

Congress of the United States
Washington, DC 20515

March 4, 2021

The Honorable Antony Blinken
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Dear Secretary Blinken,

We congratulate you on your new role as Secretary of State. As you take on the important task of leading our nation's foreign policy, we write to convey the importance of giving special attention in your first few months to the U.S.-Mexico relationship and to lay out specific areas that we believe should be prioritized within that relationship, specifically regarding migration, citizen security, rule of law, and human rights.

While President Biden has suspended the "Remain in Mexico" policy, and the Department of Homeland Security has recently announced that it will begin processing individuals with open cases under this policy, tens of thousands of people are still waiting in Mexico to continue their U.S. immigration proceedings or request asylum, while many others have been expelled to Mexico under Title 42 public health authority without access to the U.S. asylum system. As the administration develops a strategy for the entry of these asylum seekers, we encourage coordination with the Mexican government and international organizations and consultation with civil society organizations to ensure that during any continued wait in Mexico, asylum seekers have access to water, food, healthcare, shelter, and protection from crime.

The urgency of this last issue is clear in light of ongoing violence against migrants in Mexico. On January 22nd, 2021, Mexican authorities discovered the charred remains of 19 people – the majority Guatemalans – near the U.S.-Mexico border. Human Rights First has compiled 1,314 cases of murder, rape, kidnapping, and other attacks against asylum seekers under the "Remain in Mexico" program. We urge you to support the Mexican government in working to combat impunity for these crimes through strengthened investigations, forensics assistance, and information-sharing.

Mexico's asylum system also merits priority attention. While Mexico's refugee agency, Comisión Mexicana de Ayuda a Refugiados (COMAR), has improved its processing capacity, asylum seekers continue to face inadequate screening for protection concerns by migration enforcement officials, poor conditions in detention centers, and long processing times. These challenges were exacerbated by the pandemic, which caused the backlog of asylum petitions to grow while COMAR lacked the staffing capacity to process these cases. U.S.-Mexico cooperation should seek to improve access to protection in Mexico, in coordination with the United Nations High Commissioner for Refugees (UNHCR) and civil society organizations, by increasing COMAR's presence throughout the country, supporting alternatives to detention for asylum seekers, and further improving COMAR's capacity.

The past two years have seen record violence in Mexico, with roughly 35,000 annual homicides. Approximately 30 human rights defenders and journalists were killed in 2020. Over 80,000 people have disappeared since 2006. In this context, we encourage you to work with the Mexican government to address the near-total levels of impunity that enable criminal groups and state agents to perpetrate serious crimes and human rights abuses. We believe that civilian institution-building and strengthening the rule of law and human rights are the building blocks of a sustainable solution to violence, and we encourage you to explore

ways to deepen U.S.-Mexico cooperation to improve investigations and increase the percentage of successfully prosecuted cases, including of corruption crimes and collusion between state actors and criminal groups.

The worsening security situation should make us reassess certain aspects of U.S. security assistance to Mexico. For instance, available evidence suggests that an excessive focus on arresting cartel kingpins—an approach that the U.S. Government has at times promoted—has not effectively reduced violence. Indeed, these policies may instead have merely prompted the further splintering of the cartels, making them harder to stop. The increased deployment of the Mexican military to combat crime has predictably resulted in serious human rights violations and has failed to weaken the drug cartels or reduce crime. We observe with concern that Mexican President Andrés Manuel López Obrador has so far only deepened military participation in domestic policing, while deploying his new National Guard—made up mostly of current or former military personnel—to carry out immigration enforcement and other domestic security functions. We encourage you to explore ways to encourage his administration to follow through on its previously stated commitment to withdraw the military from policing by 2024. It will be critical to deepen U.S. efforts to help ensure that civilian police can work in an effective and rights-respecting way and establish internal and external accountability mechanisms.

Finally, we believe that it is crucial to support civil society organizations and human rights defenders who are working to strengthen the rule of law. We have been concerned by President López Obrador's statements targeting human rights defenders and journalists and encourage you to consistently raise these concerns with Mexican authorities. Mexico's Protection System for journalists and human rights defenders, and the special prosecutorial office designated to investigate crimes against them must be strengthened. We encourage you to meet with human rights defenders and journalists to hear their concerns and learn about their important work. In particular, collectives of families of Mexico's disappeared have taken the lead on often dangerous search efforts and, along with Mexico's National Search System, have helped to uncover thousands of clandestine graves and human remains. Apart from strengthening Mexico's forensic capacity to identify victims found by families and authorities, we encourage support for investigations into enforced disappearances to punish those responsible and prevent repetition of these crimes.

We are confident that you will work to ensure that human rights are at the heart of our country's policy toward Mexico. We will make every effort to support that goal.

Sincerely,

Alan Lowenthal
Member of Congress

Albio Sires
Member of Congress

Raúl M. Grijalva
Member of Congress

Joaquin Castro
Member of Congress

David N. Cicilline
Member of Congress

Steve Cohen
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Jim Costa
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Adriano Espaillat
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Jesús G. "Chuy" García
Member of Congress

Jared Huffman
Member of Congress

Henry C. "Hank" Johnson, Jr.
Member of Congress

James P. McGovern
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Seth Moulton
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Grace F. Napolitano
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Eleanor Holmes Norton
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Ilhan Omar
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