



# POLICY BRIEF

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## Improving outcomes for displaced populations in Mexico

### EXECUTIVE SUMMARY

In the past decades, Mexico has experienced significant changes in people moving to, from, and within the country. Mexico has become a country of destination and settlement, transit, return (primarily from the U.S.), internal displacement and refuge for diverse populations. For example, in the ten years since 2013, the number of people requesting asylum in Mexico has continued to increase. More people are transiting through Mexico to make refugee claims in the U.S. and many are being returned to Mexico by U.S. authorities. Mexico has also witnessed a substantial growth in the number of internally displaced people with an estimated 380,000 people displaced within the country during the period 2009 to 2021 due to violence and insecurity. These changes have generated protracted displacement and uncertainty; tensions at the regional, federal, and local levels; and a lack of possibilities for settlement, integration, and reintegration within host communities.

This brief provides an analysis of the current situation of three population groups in Mexico and the associated policy implications:

- foreign nationals seeking asylum in Mexico
- foreign nationals transiting through Mexico from other countries, many with the intention of seeking asylum in the U.S., and
- Mexican nationals who are internally displaced due to violence and insecurity

Recommendations are proposed in three areas:

- strengthening the Mexican refugee system and its institutional capacity
- fostering local, national, and regional strategies for integration, and
- creating an institutional system to respond to internal displacement due to violence and insecurity in Mexico

These recommendations include legislative changes, increased budget allocations, regional negotiations to share responsibility for the settlement and protection of displaced populations, better collaboration and communication, and access to basic services.

## INTRODUCTION

In the past decades, Mexico has experienced several significant changes in people moving to, from, and within the country. Mexico has become a country of destination and settlement, transit, return, internal displacement and refuge for diverse populations. In the ten years since 2013, the number of people requesting asylum in Mexico has continued to increase. In 2021, [Mexico received approximately 130,000 applications for refugee status](#), or 11% of the total asylum requests globally. This placed Mexico in fourth place in terms of asylum requests received in a single year, following Germany (253,688), the U.S. (210,488) and France (171,323). More people are transiting through Mexico to seek refuge in the U.S. and many of them are either being held in Mexico until they are allowed to make their claims in the U.S. or are returned to Mexico by U.S. border authorities. Also in the past decade, Mexico has witnessed a substantial [growth in the number of internally displaced populations](#) due to violence and insecurity, with an estimate of [close to 380,000 people displaced](#) between 2009 and 2021 for these reasons. These changes in mobility and displacement have been met with policy changes, or lack thereof, that have generated [protracted displacement and uncertainty](#); tensions at the regional, federal, and local level; and a lack of possibilities for settlement, integration and reintegration within host communities.

## POPULATIONS IN PROTRACTED DISPLACEMENT

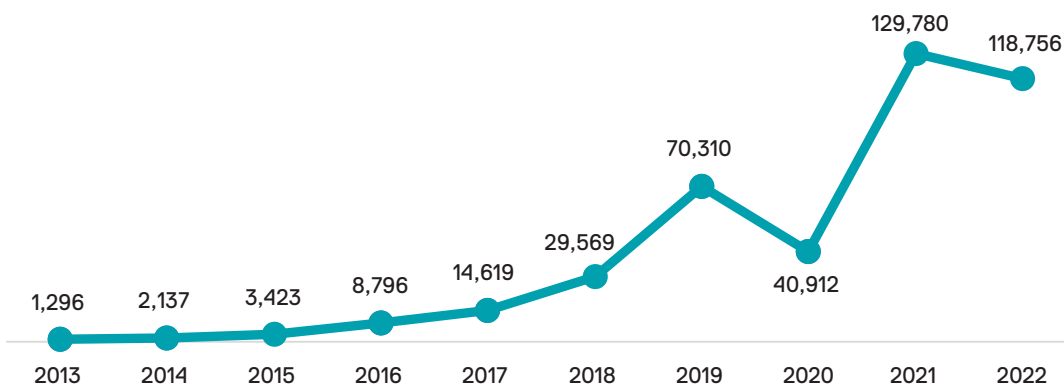
### 1. Foreign nationals seeking asylum in Mexico

Since 2013, Mexico has experienced a substantial growth in asylum applications (see Figure 1). In the past three years (2020-2022) Mexico received close to 290,000 asylum requests, double the total requests received during the past decade (2010-2019).

As in other parts of the world, the asylum process in Mexico is complex and lengthy. However, the 45<sup>th</sup> Article of the Mexican Bylaw on Refugees, Complimentary Protection and Political Asylum establishes that requests should be solved in a maximum of 45 business days. This legally established timeframe has been breached for years, leading to situations where asylum seekers face prolonged waiting and uncertainty that last for months or even years. Three factors contribute to delays:

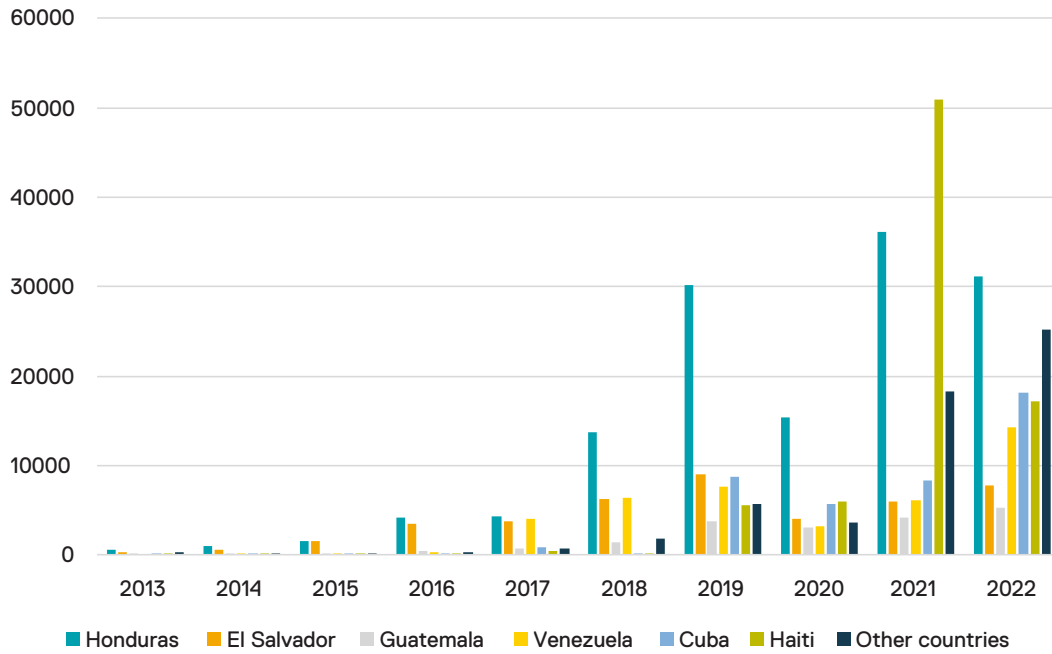
- In October 2017, the Mexican Refugee Commission (COMAR) [published a decree](#) indefinitely suspending the legally established timeframe for asylum request resolutions. This suspension still exists today.
- Despite the substantial growth in requests for international protection, the COMAR operates with a meager budget, a small number of officers, and a limited number of offices throughout Mexico.
- Mexican refugee law establishes that asylum seekers must stay within the state in which they started their asylum request. This means that, for an extended period, they remain spatially confined

Figure 1. Annual number of asylum requests received in Mexico (2013 – 2022)



Source: Elaborated by authors with data from the [COMAR monthly bulletins](#)

**Figure 2. Annual number of asylum requests received in Mexico by top nationalities (2013 – 2022)**



Source: Data from the [COMAR monthly bulletins](#) and [COMAR Statistics from 2013-2017](#)

**Figure 3. Spatial distribution of asylum requests in Mexico (2010 - Sept. 2022)**



Note: The size of the circle corresponds to the number of asylum requests received in each state for the period 2010-2022. In descending order of asylum requests, the five COMAR offices are located in: 1) Chiapas, 2) Mexico City, 3) Tabasco, 4) Veracruz, and 5) Baja California.

Source: Data from the [COMAR monthly bulletins](#)

and unable to move within Mexico, limiting their access to employment and to basic services, such as education, health, housing, as well as to better living conditions. This spatial entrapment is particularly worrying since eight out of 10 asylum requests in Mexico are made along the southern border, in the states of Chiapas, Tabasco and Veracruz – some of Mexico’s least developed regions.

## 2. Foreign nationals transiting Mexico to seek asylum in the U.S.

Those requesting asylum from the Mexican government are not the only population waiting for protection within the Mexican territory. In fact, since 2016, there has been a growth in foreign nationals who remain trapped within Mexico seeking to cross the Mexico-U.S. border in order to request asylum in the U.S. Three policies contribute to the state of entrapment, primarily along Mexico’s northern border, of those seeking protection in the U.S.:

- **Metering:** In 2016, and framed as a measure to deal with an unprecedented rise in asylum seekers, the U.S. government implemented *metering*. This policy required that those seeking asylum in the U.S. sign up on lists and wait in Mexico until Customs and Border Patrol (CBP) officers allowed them to enter and start their procedure. Metering and waiting lists were largely suspended in March 2020, and the policy was rescinded a year later. By that date close to [20,000 people remained on these lists](#) waiting for their turn.
- **Migrant Protection Protocols (MPPs):** Before the definitive suspension of metering, and as a result of a bilateral negotiation between the U.S. and Mexican governments, the [Migrant Protection Protocols](#), or [MPPs](#), also known as “Remain in Mexico”, were implemented in early 2019. This policy reinforced what metering had started previously and consolidated the trend towards the externalization of asylum seekers, generating conditions of entrapment, risk and vulnerability for thousands. Since 2019, more than 75,000 asylum seekers were returned to Mexico from the U.S. and forced to wait there throughout their asylum process. Since the Biden administration took office, there have been [several attempts to cancel MPPs and court decisions ordering to reinstate them](#). During 2022, a new version of the MPP program,

known as [MPP 2.0, was implemented](#).

- **Title 42:** Measures implemented as a response to the COVID-19 pandemic also had an effect on these populations. With the shutdown of the U.S. asylum system in March of 2020, waiting times for MPPs were significantly extended. Furthermore, the U.S. implemented Title 42 returns, which include the immediate return and expulsion of asylum seekers. Since its implementation, close to two [million express returns](#) have taken place through the land border under Title 42. Many journalists and human rights advocates have [documented the vulnerabilities these stranded populations](#) have faced in everyday life. Title 42 expired mid-May and was immediately replaced with a new policy that will result in even more expulsions.
- **Post Title 42 policy:** On May 11th, 2023, the Biden administration lifted Title 42 measures. The end of Title 42 implies the return of [Title 8](#), the policy for asylum admissions at the U.S. – Mexico border in place for decades before the implementation of Title 42. Along with the end of Title 42, the Biden administration established [a set of new rules](#) to be implemented starting May 12th which involve, among other things: (1) the requirement for asylum seekers to ask for asylum in transit countries without success before requesting asylum in the U.S. (2) the use of [CBP One](#), a mobile app to request appointments in advance before being allowed to enter the U.S. , and (3) different criteria for different nationalities where some are allowed to enter the U.S. with [Advanced Travel Authorization](#).

## 3. Internally displaced people

In December 2006, the so-called “Mexican Drug Wars” began. The government’s security strategy consisted of using the armed forces of the Mexican military against some of the main Mexican drug cartels, causing divisions between criminal groups and their fight to control territories and smuggling routes to the U.S. In addition, criminal groups diversified their activities by committing other crimes such as kidnapping, extortion, robbery and trafficking of people and guns. The increase in violence and insecurity in different regions of Mexico has caused forced internal displacement. [Regions of traditional drug cultivation and production](#) were the most affected by the increase in criminal violence and the subsequent

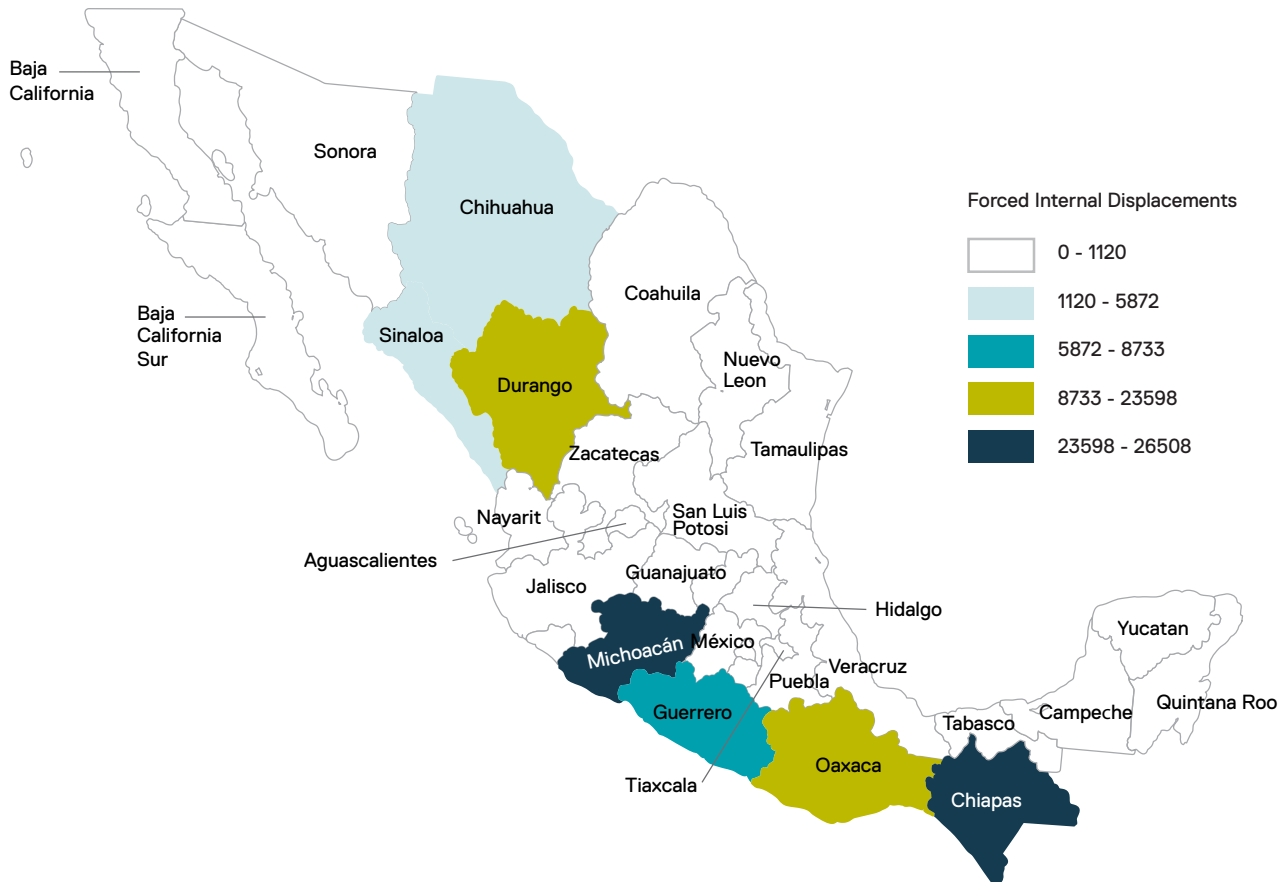
displacement of local residents as a result of disputes between criminal groups for control of the territories, for example in the Golden Triangle region made up of the mountains of Chihuahua, Durango and Sinaloa; the Tierra Caliente region in the states of Michoacan and Guerrero; as well as drug trafficking routes to the U.S. in states along the Mexican northern border.

In 2021, according to the [Internal Displacement Monitoring Centre \(IDMC\)](#), there were about 380,000 internally displaced persons in Mexico due to conflict and violence, mainly in the states of Guerrero, Chiapas, Michoacan, Sinaloa, Chihuahua and Oaxaca. However, according to the [Mexican Commission for Defense and Promotion of Human Rights \(CMDPDH\)](#), most of the forced displacements originating from the states of southeast Mexico have been motivated by political violence and social and territorial conflicts, while

the displacements in northern and western Mexico have been mainly the result of violence generated by criminal groups (Figure 4).

Due to the lack of support and protection programs, most of the displaced people have not been able to return to their communities of origin. On the contrary, many of them have been forced to move on more than one occasion to safeguard their lives. In addition, because they did not find security in Mexico, thousands of displaced individuals and families moved to the northern border of Mexico to request asylum in the U.S. According to the [2020 Mexican census](#) data, over the 2015-2020 period, more than 27,000 people migrated internally due to insecurity and violence and were residing in states on the northern border of Mexico in 2020. In addition, this data indicates that almost 8,000 migrants left Mexico for the U.S.

**Figure 4. Forced internal displacements in Mexico by state of origin, 2016-2021**



Note: Displacement numbers refer to massive displacements registered by media outlets.

Source: [CMDPDH](#) annual reports



for the same reasons. After 2020, new episodes of displacement to the northern border occurred, mainly from different municipalities of Michoacán and Guerrero, as reported by the media.

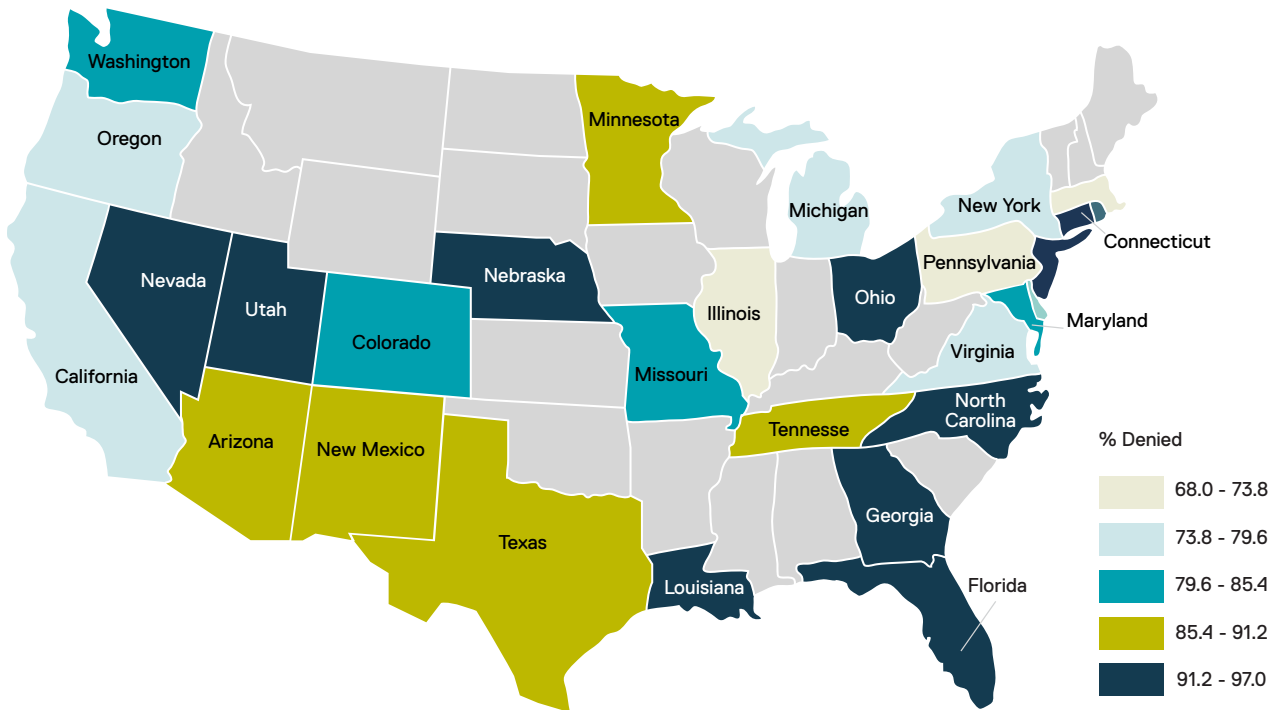
Once in the border cities of northern Mexico, displaced persons face various barriers to continue their trip north and seek asylum in the U.S. Between March 2020 and May 2023, the U.S. government implemented immediate removals by Title 42 that prevented people detained on the southern border of the U.S. from being able to apply for asylum and forced them to return to Mexico, despite the fact that many of these may be fleeing Mexico, violating their rights to seek asylum and not be returned.

Moreover, the continuing lack of recognition of criminal violence by criminal groups, and the insecurity that results, as a valid reason for granting asylum in the U.S. is reflected in the high rejection rate of applications submitted by Mexicans. Data on all asylum applications accepted in the U.S., or in which some

other type of protection (e.g. Temporary Protection Status) was granted, show that Mexicans face the highest rate of rejection particularly in southern states (Figure 5). Of the nearly 48,000 asylum applications from Mexicans handled in U.S. Immigration Courts between 2001 and 2022, only 16.7% were accepted or given some other type of protection, not counting the thousands of applicants that continue to wait for a decision. In addition, despite the increase of violence in Mexico and the increase of asylum applications from Mexicans since 2009, the rate of asylum acceptance has decreased from an annual average of 19.4% between 2001 and 2010, to 14.8% between 2011 and 2021.

While the increase of criminal violence in Mexico has been mainly the result of fights between criminal groups for the control of international drug markets, its main economic and weapons resources come [from the U.S.](#) The Mexican government, in an effort to

**Figure 5. Percentage of asylum applications by Mexicans denied by U.S. Immigration Courts, 2000-2023.**



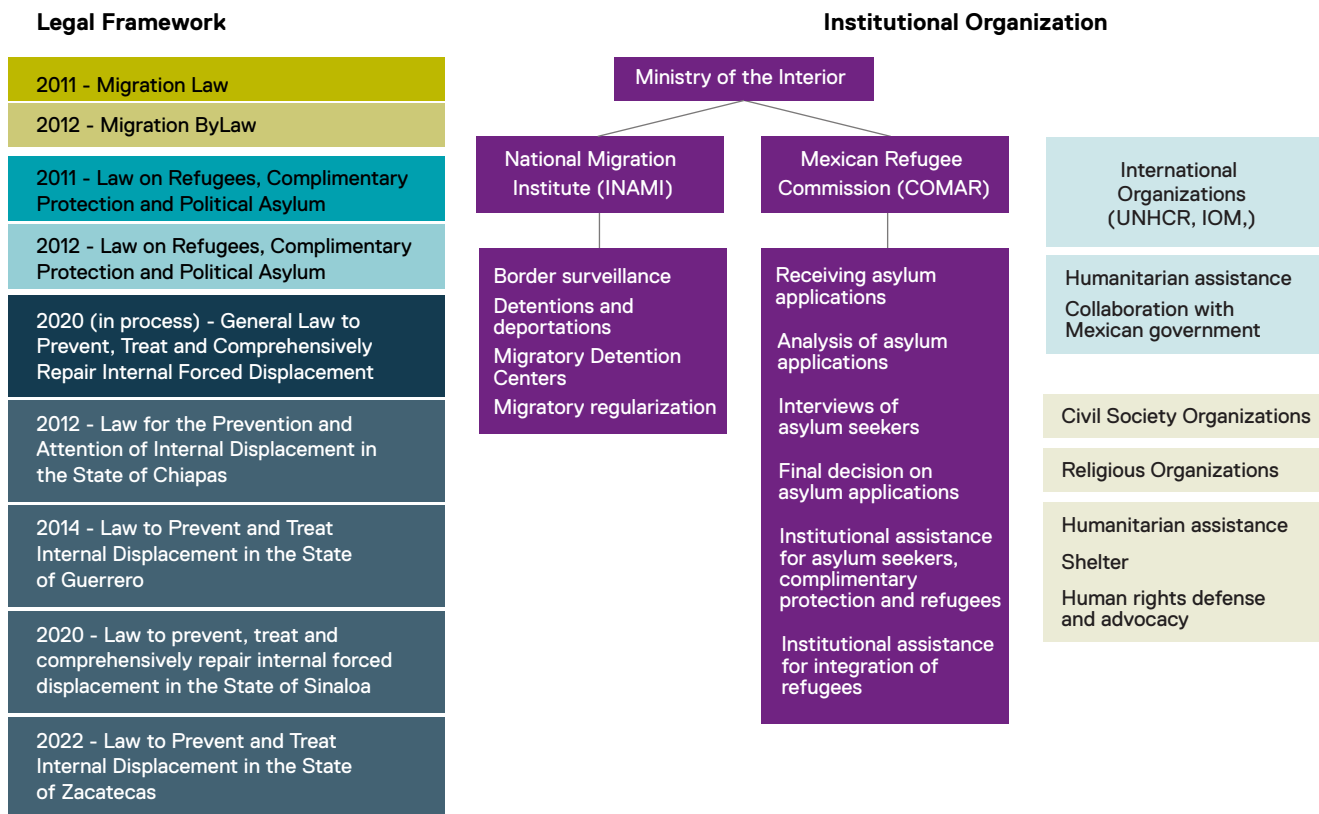
Source: TRAC Immigration

halt the flow of weapons, launched a [lawsuit in 2021](#) against weapon manufacturers and distributors in the U.S. This lawsuit was dismissed and, in 2022, it was updated to include weapon stores along the border. To date, the U.S. has not acknowledged its share of responsibility in the rise of violence in Mexico.

## CHALLENGES IN THE CURRENT POLICY AND LEGAL FRAMEWORK

Mexico has an extensive legal and policy framework on migration and asylum, which is comprised of laws, bylaws and institutions involved in border surveillance, migratory regularization and refugee and asylum processes. See Figure 6 for an illustration of this framework.

**Figure 6. Legal and institutional framework on migration and asylum**



Source: Elaborated by authors

There are three central policy and legal issues that contribute to the current migratory and displacement situation in Mexico.

## 1. Weakness of the refugee and asylum system

The Mexican Refugee Commission (COMAR) is the federal institution in charge of receiving asylum requests, analyzing applications, conducting interviews, and issuing a decision on each claim. Once COMAR receives an application, they provide asylum seekers with temporary regular migratory status colloquially known as a “humanitarian visa” (*Tarjeta de Visitante por Razones Humanitarias*). This “humanitarian visa” is extended throughout the duration of the process and allows asylum seekers to work legally in Mexico. If COMAR rejects their asylum application, they give asylum seekers 30 days to leave Mexican territory. If they accept the application, asylum seekers are granted permanent residency and the possibility to become citizens after a five-year period.

For years, the COMAR has been underfunded to meet the needs of the population requesting international protection in Mexico. COMAR’s budget for 2023 is more than double that of 2013. However, this growth does not reflect the increase in the institution’s need. On a per case basis, the budget is actually a reduction of resources. Also, as Figure 7 reveals, the government’s budget allocation to the

National Migration Institute (INAMI), the Mexican institution in charge of border surveillance, migrant detention, deportation and migratory regularization, is consistently and dramatically larger than that allocated to the COMAR (37 times larger in 2023), reflecting the government’s clear priority of enforcement over international protection.

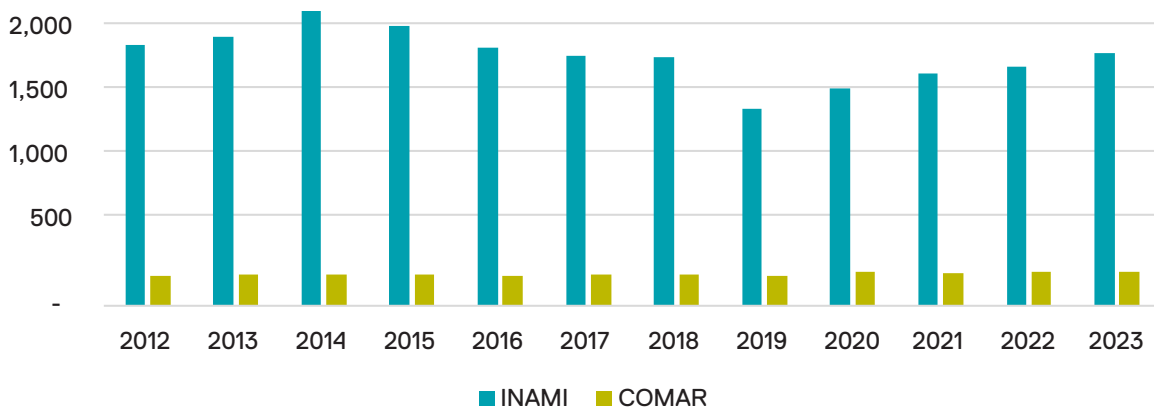
The weakness of Mexico’s asylum system is evident not only in the insufficient budget, but also in how this translates into the lack of personnel and distribution of offices throughout the Mexican territory. The COMAR has offices in only five states of Mexico, further limiting its capacity to provide services and adjudicate asylum claims across the country.

## 2. Lack of focus on efforts and programs to foster integration

Faced with the increasing arrival of asylum seekers, migrants in transit who are seeking asylum in the U.S., and internally displaced people, the Mexican government has focused on providing immediate assistance to these populations. However, as mobility dynamics change, and diverse populations face situations of protracted displacement, waiting and uncertainty, opportunities for their integration into local communities become more important.

Many would benefit from regional programs focused on humanitarian protection, resettlement and integration, where the governments of Canada, the U.S., Mexico and Central America participate in the development of strategies and programs and share

**Figure 7. Annual budget assigned to the National Migration Institute (INAMI) and the Mexican Refugee Commission (COMAR) 2013-2023, millions of Mexican pesos**



Source: Presupuestos de Egresos de la Federación



in the responsibility of the well-being of displaced populations. Recent announcements by the U.S. and Canadian governments in this regard are small but positive steps in this direction.

For some in Mexico now, settlement may be a temporary process, while their asylum requests are resolved and/or they have the potential to continue their migratory trajectories. For others, especially those seeking international protection in Mexico or those displaced internally, integration is a critical component of rebuilding life in new communities within the country.

However, people currently seeking integration in new host communities in Mexico, whether on a temporary or permanent basis, face a number of challenges:

- Most are unable to find stable housing, depending solely on shelter assistance provided by civil society or religious organizations, or living in temporary camps along the U.S.-Mexico border. These shelters and camps are often overcrowded and inadequately funded and, therefore, unable to provide dignified, safe and humane living conditions for many.
- Although many of these asylum seekers and internally displaced persons are legally allowed to work in Mexico, they face a myriad of challenges to find employment. These include widespread xenophobia and discrimination, and obstacles to open bank accounts and to obtain tax documents. This is particularly challenging for those without legal documentation, which is the case for those transiting Mexico to cross the border and request asylum in the U.S.
- Many people in protracted displacement situations in Mexico are concentrated in places with high rates of violence and insecurity, complicating the possibilities of integration and promoting further displacements in search of safety.

While a stronger focus on integration is necessary to address the current Mexican reality, existing frameworks and policies scarcely refer to integration:

- In its more than 160 articles, the [Mexican Migration Law](#) only refers to integration on three occasions: in the principles section of Mexican migratory policy (Art.2), as duties of the Mexican state for those with temporary or permanent residence

(Art.15), and as strategies to promote reintegration of deportees and returnees (Art.83). Other population groups, such as the internally displaced, are not mentioned.

- The [Refugee Law and its Bylaw](#), on the other hand, have a more substantial discussion on integration, delineating an “intercultural and intersectional perspective” (Art.15 and 54), and stating the rights that should be guaranteed for refugees (Art.44). While some responsibilities are assigned to the Interior Ministry and the Mexican Commission for Refugees, integration is not established as a priority.

These few, vague mentions of integration contrast with the more than 100 articles in law focused on migratory control and border surveillance, where responsibilities, roles and procedures are clearly described and assigned.

### 3. Lack of legal framework for forced internal displacement.

The official recognition of forced displacement in Mexico by the federal government occurred only in 2019 with the publication of the book “*Violence as cause of forced internal displacement. Approaches to its analysis in Mexico*” by the Mexican National Population Council (CONAPO), the government agency in charge of demographic policy. However, various statistical efforts had already been made to measure the magnitude of forced displacement and particularly migration caused by insecurity and violence in Mexico. Nationally representative surveys were generated by the national statistics agency, the Mexican Institute of Statistics and Geography (INEGI). In 2014, the [Mexican Survey of Demographic Dynamics \(ENADID\)](#) incorporated a question about reasons for migration, which included public insecurity or violence, as one option. This question was again included in 2018. Finally, the [2020 Mexican Census](#) included a question on the main reason for migration and included criminal insecurity and violence as an option.

Despite the increase in violence and forced displacement in different regions of Mexico in the last two decades, no specific federal laws on forced internal displacement exist. Since 1998, nine proposed laws have been introduced, but only [the General Law to Prevent, Treat, and Comprehensively Repair Internal Forced Displacement](#) was approved

by the Chamber of Deputies in September 2020 and sent to the Chamber of Senators for review, where it has remained unratified for more than two years. At the state level, only [Chiapas, Guerrero, Sinaloa and Zacatecas](#) have specific laws on forced displacement, but these do not have regulations for their implementation. Therefore, these main states of origin for the internally displaced have not advanced substantially in assisting victims or reducing displacement.

Displaced persons are mentioned in different current federal laws, such as the General Law of Victims, but none of these laws include a definition of the phenomenon of forcible internal displacement, leaving it to officials and bureaucrats to interpret who are forcibly displaced people and can therefore receive attention or services. This opacity is reflected in the data from the [Executive Commission for Attention to Victims \(CEAV\)](#), which states that only 0.3% of people assisted by this Commission between 2013 and 2021 were victims of crimes or violations of human rights associated with forced displacement.

Neither the proposed federal law awaiting ratification by the Chamber of Senators, nor the current state laws include integration in a substantive or fulsome way. Instead, there are a few abstract mentions of reparations, assisted return, and access to health, employment, and education for victims of forced internal displacement. But again, as in other legal instruments, there are no clear strategies, explicit forms of implementation, programs or institutions designated to fulfill these objectives.

Even if some isolated support has been provided for specific types of aid, this is far from long-term improvement in the overall situation of forcibly displaced people by integrating them into local communities. So far, returning to origin communities has not been an option. For this reason, it is important that any future legislative framework include specific references to integration processes in host communities, rather than purely short-term aid.

Since there is no federal law that establishes the duties and obligations of different offices and institutions in the three levels of government, there is no clarity about their roles and responsibilities in the protection and integration of displaced persons.

## RECOMMENDATIONS

The recommendations that follow are based on the unfortunate reality that return to origin communities is not currently a viable possibility for many in the three population groups discussed in this brief. Levels of violence and insecurity that lead to forced displacements continue to rise, further deteriorating conditions in places of origin. Nor have strategies focused on deterring migration and displacement been successful in halting the movement of people, either internally or across international borders. Instead, current policies have created situations of uncertainty, risk and protracted displacement. A focus on temporary inclusion or long-term integration into new communities therefore becomes imperative.

### 1. Strengthening the Mexican refugee system and its institutional capacity

- a. Increase the COMAR's capacity by:
  - i. Increasing its budget to hire more staff, provide more training, open more offices in other parts of the country, and provide more information to asylum seekers,
  - ii. Developing and publicizing clearly delineated asylum procedures so that asylum seekers understand the process and average timelines, where and how to access legal representation, and information on the status of their claim,
  - iii. Reforming Article 24 of the Bylaw on Refugees, Complimentary Protection and Political Asylum to allow those in asylum procedures to move freely within Mexican territory and have their claims heard in other offices. This change would foster spatial distribution of asylum seekers, increase opportunities of integration, and relieve border communities from the unequal share of the burden.
- b. Develop mechanisms for inter-agency cooperation to strengthen the institutional framework for a more effective and comprehensive refugee system:
  - i. Foster better communication and cooperation with the National Migration Institute to expedite its ability to provide temporary migratory status documentation to asylum seekers, so that migrants can work and access health services, housing and education during the asylum process,

- ii. Collaborate with other institutions to develop better processes for financial inclusion, proof of identity, educational enrolment and access to health services and housing.

## 2. Fostering local, national and regional strategies for integration

- a. Develop programs aimed at fostering integration at the national and local level. These programs should include, at minimum, the following components: (1) budget allocation, (2) assignment of responsibilities to specific institutions, and (3) specific mechanisms to facilitate access to documentation, employment, housing, education and health services.
- b. Create regional mechanisms and programs focused on humanitarian protection, resettlement and integration, where the governments of Canada, the U.S., Mexico, and Central America participate in sharing the responsibility of the well-being of displaced populations.

## 3. Creating an institutional system to respond to internal displacement due to violence and insecurity in Mexico

- a. In the short term, develop pathways to safety for forcibly internally displaced people to break the cycle of displacement.
- b. Resume legislative processes to approve a national Internal Displacement Law and more state level legal frameworks that recognize internal displacement and offer protection and integration possibilities for Mexicans fleeing violence and insecurity. This legislative framework should recognize the national scope of internal displacement and not as isolated events bound within states.

- c. Once laws are approved, governments should move quickly to implementation by allocating budgets and clearly defining responsibilities among Mexican government institutions to recognize and protect the internally displaced, and foster their integration and/or safe return to home communities.
- d. Resume regional negotiations to offer possibilities of asylum to Mexicans fleeing violence and insecurity, and include criminal violence or local conditions of violence and insecurity as elements to consider in the asylum process in the U.S. and Canada.
- e. Resume negotiations with the U.S. government to end asylum externalization policies.

## CONCLUSION

Each year thousands of people in Mexico wait for protection, flee their homes due to violence and insecurity, and seek possibilities for safety and integration to rebuild their lives. Their lives are further complicated by systems that are designed to repel refugees and impose obstacles to protection and the lack of integration policies.

Yet, the rising level of violence and insecurity remains the central challenge. Without addressing this, the number of those who are forcibly displaced internally and internationally will only continue to increase, posing challenges for Mexico, the U.S., and Canada, but primarily, for those who seek opportunities for survival and better life prospects. The responsibility of developing and strengthening systems of protection aimed at providing permanent solutions and dignified life possibilities should be shared locally, nationally and regionally. There are many challenges in efforts for multi-level and regional coordination, but the lack of coordinated efforts and strategies will continue to translate into situations of heightened vulnerability for those affected, as well as long-term challenges for governments and communities of origin, transit and destination.

## About the Authors

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## Where can I find out more?

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