

Updated September 17, 2019

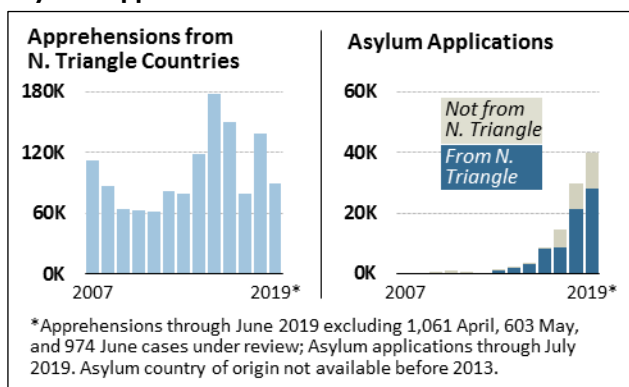
# Mexico's Immigration Control Efforts

## Background

Mexico, along with the United States, is experiencing a surge in unauthorized migration from the “Northern Triangle” of Central America (El Salvador, Guatemala, and Honduras). Both Mexico and the United States have struggled to deal with large numbers of family units and unaccompanied minors, many of whom are seeking asylum (see **Figure 1**). From 2015 to 2018, Mexico removed almost 524,000 migrants to their native Northern Triangle countries. To avoid U.S. tariffs, the Mexican government agreed in June 2019 to increase immigration enforcement and allow more migrants to await their U.S. immigration proceedings in Mexico.

During a September 10, 2019, meeting with Mexico's Foreign Minister Marcelo Ebrard, Vice President Mike Pence recognized Mexico's efforts since June but said that more work needed to be done to reduce unauthorized migration. The next day, the U.S. Supreme Court ruled that the Trump Administration could implement a rule it issued in July 2019 while it faces legal challenges; that rule bars those who have reached the southern border through another country without seeking asylum there from requesting asylum in the United States. (See CRS Legal Sidebar LSB10337, *Asylum Bar for Migrants Who Reach the Southern Border through Third Countries: Issues and Ongoing Litigation*.)

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



**Source:** CRS. Information from Mexico's Secretary of the Interior.

**Notes:** June 2019 is the most recent data publicly available.

## Immigration Control

In 2014, 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 increased apprehensions. INM improved infrastructure at border

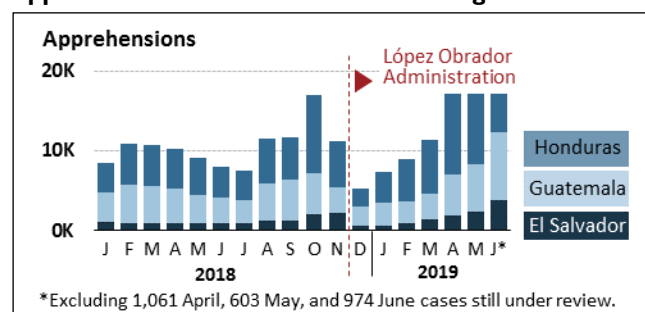
crossings and created mobile highway checkpoints. INM also sought to professionalize its workforce and improve coordination with Mexican federal police, navy, army, and customs agencies.

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 (sometimes called caravans) as a way to share resources and gain protection.

President Andrés Manuel 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.

López Obrador has taken a harder line toward migration since April 2019, 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.

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



**Source:** CRS. Data from Mexico's Secretary of the Interior.

**Notes:** June 2019 is the most recent data publicly available.

## 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. In the past, activists claimed that INM agents did not inform migrants of the right to request asylum. Asylum requests have doubled in Mexico each year since 2015, however, and may exceed 80,000 in 2019, according to COMAR officials (see **Figure 1**). In 2019, the top countries of origin for asylum seekers in Mexico are Honduras, Venezuela, El Salvador, and Cuba.

Even with support from the U.N. High Commissioner for Refugees (UNHCR), COMAR does not have sufficient budget or staff to process pending and new asylum claims. COMAR granted refugee status to 1,014 people from Northern Triangle countries in 2018. It granted “complementary protection” (relief from deportation but not permanent residency) to 1,155 people who failed to qualify for asylum.

### U.S. Foreign Assistance

Since FY2014, the State Department has allocated over \$100 million in Mérida Initiative funding to support Mexico's immigration control 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.

The State Department provided \$7 million in FY2018 and \$32 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. The International Organization for Migration is using \$5.5 million in MRA funds to improve shelters in Mexico and \$1.5 million to support a voluntary return program for migrants who 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, also known as *Remain in Mexico*), under which the U.S. Department of Homeland Security (DHS) returns some non-Mexican migrants who are in immigration court proceedings (excluding unaccompanied minors) to Mexico to await their immigration court decisions. The policy is facing legal challenges, but court orders currently in effect allow DHS to continue implementation. At a September 9, 2019, press conference, DHS confirmed that 42,000 migrants had been returned to Mexico under the MPP. (See 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 escalating tariffs on U.S. imports of Mexican motor vehicles if the Mexican government did not significantly increase its efforts to stop U.S.-bound migrants. On June 7, 2019, the governments reached a migration agreement to avert the tariffs for at least 90 days.

According to the June U.S.-Mexico Joint Declaration, Mexico agreed to deploy its newly created 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 program who were returned from the United States. The United States pledged to speed up the adjudication of asylum claims, and DHS is prioritizing the court proceedings of migrants in the MPP program. Both countries reiterated their commitment to a December 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 that “Mexico's unprecedented steps” have helped to reduce U.S.-bound unauthorized migration but noted that both governments needed to implement the MPP to the “fullest extent possible.” Pence also did not publicly mention the possibility of Mexico signing a “safe third country agreement” with the U.S. government, which could require certain migrants who transit Mexico to apply for asylum there rather than in the United States; Mexico has rejected signing such an agreement thus far.

Although the June agreement has coincided with fewer U.S. apprehensions, there also have been increasing incidents of violence against migrants in both southern and northern Mexico. In an August 2019 report, *Delivered to Danger*, Human Rights First documented 116 cases of migrants returned to Mexico under the MPP who had been raped, kidnapped, 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. In July 2019, Mexico opened its first federally funded shelter in Ciudad Juárez; others are planned to open in Tijuana and Mexicali.

### Congressional Action

The 116<sup>th</sup> Congress has continued to fund and oversee U.S. migration-related assistance to Mexico provided through the Mérida Initiative and the MRA account. The House-passed FY2020 minibuss, H.R. 2740, would provide \$126.8 million for the Mérida Initiative overall (not just migration) and an unspecified amount of MRA funding to support COMAR. Legislation also has been introduced to prohibit funding for the MPP (H.R. 2662). Also see CRS Report R45539, *Immigration: U.S. Asylum Policy*; CRS Report R42917, *Mexico: Background and U.S. Relations*; CRS In Focus IF10578, *Mexico: Evolution of the Mérida Initiative, 2007-2020*.

---

**Clare Ribando Seelke**, Specialist in Latin American  
Affairs

---

## Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.