

Mexico's Migration Policy (2000-2024): Balancing Enforcement and Humanitarian Protection in Transit Migration Governance

Jiale Liu^{1,a,*}

¹Faculty of International and Political Studies, Jagiellonian University, Kraków, Poland

^atyphoonofcdu@outlook.com

*Corresponding author

Abstract: Over the past two decades, Mexico has undergone a profound transformation from a country of emigration to one increasingly central in hemispheric migration governance, acting simultaneously as a transit and destination state. This paper examines the effectiveness of Mexico's migration policy between 2000 and 2024 in reducing unauthorized transit migration while upholding humanitarian protection, with a particular focus on the political and diplomatic logics that have shaped its evolution. Drawing on a longitudinal framework and triangulating legal, institutional, and statistical data, the study identifies three key policy phases: weak institutional management (2000-2010), reformist duality under external pressure (2011-2018), and securitized crisis response (2019-2024). The findings suggest that while Mexico has expanded its enforcement capacities - driven largely by U.S. externalization strategies and domestic security imperatives - its humanitarian infrastructure remains structurally deficient and chronically under-resourced. The study reveals a persistent disjuncture between Mexico's progressive legal framework and its coercive implementation practices, raising critical questions about the sovereignty, autonomy, and normative coherence of transit migration governance. The paper concludes by advocating for a shift from bilateral securitization to regional multilateral cooperation in order to reconcile migration control with human rights obligations.

Keywords: Transit Migration; Mexico; Migration Governance; Humanitarian Protection; Border Externalization; Securitization; Ley De MigraciÓN; US-Mexico Relations; Enforcement Policy; Asylum System

1. Introduction

Over the past two decades, Mexico has undergone a significant transformation in its migration dynamics, evolving from a country of emigration to one of both transit and destination. This transformation has been shaped by multiple internal and external factors, including regional instability, shifting patterns of mobility in Central America, and the intensification of US border policies. As a result, Mexico now sits at the nexus of hemispheric migration governance, tasked with managing large flows of migrants and asylum-seekers - many of whom are in transit toward the US - while also maintaining its obligations to international human rights norms.

This paper investigates the question: How effectively have Mexico's migration policies between 2000 and 2024 reduced unauthorized transit migration while upholding humanitarian standards, and what political and diplomatic rationales have shaped these policies? The issue is of growing importance, especially given the escalation of regional migration crises and the US's increasing tendency to externalize border enforcement to neighboring countries. In addressing this question, the thesis adopts the hypothesis that Mexico has moderately succeeded in reducing unauthorized transit migration through expanded enforcement and institutional mechanisms, but it has failed to uphold adequate humanitarian protections due to the dominance of US strategic interests and domestic security imperatives, which have prioritized control over care.

The paper is structured as follows: Chapter 2 reviews the academic literature on migration policy in Mexico, identifying key debates around securitization, legal reform, and implementation. Chapter 3 provides a chronological analysis of policy evolution over three distinct periods: 2000-2010, 2011-2018, and 2019-2024. Chapter 4 assesses the effectiveness of Mexico's migration management and humanitarian protection through institutional and statistical data. Chapter 5 presents the key findings,

offers policy recommendations, and concludes by summarizing the implications for Mexico's future role in regional migration governance.

2. Literature Review

This chapter reviews the academic literature on Mexico's migration policy, organized around three central analytical themes: securitization, legal reform and rights-based framing, and implementation gaps. While the literature provides valuable insights into policy motivations and normative shifts, it tends to focus on general migration governance or US-Mexico relations, often overlooking the specific domain of transit migration. This study addresses that gap by linking securitization and humanitarian logics with empirical outcomes in the Mexican context.

2.1 Securitization of Mexican Migration Policy

Securitization refers to the framing of migration as a national security threat rather than a humanitarian issue. In the Mexican context, this process has been shaped largely by external pressures, particularly from the US. The literature extensively documents this dynamic, underscoring how Mexican migration governance has been increasingly militarized and aligned with US border security objectives.

Casillas (2008) provides an early foundation for this argument by examining the routes of Central American migrants through Mexico. He highlights how enforcement mechanisms - such as checkpoints and detentions - were increasingly used not only to regulate flows but also to contain migrants far from the US border. Although written before major reforms, Casillas' analysis reveals a structural reliance on informal enforcement over formal protection. This historical context is critical to understanding the reactive orientation of Mexican migration control.

More recent literature examines the institutionalization of securitization under US-Mexico migration diplomacy. Ardalan (2025) provides an in-depth analysis of US border externalization strategies, particularly the Migrant Protection Protocols (MPP) and Title 42. Ardalan argues that these policies effectively shifted US migration enforcement onto Mexican territory through bilateral agreements and funding mechanisms, pressuring Mexico to militarize its southern border. Garrett (2013) complements this analysis by exploring the securitization of migration in broader US-Mexico border policy, demonstrating how security discourses have influenced Mexican enforcement priorities.

Soto (2020) offers an empirical account of how Mexico's migration enforcement apparatus expanded following the 2019 US-Mexico agreement. His study documents the deployment of the National Guard and the expansion of detention capacity, highlighting the reactive nature of Mexican migration governance under US pressure. Similarly, Vega (2021) critiques Mexico's adoption of increasingly restrictive measures, noting that enforcement mechanisms have often overshadowed rights protections, particularly for Central American transit migrants.

2.2 Legal Reforms and Rights-Based Framing

The second stream of literature focuses on Mexico's progressive legal reforms, most notably the passage of the 2011 Ley de Migración. These reforms aimed to harmonize domestic policy with international human rights commitments, such as access to asylum, protection from arbitrary detention, and legal due process.

Alba and Castillo (2012) provide one of the most comprehensive analyses of the 2011 law. They praise the legislation as a departure from a punitive, discretionary regime toward a system grounded in universal human rights. Key provisions included the decriminalization of irregular migration and the formal recognition of migrant rights to education, health, and legal counsel. This literature establishes the normative baseline against which this study evaluates actual policy outcomes.

However, subsequent analyses highlight significant gaps between legal norms and practical implementation. Vega (2021) offers a critical perspective, arguing that while legal reforms have advanced, Mexico's migration governance since 2018 has adopted increasingly restrictive measures under both external and internal pressures. Her analysis shows that enforcement practices frequently undermine rights protections, particularly for transit migrants.

Alonso (2024) further explores this tension, documenting the experiences of "migrants in waiting"

trapped in Mexico due to restrictive policies and inadequate protection mechanisms. His work underscores the realities of transit migrants caught between legal frameworks and securitized enforcement.

Similarly, Silverstein et al. (2021) analyze the traumatic impact of the MPP on asylum seekers, revealing how procedural delays, unsafe conditions, and limited legal recourse have eroded the protective intent of Mexico's legal commitments. Garrett and Sementelli (2022) add to this critique by examining how COVID-19 measures institutionalized states of exception that further restricted migrant rights.

2.3 Implementation Gaps and Institutional Weakness

A growing body of literature highlights Mexico's persistent failure to effectively implement its legal frameworks, particularly regarding humanitarian protection. This problem is especially acute in institutions such as COMAR.

Castellanos-Canales (2023) reinforces this critique, documenting how COMAR remains under-resourced, managing record numbers of applications with insufficient staff and funding. She argues that while Mexico's asylum system is "good in theory, insufficient in practice". The Asylum Capacity Support Group (2023) corroborates these findings, noting that despite digital transformation efforts, structural weaknesses continue to hamper timely and fair asylum processing.

Alonso (2024) and El País (2024) further highlight the humanitarian consequences of institutional weakness, emphasizing how prolonged waiting periods and inadequate living conditions expose migrants to exploitation and violence. The Cato Institute (2023) also points to inconsistencies in humanitarian visa issuance, noting that ad hoc responses often fail to provide sustainable protection pathways.

Moreover, KFF (2025) and IOM (2023) document how US externalization policies exacerbate these challenges by increasing the volume of migrants stranded in Mexico, further straining already fragile protection systems.

The existing literature provides robust theoretical foundations for understanding the securitization, legal evolution, and implementation challenges of Mexico's migration policy. Scholarship on securitization highlights how US pressures have driven the militarization of Mexican migration enforcement, but lacks granular institutional analysis. Studies of legal reform acknowledge Mexico's progressive legal framework, while simultaneously exposing the enforcement-humanitarian trade-offs that disproportionately affect transit migrants. Analyses of implementation gaps reveal persistent institutional weaknesses, particularly within COMAR, and show how external dynamics further strain already fragile protection systems. However, across these strands, much of the literature treats institutional gaps and enforcement dynamics as static or generalized phenomena. This thesis addresses that gap by adopting a longitudinal perspective (2000-2024) and focusing specifically on how Mexico's migration governance has evolved in the domain of transit migration - linking normative frameworks to measurable institutional outcomes over time.

3. Chronological Analysis: Mexico's Transit Migration Governance, 2000–2024

Mexico's migration governance between 2000 and 2024 evolved through three distinct phases: weak institutional management (2000-2010), reformist yet pressured duality (2011-2018), and securitized crisis response (2019-2024). These phases reflect shifting logics of migration control and corresponding variations in institutional capacity and humanitarian standards.

3.1 2000-2010: Weak Institutions and Informal Cooperation

At the turn of the century, Mexico was predominantly a country of emigration and a passive transit corridor for Central American migrants en route to the US. Institutional capacities were minimal: the INM prioritized border enforcement, detention infrastructure was limited, and asylum mechanisms were virtually nonexistent. Cooperation with the US was largely informal, centered on tacit containment rather than structured enforcement. Apprehensions rose from approximately 134,000 in 2002 (SEGOB, 2003) to 182,705 in 2006 (SEGOB, 2007), but migrants were often subjected to arbitrary returns with minimal legal safeguards. Efforts to formalize regional cooperation, such as the Puebla Process, failed to produce substantive protection mechanisms. Enforcement capacity existed,

but humanitarian protection remained absent.

3.2 2011–2018: Legal Reform Meets External Pressure

A significant policy shift began with the 2011 Ley de Migración, which decriminalized undocumented migration and enshrined migrants' rights to education, health, and legal assistance (Alba and Castillo, 2012). For the first time, transit migrants were theoretically protected under domestic law aligned with international human rights standards. However, this normative progress soon clashed with external realities. In 2014, amid a surge of unaccompanied minors at the US border, Mexico launched the Programa Frontera Sur (PFS). Under intense US diplomatic and financial pressure, PFS enhanced enforcement, particularly in southern states like Chiapas and Oaxaca. Vega (2021) notes that while legal reforms appeared robust on paper, operational practices shifted toward securitized migration control. Despite rising regional displacement, asylum claims remained low. This phase embodied a profound contradiction: Mexico advanced legal rights it lacked the capacity or political will to implement. Migration management improved in terms of enforcement and state control, but humanitarian protection remained structurally underdeveloped.

3.3 2019–2024: Securitization and Crisis Management

The election of President Andrés Manuel López Obrador (AMLO) initially raised hopes for a more humanitarian migration approach. However, US pressure - particularly the Trump administration's threat of trade sanctions in 2019 - prompted a sharp policy reversal. Mexico deployed the National Guard to its southern border and expanded detention under a securitized mandate (Agama Robinson, 2023). Concurrently, US policies such as MPP and Title 42 further entrenched Mexico's role as a migration buffer zone. Migrants returned under MPP faced prolonged stays in unsafe border cities with limited access to asylum processes (Silverstein et al., 2021). Enforcement reached unprecedented levels: by 2023, Mexico detained 782,176 migrants, the highest number on record (El País, 2024).

Meanwhile, humanitarian capacity remained inadequate. COMAR received 118,542 asylum applications in 2022 (Asylum Capacity Support Group, 2023), but systemic under-funding and staffing shortages delayed processing. Detention centers remained overcrowded and poorly monitored; the tragic 2023 fire in a Ciudad Juárez facility, which killed 39 migrants, underscored institutional failures in protection (KFF, 2024). This phase reflected the full securitization of Mexico's migration regime - enforcement capacity expanded, but protection infrastructure deteriorated both administratively and morally.

4. Migration Management and Humanitarian Protection

This chapter examines Mexico's migration governance between 2000 and 2024 through the dual lenses of migration management and humanitarian protection. Drawing on quantitative data from Mexican governmental agencies (INM, SEGOB, COMAR), insights from international organizations such as UNHCR, and peer-reviewed scholarship, the analysis traces the evolution of institutional capacity and protection mechanisms.

4.1 Migration Management: Enforcement and Institutional Expansion

Migration management refers to the Mexican state's capacity to control, regulate, and systematize migration flows through a formalized institutional framework (Alba and Castillo, 2012). Key metrics include apprehensions, deportations, visa issuances, and the development of enforcement infrastructure. Between 2000 and 2024, Mexico made substantial progress in this domain, though largely under external diplomatic pressure and domestic securitization dynamics (Casillas, 2008).

Apprehensions of irregular migrants increased markedly. In 2002, Mexico apprehended approximately 134,000 migrants, rising to 182,705 by 2006 (SEGOB, 2003; 2007). The launch of PFS in 2014 further intensified enforcement, with apprehensions reaching 198,141 in 2015 (SEGOB, 2016). The trend accelerated in subsequent years: 307,679 apprehensions were recorded in 2021 (Congress.gov, 2024), with INM data showing a further 44% increase from 2022 to 2023.

Deportation trends closely mirrored apprehensions. Between 2014 and 2023, Mexico deported over 100,000 migrants annually, with 181,000 deportations in 2015 (SEGOB, 2016) and 141,000 in 2019 (Soto, 2020). These patterns reflect growing alignment between migration policy and enforcement

operations, consistent with broader regional trends of hardened migration management (Vega, 2021).

A pivotal development was the 2019 deployment of the National Guard to migration control functions. In response to US tariff threats, Mexico mobilized 25,000 troops, apprehending 81,000 migrants and repatriating 62,000 by late 2019 (Soto, 2020). This militarization reflects increasing US influence over Mexican migration governance (Agama Robinson, 2023). The involvement of military personnel in migration enforcement - a domain traditionally managed by civilian agencies - raises concerns about due process and human rights compliance. Border securitization logics increasingly frame Mexico's migration policy (Garrett, 2013).

Legal avenues for regularization have also evolved. The Tarjeta de Visitante por Razones Humanitarias (TVRH) provides migrants with temporary legal status and work rights. Issuance of TVRH has fluctuated in response to shifting migration flows and diplomatic pressures. In 2019, Mexico issued 11,883 TVRHs to respond to Central American caravans (Cato Institute, 2023). Issuances surged to 44,426 in 2021 for stranded Haitian migrants, and reached 74,874 in the first half of 2023 (IOM, 2023). While these figures demonstrate Mexico's capacity to grant legal status, the TVRH remains a tactical rather than systematic tool, shaped by bilateral dynamics and regional migration crises (Ardalan, 2025). Operational inconsistencies, delays in processing, and reports of applicants being held in detention-like conditions undermine the mechanism's humanitarian intent.

4.2 Humanitarian Protection: Rights, Institutions, and Structural Gaps

While migration management has strengthened, humanitarian protection remains deeply inadequate. The 2011 Ley de Migración established a rights-based legal framework (Alba and Castillo, 2012), but practical implementation has lagged behind.

The capacity of Mexico's asylum system, managed by COMAR, illustrates this disparity. In 2023, Mexico was the seventh-largest recipient of new individual asylum applications globally. Applications rose from 131,414 in 2021 to 118,542 in 2022, and surpassed 140,000 by the end of 2023 (Asylum Capacity Support Group, 2023). However, COMAR operates only 10 offices nationwide, forcing many applicants to remain in marginalized regions like Tapachula, Chiapas. Strict attendance requirements risk case termination, while logistical challenges and resource shortages further undermine procedural fairness.

COMAR's institutional capacity is overstretched. Between 2014 and 2019, asylum applications surged by 5,325%, yet the agency remains underfunded. In 2023, its budget reached \$10.3 million USD, but this increase has been insufficient to meet demand. Chronic under-staffing, regional disparities in processing capacity, and limited access to legal assistance compound these challenges. Mexico's broader socioeconomic context further constrains refugee integration, as its economy and labor market are ill-prepared to absorb large numbers of asylum seekers. Pervasive gang and gender-based violence renders the country unsafe for many, exposing migrants to extortion, assault, and exploitation (Castellanos-Canales, 2023).

Detention practices further compromise humanitarian protection. Mexico operates dozens of detention centers, many routinely overcrowded. Conditions are particularly dire in southern states such as Chiapas, Tabasco, and Oaxaca. The 2023 Ciudad Juárez fire, which killed 39 migrants in an INM-run facility, spotlighted systemic failures: exits were locked, guards failed to intervene, and fire prevention systems were nonfunctional. The MPP have exacerbated risks faced by asylum seekers forced to remain in unsafe border zones (Silverstein et al., 2021). Structural deficiencies - under-staffing, privatized security with limited oversight, and absent independent monitoring - persist across the detention system.

COVID-19 institutionalized further restrictive measures, compounding existing gaps (Garrett and Sementelli, 2022). Although the Ley de Migración stipulates that detention should be used only as a last resort, migrants - including children and asylum seekers - are often held for prolonged periods without legal representation or knowledge of their rights. Such practices violate both domestic law and international obligations.

Access to justice remains a profound challenge. Many asylum seekers, especially those from indigenous communities, face language barriers and a lack of interpreters during proceedings. Misinformation and coercive practices by authorities are widespread. Numerous reports document migrants being misled into signing voluntary departure forms under duress. These systemic failures undermine procedural guarantees enshrined in Mexico's migration law, eroding the credibility of its

protection regime.

5. Findings and Conclusions

This chapter synthesizes the main findings from the empirical analysis of Mexico's migration policy between 2000 and 2024 and offers concluding reflections. The evidence reveals a regime where enforcement capacity has grown considerably, while humanitarian protection remains persistently inadequate.

Mexico has notably strengthened its migration management. Through enhanced inter-agency coordination and alignment with US security priorities, the state expanded its ability to apprehend and deport migrants. Initiatives such as Programa Frontera Sur (2014) and the deployment of the National Guard (2019) demonstrate the centrality of enforcement. Yet this operational progress has not been mirrored by humanitarian gains. The asylum system, managed by COMAR, remains underfunded and overwhelmed. Delays, limited legal aid, and poor inter-agency cooperation restrict migrants' access to protection.

A core contradiction persists between Mexico's rights-based legal framework and its enforcement-driven practices. Despite progressive legal norms, protection is often subordinated to control - a result of institutional limitations and political choices shaped by bilateral pressure. US foreign policy has decisively influenced Mexico's migration agenda. Programs such as MPP and Title 42 externalized US border enforcement into Mexico, compromising the country's policy autonomy and elevating control above humanitarian considerations.

To address these imbalances, Mexico should reinforce COMAR's capacity, overhaul detention practices through independent oversight, and expand legal aid. Moreover, migration policy must shift from a bilateral security issue to a regional governance challenge. Greater multilateral cooperation - through forums like the Puebla Process - can foster shared responsibility across Latin America.

Ultimately, Mexico's experience highlights a broader global tension: balancing effective migration management with human rights obligations. Sustainable policy must integrate control with care, treating migrants not merely as flows to be managed, but as individuals entitled to dignity and protection. Strengthening this balance will be essential for Mexico's future leadership in regional migration governance.

References

- [1] Agama Robinson, A.A., (2023). *Migration Diplomacy: US strategies with Mexico and its influence on Central America*. Prague: Charles University, Faculty of Social Sciences.
- [2] Alba, F. and Castillo, M.Á., (2012). *New approaches to migration management in Mexico and Central America*. Washington, DC: Woodrow Wilson International Center for Scholars.
- [3] Alonso, A.D., (2024). Migrants in Waiting in Mexico. *Current History*, 123(850).
- [4] Ardalan, S., (2025). US Border Externalisation Through Funding: Implications for the Right to Seek Asylum and Refugee Protection in the United States. *Journal of Immigrant & Refugee Studies*, 23(1), pp.135-146.
- [5] Asylum Capacity Support Group (2023). *Mexico: Digital Transformation of the Mexican Asylum System*. Available at: <https://acsg-portal.org/tools/mexico-digital-transformation-of-the-mexican-asylum-system/> (Accessed 7 June 2025).
- [6] Castellanos-Canales, A., (2023). *Mexico's Asylum System: Good in Theory, Insufficient in Practice*. In Blog post, National Immigration Forum.
- [7] Castillas, R., (2008). *The Routes of Central Americans Through Mexico: an Exercise in Characterization, Identifying Key Actors and Complexities*. *Migration and Development* (Spanish), (10), pp.157-174.
- [8] Cato Institute. (2023). *Coordinating Humanitarian Entry in the United States and Mexico*. Available at: <https://www.cato.org/sites/cato.org/files/2023-05/briefing-paper-158.pdf> (Accessed 7 June 2025).
- [9] Congressional Research Service (CRS). (2024). *Mexico's Migration Control Efforts*. Congress.gov. Available at: <https://www.congress.gov/crs-product/IF10215> (Accessed 7 June 2025).
- [10] El País (2024). *Mexico, the Wall for Migrants Who Want to Reach the United States* (Spanish). Available at: <https://elpais.com/mexico/2024-03-04/mexico-el-muro-de-los-migrantes-que-quieren-llegar-a-estados-unidos.html> (Accessed 4 June 2025).

- [11] Garrett, J.M., (2013). *The Securitization of Migration: An Analysis of United States Border Security and Migration Policy Toward Mexico*. California: Naval Postgraduate School.
- [12] Garrett, T.M. and Sementelli, A.J., (2022). COVID-19, asylum seekers, and migrants on the Mexico–US border: Creating states of exception. *Politics & Policy*, 50(4), pp.872-886.
- [13] International Organization for Migration (IOM). (2023). *Migration Trends in the Americas: March-June 2023*. Available at: https://lac.iom.int/sites/g/files/tmzbd12601/files/documents/2024-07/en_tendencias_marzo_junio_2023_vf_.pdf (Accessed 7 June 2025).
- [14] KFF (2025). *Title 42 and its Impact on Immigration and Migrant Families*. Available at: <https://www.kff.org/racial-equity-and-health-policy/issue-brief/title-42-and-its-impact-on-immigration-and-migrant-families/> (Accessed 7 June 2025).
- [15] Secretariat of the Interior (SEGOB). (2003; 2007; 2016). *Statistical Bulletins on Migration (Spanish)*. Secretariat of the Interior, Mexico City. Available at: https://www.politicamigratoria.gob.mx/es/PoliticaMigratoria/Boletines_Estadisticos (Accessed 7 June 2025).
- [16] Silverstein, M.C., Long, R.F., Burner, E., Parmar, P. and Schneberk, T.W., (2021). Continued trauma: a thematic analysis of the asylum-seeking experience under the migrant protection protocols. *Health Equity*, 5(1), pp.277-287.
- [17] Soto, A.,(2020). *One Year after the US-Mexico Agreement. Reshaping Mexico's Migration Policies*. Washington, DC: Migration Policy Institute.
- [18] Vega, D., (2021). Recent immigration policies in Mexico: The failures of a hardening approach toward irregular migrant flows. *Nationalism and Ethnic Politics*, 27(3), pp.405-418.