



Mexico’s Immigration Control Efforts

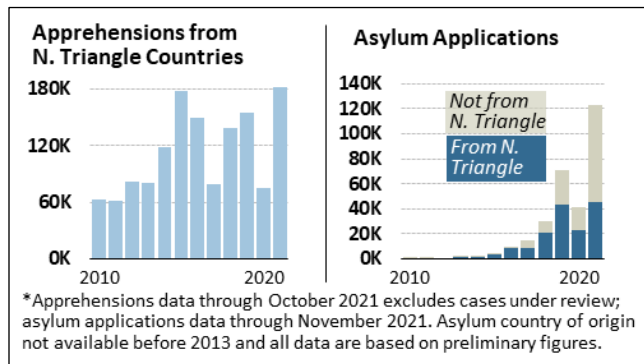
Background

Since 2014, periodic surges in unauthorized migration from the “Northern Triangle” of Central America (El Salvador, Guatemala, and Honduras) have overwhelmed Mexican and U.S. officials. Mexico, like the United States, has struggled to deal with large numbers of families and unaccompanied minors from that subregion and elsewhere, many of whom seek asylum. Mexican President Andrés Manuel López Obrador has accommodated Trump and Biden Administration policies that shifted some of the burden of interdicting migrants and hosting asylum seekers from the United States to Mexico.

local security forces. Despite reform efforts, corruption within INM and impunity for crimes against migrants have increased migrants’ vulnerability to crime and other abuses.

In December 2018, President López Obrador took office, 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 pledges to invest in the Northern Triangle.

Figure 1. Mexico: Reported Apprehensions of Migrants from Northern Triangle Countries and Asylum Applications, 2010-2021

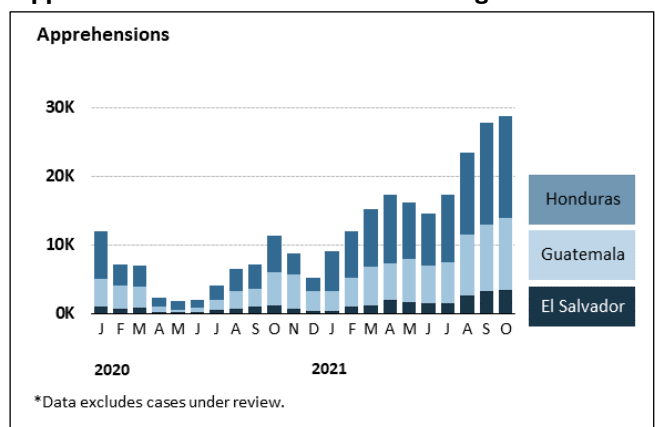


Source: CRS, based on information from Mexico’s Secretary of the Interior.

President Joe Biden initially sought to revise some restrictive Trump Administration policies, but two of those policies (discussed below) remain in effect at the U.S-Mexico border. President Biden proposed a comprehensive immigration reform bill (S. 348/H.R. 1177), which would create a regional migration management system. Vice President Kamala Harris has led efforts to secure Mexico’s help in addressing the root causes of migration, interdicting migrants, and combating alien smuggling and human trafficking. In July 2021, the Biden Administration released a *Collaborative Migration Management Strategy* that aims, among other goals, to encourage burden sharing among countries for sheltering vulnerable migrants.

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 has restricted access to humanitarian visas, particularly for those traveling in large groups (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 for immigration enforcement, reports of mistreatment of migrants rose. In January 2021, state police reportedly massacred 19 people, including Guatemalan migrants, near the U.S. border. In 2021, Mexico sought to keep asylum seekers in southern Mexico despite dire conditions there; began requiring visas for those from Brazil, Ecuador, and Venezuela; and expelled some Haitian migrants to Haiti and some Central Americans to Guatemala.

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



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

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 to improve coordination with customs and federal, state, and

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**). With support from the U.N. High Commissioner for Refugees (UNHCR), COMAR reduced the backlog of asylum requests in 2020 before again struggling to meet record demand in 2021. Through November 2021, Mexico had received more than 123,150 asylum requests, with most asylum seekers from Haiti, Honduras, Cuba, Chile, and El Salvador. Haitian asylum seekers rose from under 6,000 in 2020 to some 47,400. A majority of the 6,400 Chilean applicants were born in Haiti.

U.S. Foreign Assistance and Policy

Foreign Assistance

Since June 2015, the State Department has spent more than \$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 \$144 million through the Migration and Refugee Assistance (MRA) account to UNHCR to improve access to asylum in Mexico, provide legal assistance and shelter 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.

In December 2021, the United States and Mexico jointly announced *Sembrando Oportunidades*, a new effort to coordinate development projects in the Northern Triangle.

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, DHS suspended all pending MPP hearings in response to the Coronavirus Disease 2019 (COVID-19) pandemic.

As MPP expanded across the U.S.-Mexico border as part of a June 2019 U.S.-Mexico migration agreement, incidents of violence against migrants increased. 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. DHS sought to terminate the policy in June 2021, but, after losing a Supreme Court appeal, DHS began a court-ordered re-implementation of the policy on December 6, 2021. DHS, with Mexico, pledged to help MPP enrollees access shelter, counsel, COVID-19 vaccines, and transport to their hearings. Those now subject to MPP may include any adult or family unit from any Western Hemisphere country.

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 without asylum hearings. 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 halted the use of Title 42 for unaccompanied children and curtailed the policy for family units but left the policy in place for single adults. From February to November 2021, 970,308 migrants were subject to expulsion, mostly to Mexico.

Operation Sentinel

In April 2021, DHS announced a new multiagency effort to target transnational criminal organizations (TCOs) involved in smuggling migrants. With Mexico, the effort is targeting individuals associated with such TCOs with visa revocations and frozen bank accounts.

Congressional Action

Congress is considering 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). Congress is continuing to fund and oversee U.S. assistance to Mexico through the Mérida Initiative and MRA funds. The House-passed version of the FY2022 State and Foreign Operations appropriations bill (H.R. 4373, H.Rept. 117-84) would require a report on the amounts, equipment, and types of U.S. training provided to Mexican migration and law enforcement agents since 2016. These reporting requirements grew from U.S.-trained state police's complicity in a January 2021 massacre of migrants in northern Mexico. See also CRS In Focus IF12003, *Migrant Smuggling: Background and Selected Issues*, and CRS Report R46999, *Immigration: Apprehensions and Expulsions at the Southwest Border*.

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