

Chapter 4

Human Rights of Migrants in Mexico

Marina Lizbeth Álvarez Rodríguez¹
Rómulo José López Morales²

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¹ She is a lawyer, Master in Tax Law, and PhD candidate in Law at the University of Guadalajara. She is currently Career Coordinator and Associate Research Professor A at the Tlajomulco University Center of the University of Guadalajara. She has also served at this same institution as Head of the Outreach Unit. She is co-author of various publications and a speaker at national and international conferences.

² Former state and municipal public safety officer, trainer at the Jalisco State Police and Traffic Academy, professor in the Bachelor's Degree in Public Safety, speaker at the Diploma courses taught at the Jalisco Forensic Institute. Visitor at the Guadalajara Municipal Justice Department. Professor at the Tonalá University Center, in the Bachelor's Degree programs in Law and Forensic Sciences. Master's degree in Law with a focus on Justice Administration and Public Safety.

Abstract

Migration is a social phenomenon that has become increasingly important in Mexico over time, as it is a country of origin, transit, destination, and return for migrants. Therefore, the Political Constitution of the United Mexican States, as well as various international instruments, recognize, protect, and guarantee the human rights of migrants. The Migration Law consolidates the legal framework for the protection of migrants, recognizing their rights and addressing the challenges arising from human mobility, including dignified and fair treatment regardless of their immigration status.

Introduction

The protection, defense, promotion, respect, and guarantee of human rights is a right and a duty of all people regardless of nationality, age, religion or ideology, language, or social status; and this is reinforced when a right is threatened and uncertainty prevails.

Mexico is the second largest country of origin for international migrants, according to the United Nations Department of Economic and Social Affairs (UN DESA).

Migrants and refugees are a clear reflection of the concern about the breakdown of the protection of their human rights. However, it is a priority for the study of their human rights to clarify the definition of migrant, irregular or illegal migrant, refugee, and political asylum seeker.

Migrant: Any person who is outside the country in which they were born or in which they have their habitual residence, whether because they have moved temporarily or permanently, and whether regularly or irregularly (General Unit of Scientific Knowledge and Human Rights of the Supreme Court of Justice of the Nation, 2023) .

An illegal or irregular migrant is a person who enters a country other than their country of birth or habitual residence without the documents

or permits required by the country they are entering, according to the Supreme Court of Justice of the Nation (SCJN).

Refugee. Any person who, due to well-founded fear, considers that their life, safety, or freedom is in danger in their country of origin and seeks protection from another country. Such fear may be caused by violence, disturbance of public order, foreign aggression or invasion of their country, internal conflicts, or widespread human rights violations.

Political asylum seeker. Any person who receives protection from a country other than their country of nationality for political reasons.

This clarification is important because, in different contexts, the terms migrant, refugee, and political asylum seeker are used interchangeably; however, this study focuses primarily on migrants.

The Political Constitution of the United Mexican States, as well as international instruments signed by Mexico, through the Migration Law published in 2011, recognizes the following rights of migrants: the right to nationality, freedom of transit, legal security and due process, consular assistance, non-discrimination, to request asylum, to apply for refugee status, to protection of family unity, to human dignity, to not be criminalized, to decent accommodation, to not be held incommunicado, to an interpreter or translator, and the right not to be detained in the vicinity of or inside shelters.

Right To Nationality

Nationality is the legal relationship that exists between a person and a nation.

The Universal Declaration of Human Rights states in Article 15 that everyone has the right to a nationality, as well as the right to retain it or, where appropriate, to change it.

Furthermore, Article 30 of the Political Constitution of the United Mexican States (CPEUM) stipulates that nationality is acquired in two ways: by birth or by naturalization.

Nationality by birth is obtained by being born in national territory or on board Mexican ships or aircraft, or by being the child of a Mexican father or mother.

National territory shall be understood, in accordance with Article 42 of the CPEUM, to mean the constituent parts of the Federation³; the islands⁴, reefs⁵ and cays⁶ in adjacent seas, as well as the continental shelf and submarine plains of the latter three; the islands of Guadalupe and Revillagigedo located in the Pacific Ocean; the waters of the territorial seas; the space above the national territory.

And nationality by naturalization, when they obtain a letter of naturalization from the Secretary of Foreign Affairs; as well as when a man or woman marries a Mexican man or woman or establishes their residence within the national territory.

The General Directorate of Legal Affairs of the Ministry of Foreign Affairs (SRE) (General Directorate of Legal Affairs, 2025) grants the naturalization letter specifying by Residence: Foreigners who prove residence in the national territory granted by the Ministry of the Interior, in accordance with Article 20 of the Nationality Law, either through temporary residence (temporary student residence is not valid) or as permanent residence for the last 5 years immediately prior to the date of application.

The SRE also grants naturalization letters to those who have Mexican children by birth; for being a native of a Latin American country or the Iberian Peninsula; for having provided services or performed outstanding work in cultural, social, scientific, technical, artistic, sporting, or business matters; or for having married a Mexican man or woman. One of the main requirements is that foreigners who have Mexican children by birth to prove their residence in the national territory granted by the Ministry of

³ The member states of the Federation: Aguascalientes, Baja California, Baja California Sur, Campeche, Mexico City, Coahuila de Zaragoza, Colima, Chiapas, Chihuahua, Durango, Guanajuato, Guerrero, Hidalgo, Jalisco, Mexico, Michoacán de Ocampo, Morelos, Nayarit, Nuevo León, Oaxaca, Puebla, Querétaro, Quintana Roo, San Luis Potosí, Sinaloa, Sonora, Tabasco, Tamaulipas, Tlaxcala, Veracruz de Ignacio de la Llave, Yucatán, and Zacatecas, as established in Article 43 of the Constitution.

⁴ Islands are pieces of land of varying sizes surrounded by water. In Mexico, there are 4,110 islands (National Institute of Statistics, Geography, and Informatics, 2025), which account for 0.3% of the national territory.

⁵ Reefs are coral islands under the sea, close to the coast

⁶ Cays are portions of land that form on the surface of a coral reef and have shallow beaches.

the Interior, in accordance with Article 20 of the Nationality Law, either through temporary or permanent residence for the last 2 uninterrupted years immediately prior to the date of application.

It is also granted to foreigners who have Mexican children by birth and who can prove their residence in the country, granted by the Ministry of the Interior, either through temporary or permanent residence for the last uninterrupted year immediately prior to the date of application, in accordance with Article 20 of the aforementioned Law.

However, as the right to nationality is a human right, in Mexico the Constitution states in Article 37 the grounds for loss of Mexican nationality by naturalization: for voluntarily acquiring official services or functions of a foreign country or for accepting foreign decorations, for posing as a foreigner in Mexican documents, for using a passport other than that of Mexico, for consenting to foreign noble titles that express subordination or loyalty to that country, and for not living in national territory for five consecutive years.

Furthermore, the right to nationality is also a right protected by the Universal Declaration of Human Rights (UDHR), through its Article 15.

Right to Legal Certainty and Due Process

All migrants have the right to be guaranteed by the authorities that administrative or judicial proceedings will provide them with information about those proceedings in accordance with national and international law, as well as free legal counsel.

Right to Consular Assistance

This right is also recognized by the Supreme Court of Justice of the Nation, addressing this human right in the right to notification, contact, and consular assistance.

It is stipulated that the right to notification refers to the report made by the State to the detained person regarding the right to inform the appropriate consulate about their situation. Subsequently, the right to contact is fulfilled, as the consular contact informs the consulate about

the detention of the person who is its national. Finally, the right to consular assistance is exercised when the State's consular representatives take steps or actions to protect the rights of the detained person. In this way, violations of the human rights of detainees are prevented, avoiding harm and damage. This is also stipulated in the Vienna Convention on Consular Relations.

In Mexico, the General Directorate for the Protection of Mexicans Abroad (DGPME) is responsible for coordinating and supervising the consular assistance and protection provided by consular representatives to migrants in different parts of the world. It is responsible for issuing guidelines to regulate programs aimed at guaranteeing human rights and standardizing procedures and criteria, as stipulated in Article 22 of the Internal Regulations of the Ministry of Foreign Affairs (RISRE).

However, as this is an internationally applicable right, this department coordinates with the following in the exercise of its functions: "Deputy Director General for Protection, Deputy Director General for Protection Policies, Director of Protection for the United States of America, Director of Protection in the Rest of the World and Special Affairs, Director of Family Law, Director of Analysis and Forecasting, Director of Protection Policy Information, the Deputy Directors of Criminal and Immigration Protection, Administrative, Civil, and Labor Protection, Protection in the Rest of the World, Human Rights Protection, Inter-institutional Protection, Restitution of Minors, Coordination of Institutional Programs, and Coordination and Inter-institutional Liaison; as well as the Heads of Department corresponding to each Sub- ." Article 14 of the RISRE.

The defense and protection of this right is of great importance to migrants, as violations of their rights have been identified in migrant detentions. For example, in some detention centers in the United States (Arizona, California, Washington, Arizona, and New Mexico), the most frequent violations detected between 2011 and 2012 were: lack of privacy in bathrooms due to their being uncovered and having cameras pointed directly at the toilet, refusal to return their belongings, lack of information about the complaints procedure and the existence of forms for this purpose, poor quality and insufficient food, inadequate temperatures in the facility, handcuffing during transfers, and overcrowding in these

temporary detention areas (Del Ángel et al., 2013)⁷.

Right to Non-Discrimination

To understand the right to non-discrimination, we must begin by defining what is meant by discrimination. Discrimination is the distinction made by action or omission, whether intentional or not, that hinders, violates, or nullifies the recognition and enjoyment of human rights on the basis of a person's origin, social or economic status, appearance, skin color, religion, language, sexual preference, marital status, among others, as specified in Article 1 of the Federal Law to Prevent and Eliminate Discrimination.

In other words, discrimination is treating people differently even though they all have the right to have their human rights respected, protected, and safeguarded.

The people who experience the most discrimination are irregular or illegal migrants. The National Survey on Discrimination (ENADIS)⁸22 conducted in 2022 shows that 28.8% of migrants reported having been victims of discrimination in the last year⁹, with the three main causes being the way people dress or groom themselves, with 32.5%, weight or height (26.6%), and manner of speaking (25.6%). It is also noteworthy that 30.3% of female migrants and 27.2% of male migrants have felt discriminated against. (National Council to Prevent Discrimination CONAPRED, 2023) .

The National Migration Program has designed public policies that contribute to the care of migrants in order to promote respect for human rights, both in internal processes when migrants carry out procedures and abroad.

Likewise, in 2024, the National Institute for Women (INMUJERES) developed a guide aimed at protecting the human rights of migrant wom-

⁷ See: <chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://corteidh.or.cr/tablas/29958.pdf>

⁸ This survey was conducted in collaboration with the National Council to Prevent Discrimination (CONAPRED) and the National Human Rights Commission (CNDH), with data collected from 2017 to 2022.

⁹ The specific period is from July 2021 to September 2022.

en, called "Guide for the care of foreign women in migration and mobility who are victims of gender-based violence" (National Institute for Women INMUJERES, 2024) , which provides guidance to migrant women on the various procedures they carry out or may carry out in their daily lives or in the event of a human rights violation, with a focus on social protection.

In 2018, CONAPRED also created the Guide for the Prevention of Racial Profiling Practices, with the aim of ensuring that immigration officials avoid discriminatory practices in their daily work, as well as arbitrary detentions or violations of freedom based on the appearance of migrants, thus preventing the application of the saying "how they see me is how they treat me."

Through various actions, Mexico, like other states, seeks to comply with the Universal Declaration of Human Rights in establishing equality in the dignity and rights of persons, regardless of their immigration status. This is in line with the provisions of the International Convention on the Elimination of All Forms of Discrimination against Women.

Right to Seek Asylum and Right to Seek Recognition of Refugee Status

The right to seek asylum is enshrined in Article 14 of the Universal Declaration of Human Rights, which states that everyone has the right to seek asylum in any country of their choice. In pursuit of the protection and guarantee of this right, the United Nations High Commissioner for Refugees (UNHCR), a UN agency, was created in 1950 to defend the right to education and health, among others.

People who seek asylum are those who require international protection, either because they are suffering persecution or fleeing armed conflict, violence, or threats in their country, and their life or freedom is in danger.

It is important to note the difference between refugees and asylum seekers. The former are those who have been forced to leave their country of origin and whose return would put their lives, freedom, or physical integrity at risk. The latter are those who have applied for refugee status, and their application will be assessed by the government of the country to which they have made the request. In other words, they are people

whose application for refugee status is being processed (United Nations High Commissioner for Refugees UNHCR, 2025) .

For its part, the Law on Refugees and Complementary Protection, as well as its regulations, governs the right to apply for refugee status, which covers all persons who make this application, regardless of their immigration status. This is done through the General Coordination of the Mexican Commission for Refugee Assistance.

During Andrés Manuel López Obrador's presidential term, the Mexican government received 581,568 asylum applications, of which 126,794 were approved (Soto, 2025) .

Right to Protection of the Family Unit

This human right is recognized and guaranteed by international human rights law and is enshrined in the American Convention on Human Rights (Pact of San José) in its Article 17 and Article 6 of the American Declaration of the Rights and Duties of Man, with the recognition of the fundamental element of society, the family. Article 107 of the Migration Law stipulates the right to family unity in migration centers.

They point out that the mutual enjoyment of coexistence between parents and children is of vital importance and that the family unit must be strengthened. However, the definition of family is not limited to the nuclear family, but also includes the extended family, which may include uncles, grandparents, etc., and may be biological or legal.

This gives rise to a conflict between the application of a country's immigration policies and the protection of the right to family unity.

Right To Human Dignity

The Charter of the United Nations recognizes the right to human dignity in its preamble and in its first article, which recognizes and reaffirms human dignity as an intrinsic value that every person possesses. For its part, in 2011, the CPEUM refers in its first article to human dignity as an inalienable and irrevocable value of every Mexican, which serves to establish their minimum conditions or rights. In other words, human dignity is the basis of human rights.

When human dignity has been lacking, there has been slavery, cruel treatment, and torture. Therefore, when speaking of the right to human dignity for migrants, reference is made to the fact that they must be treated with at least the minimum considerations that every human being seeking well-being deserves, without mistreatment or humiliation.

For its part, the Supreme Court of Justice of the Nation has stated that every person "has the right to be recognized and to live in and with the dignity of the human person, from which all other rights necessary for individuals to fully develop their personality derive, including, among others, those relating to: life, physical and mental integrity, honor, privacy, name, personal image, free development of personality, marital status, and the right to personal dignity" (Third Collegiate Court in Administrative Matters of the Sixth Circuit, 2012) .

Right not to be Criminalized

Irregular or illegal entry into a country is not a crime, but an administrative offense, so in the context of migration, it cannot be assumed that a migrant is a criminal, given that Mexican criminal law does not consider being a migrant to be a crime and, consequently, migrants should not be treated as such, as confirmed by Article 2 of the Migration Law.

Right to Decent Accommodation

All migrants have the right to have the migration station provide at least the minimum necessary to guarantee their rights to dignified and respectful treatment, food, health, and family (through recreational areas that allow family life, if they were detained with their family) during their period of detention, avoiding overcrowding.

Article 107 of the Migration Law stipulates that decent accommodation is provided when medical, psychological, and legal assistance is provided to migrants, as well as three meals a day. Men and women must be kept in separate areas, preserving family unity, and there must be recreational spaces.

Accommodation in shelters or immigration centers, regulated by Ar-

ticle 111 of the Migration Law, is for a maximum of 15 working days, and only in some cases for a period not exceeding 60 working days, such as when:

- There is no reliable information on the migrant's identity or nationality.
- Consulates require more time to issue identity or travel documents.
- There is a medical condition or physical or mental disability certified by a doctor that prevents the migrant from traveling.
- An administrative or judicial appeal or amparo is filed that expressly prohibits the migrant from leaving or abandoning the country.

Right not to be Held in Incommunicado Detention

Communication is an essential part of the migrant detention process, and therefore everyone has the right to make a phone call. However, in many cases, this right is not granted.

Isolating migrants violates the human rights enshrined in the constitution and in the international treaties or conventions to which Mexico is a party.

Right to an Interpreter or Translator

Immigration authorities must provide migrants with an interpreter so that they can be informed of their immigration status and their rights in their own language.

Right not to be Detained in the Vicinity of or Inside Shelters

Shelters play an important role in the phenomenon of migration, as they are the place where migrants can rest on their long journey to the new country where they will reside. In these spaces, migrants can rest, eat, sleep, treat injuries and illnesses, and drink water.

In Mexico, by 2023, there were 103 shelters identified that are run by civil society and the church, which provide care to migrants. There are 29 migration centers run by the National Institute of Migration (INM).

Right to Education

Although this human right is not explicitly mentioned in the Immigration Law, it is recognized and guaranteed by international human rights law and enshrined in the Universal Declaration of Human Rights, in paragraph 26, which states that education is a right that every person has and that at least the fundamental levels of education must be provided free of charge and, in turn, be compulsory. Its purpose is the full development of the human personality and promotes friendship among nations, thus maintaining peace.

The right to education is essential to the dignity of all people, particularly migrants, as it allows everyone to be part of the society they live in.

When talking about migration in a broad sense, the 1951 Convention relating to the Status of Refugees stipulates in Article 22 that refugees shall be accorded by the receiving states the same treatment as nationals in matters of basic education and the most favorable treatment possible in education beyond the basic level, allowing for exemption from fees and charges, as well as the granting of scholarships²⁴.

UNESCO affirms that the right to education is a fundamental right for all people, and therefore a person's legal status should not matter in terms of their ability to exercise this right.

Right to Freedom of Movement

The right to seek asylum is enshrined in Article 13 of the Universal Declaration of Human Rights, which stipulates that everyone has the right to enter and leave their country of origin, as well as to move freely within the territory of a State and choose their place of residence.

This right has become more relevant in recent years, whether for economic reasons or due to armed conflicts. Although the majority of the world's population lives in their country of birth, migration has been on the rise over the years. The escalation of the migration phenomenon is reflected in figures provided by the International Organization for Migration (IOM).

International Migration Figures		
Year	Millions of migrants	Percentage equivalent to the world population
1990	153	2.87%
1995	161	2.81%
2000	174	2.83%
2005	192	2.93%
2010	221	3.17%
2015	249	3.37%
2020	281	3.60%

Source: Own elaboration with data from the IOM <https://worldmigrationreport.iom.int/msite/wmr-2024-interactive/?lang=ES>

Over the course of thirty years, the number of migrants has almost doubled, and the truth is that the mobility of the world's population is increasing year after year.

India, China, Mexico, and the Philippines are countries that stand out for having diasporas, that is, a large number of people who were born in these countries but reside in another country, mainly for economic reasons. In turn, the United States of America (USA) is the preferred destination for most migrants from Latin America and the Caribbean¹⁰, followed by the United Arab Emirates and Saudi Arabia (El Orden Mundial, 2019) .

It is therefore not surprising that the migration policy that the United States of America is applying to Mexicans is based on a tightening of its actions in the migration process, which has led to an undermining of human rights, such as the right to mobility, legal certainty and due process, and the right to consular assistance.

A major source of support for migration at the national level, but especially at the international level, is the International Organization for Migration, which provides support to Mexico, and other countries around the world. This organization will therefore be analyzed.

¹⁰ These figures are from 2019.

International Organization For Migration (Iom)

The IOM is an intergovernmental organization that is part of the United Nations. It was created in 1951 to support governments and civil society in the process of safe, regulated, and humane migration, recognizing the relationship between migration and socioeconomic and cultural development, as well as freedom of movement. It has 175 Member States¹¹, eight other observer states¹², and 171 countries.

To achieve the Development Goals, the IOM has drawn up a strategic plan for the period 2024-2028, setting out the activities it will undertake to contribute to safe, orderly, and regular migration between countries.

This strategic plan sets out three objectives:

¹¹ The 175 Member States are: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cape Verde, Cambodia, Cameroon, Canada, Chad, Czech Republic, Chile, China, Cyprus, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Slovakia, Slovenia, Spain, United States of America, Estonia, Eswatini, Ethiopia, Russian Federation, Fiji, Philippines, Finland, France, Gabon, Gambia, Georgia, Ghana, Grenada, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Iran, Ireland, Iceland, Cook Islands, Marshall Islands, Solomon Islands, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Kiribati, Lesotho, Latvia, Liberia, Libya, Lithuania, Luxembourg, North Macedonia, Madagascar, Malawi, Maldives, Mali, Malta, Morocco, Mauritius, Mauritania, Mexico, Micronesia, Mongolia, Montenegro, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Norway, New Zealand, Netherlands, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, United Kingdom of Great Britain and Northern Ireland, Central African Republic, Republic of Korea, Republic of Moldova, Democratic Republic of the Congo, Lao People's Democratic Republic, Dominican Republic, United Republic of Tanzania, Romania, Rwanda, Saint Kitts and Nevis, Samoa, Saint Lucia, Sao Tome and Principe, Holy See, Saint Vincent and the Grenadines, Senegal, Serbia, Seychelles, Sierra Leone, Somalia, Sri Lanka, South Africa, Sudan, South Sudan, Sweden, Switzerland, Suriname, Thailand, Tajikistan, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Türkiye, Turkmenistan, Tuvalu, Ukraine, Uganda, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, and Zimbabwe.

¹² The eight observer states are: Bahrain, Bhutan, Indonesia, Kuwait, Malaysia, Qatar, Saudi Arabia, and San Marino.

- First, to save lives and protect people on the move.
- Second, to promote solutions to displacement. Providing support to people who remain in their place of origin with investment to reduce disaster risks and local adaptation. In addition, it will help people at risk and persecuted to resettle and/or return safely, voluntarily, and with dignity, collaborating with governments and the United Nations, such as the United Nations Secretary-General's Action Agenda.
- Third, facilitate regular migration channels. To benefit a large number of people and also the receiving States, viewing migration as a way to eradicate poverty and reduce inequalities through the creation of sustainable cities and societies. It will provide governments with the technology and border management procedures to reduce irregular migration; it will promote legal identity and consular services. It will also combat migrant smuggling and human trafficking.

These objectives are in line with the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs), in particular Goal 1, "No Poverty," by seeking to integrate migrants into public social protection and health policies, with Goal 3, "Good Health and Well-being"; promoting economic and sustainable growth through safe and decent labor migration through Goal 8, "Decent Work and Economic Growth"; and reducing inequality between countries, influenced by Goal 10, "Reduced Inequalities." It also relates to Goal 13, "Climate Action," by promoting orderly migration for the protection of climate action; through Goal 16, "Peace, Justice, and Strong Institutions," by encouraging voluntary and peaceful migration; all through the conclusion of agreements between States on migration policies, Goal 17, "Partnerships for the Goals"¹³.

The strategic plan also outlines its seven enabling elements:

- Workforce. Promotes an inclusive work environment for both migrants

¹³ The other Sustainable Development Goals are: 2 Zero Hunger, 4 Quality education, 5 Gender equality, 6 Clean water and sanitation, 7 Affordable and clean energy, 9 Industry, innovation, and infrastructure, 11 Sustainable cities and communities, 12 Responsible consumption and production, 14 Life below water, and 15 Life on land.

and staff.

- Partnerships. Forges partnerships to find solutions, encouraging their participation in migration-related policies and programs.
- Financing.
- Data and evidence. It will collect, store, analyze, and share data on migration and displacement to formulate evidence-based policies and practices, as well as implement them to generate internal processes within the organization.
- Learning and innovation. It will implement existing and emerging technologies, artificial intelligence, and big data to anticipate and address changes in mobility and displacement.
- Communication. It will actively engage in communication across the board, both with member states and with its own collaborators, fostering a sense of identity and commitment among all participants in the Organization.
- Internal systems. It promotes efficiency in all the organization's facilities, generating accessible and agile processes, while still prioritizing security.

In addition, it does not neglect its cross-cutting priorities, which can be summarized in four points:

- Integrity, transparency, and accountability.
- Equality, diversity, and inclusion.
- Protection-focused approaches.
- Environmental sustainability.

In Mexico, the immigration authorities are the National Institute of Migration (INM) and the Mexican Commission for Refugee Assistance (COMAR), which work together and with the International Organization to protect the human rights of migrants.

In 2022, 26.3% of migrants stated that they had been denied some of their rights (National Council to Prevent Discrimination CONAPRED, 2023) ; which raises an alert regarding the vulnerability of migrants' human rights.

Conclusions

Migrants' rights are interlinked, such that the fulfillment or violation of one benefits or affects the rest.

Mexico has created a regulatory framework that intertwines the Political Constitution of the United Mexican States, secondary laws, and international instruments to guarantee the human rights of migrants. However, the protection, defense, and guarantee of migrants' human rights requires continuous work, both nationally and internationally, to achieve the comprehensive implementation of these rights and their prevalence.

The Migration Law plays a very important role for migrants, as its purpose is to ensure respect for the dignity of migrants, access to justice, non-discrimination, and international protection, regardless of their immigration status.

The rights of migrants include the right to nationality, the right to freedom of transit, the right to legal certainty and due process, the right to consular assistance, the right to non-discrimination, the right to seek asylum, the right to seek recognition as a refugee, the right to protection of family unity, the right to human dignity, the right not to be criminalized, the right to decent accommodation, the right not to be held incommunicado, the right to an interpreter or translator, and the right not to be detained in the vicinity of or inside shelters; all these rights are based on human dignity itself.

Mexico has strengthened its protection of migrants through international instruments such as the Universal Declaration of Human Rights, the Convention Relating to the Status of Refugees, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the American Convention on Human Rights, and the Vienna Convention on Consular Relations.

In summary, respecting, protecting, and guaranteeing the human rights of migrants is an obligation of the Mexican State, which has worked to achieve this goal. However, challenges remain. The work of the National Institute of Migration (INM) and the Mexican Commission for Refugee Assistance (COMAR) at the national level, as well as the International Organization for Migration (IOM) and the United Nations High Com-

missioner for Refugees (UNHCR) at the international level, is of great value in strengthening safe, orderly, regular, and humane migration.

The implementation of public policies based on respect, protection, and assurance of human rights can guarantee migration without vulnerability, with a reliable opportunity for the economic, social, and cultural development of a country.

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Universal Declaration of Human Rights

Immigration Law.

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