

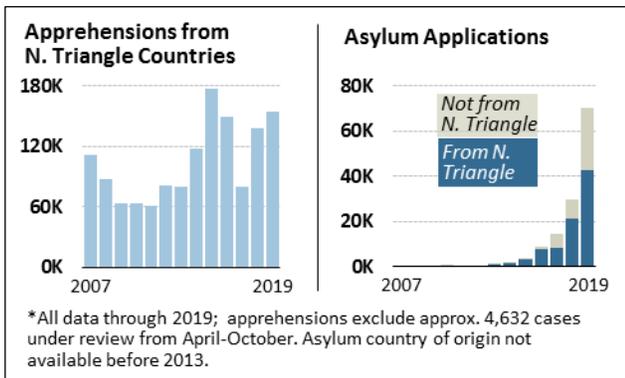


Mexico’s Immigration Control Efforts

Background

Since 2014, Mexico, along with the United States, has experienced a surge in unauthorized migration from the “Northern Triangle” of Central America (El Salvador, Guatemala, and Honduras). Mexico, like the United States, has struggled to deal with large numbers of families and unaccompanied minors, many of whom are seeking asylum. To avoid tariffs threatened by the Trump Administration, Mexican President Andrés Manuel López Obrador agreed in June 2019 to increase immigration enforcement and allow more migrants to await their U.S. immigration proceedings in Mexico.

Figure 1. Mexico: Reported Apprehensions of Migrants from Northern Triangle Countries and Asylum Applications



Source: CRS based on information from Mexico’s Secretary of the Interior.

During a September 2019 meeting with Mexican Foreign Minister Marcelo Ebrard, Vice President Mike Pence recognized Mexico’s efforts but said more work was needed to reduce unauthorized migration. The next day, the U.S. Supreme Court allowed the Trump Administration to implement a rule, pending a legal challenge, that bars those who have reached the southern border after passing through another country without seeking asylum there from requesting asylum in the United States. Because of that ruling and other changes in U.S. processing of migrants on the southwest border, Mexico is receiving record asylum requests (see **Figure 1**). (For more information, see CRS In Focus IF11363, *Processing Aliens at the U.S.-Mexico Border: Recent Policy Changes*.)

Immigration Control

In 2014, with support from the United States, Mexico implemented a Southern Border Plan that established naval bases on its rivers, security cordons north of its borders with Guatemala and Belize, and a drone surveillance program. Unarmed agents from the National Migration Institute (INM) increased operations along train routes and at bus stations, which led to more apprehensions. INM

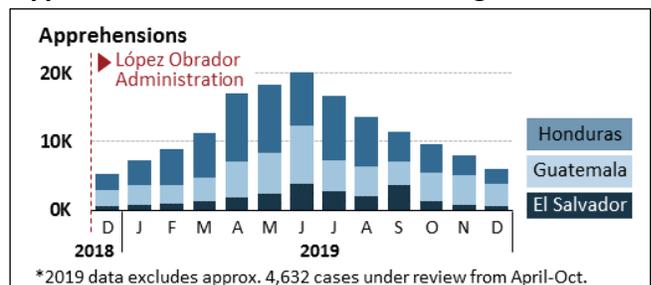
improved infrastructure at border crossings and created mobile highway checkpoints. INM also sought to professionalize its workforce and improve coordination with Mexican federal police, military forces, and customs.

The State Department’s *2019 Trafficking in Persons* report documents how migrants in Mexico are vulnerable to human rights abuses and human trafficking. Human rights groups argued that the Southern Border Plan pushed migrants to take more dangerous routes, which increased their reliance on smugglers. These groups criticized the Mexican government for not adequately addressing corruption among police and migration officials or prosecuting crimes against migrants. By 2018, increasing numbers of migrants began to travel in large groups (so-called caravans) to share resources and gain protection.

President López Obrador took office in December 2018, endorsing a humanitarian approach to migration and pledging to promote development in Central America as a solution to unauthorized migration. Nevertheless, López Obrador did not increase funding for Mexico’s backlogged Commission for the Aid of Refugees (COMAR). His government’s austerity policies also could prevent him from fulfilling his pledge to invest \$100 million in the Northern Triangle.

Since April 2019, López Obrador has taken a harder line toward migration, as he has faced pressure from the United States to reduce migrant flows and Mexico’s detention facilities have grown overcrowded. His government has increased migrant apprehensions (see **Figure 2**) and restricted access to humanitarian visas, particularly for those traveling in caravans. Mexico has deployed its new National Guard to help with immigration enforcement. Apprehensions of migrants from Northern Triangle countries totaled roughly 154,400 in 2019, up from 138,600 in 2018 but below the 177,950 apprehended in 2015.

Figure 2. Mexico: Recent Trends in Reported Apprehensions of Central American Migrants



Source: CRS based on data from Mexico’s Secretary of the Interior.

Humanitarian Protection

Mexico has a broader definition of *refugee* than the United States and the 1951 U.N. Refugee Convention; it recognizes a right to asylum based on “generalized violence; foreign aggression; internal conflicts; massive violations of human rights; and other circumstances leading to a serious disturbance of public order.” As a result, many of the migrants arriving in Mexico from the Northern Triangle could qualify as refugees. Asylum requests have doubled in Mexico each year since 2015, reaching 70,300 in 2019, according to COMAR officials (see **Figure 1**). The top countries of origin for asylum seekers in Mexico in 2019 were Honduras, El Salvador, Cuba, and Venezuela.

Even with support from the U.N. High Commissioner for Refugees (UNHCR), experts say COMAR does not have sufficient budget or staff to process pending and new asylum claims. In 2019, COMAR granted refugee status to 1,863 people from Northern Triangle countries.

U.S. Foreign Assistance

Since FY2014, the State Department has allocated over \$200 million in Mérida Initiative funding to support Mexico’s immigration control and border/port security efforts. U.S. funds have provided nonintrusive inspection equipment, mobile kiosks, canine teams, and vehicles, as well as training in immigration enforcement. U.S. assistance helped Mexican agencies build a secure communications network in the southern border area. It is also helping Mexico collect biometric information that interfaces with U.S. databases. (See also CRS In Focus IF10578, *Mexico: Evolution of the Mérida Initiative, 2007-2020*.)

The State Department provided \$7 million in FY2018 and \$51 million in FY2019 through the Migration and Refugee Assistance (MRA) account to UNHCR to improve access to asylum in Mexico, provide legal assistance and alternatives to detention for asylum seekers, and increase COMAR’s asylum processing capacity. In FY2019, the International Organization for Migration received \$24 million in MRA funds to improve shelters, provide transitional assistance to migrants, and transport migrants who voluntarily agree to be sent back to their home countries.

U.S. Migrant Protection Protocols

In December 2018, President López Obrador decided to allow the United States to return Central American migrants to Mexico under the U.S. Migrant Protection Protocols (MPP). MPP allows the U.S. Department of Homeland Security (DHS) to require many non-Mexican migrants who arrive at the southern border to wait in Mexico while U.S. immigration courts process their cases. MPP does not apply to some categories of aliens, including Mexican nationals, unaccompanied minors, and those who can demonstrate that it is more likely than not that they would face persecution or torture in Mexico. The policy is facing legal challenges in the United States, but court orders currently allow DHS to continue implementation. As of January 2020, some 59,000 migrants had been returned to Mexico under the MPP. (See also CRS Legal Sidebar LSB10251, “*Migrant Protection Protocols*”: *Legal Issues*

Related to DHS’s Plan to Require Arriving Asylum Seekers to Wait in Mexico.)

June 2019 Migration Agreement

In May 2019, President Trump threatened to impose tariffs on U.S. imports of Mexican motor vehicles if the Mexican government did not increase its efforts to stop U.S.-bound migrants. On June 7, 2019, the governments reached a migration agreement to avert the tariffs. According to the June U.S.-Mexico joint declaration, Mexico agreed to deploy its National Guard to its borders, dismantle human smuggling networks, and accept the expansion of the MPP across the entire border. Mexico also agreed to provide access to “jobs, healthcare, and education” to those in the MPP. The United States pledged to speed up adjudication of asylum claims and prioritize the court proceedings of migrants in the MPP program. Both countries reiterated their 2018 joint announcement in support of economic development in Mexico and the Northern Triangle.

U.S. apprehensions of migrants on the southwest border fell by 62% from May 2019 to August 2019. Although some of that decline may be due to seasonal trends, Vice President Pence acknowledged in September that “Mexico’s unprecedented steps” had helped to reduce U.S.-bound unauthorized migration.

The June agreement also has coincided with increasing incidents of violence against migrants in both southern and northern Mexico. As of January 2020, nongovernmental organization Human Rights First had documented 816 publicly reported cases of migrants returned to Mexico under the MPP who had been murdered, raped, kidnapped, tortured, and/or assaulted. With wider implementation of the MPP, and U.S. officials limiting the number of migrants accepted daily for screening through a process referred to as *metering*, Mexican border cities—some of which have high rates of violent crime—are now sheltering tens of thousands of migrants with little support. Mexico opened its first federally funded shelter in Ciudad Juárez in July 2019; the second opened in Tijuana in December.

Congressional Action

The 116th Congress has continued to fund and oversee U.S. assistance to Mexico through the Mérida Initiative and MRA funds. In December 2019, Congress enacted P.L. 116-94, which provided \$157.9 million in total assistance to Mexico without specific allocations for support for Mexico’s immigration control or humanitarian protection efforts. The Trump Administration’s FY2021 budget request asks for \$63.8 million for Mexico but does not specify that the funds be used to address migration-related issues. Legislation has been introduced to prohibit funding for the MPP (H.R. 2662) and to amend Section 235 of the Immigration and Nationality Act to remove authorization to implement the MPP (H.R. 5207). A Senate resolution has been introduced (S.Res. 484) that would call on Congress to defund the MPP. Congress has held hearings on or related to MPP and conducted oversight trips to northern Mexico.

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