

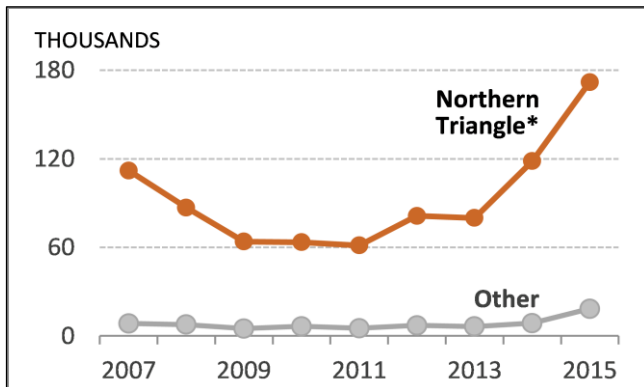


Mexico’s Recent Immigration Enforcement Efforts

Background

In 2014, the United States and Mexico experienced an unprecedented surge in the undocumented migration of unaccompanied children and family units from Central America. In response, Mexico—with U.S. support—greatly increased its immigration enforcement efforts. In 2015, Mexico’s Secretariat of Government (SEGOB) apprehended nearly 172,000 migrants who came from the “northern triangle” (El Salvador, Honduras, and Guatemala) of Central America, up from roughly 118,000 in 2014 (see **Figure 1**). Those figures included record numbers of unaccompanied minors (see **Figure 2**). During FY2015, U.S. apprehensions of unaccompanied minors declined by 45% and apprehensions of family units declined by 42%, due in large part to Mexico’s increased efforts. However, U.S. apprehensions of unaccompanied minors and family units increased by 102% and 171% in the first four months of FY2016 as compared to the same period in FY2015.

Figure 1. Mexico: Total Apprehensions of Unauthorized Migrants: 2007-2015



Source: Mexico’s Secretariat of Government (SEGOB); graphic prepared by the Congressional Research Service (CRS).

Notes: Mexico generally calculates its immigration statistics by calendar year.

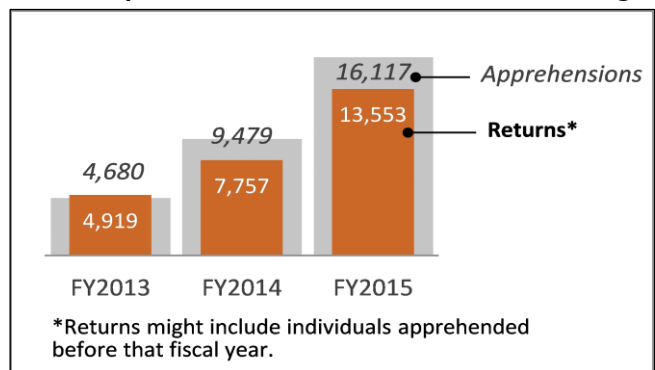
President Obama and some Members of Congress have praised Mexico’s immigration enforcement efforts. Mexico has received roughly \$20 million in U.S. assistance to support its southern border efforts through the Mérida Initiative, mostly in the form of nonintrusive inspection equipment (NIIE); mobile kiosks; canine teams; and training in immigration enforcement, including screening for vulnerable migrants, smugglers, and potential terrorists. Human rights groups have voiced concerns regarding Mexico’s management of its complex migrant flows and its ability to protect migrants. The United Nations High Commissioner for Refugees (UNHCR) and others have raised concerns that Mexico has denied refugees from northern triangle countries access to asylum.

Mexico’s Southern Border Plan

On July 7, 2014, President Peña Nieto announced a Southern Border Plan that had been under development for some time. The plan increased security at 12 ports of entry into Guatemala and Belize and along known migration routes in an attempt to protect migrants and promote regional security and prosperity. The plan prioritizes (1) regular and ordered migration, (2) infrastructure improvements, (3) protection of migrants, (4) regional shared responsibilities, and (5) interagency coordination.

Under this plan, Mexico’s National Institute of Migration (INM) agents have taken on a new enforcement directive alongside federal and state police forces and the military. These unarmed agents have worked with the security forces to increase immigration enforcement along known migrant routes, including northbound trains and at bus stations. INM has invested in security at existing border crossings and created more than 100 mobile highway checkpoints. INM also has increased the number of cases it refers 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. These efforts have been complicated by a 413% increase in Cuban migrants transiting the country, as well as by record numbers of migrants arriving from Africa and Asia.

Figure 2. Mexico: Apprehensions and Returns of Unaccompanied Children from the Northern Triangle



Source: SEGOB figures converted into fiscal years for comparison with U.S. data; graphic prepared by CRS.

In addition to increasing enforcement, the plan aims to provide basic services for migrants, including medical care offered at five clinics, and to facilitate legal migration for tourists and laborers from Guatemala and Belize. Citizens of these countries now have access to free and readily accessible short-term visas that allow regular reentry. Visa-processing locations have been established in Guatemala and Belize; officials also have sought to register those migrants already in Mexico without documentation. Mexico aims to improve its ability to identify unauthorized immigrants while still allowing licit commerce and tourism.

Human Rights Concerns

According to human rights activists, the increase in checkpoints and raids on northbound trains has pushed many migrants to find more clandestine routes. Although some routes may be less dangerous than the trains, these routes leave migrants with less access to shelter and make them more vulnerable to abuse by criminal gangs. The State Department's 2015 *Trafficking in Persons* report documents that migrants traveling through Mexico are vulnerable to human rights abuses and human trafficking.

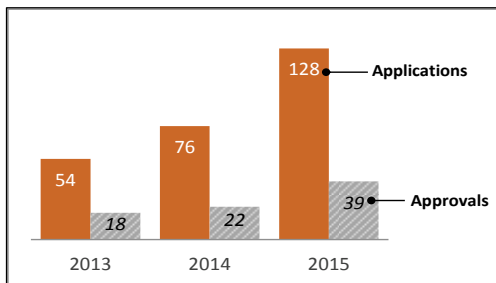
Many have voiced concerns that the Southern Border Plan does little to address the issue of corruption among both police and migration officials. INM has made efforts to improve accountability and integrity within its organization by dismissing corrupt agents. Serious challenges remain, however. For example, INM has not established an internal affairs unit as required by law.

INM has more than 400 child protection officers to serve child migrants; however, these officers are stretched thin. INM has referred some children to shelters run by Mexico's national system for integral family development (DIF). Given budget cutbacks, it is unlikely that DIF will be able to house all child migrants as required by new regulations implementing Mexico's child's rights law.

Humanitarian Concerns

Recent UNHCR studies have found that half of all children and a sizable proportion of women fleeing the northern triangle may need international protection.

Figure 3. Mexico: Asylum Statistics for Unaccompanied Minors from the Northern Triangle



Source: Mexican Commission for the Aid of Refugees.

Mexico has a broader definition of refugee than the United States (which requires an individual to demonstrate a well-founded fear of persecution due to race, religion, nationality, political opinion, or membership in a particular social group). Mexico's 2011 refugee law recognizes a right to asylum based on "generalized violence; foreign aggression; internal conflicts; massive violation of human rights; and other circumstances leading to a serious disturbance of public order." Despite that broader definition, Mexico has not accepted large numbers of refugees in recent years.

Migrants' rights' activists have claimed that very few migrants are informed by INM agents of the right to request asylum, which would enable them to stay in Mexico permanently, as required by law. Asylum applications have increased, yet Mexico's Commission for the Aid of Refugees (COMAR) has less than 20 asylum officers and

has proven unable to conduct outreach to inform individuals of their rights or to process claims efficiently. The many months that migrants must spend in detention while awaiting the results of their asylum applications have deterred some from applying and led others to abandon their petitions.

Individuals who have been granted asylum or complementary protection and individuals who are stateless may apply for permanent residency. In 2015, some 470 migrants from the northern triangle received permanent residency in Mexico for humanitarian reasons, up from 283 in 2014. Mexico also offers migrants who have been victims of a crime in Mexico, unaccompanied minors, and a few other individuals the opportunity to request a humanitarian visa. In 2015, roughly 1,150 migrants from northern triangle countries received humanitarian visas, up from 483 in 2014.

Issues for Congress

As noted, the State Department has delivered \$20 million in equipment and training assistance for Mexico's southern border region. State Department and U.N. Office of Drugs and Crime (UNODC) officials are working with Mexican law enforcement to develop a strategy to address migrant smuggling crimes and a communication strategy to raise awareness on the risks of smuggler recruitment. The Bureau of Immigration and Customs Enforcement within the Department of Homeland Security has a Transnational Criminal Investigative Unit (TCIU) in Mexico that investigates alien smuggling. The Department of Defense also has provided training and equipment to Mexican military forces.

The State Department recently reprogrammed \$60 million in unspent prior-year funds to support new projects, such as a secure communications network for Mexican agencies in the southern border region and biometrics system for INM. A large portion of the \$70 million in FY2013-FY2015 funds that the State Department has dedicated to border-security programs will be used for southern border efforts, as well as FY2016 and FY2017 U.S. assistance.

Congress may consider how to balance efforts to support immigration enforcement in Mexico with protection concerns and respect for migrants' rights.

- How is U.S. aid for Mexico's southern border being coordinated? What metrics are gauging its impact?
- Should U.S. aid to INM be accompanied by human rights reporting requirements?
- How might U.S. assistance and the TCIU help Mexico increase high-level prosecutions for alien smuggling?
- Could U.S. aid be used to strengthen INM's ability to conduct humanitarian screening of migrants?
- Could additional aid be provided to COMAR or the UNHCR to help inform migrants of their rights and assist them in requesting asylum?

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