

# **UNHCR Country Strategy Evaluation - Mexico 2017 – 2021**

Evaluation report (original in Spanish)

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## UNHCR Evaluation Service

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## ACRONYMS

CAFEMIN	Casa de Acogida Formación y Empoderamiento de la Mujer Migrante y Refugiada
CBI	Cash Based Interventions
CDMX	Mexico City
CMDPDH	Mexican Commission for the Defence and Promotion of Human Rights
CNDH	National Human Rights Commission
COMAR	National Refugee Commission
COMEX	UNHCR Office in Mexico City
CONEVAL	National Council for the Evaluation of Social Development Policy
COP	Country Operations Plan
CURP	Unique Population Registry Code
DIF	Integral Family Development
EU	European Union
EMIF	Surveys on Migration in the Northern and Southern Border of Mexico
ENPORE	Survey on the Refugee Population in Mexico
FID	Forced Internal Displacement
GBV	Gender-Based Violence
HIAS	Hebrew Immigrant Aid Society
IDMC	Internal Displacement Monitoring Centre
IMSS	Mexican Institute for Social Security
INM	National Migration Institute
LIP	Local Integration Programme
LRPCAP	Refugee, Complementary Protection and Political Asylum Law
MIRPS	Comprehensive Regional Protection and Solutions Framework
MPG	Multi-Purpose Grants
MPP	Migrant Protection Protocols
MYMP	Multi-Year, Multi-Partner Strategy
OAS	Organization of American States
CSOs	Civil Society Organisations
PoC	UNHCR persons of concern
PSEA	Protection from Sexual Exploitation and Abuse
QAI	Quality Assurance Initiative
REDODEM	Network for Documentation of Migrant Defence Organisations
RENAPO	National Population Registry
RSD	Refugee Status Determination
SRE	Ministry of Foreign Affairs
EM	Immigration detention centre
SEPAMI	The Pastoral Service to Migrants St. Martin de Porres
SEPIL	Local Integration Programme Monitoring
SIPINNA	System for the Comprehensive Protection of Children and Adolescents

# Executive Summary

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## Background and Methodology

The Country Strategy Evaluation for Mexico analysed the performance and results of UNHCR's interventions in the country from 2017 until mid-2021 (based on the data available). The evaluation's recommendations may be incorporated during the year 2022, when adjustments are made to the UNHCR's 2022–2024 multi-year strategy. The geographical scope of the evaluation focuses on Mexico, though a regional perspective is incorporated. The evaluation is formative in nature and provides recommendations for strengthening UNHCR's institutional and operational role.

The evaluation is structured through three main dimensions: i) the analysis of UNHCR's strategic contribution to Mexico's leadership role within the framework of the Comprehensive Regional Protection and Solutions Framework (MIRPS); ii) The analysis of UNHCR's programmatic response in relation to the transition from a focus on humanitarian assistance to an approach oriented towards self-sufficiency, inclusion and socio-economic integration of persons of concern, and iii) organisational development of the Country Office.

The evaluation was carried out using a mixed-methods approach, using both primary and secondary sources. The evaluation team conducted interviews with 187 informants, reviewed 398 documents, organised 12 focus groups, and visited 10 field locations (and shelters). Data collection was carried out with an age, gender and diversity perspective where disaggregation has been possible. Collected data is shown through an evidence matrix to support conclusions. The information has been triangulated and four workshops were carried out with UNHCR (Mexico and Panama) and partners to support validation. The evidence and conclusions have been aggregated according to the key areas of inquiry.

The evaluation team also analysed UNHCR's performance in Mexico based on the available monitoring tools, with the limitations of the current monitoring system in mind and in the knowledge that, as of 2022, there is a new results-based management framework. An important challenge for the evaluation has been the need to carry out an analysis of the operational effectiveness over a period of 5 years, based on annual UNHCR planning documents with changing targets and indicators. The impact of COVID-19 on operations and budgets in 2020 has distorted the identification of trends for the 5 year period. Scarcity of budget and HR data for the operation further limited the analysis.

## Context

Traditionally, Mexico has seen a wide range of human mobility flows, and has evolved from being a country of emigration and transit to also being considered a destination and receiving country for people on the move. The migration corridor in Mexico towards the USA includes flows of persons in need of international protection, either passing through the country or arriving there as their destination. These people predominantly come from the North of Central America (NCA), with increasing flows from Cuba, Venezuela and Haiti.

Crime and violence committed by cartels and gangs, along with poverty and growing inequality in NCA, as well as political, economic and social changes in countries in the region (essentially Central America, the Caribbean and Venezuela) are the main "push factors" and characterize the flow of population movements to Mexico and the USA. Likewise, changes in US asylum policy are essential for understanding how Mexico's asylum policy has been shaped, shifting between humanitarian protection, contention, and dissuasion. The US Supreme Court's ruling to reactivate Migrant Protection Protocols (MPP) in 2021 (as well as continued returns under Title 42) continues to cause uncertainty regarding real access to asylum in the USA.

In the last five years, Mexico has become an increasingly important country of asylum; the year 2021 saw a record number of asylum claims (over 131,000). The government's actions have had an impact on access to international protection for people on the move. Despite progress in terms of human rights, driven by Mexico's Migration Law and Refugee, Complementary Protection and Political Asylum Law, passed in 2011, and later initiatives to respond to various "waves" and flows of people on the move, contention-oriented responses, such as detentions and deportations, have increased, along with international protection challenges.



## Findings

### **How strategic has UNHCR been in working with the Government of Mexico to support the MIRPS and refugee and asylum-related areas of the Regional Development Plan?**

Between 2017 and 2021, UNHCR has been instrumental in expanding the protection space and contributing to the perception of Mexico as a host country for populations in need of international protection by public institutions and society (rather than just one of transit and emigration). UNHCR and partners have helped transform the national asylum system; there is broad consensus on the improvements achieved in access, registration, refugee processing and status determination, and local integration, despite systemic barriers and persistent challenges. UNHCR's added value can be appreciated in five spheres: i) the increased visibility of international protection in the political and social agenda; ii) the technical expertise and institutional support provided to further develop national capacities; iii) the regional vision and analysis of migration flows and policies; iv) the reactivity to respond to sudden population movements ("waves") and v) a country strategy focused on the humanitarian-development nexus, particularly through the local integration of refugees.

UNHCR (Panama regional office and Mexico country office), in collaboration with other organisations, has played a fundamental role in configuring and launching the MIRPS (2017) and subsequently working to ensure that it functions as a cohesive regional platform in the context of increasing and complex mixed population flows and growing pressure on national institutions and organisations.

UNHCR's vision and strategic positioning, support for reforms to the legal framework, deployment of the MIRPS, establishment of new alliances with national actors, and increased funding have led to significant progress in the development of the national asylum system. UNHCR has increased awareness and access to basic rights and services for persons in need of protection, strengthened the capacities of public institutions (National Refugee Commission/COMAR and, to a lesser extent, the National Migration Institute/INM) and driven the creation of an "ecosystem" of public (government ministries, other public administrations) and private actors (business, CSOs, academia, international organisations) working on asylum and protection in the south, centre and north of the country. Significant progress in strengthening the national asylum system (and ecosystem) has been achieved in a period marked by an increasing flow and 'waves' of mixed flows that have forced UNHCR and partners to make constant and challenging efforts to combine short-term emergency logic with medium-term development logic. The increased and improved capacity in the national asylum system has been decisive in providing broader coverage to growing international protection needs, albeit insufficient due to the exponential growth in the number and complexity of mixed flows.

In parallel to these achievements, however, accelerated operational and territorial growth of UNHCR and COMAR in a changing context has compromised the consistency and quality in several areas of action. Rapid expansion of programmes and partnerships, and the need for permanent mobilisation to respond to emergencies, has often produced difficulties such as shortfalls in human resources and positions with double or triple responsibilities. Likewise, the difficult balance between emergency and development actions and hard-to-reach quantitative targets provoke operational stress. Despite the efforts and resources invested by international and national actors, UNHCR and partners' capacities are stretched by the magnitude of needs, the absence of migratory alternatives and the overburdening of the asylum system. This is also true of others acting within the migrant and refugee sphere including the UN system and other international agencies, and government bodies, particularly COMAR and various municipalities.

The COVID-19 pandemic impacted UNHCR and its partners, particularly in 2020, at both organisational and operational levels. At an organisational level, UNHCR's operation in Mexico adopted protocols to protect the health of staff, partners and Persons of Concern (PoCs) and incorporated new remote working modalities. At an operational level, UNHCR, COMAR and partners made significant efforts to maintain a 'stay and deliver' presence on the ground, which guaranteed essential functions and has been positively acknowledged.

### **How coherent, effective and sustainable has UNHCR been in ensuring the transition from humanitarian assistance to self-reliance, socio-economic inclusion and the full integration of persons of concern, as outlined in the MIRPS and the refugee and asylum-related areas of the National Development Plan?**

The strategy of integrating refugees locally through the Local Integration Programme (LIP) has been appropriate (given the complex evolution of population flows and protection needs) and innovative in proposing life choices for many PoC. The LIP has performed well in terms of relocating people from the southern border to the north of the country, increasing the number of companies hiring refugees, improving the participation of federal, state and municipal authorities, and providing access to essential services in

destination cities. Originally a pilot project, the LIP has significant potential to become a benchmark intervention in Mexico and potentially at a regional level. One of the main challenges for the LIP is addressing the delicate balance between the pull factors of the USA (family ties, support networks, higher wages), the risks associated with being in an irregular situation in the USA, and the benefits of permanent residency, access to employment opportunities and support during integration in Mexico. These factors, and their evolution over time, influence the decisions of relocated people on whether to remain in Mexico or continue their migration further north.

The scarcity of official socio-demographic data on access to public services for people on the move and of homogeneous and disaggregated indicators for the LIP itself, unfortunately impede conclusive findings on the degree of integration achieved for relocated people and, therefore, validate the programme as a good practice 'business case'. At the time of this evaluation, the two areas requiring greater attention are: i) development of a common conceptual framework about the 'integration' process among different actors and, ii) an analysis of the 'permanency rate' for an extended time period (inherent to any integration process), considering diverse profiles and vulnerabilities. At present, the LIP is in a developmental phase, highly dependent on UNHCR funding, and as yet unable to demonstrate sufficient prospects for sustainability. In addition, the ambitious goal of increasing the number of relocated people will add further pressure to the management of the programme and the challenge of its sustainability. Nevertheless, UNHCR's work with the private sector, institutions and partners has led to the formation of alliances and positive responses from business and government bodies that may prove decisive for the programme's continuity.

The LIP has established local integration pathways for PoCs who decide to settle in Mexico and has undertaken an ambitious geographical expansion into eight locations in the centre and north of the country. Coordinating with public administrations in charge of employment and vocational training programmes and with a growing number of enterprises in an increasing number of cities under a conducive legal framework has been essential for the programme's viability in its initial phase. UNHCR has established partnerships with a growing number of companies to generate labour integration options for relocated refugees, with salaries comparable to nationals, including social security. Towards labour inclusion, UNHCR has undertaken support and advocacy actions that, despite some obstacles and gaps, have improved access to essential services. Insofar as the available resources allow, UNHCR has helped ensure that PoCs who decide to remain in Mexico can access formal employment, schooling, health care and naturalisation. Without detracting from the achievements made, unresolved challenges remain (e.g. financial inclusion), and tensions between quantity (relocation targets) and quality (degree of effective integration) emerge resulting in the identification of further opportunities for adjustments to the support process.

The growing number of partner organisations in an increasing number of locations has been critical for improving access to basic services and offering quality support to relocated persons during the integration process. UNHCR has made significant efforts to develop relationships with a wide range of partners, but there is room for improvement both at a strategic (e.g. shared vision on the role of partners and partnership development), operational (e.g. coordination forums between UNHCR and partners) and administrative levels (e.g. reporting modes, tools and planning). The ecosystem of actors working around the asylum system in Mexico, one of UNHCR's major contributions in recent years, is heavily dependent on the resources mobilised by UNHCR. This may jeopardise its strategic value and consolidation.

### **How effective has the UNHCR funding model been in Mexico, and how did the current funding structure impact the operation?**

Funding from the USA and, to a lesser extent, from other donors has allowed UNHCR to respond to growing international protection needs. The funding strategy has seen UNHCR move from financial requirements of USD 24.4 million in 2018 to USD 74.3 million in 2021. UNHCR has strategically positioned itself to attract new donors and made progress in diversifying funding, including from the private sector, although some reliance on North American financing remains. Prospects for obtaining new funding are good although, in the case of bilateral and multilateral contributions, UNHCR Mexico lacks sufficiently developed capacities in some areas. Good progress had been made in raising funds from private donors in Mexico (and North America), but efforts to increase their share in the overall funding of the operation should continue in order to balance the investments made with the return obtained (to date).

For the first time, relationships established with the EU and GIZ have made multi-year funding available for specific programmes (implemented jointly with other organisations) and paved the way for accessing further contributions from bilateral or multilateral donors. However, some disparities have been identified in partner organisations' vision and understanding of these joint programmes, which could have repercussions for implementation and the consistency of collaborative work. Multi-year funding has provided a stable budget

horizon for UNHCR's local integration strategy, which is essential in programmes that require prolonged processes and support.

### **How appropriate and effective is UNHCR's field office/unit structure? What are the most relevant strengths and weaknesses in the field offices/units in terms of protection and assistance to persons of concern?**

The increase in human resources (HR) and the distribution of staff among field offices is consistent with the specificities of population movements, international protection and local integration in the different areas (southern border, centre, CDMX, northern border). The increased human resource capacity has allowed for creation of a 'roving team', which extends UNHCR's reach to locations where it does not have a stable presence, the expansion of strategic programmes (e.g. LIP), and the specialisation of teams to better cope with the huge increase in flows and evolving protection needs.

However, the rapid operational growth has also brought about challenges, both internally and externally. The operation is working under pressure, with staff sometimes taking on double and triple roles, recent recruits unfamiliar with the organisation, imbalances and 'silos' between units and offices, and delayed recruitment processes. In addition, UNHCR's strong efforts to recruit has, in some cases, led to a brain drain from partner organisations, paradoxically weakening the very organisations it is trying to strengthen.

Externally, HR support to the national asylum system is perceived as a necessary, albeit transitory, step in upgrading and strengthening national capacities. UNHCR's support has been crucial in enabling COMAR and partners to manage record-breaking numbers of asylum claims in Mexico. However, the support provided by UNHCR to COMAR and other protection bodies ("procuradorías") in terms of staff should be exceptional, given national capacities. The analysis of the staff structure, even without sufficient data, shows that the CDMX office appears to have concentrated a significant part of the growth in human resources, primarily due to recruitment to support the MPP response. Ongoing recruitment processes and decentralisation are aimed at strengthening sub-offices and should help balance resources between CDMX and the field.

## **Conclusions**

### **Strategic level**

The national asylum system faces a paradox deriving from the complexity of regional population movements. On one hand, coverage of growing international protection needs has been expanded greatly, more actors have been involved in protection and humanitarian assistance, and national asylum capacities have been reinforced. On the other, despite huge investment and progress, the national asylum system is at its limit. The system is under pressure due to the accelerated growth and increasing intensity of international protection needs, greater knowledge of the asylum process among people on the move, and the lack of migratory alternatives, which can generate a risk of misuse of asylum claims in order to obtain documents with the hope of moving on from Mexico to the USA. So much has been done in so little time that progress may partially be affected or slowed down by a lack of migratory alternatives (and become a 'victim of its own success' or 'trivialise asylum').

The strategy and stance adopted by UNHCR in Mexico since 2017 have contributed significantly towards reinforcing asylum and international protection as a priority area for action on both the national and regional (MIRPS) institutional agenda. This is significant considering that Mexico is on one of the most important migration corridors in the world, in a highly unstable regional context with countries experiencing chronic crises that have been causing forced displacement for decades. UNHCR has positioned itself with government and other actors through humanitarian diplomacy and technical assistance vis-à-vis the state's institutions. UNHCR has positioned itself publicly in an effort to safeguard the right to international protection in a context of institutional decisions and practices that breach the principles recognised in national policies and the international commitments taken on by Mexico and the USA.

### **Operational level**

Efforts to support the national asylum system and develop the local integration programme have been hindered by emergency actions that UNHCR, COMAR and partners have had to implement to respond to a chain of events or migratory 'waves', as well as to the impact of COVID-19 and the policies adopted by the USA. UNHCR has been reactive, flexible and effective in responding to basic needs in emergency situations and its presence in the field has been decisive in maintaining protection and access to asylum during the critical phase of the pandemic. UNHCR's strategy in Mexico shows relevant efforts to articulate the

'humanitarian-development nexus', which needs to be consolidated and balanced, due to the permanent tension between the humanitarian response and long-term action.

Local integration as a durable solution has proved to be an effective strategy for thousands of refugees who have decided to stay in Mexico, especially given the limited number and capacities of actors in the 'ecosystem' that can offer specialised support. However, there is still a certain level of compartmentalisation between emergency interventions and the local integration programme (LIP), which indicates a need to strengthen the connection between these two approaches.

UNHCR's strategy in Mexico has brought together a wide range of government authorities, civil society organisations and the private sector in an 'ecosystem' of actors that provides mobilisation and makes asylum more visible. UNHCR's leading role and the deployment of its capacities may eclipse the emergence or projection of other leading national actors, in a country with acknowledged capacities and expertise. Given the strengths of the state architecture and the national economy, support from UNHCR at various levels of the Mexican public administration (e.g. Attorney's Offices, COMAR) should be exceptional, as it generates a risk of dependence and does not appear to be sustainable in the medium term.

## Organisational level

The intense growth in UNHCR resources in Mexico has allowed for remarkable progress, but it has also generated quality risks in two key spheres of the organisation. First, technical risks have been identified in key areas (e.g. internal processes, humanitarian actions, asylum claim and related procedures, infrastructures, local integration) that reduce the consistency of some results. Second, it has resulted in an overstretched organisation, especially from a human resources perspective, with excessive, sustained operational pressure requiring staff to take on double and triple roles and respond both to regular responsibilities and recurrent emergencies.

## Recommendations

### Strategic level

**Articulation of the response to a large-scale regional phenomenon** - Reinforce coordination and regional analysis of population movements (internally and externally), capitalising on existing data generation mechanisms and networks to drive evidence-based government and UN plans and responses, as well as joint and multi-country strategies of a wider scope.

**Integrity of the national asylum system** - Promote the strategic vision of the role to be played by the national asylum system among national institutions (at different levels of the public administration), within a context of intense mixed flows, in order to promote new migratory alternatives and preserve and broaden progress made in international protection and local integration.

### Operational level

**Quality of the protection and humanitarian assistance response** - Integrate a quality and mitigation plan (including work areas with COMAR and partners) into the operation's risk register. This plan should include immediate actions for improvement in critical areas and ensure uniform standards of planning, project management and assistance for persons of concern among all programmes and offices.

**Durable solutions – Local Integration Programme** - Showcase the Local Integration Programme (LIP) by reinforcing the evidence available on the results achieved, with a view to broadening its geographical coverage and its adoption by government authorities, the private sector and other organisations supporting refugee integration.

**Relationships with partners** - Reinforce the strategy with partners to consolidate a shared medium-term vision (without detriment to short-term emergency responses and while promoting organisational development) and foster the emergence of leading national actors in asylum and international protection that can mobilise, advocate and act with less reliance on UNHCR.

## Organisational level

**Structure of UNHCR in Mexico and talent** - Update the organisational chart of UNHCR staff in Mexico, promoting decentralisation and strengthening field teams, applying short-term actions to reduce

organisational pressure (e.g; stabilising the integration and performance of new recruits, reviewing workloads and roles), and improving the consistency and efficiency of internal functioning procedures.

**Funding model of UNHCR in Mexico** - Intensify on-going diversification efforts, capitalising on the initial experiences of access to multilateral and bilateral donors, promoting private funding with a regional viewpoint, exploring access to international financial institutions (IADB, WB) and designing eligible programmes to apply for tenders of a larger diversity of donors.

# 1 Introduction

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1. The UNHCR Evaluation Service has commissioned a Country Strategy Evaluation for Mexico, upon request from the UNHCR Representative in Mexico, to assess the results of UNHCR's interventions. The evaluation's results and recommendations may be incorporated during the year 2022, when adjustments are made to the 2022–2024 multi-year strategy. The evaluation seeks to:
  - Analyse the relevance of the strategy and its contribution to the regional and national goals regarding international protection during the 2017–2022 period.
  - Provide evidence of the UNHCR's interventions and determine how and why they have improved refugees' and asylum-seekers' lives or otherwise.
  - Determine to what extent the UNHCR's capacity, structures and processes are aligned and fit-for-purpose to carry out the strategy.
  - Document the lessons learned and recommendations for improving the UNHCR's actions over the next planning period.
2. The evaluation covers a period of four years, from 2017 to 2020, though the evaluation team has broadened its scope to cover 2021 (in accordance with available data) in order to include a longer time series, as well as key contextual and operational elements that have been seen in the first half of 2021. The geographical scope of the evaluation focuses on Mexico, though a regional perspective is incorporated in some aspects of the analysis.
3. The evaluation is formative in nature and provides recommendations for strengthening UNHCR's institutional and operational role and its capacity for fulfilling its international protection mandate in an ever-evolving regional and national context. The recommendations stemming from this country strategy evaluation will help to lay the foundations for future UNHCR operational planning, resource mobilisation and national programmes implementation.

## READING NOTES

- In general, references to UNHCR in the text also include partner organisations, which play a crucial role in the implementation of strategic programmes and actions. Using the expression 'UNHCR and partners' systematically has been avoided to ensure readability.



# 2 Context

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## 2.1 Migration and Asylum in Mexico

4. Traditionally, Mexico has seen a wide range of human mobility flows and has evolved from being a country eminently of emigration and transit to also being considered a destination and receiving country for people on the move. The migration corridor in Mexico towards the USA includes flows of persons in need of international protection, either passing through the country or arriving there as their destination. These people predominantly come from the Northern Triangle of Central America (NTCA) – Honduras, Guatemala and El Salvador – and, to a lesser extent, Cuba, Venezuela and Haiti.
5. Despite progress made in terms of human rights, driven by Mexico's 2011 Migration Law and Refugee, Complementary Protection and Political Asylum Law and later initiatives to respond to various 'waves' and flows of people on the move in recent years (e.g: unaccompanied migrant minors in 2014, Haitian people in 2016 and 2021, Central American 'caravans' since 2018), the Mexican government's detention and deportation efforts have intensified. This is reflected in the verification controls and operations carried out by the Mexican National Migration Institute (INM)<sup>1</sup> to contain the flows of people on the move into the country.
6. In this context, it is important to track the mobility of persons with specific needs (e.g. children and adolescents, women, LGBTIQ+ people), as they are exposed to risks of exploitation, trafficking, gender violence and discrimination in their country of origin and in their transit through Mexico<sup>2</sup>. The flow of minors on the move has increased in recent years. In 2019, 18,280 children and adolescents sought asylum in Mexico, and 13,242 unaccompanied minors were detained. Only 673 of them submitted an asylum claim. The first quarter of 2021 saw a sharp increase in the arrival of unaccompanied and separated children and adolescents. Since the pandemic, a rise in the number of children and adolescents has been observed in some shelters, representing up to 30% of the migrant population<sup>3</sup>.
7. In Mexico, much of the humanitarian assistance for people on the move has been provided by Mexican civil society organisations and faith-based organisations. According to the Network for Documentation of Migrant Defence Organisations (REDODEM), out of the people recorded who mentioned that they had received some sort of support, 73% of them received it from the staff of a shelter, while only 2% indicated that they received support from government authorities<sup>4</sup>. Shelters and other civil society organisations continue to face capacity issues in their efforts to respond to the needs of people on the move and refugees, particularly in the north and south border regions.

## 2.2 Summary of the asylum policy panorama in Mexico

8. Crime and violence committed by cartels and gangs, along with poverty and growing inequality, have been key factors in the displacement of people from the NTCA towards Mexico and the USA<sup>5</sup>. Mexico has become an increasingly important country of asylum; although applications fell in 2020 as a result of COVID-19 restrictions, the year 2021 saw a record number of asylum claims, with over 131,000 at the end of the year (an 86.84% increase<sup>6</sup> on the previous year). Mexico's migration and asylum policy has been influenced both by its transition from a country of transit to a destination and by its geographical location and relationship with the USA. In this regard, changes in US asylum policy and political, economic and social changes in countries in the region (essentially Central America, the Caribbean and Venezuela)

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<sup>1</sup> Strauss Center for International Security and Law (2020). Las Políticas Migratorias de Andrés Manuel López Obrador en México. Un reporte del Proyecto de Investigación de Políticas sobre la Política Migratoria Mexicana, (p. 20)

<sup>2</sup> UNHCR, COP 2021

<sup>3</sup> UNICEF (April 2021). Nine times more migrant children in Mexico over the past three months. Available at: <https://www.unicef.org/press-releases/nine-times-more-migrant-children-mexico-over-past-three-months-unicef>

<sup>4</sup> REDODEM, Indicators: 2019 report, October 2020, quoted in the REDLAC Report (November 2020).

<sup>5</sup> UNHCR Displacement in Central America. Available at: <https://www.unhcr.org/displacement-in-central-america.html>

<sup>6</sup> El Economista (3 January 2022). Solicitudes de refugio rompen récord. Available at: <https://www.eleconomista.com.mx/politica/Mexico-cerro-2021-con-cifra-record-en-el-numero-de-solicitudes-de-refugio-Comar-20220103-0067.html>

are key for understanding how Mexico's asylum policy has been shaped, shifting between humanitarian protection, contention and dissuasion<sup>7</sup>.

9. From October 2018, a series of 'caravans' of people from Honduras and El Salvador were organised, with a view to crossing Mexico and entering the USA. The Mexican government launched the plan 'Estás en tu casa' ['Make yourself at home'], offering temporary work, access to health services and education to asylum seekers in Mexico who stayed in the southern border regions. Despite these measures, the 'caravans' continued with their journey and managed to reach the US border, though with fewer people. The United States government responded by sending 5,200 National Guard soldiers to the border.
10. Andrés Manuel López Obrador coming to power in late 2018 marked a change in discourse in Mexico's migration policy, putting protection of the human rights of people on the move as a central element of the new policy and promoting a safe, ordered, and regular migration. The US government, meanwhile, continued with policies to restrict the right to asylum. On 20 December, it announced the implementation of Migrant Protection Protocols (MPP), under which anyone crossing the border illegally could be sent back to Mexico to wait for their hearing in the United States Courts regarding their migration or asylum cases. The Mexican government responded by saying that it would accept the people sent back for humanitarian reasons and it would dedicate resources to receiving them<sup>8</sup>.
11. Despite a tougher US migration policy, the increase in migratory flows continued. By late February 2019, Mexico had issued over 18,000 visas for humanitarian reasons. The limited resources and administrative capacity of the Mexican Commission for Refugee Assistance (COMAR) led to substantial delays in the processing of applications for refugee status in Mexico. Under these conditions, the Mexican government decided to contain population movements, deploying the federal police in the country's southern states to prevent them from moving towards the border with the USA.
12. In May 2019, Donald Trump's government threatened to impose tariffs of up to 25% on imports of Mexican products if the Mexican government failed to take action to reduce migration flows. This crisis was resolved when the Migration Collaboration Agreement was negotiated in June 2019. Mexico committed to strengthening its migration controls by deploying the National Guard to support INM role and to accepting the return of more asylum seekers from the USA. Migration-related detentions in Mexico reached their peak (33,000) in June 2019, around when the agreement was signed, and totalled 187,000 over the course of 2019<sup>9</sup>. In total, 56,000 people were returned to Mexico under Migrant Protection Protocols in that year<sup>10</sup>. The Mexican government's limited institutional capacity to house and protect those returned meant that these people had to settle precariously in the border cities of the northern region in unsafe, unhealthy conditions, despite support from civil society organisations.
13. In early 2020, both MPP returns and flows of people at the Mexico-US border decreased as a result of COVID-19 restrictions and the US government's new policies, including the Transit-Country Asylum Ban and Asylum Cooperative Agreements with Guatemala, El Salvador and Honduras<sup>11</sup>. The pandemic emergency allowed the US government to implement Title 42 expulsions. This rule allows migration authorities to expel migrants without an adequate administrative process by arguing that they may represent a health risk.
14. At the beginning of his term, President Joe Biden proposed changes in US international protection regulations and announced the suspension of new MPP arrivals<sup>12</sup>. On 1 June 2021, the Secretary of

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<sup>7</sup> Eduardo Torre *et al*, "El sistema de refugio mexicano: entre proteger y contener", *Frontera Norte*, vol.33, 2021.

<sup>8</sup>Position of Mexico on the Decision of the U.S. Government to Invoke Section 235(b)(2)(C) of its Immigration and Nationality Act, 20 December 2018, <https://www.gob.mx/sre/en/articulos/position-of-mexico-on-the-decision-of-the-u-s-government-to-invoke-section-235-b-2-c-of-its-immigration-and-nationality-act-185795?idiom=en>

<sup>9</sup> Ariel G. Ruiz Soto, "One year after the U.S.-Mexico Agreement: Reshaping Mexico's Migration Policies", MPI, June 2020.

<sup>10</sup> TRAC Immigration-Syracuse University, "Contrasting Experiences: MPP vs. Non-MPP Immigration Court Cases", December 19, 2019, <https://trac.syr.edu/immigration/reports/587/>

<sup>11</sup> The Transit-Country Asylum Ban prevents people who have crossed a third country from seeking asylum in the USA unless they can prove that they were denied asylum in this third country. Ariel G. Ruiz Soto, "One year after the U.S.-Mexico Agreement: Reshaping Mexico's Migration Policies", Migration Policy Institute, June 2020.

<sup>12</sup> DHS (20 January 2021), DHS Statement on the Suspension of New Enrolments in the Migrant Protection Protocols Program. Available at: <https://www.dhs.gov/news/2021/01/20/dhs-statement-suspension-new-enrollments-migrant-protection-protocols-program>



Homeland Security officially put an end to the programme<sup>13</sup>. Between February and August 2021, over 13,000 people with eligible cases managed to enter the USA through the 'Conecta' platform<sup>14</sup> to continue with their cases in the country. However, the Supreme Court's ruling to reactivate MPP<sup>15</sup> (as well as constant returns under Title 42) continues to cause uncertainty regarding real access to asylum in the USA. On 29 October 2021, the Department of Homeland Security (DHS) issued another memorandum terminating MPP,<sup>16</sup> which is currently being reviewed by the courts. Meanwhile, the MPP system has been reimplemented, in accordance with the Court's order.

15. On a national level, the legal framework for asylum and international protection is favourable and has undergone significant changes in recent years. However, the practical application of regulatory provisions and political orientations reveals recurring inconsistencies that seem to have worsened during 2021, especially with the arrival of the Haitian population.

## 2.3 Forced internal displacement (FID) in Mexico

16. Forced internal displacement in Mexico has recently received attention from the federal government, though limited progress has been made. In 2019, the Mexican Commission for the Defence and Promotion of Human Rights (CMDPDH in Spanish) estimated that at least 8,644 people were forcibly displaced from their homes in 28 mass events over the course of the year.<sup>17</sup> According to its accumulated records, the total number of people displaced by violence in Mexico (up to December 2019) is 346,945. More than half of these displacements occurred in Guerrero, one of the states most affected by violence linked to organised crime. The main causes of forced displacement include violence perpetrated by armed groups, political violence, social conflict, territorial conflicts and violations of human rights. CMDPDH figures indicate that, in 2020, a great deal of the people forcibly displaced came from Michoacán and Jalisco, both states that are also affected by organised crime<sup>18</sup>.
17. Both the Secretariat of the Interior<sup>19</sup> and the National Population Council<sup>20</sup> recognise the urgent need to develop instruments to measure the magnitude of forced internal displacement in Mexico more precisely. In 2020, the Chamber of Deputies passed the General Law to Prevent, Address and Comprehensively Repair Forced Internal Displacement, to recognise and protect the rights of displaced people via a national programme organised by the Secretariat of the Interior, which would include a national registry of forcibly displaced people. The bill was passed on to the Senate in 2020, where it is currently awaiting the rest of the legislative process.

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<sup>13</sup> DHS (11 June 2021), Termination of the Migrant Protection Protocols Program. Available at: [https://www.dhs.gov/sites/default/files/publications/21\\_0601\\_termination\\_of\\_mpp\\_program.pdf](https://www.dhs.gov/sites/default/files/publications/21_0601_termination_of_mpp_program.pdf)

<sup>14</sup> Effort supported by the IOM and UNHCR. 'Conecta' platform, available at: <https://conecta.acnur.org/>

<sup>15</sup> HRW (26 August 2021). EE. US: Supreme Court Ruling Endangers Asylum Seekers Available at: <https://www.hrw.org/news/2021/08/26/us-supreme-court-ruling-endangers-asylum-seekers>

<sup>16</sup> DHS (29 October 2021), Termination of the Migrant Protection Protocols. Available at: [https://www.dhs.gov/sites/default/files/publications/21\\_1029\\_mpp-termination-memo.pdf](https://www.dhs.gov/sites/default/files/publications/21_1029_mpp-termination-memo.pdf)

<sup>17</sup> CMDPDH (2020) Episodios de desplazamiento masivo en México. CDMX.

<sup>18</sup> <https://www.elfinanciero.com.mx/nacional/2021/07/08/desplazados-por-violencia-desde-2020-al-menos-13-mil-mexicanos/>

<sup>19</sup> CONAPO, "La violencia como causa de desplazamiento forzado: aproximaciones a su análisis en México", marzo de 2019, [https://www.gob.mx/cms/uploads/attachment/file/456109/Desplaz\\_2019\\_web\\_color-comp.pdf](https://www.gob.mx/cms/uploads/attachment/file/456109/Desplaz_2019_web_color-comp.pdf)

<sup>20</sup> Secretariat of the Interior, Unit for Migration Policy, Registry and Identity of Persons, 'Migración interna por violencia o inseguridad en México', 2020.

# 3 Evaluation Methodology

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## 3.1 General Evaluation Framework

19. In the context of the COVID-19 pandemic, this evaluation has been carried out in a hybrid format, with a combination of face-to-face and remote data collection and analysis tools. The evaluation team has complied with UNHCR's and public health authorities' guidelines concerning COVID-19 prevention and protection measures throughout.
20. The evaluation time frame, specified in the TOR as 2017–2020, has been extended to 2021 (insofar as UNHCR has provided the evaluation team with the corresponding data). However, the cut-off date for the data collection and analysis phase is October 2021, so the level of analysis of the operation in Mexico for 2021 as a whole lacks the consistency of previous years.
21. The evaluation is structured through three main dimensions of analysis, grouping the areas of inquiry and evaluation questions agreed upon by UNHCR and the evaluation team.
  - The first is the analysis of UNHCR's strategic contribution to Mexico's leadership role within the framework of MIRPS (Spanish acronym for the Comprehensive Regional Protection and Solutions Framework) and to the initiatives adopted to respond to international protection and solutions challenges.
  - The second dimension is the analysis of UNHCR's programmatic response in terms of coherence, effectiveness and sustainability. In particular, the team has analysed the extent to which UNHCR's response has contributed towards the transition from a focus on humanitarian assistance to an approach oriented towards the self-sufficiency, inclusion and socio-economic integration of the persons of concern.
  - The third is the analysis of the organisational development of the UNHCR Country Office in Mexico, based on two key areas: i) Evolution of the operation funding model and the model for the running of the office, and ii) Expansion of the network of field offices and the human resources needed to respond to an exponential growth in needs.
22. The evaluation matrix is divided into 4 areas of inquiry, with 4 main evaluation questions and 15 sub-questions. All sub-questions are related to the evaluation criteria defined by ALNAP, with a focus on coherence, effectiveness and sustainability.

## 3.2 Data Collection Methods

23. The evaluation was carried out using a mixed-methods approach, using both primary and secondary sources. The qualitative tools for primary data gathering were designed ad hoc to complement the available secondary quantitative data. Primary data collection Data collection was carried out with an age, gender and diversity perspective where disaggregation has been possible. The combination of face-to-face and remote field work has allowed data to be collected through a more diverse range of tools.
24. Key actors: The evaluation team contacted 222 informants and 85% of them were interviewed (see Annex 1). The key actors were grouped together into eight types of organisations or groups of informants. For the face-to-face field work, 10 locations were prioritised for visits – on the north border, in the central area and on the south border – based on the context, relevance and volume of UNHCR's and its partners' activities in the area.
25. Document review: The document review covers a total of 398 documents, 198 of which are external and 200 of which belong to UNHCR (see Annex 4). The evaluation matrix has linked the documents to each of the evaluation questions, sub-questions and evaluation criteria.

26. Interviews: The evaluation team conducted interviews with 187 informants, 59% of whom were women and 41%, men (see Annex 1). Interviews were conducted face to face in 29% of cases, while 71% were remote. The UNHCR category includes interviews with UNHCR teams in Mexico (Mexico City and field offices) and interviews on a regional level (Panama office).
27. Focus groups: The evaluation team organised 12 FGDs in 6 of the 10 cities visited, with a total of 68 participants (47% women and 53% men). Specific FGDs with vulnerable groups (e.g. children and adolescents, LGBTI groups, people with a disability) were not conducted due to restrictions linked to the pandemic in the country and organisational limitations. The representation of different nationalities and genders in the FGD is consistent with Central American migratory profiles. However, a representative presence of Haitians and Cubans was not achieved (see Annex 2).
28. Observations: The evaluation team visited 10 locations (see Annex 6). Shelters were visited for the purpose of carrying out the interviews and FGD. The intended visit plan could not be completed due to COVID-19 outbreaks. The shelters visited are on the busiest migration routes and were operating at 30% or 50% of their usual capacity due to public health restrictions.

### 3.3 Data Analysis & Validation

29. Data have been brought together in an evidence matrix (based on evaluation questions) to substantiate the conclusions. Triangulation of the information and four workshops were carried out with UNHCR, partners and key organisations to support validation. Data and conclusions have been aggregated and reviewed according to evaluation question and area of inquiry, and triangulated according to type of data, method, data source and evaluator.
30. Three emerging findings workshops have been carried out separately, the first with UNHCR Mexico staff (02/09/2021), the second with national institutions and partners (29/09/2021) and the third (22/02/2022) with UNHCR teams again in Mexico and Panama. The aim of the first two workshops was to share preliminary findings and conclusions and to develop areas for improvement together, thus strengthening participation and a co-creation approach. The third workshop aimed to identify recommendations and priority actions to be implemented in the short term ('what's next?') and involved use of the MENTIMETER tool. For the first two workshops, 141 people were contacted from 57 institutions, and a total of 77 people participated. In the final workshop, around 40 UNHCR professionals participated. The fourth workshop (07/04/2022) with UNHCR Regional office aimed at disseminating the findings and identifying in which ways the Regional office could support the implementation of recommendations.
31. The evaluation team has also analysed UNHCR's performance in Mexico (Annex 11) based on the available internal monitoring tools, with the limitations of the current monitoring system in mind and in the knowledge that, as of 2022, there is a new results-based management framework and, therefore, a new monitoring system.

### 3.4 Participation Mechanisms & Monitoring

32. Various factors inhibited establishing an evaluation Reference Group. Nonetheless, the evaluation team has kept up fluid communication with the evaluation service at the UNHCR Regional Office in Panama and with the Country Office in Mexico. A committee of representatives for PoC could not be put together either, though their opinions have been gathered through FGD, in-depth interviews and field observations.

### 3.5 Quality Control

33. Quality control is based on UNHCR's evaluation quality assurance guide, UNEG norms, and best practices in the evaluation community (ALNAP, OECD/DAC). Throughout the process, quality control has been ensured in two spheres: internally, by the evaluation team through self-evaluations and the application of an internal grid with parameters for checking the consistency of different deliverables; and externally, through UNHCR's services, and in particular by the Country Office in Mexico and the Evaluation Service.

## 3.6 Limitations and Ethical Considerations

### 3.6.1 Unique characteristics of the UNHCR monitoring system

34. An important challenge of the evaluation has been the need to carry out an analysis of the operational effectiveness over a period of 5 years, based on annual UNHCR planning documents with changing targets and indicators. The UNHCR monitoring system presents unique characteristics that make it difficult to identify trends over time and, in all likelihood, draw some conclusions of a broader scope. First, UNHCR has used 59 output indicators that, over the course of 5 years, have been reported 268 times with different frequencies. Out of these 59 indicators, only 12 were used consistently over 4 or 5 years. Second, the evaluation team has had to base part of the analysis on different monitoring documents, published at different intervals from different sources and with different formats. In addition, the team has identified inaccuracies in some figures.
35. The impact of COVID-19 on operations and budgets in 2020 has distorted the identification of trends for the 5 years period. Scarcity of budget and HR data for the operation further limited the analysis.
36. The table below presents the limitations that have arisen during the evaluation process. Mitigation measures have been discussed between UNHCR and the evaluation team.

LIMITATIONS	MITIGATION MEASURES
Operational pressure on UNHCR teams and partners has partially limited access to information and to some informants. Rapid growth in UNHCR operations and staff rotation led to some gaps in data regarding the intervention strategy in 2017.	<ul style="list-style-type: none"> <li>▪ Increase the number of informants and use the 'snowball sampling' method to identify other potential informants not foreseen in the original plan. Extend the identification and use of secondary data recently published by national and international organisations.</li> </ul>
Lack of data regarding human resources and gaps in the budget execution data from 2017 and 2021.	<ul style="list-style-type: none"> <li>▪ Place the emphasis on qualitative analysis and use the available data on budget projections, even though they are less accurate.</li> </ul>
The wide-reaching geographical spread of PoC, the co-existence of various cultural and linguistic groups, the scope of the programmatic response and the presence of multiple vulnerability profiles have made comprehensively tackling protection issues a challenge.	<ul style="list-style-type: none"> <li>▪ The evaluation team and UNHCR have prioritised certain locations, key themes for analysis and vulnerable groups that have been accessible during the field work.</li> </ul>
Difficulties in the application of a participative approach (especially in terms of representation of PoC during the evaluation process).	<ul style="list-style-type: none"> <li>▪ Establish a constant communication with the Regional office's Evaluation Service and UNHCR's focal persons in Mexico. Strengthen data collection from partners and organisations working on the front line.</li> </ul>
Data collection has been limited in shelters and FGDs due to COVID-19.	<ul style="list-style-type: none"> <li>▪ Organise remote group interviews.</li> </ul>

### 3.6.2 Ethical Considerations

This evaluation is based on the Evaluation of Humanitarian Action Guide issued by ALNAP (2016) and the UNEG's Ethical Guidelines and Code of Conduct (2008). In particular, the evaluation has followed the guidelines on the integration of the principles of gender equality and human rights established in the UNEG manual, Integrating Human Rights and Gender Equality in Evaluation (2011).

# 4 Findings

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## 4.1 Area of inquiry 1: How strategic has UNHCR been in working with the Government of Mexico to support the MIRPS and refugee and asylum-related areas of the Regional Development Plan?

37. Between 2017 and 2021, UNHCR has been instrumental in expanding the protection space and contributing to the perception of Mexico as a host country for populations in need of international protection by public institutions and society (rather than just one of transit and emigration). UNHCR and partners helped transform the national asylum system; there is broad consensus on the improvements achieved in access, registration, refugee processing and status determination and local integration, despite systemic barriers and persistent challenges. UNHCR's added value can be appreciated in five spheres: i) the increased visibility of international protection in the political and social agenda; ii) the technical expertise and institutional support provided to further develop national capacities; iii) the regional vision and analysis of migration flows and policies; iv) the reactivity to respond to sudden population movements ("waves") and v) a country strategy focused on the humanitarian-development nexus, particularly through the local integration of refugees.

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### 4.1.1 How relevant/appropriate were UNHCR-led initiatives aimed at ensuring the Mexico chapter of MIRPS adequately reflects the full range of protection and solutions challenges?

38. UNHCR (Panama regional office and Mexico country office), in collaboration with other organisations, has played a fundamental role in configuring and launching the MIRPS (2017) and subsequently working to ensure that it functions as a cohesive platform with regional vision in the context increasing and complex mixed population flows and growing pressure on national institutions and organisations. The MIRPS is perceived as a platform of interest and a useful mechanism for regional articulation, despite weaknesses highlighted by some informants. UNHCR has also helped position Mexico as a regional benchmark for innovations and lessons learned in the field of international protection<sup>21</sup>.

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39. The MIRPS brings the global consensus on international cooperation and responsibility-sharing of the Global Compact on Refugees to the Mesoamerican region. UNHCR and the OAS hold the technical secretariat of the MIRPS which, since its inception, has played a key role in boosting and bringing coherence to the regional vision of the international protection challenges arising from the intense flows of human mobility. In 2019, Mexico held the pro-tempore presidency during the inaugural year of the MIRPS, and UNHCR promoted consensus among countries in the region, working with the Government of Mexico's technical team (Ministry of Foreign Affairs, COMAR) to define regional agendas and priorities. In parallel, UNHCR led a far-reaching consultative process with federal and local authorities, which increased the visibility of the Global Compact on Refugees in Mexico at different levels of the administration and facilitated the development of work plans with a highly participatory approach.

40. On a national level, UNHCR support for governmental bodies (e.g., COMAR, Undersecretariat for Human Rights, Foreign Office) through technical assistances, institutional dialogue, advocacy and funding played a fundamental role in ensuring Mexico's MIRPS National Action Plan reflected essential international protection requirements adequately and proposed a comprehensive response strategy (encompassing protection, access to basic services, local integration and capacity building)<sup>22</sup>. The implementation of the MIRPS in Mexico has been primarily articulated through the Inter-institutional

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<sup>21</sup> UNHCR, Compilation of the Regional Legal Unit for the Americas - Best practice 28: Complementary Protection and Humanitarian Visas

<sup>22</sup> The Mexico chapter of the MIRPS, developed through a participatory process, defines four priority axes of intervention: AXIS 1 - Reception and Admission; AXIS 2 - Immediate and Ongoing Needs; AXIS 3 - Support to Host Countries and Communities; AXIS 4 - Expanding Opportunities for Durable Solutions



Roundtable on Shelter and Complementary Protection (and technical roundtables on employment, education, health and identity) which has brought together CSOs and government actors from the ministries of social affairs, education, employment and health<sup>23</sup>.

41. In 2019, thanks to UNHCR's advocacy work, El Salvador joined the MIRPS. At a regional level, the Government of Mexico (through the Ministry of Foreign Affairs), in coordination with ECLAC and in a conducive environment brokered by UNHCR<sup>24</sup>, is spearheading the Comprehensive Development Plan (PDI) for El Salvador, Guatemala, Honduras and the south-southeast of Mexico.
42. Under the impetus of the MIRPS, and through the Inter-Institutional Roundtable, UNHCR has contributed to amendments to the General Population Law. This has facilitated access to documentation (Unique Population Registry Code - CURP) for asylum seekers and refugees. In addition, the Commission for the Protection of Migrant and Asylum Seeking Children and Adolescents established an inter-agency referral channel for the protection of refugee and migrant children based on the "best interests of the child" procedure. The government also adopted reforms to align the Law on Refugees, Complementary Protection and Political Asylum (LRPCAP)<sup>25</sup> and the Law on Migration with the General Law on the Rights of Children and Adolescents<sup>26</sup>.
43. On a national level, work with different Mexican government agencies has contributed to the inclusion of refugees and asylum seekers in the 2019-2024 National Development Plan<sup>27</sup>. UNHCR advocated for access to the health system, worked alongside the Ministry of Labour and Social Welfare to strengthen the National Employment System, and promoted the inclusion of PoC in the back-to-school strategy.

#### 4.1.2 UNHCR's effectiveness in supporting Mexico's leadership of the MIRPS process and protecting fundamental rights

44. Between 2017 and 2021, a combination of unique contextual factors (Global Compact, commitment to human rights in national migration policies, new leadership of COMAR, increased visibility of migratory events on the northern and southern borders) provided an opportunity to raise awareness of the international protection needs in Mexico. In this context, UNHCR's vision and strategic positioning, support for reforms to the legal framework<sup>28</sup>, deployment of the MIRPS, establishment of new alliances with national actors and increased funding have led to significant progress in the development of the national asylum system. UNHCR has increased awareness and access to basic rights and services for persons in need of protection, strengthened the capacities of public institutions (COMAR and, to a lesser extent, INM) and driven the creation of an "ecosystem" of public (government ministries, other public administrations) and private actors (business, CSOs, academia, international organisations) working on asylum and protection in the south, centre and north of the country.
45. Significant progress in the national asylum system (and ecosystem) has been achieved in a period marked by increasing mixed flows and 'waves' that have forced UNHCR and partners to make constant and challenging efforts to combine short-term emergency logic with medium-term development logic. The increased and improved 'installed capacity' in the national asylum system was decisive in providing broader coverage to growing international protection needs, albeit insufficiently due to the exponential growth in the number and complexity of mixed flows. The "push factors" in countries of origin have proven more potent than the increasing restrictions on human mobility.
46. In parallel to the achievements, the accelerated operational and territorial growth of UNHCR and COMAR in a changing context, has compromised the consistency and quality in several areas of

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<sup>23</sup> The Inter-institutional Roundtable on Shelter and Complementary Protection is composed of the following Ministries: Ministry of the Interior (COMAR, National Migration Institute, National Population Registry, Council for the Prevention of Discrimination), Ministry of Foreign Affairs, Child Protection Authorities, Ministry of Health, Ministry of Public Education, Ministry of Welfare, Ministry of Labour and Social Welfare, Banking and Securities Commission, National Human Rights Commission, UNHCR, IOM, UNICEF, PAHO/WHO, national NGOs

<sup>24</sup> Ministry of Foreign Affairs attends the 72nd session of the Executive Committee of UNHCR (<https://www.gob.mx/sre/prensa/sre-presente-en-la-72-reunion-del-comite-ejecutivo-del-acnur?idiom=es>)

<sup>25</sup> Last reform published in November 2020

<sup>26</sup> Last reform published in January 2021

<sup>27</sup> Other relevant experiences have taken place in the states of Coahuila and Jalisco.

<sup>28</sup> Laws on refugees, migration and children

action. Rapid expansion of programmes and partners and the need for permanent mobilisation to respond to emergencies has often produced difficulties such as shortfalls in human resources and positions with double or triple responsibilities. Likewise, the difficult balance between emergency and development actions and hard-to-reach quantitative targets provoke operational stress. Despite the efforts and resources invested by international and national actors, UNHCR and partners' capacities are stretched by the magnitude of the needs, the absence of migratory alternatives and the overburdening of the asylum system. This is also true of others acting within the migrant and refugee sphere including the UN system and other international agencies, and government bodies, particularly COMAR and various municipalities. The events seen on the northern and southern borders in 2021 are clear examples of the excessively strained and fragile response capacities at all levels, especially in emergency situations. In this context, the successive 'waves' of population influx are increasing tensions in host communities on the two borders, and the peaceful coexistence initiatives intended to combat those tensions are proving inadequate.

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#### 4.1.2.1 Cooperation with COMAR

47. Broadly speaking, numerous actions deployed by UNHCR over the last five years to support the development of the national asylum system can be grouped into three categories:
- Strengthening the national asylum and international protection system, working intensively with COMAR, and to a lesser extent, with INM, RENAPO, other public administration bodies and civil society organisations.
  - Implementing an ambitious programme to support local integration for refugees in Mexico and social cohesion in host communities, relocating refugees from the southern border to central and northern cities with better prospects for economic and social integration.
  - Participating in multiple advocacy and coordination forums and providing impetus for networking between public and private organisations to develop an 'ecosystem' of actors working on asylum and international protection.
48. Cooperation between the two institutions resulted in a memorandum signed between the Ministry of the Interior and UNHCR in 2019, which has been operationally realised through annual COMAR - UNHCR Work Plans. Deployment of UNHCR's efforts and resources in the country is also reflected in COMAR's growing reach and effectiveness in key locations. For example, in 2016, COMAR had just three offices (Tapachula, Acayucan and CDMX). COMAR now has representation and liaison offices in twelve locations (Acayucan, Aguascalientes, Mexico City, Ciudad Juárez, Guadalajara, Monterrey, Palenque, Saltillo, Tapachula, Tenosique, Tijuana and Tuxtla), and is present in nine more locations (Cancun, Guanajuato, Irapuato, Leon, Mexicali, Puebla, Queretaro, San Luis Potosi and Torreon). In 2019, in response to the growing number of applicants, a COMAR and UNHCR-managed Registration Centre with the capacity to attend 6,000 people a month was opened in Tapachula.
49. Material resources provided by UNHCR equipped COMAR with the premises, vehicles, computer equipment and technologies it needs to respond to an increase in applications that could not otherwise have been met. UNHCR implemented projects specifically aimed at improving case management efficiency and quality, a vital task given the exponential increase in the number and complexity of cases. In terms of quality, roll-out of a Quality Assurance Initiative (QAI) and creation of a specialised team led to improvements in COMAR's operations.
50. In terms of mobilising human resources, the number of staff recruited by UNHCR to support COMAR increased from 29 UNOPS in 2017 to 210 in 2019 (171 individual contracts and 39 UNOPS), 146 people in 2020 and 215 people in 2021. Staff recruited by UNHCR filled the essential roles needed to open new COMAR offices (Guadalajara, Saltillo, Cancun), create new departments (e.g. Analysis and Statistics) and respond to emerging needs (e.g. Creole interpreters).
51. Support provided to COMAR professionals (in-house and support staff) included a skills development component, as reflected in the "National Training Plan", which combined face-to-face training, on-the-job training, training for trainers and remote training, covering a broad spectrum of RSD and protection

issues<sup>29</sup>. The use of remote working technologies made it possible to maintain that support and a certain level of training during the COVID-19 pandemic. The number of COMAR professionals trained has fluctuated annually depending on budget availability (34 in 2018 and 240 in 2019).

52. In financial terms, UNHCR's budget for providing support to COMAR during the 2018 – 2021 period was around USD 11 million, with a maximum spend of around USD 4.5 million in 2021. COMAR's cumulative public budget for the same period was approximately USD 8 million, which highlights the significant imbalance between in-house and external funds and explains why it needs stable administrative and logistical support from UNHCR to manage the funds and implement some of the agreed actions.

#### 4.1.2.2 Cooperation with the National Migration Institute and other public actors

53. Cooperation between UNHCR and INM fluctuated between 2017 – 2021 and was less intense than the cooperation with COMAR, probably due to the complex and changing institutional and migratory situation. Broadly speaking, UNHCR deployed five primary modes of support to the INM.

- Training for a significant number of INM officials on international law and the right to asylum, responsibilities of officials towards asylum seekers and refugees, identification and referral of persons at risk or in need of protection.
- In coordination with COMAR and CSOs, support for the 'alternatives to detention<sup>30</sup>' programme, including improving access to information in INM-run immigration detention centres for detainees, although access to immigration detention centres is currently restricted.
- Organizing border monitoring missions as a key element of the protection strategy.
- Cooperating with the INM on LIP (Local Integration Programme) transfers (validating lists of persons transferred).
- Support for the INM's participation in regional events and coordination forums on migratory flows in Central America, in which Mexican institutions play a crucial role.

54. UNHCR's work with the National Human Rights Commission has been instrumental for planning and implementing border monitoring visits, protection referrals, and visits to detention centres, especially given UNHCR's inability to access airports or other border-crossing points.

#### 4.1.2.3 Access to territory, information and legal assistance

55. People on the move can access the Mexican territory in different ways. The INM process follows a logic of containment and border control that involves formal entry into the country and detainment in an immigration detention centre (EM) before requesting asylum. By contrast, those who enter irregularly and manage to register their asylum claim with COMAR are not detained in an EM but must remain in the same state until their case is resolved. These two different processes are well known to people on the move who, for the most part, prefer to expose themselves to the risk of irregular entry and go directly to COMAR<sup>31</sup>.

56. Over the last five years, enjoyment of the right of access to the territory, clearly established in the legal framework, has also been limited by persistent legal, institutional and administrative barriers, despite the publication of a new rights-based migration policy. Reports by UNHCR, civil society organisations and academic centres document similar barriers to access<sup>32</sup>, stemming from the reinforcement of

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<sup>29</sup>Definition of refugee, assessment of the burden of proof in the asylum procedure, information on country of origin, legal framework of asylum in Mexico, best interests of the child, gender-based violence, etc.

<sup>30</sup>See specific chapter on detention.

<sup>31</sup>In August 2020, 1,040 INM officials were dismissed for forcing migrants to pay up to 300 pesos to process immigration documents <https://www.refugeesinternational.org/reports/2020/12/1/un-nuevo-camino-a-seguir-refuerzo-del-contexto-de-proteccion-en-mxico>

<sup>32</sup>Regional Protection Network (2020) Human rights of people on the move in Mexico and northern Central America. Violations of the non-refoulement principle and the human rights of people on the move, as a consequence of rejection at borders, mass deportations and migrant detention by governments in the region.



immigration control measures primarily oriented towards containment, detention and refoulement at borders<sup>33</sup>.

57. In this context, UNHCR has implemented various measures aimed at ensuring the right of access to the territory. Of particular note is the increase in border monitoring visits (63 in 2017, 360 in 2019, but only 58 in 2020 due to COVID-19). In terms of monitoring and assisting in cases of refoulement, rejection or push-backs, UNHCR's work is compromised by not being able to maintain a presence at airports and a scarcity of accessible public information<sup>34</sup>. As part of the collaboration with the INM, in 2017 and 2018, UNHCR trained 1,528 border officials on the right to asylum and related issues, and another 1,225 officials were due to receive training in 2021.
58. A lack of information about the right to seek asylum remains a barrier to protection. UNHCR and partners aim to provide clear and objective guidance to help people make informed decisions. As shelters play a crucial role in providing information, UNHCR has worked with paralegals to implement communication actions with civil society and local authorities. As a result, people on the move are now more informed about the right to asylum, and some analysts point out that dissemination efforts, communication and guidance on the right to asylum, together with the “push factors”, partially explain the exponential growth in the number of applications seen in recent years<sup>35</sup>.
59. However, given the number of people on the move and the variations in border crossing routes into Mexican territory, information networks on access to asylum remain insufficient. The people on the move interviewed confirmed that when they entered Mexico via the southern border, most of the information on the shelters they can go to and NGOs they can approach for assistance or guidance reached them by word of mouth. Interviews and focus groups revealed that the El Jaguar Facebook page is little known among people on the migration routes, despite the fact that in 2020 it had more than two million visits from the main areas where refugees are located, an increase of 113 per cent compared to 2019<sup>36</sup>.
60. Another issue highlighted in the focus groups on the southern border was that COMAR and UNHCR's procedures for submitting and processing paperwork for asylum claims generate confusion among PoC. Despite explanations during the registration interview, interviewees said they did not understand why some can take 2 or 3 months, while others submit documentation and receive CBI on the same day they are interviewed.
61. UNHCR has concentrated efforts on facilitating and expanding legal guidance and assistance to PoC<sup>37</sup> by deploying a sizeable network of paralegals in different locations and training professionals from CSOs, shelters and legal clinics. In 2020, UNHCR Mexico funded the recruitment of 76 lawyers and 32 paralegals (in 2019, 64 lawyers and 36 paralegals) to work with partner CSOs and shelters. At UNHCR's initiative, a roundtable was set up to coordinate partners specialising in legal issues and

*"Friends, people you meet, the INM, they tell you to go to COMAR, to UNHCR" (Focus group participant)*

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Alejandra Macías, Mikaela Christiansson (2021) Protección judicial de los derechos de personas refugiadas en México; Sistematización de sentencias en casos promovidos por Asylum Access México, 2015 – 2020. Asylum Access México.

Felipe Sánchez Nájera, et al (2016) La interpretación y aplicación del derecho internacional y nacional de los refugiados en México. Universidad Iberoamericana Ciudad de México

<sup>33</sup> (e.g., lack of mechanisms to identify international protection needs at airports, detention of persons of concern without access to information on the asylum procedure or legal assistance, deficient information on refoulement cases, 30-day deadline to submit an asylum claim).

<sup>34</sup> 16 cases of refoulement reported as known by UNHCR in 2020

<sup>35</sup> “A better understanding of the process among foreigners, which is likely due to the dissemination of this figure by international agencies, civil society organisations(CSO), the Mexican government itself and communication media, adding to the circulation of this information in the applicants’ social media, friends, families, coyotes, among others, and also previous mobility. With data from Emif Sur, it was demonstrated there was substantial growth in the percentage of Central Americans returned by Mexican authorities who declared they were informed on the right to ask for asylum, protection, or refugee status by such authorities because between 2016 and 2019, they changed from 6 to 31 percent (Bermúdez Lobera, 2020, p. 18).” Cited in: Eduardo Torre Cantalapedra, María Dolores París Pombo, Eduardo Elías Gutiérrez López (2021) El sistema de refugio mexicano: entre proteger y contener. FRONTERA NORTE Vol. 33, Art. 7, 2021 <https://doi.org/10.33679/rfn.v1i1.2103>

<sup>36</sup>UNHCR; Annual Report 2020 Mexico

<sup>37</sup> In 2020, the ‘Legal remedies and legal assistance’ budget chapter accounted for 67% of the budget allocated to the ‘Favourable Protection Environment’ actions

propose further thematic roundtables. Some UNHCR partners have been involved in strategic litigation for cases involving detainment in immigration detention centres.

62. It is paradoxical that, despite government efforts to reinforce control of the southern border, both during the critical phase of the COVID-19 pandemic for health security reasons and in the latest “wave” of Haitian arrivals, asylum claims have continued to increase and even reached record highs (13,066 applications filed with COMAR in August 2021). UNHCR statistics show that Mexico ranked third in the world for new asylum claims in 2021. In the absence of other immigration control mechanisms capable of handling the current situation, the intense migratory flows are likely exceeding the capacity of the immigration control systems at the southern border and, at the same time, generating an induced demand in asylum claims.

#### 4.1.2.4 Detention

63. Since 2016, UNHCR has supported the ‘shelter alternatives’ or ‘immigration detention centre release programme’ (SEM), which released asylum seekers from detention centres to continue with their application in freedom as long as they reported in-person to the INM every week. In 2019, the last year in which the programme operated normally, 9,926 asylum applicants benefited from the SEM programme.

64. In 2020, the INM restricted access to the SEM programme following issuance of an internal circular that stated only the elderly or persons with a serious illness or disability could benefit from the programme. Furthermore, the decision as to which asylum seekers are released is made by the INM without consultation with any other organisation, and most asylum seekers must remain in detention until COMAR rules on their application (a process that can take months). This situation dissuades PoC from applying for and accessing international protection.

65. Given the restrictions applied to the programme, UNHCR has managed to implement local agreements at some immigration detention centres to allow for the release of asylum seekers. These decisions are taken unilaterally by the INM, but it requests support from UNHCR to coordinate shelter accommodation for released persons. As was the case in the previous programme, COMAR is not involved in these releases. In 2021, UNHCR supported the release of 1,413 applicants (120 minors), of whom 631 left under the SEM programme and 782 under a local agreement<sup>38</sup>.

66. In June 2019, a federal judge granted measures to release all children and adolescents from the CDMX immigration detention centre following an ‘amparo’ proceeding (an action for infringement of fundamental rights) initiated by civil society organisations demanding the proper registration and immediate release of children and adolescents in detention. Since implementation of the legal reforms to protect children and adolescents (no detention), UNHCR has observed that in some immigration detention centres, such as Siglo XXI, Tijuana and Acayucan, there are now no children or adolescents. However, adolescent and child detainees are still present in other immigration detention centres (e.g. Monterrey, Saltillo, Puebla) and in other spaces that, while not described as detention centres, are still custodial.

67. The relative success of the immigration detention centre release programme has provided an impetus for development of broader strategies to combat detention practices contrary to international standards and, during the pandemic, contrary to the right to health. Contributions made by UNHCR and other organisations have clearly benefited the management of a large number of cases but have not been able to fully eradicate a systemic practice that contravenes the right to asylum.

### 4.1.3 Documentation and fair protection procedures

#### 4.1.3.1 Reception conditions (shelters)

68. UNHCR supports shelters due to the key role they play, not only in providing accommodation but also humanitarian assistance, guidance and information on the right to international protection, and identifying specific needs. UNHCR has supported shelters throughout the country, particularly on the

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<sup>38</sup> Data provided by UNHCR during the drafting of the final version of the report.

southern border (affected by increased arrivals and ‘waves’) and the northern border (affected by the MPP programme and Title 42 expulsions)<sup>39</sup>.

69. In 2019, a multifunctional team visited 42 shelters across the country to conduct a comprehensive assessment of programmatic, protection and infrastructure elements. Based on this assessment, the 2019-2022 shelter strategy aimed to bolster protection activities, networking, contingency preparedness (e.g. “caravans”), improvements in infrastructure and facilities<sup>40</sup>, information campaigns and work with host communities. In 2020, the pandemic caused disruptions to some planned activities, but a rapid and coordinated response helped the shelters respond to the emergency. UNHCR assisted more than 100 shelters by providing additional staff, training, information materials, isolation tents, hygiene and disinfection supplies and dignity kits to guarantee menstrual hygiene for women and girls. In addition to the response to the COVID-19 pandemic, UNHCR carried out several projects to improve shelter conditions and increase the number of available beds in key locations<sup>41</sup>. Work with the shelters is coordinated through an inter-agency group in which IOM, UNICEF and ICRC actively participate, with leadership rotated between UNHCR and IOM.
70. In response to the sustained increase in PoC, UNHCR invested in construction of a new 300-bed shelter for asylum seekers and refugees in Tapachula (an investment of around USD 2 million)<sup>42</sup>. The shelter, funded entirely by UNHCR, opened at the end of 2020 under the management of Hospitalidad y Solidaridad A.C. While it has brought relief to some of the many asylum seekers stranded at the southern border, the heavy influx of arrivals has meant reception capacities have quickly become overstretched. UNHCR also developed a strategy on the northern border to ensure that persons in need of international protection are accommodated in safe spaces that meet minimum protection standards<sup>43</sup>.
71. In 2021, UNHCR had active agreements with 16 shelters through which it supports a total of 42 reception spaces. By the end of 2021, the construction of shelters in Monterrey (Casa Monarca, 80 places) and San Cristóbal de las Casas (SEPAMI, 100 places) was expected to be completed, and equipment and non-food items will have been distributed to more than 140 shelters.
72. The situation of shelters throughout the country<sup>44</sup> and, particularly, in the southern border towns was perceived as critical<sup>45</sup> during the fieldwork. The latest “wave” of migrant arrivals has further deteriorated reception conditions for new arrivals and relations with local communities. Furthermore, the shelters say that the average length of stay is getting longer<sup>46</sup>, which further curtails their capacity to take in new arrivals<sup>47</sup>. In fact, many of the incidents against migrants (acts of xenophobia, pressure from local authorities) take place in neighbourhoods with shelters. Despite multiple efforts by shelters, civil society organisations and UNHCR in their coexistence activities with host communities, shelters are under enormous pressure, not only because of the high demand for accommodation from PoC but also due to the reactions of local authorities and communities to overflow situations.
73. The combination of overcrowded shelters, constant influxes of arrivals, reduced bed capacity due to public health measures (which are hard to comply with in the face of urgent needs), the shortage of places, concentrations of people in the streets and areas adjacent to the shelters and insufficient public services, explains the deteriorating relations with local communities and local authority decisions to close several shelters. To date, the public and institutional statements made by UN agencies, CSOs and other organisations, such as the Comisión Episcopal de Pastoral Social (a church-related NGO

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<sup>39</sup>Shelter strategy UNHCR Mexico 2019-2022

<sup>40</sup>Several interventions were made in 2019 and 2020, e.g. solar panels and water facilities were installed in various shelters.

<sup>41</sup>Four UNHCR-supported shelters in the northeast (Casa Indi, Casa San Juan Diego, Senda de Vida, Casa Nazareth) increased their capacities from 1,000 beds to 1,840 beds.

<sup>42</sup>UNHCR, Annual Report 2020

<sup>43</sup>UNHCR’s LINES OF WORK IN COLLECTIVE ACCOMMODATION IN MEXICO, Northern border focus, (May 2021)

<sup>44</sup>In Mexico, there are more than 300 shelters of different sizes and institutional capacities

<sup>45</sup>Shelters collapse in Reynosa (<https://www.vozdeamerica.com/a/albergues-colapsados-en-reynosa/6278914.html>)

Haitians overcrowd shelters in Mexico while waiting for asylum from the USA (<https://www.dw.com/es/haitianos-saturan-albergues-en-m%C3%A9xico-esperando-asilo-de-eeuu/a-59256091>)

<sup>46</sup>Trapped at the border (<https://www.eleconomista.com.mx/politica/Atrapados-en-la-frontera-20210725-0004.html>)

<sup>47</sup>Some partners pointed out that applicants get stuck in shelters due to lengthy COMAR processes. This leads to increased human and economic vulnerability, which must be addressed with more resources for migrants and accelerated asylum procedures.

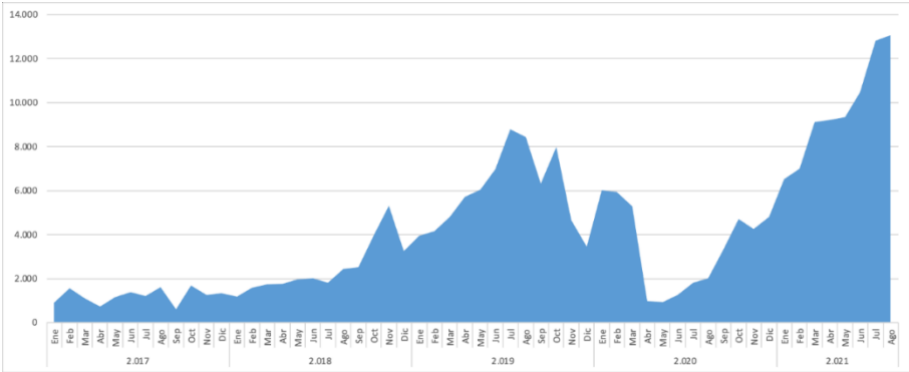
that conducts social and pastoral work) to explain the vital role of shelters and stop acts of xenophobia have been unsuccessful in mitigating the risks<sup>48</sup>.

- 74. UNHCR has played an essential role in expanding reception capacity to address the critical accumulations of migrants on the two borders. The evaluation team had the opportunity to visit several shelters which, while not the focus of the observations, highlighted important deficiencies in some of the facilities. The problems encountered did not affect the essential function of reception but revealed serious pre-investment analysis and project implementation issues that still remain unresolved.
- 75. In any case, the testimonies collected highlight the importance of maintaining the shelter protection strategy as a central part of UNHCR's work in Mexico. Accordingly, UNHCR has developed protection standards for collective accommodation spaces<sup>49</sup>, defined several lines of work on the northern border<sup>50</sup> (with an emphasis on protection issues) and is developing a manual for shelters, which will include modules on GBV, PSEA, etc. Furthermore, considerable efforts are being made to train shelter staff on protection issues, and a Code of Conduct for shelters was developed under the leadership of UNHCR and in collaboration with IOM, UNICEF and Save the Children<sup>51</sup>.

**4.1.3.2 Registration and processing**

76. All available data shows that the ongoing support provided to COMAR has resulted in significant improvements to refugee registration, processing and status-determination capacity. It has also expanded COMAR services at border points and other key locations, reinforced fairer and more efficient procedures, and modernised processes and work tools. As a result, despite multiple difficulties and, at times, an unfavourable institutional and social context, COMAR has been able to respond to the growth in asylum claims, which have increased by approximately 700% in 4 years, from 14,603 applications in 2017 to 131,488 in December 2021. The following graph shows asylum claims between 2017 and 2021 and evidences the exponential growth from July 2020 after a brief interruption due to COVID-19.

**Graph 1: Monthly asylum claims (January 2017 – August 2021)**



Source: Annual COMAR statistics

77. COMAR's registration capacity has massively increased in parallel with the opening of new offices and the implementation of numerous capacity building activities supported by UNHCR. This increased territorial presence facilitated access to international protection in other parts of the country, although most of the reception and capacity saturation is still concentrated in Tapachula. The following table shows that the COMAR office in Tapachula processed 65% of all asylum claims in 2019 and around 68% in 2021. The distribution of applications among the other offices in the country has increased in absolute values but decreased in relative terms.

<sup>48</sup> <https://www.chiapasparalelo.com/noticias/chiapas/2021/09/agencias-de-la-onu-y-organizaciones-exigen-reabrir-albergue-jtatic-samuel-ruiz-de-palenque/>  
<sup>49</sup> Protection standards in collective accommodation spaces/shelters  
<sup>50</sup> UNHCR's LINES OF WORK IN COLLECTIVE ACCOMMODATION IN MEXICO, Northern border focus, (May 2021)  
<sup>51</sup> UNHCR, Annual Report 2020.

Table 1: Yearly evolution of applications for refugee status 2018 – 2021 (No. of people)

Office	2018	2019		2020		2021	
Baja California	-	1,345	2%	1,715	4%	4,135	3%
CDMX	8,463	12,654	18%	7,740	19%	18,959	14%
Chiapas	16,640	-		-		-	
Chiapas (Tapachula)	-	45,772	65%	26,676	65%	89,688	68%
Chiapas (Palenque)	-	-		-		5,696	4%
Tabasco	2,070	5,252	7%	2,746	7%	7,161	5%
Veracruz	2,462	5,328	8%	2,119	5%	5,809	4%
<b>Total</b>	<b>29,635</b>	<b>70,351</b>	<b>100%</b>	<b>40,996</b>	<b>100%</b>	<b>131,488</b>	<b>100%</b>

Source: COMAR statistics

78. Significant progress has also been made in case-processing capacity, despite persistent challenges. With UNHCR's support, changes have been introduced to improve processing; according to the profiles, needs and nationalities registered, cases are channelled into merged, simplified, accelerated, or standard procedures<sup>52</sup>.
79. In the midst of internal capacity building process, COMAR has had to cope with an exponential increase in applications and the emergence of new protection needs arising from unforeseen changes in arrival flows, necessitating immediate action on numerous occasions. Despite investments made, the intensity of the flow of asylum seekers continually overtakes the capacities of COMAR (and often UNHCR). The extreme pressure placed on COMAR and other government bodies, international agencies and CSOs due to the increase in the number of people arriving from Haiti, while the evaluation team carried out their fieldwork, is a paradigmatic example of the recurrent 'waves' of mixed flows that overwhelm the capacities of all actors involved. Despite the increase in resolved applications (in absolute numbers), a downward trend can be seen in relative terms; in other words, the number of applications is increasing faster than the capacity to resolve them.
80. The saturation of COMAR's capacities is evidenced by the backlog of cases and the time it takes to issue Refugee Status Determination (RSD) decisions. In 2018, the backlog was estimated at 22,000 applications. In 2019, 63,860 people were awaiting a decision from the Mexican asylum system (including 17,325 minors),<sup>53</sup> and some informants have estimated a backlog of around 40,000 applications in 2021, although precise official data is not available. Longer waiting times for an RSD decision, often exceeding the stipulated legal deadline, have also been observed. However, it should be noted that many people who applied for asylum in previous years are not necessarily still in the country.
81. Several other challenges that continue to put pressure on the national asylum system and remain unresolved despite efforts by UNHCR, COMAR, and partners have been identified.
- The capacities of certain public administrations (notably municipalities and states in border areas), are also overstretched.
  - The perception of population flows on the move as a primarily economic migration and the existence of institutional or social positions aimed at downplaying the need for international protection and delegitimising the international protection of people on the move.
  - The plight of migrants and asylum seekers in Mexico forms part of a broader problem that includes growing criminality in Central America<sup>54</sup>, a lack of political will or public resources in Mexico, political pressure from the USA and the externalisation of border control.

<sup>52</sup>UNHCR, Comprehensive Response Plan for the Protection and Integration of Refugees in Mexico (Rapid and Efficient Processes)

<sup>53</sup> Of these, 13,089 people who applied in 2018 were still waiting in October 2019 (equivalent to 44% of the total number of applicants in 2018). A total of 3,539 children and adolescents who applied for asylum in 2018 (including 1,360 children under the age of 5) were still waiting in October 2019. COMAR data obtained by Asylum Access Mexico through a request for access to information under the Transparency Law.

<sup>54</sup> Refugees from Central America are fleeing violence and intolerable living conditions, and the nature of this migratory flow must be recognised.

- Increasing complexity of migratory population flows (migrants, asylum seekers, deportees, MPPs, Title 42s, IDPs) arriving or transiting through Mexico and the diversification of vulnerabilities (e.g. victims of violence, broader age groups, people with disabilities, children and adolescents) require more specialised approaches. The need for international protection is not only rapidly increasing (quantity) but becoming increasingly complex (quality).
- Manipulation and abuse of the "bona fide" principle (a key aspect of the refugee status determination procedure) by mafias and human traffickers who "encourage" people to apply for protection in order to facilitate access to humanitarian services or obtain documents allowing transit through Mexico.
- Political pressures on Mexico from the US on migration issues, variations in migration policy inherent in the changes of administration in the US and Mexico, politicisation and social sensitivity to migration in both countries, the securitisation approach to borders favoured by the US<sup>55</sup>, repeated blocking of borders on public health grounds, outsourcing asylum claims ("offshoring" through Asylum Cooperative Agreements)<sup>56</sup>, and the prioritisation of containment mechanisms (detection, detention and deportation) in Mexico<sup>57</sup>.<sup>58</sup> over broader protection mechanisms<sup>59</sup>, all hinder the implementation of a comprehensive, stable and rights-based transnational migration strategy. They also lead to confusing public information, fuel self-serving interpretations and abuses by human trafficking networks, and force people on the move to take greater risks<sup>60</sup>.
- Despite the increase in COMAR's budget in 2020, public budget allocations remain at minuscule levels. As an example, in 2021, COMAR's budget was 44 million pesos<sup>61</sup>. In the context of the Government of Mexico's New Immigration Policy 2018-2024, the Draft Federal Expense Budget for 2022 decreases the allocations for both INM and COMAR, limiting the institutions' capacity to respond.
- Fragmentation of immigration and asylum policies is reflected in the distribution of responsibilities between multiple government bodies (Ministry of Foreign Affairs<sup>62</sup>, Immigration Policy Unit, Registry and Identification department within the Ministry of the Interior<sup>63</sup>, National Migration Institute<sup>64</sup>, National Refugee Commission, National Guard, sectoral authorities), which makes it difficult to achieve coordination.
- Saturated operational capacity and a shortfall in the staff needed to ensure quality standards and adequate functioning are frustrating COMAR's efforts to extend the merged processes, procedures, and tools to other COMAR offices. This, in turn, leads to contrasting levels of capacity building in different offices and generates secondary population movements because the level of access and assistance made available to PoC with similar protection needs depends on their location.

*"The friends he was travelling with continued north with the "pollero" (people smuggler), but he had already run out of money, so he opted to do the paperwork, even though his goal wasn't to stay in Mexico" (Focus group participant)*

<sup>55</sup> Migrant detentions at the US-Mexico border reached another all-time high in April 2021, with more than 178,000 people apprehended. The 178,622 arrests in April represents an increase of about 3 % over the 173,348 in March, which also marked an all-time high (US Customs and Border Protection - CBP).

<sup>56</sup> Azadeh Erfani, Maria Garcia, Rubi Flores (2021) Pushing Back Protection: How Offshoring and Externalization Imperil the Right to Asylum. National Immigrant Justice Center, FWD

<sup>57</sup> Sandra Patricia Quijas Cristerna (2021) Contradicción en la política de refugio mexicana: entre la seguridad nacional y la seguridad humana de los refugiados. Nexos; Observatorio migrante; Blog de movilidad poblacional [<https://migracion.nexos.com.mx/2021/01/contradiccion-en-la-politica-de-refugio-mexicana-entre-la-seguridad-nacional-y-la-seguridad-humana-de-los-refugiados>]

<sup>58</sup> Reuters reported in March (2021) that Mexico had stepped up raids to stop migrants transiting illegally into the United States and reinforced its efforts on the border with Guatemala. The operations involve the National Guard, soldiers and immigration officials. On 22 March, Mexico said it had 8,815 National Guard officers on its northern and southern borders [<https://www.forbes.com.mx/noticias-mexico-tiene-10000-agentes-frontera-sur-detener-inmigracion-casa-blanca/>]

<sup>59</sup> Eduardo Torre Cantalapiedra, María Dolores París Pombo, Eduardo Elías Gutiérrez López (2021) El sistema de refugio mexicano: entre proteger y contener. FRONTERA NORTE Vol. 33, Art. 7, 2021 [<https://doi.org/10.33679/rfn.v1i1.2103>]

<sup>60</sup> "restrictive policies promote irregular migration and thus facilitate the criminal business of people smuggling and trafficking networks, which often overlap" Luis Herrera-Lasso and Juan B. Artola, Migración y seguridad: dilemas e interrogantes, in III REUNIÓN DE LA COMISIÓN INTERPARLAMENTARIA DE ASUNTOS INTERNACIONALES E INTEGRACIÓN REGIONAL, San Salvador, El Salvador 3 June 2013.

<sup>61</sup> USD 2.120.000

<sup>62</sup> Interministerial Commission for Comprehensive Migration Management (CIAIMM) - DOF: 19/09/2019

<sup>63</sup> Advisory Council on Migration Policy – DOF: 26/10/2012 and reformed on DOF: 09/07/2021

<sup>64</sup> Citizens' Council of the National Migration Institute – DOF: 26/10/2012



- The tension between quantity and quality in COMAR's registration, processing and RSD (a phenomenon affecting other areas of UNHCR's work in Mexico) is due to its staff working under constant pressure and the need not only to respond to the flow of claims but also to expand COMAR's territorial presence and radically transform the institution's processes, tools and organisational chart. Several interviewees agreed that although growth has been necessary, it has also compromised the planning and vision required to manage today's complex situation. The lack of migration alternatives adds complexity to the asylum system. Concerns about due process, discretion in some of the criteria and procedures applied by different COMAR offices and variations in their services and case-resolution times were identified as risks that affect the quality and consistency of the asylum system<sup>65</sup>.

82. The difficulties described above explain, in part, the growing number of asylum seekers who abandon their claims. Analysis by Asylum Access shows that 11.1% of asylum-seekers abandoned or withdrew their applications in 2018 and 2019, with an average time between application and abandonment or withdrawal of 164 days in 2018. In 2018, the average time lag between application and abandonment was significantly shorter for Central American applicants, ranging from 65 to 67 days<sup>66</sup>. UNHCR estimated that in 2020, the application abandonment rate would be around 30%<sup>67</sup>. UNHCR surveys identify the lack of mobility imposed while processing asylum claims and the wait for a decision (during which time applicants have zero chance of earning an income and integrating in the south of the country and are at a greater risk of being identified by agents of persecution) as the main causes of withdrawal.

*"If you asked everyone where they wanted to go and gave them another option, they would all continue their journey because the goal for many is not to stay here, waiting; they've already come too far to do that" (Focus group participant).*

#### 4.1.3.3 Access to immigration documents

83. To improve access to documentation, UNHCR has predominantly worked on two main axes: the digital transformation of COMAR within the framework of the Quality Assurance Initiative (QAI) and the issuance of CURP documentation. UNHCR has supported RSD units and launched projects to digitise COMAR, including a project to improve the registration system and digitise all physical files at a national level. The project also covers updating the information in the database. The digitisation process should be completed by mid-2022<sup>68</sup>.
84. Digitisation of the residence permit application procedure by the INM has reduced the processing time from nine months in 2019 to only two hours in 2020. However, not all localities issue the documentation quickly. For example, access to immigration documents in Tapachula remains a serious problem. Similarly, issuance of the CURP to refugees and asylum seekers does not seem to be applied uniformly across the country<sup>69</sup>. However, according to interviews with COMAR representatives, applicants are now able to obtain their original registration and the CURP much more quickly.

#### 4.1.3.4 Quality Assurance Initiative (QAI)

85. The QAI and COMAR teams have been reviewing asylum decisions by nationality. Pre-defined criteria are used to review each dossier and then a summary of the findings is produced. Work has also been done to identify and reduce backlogs. In general, interviewees said the increase in COMAR's decision-making capacity is due, among other factors, to the QAI tools and ongoing staff training.

<sup>65</sup>Alejandra Macías, Mikaela Christiansson (2021) Protección judicial de los derechos de personas refugiadas en México; Sistematización de sentencias en casos promovidos por Asylum Access México, 2015 – 2020. Asylum Access México. Elisa Ortega Velázquez (2020) Niños, niñas y adolescentes solicitantes de asilo en México: una crítica a los defectos del procedimiento para el reconocimiento de la condición de refugiado. Bol. Mex. Der. Comp. vol.51 no.152 Ciudad de México may./ago. 2018 Epub 30-Abr-2020 <https://doi.org/10.22201/ijj.24484873e.2018.152.12923>  
Dan Kosten Mexico's Asylum System Is Inadequate (<https://immigrationforum.org/article/mexicos-asylum-system-is-inadequate/>) Also mentioned in several interviews.  
<sup>66</sup> Asylum Access; HOJA INFORMATIVA SOBRE EL ASILO EN MÉXICO y <https://asylumaccess.org/wp-content/uploads/2020/01/Asylum-in-Mexico-by-the-Numbers.pdf>  
<sup>67</sup> COP 2.021  
<sup>68</sup>A - Terms of Reference and Scope of Services Required - Physical File Verification and Digitisation Project Rfp/ACNUR/2020/217  
<sup>69</sup>2020 Highlights UNHCR Mexico - 2020 Report.

86. The QAI team has one RSD consultant based in Tapachula and an RSD consultant and registration consultant based in CDMX. Two further team members work with DAVI (COMAR's unit in charge of identifying specific needs and activating referral pathways), and another is assigned to the analysis and statistics unit. In 2021, investments were made to ensure the quality of merged procedures and the systematic application of the Cartagena Declaration's definition of refugees for Hondurans, Salvadorans and Venezuelans<sup>70</sup>.
87. To improve the response to specific needs, UNHCR proposes piloting a joint registration and DAVI interview in Tapachula. This would streamline the process into one interview instead of two, during which COMAR and UNHCR could jointly identify any potential vulnerabilities and protection needs. COMAR would coordinate the institutional response, access to services and referral, and UNHCR and partners would then provide humanitarian assistance.

#### 4.1.3.5 Forced Internal Displacement

88. UNHCR (and other organisations such as ICRC) have assisted the Ministry of the Interior in defining a federal legal framework, which would constitute a major political step forwards in addressing a complex phenomenon. However, at present, there is no certainty that the draft General Law to Comprehensively Prevent, Address and Provide Reparations for Displacement will be approved in the near future<sup>71</sup>. At the request of government agencies, UNHCR has begun to support three pilot projects: i) local integration for women survivors of gender-based violence with INDESOL; ii) the identification of internally displaced persons by SEGOB and iii) identification of protection needs among returnees from the US who cannot go back to their places of origin (under discussion with INM). UNHCR has also commissioned a consultancy to map federal authorities potentially involved in responding to forced internal displacement. In addition, an inter-agency coordination mechanism was set up. Most UNHCR partners agree that forced internal displacement is a key issue on the agenda and represents a window of opportunity to be seized.
89. In this context, there has been debate around COMAR's role and capacity to respond to the issue, especially given the current pressures and the absence of COMAR offices close to IDPs' municipalities of origin and reception. If the law is passed, UNHCR will also have to assess the existing challenges (internal and external) and its own capacities to adequately define its possible role.

#### 4.1.3.6 Protecting children and adolescents

90. In November 2020, following years of initiatives by NGOs, UNHCR and other UN agencies, the Government of Mexico enacted a reform to bring the Law on Refugees and Migration Law into line with the General Law on the Rights of Children and Adolescents. The most relevant changes included a ban on detaining children and adolescents (including families), prioritising the best interests of children and adolescents in every decision involving them, and making temporary humanitarian visas available to all children and adolescents in order to prevent refoulement while the authorities process their cases. This constituted a major step forward in the mission to guarantee full protection for child asylum-seekers, refugees and migrants in the country<sup>72</sup>.
91. However, the law lacks the budget and infrastructure to be properly implemented. UNHCR partners recognise that local administrations are the most affected by a shortfall in the resources required to offer an institutional response and implement practical measures in children's best interests. Authorities still lack the resources and capacities needed to provide services for children and the reflexes and mechanisms required to identify international protection needs. For the time being, the family protection agencies charged with providing the necessary responses are overwhelmed. The COMAR procedure is currently faster, but even the children and adolescents who obtain refugee status and a residence permit remain vulnerable.

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<sup>70</sup>UNHCR; COP21; see also: QAI 2021 Goals and Work Plan

<sup>71</sup><https://www.eluniversal.com.mx/opinion/observatorio-nacional-ciudadano/la-espera-de-la-ley-sobre-desplazamiento-forzado-interno>

<sup>72</sup>UNHCR; Annual Report 2020 Mexico



92. Another major challenge is the implementation of alternatives to detention for children and adolescents<sup>73</sup>, which requires specialised government structures and shelters. UNHCR is working with UNICEF to increase the number and quality of places for children and adolescents. As a member of the Commission for the Comprehensive Protection of Migrant and Asylum-seeking Children and Adolescents, headed by the System for the Comprehensive Protection of Children and Adolescents (SIPINNA), UNHCR has provided technical assistance to implement best-interests-of-the-child procedures and the legal framework for the protection of children. UNHCR has also carried out advocacy interventions aimed at ending child detention, improving reception conditions for children and promoting alternative care arrangements for unaccompanied minors. In this regard, community and family-based alternatives are the preferred options in cases where family reunification is not possible. UNHCR has established partnerships with different organisations such as Casa Alianza Mexico in CDMX, JUCONI in Puebla and Aldeas Infantiles - SOS in Chiapas. UNHCR is also working with Save the Children to set up five child-friendly spaces<sup>74</sup> within shelters in the states of Baja California and Chihuahua, implementing identification and referral mechanisms for children at risk<sup>75</sup>.
93. UNHCR and its partners report having encountered different protection challenges on the northern and southern borders and grave situations of abuse, violence (including domestic violence), and child trafficking throughout the territory. On the northern border, UNHCR and partners have been working to ensure shelters have child-friendly spaces (CFS), and child case management on the southern border has been reinforced. There are now 16 CFS across the country. There are also safe spaces within the shelters for working with and supporting children and adolescents. These safe spaces are staffed by permanent teams of two people (an educationalist and a social worker)<sup>76</sup>. During the fieldwork, several witnesses reported cases of families and adults travelling with children because they thought it would increase their chances of being granted asylum in the US. Apparently, people smugglers and trafficking networks are telling migrants that if they bring a child with them, it will be easier to cross Mexico, and they will not be detained.

#### 4.1.3.7 Prevention and response to gender-based violence

94. The Inter-agency Roundtable on Migration and Gender has been operating since 2017. In addition, thanks to UNHCR, the Gender-Based Violence Working Subgroup (under the Protection WG), which brings together local and international civil society organisations to promote a coordinated response, was set up in 2020. This working group mapped the medical, psychological, legal and shelter services available at central and local levels and started to develop suitable response mechanisms.
95. UNHCR also defined its own standard operating procedures (SOPs) and, since 2017, has been training its staff and partners on sexual and gender-based violence (SGBV) prevention, detection and care. UNHCR launched the Safe Spaces Network in Mexico and the Local Safe Spaces Networks in Mexico City, Tenosique and Tapachula, which improved coordination among actors to ensure survivors of violence have access to a minimum package of services.
96. In 2018, UNHCR set up several working groups in different locations across the country, composed of partners, government entities and other local and international institutions, who aligned themselves with the Regional Safe Spaces Network. UNHCR was able to update and complete referral pathways for sexual violence cases throughout the country, including in Tijuana and emergency situations during “caravans”. Through the establishment of referral pathways, UNHCR advocated on behalf of GBV survivors to ensure local service providers (government and civil society) provide non-discriminatory access to services, bridging the gap between GBV service providers and its partners. Thanks, in part, to UNHCR’s advocacy, in July 2018, CEDAW adopted its first stand-alone recommendation on migrant and refugee women in Mexico. The weak institutional capacity to respond to GBV among service providers and the deficit in some areas of specialised services for transgender people remains a challenge for UNHCR<sup>77</sup>.

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<sup>73</sup> See previous section on Alternatives to detention

<sup>74</sup> CFS - “Child Friendly Spaces”

<sup>75</sup> UNHCR, Annual Report 2019

<sup>76</sup> Save the Children, Project Performance Report (Revised and Harmonised) 2020

<sup>77</sup> UNHCR, COP 2018

97. In 2019, UNHCR increased its efforts to identify specialised partners and strengthen capacity building in protection from sexual exploitation and abuse (PSEA). UNHCR provided training to more than 500 state civil servants and staff working for social organisations. SOPs were updated, and three different levels of intervention were identified: prevention, mitigation and response. The new SOPs were put in place in 2020, and, in the context of COVID-19, referral pathways for the provision of remote services for survivors were adopted. In June 2020, a working subgroup on PSEA in shelters was also set up, under the Inter-agency Shelter Working Group<sup>78</sup>.
98. In 2020, UNHCR expanded its reach by establishing agreements with new partners: HIAS, ALPAZ and IRC supported 628 survivors of gender-based violence and 121 women at risk were relocated to safe spaces. Médecins du Monde mapped the referral service and started case management in 2021. UNHCR provided training on GBV prevention and response and PSEA to 1,571 people. A network of 19 organisations providing psychosocial services was consolidated. In 2020, 2,662 people received counselling, 444 received psychological support, 64 people with psychiatric needs were referred to appropriate services, and 8,797 PoC received cash grants for the first time.
99. Unlike in other operations where UNHCR covers the entire network of services, this is unnecessary in Mexico and cases are channelled to specialised national services, particularly health providers. Even so, the response network has been impacted by institutional changes. For example, the “seguro de salud popular”<sup>79</sup>, a public health insurance initiative, was eliminated, and the pandemic worsened access to sexual and reproductive health services. Furthermore, the response and services available vary greatly depending on the geographical location (e.g., CDMX vs Palenque or Tenosique).
100. Prevention of GBV remains a challenge in Mexico: a report by the University of Berkeley found that 80% of women and 50% of LGBTIQ+ people in transit through Mexico experience sexual violence, including rape, transactional sex and sexual assault<sup>80</sup>. Shelters are key prevention spaces because they carry a high risk of gender-based violence. Also, given that the PoC are often highly mobile, ensuring effective ‘one-off’ interventions in a context where there are no community support groups, time is short, and the individuals involved regularly change their mobile phone, remains a persistent challenge.
101. In terms of a response for LGBTIQ+ people, progress was also made. UNHCR organised sensitisation and training for staff and partners and worked with shelters to build their capacity to understand the challenges involved in dealing with LGBTIQ+ people and gender-based violence. Registration mechanisms have been developed to identify LGBTIQ+ persons in ProGres, and appropriate partners and services have been sought for LGBTIQ+ referrals to response services.

#### 4.1.3.8 Community protection

102. In 2021, UNHCR updated the SOPs for community-based complaint mechanisms (CBCMs) and the methodological guide for participatory assessments. Several channels were set up to receive complaints and feedback from communities, including reports of sexual exploitation and abuse, and focal persons were appointed in UNHCR offices. Furthermore, the first AGD evaluation report (2021) highlights the need to strengthen the participation of PoC, communities and partners in such complaint mechanisms, as well as in UNHCR’s communications<sup>81</sup>. UNHCR’s operation is in the process of implementing the recommendations of said evaluation in 2021 and 2022.
103. UNHCR has been developing projects to promote peaceful coexistence between host communities and people on the move. They often take the form of sporting events, lighting projects or street art. It is important to note, however, that coexistence is a long-term process and that these initiatives need

<sup>78</sup> UNHCR, 2020 Annual Report and interviews with UNHCR officials

<sup>79</sup><http://www5.diputados.gob.mx/index.php/esl/Comunicacion/Agencia-de-Noticias/2019/Noviembre/29/3808-Publica-DOF-decreto-que-crea-el-Insabi-y-desaparece-el-Seguro-Popular>

<sup>80</sup>Human Rights Center, UC Berkeley School of Law, UNHCR and Regional Safe Spaces network, THE SILENCE I CARRY Disclosing gender-based violence in forced displacement GUATEMALA & MEXICO • Exploratory Report 2018, available at: <https://humanrights.berkeley.edu/sites/default/files/publications/5c081eae4.pdf>

<sup>81</sup> Evaluation of UNHCR’s Age, Gender and Diversity (AGD) Policy: Mexico Country Report, 2018-2020

structural monitoring and support (e.g., Colonia Pakalná in Palenque, where there are often incidents reflecting intolerance towards PoC and migrants<sup>82</sup>).

104. In addition to the challenges in understanding these complex processes for the different actors involved, several UNHCR informants mentioned the problems they encounter when carrying out standard on-the-ground follow-up and ensuring participation from highly mobile populations who frequently move to other locations. At present, the PoC are not self-organised and do not have their own representatives; the Casa Refugiados Programme in CDMX supported three refugee collectives, constituting a first step with the potential to be replicated.

#### 4.1.4 How has COVID-19 affected the implementation of UNHCR's strategy in Mexico? What are the implications of these changes for future planning?

105. COVID-19 pandemic impacted UNHCR and its partners, particularly in 2020, at both organisational and operational levels. At an internal organisational level and as a result of international and global UNHCR guidelines, the Mexico operation adopted protocols to protect the health of staff, partners and PoC and incorporated new remote working modalities. At an operational level, UNHCR, COMAR and partners made significant efforts to maintain a "stay and deliver" presence on the ground, which which guaranteed essential functions and has been positively acknowledged. However, the pandemic slowed down the implementation of various programmes and COMAR's processing capacities.

106. The impact of COVID-19 suddenly modified existing trends and patterns in mixed flows of arrivals to Mexico, as reflected in the abrupt drop in asylum claims during the first months of the pandemic. However, partly due to worsening living conditions in the region as a result of the pandemic, asylum claims rebounded rapidly only three months after its onset and have since maintained a trend of rapid growth, even during the introduction of border controls for public health reasons. Since June 2020, the growth in asylum claims has been unrelenting, proving the inefficiency of the border controls put in place to mitigate the spread of COVID-19.

107. In line with the global response plans of the UN and WHO, UNHCR took measures to prevent and protect its staff, as well as partner and shelter staff. Given the impact of the pandemic on the health system, UNHCR and partners strengthened health service capacities in prioritised locations to facilitate access to health services for both PoC and host communities in an unprecedented situation. UNHCR supported the health sector during the pandemic by providing equipment (e.g., PPE, ambulances) and managed to ensure that PoC could access the health system for treatment and vaccination.

108. To maintain the essential functions of the asylum system, UNHCR, COMAR and other institutions took steps to enable access to and the management of the asylum procedure and continue processing cases using new tools and working remotely.

109. Faced with the humanitarian and socio-economic repercussions of the pandemic, UNHCR expanded and relaxed the criteria for multi-purpose cash grants to PoC, supported the increase of places and improvements in shelters, and strengthened humanitarian assistance through partners.

110. The operational constraints and mobility restrictions introduced due to the pandemic significantly affected the local integration programme (LIP), which was suspended for several months. As of 2021, relocations from the southern border to cities in the centre and north have restarted. Even so, the LIP managed to relocate and support the integration of more than 9,000 people during the pandemic. In line with the protocols agreed with PAHO, sanitary conditions were sufficiently ensured (only 1% of the cases transferred from September to December 2020 were found to be COVID-19 positive).

111. Barriers to accessing social services (housing, education and health) for relocated PoC have been exacerbated during COVID-19. In addition, the use of virtual processes to access essential information and services (e.g. online education) represents a digital divide for those without technical skills or

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<sup>82</sup><https://www.milenio.com/estados/chiapas-habitantes-comunidad-pakal-na-expulsa-migrantes>;  
<https://www.xevt.com/nacional/habitantes-de-pakal-na-chiapas-amenazan-a-migrantes-hondurenos-que-cometan-delitos-en-su-comunidad/174981>; <https://noticias.imer.mx/blog/en-palenque-cierran-albergue-para-migrantes/>

internet access. This also applied to the virtual support offered to PoC by UNHCR through tools such as Help Desks and social networks (e.g., guiding PoC in the use of cash cards).

## 4.2 Area of inquiry 2: How coherent, effective and sustainable has UNHCR been in ensuring the transition from humanitarian assistance to self-reliance, socio-economic inclusion and the full integration of persons of concern, as outlined in the MIRPS and the refugee and asylum-related areas of the National Development Plan?

112. The strategy of integrating refugees locally through the LIP has been appropriate (given the complex evolution of population flows on the move and protection needs) and innovative in proposing life choices for many PoC who, whether as a result of deliberate plans or circumstantial events, decide to settle in Mexico or stay for a more prolonged period of time. The LIP has performed well in terms of relocating people from the southern border to the north of the country, increasing the number of companies hiring refugees, improving the participation of federal, state and municipal authorities, and providing access to essential services in destination cities. Originally a pilot project, the LIP has significant potential to become a benchmark intervention in Mexico and, probably, at a regional level. One of the main challenges for the LIP is addressing the delicate balance between the pull factors of the USA (family ties, support networks, higher wages), the risks associated with being in an irregular situation in the USA, and the benefits of permanent residency, access to employment opportunities and support during integration in Mexico. These factors, and their evolution over time, influence the decisions of relocated people on whether to remain in Mexico or continue their migration further north.
113. The scarcity of official socio-demographic data on access to public services for people on the move, and of homogeneous and disaggregated indicators for the LIP itself, impede conclusive findings on the degree of integration achieved for relocated people and, therefore, capacity to document the programme as a 'business case'. At the time of this evaluation, the two areas requiring greater attention are: i) the development of a common conceptual framework about the 'integration' process among different actors and ii) an analysis of the 'permanency rate' for an extended time period (inherent to any integration process), considering diverse profiles and vulnerabilities. At present, the LIP is in a developmental phase, highly dependent on UNHCR funding, and as yet unable to demonstrate sufficient prospects for sustainability. In addition, the ambitious goal of increasing the number of relocated people will add further pressure to the management of the programme and the challenge of its sustainability. Nevertheless, UNHCR's work with the private sector, institutions and partners has led to the formation of alliances and positive responses from business and government bodies that may prove decisive for the programme's continuity.
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114. The scarcity of quantitative evidence from official sources makes it difficult to carry out a comprehensive analysis of the settlement<sup>83</sup> and integration of PoC in Mexico, and the level of access to public services and social programmes remains unknown due to a shortage of disaggregated information and analysis<sup>84</sup>. The ENPORE surveys (2011 and 2017) and studies by academic institutions<sup>85</sup> have gone some way towards bridging the quantitative data gap on the settlement of PoC by providing an approximation of their level of integration and describing the factors that facilitate or hinder the process. Internally, the launch of UNHCR's Local Integration Monitoring Programme (SEFIL) in April 2021 is beginning to provide preliminary data on PoC's intentions to remain in Mexico and has the potential to become a useful tool that can be used both internally and externally to inform the analysis and decision-making of all the actors involved in integration.

<sup>83</sup> Torre Cantalapedra, E. (2020). "Destino y asentamiento en México de los migrantes y refugiados centroamericanos". *Trace*, 77, 122-145.

<sup>84</sup>See ACNUR (2019). Desplazamiento forzado hacia México desde Centroamérica, 2014-2019; Rodríguez Chávez, E. (2018). "Fuentes y estadísticas sobre movilidad y migración internacional de personas en México. Las encuestas de flujos en fronteras y los registros administrativos". *CIDE*.

<sup>85</sup> El Colef (2020). Perfiles, Dinámicas y Perspectivas en torno a la situación de personas refugiadas en México"

## 4.2.1 Humanitarian Assistance and Cash-based Interventions (CBI)

115. A key component of the protection strategy and the articulation of the humanitarian-development nexus (in this case with a focus on integration) has been the use of cash-based interventions (CBI), initiated in April 2018 with the financial provider “Si Vale”. The core objective was to provide applicants with the means to meet their basic needs while they await a decision from COMAR on their asylum claim, during which time livelihoods or formal employment are almost non-existent at the southern border. The table below shows the evolution in the number of CBI beneficiaries in Mexico between 2019 and 2021, disaggregated by the type of support received. Analysis of the distribution of CBI beneficiaries over the last three years in each of UNHCR's areas of work in Mexico (southern border, northern border, roving team) highlights the clear persistence of humanitarian needs on the southern border.

Table 2: Evolution of the number of CBI beneficiaries in Mexico between 2019 and 2021

CBIs		# beneficiaries			Total budget expenditure (USD)		
		2019	2020	2021	2019	2020	2021 (Projct.)
Humanitarian Assistance		42,912	18,174	47,221	13,654,162	4,996,609	11,797,520
Protection (including Contingencies)		4,493	16,750	8,114	357,658	1,691,645	796,057
Dur. Sol. (Relocations / Professional transition / Ur		5,188	4,498	17,511	1,617,754	1,331,044	1,709,690
Integracion	Education	3,172	4,726	4,643	282,674	542,494	836,155
	Integration (regularisation & na	2,425	7,388	7,414	197,340	524,066	546,366
	Vocational training	718	2,088	748	53,050	139,339	61,601
TOTAL		58,908	53,624	85,651	16,162,639	9,225,197	15,747,389

Source: CBIs statistics

116. UNHCR has provided humanitarian assistance in the form of Multi-Purpose Cash Grants distributed to eligible PoC via prepaid cards for a maximum period of four months<sup>86</sup>. Between 2018 and 2019, UNHCR Mexico distributed humanitarian assistance to all cases with specific requirements or at risk of not being able to meet their basic needs. This entailed providing widespread assistance to families and, in some instances, single-person households. In November 2019, UNHCR and RET International (UNHCR's implementing partner in Tapachula, Tenosique, Palenque and Acayucan at that time) started the targeting process in Tapachula, and from January 2020, in Tenosique, Palenque, Acayucan and CDMX, in order to provide humanitarian assistance based on socio-economic vulnerability. UNHCR estimated that using a set of vulnerability criteria ('targeting') would cover 50% of the cases eligible for humanitarian assistance. The percentage of eligible cases varies depending on the vulnerabilities of the PoC and the context in which the targeting is applied.

117. In addition to humanitarian assistance, in exceptional cases, UNHCR offers sectoral top-up grants based on a comprehensive risk assessment of the individual. These top-ups are allocated to cover health support (for short-term needs), housing (in exceptional cases), relocation for safety reasons and a fourth month of humanitarian assistance in cases of extreme vulnerability. In 2019, sectoral top-up grants were issued to 1,860 cases representing 4,493 persons; of these, 910 cases and 2,294 persons (approx. 50%) were in Tapachula. In 2021, 8,114 persons received sectoral top-up grants.

118. To facilitate local integration, CBIs are provided for school fees, certification or accreditation of diplomas, university education, vocational training, regularisation (Humanitarian Visitor Card or Permanent Residence Permit), naturalisation and family reunification. Local integration allowances are available to any asylum seeker or refugee throughout the country so long as UNHCR can verify the relevant documentation. Between 2019 and 2021, the number of people receiving these allowances from UNHCR doubled, from 6,315 persons in 2019 to 12,805 in 2021.

119. Since 2016, UNHCR has been running a Local Integration Programme to relocate people to central and northern cities, which has so far helped around 15,828 people; LIP participants receive a CBI at

<sup>86</sup> The amount of cash given to PoC is based on the Minimum-spend Basket established by Mexico's two main poverty measuring institutions, CONEVAL and INEGI.



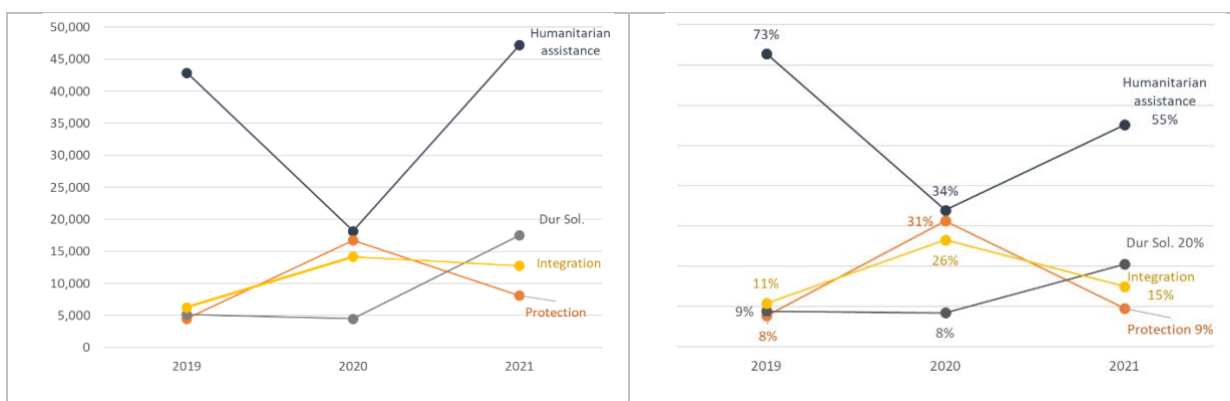
the time of relocation to cover their basic needs until they find formal employment in the destination cities.

## ANALYSIS OF THE EVOLUTION OF BENEFICIARIES ELIGIBLE FOR HUMANITARIAN ASSISTANCE (CBI) BETWEEN 2019 AND 2021

120. The number of beneficiaries to receive the different types of humanitarian assistance increased between 2019 and 2021, after decreasing by 9% in 2020. It is worth noting that most of the cash-based interventions fall under the category of sectoral support (basic protection needs, durable solutions, integration support), which accounted for 66% of CBIs in 2020 (in response to the impact of the pandemic), with 31% of beneficiaries receiving protection assistance and 26% integration support.

121. Between 2019 and 2021, the number of humanitarian assistance beneficiaries rose by 10%, and their overall share of CBIs remained high, at 55% in 2021 compared to 73% in 2019. In 2021, the efforts to support integration and durable solutions are noticeable with the number of beneficiaries increasing by 103% and 238%, respectively, compared to 2019. However, they only account for 15% and 20% of the total number of CBI beneficiaries.

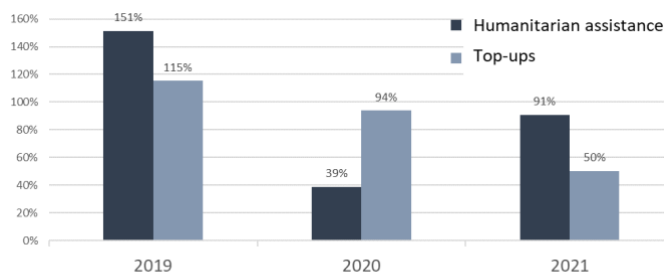
Graph 2: Evolution of the beneficiaries eligible (# and %) for the different types of CBIs (2019-2021)



Source: CBIs statistics

122. The graph below shows that the actual number of people to request the different types of CBIs in 2019 exceeded the annual forecast of potential beneficiaries, with humanitarian assistance and sectoral top-ups surpassing the expected figures by 151% and 115%, respectively. In 2020, at the height of the COVID-19 pandemic, UNHCR provided sectoral top-ups to 94% of the forecasted beneficiaries. The public health context that reduced the number of new asylum seekers is reflected in the low rate of humanitarian assistance (39%) in relation to the forecast. However, in 2021, 91% of the forecasted humanitarian assistance beneficiaries were reached, but notably, only half of the beneficiaries received sectoral top-ups.

Graph 3: Rate of eligible humanitarian assistance and sectoral support beneficiaries (%) in relation to the targets defined in the COPs and the (2019 – 2021) sectoral support EXCEL documents

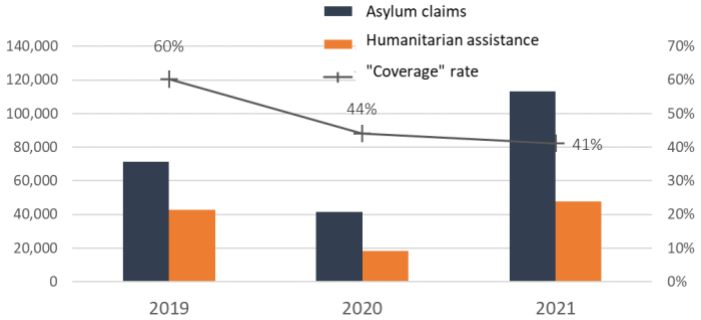


Source: COPs, CBIs statistics

123. The following graph shows that in the context of a continuously increasing number of asylum claims since 2017 (except for 2020), the number of cases eligible for humanitarian assistance has followed

the same trend (in absolute values) since 2019. If asylum claims continue to increase and the current criteria for the provision of humanitarian assistance remain unchanged, despite the steady increase in the number of cases receiving humanitarian assistance in absolute values, the rate of “coverage” will continue to decrease. Although UNHCR cannot predict how many asylum seekers will approach COMAR (a role beyond its reach and resources), a growing gap between those receiving humanitarian assistance and those that have to go without is emerging.

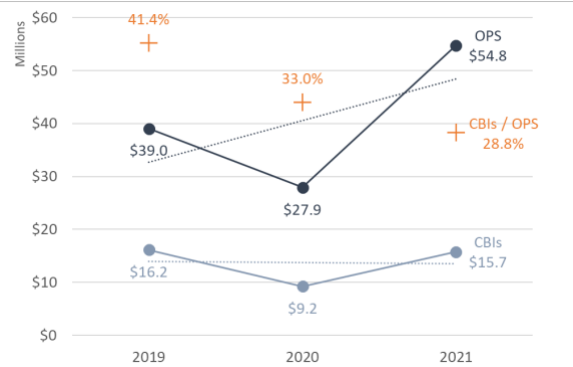
**Graph 4: Evolution of the number of asylum seekers / to the number of cases covered by humanitarian assistance and 'coverage' (2019– 2021)**



Source: COMAR, CBIs statistics

124. In monetary terms, the graph below shows, in absolute values, that budgetary spending in operations (OPS) in 2021 increased by 40% compared to 2019, while spending on CBIs decreased by 3%. The percentage of the OPS budget spent on CBIs has decreased steadily from 41% in 2019 to 29% in 2021.

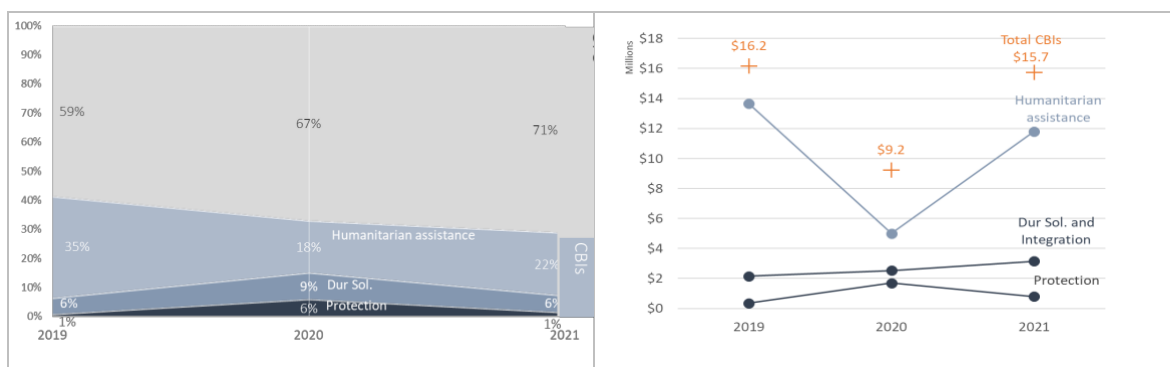
**Graph 5: Evolution of the OPS and CBIs budget (# and trends) and percentage of the OPS budget spent on CBIs (2019– 2021)**



Source: CBIs statistics, 2019\_2021 comparative budgets

125. The graphs below show increased spending on sectoral support (particularly protection and durable solutions) coupled with decreased spending on humanitarian assistance in 2020, reflecting the COVID-19 pandemic. In absolute values, between 2019 and 2021, the breakdown of the budgetary expenditure on CBIs shows a 14% decrease in spending on humanitarian assistance and a 58% increase in sectoral support (durable solutions and protection).

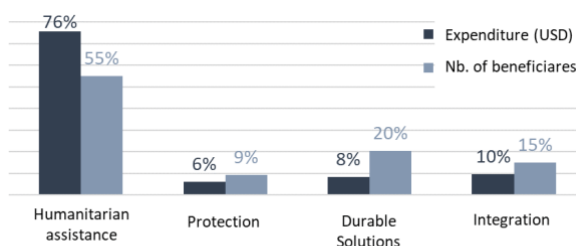
**Graph 6: Percentage of the OPS budget spent on CBIs (2019-2021) and evolution of spending (USD) on humanitarian assistance, durable solutions and protection (2019 – 2021)**



Source: CBIs statistics, 2010\_2021 comparative budgets

126. Based on the available data, spending on protection-specific CBIs appears to be highly disproportionate to spending on humanitarian assistance and durable solutions programmes. In 2021, protection accounted for only 9% of beneficiaries receiving some form of CBI and 6% of total CBI expenditure (1% of OPS expenditure).

**Graph 7: Breakdown of budgetary expenditure and beneficiaries covered, by type of CBI (2021)**



Source: CBIs statistics

#### 4.2.2 How are persons of concern integrated into government and NGO services? To what extent has UNHCR influenced/assisted the transition towards self-reliance, socio-economic inclusion and the integration of persons of concern?

127. The LIP has established local integration pathways for PoC who decide to settle in Mexico and undertaken an ambitious geographical expansion into eight locations in the centre and north of the country. Based on providing access to labour markets, UNHCR has deployed a series of support and advocacy actions that, despite some obstacles and gaps, have improved access to essential services. Insofar as the available resources allow, UNHCR has helped ensure that PoC who decide to remain in Mexico can access formal employment, schooling, health care and naturalisation. Thousands of cases serve as a reference for new arrivals and attest to the viability of integration strategies. Without detracting from the achievements made, unresolved challenges remain (e.g. financial inclusion), the tension between quantity (relocation targets) and quality (degree of effective integration) emerge, and opportunities for adjustments to the support process have been identified.

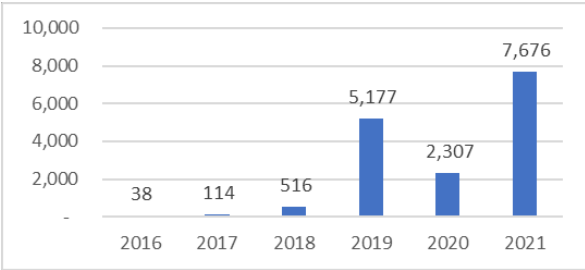
128. The LIP was launched as a pilot project in 2016 in Saltillo, seeking to offer a comprehensive alternative for refugees willing to start a new life in Mexico, which was difficult to achieve in southern border towns such as Tapachula or Tenosique due to their socio-economic conditions. UNHCR Mexico carried out a study to identify cities in the central and northern regions of the country that could offer better employment opportunities and essential social services. Lessons learned from the LIP pilot in Saltillo served to lay the operational foundations of the programme and validate the need to put the



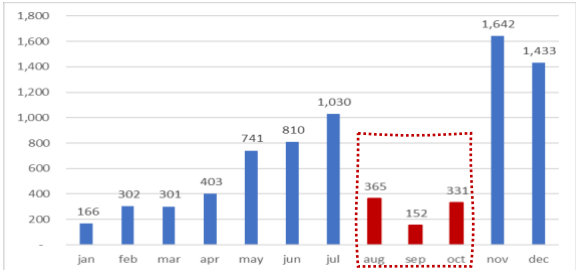
issue of PoC integration on the public agenda at a local level. Awareness-raising around the integration of PoC was particularly important in localities more accustomed to transit migration, as there was a lack of specific knowledge about asylum and the barriers to socio-economic inclusion faced by PoC seeking to settle.

- 129. The Durable Solutions unit sought to replicate the Saltillo experience in the cities of Guadalajara (2018), Monterrey and Aguascalientes (2019). In 2020, despite the pandemic, the cities of Puebla, Querétaro, San Luis Potosí and León were included in the programme, making a total of eight destination cities. This growth coincided with the development of a new Durable Solutions strategy (2020)<sup>87</sup>.
- 130. The LIP has succeeded in responding to two different but intertwined problems. Firstly, the saturation and concentration of PoC stranded on the southern border, an area with high rates of poverty and low levels of social development, for extended periods of time. A situation further compounded by the challenges of being a region with a growing volume of arrivals. Secondly, promoting local integration and Mexico as a destination country and attractive alternative to the inherent risks involved in travelling north and crossing the border to pursue the ‘American dream’.
- 131. The LIP is making good progress, increasing the number of participants from 38 in the first year of the pilot project (2016) to 7,676 people in 2021<sup>88</sup>. The following graphs show the positive evolution in the number of LIP beneficiaries which, despite the impact of the pandemic and restrictions imposed by the INM in the summer of 2021, continues to follow an upward trend.

Number of PoC assisted by the LIP (2016 – 2021)



Number of PoC assisted by the LIP (January – December 2021)



Source: UNHCR, Durable Solutions Programme

**PoC assisted by the LIP have a better chance of integration through access to legal inclusion**

- 132. The difficulty of completing procedures to accredit a legal stay in Mexico is the main obstacle repeatedly identified by informants<sup>89</sup>. For PoC, achieving official refugee status is essential for their path to integration. ENPORE (2017) highlights that 91.1% of the surveyed refugees received assistance during their application process, with UNHCR being one of the main actors. Informants and focus groups confirm that the work of UNHCR and its partners has significantly benefited PoC, as, without their support, it would have been considerably more complicated or even impossible to gain access to documentation. Migration documentation has been a key LIP inclusion criterion for UNHCR and the migration authorities, as evidenced by the difficulties encountered in August 2021 while transferring several groups of PoC from Tapachula to their new destination cities.
- 133. The LIP relocates people who, as a minimum, have had their asylum claim resolved<sup>90</sup> so that they can start their permanent residence process in INM delegations dealing with fewer applications. And while UNHCR cannot directly influence procedural resolution times, which depend on the capacities

<sup>87</sup> UNHCR (2020) Highlights Mexico; Annual Report  
<sup>88</sup> As COVID-19 halted LIP activities for much of 2020, the figures for that year are not included (2,306 people relocated during COVID-19).  
<sup>89</sup> “Not having legal permission to work” was mentioned by 43.1% of respondents and is the second biggest challenge listed in the Problems of Access to the Labour Market for the Refugee Population in Mexico ranking. UNHCR, IOM (2016) Socio-economic profile of the refugee population in Mexico, with emphasis on the factors that facilitate or limit their employability. Mexico.  
<sup>90</sup> Asylum claim is used as a more familiar term for readers unfamiliar with the Mexican regulatory framework, which refers to the process as “constancia de reconocimiento de la condición de refugiado” (proof of the granting of refugee status).

and will of the competent authorities, the advice, support and legal representation offered to PoC by UNHCR and partners during the process safeguards their legal inclusion. This evaluation corroborates the main finding put forward by other analyses:<sup>91</sup> not having the necessary Mexican civil (CURP) and migratory documents is the main barrier to legal integration which, in turn, is critical for labour integration and access to public services.

### **PoC intending to integrate in Mexico explore the possibility of settling in cities with higher rates of socio-economic development**

134. The available evidence and data collected consistently show that external factors, such as US and Mexican migration policies, PoC's family ties in the USA and the imaginary "American dream" scenario, among other factors, influence a person's decision to continue their journey north, despite the opportunity to settle in Mexico. Nevertheless, the possibility of local integration presents an opportunity to rethink a life plan, even if the intention to stay is not permanent or subject to change due to circumstances beyond the reach of any programme.

*"Initially, I had intended to go to the United States. Now, with UNHCR's support, I'm open to staying"(LIP beneficiary, focus group)*

135. The LIP has evolved to address the diverse needs detected by caseworkers during the process of integrating relocated people, to guide, inform and provide employment opportunities, housing and access to essential services. According to the focus groups, this holistic approach has been successful in responding to the immediate needs of the relocated PoC. Economic self-sufficiency and housing are the two most important elements required for people to start on the path toward local integration.

*"Most of them intended to go to the United States, but in our case, we realised our son would have the opportunity to study here, and that's why we stayed. We're very grateful for the support we've received from UNHCR; their staff have done everything in their power to help us." (LIP beneficiary,*

136. One of the indicators used to measure the effectiveness of the LIP is the "permanency rate", which refers to the participants' intention to stay in the relocation destinations. Based on yearly settlements and UNHCR monitoring, the data from Saltillo<sup>92</sup> showed a high permanency rate over the two years. The permanency rates reported by the Guadalajara and Monterrey offices are also high. Nevertheless, and although not exhaustively, some of the data indicates that the LIP abandonment rate could increase over time and be strongly influenced by external factors, particularly variations in US migration policy, family circumstances, or satisfaction with the integration. The data on permanency and abandonment rates (quantitative and qualitative) is incomplete and, therefore, the analysis is inconclusive. The potential reduction in the permanency rate of relocated people over time does not contradict the significant progress made by LIP. In six years, 15,828 people have had the opportunity to integrate locally under an ambitious and consistent framework of institutional and operational support.

### **4.2.3 What key partnerships have been developed within the framework of this transition? What role do support for self-reliance, socio-economic inclusion and integration play, and how have they affected persons of concern from the UNHCR's perspective? How is the private sector integrated into the transition towards self-reliance, socio-economic inclusion and full integration, and what benefits do persons of concern and businesses derive from participating?**

137. Coordinating with public administrations in charge of employment and vocational training programmes and with a growing number of enterprises in an increasing number of cities under a conducive legal framework has been essential for the programme's viability in its initial phase. UNHCR has adopted a broad approach to socio-economic integration, identifying needs in other areas such as access to education for children and other essential services. As a result, partnerships with a wide range of government actors have played a vital role in integrating the relocated PoC. In parallel, partnerships have been established with companies to generate labour integration options for relocated refugees, with salaries comparable to nationals, including social security. UNHCR has successfully persuaded business partners to view refugees as a source of human capital and informed

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<sup>91</sup>ENPORE (2017)

<sup>92</sup> The LIP data used is from the pilot location, Saltillo, because it offers a larger volume of resettled persons and a homogeneous data series for a 5-year period.

companies about their rights. Engaging the banking sector at the same level as the business sector has been more challenging, but UNHCR is pushing for access to bank accounts, which is essential for labour integration.

### Local authorities are including refugees in public policies

138. Saltillo, Guadalajara and Aguascalientes were the first destination cities for the LIP, and the services for PoC provided by the various public administrations in these three locations have been strengthened by the presence of UNHCR. Even though several of the cities have a robust local government infrastructure (as seen in Aguascalientes, which has specialist migrant care units), the local UNHCR teams have had to put the plight of refugees and asylum seekers on the public agenda. Making this issue visible and establishing channels of communication and coordination with local authorities has been a crucial part of the project in all the localities visited by the evaluation team, not only to ensure the authorities can provide advice and care for PoC but also to set up UNHCR's support pathways. Informants also report that the relationships established, whether through institutional agreements, ad-hoc agreements or relationships built with officials, have helped make the needs of PoC and the barriers they face visible and facilitate access to public services<sup>93</sup> (see Annex 3).

### Businesses see refugees as a talent source

139. Businesses still lack knowledge about the documentation required to recruit refugees, complicating the inclusion of PoC in the labour market. Several informants pointed out that companies are unaware of the documents issued by the INM (permanent/temporary residence) and sometimes request paperwork that is already obsolete (e.g. FM3/FM4), resulting in complications for refugees that actually have the correct civil and migratory documents. This knowledge gap and, at times, inflexibility in regard to the documentary requirements for recruitment stems from companies being wary of violating the legal framework for the recruitment of foreigners.

140. The situation highlights the importance of interventions by UNHCR and partners to facilitate the labour integration of PoC by fostering partnerships with the business sector. UNHCR has succeeded in making partner companies aware that they can hire refugees and, consequently, has been able to promote the labour rights of PoC. UNHCR has progressively increased the number of companies participating in the LIP. In 2019, some 36 companies partnered with UNHCR, but by 2020, that number had grown to around 200. The employability work carried out by the LIP has influenced the perception of PoC as a talent pool for companies' staffing needs.

141. Recruitment of refugees by companies is a direct result of the LIP's work with the private sector at a local level and government authorities, such as the Ministries of Labour and Economic Development, at a state level. Alliances with these agencies have played a fundamental role in the job fairs aimed at relocated PoC. The involvement of FEMSA, a national business ally that operates in several of the relocation cities (Guadalajara, Monterrey, Saltillo and Tijuana), is a case in point. As a result of its close relationship with the LIP since 2019, it has employed almost 400 relocated PoC.

142. The LIP uses the number of relocated persons recruited as an indicator to measure the effectiveness of the intervention in the employment sphere. Although this data is not available with a breakdown by locality to analyse trends during the evaluation period, it does show that between January and July 2021, 68% of the adults in the household were employed within the first year of relocation and that the level of job satisfaction was 80% (very satisfied/satisfied)<sup>94</sup>. However, the low pay rate was repeatedly mentioned in focus groups and some interviews.

*"They get complaints from relocated people who say the cost of living is too high, that they can't afford to live, [...], that the salary they get isn't what they expected, that it's always the minimum. [UNHCR] has to do a lot of profiling, but you have to be aware of the population you're working with [...] More communication with COMAR is needed to make them aware of the LIP. [...] Intervening at the right time is vital; it has to be attractive enough to make them prioritise their safety. UNHCR has forgotten that." (Interview with UNHCR staff)*

### Creating new local integration pathways in sectors with access barriers for PoC

143. UNHCR's presence and efforts to promote local integration with partners have resulted in the establishment of integration pathways that lead to access to essential services and promote financial

<sup>93</sup> Government reports. First Report: <https://coahuila.gob.mx/micrositios/index/documentos-del-segundo-informe-de-gobierno> y Second Report: <https://coahuila.gob.mx/micrositios/index/documentos-del-tercer-informe-de-gobierno>

<sup>94</sup> Analysis of the Integration Programme data [update as of July 2021], Powerpoint Presentation.

inclusion. With regard to services such as education and health, even within a favourable legal framework, barriers emanate from the guidelines established by the competent authorities, which sometimes limit access due to non-accepted migration or identity documents. This underlines the importance of work carried out by UNHCR and partners to identify these barriers and liaise with the respective government bodies to ensure PoC are not subjected to 'over-the-counter' refusals.

144. Regarding financial inclusion, UNHCR has approached banking institutions to clarify the documents that a refugee without a passport (for example) would need to open an account. The work has been arduous as the management of financial services for salary accounts is the employer's responsibility. However, in some cases, UNHCR has managed to provide financial service options to prevent the lack of a salary account being a barrier to labour integration.

## CHALLENGES FOR THE LIP 2017 – 2021

Annex 5 contains an analysis of the LIP's strengths, opportunities, weaknesses and threats, from which the challenges detailed below are extracted.

- **Legal integration:** The backlog of regularisation procedures managed by the INM is a constant observed in all regions of the country, with setbacks reported in integration localities seeing an increase in applications for permanent residence. Added to this is the challenge of establishing close coordination with the INM, as there appears to be less willingness to speed up migration procedures in the delegations. Additional problems are faced by asylum seekers 'in situ' in localities where, due to the lack of a COMAR presence, the INM has been delegated the task of advising on and accepting asylum claims and coordinating with COMAR's central offices to follow up on the resolution. In these situations, there have been reports of cases remaining in limbo and not being channelled to COMAR.
- **Economic integration:** A recurrent issue often cited by relocated PoC and asylum seekers accommodated in shelters is access to well-paid employment. Even the PoC integrated for some time lack a stable income that is sufficient to cover their needs and allow them to plan for the future or start building their own wealth. One of the LIP's aims is to help relocated persons find official employment that provides access to social protection (e.g. medical coverage from the IMSS and other benefits). However, primarily due to the type of opportunities available to candidates that often only have a basic level of education, it can be difficult to secure an attractive position.
- **Social integration:** Although UNHCR advocates for PoC to be included as a priority group within state and municipal development plans, the challenge of securing access to public services persists, placing local LIP teams under greater pressure to establish ad-hoc agreements and communication channels with some ministers and officials. This situation is an important consideration during changes in local administrations or when setting up the LIP in new localities, as it implies additional efforts to develop an outreach and advocacy strategy with new actors. The ad-hoc nature of these links also generates challenges in terms of socialising and systematising them within UNHCR, establishing more efficient and homogeneous support mechanisms and encouraging internal institutional learning.

*"The jobs pay around 1,400 pesos per week, but it's not enough to rent a room. Because you're a migrant, they pay poorly and ask you to work up to 12 hours. Mexico is no different to Honduras. There, you earn 350 lempiras a day, and that's not enough to eat. It's not worth staying." (Focus group with PoC attended by UNHCR partners)*

145. In addition to the challenges mentioned above, the LIP faces other operational difficulties arising from its rapid growth since 2019.

- The help given to people at the southern and central border, which includes humanitarian assistance and cash grants, generates expectations of more support among relocated PoC and leads to difficulties for LIP teams. There have been reports of cases in which relocated PoC demand monetary support ('cash') similar to the CBIs initially provided by UNHCR, because they struggle to differentiate between humanitarian assistance and the type of support extended under the LIP. Consequently, misunderstandings have arisen with the staff of partner organisations, who attribute these situations to the challenge of managing expectations in regard to the support provided to relocated PoC by UNHCR.
- Another challenge is communication and coordination between field units and ensuring that PoC have a smooth transition between different UNHCR programmes and support mechanisms. If these transitions are not improved, the issue will become a growing area of risk, particularly in the context of increasing relocation targets.

Annex 12 outlines the best practices and lessons learned from the LIP during the evaluation period.

#### 4.2.4 To what extent are partners' activities coordinated, sustainable and able to meet the needs of persons of concern for UNHCR?

146. The growing number of partner organisations in an increasing number of locations has been critical for improving access to basic services and offering quality support to relocated persons during the integration process. UNHCR has made significant efforts to develop relationships with a wide range of partners, but there is room for improvement both at a strategic overview level (e.g. shared vision on the role of partners and partnership development) and at an operational (e.g. coordination forums between UNHCR and partners) and administrative levels (e.g. reporting modes, tools and planning). The ecosystem of actors working around the asylum system in Mexico, one of UNHCR's major contributions in recent years, is heavily dependent on the resources mobilised by UNHCR. This may jeopardise its strategic value and consolidation.
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147. The expansion of UNHCR's activities in Mexico has gone hand in hand with growth and diversification in the number of partner organisations and the opening of new field units, which have been systematically accompanied by agreements with new partners or the expansion of existing cooperations. In 2017, UNHCR in Mexico had Partnerships Agreements with more than 20 partners while in 2020 it will reach a total of 32 partners. The significant role played by partners is reflected in the forecasted budget for partners, which has grown from USD 4 million in 2017 to USD 15.4 million in 2021<sup>95</sup>, an increase of more than 300%.
148. The assessment of the role played by partners in providing assistance and expanding UNHCR's operational capacities is broadly positive. The configuration of an extensive network of both civil society and international organisations has been fundamental to the impetus given by UNHCR to the national ecosystem of actors working on the asylum issue.
149. Partners note a progressive improvement in UNHCR's support and recognise the value of incorporating a capacity-building component for local organisations (4% of the budget for agreements) as part of an organisational development logic. UNHCR has driven improvements to the management of local organisations' projects and funds, especially in the design of actions (e.g. logical framework, indicators, monitoring, etc.). UNHCR's support has led to a recognition of the partners' areas of expertise and capacities to implement pilot projects and build support pathways (e.g. social integration, psychosocial focus, SGBV, legal assistance on asylum in the USA, etc.). Access to UNHCR funding has strengthened local organisations' work on asylum and international protection issues, providing multi-year funding and greater stability. In several cases, UNHCR funding has been decisive for the survival or continuity of the work carried out by partners (especially during COVID-19) and has provided visibility to local organisations.
150. In terms of coordination, UNHCR has established and promoted mechanisms for interaction with its partners and, in some areas, even created specialised working groups (e.g. Protection). The partners' assessment of the coordination and exchange forums is positive, highlighting the efforts to generate spaces for exchange and joint reflection, which are perceived as essential. On the other hand, they note a need to reinforce their usefulness and implementation, develop a strategic vision of the alliance, and improve the bidirectionality of the exchanges.
151. Some partners convey differences of opinion on the vision and definition of what it means to be a UNHCR partner (or what is expected of partners). Although not applicable to all UNHCR partners in Mexico, several interviewees have reiterated that the partnership is viewed as somewhat unbalanced in terms of the negotiations between the two organisations. One of the main challenges in partner relations is the sustainability of ongoing activities and projects that, in some cases, are completely dependent on funding from UNHCR.
152. Lastly, and although an element reiterated in other UNHCR evaluations, UNHCR's administrative processes work differently from those of the partners, and having to provide the requested information (which is often duplicated) and reports (e.g. Kobo or others) generates an additional workload.

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<sup>95</sup> According to MSRP data as of 10/12/2022



### 4.3 Area of inquiry 3: How effective has the UNHCR funding model been in Mexico, and how did the current funding structure impact the operation?

153. Funding from the US and, to a lesser extent, from other donors has allowed UNHCR to contribute to the development of the national asylum system, expand its geographical coverage, broaden its range of partnerships, diversify programmes and, ultimately, respond to growing international protection needs. The funding strategy has seen UNHCR move from financial requirements of USD 24.4 million in 2018 to USD 74.3 million in 2021. UNHCR has strategically positioned itself to attract new donors and made progress in diversifying funding, including from the private sector, although some reliance on North American financing remains. Prospects for obtaining new funding are good, although, in the case of bilateral and multilateral contributions, UNHCR Mexico lacks sufficiently developed capacities in some areas (e.g. design and monitoring, technical and financial reporting, donor visibility). Good progress had been made in the raising funds from private donors in Mexico (and North America), but efforts to increase their share in the overall funding model of the operation should continue in order to balance the investments made with the return obtained (to date).

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#### 4.3.1 How have changes in information management, communication and requests for targeted support from donors affected opportunities to increase and diversify funding? How effective have fundraising efforts developed jointly with other agencies involved in the MIRPS been at garnering donor interest and support?

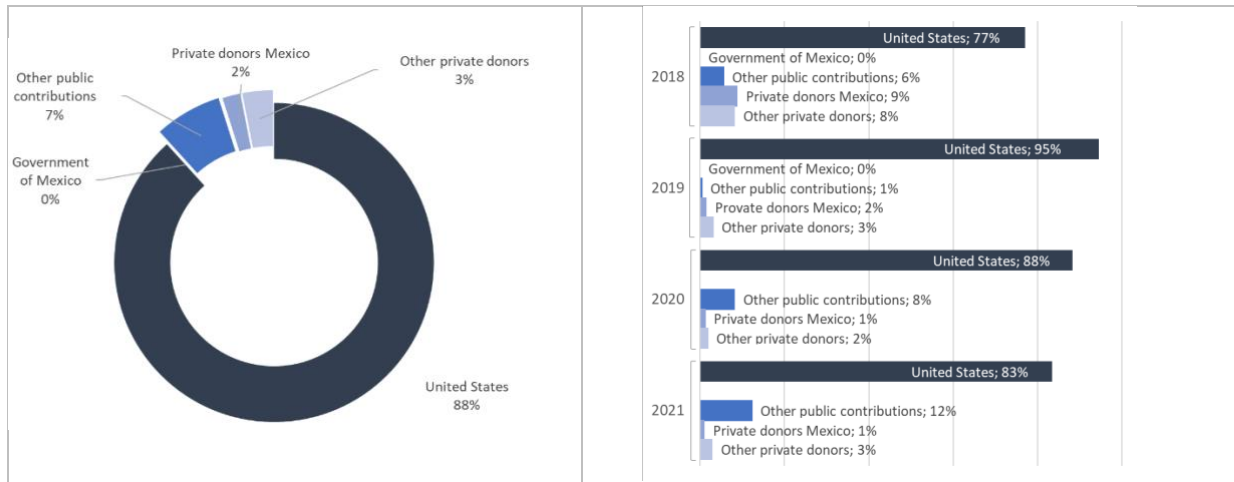
154. The evaluation has not had information on UNHCR's information management or communication changes and their impact on funding at its disposal. For the first time, relationships established with the EU and GIZ have made multi-year funding available for specific programmes (implemented jointly with other organisations) and paved the way for accessing further contributions from bilateral or multilateral donors. However, some disparities have been identified in partner organisations' vision and understanding of these joint programmes, which could have repercussions for their implementation and the consistency of collaborative work.

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155. Since 2018, UNHCR Mexico has received ongoing contributions from governments and private donors. Between 2018 and -2021, donations from governments amounted to over USD 167 million (94% of contributions), while approximately USD 11.3 million (6% of contributions) came from private donors. Notably, the contributions made by BPRM (Bureau of Population, Refugees, and Migration - US Department of State), which have accounted for almost 88% of total contributions since 2018, have allowed UNHCR to expand its programmes in Mexico and increase its presence to a total of 17 locations. It also enabled a timely response and the implementation of preventive measures during the COVID-19 pandemic in 2020. The funding updates (December 2018, 2019, 2020, 2021) show that over the last three years, the US contribution to Mexico has remained relatively stable (ranging from USD 52.6 million in 2018 to USD 51.9 million in 2021 - including a USD 13.5 million carry-over from 2020 to 2021). The US contribution accounted for 32% of the total operation in 2018 and 52% in 2021.



**Graph 8: % of total contributions received by UNHCR Mexico between 2018 and 2021 by donor type**

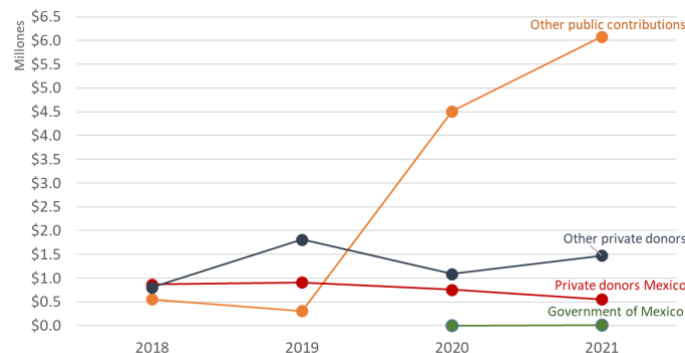


Source: UNHCR Division of External Relations- funding update 2018--2021

156. As part of the diversification strategy, UNHCR Mexico contacted the European Union Delegation and other Member States, which led to funding for four new multi-year projects, with implementation commencing in 2020. Additional funding was possible in 2020 in relation to the Comprehensive Development Plan already underway. The more diversified portfolio includes other public and private donors (e.g. the International Olympic Committee, Qatar, Canada, UN funds).

157. Analysis of the evolution of the funding structure, leaving US contributions to one side, shows strong progression in public contributions (+89%) between 2018 and 2021, with 83% of these funds corresponding to multi-year contributions. Also noteworthy is the increase in donors making earmarked contributions (from 6 in 2018 to 10 in 2021) and in contributions from private donors, such as the Howard G. Buffett Foundation, Nacional Monte Piedad, I.A.P., the International Olympic Committee and USA for UNHCR.

**Graph 9: Evolution of contributions (USD) received by UNHCR Mexico by donor type, excluding US contributions. UU. (2018–2021)**



Source: UNHCR Division of External Relations- funding update 2018--2021

#### 4.3.2 How has the shift towards obtaining multi-year funding affected the programmes?

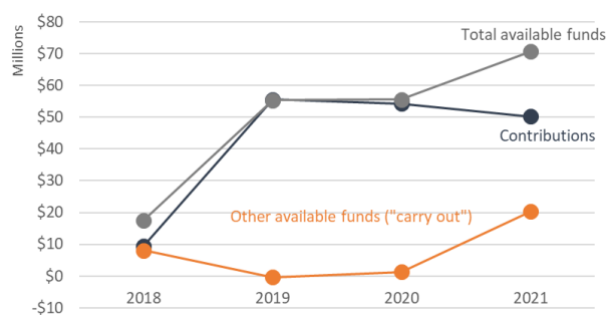
158. Multi-year funding has provided a stable budget horizon for UNHCR’s local integration strategy. The four-year funding provided by GIZ facilitates the medium-term approach essential for local integration projects, which require prolonged processes and support. Multi-year funding through bilateral and multilateral donors has exposed UNHCR Mexico to project management demands and tools that have involved new efforts in terms of coordination with other agencies, reporting and visibility for the operation.

159. UNHCR has managed to diversify the donor base and accessing funding from the EU, Germany, Canada, Qatar and private donors such as U4U and the Buffet Foundation. US funding has increased from USD 7,480,000 in 2018 to USD 38,715,766 in 2021 (USD 51.9 million counting the carry-over from 2020). That said, it has increased its share from 32% of the OP in 2018 to 52% in 2021. In addition, four multi-year projects aligned with the MIRPS pillars<sup>96</sup> were awarded in 2020 and are currently being implemented.

### Evolution of UNHCR funds available and spent in Mexico(2018 – 2021)

160. After a significant increase in 2019 (+214%), the available funds steadily increased by a further +28%. However, from 2019 onwards, contributions decreased slightly (-10%), given that the 2019 increase mentioned above was due to carry-over funds not spent in the previous year. In 2021, 71% of the available funds were annual contributions, and 29% were unspent funds from 2020 carried over to the following year.

**Graph 10: Evolution of contributions, other available funds (including annual transfers) and UNHCR Mexico’s total available funds (USD) (2018-2021)**



Source: UNHCR Division of External Relations- funding update 2018–2021

161. Prior to 2018, 95% of the available funds were spent. UNHCR data for 2021 shows a budgetary implementation of 100%.

### 4.3.3 How effective have individual, private sector and philanthropy donations been at increasing public awareness and support for UNHCR?

162. The evaluation has not had the evidence necessary to analyse increases in public awareness or support for UNHCR at its disposal. The limited qualitative data available indicates an increase in social media visits (UNHCR Mexico’s Twitter account and the El Jaguar Facebook page) and low awareness of UNHCR<sup>97</sup>. Overall, private sector support, especially from the US, has been critical to the financial stability of the operation.

163. The US has also been a major source of private donors, with North American contributions accounting for 53% of all private donor contributions between 2018 and 2020. In 2021, the US private donor portfolio (with the contribution of the Howard G. Buffet Foundation and U4U) accounted for 82% of private donations. Private donor contributions increased by 241% between 2018 and 2021, with a significant rise between 2018 and 2019 (+65%) and a fall between 2019 and 2020 (-29%). In 2021, the Howard G. Buffet Foundation's contribution accounted for 26% of total private contributions. However, contributions from private donors decrease from 17% in 2018 to 11% in 2021 of total contributions (public and private)..

<sup>96</sup> Reception and admission (a UNHCR project in northern Mexico and a joint project with UNICEF on child protection and alternatives to detention); Support to host countries and communities (a joint project with GIZ to improve public services in host communities in southern Mexico and local integration - PROFIL); Expanding opportunities for durable solutions (a joint project with ILO on promoting employment and social protection and a joint project with ILO and IOM under the UN MPTF).

<sup>97</sup>Market studies carried out by UNHCR.

164. Actions targeting the private sector were impacted by COVID-19; in 2020, the income generated through Private Sector Partnerships (PSP) fell, and more resources were channelled to telemarketing and digital fundraising with the aim of further increasing the donor base. In 2021, UNHCR had around 8,000 active monthly donors. The evaluation has identified potential synergies between PSP and PI (Public Information) that could help to communicate and raise awareness of UNHCR's work in Mexico and boost fundraising through different channels.

#### 4.3.4 What lessons learned could help UNHCR diversify its funding base in Mexico?

- The development of institutional relations with European representations and the EU Delegation has been a decisive factor in accessing new multi-year, programme-specific funding sources.
- The diversification of funding sources has required (and will continue to require) specialist staff and the development of new fund and programme management tools and mechanisms to respond to the increased diversity and complexity of donor requirements.
- Information, awareness-raising and fundraising actions developed autonomously and with limited interaction between units probably lead to a loss of synergies and reduced resource optimisation in fundraising (although the evaluation has not had quantitative data at its disposal).

### 4.4 Area of inquiry 4: How appropriate and effective is UNHCR's field office/unit structure? What are the most relevant strengths and weaknesses in the field offices/units in terms of protection and assistance to persons of concern?

165. The increase in human resources and the distribution of staff among field offices is consistent with the specificities of population movements, international protection and local integration in the different areas of the country (southern border, centre, CDMX, northern border). The increased recruitment capacity has allowed for the creation of a 'roving team', which extends UNHCR's reach to locations where it does not have a stable presence, the expansion of strategic programmes (e.g. LIP), the specialisation of teams to better cope with the huge increase in flows and evolving protection needs.

166. However, the rapid operational growth has brought about challenges, both internally and externally. The operation has been working under pressure, with staff sometimes taking on double and triple roles, recent recruits unfamiliar with the organisation, imbalances and 'silos' between units and offices, and delayed recruitment processes. In addition, UNHCR's strong demand for recruitment has, in some cases, led to a brain drain from partner organisations, paradoxically weakening the very organisations it is trying to strengthen.

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#### 4.4.1 How effective has UNHCR's provision of technical support staff to the government been in meeting registration and protection needs and providing solutions for persons of concern?

167. Externally, HR support to the national asylum system is perceived as a necessary, albeit transitory, step in upgrading and strengthening national capacities. UNHCR's support has been crucial in enabling COMAR and partners manage record-breaking numbers of asylum claims in Mexico. However, the support provided by UNHCR technical staff to COMAR and other protection bodies ("procuradorías") in terms of staff should be exceptional, given national capacities.

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168. The considerable mobilisation of financial resources has been accompanied by a rapid and significant increase in UNHCR staff in Mexico, which has allowed for the structuring of a comprehensive and far-reaching response to international protection needs. UNHCR Mexico's staffing budget (excluding support to COMAR) has grown steadily since 2015, increasing by 300% between 2015 and 2018 (from 18 to 72 staff) and 460% between 2018 and 2021 (from 72 to 405 staff).

169. The growth in HR has occurred both internally and through the enormous support provided to COMAR and, to a lesser extent, other public authorities (e.g. protection agencies). The support provided by UNHCR technical staff to COMAR and other bodies has been decisive in articulating the response to the needs of PoC through Mexican institutions. Although most of the institutions and organisations involved in responding to the needs have been overwhelmed, UNHCR's sustained and extensive HR support to COMAR has allowed for a response that would otherwise have been impossible to provide. UNHCR's HR support has increased COMAR's processing capacities and updated its procedures and standards (see previous sections). Even so, a traditionally under-resourced COMAR has been exposed to internal management complexities due to the rapid increase in staff and the coexistence of different recruitment categories for profiles with similar functions and responsibilities. Given the large number of UNHCR-funded human resources allocated to COMAR, a process to ensure the agency absorbs these positions has been set in motion, which is subject to the civil service's procedures, timing, and decisions.

*"UNHCR must have a plan to withdraw from Mexico, its current role there is huge, and the fact that UNHCR is spearheading a strategy that should be led by the Mexican government is worrying, especially as Mexico is one of the larger economies in the world."  
(Interview with UNHCR staff)*

#### 4.4.2 How appropriate and effective is UNHCR's field office/unit structure? What are the most relevant strengths and weaknesses in the field offices/units in terms of protection and assistance to persons of concern?

170. The territorial deployment of UNHCR and partners in the field is consistent with the evolution of migratory flows and the implementation of a comprehensive country strategy. The analysis of the staff structure, even without sufficient data, shows that the CDMX office appears to have concentrated a significant part of the growth in human resources, primarily due to recruitment to support the MPP response. Ongoing recruitment processes and decentralisation are aimed at strengthening sub-offices and should help balance resources between CDMX and the field, as some offices may not have sufficient human resources (or suitable profiles) to meet the operation's quantitative targets.

171. As of August 2021, UNHCR had approximately 405 staff in Mexico, distributed between the main COMEX office and the various field offices. Efforts to finalise the MPP led to the establishment of a support hub with around 80 staff in COMEX, temporarily increasing the number of employees based in the capital's office. According to the latest UNHCR data, COMEX currently has 140 staff, and the Tuxtla sub-office (including all offices and field units) has 130 staff as a result of the ongoing decentralisation process. Nonetheless, there remains somewhat of an imbalance between COMEX and the field offices, with 50% of the international staff based at COMEX.

172. Furthermore, interviews with UNHCR staff highlighted some concerns in terms of gender equity and the fact that the positions of responsibility are dominated by international personnel. While progressively replacing international staff with local staff is standard UNHCR practice, there is room for improvement given the outstanding skills and professional profiles available in the national labour market. Some interviews have also indicated a reduced presence of cultural minorities (both national, given the country's socio-cultural fabric, and international) or of efforts to include profiles with different abilities in the workplace. Although many of these findings are common to other UNHCR operations, there are specificities to the Mexican operation that would require a local approach. Although beyond the scope of this evaluation, the fact that certain HR policy issues overlap between different UNHCR operations<sup>98</sup> could be an area for internal reflection.

173. In regard to employment, a recurrent concern among staff has been the selection, recruitment and renewal processes, both in terms of timelines (e.g. selected staff who gave up after months of waiting) and poor communications. Furthermore, in their interviews, several UNHCR professionals agreed that despite the solid operational capacity of the organisation, even during the pandemic, the constant

<sup>98</sup>See the recommendations made in the Venezuela Evaluation Report.

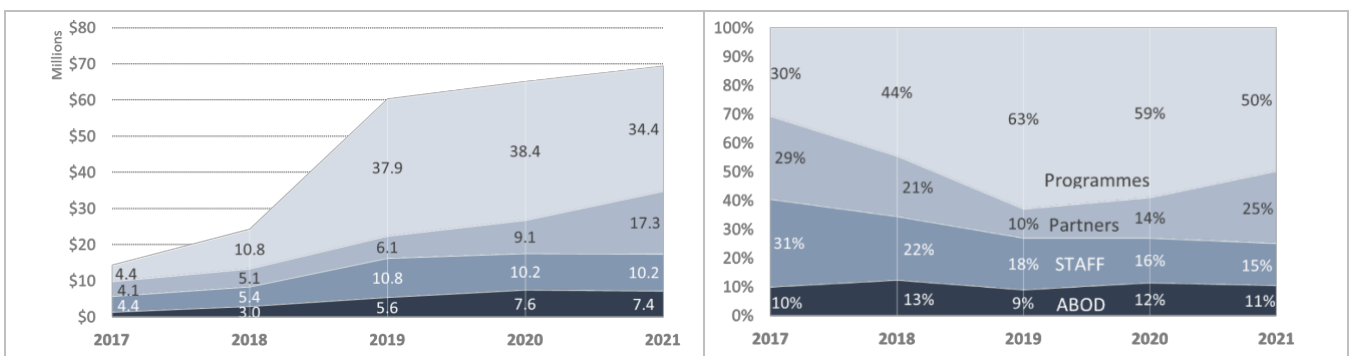
increase in activities and targets across all programmes and offices has led to internal imbalances that have negatively impacted motivation and performance quality. Informants express the need for more communication on the overall country-wide progress of the operation to overcome the 'silo' effect between programmes and units.

#### 4.4.3 How has the significant mid-year increase in the Operating Level budget in 2019 and 2020 impacted staffing?

174. Based on the limited data available, the evaluation has identified that from 2019 onwards, structural spending (ABOD and staffing) stabilised. These costs now account for around 27% of the budget, whereas in 2017, they accounted for 41%, with 31% spent on staffing. For the 2020-2021 period, the projected staffing budget stabilised at around USD 10.2 million, approximately 15% of the overall budget in Mexico. The stagnation of the staffing budget, both in absolute and relative terms, can be justified by the increase in the projected budget to be implemented through partners and the decrease in direct project implementation.

175. UNHCR's budget in Mexico has increased in all items since 2017, with a significant jump of +148% in 2019 and a progression of between 7 and 8% per year. In absolute terms, the share of the budget allocated to partners has increased significantly since 2017. However, this item's share of the overall budget decreased between 2017 and 2019 (from 29% to 10%) and rose again to 25% in 2021.

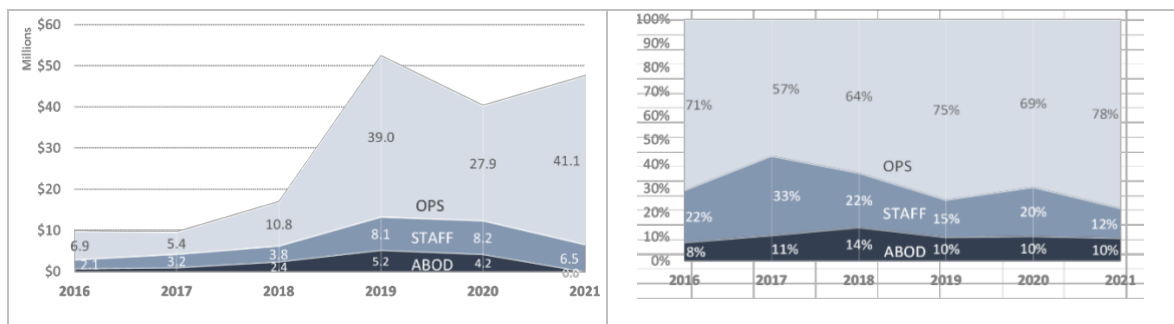
Graph 11: Breakdown (USD millions and %) of budgets by type (2017-2021)



Source: COPs

176. Budgetary spending in all areas has risen in line with the increase in the projected budget since 2017, with a rise of +208% in 2019. Notably, spending fell in 2020 (-23%, Covid-19 pandemic) and then recovered by +31% in 2021. Spending on staffing increased significantly between 2018 and 2019 (+111%), stabilising at around USD 8.2 million in 2019 and 2020 and around USD 8.5 million in 2021, according to the forecasts up to December. It should be noted that the average spend per employee appears to have decreased from USD 53,000 to USD 21,000 between 2018 and 2021 (forecast up to December).

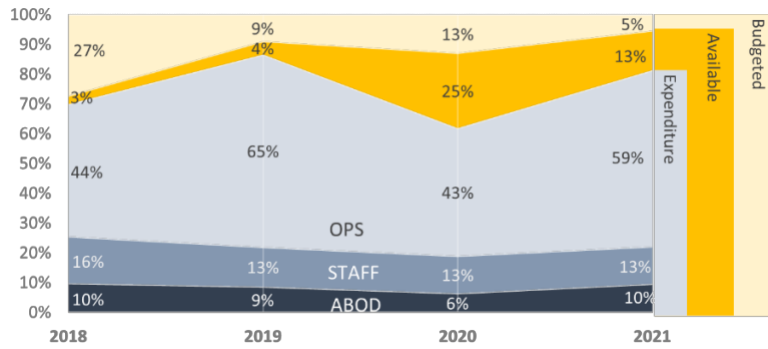
Graph 12: Breakdown (USD millions and %) of budgetary spending by type (2016 – 2021)



Source: 2010\_2021 comparative budgets.xls

177. The following graph shows the breakdown of available and spent funds (by type) relative to the amount budgeted from 2018 to September 2021. It shows that expenditure on staffing has stabilised at around 13% of the amount budgeted during the last three years. UNHCR data indicates a budgetary implementation of 101% in 2019, distributed as follows: OPS 100%, ABOD 99% and Staff 108%

**Graph 13: Breakdown (%) of available and spent funds (by type: staff, OPS, ABOD) in relation to the funds budgeted (2018 – 2021).**



Source: 2010\_2021 comparative budgets.xls, reporting.unhcr.org, COPs



# 5 Conclusions

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178. UNHCR's mandate to safeguard the international protection system in a context of complex, ever-changing mixed flows faces significant challenges in terms of differentiating between and categorising people on the move, as described in internal documents<sup>99</sup> and numerous studies. Various authors question the dichotomy reflected in the two Global Compacts and favour greater complementarity between the legal framework of human rights and the Convention Relating to the Status of Refugees, with a view to guaranteeing the rights of all people on the move, responding to political stances that hold migrants and refugees responsible for not 'fitting in' with these categories properly, instead of trying to understand the complexity of the phenomenon, and providing protection-sensitive responses<sup>100</sup>. In summary, states' responsibility to provide protection goes beyond a binary categorisation between migrants and refugees that fails to reflect the multidimensional reality of migratory flows.

## 5.1 Strategic level

179. **C1) The national asylum system faces a paradox deriving from the complexity of regional population movements. On one hand, coverage of growing international protection needs has been expanded greatly, more national and international actors have been involved in protection and humanitarian assistance, and national asylum capacities have been reinforced. On the other, despite huge investment and progress, the national asylum system is at its limit. The system is under pressure due to the accelerated growth and increasing intensity of international protection needs, greater knowledge of the asylum process among people on the move, and the lack of migratory alternatives, which can generate a risk of misuse of the refugee status application in order to obtain documents with the hope of moving on from Mexico to the USA.<sup>101</sup> So much has been done in so little time that progress may partially be affected or slowed down by a lack of migratory alternatives (and become a 'victim of its own success' or 'trivialise asylum'<sup>102</sup>, according to some informants).** In the current situation, and in the likely case of a sustained increase in mixed migratory flows and in international protection needs in the region, UNHCR and partners do not have sufficient human, technical and financial resources to offer a comprehensive, systemic response. Unless significant changes are made to public policy (including migratory alternatives for people who do not require protection as refugees), to key actors' intervention modalities and to the mobilisation of public and international resources, the institutions and organisations involved will continue to find themselves operationally overwhelmed.

180. **C2) The strategy and stance adopted by UNHCR in Mexico since 2017 have contributed significantly towards reinforcing asylum and international protection as a priority area for action on both the national and regional (MIRPS) institutional agenda. This is significant considering that Mexico is on one of the most important migration corridors in the world, in an unstable regional context, with various countries experiencing chronic crises that have been causing forced displacement for decades. Though the migration flows experienced by Mexico are nothing new, they have increased in intensity in recent years due to the gradual deterioration in living condition across swathes of the population in the region, as well as the fragility and infringement of fundamental human rights and the collapse of some states. The work of national organisations and institutions, the evolution in UNHCR's role in Mexico,<sup>103</sup> and partners' involvement have been critical in order to offer a response to the**

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<sup>99</sup> UNHCR (2016) Refugee Protection and Mixed Migration: A 10-Point Plan of Action

<sup>100</sup> Jane McAdam & Tamara Wood (2021) The Concept of "International Protection" in the Global Compacts on Refugees and Migration, *Interventions*, 23:2, 191-206, DOI: 10.1080/1369801X.2020.1854105

<sup>101</sup> 'With data from Emif Sur, it was demonstrated there was substantial growth in the percentage of Central Americans returned by Mexican authorities who declared they were informed on the right to ask for asylum, protection, or refugee status by such authorities because between 2016 and 2019, they changed from 6 to 31 percent' (Bermúdez Lobera, 2020, p. 18).

Eduardo Torre Cantalapedra, María Dolores París Pombo, Eduardo Elías Gutiérrez López (2021) El sistema de refugio mexicano: entre proteger y contener. *FRONTERA NORTE* Vol. 33, Art. 7, 2021  
<https://doi.org/10.33679/rfn.v1i1.2103>

<sup>102</sup> Rafael Alonso Hernández López; El Colegio de la Frontera Norte. Manuscript in preparation.

<sup>103</sup> In 2015, the UNHCR in Mexico was present in Tapachula and Tenosique and handled roughly 3 million US dollars; in 2021, the UNHCR is present in 16 locations and handles around 65 million US dollars.

challenges posed by mixed population movements and international protection needs (which are not a new phenomenon either) as a result of the regional situation and some incoherent regional migration policies. UNHCR has positioned itself with government and other actors through humanitarian diplomacy and technical assistance vis-à-vis the state's various institutions. UNHCR has positioned itself publicly in an effort to safeguard the right to international protection in a context of institutional decisions and practices that breach the principles recognised in national policies and the international commitments taken on by Mexico and the USA (e.g. MPP, title 42, deportations to Haiti, abuse at borders).

## 5.2 Operational level

181. **C3) Efforts to support the national asylum system and develop the local integration programme – both central aims for UNHCR in Mexico – have been hindered by the emergency actions that UNHCR, COMAR and partners have had to implement to respond to a chain of events or migratory ‘waves’,<sup>104</sup> as well as the impact of COVID-19 and the policies adopted by the USA.** UNHCR has been reactive, flexible and effective in responding to basic needs in emergency situations and its presence in the field has been decisive in maintaining protection and access to asylum actions during the critical phase of the pandemic. **UNHCR’s strategy in Mexico shows relevant efforts to articulate the ‘humanitarian-development nexus’ which, nonetheless, needs to be consolidated and balanced, due to the permanent tension between the immediate humanitarian response and long-term action.** Though relevant and necessary, responses to exceptional situations have become a constant, regularly absorbing resources and making it difficult to combine a capacity development strategy that requires medium-term planning with an emergency strategy that calls for immediacy and intensity.
182. **C4) Local integration as a durable solution has proved to be a necessary, effective strategy for thousands of refugees who have decided to stay in Mexico, especially given the number and limited capacities of actors in the ‘ecosystem’ that work in this area and can offer specialised, holistic support. However, there is still a certain level of compartmentalisation between emergency interventions and the local integration programme (LIP), which indicates a need to strengthen the connection between these two approaches so that LIP can be made more visible as part of a complementary response to protection, with a route towards refugees’ integration and self-reliance. In addition, the constant state of saturation has constituted an obstacle to consolidating interventions focused on integration.**
183. **C5) UNHCR’s strategy in Mexico, shaped by extensive work as a network, has brought together a wide range of government authorities (at all three levels of the administration), civil society organisations and the private sector in an ‘ecosystem’ of actors that provides mobilisation and makes asylum more visible. UNHCR’s leading role (legitimised by a clear international mandate and the agreements signed with the Government of Mexico) and the deployment of its capacities and visibility may eclipse the emergence or projection of other leading national actors, in a country with acknowledged capacities and expertise. Given the strengths of the state architecture and the national economy, support from UNHCR at various levels of the Mexican public administration (e.g. Attorney’s Offices, COMAR) should be exceptional, as it generates a risk of dependence and does not appear to be sustainable in the medium term.<sup>105</sup> UNHCR’s leading role (which has been appropriate, strategic, necessary and useful during the evaluated period) in a country with the experience, expertise and capacities of Mexico can also boost the consolidation of national leaderships with a great degree of legitimacy and credibility, both from the public administration and from civil society organisations or academia.**

## 5.3 Organisational level

184. **C6) The intense growth in UNHCR resources in Mexico has allowed for remarkable progress, but it has also generated quality risks in two key spheres of the organisation. First, technical risks have been identified in key areas (e.g. internal processes, humanitarian assistance actions,**

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<sup>104</sup>e.g. Central American ‘caravans’ since 2018, effects of MPP and Title 42, intensification in arrival of Haitian population, ‘caravans’ from Tapachula, etc.

<sup>105</sup>Mexico is part of the OECD’s main economies, and economic growth forecasts for 2021 and 2022 suggest an upturn in GDP of 6.3% and 3.4% respectively, reaching one of the highest rates in the world’s emerging economies (<https://www.elfinanciero.com.mx/economia/2021/09/21/ocde-se-luce-con-mexico-pronostico-de-crecimiento-pasa-de-5-a-63-en-2021/>)

**asylum claim and related procedures, infrastructures, local integration) that reduce the consistency of some results. Second, it has resulted in a overstretched organisation, especially from a human resources perspective, with excessive, sustained operational pressure**, requiring staff to take on double and triple roles (due to multiple internal factors) and respond both to regular responsibilities and recurrent emergencies. Some internal functioning problems are also the result of permanent operational pressure, generated by both the volume of operations and their scope and variability. To some extent, UNHCR in Mexico presents some symptoms of a growth crisis: a common type of crisis in any organisation undergoing accelerated transformations of its operations and resources that make it difficult to balance the quantity of work done with the quality of the final result.

# 6 Recommendations

185. Recommendations do not define a specific timeframe and may be integrated in the next review of UNHCR's multi-year 2022–2024 plan in Mexico. The Prioritisation Workshop with UNHCR Mexico team (see Annex 14) identified two priority actions for the first four recommendations to be applied in the short term.

## 6.1 Strategic level

Articulation of the response to a large-scale regional phenomenon	
<b>Recommendation 1</b>	<b>Reinforce coordination and regional analysis of population movements (internally and externally), capitalising on existing data generation mechanisms and partner networks to drive evidence-based government and UN agency plans and responses, as well as joint, multi-actor and multi-country strategies of a wider scope.</b>
Priority actions	<p>Reach an agreement with state institutions, donors, other UN agencies (especially IOM, UNICEF, and ILO) and international organisations to increase the number of joint responses and programmes that capitalise on existing complementarities and improve efficiency when faced with phenomena that overwhelm all actors' individual capacities.</p> <p>Optimise UNHCR's operational presence and institutional capacity on the continent, its data platforms and its network of partnerships in order to build a 'real-time' monitoring system of regional flows, with which it can prepare, mitigate, plan and manage its own actions, and support responses from other actors, both to emergencies and long-term solutions.</p>
Medium-term actions	Promote periodic external exercises to monitor and evaluate the implementation of the MIRPS and model or capitalise best practices generated (e.g. policies, programmes, tools, etc.).
Recipients	UNHCR Mexico, UNHCR Regional Office, UN Country Teams (UNCT), MIRPS platform, national institutions, donors.

Integrity of the national asylum system	
<b>Recommendation 2</b>	<b>Promote the strategic vision of the role to be played by the national asylum system among national institutions (at different levels of the public administration), within a context of intense mixed flows, in order to promote new migratory alternatives and preserve and broaden progress made in international protection and local integration.</b>
Priority actions	<p>Strengthen coordination and joint work mechanisms between COMAR, INM and SRE to boost complementarity between institutional roles, perspectives on asylum and protection, and standardise action criteria.</p> <ul style="list-style-type: none"> <li>Continue to advocate – with support from COMAR, CNDH, SRE and partners – for the improvement of alignment between UNHCR's protection priorities and the INM's position, especially in order to guarantee access to migratory stations and monitor needs at border checkpoints.</li> </ul> <p>Put together a multi-year strategic plan for the development of the national asylum system in the medium term, taking emerging challenges into account and facilitating the greatest possible political and institutional consensus between the federal authorities, with a view to reducing the</p>

	<p>impact of variability on policies, staff rotation, funding, institutional decisions, and national and regional migratory events.</p> <ul style="list-style-type: none"> <li>▪ The strategic plan – created with an inclusive, participatory focus – can be used as a tool to bring together different institutional resources and visions and act as a shared ‘road map’ for all actors in the medium term. It can also serve as a reference framework for public planning and budgeting in the medium for other bodies and levels of administration. The strategic plan will consider both continuity in the strengthening of capacities and contingency mechanisms to deal with ‘waves’ and recurring emergencies (‘accordion system’).</li> </ul>
Medium-term actions	<p>Continue to advocate for public budgets and policies relating to asylum and international protection at the different levels of the administration, in order to increase the amount of human, material and financial resources available for COMAR and the INM.</p> <ul style="list-style-type: none"> <li>▪ Promote the roll-out of the national asylum policy at a state and municipal level, capitalising on existing experiences (Coahuila, Mexico City,<sup>106</sup> Guadalajara) in order to strengthen the capacities and resources of public administrations on the front line dealing with people on the move and host communities.</li> </ul> <p>Advocate, alongside COMAR and other institutions, for a review of the granting of humanitarian visas to groups that cannot access international protection. In addition, advocate for new migratory forms and regularisation programmes that enable people on the move to orderly travel through Mexico and access work and public services, so that their basic needs are covered.</p> <p>Advocate for creation or strengthening of an entity in charge of designing, preparing, coordinating and evaluating emergency responses relating to migratory flows or ‘waves’, defining clear institutional protocols and integrating profiling, humanitarian assistance and protection mechanisms.</p> <p>Drive improvements to asylum regulations, especially in terms of the decree and the regulation implementing the Law on Refugees, Complementary Protection and Political Asylum (strengthening the role of actors in the legal field and capitalising on experience in strategic litigation). In particular, promote the application of the mechanisms provided for in legislation regarding group recognition, the extension of other accelerated recognition procedures, and the creation of guidance notes on the general situation in countries of origin with objective information.</p>
Recipients	UNHCR Country Office, COMAR, INM, SEGOB, SRE, priority states and municipalities, UN agencies (UNICEF, IOM, etc.).

## 6.2 Operational level

Quality of the protection and humanitarian assistance response	
<b>Recommendation 3</b>	<b>Integrate a quality and mitigation plan (including work areas with COMAR and partners) into the operation’s risk register. This plan should include immediate action for improvement in critical areas and ensure</b>

<sup>106</sup>e.g.: Hospitable city, register of hosts, agreements to broaden actions to promote the rights and inclusion of refugees on a local level.

	<b>uniform standards of planning, project management and assistance for PoC among all programmes and offices.</b>
Priority actions	<p>Reinforce the integration of agendas and teamwork among COMAR-UNHCR professionals, especially in terms of coordination with other authorities and different levels of the public administration.</p> <p>Agree upon and validate 'Protection standards in collective accommodation spaces/shelters' and the 'Shelter strategy' with partners and encourage the existing network of shelters to adopt common essential standards. The aim is to promote standardisation in key aspects of protection, facilities, legal assistance and basic needs for people on the move, both for short stays and cases that require extended accommodation.</p> <ul style="list-style-type: none"> <li>▪ Budget for and implement immediate solutions to address critical failures in the infrastructures and facilities of shelters funded by UNHCR.</li> <li>▪ Agree upon, budget for and implement actions to improve hosting standards and to expand accommodation capacities in shelters supported by UNHCR, especially in critical localities.</li> <li>▪ Equip local authorities, partners and shelters with the tools and capacity to anticipate and manage their response to 'waves' and to adopt shared responses.</li> </ul>
Medium-term actions	<p>Evaluate and update the Humanitarian Assistance strategy and the application of targeting based on the changes and fluctuations in population flows and vulnerabilities, and explore opportunities for integration of Humanitarian Assistance into the national protection system.</p> <p>Strengthen the regular monitoring of all UNHCR programmes and interventions in Mexico, uniformly across all locations and in agreement with partners.</p> <ul style="list-style-type: none"> <li>▪ Improve the disaggregation of data (e.g: age, gender, nationality, vulnerability) on the assistance provided. Optimise the potential of data generated in order to inform changes to and decisions regarding strategies and programmes led by UNHCR, other organisations and partner institutions.</li> </ul> <p>Review the focus and scope of peaceful coexistence projects in key locations, strengthening community participation and involvement (with a more diverse range of local actors) and promoting coexistence between communities through neighbourhood actors and community leaders. Peaceful coexistence projects can go beyond infrastructure works and develop more long-term interventions, thus improving the quality of relationships (trust, collaboration, interaction, understanding) and laying more solid foundations for sustainable social cohesion.</p> <p>Train institutions in child protection, empowering the Attorney's Office to intervene before minors are detained or deported, and providing DIF with greater knowledge of the specific characteristics of minors on the move and the ability to manage cases.</p> <ul style="list-style-type: none"> <li>▪ Strengthen alternative care levels, especially in the network of first- and second-line reception centres for minors.</li> </ul> <p>Reinforce prevention and mitigation of risks of gender-based violence (and all other kinds of violence) in key services such as shelters, and with alliances with specialist partners in order to guarantee a comprehensive psychosocial response.</p> <p>Strengthen the exchange of experiences and best practices between the QAI team, UNHCR and COMAR field offices, with a view to extending the innovations and improvements being made in the processing of applications trialled in Tapachula.</p>



Recipients	UNHCR Country Office (senior management, protection, programmes), COMAR and government institutions, partners and shelters, local communities, UN agencies (UNICEF, IOM)
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Durable solutions – Local Integration Programme	
<b>Recommendation 4</b>	<b>Showcase the Local Integration Programme (LIP) by reinforcing the evidence available on the results achieved, with a view to broadening its geographical coverage and its adoption by government authorities, the private sector and other organisations supporting refugee integration.</b>
Priority actions	<p>Carry out a detailed stocktaking exercise of the scope and results of the LIP, as part of the maturing and capitalising process (showcase) of a pilot project with potential to be replicated and scaled.</p> <ul style="list-style-type: none"> <li>▪ Refine the set of indicators available to conduct deeper analysis of the integration of PoC, considering key parameters such as age, gender, nationality and critical vulnerability criteria (e.g. disability, minors, members of the LGBTIQ+ community, etc.).</li> </ul> <p>Improve the profiling process for PoC selected for LIP, so that they are encouraged to participate and are well informed about the place to which they are being relocated, so that no one is relocated where they do not want to be, and so that support networks (family, friends) carry sufficient weight in the assessment process. Include a claim mechanism, through which the person of concern may request a reassessment of the relocation proposal.</p>
Medium-term actions	<p>Establish support pathways for PoC with a closer connection and greater synergies between Durable solutions and Protection, so that support for relocated persons of concern with specific needs (e.g: single-parent families, non-speakers of Spanish, Haitians, and older adults) is strengthened.</p> <p>Work with institutions, partners and PoC to define a common, homogeneous, more articulated vision of the local integration strategy, shared monitoring parameters, and common exchange and learning mechanisms.</p> <ul style="list-style-type: none"> <li>▪ Analyse the advantages and disadvantages of the various approaches of implementing LIP adopted in different locations in order to reinforce its replicability and provide more homogeneous support and quality.</li> </ul> <p>Assess local teams' current capacities so that any potential growth in LIP is accompanied by reinforcements, taking into account PoC profiling staff (south region), reception staff, and support staff (Durable solutions, Protection, CBI).</p> <p>Promote associations and other representation and 'self-help' mechanisms for refugees in Mexico, with as much diversity as possible, in order to strengthen their capacity to advocate with institutions and organisations.</p> <p>Establish a working group with private sector partners to design initiatives that encourage companies to get more involved in UNHCR's local integration strategy, considering:</p> <ul style="list-style-type: none"> <li>▪ The role of businesses in the professional profiling of asylum seekers and refugees during their assessment as potential beneficiaries of LIP.</li> <li>▪ A pilot project that provides better employment perspectives for PoC during their stay in the south region and ensures a job offer or promise prior to their relocation (e.g. by using a virtual recruiting and job offer process)</li> <li>▪ Funding of travel and accommodation for PoC selected for LIP by partner companies</li> <li>▪ Expansion of job offering for profiles with a higher level of education (upper secondary education completed)</li> </ul>

Recipients	UNHCR Country Office (durable solutions, information systems), partners, partner businesses, the Secretariat of Labour and related institutions, UN agencies (UNICEF, IOM, ILO)
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Relationships with partners	
<b>Recommendation 5</b>	<b>Reinforce the strategy with partners to consolidate a shared medium-term vision (without detriment to short-term emergency responses and while promoting organisational development) and foster the emergence of leading national actors in asylum and international protection that can mobilise, advocate and act with less reliance on UNHCR.</b>
Actions	<p>Generalise multi-year programming and budgeting mechanisms with partners, combining them with one-off or flexible funding mechanisms for emergency responses or contingencies in the short term.</p> <p>Continue to reinforce joint communication, work and monitoring channels between UNHCR and partners (e.g. bidirectional participation in planning and monitoring mechanisms, greater presence of both parties in each organisation's activities, encouragement of more participation in forums and exchanges between UNHCR and partners, etc.).</p> <p>Harmonise monitoring tools between partners and UNHCR, ensuring they align with UNHCR indicators. In addition, capitalise on partners' key processes and operations with the potential to be replicable.</p>
Recipients	UNHCR Country Office (programme area), partners

## 6.3 Organisational level

Structure of UNHCR in Mexico and human talent	
<b>Recommendation 6</b>	<b>Update the organisational chart of UNHCR staff in Mexico, promoting decentralisation and strengthening field teams, applying short-term actions to reduce organisational pressure (e.g: stabilising the integration and performance of new recruits, reviewing workloads and roles), and improving the consistency and efficiency of internal functioning procedures.</b>
Actions	<p>Reinforce the human resources team to speed up recruiting processes and the stabilisation of current positions (TA/UNOPS, FTA), plan positions and simplify human resources processes (or resize the operation, based on the workforce available).</p> <p>Adjust the size and organisation of the UNHCR office in Mexico City and, as part of a structured decentralisation process towards the field offices, encourage professional relocation to other areas, thus reinforcing first-line response capacities.</p> <ul style="list-style-type: none"> <li>Integrate the standardisation of services and operations between offices as part of the criteria to consider in the process of redistributing professionals in the field.</li> </ul> <p>Carry out a detailed analysis of staff workloads, especially in key locations and positions where, in some cases, double and triple roles are being taken on for extended periods of time.</p> <p>Strengthen the focus on gender and diversity across the operation and at all levels, supporting Mexican professionals' careers and promoting their access to middle and senior management positions.</p>

	Strengthen coordinated work and communication mechanisms (horizontal and vertical) between all units and offices (including COMEX), thus further reinforcing the multidisciplinary focus of UNHCR programmes/in Mexico and reducing the current “silo” effect.
Recipients	UNHCR Country Office (senior management, protection, durable solutions, programmes, human resources, administration)

<b>Funding model of UNHCR in Mexico</b>	
<b>Recommendation 7</b>	<b>Intensify on-going diversification efforts, capitalising on the initial experiences of access to multilateral and bilateral donors, promoting private funding with a regional viewpoint, exploring access to international financial institutions (IADB, WB) and designing eligible programmes to apply for tenders of a larger diversity of donors.</b>
Actions	<p>Bring together and optimise efforts between public information, communication and fundraising strategies with a view to reinforcing knowledge of UNHCR’s mission (in a context where mixed flows are a politically and socially sensitive topic) and make the most of synergies between units to generate new funding opportunities.</p> <p>Include an area that brings together communication and fundraising at the senior management level of the operation in Mexico in order to reinforce its strategic role and alignment with other programmes (protection, humanitarian assistance, local integration, partners, etc.) and invigorate UNHCR’s public image in the country.</p> <p>Train human resources and develop tools specialised in identification of funding opportunities (i.e. ‘pre-award’), management, monitoring, reporting and accountability of grants (i.e. ‘grant management’).</p> <p>Reinforce the position of UNHCR in Mexico on social media and strengthen digital fundraising strategies (in coordination with corporate guidelines in this area).</p>
Recipients	UNHCR Country Office (senior management, programmes, public information, partnerships with private sector and fundraising)

## ANNEXES

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Annex 1: Interviews conducted

Annex 2: Focus groups participants and synthesis

Annex 3: Actions defined under LIP with local authorities

Annex 4: Bibliography

Annex 5: SWOT analysis of LIP

Annex 6: Localities visited during data collection phase

Annex 7: Alignment between planning of MIRPS Mexico, MYMP 2018–2020 and the UNHCR in Mexico Protection Strategy 2018–2020

Annex 8: Impact and performance indicators - Achievement rates 2017 – 2020

Annex 9: Synthesis of objective and Output indicators by Goal and Rights Group (2017-2021).

Annex 10: Budgets, execution and expenditure rates

Annex 11: Performance analysis charts according to available indicators

Annex 12: Best practices and lessons learned (protection response and LIP)

Annex 13: Terms of Reference

Annex 14: Recommendations workshop with UNHCR Mexico team