

**The Mexico-Canada border:
Extraterritorial border control and the production of “economic refugees”**

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Abstract

By examining the Mexico-Canada border, I argue that the interplay between discourses of the “bogus economic refugee” and Canada’s extraterritorial bordering practices is crucial to understanding human security in North America. The concept of the Mexico-Canada border is shorthand for how Canadian policies and practices aim to police Mexico’s borders. For example, Canada implemented a visa requirement in 2009 in response to a “surge” in refugee claims by Mexican nationals. The term also signals how Mexico has been constructed as the focus of regional migration management, including through Canada’s Anti-Crime Capacity Building Program to support policing and border security efforts within Mexico. Both initiatives contribute to a broader Canadian strategy of Mexican refugee deterrence.

Keywords

Refugees; refugee policy; border control; migration management; Canada; Mexico; North America.

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Introduction

2009 was a pivotal year in Canada-Mexico relations and in the practice of border control within the North American partnership. From the imposition in July of a visa requirement on Mexican citizens planning to visit Canada to the announcement in August of a Mexican police capacity-building project to be delivered by Canadian law enforcement officials, the Canadian government dramatically remapped its borders with Mexico over the course of one hot summer. The juxtaposition of these two policy measures within a one-month period points to the emergence of the *Mexico-Canada border*, a re-territorialisation that seeks to restrict migration from Mexico to Canada by producing North America as a zone of safety. This border is both discursive and material in that it works through the construction of refugee claims by Mexican nationals as a policy problem; at the same time, these claims justify sweeping changes to Canada’s refugee determination and border control policies that have specific – and explicit – impacts on migration from and through Mexico. In what follows, I propose the Mexico-Canada border as a conceptual framework to guide future research that will locate the sites where the Mexico-Canada border materializes and analyse its impacts across a range of spaces from the Mexico-Guatemala border through US-Canadian border cities and internal bordering practices in communities with longstanding histories of migration from Mexico. I examine what is accomplished by the Mexico-Canada border, which is constructed through contradictory policies that operate via a coherent logic of anticipatory interdiction and by mobilizing safety as the defining feature of the region of North America.

The theoretical work outlined here contributes to the established body of scholarship on extraterritorial border control practices and their role in framing asylum seekers as criminals and security threats that have resulted in shrinking spaces for asylum globally. And yet, it is significant that the policies and practices I examine target citizens of a North American trading partner, raising uncomfortable questions about ongoing and growing economic disparities within the region. Through the set of policies that comprise this border, Canada sustains a troubling and contradictory position vis-à-vis the security and protection situation in Mexico. Even as Canadian policies dismiss Mexican refugee claims as “bogus,” they simultaneously reveal concerns with the ability of Mexican state institutions to protect the security of their citizens. As a result, these policies are not simply examples of extraterritorial or de-territorialized bordering practices, whereby the Canadian border is “delocalized” and encountered outside of state territory (Salter 2004, p. 80). Rather, Canada’s increasing involvement in policing Mexico’s borders and its deployment of safety as a defining feature of North American space has shifted the material and discursive terrain of mobility and displacement both within and across North America’s boundaries. Naming and tracing the construction of the Mexico-Canada border is a way to make this border and its implications visible, to stake out Canada’s roles and responsibilities in regional migration management practices, and to identify the impacts of these policy choices and practices for both their intended target (i.e. “bogus refugee claimants” from Mexico) and others (i.e. Central American refugees, other people seeking to migrate via Mexico). It is important to analyse the multiple sites and practices of this border as a larger and coherent structure, rather than seeing them as disparate examples of extraterritorial bordering.

The Mexico-Canada border did not emerge overnight. This bordering process was set in motion by the 1994 *North American Free Trade Agreement* (NAFTA), which reconfigured understandings of North America as a political, economic, and cultural space. NAFTA focused on facilitating trade within the continent; apart from the introduction of a NAFTA Professionals visa to ease the movement of “highly skilled workers” and professionals, however, issues of migration remained largely unaddressed in the agreement (Gilbert, 2010; Fernández-Kelly and Massey, 2007). Consequently, the politics of mobility in North America have been negotiated in bilateral and often unilateral ways. For refugees arriving in Canada, the 2004 implementation of the *Canada-United States Safe Third Country Agreement* (STCA) altered the landscape of asylum by converting North America into a singular space: individuals seeking asylum were now required to make their claim in the state on whose territory they had first arrived. Mexican nationals were initially exempt from the terms of the STCA because they required a visa to enter the United States but not Canada. Canada’s 2009 imposition of a visa requirement on Mexican nationals removed this possibility. It was also a stark imposition of Canada’s border onto Mexican space, changing the terms under which mobility could take place but also shifting the Canadian border onto the territory of Mexico [1]. This extraterritorial border was further entrenched on 15 February 2013 when Mexico was designated as a “safe” country for the purposes of refugee policy, meaning that Mexican nationals claiming the need for Canada’s protection were subjected to an expedited decision-making process, excluded from the right of appeal, and prejudged as “bogus.” Moreover, the safe country designation effectively extended the “safe” space of asylum covered by the STCA through Mexico’s southern border with Guatemala and Belize.

I begin by situating my conceptual work on the Mexico-Canada border in previous scholarship on extraterritorial bordering practices. I move on to examine a scene from the Canada-US border in late 2007 that reveals many of the discourses circulating about refugees from Mexico at the time, and which played into the subsequent decision to implement a visa requirement on Mexican nationals in 2009 as well as more sweeping changes to Canada's refugee determination system over the next few years. I then examine the seemingly contradictory response of the Canadian government by juxtaposing two policy measures that were implemented by Canadian officials in the summer of 2009: the July 2009 visa requirement and the August 2009 creation of the *Anti-Crime Capacity Building Program (ACCBP)*. Dismissing Mexican refugee claims as bogus while simultaneously providing resources to improve policing within Mexico produces a revealing conceptualization of safety and security within North America that I discuss below. The juxtaposition of the ACCBP announcement with the visa imposition invites investigation as a key moment in the evolution of Canadian border control practices, with broader theoretical resonance for understanding migration management as a regional imperative in North America.

1. Extraterritorial border control and the right to asylum

States are constantly inventing new forms or reinvigorating old forms of the border, producing new geographies of border control, state territory, and asylum (Andreas and Snyder, 2000; Pickering and Weber, 2006; Rumford, 2010; Walters, 2006). Hyndman and Mountz (2008) argue that states deploy spatial tactics to curb access to rights of asylum. Often referred to as interdiction or externalization, these tactics include the location of visa offices and imposition of visa requirements, the designation of so-called "safe third countries," and the offshoring of refugee processing zones (see, in particular, Andreas and Snyder, 2000; Hyndman and Mountz,

2007). These practices keep certain people far from the territory of states where they would have the right to claim asylum. Hyndman and Mountz (2008) have termed these spatial tactics “*neo-refoulement*” to underscore that their effect is indirect deportation, which is prohibited under the *UN Convention Relating to the Status of Refugees* (1951) and its 1967 *Protocol*.

In the Canadian context, visa policy has been a key practice of refugee interdiction (Dirks, 1995; Gilbert, 2010; Macklin, 2005; Kernerman, 2008; Molnar Diop, 2014; Villegas, 2013). Dirks (1995) argues that by the late 1980s, officials had settled on visa policy as a tool for managing unwanted refugee arrivals: “the two issues of when and where to impose visa requirements and how to curtail the apparently uncontrolled influx to Canada of undocumented migrants claiming to be refugees had become inexorably connected in the minds of policy makers” (pp.51-52). Policymakers justified the imposition of visa requirements using the figure of the “bogus refugee,” the legitimacy of whose claim for refugee status is mistrusted. The present examination of how Mexicans became a target of Canadian externalization practices resonates with Kernerman’s (2008) study of the imposition of a visa on the Czech Republic in 1997 in response to a higher than usual number of claims lodged in the previous year by people of Roma descent. In this case, acceptance rates for Czech Roma claims were in the 90-100 percent range; Kernerman (2008) suggests the visa was implemented because the refugee system was working “too well” (p.239). In contrast, officials regularly repeated the high number of Mexican claims and the low acceptance rate (around 11 percent) as evidence of “abuse of the system” that required a response.

The “bogus economic refugee” discourse is connected to a broader trend towards the criminalization and securitization of migration. Moreover, the discursive preoccupation with “bogus refugees” is connected to a longer history of marking out “deserving” and “undeserving” population groups for differential treatment by state institutions as well as more recent concerns with fraud and abuse (Pickering and Weber, 2006; Pratt, 2005). Defining entire population groups as risky or criminal “encourages a cycle of insecurity that leads to the increase of police powers and bureaucratic structures of control” (Salter, 2004, p.78; see also Bigo 2002). In other words, the depiction of asylum seekers as criminals and security concerns justifies and perpetuates state policies that restrict access to state territory. Macklin (2001, 2005) refers to this as the “discursive disappearance of the refugee”: state interdiction practices discredit the legitimacy of individuals who arrive at or within state borders to make a claim for refugee status without the requisite pre-selection and documentation by visa officers abroad, and render “illegal” those people who manage to evade these policies. The equation of refugee claimants with illegality then reinforces the need for these laws and practices (Macklin, 2005; Pickering and Weber, 2006; Pratt, 2005).

States have become increasingly creative in their interdiction measures to limit access to their territory for asylum seekers. Indeed, there is an “interdiction contradiction” whereby states are party to the UN *Refugee Convention* but engage in interdiction practices to prevent people from being able to claim the right to asylum (Kernerman, 2008; see also, Gibney, 2004). Bigo (2002) contends that rather than focusing on the apparent contradiction inherent in states’ approaches to asylum and border control, we should pay attention to the work that security discourses do. In this vein, Shapiro (2014) offers a useful analysis of paradox: “seemingly oppositional concepts

that, in fact, present a coherent truth.” In the present example, the idea of a Mexico-Canada border is itself paradoxical, in that such a place should not exist since Mexico and Canada are not territorially contiguous. This border is also produced through Canadian policies that appear contradictory in that they express the following simultaneously: 1) Mexico is a safe country for the purposes of refugee determination – i.e. Mexicans making refugee claims are “bogus economic refugees” and Mexicans can count on their own state for protection; and, 2) Mexico’s law enforcement officials need Canada’s assistance to become “effective, well-trained and professional” (Government of Canada [GOC], 2009a) – i.e. Canada has concerns regarding the ability of Mexico’s state institutions charged with policing and security to protect the rights of its citizens. Upon closer examination, the policies that Canada implemented to address each part of this equation appear as part of a coherent strategy to deter Mexican nationals from making refugee claims in Canada without regard for actual protection needs. Implicit in the concern for adequate Mexican policing and security is a desire to protect Canadians from Mexico’s insecurities.

The figure of the “bogus economic refugee” from Mexico was deployed by Canadian officials as both a symptom of and a justification for the need to make changes to the country’s refugee system. The suite of policies implemented by Canada between 2009 and 2013 made use of this figure to fortify the Mexico-Canada border by means of extraterritorial border control practices including the visa requirement and the ACCBP. The next section examines how the discursive tool of the “bogus economic refugee” was mobilized to describe Mexican nationals arriving at Canada’s border through the US. The discourse was used to justify policies restricting access to Canada’s territory and, by extension, to its refugee determination system.

2. Producing the “bogus economic refugee” claimant from Mexico

Between June 2007 and January 2008, the New Canadians Program of the Windsor-Essex YMCA assisted 673 refugee claimants, more than double the number they had seen over the same period the previous year (Thompson and Wilhelm, 2008). Indeed, 458 people arrived at the Canada-US border crossing in Windsor-Detroit from September to November alone. The arrival of these refugee claimants elicited immediate and dramatic responses in both local and national media, invoking images of tides and floods of refugees advancing towards Windsor and by extension Canada. Media coverage of this episode focused on how the larger-than-usual number of refugee claimants arriving in a short period of time was anticipated to overwhelm local resources and the reality that many of the individuals who had entered Canada to make refugee claims had been living undocumented in the US (Gilbert, 2010). Local officials sought support from the provincial and federal governments in meeting the costs associated with assisting these refugee claimants. Councillor Jo-Anne Gignac underscored the unfortunate timing of the refugee arrivals, citing Windsor’s 9.6 percent unemployment rate and anticipating an additional “burden” on social services (Battagello, 2007). Mayor Eddie Francis wrote to then-Prime Minister Stephen Harper on this matter. Anticipating the arrival of “thousands” of additional claimants, the Mayor opined:

‘I don’t believe that Windsor’s residents and taxpayers should have to foot the bill for US immigration policy,’ Francis told *The Star*. He was referring to the suspected source of the problem – a recently begun crackdown on illegal immigrants in economically struggling regions of the US South (cited in Schmidt and Battagello, 2007).

Both Councillor Gignac and Mayor Francis emphasized the perceived economic motivations and burdens of the refugee claimants arriving in Windsor. Similarly, local Member of Parliament Joe Comartin (NDP Windsor-Tecumseh), who at the time was the NDP’s public safety and national

security critic, reportedly predicted that, ““with few exceptions,’ most of these ‘*economic claimants*’ will eventually be sent back” (cited in Schmidt and Battagello, 2007; emphasis added). Comartin’s use of the term “economic” to modify this group of people implicitly dismisses the legitimacy of their claims for protection.

The Manager of Windsor’s Emergency Shelter System reported that between 30 August 2007 and 8 February 2008, 632 people with Mexican or Haitian passports arrived in the city to make refugee claims; the majority had arrived before the end of December (personal communication with Michelle Bernard, 8 February 2008). Of these, 67 percent were originally from Haiti. Despite these official numbers, the focus of media and policymakers was on refugee claimants of Mexican descent. Gilbert’s (2010) analysis of coverage in local and national newspapers finds that Mexicans were depicted five times more frequently than were Haitians: the word “Mexican” appeared 270 times, while the word “Haitian” occurred 58 times in the 56 articles analysed. In explaining this focus on Mexican over Haitian refugee claimants, Gilbert (2010) reminds us that there was a moratorium on deportations to Haiti, which meant that Canadian officials were more likely to see Haitians as legitimately in need of political protection. Conversely, media coverage deployed the term “illegal” to describe Mexican asylum seekers, which functioned to de-legitimize their refugee claims. Media representations of the Windsor arrivals revealed that US discourses of Mexican illegality had crossed the border into Canadian debates (Gilbert, 2010).

Gilbert’s (2010) concept of the “discursive migration” of illegality captures how discourses of illegality and illegitimacy became intertwined around and across the Canada-US border, especially in relation to individuals making claims for refugee status in Canada. It is also

suggestive of Macklin's (2005) "discursive disappearance of the refugee," which highlights how state policies and practices work to draw an equivalence between "illegals" and asylum seekers that results in the invisibility of actual refugees [2]. Indeed, the "bogus economic refugee" claimant from Mexico became a key figure in official rationales explaining the need to change Canadian refugee policy. The fall 2007 episode elicited a moral panic about a rush on the border, but the increasing number of refugee claims by Mexicans was identified as a concern as early as 2005 when Mexico became the number one source country of refugee claims made in Canada; by 2008, Mexicans accounted for one quarter of the individuals making claims that year (Citizenship and Immigration Canada [CIC], 2010b). Mexicans and Czech Roma were singled out as abusers of the system, put forward as evidence that the refugee system needed to be "reformed," and then used to justify and demonstrate the "success" of subsequent changes (Gilbert, 2010; Molnar Diop, 2014; Villegas, 2013). The strategic and deliberate mobilization of the term "bogus" to describe the claims for protection made by certain people is a crucial aspect of the re-bordering of North America.

3. The construction of the Mexico-Canada border

In the context of this episode, repetition of the narrative of bogus Mexican refugee claimants resulted in two key Canadian policy changes. The first change happened at 12:01am on 14 July 2009, when Canada implemented a visa requirement for Mexican [3] nationals wishing to enter the country. In his statement announcing the visa imposition, then Minister of Citizenship and Immigration Jason Kenney cited the high number of claims by Mexicans and the low acceptance rate (CIC, 2009b). A backgrounder produced by the Canadian government to accompany the visa announcement revealed that Mexico had been the number one source country for refugee claims

from 2005 through 2009, peaking at 9,400 claims filed in 2008 (CIC, 2009a). The document also highlighted that the acceptance rate for Mexican claims by the Immigration and Refugee Board was 11 percent as of 2008. Rather than interpreting the rising number of Mexican claims during the 2000s as symptomatic of protection concerns in Mexico, the statistics were regularly used by Canadian officials as evidence that Mexicans were abusing the refugee determination system (Collins, 2009; Edwards, 2009; Villegas, 2013). Indeed, the backgrounder on the visa policy included several tables that compared claims made by Mexican nationals to claims made by nationals of all other countries (see, for example, Table 1). Compiling the data in this way, i.e. singling out Mexican claims from the rest, constructs refugee claims from Mexico as a policy problem.

[Insert Table 1 here]

In the first two weeks following the imposition of the visa requirement, there was only one claim made by a national of Mexico or the Czech Republic, prompting Kenney to indicate, “I think this is working. It’s allowing the legitimate visitors to come and it’s screening out the bogus asylum claims” (CTV News Staff, 2009). The Minister did not publicly contemplate the possibility that the policy was preventing individuals from seeking protection in Canada. It is important to note that even after the visa implementation, Mexico remained in the top five source countries for refugee claims accepted by Canada from 2010 to 2012. Instead, Kenney reinforced the discourse of Mexican asylum seekers as “bogus economic refugees” taking advantage of Canada’s refugee system: “It’s an insult to the important concept of refugee protection to allow it

to be systematically violated by people who are overwhelmingly economic immigrants” (cited in CBC News, 2009).

At the time of the visa-implementation announcement, Kenney indicated the measure would remain in place until Canada made changes to its refugee system. In March 2010, he introduced Bill C-11 *The Balanced Refugee Reform Act* (CIC, 2010c). One of the Bill’s main features was a provision whereby individuals from “safe countries of origin” would have their refugee claims decided through an expedited process. CIC documentation indicated that the ability to designate countries of origin “would provide Canada with a tool to respond to spikes in claims from countries that are not normally refugee producing” (CIC, 2010a). While the procedure for designating countries was not clearly spelled out in the Bill, Kenney reportedly indicated that the measure would allow officials to respond to “flash floods of fake refugees that overwhelm the system” (Little, 2010). Kenney went on to suggest that without the ability to designate countries, the only measure available to officials was to impose a visa as he had done in the case of Mexico and the Czech Republic the previous year.

The Designated Countries of Origin (DCO) list was implemented in December 2012, when the Minister designated the US and 26 European countries as safe. There have been three additional rounds of designation, such that there were 42 designated countries of origin as of October 2015. Mexico was added on 15 February 2013. CIC (2015) defines DCO as countries that “do not normally produce refugees, but do respect human rights and offer state protection. ... The aim of the DCO policy is to deter abuse of the refugee system by people who come from countries generally considered safe.” The policy thus constructs people from listed countries as “bogus

refugees” and contravenes the principle underlying the UN *Refugee Convention* that refugee status should be evaluated on a case-by-case basis. This politicization of the notion of safety and the ways in which Canadian officials linked it with the figure of the “bogus refugee” is important. Its deployment in the context of the DCO policy discussions, however, was not the first time the two had been connected.

The concept of safety had been mobilized in the *Canada-US Safe Third Country Agreement* (STCA) that came into effect in 2004. The STCA harmonized refugee policy at the Canada-US boundary line. Under its terms, refugee claimants arriving at Canadian land border crossings would be turned back to the US, which had been designated a “safe country” for refugees, and vice versa. The STCA requires the “third country” through which a refugee claimant has travelled to hear that individual’s claim. It is important to note that the STCA does not apply universally; there are several exemptions including unaccompanied minors and individuals who would require a visa to enter the US but not to enter Canada (e.g. Mexico prior to 2009). Under the agreement, Canada outsourced a portion of its refugee determination process in the sense that it became reliant on the US interpretation of the UN *Refugee Convention* and *Protocol*, although there are key ways in which their applications of these instruments differ. For instance, individuals making claims of persecution on the basis of gender or sexual orientation are much more likely to be accepted through the Canadian system (Hyndman and Mountz, 2007; Macklin, 2003). Indeed, a 2002 report to the Standing Committee on Citizenship and Immigration recommended an exemption for women making claims based on domestic violence (Canadian Council for Refugees, 2005). By implementing the STCA, officials consigned most refugee claimants attempting to arrive in Canada to the US asylum system. The agreement not only

redefined the Canada-US border for the purposes of refuge, but it also redefined the concept of safety in relation to North American space. Canada's official declaration of the US as a "safe country" changed the politics and logistics of the border by foreclosing options for refugees. Despite the exemptions written into the policy, its overarching message seems to suggest that if you make your claim for refugee status in Canada rather than the US, you must not legitimately fear for your safety.

An important feature of the construction of the Mexico-Canada border is the way in which it mobilizes notions of safety. The STCA re-mapped the spaces of safety for people making refugee claims in both countries. The agreement re-imagined Canada and the US as a singular space of asylum, erasing the Canada-US border even as it re-inscribed it and hardened the Mexico-US border in the process. The earlier work accomplished by the STCA is part of the context in which we ought to understand the inclusion of Mexico in February 2013 on Canada's DCO list. With the declaration of Mexico as a safe country of origin for the purposes of assessing refugee claims filed in Canada, we can imagine the next logical step to be integrating Mexico into the STCA. If Mexico is a "safe" country of origin, then it must also be a "safe" country of destination and refugee determination. Regardless of whether this expansion is ever formally implemented, the co-existence of these policies means that this calculation has already been made: it seems plausible that the equivalence drawn between safety and geography in both policies could establish a link between the two in the minds of decision makers. The production of North America as a zone of safety from Mexico to Canada has already taken place.

4. Canadian policing and Mexico's borders

And yet, on the question of assessing safety and state protection in Mexico, the Canadian government offers a contradictory message. On 9 August 2009, not even one month after the visa implementation, the Government of Canada announced it would begin funding the *Anti-Crime Capacity Building Program* (ACCBP) at the rate of CDN\$15 million annually, as part of a larger collaboration with the US and other international partners. The ACCBP would see Canadian officials train Mexican law enforcement officials. At the time of the announcement, eight Spanish-speaking instructors from the Royal Canadian Mounted Police were already in Mexico providing basic training to Mexican Federal Police recruits (GOC, 2009b). The ACCBP announcement was issued by then-Prime Minister Harper's office following the conclusion of a trilateral leaders' meeting in Guadalajara, Mexico:

The Government of Mexico requested technical assistance with its Federal Police Recruitment and Training Program. As an acknowledged leader in law enforcement, Canada is helping Mexico with police training to support the implementation of that country's new policing model and establish an effective, well-trained and professional police service (GOC, 2009a).

If Mexico is a safe country in which people experiencing persecution can rely on the state to protect them, why does the country need Canada's assistance to "establish an effective, well-trained and professional police service"? The co-existence of the ACCBP with Mexico's designation as a safe country of origin seems contradictory.

Koutsoyannis (2011) reports that women's rights activists in Mexico saw the ACCBP as a counterbalance to Canada's visa requirement. They interpreted the introduction of the program as recognition on the part of Canadian officials that there were protection issues for women in Mexico:

Although Canadian authorities rejected the majority of refugee claims on the grounds that they lacked merit, the imposition of a visa requirement could not have come at a worse

time, especially for Mexican woman living on the US-Mexico border, as it precludes victims of endemic and institutionalized gender-based violence from making refugee claims. Providing asylum to women of marginalized communities on the border, in conjunction with police training, could save lives.

In theory, this sounds promising. However, from the limited amount of information publicly available about the ACCBP, it is difficult to discern whether combatting gender-based persecution in Mexico is a goal. Further research is required to assess whether the capacity-building and training that Canada delivers in Mexico has such a focus. However, the program appears to be directed more at securing Canada's borders than about addressing Mexico's insecurities or the safety of Mexican women.

The formal announcement of the ACCBP clearly articulated the goal of providing Canadian resources to build the capacity of Mexican law enforcement officials. Delving into online documentation of the program shows that it emphasizes not only public security, but also border control efforts. These online traces reveal that the ACCBP is part of a broader vision of cooperation on border control and security within North America. A press release from Harper's visit to Mexico in February 2014 offers an overview of the *Canada-Mexico Joint Action Plan 2014-2016*, which focuses on bilateral cooperation in areas of security and justice:

The Anti-Crime Capacity Building Program (ACCBP) has been the main channel for Canadian security system support to Mexico. The program has contributed over \$8.7 million in security capacity-building programming since 2009, mainly in the areas of criminal justice reform, police professionalization, and *border security and management* (Embassy of Canada in Mexico, 2015; emphasis added).

The program is managed by Global Affairs Canada (formerly known as the Department of Foreign Affairs and International Trade) and targets the Americas more broadly, providing funding to local capacity-building projects. Several government departments participate in this program, including the Canada Border Services Agency, the Royal Canadian Mounted Police,

the Canadian Police College, Transport Canada, and the Department of Justice Canada. This cross-departmental collaboration addresses the wide range of goals identified for the program, including tackling “corruption, human trafficking and migrant smuggling, and money laundering and proceeds of crime” (Global Affairs Canada [GAC], 2015). Other partners include the UN Office of Drugs and Crime (UNODC), the Organization of American States (OAS), and INTERPOL.

The capacity building and training supported by Canadian funding and personnel is connected to a broader, regional initiative focused on security and border management. Indeed, the Canadian government views the program as a collaborative opportunity to “strengthen the North American fight against drug smuggling and organized crime” (GOC, 2009a). Crucially, these efforts are understood as having benefits beyond Mexico’s borders:

Improving security is fundamental to Canada’s interests. Mexican criminal cartels are a growing force in transnational organized crime and, in particular, the international drug trade. Supporting police training in Mexico is one of the most effective ways to fight organized crime and drug trafficking within Canada (GOC, 2009b).

Supporting policing within Mexico’s borders is presented as improving security at and control over its borders. At the same time, officials see benefits from the ACCBP to securing Canada’s borders.

Read in conjunction with the policies and practices examined earlier, the ACCBP produces a paradoxical topography of Canadian policy intervention in managing migration from Mexico. The juxtaposition of the visa policy with the launch of the ACCBP – in terms of both timing and framing – is noteworthy, as is their relationship to the broader production of North America as a zone of safety from Mexico through Canada. That Canada dismisses all Mexican refugee claims

as bogus even as its own practices reveal concerns with the quality of state protection in Mexico is troubling. Nevertheless, the policies function through a coherent framework of anticipatory border control that seeks to prevent Mexicans and people from other countries who might transit Mexico from arriving in Canada. The contradictory policies divert attention from their broader impacts and the insecurities they produce and sustain within and around Mexico's borders.

Conclusions: Implications of the Mexico-Canada border

Contradiction and paradox are built into state borders that are selectively opened and closed to a range of border crossers. Deploying this understanding to analyse how a particular border functions is both revelatory and productive. Novak (2011) has referred to the “productive tension” of the border that reproduces “society's contradictions and inequalities” (p.742). In the example at hand, Canada's approach of simultaneously dismissing Mexican refugee claims as bogus while providing resources to improve policing within Mexico produces a revealing landscape of border control with implications for mobility and security in North America more broadly. The existence of the Mexico-Canada border speaks to the ways in which the Canadian border appears within Mexican territory. Taken together, the collection of policies and practices examined here restricts Mexicans from being able to arrive in Canada to make a refugee claim – or visit for personal or business reasons. The policies ignore protection needs as well as the limited to non-existent recourse to state protection that exists in Mexico.

It is productive to conceptualize this suite of practices as the Mexico-Canada border rather than only as further examples of extraterritorial bordering practices. Canada's policies and practices towards potential Mexican refugee claimants produce North America as a zone of safety, without

regard for protection issues across the region. It represents a re-bordering of North America that masks the implications of Canadian policies for both citizens of a regional trading partner and others seeking to transit Mexico in search of a safe haven of their own. Theorizing this set of policies and practices as the Mexico-Canada border highlights the contradiction at the heart of the Canadian approach to its regional partner and assigns responsibility for the consequences and insecurities that this approach engenders. It underscores that border control functions as a cross-regional process in the North American context and that Mexico has increasingly been constructed as the lynchpin of regional migration management.

As such, it is crucial to insist that Mexico's borders are not just about Mexicans, since policing Mexico's borders results in preventing the movement of Central American migrants too. By far the largest groups of people seeking to enter and transit Mexico are nationals from Honduras, Guatemala, El Salvador, and Nicaragua (Alba and Castillo, 2012; Isacson et al., 2014). The ways in which the Canadian border materializes within Mexico influence migration into and through Mexico itself, and contribute to how Mexico's southern border functions. At their core, these Canadian policies are judgements about the bodies of Mexican and Central American people on the move, even as the dire situations in that region are beginning to be understood as "the other refugee crisis" (Fleming 2016). Examining the construction of the Mexico-Canada border can also provide insight into how the borders of North America function more broadly, including Mexico's southern borders with Guatemala and Belize. Although the policies explicitly focus on preventing Mexican nationals from having access to the right to asylum in Canada, their impacts cast a wider net that also ensnares Central Americans displaced by poverty and violence into

Mexico. The broader regional impacts of Canada's extraterritorial border control efforts must be examined further.

Examining the disparate Canadian policies that influence migration from Mexico, uncovering their underlying logic of refugee interdiction, and naming them as a geopolitical border compels us to analyse the (un)intended consequences of these Canadian policies whose impacts remain hidden from view if considered in isolation. Working through the contradictory positions that Canada has taken with respect to protection needs in Mexico reveals the country's approach as problematic and unsustainable. Questions of sustainability have become central to policymakers in both Canada and Mexico in light of the lifting of the Mexican visa requirement as of 1 December 2016. The official announcement from the Canadian government indicated that "Canadian officials continue to work with their Mexican counterparts to support a *sustainable* visa lift. This includes collaborating on combating irregular migration – to maximize the benefits of the visa lift for both countries" (GOC, 2016; emphasis added). There is an ongoing equation of Mexican refugee claimants with "irregular migration" and a related concern that the removal of the visa requirement may prove to be unsustainable due to an anticipated rise in the number of claims lodged by Mexican nationals in Canada.

Beyond externalizing asylum and ignoring protection needs in Mexico, these Canadian policies also raise the spectre of vast economic disparities that persist and indeed have widened through the existence of NAFTA. The enormous wage differentials within the region have in part spurred migration. For example, while gross national income (GNI) per capita in Guatemala, Honduras, and Nicaragua ranges from \$1,790 to \$3,700; in Mexico, the GNI per capita is about \$10,000,

and in the US, it is \$53,470 (World Bank, 2014). Thus, a Central American migrant working in Mexico could earn three-times more than in their home country and ten-times more in the US. Terrazas et al (2011) refer to this as the “opportunity differential” (p.2), making use of the discourse that views these migrations as focused on economic opportunity rather than as evidence of political and/or economic displacement. The refugee system privileges political over economic factors in evaluating who has a legitimate claim, despite the reality that politics and economics are intimately linked and difficult to parse (Goodwin-Gill, 2001). To dismiss people seeking to enter Canada through the refugee determination system as “bogus economic refugees” is thus effective as it focuses on the positive opportunities that are pursued by people on the move while downplaying their claims for asylum. Deployment of the term deftly forecloses any deeper reflection within the constructed context of an asylum system allegedly overwhelmed and abused by people looking for a better life. And yet, it also inadvertently points to these economic disparities at work in North America that are influencing the movements of people northward.

The narrative of the “bogus economic refugee” can only be told so many times before it begs to be examined more deeply and differently, especially in the context of NAFTA’s economic relations and spaces. By linking economic concerns with claims for asylum, the term implicitly acknowledges that at least individual economic circumstances, if not the overarching economic system, do compel people to move and seek the protection of another state. Even as the term is mobilized to dismiss refugee claims on what are understood as “merely” economic grounds (and which the UN *Convention* does not construct as persecution or consider for state protection), it simultaneously begs the question of why people might be fleeing for economic reasons and who might bear responsibility. The existence of the Mexico-Canada border reveals some inconvenient

truths about the entrenched economic insecurities that influence migration within the region and that connect Mexicans to Canadians.

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Notes

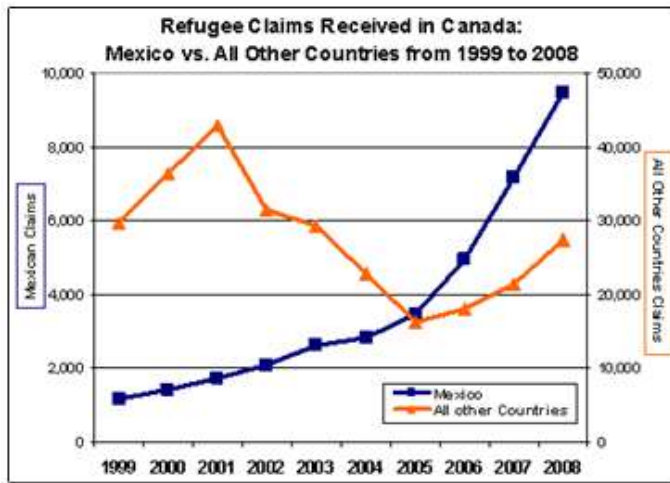
[1] In June 2016, during a visit of Mexican President Enrique Peña-Nieto to Ottawa, Canada's Prime Minister Justin Trudeau announced plans to lift the visa requirement. The visa was lifted on 1 December 2016 with the caveat that it could be reimplemented if refugee claim numbers get too high. However, the visa was replaced by the new Electronic Travel Authorization policy – essentially a visa light.

[2] I will not delve into the question here of whether there are legitimate protection needs for people fleeing Mexico (but see Amnesty International, 2013; International Human Rights Program, 2016). The "legitimacy" of refugee claims from Mexico, while paramount to the individuals making those claims, is less relevant to understanding what this discourse of bogus

refugees accomplishes. My aim here is to consider the implications of the policy changes that have resulted from these discourses.

[3] A visa requirement was also imposed on nationals of the Czech Republic (see Molnar Diop (2014) for further discussion).

Table 1



(Source: CIC, 2009a.)