unfit to Receive Deportees, El País (Aug. 9, 2026), wherein UN High Commissioner for Human Rights' designated expert on Haiti, William O'Neill, states: "Nobody should be deported or forced to return to Haiti... The human rights situation is catastrophic and there is no way any forced repatriation at this moment could be safe, dignified and durable."

⁴Notably, the Sheinbaum administration has accepted some 13,000 third-country nationals (people who are neither citizens of Mexico or the United States) between January 2025 and March 2026. Rather than ramping up services to receive this population, Human Rights Watch found that most people deported experienced "the almost complete

absence of government support ... without access to shelter or food, and vulnerable to high levels of violence." Human Rights Watch, *Casting Us Aside to Die* (May 27, 2026), <https://www.hrw.org/report/2026/05/27/casting-us-aside-to-die/cuban-and-other-third-country-nationals-deported-from-the>.

⁵Ariel G. Ruiz Soto & Andrew Selee, *Amid Tariff Threats, Migration Management Is Key to the Evolving Trump-Sheinbaum Relationship*, Migration Policy Institute (Feb. 2025), <https://www.migrationpolicy.org/news/tariff-threats-trump-sheinbaum-migration>.

⁶Supreme Court Tariff Ruling in Learning Resources, Inc. v. Trump: What Corporate Tax and Trade Teams Need to Know, Thomson Reuters Tax & Accounting Blog (2026), <https://tax.thomsonreuters.com/blog/supreme-court-tariff-ruling-in-learning-resources-inc-v-trump-what-corporate-tax-and-trade-teams-need-to-know/>.

⁷Joseph Gedeon & Shrai Popat, *Trump Refuses to Renew US-Canada-Mexico Trade Pact He Once Championed*, The Guardian (Jul. 1, 2026), <https://www.theguardian.com/us-news/2026/jul/01/trump-usmca-trade-treaty>.

⁸Brenda Estefan, *Deportations and Tariffs Are a Stern Test for Sheinbaum*, Americas Quarterly (Jan. 27, 2025), <https://www.americasquarterly.org/article/deportations-and-tariffs-are-a-stern-test-for-sheinbaum/>.

⁹Ruiz Soto & Selee, *supra* note 5; Enkoll, *100 Días de Gobierno de Claudia Sheinbaum* (Jan. 9, 2025), <https://www.enkoll.com/wp-content/uploads/2025/01/INFORME-100-DIAS-DE-GOBIERNO-DE-CLAUDIA-SHEINBAUM-090125.pdf>; *Sheinbaum Approval Falls to Lowest of Presidency on Crime Fears*, Bloomberg News (Mar. 26, 2026), <https://www.bloomberg.com/news/articles/2026-03-26/sheinbaum-approval-falls-to-lowest-of-presidency-on-crime-fears>.

¹⁰Derly Sanchez Arias, *Mexico: Haitian migrants join caravans, facing waiting, barriers*, Doctors Without Borders (Jun. 5, 2026), <https://www.doctorswithoutborders.ca/mexico-haitian-migrants-join-caravans-facing-waiting-barriers/>. Without COMAR data from 2025 to 2026, there is no authoritative count of how many Haitians are in Tapachula. People move in and out via caravans (several thousand left Tapachula in caravans between March and April 2026 alone, though most were intercepted or turned back before leaving Chiapas).

¹¹*See generally*, Center for Gender & Refugee Studies, Haiti Justice Partnership, Al Otro Lado, Human Rights First & UndocuBlack Network, *The Impact of U.S. Immigration and Border Externalization Policies on Haitian and Other Black Refugees, Asylum-Seekers, and Migrants* (Apr. 7, 2025), <https://cgrs.uclawsf.edu/en/our-work/publications/impact-us-immigration-and-border-externalization-policies-haitian-and-other>. Externalization of migration controls describes extraterritorial state actions to prevent migrants, including asylum seekers, from entering the legal jurisdictions or territories of destination countries or regions or making them legally inadmissible without individually considering the merits of their protection claims. These actions include unilateral, bilateral, and multilateral state engagement, as well as the enlistment of private actors. These can include direct interdiction and preventive policies, as well as more indirect actions, such as the provision of support for or assistance to security or migration management practices in and by third countries.

¹²Luis Carlos Rodríguez, *Mexico Only Grants Asylum to 3% of Migrants Who Request It*, El Universal (Jan. 26, 2026), <https://www.eluniversal.com.mx/nacion/mexico-solo-otorga-asilo-a-3-de-migrantes-que-lo-solicitan/>; *Política Migratoria: EU Pide Reforzar INM y Comar*, El Economista (Jan. 22, 2025), <https://www.eleconomista.com.mx/politica/politica-migratoria-eu-piden-reforzar-inm-comar-20250122-743087.html>.

¹³A special thanks to the primary report authors, University of California, College of the Law San Francisco students Skylar Schoemig and Soumya Nimmu.

¹⁴Luisa Fernanda Guerra Carrera, *Cooperación o Dependencia: El Dilema de México ante el Congelamiento de los Fondos de USAID*, Dejusticia (May 13, 2025), <https://www.dejusticia.org/en/cooperacion-o-dependencia-el-dilema-de-mexico-ante-el-congelamiento-de-los-fondos-de-usaid/>.

¹⁵*Id.*

¹⁶U.S. Government, *Foreign Assistance by Country: Mexico*, ForeignAssistance.gov, <https://foreignassistance.gov/> (last visited June 2026).

¹⁷Clare Ribando Seelke, *Mexico's Migration Control Efforts*, Congressional Research Service, CRS Product IF10215 (2026), <https://www.congress.gov/crs-product/IF10215>.

¹⁸*Id.*

¹⁹Refugees International, *A Generational Collapse: Tracking the Toll of Trump's Humanitarian Aid Cuts* (Feb. 2026), <https://www.refugeesinternational.org/reports-briefs/a-generational-collapse-tracking-the-toll-of-trumps-humanitarian-aid-cuts/>.

²⁰UNHCR, *Operational Data Portal*, <https://data.unhcr.org/en/country/mex> (last accessed Aug. 10, 2026).

²¹Refugees International, *supra* note 19.

²²*Id.*

²³See, e.g., Refugees International, *A New Way Forward: Strengthening the Protection Landscape in Mexico* (Nov. 2020), <https://www.refugeesinternational.org/reports-briefs/a-new-way-forward-strengthening-the-protection-landscape-in-mexico/>.

²⁴Rodríguez, *supra* note 12.

²⁵There is also evidence that Haitian migrants do not trust current interpreters, and other organizations previously trusted by migrants do not have the budget to hire interpreters and community liaisons.

²⁶The flows of refugees northward through the Darién Gap to Mexico have nearly stopped – averaging 26 refugees per month in 2026. See Mixed Migration Centre, *Quarterly Mixed Migration Update: Latin America and the Caribbean, Quarter 1 – 2026* (Apr. 28, 2026), <https://reliefweb.int/report/panama/quarterly-mixed-migration-update-latin-america-and-caribbean-quarter-1-2026>. Haitians in Tapachula have largely arrived by boat and/or plane to Nicaragua or Guatemala.

²⁷Doctors Without Borders/Médecins Sans Frontières, Tapachula: Once a Transit Hub, Now a Dead-End Border Town (Oct. 27, 2025), <https://www.doctorswithoutborders.org/latest/tapachula-once-transit-hub-now-dead-end-border-town>.

²⁸"City of Forced Waiting": Stuck at Mexico's Southern Border, *The New Humanitarian* (Feb. 24, 2026), <https://www.thenewhumanitarian.org/feature/2026/02/24/tapachula-city-forced-migrants-waiting-stuck-mexico-southern-border> (also finding that "Delays in the asylum procedure have intensified, disproportionately affecting non-Spanish speakers, particularly Haitian asylum seekers.").

²⁹Twenty-nine of the thirty petitioners are Haitian.

³⁰Juicio de Amparo is a mechanism granted under Mexican Constitution articles 103 and 107 for human rights abuses committed by a government authority.

³¹UNHCR, UNHCR Welcomes New Refugee Law in Mexico, Briefing Note, <https://www.unhcr.org/news/briefing-notes/unhcr-welcomes-new-refugee-law-mexico>; PMC/National Institutes of Health, article, <https://pmc.ncbi.nlm.nih.gov/articles/PMC9330619/>.

³²Carlos Mejía, Tapachula Concentrates the Majority of Migrant Deaths; 69% of the Deceased Are Haitian, *Diario Del Sur* (Dec. 20, 2025), <https://oem.com.mx/diariodelsur/policiaca/tapachula-concentra-la-mayoria-de-muertes-de-migrantes-69-de-fallecidos-son-haitianos-27348531>.

³³Diego Legrand, The Broken Exodus: Haitian Migrants Stranded in Tapachula Face Loneliness and Depression, *Milenio* (Jul. 27, 2025), <https://www.milenio.com/comunidad/haitianos-mexico-salud-mental-marcada-violencia-duelo>.

³⁴For example, there is currently only one psychiatrist for the Mexican population and refugees in Tapachula. While there used to be more, many organizations had to cease such operations due to funding cuts.

³⁵In some instances, healthcare providers find interpreters by informally searching for people with a second language. This creates even more obstacles for Haitian asylum-seekers.

³⁶Legrand, *supra* note 33.

³⁷See, Programa de Integración Local para personas refugiadas en México, UNHCR, <https://www.acnur.org/mx/programa-de-integracion-local-para-personas-refugiadas-en-mexico> (last accessed Sept. 24, 2026).

³⁸Ley de Migración [Migration Law], art. 52 sec. V. See also Reglamento de la Ley de Migración [Regulation of Law on Migration] art. 137, *Diario Oficial de la Federación*, DOF 28-9-2012, Última Reforma DOF 23-05-2014 http://www.diputados.gob.mx/LeyesBiblio/regley/Reg_LMigra.pdf [Reglamento de la Ley de Migración].

³⁹Ruiz Soto & Selee, *supra* note 5.

⁴⁰Anaïs Faure Atger, ed., *Shifting Borders: Externalising Migrant Vulnerabilities and Rights?* (Red Cross EU Office 2013).

⁴¹Due to this lack of transparency, many asylum-seekers believe that COMAR processes applications in reverse order. There have been many instances where the most recently processed applications receive decisions before applications filed previously. According to those we interviewed, COMAR sometimes punishes lawyers who point this out by further delaying their client's applications.

⁴²Diana Paz García & Vanda Felbab-Brown, Mexican President Claudia Sheinbaum Is Cleaning House and Consolidating Power, *Brookings Institution* (Feb. 18, 2026), <https://www.brookings.edu/articles/mexican-president-claudia-sheinbaum-is-cleaning-house-and-consolidating-power/>.

⁴³Elia Castillo Jiménez, Mexican Congress Consummates the Disappearance of INAI Amid Labor Uncertainty for a Handful of Workers, *El País* (Mar. 20, 2025), <https://elpais.com/mexico/2025-03-21/el-congreso-mexicano-consuma-la-desaparicion-del-inai-en-medio-de-la-incertidumbre-laboral-de-un-punado-de-trabajadores.html>.

⁴⁴Hivos, Dismantling of Transparency Agency Undermines Access to Information (2025), <https://eusee.hivos.org/alert/dismantling-of-transparency-agency-undermines-access-to-information/>.

⁴⁵UNHCR, *Haiti: A Multi-Dimensional Crisis Leading to Continued Displacement* (Oct. 3, 2024), <https://dataviz.unhcr.org/product-gallery/2024/10/haiti-a-multi-dimensional-crisis-leading-to-continued-displacement/>; UNHCR, *Cartagena Declaration on Refugees, Adopted at the Colloquium on the International Protection of Refugees in Central America, Mexico and Panama* (1984), <https://www.unhcr.org/us/media/cartagena-declaration-refugees-adopted-colloquium-international-protection-refugees-central>.

⁴⁶Human Rights First and Refugees International, *Human Rights First and Refugees International Third country Deportation Watch Details Scope, Secrecy, and Human Toll of Third Country Transfer Agreements* (May 5, 2026), <https://www.refugeesinternational.org/statements-and-news/human-rights-first-and-refugees-international-third-country-deportation-watch-details-scope-secrecy-and-human-toll-of-third-country-transfer-agreements/>.

⁴⁷Anna Oakes and Mariana Hernandez Ampudia, *I Am Trying to Live: Haitians in Mexico Seek Community Despite Broken Immigration Systems*, *The Guardian* (Mar. 8, 2026), <https://www.theguardian.com/world/2026/mar/08/haiti-immigrant-mexico-tapachula>.

⁴⁸Edgar H. Clemente, *Migrants Stranded in Tapachula, Chiapas Seek to Form a New Migrant Exodus*, *La Jornada* (Mar. 16, 2026), <https://www.jornada.com.mx/noticia/2026/03/16/estados/migrantes-varados-en-tapachula-chiapas-buscan-formar-nuevo-exodo-migrante>.

⁴⁹ICE Flight Monitor, Human Rights First (Jan. 2026), at 19, 21, <https://www.humanrightsfirst.org/library/ice-flight-monitor-january-2026-report>; Refugees International, *Protection, Not Concession: Mexico's Responsibility to Third Country Nationals Deported by the United States* (Feb. 27, 2026), <https://www.refugeesinternational.org/reports-briefs/protection-not-concession-mexicos-responsibility-to-third-country-nationals-deported-by-the-united-states/>.

⁵⁰ *Ibid.*

⁵¹IMUMI: Prevención de la Devolución en Cadena de personas deportadas desde Estados Unidos a México: <https://imumi.org/nuestras-publicaciones/prevencion-de-la-devolucion-en-cadena-de-personas-deportadas-desde-estados-unidos-a-mexico/>.

⁵²Human Rights Watch, *supra* note 4.

⁵³Only a small fraction of humanitarian visa applications was granted (5,191 cards granted out of 142,145 applications), which should be available to foreigners fleeing their countries due to violence, political persecution, human rights violations, or natural disasters. These would allow Haitians to obtain quick work authorization and travel freely within the country. Rodríguez, *supra* note 12.

⁵⁴ *Racial Borders*, with E. Tendayi Achiume, in *The Other Side of the Water: Immigration and the Promise of Racial Justice* (podcast), Jean v. Nelson at 35, NYU School of Law Center on Human Rights and Global Justice, <https://www.jeanvnelson35.org/racial-borders#:~:text=Tendayi%20Achiume%3A%20What's%20interesting%20also,too%20emancipatory%20to%20be%20permitted>.

⁵⁵ See Center for Gender & Refugee Studies et al., *supra* note 11, at 2, describing obligations under the Refugee Convention and Protocol, Convention Against Torture (CAT), International Covenant on Civil and Political Rights (ICCPR), and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

⁵⁶National Immigration Forum, *Fact Sheet: Termination of Temporary Protected Status for Haiti* (Jun. 27, 2025, updated), <https://forumtogether.org/article/fact-sheet-termination-of-temporary-protected-status-for-haiti/>. Note: In *Mullin v. Doe*, 609 U.S. ___ (2026), decided June 25, 2026, the U.S. Supreme Court held that the TPS statute bars judicial review of the Secretary of Homeland Security's termination decisions and that Haitian TPS holders were unlikely to succeed on their equal protection claim. Employment authorization has been extended administratively pending implementation of the ruling, most recently through July 24, 2026. See U.S. Citizenship and Immigration Services, *Update on Termination of Temporary Protected Status for Haiti* (Release: Jul. 10, 2026), <https://www.uscis.gov/save/current-user-agencies/news-alerts/update-on-termination-of-temporary-protected-status-for-haiti-release-july-10-2026>. Termination is expected to take effect imminently; this recommendation should be updated to reflect the status of TPS for Haiti as of the date of publication.

⁵⁷IOM Displacement Tracking Matrix, *Haitians Deported to Haiti in 2024*, <https://dtm.iom.int/sites/g/files/tmzbd11461/files/reports/Haitians%20deported%20to%20Haiti%20in%202024.pdf>; ReliefWeb, *Haiti: Key Information on Forced Returns to Haiti* (2025), <https://reliefweb.int/report/haiti/haiti-key-information-forced-returns-haiti-2025>.

⁵⁸Jacqueline Charles & Syra Ortiz-Blanes, *As Deportation Flight Lands in Haiti, U.S. Says Two Planeloads a Week Will Start Soon*, *Miami Herald* (Jul. 16, 2026), <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article316530874.html>.

⁵⁹UN Office of the High Commissioner for Human Rights, *States Should Not Return Anyone to Haiti — UN Expert* (Bill O'Neill) (Jul. 2025), <https://www.ohchr.org/en/statements-and-speeches/2025/07/states-should-not-return-anyone-haiti-un-expert-bill-oneill>.

⁶⁰Center for Gender & Refugee Studies, *Far from Safety: Dangers and Limits of Protection for Asylum Seekers Transiting Through [Mexico]*, <https://cgrs.uclawsf.edu/en/our-work/publications/far-safety-dangers-and-limits-protection-asylum-seekers-transiting-through>.