



U.S.-MEXICO FORUM 2025

MIGRATION



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Rethinking U.S.-Mexico Cooperation on Migration

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KEY RECOMMENDATIONS

Regularizing and Integrating

Immigrants: The Biden Administration and the U.S. Congress should prioritize regularizing migrants already living in the country. Mexico should enact policies that support the integration or reintegration of migrants into Mexican society.

Providing Opportunities for Labor

Migration: The U.S. needs to work closely with governments in Central America to reform the seasonal worker programs to encourage hiring workers in Mexico and Central America. Mexico should facilitate access to work-based visas for employers that want to recruit workers in Central America. Both countries should provide access to visas, which will create opportunities for more legal migration.

Ensuring Robust Humanitarian

Protection Mechanisms: It is crucial for both countries to ensure a broad spectrum of international humanitarian protection mechanisms to those in need of such protection, including but not limited to asylum.

Developing Rules-Based

Enforcement Strategies:

Professionalize border enforcement protocols in both nations to ensure safety, order, legality, and the minimum use of force. Mexico should develop a strategy to institutionalize the National Immigration Institute's (INM) functioning. The U.S. National Guard should be professionalized in dealing with migrant issues if it continues to play a role in border control.

Investing in Development and Rule

of Law: Jointly, Presidents Lopez Obrador and Biden should design a Development Plan for Central America. The two governments have a window of opportunity to lead an international campaign to ensure long-term changes in Central America.

Migration and migrants are central to the health of our economies, especially during a period of recovery. The change of administration in the United States opens opportunities for a new approach to managing regional migration that emphasizes cooperation between the Mexican and U.S. governments. This bilateral cooperation is key to managing regional migration flows and can foster a safe, orderly, and regular flow of migrants between the two countries and throughout the larger region that includes Central America. However, getting the balance right on how to cooperate on migration in ways that are more effective, humane, and consistent with the values that citizens of Mexico and the United States hold dear will require careful negotiation, calibration, and sequencing.

To date the U.S.-Mexico collaboration around migration has focused almost exclusively on more robust enforcement and reducing access to asylum in the United States, especially for Central Americans passing through Mexico. Although couched in collaborative terms, the policy decisions have been largely dictated by the U.S. government with the Mexican government largely following suit, though sometimes changing the terms of collaboration based on long-held policy principles.

Bilateral cooperation is the key to managing regional migration flows, not an extra ingredient. Both the U.S. and Mexican governments have an interest in ensuring that migration is managed carefully and with due consultation and coordination between the two countries and that long-term conditions that drive migration are addressed proactively.

A different approach to collaboration between the two governments could emphasize enforcement in tandem with efforts to open legal pathways for asylum and citizenship, ensure protection closer to Central America or Mexico, and invest in changing the conditions that spur undocumented migration. And this collaboration could be extended to domestic efforts in each country to promote the regularization and integration of migrants. Both the U.S. and Mexican governments have an interest in developing sustainable strategies for managing migration, ensuring migrants have a positive impact on their new homes, and addressing the long-term conditions that drive migration.



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FIVE PRINCIPLES

1. **Migration and migrants can be central to restarting our economies during a period of recovery.**
2. **Economic pressures in Central America and Mexico demand creative pathways for labor mobility.**
3. **Persistent violence in the region requires proactive humanitarian protection measures, but these should be close to where people live, when possible, and pay special attention to the needs of children and families.**
4. **Migration management, including enforcement and visa policy, needs to be professionalized in both countries.**
5. **Investing in development, public security, and rule of law is the only long-term solution to pressures for irregular migration.**

We suggest five sets of principles to striking such a balance and then lay out what may be doable in the short-term versus the longer term.

Migration and migrants can be central to restarting our economies during a period of recovery.

Migration is an asset for both societies, and it is a particularly important asset in the middle of an economic recovery process that requires leveraging all advantages that the two countries have. Regularizing the status of undocumented migrants in the United States and focusing on their integration into U.S. society would help stimulate the economy. In Mexico, finding ways to ensure legal status and access to public services, including education and healthcare, for foreign-born residents would also contribute to economic growth, as would more targeted efforts to leverage the financial and human capital resources that migrants bring back to Mexico when they return.

Economic pressures in Central America and Mexico demand creative pathways for labor mobility.

One of the reasons that irregular migration (defined by the International Organization for Migration as the movement of persons that takes place outside the laws, regulations, or international agreements governing the entry into or exit from the state of origin, transit or destination) from Mexico has dropped so dramatically is that over a quarter of a million Mexican workers have access to legal pathways for seasonal work in the United States, as well as to permanent residency for those who have family members legally present in the United States. For all but a few thousand Central Americans, there is no equivalent pathway, despite huge pressures to do so. Extending U.S. seasonal work programs to Central America is a huge opportunity for turning at least some irregular migration into regular migration that meets workforce needs in the United States. As Mexico emerges from the global recession, building pathways for work in sectors that have labor needs, such as export agriculture and service and construction jobs in the "Industrial Triangle," would be a powerful complement to this.

Persistent violence in the region requires proactive humanitarian protection measures, but these should be close to where people live, when possible, and pay special attention to the needs of children and families.

In the past few years as the U.S. government has narrowed access to the asylum system, sent asylum seekers to wait

in Mexico for their U.S. hearings, and shipped others to third countries in Central America, Mexico has shouldered the burden for humanitarian protection. The new U.S. administration needs to reform the asylum system at the border to make it both more fair and more efficient, and then eliminate the restrictions currently in place that limit access to asylum. But asylum should be a last resort for protection, and the two governments should work closely with international organizations to develop a series of other measures that provide protection to those fleeing danger as close as possible to where they live. A special emphasis should be placed on children and families, who have become a larger percentage of recent migration flows. Finding ways of meeting the needs of minors, including less restrictive settings for detention and the provision of social services, remains a need in both countries and an opportunity for greater collaboration.

Migration management, including enforcement and visa policy, needs to be professionalized in both countries.

Mexico has never fully invested in its migration management system, while the prior U.S. administration allowed its immigration agencies to atrophy. The Mexican government needs to reform and strengthen the National Immigration Institute (INM) and strengthen the Commission on Aid to Refugees (Comar), including professionalizing its enforcement and visa functions, transforming existing detention infrastructure, and creating a robust internal oversight function. The new U.S. administration needs to reduce the use of detention in favor of case management, revamp existing detention facilities, and create a multi-agency task force at each border reception center to ensure optimal attention to children, families, and asylum seekers.

Investing in development, public security, and rule of law is the only long-term solution to pressures for irregular migration.

The two governments should define a set of clear priorities with partners in Central America—governments, international organizations, and civil society groups—for robust investments over the next four years. A focused, coordinated, and sustained effort led by the Mexican and U.S. governments together stands the best chance at succeeding in lowering pressures for irregular migration over time. These measures to invest in the region will have to be combined with efforts to empower local civil society to contest practices that sustain corruption and undermine governance.

An effort focused on these five principles would go much further than past ad hoc efforts to change the inertia of irregular migration, provide legal channels for mobility, and provide better opportunities for those who otherwise might migrate. After a brief discussion of recent patterns in U.S.-Mexico cooperation, we turn to the ways that the two governments could operationalize a new partnership around migration based on these five principles.

Recent Efforts to Control Migration

Recent efforts to control migration have overwhelmingly focused on preventing irregular migration through border control at the southern border of Mexico and the U.S.-Mexico border, as well as limiting access to asylum in the United States. There have been three key periods in this evolving strategy:

- During the first two years of the Trump Administration and the last two years of the Peña Nieto Administration, the two governments discussed possible strategies to coordinate migration policy without any concrete results.
- In the early days of the López Obrador Administration, in December 2018, the Trump Administration announced the



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Migrant Protection Protocol (MPP), a program that allowed the U.S. government to have Latin American migrants wait in Mexico for their U.S. immigration hearings. The Mexican government accepted the return of migrants to Mexican territory, but few services or protection were provided by either government to those returned.

- In May 2019, the Trump Administration threatened tariffs on Mexico over the dramatic rise in unauthorized migrants at the shared border. In June 2019, the two governments reached an agreement, which required the Mexican government to reinforce its southern border and prevent Central American migrants from transiting through Mexico to reach the U.S. southern border.
- Following the U.S.-Mexico migration agreement, the U.S. unilaterally implemented measures to make it almost impossible for non-Mexicans to seek asylum at the U.S.-Mexico border. The first of these, which was implemented before the U.S.-Mexico agreement, was metering, which limited the number of asylum applications at each port of entry. However, other measures followed the agreement, including successive rules which banned asylum applications from those who crossed between ports of entry and then all who crossed the border after passing through Mexican territory.
- Finally, in March 2020, the Trump Administration invoked Title 42 of the U.S. Code, under the authority of the Centers for Disease Control (CDC), which has allowed the U.S. government to expel anyone crossing the border through irregular channels into U.S. territory back to Mexico. The Mexican government agreed to accept back those who were nationals of Mexico, Guatemala, Honduras, and El Salvador.

Taken together, these measures, along with other national restrictions on mobility in Central America, have discouraged irregular migration and reduced monthly apprehensions significantly from the high point in June 2018. However, there are now signs that irregular migration is beginning to rise again, as the effects of the global economic crisis create new incentives for people to travel north and with the change in U.S. administrations. One unintended consequence of the prior efforts to expel migrants under Title 42 was to encourage recidivism, that is, multiple attempts to cross the border, since there are no consequences for multiple attempts at entry. This has led to a slight increase in Mexican unauthorized immigration, and it appears to be part of the reason that irregular migration from Central America may be increasing as well.

These signs suggest that enforcement-only approaches may not be sufficient to detain irregular migration, and that the two governments should explore other options. Moreover, the enforcement-only approaches have required the U.S. government to abandon its moral and international treaty convention obligations to provide access to asylum, which has brought the U.S. government into questionable legal terrain, and it has forced the Mexican government to dedicate a significant percentage of the elements in the new National Guard to border enforcement rather than addressing other public security concerns.

A Better Way Forward

Fortunately, there is a better way forward for collaboration, and it can be built on a strong foundation of genuine cooperation rather than forced collaboration.

The alternative approach requires addressing irregular migration from multiple angles, including creating new channels for labor migration and humanitarian protection, addressing some of the immediate drivers of migration, and creating an enforcement regime that reflects both countries' commitment to rule of law.

At the same time, the two governments have much to gain for their countries in addressing and reinforcing the contributions of migrants living in their countries. Each of these efforts require careful coordination between the two governments, often with civil society actors and international organizations, although some of the specific actions are primarily unilateral while others are explicitly bilateral.

Regularizing and Integrating Immigrants

The Biden Administration and the U.S. Congress could give early consideration to regularizing migrants already living in the United States who are making important contributions to the country. At a minimum, any regularization efforts could focus on those who are beneficiaries of Deferred Action for Childhood Arrivals (DACA), which comprise almost 90% of Mexican nationals, and those who hold Temporary Protected Status (TPS), overwhelmingly from El Salvador and Honduras, but there are opportunities to provide legal pathways to essential workers, those who are married to U.S. citizens and legal residents, and those who have lived in the United States for more than ten years continuously. Any of these approaches—and any combination of them—would go a long way towards integrating those migrants, roughly half of them Mexican, already living in the United States but without legal status, while helping them contribute further to the economic recovery.

Mexico too has increasingly become a destination for migrants who are settling in ever larger numbers in the country, some of them without legal status, while many Mexicans continue to return to Mexico after long periods of living in the United States. Policies to improve access to legal status, enhance financial inclusion, facilitate registration in schools, and otherwise support integration or reintegration not only assist the migrants themselves but also benefit the economy and society at large.

While regularization and integration policies in each country will need to be handled within each country's domestic political system, there are significant opportunities for the government of each country to provide support for the efforts in the other country that affects its co-nationals.

Providing Opportunities for Labor Migration

While over 260,000 Mexicans travel to the United States each year to take seasonal positions in agriculture, services, and manufacturing, there are fewer than 8,000 Central Americans who have access to the visas that allow for

seasonal labor migration. And while tens of thousands of Central Americans have access to regional work visas that allow them to do seasonal work in the south of Mexico, there are relatively few who can access visas to work in the areas of Mexico that normally have significant labor shortages, especially the Industrial Triangle and the regions of export-agriculture. Absent these opportunities, most Central Americans can only hope to work in Mexico or the United States by using irregular channels to migrate.

The U.S. needs to work closely with governments in Central America to ensure transparent and trustworthy pipelines of workers who are eligible for existing visas and to encourage employers to look further south, especially for agricultural recruitment. It may be possible to reform the existing seasonal worker programs in the future to include a regional component that encourages hiring workers in Mexico and Central America, but in the short-term efforts need to be focused at creating incentives.

In Mexico, consideration could be given to ways of facilitating access to work-based visas for employers in the Industrial Triangle and in export agriculture that want

America to develop mechanisms for in-country protection, and working with UNHCR, the UN Refugee Agency, and the International Organization for Migration (IOM) to resettle those in imminent danger outside of their country of residence, by scaling up the Protection Transfer Agreement.

The U.S. government should also work to end the MPP and to allow those currently in the program to have their immigration hearings expedited and work towards modifying and eventually ending the use of Title 42 expulsions. Such improvements on both sides of the border will not only reduce uncertainty and improve fairness for migrants, but it will likely reduce costs for the governments on both sides of the border.

Developing Rules-Based Enforcement Strategies

Enforcement of existing laws, including restrictions on irregular crossings at or between ports of entry, will have to remain a central strategy for both governments as a



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to recruit workers in Central America, at least in the period after the COVID-19 pandemic subsides and the Mexican economy returns to a pattern of growth.

Access to visas that allow for work in seasonal occupations in the most dynamic regions of the United States and Mexico will not stop irregular migration, of course, but over time it will create opportunities for legal migration that can replace some of the irregular channels that are currently the only option available for most Central Americans.

Ensuring Robust Humanitarian Protection Mechanisms

As the U.S. government has limited access to its asylum system, Mexico has vastly expanded access to its asylum system, especially for migrants from Central America, Venezuela, Cuba, Haiti, and African countries. However, given the real protection that many migrants from these countries need, it is vitally important to think about how to ensure a broad spectrum of humanitarian protection mechanisms to those in need of international protection, including but not limited to asylum.

First, it remains vital to strengthen Mexico's asylum system further, given its growing role in protection for those fleeing persecution and state collapse in Latin America, and the U.S. government should play a role in supporting this. But the U.S. government also has a responsibility to reform and restart its asylum system at the border in a way that ensures timely and fair decision-making on asylum cases. To do this, the U.S. government will need to empower asylum officers to make final decisions on asylum cases, resource them sufficiently, and return to the asylum standards that were established by jurisprudence before the Trump Administration began to narrow the grounds for asylum. The two governments can also collaborate to identify those in need of protection closer to where they live, helping governments and civil society organizations in Central

means of ensuring safety, order, and legality at the borders. However, enforcement efforts should be professionalized and adjusted to ensure that they use the minimum of force necessary, follow both domestic and international law, and take added precautions in the treatment of minors.

In the case of the United States, developing alternatives to detention and less restrictive settings to monitor migrants who have pending immigration cases is both more humane and more financially efficient. If asylum proceedings can be taken out of the immigration courts and streamlined, these less restrictive settings become even more workable.

In the case of Mexico, developing ways of continuing to institutionalize the functioning of the INM remains an important effort. If the National Guard will continue to play a supporting role in border control, thought should be given to whether it would make sense to have a dedicated unit of the National Guard that is trained in border enforcement, as is the case with the National Police in France, Spain, and Sweden.

Both governments can agree on practices that reduce or eliminate the use of detention for unaccompanied minors and families with minor children in favor of management by human service agencies or case management systems.

Investing in Development and Rule of Law

The Lopez Obrador Administration has long proposed an ambitious effort to invest in southern Mexico and Central America as a means to creating the conditions for growth and development over time that would obviate the need for people to migrate. These plans were laid out in a report by the United Nations Economic Commission for Latin America and the Caribbean, or CEPAL, at the start of the Lopez Obrador Administration. The incoming Biden Administration has similarly proposed a robust effort to invest in Central America to generate development and to build rule of law, including an ambitious campaign against corruption that

empowers local civil society. The two governments have a unique window of opportunity to lead an international campaign to ensure long-term changes in Central America that help alter the calculations that people make about the need to migrate.

There are also major opportunities to develop local infrastructure in communities within Mexico that see frequent migration flows and often become places where migrants settle down when they decide that they cannot reach their intended destination. This is particularly true in the cities adjacent to the northern and southern borders of Mexico, as well as some cities along common migration routes.

Conclusions: Towards a More Sustainable and Effective Approach

As a new U.S. administration takes office, the two governments should find the earliest opportunity to cover the wide range of topics that are vital in the relationship, but especially to address the shared challenges presented by migration. One option would be to do so in a trilateral meeting that also includes Canada, which would have the advantage of making all three countries stakeholders in development efforts in the region as well as efforts to build humanitarian protection and opportunities for seasonal labor migration.

To date, collaboration around migration has focused almost exclusively on more robust enforcement and reducing access to asylum in the United States, but these efforts appear to be insufficient as well as costly and, in some cases, legally dubious. A different approach between the two governments could emphasize enforcement in tandem with efforts to open legal pathways, ensure protection closer to home, and invest in changing the conditions that spur irregular migration. And this collaboration could be extended to domestic efforts in each country to promote the regularization and integration of migrants.

The benefits of this alternative approach are clear: it would be far more effective at discouraging irregular migration over the long-term, it would provide protection to those who need it in accordance with the national values of both the United States and Mexico, and it would take advantage of the human capital and multiple contributions of those migrants already living in the two countries. These are goals that the Mexican and U.S. governments should aspire to—and can begin to build together.

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