



Mexico’s Immigration Control Efforts

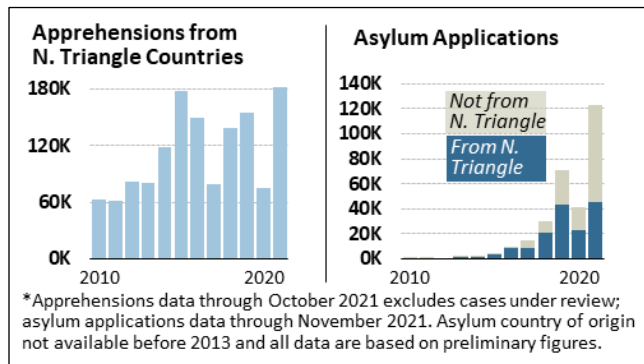
Background

Since 2014, periodic increases 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 migrants, especially 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 do 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.

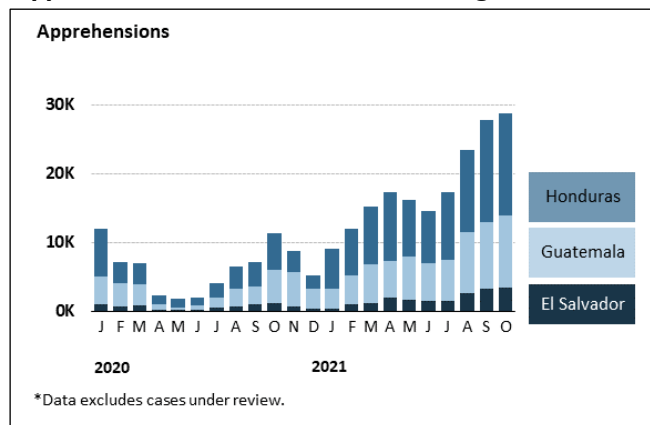
President Joe Biden revised some restrictive Trump Administration policies, but two of those policies (discussed below) remain in effect at the U.S.-Mexico border. President Biden proposed a comprehensive immigration reform bill (S. 348/H.R. 1177), which would create a regional migration management system. 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 in 2019, reports of mistreatment of migrants rose. In a January 2021 incident, state police reportedly killed 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 Central Americans to Guatemala.

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

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**). With support from the U.N. High Commissioner for Refugees (UNHCR), COMAR reduced the asylum request backlog 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 in 2021. 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, the López Obrador government offered basic services and jobs to those enrolled in a new U.S. Department of Homeland Security (DHS) program, the Migrant Protection Protocols (MPP). The MPP program required more than 70,000 asylum seekers to wait in Mexico while U.S. immigration courts processed their cases between January 2019 and its suspension in January 2021. DHS first piloted MPP in the El Paso sector but gradually expanded the program across the U.S.-Mexico border as part of a June 2019 U.S.-Mexico migration agreement. The MPP gradually expanded to include asylum seekers from Brazil, Cuba, Venezuela, and Ecuador. In March 2020, DHS suspended all pending MPP hearings in response to the Coronavirus Disease 2019 (COVID-19) pandemic.

Because of MPP and other policies, Mexican border cities—some of which have high rates of violent crime—have sheltered tens of thousands of migrants. They have

received limited support from either federal government. 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 June 2021, the Biden Administration terminated new MPP enrollments, but, after a lawsuit challenging the termination, a federal judge ordered DHS to make a good faith effort to reinstate the program in August 2021. After losing a Supreme Court appeal, DHS announced the reimplementation of MPP with new implementation guidance on December 2, 2021. DHS pledged to help MPP enrollees access shelter, counsel, COVID-19 vaccines, and transport to their hearings. Mexico promised temporary legal status and work authorizations for those in MPP. Any adult or family unit from any Western Hemisphere country other than Mexico may now be subject to MPP.

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. The Biden Administration ended 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, nearly 1 million migrants were expelled, the majority 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 targets individuals associated with such TCOs through visa revocations and frozen bank accounts.

Congressional Action

Congress has introduced legislation that would affect U.S.-Mexico migration issues, including by addressing key factors in Central America that contribute to migration and opening refugee processing centers there (such as S. 348/H.R. 1177), and S. 1358, which would create more U.S. border processing centers. Congress continues 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 killing 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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