

Recommendations to the Government of Mexico

Protection of Rights for Migrant Children and Adolescents in Light of the End of Title 42 and New U.S. Policies

In response to the end of Title 42, the U.S. government implemented a series of new immigration measures, **Circumvention of Legal Pathways**, that negatively impact migrants at the U.S-Mexico border. Kids in Need of Defense (KIND) is greatly concerned about the new risks that the new policies impose on children and adolescents, including potential family separation and unsafe waiting conditions.

To address these risks to children and adolescents, KIND urges the government of Mexico to take the following actions:

The Executive Branch of the Federal Government and the Congress of the Union should:

- Maintain the executive secretariat of the National System for the Comprehensive Protection of Children and Adolescents (SIPINNA) and the Mexican Commission for Refugee Assistance (COMAR) as independent specialized agencies and provide them with adequate financial resources, from regular and extraordinary appropriations, so both institutions can fulfill their protection mandates.

As directed by the Executive Branch of the Federal Government and the National Conference of Governors, the Executive Secretariat of SIPINNA should:

- Restart the implementation of the Comprehensive Protection Pathways, approved in 2019, by implementing it at the local level and instructing the Executive Secretariats of the state SIPINNAs to carry out this task in collaboration with the Federal SIPINNA.
- Establish and operationalize commissions or working groups in SIPINNA specializing in child migrants and refugees in all states to address the protection needs and mobility of children at the local level.

It is essential that the Congress of the Union and the local congresses:

- Allocate the necessary resources so that the systems for Comprehensive Development of the Family (DIF) provide adequate spaces for the care of unaccompanied children and shelter for families, and for all Children's Protection Offices to act in a timely manner to protect their rights.

The National Institute of Migration should:

- Refrain from detaining unaccompanied children or those accompanied by their families in migrant holding centers or other places authorized for such purposes.
- Prevent the return of a child to their country of origin without a screening and determination of the child's best interests and legal rights by the appropriate Children's Protection Office.
- Effectively issue the Visitor Card for Humanitarian Reasons (TVRH, by its acronym in Spanish) and the Unique Population Registry Code (CURP, by its acronym in Spanish) to allow children and their adult relative to have at least basic conditions of security and dignified living during their stay in Mexico.
- Send all unaccompanied children to the corresponding Children's Protection Offices so that they have appropriate reception spaces and measures are taken for the protection and restitution of rights to which they are entitled.
- Inform the military authorities, national guard, and police about the prohibition on conducting random immigration screenings within the national territory as they have been declared unconstitutional by the Supreme Court of Justice of the Nation.

The military, civil and national guards, police, and other public security bodies should:

- Refrain from obstructing the access of unaccompanied children and adolescents on the move to ports of entry to request protection in the United States.
- Ensure the physical integrity and personal safety of children and adolescents alone or accompanied by their families.

To fulfil their mandate of restitution and protection, the Children's Protection Offices should:

- Issue individualized restitution and protection plans to guarantee the rights of each unaccompanied child.
- Ensure that assessments and determinations of the best interests of children consider all options for restitution and protection of rights, including asylum, family reunification, or other forms of international or humanitarian protection in Mexico or in a third country.
- Avoid the issuance of group evaluations and determinations of the best interests of children.
- Establish mechanisms for monitoring and supervising Social Assistance Centers and/or DIF shelters by independent public and civil society actors to contribute to their continuous improvement and to ensure shelter conditions are appropriate and well-maintained.

Federal and state children's authorities should:

- Implement first reception spaces to care for unaccompanied children for short periods of time and then place children in spaces and models of reception that best meet their care and development needs.
- Ensure that children are welcomed in spaces where they have effective access to all their rights in community settings.
- Collaborate and coordinate with civil society organizations in the implementation of strategies, care models, and provision of diverse services (recreational, social, and legal) for unaccompanied children under their care and protection.
- Launch the National Registry of Children and Adolescents on the Move to generate and house information necessary to help provide care and protect the rights of children and adolescents on the move, as well as share and make transparent the actions carried out by the authorities to protect their rights.
- Provide high-quality psychosocial and legal services to unaccompanied children and adolescents regarding their rights and in their asylum proceedings and encounters with migration authorities and facilitate their access to free legal service providers from civil society or the state, which can provide them with such guidance or legal assistance in their processes.

