



Mexico’s Recent Immigration Enforcement Efforts

Background

In 2014 the United States and Mexico experienced an unprecedented surge in undocumented migration of unaccompanied children and family units from Central America. In response, Mexico greatly increased its immigration enforcement efforts, particularly along its southern border. In 2014, Mexico’s Ministry of the Interior (SEGOB) reported that it removed 104,269 migrants who came from the “northern triangle” (El Salvador, Honduras, and Guatemala) of Central America. Roughly 17,900 of those migrants were minors, 8,236 of whom were unaccompanied. Mexico’s increased enforcement has contributed to fewer apprehensions of illegal immigrants at the U.S.-Mexico border. During the first half of FY2015, U.S. apprehensions of unaccompanied minors at the border were 45% lower, and total apprehensions of family units were 30% lower than the same period in 2014.

SEGOB reports that from January to late April 2015, Mexico detained 59,650 migrants, a 77% increase from the same period of 2014. Of those, 8,710 were minors, a 54% increase from 2014.

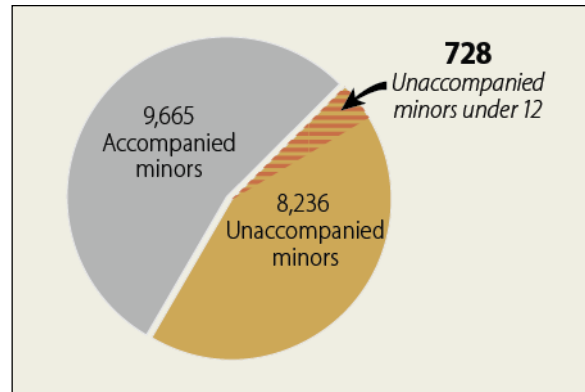
In January 2015, President Obama praised Mexican President Enrique Peña Nieto for his government’s increased immigration enforcement efforts. Some have argued that the U.S. government has pressured the Mexican government to stave the flow of U.S.-bound illegal migration from Central America. Others have maintained that Mexico has been adequately compensated for its efforts through the Mérida Initiative, which provided \$79 million in U.S. assistance above the Administration’s request for FY2015, partially to support Mexico’s southern border efforts. Human rights groups have voiced concerns regarding Mexico’s management of these complex migrant flows and have questioned its ability to protect migrants.

Mexico’s Southern Border Plan

On July 7, 2014, President Peña Nieto announced a new Southern Border Plan. The plan increased security at 12 ports of entry with Guatemala and Belize and along known migration routes in an attempt to (1) protect migrants and (2) promote regional security and prosperity. It prioritizes:

- regular and ordered migration;
- infrastructure improvements;
- protection of migrants;
- regional shared responsibilities; and
- interagency coordination.

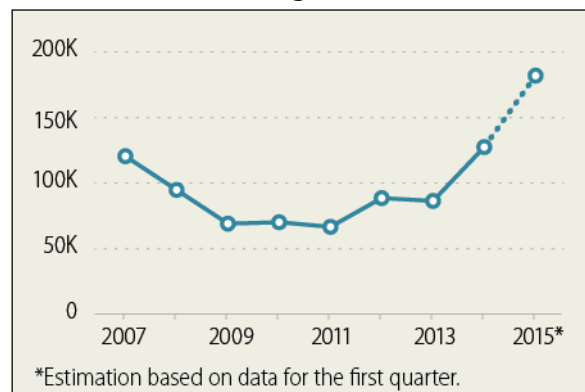
Figure 1. “Northern Triangle” Minors Removed by Mexico in 2014



Source: Mexico’s Ministry of the Interior (SEGOB)

Under this plan, Mexico’s National Institute of Migration (INAMI) agents have taken on a new enforcement directive. These unarmed agents have worked with the military and the police to increase immigration enforcement efforts along known migrant routes. In 2014, INAMI reportedly conducted more than 150 raids on northbound trains that previously transported 500-700 migrants through Mexico three times a week. Those efforts have pushed migrants to take new routes, particularly along the highways. INAMI has invested in security at existing border crossings and the establishment of more than 140 mobile highway checkpoints. It has also significantly increased the number of cases it has referred to prosecutors for crimes against migrants (including alien smuggling). The creation of a database of biometrics and migration data is an additional long-term goal of the plan.

Figure 2. Foreign Nationals Taken into Custody by Mexican Immigration Officials



Source: Mexico’s National Institute of Migration (INM)

In addition to increasing enforcement, the plan aims to provide basic services to migrants, including medical care offered at five clinics, and facilitate legal migration for

tourists and laborers from Guatemala and Belize. Citizens of these countries now have free and readily accessible visas that allow regular reentry. Visa-processing locations have been established in Guatemala and Belize; officials have also sought to register those already within Mexico without documentation. Mexico aims to be better able to identify illegal immigrants, while still allowing commerce and tourism in border states.

Human Rights Concerns

Human rights activists have voiced concerns regarding Mexico's protection of migrants' human rights. The increase in checkpoints and the crackdown on migrants traveling on the top of northbound trains has pushed many migrants to find even more treacherous routes. Some have stated that these routes may leave migrants more vulnerable to criminal organizations and human traffickers, with less access to aid workers and shelters.

Many have voiced concerns that the Southern Border Plan does little to address the issue of corruption among both police and government officials. The State Department's 2014 *Trafficking in Persons* report documents that migrants traveling through Mexico are particularly vulnerable to human rights abuses by both criminal organizations and corrupt officials. INAMI has made efforts to improve accountability and integrity within its organization: roughly one-third of its agents have been dismissed since mid-2014. While this may indicate improvement within the organization, the inability or reluctance to prosecute these agents has left them free to potentially prey on migrants. According to INAMI, the agency has more than 400 child protection officers to handle unaccompanied children; however, they are stretched thin across Mexico's 32 states.

Mexico's Asylum and Humanitarian Visa Programs

Humanitarian organizations have also raised concerns about Mexico's capacity to screen migration flows from Central America for migrants who may have been victims of human trafficking or have valid claims to asylum due to conditions in their home countries. Recent U.N. High Commissioner for Refugees (UNHCR) studies have found that at least half of all children fleeing the northern triangle may have international protection needs.

Mexico has historically welcomed refugees (those who are unwilling or unable to return to their home country due to a well-founded fear of persecution on account of race, religion, nationality, political opinion, or membership in a particular social group). Mexican law states that all migrants must be informed of their right to apply for international protection. Nonetheless, human rights activists have claimed that only 1 out of 10 unaccompanied children is informed of the right to request asylum. Asylum provides the migrant with the right to stay in Mexico permanently. Despite an increase of 17% in asylum applications in 2014, the Mexican Commission for the Aid of Refugees (COMAR) received a budget increase of only 4% for 2015.

With limited funds, COMAR lacks the manpower necessary to inform and process all migrants. The lack of information about their right to apply and the many months that migrants must spend in detention while awaiting the results of their applications appear to have deterred many from applying. Of those who applied last year, Mexico's Interior Ministry reports that COMAR granted asylum to just 12 children. In recent years, COMAR's approval rate has averaged roughly 20%.

Mexico also offers those who require international protection the option to apply for a humanitarian visa. Humanitarian visas allow a migrant to stay in Mexico for only a year. The number of migrants provided humanitarian visas has also remained low at only 332 in 2014, according to an April 2015 study by Georgetown Law School's Human Rights Institute. The study maintained that the application process for humanitarian visas, as with the asylum process, is generally long and difficult.

Issues for Congress

Congress has increasingly viewed Mexico's southern border as an integral part of U.S. border security and the Mérida Initiative. At the same time, Congress has prioritized the protection of human rights in Mexico by placing human rights-related conditions on Mérida Initiative funding. Congress may consider how to help mitigate concerns about migrants' rights in Mexico.

The State Department has provided Mexico with substantial equipment and training assistance, including non-intrusive inspection equipment and canine teams for ports of entry. This aid has been provided through pillar 3 of the Mérida Initiative, Creating a 21st Century Border. The Department of Defense has provided training and equipment to Mexican military forces patrolling the southern border. Congress may consider these questions regarding Mexico's role in helping to manage illegal migration from Central America.

- To what extent are Mexico's migration enforcement efforts being conducted in a way that respects due process and human rights?
- How could the U.S. government better support Mexico's recent enforcement efforts?
- How might U.S. assistance help Mexico increase prosecutions of crimes such as alien smuggling?
- Could a portion of Mérida Initiative aid be used to strengthen INAMI's ability to conduct humanitarian screening to identify vulnerable migrants?
- Could aid be provided to COMAR to help inform migrants of their rights and assist them in requesting international protection?

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