

Note d'analyse n°9

**NAFTA's impact on US-Mexican border security:
drug, trade and migration**

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The North American Free Trade Agreement, negotiated by the United States, Mexico and Canada, entered into force on January 1, 1994. Noticeably left out of the negotiation table were the two main US-Mexico trade flows: migrant labor and illegal drugs¹. As controversial as it might have been (or still is), in the words of former Mexican Secretary of Foreign Affairs, Jorge Castañeda “it brought neither the huge gains its proponents promised nor the dramatic losses its adversaries warned of”². However, one thing is certain, it undoubtedly increased trade between the US and Mexico. This unprecedented integration also brought North America’s economic and security considerations closer together through the development of new, deep and sophisticated structures of collaboration, especially in regards to border security.³ A free trade agreement, by definition requires the relatively free movement of goods, services and people. The dilemma, however, has been how to facilitate these movements while at the same time restricting illicit cross-border flows.⁴ While all parties to the agreement have stepped the interdiction of illicit flows, most of these efforts have only involved two out of the three partners; Mexico and the US, thus, have had to transcend patterns of border management by sharing customs and migration information. An extensive and constant cooperation on issues such as migration and drug trafficking has been rendered possible due to the economic synergies created by NAFTA. In some sense, the increase in trade reinforced the benefits of cooperation and helped overcome previous bilateral tensions, that is, until now⁵. In virtue of US President Donald Trump’s threats to withdraw from NAFTA, we thought that assessing the accord’s impact on border security was particularly relevant.

In this paper we argue that the upsurge in trade flows and the development of an undeniable dependence relation between Mexico and the US, has had an impact on border security collaboration. As a means of doing do, firstly, we will analyze the juxtaposition between a borderless economy and a barricaded border. Secondly, we will assess the cooperation between the US and Mexico in regards to drug-trafficking and irregular migration. And thirdly, we will attempt to determine the repercussions that NAFTA’s repeal could have on border security.

Borderless economy vs. barricaded border

In a post- Cold War era, where economic integration continues to play an important role in world politics, new threats have emerged in the eyes of the State: migrant smuggling and illegal-narcotics, mainly heroin, cocaine, marijuana and most recently fentanyl, have become the new *undesirables*. Clandestine cross-border activities are certainly not new; law evasion is as old as law enforcement itself. What has been relatively new, however, has been the escalation of border policing from *low politics* to *high politics* especially in geographical areas that separate the *rich* and the *poor*. Such is the case of the US-Mexican border. State’s border concerns, therefore, have moved from war fighting to crime

¹ Peter Andreas, *Smuggler Nation: How Illicit trade made America*, Oxford University Press, 2013

² Cameron Mckibben “NAFTA and Drug trafficking: perpetuating violence and the illicit Supply Chain”, *Council on Hemispheric Affairs*, March 20, 2015.

³ Jessica Trisko Darden, “A NAFTA renegotiation may have some serious unexpected consequences on US immigration and border security”, *Business insider*, May 5, 2017

⁴ Martha Cottam and Otwin Marenin “The Management of Border Security in NAFTA” *Washington State University*, May 2005.

⁵ Rebecca Bill Chavez, “Nafta’s Renegotiation Risks National Security” *New York Times*, November 20, 2017.

fighting.⁶ In recent years, the US-Mexican border has seen an escalation as portrayed by tougher laws, rising border controls, increasing budgets, and an overall border militarization. These deterrence efforts and tightening controls over US-Mexican border-flows, paradoxically contradict the very principle of a liberalized world economy. The North American integration has seen the facilitation of legal flows but also a reinforcement trend in border- policing and control; NAFTA has resulted in the construction of both, “a borderless economy and a barricaded border”.⁷

The establishment of a new world order has increased transnational activity, interdependence between nations and the permeability of national borders. The diminishing controls over financial networks and transnational economic flows have resulted in the consolidation of transnational criminal organizations as a powerful force beyond inter-state relations. Drug trafficking and migrant smuggling have been aggravated by the growing trans-nationalization of organized crime.⁸ The historically porous border between Mexico and the US, registers everyday flows of contraband and illicit-substances. Similarly, the migration corridor running from Central America throughout Mexico and into the US, has become one of the world’s busiest⁹

The US and Mexico have resorted to the tightening of border controls and aggressive strategies destined to weaken criminal organizations. Paradoxically, as law enforcement and border control attempt to curb down illicit cross-border activities, they strengthen drug-trafficking groups and migrant-smuggling networks by increasing their incentives and economic rewards. Law enforcement has shaped the routs, methods, locations and ways of operating of such groups, but has not eradicated nor diminished their presence.¹⁰ In the case of migration, *coyotes* have increased their smuggling fees since President Trump came into office. In 2014 the US Mexico quota was around US\$7,000 today it is approximately US\$8,000¹¹. However, migrants have not stopped their journey up north. Harsh border controls have only pushed them into taking even more dangerous and expensive alternative routs¹².

For drug trafficking in the US-Mexican border, similar economic principles apply. In 2014, one kilogram of cocaine was worth US\$7,000 in Mexico, while in the US market it could generate around US\$150,000¹³. Likewise, a kilogram of marijuana, on average increases US\$500 for every 1,000 kilometers it travels within US territory.¹⁴ The US

⁶ Peter Andreas, *Border Games: Policing the US-Mexico Divide*, Cornell University Press, 2001

⁷ Peter Andreas, *Border Games: Policing the US-Mexico Divide*, Cornell University Press, 2001

⁸ Peter Andreas & Ethan Nadelmann. *Policing the Globe: Criminalization and Crime Control in International Relations*, Oxford University Press, 2006

⁹ Adam Isacson *et al.* “Mexico’s Southern Border: Security, Central American Migration, and US Policy”, WOLA, June 2017

¹⁰ Deborah, Bonella, “Criminal Groups Benefit from Mexico’s Crackdown on Migrants”, *Insight Crime*, July 28, 2016

¹¹ Manuel, Ureste “Los coyotes del norte están aumentando las cuotas por Trump”, *Animal Político*, February 10, 2017

¹² Amnesty International, “Facing walls: The US and Mexico’s violations of the rights of asylum-seekers”, London, 2017

¹³ Ruben Aguilar V and Jorge G. Castaneda. *El Narco: La Guerra Fallida*. Mexico D.F.: Punto De Lectura, 2009

¹⁴ Tom Wainwright, “Narconomics: How to Run a Drug Cartel”, *Public Affairs*, February 23, 2016

market seems to be significantly more profitable, which makes eradication or decrease in supply, highly unlikely. The inability to control drug trafficking, thus, relays on basic economic principles. Cartels work in a borderless economy, while the clumsy regulating efforts tend to be located at the national level.¹⁵ The trade increase bolstered by NAFTA spurred cooperation and state intervention in an attempt to end the undesirable sides of economic liberalization. Regulating efforts were, hence, raised to the bilateral level. Even if in Mexico, state intervention seems to depend more on the intentions of the policy-makers north of its border, rather than on its own.

Escalation policies have been different for drug control and immigration. To begin with, Mexico has historically treated immigration as a social and economic issue (at least until *Programa Frontera Sur*), whereas the US has treated it as a law enforcement matter. Consequently, migration has been mostly dealt with from the US side. On the other hand, drug-trade, because it is criminalized in both countries, has resulted in an extensive military and law enforcement collaboration, to the point where the *Mérida Initiative* was established. However, when it comes to restriction, immigration and drug trade have been treated in similar ways: supply, instead of demand, has been the primary target.¹⁶

Mexico's dependence to the US

Historically, Mexico's proximity to the world hegemon has widely influenced its foreign policy. The ratification of NAFTA, however, marked a definite shift of Mexico's policy to the US, due to economic dependence that arose from it. Mexico's once active foreign policy in regards to Latin America guided by the principle of *non-intervention* (and as opposed to the US), greatly diminished¹⁷.

NAFTA's overall impact is difficult to assess; a wide variety of reports and studies have attributed different successes and failures to the agreement. Nonetheless, the three partners increased in competitiveness and their economies became more closely intertwined through the development of new manufacturing techniques, such as value chains. For Mexico, the export of manufactured goods, mainly to the US, substituted oil as the engine of economic growth. To this day, 81% of Mexico's exports are destined to the US market¹⁸, which makes the prospects of NAFTA ending a worrisome scenario. The US is also the largest source of foreign direct investment in the country. In 2015 the US FDI stock amounted to US\$92.8 billion¹⁹. What is more, historically, the US has financially aided Mexico during several economic crises, which has only accentuated the already existing economic dependence. Due to its geographical proximity, the Mexican economy has also been widely affected by events such as the 2008 US recession and the election of President Donald Trump. In view of the elections, the Mexican peso devaluated 13%, going from 18.5 units per dollar to 20.74 by the end of election day, a historical minimum.²⁰ Furthermore, the issue of Mexican-US migration has also become a factor of dependence,

¹⁵ Tom Wainwright, "Narconomics: How to Run a Drug Cartel", 2016

¹⁶ Peter Andreas, "Border Games: Policing the US-Mexico Divide", 2001

¹⁷ Roberta, Lajous *Historia mínima de las relaciones exteriores de México 1821-2000*, Colegio de México, 2012

¹⁸ Carla Hills, "NAFTA's Economic Upsides", *Foreign Affairs*, February 2014

¹⁹ M. Ángles Villarreal and Ian F. Fergusson "The North American Free Trade Agreement", *Congressional Research Service*, May 24, 2017

²⁰ Juan, Paullier, "México: caída histórica del peso ante el trunfo de Donald Trump", *BBC*, November 9, 2016

seeing that nearly twelve million Mexican-born immigrants live in the US, either lawfully or irregularly²¹. Mexico has been widely affected by US immigration policies, either by the human rights violations of its nationals or their deportation and the reintegration efforts that this entails. Even more so since Donald Trump came into office²².

The undeniable socio-economic dependency accentuated by NAFTA, has made Mexico's compliance to US-demands more likely. The asymmetries between both countries have resulted in a Mexican-US dependence relation; Mexico's political, economic and security agenda has been widely shaped by that of its northern neighbor.

State-intervention

In the age of globalization, the general consensus seems to be that "a greater economic interdependence generates more harmonious cross-border relations and less state intervention"²³. However, in the case of NAFTA this was not necessarily true. An increased economic inter-dependence paved the way for the development of an extensive and constant cooperation between the US and Mexico. By doing so, there was a significant increase in state-intervention in regards to border security.

While there was a general relaxation of legal cross-border flows once NAFTA entered into force, there was also a significant increase in US border surveillance and law enforcement. The US annual budget for Border Patrol increased from US\$362 million in 1993 to more than US\$3.6 billion in 2016, that is, a 930% increase. In addition, the number of border patrol officers went from 4,200 to approximately 21,000²⁴. Mexican exports to the US increased by 673%, going from US\$39 billion in 1993, to US\$294 billion in 2014.²⁵ Therefore, the increase in the Border Patrol's budget was greater than the increase in Mexican exports entering the US. Meanwhile, the budget for the US-Canada border control was nowhere near as high, even if there was also a significant trade increase since CUSTA. Thus, the economic resources designated to Border Patrol, were not a standardized NAFTA procedure, but an attempt to curb down illicit flows of drugs and people. In the US-Mexican case, opening up economic ties was closely connected with the politics of making the US-border more closed to illicit flows.

The bilateral cooperation deepened due to the creation of NAFTA's sophisticated and integrated business connections that consequently, and out of necessity, resulted in integrated security operations.²⁶ NAFTA brought unprecedented levels of integration, which naturally transformed business ties between partner countries. The development of new manufacturing techniques required greater border efficiency in order for entrepreneurs

²¹ Antonio, Flores "How the US Hispanic population is changing" *Pew Research Center*, September 18, 2017

²² Ana Gonzalez-Barrera "More Mexicans leaving than coming to the US", *Pew Research Centre*, 19 November, 2015.

²³ Peter Andreas, "Border Games: Policin the US-Mexico Divide", 2001

²⁴ US Border Patrol Fiscal Year Budget Statistics (FY 1990-FY 2016) *US Customs and Border Protection*, October 14, 2016

²⁵ M. Ángel Villarreal and Ian F. Fergusson "The North American Free Trade Agreement", 2017

²⁶ Vanda Felbab-Brown, "US-Mexican relations" *Brookings Institute*, November 16, 2016

to benefit from the new available terms of trade²⁷. In order to do so, a complex multi-layered border management was established and state-intervention was increased.

US-Mexican border security cooperation

As state intervention increased- so did US-Mexican border security cooperation in an attempt to curb down illicit flows. In the following paragraphs, cooperation initiatives on drug trafficking and migration will be assessed.

Drug- trafficking

In regards to drug trafficking, the disagreement between the US and Mexico has been centered on sovereignty and the supply versus demand-led approach to eradication. Since Nixon's declaration of *war on drugs*, the degree of US-Mexican cooperation or lack of has been directly correlated with the US unilateral action on the matter. Some of the events that strained bilateral relations and undermined Mexican sovereignty, include: failure to address US drug-demand and the effects that shielding the Caribbean drug route had on the displacement of drug-trade to Mexico, US drug certification in Latin America, Operation Casablanca²⁸ and the forcible abduction and trialing of Álvarez-Machain²⁹. Once NAFTA entered into force, Mexican President Ernesto Zedillo, strengthened cooperation with the US in regards to drug trafficking and organized crime. However, he stressed that combating these flows was exclusively competence of the Mexican State³⁰. In virtue of the increase in border-crossing flows, more robust security architecture was developed. In 1996 a High-level Contact Group for drug control was created, two years later the Binational strategy Mexico-US to increase cooperation was established.³¹ However, tensions did not cease to exist from one day to the next.

Furthermore, in 2005, the *Security and Prosperity Partnership* or the so-called *NAFTA plus* was launched. The non-binding agreement went beyond trade per se and addressed a wide variety of concerns, trilateral cooperation and non-tariff barriers to trade, one of them being border security³². It was meant to “strengthen cooperation protocols and create new mechanisms to secure common borders while facilitating legitimate travel and

²⁷ Martha Cottam and Otwin Marenin “The Management of Border Security in NAFTA”, *International Criminal Justice Review*, 15(1), 2005

²⁸ In 1994, several Mexican bankers were arrested in US territory and trialed for money laundering without prior notification to the Mexican government.

²⁹ In 1990, the forcible abduction of Humberto Machain, a Mexican physician who was allegedly involved in the murder of DEA agent Enrique Camarena, took place in Mexican territory without prior notification. The kidnapping was allegedly ordered by the White House and ransoms were offered. Similarly Enrique Camarena was trialed in the US.

³⁰ Roberta, Lajous *Historia mínima de las relaciones exteriores de México 1821-2000*, Colegio de México, 2012

³¹ Roberta, Lajous *Historia mínima de las relaciones exteriores de México 1821-2000*, Colegio de México, 2012

³² James R, Edwards, “The Security and Prosperity Partnership” *Center for Immigration Studies*, June 1, 2007

trade in the region”.³³ One of the initiative’s priorities was to create smart and secure borders in order to reduce bottlenecks at border crossing points. The initiative called for intelligence sharing, joint assessment of external threats, prevention and the establishing of working groups. These summits were regularly held until 2009, when the SPP was formally substituted by *North American Leader’s Summit*. Security and defense once again played a key-role on trilateral cooperation. The aim of the initiative was to provide a forum of discussion to address the prosperity and security of the region; common threats such as drug-trade and human trafficking were addressed. A North American Dialogue on Drug Policy was established to raise efforts in curbing down illicit opioids such as fentanyl and heroin.³⁴ In regards to human trafficking, there was a commitment to review current laws and implement awareness campaigns. Additionally, other US-Mexican initiatives for law enforcement have been established, such as the Border Enforcement Security Task Force in which Mexican officers participated along the US immigration and Customs Enforcement.³⁵

Since 2008, the US-Mexican cooperation against drug trafficking and organized crime has been channeled through the *Mérida Initiative*- a partnership signed by Felipe Calderón and George Bush - that for the first time recognized a shared responsibility in the matter.³⁶ Since the launching of the program, the US Congress has assigned US\$2.8 billion in assistance.³⁷ The initiative has built a new architecture for bilateral security cooperation for the eradication of trafficking in persons, drugs, weapons and money laundering by providing financial and technical assistance to the Mexican security apparatus and judicial institutions. Such assistance is delivered in accordance to the initiative’s four pillars “1) disrupting organized criminal groups, 2) institutionalizing the rule of law, 3) creating a 21st century border, and 4) building strong and resilient communities”³⁸. As a means of coordinating such efforts, the Bilateral Security Cooperation Group was established, where the US secretary of State and of Homeland security meet with their Mexican counterparts on a regular basis to discuss priorities, advances and setbacks.³⁹ In addition, new areas of cooperation have been developed, such as the “overcoming of shared migration challenges”⁴⁰. Under former US President Obama and current Mexican President Enrique Peña Nieto, the security cooperation continued. It is unclear how the cooperation will continue under President Trump.⁴¹

³³ Ángeles Villarreal and Jennifer E. Lake, “Security and Prosperity Partnership of North America: An overview and selected issues” *Congressional research service*, May 27, 2009.

³⁴ Department of Commerce “North American Leaders Summit (NALS)” *International Trade Administration*, 2012

³⁵ Claire Ribando and Kristin Finklea, “US-Mexican Security Cooperation: The Mérida Initiative and Beyond”, *Congressional research service*, June 29, 2017

³⁶ Embajada y consulados de Estados Unidos en México, “Iniciativa Mérida”, 2014.

³⁷ Claire Ribando and Kristin Finklea, “US-Mexican Security Cooperation: The Mérida Initiative and Beyond”, *Congressional research service*, June 29, 2017

³⁸ Department of Homeland Security, “The Mérida Initiative”, *Homeland Security Digital Library*, 2016

³⁹ Secretaría de Relaciones Exteriores “Fifth Meeting of Mexico-Us Bilateral Security Cooperation group” , October 18, 2017.

⁴⁰ Claire Ribando and Kristin Finklea, “US-Mexican Security Cooperation: The Mérida Initiative and Beyond”, *Congressional research service*, June 29, 2017

⁴¹ Raúl Benítez, “La Iniciativa Mérida: Nuevo paradigma en la relación de seguridad México-Estados Unidos-Centroamérica” *Revista Mexicana de Política Exterior*, 87, 2009

The Mexican counter-narcotics strategy has largely focused on the targeting and capturing of powerful kingpins; US intelligence has played a key-role in doing so. The recapture and extradition of kingpin Joaquín *El Chapo* Guzman in 2016, has been amongst the most recent joint achievements on the matter⁴². Under the first pillar, US\$873 million were destined for the purchasing of equipment, mainly helicopters and aircraft, to support the Mexican security forces' efforts. Additionally, 400 canine teams and non-intrusive equipment were provided. In regards to money laundering, US\$22 million have been directed to software, technical assistance and training the financial intelligence Mexican unit in the detection of irregular money flows. The US has also provided assistance on intelligence gathering and information sharing through the creation of a "automated interagency biometrics system destined to gather information on migrants and criminals".⁴³ Equally, information sharing in the US-Mexican border was rendered possible by the creation of a US\$13 million telecommunication system funded by the US government and an equally capitalized program of US\$75 million to secure these communications.⁴⁴

Under pillar two, US\$146 million have been destined to training, mainly to the professionalization and reformation of the federal and local police forces, through the establishment of courses on investigation techniques and information gathering. US authorities have been closely working with the *Procuraduría General de la República* on counter money-laundering, human-trafficking and anti-kidnapping programs. Mexico and the US agreed upon the need to reform the Mexican judicial and penal systems by implementing a new accusatorial justice system. In virtue of such, 260,000 police officers, 9,000 prosecutors and forensic experts and 100 judges have been trained in the accusatorial system by the US Department of Justice. Through INL, the US has assisted in the reform of the penitentiary system by aiding in the certification of 42 prisons and further training personnel on the matter. USAID has supported a US\$87 million program on rule of law that, besides assisting federal and local authorities, has also engaged with civil society and NGOs in order to monitor the reform's efforts. Similarly, funds have been destined for public awareness campaigns and for victims' access to justice.⁴⁵

Under pillar three, collaboration in enhancing the border was stepped up. As a way of ensuring the secure flow of people and goods, several pre-clearance programs were established, as well as the Bilateral Executive Steering Committee- institution that oversees binational plans and implementation.⁴⁶ As a result of the 9/11 attacks and the strengthening of US border-policies, programs such as the *Customs Trade Partnership Against Terrorism* and the *Free and Secure Trade Program* were developed⁴⁷. Similarly, US and Mexican customs and immigration officers now work hand in hand along three US main entry points; US officials have been allowed to bear arms for inspection purposes. The US has

⁴²New York Times, "Mexico extradita al Chapo Guzmán", January 19, 2017.

⁴³ Claire Ribando and Kristin Finklea, "US-Mexican Security Cooperation: The Mérida Initiative and Beyond", *Congressional research service*, June 29, 2017

⁴⁴ Claire Ribando and Kristin Finklea, *Ibid*

⁴⁵ Claire Ribando and Kristin Finklea, *Ibid*

⁴⁶ Homeland Security "21 Century Border: The Executive Steering Committee", September 30, 2015.

⁴⁷ US Customs and Border Protection "CTPAT: Customs Trade Partnership Against Terrorism", November 15, 2017.

also aided in the training and professionalization of the Mexican Custom officials. Mexico's southern border and unauthorized Central American migration has been of great concern to the US, resources have recently been poured into Mexico's law enforcement strategy.

The scope of the Initiative was later broadened to include: institution-building, development in the border region and bottom-up approaches to violence prevention. Pillar four- building strong and resilient communities- was approved by both governments in 2011. The aim of such strategy was to address the core causes of crime and violence in Mexican communities. As a means of doing so, US\$90 million were allocated for violence-prevention programs, capacity-building, independent research, monitoring labs and engagement with civil society and youth groups.⁴⁸ President Donald Trump has expressed his willingness to eliminate funding for pillar four and reverse to a law enforcement-based approach as opposed to a more holistic one. However, it is unclear how he pretends to do so, since there has been a nearly 40% decline in the Merida Initiative's budget for 2018.

After having analyzed several bilateral initiatives and programs, we can determine that the trade increase bolstered by NAFTA, indeed, reinforced US-Mexican security cooperation in an attempt to dismantle drug-trafficking networks.

Unauthorized migration

Due to history and geography, the issue of migration has been, and will continue to be a source of bilateral tension. Historically, there has been several *push* factors that have driven Mexican migration to the US, mainly poverty, and high-paying jobs⁴⁹. Although, the Mexico US net migration flow has been negative since the 2008 Great Recession.⁵⁰ That is, more Mexican immigrants have returned to Mexico from the US, than those that have entered. As a result, in 2016, more Non-Mexicans were apprehended in the US Mexican border, than Mexicans⁵¹. Mexico has gradually become both a transition and destination country, mainly, for migrants from the so-called Northern Triangle; approximately, half a million people cross into Mexico every year⁵². The transit of Central American migrants has soared, increasingly, because they are fleeing from life threatening gang violence⁵³.

The main bilateral sources of tension regarding migration can be traced back to Clinton's Immigration Reform and Immigrant Responsibility Act of 1996, as well as several operations such as Operation Hold the Line, Operation Gatekeeper and Operation Safeguard. These policies were established as a result of NAFTA's nightmarish first year

⁴⁸ Claire Ribando and Kristin Finklea, *Ibid*

⁴⁹ María Luisa Pastor Gómez, "México: entre el muro de la frontera Norte y la porosidad de la frontera Sur", IIEE, December, 6, 2016

⁵⁰ Ana Gonzalez-Barrera and Jens Manuel Krogstad, "What we know about ilegal immigration from Mexico", *Pew Research Center*, 2 March, 2017.

⁵¹ Ana Gonzalez-Barrera "More Mexicans leaving than coming to the US", *Pew Research Centre*, 19 November, 2015.

⁵² UNHR "Mexico Fact sheet" based o SEGOB and INM oficial sources, February 2017

⁵³ International Crisis Group, "Easy Prey: Criminal Violence and Central American Migration", July 28, 2016

and the increased flows of unauthorized Mexican migration due to the 1994 crisis.⁵⁴ Such policies marked an era of massive deportations and the further marginalization of unauthorized Mexican immigrants. Detention measures were stepped up, there was a significant increase in the Border Patrol's budget and a construction of a 325-mile fence along the Mexico-California border was issued.⁵⁵

Equally, due to the 9/11 September attacks, former Mexican president Vicente Fox's attempts to establish an integral migration accord, fell down. The US-Mexican border saw an escalation, law enforcement and detention measures were stepped up and the overall border was securitized. Immigration thus, was now treated as a matter of Homeland Security.⁵⁶ Under President Obama, although benefiting laws such as *DAPA*⁵⁷ and *DACA* were issued, there was an unprecedented 833,849 of unauthorized Mexican immigrants deported.⁵⁸

In 2014, there was an unprecedented upsurge of Central American unaccompanied minors and family units arriving to the US border. Between 2013 and 2014 there was a 90 percent increase of unaccompanied minors, that is 67,000 child immigrants reached the US border, which entailed the situation to be labeled as a humanitarian crisis.⁵⁹ Former President Obama, proceeded to increase detention facilities and established new enforcement priorities, as a means of deterring further arrivals. The crisis resulted in a change of the US policy towards the southern countries. A strategy of engagement with Central American governments and increased financial and strategic support to Mexican authorities was established. In virtue of the circumstances, the US called upon and pressured its southern neighbor into increasing its immigration enforcement efforts. Following the 2014 humanitarian crisis, on July 2, Mexican President Peña Nieto, announced the creation of the *Programa Frontera Sur*, a border-control strategy that stepped up the detention process in the southern border. The program increased security controls in twelve entry points along the Guatemalan and Belizean border as well as in several transit routes⁶⁰. These crackdowns opened the door to further human rights violations of Central American immigrants under the hands of Mexican officials, cartels and gangs. The humanitarian crisis in the US border, thus, correlates with the Mexican militarized security-based approach of 2014.

Mexico's *Programa Frontera Sur* has prioritized detention over the adequate treatment of migrants and asylum seekers. "In 2016, Mexico returned 166,000 Central

⁵⁴ Joanne D. Spotts. "US immigration policy on the Southwest border from Reagan through Clinton, 1981-2001", *GEO IMMIGR L. J.* 2006

⁵⁵ Roberta, Lajous "Historia mínima de las relaciones exteriores de México 1821-2000", 2012

⁵⁶ Rafael Fernández de Castro and Ana Paula Ordorica "Acuerdo migratorio: ¿Una ambición desmedida?" *Nexos*, November, 2005.

⁵⁷ Deferred Action of Parents of Americans and Lawful Permanent Resident (DAPA)s and Deferred Action for Childhood Arrivals (DACA)

⁵⁸ Muzaffar Chishti et al. "Obama Record on Deportations: Deporter in Chief or not?", *Migration Policy Institute*, January 26, 2017

⁵⁹ "Rising Child Migration to the United States", *Immigration Policy Institute* May 2016

⁶⁰ Alejandra Castillo, "The Mexican Government's Frontera Sur Program: An Inconsistent Immigration Policy", *Council on Hemispheric Affairs*, October 25, 2016

Americans, including 30,000 children and adolescents- 8,000 of them unaccompanied”⁶¹. The number of asylum seekers more than doubled from 2013 to 2016, however, in 2016 less than half were granted asylum.

Under Pillar Three of the *Mérida Initiative: Creating a 21st Century Border*, US funding was provided for enforcement in Mexico’s southern border through the *Instituto Nacional de Migración*- the entity in charge of apprehension and deportation. Since the program’s creation, the US Department of State has provided approximately US\$100 million to Mexico’s southern border and has promised US\$75 million more.⁶² In 2015 alone, US\$6.6 million were provided for screening software and non-intrusive inspection equipment and US\$3.5 million to mobile kiosks, as well as technical training for border-police and military⁶³. Similarly, US unarmed officers have assisted police and military in law enforcement strategies. The US government has praised Mexico’s efforts, while civil society has condemned the rise of human rights violations.

More recently, US President Donald Trump’s threatening rhetoric regarding migration and the suspension of *DACA* and *DAPA*, have renewed past tensions and has created a hostile environment. Special obstacles to bilateral cooperation include: the issuing of executive order *Border Security and Immigration Enforcement improvement* which announced the construction of a nine-meter high wall in the US-Mexican border as well as tightening border-control measures⁶⁴. Perhaps not at first sight, but Trump’s discourse on Mexican migration is closely related to the FTA, there is a recurrent claim that both, have *stolen* US citizens’ jobs. Currently, and in virtue of the renegotiations, Mexico has sought to use border security and immigration policy as leverage in the negotiations⁶⁵.

Although migration continues to be a sensitive issue, Mexico has previously complied with US demands by stepping up detention measures in its southern border, greatly as a result of its dependence to the US.

NAFTA’s renegotiation and border security

NAFTA’s renegotiation has been marred by uncertainty. As negotiations are extended into 2018, after an unsuccessful fifth round, the prospect of NAFTA’s demise seems more plausible than ever. Some of the negotiation’s thorniest issues such as rules of origin, the sunset clause and the revision of trade dispute mechanisms have remained unresolved.⁶⁶ President Donald Trump made a NAFTA withdrawal one of the most predominant issues of his campaign. Mexico, however has also expressed the possibility of

⁶¹ International Crisis Group, “Easy Prey: Criminal Violence and Central American Migration”, 2016

⁶² Alejandra Castillo, “The Mexican Government’s Frontera Sur Program”, Council on Hemispheric Affairs, 2016

⁶³ Christopher Wilson and Pedro Valenzuela “Mexico’s Southern Border Strategy: Programa Frontera Sur” *Wilson Center-Mexico Institute*, July 11, 2014

⁶⁴ White House- Press Office, “Executive order: Border Security and Immigration Enforcement improvement” January 25, 2017

⁶⁵ Dave Graham “Mexico eyes border, migration as leverage in talks with Trump”, *Reuters*, December 28, 2016.

⁶⁶ Ana Swanson, “How is the Trump Administration is Doing Renegotiating NAFTA” *New York Times*, September 28, 2017.

withdrawing if negotiations are not considered favorable. Although, the scenario is particularly worrisome for Mexico, the government has threatened with the possibility of halting border-security cooperation, chiefly on the issue of migration in its southern border⁶⁷. As the Mexican Secretary of Foreign Affairs, Luis Videgaray has stated: “It’s a fact of life and there is a political reality that a bad outcome on NAFTA will have some impact on migration and many other issues⁶⁸”. He also stated that: “We don’t want that to happen and we’re working hard to get to a good outcome.”⁶⁹ In view of such, Mexico has also expressed its willingness to broaden negotiations and include security issues such as transmigration and counter narcotics if key concerns are included in the renegotiation. The outcomes remain uncertain.

What would the end of NAFTA entail for US-Mexican border security? Besides the obvious strains it would entail for bilateral relations and trade efficiency, and beyond the possible economic damages, the repeal of NAFTA may have unintended consequences for border security.⁷⁰ The overall US-Mexican security cooperation would be greatly undermined; intelligence sharing, insight on cartels and criminal networks and collaboration on migration, could seriously diminish. What is more, the lack of collaboration from Mexican authorities would possibly result in the collapse of the beneficial security architecture created under NAFTA. The repeal of the FTA, thus, would result in a worsening of the security situation in the US border which in turn would require increased US police and military presence, as well as financing. Criminal groups frequently function as backbone for terrorist organizations; without cooperation, US homeland security could be seriously threatened⁷¹. Being that Mexico is a conduit for Central American unauthorized migration, a diminishing collaboration to curb down these flows, would result in an increased number of migrants reaching the US border. Furthermore, an end of NAFTA would unequivocally have devastating economic consequences for Mexico, which may lead to a reverse in the current net zero Mexican migration rate to the US.⁷² As it happened during the 1994 crisis, the number of Mexican migrants heading north could soar; exactly the opposite of what Donald Trump is rooting for.

However, these are mere speculations. Recently, Mexico has seen an upsurge in drug-trafficking violence; October of 2017 was the deadliest month in modern Mexican history⁷³. Whether the Mexican government is prepared to halt US assistance and financing for countering narcotics is still debatable. Secretary of Homeland Security John Kelly and Secretary of State Rex Tillerson have met twice with their Mexican counterparts and “have

⁶⁷ Cullen Hendrix, “US-Mexico Relations and the Security Stakes of NAFTA Renegotiation”, *Political Violence @a glance*, July 18, 2017

⁶⁸ Rosalind Mathieson and Eric Martin “Bad Nafta Outcome could hit cooperation on Security, Mexico says”, *Bloomberg Politics*, November 11, 2017

⁶⁹ Rosalind Mathieson and Eric Martin “Bad Nafta Outcome could hit cooperation on Security, Mexico says”, *Bloomberg Politics*, November 11, 2017

⁷⁰ Rebecca Bill Chavez, “NAFTA’s renegotiation Risks National Security”, *New York Times*, November 20, 2017.

⁷¹ Jessica Trisko, “A NAFTA renegotiation may have some unexpected consequences on US immigration and border security”, *Business insider*, May 5, 2017

⁷² Cullen Hendrix, “US-Mexico Relations and the Security Stakes of NAFTA Renegotiation”, *Political Violence @a glance*, July 18, 2017

⁷³ Arturo, Angel, “Octubre el mes más violento en 20 años”, *Animal Politico*, November 21, 2017.

pledged to continue security cooperation with new strategies to attack the business model of criminal organizations”.⁷⁴ In addition, as Mexico increasingly becomes a country of destination and the flow of Central American migrants rises, the relaxation of border controls and law enforcement seems rather unlikely. Mexico’s 2018 Presidential elections, is yet another variable to be determined. If leftist, anti-American candidate Andrés Manuel Lopez Obrador wins, it may take an even higher toll on US Mexican cooperation than NAFTA’s repeal⁷⁵. The outcome of this complex equation is yet to be determined.

NAFTA was unlike any other Latin American process of integration, due to the fact that it was solely based on free trade, however, it had further political and security implications for both countries. We can conclude by stating that NAFTA, indeed, increased trade among partners and further deepened the dependence relation between Mexico and the world hegemon. Due to this unprecedented economic integration, business ties amongst partners were transformed and border policies harmonized. Consequently, there was a proliferation of collaboration initiatives regarding border security in an attempt to curb down drug trafficking and irregular migration, while simultaneously facilitating licit cross-border flows. As a means of doing so, state intervention and border control were enhanced. Although programs such as *Programa Frontera Sur* and *the Mérida Initiative* are not without its critics, they have unequivocally reinforced US-Mexican collaboration on border-security. Thus, as the legal channels for the free exchange of goods and services increased, so did the joint efforts of law enforcement and tightening of the border to deter illicit flows. Due to the current bilateral tensions, the future of NAFTA and its repercussions on US-Mexico security collaboration is yet to be determined.

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⁷⁴ Claire, Ribando “US-Mexican Security Cooperation:”, 2017.

⁷⁵ Gabriel Stargardter, “NAFTA unlikely to hurt Mexico-US security ties, but election might”, *Reuters*, November 16, 2017

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