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The immigration agenda from
Mexico towards Central America:
changes and continuities 2010 -
2020

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List of acronyms

AMLO	Andres Manuel Lopez Obrador, president of Mexico 2018 - 2024
CANAMID	Central American- North America Migration Dialogue
COMAR	Mexican Commission for Aid to Refugees
DOF	Official Gazette of the Nation
ECLAC	Economic Commission for Latin America and the Caribbean
EPN	Enrique Pena Nieto, president of Mexico 2012 – 2018
GPL	General Population Law from 1947 and 1974
IOM	International Organisations for Migration
MORENA	Movement of National Regeneration party
MPU	Migration Policy Unit
MST	Multiple Stream Theory
NMI	National Migration Institute in Mexico
NML	National Migration Law
OCS	Organisations of Civil Society
PAN/NAP	National Action Party
PRI/IRP	Institutional Revolutionary Party
SEGOB	Government Secretary in Mexico
SRE	Foreign Affairs Secretary
UN	United Nations
UNODC	United Nations Office on Drugs and Crime

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Abstract

In 2011, the Mexican government enacted the National Migration Law, which was the country's first specific legislation on immigration. Since then, the government has faced significant challenges, particularly in 2014 and 2018, which shifted its immigration policies from a human rights focus to an emphasis on militarization and security. This thesis seeks to understand this evolution and poses two key questions: why did the government prioritize immigration issues, and how did this prioritization shape specific policy decisions? To analyse this, the research employs the Multiple Stream Framework developed by Kingdon (1986) to examine the interplay of problem, politics, and policy streams. This framework is further enhanced by the Advocacy Coalitions Framework (Sabatier, 1987) to explore how various actors vied for influence and employed strategies to persuade the government toward particular policy outcomes. The primary theoretical contribution of this thesis is to test the original Kingdon model within the context of a developing country like Mexico, highlighting its limitations in explaining policy outcomes in such settings. The analysis reveals that changes in migration policies in Mexico were driven by the engagement of three distinct groups within the streams: Civil Society Organizations (CSOs), the United States government, and International Organizations. The findings of this thesis have broader implications for other countries with similar characteristics to Mexico, such as emerging democracies with active civil societies, involvement in international organizations, and external influences on their political landscapes.

Preface:

“If you want to cross our country to arrive to another one, probably what you will find is that we will tell you: we don’t want you to cross, because you will create a problem for our country”.

Marcelo Ebrard, Secretary of Foreign Affairs¹.

By December 2023, the number of immigrants from Central America, Asia, and Africa who crossed the southern border of the United States reached a record high of 250,000 entries. The Mexico-United States corridor has already been established as the most significant migration corridor globally in terms of crossings, but it now faces a most pressing problem. This thesis examines the phenomenon from a Mexican perspective, which is not typically explored in the academic literature. Research on immigration is usually conducted in developed and receiving countries, but there is a lack of scholarship produced from the perspective of the countries where migrants originate and cross to reach their destination.

This research aims to explore the factors that have led to changes in Mexico's immigration policies, particularly with regard to the movement of Central Americans towards the United States. To achieve this objective, I have examined two critical stages in the policy cycle: agenda setting and adoption. In order to carry out this analysis, I have employed the Multiple Streams Theory developed by Kingdon (1984), which posits the existence of three separate streams: the problem stream, the solution stream (policy), and the political stream. According to this theory, when there is a window of opportunity or a focusing event, a policy entrepreneur can bring these streams together to alter the government's agenda and introduce policy change. I argue that while the Multiple

¹ 14th of June 2019, El periodico.es Retrieved from <https://www.elperiodico.com/es/internacional/20190614/mexico-quiere-migrantes-crucen-territorio-7504111>

Streams Theory has explanatory value, it is also essential to examine the actors within each stream to gain a deeper understanding of the policy agenda formation and adoption process. This is particularly relevant in a country like Mexico, where political institutions are not as well developed as in the United States, where the theory was originally proposed.

I utilise Kingdon's theory in conjunction with the Advocacy Coalitions Framework, proposed by Jenkins and Sabatier (1987), to analyse the negotiation and influence of the actors involved in each policy stream. These actors include the United States government, civil society organisations, and international organisations. I find that these actors are not necessarily focused solely on each stream, but they may compete against one another within each stream individually. The power of each actor, their strategies, and the institutional arrangements ultimately determine the outcome of the stream and whether or not a policy change will occur.

Three distinct changes on the migration policy were examined using this model. The first instance was the National Migration Law of 2010. Following the massacre of 72 Central American immigrants crossing Mexico en route to the United States, civil society organisations successfully defined the problem (problem stream). This event also prompted politicians from various political parties to mobilise (politics stream), and with the assistance of international forums, civil society organisations were able to participate in selecting solutions to the problem (policy stream), ultimately leading to the passage of the National Migration Law in 2011.

The second case selected for analysis was the Southern Border Program. In this case, the Kingdon model faces challenges. Despite the collaboration between civil society organisations and the government to improve the 2011 law and merge all streams to

create policy change, the rise in detentions of unaccompanied minors in the United States made the US government an interested party contesting against civil society organisations. Utilising their economic power and associating the problem with organised crime in Mexico, the US government defined the issue as a security threat and influenced the Mexican government to militarise the southern border.

The third case selected was the Comprehensive Development plan. In this instance, I explain that the Mexican government, international organisations, and civil society organisations worked together to address the immigration issue after the Southern Border Programme, resulting in the signing and ratification of the Global Compact for a Safe, Orderly and Regular Migration. However, the surge in migrant caravans made President Trump's government an actor. Contrary to the second case, with the strategies of the involved actors, the policy outcome was a combination of militarisation and respect for human rights.

I opine that the Kingdon's Multiple Stream Analysis is a valuable framework for understanding how governments prioritize issues on their agendas. However, to comprehend the policy outcomes, it is indispensable to scrutinize the tactics of the stakeholders engaged in the process. This holds particular significance for the examination of immigration policies in nations such as Mexico, where external powerful governments, mobilised civil societies, and active engagement in international forums play a crucial role in shaping these policies.

Chapter 1. Introduction to the studies

Migration is an increasingly significant phenomenon in an interconnected world. With the advancement of information technology and transportation systems, the exchange of ideas and communication has become faster than ever before. Since the advent of industrialisation in the eighteenth century, the movement of information and goods has led to a natural increase in the supply of workers capable of performing various skilled and unskilled jobs.

According to the International Organisation for Migration (2022), there were 281 million migrants worldwide as of 2020, constituting approximately 3.6 per cent of the global population. To put this into perspective, if the migrants were the population of a country, they would be similar to Indonesia (273 million in 2020), the fourth most inhabited country of the world (INEGI, 2023).

There are three primary dimensions that define migration: a) change of residence, b) change of employment, and c) change in social relations. The International Organisation of Migration (2006) defines immigration as follows: “The movement of population towards the territory of another State or within it, which includes all movement of people regardless of its size, its composition, or its causes. This includes migration of refugees, displaced persons, uprooted persons, and economic migrants” (IOM 2023). However, the definition proposed in this thesis focuses on the change of temporary or permanent residence, typically from a developing country, with the intention of establishing residence there to seek a better quality of life in a more developed nation. Another differentiation raised by the OIM is the definition of regular

and irregular migration: irregular emigration is the movement of people that is produced outside the laws, norms, or international agreements that regulate entrance or departure from a country of destination, transit, or origin (2023).

As can be seen, the definitions of immigration consider various aspects and can be understood from two different perspectives: the pull factors and push factors that include a) political issues, b) security issues, c) the labour issues, and d) the environmental issues.

Political issues: regarding the pull factors, this can be understood as countries in which populations have access to more rights and liberties such as health, education, freedom of speech, and social services. For example, Australia has a lot of immigration, given its quality of education, among other public services. In contrast, the push factors would include individuals who migrate when fleeing their country because they oppose the regime and fear their lives. A notable example of this is the migration of former Bolivian President Evo Morales to Mexico. Similarly, this can be seen in the case of Spanish migrants who arrived in Mexico during Francisco Franco's fascist rule.

On the security issues, pull factors would include safe countries in which families are allowed to expand, and where safety is taken for granted. In the push factors, migration can be driven by the presence of violence in certain countries. Currently, Central American migration to Mexico is predominantly driven by this aspect. Internal migration can also occur due to violence, such as in Mexico, where people migrate from states controlled by drug smugglers and gangs of the organised crime to safer locations in the United States.

From the labour perspective, pull factors would include countries in which salaries are higher and unemployment is low; usually, these countries try to attract labour to secure cheap labour or highly specialised labour. In these countries, labour

conditions tend to be good, and employees receive several benefits. For example, H2A visas in the United States seek to attract workers to fulfill the employment needs of the agricultural industry. Among the push factors, migration is often driven by salary differences and the expectation of finding better job opportunities in another country. A prime example is Mexico's migration to the United States, which can largely be explained by this situation. For instance, the minimum wage in Mexico is \$6.36USD per day, whereas in the state of California, the minimum wage is \$96 USD per day. Immigration to Canada, Australia, and Europe can also be attributed to this reason.

Environmental migration is a relatively recent and less-studied aspect. A pull factor in this aspect would be countries that have a stable climate, natural beauty, and lower risk of natural disasters such as floods, droughts, and climate change. Push factors are considered to be the risks of climate change over the stability of the population in certain countries. As mentioned by Huang (2023), over time, migration will be prompted by slow gradual climate change that will affect the livelihoods of people, with rising sea levels, agricultural threats, desertification, and conflicts for water access. For example, in 2020 fleeing from hurricanes “Eta” and “Iota” was one of the main reasons mentioned by Central American immigrants arriving in Mexico (IOM, 2020). Hurricane Mitch created a similar phenomenon in 1998. In her book “Governing Climate Induced Migration and Displacement: IGO Expansion and Global Governance” (2015), Andrea Simonelli highlights how climate migration is emerging as a problem that will impact approximately 150 million people.

Other theories have been developed to understand not only the decision-making process of the emigrants (microeconomic theory of migration), but the perpetuation of

immigration. In a classical study conducted by Massey (1993), diverse theories are revised.

World system theory: this theory attributes the origin of migration to the structure of the world market. With the penetration of international corporations into the world market, migration flows are inevitably generated. Globalization creates material and ideological links to the places where the capital originates. Also, globalization can create ideological links within the developing world. For example, many Mexicans increasingly study in US universities, speak English and follow American culture closely.

With the existence of global cities because of globalization, the development of important cities in the world that control finance, banking, administration and services arose. Cities like New York, Paris, London and Sydney concentrate a lot of wealth and highly educated workforce. In those cities, the demand of low skilled workers increase, creating opportunities for migrants.

The world system theory can be synthesized in six distinctive hypotheses according to Massey (1993)

1. International migration is a consequence of a capitalist global market
2. International flow of labour follows international flow of goods and capital, but in the opposite direction.
3. International migration is likely between past colonial powers and their former colonies because of their cultural similarities
4. Migration can be controlled by controlling international flows of capital, but these measures will be unlikely to enforce in a globalized world

5. Military interventions to protect investments abroad and governments supportive of economic expansion, when they fail, produce refugee movements directed to particular core countries
6. International migration is not related to wage but follows the dynamics of market in a globalized world.

Network theory: This theory explains that immigrants maintain networks and communication with non migrants in their destination countries. Friends and family and diverse ties maintain connected even when one person of the community migrates to another country. This network decrease the cost and risk of movements and increase the expected net returns of immigration. There are six implications of this network

1. Once begun, migration tends to increase over time. Once a network is created and expanded, the costs of the sending region will decrease and everyone who wants to migrate can do it without too much difficulty
2. The size of migration flow is not correlated to the wage differentials and employment rates.
3. Once migration is established by networks, it becomes independent of the original factors that caused it.
4. When networks expand, the flow of migrants become more representative in socioeconomic factors of the sending country
5. The control of the networks is mostly out of control of the governments.
6. Certain policies, like reunification of families can have an effect on migration flows, since they give members of kin networks special entry rights.

The immigration history of Mexico which will be presented in this thesis, in particular in Chapter 2, had all the different characteristics of immigration detailed previously (political, security, labour, and climate change). Furthermore, Mexico is a country that experiences migration (Mexican population that leaves the country to settle in the United States), immigration (foreign people that internalise and settle in Mexico), and transmigration (routes that immigrants cross to arrive at another country to settle, mostly in the United States and Canada). This is why selecting Mexico's immigration policies towards Central America (in this thesis referring to Guatemala, Honduras, El Salvador, Belize, and Nicaragua) as the case study can present some important findings and contribute to the international scholarship on immigration policies.

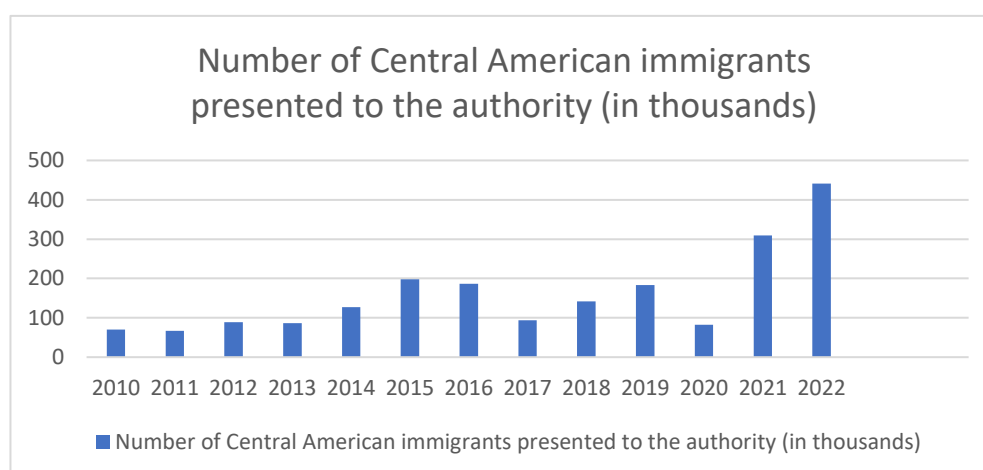
Economic integration also plays an important role in migration studies. In terms of economic indicators, the financial flows associated with migration, such as remittances, totalled \$840 billion USD by 2022 according to the Migration Data Portal (2023). To provide some context, this amount would represent around nine times the GDP of Guatemala (85.99 billion USD) or similar to the GDP of Switzerland (\$807.7 billion USD) according to data of the World Bank (2023).

According to the IOM (2018), the Mexico - United States migration corridor is the largest corridor in the world in terms of migrant flows, with over 11.5 million people moving through these borders. Mexico and the United States have a long and complex history of immigration. However, the entrance to this corridor is actually located at the frontier between Guatemala and Mexico. Therefore, it is important to study how, when, under what circumstances, and by what mechanisms the gate in this corridor is either open or closed. Specifically, this study focuses on policies that regulate transmigration (Central Americans that cross through Mexico) and immigration to Mexico (a new

phenomenon in which Central Americans settle in Mexico because they cannot gain access to the United States).

According to the Economic Commission for Latin America and the Caribbean (ECLAC), the number of immigrants in transit through Mexico has fluctuated over the past ten years. This process gained momentum in the late 1970s because of armed conflicts in Central America. Despite the signing of peace agreements in El Salvador (1992) and Guatemala (1996) in the 1990s (which might have abandoned grounds for refugee and asylum-based flows), migration did not decrease; instead, it gradually increased at a slower pace (ECLAC,2018). By 2005, Mexico had received approximately 438,000 migrant entrants. Although the flow decreased significantly in the following years, reaching 150,000 events in 2011, there has been an exponential increase leading up to 2022. In 2022, the population presented to the Mexican authorities surpassed the 400 thousand.

Figure 1 Migrants from the Northern Triangle presented to the authority in Mexico 2010 - 2022



Source: Proper elaboration with data of the Migration Policy Unit fiscal year 2010 to 2022

Given the lack of information on census dates in Mexico, it is impossible to provide an accurate number of migrants passing through Mexico until 2015 (Rodriguez, 2018). However, according to data from the Frontier Patrol in the United States, the apprehensions of Central Americans at the United States-Mexico border for the fiscal year 2019 exceeded one million, representing an 88 per cent increase compared to those made in 2017 (Cancino, 2019). On the other hand, Central Americans also chose to stay in Mexico. According to the Mexican Commission for Attendance to Refugees (COMAR, 2019), in the fiscal year of 2014, there were only 2,000 petitions for refugee status by Central Americans seeking to stay in Mexico. By the year 2018, the total number had risen to 23,000.

Reasons for immigration of Central Americans

To address this question regarding the reasons for immigration among Central Americans, we must first understand the socio-demographic profile of the population. According to the available data, in 2015 most of the immigrants of Central America in Mexico were men (85 per cent of the migrants), and most of them were in the range between 15 and 29 years (70 per cent). In terms of socioeconomic characteristics, the average number of years of study was between 6 and 12 (69 per cent), 95 per cent did not know English, and 35 per cent were unemployed in their home country. Additionally, the majority of the migrants came from urban areas (65 per cent) (ECLAC, 2018)

Regarding the factors driving migration within the Central Americas, according to the Survey on Migration in the Southern Border of Mexico (EMIF in Spanish, 2019), which is a survey collected at the entry points in the Southern Border of Mexico, three main variables can be identified as the reason why Central Americans decide to internalise in

Mexico: unemployment, poverty, and insecurity. According to the Economic Commission of Latin America and the Caribe (ECLAC) and the International Labour Organisation (ILO) (2023, p10), unemployment in Latin America and the Caribbean was 7 per cent in 2022. But the problem is that seven out of ten workers in Central America are employed in the informal sector. For instance, in Guatemala, 66 per cent of the working population was in the informal sector in 2014, which increased to 71 per cent by 2018. Although informality rates are not measured in other Central American countries, it is estimated that approximately 66 per cent of the working population in El Salvador and 72 per cent in Honduras are employed in the informal sector (Garcia, 2019). According to the ECLAC (2023), 40 per cent of the population in Mexico that works in informality receives an income below the minimum salary, and one out of five is living in poverty. In terms of poverty, the ECLAC (2015) states that 74.3 per cent of the population in Honduras lives below the poverty line. The percentage was 67.7 per cent in Guatemala, 41.6 per cent in El Salvador, and 58.3 per cent in Nicaragua.

Most significantly, violence is a major driver of migration within Latin America. According to Insight Crime, a Not-for-Profit organisation that records murder rates in newspapers around the world, El Salvador ranked as the most violent country in the Western hemisphere in 2015, with 103 homicides per 100,000 inhabitants. Honduras ranked 5th with 57.1 homicides per 100,000 inhabitants, Belize 7th with 37.9 homicides per 100,000 inhabitants, and Guatemala with 30 homicides per 100,000 inhabitants, while Mexico presented 13 cases per 100,000 inhabitants (Insight Crime, 2022). Some of these trends have changed; for example, El Salvador has become safer in the last seven years, given the policies of President Bukele and his raids against gangs, which ended up with 2 per cent of the adult population currently in jail but decreased the homicide rate to only 7.8 murders per 100,000 inhabitants. Meanwhile, Honduras has a rate of 35.8

murders per 100,00, Mexico has 25.2 murders per 100,00 habitants, Belize has 25 murders per 100.00 habitants and Guatemala 17.3 murders per 100,000 (In Sight Crime, 2022).

The socio-economic characteristics of Central American countries compared to Mexico are quite distinct: the table below compares Mexico's population and Gross Domestic Product (GDP) with that of Central American countries. It is evident that, with the exception of Costa Rica, there is greater inequality between Mexico and Central America in terms of GDP compared to the disparities within Central America. In terms of population, Mexico's total population is almost triple that of the six countries combined. Regarding GDP, Mexico's economy is five times larger than those of the aforementioned countries. However, it is crucial to measure the poverty in this region. Mexico and Central American countries face similar situations in terms of development. In terms of poverty, measured as the percentage of the population below the poverty line, Costa Rica exhibits lower poverty rates than Mexico. Hence, it can be said that migrants from Costa Rica in particular are not solely motivated by economic conditions but that their migration also involves a cost-benefit analysis encompassing various factors, including economic, security, political, and environmental concerns. (International Organisation for Migration IOM, 2013).

Table 1 Indicators of Mexico and Central American Countries

	Mexico	Costa Rica	El Salvador	Guatemala	Honduras	Nicaragua	Belize
GDP 2015	1 208 24	45 440	23 270	49 879	18 803	11 246	1 595
Growth	3 per cent	4.4	2	4.1	3.7	5.7	2.9
GDP per capita	9.690	9.420	3 740	3133	2 329	1 848	4 443
Poverty	41.2 per cent	18.6 per cent	41.6 per cent	67.7 per cent	74.3 per cent	58.3 per cent	n.a
Population	124 612 390	4 820 782	6 298 489	15 920 077	8 075 034	7 085 328	359 288
Immigrants (stock 2015)	1 188 870	407 450	41 918	76 236	27 931	38 450	52 229
Emigrants (stock 2015)	12 339 060	122 185	1 436 158	1 017 517	638 952	648 520	59 884
Net migration (numbers) 2015	-11 150 190	274 265	-1 384 240	-620 589	- 620 589	-610 613	- 7 655

Net migration (as a percentage of total population, 2015)	-8.95 per cent	5.69 per cent	-22.16 per cent	-7.69 per cent	-7.69 per cent	-9,87 per cent	-2.13 per cent
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Proper elaboration with data of CEPALSTAT with data of 2015

http://estadisticas.cepal.org/cepalstat/WEB_CEPALSTAT/Portada.asp

Immigration studies in Mexico

Unlike many Latin American countries with stable economies, Mexico's 20th-century agenda was dominated by Mexican immigration to the United States. Mexico negotiated agreements to promote circular migration, which refers to temporary migration. Examples include the creation of the Bracero 1 Program (1917-1921), the Bracero 2 Program (1947-1967), and the 1986 Immigration Reform Control Act, also known as Simpson Rodino. These programs aimed to establish an organised flow of Mexican migrants to the United States. However, in the 1990s, as the United States government began to tighten restrictions on irregular migration, the characteristics of Mexican migration shifted from circular to permanent. Consequently, a significant number of Mexicans established permanent residency in the United States, with the maximum figure reaching 11.5 million people by 2008 (US Census Bureau, 2009).

As a result, in terms of immigration laws and studies, the Mexican government has historically been more concerned with emigration rather than with immigration. However, in the last decade, the hike in immigration of Central Americans has increased the interest of the government and, consequently, the number of studies created in Mexico that try to explain the immigration of Central American immigrants to Mexico has increased. Most of these studies have been categorised into five different fields.

The first field try to explain the complex relationship between organised crime in Mexico and the vulnerability that immigrants have through their crossing through or into

Mexican territory. Castillo (2020) studies the cases of migrants under the Network of the Organisations that Defend Migrants (Red de Documentacion de las Organizaciones Defensoras de Migrantes in Spanish) and documents the violence experienced by immigrants from the Federal Police in Mexico. Marrujo (2001) creates a geographical registry of routes and violence in the south of Mexico. Zamudio (2014) studies the problems of insecurity and violence in the conditions of the immigrants from Central America crossing through Mexico, while Izacara (2016) explains the conditions under which immigrants in Mexico are kidnapped and tortured to commit crimes and how this has criminalised these immigrants. Special attention has been placed on gender violence, such as sexual abuse of migrant women, given the intersectionality between vulnerable groups of women and migration; for example, Willers (2016) centres on the relationship between Central American migrant women and the different forms of violence, making violence the explanatory variable for the decision to migrate and the main vulnerability factor during transit and destination. Similarly, Cortes (2018) applied a feminist approach to studies on migration and mobility in the case of migrant women in Puebla, Mexico, and identified violence and gender violence in an interconnected relationship.

The second field of study relates to the history of immigration in Mexico. These studies explain the historical characteristics of Central American immigration to Mexico. Some studies have concentrated on the history and characteristics of the arrival of Central American immigrants in Mexico (Casillas, 2008, 2012; Castillo and Toussaint, 2015; Castillo, 1994; Franco-Sanchez, 2020; Gonzalez and Anguiano, 2016; Gandini, 2020). Other studies have analysed the changes and proposed public policies for governments (see Schiavon, 2015; Rodriguez, 2014; Narvaez, 2015, Alba and Castillo, 2012). Some others explain how the immigration from Central America to Mexico evolved into a structural process in the region (see Castillo, 2006). What all of these studies agree

on is that the increased arrivals of Central Americans in Mexico have become an issue that requires more attention of the government.

A third field of the study has been related to the organisations of civil society in Mexico as it relates to immigration. Some of them study the relationship between civil society and governmental actions in specific cases; for example, Canales and Weisner, (2018) have undertaken a study on the participation of civil society organisations in preparation for the Global Migration Compact of 2018. Gonzalez Murphy (2010) studies the evolution of the advocacy power of civil society organisations related to migration and its influence on public policy. Similarly, Renteria (2011) identifies the elements that allow civil society organisations to influence the design of immigration and public policy. In addition, Calderon (2016) studied the advocacy evolution of civil society organisations and the relationship to violence in Mexico.

The fourth field is related to the study of the specific migration policies in Mexico and their evaluation. There are many studies related to the evaluation of certain policies implemented by the Mexican government; for example, the Southern Border Program and its consequences have been studied by Morales et. al (2014). There is a large set of studies that evaluate the consequences of the national migration law (NML) such as by Vega and Gabriela (2012), Munoz and Arellano (2012) study the challenges of the evolution of the migration law; Peralez (2013) studied the immigration law and its reforms. Arriola, (2018) focused on the Southern Border Program and its evaluation. Freier (2020) evaluate good practices for refugees in Latin America and the EU.

The fifth field of study is related to Central American Immigration and its political dimension. Few studies have evaluated the political dimension of migration in Mexico, perhaps because this dimension is discussed at other levels of study, for example, the

advocacy of civil society organisations. Some of the studies on the political dimension of migration policy in Mexico centre on the relationship of Mexico to the United States, but that is primarily studied from the perspective of Mexican migrants rather than Central Americans. Solis and Garcia (2017) for instance, document the relationship of the massive deportation policies of the government of President Barack Obama and the subsequent securitisation of migration policies in Mexico. Although the document presents a visible relation, there is not a theory building process that can be used to draw broader conclusions. Another of the studies explains the relation between foreign politics and migration policy (Masferrer and Pedroza, 2022); the document provides suggestions for public policy given the political dimensions. Another article (Garcia Zamora, Olvera and Macias, 2020) explains how the change of ruling political party in the government of Mexico in 2018 had an impact on the migration policy. One study relevant for this thesis is the report on the political and social actors in the design and implementation of the immigration policies of Mexico (Wolf, et al, 2015), in which it is documented that diverse actors participate in this process.

There are also important research centres which study migration in Mexico. The most important ones according to Pizzonia (2018) are: in first place, the Centre of Urban, Environmental and Demographic Studies (CEDUA) in the Mexican College (COLMEX) that has the purpose of analysing the economic variables of the demographic transformations in Mexico. Since 1994 the Doctorate in Population Studies at that centre includes a focus on migration and international migration.

In second place, the Northern Border College (COLEF in Spanish) in their department of Population, study the causes that explain migration into Mexico. In 2016 the college created the postgraduate studies in international migration with the objective

to be able to influence the migration policies in three different focus areas: Mexico – US migration, Central American immigration, and Domestic Human Rights.

In third place, the Latin American Faculty of Social Science (FLACSO in Spanish) offers the Master in Population and Development since 1994 with a focus on demographic changes. In fourth place, the Migration Studies Centre in the Centre for Research and Teaching in Economics (CIDE) was recently created. It is a network of different migration specialists in Mexico. In their website they have publications which focus on specific policy cases, recommendations in international migration policy and human rights. Finally, the Ibero American University has a migration studies centre which focuses on the study of human rights violations in the transit migration and security and protection studies.

As it can be seen, there exists a gap in the field of political studies related to immigration in Mexico. The majority of the studies and research lines presented in this section do not engage with the creation of a theory that can explain the changes in immigration policies. Although there are studies that have created theoretical approaches on the variables that influence the foreign policy of Mexico, such as the special relationship with the United States (see Schiavon, 2006; Garza, Schiavon and Flores, 2015; Gil Villegas, 1989; Tamayo, 1997; Centre of International Studies, COLMEX, 1997), domestic public opinion (see Flores, 2010; Maldonado & Schiavon, 2015), or international organisations and norms (see Anaya, A., Nunez, H. and Ponce, A. 2015; Ayala, T. and David, E., 2018), there is not a specific study in Mexico that evaluates the politics of policymaking in the immigration policies within Mexico. This is where the present PhD makes a contribution. This document studies the politics of policymaking behind the changes in the immigration policies in Mexico in three different case studies

that will be introduced below: The Migration Law, the Southern Border Program, and the Migration Caravans.

Selection of variables and research question of this thesis

Laswell (1962) defined politics as “who receives what how and when”. The state is not a constituted entity that makes decisions to maximise benefits but rather is the result of an array of different interests with different goals that compete against each other to introduce policy changes. These are the ideas that guide this PhD research.

Given the scarcity of comprehensive research on the political dynamics of migration policy formulation at the national level in Mexico, it is beneficial to examine how international academics have analysed the theories of immigration policy change. Although not all of these theories are applicable to the Mexican context, the present study is grounded in certain theories presented below.

According to Natter (2018), there are four determinants that can explain international immigration policy in countries including non-democracies, which Mexico was before the year 2000: 1) the pluralistic interests at the national domestic level represented by interest groups and public opinion; 2) foreign politics; 3) the role of institutions; and 4) the impact of international norms on domestic policymaking. Similarly, Meyers (2000) identifies different categories of immigration policy studies that will be used in this document: the domestic politics and pluralist models in which the State serves as a neutral arena for competing interests that will use different mechanisms to try to influence policymaking. Additionally, another category focuses on the impact of international relations and agreements on immigration control. In this perspective, the conflict with other States can influence governmental migration policymaking from a

realistic approach, and cooperation in international organisations can have an influence on policymaking from a liberal approach (Meyers, 2000). These are the main ideas that will guide the hypothesis of this PhD.

Mexico's immigration policies are influenced by various interests, one of which is the United States. As the final destination in the migration corridor, the US government seeks to control the entrance to the corridor beginning at the southern border of Mexico. To exert influence, they can employ various mechanisms, with the most significant one being the asymmetric economic dependency of Mexico to the United States. The United States' interest in controlling the migration corridor through Mexico is a result of its position as the final destination for migrants.

The second area of interest pertains to the opinions of the general public in Mexico. Due to the strict immigration policies in the United States and the presence of border control at the northern border, some immigrants from Central America opt to remain in Mexico. This has resulted in a change in the attitudes of Mexicans towards Mexico's immigration policies at the southern border. However, the violation of human rights has also sparked interest among domestic civil society organisations, who have utilized their resources not only to draw attention to the issue, but also to advocate on behalf of immigrants.

One of the key concerns in this regard pertains to the role of International and National Governmental Organisations. Mexico has entered into various treaties that impose specific obligations that must be fulfilled. These commitments are of utmost importance and must be considered when studying policies related to immigration. From a structuralist perspective, Mexico's government aspires to be acknowledged in the

international arena, as this would enable it to utilise international forums as a mediator to secure better treatment for Mexicans in the United States.

Finally, the institutional framework through which immigration policies are created can have an impact on their development. As a relatively new democracy in the year 2000, Mexico's institutional framework has been subject to change (Lawson, 2000). Moreover, the influence of presidentialism in Mexico can also introduce variables that may impact policymaking, particularly in this study which will analyse three distinct presidencies from 2010 to 2020.

With all of this in mind, the central question that this PhD would seek to answer is: Why the immigration policies of Mexico towards Central America changed from a human rights approach to a militarisation approach in the period of 2010 to 2020? The immigration policies in Mexico have changed from a focus on human rights to a focus on security. In posing this question, the study will not only explain the different agendas and how they are set, but also will try to explain the design outcome on different policy changes. To do this, there are other specific questions be answered: how the different interests related to immigration from Central America to Mexico have been able to influence the immigration policy? Also, the document will try to answer how the government of Mexico has provided a solution to the conflict between the different interests related to the immigration policy?

The main hypothesis of the study is: The Mexican government have been restrained in different ways in the formulation of the immigration policies. In first place, the influence that the government of United States has over Mexico given the asymmetric economic dependency. In second place, the domestic public opinion and organized civil society that serve as brokers for the immigrants' interests. In third place, the influence

that the international organisations have over Mexico given the signed commitments and recognition that the Mexican government would like to achieve. All of these restraints are taken into consideration by the government and the outcome of the policy will be influenced by the current institutional framework. The assumptions on each one of these restraints will be explained further in chapter 4.

The main objective of this document is to explain how Mexico has changed its migration policies towards Central America in three specific observations: the San Fernando massacre of migrants, the Crisis of Unaccompanied Minor Migrants, and the Migrant Caravans.

The theoretical contributions of the study are listed below.

A) Contribute to position the Central American migration issue as a topic that is important to understand academically. As mentioned in the literature review, this phenomenon has been increasing in the last decade, and there are not many studies that explain this problem in the region. Given Mexico's characteristics, this topic can provide insight into global immigration policy theories.

B) To demonstrate that the academic community in Mexico has sufficient resources to explain international problems from local case studies. This study is primarily based on scholarship created in Mexico. The aim is to utilise that scholarship and be able to explain a phenomenon with global implications.

C) To identify the specific issues that can modify the design of immigration policies and be able to provide public policy recommendations. This study can be used by representatives of Civil Society Organisations and political entrepreneurs to identify the key variables that can lead to a reform in the immigration policy in Mexico and other countries that share similar characteristics.

Case selection and justification

To select the cases I searched for the most important changes of the Mexican immigration policies according to the salience of the topic over the period of 2010 to 2020. There are different stages in the attention to a policy problem according to Anthony Downs (1972). He presents a model of the attention cycle to an issue, which consists of the following stages:

Pre problem Stage: An extremely unfavourable social condition already exists, but only a small proportion of the victims affected by it have drawn public attention to it.

Discovery Stage: The public may quickly become alarmed about a problem and motivated to address it as soon as possible in response to a shocking incident or a change in circumstances.

Realisation of the Costs of Significant Progress: People who were once confident in society's ability to address the issue now recognise that addressing it will require significant social and financial sacrifices from large segments of the population, as well as a restructuring of the social order.

Gradual Decline of Intense Public Interest: Some individuals may become disillusioned, while others may feel that the prospect of change threatens their privileged status in society and prefer to ignore the issue. Others simply grow weary of the problem, especially since by that point another problem is likely to be approaching the stage of discovery and capturing more public attention. The topic enters a prolonged state of limbo, with sporadic resurgence of interest, during the post-problem stage.

For the analysis of this PhD, the selection of the case studies is based on the Downs model of stages of the policy process; case-studies will show some of these different stages. As mentioned in the previous section, there are three case studies explored in this thesis: the National Migration Law, the Southern Border Plan, and the Migration Development Program. All of these policy changes were selected for a number of reasons. Firstly, they were politically salient because they were triggered by events that captured the public's attention. Secondly, the cases allowed for the convergence of the different restraints studied into a choice opportunity window. Finally, all of the cases were identified as central by the interviewees that participated in this study.

The starting point of the study is the National Migration Law (2010) because this was the first independent legislative text that was created in Mexico to regulate immigration; prior to this, immigration was part of the National Population Law (created in 1974). The end point of this study is 2020. This year was selected because it was the beginning of the Novel Coronavirus Pandemic (COVID-19) and the implications on the restrictions of movement associated with the pandemic modified the immigration panorama not only in Mexico but throughout the world. Nevertheless, during this 10 year period there were three different changes to the immigration policies in Mexico that make them pertinent to study, given not only the characteristics of each change but also because of the small time lapse between each one of these changes.

The events were as follows:

1. For the National Migration Law, the focusing event was the murder of 72 immigrants in San Fernando.
2. For the Southern Border Plan, the focusing event was the massive migration of unaccompanied minor migrants.

3. For the Migration Development Plan, the focusing event was surge of the migrant caravans.

Using the Downs model during the analysis, the thesis will be able to see that each one of these events had a pre problem stage, in which the actors were in an equilibrium that maintained the status quo, a problem stage, in which some of the actors gained influence as a consequence of external shocks then a slow decrease in the attention once a policy was implemented.

Structure of the thesis

This chapter served as an introductory overview of the thesis and delineated the key concepts that will inform the research. It elucidated the salient features of immigration trends in Mexico and posited that Mexico, as a country that both sends and receives migrants and forms the primary migration corridor in the world, represents a fascinating subject for examining immigration phenomena. The greatest increase in international migration is occurring in the Global South, as Boucher and Gest noted (2018 p 23). This is why it is crucial to understand how immigration policies are prioritised and implemented in developing countries that have a strong reliance on developed countries, as this knowledge can be applied to other regions where developing countries share similar characteristics. Also this chapter introduced the key variables in the study that were selected and the justification behind the case studies that were chosen.

The second chapter delves into the historical development of immigration policies in Mexico. Notably, the National Migration Law was the initial legislative text that was established to regulate immigrants in Mexico but prior to the enactment of this law, Mexico's government implemented a range of migration policies. This chapter focuses on the objectives of the historical policies in Mexico until the reforms of 2008, which resulted in the decriminalisation of immigration. Additionally, this chapter examines the current

institutional framework in Mexico, which is essential for comprehending the subsequent changes made to the immigration policies. It is crucial to consider the influence of institutions on the effect of each of the three actors outlined in the hypothesis, namely the United States, the civil society, and the international organisations.

Chapter 3 presents the theoretical framework. To answer the main question, different theoretical frameworks are used and are interwoven. I use the Kingdon theory to understand the agenda setting of the government, and then with the Advocacy Coalition Framework I identify how the actors interact in each one of the streams to understand the strategies used to influence the government decisions. As mentioned before, the research question relies not only on the agenda setting on the different restraints that the Mexican government has, but also that will explain the outcome of the design on the different case studies.

Firstly, the theory will have to identify the variables that explain the agenda setting; to do this, Kingdon's Multiple Stream Theory is used: differentiating between the public, political and policy streams to identify how the government decided to modify the current policy. To be able to explain how the different streams converge, it will be necessary to identify the policy entrepreneurs and actors. To identify the policy adoption, I couple the Multiple Stream Theory with the Advocacy Coalition Framework (Sabatier 1984) to identify how the actors shaped each one of the streams,

The actors involved will be explained in chapter four, which will include some of their strategies that they use in order to gain more power of influence. Given the multiple level approach of this study, that includes national and international actors, the Putnam double negotiation theory is used to guide the explanation on how the different actors are taken into consideration by the Mexican government in the decision making of the design of the immigration policies. This perspective is used to give response to the

critiques on how the Kingdon Multiple Stream Framework needs to be expanded to be able to explain not only the agenda setting but also the final design of the policies.

The chapter 5 presents the research methods used in the study. This chapter explains the problems identified during the current research and how the researcher responded to them to increase the validity of the data gathered.

Chapter 6 considers the Massacre of San Fernando and the National Migration Law. This is the first case study that the document will analyse. The chapter explains the determinants on the attention cycle issues and how the different variables reacted to the focusing events that led them to exert their influence on the Mexican government. It will be shown how the Multiple Stream Analysis by itself is not enough to explain the definition of the policy, but this was the outcome of the intervention of multiple actors.

Chapter 7 examines the Unaccompanied Minor Crises and the Southern Border Program. It delves into the identification of the characteristics that emerged in the aftermath of the attention cycle issue. The chapter explains that the crisis of unaccompanied minors revived interest in the immigration topic, highlighting the shortcomings of the National Migration Law. Nevertheless, the characteristics and the negotiation between the various constraints and the institutional framework at that time shaped the government's response into a more restrictive immigration policy. This chapter elucidates the reasons behind this occurrence and demonstrates how the theory can be adapted to incorporate international actors.

Chapter 8 focuses on Migrant Caravans and the Comprehensive Development Plan. It discusses how, following the decline of the "discovery stage" of unaccompanied minor migrants (Downs, 1991), four key events increased the salience of immigration policies in Mexico. Firstly, the surge of Central American migrant caravans passing through Mexico; secondly, the presidency of Donald Trump in the United States; thirdly,

the ratification of the Global Migration Compact; and fourthly, the attention given to immigration issues by Mexico's new President, Andres Manuel Lopez Obrador (AMLO). These developments led to a shift from an open policy to a more restrictive policy in response to migrant caravans. This chapter provides an in-depth analysis of the reasons behind this change in governmental response.

Chapter 9 presents a comparative analysis of the three case studies and offers general conclusions based on the findings of the study. The chapter focuses on the theoretical approach, highlighting how the utilization of various models in the analysis can address the criticisms that the Multiple Stream Theory has faced. Additionally, the chapter provides public policy recommendations based on the empirical analysis conducted. Lastly, the chapter suggests areas for future research.

Chapter 2. Mexico's institutional framework regarding the immigration policies

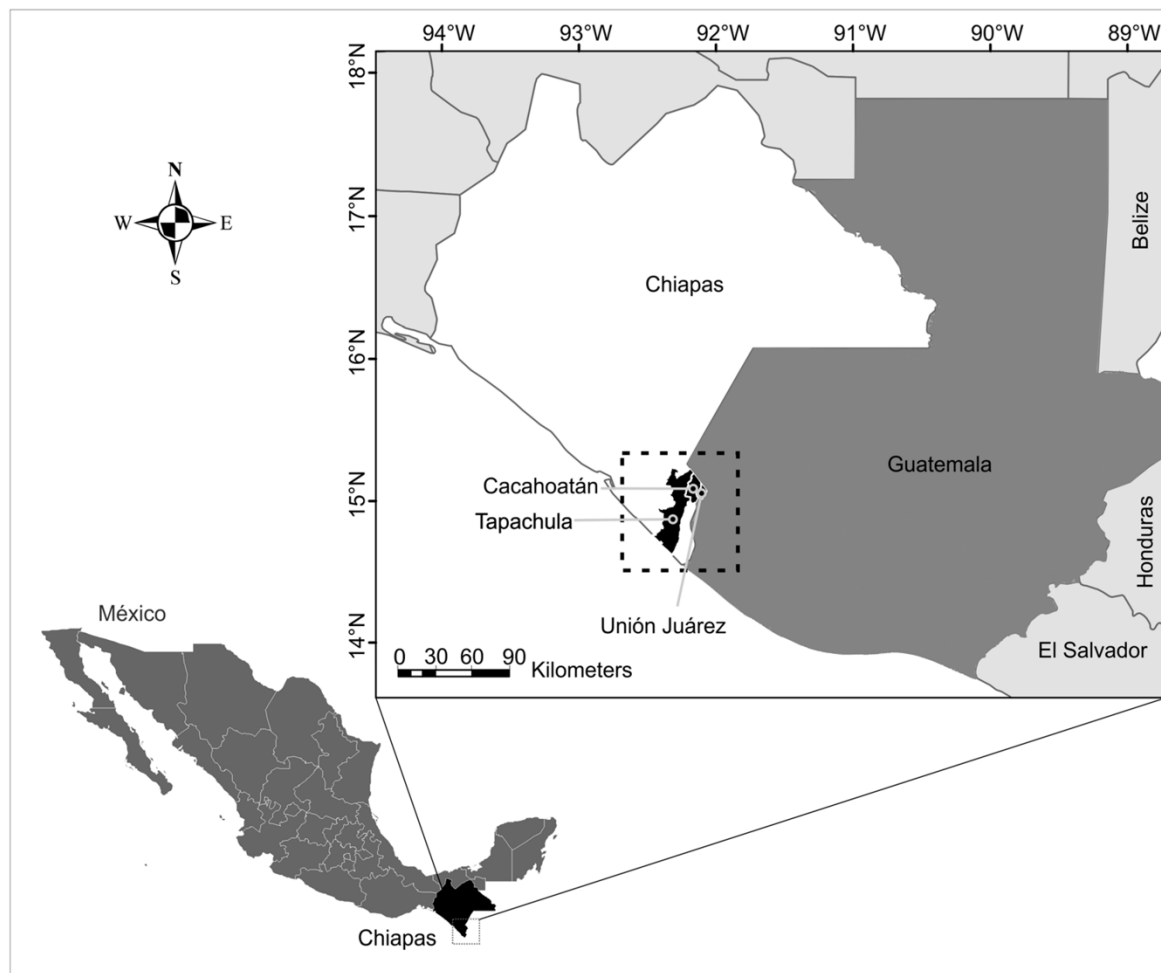
The present chapter examines the institutional framework in Mexico. This framework constitutes a crucial element that contributes to the emergence of policy windows. Consequently, it is essential to comprehend the historical transformations in immigration policy within Mexico and the stakeholders engaged in the process. This chapter serves as a preliminary historical exploration aimed at elucidating these changes between 1821 and 2006. Grasping the incremental nature of migration policies will facilitate the analysis of the proposed case studies.

The first segment delves into the historical development of migration from Central America. The second segment outlines the legal and institutional frameworks currently in place in Mexico to regulate immigration. Lastly, the chapter culminates with a set of conclusions.

Mexico's southern frontier stretches for a total of 1,149 km, with 956 km of its length bordering Guatemala and 193 km adjoining Belize. The southern border is shared by four Mexican states: Chiapas, Tabasco, Campeche, and Quintana Roo. As depicted in Figure 2, Chiapas is the most significant state in terms of the southern frontier, accounting for 685.5 km or 71 per cent of the border with Guatemala. Particularly, the municipalities of Tapachula, Cacahoatan, and Union Juarez, which form a part of the Soconusco region, constitute an important area for migration. Historically, the production of coffee in the region has led to varying migratory flows. Throughout the past century, these migratory movements have fluctuated in size and frequency due to changes in global coffee prices as well as the national agricultural and migratory policies of Mexico and Guatemala (Ruiz-

de-Oña, Rivera-Castañeda, & Merlín, 2019). Additionally, the Soconusco region was previously a part of Guatemala, until the Mexican government claimed the territory and resolved the border disputes with Guatemala in 1882.

Figure 2 Southern Border of Mexico - Guatemala



Source: Ruiz-de-Oña, Rivera-Castañeda, & Merlín, 2019

The history of the immigration laws in Mexico:

Closed gates in the independent country

According to Buchenau (2001), the immigration policies in Mexico can be divided into three distinct phases. The initial phase, lasting from 1821 to 1876, was characterized by the implementation of policies designed to encourage greater immigration to Mexico. However, immigration remained low due to political instability and limited economic growth within the country. Mexico gained its independence from Spain in 1821, and at that time, only eight million people inhabited the territory, which spanned approximately 4.5 million square kilometres. The exploitation of resources was crucial for the Mexican government to recover from the economic crises resulting from the independence war (Gonzalez – Murphy 2010).

Some of the policies enacted during this period included the General Law of Colonisation, which guaranteed liberty, property, and civil rights to all foreigners. The federal government also provided incentives for immigration, such as land and tax exemptions for foreigners who had resided in the country for at least six years. The Mexican government was focused on populating its vast territory, and with the absence of Spanish monarchy control, European businessmen saw opportunities to exploit mineral resources in Mexico.

The General Law of Colonisation generated problems to the Mexican government. In 1825, in an attempt to populate the vast region in northern Mexico, the government granted Stephen Austin permission to bring 300 families (known as the Old 300) from the United States to the state of Coahuila and Tejas (current state of Texas). The conditions of the permission were that they learned Spanish, they became Catholics, and that they honoured Mexican laws but these conditions were not enforced.

Due to the influx of individuals from the United States into the northern region of Mexico, the government introduced a requirement for a passport at the northern border to curb the arrival and settlement of Americans. However, these endeavours were unsuccessful, and by 1833, there were more than 30,000 foreigners and only 9,000 Spanish speakers in Texas due to the unregulated influx of English speakers (Buchenau, 2001).

One of the primary challenges that emerged was that the majority of the settlers originated from the southern region of the United States, and some of these settlers possessed slaves (Menchaca, 2001). In 1827, the government of Coahuila, the state where the territory of Texas was located, enacted a law declaring all individuals born in Texas to be free, and any enslaved person brought into the state was to be liberated after a period of six months (Menchaca, 2001, p. 165). Later, in 1829, President Vicente Guerrero, who was of African descent, issued a proclamation of emancipation for the entire country, including Texas. The state was instructed to comply with the order or expect federal military intervention.

The conflict between Mexican laws and the large population of American immigrants were significant factors that led Texas to seek independence from Mexico in 1835. This conflict intensified when the United States attempted to annex the territory, resulting in the Mexican-American War (1846), in which Mexico lost 50 per cent of its territory. As Vazques and Meyer (2001) explain, Mexico's independence has been compromised by the economic and territorial expansion of the United States, and the Mexican government's capacity to resist it. In light of this, it is crucial for Mexicans to protect their sovereignty from the United States government, as distrust towards the

United States has been a key characteristic of Mexican nationalism, as noted by Olden (2015).

Another problem created by the law was the conflict with France (1838). In 1832 a series of claims from French citizens that lived in Mexico arrived to the King Louis Philippe of France. One of them belonged to a pastry chef called Monsieur Ramontel who claimed that the emperor of Mexico, Antonio Lopez de Santa Anna, had some cakes in his restaurant and refused to pay for their bill, so he was asking for compensation of 60,000 Mexican pesos in damages. The government of France wanted to limit the expansion of the United States and saw Mexico as a way to achieve that goal. Although negotiations were taking place to gain the recognition of the new country (in Mexico), these claims were an excuse to interrupt them and to attack Mexico. Some French expeditions ventured to Mexico with the aim of colonizing the country and exploiting its rich mineral resources, particularly in the state of Veracruz. On their arrival, they encountered very difficult conditions and a climate which they could not tolerate, so they decided to abandon the enterprise (Gonzalez- Murphy, 2010).

Other examples of immigration laws in this early period were related to the ownership of land. Given the attempts of re conquering the Mexican territory by of Spain, the government implemented some more immigration restrictions. One of them was the ban on ownership of land in coastal areas in 1842 (Pani, 2012), then it was imposed the requirement of naturalisation and marriage to a Mexican woman in order for an immigrant to own land (Gonzalez – Murphy. 2010). Still, there were economic incentives to arrive in Mexico. Some European families that lived in Mexico before independence maintained an elite status and family ties that granted them economic power in Mexico (Buchenau, 2001). Investments in the vast natural resources and cheap labour were some

of Mexico's advantages. Investment to develop economic growth and assimilation was the goal established by the government in their immigration policies. Nevertheless, as expressed by Buchenau (2001), most immigrants saw themselves as temporary citizens, which is why 75 per cent of migrants were already married.

The wars that Mexico had with France and United States created a feeling of xenophobia, so no real integration from European immigration into the Mexican society was possible for these migrants. Consequently, for Mexican law, nationality was only carried down through the blood, or *jus sanguinis*, and not through the place of birth *jus soli* (Gonzalez Murphy, 2010). This was an attempt to ensure that internationals married Mexican women to seek naturalisation and create a national identity. The government tried through different laws to "reduce the power of the foreigners as political and economic actors" and one of that attempts was to create negative incentives to being foreigner and try to increase the naturalisation (Pani, 2012). In the constitution of 1857, the government prohibited the foreigners to be part of any political activity in the country and declared that Mexicans would be preferred to foreigners for all the employment, jobs and commissions in which the citizenship was not a requirement (Pani, 2012, p 641). As mentioned by Pani "the majority of the laws created after the Mexican American war to regulate the status of the foreigners in Mexico suggest that for the government they represented a problem" (2012 p 637).

In terms of the Central American immigration, Castillo and Toussaint (2015) identified the years of 1821 – 1882 as the first period to understand the history of Central American Immigration. In 1821, the General Captaincy of Guatemala (which was part of the New Spain–Mexico territory) gained independence from Spain. The Captaincy of Guatemala was conformed by Guatemala, Chiapas, Comayagua, San Salvador, Nicaragua

and Costa Rica. In 1824, Chiapas's territory was annexed to Mexico at the request of some elite actors, although some minorities in the capital city of Tuxtla Gutierrez were not in favour of the annexation (Buchenau 2001). There was a neutral territory in the disputed area of El Soconusco, which the Central American Federal Republic claimed it was part of their territory (Zepeda, 2021). In 1825 Central American troops occupied Tapachula, Soconusco's main city. After the withdrawal of the troops, Mexico and Guatemala agreed to maintain this region as a neutral territory until the disputes were solved, which happened in 1842.

Despite the fact that the border was not officially established until 1842 and there was some unrest among the Chiapanese population who identified themselves as Guatemalans. This allowed for free interaction between the populations on both sides of the border; this interaction only grew as a result of the development of local communities and family networks (Castillo and Toussaint, 2015). There was a significant amount of cross-border movement of people and a border identity at the same time, which fostered various commercial activities and labour integrations. This assimilation differs from that of other nationalities.

At the final stage of this period, known as the Reform, President Benito Juárez viewed immigration to modernize Mexico and enrich mestizo culture with Protestant values. Economic reforms during this time sought to expropriate church lands to encourage labour and attract investments from immigrants.. Nevertheless, conservative groups in Mexico started a civil war (War of the Reform 1858 – 1861) leading to another French Intervention (1863 – 1866), in which Mexico was governed by an Austrian emperor imposed by France (Maximilian of Habsburg). The instability of the period ended up not attracting immigrants (Gonzalez Murphy, 2010). It is also important to note

that these periods of conflict set the guidelines for Mexican foreign policy. In the words of President Benito Juarez, between individuals and nations, the respect for the rights of others is peace.

The dictatorship of Porfirio Diaz: a whiter Mexico

In the second phase proposed by Bucheau (2001), which lasted from 1876 to 1910, President Porfirio Diaz focused political attention on Europe in an effort to reduce the country's dependence on the United States. However, President Diaz also devised a national plan that called for significant infrastructure development, for which foreign capital would be required. In order to obtain the foreign capital, the Mexican government opened the gates for European immigration (Buchenau, 2019).

The idea of a whiter Mexico became the most important concept that guided Mexico's migration policies during this time. The government tried to sell the benefits of living in Mexico with laws that allowed the exploitation of the country's natural resources and the opportunity to create businesses. Porfirio Diaz considered that the influx of Europeans would create a more modern Mexico that instead of the Indian and Mestizo cultures, would create more sophisticated values that would be adopted by the native population and, most importantly, it would be a weapon against the aggressive United States expansion (Buchenau, 2019, 310)

In 1883, the law was modified to allow foreign investors to own and exploit land. In 1886, the law of naturalisation allowed children born in Mexico to retain their fathers' nationality or to be nationals of Mexico. The idea of this was to assimilate what Porfirio Diaz called the new creole (Gonzalez Murphy, 2010). Nevertheless, in practice, most of the time, only the nationality of the father was retained. There were no explicit plans on how to assimilate the new influx of immigrants. Although significant investments were

made in Mexico during that time, the enterprises came to Mexico with their own specialised workers who earned much more than Mexicans. This disparity in income only increased with time and, as in the previous period, only the elite, mostly conformed by the Spaniard families that stayed in Mexico after independence, had relationships with foreigners.

Some other nationalities arrived to Mexico as well. There was an increase of immigrants from Japan and China to the northern region of Mexico. As mentioned by Gonzalez Navarro (1993), some Chinese immigrants went to Mexico to be able to enter the United States, where their entry has been restricted since 1881.

In relation to Central America, the interest of President Porfirio Diaz was to settle the territory divisions with Guatemala and British Honduras. At the beginning of his dictatorship, the Guatemalan government was afraid that Mexico wished to annex their territory, as mentioned by Diaz: "If Central America do not solve their problems, there will be no more option than to join Colombia or Mexico" (Velazques Flores, 2022). Although the annexation of El Soconusco happened in 1842, there were still tensions in the area and the Guatemalan government invaded El Soconusco in 1881. Mexico sent troops to the border to try to solve territorial problems with the aim of protect it and avoid any conflict (Lajous, 2000). This is why the Guatemalan government asked for the government of the United States as an intermediary to solve border differences with Mexico. However, the unexpected assassination of President Garfield changed the US interests in the region (Zepeda, 2021). On August, 1882 a border treaty was signed, and Mexico retained the region of El Soconusco. Although Guatemala received some part of the territory, the tensions regarding the boundary did not end.

Ten years later, in 1892, the president of Guatemala, Reina Barrios, was murdered after a coup. The new government of Guatemala, presided over by Manuel Estrada Cabrera, tried to regain support from the United States to renegotiate its borders with Mexico, but the war between the United States and Spain made Mexico's government a strategic ally for the US government, so the issue was not supported (Lajous, 2000). Finally, the border issues were resolved.

The natural resources at the border of Mexico and Guatemala produced significant economic prosperity at the end of the 19th century, which favoured the colonisation of the border region by the Mexican government. By utilising modern agricultural techniques, the Soconusco region was able to maximise its coffee and cocoa resources, leading to the development of regional labour markets that were linked to labour migration.

The extreme poverty, product of the high population density, lack of jobs and education and the lack of industries in Guatemala made relocating to Mexico attractive for migrants from Guatemala. Salaries in Mexico were higher than those in their native country, even when they were lower than even the Mexican workers (Izquierdo and De La Cueva, 2018).

During the Porfirio Diaz government and after the border was established (1882), indigenous populations' lands in Guatemala were seized and sold to groups of European immigrants, primarily Germans, who were dedicated to the cultivation of coffee (Castillo and Toussant, 2010). These coffee and cocoa fields were initially occupied by labourers from Guatemala, but eventually, some of them were progressively abandoned because the immigrants took advantage of the already existing family networks and allowed them

to internalise into Mexico (Castillo and Touissant, 2010). As it can be seen in Table 2, immigrants from Guatemala outnumbered those from other countries.

Table 2 Number of immigrants in Mexico

Country	1895	1900	1910	1921
British	3	3	5	4
Chinese	1	3	13	14
French	4	4	5	4
Germans	2	3	4	4
Guatemalans	14	5	22	14
Japanese	0	0	2	2
Spaniards	13	16	30	29
US citizens	12	15	21	11

Source: Mexican Census obtained from Buchenau, 2001

The XIX century Mexican territory suffered various modifications as a result of power relations. Spain inability to populate the north part of Mexico led to the Spanish – American states that led to the separation of the territory. With the emergence of United States as a regional power, the balance of power shifted from Europe to America (Zepeda, 2021). Although the Monroe doctrine did not prevent European interventions in Mexico, the Manifest Destiny succeeded in the quest towards the West of United States at the expense of Mexico.

On the contrary, on the southern border, the logic of the Spaniard expulsion and the pre eminence of local elites to incorporate to Mexico led to the creation of the border with Central America (Zepeda, 2021).

The revolution: from open to closed gates

The third stage proposed by Buchenau is from 1910 to 1973 in which Mexico's borders were gradually closed to control immigration. There also existed an assimilation process of the foreign diasporas in Mexico. In 1910, the Mexican revolution ended the 30 year period of dictatorship of Porfirio Diaz's presidency. Several international problems, including World War 1, the Great Depression, and World War 2 forced the government of Mexico to realise that the problems of the country were not going to be solved by European immigration.

The Mexican Revolution was an uprising against the government's neglect of the country's underprivileged citizens, who did not belong to the upper class of wealthy immigrants from Europe. The perception that the Mexican Revolution as a movement against foreigners was the consequence of diplomatic and news documents that compared the movement with the Boxer Rebellion in China, in 1910 (Yankelevich, 2017). Because of this, Mexico reacted to the presence of foreigners in two ways: elite economic nationalism and widespread xenophobia (Buchenau, 2001). The majority of foreigners in Mexico were terrified of the consequences of the xenophobic boxer uprising in China, and even in some places in Mexico, there were lynchings, robberies, and other problems.

Three clauses in the new 1917 constitution specifically addressed immigrants, including Article 27 which granted the country ownership of land and mineral resources. The article 33 threaten migrants with expulsion by the President without any judiciary instance and article 55 limits the political rights of foreigners naturalised in the country (Yankelevich, 2017).

In May of 1924 by the circular 33 the immigration of black people was banned (Yankelevich, 2017) and in 1926, during the presidency of Plutarco Elías Calles, a new

immigration law was enacted that emphasised the economic interests of the new Mexican nation. It established that foreigners entering the country should be inspected by the competent authority to prove good conduct and an honest way of living. Limitations were also imposed on the entry of foreign workers: in 1930, as a consequence of the great depression, Mexicans living in the United States also returned to Mexico; among them, other nationalities tried to internalise themselves in Mexico, such as the Middle Eastern and Chinese citizens. The government reacted by closing the doors to immigrants from countries other than the US and Europe. The law was amended to define the concepts of immigrants and transients (Gilberto Bosques International Studies Center, 2015).

In 1936, during the term of President Lázaro Cárdenas, the Mexican government changed the administrative approach to migration, and the General Population Law was enacted, treating migration as a demographic phenomenon. At this stage, it was clear that the idea of creating a whiter Mexico had expired, so the new focus was on granting more rights to the national population (Gilberto Bosques International Studies Center, 2015). Birth rate and mortality issues were addressed by the National Migration Law of 1936. Apart from Spanish and Latinos, this new law also set quotas for nationalities and set other restrictions, for example, in jobs. Specifically, in Article 87 were listed the occupations that immigrants might pursue which only included agriculture, industry and exportation; commerce was prohibited because that was protected for Mexican nationals.

Thousands of Mexicans immigrated to the United States with the creation of the Bracero program in the United States in 1944. The Mexican government learned that the country was a net exporter, rather than an importer of immigrants. This was the context of the creation of the National Population Law of 1947 which placed literacy and health of the child population as the motor of population growth and left immigration as a

secondary issue (Gonzalez – Murphy, 2010). The end of the Bracero program in 1966 meant the return of several thousand Mexicans who had lived and worked in the United States but also created an informal channel of undocumented, more permanent migration that was not regulated by the government of the United States, which Garcia y Griego called the policy of no policy (Schiavon, 2009).

In 1973, the economic growth in Mexico during the “golden era” and the population growth created a middle class that now competed with the elite immigrant sectors. For this reason, the government decided to restrict immigration even further. During this period, most visas were granted to refugees from Central and South America, fleeing from military dictatorships. As noted in the explanatory statement of the National Population Law of 1974, it was necessary to depurate the foreign population from Mexico; to do this, further restrictions to human rights were placed in the new law: for example, the government restricted immigration to what was “better for the national interests” and maintained the limitation of economic activities that an international could undertake in Mexico (Munoz, A., Arellano, N, 2018).

Additionally, the law contained numerous punishments for undocumented migrants, including those contained in Articles 118 to 122 which punished with gaol: expelled foreigners who re-entered national territory, foreigners who remained in national territory for breach of administrative or legal provisions, Mexicans who married a foreigner to be able to reside in the country, foreigners who violated the assumptions conditional on their stay in the country for carrying out illegal activities, and foreigners who carried out activities for which they were not authorised in accordance with the General Population Law (Ley Nacional de Poblacion in Spanish, 1974).

Central American immigration, nevertheless, remained constant given the assimilation of immigrants into the native population and the need for a labour force in the coffee plantations in the southern part of Mexico. This is how immigrants from Guatemala were internalised in Mexico without any documents in a relatively autonomous dynamic without controls and public policy implications in both countries (Castillo, 2005). It is important to note that for the region, the Guatemalans were not considered immigrants but part of the common life of border activities.

By the decade of 1980 a series of armed conflicts that led to political instability in Central America generated incentives for immigration. For the first time, Central Americans immigrated massively and exhibited the characteristics of permanent migration. During that decade, the migrants transformed from a transborder migration to transit undocumented immigrants (Martinez, Cobo & Narvaez, 2015).

In the decade of the 1990's, once the armed conflicts were finalised, it was expected that a return of the immigrants to their countries would occur, some of them as a consequence of the massive deportations from the United States. Without an assimilation policy in their countries of origin, the immigrants had great difficulty finding jobs in such an unstable political environment, which led to the creation of a migration circuit that started in Mexico and finished at the border of the United States (Martinez, Cobo & Narvaez, 2015).

By 1998, the Central American region was also impacted by natural disasters, specifically the hurricane Mitch which decreased the economic position of the Central American countries to be able to provide jobs for their populations. Consequently, there was an increase in the number of immigrants who crossed through Mexico to arrive at the United States to try to provide a better quality of life for their families.

Despite these changes in immigration patterns, there were no significant changes in the National Population Law of 1974. In 1990, Mexico added the category of refugees to the Population Law based on the Declaration of Cartagena in 1984. Another important change was the creation of the National Migration Institute (NMI) in 1993 as a technical organisation within the Secretary of the Interior. In the rules of the National Population Law, article 133 gave the National Migration Institute the attribution of the procurement that the immigration movements will be in favour of the development of the country in order to preserve the national security and sovereignty of the country, overseeing the human rights of immigrants (Morales, 2008).

At the end of the decade, as a consequence of the structural adjustments created by the International Monetary Fund and the World Bank, and neoliberalism, a more permanent dynamic of migration from Guatemala, El Salvador, Honduras and Nicaragua to United States (Diaz and Hernandez, 2019). In the first place, the fact that Central American countries centred their production in the crop of one product had created and surplus in labour hand that seeks for employment, usually abroad. In second place, the investment of international corporations in the region and centralisation of the means of production in oligarquies and the common interaction with a region that highly expelled immigrants created effects to increase and maintain immigration flows. Third, a reconfiguration of the social conditions in the region has resulted in a systemic expulsion of migrants as an alternative to poverty (Diaz and Hernandez 2019). This events had as consequence more migration flows through Mexico, which uncovered diverse problems about the domestic migration laws.

The new migration policy in a democratic era

Conceptualising migration as an internal population and non-international phenomenon had significant consequences for Mexico. Firstly, the lack of specific legislation allowed for various interpretations and operational discretion in migration management. Additionally, the rights of individuals in transit were not regulated, in contrast to international human rights standards, resulting in frequent victimisation of migrants. Until this point in time, Mexico was not even considered a democracy, as it had been governed by an authoritarian regime with a one hegemonic party for 72 years. Consequently, migration policy was extremely lenient and low on the political agenda. However, after the transition of power in the year 2000 with the arrival of the National Action Party, immigration policy became a central focus in the National Development Plans proposed by subsequent presidents.

During President Fox's administration (2000–2006), there was a drastic change in migration policy as the new government positioned the issue as one of great importance. President Fox, who was the first president of an opposition party (the National Action Party -PAN in Spanish) after the Institutional Revolutionary Party's (PRI in Spanish) 72-year rule, placed the rights of migrants at the forefront of his agenda (Durand, 2017). Coming from a state with high levels of emigration, Guanajuato, President Fox decided to promote immigration reform (Durand, 2017).

The proposal seemed feasible because he had the support of his counterpart in the United States, President Bush. President Bush's visit to Fox's ranch in Guanajuato in February 2001 was a significant event as it marked the first time a US president's first inauguration trip was to Mexico and also both presidents belonged to conservative parties with pro-business agendas (Schiavon and Velazquez 2007). At the time, the foreign minister, Jorge Castañeda, focused on the immigration reform debate between

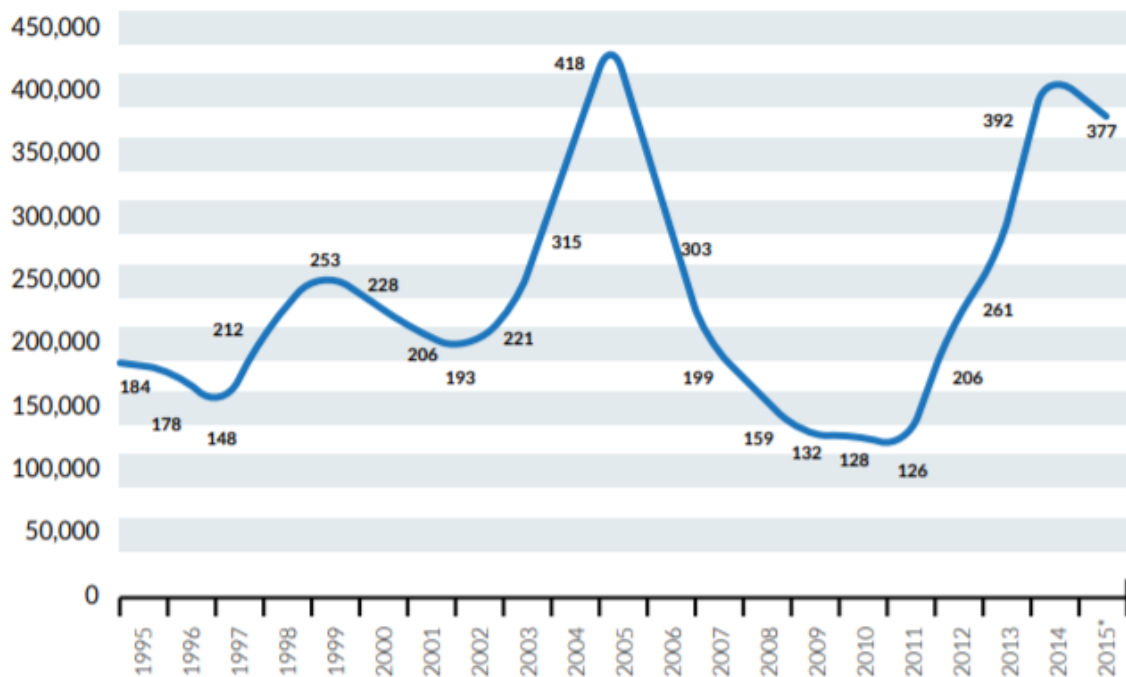
Mexico and the United States, referring to it as "the complete enchilada". This encompassed a range of issues, including temporary work policies, regularisation, and the protection of human rights. However, after the 2001 September 11 attacks on the Twin Towers and the Pentagon, the issue was completely abandoned. It is worth noting that during the initial drafting of the legislation, Mexico perceived itself as a country that expelled migrants rather than one that received immigration; hence, the migrations of Central Americans to Mexico were not considered significant.

After the new elections in 2006, the government of Felipe Calderón (2006-2012) began to prioritise security issues. This shift ultimately led to a change in immigration policies and patterns (Calderon 2012). The violence experienced during the Calderon era brought greater international attention to immigration and human rights in Mexico.

In 2005, prior to Calderon's election, a report by The Migration Forum was presented to the Committee for the Protection of the Rights of All Migrant Workers and Their Families. The report highlighted the inconsistency in Mexican legislation, which did not mention the rights of migrants but included penalties for migration, treating migrants as criminal offenders (Office of the High Commissioner for Human Rights 2008). In response to the report on Mexico, the committee made recommendations (Office of the High Commissioner for Human Rights 2008).

"The Committee acknowledges the immigration reform initiatives before Congress to modify the General Population Law promulgated in 1974. However, the Committee is concerned that these initiatives have not advanced much in Congress and that articles 118 to 125 of the General Population Law, which classifies immigration offences, may constitute a crime subject to criminal proceedings, remain in effect".

Table 3 Total of entrants of Central Americans in transit through Mexico to United States



Source : Rodriguez, Ernesto (2010), Central American migration in irregular transit in Mexico, Page 9

As shown in Table 3, there was a large increase in the number of Central Americans in transit through Mexico. The graph illustrates the increasing number of migrant detentions during the period to 2002-2005, reaching an all-time high of 418,000 detained migrants by the INM. While Central American migration always existed, this sudden surge between 2002 and 2005 captured the attention of the Mexican government. It is important to note that according to Mexican law at the time, these 418,000 individuals were considered criminals.

The growing attention towards the immigration issue caused the Mexican government to make efforts to regularise the immigration status of Central Americans. Special regularisation programmes were created in 2006 and 2008. As part of these

programs, campaigns were launched to encourage migrants to register at immigration centres, enabling them to obtain rights and avoid violating existing legislation (Durand, 2013). However, the most significant phenomenon during that period was the transit migration of Central Americans through Mexico, where Mexico was not their final destination but a transit point, as they aimed to reach the northern border and attempted to enter the United States.

In response to this international attention, the three largest political parties in Mexico presented a reform initiative to decriminalise undocumented migration in Mexico. These deputies began their official mandates in September 2006, as they were elected in the 2006 electoral process. The party representatives were Cruz Pérez Cuellar of the National Action Party (PAN) (C13-07-2007), who belonged to the leading electoral force; Edmundo Ramírez Martínez (C08-03-2007) from the Institutional Revolutionary Party (PRI), and José Jaques Medina (C08-07-2007) from the Party of the Democratic Revolution (PRD) (DOF, 07-21-2008).

The three reform proposals coincided with the need to modify Articles 118, 119, 120, and 123 of the 1974 General Population Law. Additionally, all three documents presented by the political parties (C13-07-2007, C08-03-2007, and C08-07-2007) mentioned the necessity of aligning General Population Law with international human rights and migration instruments to which Mexico was a member.

As a result of these submissions, during the legislative debate, the Public Opinion Commission in the Deputies Chamber of the Reform Initiative considered that Articles 118, 119, 120, 121, 122, 123, 124, 125, and 127 of the National Population Law violated human rights. Once the opinion was approved, it was submitted to the Chamber of Deputies, where it received 315 votes in favour, one abstention, and zero votes against

on April 26, 2007 (OFD, 2007). The final document modified articles 118 and 125 and it repealed articles 119, 120, 121, 122, 123, 124 and 127 of the General Population Law (Morales, 2018)

The document was signed and sent through the official letter DGPL 60II 3656 1210 to the senate for discussion. This document was then forwarded to the United Commissions on Population, Development, and Legislative Studies of the Chamber of Senators. During the Commissions' discussion, the need to align the General Population Law with the commitments and positions assumed by Mexico in international organisations was established, with particular emphasis on consistency with the treatment that the Mexican government required of the nationals in the United States.

This document was approved by the United Commissions on Population and Development and Legislative Studies. In the senate's minutes, Articles 118, 125, and 127 were amended, and Articles 119, 120, 121, 122, 123, and 124 were repealed. This document was approved by the plenary of the Chamber of Senators on April 28, 2008, with 104 votes in favour and none against. It was then returned to the Chamber of Deputies, which did not introduce any modifications and approved the terms on April, 29th 2008 with 303 votes in favour, none against, and no abstentions. Finally, the reform was published in the Official Gazette of the Federation on July 21, 2008 (Morales, 2018).

The next and most important migration law in Mexico is the National Migration Law of 2011. This law will be analysed in Chapter 5 to explain how this is the result of the theoretical model presented in the thesis.

Institutional framework of immigration in Mexico

The institutional framework of immigration in Mexico is composed of various organisations, as outlined in the National Migration Law. One characteristic of this framework is that the federal executive power holds all authority in the design and implementation of migration policies. The organisations involved are as follows:

1. Secretary of the Interior (Secretaria de Gobernacion - SEGOB). Since 1891, this federal institution has been responsible for supervising the design and implementation of Mexico's migration policy. The Secretary of the Interior was designated and appointed by the President of Mexico. . Within the Secretary of the Interior, there is an Undersecretary of Human Rights, Population and Migration, which includes the Migration Policy Unit.
 - a. Migration Policy Unit: This organisation is responsible for the registration and identification of individuals as well as the publication of data and studies on immigration. It consists of the Coordination of Migration Policy and the Center of Migration Studies (Secretaria de Gobernacion, 2011 (SEGOB) article 55). The Coordination of Migration Policy formulates and coordinates decision making regarding migration policy (Article 56 of the SEGOB). The Centre of Migration Studies coordinates mechanisms and working groups for studies, research, surveys, statistics, publications, and indicators related to migration in Mexico (Secretaria de Gobernacion, 2011 (SEGOB) article 57).
2. National Migration Institute: Established by the Presidential Decree in 1993, this independent agency is responsible for implementing Mexico's immigration policy. It monitors entries, handles deportations and returns, enforces sanctions, maintains the National Registry of Foreigners, detains immigrants, coordinates

organisations providing assistance to immigrants, issues legal documents to foreigners, and performs other functions. Although this institute is part of the Secretary of the Interior, the head of this organisation is directly appointed by the President of Mexico and responds directly to him, rather than its Secretary, without any technical explanation. The National Migration Institute operates through 32 federal delegations in each state of Mexico, with its main headquarters located in Mexico City. In addition, it has three delegations in Chicago, Los Angeles, and Dallas in the United States. The organisation also operates 48 detention centres for immigrants.

The Institute has a Citizen Council of the National Migration Institute which was published in accordance with the Official Gazette of the Federation on 26 October 2012. This council replaced the Consulting Advisory Body, which was established in 2007 (NMI Boletín 081/07). The Citizen Council consists of 13 counsellors, and its primary function is to determine the internal guidelines for the National Migration Institute. The Commissioner of the National Migration Institute serves as the Technical Secretary of the Council, while the Undersecretary of Human Rights, Population, and Migration, and the head of the Migration Policy Unit are permanent participants.

3. The Mexican Commission for Assistance to Refugees (COMAR): Established in 1980, this organisation is also a decentralised agency within the Secretary of the Interior. Its primary function is to implement policies to assist refugees and individuals seeking complementary protection. COMAR is responsible for assessing whether applicants meet refugee status requirements.
4. Secretary of Foreign Affairs: This federal organisation is responsible for granting a political asylum. Although the negotiation of international agreements related to

immigration falls under the responsibility of the Secretary of the Interior. One of the main immigration-related functions of this ministry is the implementation of Naturalisation Law.

As it can be seen, there are diverse institutions of the government in charge of the migration policy. However, their goals and objectives differ. From one perspective the international representation of Mexico in international forums is conducted by the Secretary of Foreign Affairs, which has always tried to increase Mexico's presence in forums that respect human rights, for example the General Forum on Migration and Development or the World Compact for a Safe Orderly and Regular Migration. In contrast, the National Migration Institute in the Secretary of the Interior engages with the implementation of the national migration law and its enforcement. As will be discussed in the next chapters, sometimes these diverse objectives can create some tensions.

[Legal framework of the immigration in Mexico](#)

The legal framework for immigration into Mexico is based on Article 11 of the Mexican Constitution, which states:

“Every person has the right to enter the Republic, leave it, travel through its territory, and change residence without the need for a security letter, passport, safety conduct, or other similar requirements. The exercise of this right will be subject to the powers of the judicial authority in cases of criminal or civil liability, and to those of the administrative authority, in relation to the limitations imposed by emigration, immigration, and general health laws of the Republic or pernicious foreigners residing in the country. Everyone has the right to seek and receive asylum. The recognition of refugee status and the granting of political asylum will be carried out in accordance with international treaties. The law will regulate its origins and exceptions.” (Article 11th Mexican Constitution)

Additionally, Article 1 of the Mexican Constitution states:

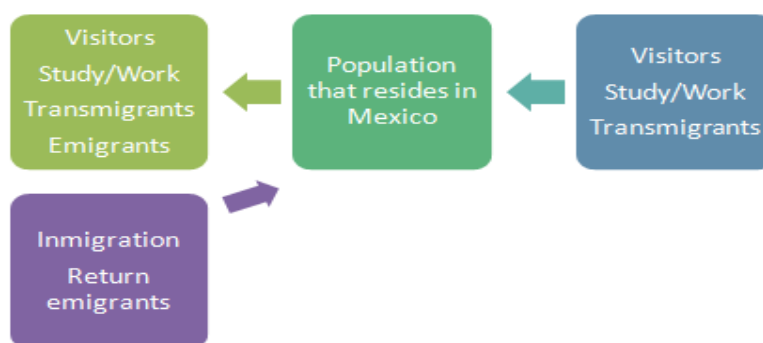
“In the United Mexican States, all persons shall enjoy the human rights recognised in this Constitution and in the international treaties to which the Mexican State is a party, as well as the guarantees for their protection, the exercise of which may not be restricted or suspended, except in the cases and under the conditions that this Constitution establishes.

Any discrimination based on ethnic or national origin, gender, age, disabilities, social condition, health conditions, religion, opinions, sexual preferences, marital status or any other that violates dignity is prohibited. and has the purpose of annulling or impairing the rights and freedoms of individuals.” (Article 1 Mexican Constitution).“

The principles of the migration policy are established in the National Migration Law, and the procedures for its implementation are outlined in the Regalement to the National Migration Law. The legal framework for humanitarian protection is included in the Refugees and Complementary Protection Law and its regulations.

Based on this institutional framework, there are three different categories for immigrants:

Figure 3 Categories of immigrants according to the National Migration Law



Source: Self elaboration based on the National Immigration Law 2012

International instruments signed by Mexico

Mexico's government has signed international instruments that impose obligations on immigration matters. Below is a table outlining the main instruments signed. It is important to note that some treaties already provide a legal framework on how to implement immigration policies. This means that amendments to the constitution should be made in order for the treaties to be ratified by the Congress. For example, the Human Rights Declaration of the People who are not Nationals of the Country where they Live (1985) and the Human Rights for Immigrants (2002/6) are enforced, and the Mexican government can be judged by international courts if there is a violation. Other instruments are voluntary agreements that do not have any legal consequences but are political. Nevertheless, Mexico, as a proponent of the International Migration and Development Forum and the Global Compact for a Safe, Orderly and Regular Migration, is interested in the enforcement of these accords. Anex 1 presents a list of the specific international instruments signed by Mexico.

Chapter 3: How is an agenda formed? Theoretical approaches

This chapter aims to present the theoretical frameworks that will serve as the foundation for the analytical model that will be utilised in this thesis to analyse changes in immigration between Mexico and Central America. Theories play a crucial role in providing meaning to observations and facilitating the prediction of facts as well as in identifying the causal mechanisms that underpin reality. The development of theoretical approaches can provide insight into the missing links in causality as well as guide the understanding of the main focus of studies conducted using the same theories. According to Kingdon, policy entrepreneurs can merge the three streams of problems, politics, and policy. By revisiting Kingdon's work, with a focus on the activities of interest groups within each of these streams, it is possible to add explanatory value to the theoretical model. To achieve this, I examine how interest groups impact problems, policies, and politics by linking the multiple stream framework analysis and the advocacy coalition framework. My argument is that policy entrepreneurs are not external variables to streams, but instead develop strategies within each stream, compete with other policy entrepreneurs, and influence policy decisions based on their activity, power, and the institutional characteristics of the government.

The first section of this chapter delves into the evolution of agenda-setting theories, with the primary objective of examining how democratic governments are held accountable to the populace in relation to the public policies offered. As will be discussed, these theories have evolved from the recognition that even in democratic societies, governments frequently promote policies that benefit certain elite groups, resulting in plutocracy rather than true

democracy. By comprehending the processes underlying agenda setting, potential solutions to these issues can be identified.

The second section presents Kingdon's policy window theory (1984), which serves as the central theory for understanding how agenda-setting opportunities can be created. This theory identifies three streams—political, problem, and policy—which are essential for facilitating policy change. In addition, this section reviews the application of Kingdon's theory to academic research. This highlights the advantages and limitations of employing this theory in various studies, with a particular focus on Mexican and Latin American studies. The aim is to provide a comprehensive understanding of the usefulness and applicability of this theory in diverse contexts.

The third segment of this piece delves into alternative theories to the model proposed by Kingdon, such as the advocacy coalition framework proposed by Jenkins and Sabatier in the 1980s. This section explores the potential advantages and drawbacks of these theories when applied to this study.

In the prior section, the chapter provides a rationale for and modifications to the theoretical framework, detailing how it will be tailored to a specific empirical study. This section outlines the procedures employed to transform the theoretical framework into a practical application. This highlights the roles of various stakeholders in the examined processes. Lastly, the piece concludes with a summary of the findings.

Introduction to complexity and agenda setting: How can we understand the process?

Kingdon (1983) posits that public policies comprise four distinct processes: agenda creation, identification of viable options, selection of the appropriate option, and implementation of the desired option. This study concentrates on agenda creation, which is the initial stage of Kingdon's heuristic model of policy change. The disciplines of public and political sciences are closely intertwined in agenda-setting studies. Although the Wilsonian dichotomy (Wilson, 1887) distinguishes between the political and administrative aspects of public policy (with the former relying on abstract and non-scientific valuation and the latter on the scientific method), some authors (Ostrom & Laswell, 1951; Majone, 1997; Lindblom, 1968; Moore, 1976) acknowledge the interconnectedness of politics and public policy, and recognise that the administrative aspect plays a politically significant role, equal to that of elected politicians, in the definition, implementation, and evaluation of public policy. This study will explore this interrelation.

The relationship between political science and public policy is crucial for defining what constitutes a government's agenda. While political science tends to focus on decision making, it is challenging to determine the factors that contribute to agenda formation and the relationship between a problem and its chances of being considered for the agenda. This is because alternatives may be organisationally impossible owing to a lack of resources, as noted by Allison (1961) and McConnell (2015, p3). On the other hand, public policy often focuses on the agenda-building process, but it may not fully understand the power dynamics behind decision-making, as Maldonado and Casar (2009) point out.

For example, Laswell (1971) identifies two different approaches in the study of public policy: knowledge of the policy, which refers to the analysis of the public policy design and implementation and the rational model behind the selection of tools; and knowledge of the process or policy studies, which refers to the identification of the origin and trajectory of a policy decision. The second characteristic is political: the politics of policymaking.

The development of agenda-setting studies can be traced back to theories about elites, but it was during the 1970s when this field of study experienced significant growth. At the time when the Policy Studies Journal was established as a platform for discussing various approaches to analysing public policies, there was no dedicated section for political science (Lowi, 1969). However, when examining the subject matter of politics, public policy, and political science studies, it encompasses not only the nature of power and the composition of political systems, but also the process of articulating demands and petitions, addressing public opinion sentiments, the policy implementation process, evaluation, and societal feedback. Thus, the analysis of political processes aligns with the fundamental objectives of public policies. Public policy, on the other hand, not only analyses decision-making but also considers agenda formation, alternative discrimination, and implementation processes, among others. This is why the "policy agenda process" has become a subject of study worthy of attention.

Although some studies on agenda setting can be traced back to 1922 in Lippman (1962), it was not until Dahl (1961) that the issue received formal attention. Dahl's critiques of the pluralist model posited that in a democracy, it is not enough for any legitimate group with a legitimate problem to gain the attention of the government. Instead, other

mechanisms are necessary to obtain the government's attention, such as focusing on the existing conflicts between actors with different powers. In this context, powerful actors may seek to privatise the issue, while weak actors may try to socialise the conflict with other political arenas (Schaattschneider 1960).

“All forms of political organisation have a bias in favour of the exploitation of some kinds of conflict and the suppression of others because organisation is the mobilisation of bias. Some issues are organised into politics, while others are organised out”
(Schaattschneider, 1960 p71).

The challenge that these assumptions posed to democracy increased the attention that scholars focused on the studies of how the government can not only implement policies but also identify issues that are important for the governed population. For example, some studies (Bentley, 1968; Truman, 1951) posited that government entities can equitably represent all interests in society; however, the demands of society tend to be complex and not automatically represented, resulting in an elitist tendency.

From this perspective, some authors (Mayer and Vermeulen, 2005; Vickers, 1965; Hayden, 2002; Sabatier, 1988) argue that in defining the institutional agenda of the government, certain interest groups exert pressure on government organisations or actors to design public policies that benefit them. Adams (1981) presented a model in which the US Congress, interest groups, and public agencies form reinforcing iron triangles that explain how the government tends to be influenced by these interests. The main issue raised by this scholarship is that the government agenda is not democratic, and that the full range of public representation does not provide topics for government action.

Another problem with the pluralist and Schattschneider approach, (1960) was presented by Bachrach and Baratz (1962). Bachrach and Baratz (1962) criticise the unidimensional definition of power in which one group conflicts with another to define the agenda. Rather, they suggest that the non-existence of conflict can also be important to understand agenda setting, which they call non-decision. Therefore, there would be organisations that can control the alternatives submitted for discussion. Later, Lukes (1974) added to the studies by identifying that the conflicts are not only won by powerful groups that can impose their agendas or that can veto the alternatives of discussion, but also that the actors can manipulate perceptions and preferences that would ensure acceptance of the status quo.

These studies delve into the intricate dynamics through which groups influence a democratic government's decisions regarding specific policy selections. It is widely recognised that in the realm of democratic governance, the phenomenon of capture often serves as a restricting force, constraining the range of public policies that are accessible. Despite this prevailing trend, other scholarly investigations have directed their focus towards the various factors driving the public demand for specific policy initiatives within the governmental framework.

One of the foundational texts on agenda setting was published in the decade of 1970 when a lot of attention was placed on the studies of agenda formation after the studies of McCombs and Shaw (1972), in which they conducted an empirical study to analyse the effect of news outlets and voters during the 1968 presidential election in Chapel Hills, North

Carolina. Nevertheless, understanding agenda formation and public opinion has the challenge of aggregating public policy demands.

According to several authors (Arrow, 1951; Olson, 1965), the aggregation of population preferences is considered impossible or irrational. These authors argue that there are no consistent methods for combining preferences because of collective action problems, mobilisation of preferences, and the control of alternatives in generating equilibria.

To balance these approaches from the perspective of the supply and demand of policies in agenda formation, Elder (1972) distinguishes between two possibilities: a systemic agenda and an institutional agenda. The systematic perspective refers to the issues that communities believe should be addressed by the government. According to Elder, three variables are relevant in this context: attention to the issue, perception of the necessity to address it, and belief that the government should address it. On the other hand, the institutional perspective comprises issues presented to government organisations. After this, several studies have focused and identified different types of agendas: the media, interest groups, public agendas, political parties, international organisations, etcetera (McCombs and Shaw, 1972, 2014, Protess, D. and McCombs, M. E. 1991; Zahariadis, 2016; Casar, M., Maldonado, C. 2008; Cobb and Ross, 1987).

Another important theme in agenda-setting studies is problem definition. There have been different studies on this issue in the literature (Baumgartner & Jones, 1993; Rochefort & Cobb, 1994; Stone, 1989; Wildavski, 1979). Diverse studies coincide with two different characteristics regarding problem definitions. The first explains that problems do not exist

per se but are the consequence of a construction made by the actors involved (Lindblom, 1979; Wildavsky, 1979; Cobb and Elder, 1983). This means that the problem definition can change over time (Schattshneider 1960). These studies assume that framing can occur at an aggregated level as the role of the media over the public (McCombs and Shaw, 1972; Entman, 2004) or the influence of actors and interest groups (Schattshneider, 1960; Baumgartner and Jones, 1993). There have also been studies to understand how, at the individual level, people frame problems to understand their world, and how this framing affects the definition of their problems (Goffman, 1974).

The similar characteristics of the studies on problem definitions explain that problems are only identified as its solution, which means that in practice, it should be feasible to solve the criterion (Wildavsky, 1979; Stone, 1989, 2011; Majone 1997). As mentioned by Wildavsky (1979), a problem is linked to a solution: a problem is a problem only if something can be done about. For example, Stone (1989) argued that policy entrepreneurs frame issues with a narrative that defines the problem in a way that justifies a specific solution.

Therefore, the questions that agenda-setting studies are trying to address are: 1) How can different groups influence the offer of public policies in a democratic government? 2) How can the public aggregate and create demand for public policy? 3) Is there any feasible solution to the identified problem? Kingdon (1984) attempted to incorporate and provide solutions to the different perspectives discussed. His work is based on the garbage can model developed by March, Olsen, and Cohen (1972) which explains that public organisations are disorganised, with unclear and contested goals, multiple stakeholders, and a high turnover

of stakeholders. According to these scholars, organisations face poor processes and engage in trial-and-error decision-making. However, decisions are still made within these chaotic organisations. To explain this phenomenon, the authors present the “garbage can” model, which consists of decision-makers, problems, and solutions. Each of these components or streams develops independently from the others, and they only converge when there is an opportunity for decision-makers to choose a solution for a problem from the available options.

The Kingdon Multiple Stream Analysis

In his influential work published in 1984, Kingdon expanded upon the garbage can model initially proposed by Cohen, March, and Olsen in 1972, to elucidate the decision-making processes employed by governments. In contrast to the initial conceptualisation presented by Cohen et al. (1972), Kingdon refined the model to specifically examine national policymaking dynamics. In his analysis, Kingdon highlights the crucial role of three independent streams that are essential for comprehending the decision-making procedure: the problem, policy, and politics streams. As these separate streams converge and become intertwined, a unique juncture emerges, referred to as a “window of opportunity,” where the potential for decision-making becomes apparent. This framework emphasises the intricate interplay between various elements that shape the decision-making landscape within governmental bodies, thus providing a nuanced perspective on policy formation and implementation.

The problem stream occupies a critical place within society, encompassing issues that have the potential to impact governmental decisions and carry considerable significance. Accurately defining this problem stream is of paramount importance as it sets the tone for

effectively addressing the issue at hand. The formation of this stream is influenced by various elements, including indicators, events, crises, and feedback, with media playing a substantial role in disseminating relevant information. It is crucial to comprehend certain key characteristics of this process; for instance, the perception of the problem can rapidly change, leading to a competitive drive among diverse groups to capture the government's attention. Additionally, not all factions within society possess the ability to sway governmental choices, with certain interest groups holding more influence driven by distinct societal contexts. Ultimately, the focus on problems is contingent on the manner in which they are depicted and framed, highlighting the complex dynamics at play in the realm of societal issue management.

The political stream is a complex landscape comprising a wide range of issues that acquire a specific level of significance within the public discourse. This prominence is primarily driven by political actors who possess authority and the resources necessary to influence governmental decisions. These influential figures, while responding to societal concerns as outlined by Kingdon's notion of the "national mood", also navigate based on their personal convictions, which may align with the ideologies of their respective political affiliations. Therefore, the political arena is not only a reflection of societal demands, but also a platform where individual beliefs and party stances converge to shape the direction of governance and policymaking.

The policy stream represents innovative approaches to address existing problems in various sectors. These solutions, developed by experts, academics, technocrats, and international organisations, serve as crucial interventions in the policy-making process. It is

essential to acknowledge that the development of these solutions is a time-consuming process, leading them to exist in a state of "policy primeval soup," as aptly described by Kingdon. Consequently, they undergo continuous evolution, adaptation, and reevaluation to align with the dynamic needs of society. Occasionally, these solutions may challenge conventional expectations, necessitating a careful process of adjustment and gradual acceptance among new stakeholders. This transformative journey from unconventional to mainstream adoption demonstrates the resilience and adaptability of policy frameworks to respond to intricate and evolving challenges.

The Kingdon Multiple Streams Framework (MSF) is primarily concerned with analysing the complexities of each individual variable it incorporates. Each variable endeavours to elucidate the progression of the subject under investigation in a distinct manner. The emergence of this issue is instigated by various factors such as the mobilisation of public opinion, organisational dynamics, and problem definition. The development of policy streams is characterised by incremental steps, and the government's organisational capabilities are harnessed to address myriad issues. The political stream, on the other hand, is influenced by the unique features of different political systems. It is noteworthy that Kingdon refrains from delving into the specific intricacies of each stream, a choice that has enabled the broad application of his framework in a diverse array of studies utilising various methodologies. This characteristic has, in turn, elicited criticism of the framework's theoretical foundation.

Kingdon also emphasises the crucial role played by policy entrepreneurs in the realm of policymaking. These individuals, whether operating within governmental institutions or

externally, are characterised by their willingness to commit diverse resources - be it time, effort, reputation, or financial investments - in anticipation of future gains (Kingdon, 1984, p. 122). Moreover, policy entrepreneurs possess a unique blend of power, knowledge, and resources, are strategically positioned to identify emerging issues, proffer corresponding solutions, and capitalise on favourable windows of opportunity (Kingdon, 1984, p. 165). Notably, it is the presence of these innovative and proactive agents that serves as the linchpin for effecting meaningful change by effectively aligning the disparate streams within the policymaking process.

Literature review of Kingdon Multiple Streams

The number of studies conducted using the Kingdon model underscores its significance in the academic literature on agenda setting. Although the model was originally developed to explain the political system in the United States, it has been applied in various studies in different political contexts. Therefore, it is essential to assess the effectiveness of the Kingdon model in different settings and identify areas in which it may have limitations.

There are three major contributions to the critiques of this model. One of the articles of Paul Carney and Michael D. Jones (2016) *Kingdon Multiple Streams Approach: what is the empirical impact of this Universal Theory?* For them, the application of the Kingdon theory made valuable contributions to policy theory and the empirical literature, but those contributions are separate. This separation relies on the flexibility of the model to be used in diverse empirical studies, but flexibility also creates the problem of universality, in which the variables are operationalised and testable, which can lead to policy theory.

To demonstrate this argument, they selected forty-one best case studies selected by them that used the MSF and compared the theoretical and empirical contributions. Of all the cases selected, 20 were related to national-level system politics (the United States, the European Union, Canada, China, and India). Thirteen were related to subnational systems (the United States, United Kingdom, Switzerland, Sweden, Canada, and Burkina Faso). Eight were International, evaluating the European Union and the United Nations and comparing the national and international levels. Some of the findings are as follows.

In 14 of the studies revised, the MSF was used to address a new object of study. Some degree of adaptation of the MSF was needed to study different conceptual objects, and other specific literature was needed to explain the public policy. Six of the studies focus on the importance of policy diffusion and how governments sometimes adopt ideas voluntarily or involuntarily, while others contribute to the scholarship on the application of MSF to singular parts of the world, such as China, and how it explains the concepts of study. Another eight studies used MSF and linked it to another agenda-setting theoretical framework to perform the analysis. Only five studies used MSF without any other theoretical approach. Other uses of the MSF are in documents of advocacy and specific case studies with no theoretical implications.

Jones et al. (2015) also presented another significant critique. They searched for peer-reviewed articles in the Web of Science that used Multiple Stream Analysis from 2000 to 2013. They applied refinements to the search to ensure that the document not only quoted the model, but also applied the concepts in the study. Of the 1981 articles found, 311 applied the multiple stream framework. Some of the findings are as follows.

The use of MSF is concentrated in the study of institutions in the United States (135) and Europe (151). Some studies have been conducted in Oceania (21), Asia (20), and Africa (9), which proves the universality of the approach. Of the revised studies, only three publications studied Mexico. In terms of the topics, environment, health, welfare, education, and governance amounted to 77 per cent of the articles; there is no specific article related to immigration in their study.

Finally, another study by Rawat and Morris (2015) gathered peer-reviewed articles using the EBSCO Discovery Services (EDS) available in English from 1984 to 2015. Some of the conclusions are similar in terms of universal application in different countries outside the United States and similar in terms of the topics studied (education, environmental studies, and some very specific, such as gun control or e-government). However, no specific study has been conducted on immigration. In addition, the purpose of the use of the Kingdon model was to identify the emergence and development of windows and the development of the three streams, but also has been used to study policy design, policy formation, process, decision making, rise of items in the agenda, and framing of the issues.

One of the main findings is related to the use of the Multiple Streams Framework and foreign policy. Some of the articles found by Rawat and Morris (2015) used the Kingdon model to study stakeholder participation and their actions. As mentioned by the authors (2015 p620), the positive aspects of the Kingdon model are that “scholars consider Kingdon’s framework as a fitting lens for understanding policy formulation in a complex environment and argue that it helps to enhance the ability to identify causation”. As well, Rawat and Morris argue that (2015 p 620) “Kingdon model capture the institutional arrangements and suits

the description of lengthy and complex policy and decision making processes and assumes that external events can create windows of opportunity". Nevertheless, in terms of the limitations, they mentioned that "the model does not provide tools for a micro analysis of the three streams". For this reason, some scholars have combined the Kingdon model with existing approaches specific to a particular field of study (Rawat and Morris, 2015, p. 625).

In Mexico, researchers have successfully applied the Multiple Stream Analysis (MSA) as a valuable tool for examining policy change within their unique political contexts. It is crucial to acknowledge the potential variations in the political systems where Kingdon's theory was originally conceived, as these differences can significantly impact the application and outcomes of the MSA method across diverse countries. For instance, Haro Velarde and Salazar Adams (2021) conducted a study that investigated the use of MSA to evaluate the governance of water resources in the northern region of Mexico, revealing a complex interplay of converging streams that ultimately shape policy alternatives, which are often subject to the discretion of influential actors.

Moreover, in a separate investigation, Romero (2015) adeptly combined the MSA approach with Policy Evaluation and Targeting model (PET) to elucidate the dynamics of civil service reform. Beyond merely identifying distinct streams, Romero's analysis extended to encompass the multifaceted roles of stakeholders involved in the policy change process, thereby providing a comprehensive perspective on the mechanisms driving transformative policy shifts. Additionally, Bruno Verdini (2012) demonstrated the efficacy of the MSA framework in examining the intricate decision-making processes behind Mexico's foreign policy adjustments concerning human rights, underscoring the pivotal role of policy

entrepreneurs in orchestrating strategic initiatives that lead to meaningful policy modifications. Through these insightful studies, the MSA emerges as a versatile and indispensable analytical tool that not only reveals the complexities of policy evolution but also sheds light on the crucial actors and factors influencing the ultimate trajectory of policy development.

The study by Carriedo, Lock, and Hawkins (2020) delved into the policy process and non-state actors in relation to the 2014 Mexican Soda Tax within the Multiple Stream Analysis framework. Their innovative approach included integrating the Policy Triangle Framework (Walt and Gilson, 1994). This strategic merger enabled a deeper examination of the various actors involved in the policy formulation process. Another study conducted by James, Lajous, and Reich (2020) also explored sugar taxation in Mexico using the same analytical framework for a comprehensive evaluation. Their research revealed a significant overlap between actors in both the Politics Stream and the Problem Stream, with a particular focus on the active involvement of non-profit organizations. This highlights the complex network of interactions and influences that shape policy decisions, shedding light on the multifaceted dynamics that underpin the implementation of such fiscal measures.

In these cases, it is clear that the actors involved act beyond the definition of the policy entrepreneur (Kingdon, 1984) and that they are involved in trying to influence diverse streams. There exists a further set of studies based on the term 'political entrepreneur'. Some of them try to integrate the term political entrepreneurs with other agenda-setting theories such as the Advocacy Coalition, Incrementalism and Punctuated Equilibrium Theories (Mintrom and Norman, 2009; Mintrom and Petridou, 2020). Other studies have attempted

to conceptualise the term policy entrepreneurs (Capano and Galanti, 2020). Others provide examples and characteristics of policy entrepreneurs' good practices (Carney 2018; Meijerink 2009; Brower and Wittema 2019; Palmer 2014). As mentioned by Mintrom, policy entrepreneurs are not a formal role, but the set of strategies, attributes, and skills combined with intentionality underpinning the action of actors: "For even the possibility of major policy change to arise, serious amounts of bargaining and coalition building in the political stream typically must occur" (Mintrom and Petridou, 2020 p. 950). Nevertheless, the MSA does not incorporate the analysis behind policy entrepreneurs, and in most cases, this is taken for granted.

In summary, the main critiques of the Kingdon model are as follows: 1) they can be universal and adapted to any empirical study, and a more scientific refinement to identify variables is required to construct policy theory. 2) There is no micro analysis of the streams. 3) The model does not provide insights into the role of interest groups in each stream.

[Alternatives to Kingdon: The Advocacy Coalitions Framework \(ACF\)](#)

Jenkins and Sabatier developed the advocacy coalition framework in the decade of 1980 (Sabatier, 1986; Sabatier and Pelkey, 1987; Sabatier, 1988; Jenkins Smith, 1990). The main inspiration was to provide solutions to the shortcomings of alternative theories in the policy process, provide insight into the role of scientific and technical information in policy debates, shed light on ideological agreements and policy conflicts, and provide an approach to explain change over time (10 years period, what they consider that a policy can be evaluated) (Weible and Sabatier, 2018 p143).

The idea of this framework is that people engage in policies because they have something to win (beliefs or redistributive benefits). To do so, they form Advocacy Coalitions with actors who share the same goals. This happens in a subsystem for a specific policy and for the environment that can influence the dynamic of the subsystem and provide constraints and opportunities to the policy actors (Cairney, 2020)

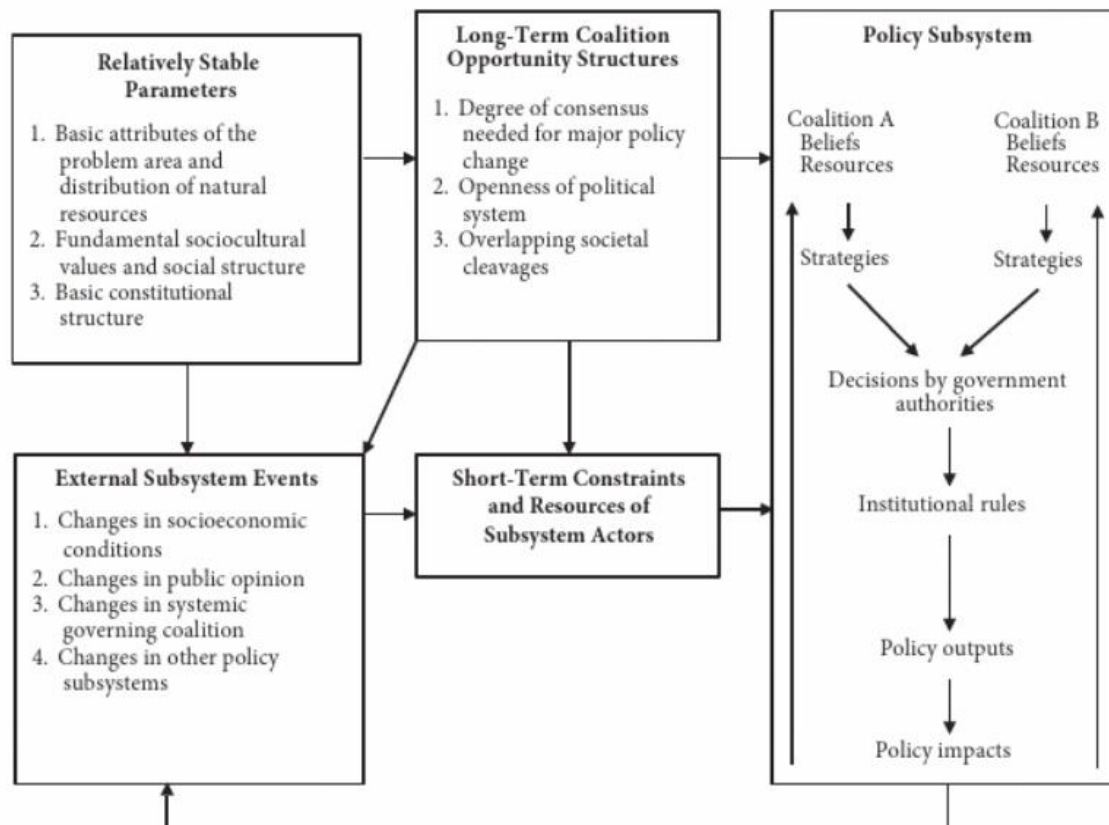
The main elements of the framework are as follows:

1. Policy subsystem: This refers to the set of actors interested in solving an issue. These interact to produce output and outcomes for a policy topic.
2. Advocacy coalitions: Actors that share a goal or belief and are organised. Coalitions are comprised of individuals with bounded rationality, beliefs, and goals.
3. Policy brokers: actors that try to negotiate the compromises between advocacy coalitions
4. Government: the ultimate decision maker.

The level of analysis of this framework relies on top-down and bottom-up models. In terms of top-down analysis, this framework understands agenda setting as a competition between different actors that try to influence governmental action. In the bottom-up analysis, the framework emphasises the creation of coalitions and how participants interact to define problems and gain influence. As mentioned by the Weible (2018), beliefs, coalitions, and coalition learning are metaphors used to understand the individuals comprising the coalition (p. 140).

In the next flow diagram, the interactions between different elements of the framework can be observed.

Figure 4 Advocacy Coalition Framework



Source: Weible and Sabatier, 2018 p 144

Policy change is explained by the competition between different coalitions interested in the problem. The coalitions will be affected by different parameters: some stable parameters, such as the attributes of the problem or the distribution of resources; coalition opportunity structures, such as openness to the political system; and the effects of external events, such as changes in socioeconomic conditions. These events modify each coalition strategy in negotiations with the authority to create policy changes.

Incremental policy changes occur when political learning from the dominant coalition occurs. Nevertheless, major policy changes occur when there are internal or external shocks that modify the power of the coalitions in the subsystem. Finally, a policy change can also occur when coalitions negotiate the change (Weible and Sabatier, 2018 p146).

Weible et al. (2009) (Cited in Carney, 2020) found 80 ACF studies from 1987 to 2006 that used the ACF in case studies. In another study by Pierce et al. (2017) (Cited in Carney, 2020) found 161 applications of the framework: the most studied topics were related to environmental and energy policies, public health, social welfare, defence, and foreign policy. Most of the studies were conducted in the United States, but their use in other countries is increasing.

Paul Sabatier and Hank Jenkins, the original authors of the ACF, created a research programme that contained scholars who used and modified the ACF insights in their individual studies and edited volumes and journals with this information (Weible and Sabatier, 2018). Some of the clarifications to the limits of the application of the framework were acknowledged and will be relevant for this study,

1. The authors conceive of the framework based on American pluralism, and although the use of the framework is growing in other countries, adjustments need to be made, especially in non-democratic countries. The framework assumes an institutional approach to how formal and informal institutions can modify policy outcomes (Sabatier and Weible, 2007).

2. The ACF is not a theory but a framework: frameworks support multiple theories that are narrower in scope and emphasize smaller set of questions (Weible and Sabatier, 2018)
3. Regarding negotiations, when there is a stalemate that fits no one, a negotiation process can lead to major policy reform. The authors mentioned that when the topic is too mired in normative beliefs, the negotiation process can be unsuccessful (Carney, 2020). Some studies on ACF and negotiations have shown that sometimes, members of an opposing coalition can make compromises in their secondary beliefs to conduct negotiations (Lieberherr, E. Schmucki, A; Huber, R, 2020).
4. Forums: The venues where coalitions interact, debate, and negotiate affect learning between allies and opponents. Forums should be open, and participants should share common analytical training and norms of conduct (Weible and Sabatier, 2018 p152).

Theory selection: how Advocacy Coalitions complement Kingdon Streams

The Multiple Streams Framework proposed by Kingdon and the Advocacy Coalition framework share some elements that are important for this study. Unlike the vision that actors influence the agenda, both approaches explain that there are not only actors but also diverse elements that need to be understood to explain policy change.

1. Both studies answer the question of how and why public policies have changed. While the MSF focuses primarily on agenda setting, the ACF focuses more on the design of policies.
2. Both approaches give importance to external events (ACF) and focusing events (MSF). In the ACF, one of the variables that can explain an imbalance in the coalitions power, for the MSF, is one of the variables needed to explain change.

3. Institutional frameworks are important in both the approaches. Although both approaches have some limitations, the frameworks have been applied in countries other than the United States; however, some modifications have to be made. In the case of studies in Mexico, MSF has been mixed with other theories to gain better explanations.
4. While the MSF can provide an explanation for the formation of the problem, the ACF understands the problem as the beliefs of the Advocacy Coalition. In both approaches, the definition of the problem can be changed.
5. The ACF is based on the idea that problems are solutions. While for the MSF solutions have an independent history and can be traced back.
6. Both policies recognise the existence of persons who are fundamental to explaining policy changes. The MSF is identified as the policy entrepreneur, and the ACF is identified as a policy broker.
7. The MSF does not explain the conflict between the different elements and acknowledges changes only when a policy window is presented. Meanwhile, the ACF identifies conflicts and negotiations as explanatory variables for policy changes.

The objective of this study is to explain why Mexico's immigration policies towards Central America changed from 2010 to 2020. This allocation of time is lower than that proposed by the ACF model authors, which is a ten year period. In addition, there were three changes to the same policy during this period: one in 2010a, another in 2014, and another in 2018. Given the characteristics of both frameworks, for the purpose of this study, the Multiple Stream

Framework proposed by Kingdon can provide a wider understanding of the reasons for policy change.

Nevertheless, given the similarities between the two frameworks and some core aspects that would be necessary in the study, it was decided to mix both approaches with the objective of operationalising some components, creating testable hypotheses, and explaining not only the agenda setting, but also the policy adoption process. As mentioned by Carney (2013), scholarship identifies the models as competing, but a proposal to mix both approaches has been created (Howlett, M., McConnell, A., & Perl, A, 2017; Howlett & Mukherjee, 2015). The authors explain how using the ACF as part of each stream can guide the analysis not only in the agenda-setting process but also in the implementation. Identifying policy entrepreneurs as advocacy coalitions can provide insights into the development of streams.

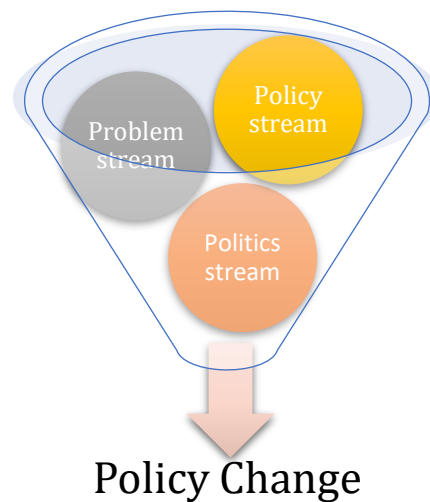
As mentioned by the authors, linking streams and stages of the model to the Advocacy Coalition Framework highlights the interaction between streams of events and retains the fluid dynamics of Kingdon's proposal". This has already been done by Ritter, Hughes, Lancaster, and Hoppe (2017), who used both theories (ACF and MSF) to analyse the decision to use drug dogs in Australia. Andeson and MacLean (2015) also use the MSF and ACF to study the Public forest policies in New Brunswick, Canada: they conclude that the MSF is an important tool to understand how governments get its attention to a problem, but the ACF can provide more insights on the policy decision.

As mentioned in the last sections, the framework is just an approach that guides the understanding of policy change. For this reason, it is important to acknowledge the actors and stakeholders in the operationalisation of the variables. As mentioned in Chapter 1, there are few studies related to the actors involved in immigration policies in Mexico; however, Wolf et al. (2015) identify diverse actors in Mexico's current migration policies. For the case studies examined in this document, these actors can be identified within the context of the theoretical model that will be used.

1. Problem stream: This stream in Kingdon's model incorporates the study of how a problem is identified by society. This model explains how civil groups fight with other coalition groups to address and solve issues.
2. The political stream: This is related to the "national mood". The study uses the model to explain how and through what mechanisms diverse political actors were involved in policy change. The U.S. government is a major advocate that tries to influence the Mexican government due to its characteristics described that will be presented in the next section. In this sense, it will be important to adjust the negotiation phase proposed by the ACF to the specific case of Mexico. To do this, the Putnam double-level negotiation model for international negotiations is used.
3. Policy stream: This stream is related to solutions to the problem. This approach will be used to explain how the priorities set by the Mexican government, through the projects of the Ministry of Foreign Affairs in international organisations, affected immigration policies.

The study acknowledges that each of these agendas has developed independently, and there have been scenarios in which the three agendas have intersected, requiring a decision maker to decide to implement or initiate a change in Mexico's immigration policies.

Figure 5 Visual representation of the theoretical approach

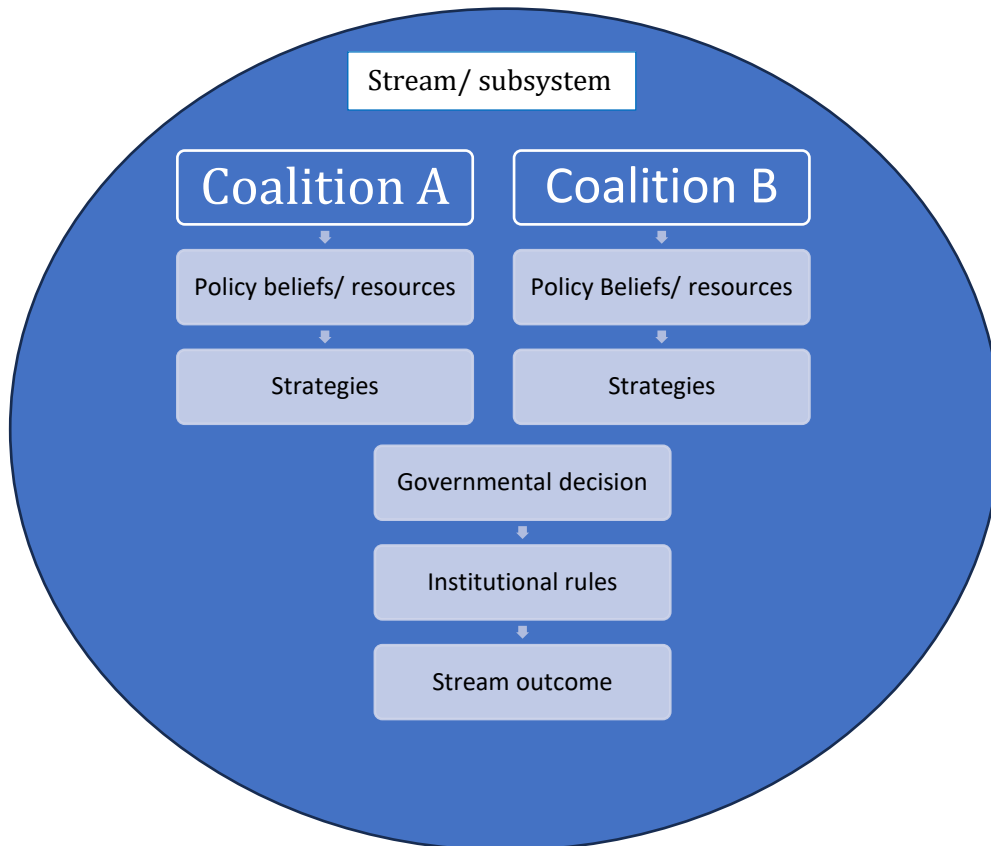


Self elaboration

In this visual representation, the funnel represents the policy entrepreneur that couples different streams in an open policy window. Nevertheless, each stream presents its own advocacy coalitions. The stream represents the system, and the focusing event modifies each advocacy coalition as an external shock. After each stream has identified its agendas through a process, the different coalitions will have to negotiate the outcome of the policy. This will lead to policy change.

For each stream, the microanalysis is represented as follows:

Figure 6 Advocacy coalition Framework in the Multiple Stream Analysis



Given the general hypothesis of this document, it is identified that diverse interests want to influence the Mexican government immigration policies. In the first scenario, regarding the policy stream, the solutions would be national and international organisations in which the Mexican government had already signed commitments. This implies that a specific action already existed. International organisations create knowledge, evaluate, monitor politics, and have specialised teams that can provide solutions to problems.

In the second scenario, regarding the problem stream, some representatives of non-governmental Organisations or Civil Society Organisations have tried to define the problem of immigration. What would be expected is that the current elected government reacts as an opposing advocacy coalition, defending the status quo of their current definition. This is in line with the framework, as it is identified that government organisations can act as coalitions.

Finally, in the third scenario, the political-stream subsystem is presented. In this case, the advocacy coalitions identified were the US and Mexican governments. Some other actors can be identified here as well, as representatives of the non-for-profit organisations. As mentioned by Sabatier (1986), actors usually exist in different subsystems. What is expected is that the coalitions would be in conflict and, in this case, to solve the controversies, the representatives of the government usually negotiate, as explained by Wieble and Sabatier (2018). In the next chapter, these actors will be presented, along with a model to understand how negotiations between actors may occur.

Chapter 4. Actors and advocacy coalitions in the immigration system in Mexico

As a reminder for the reader, the question that this PhD study will try to answer is: Why have immigration policies in Mexico towards Central America changed from 2010 to 2020? The primary hypothesis is that there are three distinct types of constraints that shape Mexico's immigration policy agenda towards Central America. These constraints are: 1. The impact of the Mexican government's subservience to the United States government; 2. The role of public opinion in Mexico, embodied by civil society organisations; 3. The influence of international bodies that deal with immigration and human rights. This investigation aims to determine the extent to which these constraints affect Mexico's immigration policy and its relationship with Central America.

According to the Advocacy Coalition Framework (Sabatier, 2005), actors can employ various strategies to achieve their objectives in the context of immigration policy changes in Mexico. This chapter identifies the key actors involved and describes the tactics they employ. The actors identified in Mexico's migration policies include the government of the United States, domestic public opinion, civil society organisations, and international organisations (Wolf et al., 2018). All these actors use different strategies within their coalitions to influence Mexico's policymaking. However, given that the influence is implemented at different levels, that is, the national and international levels, a guiding perspective, the Putnam double negotiation model, is introduced at the end of the chapter.

In this chapter, the first section examines the relationship between the United States and Mexico and how the US government has become an influential party in shaping Mexico's

domestic immigration policies. This section outlines some of the strategies employed by this influential party.

The following section examines the perspectives of public opinion and civil society. It will first discuss how public opinion has the power to shape and organise political agendas. Then, it outlines the necessary requirements for issues to become salient in the media and public opinion. Finally, it provides examples of how and why public opinion and civil society organisations have become influential actors in policymaking in Mexico in recent years. This section focuses on organised civil society organisations and examines how they have influenced the agenda-setting process in Mexico under specific conditions.

The third part of this chapter focuses on international organisations (IOs). It will investigate scholarly research on how IOs influence public policy, presenting a framework that incorporates the realist, liberalist, and constructivist perspectives. The study emphasises the significance of norms as essential factors in shaping agendas and explores the mechanisms through which organisations ensure that countries follow their agendas. Additionally, this section examines the significance of the administrative agenda in international forums, as the agenda-setting process within international organisations can also be influenced by their own representatives.

Finally, this chapter engages with the double negotiation model proposed by Putnam. As previously stated, it is crucial to understand the characteristics of different games in negotiations between advocacy coalitions. In the Advocacy Coalition Framework developed by Sabatier (1987), coalitions have the opportunity to negotiate policy outcomes when their

core belief systems are not compromised. Therefore, it is essential to incorporate an explanation to understand negotiations between coalitions.

The Mexico – US relationship and the asymmetric dependency between Mexico and the United States

The Mexico-U.S. relationship and asymmetric dependency between Mexico and the United States have been fundamental topics in the field of International Relations. Understanding when cross-border economic interdependence becomes a source of power is a key question, as highlighted by Keohane and Nye (1977), and aligns with the principles of Political Realism.

Over the past century, economic cooperation has characterised the relationship between Mexico and the United States. Despite a history of conflict and mistrust between the two countries, since Mexico's support for the United States during World War II, bilateral trade and investments have increased significantly along with the growth of human connections. These developments have shaped both nations. While ample literature describes the Mexico–U.S. relationship, it remains important to offer a political economy perspective on the dynamics of economic cooperation and its political outcomes in both countries.

To explore the evolution of economic relations between Mexico and the United States, it is crucial to understand the nature of Mexico's asymmetric dependency. Comparing the level of inequality between two neighbouring countries in the work, such as Mexico and the United States, is a challenging task, perhaps only comparable to the situation between North Korea and South Korea. Undoubtedly, the United States holds the most significant bilateral relationship with Mexico, as it has maintained its presence in Mexican territory since the

beginning of independent Mexico. In the past decade, the average percentage of Mexico's total trade in goods with the United States was 69.54 per cent, steadily increasing over the years. At the beginning of this century, U.S. foreign direct investment (FDI) in Mexico accounted for 72 per cent of total direct foreign investment. Only two other countries in the world share such a high percentage of their total international trade with the United States - Canada and the Bahamas (Morales Castillo 2013).

Even before economic integration with the United States, most of Mexico's international politics revolved around maintaining its sovereignty, particularly in relation to the United States (Schiavon 2007). For Mexico, sovereignty entails the ability to preserve territorial integrity and define government, public policies, and international policies without external interference within the international system.

Throughout Mexico's international history, the United States has been involved in various significant events, including the Monroe Doctrine, the territorial loss suffered by Mexico due to an invasion where Mexico lost 50 per cent of its territory, economic integration, and the United States veto Mexico's participation in the League of Nations, among others.

Since the establishment of a relatively stable political regime in Mexico and considering the costs associated with invading Mexico, the United States has prioritised maintaining stability and security along its southern border in its external policy towards Mexico. As Shiavon (2009) mentions, achieving this goal is impossible without Mexico's cooperation along the 3,000-kilometre shared border.

Today, it is undeniable that the Mexican economy depends on the vitality and health of the American economy. Unlike Mexico, international trade in the United States represents

a much lower percentage of its GDP and is also more diversified. Recognising this, it is appropriate to describe the economic interdependence between the United States and Mexico as asymmetric. This asymmetric dependency has implications for international policy agendas and outcomes.

First and foremost, it is important to define interdependence. According to Milner and Moravcsik (2009), interdependence is a structural characteristic of the international system that can be categorised into two types. Strategic interdependence refers to a situation in which an actor's ability to achieve a desired outcome depends on the actions of another actor, and there are costs associated with cooperation or non-cooperation for both parties involved. The second is structural interdependence, which arises from the nature of the relationship itself. Keohane and Nye (1977) define interdependence as a high level of transaction flow across international boundaries, accompanied by reciprocal costly effects associated with these transactions. In their study, *Power and Interdependence*, they argue that interdependence can be a form of power, defined as the ability of one actor to influence others to do something they would not otherwise do.

To understand power and interdependence, it is crucial to differentiate between sensitivity and vulnerability. According to the authors, sensitivity refers to the speed at which changes in one country bring about costly changes in another within a given policy framework and the magnitude of these costs. On the other hand, vulnerability relates to a country's ability to counteract these costly effects by implementing policy changes. Duvall (1978) explains that there are relationships characterised by highly unequal and asymmetric dynamics, where the weaker country is dependent on the stronger country, thus increasing sensitivity and vulnerability.

Hirschman (1980, cited by Mena, 2007) suggests that economic relationships between countries can be mutually beneficial, but economic integration also has a political effect. This effect involves the potential for leverage by a more powerful country over a weaker one. To ensure that a powerful country like the United States keeps trade open, the weaker country, in this instance Mexico, may have to align itself with the foreign policies of the stronger country. Hirschman also demonstrated that large nations exploit asymmetric interdependence to achieve their foreign policy goals. Koehane and Nye (1977) discuss levels of sensitivity and vulnerability in interdependent relationships that can influence policies, especially when importing country's supply is elastic while the target country's supply is inelastic. Mena (2007) used these theories to evaluate how the Mexican government relations with United States have been modified after the implementation of the North America Free Trade Agreement (NAFTA).

Hirschman (1980) developed an indicator called the Herfindahl-Hirschman Index, which measures the market concentration of a given country. In the regulatory literature, the Hirschman index is reported on a scale of 1 to 0 to identify the weight of each country in international trade. This is particularly important because Mexico has an index of 79.5 per cent in the United States (Saenz, 2019, o8).

This calculation implies that the United States has mechanisms to exert pressure on Mexico to align with its foreign policy, at least with the topics of interest. Prior to the signing of the North American Free Trade Agreement (NAFTA), these predictions were part of the discussion among those in favour of or against the treaty (Mena, 2007). At the time, the U.S. ambassador to Mexico, John D. Negroponte, informed his superiors in the U.S.. State Department believed that the treaty would not only bring economic cooperation benefits,

but would also achieve geopolitical gains. According to him, NAFTA would institutionalise Mexico's acceptance of a pro-US orientation in international politics.

On the other hand, Kahler (1997, cited by Mena, 2007) explains different effects of economic integration on international politics. Specifically, he proposed different hypotheses of interdependence that can lead to different outcomes. Conditional economic engagement is based on explicit *quid pro quo*, where economic ties are contingent upon changes in the target country's behaviour. However, Kahler notes that this type of engagement may be ineffective in democracies, as firms in the originating state may not support a government that uses their ability to trade as political power (Kahler, 2006, p.525). This allows dependent countries to counteract pressure from the stronger state, which makes the stronger state cautious about using such mechanisms. Another type of engagement mentioned by Kahler (2006) is unconditional engagement, in which there is no *quid pro quo*, but transformation and influence come from the benefits of economic integration.

Therefore, it is important to identify the topics on which the United States government is willing to use conditional engagement. Some studies have been developed to understand this asymmetric relationship. In a foundational text written by Mario Ojeda, he says that in the relationship between Mexico and United States, United States has acknowledged the need of Mexico to distance itself from the United States' foreign policy in the topics that are fundamental for Mexico, although not fundamental to United States. (Ojeda, 1976 p.93), With this, the author can explain the position of Mexico's foreign policy in Cuba, for example. In another text, Schiavon (2006) explains that subordination or conflict with the United States is not a static situation but depends on the definition of national

security by the United States. According to him, Mexico has a narrower scope of action in international forums only when the issues threaten U.S. national security. Conversely, when these issues are not important for U.S. national security, Mexico has a broader field of action and has shown itself to be active. Several examples illustrate these mechanisms of asymmetry, such as the war on drugs and terrorism, which have had repercussions on immigrants.

In conclusion, the asymmetric dependency of Mexico in the United States provides mechanisms for the United States to pressure the Mexican government; however, this will only be used if the topic is related to national security. However, the use of economic threats as *quid pro quo* will only be employed if there are no significant political costs associated with it. When no political costs are involved, these mechanisms are utilised.

Mexican public opinion

Public opinion is the summation of individual attitudes, sentiments, or views held by a group of people. The effect of public opinion on public policy decisions is a central theme in the literature, as exemplified by Dahl (1956) and Kenneth Arrow (1963). Studies on public opinion and policy in democratic countries agree with the following:

- a) Public opinion influences public policy.
- b) The more salient an issue is, the stronger the stringer relationship will be.
- c) Interest groups can influence public opinion.

According to Shapiro and Page (1983:189), governments sometimes ignore public opinion; therefore, it is important to discuss the degree to which public opinion influences policy. The same author stated that several theories predict a high degree of responsiveness,

particularly in electoral competition. In an empirical study, Page and Shapiro (1983) show that changes in the United States between 1935 and 1979 align with changes in American public opinion. Therefore, public opinion can predict policies.

On the other hand, Baumgartner and Jones (1994) suggest that there are organisational and cognitive limitations for both the public and the government to keep track of all issues simultaneously. Consequently, public opinion can sometimes be incoherent and uninformed, which is why governments do not always adhere to public opinion. Maldonado (2009) argues that even with limited information, there are informational shortcuts through which public opinion can structure their opinions and that public opinion can provide guidance on what or should be done while the government determines how to do it.

Thus, the salience of policies is important. When the public feels strongly about a specific issue, they vote with that in mind, and elected officials must be particularly responsive to highly salient issues (Burstein, 2013). Salience ensures that policies do not stray far from public opinion. However, since salience is dynamic and subject to change, policies regarding issues that are currently not salient are also considered by elected governments.

Finally, policies create winners and losers, as they tend to redistribute resources. Therefore, there are always organised groups that fight the implementation of certain policies. As Berry (1977) pointed out, individuals belonging to interest groups have strong political sentiments and are willing to take action to advance their goals. Apart from their votes in elections, these actions include providing financial support to influence public policy decisions, organising demonstrations, and persuading others of their ideas. The functions of

interest groups can be divided into two main areas: education, through campaigns that encourage more people to join their cause, and representing political preferences by acting as a link between constituents and the political class.

Some scholars believe that interest organisations cannot prevail against the wishes of constituents, who can vote to remove elected officials who ignore them. However, when interest groups and public constituents align in their goals, their influence is most effective (Lohmann, 1993:319)

Migration policies can result from different agendas that focus on various aspects of immigration. The interests of these groups change based on factors such as economic competition, highlighting the competition between native citizens and migrants for scarce resources such as jobs (Borjas, 1999). Additionally, ideological ideals can come into play, such as the nativism expressed by Huntington (2004) in his book "Who Are We" regarding the United States. This is something that happens in Mexico and has been documented by some scholars and reports in Mexico that highlight xenophobia and racism in the Mexican population against immigrants (Castro, 2019, Hernandez, 2021, Cantalapiedra, 2022). This is important because policies are also influenced by the construction of the target populations. Ingram (1994) argued that social constructions become a calculus that public officials use to determine the winners or losers of certain policies and whether the general public will agree with the policy. According to Ingram (1994), this analysis is based on power and construction.

In Mexico, public opinion has become an increasingly important issue since the year 2000. Prior to this year, Mexico was governed by a single party, the National Institutional

Party (PRI) for 72 years. In 2000, when Vicente Fox, a candidate of the National Action Party, won historic elections, he initiated major political changes in the country. For example, the government no longer had control over the massive media in television and newspapers. Additionally, with the rise of Internet and social media access, the population has gained more information to form public opinion.

Furthermore, in the 2006 elections following the change in the political party government, Felipe Calderon Hinojosa won with a margin of only 0.5 per cent over the runner-up Andres Manuel Lopez Obrador. This highlights how the government's response to public opinion can lead to real changes in policies and make the government more responsive to public sentiment.

After the 2009 midterm elections in Mexico, which aimed to renew congress and some state governments, the low political participation in the voting process prompted Felipe Calderon's government to propose political changes in 2011 that placed public opinion at the centre. According to SEGOB (2014), these reforms, starting from the 2018 election, made the following possible:

- a) Citizen initiatives allowed the population to present projects for legal reforms to Congress.
- b) Participatory budgets gave the population the right to decide how specific public resources should be spent on developing projects.
- c) Independent candidacies allow individuals to run elected positions without being affiliated with a political party.

d) Consecutive re-election enabled municipalities, local representatives, and federal representatives to run for re-election.

These are examples of how public opinion has become a central part of politics and policies in Mexico over the past 20 years. In a study by Buendia (2010) it is mentioned that public opinion in Mexico uses certain topics as shortcuts to evaluate the general opinion about the presidency. Maldonado and Schiavon (2014) analysed Mexico, the Americas, and the World Survey and concluded that public opinion, even when uninformed, can create heuristic shortcuts to form opinions on general topics. Although public opinion in Mexico may not dictate government actions, it sets the boundaries of what is possible or impossible to achieve. Schiavon (2006) also identified an increase in the number of domestic actors in Mexico with international concern since 2000.

On the other hand, the democratisation process has allowed civil society organisations to play an important role in shaping public policy. Civil Society organisations, as defined by the Organisation of American States (OAS) as any national or international institution, organisation, or entity made up of natural or juridical persons of a non-governmental nature (OAS, 2023). These organisations are characterised by being a product of free association, serving a public benefit, self-governing, and not distributing profits to owners or stakeholders. Third sector organisations have three main functions: providing services, promoting evidence-based and legitimate policies, and contributing to citizenship and democracy by mobilising citizens.

Several studies have been conducted on how civil society organisations engage with immigration in Mexico, both in protecting Mexican immigrants in the United States and

Mexico itself (Calderon, 2019; Guevara, 2015; Casillas, 2021; Olayo, 2018; Candiz and Belanger, 2018). These studies conclude that third-sector organisations play a fundamental role in the governance of immigration in Mexico, and that the Mexican government relies on these organisations to implement immigration policies for Mexicans in the United States (now coordinated by the Institute of Mexicans in the Exterior) and for migrants residing in Mexico.

There are also studies on how third-sector organisations can influence migration policies. In a recent study by Jeffrey D Pugh (2021) he explains how non governmental organisations in Ecuador serve as intermediaries between the state and migrants to advocate for more inclusive immigration policies. In another study, Gonzalez Murphy (2010) evaluated the influence of third-sector organisations on the National Migration Law in Mexico in her doctoral theses. Her conclusion is that despite having low confidence in the government, these organisations engage in negotiations to leverage their expertise and influence policymaking. Renteria (2011) conducted a study using the incidence model developed by ASHOKA (an American non-profit organisation that promotes social entrepreneurship by connecting and supporting individual social entrepreneurs) to evaluate third-sector organisations in Mexico. His findings indicate that mobilisation and lobbying are the most important assets of non-profit organisations, but their effectiveness depends on organisational capabilities and the networks they establish. According to Evans, Glass and Wallstead (2017), with the ascent of New Public Governance, the strategies of the organisations of civil society are 1) identify issues on the agenda. 2) Develop solutions through research and analysis, and 3) promote solutions through advocacy; however, these

strategies will be more effective in a New Public Governance model than in a Weberian bureaucratic government.

Mexico's engagement in International Organisations

This approach brings the state and its organisations back as actors, focusing on interactions.

There have been numerous studies on the influence of bureaucracies and organisations in the policymaking process. (Wilson 1887; Allison 1971; Ostrom 1973; March and Simon 1958; Crozier 1980). Bureaucrats can affect policymaking through institutions. The institutional approach of immigration theories argues that institutions and organisations can be autonomous and unaffected by public opinion and interest groups.

Evidence exists, especially in low- and middle-income countries (LMIC's) such as Mexico, that policy changes can occur beyond national boundaries. Why did this change occur? Dobbin (2007) explains that changes guided by international organisations can be driven by powerful organisations such as the World Bank and the International Monetary Fund: the accumulation of information, or the promotion of global norms and standards.

Therefore, it is important to understand how international organisations can influence public policy. Three approaches have been proposed from the perspectives of liberalism, realism, and constructivism. According to a study by Jakobi et al. (2009): The governance instruments of international organisations, as seen from the perspectives of liberalism and realism, include the following:

1. Discursive dissemination through the establishment of ideas
2. Creating standards, though the prescription of behaviours
3. Providing incentives through financial means
4. Coordinating activities through evaluations

5. Offering technical assistance through support and training

From a constructivist perspective, international organisations influence policy through norms. Norms and institutions are central concerns in political research. The study of norms is not only related to their meaning and value but also to how norms and institutions (formal and informal) can modify the behaviour of individuals, governments, and countries. Norms and institutions are not the same; norms are standards of appropriate behaviour given a specific identity, limiting choices, and constraining actions (Sikkink and Finnemore, 1998). On the other hand, the definition of institution used in this document, as presented by Nobel laureate in economics, Douglass C. North (1991), refers to humanly devised constraints that structure political, economic, and social interactions. One difference between norms and institutions is that norms emphasise individual behaviours, while institutions encompass structured standards together.

Norms involve standards of appropriate behaviour, and their evaluation is based on the standards set by a community. Power plays a significant role in this definition. Norms can be identified through justifications of actions; actions that go against norms must be justified. Countries that oppose immigration have to justify their stance because the norm is to accept it. Countries that engage in aggression against others must justify their actions, as in the case of the States' invasion of Iraq, because they know that they are violating a norm. Similarly, countries need to justify the inequity of rights between men and women, as they recognise that it is not right.

Norms matter at different levels, as explained by Sikkink and Finnemore (1991).

- a) Legitimizing: Domestic acceptance of international norms is needed for international legitimisation. When domestic problems threaten the legitimacy of the elite, states are more likely to endorse international norms.
- b) Prominence: Domestic norms are more likely candidates for internalisation when they come from high-quality norms or state and international organisations promoting them.
- c) Characteristics of the norm: Certain characteristics of a norm determine its influence, such as its target. Norms that aim for the common good have a higher probability of success. Norms congruent with capitalism and liberalism also tended to succeed. According to Jhon Boli and George Thomas (1999), there are five principles central to world culture that predict the success of a norm: universalism, individualism, voluntaristic authority, rational progress, and world citizenship.
- d) Path Dependence: Norms have more influence when they relate to previously accepted norms. For example, a connection exists between human rights and immigration.
- e) World Time Context: New norms can be sought and created during certain institutional change events. For example, globalisation has led to the creation of norms related to integration and immigration.

Government agendas are shaped by both formal and informal institutions. According to Sikkink and Finnemore, states have objectives beyond their survival and material well-being. Rational calculations matter, but decision making also depends on social and historical contexts. States define ideas and rules about behaviour in international society based on their interests and identity, and they internalise these rules. This agenda permeates various aspects, such as human rights, gender equality, humanitarian intervention, and migration,

among others. Therefore, understanding Mexico's current international stance on migration requires considering the government's agenda as an alternative to cost-benefit analysis in public and political discourse.

Norm diffusion is reflected in policies created by organisations, and policy diffusion mechanisms can be grouped into four categories according to Dobbin et al (2007). These mechanisms are not mutually exclusive and can coexist as follows:

a) Learning: The rational process of adopting best practices from other countries through study, policy meetings, and knowledge transfers. An example in Mexico is the Prospera Program, which was copied from a similar program in Chile that provides conditional transfers to households if they ensure that their children attend school.

b) Coercion: Policy outcomes result from external pressure for change, which can be either soft (e.g., creating a scholarship program for Haitians after the 2008 earthquake) or strong (e.g., the commitments Greece had to make to receive aid from the European Union and the International Monetary Fund).

c) Socialisation: When a policy is adopted by other countries that are seen as modern, reputation becomes the goal rather than policy content. For example, anti-slavery policies at that time.

d) Competition: Payoffs for different policies are influenced by competitor states' actions. For instance, in response to the Canada-United States Free Trade Agreement (CUFTA), Mexico sought a trade treaty with the United States. Canada participated in the North American Free Trade Agreement (NAFTA) to maintain its privileges, which were previously achieved in the Canada – United States Free Trade Agreement of 1986 (CUFTA).

Studies have been conducted in developed countries on how policy diffusion occurs. However, there is a lack of studies on how policy changes occur in Mexico, particularly concerning immigration policies.

On the other hand, Mexico's position in international forums also influences its policy changes, as Mexico actively participates in these discussions. This position is based on internal organisations responsible for managing Mexico's international policy. According to Graham T Allison (1961), international policy is closely linked to organisational capabilities. For example, from this perspective, countries cannot decide to go to war if they do not have a military. Moreover, organisations are dynamic entities that seek to maximise budgets and the importance of gaining power. Therefore, policy decisions ultimately fall under the purview of organisations. Organisations serve as arms of the government, enabling governments to understand problems, receive information, discard alternatives, implement policies, and evaluate results through these dynamic entities.

Mexico's final stance in international organisations depends to a large extent on the national organisations that send representatives to these international organisations. Thus, agreements with value and commitments for Mexico are negotiated by entities that already have predetermined agenda. As Fitzgerald stated, choices made by earlier generations create institutions that shape both policies and ideas for later generations (Fitzgerald 1996;5).

[Putnam double level negotiation theory](#)

As explained earlier, the guiding theory for this PhD is the Kingdon Policy Window and Advocacy Coalition Framework. In each stream, advocacy coalitions employ different strategies to achieve their goals. Sometimes, coalitions have to negotiate an outcome but given the multi level analysis done in this study (national and international level) it would

be useful to engage with some scholarship that provides an overview on the negotiations between different level actors. Putnam's double-level negotiation theory is relevant to describe that process, given that some of the actors are at an international level while others are at a national level. According to the theory proposed in the last chapter, when an event creates a choice opportunity, the convergence of the three agendas can lead to policy selection. However, the challenge with this explanation is that sometimes the coalitions in each stream can be in conflict, particularly between the perspective of the United States and the perspectives of public opinion, the third sector, and international organisations.

To understand the impact of each coalition on the outcome, Putnam's double-negotiation theory was used. This theory explains that there are two levels of negotiation in interactions between different countries. The first level is the national level, where domestic groups seek to achieve their goals by pressuring the government to adopt favourable policies, and politicians seek coalitions among these groups. At the international level, governments aim to satisfy domestic pressures while minimising the adverse consequences of foreign development (Putnam, 1988). This approach is important because it connects the different agendas mentioned in this two-level game. At the domestic level, we find public opinion, civil society organisations, and the norms adopted by Mexico's government based on international organisations. At the international level, we have the desire of the United States' government for cooperation from Mexico in addressing undocumented immigration from Central Americans crossing through Mexico.

According to Putnam (1988), negotiators are the heads of departments or ministries in this two-level model. These negotiators strive to reach an agreement that is acceptable at both levels. The process involves two stages: bargaining between negotiators leading to an

agreement at Level I, and discussions within the constituents to ratify the agreement at Level II. Ratification, as defined by Putnam (1988), encompasses not only a voting procedure at level II but also any type of endorsement needed by level II actors, such as public opinion.

A win set is the set of all possible Level I agreements that would secure the necessary majority among the constituents for ratification. The size of the win set is significant, as larger win sets increase the likelihood of reaching a Level I agreement. Moreover, the size of the Level II win-sets affects the distribution of joint gains.

This study's framework has several implications.

1. The size of the win set depends on the distribution of power and preferences.
 - a. The lower cost of no agreement results in a smaller win set.
 - b. Politicisation often activates groups that are less concerned about the cost of no agreement, thus reducing the effective win set.
2. Trade-offs occur in negotiations, and the concept of linkage is crucial for understanding how politics can become entangled. If Level II opposes a specific policy but is willing to switch votes to obtain something else, a larger win set can be created.

Numerous studies have used the Putnam double-negotiation model to examine different negotiation cases. One critique of this model focuses on how domestic politics shape international agreements (Evans et al., 1993). Thielemann (2002) used this model to explain the changes in immigration asylum policies in Eastern European countries in 1990. He concluded that the institutionalisation of the European Union has provided actors with legitimacy for negotiation, but has also created discourses that influence domestic politics. Corneliu and Manor (2018) found that in the age of technology, governments can manipulate domestic politics and increase domestic support for ratification through social media. The

bottom-up approach has faced criticism because of the capacity of governments to influence domestic wins. Therefore, it is important to focus on discourses employed by governments during negotiation stages.

Other critiques arise from the perspective of the negotiations. Scholars have discovered that win sets can be modified through negotiations at the international level. Conceincao-Heldt (2011) concludes that negotiation strategies shape outcomes. For example, opening negotiations to a non-member state to be part of the European Union modifies the expectations of domestic politics.

Finally, there are other important considerations related to negotiators. Reslow and Vink (2014) examined the implications of the model in European Union negotiations with Western Africa. They concluded that the outcome of negotiations is determined by the costs associated with not reaching an agreement and the autonomy of central decision-makers. In another study, Dluhosch and Ziegler (2011) investigated the effect of negotiators on the outcomes of agreements. They find that weakness, defined as the inability to manoeuvre and dependence on the approval of a third party, can be a source of bargaining strength in international negotiations. In Mexico, this can be observed through the approval ratings of each administration negotiating with the United States, as higher approval ratings provide more autonomy to the executive branch in negotiating agreements.

Based on these theories, the proposed study model is as follows:

1. There has been independent development in the political stream, represented by the relationship between Mexico and the United States. This relationship has been evolving for over 200 years, and there are certain topics, such as those related to U.S.

national security, where the United States has exerted pressure on Mexico. However, negotiations can be conducted in which Mexico's government can obtain some benefits.

2. There has been an independent development in public streams. Mexico's public opinion on immigrants has been changing in recent years, and its democratisation has allowed for the participation and influence of non-governmental and third-sector organisations in implementing and shaping immigration policies. The power of influence in this stream was constrained by the level of openness (venues) of the Mexican government. For example, the government under Calderon (2006 – 2012) was more open than that under Pena Nieto (2007-2018), and the current government under Andres Manuel Lopez Obrador (2019–2024) has adopted a more traditional public administration governance model.
3. There has been independent development in the policy stream, represented by Mexico's commitments and participation in international forums on migration. The power of influence in this stream is related to the assimilation of norms by the Mexican government, the international commitments it signed, and the diffusion of information.

These variables act independently; however, when a focusing event occurs, it creates a choice opportunity where the government pays attention to the topic and needs to select a policy option. If the three streams are not in conflict, the outcome of the policy will be a combination of different streams. However, if there are conflicts among the streams, the outcome of the policy is determined through negotiations.

During negotiations, Mexico's government must apply Putnam's (1988) two-level game strategy. In the case of Mexico, the challenge is that the economic power of the United States can push Mexico to align with its international policies. However, Mexico's government can still influence the outcome of negotiations by employing different tactics to ensure that the negotiated agreement is ratified by domestic public opinion.

Sub Hypotheses

As a summary, the next Given all of these actors, there will be some sub hypothesis that will be tested in the following chapters

H1: Mexico – United States

- A) Mexico is influenced by the economic power of the United States owing to its asymmetric dependency.
- B) The United States only uses its power to influence Mexico on topics related to national security.
- C) The securitization of immigration in the United States will occur when interest groups against immigrations dominate national politics

Alternative hypothesis:

- a) The United States does not influence Mexico's international policy because they are not willing to suffer domestic economic consequences of cutting or restricting trade with Mexico

H2: National public opinion and third sector organisations

- A) Governments with democratic systems can make policy decisions based on public opinion.

B) Mexico is a recent democracy (Lawson, 2000), so politicians decide their agenda based on public opinion and allow third-sector organisations to co-design public policy.

C) Public opinion in Mexico tends to be informed and coherent when a topic is widely covered in news, leading to demands for political action.

H3: Influence of international and national organisations

A) Organisations have knowledge, means, and their own agenda regarding certain topics.

B) Norms diffused by international organisations can influence public policies.

C) International organisations can enhance the capabilities of civil society and the government to improve policies regarding immigrant human rights.

In summary, the model is as follows:

Kingdon theory	Advocacy coalition and Actor Analysis	Core Beliefs	Main strategy	Empowered by:	Power decreased:	Level
Problem Stream	Organisations of Civil Society	Protect rights of immigrants	Create networks	Salience/ public opinion	Centralized government	National
Politics Stream	Government of United States	Protect national security	Economic power	Economy	Negotiations	International
Policy Stream	International Organisations	Promote rights of immigrants	Diffuse norms	Adoption of norms	Centralized government	International

Chapter 5. Methods

Introduction

This chapter will elucidate the various mixed methods utilised to evaluate the implications of the three postulated hypotheses. The initial section endeavours to operationalise the three hypotheses, with the dependent variable being the alteration in Mexico's immigration policies towards Central America and the independent variables comprising the United States agenda, the Public Opinion agenda, and the International Organisations agenda.

The subsequent section explicates the primary techniques employed to collect the primary data. The primary methods utilised are Elite Interviews and Process Tracing, but additional methods, such as legislative analysis, natural language analysis, and document. Analysis, are also implemented.

The following section of the chapter explains the implementation of the recollection of the primary data used for this study and present the challenges faced during the recollection. The fourth section provides an overview of the expectations on the measurement of the data in the three different streams proposed in the theoretical chapter. Finally, some conclusions are provided.

Model

The Mexican agenda-setting related to immigration is represented by the following equation, which proposes that each of the three variables has an effect on immigration agenda setting during a specific time, although the influence of each agenda is different.

$$IM = \beta_1 EU + \beta_2 PO + \beta_3 OR + \text{Constant}$$

Where

- IM: Immigration agenda change
- $\beta_1 EU$ Power of influence of the United States to modify Mexico's agenda

- β 2PO Power of influence of public opinion
- β 3OR Power of influence of Organisations

I have three different hypotheses, and I use Process Tracing to analyse which of the three competing theories has a stronger explanatory power for each of the selected cases. However, I will need to measure the change in each of the three hypotheses over time, for which I will use different mixed methods.

Process tracing

Process tracing was the central method used in this PhD study. Process tracing has two purposes. First, it allows for weighing evidence to make inferences about the likelihood of each of the three proposed explanations for agenda changes in Mexico. Second, it provides insights from the diverse actors involved in the process. Process tracing is a method to trace causal mechanisms using a case study focused empirical analysis of how a process unfolds in an individual case. As mentioned by Evera (1997:83) process tracing enables the exploration of the causal chain of events or the decision-making process by which initial case conditions translate into case outcomes. Variables appear and disappear, modifying the study process.

As argued by Collier (2011), process tracing can contribute in various ways to research, such as identifying novel political and social phenomena and systematically describing them, evaluating prior explanatory theories and assessing new causal claims, and gaining insight into causal mechanisms or providing alternative explanations.

According to Collier (2011), process tracing has two facets.

- a) Description: The foundation of process tracing lies in its description, which analyses trajectories of change and causation, it is crucial to provide a thorough description of each step of the trajectory.
- b) Sequence: Process tracing focuses on the sequences of independent and dependent variables. It is essential to examine the order in which the variables emerge and disappear.

It is important to emphasise the significance of these two facets of the process-tracing model and gather as much information as possible. The lack of information can lead to the failure of the model, akin to non-significance in a quantitative model.

Booth (2011) also highlighted the following components of process tracing:

Conceptual Frameworks: This involves pre-existing knowledge and the initial attempt to operationalise concepts. It explores links and topics that merit analytic attention and presents a counterfactual.

Recurring Empirical Regularities: These established patterns in the relationship between two or more phenomena. It is crucial to identify consistent patterns that have occurred over time.

Theory-I: Building upon recurring regularities, this step connects them more tightly as a set of insights into a particular behaviour or phenomenon. Verified interconnected hypotheses must be sought at this stage.

Theory-II. This type of prior knowledge extends beyond interconnected empirical regularities and includes a set of statements that explain them. The aim is to explain why irregularities occur.

Process tracing and elite interviews

Elite interviews are a widely utilized technique for examining political and financial choices with the input of the decision-makers themselves. In recent years, social scientists have increasingly focused on the significance of the elite in society (Harvey, 2010). This method of interviewing places a greater emphasis on the intimacy between the researcher and the interviewee, given that elites play a crucial role in shaping policies. It is thus essential to gain a comprehensive understanding of the characteristics of these individuals. Furthermore, elite interviews provide unique insights into decision-making processes, and are believed to yield qualitatively richer data than other methods, such as focus groups, as they obtain information directly from the individuals involved in the process (Clark, 1998).

The skill of a social scientist lies in understanding and applying a range of methods and techniques, combining them in a way that respects their compatibilities and incompatibilities (Sayer, 1989, p. 268). According to Tansey (2007), while process-tracing scholarship has focused on gathering information through historical and archival collection, elite interviewing should also be recognised as an appropriate and critical form of data collection.

Recollection of data

To gather empirical information for this PhD analysis, a series of interviews were scheduled to take place from October 2020 to July 2021. However, it should be noted that the COVID-19 emergency necessitated modifications to the fieldwork, and international trips for conducting interviews had to be cancelled. Fortunately, the available technology has allowed me to continue my research. However, this modification required obtaining Ethics Approval from The University of Sydney.

In Australia, research involving human participants is regulated by the National Health and Medical Research Council (NHMRC) under the National Statement on Ethical Conduct in Human Research 2007 updated in 2018. The University of Sydney has a dedicated Committee on Human Ethics that required a new submission for Ethics Approval to change the research methodology from in-person interviews to internet-based interviews (using Zoom).

According to Krouwel and Jolly (2019), in-person and internet-based interviews yield a similar number of words and covered similar topics. However, the number of statements based on a variety of topics was larger for in-person interviews. Nevertheless, they concluded that although in-person interviews were marginally superior in terms of interviewees providing more information, the difference was modest, and time and budget constraints may justify the use of video calls for research purposes.

Saarijavi and Bratt (2021) mentioned that in face-to-face interviews, facial expressions and other nonverbal social cues from the interviewee can provide additional narrative cues to the interviewer. Additionally, physical meetings can create a safe atmosphere. Video interviews, on the other hand, are considered the closest alternative to face-to-face interviews, allowing participants to engage in interviews, regardless of their geographical location. Furthermore, researchers do not need to consider aspects such as travel, distance, or safety. On the downside, while facial expressions can be observed in video interviews, much of the body's language is excluded. Moreover, confidentiality can be at risk in video interviews because there is a possibility that other uninvited individuals are present but not visible, which can influence the discussion of sensitive topics.

Due to the travel restrictions imposed in Australia during the COVID-19 pandemic, it was decided to shift from conducting in-person interviews to internet-based interviews. The difference was marginal, but it allowed me to continue my study. However, this change had some consequences.

- 1) The time difference between Mexico and Australia meant that most of my interviews had to be conducted in the early morning hours in Australia (12:00 – 13:00 in Mexico)
- 2) Some interviewees who had initially agreed to be interviewed were cancelled due to the time it took to obtain new Ethics Approval.
- 3) The process of obtaining new Ethics Approval took approximately nine months.

Interviews were conducted from November 2021 to November 2022. Given the low risk involved in the Elite Interviews, I obtained permission to interview scholars before receiving ethical approval to interview politicians and public administrators. Ethics Approval was granted on 22 June, 2022.

The interviews were semi-structured and modified according to the person being interviewed. According to Mashuri (2022), semi-structured interviews have the advantage of allowing researchers to acquire in-depth information and evidence while providing flexibility and adaptability. Brinkmann (2014), suggests that semi-structured interviews have greater potential for generating knowledge as they allow for follow-up questions on important angles for the interviewee. The interviewed individuals in this study had different levels of involvement in the three selected case studies, so specific questions had to be added or removed from the general interview questions. Three general questionnaires were

created, tailored to the type of person being interviewed: representatives of organisations, public officials, and scholars. The general questions were as follows.

1. What is the position of this organisation regarding immigration from Central Americans to Mexico? Has the organisation previously published its positions in policy papers, white papers, books, magazines, or any public space where this information can be found? Besides providing information, how does the organisation ensure that the Mexican government considers its position when designing immigration policies?

2. How would you describe the relationship between this organisation and the Mexican government? Have there been any disagreements between Mexico's immigration policies and the positions of this organisation? How have these disagreements been resolved?

3. In 2008, the Mexican government passed a law that decriminalised undocumented migration. Before 2008, being an undocumented immigrant was a crime punishable by jail, but now, it is only an administrative offence. What was the position of your organisation on undocumented migration in Mexico at the time? Which documents or public statements were the positions published? Can it be said that the organisation influenced the government to make that decision?

4. In 2010, there was a massacre of 72 immigrants from the Tamaulipas. During that time, this organisation had a very active voice in condemning the incident and calling for an investigation. The organisation also published recommendations on how to treat immigrants. Following this, the government decided to establish a National

Migration Law. How was your organisation's relationship with public officials in the government of Felipe Calderon and with the legislative branch? Were there meetings to discuss the content of the proposed law? How responsive was the government to your organisation's recommendations?

5. In 2014, your organisation started to focus on the issue of unaccompanied children migrants crossing Mexico to reach the United States. [if relevant to the organisation]. The organisation even took a position on this issue and provided international human rights recommendations to the Mexican government. How did the organisation address this topic? After the massacre of 43 students in Ayotzinapa, the government of Enrique Pena Nieto faced significant international pressure to address human rights issues. How responsive was the government to your organisation's recommendations? Were there any forums where the organisation could share its position with public officials?

6. After Mexico released the Plan Frontera Sur (a plan intended to provide aid to Central America while also militarising the southern border), what was your organisation's response? Why do you believe that the government did or did not consider the position of your organisation? Did you provide any further recommendations after the release of the Frontera Sur Plan?

7. During President Andres Manuel Lopez Obrador's campaign from 2017 to 2018, he stated that he respected the human rights of migrants. Did you have any meetings with him to discuss any possible policy design to achieve this?

8. When President Lopez Obrador won the presidency, Mexico faced a problem with migrant caravans, with over 90,000 migrants attempting to cross Mexico to reach the United States. Initially, President Lopez Obrador supported this effort and ordered the opening of Mexico's southern border, but in the middle of 2019, he ordered its closure. He stated that the new plan was to provide aid to Central American countries for their development. All this happened during the negotiations of the New Mexico–Canada–United States Free Trade Agreement. How does this policy relate to the organisation's position? Were there any meetings between the government and representatives of your organisation?

9. In your opinion, what is the importance of this organisation in relation to immigration laws in Mexico?

10. In your opinion, does your organisation influence immigration policy design? If so, how do you extend your agenda within the Mexican government? What tools do you use for this purpose?

During the recruitment process, emails were sent to the interviewees. In the recruitment email, it was mentioned that the interview would be anonymous and the names of the interviewees would not be published in the study. This condition was set by the Ethics Committee because of potential job repercussions for the participants. It also enabled me to gain greater access to the information. Additionally, a final question was added to the questionnaire asking if the participants knew of other individuals who might be interested in participating in this study. This approach helped me to recruit more participants.

Some of the requests for interviews were not accepted; instead, personal communication through email was conducted with permission to only use the information as background information, referring to specific publications, or gaining insights about certain processes. This information was valuable in connecting more individuals involved in the process who were interested in participating in an interview.

As shown in annex 2, in total, 42 interviews were conducted for this study, involving high-level public officials from Mexico and the United States. The participants in these interviews were affiliated with the following organisations. It is important to note that access to interviewees was facilitated with the help of several academics who referred me to interested individuals

[The United States perspective and process tracing](#)

The perspective of the United States and the process of tracing it in relation to immigration is a highly complex topic that goes beyond the scope of this PhD. The main objective is to identify a mechanism through which the influence of the United States can modify Mexico's immigration policy or discourse. It is important to note that this analysis differentiates between governmental discourse (oral and written) and official laws and policies. The discussion is based on the analysis of official documents, government declarations, and interviews, as well as legislative reform policies, international conventions and agreements, immigration laws, and the implementation of regulations and decrees.

It has been previously mentioned that, due to the asymmetric interdependency between Mexico and the United States, the United States government can exert pressure on Mexico using its economic power. However, historically, this pressure has only been applied

when the United States perceives Mexico's international policies as a threat to its national security.

Initially, the impact of pressure groups in modifying immigration policies in the United States became a security challenge. This analysis focuses on the moments when the United States utilises these asymmetries to modify Mexico's immigration policies. Typically, the literature studies these moments through an examination of agendas (Meyers, 2001). Therefore, the approach taken in this study will involve an examination of the discourses and documents presented by United States government to Mexico.

To trace the impact of United States government pressure, interviews will be conducted, and academics' interpretations of the actions taken by the United States will be considered, along with how the actors involved in the process respond to this variable. Document analysis was also conducted through a review of the newspapers using the filters for newspapers related to immigration. The papers used were *El Universal* and *Reforma* because they are national wide newspapers and the ones with more circulation. Additionally, evidence was gathered from Twitter, in specific from the Donald Trump twitter account accessed through Trump Archives in www.thetrumparchive.com

Table 4 Tracing the pressure of United States to Mexico

Conceptual Frameworks	Mexico has aligned some of its international policies with those of the United States
Recurring Empirical Regularities	Mexico has aligned with United States international policies during events such as the Cuban Missile Crises, containment of the proliferation of weapons of mass destruction, revolutions in Central America in the 1990s, the issue of drug trafficking, and the attack on Iraq, among others.
Theory-I	The United States uses its economic power to make Mexico align with its international policies when it is considered a threat to United States security
Theory-II	Interest groups concerned about security will pressure the United States government to make Mexico align with their policies or discourse.

Self elaboration

Public Opinion Perspective and Natural Language Analysis

To study public opinion in the Mexican case, it is crucial to understand that, in the past, public opinion was not a significant variable in predicting policies due to limited information and the presence of an authoritarian government in Mexico. Two different mechanisms can be employed to study public opinion in the proposed cases. The first mechanism involves an analysis of social media.

To conduct the social media analysis, I decided to use a survey called “Mexico, Las Americas y El Mundo”, which has been conducted annually since 2004, to measure public opinion on international politics in Mexico. The survey was administered every two years to the general population and leaders. This will allow me to assess the coherence of public opinion during specific years and examine attitudes towards immigration.

Additionally, I will use interviews with representatives of Third Sector Organisations to understand how they have been received by the government and to determine their influence, if any, on the decision-making process.

Table 5 Tracing public opinion

Conceptual Frameworks	Public opinion modifies policies and discourse in Mexico
Recurring Empirical Regularities	Public opinion has influenced changes in environmental policies, anticorruption policies, electoral policies, budget policies, and infrastructure policies
Theory-I	Public opinion motivates individuals to vote for what they consider important and salient issues, leading representatives running for office to align their policies and discourse with public opinion
Theory-II	The salience of public opinion depends on the availability of information and interest groups concerned with specific topics

Self elaboration

Organisational perspective and Elite Interviews

From an organisational perspective, considering the complexity of Mexico's political system in relation to international politics, three variables need to be considered. First, the executive branch, headed by the Foreign Relations Minister, holds authority over all individuals in the external service who are required to answer to the president. Second, according to the Political Constitution, the Senate has the power to approve or reject international treaties and select ambassadors and consuls from a shortlist provided by the president for different Mexican representations. Third, Mexico has a professionalization school for foreign services known as Matias Romero, which serves as the starting point for most administrative and political employees of Mexican consulates and embassies. Once individuals graduate from Matias Romero, they become part of Mexican Foreign Service.

Therefore, it is important to analyse not only the agenda of international organisations towards Mexico but also Mexico's position and its changes in international forums related to immigration topics from both a political perspective (the Senate and the executive power) and the administrative perspective (the agenda of Matias's Romero). Elite interviews will be conducted with the heads of these different organisations to gather data on the agenda of Central American immigration in the Foreign Relations Secretary, embassies, consulates, international representations, and the Senate. The aim is to understand that institutional factors, rather than public opinion or political perspectives, influence Mexico's institutional position in international forums. Ultimately, Mexico's position in international forums impacts the implementation of immigration policies based on treaties and commitments made by Mexico's representatives.

This study attempts to explain how organisations influence immigration policies in Mexico. To achieve this, the study is divided into two sections. The first section focuses on the human rights perspective of migrants in Mexico, from both international and national standpoints. The second section focuses on the political aspects of Central American migration in Mexico. For this purpose, the Migration Policy Unit and the National Migration Institute were selected to gain insights into the internal perspective of the issue, while the Undersecretariat of Foreign Affairs, dedicated to representing Mexico in Latin America, will provide an international perspective.

The conclusions of this study are as follows:

- a) International human rights organisations have a greater influence than national organisations.
- b) National human rights organisations have made the most efforts to pressure the government
- c) Political organisations have a different stance than policies implemented by the government.
- d) Academic organisations have the least direct influence, but their insights will provide additional information about the influence of organisations.

Table 6 Tracing of international organisations

Conceptual Frameworks	International organisations shape policies and discourse in Mexico
Recurring Empirical Regularities	International organisations have influenced the agenda in areas such as economy, health, human rights, democracy, etc.
Theory-I	International organisations have their own agendas and utilise concentration forums to push their agendas in member countries.
Theory-II	Active participation by a country in international organisations increases the likelihood of the organisation's agenda influencing internal policies.

Self elaboration

In sum, the measurement of the empirical data will be as follows:

		<i>Table 7 Process Tracing Methodology and policy windows streams prediction</i>		
	Actors	Policies are open in Mexico	Policies are closed	Proposed Method
Political stream	United States	When immigration in Mexico is not a threat to the US national Security	When public opinion in the United States pressures the government	Process Tracing and Elite Interviews
Public Stream	Organisations of Civil Society	If the Organisations have access to the government	Only if the social construction of the population is against immigration. When the governance model is more traditional and does not allow participation of Third Sector organisations	Surveys, document analysis and Elite Interviews
Policy Stream	International Organisations	When international organisations pressure/Shame Mexico	Can't predict closed policies	Process Tracing and Elite interview

Chapter 6: The massacre of the 72 immigrants in San Fernando Tamaulipas and the

This chapter delves into the San Fernando Massacre and its impact on the National Migration Law. In 2010, the remains of 72 migrants from Central America were discovered at a ranch in San Fernando, Tamaulipas. The victims were individuals from Honduras (21), El Salvador (14), Guatemala (10), Ecuador (1), Brazil (4), and others who remained unidentified. This event had far-reaching consequences for Mexico's immigration policies. The San Fernando massacre served as a turning point in Mexico's immigration policy, leading to the enactment of the Mexican Migration Law, which will be analysed in this chapter. The subsequent changes in immigration policy have been closely tied to this legislation, making the process of its design, planning, and approval valuable for understanding how immigration policy changes occur in developing countries.

To examine this event, this chapter is divided into six sections. The first section describes how the problem stream was built and how different coalitions tried to influence the problem definition. Subsequently, the chapter narrates the focusing event: the massacre and its aftermath. The next section explores the political stream based on national moods before and after the focusing event, with an emphasis on how different actors cooperated to create a new law. The following section analyses the policy stream and Mexico's role in international organisations' events following the massacre, emphasising the topics discussed and their relationship with the event. This section highlights how international organisations served as a forum for different solutions to

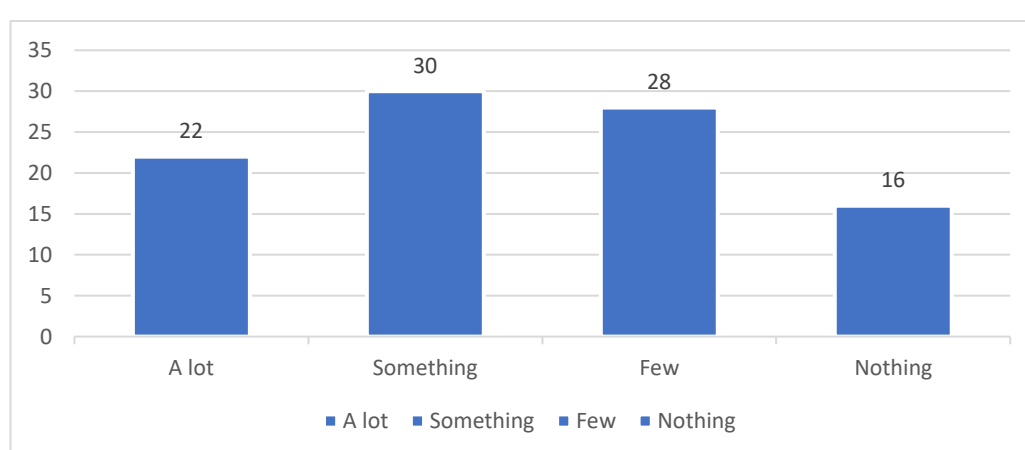
the problem to be heard by the government. Finally, some implications for the theory are discussed.

The analysis in this section will present a description of the different streams (problem, politics, and policy) and identify the different coalitions that had interacted in each of the streams, highlighting the strategies used to gain more power and be able to impose their core ideology in the process.

The Problem Stream in the Pre problem Stage

Kingdon identified the problem stream with how the issue arises as a problem that needs to be solved. In this case study, advocacy coalitions attempt to define the problem before the focusing event. A survey called “Mexico, the Americas, and the World” was conducted by the Centre of Research and Teaching in Economics. The survey provides insights into public opinion on immigration during the 2009-2010 period. The survey results were as follows.

Figure 7 Interest in the relationship between Mexico and other countries



Source: Proper elaboration with data from “Mexico, the Americas, and the World 2011”

The vertical axis represents the percentage of Mexicans who show an interest in Mexico's relationship with other countries. This finding indicates that Mexico demonstrates less interest in its relationship with other countries compared to the rest of Latin America. On an average, 53 per cent of the population in Latin America has a high level of interest in this issue, whereas in Mexico, only 22 per cent share the same level of interest. Additionally, only 3 per cent of the population in Latin America has no interest in this matter, while in Mexico, this number has risen to 16 per cent.

Table 8 Public opinion in Mexico regarding selected topics

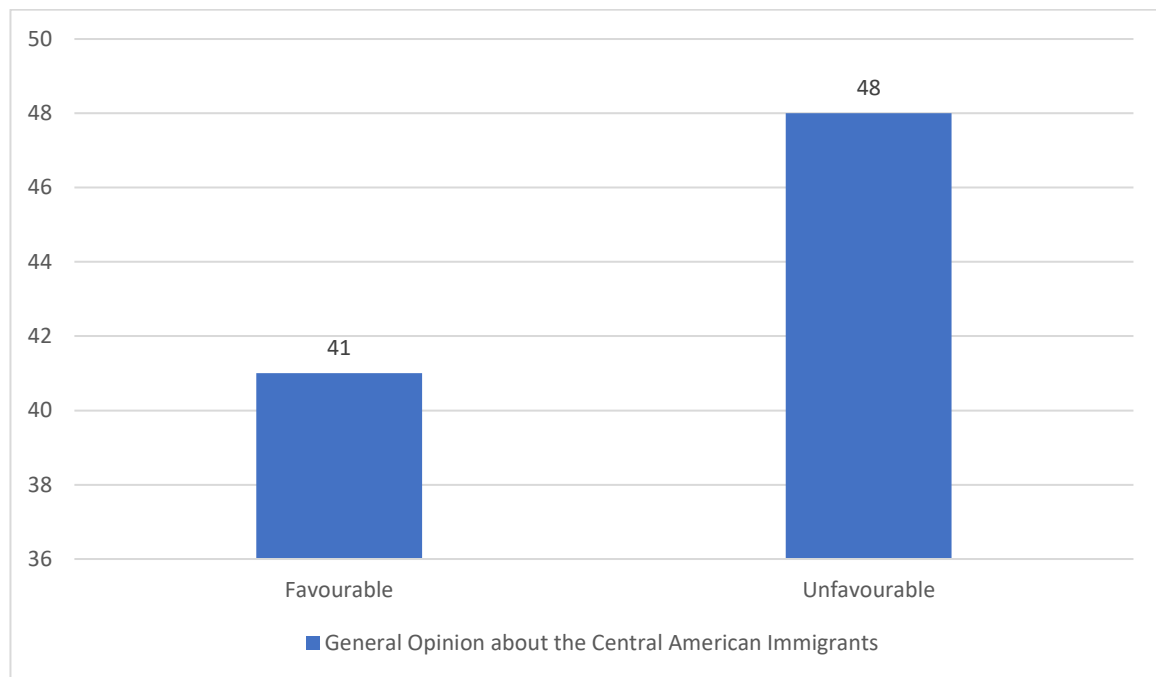
Topic	per cent in favour (said yes)
Would immigrate if you could	40 per cent
The protection to Mexicans abroad should be a priority of the government	76 per cent
Mexicans treat Central American immigrants better compared to how the United States treats Mexicans	70 per cent
Would you agree to allow nationalised immigrants to be elected to Congress	21 per cent
Would you allow nationalised immigrants to play in the National Soccer Team	46 per cent

Source: Proper elaboration of data with "Mexico, the Americas, and the World 2011"

The results of the poll indicate that Mexicans exhibit limited concern for Central American immigrants, and even perceive that the Mexican government treats them better. According to the survey, the government's efforts should instead prioritise Mexicans residing in the United States, as they are perceived to receive worse treatment compared

to Central American immigrants in Mexico. Consequently, the majority of Mexicans oppose granting immigrant status with full rights, including political rights, and disagree with the representation of immigrants in sports.

Figure 8 Opinion about Central American Immigrants



Source: Proper elaboration of data with: Mexico, the Americas, and the World 2011”

As can be observed, Mexicans generally hold a more negative opinion of Central American immigrants than positive ones. Consequently, there may be no significant political repercussions if the Mexican government disregards the immigration problem. For instance:

Table 9: How important are the following topics?

Topics	per cent
Drug trafficking and organised crime	79 per cent
Global warming	77 per cent
Poverty	73 per cent
US immigration policies	51 per cent
Undocumented immigration to Mexico	37 per cent
China as a world superpower	32 per cent

Source: "Mexico, the Americas, and the World 2011"

Organised crime and drugs were ranked as the top concerns for Mexico's public opinion. Central American Immigration, however, was considered relatively unimportant, with only 37 per cent of the population viewing it as a problem. To provide a comparison, China, as a global superpower, which was the least concerning issue in the survey, had a rating of 32 per cent, which was only 5 per cent lower. Consequently, framing the San Fernando Massacre and attributing it to organised crime served as a political incentive for the government, aligning with their central strategy of combatting organised crime and seeking support from the population to do so. As stated in an interview with a scholar:

"There were no political costs for the government regarding their treatment of Central Americans. This is why they can sign international agreements to improve their treatment and subsequently ignore them without facing any consequences. Central American immigration is a topic that is distant from the concerns of the Mexican people, and only those who study or are involved in the issue can form an opinion and take action. This is partly because, unlike other Latin American countries, we do not have large settlements of migrants, especially organised migrants, that can influence public opinion. The nature of the transmigration, where migrants come to Mexico solely to cross into the United States, limits mobilisation. Therefore, the mobilisation that has occurred in Mexico has

primarily been driven by organised civil society that is well-informed about the topic, specifically the Catholic Church” (Interview 2)

As mentioned, in other Latin American countries, migrants have gained access to rights by forming coalitions and networks with host populations, NGOs, and returned immigrant allies (Pugh, 2021). However, the situation in Mexico differs because migrants do not intend to stay there but rather aim to reach the United States. Therefore, there is little incentive to create such a coalition. According to the 2010 National Census, the number of immigrants living in Mexico was less than one million, with approximately 75 per cent coming from the United States.

Table 10 Immigrants living in Mexico 2010

Country	Total immigrants
United States	738,103
Spain	77,069
Colombia	14,610
Venezuela	10,067
Guatemala	8,399

Source: Proper elaboration National Census 2010

As evident, Guatemala had the fifth largest population among foreign countries in Mexico, with only 8,000 inhabitants. This small number is insufficient to establish extensive networks and to provide significant protection in a country with over 115 million people living there in 2010. In contrast to this situation, other Latin American countries have better established immigrant networks. Furthermore, since Central American migrants primarily aim to reach the United States, efforts to network and negotiate with the Mexican government have limited benefits. The migrants prefer to allocate their resources to reach the United States rather than investing in Mexico. Therefore, public opinion does not significantly influence Mexican immigration policy. As mentioned earlier, organised civil society plays a fundamental role in shaping policy design, as will

be presented in the following paragraphs. Nevertheless, it can be concluded in this pre-problem stage that the status quo means the vision of the government in their decision making.

Advocacy in the problem stream

Some groups have tried to change Mexicans' public opinion regarding immigration. In 2009, the National Commission of Human Rights published a Special Report on Aggression against Immigrants, highlighting that migrants had been victims of kidnappings by organised crime. The report criticised the Mexican government for its perceived inaction in addressing this issue. Testimonies from various civil society organisations working with immigrants revealed collusion between Mexican authorities at different levels and criminal groups. Immigrants expressed reluctance to report crimes because of police involvement. The report made twelve specific recommendations to the government, focusing on public security and the National Migration Institute.

“I did not report the kidnap because I saw the police involved, police with white shirts and pants that arrived four or five times; two of them always were there and different ones made roles, always different, the policeman also drank and did coke’ (CNDH. 2009).

The report provided an opportunity for civil society organisations working in immigration to collaborate and raise awareness of these issues. A meeting was held in Mexico City, where representatives from different organisations planned to present the case to an international organisation, such as the Interamerican Commission on Human Rights. This meeting, held on the 22nd March 2010 involved various human rights organisations and government representatives. The meeting helped shed light on the issue of immigration, specifically, human rights violations and insecurity in Mexico.

Although the Mexican government attempted to downplay the issue and question the report's methods, international organisations started to pay greater attention to the topic.

One of the main strategies that can be used by civil society organisations is to use international forums for coalition building, making the issue more visible. In March 22, 2010 there was a meeting attended by more than ten human rights organisations and Mexican government representatives including: Oliver Bush, Director of Interinstitutional Relations in the National Migration Institute; Jose Guevara, Head of the Unit for Promotion and Defense of Human Rights of the Secretary of the Interior; Alejandro Nigrin, Director of Human Rights in the Secretary of Foreign Relations, and Vicente Roquenil, from the Mexican Embassy in the United States.

On the 10th of April 2010 Amnesty International published a report titled "Los Invisibles," further highlighting the multiple human rights violations faced by migrants in Mexico. The report included a documentary series directed by the renowned Mexican actor Gael Garcia, which gained significant media attention. Participants in the documentary, such as Priest Alejandro Solalinde, began receiving more news coverage. The media coverage surrounding the San Fernando Massacre and the subsequent reports by human rights organisations increased the salience of the issues and contributed to public awareness and discourse on immigration in Mexico.

Overall, this chapter aims to examine the implications of the San Fernando Massacre and its role in shaping Mexico's National Migration Law. By analysing the background, reactions, and international response to the event, this study aims to provide valuable insights into the dynamics of immigration policy changes and their impact on developing countries, such as Mexico.

The focusing event: The massacre of the 72 migrants in San Fernando, Tamaulipas.

As mentioned previously, the San Fernando Massacre occurred between 22nd and 23rd of August, 2010, in San Fernando, Tamaulipas. During this tragic event, 72 migrants in transit were murdered brutally. The party responsible for this crime was the notorious criminal drug cartel Los Zetas. The migrants were crossing through San Fernando, Tamaulipas in Mexico on their way to Ciudad Victoria, with the ultimate goal of reaching the United States border. While the kidnapping of migrants had been a well-known issue highlighted in various reports, the news of these 72 victims garnered significant national and international attention due to the magnitude of the event and the increasing public focus on the human rights of Central Americans crossing through Mexico.

The migrants were shot from behind, and their bodies were callously piled up and left exposed into the open air. Among the victims, there were two survivors: one from Ecuador and the other from Honduras. The following pages are based on the accounts provided by both survivors. First, the facts are reported as recounted by the Ecuadorian survivor, Luis, which were obtained from three different testimonies: one given before the National Institute of Migration, another before the National Human Rights Commission, and a third on Ecuadorian television, Gama TV. Subsequently, it is presented the facts based on the Honduran survivors.

According to Luis, the Ecuadorian survivor, the migrants were abducted on a Saturday night, around 10 pm. Eight kidnappers affiliated with the criminal cartel Los Zetas were involved. The coyotes (migrants'smugglers) were allowed to leave, while the migrants were forced into one of the trucks in which they had been travelling. They were taken to a house with no electricity, and their hands were tightly tied behind their backs. The following day, their hands were untied briefly before they were placed on a truck and

transferred to a ranch. At this point, the Zetas asked them if they were willing to work for them, but none of the migrants accepted the offer. On Sunday, they were taken to a different house, where the Zetas informed them that they were going to spend the night. Their hands were tied again, and they were blindfolded. Soon after, they were thrown on the ground and indiscriminately shot at by their captors.

“Migrant: 1: They put us down, I was kneeling, and I heard the bullets here up and down, they were shooting everywhere, a friend of mine was on one side, they were shooting at him, there I felt he was Dead? and then they shot me.

Interviewer: And they shot you and what happened?

Migrant 1. Killed everyone

Interviewer: And then, what happened? How did you save yourself?

Migrant: They kept shooting at others, I pretended that I was already dead so they wouldn't give me more shots and they left from there.”

Please note that the account above is based on the statements provided by the Ecuadorian survivor and focuses on his perspective on the events leading up to the massacre. The subsequent pages present the facts described by the Honduran survivor.

The migrants were divided into two trailers, according to the survivor from Honduras. The coyotes informed them that they would be taken to Reynosa and Tamaulipas, but they were later told about a military checkpoint on the route. Consequently, they were instructed to alight from the trucks and continue their journey on foot. After walking for an hour and twenty minutes, they boarded the truck again and resumed their journey. Within 20 minutes, they were intercepted by a group of

individuals wearing bulletproof vests and armed with AK47-type weapons. These individuals took them to a ranch, where they were given soft drinks and tacos. The group claimed to be affiliated with the Zetas and stated that they were fighting against the Gulf cartel and the army. The migrants were offered jobs with a salary of one thousand dollars per week, with men working as hitmen and women as domestic workers. Only three people accepted the offer: one from Honduras, another from El Salvador, and another from Guatemala. The group checked their bodies for tattoos to ensure that they were not members of the rival gangs.

The remaining people who declined their jobs were put back into trailers parked in front of a house. They were ordered to form a U shape, with the women in front, including a pregnant woman. One of the hit men began shooting at the women, and at that moment, one of the migrants pleaded not to be executed, but was shot anyway.

"At that moment I took off the bandage and slipped into one of the bushes that were approximately four or five meters from the place where I was lying, and the shots were heard again, approximately five. Afterwards, I heard the trailers moving away. Twenty minutes later, I heard that a man got up, I approached him, and I realised that he was bleeding. I told him that I was going to help him to get out of the place."
(Interview of the Honduran migrant to the NCHR, 2011)

The two survivors, the Ecuadorian and the Honduran migrants, then walked towards a distant light. The Ecuadorian had a neck injury from a bullet, and the Honduran was uninjured. When they saw four approaching cars, the Honduran hid in some bushes, while the Ecuadorian continued walking towards the road. They did not meet again. The Honduran waited until dawn and reached a bus stop, where a woman gave him 40 pesos. He took a truck to Matamoros, which took 40 minutes. In Matamoros, he sought

assistance from the Grupo Beta office, an organisation that protects migrants and is administered by the National Migration Institute of Mexico. He shared his story with them, and they requested him to refrain from disclosing it until specialised personnel from the National Migration Institute arrived. He was later transported to Mexico City where he provided his statement.

The Ecuadorian migrant walked throughout the night and encountered two men near a lamppost. He asked for help, but they refused. He noticed the highway and decided to continue walking along it until daylight. At approximately 7am, he encountered a navy convoy and sought assistance. The Navy took him to the hospital and then transported him to Mexico City. Subsequently, the Navy went to the location where the attack by Los Zetas had occurred.

On the 24th of August the Navy issued a press release (216-2010) stating that naval personnel repelled an attack by alleged members of organised crime in the vicinity of San Fernando, Tamaulipas. The press release also mentioned that, after discovering an injured immigrant, the Navy requested support and proceeded to the area where the migrants were killed. They encountered members of the criminal gangs who attempted to flee, resulting in the death of one navy member and three criminals. One criminal was apprehended. The veracity of this information has yet to be confirmed.

Following this incident, the Mexican government began to prioritise this issue. The subsequent pages will explore how the Mexican government reacted through its legislative power and executive powers.

The politics stream

There have been previous attempts to create a Migration Law, but it was the massacre of San Fernando and the increased prominence of the issue that facilitated the discussion of the National Migration Law in the government. According to an interviewee:

“Even though in 2008 there was a reform, there were other attempts to create a law, 55 attempts. These attempts were very few, and no one paid much attention to them. Only us, the people who are related to the topic. There was a professor from an American University who came to and convinced the Senate to do a forum in which I participated. There was some interest in the topic of immigration, but the most important event that made this possible was the massacre”. (Interview 2)

To illustrate this, the following table presents the historical initiatives and Points of Agreement in the legislature during the two legislative periods.

The immigration policy background

Table 11 Topics related to immigration presented during legislative periods.

Topic	Presented
LX Legislative Period (2006/2009)	
Initiative of immigration reform	4
Points of agreement	28
Total	32
LXI Legislative Period (2009-2012)	
Initiative of immigration reform	19
Points of agreement	30
Total	49

Source: Casillas, 2018

The National Migration Law was issued by a decree published on 25 May 2011 in the Official Gazette of the Federation. It continues to serve as a legal framework for immigration policies in Mexico. The objective of the immigration law is to regulate

matters related to the entry and exit of Mexicans and foreigners to the territory of the United Mexican States and the transit and stay of foreigners therein.

In December 2010, the reform project was discussed at the Congress of the Union in Mexico. The political mood was in favour of a change, and representatives of the three The senators who presented this document were Sen. Humberto Andrade Quezada, Sen. Rafael Diaz Ochoa, and Sen. Martha Sosa Govea from the Parliamentary Group of the National Action Party (PAN); Sen. Francisco Herrera Leon, Sen. Carlos Jimenez, and Sen. Antelmo Alvarado Garcia from the Parliamentary Group of the National Revolutionary Party (PRI); and Sen. Jesus Garibay Garcia, Sen. Rosalinda Lopez Hernandez, and Sen. Ruben Velazques Lopez from the Parliamentary Group of the Democratic Revolution Party (PRD). It can be seen that the three political parties agreed on the need for a policy change.

This reform aimed to modify the General Population Law and the proposed refugee law under discussion in Congress at the time. As stated by Congress, the objectives of this reform were:

- a) Strengthen the protection of human rights and the security of national and international migrants in Mexico.
- b) Simplifying and improving procedures for handling migratory processes in Mexico.
- c) Contribution to economic and social development in Mexico.
- d) Provide coherence to Mexico's immigration policy as both a country of origin and recipient of immigration.
- e) Expanding the country's refugee and hospitality capabilities.

f) Enhance the enforcement of immigration authorities for national and public security.

g) Align Mexican law with the international instruments Mexico has signed.

The idea of creating a migration law was first proposed in 2005. In October of that year, public officials, immigration experts, and civil society organisations initiated an effort to consolidate a national migration law. From this convention, a draft text titled “Mexico Against the Migration Phenomena” was created, which received support from different parliamentary groups. In 2008, the Minister of the Interior took up this project again to draft an immigration law, but the effort was unsuccessful (Senate, 2010).

One week after the Tamaulipas Massacre, the Senate took action to create an Immigration Law. On the 3rd of September 2010 Senator Heladio Ramirez proposed the formation of a special commission to consult experts and NGO members (Senate, 2010).

After the events of San Fernando were reported in the media, the Mexican government attempted to downplay the magnitude of the event. Storytelling and framing are powerful tools that can be used by advocacy coalitions (Stone, 1989). Initially, they tried to categorise it as a problem of organised crime rather than a matter of security and rights for immigrants. As mentioned in an interview with a public official:

“The government tried to shift the discourse to an organised crime problem because we needed more financial cooperation from the United States. The Merida Initiative was paused, and the more attention we could draw to the problems of organised crime in international forums, the better” (Interview 5).

This statement aligns with the comments made by Roberto Gil, the Mexican undersecretary of government, who acknowledged the need for greater force and resources to effectively combat organised crime. He emphasised that:

“It is important to note that, under any circumstance, this should not be attributed to the logic of migration control that the government has or to the suggestion that the government is causing massive human rights abuses against people seeking a better future and a different life elsewhere. We must recognise that this event is related to organised crime” (Redaction, 26/08/2010).

During a press conference, Carlos Perez Cuevas, the vice coordinator of the National Action Party in the deputies’ chamber, stated:

“The massacre shows that President Calderon’s war on drugs is working, albeit not as we would like. The massacre is a consequence of organised crime groups becoming desperate and resorting to new methods to install fear in the population.” (El Universal, 26/08/2010).

In his words, this issue was not going to cause a diplomatic problem with any country, and this is why the government has been obligated to continue actions against organised crime since the beginning of the administration.

From another perspective, the executive, through the National Institute of Migration and President Felipe Calderon, also tried to diminish their responsibility for the decision. The Head of the National Migration Institute in Mexico stated, “The responsibility of the massacre in San Fernando falls into the realm of organised crime and arms trafficking” and, “if any responsibilities should be attributed to the Institute, it is not detaining undocumented immigrants” (The Economist, 16/09/2010).

In an interview, it was mentioned that the Head of the National Migration Institute, Cecilia Romero, was a friend of President Calderon, and that was the principal reason behind the decision. The problems occurring within the National Migration Institute, as

documented by various third-sector organisations, included chaotic coordination and a double discourse that aimed to protect migrants; however, in reality, the Institute did little to protect them. The Institute lacked coordination, highlighting the importance of diminishing the responsibility for what happened. Cecilia Romero knew that this event could cost her the job, and ultimately, it did (Interview 2).

Cecilia Romero was aware from the beginning of the potential impact that this event could have if the government acknowledged its responsibility. Consequently, on the 14th of September 2010 she resigned from the National Migration Institute. According to statements, she resigned because the Institute needed to change its perspective to one that placed more emphasis on organised crime, but she was satisfied with the work she had done in the Institute, particularly in transforming immigration issues (El Economista, 16/09/2010).

In terms of the political stream, the focusing event had major implications on politicians' decisions to discuss a new immigration law. This was supported by the three major political parties in the congress. Although the president still wanted to downplay the magnitude of the event, they were also in favour of a policy change. The removal of the head of the Migration Institute was a sign of that.

[Advocacy in the politics stream](#)

During the bicentenary of the Mexican Independence in September 2010, the presidents of Guatemala and Honduras held meetings with President Calderon to address the topic. Both presidents asked the Mexican government to investigate the case and to bring justice to the immigrant families. Specifically, Alvaro Colom, the president of Guatemala, was very mobilised and even received the bodies of the murdered Guatemalan immigrants with honours, in an attempt to improve the public opinion approval of his

government. He used the case as an opportunity to ask for more cooperation from the United States, stating in an interview:

“The Congress [of the United States] has to start recognising that there is no respect for immigrant human rights; they should start with laws that allow family reunification and give legal certainty to the immigrants who already reside there. I think we should arrive at a point where there will be free traffic of persons. There is no police force that can stop the flow of immigrants” (La Jornada 20/09/2010).

On August 26, 2010, the United States government, through its ambassador in Mexico, Carlos Pascual, condemned the event and offered their support. The speaker of the State Department, Philip Crowley, stated that they were aware of the security challenges faced by migrants, especially with the violence generated by the cartels, and emphasised the importance of migration reform in Mexico (El Universal, 26/10/2010).

However, unclassified documents by Migration Declassified, an organisation that organises all the declassified documents from the United States, revealed that four months before the massacre, the U.S. Embassy was already concerned about the total impunity in which organised crime operated in Mexico. According to the diplomatic cable,

“Government of Mexico officials predicting a downturn in violence got it wrong in large part because they did not anticipate the uptick in violence in the northeast as the Zetas took control of plazas there ... The drug trafficking organisations have operated fairly openly and with freedom of movement and operations, with tactics that include roadblocks, the takeover of towns, and bottling up local military units and security forces. In many cases, they operated with near total impunity in the

face of compromised local security forces” (American Embassy in Mexico, 16/04/2010).

The United States government was also aware that President Calderon was concerned about preserving Mexico’s international image. In another leaked diplomatic cable from the Consulate of Matamoros, Tamaulipas, dated March 10, 2010, it was predicted that a major confrontation would occur in the near future, given that Matamoros was a high-value target and the accepted headquarters of the Gulf Cartel, an enemy of Los Zetas (Migration Declassified 2013). Another DEA report from 2009 reported evidence linking the Zetas to Guatemalan soldiers known for their cruelty during the country’s civil war, indicating the Zetas’ ability to conduct activities throughout Mexico.

After the events, more declassified diplomatic cables revealed that the Consulate of Matamoros noted that the government’s attempt to downplay the gravity of the event:

“Tamaulipas officials appear to be trying to downplay both the San Fernando discoveries and the state’s responsibility for them, even though a recent trip to Ciudad Victoria revealed state officials fully cognisant of the hazards of highway travel in this area.” (Migration Declassified 2013).

As seen, the United States government had a lot of information that raised concerns about the security situation in Mexico and the misconduct of the government. However, no evidence of intervention or pressure against the Mexican government has been found. In an interview with a scholar:

“There have been different suspicions on how United States pressure Mexico, but there has been a direct document in which United States demands things from

Mexico. I think that public officials react to the idea on what would be good to enhance cooperation with United States and act accordingly” (Interview 4)

Furthermore, the United States knew that Mexican officials were altering public information. In a declassified diplomatic cable, it was noted that Mexican officials were changing the data: “After San Fernando, more clandestine graves were found with a significant number of immigrants, including one with more than 200 bodies. The Mexican government, in an attempt to contain the situation, started moving bodies from one grave to another”. (Declassified Migration 2014)

As seen, the United States government had access to information that raised concerns about the security situation in Mexico and the questionable practices of the Mexican government. However, no evidence of intervention or pressure against the Mexican government has been found. In an interview with a scholar, it was stated:

“Of course, the United States government had concerns. It is widely known about the killing of a police officer in Arizona by an organised crime group and the killing of an ICE officer in San Luis Potosi. However, specifically during the presidency of Barack Obama, the U.S. government wanted Mexico to create a migration law that aligned with their pro-migration discourse. It would have been beneficial for them to see Mexico better organise the issue” (Interview 9)

“Different from what is happening now with Trump, the United States government had a dual discourse: what they wanted us to do and what they actually did. They could exert pressure on us, as they did in 2014 and now on Twitter, but they also pursued their own methods to manage their affairs, such as the Fast and Furious Operation, and the construction of the wall, among other things” (Interview 3).

As can be seen, the immigration situation in Mexico was a matter of special concern for the United States government, particularly during the presidency of Barack Obama, who had a pro-immigration discourse. This is why there is no evidence of pressure from the U.S. government on Mexico to implement or modify public policy, as discussed in subsequent chapters. However, despite this support, the United States government chose to take independent action to address some of their concerns, even if it meant sending guns to Mexico without the knowledge of the Mexican government and violating Mexico's laws without facing significant repercussions. This indicates that the asymmetric dependency between the two countries is evident, and the United States can exploit it to safeguard its own national interests.

The policy stream:

The policy stream refers to the potential solutions to the problem. According to Kingdon, these solutions come from experts such as academics, international organisations, and technocrats. In this case, international organisations tried to influence changes in public policy by adopting norms and creating institutions. Mexico's commitment to various migration organisation meetings aimed to create more rights for immigrants after the time of the focusing event had major repercussions on the policy adoption. It is important to note that, according to this theory, international institutions can employ several mechanisms to promote policy transfer in the international arena, and shame is one such mechanism (Sikking and Finnemore, 1993). As mentioned in the background of this chapter, before the events of San Fernando, international organisations such as Amnesty International and the International Court helped bring attention to the topic in the problem stream, and the government's response was to try to diminish the narrative of the stories. Additionally, in a document from the United Nations Special Rapporteur for Human Rights of Immigrants in 2009, which was presented to the government, including

the National Migration Institute (NMI), was noted the collusion between members of the Institute, police, and organised crime organisations that occurred in the aftermath of the event (NHRC, 2009).

At this stage, Mexico's government had been very vocal against the immigration laws in Arizona (SB 107) and was planning to use the UN Global Migration Forum to address the topic of increased cooperation and shared responsibility among nations regarding illegal immigration. This was meant to pressure the United States government to provide better treatment to Mexican immigrants. However, the events of San Fernando posed a challenge to the Mexican government's ability to seek support for this cause, which was important for the president as a way to legitimise himself to public opinion in Mexico, particularly with midterm elections approaching. The San Fernando massacre was mentioned in all the forums in which Mexico participated in 2010.

XV Session of Human Rights, (13th of September 2010)

This was the first post-San Fernando International Conference in which Mexico participated. The San Fernando incident was mentioned several times during the forum, including by the High Commissioner, who urged Mexico to better protect human rights (Expansion, 2010). The High Commissioner for Human Rights, Navanethem Pillay, called on Mexico to urgently conduct a thorough, transparent, and independent investigation into the killings, ensure the identification of victims, and provide support to their families to protect their dignity. She emphasised the need to prevent impunity and avoid the repetition of such heinous crimes (Expansion, 2010). Mexican Ambassador Juan Jose Gomez responded by stating that more legislation was needed to address human trafficking through increased international cooperation and long-term solutions. He also

highlighted Mexico's efforts to respect human rights and provide support to immigrants regardless of their documented status (Notimex 27/04/2011).

Ministerial Meeting about Transnational Organised Crime and Security of Immigrants in Mexico (8/10/2010) OIM

This meeting was attended by the governments of Argentina, Belize, Brazil, Canada, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Jamaica, Mexico, Nicaragua, Panama, Peru, and the United States of America. The objective of the meeting was to improve coordination and cooperation against organised crime and crimes against migrants.

The meeting condemned the crimes committed against migrants and expressed condolences to the victims of the events in San Fernando, Tamaulipas. The Mexican government recognised the vulnerability of migrants and committed to ensuring their safety. The ministerial meeting identified 21 strategic measures that Mexico should take to reduce crimes against migrants (GFMC, 2010).

XII Meeting of Head of States and Tuxtla Mechanism of Dialogue (2-5 of November, 2010).

This meeting was attended by the presidents of Colombia, Costa Rica, Guatemala, Honduras, and Mexico; the vice presidents of Nicaragua, Panama, and the Dominican Republic; and the foreign minister of El Salvador. It was held in Cartagena de Indias, Colombia, with the objective of enhancing cooperation and democracy for the well-being of the represented nations. During the meeting, concerns were raised about organised crime and the illegal human trafficking of migrants.

Regarding immigration, the meeting noted the events happening in the United States, particularly the rejection of the Arizona Law (SB 107) approved in 2010. They

condemned the barbaric acts committed by organised crime groups against migrants and acknowledged the commitments made by Mexico at the Ministerial Meeting of Transnational Crime and Security. The joint declaration of the meeting also recognised the need to control gun trafficking for regional security (Mesoamerica Project, 2010).

IV Global Forum of Migration and Development

Mexico hosted this event in Puerto Vallarta on the 8th of November 2010. In preparation for this forum, Mexico's government appointed the Head of the Migration Institute, Cecilia Romero, as the Executive Director. However, following her resignation, the Undersecretary for North America, Julian Ventura Valero, assumed GFMD Chairmanship. It is important to note the relevance of the meeting's preparation, as it served as a precedent for the Global Compact for a Safe, Orderly and Regular Migration, also organised by Mexico in 2018.

As in previous years, the Chair appointed a taskforce of national and international experts, advisors, academics, civil society organisations, and international organisations. Under this guidance, Mexico decided to focus on the topics of partnerships for migration and human development, shared prosperity, and shared responsibility.

The global forum consisted of two different meetings: the civil society meeting, on November 8-9, 2010, and the government meeting on November 10-11 of the same year. The civil society meeting had representatives from 73 different countries. This meeting was organised by the Bancomer Foundation in Mexico, one of the largest private foundations dealing with immigration issues. The government meeting had over 450 delegates from 131 UN Member states and 39 international organisations. One of the most important conclusions of this forum was to establish the foundations for

governments to create an international agreement to combat transnational organised crime that affects migrant populations. Mexico also presented an initiative during the forum to enhance the protection of unaccompanied migrant children. The National Migration Institute, with the assistance of the IOM, UNHCR, and UNICEF, trained over 300 public officials in this regard. Similar training was provided to officials in Guatemala, El Salvador, Honduras, and the Dominican Republic. Mexico offered to provide this training free of charge to other states. This is particularly significant considering Mexico's experience with the unaccompanied minor migrant crisis in 2014.

Regarding the events in San Fernando, the topic was extensively discussed during the forum. Jorge Bustamante, the Special Rapporteur of Migrant Human Rights at the UN, stated:

'We need to hear from the Mexican government something different than just attributing the massacre solely to organised crime, as there are reports from the National Human Rights Commission suggesting the involvement of police forces from various government levels in the kidnapping of migrants'. (Ramos, 2010).

Emilio Alvarez Icaza, the chair of the Civil Society Meeting, also emphasised the importance of addressing the issue and called on the president to explain what happened in San Fernando. He described this as a shameful event that should serve as a wake-up call for the Mexican government and society. He further emphasised that if Mexico wanted to have moral authority in demanding better treatment for Mexican immigrants in the United States, it must first address internal issues such as punishing crimes, combatting corruption among public officials, and creating better policies (W radio, 09/11/2010).

By contrast, Mexican officials referred to the incident as a shared responsibility. During the opening ceremony, Ambassador Julian Ventura acknowledged that 2010 was a challenging year for migrant security and stressed the need to strengthen international cooperation and share responsibilities (Redaccion, 10/11/2010). Jose Francisco Blake Mora, the Minister of the Interior, highlighted that the protection of migrant human rights had been a priority during Felipe Calderon's presidency and was included in the National Development Plan 2007-2012 (PND 2007). He also mentioned that Mexico adopted a new transnational strategy to combat the kidnapping of migrants in early 2010 and would soon introduce a new immigration law.

President Calderon presented the measures and actions taken by the Mexican government to apprehend and punish those responsible for the San Fernando Massacre. He assured the audience that his government had respected human rights and stated:

"The events that occurred in Tamaulipas deeply distress us Mexicans and the world. We deplore the acts, and since we became aware of them, we have acted firmly and resolutely. I can assure you, and the world, that we will pursue the matter to the fullest extent". (Ramos, 10/11/2010).

In response, Edith Zavala, the executive secretary of the National Forum for the Migration in Honduras, criticised the president, saying:

"Those who are familiar with the reality of migrants crossing through Mexico know that things are not as mentioned in this discourse, which may sound pleasant but is far from reality [referring to Calderon's discourse]. In our organisation, we assist people who have been butchered by Los Zetas and

continue to receive women who have been raped, while migration authorities, without any remorse, put them back on a bus' (Martinez, 2010).

In general, Human Rights Advisors, specialists, and representatives of International Organisations who participated in the Civil Society Meeting expressed their disappointment and lamented that the Mexican government's response to issues such as the massacre of the 72 migrants in Tamaulipas was limited to condemnation, with no specific actions to prevent such incidents from happening again (Martinez, 2010).

As can be seen, the president of Mexico was ashamed of the events that occurred in San Fernando. However, the Felipe Calderon government attempted to frame responsibility for the event as a security issue rather than a migration problem. This approach was influenced by two important factors.

a) Mexico's public opinion.

b) The relationship between Mexico and the United States in terms of security. It is also important to note that the Mexican government accepted all recommendations related to immigration made during these forums and announced the establishment of a new immigration law. In an interview with a public official, it stated:

"When they killed the immigrants in Tamaulipas, we were summoned to a meeting with the president, and he expressed his shame and the need for action. People then suggested to the president that agreements should be signed with the governors of the southern states of Mexico and Central American countries. These agreements were signed by the governments of Chiapas, Tabasco, Veracruz, Campeche, and Tamaulipas, and even ministers of the interior of Central America attended. However, nothing happened." (Garduno, 2014).

In another interview, a scholar acknowledged that Mexico entered a stage of “sign everything you can” to improve the country’s external image. However, once the treaties or agreements were signed, the implementation fell short. Although the National Migration Law was already implemented, it did not necessarily lead to better protection of migrants’ human rights (Interview 2). Evident shame was apparent within the Mexican government, prompting them to accept the need for policy and legislative solutions to address this problem. The mechanisms employed by international organisations, such as high-level dialogues that evoke shame, can facilitate policy transfer. However, as explored in the next chapter, there are other spheres of influence through international organisations which can impact public policy in Mexico.

[Advocacy in the policy stream](#)

In the theoretical framework chapter, it was mentioned that the success of Civil Society in influencing policy outcomes depends on the political regime in which they operate. Mexico’s transition to a more democratic and open government provided the Organised Civil Society (OCS) with more opportunities to influence and co-govern. However, as of 2010, this transition was still ongoing, and numerous obstacles remained. Several forums were conducted in which the OCS participated along with the government.

Forum: The role of OCS and NGOs in the migration problem

One such forum was organised in November 2011 with the objective of discussing the opinions of OCS, NGOs, and academia regarding the forthcoming Migration Law that was to be presented to the Senate a week later. The forum took place at the Mexican College and involved the participation of three senate commissions: legislative studies, population, and government, as well as three academics and representatives from the OCS and NGOs. According to an interview with an attendee:

“There was a final forum in November held in the Mexican College (COLMEX), which invited three academics, including myself, and representatives from OCS. Due to the National Election, the senators from various parties did not attend because they had conventions with their political parties in Cancun and other places. They delegated negotiation responsibility to the Technical Secretaries of the three involved commissions. This turned out to be helpful because it allowed OCS and academics to negotiate changes that ultimately had to be approved.”
(Interview 8)

The participation of the Organised Civil Society focused on analysing the final proposal of the Senate and understanding its position in the new law. According to the same interviewee,

“We provided a lot of feedback on the proposed law, some of which was well-received by political parties, while others were not. At one point, the president of a commission from the National Action Party acknowledged that the initiative had several problems. However, they ultimately had to vote in favour of something because attempting to make significant changes would have led to a major debate and no progress during the legislative period. Nonetheless, they offered a compromise by ensuring that the new legislative period would include an evaluation of the law’s implementation, which was not well-advanced considering it took two years to develop the regulatory documents.” (interview 8)

It is important to note that the academics invited to this session were part of a group called the Consultive Group of the Migration Policy. After the regulation of the National Migration Law, it was institutionalised through a reform on the 26 of October 2010 creating two separate councils: the Consultive Council of Migration Policy, attached to the

Migration Policy Unit of the Secretary of the Interior, and the Citizen Council of the National Migration Institute. The latter is entirely composed of members from Civil Society and possesses the following attributes:

1. Provide opinions on the execution of the migration policy.
2. Formulate specific proposals to be presented to the Consultative Council of Migration Policy. (created in 2012)
3. Propose cooperative actions between Civil Society and the National Migration Institute.
4. Propose alliances and coordination among various entities of OCS, academia, local governments, and other relevant actors. (NMI, 2022).

It is worth noting that the San Fernando massacre also brought attention to different OCS that previously had little visibility in the media. According to an interview with the head of a migrant's house,

“The Mexican government knew that an event like San Fernando could happen. Some organisations, although not many due to security concerns, began documenting the violence against immigrants in the field and disseminating that information. Unfortunately, it was not until San Fernando that we had the opportunity to present more information about these events in the forums. The massacre elevated the topic to a political discussion that hadn't occurred before.”
(Interview 10)

In another interview, the following were mentioned:

“Our influence over public policy is minimal. Every time there is an event against immigrants, we try to disseminate the information, usually through our networks.

We share information, issue statements, and take a position, but it is often situational. Sometimes, the media seek us to present our perspectives, and while we may not directly influence public policy, we can elicit reactions from public officials. The San Fernando Massacre provided a significant platform for OCS to garner response from the federal government” (Interview 1)

Priest Alejandro Solalinde, the coordinator of the Pastoral for Human Mobility in the South Pacific, has documented human rights violations since 2000. He has become a prominent figure in the human rights debate and, as mentioned earlier, was even featured in short films produced by Amnesty International in 2010. Alejandro Solalinde stated that Mexico had become a cemetery for migrants, with authorities evading accountability. For years, they have been informing the government about the collusion and corruption between the police and organised crime. In an interview, he shared the following:

“The other day, I spoke with a child who witnessed how organised crime killed his father. Before killing him, they asked why he was shouting if no one would hear him, and if someone did hear him, they would be on their side. The father shouted for his child to run, but they beheaded him with a machete in front of him. The child was able to escape and seek help. The police apprehended the criminals, but the leader escaped with the complicity of the authorities”. “These cases are documented and occur more frequently than we hear, and we share that information”. (El Economista, 2014).

In another interview with the leader of one of the most important Migration Centres, the following was mentioned:

“I believe that the impact of San Fernando was evident, and this specific event had a significant effect because we had the opportunity to present the case to the Interamerican Commission on Human Rights just months before the massacre. Following that, we began receiving funding and support from international organisations, such as the Washington Office on Latin America (WOLA) and others. For instance, we have collaborated on projects with the International Organisation for Migration (OIM) and the United Nations High Commissioner for Refugees (UNCHR)’ (interview 10).

The Policy outcome: The National Migration Law

After the project was approved by the Deputy Chamber in December 2010, it was presented to the Senate on the 9th of December. Three commissions, namely the Population and Development, Legislative Studies, and Government Commissions, which were tasked with disseminating the project. Following meetings with members of the Third Sector Organisations, the project was presented to the plenary. According to Senate’s regulations, any project must be presented twice in the plenary before it can be voted. As mentioned in the OCS section, there were many concerns about the immigration proposal.

According to the Senate’s Diary of Debates, the debate began with a proposal to suspend the discussion of the project. In Ricardo Moreal’s words in the plenary:

“These days, even though this comes from a formal plural group, in recent days various citizens, NGOs, and specialists in migration issues have approached some legislators to participate in the debate on the modifications that we are trying to make today”. (Gaceta Senado)

Specifically, the OCS was concerned that the new project would enable the Federal Police to act as agents of the United States in monitoring and searching for migrants attempting to cross the border. There were several articles that the OCS aimed to modify in the project, but specifically, they focused on Article 26, Sections I and III, and Article 121, which outlined sanctions for immigrants and individuals assisting immigrants.

The Secretary of Public Security, through the Federal Police, has the following attributes (National Public Security Law, 2009)

I Collaborate with the National Migration Institute, when requested, to oversee the entry and exit of people from the national territory through any means of transportation.

III Conduct migration inspections at locations other than international transit points.

In an interview with one of the participants in the Senate and Third Sector Organisation forums, they stated:

“After the meeting we had, there were still ongoing negotiations. Each organisation had its own political party contacts, so they faced the pressure of timing and pressure from an organised society. Even Priest Solalinde decided to camp in front of the Senate and refused to move until the Law included some of the revised changes” (Interview 8)

During the legislative debate on Thursday, 24 February Senator Humberto Andrade Quezada initiated the discussion by mentioning that Article 26 outlined how the Federal Police would assist the National Migration Institute. After discussions with the OCS, they decided to remove not only Sections I and III, but also Article 26. Senator Francisco Herrera Leon also highlighted that Article 151 was modified to avoid excluding sanctions for individuals offering jobs to immigrants.

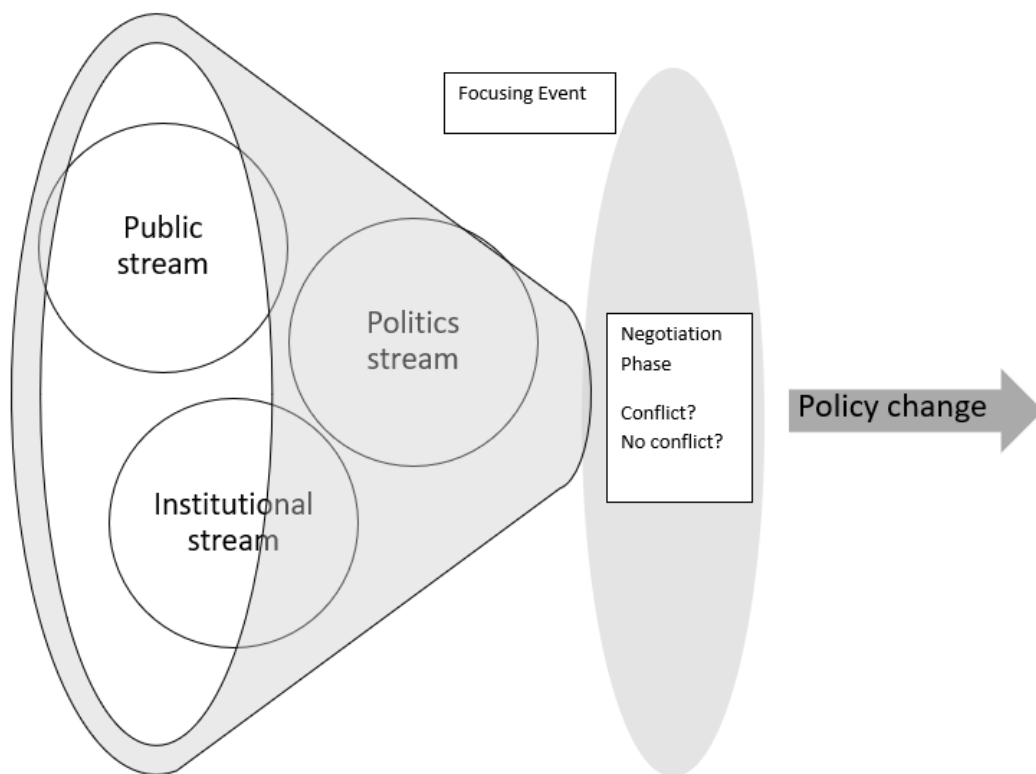
The complete articles that were eliminated were the following, which proves that civil society organisations were the most important advocacy coalitions in the definition of the law.

Table 12 Articles deleted in the National Migration Law proposal

Article	Content
Article 26	The attributions of Federal Police in migration administration
Article 94	The National Migration Institute will receive and administer denounces against migrants for administrative violations to this law
Article 97	The Authorities who have under their command local or federal public force organisations will collaborate with the Institute exercising their attributions
Article 151	The institute, after a migration verification, identifies migrants who can't prove their migration status, will sanction the employer with a penalty equivalent to 500 - 1000 days of minimum salary

Discussion

As outlined in Chapter 3's theoretical section, the Kingdon Policy Window model is utilized to understand the modifications made to immigration policies in Mexico. This model comprises three separate and autonomous streams that culminate in decision-making during a focusing event or choice opportunity. In order to examine this particular case, a model has been proposed. The theory necessitates demonstrating that each of the variables under investigation developed independently of one another and analysing the types of difficulties and solutions presented by each variable.



In each stream, we can identify the actors that played an important role in the general definition of the problem, solution, and politics.

The present text is examined in a comprehensive manner at two separate levels, focusing on public opinion and the role of civil society organisations. With regard to public opinion, as outlined in the relevant section, the study demonstrates that national sentiments towards Central American immigrants were consistent and stable throughout the entire period covered by this study chapter. However, a significant shift was observed in the engagement of civil society organisations. During the initial phase before the core problem was fully recognised (Downs, 1972), these organisations worked diligently to increase the visibility of the issue at hand. It is crucial to acknowledge the pivotal role played by this advocacy coalition in shaping the narrative around the problem, transforming it into a discourse centred on human rights, in opposition to the official government stance. This evolution contradicts the prediction of the conventional Kingdon model, showing that the issue did not progress independently. Rather, it was shaped by the collaborative efforts of various coalitions with distinct objectives and perspectives, which influenced the stream's development.

The publication of the Special Report by the National Commission of Human Rights in 2009, with the invaluable support and collaboration of civil society organisations, played a pivotal and transformative role in advancing the cause of human rights. Noteworthy policy entrepreneurs, including prominent figures like the Shelter Brothers, the Pro-human Rights Centre, and dedicated representatives from migrant shelters, collectively spearheaded the formation of a coalition known as the Organisations of Civil Society. This coalition, fuelled by a collective commitment to justice, fearlessly brought forth compelling cases of human rights violations suffered by Central American immigrants to the esteemed platform of the International Court of Human Rights.

The advocacy coalition faced formidable opposition from the government coalition led by the authoritative head of the National Migration Institute in a heated debate over the characterisation of the underlying issue as either primarily security-related or fundamentally rooted in human rights concerns. Despite these challenges, the unwavering dedication and determination of the Organisations of Civil Society illustrated a profound sense of solidarity and resilience, steadfastly standing against the backdrop of adversity to champion the cause of marginalised communities and uphold the sanctity of human rights at its core.

The violation of human rights has gained significant prominence on the global stage, as international organisations embraced the cause and actively promoted it through a variety of media, including documents, reports, and documentaries. This increased visibility and attention created a crucial environment that paved the way for the tragic events of the Massacre of San Fernando to emerge as a pivotal moment (Kingdon 1984). Civil society organisations employ a range of effective strategies to influence public policy in innovative ways, such as engaging in high-level dialogues, involving government officials, raising awareness about critical issues, and collecting and distributing vital data. In the case study, it is clear that civil society organisations played an active role in shaping and refining immigration laws. By acting as policy entrepreneurs, advocacy groups within these organisations implemented diverse tactics to effectively frame and tackle the pressing issue of human rights violations.

Expanding on the initial strategy that leveraged high-level dialogue to garner attention from international forums, the approach succeeded in bringing the immigration issue to the forefront and compelling public officials to respond to the growing concerns. This proactive stance taken by advocates not only prompted officials to be on the

defensive but also triggered a significant shift in how immigration was perceived. The tragic incident of the San Fernando Massacre served as a turning point, galvanising the conversation around immigration to focus more on the fundamental aspect of human rights. This shift was not incidental but rather a deliberate tactic employed by policy actors who understood the power of framing and storytelling in shaping policy outcomes (Stone, 1997). By utilising media such as documentaries, civil society policy entrepreneurs fundamentally altered the narrative surrounding migration, transforming it from a criminal issue to one rooted in the broader context of human dignity and rights. As this narrative gained traction, other strategic moves were set in motion by these policy entrepreneurs, illustrating the impact of concerted efforts in reshaping policymaking discourse towards a more humane and rights-based approach.

Consistent with the inclusion of government officials and civil society representatives, civil society organisations have created advocacy coalition networks (Sabatier, 1988) in the early stages of the issue. During the discovery phase (Downs, 1978), the policy entrepreneurs were invited by international organisations to discuss and present their knowledge in high-level forums. This aligns with the participation and diffusion strategies, but also puts the Civil Society organisations not only in the problem stage, but also in the policy stage. For example, the Global Migration and Development Forum, organised by the UN, provided an opportunity for third-sector organisations to present ideas, criticise the government's policies, and present their knowledge. The number of national forums in which civil society participated increased after the San Fernando Massacre, enabling direct discussions with the national government during the deliberation of immigration law. Furthermore, the data gathered by civil society organisations proved instrumental in providing the Mexican government with additional

information to modify the policy before its publication, as seen in the case of Articles 26, 94, 97, and 151.

In terms of the policy stream, international organisations play a role in modifying policies through various mechanisms such as discourse, creation of standards, incentives, coordination, and technical assistance (Jakobi, 2009). Additionally, policies, conceptualised as norms, can be transferred through the socialisation of norms (Sikkink and Finnemore, 1998) and the pressure that norms can exert (Keck and Sikkink, 1992), based on factors such as legitimacy, prominence, characteristics, path dependence, and context. In particular, shaming is an important mechanism for policy transfer, but it requires pressure from both grassroots and high-level actors to bring about changes in policies related to human rights (Keck and Sikkink 1992).

In this case study, international organisations acted in line with the theory, but it was the advocacy coalition framework created with the members of civil society organisations that allowed the strategies of international organisations to succeed. In terms of discourse, during the pre-discovery stage, the UN already had a forum for discussing immigration issues: the Global Migration and Development Forum. However, the discourse on human rights was enriched by the participation of civil society organisations, which was organised as an official event of the GMDF forum for the first time after the San Fernando Massacre in 2010. It is also worth noting that, consistent with coordination and technical assistance, the International Organisation for Migration (IOM) provided various mechanisms for the Mexican government to utilise through the Ministerial Meeting about Transnational Organised Crime and Security of Immigrants in Mexico (8/10/2010). Lastly, the mention of the San Fernando Massacre in all the forums in which the Mexican government participated demonstrates that international

organisations were monitoring the standards on which immigration policy was implemented in Mexico.

In terms of norms, the most important characteristic is path dependence. As mentioned in the Introduction, the 2007 UN report on human rights in Mexico influenced the National Population Law, which initially included jail sanctions for immigrants. However, this was later changed to a more open policy that only imposed economic sanctions on immigration. According to Lindblom (1959), incrementalism explains that policy changes tend to be more successful when built upon existing policies. As mentioned by Ostrom (2005), rules are established on top of another set of rules that define how initial rules can be changed. In 2008, during the pre-discovery stage, international organisations were shamed, creating conditions for the establishment of rules that could be modified to create the immigration law, based on Mexico's commitments in the international forums, as described by Sikkink and Keck (1992) in the prescriptive phase. It is also important to note that Mexico was one of the countries that requested the UN General Assembly to create a specific forum for migration.

The GMDF facilitated the socialisation of norms by allowing governments to interact with third-sector organisations without the usual restraints. This process can lead to the socialisation of norms through cooperation between the government and this sector. Additionally, cooperation between international organisations and civil society was fostered in the GMDF, which exerted top-down and bottom-up pressure on the Mexican government. This pressure first led the President of Mexico to address the issue, then reassured international meetings that the government would create a new immigration law, and finally ensured the participation of civil society policy entrepreneurs in the law's discussion.

Regarding the political stream, it represents the factors that politicians, including the president, had to consider when creating a policy change. As discussed in the theoretical section, a major constraint on Mexico's immigration policy is pressure from the United States government. As mentioned earlier, the U.S. government only influences Mexico's international policy only when it relates to domestic security issues (Schiavon, 2006). Although the U.S. government was planning to introduce a migration reform, the negotiation of the immigration law in Mexico was aligned with President Obama's interests.

However, there were other political repercussions to the Mexican government. Prior to the focusing event, security was already a salient issue in Mexican public opinion, negatively affecting the president's approval ratings. After the focusing event, the president attempted to advance his agenda by framing the issue as a security matter rather than a human rights issue. This framing was used to negotiate increased cooperation with the U.S. government on the subject, as seen in the first international forums attended by the Mexican delegation after the event. Due to societal mobilisation and its influence on public opinion, the president had to address the immigration issue.

After conducting this analysis, the negotiation stage of the policy did not encounter any conflicts between the different streams presented. This resulted in a policy that was widely accepted by various groups involved in the process. Even when there were disagreements among third sector organisations regarding specific articles, they were eventually modified to accommodate the organisations involved.

Theoretical discussion

This chapter was analysed using Multiple Stream Analysis. Using this approach, the chapter can analyse in detail the different moments that influenced the decision-making of the government. These findings demonstrate that the model can be applied to the immigration policy in Mexico to explain the agenda setting and adoption process, even when it is not a developed country where the policy was intended to be analysed in its original work.

The analysis in this chapter also demonstrates that the model is sufficiently flexible to be adapted to other theories to gain more insights into the process. For example, some level of adaptation was necessary to include how the evolution of streams occurred. This was aligned with the Advocacy Coalition Framework and the different strategies that the actors can use. For Kingdon, policy entrepreneurs exist and use strategies to couple the different streams when an opportunity window is open; for Sabatier (1987), the change will be explained when elements outside the system modify the power, beliefs, or strategies of the fighting coalitions, and then a policy change can occur.

In this case, it was demonstrated that the acknowledgement of different interests provides explanatory value to Kingdon's explanation. In the case analysed, the current government, specifically the executive branch, acted as an opposing coalition to civil society organisations that wanted to maintain the status quo. Through different strategies, such as networking and venue shopping, civil society organisations were able not just to open the opportunity window, but also to affect the interests of the executive branch to be able to adopt a new immigration policy.

One important topic that was not clearly discussed and would require a major refinement of the theory to be able to be applied in countries like Mexico is the role of public opinion in the problem definition. It is clear that in other more democratic countries, public opinion guides the decision-making of the government, but in countries like Latin Americans, this is not always the truth. This was demonstrated on two different occasions: 1) after the topic gained salience, the government still defended the status quo and kept using strategies to define the problem as security; and 2) the polls of the attitudes of Mexicans towards Central Americans did not change significantly after the focusing event. It could be said that the political stream, the adoption of the problem definition by some politicians in the chamber of deputies, allowed the problem to continue its path to be discussed and modified. It is not clear whether the model has a form to operationalise.

Conclusions:

This chapter analysed the San Fernando Massacre and the National Migration Law through the lenses of the multiple streams approach and the policy window presented by Kingdon (1984). It was argued that, given the policy window, the government should consider three different streams to modify immigration policy: the policy stream, public stream, and politics stream.

The first section of the document presented the background of the focusing event, which Downs (1974) referred to as the pre problem stage. It provided the positions of civil society organisations, international organisations, and the Mexican government regarding immigration policies, particularly human rights violations. The second section described the events of the San Fernando Massacre. The third section focused on the problem discovery stage of international organisations, with an emphasis on the various forums in which the Mexican government participated, particularly the Global Forum of Migration and Development, which included civil society organisations. The fourth section presented the perspective of civil society organisations. The fifth section examined international responses, with a particular emphasis on the United States government. The sixth section explored the negotiation of the National Migration Law, and finally, the last section analysed the empirical findings in light of the theory.

Regarding international organisations, it can be concluded that their mechanisms for influencing policymaking in Mexico are weak unless accompanied by domestic pressure from public opinion and civil society organisations. The creation of advocacy frameworks allowed civil society and international organisations to gain influence. Despite international organisations using their tools to disseminate information to the Mexican government, the political consequences of immigration were not evident, and

the government simply denied the information. Following the events of San Fernando, the international organisations had more opportunities to influence the government through shaming. Additionally, the political context allowed international organisations to have more influence, as the Mexican government hosted the GFMD and intended to use the forum to address the issue of Mexican immigrants in United States. However, the GFMD ultimately did not occur.

Regarding civil society organisations, it can be concluded that their relationship with international organisations allowed them to gain more prominence in the discussion of the immigration law. Prior to the issue gaining prominence, the government did not respond to the claims of civil society organisations. However, with the involvement of international organisations, the government responded to these claims. After the issue gained salience, the government invited civil society organisations to participate in the discussion and negotiation of the immigration law, giving them a significant role.

In this specific case, the pressure from the United States' government is not evident or, at least, not antagonistic to the positions of the other two streams. In the next chapter, which focuses on unaccompanied minor migrants and the Southern Border Program, there will be a direct antagonistic position, allowing for further analysis on the implications of those positions on the outcome of the policy. As a general conclusion of this chapter, when international organisations and civil society organisations create advocacy coalition frameworks, and the United States government does not link immigration to a security issue, immigration policies can be modified to include more human rights for Central Americans.

Chapter 7: The unaccompanied minors' crises and the Southern Border Plan

The current chapter describes the unaccompanied minor crisis and its implications for Mexico's migration policy, specifically the Southern Border Plan. As noted in the previous chapter, President Felipe Calderon's government in Mexico created the first legislative text that focused on the rights of undocumented migrants crossing the country. The new law prioritised the protection of human rights. However, three years after its promulgation, Mexico faced an international crisis involving unaccompanied migrants crossing its territory to reach the United States. The Mexican response differed significantly from the focus on protecting the human rights of migrants; instead, it emphasised the militarisation of the southern border. This chapter analyses the conditions under which this new security-focused approach was implemented. Unlike the Migration Law discussed in Chapter 6, which was highly influenced by the Civil Society Organisations, the Southern Border Plan was implemented against the demands of these groups and primarily centred on detaining Central American immigrants.

The document is divided into different sections. The first section provides the background of the unaccompanied minor crisis with an emphasis on the Migration Special Program, which was the guiding policy negotiated after the National Migration Law was enacted. Section two describes the unaccompanied minor crisis and the reactions of the United States government, with a particular focus on its response to Mexico. Section three presents the Southern Border Program and the consequences of its implementation in Mexico. Section four discusses Mexico's participation in International Organisation Forums following the implementation of the Southern Border Plan. Section five examines the implications of the empirical analysis of immigration policy theory. The chapter concludes that conflicts exist between the demands of the United States government and international organisations, as well

as the civil society perspective. Putnam's theory of the double negotiation model is used to explain how the policy outcome was achieved.

This chapter demonstrates that after the Migration Law of 2011, which was influenced by the Civil Society Organisations (OCS), the new Mexican government maintained a close relationship with these OCS in designing and implementing immigration policies. However, unlike the events of 2010 (the San Fernando Massacre), when an increase in the detention of unaccompanied migrant children occurred, the United States government framed the problem as a security issue and used various mechanisms to influence Mexico's migration policy. This led to a centralised design and implementation of the policy and externalisation of the United States' border to Mexico's southern border. Nevertheless, public opinion forced the Mexican government to adopt a dual discourse on immigration. On the one hand, the implementation of the Southern Border Plan violated human rights, but on the other hand, the government made commitments to protect the human rights of migrants through the Law for the Children and Adolescents of 2014 and the adoption of Agenda 2030 for Sustainable Development Goals in 2015. These commitments included mechanisms to improve immigration and led Mexico to organise the Global Compact for a Safe, Orderly and Regular Migration of 2018. It should be noted that, in contrast to Chapter 6, this chapter has different stages during different years; therefore, the streams will be presented in chronological order. The following timeline is presented to assist with the analysis.

Table 13 Timeline of events during the unaccompanied minor crises	
Year	Event
24 May 2011	National Migration Law is published
1 Dec 2012	Inauguration of Enrique Peña Nieto as President of Mexico
30 April 2014	The Special Migration Program is published
April – July 2014	Increase in unaccompanied minor migrants detained in US
18 June 2014	Phone Call between Barack Obama and Enrique Peña Nieto
7 July 2014	Southern Border Plan is Published
26 September 2014	Ayotzinapa Massacre
4 December 2014	Law for the Children and Adolescents in Mexico
6 January 2015	Meeting between Barack Obama and Enrique Peña Nieto
January–September 2015	Negotiation and adoption of the 2030 agenda

The policy stream during the pre problem stage

In 2012, the presidential elections were held in Mexico. The candidates included Enrique Peña Nieto from the Institutional Revolutionary Party, Andres Manuel López Obrador from the Party of the Democratic Revolution, and Josefina Vázquez Mota from the National Action Party. In July 2012, Enrique Peña Nieto emerged as the winner and served as the president from December 2012 to December 2018.

The political landscape highlighted the importance of political will among actors in addressing a country's issues (Kingdon, 1984). During the campaigns, the primary topics of discussion revolved around addressing the escalating drug trafficking and violence that had occurred during the previous six-year period. These issues not only impacted the lives of Mexicans but also had significant implications for migrants, including Central Americans (NDP 2013-2018). Consequently, the issue of human rights and migration was incorporated into the National Development Plan, which serves as a guiding document for the presidential agenda. Chapter 5, specifically strategies 5.4.1, 5.4.4, and 5.4.5, outlines several lines of action to address these concerns. This can be clearly observed in textbox 6.2.

Table 14 National Development Plan, 2013

Strategy 5.4.1 Safeguard the interests of Mexicans abroad and protect the rights of foreigners in national territory.
Strategy 5.4.4. Design institutional and multi sector coordination mechanisms for the design, implementation, monitoring, and evaluation of public policy on migration.
Strategy 5.4.5 Guarantee the rights of migrants, asylum seekers, refugees, and beneficiaries of complementary protection.

From the beginning, the new president's government dedicated a substantial portion of its plan (half a chapter out of five) to the issue of immigration, placing significant emphasis on the need to protect the human rights of migrants. The Mexican government began implementing policy changes following the San Fernando Massacre, which marked the start of a new era in immigration policy as the government acknowledged immigration to Mexico as a pressing issue. From 2011 to 2014, the Mexican government introduced policies aimed at protecting immigrants, including the Migration Law in 2011, the Law for Refugees and Complementary Protection in 2012, and the Population Law reform in 2011. Institutional changes were also made, such as the reform of the internal rules of the Secretary of the Interior, which allocated the Migration Policy Unit to the Undersecretary of Migration, Population and Religious Matters. This Unit was responsible for proposing a migration policy, coordinating with various stakeholders, training public servants in policy implementation, and proposing and reporting actions to protect migrants, among other responsibilities.

Several specific initiatives were created by the Pena Nieto government. In June 2013, a meeting was held in Tapachula, on the southern border, involving the Interior Secretary,

Defense Secretary, Navy Secretary, the National Security Centre, and the governors of the states of Campeche, Quintana Roo, Tabasco, and Veracruz. During this meeting, a commitment was made to formally register every individual crossing the southern border and coordinate efforts with the governments of Guatemala and Belize. This initiative was known as the Southern Development Plan'. In November 2013, the Border Zone Support Program was established, providing more resources and infrastructure to border states, including the modernisation of the Customs Agency. This modernisation effort involved the construction of control facilities on key highways in Chiapas. With the support of \$14 million from the United States, a database of legal border crossers was created and integrated into the national public security network. It was implemented at 47 different points across the regions of Chiapas, Veracruz, Quintana Roo and Tabasco. In 2014, the government announced the creation of the Migration Intelligence Centre, which aimed to enhance the efficiency of the National Migration Institute's work.

In April 2014, the Safe Passage Program was initiated, providing border identification cards to visitors from Guatemala and Belize free of charge. Additionally, in 2014 the government began implementing checkpoints and belt controls involving security, migration, investigation, and customs officials. According to the interviews,

“The Pena Nieto government aimed to continue institutional change to protect immigrants. They sought to de-emphasise the security agenda and believed that achieving this goal would require greater protection and rights to immigrants. Therefore, they maintained a close relationship with Civil Society Organisations (OSCs) and academia through what was known as the Special Migration Program” (Interview 12).

In another interview, it was mentioned that:

President Pena Nieto aimed to project a progressive image on an international stage. Numerous articles in international magazines heralded the beginning of the “Mexican Miracle”, and it was believed that protecting immigrants, especially after the San Fernando incident, would contribute to a positive perception abroad (Interview 13).

In terms of public stream, the Special Migration Program played a pivotal role in the pre-discovery stage, preceding the issue of unaccompanied minor migrants. This program involved the Migration Policy Unit and representatives from 259 Civil Society Organisations working together to design the migration policy to be implemented by the Pena Nieto government. This programme entailed extensive consultations among various stakeholders and recognised the need for a comprehensive, intersectoral, and interinstitutional approach to Mexico’s migration policy.

“Two international consultation forums were held and the process involved an in-depth analysis of the current immigrant situation in Mexico. Although the program was acknowledged to have some imperfections, there was a consensus that it represented significant progress. It is also noteworthy that five strategies in the National Development Plan were devoted to immigration-related issues” (Interview 14).

“Sometimes changes in public policy can be attributed to the individuals in charge. It was a wise decision to appoint Ernesto Rodriguez as the head of the Migration Policy Unit to coordinate the efforts of the Special Migration Plan. I credit him and his personal beliefs and agenda for drawing attention to the issue” (Interview 3).

This not only demonstrates the alignment between the political stream and the public stream but also underscores the importance of policy entrepreneurs and the influence of advocacy coalition frameworks in the design and implementation of public policies. The specific objectives of the Special Migration Plan were as follows:

1. Promote a culture of legality with a focus on human rights and the value of migration.
2. Incorporate the migration issue into local and regional development strategies.
3. Strengthening immigration management based on international responsibility, border security, and human security.
4. Assist in the integration and reintegration processes of migrants and their families.
5. Enhance access to justice and security for migrant individuals, their families, and defenders of human rights.

In an interview with a representative of a Human Rights organisation, it was mentioned that:

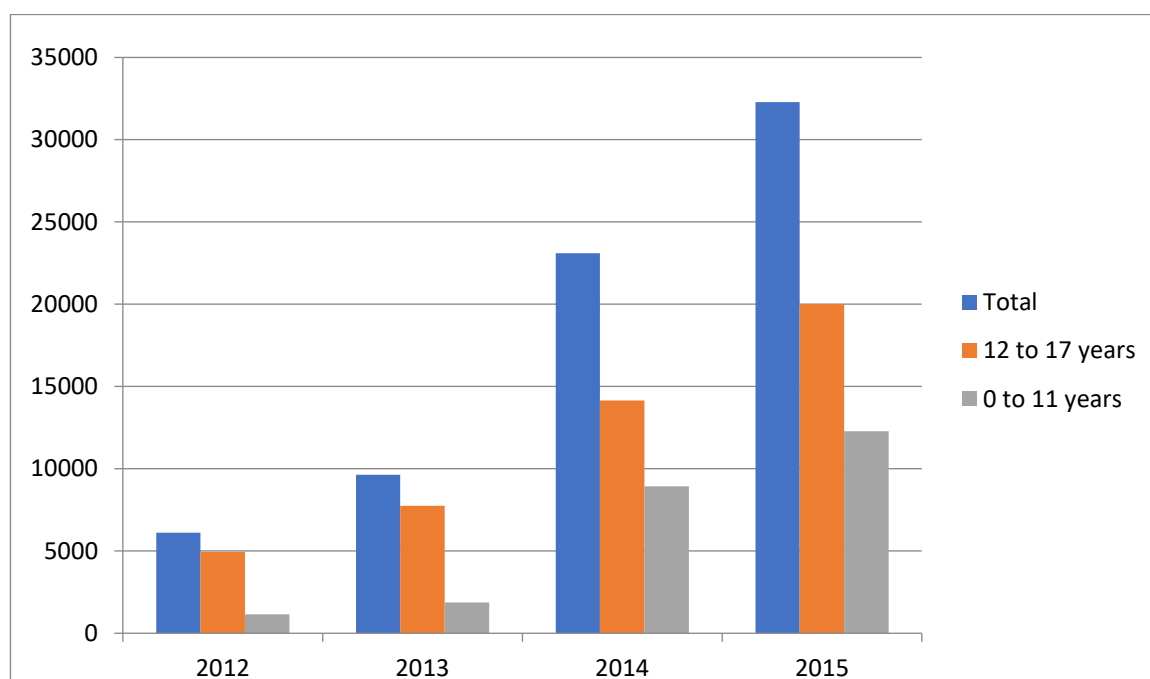
“We were aware that the program was highly ambitious, with over fifty lines of action to be implemented through different programs. It was essential that it had more than 11 indicators to measure its success. At that time, we appreciated the government’s efforts to maintain a good relationship with organisations and took our advice into account (Interview 15)”.

The Special Migration Program was approved and published on 30 April 2014 and was intended to serve as a guiding document for the implementation of migration policy in Mexico.

The unaccompanied minor crisis: The Focusing Event

Within the flow of migrants in Mexican territory, minors under the age of 18 constitute a group of special concern due to their vulnerability, particularly when they are not accompanied by a responsible adult. The number of underage migrants in Mexico has been on the rise since 2010, with the most significant increase occurring between January and September 2014.

Figure 9 Comparative of underage presented to the Immigration Authority 2012 to 2015



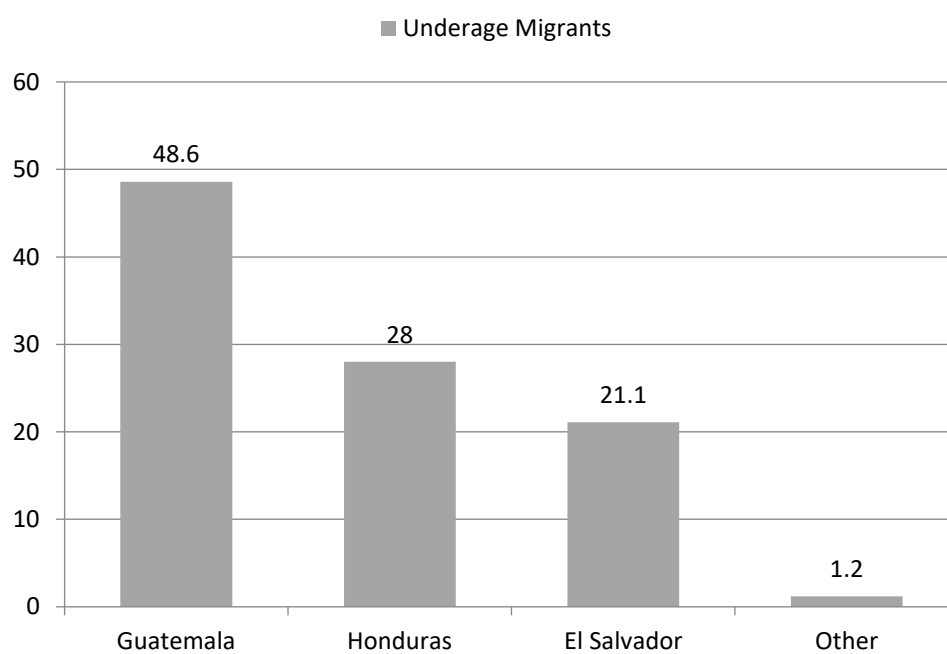
Source: Available data of unaccompanied minors from the Migration Policy Unit, 2018

As can be observed, there was a significant increase (239 per cent) in the number of unaccompanied minors apprehended by the immigration authority from 2013 to 2014. However, the highest peak was reached in 2015, showing an increase of 335 per cent compared with 2013. Moreover, there is a greater proportional increase among children aged 0–11 years than among those aged 12–17 years. In summary, not only does the magnitude of undocumented minor migration grow, but the vulnerability of these children also increases if we consider youth as a factor of vulnerability.

Among the countries comprising regional flow, Guatemala, Honduras, and El Salvador accounted for 97.6 per cent of the total number of migrant minors encountered by immigration authorities in 2015. In that year, the flow from Guatemala represented almost 50 per cent of

the total, making a significant shift, as Honduras represented the largest proportion, with 42 per cent of the flow in 2014.

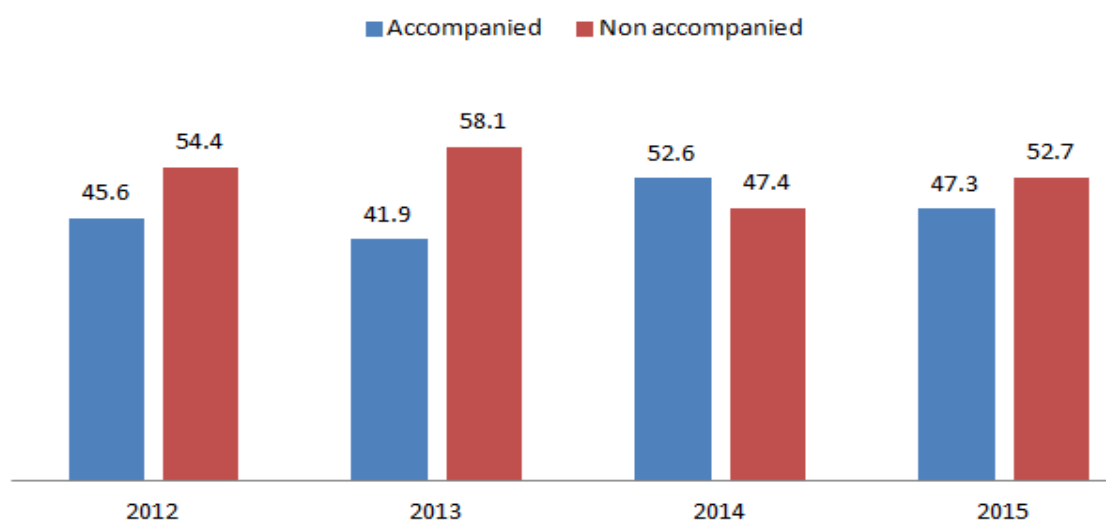
Figure 10 Net influx of underage migrants to Mexico by country of origin



Source: proper elaboration with data of the Migration Policy Unit, 2018

As mentioned, when children travel as unaccompanied minors, meaning, without an adult responsible for them, it increases the vulnerability of the issue. It is therefore important to determine how many minors among the total migrant population fall into this category. The table below presents the data for years 2012 to 2015.

Figure 11 Accompanied vs Unaccompanied Minor Migrants in Mexico by year, 2012-2015



Source: Proper elaboration with data of the Migration Policy Unit, 2018

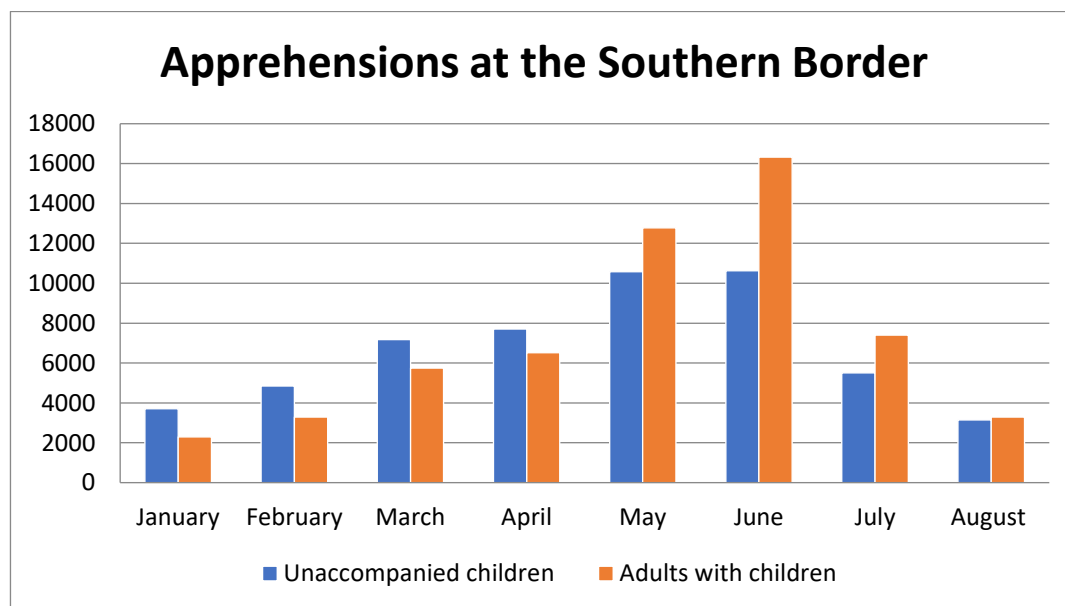
In conclusion, the migration of minors crossing Mexican territory from Central America has increased significantly since 2012. Moreover, the issue of accompanied versus unaccompanied minors adds to the significance of this problem. This is why reactions to this issue in Mexico and the United States have garnered substantial attention. The following sections describe the contexts experienced by the respective countries during this period.

The Politics Stream: the influence of United States

There was a notable shift in the demographics of apprehensions that drew the attention of US authorities in the United States. While most arrests in recent decades involved unaccompanied adults, the waves in 2014 witnessed a significant increase in minors without accompanying adults. This surge, particularly during the months of May and June 2014, prompted media coverage of the situation (Chrishti, 2014). The media's impact on the United States also had political ramifications, as public opinion reflected growing concerns about border management. Despite President Obama's request for additional funding to address this crisis, Congress denied permission.

According to data from the State Department, minors' apprehensions in 2014 exhibited the following trends:

Figure 12 Apprehensions at the Southern Border of the United States, 2014



Source: Proper elaboration with data from the Home Land Security 2014

<https://www.dhs.gov/news/2014/09/08/statement-secretary-johnson-about-situation-along-southwest-border>

As can be observed, although an increase in unaccompanied minors had been noticed since February, it was not until May that actions began to be taken to address the phenomenon. The initial response involved declaring national Threat Level IV and allocating additional funds to the Department of Homeland Security, as well as Customs and Border Protection. Consequently, thousands of troops were deployed by this department to the border patrol in order to manage the rise in apprehensions (Christi, 2014)

In June, the Vice President visited Central America to meet with the leaders of Guatemala, Honduras, and El Salvador, aiming to coordinate a joint response to the situation. In July, President Obama also held a meeting with the presidents of the countries involved. In Mexico, a telephone agreement was reached on the 18th of June 2014. According to the official statement, the discussion focused on developing a coordinated policy to address the influx of unaccompanied minor migrants from Central America crossing through Mexico. During this call, Pena Nieto announced a policy to enhance border control in the southern region. The presidents also exchanged ideas on how the United States, Mexico, and Central American leaders could collaborate to improve the conditions that drive migration (Obama Archives, 2014).

According to interviews with academics, public officials, and representatives of Civil Society Organisations, it was mentioned that the United States exerted pressure on Mexico to alter its policy towards Central American migrants. However, one interview offered a different perspective on this issue:

“During the period of increased immigration through Mexico, the government wasn’t particularly concerned about capturing the migrants. There were no political costs associated with allowing them to reach the border. This changed once United States

strengthened border control, and they started accumulating in the border cities. That's when it became politically costly.” (Interview 16)

In another interview, it was mentioned that

“At first, no one cared to pay attention to the unaccompanied migrants. It was evident that a lot of corruption was involved, as they were allowed to cross. The agents of the National Migration Centre simply never anticipated that it would become an international problem and allowed them to cross” (Interview 16).

However, in the third interview, the following were stated:

“It was a diplomatic agreement to cooperate with the United States. At the negotiating table, there were different outcomes that benefited the Mexican government: increased funding in the Merida Initiative, support for Mexicans applying for the DACA program, and the recognition of the Matricula Consular’ (interview 17).

Because of the diplomatic pressure exerted by the United States government, Mexico's government created the Southern Border Plan on 7 July 2014 just two months after the publication of the Special Migration Program. The Southern Border Plan was implemented through an executive order, without any discussions taking place in the Mexican Congress.

“We made multiple requests through the Transparency Portal for the analysis and diagnostic documents that supported this plan. We made numerous requests for different government agencies in 2014 and 2015. Ultimately, they were unable to provide us with any documents. The National Migration Institute formally responded, stating that documents were not found. Later, the Secretary of the Interior publicly announced that the documents do not exist” (Interview 14).

This contradicts the statement made by the United States Embassy in Mexico, in which stated,

“We applaud yesterday’s announcement by Mexican President Enrique Peña Nieto regarding Mexico’s strategy for its southern border. The Mexican government has been working on this strategy for more than a year and has routinely briefed the U.S. government on Mexico’s objectives”. (Dibble, 2014).

Furthermore, in an interview with Sergio Alcocer, Undersecretary of North America in the Secretary of Foreign Affairs, he mentioned that the United States did not pressure Mexico’s government to implement the Southern Border Program (Siempre, 2014). Evidently, there is a contradiction between what was said and the actions taken. Less than three weeks after the phone call with President Obama, the Mexican government designed the Southern Border Plan. However, there is no existing documentation regarding preparation before implementing this plan prior to Obama and Peña Nieto’s presidential phone call. Additionally, the government already had a plan in the Special Migration Program to implement the immigration policy and had allocated resources for the negotiation and planning of this special program. It is not rational to create within three weeks unless there was something specific to gain. As mentioned in an interview:

“For the Mexican government and public opinion, immigration of Mexicans to the United States is much more important than that of Central Americans. Central American immigration concerns are related to two things: a) protection of human rights, and b) the influence of the United States on Mexico’s own policy” (interview 18).

As will be explained in the next sections, the plan contradicted the existing policies implemented by Mexico and the government’s political discourse on human rights, which were emphasised in the Immigration Law and subsequent institutional reforms. The plan also centralised the implementation and design of immigration policies under the federal government once again. As mentioned by members of the Consultative Citizen Council of the

Immigration Policy Unit, the government narrowed down the discussion of the problem to “police and criminals” by focusing on the detention and deportation of immigrants, while neglecting the defence of human rights for immigrants, especially minors (Reforma, 2015).

Just one day after President Pena Nieto announced the Southern Border Plan, President Obama requested emergency funding from the Senate to address the issue of unaccompanied minors arriving at the southern border of the United States. In the following two days, Thomas A. Shannon, Counsellor of the United States Department of State, presented to the Senate to support the president’s request (Olson, 2017). In his statement, they requested \$86 million to assist in the implementation of the Southern Border Program through the Office of the Drug Enforcement Administration. It is important to note that the economic aid to Mexico also came under Pilar III of the Merida Initiative, which aims to create a 21st Century Border (an initiative aimed at cooperating in the war against drugs in Mexico) (Olson, 2017). This allocation of resources from the United States framed immigration as a security issue.

The State Department contributed \$32 million to equipment and training in 2014. In terms of equipment, intrusive inspection devices were placed in the kiosks along the southern border. The Department of Défense provided training and equipment to the armed forces in Mexico, including helicopters, speed boats, communication towers to improve the information flow between migration agents, and maritime sensors. The National Police in Mexico also received funds to combat crime and migrant exploitation, whereas the state police of Chiapas and Tabasco received training in the United States (Leutert 2019).

During the first year of implementing the Southern Border Plan, on the 6th of January 2015 there was a meeting between Mexico’s President Enrique Pena Nieto and the United States government, represented by Barack Obama, at the White House. During this meeting, Obama praised Mexico’s efforts to address the issue of unaccompanied children, which surged

during summer. He attributed this progress to the Mexican government's strong efforts at the southern border. However, he emphasised the need for continued close collaboration with Central American governments to address the economic challenges that led to the increase in unaccompanied migrant children (Obama Archives, 2015).

It is important to note that during this conference, Obama also commended Mexico's commitment to his executive orders to provide mechanisms to prevent the separation of families who had been in the United States for a long time. This is significant for Mexican communities since the United States is the most important destination for Mexican immigrants and addressing it can help the president improve his approval ratings. During the conference, Mexico's president also stated that while a large population would benefit from Obama's executive orders, the majority of those affected would be Mexican citizens.

The problem stream: public opinion

According to Kingdon, the problem stream is not only the definition of the problem, but also includes surveys, statistics, discourses that try to influence the population. According to a survey that asked the positive or negative of the attitudes of Mexicans against Central Americans:

Table 15 Attitudes of Mexicans towards Central American migrants

National	Year	Very Favourable	Some favourable	Very Unfavourable	NA	Total
	2016	8	45	11	8	100
	2014	9	47	12	10	100
	2012	9	49	11	6	100
	2010	11	49	9	9	100

Source: Self elaboration with data of Mexico, the Americas and the World (2016)

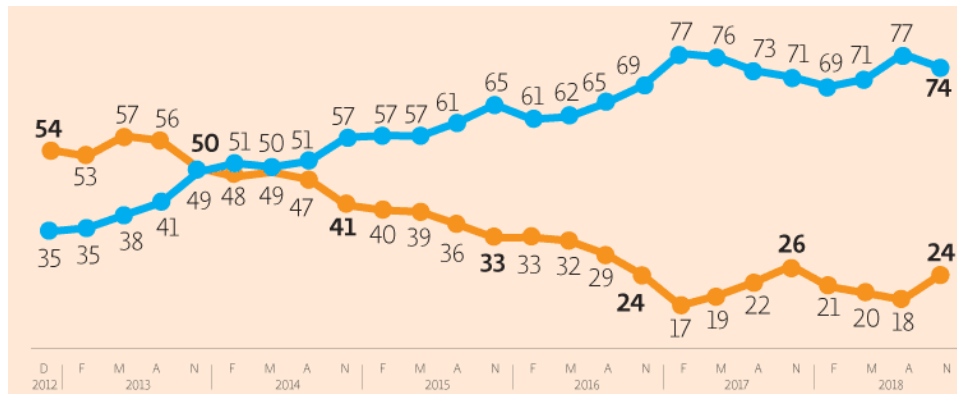
In terms of public opinion, according to the survey, Mexico, the Americas and The World in Table 15, Mexican public opinion had a favourable view of Central American immigrants. Before the crisis of unaccompanied minors, the percentage of favourable opinions was 56 per

cent, and after the crisis, it decreased to 53 per cent. This change was not statistically significant. However, it should be mentioned that in 2016, there was a peak in unfavourable opinions at 39 per cent, compared to 34 per cent in 2014, 36 per cent in 2012, and 31 per cent in 2010.

One strategy that actors can use to influence public opinion is to attach problems together. On September 26, 2014, a tragic event took place in Iguala, Guerrero. Forty-three students from the Ayotzinapa rural normalista school were kidnapped and disappeared by organised crime in collaboration with the police. This case has not been thoroughly investigated, but it is presumed that the students were intercepted by the police while on their way to Iguala and handed over to the Guerreros Unidos cartel. The cartel subsequently murdered the students and cremated their bodies.

This event caused a significant shift in public opinion in Mexico, turning it against the president. Despite the government's efforts to improve Mexico's image globally, this event exposed the persistent issues of human rights violations and corruption in the country. It revealed to the public that the state was oppressive and indifferent to human rights violations, and that politicians were not adequately addressing these problems (Herrera, 2014). The government's development plan had to be put on hold as the focus shifted to addressing security concerns. Consequently, two orders were issued in the presidential office: a) to avoid any recommendations from the human rights organisations at all costs (due to the events in Iguala), and b) to try to regain public support by being more responsive to their demands (Interview 20). The Southern Border Plan was implemented in this context.

Figure 13 Approval of President Enrique Peña Nieto by quarter



Source: The Economist 2018, President Peña Nieto finished the mandate with 24 per cent approval retrieved from : [Sexenio de Peña Nieto cierra con una aprobación de 24 per cent \(eleconomista.com.mx\)](http://eleconomista.com.mx)

As can be seen, President Peña Nieto's approval ratings declined following the events of Ayotzinapa. The demands of public opinion for increased security led the government to justify the deployment of military forces, including those deployed in the Southern Border. Simultaneously, according to Putnam's theory, negotiators can create better win-win outcomes by making trade-offs during negotiations. In this case, the protection of human rights for the Mexican population was not considered a top priority, while security took precedence.

The Outcome: The Southern Border Plan (Plan Frontera Sur) of 2014

According to CAIMFS (2014), the main objective of the Southern Border Plan was to strengthen surveillance and control of migration flows from the southern border. However, there were certain strategies in direct conflict with the framing of migration policies as human rights outlined in the Special Migration Program that preceded the focusing event.

“Strategy 1: Build strong and effective interagency coordination between the Secretaries”. The coordination among these secretaries was initially intended to be through the Special Migration Program, but now it was shifted to the Southern Border Program, which was under the control of the General Attorney, Secretary of Public Security, the Centre for Intelligence, the Secretary of Foreign Affairs, and state governments. Notably, the Secretary of the Interior, where the Undersecretary of Population, Migration, and Human Rights is located, was not included in this coordination.

“Strategy 2: Provide a plan for effective control of migrant flows, particularly in the southern border, in areas where nature restricts state policing.” This strategy represented a shift from the more open policies outlined in the Special Migration Program, which focused on the treatment and protection of human rights rather than the control of migration flows. Control of the flows involved the deployment of agents, police, and military forces in the southern states of Mexico.

“Strategy 3: Enact a coordinated immigration policy: interagency intelligence collaboration (domestically and transnationally); information exchange; unification, and official information dissemination; prevention, relief, and rescue of migrants; joint (US-Mexico) inspections and surveillance; joint operations” While these actions were already included in the Special Migration Program, they were originally intended to be carried out with the assistance of Civil Society Organisations, which were not included in this plan.

The implementation of the Southern Border Plan included the following:

a) Roadblocks, checkpoints, and infrastructure. More than 100 mobile highway checkpoints were established as part of this plan.

b) Use of military force: The Navy and Federal Police collaborated to combat crime and contain immigrants, resulting in increased apprehensions of Central American immigrants. Between October 2014 and April 2015, more Central Americans were apprehended in Mexico than in the United States (Isaacson, 2014). The plan also allocated resources to strengthen the military presence at the border to prevent migrants from boarding the La Bestia train bound for the United States. Additionally, intelligence resources were increased to target organised crime groups involved in human trafficking.

c) Temporary visitor card: A temporary visitor card was introduced, granting permission to stay for 72 hours in the states of Campeche, Chiapas, Quintana Roo and Tabasco. By 10 October, 2014, over 88,000 permits had been issued. However, there are reports of abuses where police confiscated these permits and even arrested Mexican volunteers for assisting in immigration shelters (Arriola, 2017).

In an interview, it was mentioned that

“It was a direct hit to everything that we had worked for. The Special Migration Program was relegated and it never received a budget to be implemented. The immigration policy, instead of becoming a strategy based on human rights, was changed into this plan designed to hard stop migration” (Interview 19)

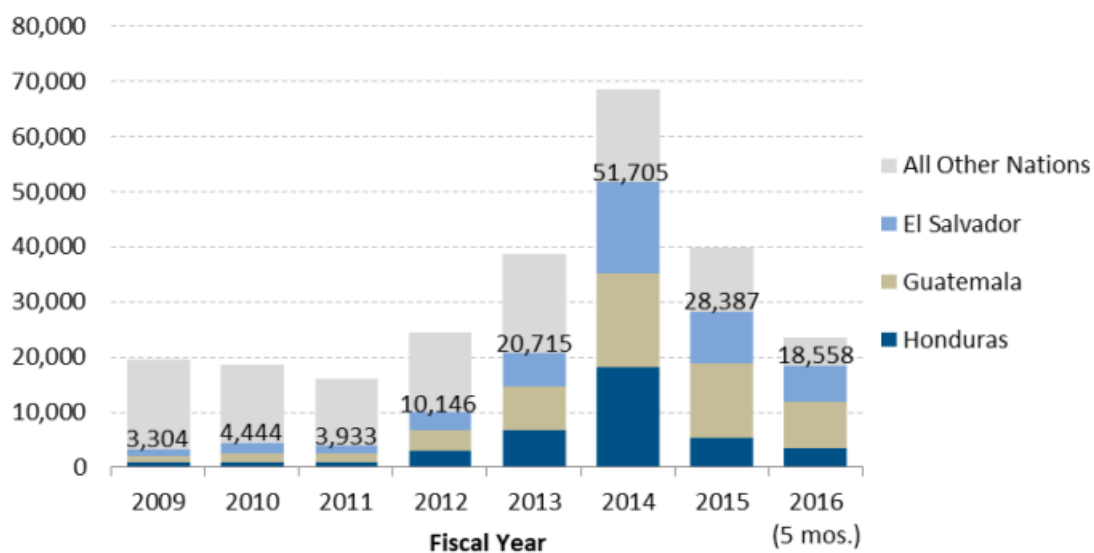
The objectives of the Southern Border Plan were to align it with the objectives of the National Development Plan and address the migration problem at that moment. The plan institutionalised and coordinated past efforts to control immigration that had been in place since

2013. However, this effort was primarily aimed at addressing the migration crisis that occurred at Mexico's borders in 2014 (Arriola, 2017). It is also stated that the plan attempted to be a smokescreen, enforcing containment actions rather than promoting development in the region.

“The government tried to convince the OCS that this special program was aligned with the Special Migration Program that we negotiated just months before, but the reality is that the focus on Human Rights, although mentioned in the plan, was never implemented.” “The worst thing was that this relationship that we had with the government broke after the implementation of the Southern Border Plan” (Interview 14).

The implementation of the plan consisted of barriers to immigration, with some protection for unaccompanied minors. From the perspective of the Mexican Secretary of the Interior, the plan was deemed a success given that apprehensions in 2015 exceeded the total of fiscal years 2013 and 2014 combined (Castaneda, 2015). This means that, in the political sphere, success was measured based on detentions rather than the protection of human rights. According to data from the Observatory of the Migration Legislation in Mexico, from June 2013 to July 2014, 47,387 migrants were detained. During the first year of the implementation of the Southern Border Plan, this number increased to 93,613 events (Colef, 2016). Additionally, for the fiscal year of 2015 in the US, the number of apprehensions was significantly lower than that in 2014. According to an interview, Mexico started to implement the United States immigration policy, and we became the most important detention centre (Interview 5).

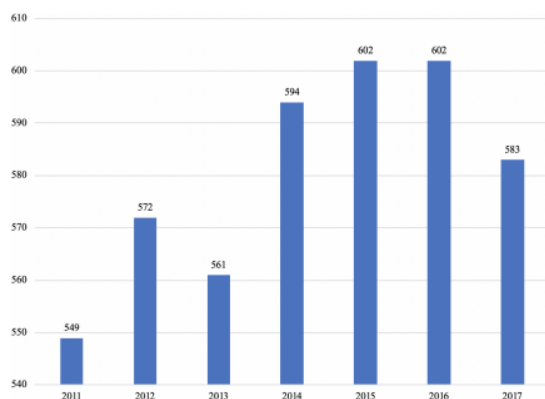
Figure 14 Number of unaccompanied child immigrants in the southern border FY-2012 - 2022



Source: Meyer, 2016 p.1 with data of U.S. Customs and Border Protection press release, March 2016.

Mexico's government reacted to this surge with the deployment of agents of the National Migration Institute

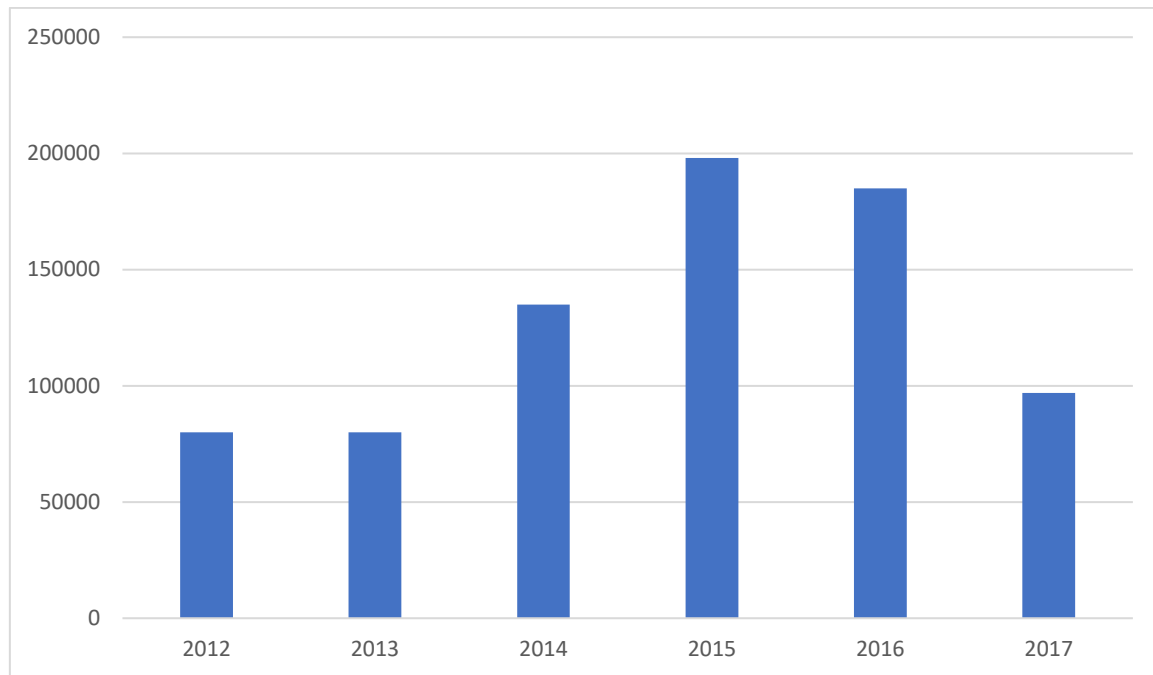
Figure 15 Agents of the National Migration Institute in the Southern Border



Source: Leutert 2019

This increased the number of detentions during those years, as shown in Figure 16.

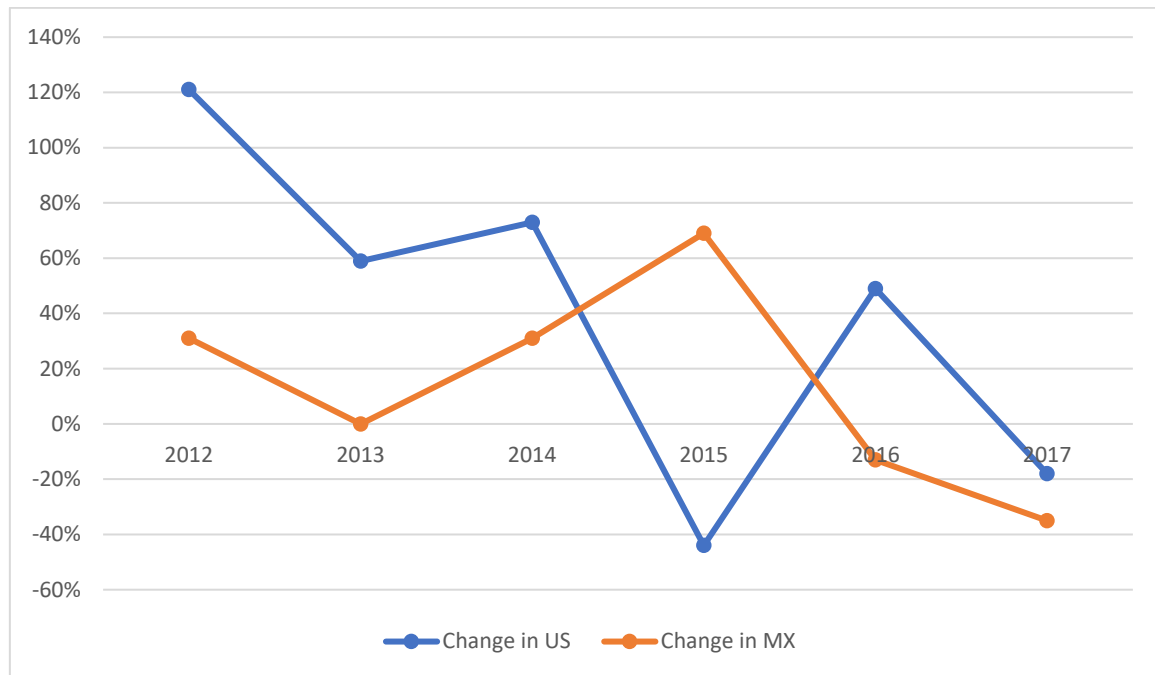
Figure 16 Number of detentions 2012-2017



Source: Vedovi, 2022 with data of the Migration Policy Unit, 2021

At the same time, the increase in Mexican detentions resulted in a decrease in the United States detentions of immigrants.

Figure 17 Change of the detentions in Mexico and United States 2012 – 2018



Source: Leutert 2019

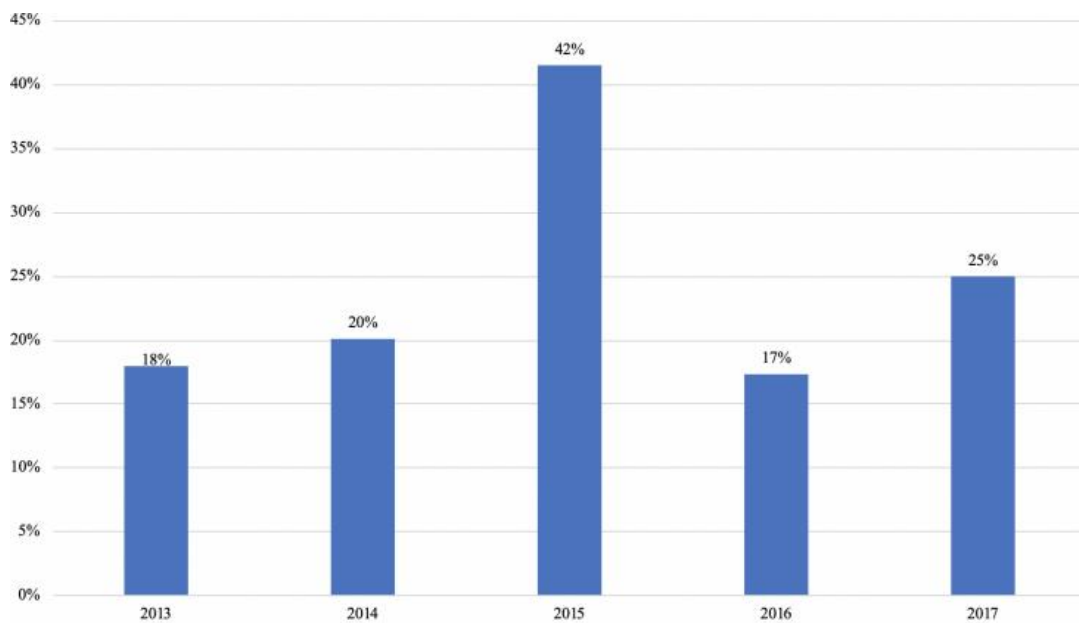
As can be seen, during the implementation of the Southern Border Program, at least in the first year, detentions in Mexico increased by 69 per cent compared to the net numbers of detentions in 2014. In contrast, detentions in the United States decreased by 44 per cent during the same period.

The increase in detentions of Central Americans also led to more violations of human rights by agents of the National Institute of Migration. According to the Washington Office in Latin America, crimes against immigrants increased by 81 per cent compared to the previous year (Ureste, 2015). Additionally, the increased presence of detention agents along the common routes altered the usual migrant paths taken by immigrants.

“In 2016, the government of Mexico, through the Telecommunications and Transportation Secretary, reclaimed ownership of La Bestia, the train that immigrants

used to take to travel from Chiapas to the United States. This forced immigrants to take greater risks to evade the agents of the National Migration Institute. According to several studies, almost half of the crimes committed against immigrants are perpetrated by authorities” (Interview 20)

Figure 18 Percentage of crimes committed by authorities



Source: Leutert 2019

Nevertheless, despite the human rights violations occurring in Mexico, the government of Pena Nieto maintained a different discourse, emphasising the actions taken to protect migrants, particularly undocumented individuals, with a specific focus on minors. The strategy behind these communication discourses was to enhance public and international opinion of his government.

International Organisations

Mexico's immigration policies shifted so rapidly that no international meetings took place during the month of this shift. However, the Mexican government's strategy was to project a discourse focused on the protection of human rights to the international community. In line with this approach, the government attempted to create an alternative discourse in line with human rights, and the Law for Children and Adolescents in Mexico was approved in December 2014.

The significant aspect of the Law for Children was the establishment of the National System of Protection for Children and Adolescents, which aimed to coordinate all federal and state responsibilities for the protection of minors, including undocumented migrants. This meant that the Southern Border Program would be coordinated by this organisation. Additionally, the law aimed to improve the National System for Family Development (DIF), which was the agency responsible for underage migrants captured under the Southern Border Program. However, in an interview, it was mentioned that:

“The government approved measures that were not actually implemented, leading to violations of minors' human rights.

Between 2014 and 2018, 56,000 unaccompanied children were apprehended by agents of the National Migration Institute, and only 1 per cent received refugee status. Only 1.3 per cent were referred to the Mexican Commission of Help for Refugees (Navarrete, 2018). Despite multiple recommendations from the UN and the Interamerican Commission on Human Rights, the Mexican government continued to violate human rights in the implementation of its immigration policies.

Various organisations documented violations of human rights during the implementation of the Southern Border Plan. At the National Institutions Meeting of Human

Rights Defence of Mexico and Central America, the representative of Mexico, Edgar Corzo Sosa, acknowledged that the change in the immigration routes resulting from the plan made migrants more vulnerable to crime. Additionally, because of the conditions of the routes, immigrants were exposed to various issues such as health problems, and the Mexican government was urged to address these concerns (ICRH, 2015).

The Interamerican Commission on Human Rights also expressed concerns regarding the human rights of migrants crossing through Mexico. In a press release, the Commission stated that since 2014, Mexican authorities have intensified operations against immigrants and those defending them. They also mentioned that the presence of armed forces in the southern part of Mexico had led to increased human rights violations, as documented by the organisations like The 72, which had faced police assaults for assisting immigrants. The Commission called on the government to implement alternative policies to detention and to guarantee the right to seek and receive the status (ICHR 2015). In another report in 2016, the Interamerican Commission criticised Mexico's immigration policy, emphasising its focus on security and militarisation instead of human security. They condemned the measures such as highway checkpoints, operations in hotels, prohibiting migrants from boarding La Bestia (the train), and physical barriers, among others (ICRH 2016).

The significant forum where these issues were addressed was the United Nations' Sustainable Development Goals in 2015, which Mexico had signed. In the introduction to the document, it was acknowledged that immigrants make positive contributions to growth and development. It was stated that international migration is a multidimensional reality for countries of destination, transit, and origin. Moreover, it was emphasised that "most international migration is safe, legal, orderly, inevitable, and beneficial" (OIM, 2018). Therefore, the priority should be facilitation rather than restriction. Specifically, Objectives

5.2, 8.7, 16, and 10 were relevant to the immigration of undocumented people and were at odds with the actions implemented by Mexico's government under the Southern Border Plan.

Table 16 Objectives of the 2030 agenda related to immigration

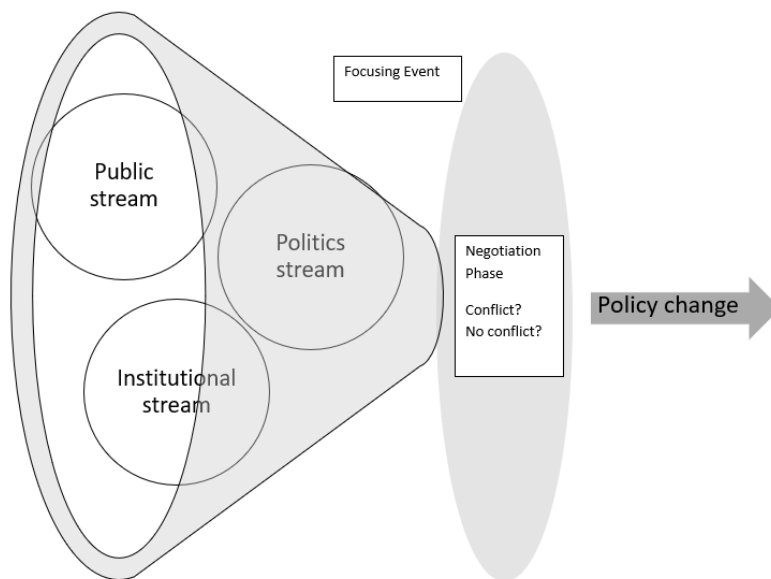
Objective	
Goal 5.2	Eliminate violence against women and children in both public and private spheres, including human trafficking and exploitation
Goal 8.7	Adopt policies to eliminate modern slavery and human trafficking
Goal 16.2	Eliminate abuse, exploitation, human trafficking, violence, and torture against children
Goal 10.7	Facilitate migration in a safe, secure environment through implementation of planned public policies
Source: United Nations Agenda 2030	

It is also worth noting that the social protection coverage for immigrants was significantly low. Approximately 22 per cent of immigrants do not have access to any form of social protection, and less than 1 per cent of immigrants from low-income countries have access to these rights. Immigrants, particularly those in irregular situations, informal jobs, or refugees, find themselves at risk and are vulnerable. The lack of protection further increases their

vulnerability and exposes them to the risk of poverty. Enhancing social protection for immigrants is essential to achieving the goals outlined.

Discussion

According to the prediction model, different streams can converge and lead to decisions when a focusing event occurs. If one of these streams involves international actors, a negotiation process is usually required. As discussed in Chapter 4, when the three streams align without conflict between the actors, the resulting policy tends to be more open and respectful of human rights. However, there was conflict with this case. On one hand, the United States government was pressuring closed-gate policies, while on the other hand, the public and institutional streams, represented by Third Sector Organisations and International Organisations, were focused on the protection of human rights.



Before presenting the main findings of the empirical case, it is important to revisit the central statement: In Mexico, immigration policies are influenced by three key factors. First, given the asymmetric dependency between the two countries, the relationship with the U.S. allows the U.S. to exert economic pressure on Mexico to align its immigration policies with U.S. interests.

Second, pressure from international organisations, as the Mexican government seeks recognition from these organisations and must adhere to international commitments that are evaluated by them. It is worth noting that international organisations also serve as tools for Mexico to mitigate asymmetrical power dynamics with the United States. Finally, the pressure of public opinion is significant in Mexico as a democratic country, and the government considers it when formulating policies. Additionally, civil society organisations have also exerted pressure on the government to change its immigration policies.

Several assumptions were made to analyse the empirical case. First, Mexico's transition to democracy happened in 2000 (Lawson, 2000), but the new president, Enrique Peña Nieto, elected in 2012 displayed hyper presidentialism (Carpizo, 1971), which can lead to a less democratic and more autocratic government. The president had metaconstitutional powers, as evidenced by his leadership of the political party, which had disciplined members in a context where the majority of state governments, the Deputy Chamber, and the Senate were controlled by the same party. Moreover, the president entered a pact with opposition leaders to secure legislative approval for "structural reforms", which had not been achieved since 2000. Additionally, the president enjoyed a special relationship with the mass media outlets, granting him control over the news landscape. Given these circumstances, along with high initial approval ratings, the president emerged as the central actor in the political system, diminishing the influence of the opposition, mass media, and political parties as domestic actors capable of shaping immigration policies.

In the pre-problem stage, it was evident that the government intended to continue the human rights approach outlined in the National Migration Law for immigration discussion. This approach was reflected in the National Development Plan's strategies and, more significantly, in the government's collaboration with third-sector organisations to create the Special Migration Program.

During the discovery stage, the United States government framed the issue of unaccompanied minors as a national security problem. As discussed in the theoretical chapter, when this framing occurs, the United States government utilises economic mechanisms to influence Mexican government policies. This led to a direct conflict with three different agendas: the public agenda, the institutional agenda, and the political agenda.

Regarding the public agenda, civil society organisations influence the government through mobilisation and lobbying, with their power of influence dependent on their organisational capabilities and the networks. Under the new presidential model characterised by hyper-presidentialism, the networks established by organisations with public officials were easily eroded by the government, as decision-making became centralised and returned to a Traditional Public Administration model in immigration policies following the unaccompanied minor crisis. The implementation of the Southern Border Plan through a presidential decree and the involvement of the Secretary of the Interior, who had a close relationship with the president, limited the ability of advocacy coalition frameworks to contest new policies.

Puigh (2022) mentioned that governance models which created networks between the government, civil society organisations, and immigrants, increase the probability of protecting of human rights in Ecuador. However, when Ecuador centralised immigration policies against Colombians, more human rights violations occurred. In Mexico, despite the country facing security challenges resulting in constant human rights violations, the implementation of the Southern Border Plan further exacerbated the situation.

On the other hand, domestic public opinion in Mexico still does not hold a strong position regarding Central American immigrants, with 56 per cent of Mexicans holding a favourable opinion. Even in the face of the unaccompanied minor crisis, the effect on public opinion was marginal, with only 53 per cent in favour.

Regarding the policy stream, during the pre-problem stage, Mexico's government was recognised for its efforts to protect immigrants from human rights violations. However, the decision to implement the Southern Border Plan was so abrupt that international organisations had an impact only after the policy was implemented and evaluated.

Given these different streams, it can be seen that there was a direct conflict between the political agenda, the public agenda, and the international agenda. Putnam's double negotiation theory was used to understand the outcome of the policy decision.

Putnam's approach connects different agendas in a two-level game negotiation: the domestic and the international (Putnam, 1988). In Mexico, as the country of arrival, transit, and expulsion of migrants, discussions on immigration occur simultaneously at multiple levels. At the domestic level, we can identify public opinion, civil society organisations, and international organisations. International organisations are included at the domestic level because advocacy coalition frameworks are created by the domestic representation of international organisations and civil society organisations (Sabatier, 1988). Furthermore, the legitimization of norms created by international organisations is related to the domestic level. On the other hand, the international level is represented by the interests of United States government.

The relationship between these two levels creates an outcome based on winsets, meaning that an agreement between two different countries will only be effective if it can be ratified. In this case, since it was a presidential decree, the institutional framework of Mexico did not require formal ratification by the Senate. However, according to Putnam (1988), ratification can also be observed in public opinion.

In the negotiations, the size of the win set defines the power of the negotiation. The lower the cost of no agreement, the smaller the win set. This means that a country that is not affected by the status quo will have more power in negotiations. In the case of an

unaccompanied minor crisis, the Mexican government benefited from the status quo. Without the cooperation of Mexico, the problem would have been solely for the United States government, so they were the ones who wanted Mexico's cooperation. Even though the United States could impose economic sanctions on Mexico for non-cooperation, as Khaler (2006) mentions, the United States government must be cautious about using trade as pressure because it can generate pressure from firms that benefit from trade with Mexico and can be used to counteract such mechanisms. As mentioned by President Calderon:

“During my administration, when there were problems with the Free Trade Agreement, the government implemented tariffs against 135 products that came from the United States, such as pistachios, dairies, and grains, among others, so the producers pressured their local congress people and they had to stop with the economic aggressions” (Quadratin, 2017).

This means that the upper hand on the negotiations was on Mexico's side since we had no cost from the status quo, and also the cost for the United States to impose economic sanctions at this particular moment was not viable.

Putnam also mentioned that trade-offs can be used in negotiations, and that linkage is crucial to understanding how policies can become entangled. As mentioned in the chapter, the security problem was a major concern for the government and the population, and cooperation from the United States was important to Mexico's government. This was the price Mexico's government asked for in exchange for cooperation. After the negotiations, an additional 86 million dollars were approved as a contribution from the United States to Mexico for training and equipment to combat organised crime. In addition, the executive branch of the United States committed to providing support to Mexicans who were going to participate in the DACA policy and supported the validity of the Consular ID. The protection of Mexicans abroad is also

a topic of interest to the public. As mentioned in a previous interview, for government and public opinion, the most important topic is related to Mexican immigrants who arrived in the United States. For public opinion, because one out of five Mexicans live in the United States (34.6 million in 2015) (PHC, 2015), the actions that the government takes to protect Mexicans in the United States will be viewed as favourable. Nevertheless, there has always been an ambivalent position on Central American immigration.

It is also important to focus on the government's discourse during negotiation stages. As previously shown, the government always defended that the southern border plan was respectful of human rights and was created to protect immigrants. However, policymaking is not coherent between discourse, planning, and implementation. As mentioned by Natter (2012), there has been a lot of documentation on how, in Western democracies, policies and implementation are often different from what is expected. Nevertheless, in Mexico, the implementation of the Southern Border Plan was not a watered-down version, but the exact opposite of the discourse of Mexico's government towards public opinion, civil society, and international forums. While the central discourse of the Southern Border Plan and the Law for Children and Adolescents was pro-human rights, the implementation of the Plan consisted of the militarisation and use of armed force to stop immigration, with severe consequences for human rights protection. In an interview with a human rights activist, it was mentioned that it seemed that the agents of the National Migration Institute were not trained in human rights, especially for children (Interview 14). Also, in an interview with a representative of an international organisation, it was mentioned that "one of the most important ways that we have to influence public policy is training street-level bureaucrats, and we have done several programs to do it" (Interview 21). However, the violation of human rights continued, and different international organisations started to pressure Mexico's government.

For Mexico's government, international organisations are important because they can be part of an advocacy coalition framework to pressure the United States government to recognise the commitments and rights of Mexican immigrants in the United States. Path dependence in institutional analysis (Arrow, 2006) explains the tendency of actors to become committed to acting as a result of their consolidated beliefs and values. In this sense, Mexico's government's position in international forums as a policy entrepreneur in immigration topics was retaken once the crisis of unaccompanied minors was averted. This led Mexico's government to commit efforts in the sign of Objectives of the Agenda 2030 and its proposal to create the Global Compact for a Safe, Orderly and Regular Migration, which will be discussed in the next chapter. Even though international organisations had limited influence in the implementation of the Southern Border Plan, Mexico's commitment to the immigration agenda in international organisations was still present.

Theoretical discussion

This case was analysed using Kingdon's multiple stream framework. Some challenges in using the model were encountered while applying it. There are three different streams presented, the problem, the politics and the policy. Nevertheless, it seems that some adjustments need to be made in order to be able to use the model.

The first one presented in this case study is the problem stream. While Kingdon (1984) recognises that each variable is independent and that it can be traced to the history of the problem definition, in this case, the problem stream was already developed by a coalition formed by the organisations of civil society, the government (represented by the president), and academics before the focusing event as they were working on the Special Migration Program. It could be said that the attention to the problem was already in the pre problem stage (Downs, 1972). Nevertheless, there was an abrupt change, which is why it is necessary to complement the analysis of the streams with the Advocacy

Coalition Framework so that it can be identified how the outcome of the policy was influenced by other actors.

Without the actor's analysis, Kingdon's original model is not able to explain the sudden change after the discovery of the problem in the focusing event. First, the discovery of the increase of unaccompanied minors was made in the United States, and it was not a concern for the Mexican government until it became a concern for the United States. The externalisation of the discovery of the problem (statistics, framing, discourses) is not something contemplated in the Problem Stream of the Kingdon Model, but it is still demonstrated in this case study that it can happen. The introduction of this new actor, the United States, is a challenge for the universalisation of the model in developing countries.

Another finding that needs further discussion is the policy stream. In this case, given the imposition of the United States government to make the Mexican government stop immigrants, the coalitions in this stream, the Mexican government, and the United States government negotiated and achieved a solution that was beneficial for both. This is a challenge for the model, given the corruption and lack of transparency in the processes of some governments in developing countries. As mentioned, one week before the implementation of the Southern Border Plan, there were no documents or registrations about this plan by the Mexican government. Analysing these types of sudden changes without presenting actors would not explain policy outcomes.

Finally, in line with the previous discussion, the political stream in the Kingdon model refers to the national mood. In this sense, the introduction of an international discretionary actor, as in this case study, can challenge the understanding of the model, given that it does not affect national mood. It is still not clear how the government of the

United States influences it; some politicians have even said that there is no influence (Wolf et al., 2015) and that power resides more in the fear of a reaction in the United States rather than an actual reaction (Garduno, 2012). Nevertheless, the economic incentives were present in this negotiation. In any case, it is still not clear how that have an impact on the “national mood” (Kingdon 1986) since the population of Mexico do not have the information or access to these negotiations and certainly they do not vote thinking about the Free Trade Agreement, contrary to that, given the difficult past of Mexico with United States the sentiment of the Mexicans is to confront United States instead of aligning to their policies.

Analysing the case using only the Multiple Stream Framework, we can conclude that the government was in reality, focusing on efforts to protect Central American immigrants, as it was defended in the Mexican government discourses and consecutive actions after the militarisation, like signing international agreements to protect children and participating in the organisation of the Global Compact for a Safe, Orderly and Regular Migration. Nevertheless, complementing the analysis with an actor perspective can help us understand why the Mexican government implemented measures to stop the entrance of Central Americans via the militarisation of the Southern Border.

Conclusion

This chapter discusses how Mexico’s immigration policies have changed during the implementation of the Southern Border Plan. As discussed, unlike the National Migration Law, the implementation of this plan represented a setback in the cooperation between the government, international organisations, and civil society organisations, aligning more closely with the foreign policy of the United States government.

This outcome was possible because of the shift in the balance of power among the actors involved. First, with the centralisation of power in the executive branch of Mexico's government, the Special Migration Program was not funded, making it easier for the government to ignore the claims of civil society organisations. Second, the pressure from public opinion on the President of the United States portrayed the unaccompanied minor crisis as a security issue, leading the United States government to exert pressure on Mexico to modify its immigration policies. However, following the events of Ayotzinapa and the emphasis on security issues on the agenda, Mexico's government attempted to rebuild confidence through the discourse on human rights protection. This was evident in the approval of the Law of the Children and Adolescents at the national level, and in the international arena through the signing of the Agenda 2030 commitments in the United Nations, which emphasised the respect for including the rights of immigrants.

In terms of migration policy theory, this chapter aimed to provide an alternative explanation on how public policy on immigration is achieved in developing countries. Given the growing body of scholarship on how international institutions and civil society organisations can influence public policy, it is important to recognise that dependency is a variable present in some transit countries for immigrants, particularly in the case of Mexico. Furthermore, the configuration of political systems can diminish the influence of certain explanatory variables, like the access of organised civil society to the government, which can change the inertia of immigration policies.

Chapter 8: The 2018 Migrant Caravans and the 2019 Shared Development Plan

Introduction

The 2018 marked a significant moment for the Mexican government. Elections were held, and Andres Manuel López Obrador (hereafter referred to as 'Andres Manuel') was elected president. As mentioned in previous chapters, Andres Manuel had previously competed in the 2006 elections and 2012 elections, where he narrowly lost to President Felipe Calderón and President Enrique Peña Nieto, respectively. Andrés Manuel's campaign focused on anti-corruption measures and social welfare. With a left-leaning agenda, he managed to secure the majority of votes for his party in both in the presidential and of congressional elections, granting him the constitutional power to enact reforms.

The international scenario during Andres Manuel López Obrador's ascent to presidency coincided with President Trump's tenure in the United States, who took office in January 2017. Donald Trump, a member of the Republican party, centred his political campaign around security, immigration, and trade, all of which directly involved Mexico. Initially, there were expectations of a strained relationship and conflicts between the United States and Mexico, as evidenced by President Andrés Manuel's invitation to President Nicolas Maduro of Venezuela to his inauguration, against the wishes of the United States government (as Venezuela is considered an enemy by the United States). This move was perceived as a challenge by the Mexican government to the United States. However, shared business interests, particularly regarding the renegotiation of the North American Free Trade Agreement (NAFTA) in 2019, served as common ground between the two administrations. Nevertheless, as discussed later in this chapter, immigration–

specifically Mexico's handling of the Central American migration issue—led to numerous conflicts between the two countries.

The objective of this chapter is to describe the recent situation from Central America to Mexico over the past four years, using the theories proposed in this thesis as a possible explanation for the outcomes. Specifically, this chapter will explain the different streams, public stream, politics stream and policy stream in the creation of the Comprehensive Migration Plan. It is analysed how the presence of actors, in this case, centred on the dual relationship between the Mexican and United States governments, modified the outcome of the policy based on Putnam's double negotiation theory. On the one hand, the executive powers, in this case the actors, dealt with the issue while considering their respective electorates and public discourses, particularly on platforms such as Twitter, where they defended their own agendas. Given the asymmetrical nature of the Mexico-United States relationship, the Mexican government had often found itself reacting to President Trump's tweets. At this level, it seems that Mexico aligned its foreign policy because of its asymmetrical relationship with the United States. Additionally, the Mexican government utilised international organisations to achieve its international policy goals.

To accomplish this, the chapter is divided into several sections. Section one provides an overview of the policy stream, focusing on Mexico's participation in international forums. Section two will provide an overview of the emergence of the Migrant Caravans. Section three present the problem stream. The next section discusses Mexico's policy stream and participation in the Global Compact for a Safe, Orderly and Regular Migration. The next section analyse politics stream focusing in the executive relationship between President Pena Nieto and Andrés Manuel (from Mexico) and

President Trump (from the United States) based on their public statements, as well as describe the changes in Mexico's immigration policy. Section six will analyse the various constraints on negotiating policy changes in Mexico. Section seven will present implications for immigration public policy theory. Finally, some conclusions are provided.

The significance of analysing this topic lies in the fact that Mexico and the United States share a three-thousand-kilometre border and are major trading partners. Both countries were in the midst of renegotiating a Free Trade Agreement (UMSCA), and the topic could have significant implications for the region. Additionally, migrant caravans have garnered significant attention from the media, political leaders, and the public. During President Donald Trump's tenure, in particular, the topic became a central part of his political campaign, making immigration a politically charged issue with opposing positions. Analysing this topic will shed light on how, within the complex relationships between two asymmetrically dependent countries, the weaker country responds to the pressures exerted by the more powerful country.

In summary, the main events to be analysed are as follows.

Table 17 Chronology of events of the Migrant Caravans

Date	Event
Dec 1, 2017	Donald Trump takes office as President of the United States
25 March, 2018	First Migration Caravan organised in Mexico
12 October, 2018	First Migration Caravan organised from El Salvador
30 November, 2018	USMCA (United States, Mexico, and Canada) new free trade agreement is ratified
1 December, 2018	Andrés Manuel takes office as President of Mexico; Peña Nieto leaves the office

12 December, 2018	Ratification of the Global Compact for a Safe, Orderly and Regular Migration
18 December, 2018	First meeting between Trump – Andrés Manuel Lopez Obrador
29 May, 2019	Trump threatens to impose tariffs on Mexico
8 June, 2019	Joint Statement between Mexico and the United States

The focusing event: The Migrant Caravans

The caravans were a series of large groups of Central American migrants and asylum seekers who travelled through Mexico to the US - Mexico border. The emergence of the caravans can be attributed to various factors, including violence, poverty, inequality, and unemployment (Gandini, 2020)

Central American migrant caravans have been present in Mexico since 2010. Typically, they did not receive significant media attention and their participation was relatively low. One of the objectives of these caravans was to raise awareness about the hardships faced by the migrant population as they transited Mexico, and to appeal to the Mexican government for increased protection for migrants. Examples of these organised caravans include the Mothers of Missing Persons caravan organised by the Mesoamerican Migrant Movement Association, which took place more than 13 times between 2000 and 2018. Similarly, other caravans, supported by the Association of Returned Migrants with Disabilities, occurred in 2014 and 2016, aiming to shed light on the accidents experienced by migrants during their attempted crossings in Mexico, resulting in their subsequent return or deportation. Several other associations have also organised caravans to offer protection to travelling migrants.

However, the first caravan that garnered significant media coverage was the Central American caravan, which began on 25 March 2018 in Chiapas, Mexico. A press

release announced the caravan's departure from Tapachula, Chiapas, towards the state of Puebla, where legal assistance would be provided, although the ultimate destination was not specified. The objective of this caravan was to reach the United States and seek humanitarian asylum. The press release also highlighted the demands of the governments of Central America, Mexico, and the United States regarding migrant human rights, justice, corruption, violence, and deportation. The caravan organised by an organisation called People without Borders and named *Viacrucis Migrante* had approximately 1,500 participants, predominantly Central Americans from El Salvador, Guatemala, Nicaragua, and Honduras (Martinez, 2018). The organisers acknowledged that the number of participants that year far exceeded that of previous years, particularly in terms of the women and children involved.

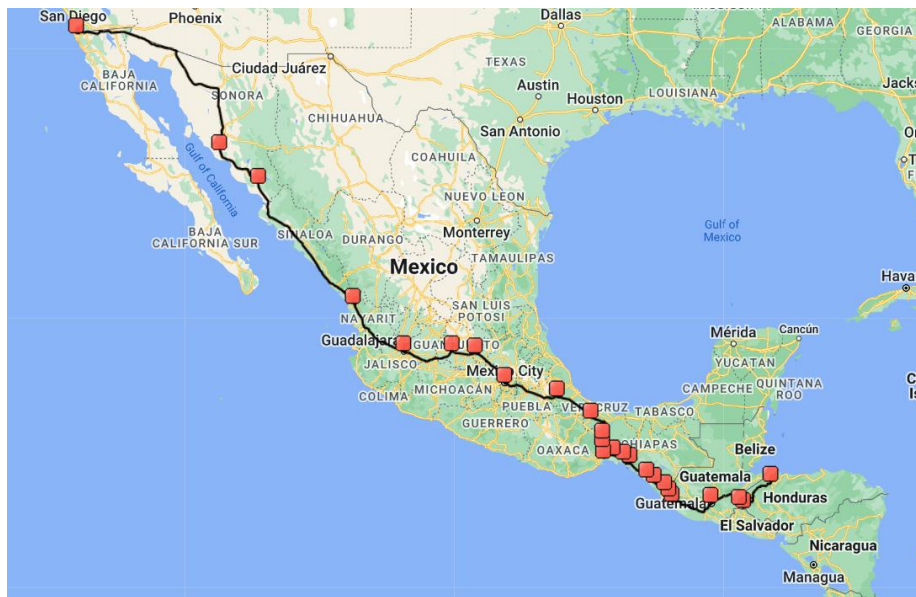
Given the number of people participating in the caravan and the associated disorganisation, groups of migrants began to form, mobilising at different times and even taking different routes in order to increase their protection and improve their chances of reaching the United States. Due to the presence of violence in Mexico, there was concern that a group of 600 migrants travelled unaccompanied through the state of Veracruz. Eventually, many of them were detained by the National Migration Institute. Other groups of migrants advanced along the Jalisco route with the goal of reaching Tijuana. Along the way, certain civil society organisations started providing asylum to migrants, particularly at the El Refugio shelter in Tlaquepaque, which was run by Father Alberto Ruiz. With the assistance of civil society, many shelters were able to secure donations and prepare themselves for the arrival of the large number of migrants who participated that year. This indicates the favourable public opinion of many Mexicans towards the Central American migration issue. In an interview with a representative of a shelter, it was stated:

“At the commencement of the caravans, we saw many people helping and providing food and shelter to crossing immigrants. However, as the number of caravans increased, this support decreased” (Interview 23).

At the time, various groups of migrants arrived in border cities such as Hermosillo, Sonora, and Tijuana, in Baja California. The organisers of the caravan called upon lawyers from California to provide advice to the migrants. In May of that year, it was reported that 228 people had successfully entered the United States, 100 others remained in Tijuana temporarily, and 600 were detained by the National Migration Institute in Mexico (Martínez, 2018).

The second caravan was organised and initiated outside Mexican territory, specifically in Honduras. On 12 October 2018 migrants were summoned at the bus terminal in San Pedro Sula, the second most important city in Honduras, with the goal of reaching Mexico and either seeking asylum or crossing the United States. Initially, the caravan consisted of approximately 500 people, primarily women, children, and the elderly. However, as it advanced towards Guatemala, more people joined, eventually surpassing thousands of migrants.

Figure 19 Map of the immigrant route October 2018



Source: Centre of Immigration Studies, Caravan Tracker 2018

<https://cis.org/Migrant-Caravan-Map>

When crossing from Honduras to Guatemala, the migrant caravan continued to grow, overwhelming the infrastructure established to assist migrants. The main shelter that received migrants in Guatemala City, the Casa del Migrante, led by Priest Mauro Verceletti, accommodated more than 5,000 people in its facilities. Schools had to be adapted to receive migrants, but many still had to sleep on the streets. According to Humberto Barrios, another administrator of Casa del Migrante:

“The arrival of migrants in the caravan was already uncoordinated, as different groups were arriving on different days and at various hours. The Honduran embassy in Guatemala sent its representative, Vivian Panting, in an attempt to convince the newcomers to return to Honduras, but it was not very successful” (Martínez, 2018).

Upon their arrival in Mexico, the initial government response was to halt the caravans at the bridge connecting Guatemala and Mexico, with federal forces deployed. According to CNN (October 19, 2018), thousands of migrants were stranded at the border between Guatemala and Mexico, with some attempting to cross the Suchiate River. Among the crowds, mothers with children were visible, enduring heat waves.

On 21 October, a third caravan consisting of approximately a thousand Hondurans departed from the city of Esquipulas in Guatemala. On 28 October, the third caravan reached the border between Mexico and Guatemala. As they tried to pass, Mexican agents repelled them by using tear gas and rubber bullets. On the same day, a fourth caravan began its journey from the capital city of El Salvador, San Salvador. This fourth caravan comprised around 2,000 migrants and was organised through a phone platform, WhatsApp. The Salvadoran authorities were informed and offered federal police accompaniment to the migrants until they reached the border (Europa press, 10/31/2018). Two more caravans started on 31 October, followed by a fifth and a sixth caravan on 5 November. However, neither of these two caravans exceeded 250 migrants each (El Salvador, 11/05/2018).

On 29 October, unable to enter through the bridge on the Mexican border, the migrants from the caravan attempted to pass through the Suchiate River. However, the Federal Police deployed agents to prevent their passage. Eventually, the migrants agreed to enter through a customs office, where 1,895 Central Americans were counted (DW, 29/10/2018). Their plan was for them to cross into Mexico to avoid the humanitarian crisis and be evaluated in camps in the southern states of Mexico. Gerardo Garcia Benavente, Commissioner of the National Migration Institute, stated:

“The government is trying to identify them in order to allow them to enter Mexico... once inside Mexico, they cannot move freely since they will be undocumented”.

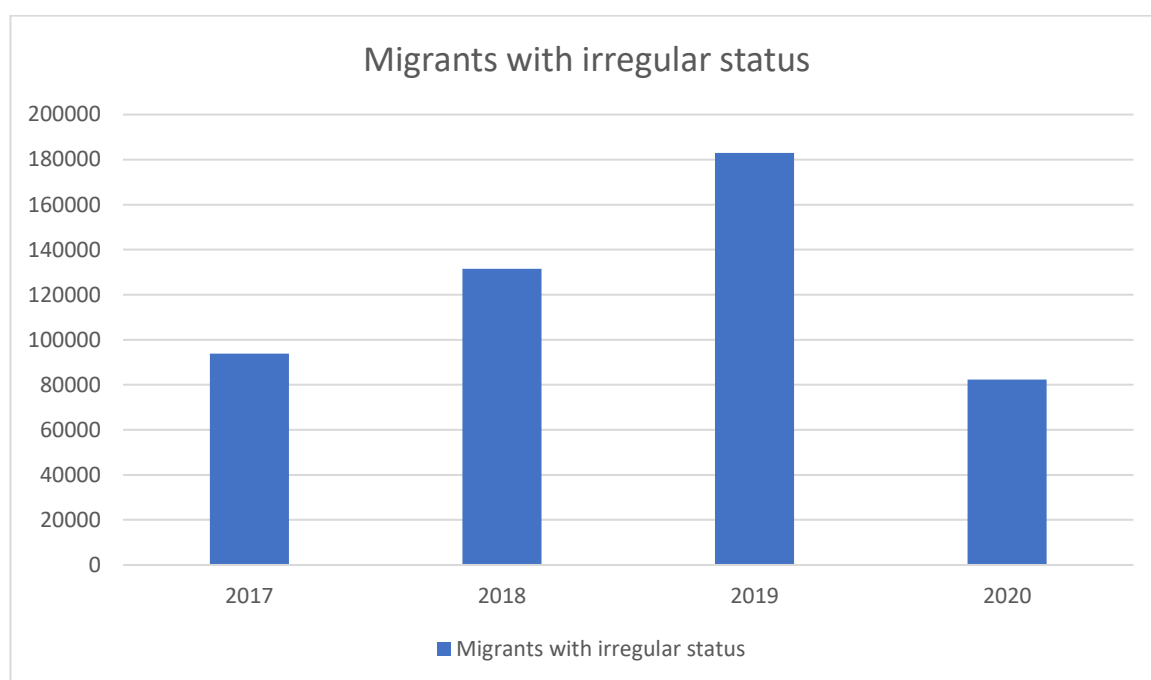
In an interview with a scholar, it was mentioned:

“The government did not know what to do. On the one hand, letting them in would mean surpassing the asylum seeker program in Mexico, and most immigrants did not want to apply to the program anyway. At the same time, the Mexican government wanted to avoid direct confrontation with the Donald Trump administration in the United States”. (Interview 20)

Different responses to the caravans emerged when Andres Manuel Lopez Obrador took office in December 2018. The seventh caravan began on 14 January 2019 consisting of more than two thousand migrants departing from San Pedro Sula, Honduras. By the 18th of January, the caravan reached the Mexican border and managed to enter, without complying with the protocol measures that Mexico had established for migrants, through the Rodolfo Robles Valverde International Bridge on the border between Guatemala and Chiapas. Of these 2,000 migrants, 969 requested humanitarian asylums in Mexico, with 739 men and 230 women. Among them, 145 were minors (La prensa, 18/01/2019). In total, approximately 8,000 immigrants arrived in the second wave of caravans. Mexico’s government had recently ratified the Global Compact for a Safe, Orderly and Regular Migration (which will be discussed in the following section). According to Gandini (2020), the government’s response was completely different from that of the Pena Nieto administration. Representatives from the National Migration Institute and the Mexican Commission for Refugees (COMAR) were present to welcome the migrants, along with representatives from international organisations such as the IOM and UNHCR.

Caravans continued to occur in 2019. The graph below illustrates the magnitude of the increase in Central American migration to Mexico during 2018 and 2019.

Figure 20 Estimated of events of central Americans crossing through Mexico, 2019



Source. Migration Policy Unit, Statistic Historic Booklet

https://portales.segob.gob.mx/es/PoliticaMigratoria/Series_historicas

The problem stream

Since the beginning of the presidential campaign around Mexico, Andres Manuel Lopez Obrador established as one of their compromises to respect the human rights of Central Americans. According to Jara and Morales (2022) the discourse of Lopez Obrador to define the migration issue as a topic that requires cooperation between Mexico and United States can be traces since 2014. He was also vocal about his opposition to the Southern Border Program and the militarisation of the border. As expressed by AMLO (cited by Jara and Morales, 2022)

“The immigration is the clearest and most painful proof of the exclusion of the neoliberal model [...] in this paradox reality, mix of honourability and pain, now you have to face a new circumstance: the threat and persecution of migrants announced by Trump”

He was also concerned about the submission of Mexico to the interests of the United States and attached the problem of policies towards immigrants with respect to Mexico’s sovereignty. Finally, another important point to highlight in the AMLO discourse is that his position was contested by the general media.

Researchers have identified that during the caravans, the media tried to influence information regarding public opinion (Ramos & Arreola, 2022; Davila, 2019; Tourdet, 2022; Navarro & Lopez, 2022). Using metaphors, discourses, and causal stories, actors can influence the definition of a problem (Stone, 2012). However, new technologies and the use of social media allowed the diffusion of news in a different way than during the unaccompanied minor crises and the National Population Law.

Some studies have measured the influence of the media on public opinion and the definition of the problem. Davila (2019) collected news articles from the most important newspapers in Mexico, El Universal and Milenio News from the 19th of October to the 30th of November 2018. This selection was because this was the most important phase in forming public opinion (when the immigrants broke the fence to enter Mexico and the next six weeks). In terms of El Universal, of the 28 news articles presented during this time, 16 had an anti-immigration discourse (57 per cent); for Milenio news, 54 per cent (13 of 24). She also analysed the use of the headers in the news and how they tried to influence reactions of public opinion; for example, she cites in Milenio News the header “Migrants try to break in to Mexico”“, If they do not open the door, there will be

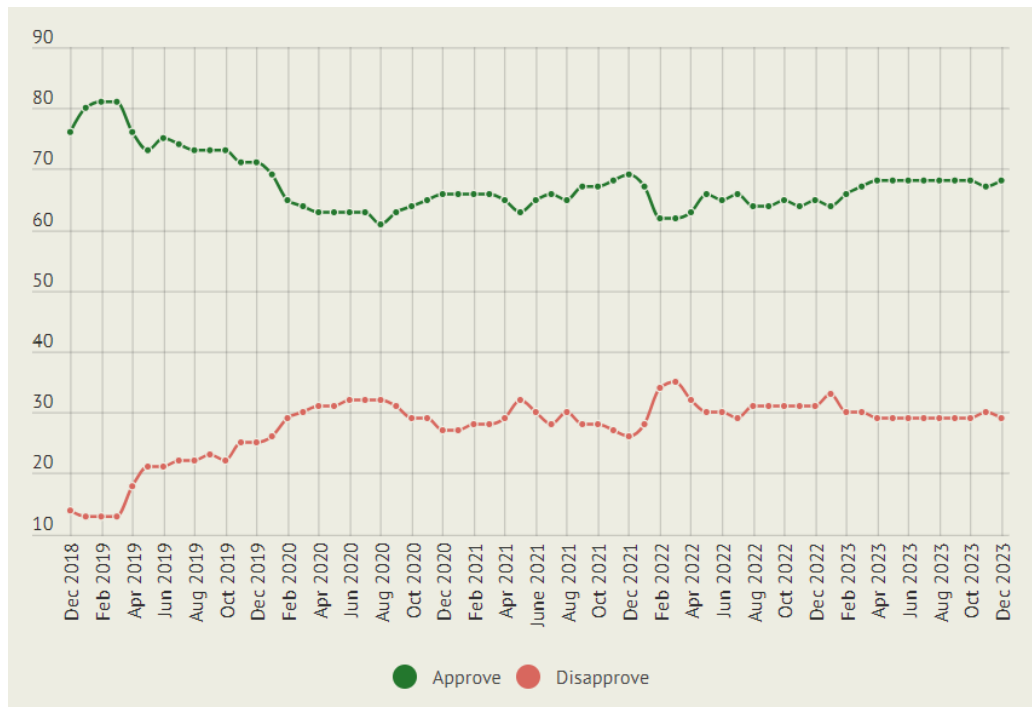
problems”, and also highlights the use of words that can guide the discourse like “national emergency” and “invasion” (Davila, 2019, p. 29).

In a similar study, Toudert (2022) analysed Twitter with a Natural Language Processing tool to measure public sentiment during caravans, specifically from January 2019 to February 2019. He mentioned that although the expectations were to discover that the tweets were mostly xenophobes, he found that 85.35 per cent were neutral, with only 8.64 per cent negative and 5.5 per cent positive.

Another related study was conducted by Navarro and Lopez (2022), who followed #CaravanaMigrante on Twitter in 2018. They discovered that although the majority of national media outlets had negative comments about the caravans, there was a mostly positive presence of comments on Twitter using that hashtag.

Media outlets contested the president’s discourse directly. The power of influence that the discourse of AMLO has on the population depends on the approval rates of the government.

Figure 21 .Approval of AMLO 2018 – 2023



Source: Oraculus. Consulted 8/01/2024

<https://www.as-coa.org/articles/approval-tracker-mexicos-president-amlo>

As shown, in the case of AMLO, from April 2019 to September 2019, when the immigration plan review was scheduled to take place, his approval ratings increased. This indicates that the discourse used by the president resonated with the public. As mentioned in an interview, this can be attributed to AMLO's populism and his management of the press through his daily conferences coupled with the low interest of the public in international topics. It becomes challenging to find criticism of the government's international policies.

“For Mexicans, the immigration of Central Americans is not a central issue; the important thing is the immigration of Mexicans and how the United States government treats Mexico” (Interview 9).

The only stakeholders that were able to challenge government policies were human rights and academics. According to various interviews with representatives from these groups, it has been difficult to be heard or have spaces for discussion under this government. Anyone who criticises the government is labelled as an enemy and part of the previous power structure that governed Mexico.

“Before, it was easier to be heard by the government; there were forums where we were invited. Today, it is difficult to meet representatives and to influence their decisions. Sometimes, we are present in the decision-making process, and we give our opinion, and they say yes, but in reality, it is never taken into consideration. The problem is that the commissioner of the National Migration Institute is selected by the president, so he directly responds to him and what he wants”
(Interview 25)

In another interview it was mentioned that:

“The government depended on civil society organisations to implement their immigration policy, but they were never consulted. The asylum seekers that are returned under the MPP are hosted in shelters run by civil society organisations”
(Interview 19)

As discussed in Chapters 6 and 7, institutional arrangements in Mexico’s governance create different opportunities for civil society organisations to influence the government. The networks established during one presidency change with the new presidency. Centralisation under a more traditional public administration model reduces the opportunities for civil society organisations to form advocacy coalitions, which would enhance their ability to influence policy design. However, it is also important to note that the absence of policy entrepreneurs in the government can influence these outcomes.

The Policy Stream: International Organisations

During the same period as the Caravans in Mexico, the government, through the Minister of Foreign Affairs, was actively engaged in negotiations for the Global Compact for a Safe, Orderly and Regular Migration, organised by Mexico and Switzerland. One of President Andrés Manuel's initial actions was the ratification of the Compact on 11 December, 2018.

According to an interview with one of the organisers:

“The context in which the World Compact Forum was negotiated relates to the significant refugee crisis that occurred in Europe in 2015 and the crisis of unaccompanied minors in Mexico. The migration issue had a direct impact on Europe, and they were highly interested in discussing ways to address this specific problem. The fact that the immigration problem was discussed at the UN was a success for Mexican Foreign Policy, as Mexico had proposed this topic to be discussed since we hosted the first Global Forum on Migration and Development”.

(Interview 22)

It is important to note that the process of dialogue, planning, and discussion of the Migration Compact occurred before the beginning of the presidency of Lopez Obrador and during the presidency of Pena Nieto.

“It was also a success that Mexico's immigration agenda, after the ratification of the Global Compact for a Safe, Orderly and Regular Migration, aligned with the National Development Plan”. (Interview 22)

It is important also to highlight that since the National Population Law in 2011, government and civil society worked again together. According to an interview

“The civil society has a central role in the discussion of the Pact. They created their own meetings and presented their own information. This helped to create the national position, incorporating their findings and then presenting them as representatives of civil society attached to the formal Mexican delegation in the UN” (Interview 22)

The Secretary of Foreign Affairs was institutionally involved in addressing the migration issue independently of the different presidents governing Mexico. Beginning with the Global Forum on Migration and Development in 2010 under President Calderon, efforts were made to create a document that guided immigration policies at the UN. During President Pena Nieto’s term, negotiations for the Global Migration Act served as the foundation for Mexico’s immigration policy. During the signing of the agreement in Marrakech, Secretary Marcelo Ebrard stated that Mexico would need to change its immigration policy to ensure better treatment of immigrants within Mexico. He also announced the Comprehensive Development Plan, which involved a \$30 million investment in the development of the Northern Triangle countries, emphasising that this approach is more effective than any restrictive policy (Gilet, 2018).

The political stream

From the very beginning, the government response of Andrés Manuel differed significantly from the previous administration of Pena Nieto. During his presidential campaign, when faced with the issue of migrant caravans, the President Andrés Manuel consistently emphasised that the immigration problem should not be addressed using military force, as was done in the Southern Border Plan. Instead, he advocated for cooperation in developing countries, from which immigrants were being displaced. In one of his books, published in 2017, President Andrés Manuel compared Trump’s

treatment of Mexicans to the way Nazi Germany treated the Jews (Obrador, 2017). It is important to note that President Andrés Manuel won the elections with an anti-corruption and anti-capitalist agenda, and distancing himself from President Trump's agenda served his political goal.

Therefore, it was natural that migration would be considered a central policy focus in the National Development Plan in Mexico 2019-2024 (Federal Gazette 2019). The plan outlines three action strategies: 1) sectoral social programs to manage migratory flow; 2) agreements between Mexico, the USA, Guatemala, Honduras, and El Salvador to stimulate the economy and improve well-being in Central America; and 3) measures to ensure the transit or integration of migrants with Mexico (Federal Gazette, 2019). In response to the caravan on 18 October, 2018, the government of President Andrés Manuel announced that immigrants would be given opportunities to participate in various development programs in the southern part of Mexico. Additionally, the government pledged to provide up to one million humanitarian and work visas, granting immigrants access to social services.

[Advocacy in the political stream: the relationship between Mexico and the US in the immigration problem during the Caravans 2018-2019](#)

It is important to start with Donald Trump's political campaign to understand the relationship between the US and Mexico. During his presidential campaign, Trump launched a series of attacks on Mexico and its citizens. He accused Mexico of sending criminals and rapists to the US and claimed that the country was taking advantage of the US economy. He also proposed building a border wall to stop illegal immigration and insisted that Mexico would pay for it. These remarks and proposals caused outrage in Mexico and strained the relationship between the two countries, even before Trump took

office. Trump, considered a right-wing populist, had a political discourse to maintain in order to gain the approval of his constituents.

On the other side, Mexico's government was about to change in 2018, and President Andrés Manuel Lopez Obrador was elected in July 2018 to take office on December, 1st, 2018. It is worth noting that Lopez Obrador is a left-wing populist. He developed his discourse against neoliberalism, corruption, and poverty. He was one of the most important critics of President Peña Nieto and the relationship with Trump. In Mexico, as shown in previous chapters, public opinion focused on the relationship between Mexico and the United States in terms of its sovereignty. With a left-wing anti-neoliberalist discourse, President Andrés Manuel gained the approval of his constituents with an anti-American discourse, especially after the direct attacks of President Trump.

As mentioned, one of the most notable areas of disagreement between the two leaders was immigration. Trump proposed to build a border wall between the US and Mexico to stop illegal immigration and demanded that Mexico pay for it. However, the Mexican government refused to do so, leading to a strained relationship between the two countries. According to an interview with an academic (20), the Mexican government saw an opportunity in the renegotiation of the Free Trade Agreement between Mexico, United States and Canada, knowing that Mexican cooperation to detain Central Americans would be highly valued by the new US government. The first round of negotiations was held on 16 August, 2017, and the final agreement was signed and ratified on 30 November, 2018.

Despite these conflicts, both leaders have attempted to maintain cordial relations and engage in diplomatic dialogue. For example, President Peña Nieto invited President Trump to visit Mexico in August 2016, and the two leaders held a joint press conference. President Peña Nieto clarified in a tweet that Mexico would not pay for the wall (Politico, 2016).

Nevertheless, the topic was far from being closed. Once as president, Donald Trump used his Twitter account to maintain his position that Mexico was going to pay for the wall, stating:

“The wall will be paid for, directly or indirectly, or through longer-term reimbursements by Mexico, which has a ridiculous \$71 billion dollar trade surplus with the U.S. The \$20 billion wall is peanuts compared to what Mexico makes from the U.S. NAFTA is a bad joke” (Trump Archives 18/01/2018)

With the first caravan, Donald Trump’s position against Mexico became even more hardline. In a tweet, he mentioned...

“Mexico is doing very little, if NOTHING, to stop people from flowing into Mexico from their southern border and then into the US. They laugh at our dumb immigration laws. They must stop the big drug and people flows, or I will stop their cash cow, NAFTA. NEED WALL” (Trump Archives 01/04/2018).

The response from the President of Mexico came through a message to the nation in which he mentioned (BBC: 05/04/2018).

“If your recent declarations come from frustration with your internal politics, laws, or Congress, deal with them, not against the Mexicans.”

“We will not tolerate that your negative rhetoric defines our actions”.

It is important to note that these tweets occurred when Mexico and the United States reached an agreement in the negotiations of the USMCA, which was sent to the United States Congress on 30 September 2018.

In another tweet President Trump said that.

“Apart from cutting off payments to all the countries that could not control their population, he had to strongly ask Mexico to stop this caravan. If Mexico is not

capable, he would have to call in the military to close the southern border of the United States (The Trump Archive, 10/14/2018).

According to Jared Kushner (2022), on 18th October 2018, he received a call from General Kelly, who said that Trump was going “nuts” because the caravans were moving through Mexico. Trump was shouting at Secretary of Homeland Security, Kirstjen Nielsen. So, he called Luis Videgaray, Secretary of Foreign Affairs of Mexico, and asked for background on the situation, emphasising that General Kelly was very concerned. Secretary Videgaray mentioned that the caravans were hundreds of miles from the US borders and that Mexico could take some measures to ramp up enforcement and confront the caravans.

Given this, the National Institute of Migration in Mexico issued a statement (NMI, bulletin 47/18, 10/18/2018) in which it was mentioned that upon arrival at the points of entry of the southern border of Mexico, migration personnel must review the requirements that comply with the law, and those who do not comply will not be allowed to enter. Simultaneously, federal police planes with riot police were deployed to the border between Mexico and Guatemala.

On 22 October ,Donald Trump tweeted:

“Guatemala, Honduras, and El Salvador were not able to do the job of stopping people from leaving their country and coming illegally to the U.S. We will now begin cutting off, or substantially reducing, the massive foreign aid routinely given to them” Trump Archives (22/10/2018)

According to the latest official data from the State Department, in fiscal year 2018, the United States allocated \$84 million in foreign assistance to Guatemala, \$58 million to Honduras, and another \$51 million to El Salvador (Congressional Research Service,

2021). The Honduran government distanced itself from the caravans from the beginning, stating that they had been organised by left-wing political agents who wanted to destabilise the government (NYT, 2018). They also blamed the Venezuelan government for participating in the organisation of the caravans. The Guatemalan government did not stop migration during the 2018 and 2019 caravans. According to an interview with a scholar:

“In the case of aid, it is almost impossible to cut, since there are many bureaucratic procedures to be followed. The aid that is going to be given has months in advance of planning and procedures approved by the legislative branch in the Fiscal Year budget, which starts in October in the United States. Therefore, there was one year ahead to anticipate any threats of cutting the aid” (Interview 24).

In November 2018, President Trump proposed that Mexico sign a third secure country agreement. This agreement would allow the United States government to expel migrants who asked for an asylum seeker or humanitarian visas to the Mexican government. On 18 November, 2018, the negotiations were unsatisfactory. In a press conference Secretary Videgaray mentioned that:

“The third secure country agreement would make Mexico the destination of immigrants and would invalidate any asylum process conducted in the United States. That’s why we rejected the agreement.” (Reuters 28/11/2018).

As can be seen from the Mexican side, the responses to the challenge have been ambivalent because of three different issues:

a) As already mentioned, caravans began at a political moment of government change in Mexico. Therefore, Enrique Peña Nieto was the incumbent president, and the incoming

president, Andrés Manuel López Obrador, treated the issue differently. This also implies that both governments had to face political costs of the decisions made during this time. Even though Mexico deployed more security agents to try to stop immigrants, they refused to sign the Third Country Agreement. According to an interview:

“At this stage, Marcelo Ebrard was already acting as Secretary of Foreign Affairs instead of Luis Videgaray. Given Andrés Manuel’s agenda, it was impossible for them to reach an agreement. The deployment of military forces would have had political consequences for Pena Nieto, not Andrés Manuel, and with this, they could say to Trump that Mexico was doing something”.(Interview 26)

b) Mexico had to react to direct pressure from the United States because, as never before, President Trump made direct threats to the Mexican government through Twitter. This was something that had never been so notorious and allowed public opinion to have a more informed position about the issue. Nevertheless, the entry of President Andrés Manuel could modify this position. As mentioned in an interview:

“It was important for the Trump administration to sign an agreement with Mexico before Andrés Manuel took the presidency because they knew that with the anti-neoliberal agenda of the new president, the negotiations could have taken a different direction or be compromised’ (Interview 19).

This means that the influence of negotiations from the United States was related to the new Free Trade Agreement, but this power relation could have decreased with the agenda of the new president.

c) Mexico signed the Global Compact for a Safe, Orderly and Regular Migration, which committed the Mexican government. Andrés Manuel began his term, and during his

campaign, he defended immigrants. One of his first actions was to ratify the Global Compact for a Safe, Orderly and Regular Migration, and Mexico's immigration policy was changed from militarisation to a more humanitarian and welcoming policy. At the same time, he mentioned the Comprehensive Development Plan that included an investment of 4.8 billion dollars from the United States. At this stage, public opinion and international organisations supported Andrés Manuel's plan.

Putnam double-level negotiation stage

Putnam's two-level game theory provides a solid framework for analysing the relationship between Mexico and the United States in terms of immigration. According to this theory, international negotiations involve two levels of decision making: domestic and international.

“At the national level, domestic groups pursue their interests by pressuring the government to adopt favourable policies, and politicians seek power by constructing coalitions among these groups. At the international level, national governments seek to maximise their ability to satisfy domestic pressures while minimising the adverse consequences of foreign developments” (Putnam 1988)”.

This means that, at the domestic level, politicians in both countries must consider the preferences and pressures of their domestic constituencies and interest groups. In the case of Mexico, public opinion in terms of its relationship with the United States emphasises the importance of respecting Mexico's sovereignty. In the case of the United States, supporters of Donald Trump desire increased control over the southern border.

At the international level, leaders from Mexico and the United States must engage in negotiations and reach agreement on issues such as immigration policies and border enforcement measures. These negotiations can be influenced by factors such as the bargaining power of both sides. On one hand, Mexico faces an economic asymmetric

dependency on the United States and aims to maintain this status. On the other hand, the cooperation of Mexico is necessary to secure the southern border of the United States.

Evidence of the initiation of negotiations emerged during President Andrés Manuel's daily press conference, where he mentioned having to leave early due to a phone call. Later that night, he tweeted,

"We had a conversation with President Trump, in a very respectful and friendly manner, we discussed the immigration issue and the possibility of implementing a shared program for the development and job creation in Central America and Mexico" (@lopezobrador_ 12/12/2018).

The announcement included various new programs to be implemented by the governments of the United States and Mexico. The first program involved the United States promising \$5.8 billion for the development of Central America and \$4.8 for Mexico.

It appears that the negotiation was unsuccessful, given that one day later, Trump tweeted:

I often stated, "One way or the other, Mexico is going to pay for the Wall." This has never changed. Our new deal with Mexico (and Canada), the USMCA, is so much better than the old, very costly and anti-USA NAFTA deal, that just by the money we save, MEXICO IS PAYING FOR THE WALL! "(Trump Archives December 13, 2018)

Despite Mexico's confrontational stance, there was a double discourse regarding what the president said and what was actually being negotiated. After a leak regarding the negotiation of the Third Country Agreement, the president confirmed in his daily conference that Mexico had never signed such an agreement with the United States. He clarified that Mexico did not align with President Trump's migration policy. On 19

December, Alejandro Encinas, the Undersecretary of Human Rights, Population, and Migration, stated that Mexico's government would never accept a Third Country Agreement, as it is a matter of state policy and Mexico is a sovereign nation (Tourlier 2018).

The leakage of this information could have influenced Mexico's perspective on win sets. As shown in Chapters 7 and 8, public opinion in Mexico is against the interference of the United States' government in domestic politics. Public opinion also supported the president during his campaign due to criticism and confrontational statements made against Donald Trump's presidency.

Later that month, on 20 December, 2018, the Department of Homeland Security announced the Migrant Protection Protocols, known as Remain in Mexico. This policy allowed the United States government to release migrants with asylum claims to Mexico to await their asylum hearings in the United States. In this scenario, Mexico's government would provide asylum seekers with appropriate humanitarian protection for the duration of their stay (DHS, 2019). According to the Department of Homeland Security "aliens whose claims are found meritorious by an immigration judge will be allowed to remain in the U.S. Those determined to be without valid claims will be removed from the U.S. to their country of nationality' (DHS, 2019). President Andrés Manuel mentioned that Mexico's government is only taking care of the migrants while they apply for humanitarian visas (Flores, 2022). Roberto Velazco, the spokesperson for the Secretary of Foreign Affairs, stated that rejecting the migrants sent by the United States would create a humanitarian problem, which is why accepting them was considered the best decision, and emphasised that these actions respected Mexican sovereignty as they were

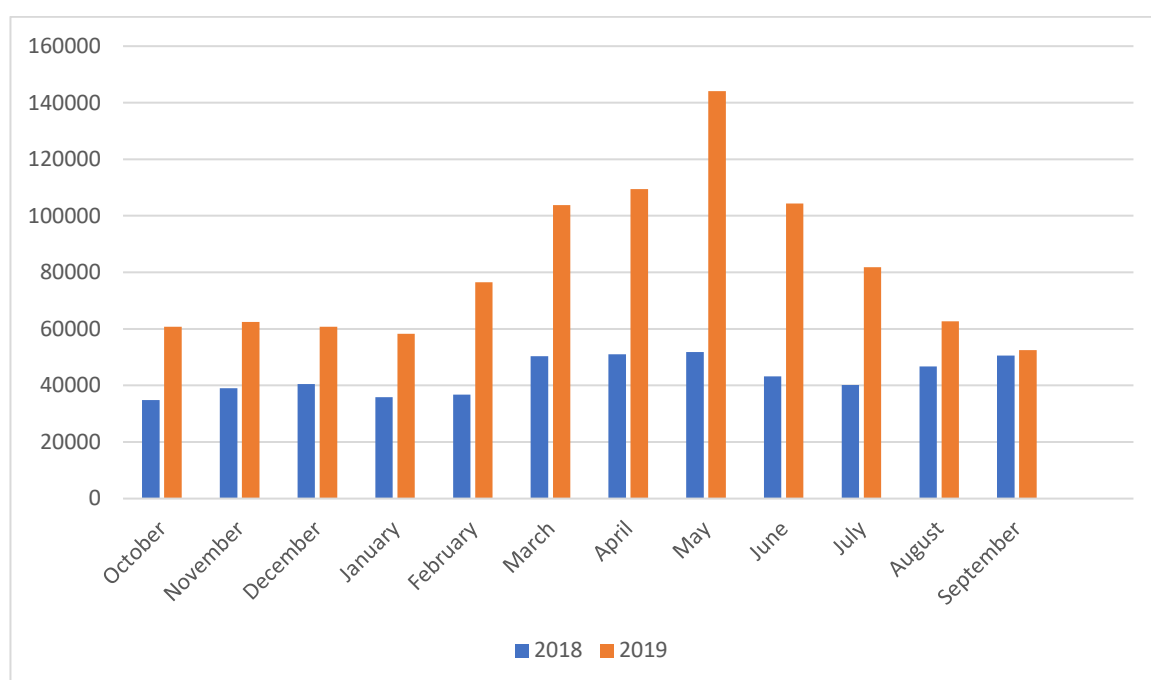
a humanitarian response to a unilateral decision by the Trump administration. (Tourliere, 2018).

As can be seen, the government of Mexico used the discourse of human rights to justify the creation of the Third Safe Country, aiming to legitimise its subordination to United States politics. As Stone mentions (1989, 2012), causal stories are mechanisms that governments use to frame problems, use symbols and numbers to assign responsibility, and increase public support to policy solutions. She also mentioned that stories are composed of heroes, villains, problems, and solutions, and can be categorised based on actions and consequences. The framing of the issue is important in Putnam's double negotiation framework, as governments influence domestic win sets through discourses. Corneliu and Manor (2018) found that the use of social media in the age of technology can influence domestic public opinion. President Andrés Manuel, using his Twitter account, serves as an example.

What happened was that on 20 December 2018 at 8am, a letter arrived at the Secretary of Foreign Affairs of Mexico from the Department of Homeland Security, presided over by Kirstjen Nielsen. The letter stated that they would begin sending asylum applicants to Mexico. Later, the State Department confirmed that these measures would be implemented immediately (Tourliere, 2018).

Despite the Mexican government's efforts, the scenario according to the US Border and Custom Protection was as follows.

Table 18 Detentions on the Southern Border of United States



Source: U.S. Customs and Border Protection Fiscal Year 2019

<https://www.cbp.gov/newsroom/stats/sw-border-migration/fy-2019>

As can be seen, there was a significant increase in detentions from February to May. In comparison to January 2018, detentions in January of the current year were 162 per cent higher, 208 per cent higher in February, 206 per cent higher in March, 214 per cent higher in April, 277 per cent higher in May, and 241 per cent higher in June. This situation created a lot of tension, and President Trump frequently mentioned the topic on his Twitter account.

On 29 March, President Trump tweeted:

“The DEMOCRATS have given us the weakest immigration laws anywhere in the World. Mexico has the strongest, and they make more than \$100 Billion a year on the U.S. Therefore, CONGRESS MUST CHANGE OUR WEAK IMMIGRATION LAWS NOW, and Mexico must stop illegals from entering the U.S through their country

and our Southern Border. Mexico has for many years made a fortune off the U.S., far greater than Border Costs. If Mexico doesn't immediately stop ALL illegal immigration coming into the United States through our Southern Border, I will be CLOSING the Border, or large sections of the Border, next week. This would be so easy for Mexico to do, but they just take our money and "talk." Besides, we lose so much money with them, especially when you add in drug trafficking, etc., that the Border closing would be a good thing! "(Trump Archives, 29/03/2019)

Although this threat never was never carried out, on 29 May the president tweeted:

"On June 10th, the United States will impose a 5 per cent Tariff on all goods coming into our Country from Mexico, until such time as illegal migrants coming through Mexico, and into our Country, STOP. The Tariff will gradually increase until the Illegal Immigration problem is remedied" (Trump Archives 29/05/2019).

The imposition of tariffs changed the calculus of inaction from President Andrés Manuel's perspective. The next day, in a tweet, he published a letter sent to President Trump on 30 May 2019 (Office of the Presidency 2019). In the letter, he recalled the relationships of previous presidents with Mexico. He also noted that tariffs are not a solution, and that Mexico is doing everything it can to stop illegal immigration while still respecting human rights. As mentioned in an interview:

"For Mexicans, the immigration of Central Americans is not a central issue. The important thing is the immigration of Mexicans and how United States government treats Mexico" (Interview 9).

Once again, the use of social media and discourse was evident as President Andrés Manuel tried to shape public opinion by framing the issue of human rights and emphasising respect for Mexico's sovereignty.

"The president is an expert in managing his public image. With the daily conference, he sets the agenda of the day and under what terms. It is not unusual for the front pages of newspapers to be related to their conferences. Even when he is confronted, he has the ability to deflect the attention by resorting to conspiracy theories or fake news" (Interview 27)

However, it appears that this agreement was still not favourable. Despite the public discourse, according to Jared Kushner (2022):

"President Trump dictated a statement that said he was imposing tariffs on Mexico immediately, with the plan to announce it on May 29th. In a private call between Jared and Trump, the president expressed his frustration with the waiting period and his scepticism about Mexico's efforts to stop the caravans. Kushner then informed him that President Andrés Manuel had shown a lot of respect thus far but was also savvy, and if Trump released that statement and announced the tariffs, he would put all the cards on the table. Afterwards, Secretary Munchin and Larry Kudlow, Director of the National Economic Council, persuaded Trump to slow down the implementation of the announcement and delay it to the following week instead of the next day. Ten minutes of the tweet, Marcelo Ebrard, Secretary of Foreign Affairs of the government of Andres Manuel, called Kushner and asked for an audience with Trump."

The governments of the United States and Mexico initiated a series of negotiations between 31 May and 8 June. In a deleted tweet, President Trump said:

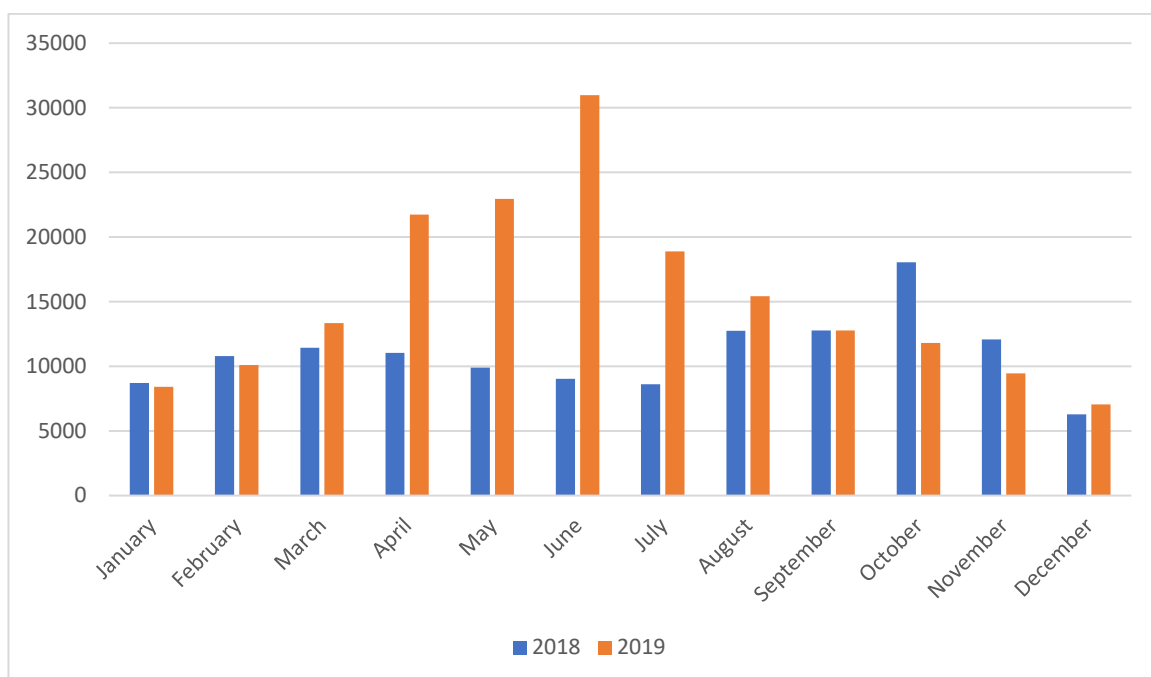
“I am pleased to inform you that the United States of America has reached a signed agreement with Mexico. The Tariffs scheduled to be implemented by the U.S. on Monday, against Mexico, are hereby indefinitely suspended. Mexico, in turn, has agreed to take strong measures to stem the tide of migration through Mexico and to our Southern Border. This is being done to greatly reduce or eliminate illegal immigration coming from Mexico and into the United States. Details of the agreement will be released shortly by the State Department. Thank you!” (Trump archives, 8/06/2019)

Consequently, both governments issued a joint statement outlining actions to be taken to reduce Central American immigration. It is noteworthy that the negotiations included investment in the Comprehensive Development Plan, which was one of President Andrés Manuel’s campaign promises. The specific statement outlined the following actions to be reviewed after 90 days (Becerra, 2020):

1. Increase of the National Guard presence in the southern border of Mexico and Guatemala

Mexico committed to intensifying its efforts to enforce immigration restrictions and curb irregular migration by deploying the National Guard and the agents of the National Migration Institute. On 10 June 6000 members of the National Guard were deployed to the border to prevent unauthorised entry, and on 25 June an additional ten thousand personnel were deployed (Arciniegas, 2019).

Figure 22 Central Americans Deported from Mexico



Source: Migration Policy Unit, Statistic booklet 2019 and 2018

[http://www.politicamigratoria.gob.mx/work/models/PoliticaMigratoria/CEM/Estadisticas/Boletines Estadisticos/2019/Boletin 2019.pdf](http://www.politicamigratoria.gob.mx/work/models/PoliticaMigratoria/CEM/Estadisticas/Boletines%20Estadisticos/2019/Boletin%202019.pdf)

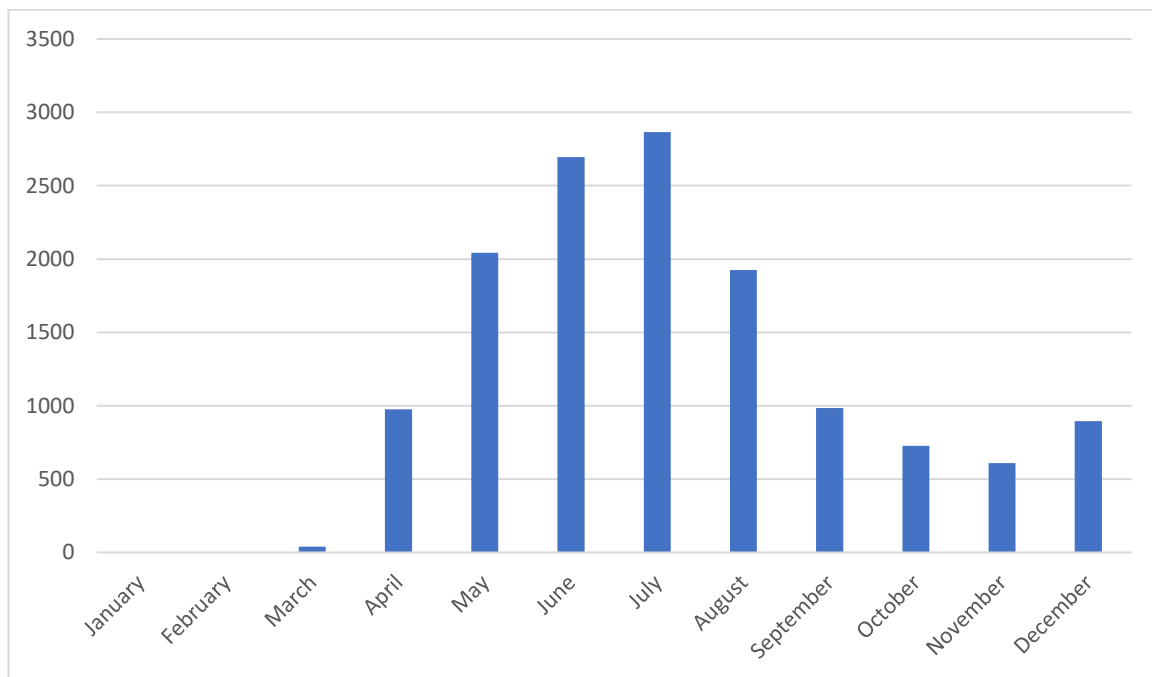
The number of detentions increased from 131,445 in 2018 to 182,940 in 2019, an increase of 140 per cent. It is important to note, as shown in Figure 22, that there was a significant increase in April, May, June, and July, with a 197 per cent increase in April, 231 per cent in May, 342 per cent in June, and 219 per cent in July. Prior to the implementation of the programme, the Mexican government deported 95,043 immigrants.

2. Expansion of the Migration Protocols (Remain in Mexico) program

The Mexican government committed to accepting more asylum seekers who were returned to Mexico from the United States under the Migrant Protection Protocols

(Remain in Mexico) program. These individuals would be provided with access to employment, medical attention, and education while they await the resolution of their asylum cases in the United States.

Figure 23 Cases presented to the Remain in Mexico Program in 2019



Source: US Border and Customs FY 2019-2020

<https://www.cbp.gov/newsroom/stats/migrant-protection-protocols-fy-2020>

As can be seen, there was a significant increase in the number of immigrants enrolled in the Stay in Mexico program during 2019, reaching its peak in July. Before the revision, Mexico received 11,530 migrants under this protocol.

3. The United States government committed to increasing its efforts to process asylum seeker cases.

However, according to the Transactional Records Access and Clearinghouse, the backlog of cases continued to grow. In the fiscal year 2018, there were 364,990 pending cases,

which increased to 489,003 in fiscal year 2019, and further increased to 614,751 in fiscal year 2020. (TRAC 2022). This indicates a lack of improvement in the asylum seeker procedures.

4. Both governments agreed to invest in the development of Central American countries and to coordinate their efforts through the Comprehensive Development Plan. President Andrés Manuel announced in a daily morning conference on June 12, 2019, that resources for the plan would come from the raffle of the presidential airplane (Office of the Presidency 12/06/2019). The plan included strategic actions for economic development, social development, environmental sustainability, and the integral management of the migration cycle with human security. Projects such as the improvement of infrastructure, the interconnection of electric systems, and train interconnections between Mexico and Central America were identified in the plan.

Table 23 demonstrates that the Mexican government's efforts led to a decrease in the number of immigrant detentions at the southern border of the United States from 144,000 in May to 52,000 in September. However, according to Kushner (2022), Trump desired further reduction, which led to a meeting between Marcelo Ebrard, Minister of Foreign Affairs, and Trump at the White House on 10 September. During the meeting, Trump mentioned that John Bolton had suggested invading Mexico to stop illegal immigration earlier that morning, but he had dismissed the idea, expressing his friendship towards Andrés Manuel and the people of Mexico. After discussing Mexico's efforts in the Stay in Mexico Program, combatting smugglers, and reducing immigrant arrivals to the United States, Trump expressed his appreciation, but also emphasised that Mexico could do more.

On 11 September, 2019, Trump tweeted:

“I had an excellent telephone conversation with Andrés Manuel López Obrador, President of Mexico, talking about Southern Border Security, and various other things of mutual interest for the people of our respective countries” (Trump Archives, 11/09/2019).

Throughout the remainder of 2019, President Trump’s tweets related to Mexico mainly focused on the ratification of the UMSCA (United States-Mexico-Canada Agreement) by Congress. In 2020, the coronavirus pandemic began, impacting the number of immigrants attempting to cross the United States.

Discussion

There are several implications for immigration policies arising from the study of caravans. As discussed in previous chapters, this study contributes to the understanding that theories of international immigration policy can also be applied to non-developed countries. The first implication is that the state is not a homogeneous entity and decision-making processes involve different perspectives and conflicting goals. Despite being a populist leader with centralised power, AMLO incorporated an institutional agenda developed by the Secretary of Foreign Affairs prior to his presidency. However, there appeared to be a miscommunication between the Secretary of Foreign Affairs, who was responsible for negotiations with the United States government, and the Undersecretary of Human Rights, Population, and Immigration, who is part of the Secretary of the Interior. This can be seen in the undersecretary’s statements, denying the existence of a Third Secure Country Agreement one day before it was published.

Second, Mexico’s government pursued a multilevel negotiation approach to find a solution. The first level involved negotiations with the United States, which exerted

pressure on Mexico to change its immigration policy. The second level involves managing public opinion in Mexico. Additionally, despite the Comprehensive Development Plan, Mexico and the United States had to negotiate with Guatemala, Honduras, and El Salvador regarding the implementation of the plan to address the influx of immigrants. This highlights that Mexico, as a transit and expulsion country for immigrants, had to engage in a three-level game involving the United States, Central American countries, and domestic politics. In this context, the ratification of the Global Compact for a Safe, Orderly and Regular Migration and the Comprehensive Development Plan can be seen as an international strategy to distance Mexico from the way the United States treats immigrants, as well as a domestic political strategy to differentiate it from the Southern Border Plan implemented under the previous administration of Peña Nieto. Furthermore, it serves as a mechanism to gain political advantage with the governments of Guatemala, El Salvador, and Honduras, demonstrating Mexico's willingness to cooperate with other countries to gain international recognition.

The third implication is that populist governments centralise the decision-making in immigration policies. As observed, the significant changes implemented during the 2018-2019 period did not have a major effect on President Andrés Manuel's approval ratings. No significant domestic political costs were associated with implementing a more open or closed immigration policy. Consequently, it was ultimately the president's opinion that dictated policy implementation. At the same time, populist governments reduce the opportunities for internal stakeholders such as human rights groups and academia to influence decision-making processes, enabling the centralisation of immigration policy without facing significant backlash from these stakeholders.

Fourth, discourses have become central to the analysis of international public policy. Trump's tweets became official presidential statements. In Mexico, the limits of

negotiations with the United States to implement a public policy are relative to the persuasive power of the government's discourse to convince the population. This can be observed in the way Andrés Manuel addressed various issues as political gain. If the United States presses Mexico and Mexico can convince the population that it is respecting national sovereignty, then it is more likely to be accepted.

Fifth, an asymmetric relationship between two countries does not always result in the alignment of a weaker country with a stronger one. As seen in the case of Mexico, its government did not always align with the interests of the United States, and there were more moments of conflict than cooperation between the two countries, despite the threats from Donald Trump

Finally, the sixth implication is that international organisations and civil society organisations can play a role in the implementation of immigration policies. International organisations can provide expertise and best practices, as demonstrated by the Comprehensive Development Plan created by CEPAL , which facilitated negotiations with Guatemala, Honduras, and El Salvador for its implementation.

Theoretical discussion:

In this case, the Kingdon theoretical model was used to understand the development of events. Nevertheless, it is evident that the model is not sufficient to understand policy outcomes. The Advocacy Coalitions Framework adapted with the Kingdon model can provide a better explanation, since most of the process was developed in the political stream.

In terms of the problem stream, there were some interactions between different actors in defining the issue. First, the government of Pena Nieto, which implemented the Southern Border Plan, defined the issue as a security problem. This was contested by the candidate and later the president to define the topic as cooperation. The elections in which AMLO got elected modified his power to influence on the problem definition. Even when there were some media outlets contesting the definition and labelling the caravans as a security issue, the population in social media tended to be neutral to the issue and there were some movements in favour of the immigrants, as in the case of #CaravanaMigratoria. This again reveals that the model should be adapted to include the characteristics of developing countries, including the use of media by hidden interests and the centralisation of power on the president figure.

The definition of the problem is coupled with the solutions presented by the international organisations in the policy stream. The forum organised by Mexico and Switzerland to discuss and later adopt the Global Compact for a Safe, Orderly and Regular Migration allowed the president, empowered by his recent election (politics stream), to propose a policy change in his National Development Plan.

Although the problem stream, the president (political entrepreneur), and the policy stream remained constant, in the politics stream, the introduction of the United States as a new actor modified the policy outcome. It can be said that the influence of the other streams had little impact on the policy outcome, and the most important stream became the politics stream and how the United States defined the issue, selected a solution, and pressured and negotiated with Mexico's government the militarisation of the southern border. Kingdon's multiple stream analysis needs to be adapted to discuss the influence of international actors when they concentrate that much power (policy entrepreneurs or advocacy coalitions).

Nevertheless, there were some strategies that were used by the contesting coalitions, the government of Mexico, and the government of the United States that were analysed in this case. The outcome of the negotiation had the influence of what both governments were trying to achieve. This aligns better with the Advocacy Coalition Framework, in which coalitions can negotiate their secondary beliefs. In this case, the government of United States gave economic support to Mexico and Central America, and Mexico's government committed to reduce the immigrants from Central America arriving to United States.

Conclusions

This chapter aimed to explain how the caravans of 2018-2019 influenced Mexico's immigration policy. It provided an overview of the caravans' history and how they were managed during their transit through Mexico. The chapter also explored the political consequences of the caravans, highlighting the positions of the Mexican and U.S. governments. Furthermore, it analysed the role of domestic politics in shaping international negotiations and presents implications for migration policy theory.

Based on this study, it can be concluded that the design and implementation of the immigration policies in Mexico has always been a source of conflict between Mexico and United States, with the degree of conflict depending on the personal characteristics of the presidents in each country. The confrontation between Donald Trump and the Mexican government was heightened because of the contrasting personalities of both leaders, leading to a unified public opinion in Mexico against Donald Trump, which allowed the Mexican government to negotiate from a stronger position. On the other hand, it can also be concluded that the economic power of the United States will always be a tool that can be used to compel Mexico to negotiate.

In terms of immigration policy theory, this chapter provides an alternative explanation of how asymmetric developing countries that serve as destinations, sources, and transit routes for immigrants modify their immigration policies. It highlights the influence of international organisations on decision-making processes, the role of asymmetric dependency in shaping internal migration policies, and how domestic politics, including the type of government in power, can impact the outcomes of immigration policy changes.

Chapter 9: General Conclusions

The following table present all the events that were covered in this thesis.

Table 19. Timeline

Year	Event
23th of August 2010	San Fernando Massacre
8 th of November 2010	IV Global Forum of Migrant and Development
24 May 2011	National Migration Law is published
1 Dec 2012	Inauguration of Enrique Pena Nieto as President of Mexico
30 April 2014	The Special Migration Program is published
April – July 2014	Increase in unaccompanied minor migrants detained in US
18 June 2014	Phone Call between Barack Obama and Enrique Pena Nieto
7 July 2014	Southern Border Plan is Published
26 September 2014	Ayotzinapa Massacre
4 December 2014	Law for the Children and Adolescents in Mexico
6 January 2015	Meeting between Barack Obama and Enrique Pena Nieto
January–September 2015	Negotiation and adoption of the 2030 agenda
Dec 1, 2017	Donald Trump takes office as President of the United States
25 March, 2018	First Migration Caravan organised in Mexico
12 October, 2018	First Migration Caravan organised from El Salvador
30 November, 2018	USMCA (United States, Mexico, and Canada) new free trade agreement is ratified
1 December, 2018	Andrés Manuel takes office as President of Mexico; Pena Nieto leaves the office
12 December, 2018	Ratification of the Global Compact for a Safe, Orderly and Regular Migration
18 December, 2018	First meeting between Trump – Andrés Manuel Lopez Obrador
29 May, 2019	Trump threatens to impose tariffs on Mexico
8 June, 2019	Joint Statement between Mexico and the United States

The historical trend of Mexican migration to the United States has significantly influenced Mexico's approach to migration policy since the 19th century. As a developing nation that has historically been a primary source of migrants, Mexico has traditionally prioritised the protection of its citizens living in the United States. However, the influx of immigrants from Central America prompted a re-evaluation of the existing laws and policies by the Mexican government. This shift in perspective has led to increased attention from scholars who are analysing immigration from the perspective of developing countries.

The phenomenon of immigration not only impacts industrialised nations, but also has economic, political, environmental, security, and human rights implications within migration flows originating from developing countries such as Mexico. With over 243 million migrants globally, according to the International Organisation for Migration (2018), the need for ongoing research and understanding of this phenomenon is crucial for grasping its full extent and implications.

Mexico is home to diverse populations of migrants from various countries, including the United States, Guatemala, Nicaragua, Honduras, Venezuela, and Haiti in recent times. However, due to the stringent immigration policies introduced by the United States government, a growing number of immigrants are choosing to stay in Mexico. The impact of this trend is significant and has had a profound effect on the formulation of immigration policies in the country.

Following the political transition in Mexico in 2000, when the ruling party that had been in power for 71 years was ousted, the nation embarked on a path towards democracy. This shift has resulted in a heightened focus on human rights and democratic principles, as well as an increase in political engagement among the populace, international recognition of Mexico, and freedom of expression and assembly. Additionally, there has been a relaxation of restrictions on independent media outlets. However, challenges, such as the growth of organised crime, have arisen in the aftermath of these changes.

The democratisation process in Mexico, coupled with increased recognition at the international stage, has initiated efforts to drive comprehensive human rights reforms. One example is the 2006 reform that focused on the decriminalisation of migration. This reform involved the removal of articles imposing prison sentences on undocumented immigrants in response to the growing discourse on human rights violations on

international platforms concerning Mexico's migration policies. This has led to a call for amendments to the General Population Law.

Mexico's government played the role of a political entrepreneur in initiating the establishment of the Global Migration and Development Forum. This forum was initially conceived as a platform for countries to cooperatively develop more effective strategies to improve global migration conditions. Given Mexico's multifaceted role as a country of origin, destination, and a significant transmigration route, its experiences and policies could potentially serve as valuable benchmarks for other nations seeking to enhance their immigration framework.

Analysing Mexico's immigration policy evolution and adaptation has become a vital and relevant contribution to the field of immigration studies. Examining how Mexico's government managed and reformed its immigration landscape offers crucial insights that could potentially inform and improve immigration endeavours in other regions. Understanding these developments is essential to anyone interested in immigration.

In this Ph.D. thesis, three case studies were selected to understand this shift. The selection was based on events that urged the modification of migration policies in Mexico in the last decade. The cases included the National Migration Law in 2011, the Southern Border Plan in 2014, and the Comprehensive Development Plan in 2018.

This thesis presents a comprehensive and multifaceted theoretical framework for evaluating selected cases, demonstrating the intricate nature of immigration studies due to the diverse disciplinary perspectives involved. Immigration research encompasses fields such as economics, sociology, public policy, politics, history, and geography, necessitating a holistic approach for thorough analysis. Additionally, the predominant focus on the viewpoints of host countries in immigration studies has posed challenges in

developing universally applicable theoretical approaches suitable for various political contexts. Although there has been an increase in scholarship concerning developing nations, the specific question addressed in this PhD research is yet to be explored. Consequently, the chosen theoretical strategy involves breaking down the main enquiry into three distinct sub-questions, each with its theoretical underpinning, to facilitate structured analysis. By integrating these individual components using a cohesive theoretical framework, this study offers a comprehensive and insightful examination of subject matter.

The primary objective of this PhD study was to explore the reasons behind Mexico's altered immigration policies towards Central Americans and identify that the actors involved in the different changes can explain the reason and direction of those changes. The three actors identified were the government of the United States, domestic civil society organisations, and international organisations.

For the first actor, two supplementary questions were posed: first, to investigate the extent to which the United States has influenced Mexico's immigration policies, and second, to examine the manner in which such influence has been exerted. According to Schiavon (2006), the United States only utilises its economic prowess to sway Mexico's foreign policy decisions when the topic is deemed a matter of national security.

The second question is to understand the reasons and methods by which international organisations affect Mexico's immigration policies. As per Sikkink and Finnemore (1992), these organisations exert their influence through socialisation. It is worth noting that Mexico's government, as a political entrepreneur in international migration discussions, is more inclined to be swayed by such influences.

The last is in what ways and to what extent does a domestic organised civil society influence Mexico's government to modify its immigration policies? To answer this question, it is useful to consider the perspectives of Murphy (2010) and Renteria (2013), who suggest that civil society can exert influence through diffusion, expertise, and the creation of advocacy networks through mobilisation and lobbying.

Two theoretical frameworks were employed to comprehend the relationships and interactions between these three questions. The first is the policy window theory put forth by John Kingdon in 1986, which examines the dynamics of policy change and the factors that influence it. The second framework was the Advocacy Coalitions Framework developed by Paul Sabatier in 1987, which was used to understand the ways in which different groups with shared interests work together to promote policy change. By applying these two frameworks to the current research question, we can gain a deeper understanding of the complex relationships between the different factors in this policy area.

From the perspective of Kingdon (1986), there are three independent agendas.

1. The political stream. In the case of this study it not only involves the domestic pressure groups and actors, but one of the main influences will be the United States government which will or not use their power to influence Mexico's policymaking.
2. The public stream is represented in this study by organised civil society organisations and public opinion.
3. The policy stream is represented by commitments undertaken by the government in the past, which are represented by the International Organisations Commitments signed by Mexico's government that serve as

solutions to the problem. It is important to note that this institutional agenda is path-dependent, and since the reform of 2007, international commitments have acted as a norm socialised by the Mexican government.

It is acknowledged that the development of each stream has contested interests that would like to dominate the outcome of the stream. Because of the multiple levels engaged in this discussion, Putnam's double-level negotiation theory served as a guide to understand when there is a conflict in the different streams and how the government attempts to balance the different influences to present a policy that reflects the different streams.

The findings

Case 1. The Massacre of San Fernando and the National Migration Law.

Following the presented model, it was found that this case is consistent with the theory presented. The massacre served as a focusing event that combined the three streams. This was possible given the efforts of Civil Society Organisations which placed the topic in international forums and international organisations that used their diffusion strategies to show that the government of Mexico was not respecting the human rights of Central American immigrants. Once the massacre occurred, it gained salience.

In terms of the political stream represented by the United States, as mentioned in chapter 6, Barack Obama's government was about to present an integral migration plan in terms of the political stream represented by the US. This placed the focus of immigration away from the national security topic and allowed Mexico's government to act independently without economic pressure from the United States.

Coalition frameworks were empowered to influence the public agenda as a consequence of the salience of the massacre. Consistent with these theories, the government seeks the expertise and knowledge of organisations in the development and design of the new immigration law as a response to the massacre.

In terms of the institutional agenda, it is consistent with the theory that international forums were used to mention the deficiencies of Mexico's immigration policies, which urged Felipe Calderon's government to note the importance of having a special legislative text specifically for immigration.

It is evident that the three different streams were not in conflict to create an immigration law based on human rights protection, so the outcome of the negotiations resulted in a law that was consistent with the proposals presented by the Civil Society Organisations and international organisations.

Case 2: The unaccompanied minor crises

In the discussion of Case 2, the unaccompanied minor crises and the National Migration Law are found to be consistent with the proposed model. The unaccompanied minor crisis served as a focusing event, in which the three streams were combined. In terms of the pre-problem stage, Civil Society Organisations were working closely with the government to create the Special Migration Program, which was proposed to solve problems that the National Migration Law was not able to solve. Consistent with the theories mentioned, civil society organisations gain influence through networks and, when governments are under a Traditional Public Administration governance model, the power of influence of third-sector organisations decreases.

International organisations were also monitoring the advancement of the commitments presented, since during this time Syrian migration to Europe was gaining salience as an international topic. This means that European countries were interested in finding solutions to the migration problem. Nevertheless, the political agenda in the U.S. was not in the same tone.

For the political stream, in this case, the sudden increase in detentions of unaccompanied minor migrants presents a challenge for the United States government. The issue was regarded as a national security issue, which, according to theory, would imply that United States government was proposing to use its economic power to influence Mexico's policy. This conflict of the different streams had as a consequence that the Mexican government had to negotiate its immigration policy with the United States, so the Putnam model was used.

The findings on the Putnam double negotiations theory show that the Mexican government engaged in negotiations, sacrificed the Special Migration Program, and changed the focus of immigration policies towards securitisation. In exchange, the United States government provided Mexico with funds to fight organised crime and provided support for Mexicans living in the United States. Nevertheless, after the issue of the unaccompanied minors lost salience, Mexico's government tried to regain its international image with the sign and ratification of Objectives 2030, which contemplated immigration and human rights as well as the approval of the Law for all the Children and Adolescents.

Case 3 the migrant caravans

In the third case, migrant caravans were evaluated. This was the focusing event that caused the agendas to recombine. In this case, it was also consistent with the theories used. First, civil society organisations expressed that with the new government of President Andrés Manuel, their power of influence declined since the government centralised all decision making. As a populist government, President Andrés Manuel in his campaign made a series of commitments criticising the violation of human rights and the relationship of the submission of President Peña to President Trump, so it was important for President Andrés Manuel to maintain this posture during his presidency. Consequently, President Andrés Manuel presented the Comprehensive Development Plan, which supposed a change from the securitisation of the southern border to a plan that respected human rights and focused on cooperation more than on the conflict of Mexico towards Central American countries.

At the same time, in the policy stream, Mexico's government as a political entrepreneur organised the Global Migration Compact, focusing on the respect of human rights of immigrants, and was signed by 153 countries, including Mexico, which signed the agreement in December 2018 as one of the first actions of the new president elect Andrés Manuel.

The caravans of immigrants crossing through Mexico to arrive in the United States were framed by the US government as a national security issue and, consistent with the theory, then pressure was exerted on Mexico's government by President Trump. The conflict between the streams was evident: on the one hand, public opinion which did not want Mexico to submit to the United States pressured and modified the domestic migration laws. On the other hand, international organisations with the new commitment

of the Global Migration Compact and the United States against immigration are trying to transform the southern border of Mexico into a more secure border.

The stage of negotiations on this issue was very public, given the use of social media accounts by both governments. Each country's power in the negotiations was based on parallel negotiations on the Free Trade Agreement between Mexico, the United, and Canada. The imposition of tariffs became the weapon that President Trump used to align Mexico to their demands, but the outcome of the negotiation also reflected that the Mexican government had the opportunity to force the US government to compromise. The compromise came with funding from the US to the Comprehensive Development Plan of President Andrés Manuel. With this, public opinion and International Organisations were more willing to ratify the outcome of the negotiations. This, added to the communications strategy of the president, allowed him to accept the negotiation terms with the US government to avoid the tariffs and show the negotiations as a political win since he obtained the promise of funding of 4.8 billion dollars in Mexico and 5.8 billion to Central America, which was the plan that was promoted by President Andres Manuel during his campaign (El Pais, 2018), which was supervised and designed in cooperation with International Organisations that gave legitimacy to the plan.

Theoretical and global implications

As this thesis suggests, immigration policies in non-Western countries are gaining importance in the academic world. Mexico is a specific case study that, because of the conditions of transmigration, migration, and immigration, can provide insights into immigration policies. Nevertheless, this study also finds that it is difficult to have a global migration theory that can predict policy behaviours; instead, the studies must rely on different interconnected theories to explain policy changes. The model presented here is

a way to link different theories to provide a comprehensive explanation of events. Although it does not aim to present a global migration policy change theory, it is shown that this model can provide insights and predictions about policy changes.

The characteristics of Mexico can be found in other migration corridors in the world, such as Spain, Morocco, and Turkey which have to deal with the same variables presented in this study but are specifically related to the relationship between these countries and the European Union. Understanding how immigration policies have changed in Mexico can provide some insights to do the same in other countries and provide more information for policymaking.

In the case of Mexico, an understanding of the processes behind policy change can be beneficial for representatives of Civil Society Organisations that try to become political entrepreneurs. It is now understood that the creation of advocacy coalition frameworks with the support of international organisations can create positive policy changes and provide more human rights under specific governance models and when the topic is not being framed as a security issue by the government of the United States. It is also shown that when the government is closer to external participation or the issue is framed as a security issue by the United States, the influence of Civil Society Organisations will depend on the influence of the win sets of ratification, so diffusion strategies to provide more information to public opinion will become the best policy instrument. With the end of COVID and Title 42 by the United States, the immigration era in Mexico will continue to change, and it will be important to understand how these changes happen so that different actors are prepared to pursue their agendas.

ANEX 1 International Instruments signed by Mexico

1. Agreements
 - 1.1 Pacific Alliance Framework Agreement Official Gazette of the Federation 17th of February 2015
2. Conventions
 - 2.1 Convention about the conditions of foreigners, Official Gazzette of the Federation, 20 of August 1931
 - 2.2 Convention of Political Asylum, Official Gazzette of the Federation, 10th of April 1936
 - 2.3 Convention of Diplomatic Asylum, Official Gazzette of the Federation, 5th of April 1957
 - 2.4 Convention or International Employment relative to the National Identification Documents of the Sea Workers, Official Gazzette of the Federation, 11th of August 1962
 - 2.5 Convention of Territorial Asylum, Official Gazzette of the Federation, 4th of May 1981
 - 2.6 Convention, 166 about Repatriation of the Sea Workers, Official Gazzette of the Federation, 13th of August 1999
 - 2.7 Convention of Refugees, Official Gazzette of the Federation, 25th of August, 2000
 - 2.8 Convention of the status of the Stateless, Official Gazzette of the Federation, 25th of August, 2000.
 - 2.9 Constitution of the Organisation for the International Migration, Official Gazzette of the Federation, 9th of August, 20002
 - 2.10 United Nations Convention against Organised Crime, adopted by the United Nations general Assembly on November 15th, 2000, Official Gazzette of the Federation, 11th of April, 2003.
3. Declarations
 - 3.1 Declaration of Cartagena about Refugees (ACNUR)
 - 3.2 Declaration of the Human Rights of Individuals that Are Not Nationals in the Country they live (ACNUR)
 - 3.3 Declaration of New York for the Refugees and Migrants (UN General Assembly 19th of September, 2016)
4. Compacts
 - 4.1 World Migration Compact on Refugees
 - 4.2 Global Compact on Migration
5. Protocols
 - 5.1 Protocol on the Refugee Status, Official Gazzette of the Federation, 25th of August, 2000.
 - 5.2 Protocol Against the Illegal Traffic of Migrants through Land, Osean and Air, Official Gazzette of the Federation, 10th of March, 2003.

5.3 Protocol to Prevent, Suppress and Punish Trafficking of persons, Especially Children, Official Gazzette of the Federation, 10th of April, 2003

6. Other Instruments

6.1 Agenda 2030 and Sustainable Development Objectives

Annex 2. Interviews

Type of organisation	Organisation	Interviews collected	Interviews used
International Organisations:	International Organisation for Migration in Mexico, Human Rights Watch Mexico, United Nations Mexico.	10	7
Government Organisations:	Secretary of Foreign Affairs, Embassies, Office of the President, Secretary of the Interior, National Migration Institute.	8	6
Civil Society Organisations:	Representatives of Without Borders, various Migrant Houses, Institute of Women in Migration	11	6
Academic Institutions:	Mora Institute, Centre of Research and Teaching in Economics, Wilson Centre, Migration Policy Institute, University of California, San Diego, Northern Border College, National Autonomous University of Mexico.	13	9

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