November 30, 2018

The Honorable Andrés Manuel López Obrador  
President-Elect of Mexico  
In care of the Official Residence of Los Pinos,  
Molino del Rey s/n  
Col. San Miguel Chapultepec, Distrito Federal C.P. 11850

The Honorable Michael R. Pence  
Vice President of the United States  
The White House Office of the Vice President  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear President-Elect López Obrador and Vice President Pence:

First, allow us to offer to incoming President López Obrador warm congratulations on the inauguration that will take place on December 1.

We understand that you will meet together on that date to discuss migration concerns. As former U.S. officials who have been involved in issues relating to national security, refugees and asylum, and Western Hemispheric affairs, we welcome such discussions. We believe that cooperation between the United States and Mexico on these matters is critically important to advancing solutions that meet humanitarian and refugee protection imperatives while also responsibly addressing border management concerns.

We hope that during your discussions, you jointly commit to several key principles, and publicly articulate those commitments.

First, we urge that you emphasize that the issue of migration from Central America is primarily a humanitarian challenge.

The countries of the Northern Triangle of Central America have among the highest homicide rates in the world, and all evidence indicates that migration from the region is fueled largely by well-founded fears of persecution, human rights abuses, and criminal violence. Rhetoric that has vilified the asylum seeker population risks leading to policy measures that will be misdirected, will fail to address this humanitarian challenge, and will have devastating impacts on the lives of vulnerable women, men, and children.

Second, we urge that you jointly reaffirm the right of individuals to seek asylum in both the United States and in Mexico, and that you rule out any agreement that would endorse U.S. measures to restrict access to asylum in the United States and would make the government of Mexico complicit in abuses of human rights.

We are deeply troubled by the U.S. administration’s measures to restrict access to asylum for those seeking to enter the United States, whether between or at U.S. ports of entry. In addition to conflicting with U.S. obligations under the Refugee Convention and Protocol, U.S. actions have
unreasonably compounded the challenges for the government of Mexico, which is already hosting thousands of Central Americans seeking refuge.

We are also very alarmed by reports that the United States will press Mexico to accept an arrangement that would force those seeking asylum in the United States to remain in Mexico pending determination of their claims. This measure, which we believe conflicts with U.S. law on asylum, would impose additional and unreasonable burdens and risks to both asylum seekers and to the government of Mexico.

*Third, we strongly support efforts of both the government of the United States and the government of Mexico to develop additional capacity to manage migration challenges both humanely and effectively.*

Immigration enforcement and border security are essential policy objectives. But they should not—and they cannot—be achieved without additional measures to build capacity to responsibly and humanely consider claims of those who are fleeing persecution and violence in Central America.

We strongly support efforts by the government of Mexico, the United Nations Refugee Agency (UNHCR), and the United States to provide additional protection and asylum related resources within Mexico, including to the Mexican Commission for Assistance to Refugees (COMAR) and to Mexican non-governmental organizations providing assistance to Central Americans seeking temporary protection or asylum in Mexico.

We also support measures by the United States to responsibly manage asylum processing challenges, including by strengthening Customs and Border Protection processing capacity at ports of entry, increasing the number of immigration judges who can hear cases, implementing alternatives to detention that have been proven to be effective, and moving forward on a range of measures to reduce the backlog of asylum cases, including by permitting asylum officers (instead of immigration judges) to initially consider credible asylum claims that have a high likelihood of being approved. These and other measures, which could be implemented at relatively modest costs, would have substantial and positive impacts.

In conclusion, we believe these migration policy challenges are most amenable to solutions that achieve migration management objectives while also vindicating critical principles of humanitarianism and refugee protection.

We hope your meeting will promote those outcomes.

Sincerely,

J. Brian Atwood
Former Administrator, U.S. Agency for International Development

Robert Mason Beecroft
Former Head, OSCE Peacekeeping Mission, Bosnia and Herzegovina
Rand Beers  
Former Deputy Assistant to the President for Homeland Security

Antony Blinken  
Former Deputy Secretary of State

William J. Burns  
Former Deputy Secretary of State

Bo Cooper  
Former General Counsel, U.S. Immigration and Naturalization Service

Jeffrey DeLaurentis  
Ambassador and Alternate Representative for Special Political Affairs, U.S. Mission to the United Nations  
Former Deputy Assistant Secretary of State for Western Hemisphere Affairs

Arthur “Gene” Dewey  
Former Assistant Secretary of State for Population, Refugees, and Migration

Harold Hongju Koh  
Former Legal Adviser, Department of State  
Former Assistant Secretary of State for Democracy, Human Rights and Labor

Jeremy Konyndyk  
Former Director of the Office of Foreign Disaster Assistance (OFDA), U.S. Agency for International Development

David Kramer  
Former Assistant Secretary of State for Democracy, Human Rights and Labor

Mark P. Lagon  
Former Ambassador-at-Large to Combat Trafficking in Persons

Frank Loy  
Former Undersecretary of State for Global Affairs

Phyllis Oakley  
Former Assistant Secretary of State for Population, Refugees, and Migration  
Former Assistant Secretary of State for Intelligence and Research
Thomas R. Pickering  
Former Undersecretary of State for Political Affairs  
Former Ambassador to Jordan, Nigeria, El Salvador, Israel, the United Nations, India and Russia

Anne C. Richard  
Former Assistant Secretary of State for Population, Refugees, and Migration

David M. Robinson  
Former Assistant Secretary of State for Conflict and Stability Operations

Myrta (Chris) Sale  
Former Acting Commissioner, U.S. Immigration and Naturalization Services (INS)  
Former Deputy Commissioner, U.S. Immigration and Naturalization Service (INS)

Eric Schwartz  
Former Assistant Secretary of State for Population, Refugees, and Migration  
Former National Security Council Senior Director for Multilateral and Humanitarian Affairs