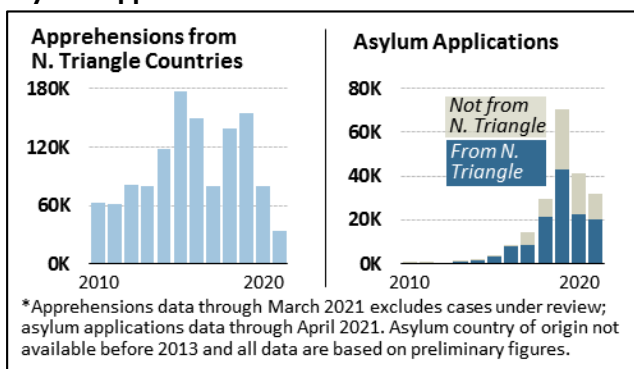


Mexico's Immigration Control Efforts

Background

Since 2014, Mexico has experienced periodic surges 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. Under the threat of U.S. tariffs, Mexican President Andrés Manuel López Obrador accommodated Trump Administration policy changes that shifted some of the burden of interdicting migrants and hosting asylum seekers from the United States to Mexico. The Biden Administration has also sought Mexico's assistance in managing U.S.-bound migration flows.

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.

President Joe Biden has begun to revise certain restrictive policies implemented by the Trump Administration but is seeking to do so in a way that does not overwhelm the processing capacity of U.S. agencies. President Biden also proposed a comprehensive immigration reform bill, introduced as the U.S. Citizenship Act (S. 348/H.R. 1177), which would create a regional migration management system involving Mexico and Central America. Vice President Kamala Harris is leading diplomatic efforts to secure Mexico's help in addressing the root causes of migration, interdicting migrants, and combating alien smuggling and human trafficking. In mid-March 2021, Mexico closed its southern borders to nonessential travel.

Immigration Control

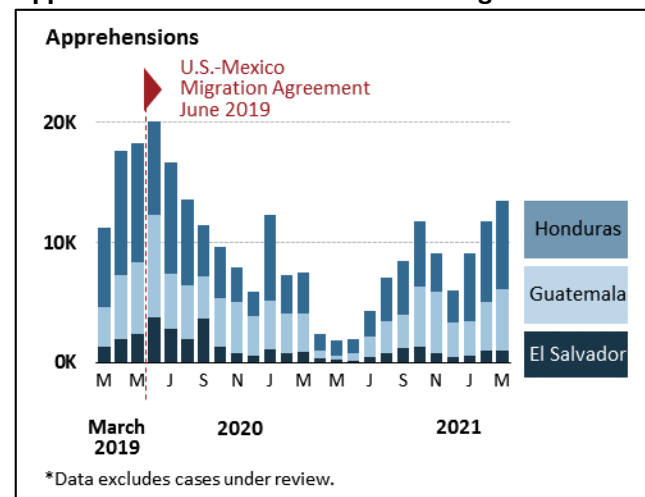
Since 2014, with support from the United States, Mexico has established naval bases on its rivers, security cordons north of its borders with Guatemala and Belize, and drone surveillance. Unarmed agents from the National Migration Institute (INM) have increased operations along train routes and at bus stations. INM has improved infrastructure at border crossings and created mobile highway checkpoints. INM also has sought to professionalize its workforce and

improve coordination with customs and federal, state, and local security forces.

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, he did not increase funding for Mexico's backlogged Commission for the Aid of Refugees (COMAR). His government's austere budgets have not reflected his early pledges to invest \$100 million in the Northern Triangle.

Since April 2019, López Obrador has taken a harder line toward migration, in part due to U.S. pressure. His government has increased migrant apprehensions (see **Figure 2**) and restricted access to humanitarian visas, particularly for those traveling in large groups (or caravans). As during prior enforcement surges, migrants have taken more dangerous routes and increased their reliance on smugglers. After Mexico deployed its new National Guard to help with immigration enforcement, reports of mistreatment of migrants rose. Corruption within INM and impunity for crimes against migrants have increased migrants' vulnerability to human rights abuses and crime. A dozen state police have been implicated in a January 2021 massacre of 19 people, including Guatemalan migrants, near the U.S. border.

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; Mexico 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 doubled in Mexico each year from 2015 to 2019 (see **Figure 1**). Through April 2021, Mexico had received nearly 32,000 asylum requests, with most asylum seekers originating from Honduras, Haiti, Cuba, El Salvador, and Venezuela.

With support from the U.N. High Commissioner for Refugees (UNHCR), COMAR reduced the backlog of asylum requests in 2020. COMAR granted refugee status to 10,100 people from the Northern Triangle that year, up from 1,863 in 2019.

U.S. Foreign Assistance and Policy

Foreign Assistance

Since June 2015, the State Department has spent \$58.5 million in Mérida Initiative funding to support Mexico's immigration control and border security efforts. U.S. funds have enabled the provision of nonintrusive inspection equipment, mobile kiosks, canine teams, and vehicles, as well as training for more than 1,000 officials. U.S. assistance helped Mexican agencies build a secure communications network in the southern border area. Current funding supports the collection of biometric information that interfaces with U.S. databases and efforts to counter alien smuggling and human trafficking.

Since FY2018, the State Department has provided more than \$106 million 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. MRA funds have supported other humanitarian organizations involved in improving shelters, providing medical aid to migrants, and transporting migrants who voluntarily agree to be sent back to their home countries.

U.S. Migrant Protection Protocols

In December 2018, López Obrador allowed the United States to return Central American migrants to Mexico under the U.S. Migrant Protection Protocols (MPP). From January 2019 through its suspension in January 2021, the MPP allowed the Department of Homeland Security (DHS) to require more than 70,000 non-Mexican migrants who arrived at the border to wait in Mexico while U.S. immigration courts processed their cases. The MPP gradually expanded to include asylum seekers from Cuba, Venezuela, and Ecuador. In March 2020, all pending MPP hearings were suspended indefinitely in response to the Coronavirus Disease 2019 (COVID-19) pandemic.

On June 7, 2019, Mexico reached a migration agreement with the Trump Administration to avert U.S. tariffs. According to the U.S.-Mexico joint declaration, Mexico agreed to deploy its National Guard to its borders, counter human smuggling networks, and accept the expansion of the MPP across the entire northern border. The United States pledged to speed up adjudication of asylum claims and prioritize the court proceedings of migrants in the MPP

program. The countries reiterated a 2018 joint statement supporting economic development in Mexico and the Northern Triangle.

The June 2019 agreement coincided with a 65% reduction in U.S. border apprehensions by September 2019. Increasing incidents of violence against migrants in both southern and northern Mexico also occurred. Mexican border cities—some of which have high rates of violent crime—were sheltering tens of thousands of migrants with little support. Human Rights First, a nongovernmental organization, documented 1,300 publicly reported cases of those subject to the MPP who had been murdered, raped, kidnapped, tortured, or assaulted as of January 2021.

In February 2021, the Biden Administration suspended new enrollments in the MPP. DHS began a phased process for MPP enrollees with pending immigration court proceedings to enter the United States for processing.

Title 42

In response to the pandemic, DHS largely suspended asylum processing at the U.S.-Mexico border in March 2020 under a Centers for Disease Control and Prevention public health order (referred to as *Title 42*). The Trump Administration then expelled most migrants without valid travel documents into Mexico or returned them to their home countries as quickly as possible. Mexico has struggled to absorb those migrants, particularly after a revision to its immigration law prohibiting the detention of minors in facilities with adults took effect in January 2021.

The Biden Administration has exempted unaccompanied children and certain vulnerable migrants from the Title 42 policy but otherwise left the policy mostly in place. U.S.-funded international organizations are helping identify vulnerable migrants in need of U.S. processing. Some 190,400 migrants still have been subject to expulsion, mostly to Mexico, from February to April 2021. As the pandemic has begun to subside, migrants' rights groups have urged an end to this policy. However, doing so could increase the migration surge.

Operation Sentinel

In April 2021, DHS announced it had launched a new multiagency effort to target transnational criminal organizations (TCOs) involved in smuggling migrants. With support from Mexico, the effort will target assets and individuals associated with TCOs complicit in alien smuggling with visa revocations and frozen bank accounts.

Congressional Action

Congress may consider legislation that would affect U.S.-Mexico migration issues discussed in this product (such as S. 348/H.R. 1177 and/or S. 1358, which would create more border processing centers). The 117th Congress is continuing to fund and oversee U.S. assistance to Mexico through the Mérida Initiative and MRA funds. See also CRS Report R41349, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*.

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