

Who is a refugee?

A person who is outside his/her country of origin or of habitual residence and is in one or more of the following situations:

- Has a well-founded fear of being persecuted for reasons of race, religion, gender, nationality, political opinion or membership of a particular social group in his or her country of origin, or
- Has left his or her country because there are threats against his or her life, physical integrity or freedom due to war or a situation of conflict.

A refugee could be, among others:

- A woman victim of gender-based violence by her partner, husband, ex-husband, etc.
- An adult, child or adolescent victim of human trafficking (forced labor, labor exploitation, forced begging, sexual slavery or forced marriage, among others) who, if returned to his/her country of origin, may suffer serious human rights violations in retaliation.
- Someone who, due to his/her sexual orientation, is vulnerable to attacks and/or generalized or serious discrimination.

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- Someone who fears forced recruitment into a gang, or faces death threats from organized gangs.
- A child or adolescent who may suffer abuse, violence, child labor exploitation, sexual exploitation, etc, if returned to his/her country of origin.

Many people do not know that they are refugees and therefore, do not know that they have the right to claim refugee status. If you face any of these situations, you have the right to apply for refugee status determination in Mexico.



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How does one claim the refugee status in Mexico and what is the procedure?

- In Mexico, the institution in charge of providing protection to refugees is the Mexican Commission for Refugee Aid (COMAR).
- If you need guidance, contact the United Nations High Commissioner for Refugees in Mexico (UNHCR or, in Spanish, ACNUR).
- You can submit the application before any Mexican government official, but preferably at a COMAR office or at any National Institute for Migration (INM) office. It is important to note that, if you are not currently in a migratory station and apply for refugee status determination, you will not be sent to any migratory station while your refugee claim is pending. If you are currently in a migratory station, you need to inform an INM official that you wish to apply for refugee status determination, so that COMAR can be notified.
- From the next working day that you enter Mexico, you have within the next 30 working days (from Monday to Friday) to submit a written or a verbal (if written is not possible)

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application, in any language, for a refugee status determination.

- If you submit the application after this period, you need to justify the reason why it was not possible for you to submit it on time so that COMAR can determine whether they will accept or not the late application.
- During the procedure, you will have to answer a series of questions regarding your personal details/information and explain the reasons why you are applying for refugee status determination.
- Based on the analysis of the application, COMAR will issue a resolution within the next 45 working days from the day that the application was submitted. In some exceptional cases, that period may be extended up to 45 more working days.

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Rights and obligations of applicants for refugee status determination.

When a person has expressed his or her desire to be recognized as a refugee, he or she is considered an applicant for the refugee status and has several **rights**, some of which are:

- Not to be sent back to their country of origin or any other country where their life, security or freedom would be in danger (known as the right of non-return).
- Not to be sanctioned for having entered Mexico in an irregular manner.
- Not to notify the diplomatic or consular authorities of the country of origin, except with expressed consent of the applicant.
- To have a translator or interpreter, if needed.
- To be able to communicate with their legal representative or trusted person.
- Not to face discrimination.
- If the applicant is under 18 years old, he or she is entitled to the guarantee of the principle of best interest of the child.
- To receive information about the refugee status determination procedure, a free and confidential procedure.

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- To appeal the decision made by COMAR in case it is negative, within the next 15 working days from the day that COMAR notifies the resolution.
- To contact the UNHCR (in Spanish, ACNUR).

Applicants also have a series of **obligations**, some of which are:

- To provide truthful information about the reasons why they left their country of origin or of habitual residence.
- To describe the circumstances of those reasons, in support of their application.
- To attend all interviews that COMAR considers necessary to obtain the information for the analysis of the case.

Rights and obligations of REFUGEES.

Once recognized as such, refugees have several **rights**, some of which are:

- To have permanent residence in Mexico.
- To work.
- Access to healthcare services.
- To receive an education and, if needed, the validation of their studies.
- To have identity and travel document issued by the Mexican government.
- To move freely within the Mexican territory.
- To request family reunification.

Refugees also have the following **obligations**:

- To respect the Constitution of Mexico.
- To respect the laws and regulations of Mexico.



Who is a beneficiary of complementary protection?

If you applied for the refugee status and you do not comply with all the requirements but require protection and cannot be returned to your country of origin because your life is in danger, or there are reasons to believe that you could be subjected to torture, or any other inhumane, cruel or degrading treatment, you can obtain complementary protection and permanent residence in Mexico.

Who is a stateless person?

A person in one of the following situations:

- Not considered as a national by any State under the operation of its law.
- Has a nationality but it is not effective.

If you want to apply for stateless status determination, you need to submit the application before the National Institute for Migration (INM). If you are recognized as such, you will obtain permanent residence in Mexico.

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COMAR

COMAR in Mexico City:

Tel.: (55) 52 09 88 00

Ext. 30158 / 30157 / 30147 / 30142

COMAR in Tapachula (Chiapas):

Tel.: (962) 642 53 18 y (962) 642 53 19

COMAR in Acayucan (Veracruz):

Tel.: (924) 247 91 91

UNHCR or ACNUR

UNHCR or ACNUR in Mexico City:

Free call: 01 800 22687 69

Tel.: (01 800 ACNUR MX) or tel.: (55) 50 83 17 10

mexme@unhcr.org

UNHCR or ACNUR in Tapachula (Chiapas):

Tel.: (962) 642 51 98

mexta@unhcr.org

www.acnur.org



Information about the protection of refugees and stateless persons in Mexico



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