

Introduction

Obtaining refugee status in Mexico involves a regulated process overseen by the Mexican Commission for Refugee Assistance (Comisión Mexicana de Ayuda a Refugiados, COMAR). Here's a detailed breakdown of the process, including provisions for refugees with children:

1. Determining Eligibility

Eligibility:

- Must meet the definition of a refugee under Mexican law: individuals who have a well-founded fear of persecution based on race, religion, nationality, gender, membership in a particular social group, or political opinion.
- People who face a threat to their life, safety, or freedom due to generalized violence, foreign aggression, internal conflicts, massive human rights violations, or other circumstances disrupting public order.

2. Application Process

Filing for Refugee Status:

- An application must be submitted within 30 business days of entering Mexico.
- Applications can be filed at the offices of COMAR, the National Institute of Migration (Instituto Nacional de Migración, INM), or at entry points such as borders or airports.

3. Initial Registration

Documentation:

- Provide personal identification documents (e.g., passport, national ID).
- Fill out the refugee application form detailing the reasons for seeking refugee status.

4. Preliminary Interview

Interview with COMAR:

- COMAR conducts an initial interview to gather information about the applicant's background and reasons for seeking refuge.
- Fingerprints and photographs are taken for identity verification.

5. Issuance of Provisional Documentation

Applicants receive a provisional document that allows them to stay legally in Mexico while their application is processed. This document grants the right to work and access to basic services.

6. Comprehensive Interview

Detailed Interview:

A more comprehensive interview is conducted by COMAR to assess the credibility and consistency of the claim. Applicants must provide detailed accounts of their experiences and the persecution or threats they face.

7. Decision

Evaluation by COMAR:

- COMAR reviews all collected information, including the interview, documents, and any additional evidence.
- A decision is made within 45 business days, although this period can be extended if necessary.

Approval:

- If approved, the applicant receives refugee status and an official document confirming their status.
- Refugees can apply for a permanent resident card.

Denial:

- If denied, the applicant can appeal the decision within 15 business days.
- Appeals are reviewed by the Ministry of the Interior (Secretaría de Gobernación, SEGOB).

8. Post-Decision Procedures

Approved Refugees:

- Receive protection and can apply for a permanent resident card.
- Have the right to work, access education, healthcare, and social services.

Denied Applicants:

- Must leave Mexico if the appeal is not successful.
- May seek assistance from legal aid organizations or international bodies for further support.

Provisions for Refugees with Children

Family Unity:

- Mexican law emphasizes keeping families together. Dependent children and spouses are included in the parent's refugee application.
- Family reunification is prioritized, allowing family members to join the refugee in Mexico.

Children's Rights and Protections:

- Refugee children have the right to access public education and healthcare services.
- Social services and support programs are available to assist with integration and well-being.

Unaccompanied Minors:

- Special protections are provided for unaccompanied minors.
- Children are placed under the care of child protection services (Sistema Nacional para el Desarrollo Integral de la Familia, DIF).
- Legal guardianship and appropriate housing arrangements are made.

Health and Social Services:

- Refugee children are entitled to medical care and vaccinations.
- Psychological support and counseling services are available to address trauma and facilitate adjustment.

Post-Arrival Support

Settlement Services:

- Government and non-governmental organizations provide support for housing, employment, and integration.
- Language training, vocational training, and educational programs are available to help refugees integrate into Mexican society.

Legal Status and Citizenship:

- Refugees can apply for permanent residence after obtaining refugee status.
- After five years as a permanent resident, they may apply for Mexican citizenship.

Resources

The Mexican Commission for Refugee Assistance (COMAR):

COMAR is the agency of the Mexican Government responsible for processing refugee status recognition applications.

<https://www.gob.mx/comar>

UNHCR Directory of COMAR location

<https://help.unhcr.org/mexico/en/where-to-seek-help/contacta-a-la-comar/>

Summary

The process of obtaining refugee status in Mexico is thorough and designed to ensure that individuals meet the criteria established by Mexican law. Special provisions are in place to protect the rights and well-being of refugee children, ensuring they receive the necessary care and support, whether they are accompanied by family or unaccompanied.

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