

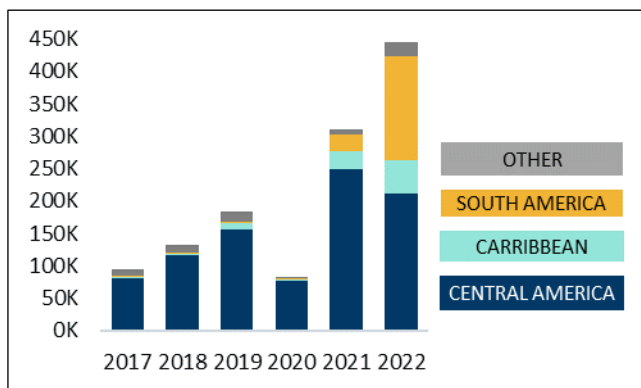
Mexico's Immigration Control Efforts

Background

Migration issues continue to be a high priority for U.S. policy and Congress, particularly as U.S. Customs and Border Protection (CBP) has reported record numbers of migrant encounters on the Southwest border. Mexico, like the United States, has struggled to deal with large numbers of migrants, especially families and unaccompanied minors, many of whom seek asylum. Mexican President Andrés Manuel López Obrador has accommodated U.S. policies that have shifted some of the burden of interdicting migrants and hosting asylum seekers from the United States to Mexico. It is unclear, however, how Mexico will respond to any further changes in U.S. asylum policies that may affect Mexico.

Increases in U.S.-bound migration through Mexico have strained Mexican government resources and placed migrants at risk of harm. Historically, migrants entering Mexico have emigrated mostly from the Northern Triangle countries of Central America (El Salvador, Guatemala, and Honduras). Since the Coronavirus Disease 2019 pandemic, the number of migrants entering Mexico from regions beyond Central America has increased substantially. In 2022, for the first time, Mexican authorities apprehended more migrants from the Caribbean and South America than from the Northern Triangle (see **Figure 1**).

Figure 1. Mexico: Reported Apprehensions of Unauthorized Migrants by Region of Origin: 2017-2022



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

Mexico's Immigration Control Policies

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 in border regions. Unarmed agents from the National Migration Institute (INM) have increased operations along train routes and at bus stations, improved infrastructure at border crossings, and set up mobile highway checkpoints. The agency reportedly conducts

biometric screening of migrants at detention centers using equipment supplied by the U.S. Department of Homeland Security (DHS). INM also has sought to professionalize its workforce and to improve coordination with customs and federal, state, and local security forces. Despite reform efforts, INM retains a reputation for corruption and weak observance of migrant protections. As a result, migrants remain vulnerable to crime and other abuses.

In 2018, President López Obrador took office pledging to adopt a humanitarian approach to migration and to promote development in Central America as a solution to unauthorized migration. The government's record in these areas is mixed. For example, the Commission for the Aid of Refugees (COMAR) has remained underfunded and retains a large backlog of asylum cases. Observers also have questioned the effectiveness of Mexico's contribution to *Sembrando Oportunidades* (Sowing Opportunities), a U.S.-Mexico development program to address the root causes of irregular migration from the Northern Triangle.

Since 2019, López Obrador has taken a harder line toward migration, in part due to U.S. pressure. His government has increased migrant apprehensions and 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 migration enforcement, reports of mistreatment of migrants rose. In a January 2021 operation against migrant smugglers, state police reportedly killed 19 people, including Guatemalan migrants, near the U.S. border. Since 2021, Mexico has sought to keep asylum seekers in southern Mexico despite dire conditions there. Mexico also has enforced new visa requirements for those from Brazil, Ecuador, and Venezuela, and increased expulsions.

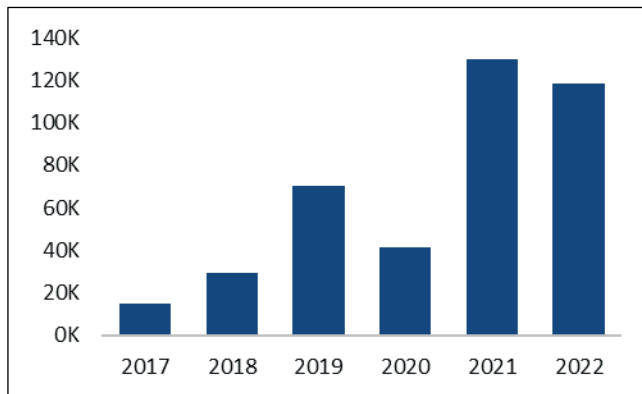
Humanitarian Protection in Mexico

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 and elsewhere could qualify as refugees under Mexican law.

Asylum requests tripled in Mexico from 2017 to 2019, declined in 2020 due to the pandemic, and have surged since 2021 (**Figure 2**). 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. In 2022, Mexico received

115,756 asylum requests, with most asylum seekers from Honduras, Cuba, Haiti, Venezuela, and Nicaragua. Since 2020, Honduras has been the only Northern Triangle country to remain among the top five countries of origin for those seeking asylum in Mexico. Chile and Brazil also have ranked among the top 10 countries of origin, although experts maintain that most of those individuals are of Haitian origin. Tens of thousands of Haitians moved to those countries after the 2010 earthquake in Haiti; some have since migrated again due to immigration restrictions and economic challenges.

Figure 2. Mexico: Asylum Applications: 2017-2022



Source: CRS, based on data from Mexico's Commission for the Aid of Refugees (COMAR).

U.S. Policy

The Biden Administration has modified some of the restrictive border migration policies that the Trump Administration introduced in coordination with Mexico. After several delays due to court challenges, the Administration ended the Migrant Protection Protocols (MPP) policy requiring most asylum seekers who arrive at the border to remain in Mexico during the adjudication of their applications. However, CBP has continued to enforce most of the pandemic-related restrictions under a Centers for Disease Control and Prevention (CDC) public health order (Title 42 of the Public Health Service Act). Mexico has assisted U.S. border enforcement by agreeing to accept a growing number of nationalities expelled under Title 42.

Foreign Assistance

In October 2021, Mexico and the United States entered into the U.S.-Mexico Bicentennial Framework for Security, Public Health, and Safe Communities. The framework, which replaced the Mérida Initiative security cooperation agreement in place since FY2008, facilitates cooperation to secure borders and ports as well as to reduce migrant smuggling. Under the framework, DHS and Mexico's Federal Prosecutor General's Office increased the size of a joint unit that investigates migrant smuggling and human trafficking crimes. From mid-2022 to January 2023, those efforts led to the arrest of 8,000 smugglers.

From FY2015 to FY2022, the State Department has spent more than \$58.5 million in 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 more secure communications network in Mexico's southern border area and install biometric screening equipment that interfaces with U.S. databases in all 52 of its migrant detention centers.

From FY2018 through FY2023, the State Department has provided more than \$163 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.

Title 42

In response to the pandemic, DHS largely suspended asylum processing at the U.S.-Mexico border in March 2020. The Trump Administration then expelled into Mexico most migrants arriving without valid travel documents 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 family units but left the policy in place for single adults with some exceptions. According to CBP data, the United States expelled around 2.5 million people to Mexico under Title 42 from March 2020 to February 2023.

As some countries limit or reject U.S. deportations of their citizens, Mexico's willingness to accept expelled migrants from those countries helped sustain Title 42 enforcement. In October 2022, the Biden Administration announced it would return most Venezuelans to Mexico under Title 42. In January 2023, DHS began Title 42 expulsions of Cubans, Haitians, and Nicaraguans. At the same time, DHS announced a new humanitarian parole program that allows up to a joint total of 30,000 preapproved citizens of these countries per month to enter and remain in the United States for two years, subject to sponsorship and other requirements.

Congressional Considerations

Related avenues for congressional consideration could include legislation that would affect U.S.-Mexico migration issues, including efforts to address root causes of migration, migrant smuggling, and asylum processing at the U.S.-Mexico border. Congress could consider expanding, restricting, or placing conditions or reporting requirements on U.S. assistance to Mexico through the Bicentennial Framework and/or MRA funds. See also CRS In Focus IF12003, *Migrant Smuggling: Background and Selected Issues* and CRS Report R47343, *U.S. Border Patrol Apprehensions and Title 42 Expulsions at the Southwest Border: Fact Sheet*.

Research Librarian Carla Y. Davis-Castro contributed research for this product.

Clare Ribando Seelke, Acting Section Research Manager
Ramon Miro, Analyst in Latin American Affairs

IF10215

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.