Resource Guide: Mexico

Note: Using CTRL + F toggles all of the sections after the first open/closed. If used upon entering the page, everything will open, allowing you to search for a specific term. Using CTRL + F again will close all the sections.

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- Posted Research Unit Queries: Expand region "Americas" and click "Mexico" sub-heading. [attached separately]
- Mexico Country Conditions APSO Training, Nov. 6, 2019. [attached separately]
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Resources - Mexico

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Note: Using CTRL + F toggles all of the sections after the first open/closed. If used upon entering the page, everything will open, allowing you to search for a specific term. Using CTRL + F again will close all the sections.

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- Report on Citizenship Law: Mexico, EUDO Citizenship Observatory, Aug. 2015.

Research Unit Products

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- Northern Triangle and Mexico Country Conditions, U.S. Department of State, May 23, 2019 (see also Country of Origin Information Relevant to Northern Triangle Reported Crime Rates, RAIO, May 2019; Attachment A)

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Mexico: Internal Relocation

U.S. Citizenship and Immigration Services

RAIO Research Unit

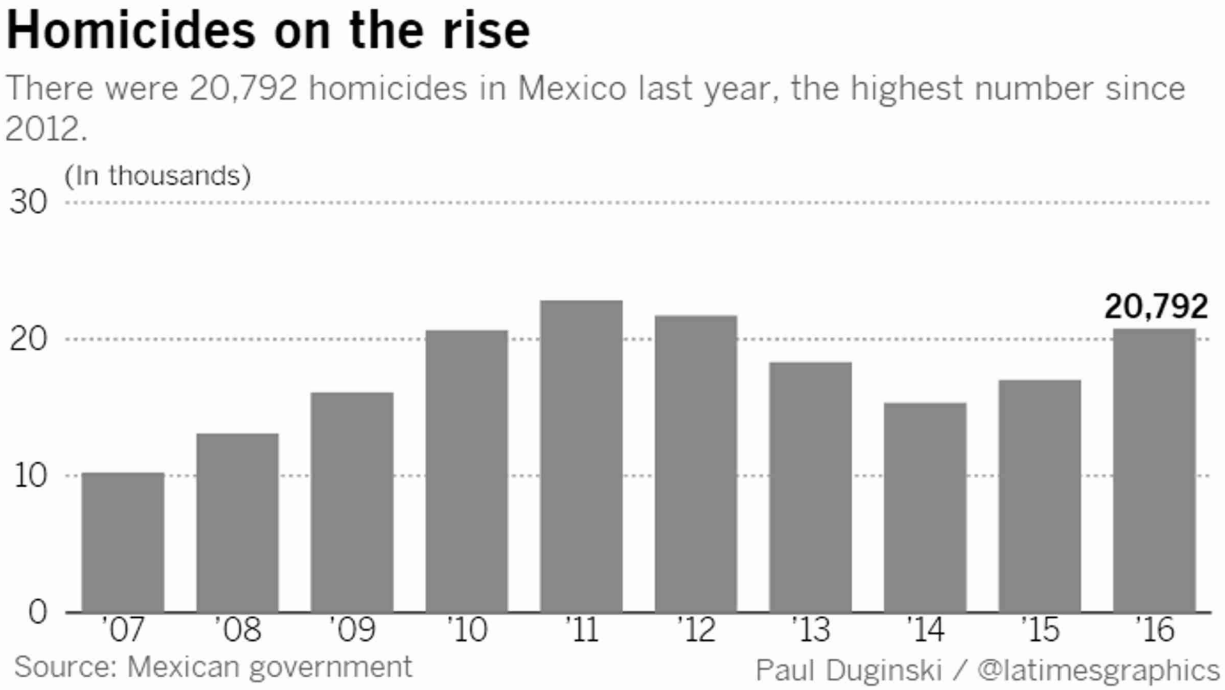
April 2017

Overview

- Cartels/Drug Trafficking Organizations
- Geography of Violence
- Forced Displacement
- Challenges to Relocation
- Vulnerable Groups
  - Women
  - LGBTI
- Police
- Select Works Cited

Violence

- Homicides rising since early 2016
  - Best (but not only) measure of levels of violence



Cartels/Drug Trafficking Organizations

- Criminal activities
  - Drug trafficking
  - Kidnapping & extortion (increasing)
  - Illegal extraction of fuel
  - Forced disappearances
  - Forced displacement of entire communities
  - Human trafficking
- Violent confrontation between rivals or with security forces
- Extortion of municipalities to fund drug trafficking
  - Michoacán
  - Local politicians attacked and killed
- Links to state and local security forces

Plaza

- Geographical area of influence of a cartel
  - Trafficking routes and/or territory
  - Can be a section of a city, city, region, state, group of states, etc.

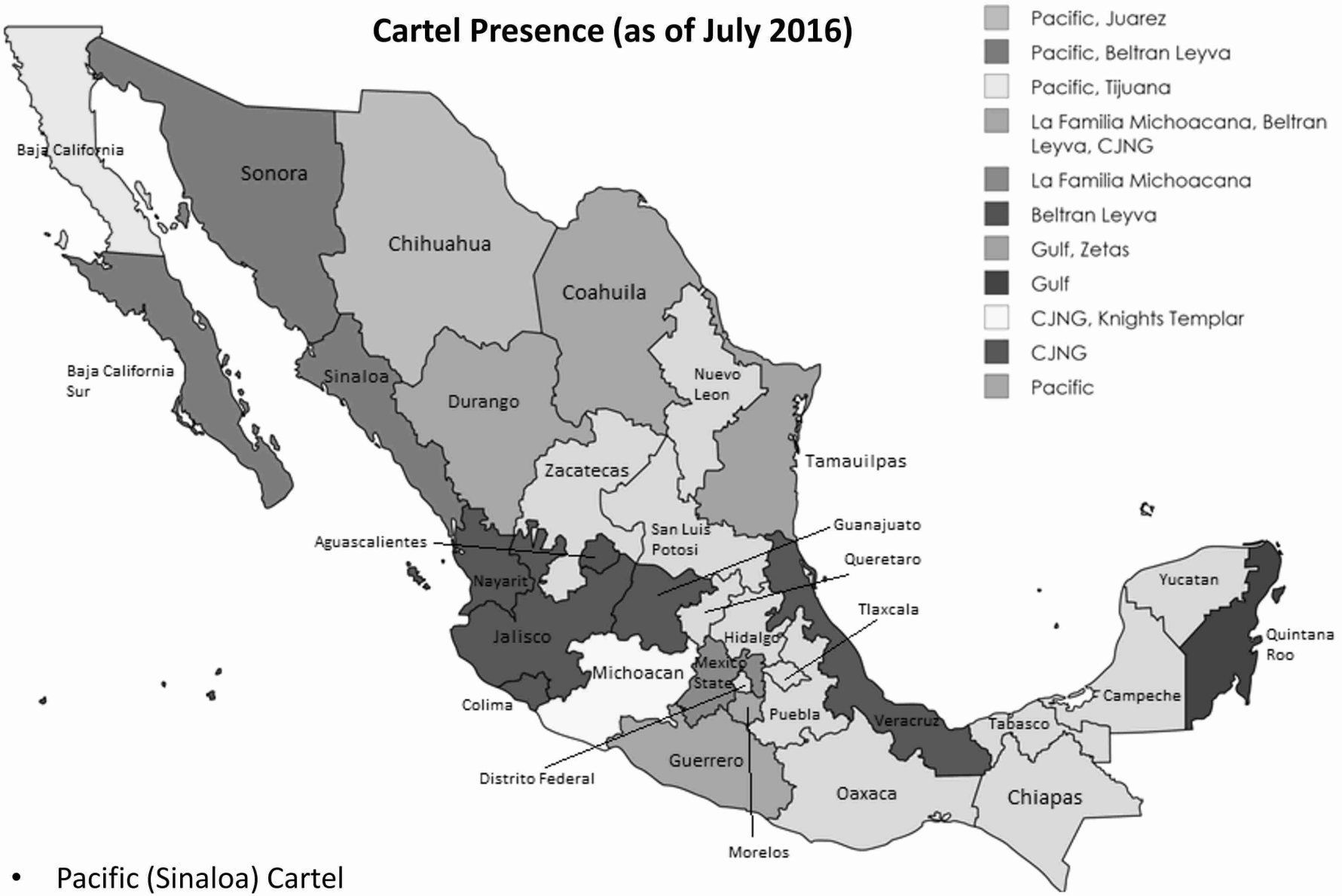
- *Plaza* boss = cartel official in charge of illegal profit in a *plaza*

- *Piso* = toll charged to less powerful traffickers by *plaza* boss

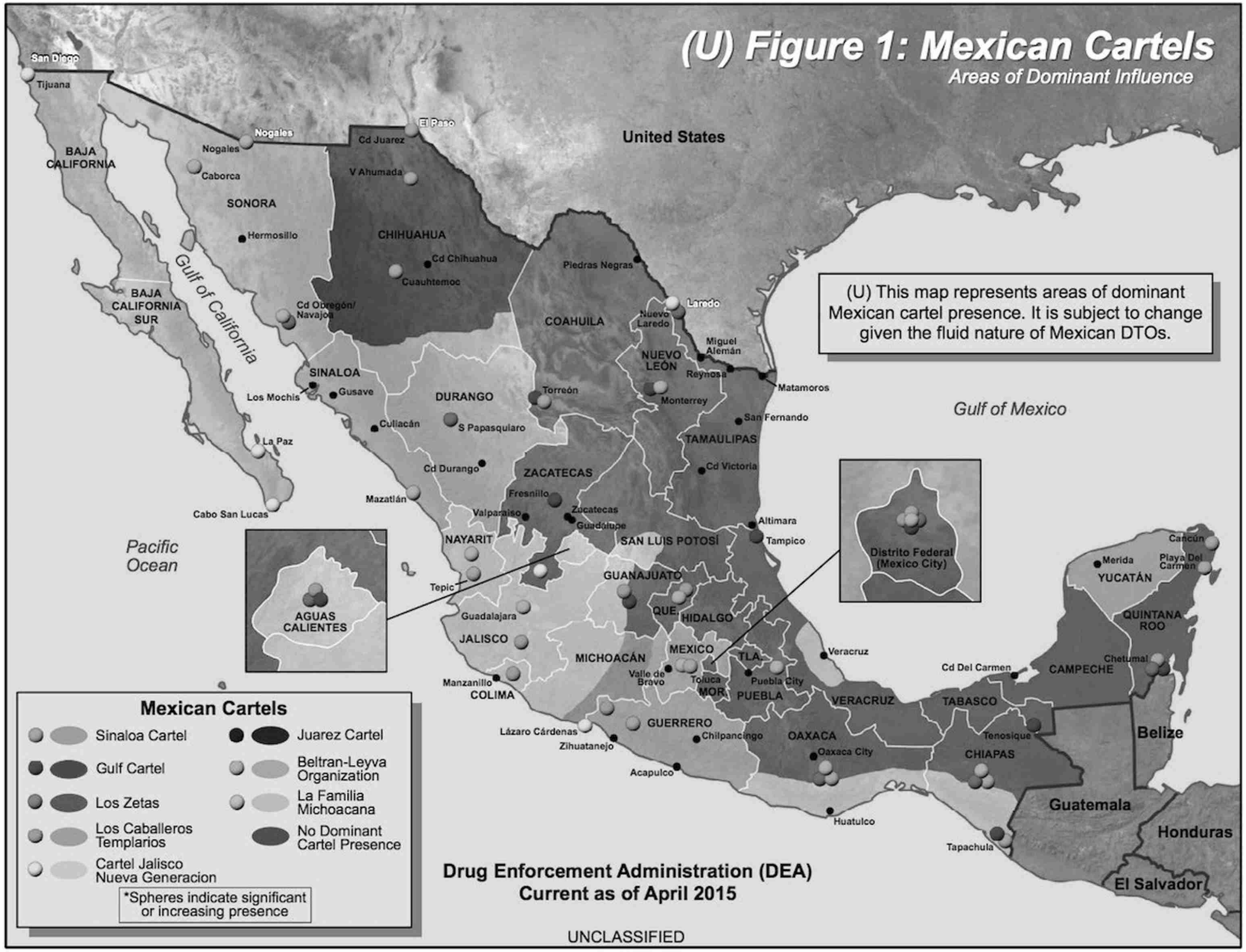
- In general, one cartel dominates a *plaza* at a given time
  - Competition for control of a *plaza* can lead to violence
  - *Calentando la plaza*

- Control of *plaza* in collusion with police, military, and government officials
  - May receive military and police protection for drug shipments

Cartel Presence (as of July 2016)



- Pacific (Sinaloa) Cartel
- Beltran Leyva Organization (BLO)
- Tijuana Cartel
- La Familia Michoacana
- Jalisco Cartel – New Generation (CJNG)
- Los Zetas
- Gulf Cartel
- Knights Templar
- Juarez Cartel

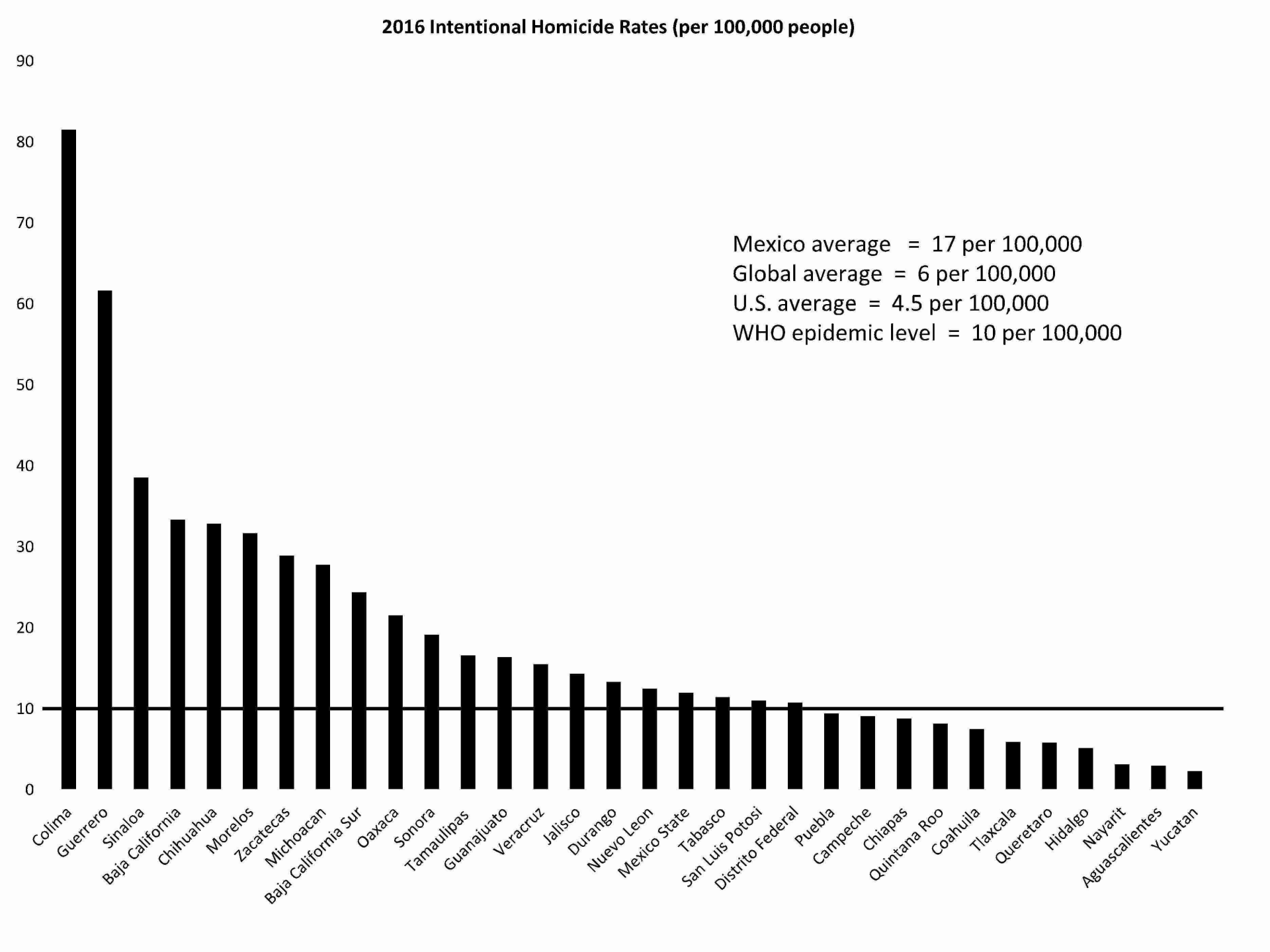


- Cartel presence in geographic areas is fluid and subject to change…and may vary per source consulted

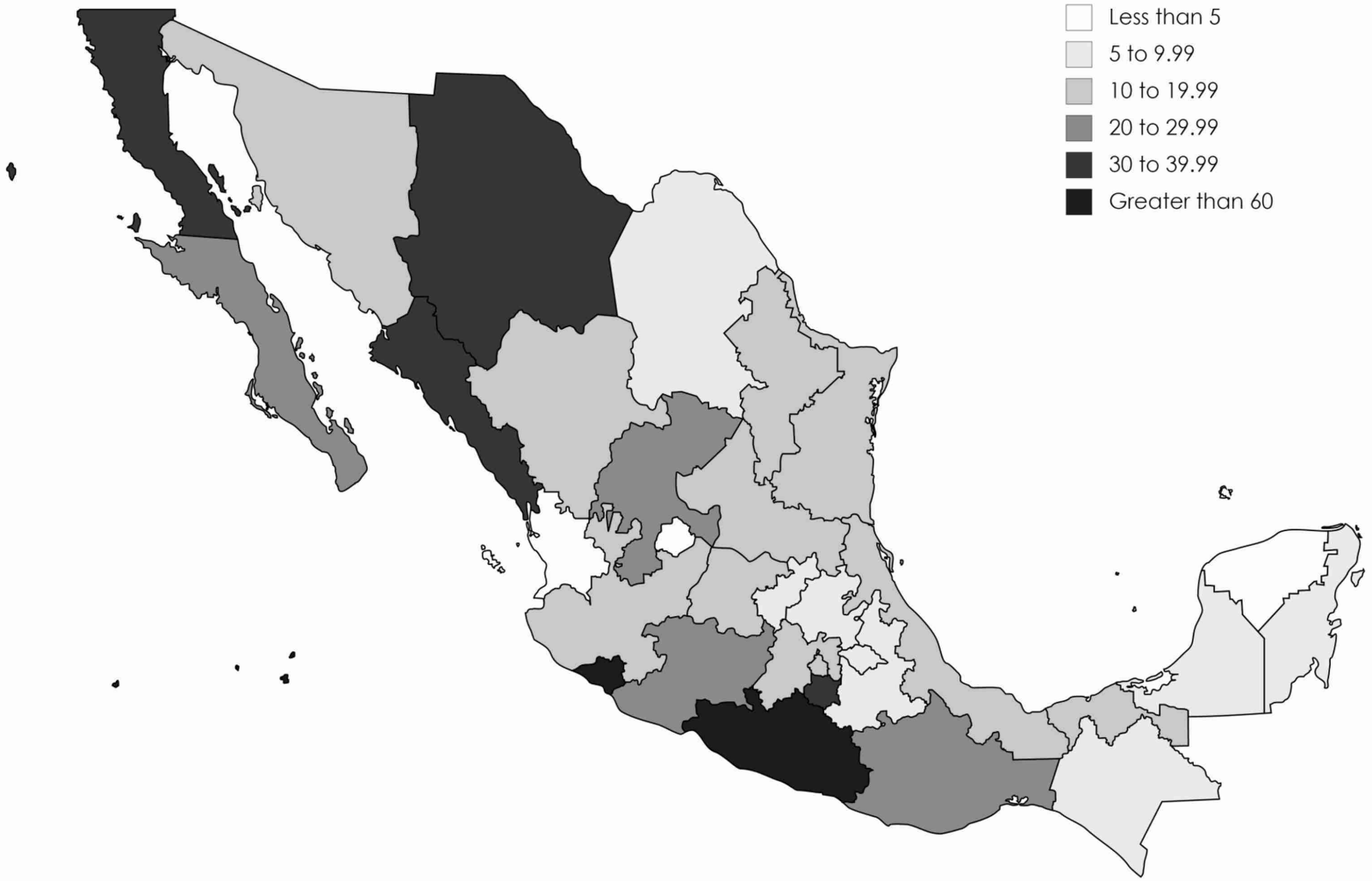
Violence

- Violence concentrated in specific regions and sub-regions
  - Most violent cities and states = battlegrounds between rival cartels
  - Some of the most and least violent cities may be located in the same states (ex. Mexico State, Veracruz)
  - Violent hotspots can change over time

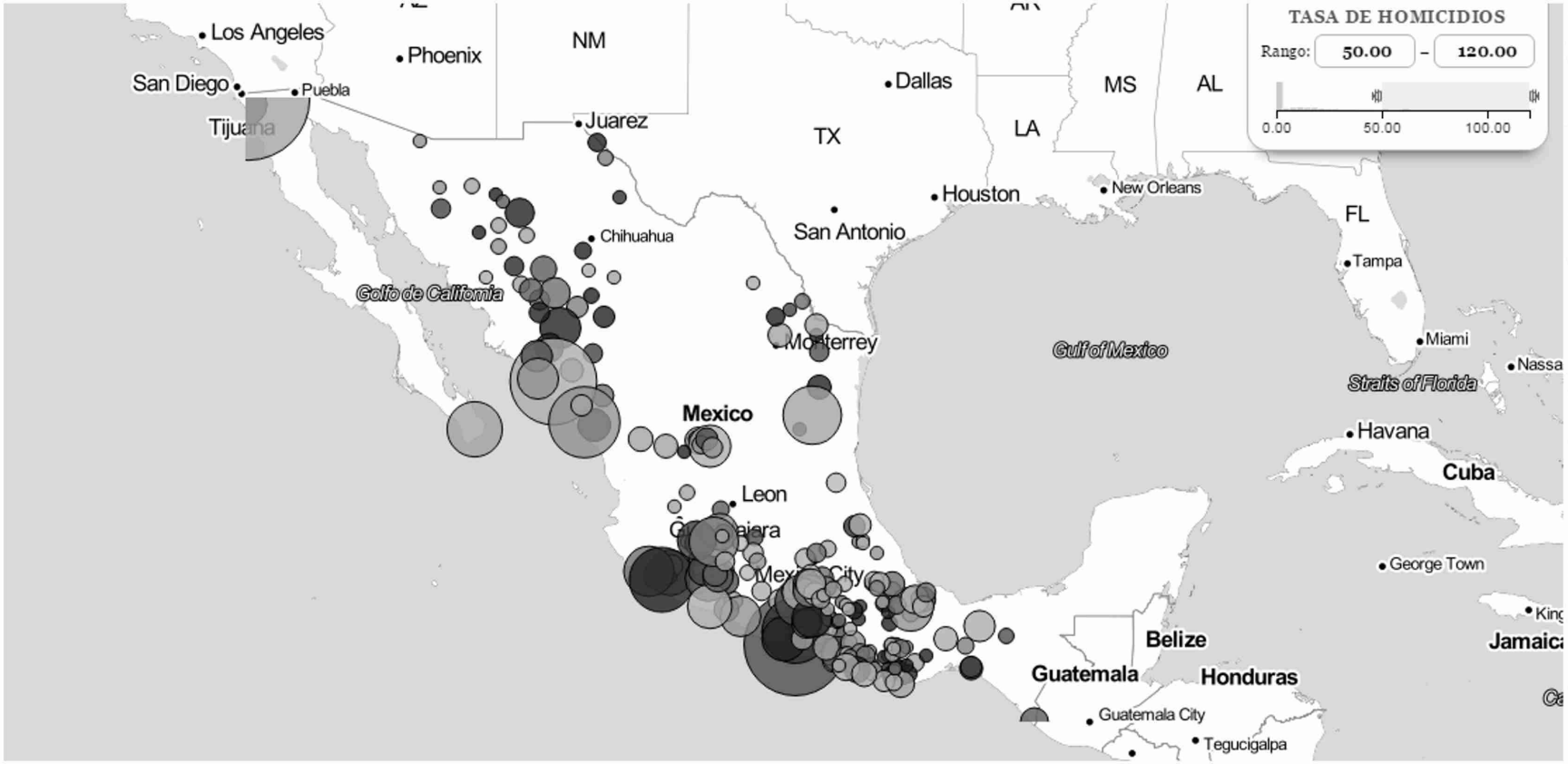
- Recent hotspots
  - Colima
    - Murder capital of Mexico in 2016
    - Pacific (Sinaloa) vs. CJNG for control of port of Manzanillo
  - Guerrero
    - As many as 50 criminal groups & poppy production
  - Select regions/cities in Michoacán, Veracruz, Tamaulipas, Baja California, and Sinaloa


2016 Intentional Homicide Rates (per 100,000 people)
90
80
70
60
50
40
30
20
10
0
Mexico average = 17 per 100,000
Global average = 6 per 100,000
U.S. average = 4.5 per 100,000
WHO epidemic level = 10 per 100,000
Colima
Guerrero
Sinaloa
Baja California
Chihuahua
Morelos
Zacatecas
Michoacan
Baja California Sur
Oaxaca
Sonora
Tamaulipas
Guanajuato
Veracruz
Jalisco
Durango
Nuevo Leon
Mexico State
Tabasco
San Luis Potosi
Distrito Federal
Puebla
Campeche
Chiapas
Quintana Roo
Coahuila
Tlaxcala
Queretaro
Hidalgo
Nayarit
Aguascalientes
Yucatan

2016 Intentional Homicide Rates (per 100,000 people)

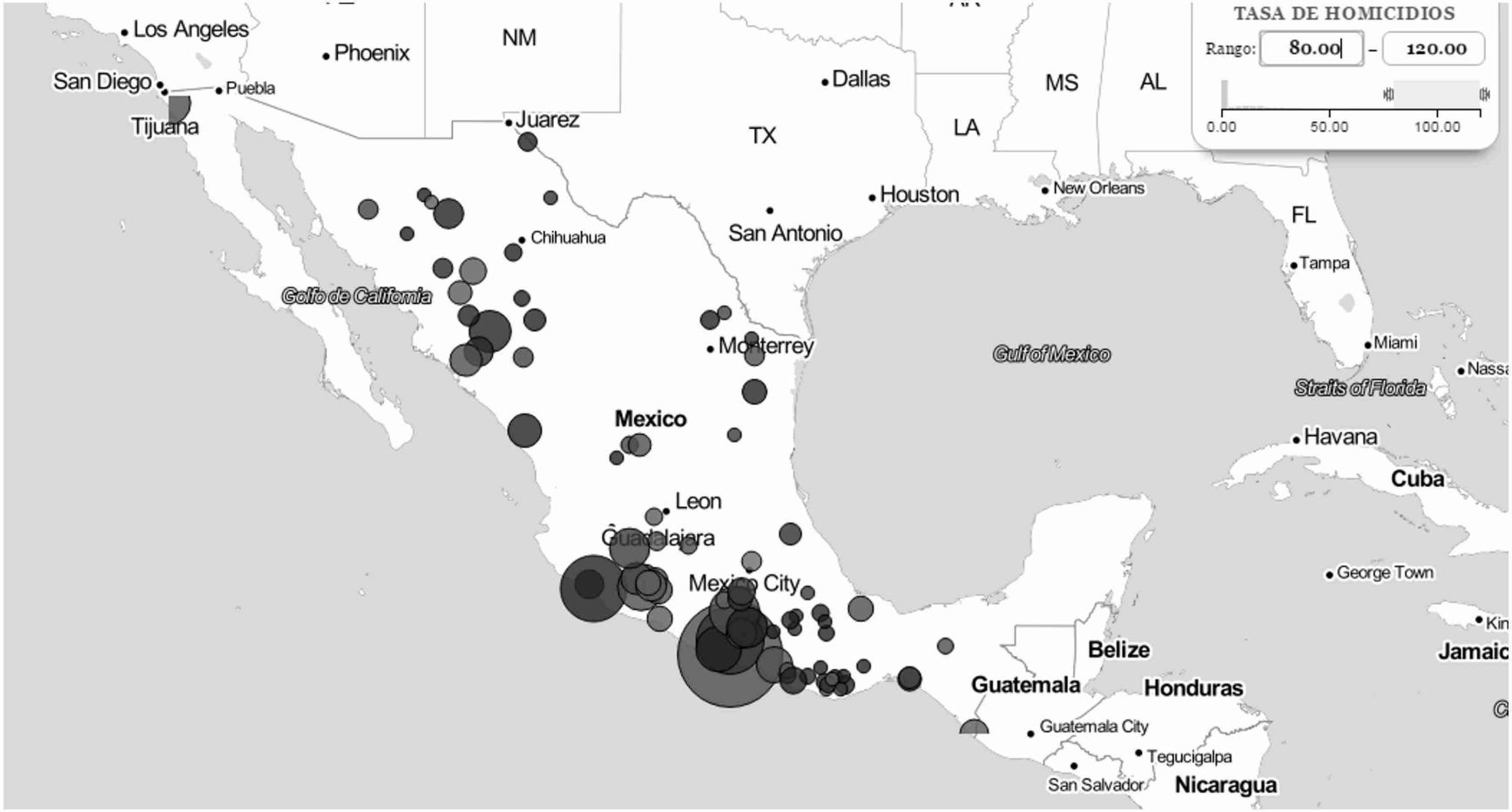


Municipal Homicide Rate ≥ 50 per 100,000 (Sep. 2016 - Feb. 2017)



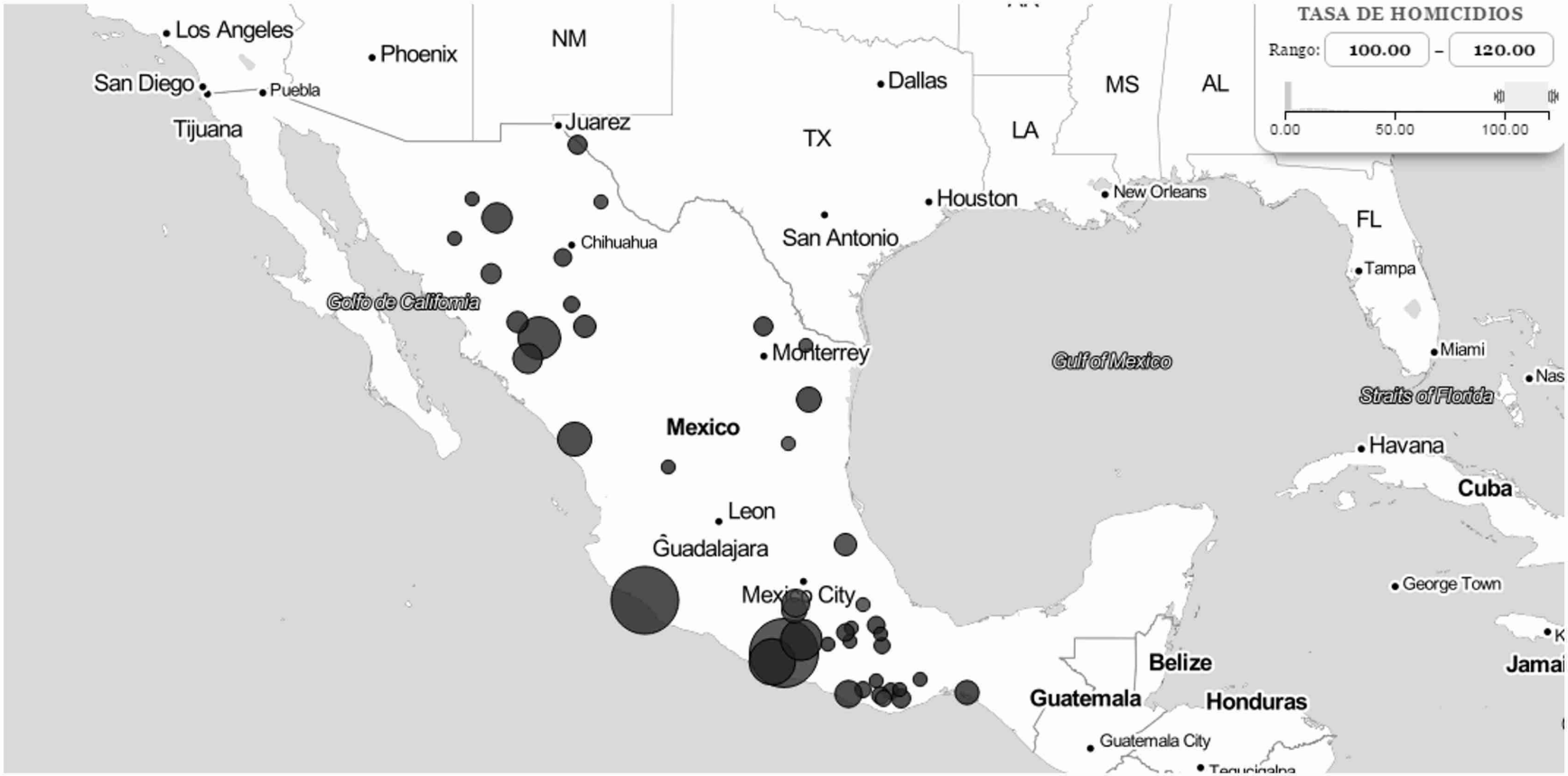
Note: The larger the circle, the more homicides in the given municipality. The darker the circle, the higher the homicide rate in the given municipality.

Municipal Homicide Rate ≥ 80 per 100,000 (Sep. 2016 - Feb. 2017)



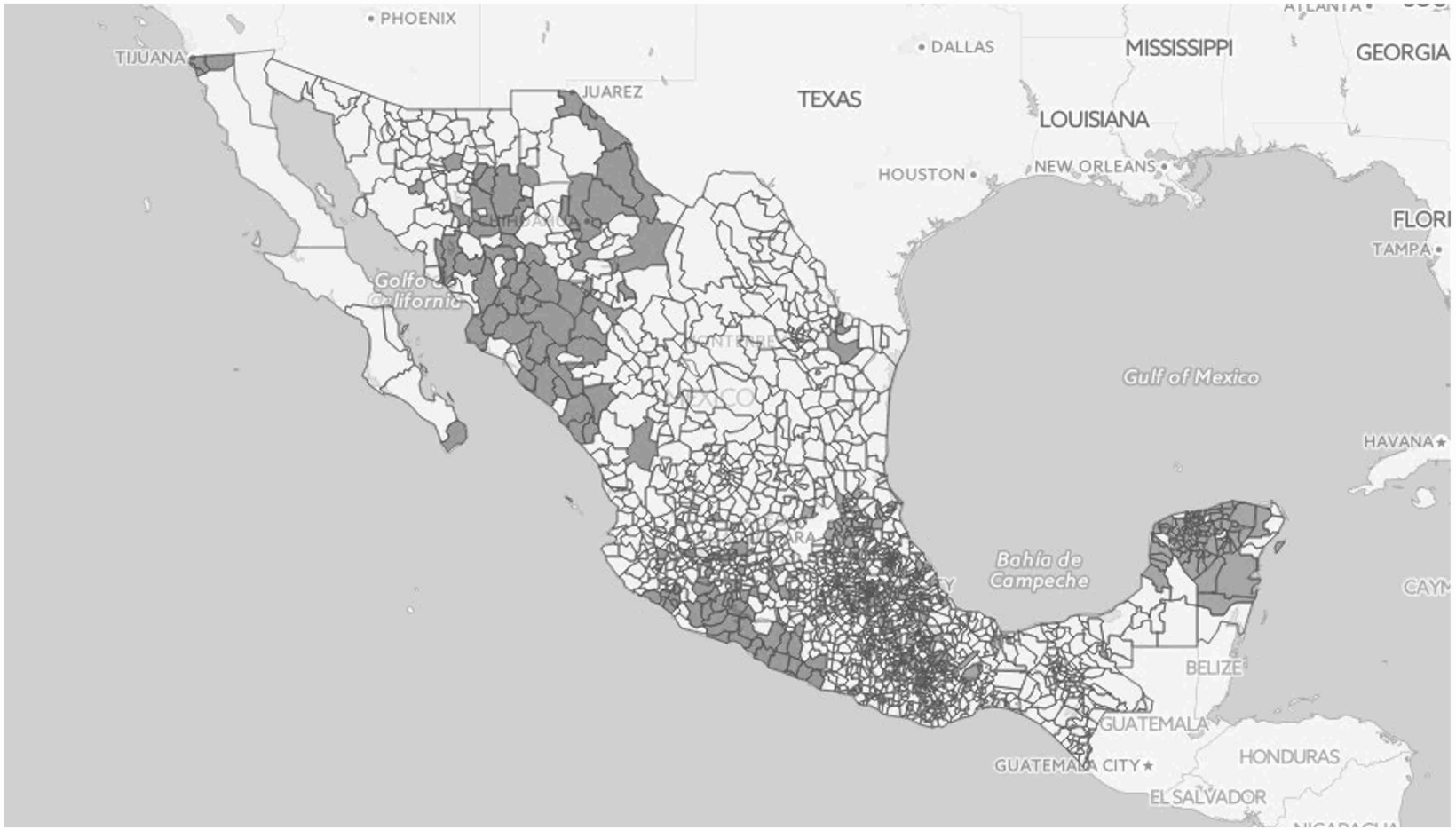
Note: The larger the circle, the more homicides in the given municipality. The darker the circle, the higher the homicide rate in the given municipality.

Municipal Homicide Rate ≥ 100 per 100,000 (Sep. 2016 - Feb. 2017)



Note: The larger the circle, the more homicides in the given municipality. The darker the circle, the higher the homicide rate in the given municipality.

Homicide Clusters (Sep. 2016 – Feb. 2017)



Pink = more homicides

Blue = fewer homicides

50 Most Violent Municipalities*

*Projected for all of 2016 based on homicide rates from Jan. to Aug. 2016.
Municipalities with a population over 100,000 only. Click here for complete list.

50 Least Violent Municipalities*

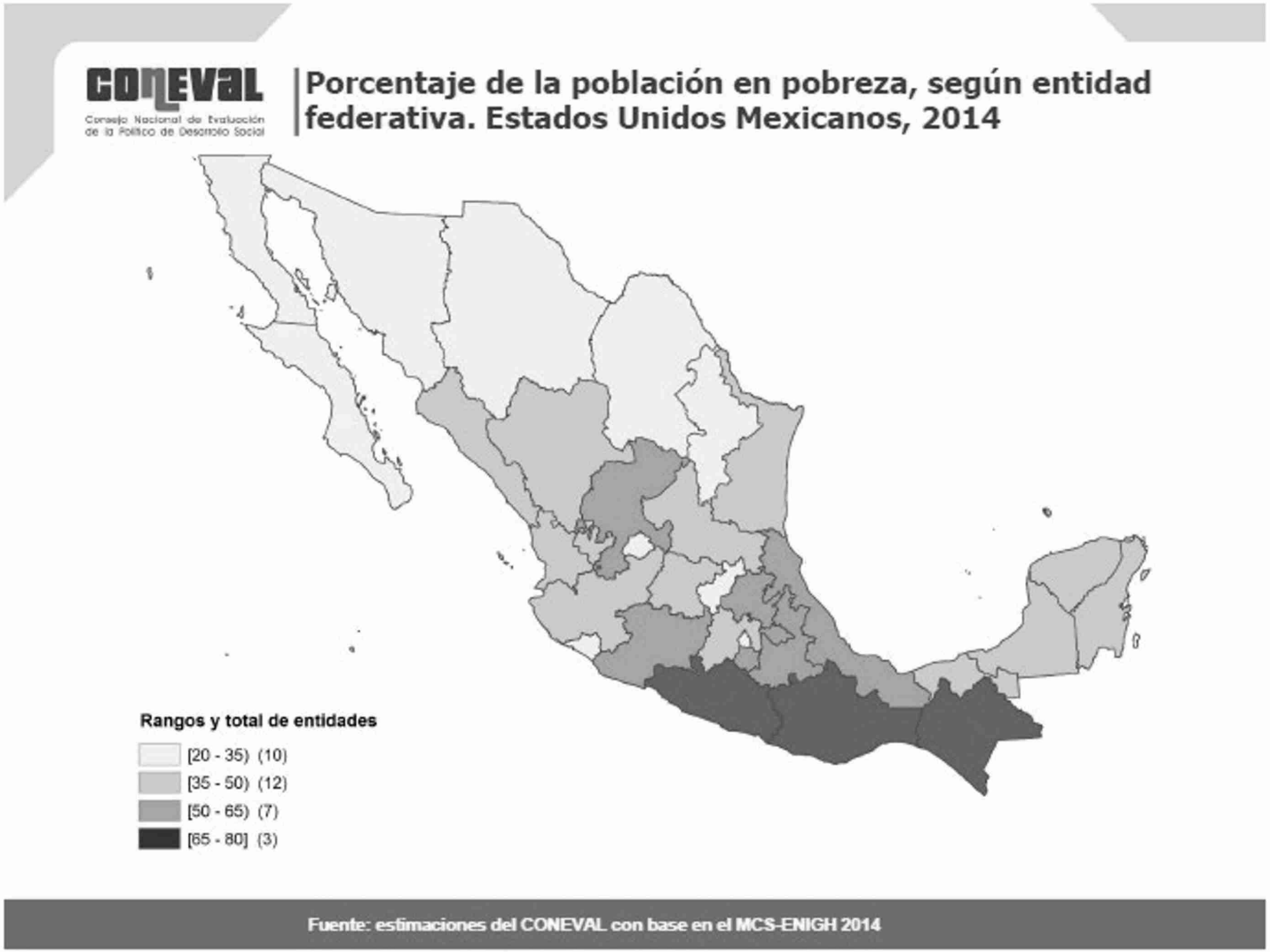
*Projected for all of 2016 based on homicide rates from Jan. to Aug. 2016. Municipalities with a population over 100,000 only. Click here for complete list.

50 Most Violent Municipalities*

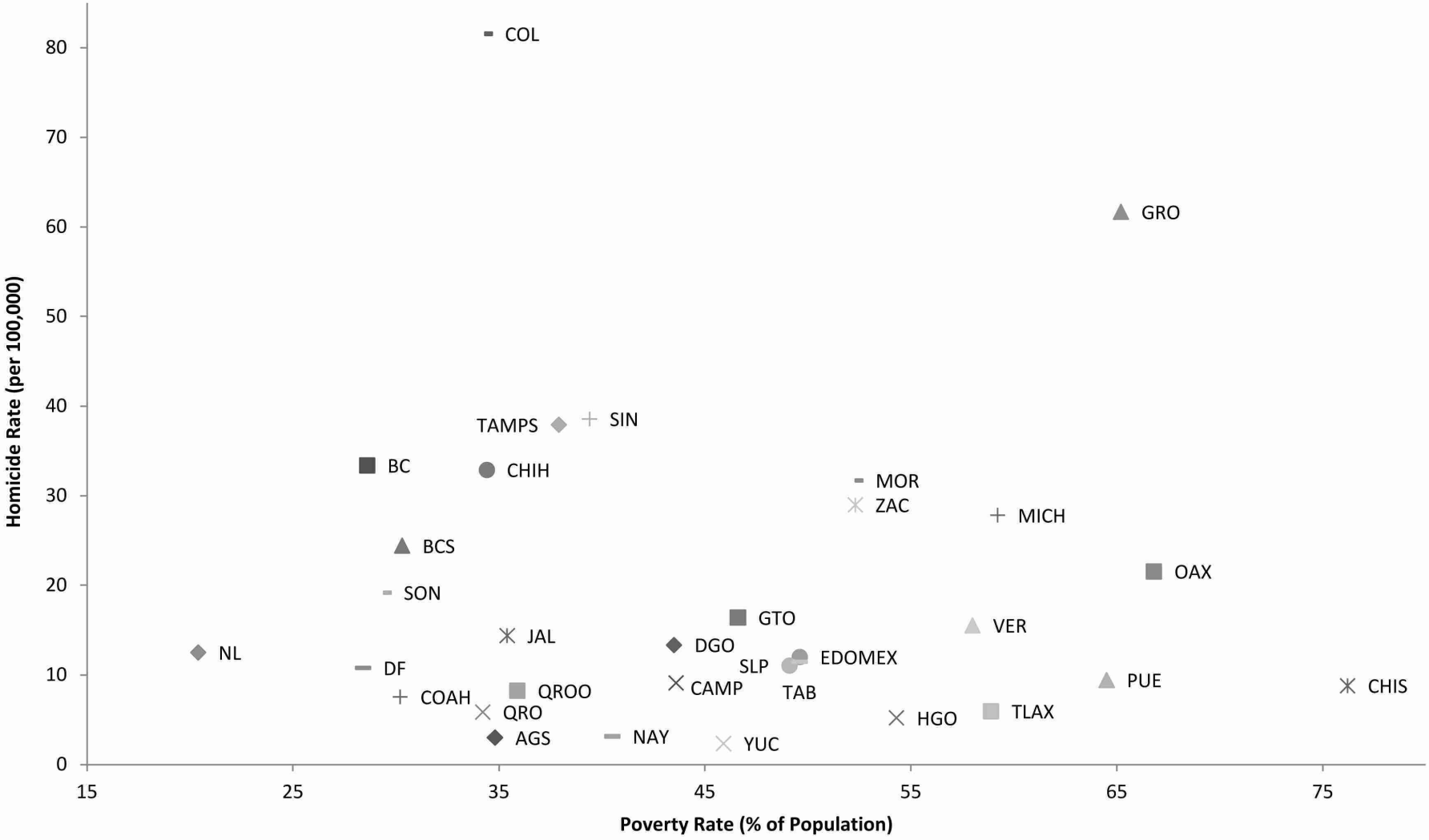
50 Least Violent Municipalities*

*Projected for all of 2016 based on homicide rates from Jan. to Aug. 2016. Municipalities with a population over 100,000 only. Click here for complete list.

Percentage of the Population Living in Poverty



Homicides and Poverty



Relocation to Mexico City?

- Cost of living
  - 4th most expensive city to live in (2015)
  - 5th most expensive city to purchase a home (2015)
- Some of the most and least violent municipalities located in Mexico City metropolitan area
- Presence of multiple cartels?
- High levels of street crime & police corruption
  - General crime rate is above U.S. average
  - Armed robberies, kidnappings, car thefts, credit card fraud, and various forms of residential/street crime = daily occurrences
  - *"Beheadings, lynching, torture, and other gruesome displays of violence, as well as high numbers of forced disappearances, have become routine occurrences, including in the Mexico City metropolitan area"*

Relocation to the Yucatán?

- Quintana Roo and Yucatán states
- Non-narco-related crime = generally low
  - But varies in type and frequency throughout the peninsula
- Increasing violent crime in Quintana Roo (2016)
  - Drug traffickers fighting for control of distribution and sales in the region
- High number of telephonic extortion and frauds (virtual kidnappings)

Relocation to the Yucatán?

- Cancún
  - Second most expensive city to live in (2015)
- Mérida
  - Perceived as best place to live in Mexico for third year in a row (2016)
  - Perceived as safest city in Mexico (2016)
  - Presence of Sinaloa Cartel?
- Relocation to Mérida
  - People fleeing violence from other states reportedly moving to Mérida
  - Mainly from upper class
  - Housing demand increased 5-10% in last 10 years

Forced Displacement

- Significant
  - 281,400 IDPs by end of 2014 (IDMC)
  - 28% of municipalities have lost population since 2006
    - Most found in regions controlled by cartels and where homicides have increased
      - North and northwest, controlled by Sinaloa Cartel (Golden Triangle)
      - Northeast, controlled by Zetas
      - Southeast, states controlled by Knights Templar and La Familia Michoacana (Tierra Caliente)
- Underestimated?
  - Long tradition of internal and cross-border migration for economic or cultural reasons
- Profile of the displaced
  - Individual and *en masse* flight
  - Disproportionately impacts the elderly, women, children, and indigenous

Forced Displacement

- Link to violence?
  - First half of 2016 = 35,000 IDPs, 90% fleeing due to violence

- Violence from territorial disputes between rival criminal groups, military offensives, or battles with self-defense militias
  - Conflict over the drug trade
    - Trafficking routes, strategic locations, cultivation of drug crops, control of natural resources, etc.
  - Fragmentation of criminal organizations
  - Fighting via proxies and alliances
  - Try to exercise complete control in certain areas (Guerrero and Michoacán)

Forced Displacement

- Specific individuals/groups may be targeted
  - Forced displacement can be used as a strategy
  - If do not collaborate, threaten or harm individuals or damage property
  - Gov. officials, human rights activists, journalists, and citizens seeking justice may be targeted
- Types of harm
  - extortion, threats, destruction of homes, murder, kidnapping, disappearances, fear of forced recruitment (minors and people with technical skills), etc.

Forced Displacement

- No specific pattern of relocation
- Move from one state to another
- Within a state, move from one municipality to a less violent one
  - Urban to urban
  - Rural to suburban
  - Suburban to urban
  - Within urban areas (between neighborhoods)

Forced Displacement - Wealthier Urban Areas

- Extortion of businesses and citizen perceptions of insecurity
- Urban-urban displacement
- Considerable degree of movement between states
  - To Mexico City
  - To other states less affected by violence (such as Chiapas)
    - From northern states
    - Moved away previously, but now returning “home”

Forced Displacement - Wealthier Urban Areas

- Internal migration between cities
  - Facilitated by larger territory and more vibrant economy (compared to the Northern Triangle)

- International - relocation to the United States
  - Families with means to do so or dual nationals
  - Northern border areas (ex. Ciudad Juarez to El Paso)
  - May return if violence goes down

- Some urban areas may be both receiving and expelling sites for IDPs

Forced Displacement - Rural Areas

- Disputes among cartels or appropriation of land
  - Drop by drop, but also *en masse* displacement
  - Mostly farmers, laborers, and small business owners

- Migration patterns = from rural to increasingly urban areas, mainly in region of origin
  - First movement - to nearby towns and population centers
  - Secondary movement - some will move towards bigger cities (including outside the region) where they have family or job opportunities
  - Aside from border states, few reports of leaving Mexico

- If unable to return, most end up in marginal areas of towns and cities of the region
  - Some may live with family or rent property
  - Others live in poverty on invaded lands, looking for informal work or fearing retaliation

Return?

- Little information on whether displaced individuals can or do return home

- Urban areas
  - Some may be able to return after being away in areas where extortion is generalized (ex. Michoacán)

- Rural areas
  - If situation calms down, some may return
    - But not all - gradual emptying of countryside
    - May face retaliation and renewed threats

- If conditions remain poor after return, could face further displacement

State Response

- Internal displacement has not been documented and analyzed by Mexican government
  - Gov. has largely turned a blind eye
    - Main obstacle to comprehensive response
    - Leads to invisibility of victims

- General lack of protection at all three levels of gov. (federal, state & municipal)
  - Lack of political will & conceptual, institutional, and legal mechanisms to respond
    - Do nothing to prevent and control causes of displacement
    - Little or no attention to needs of displaced in majority of cases

State Response

- Few requests for help due to mistrust of authorities
- Piecemeal and fragmented response
  - Some efforts at local or state levels, but very limited
  - Law to compensate victims of organized crime and human rights violations
    - Unclear if covers those with legitimate fears who were not personally victims of crimes
    - Denial of recognition to victims
      - Required to have previously made complaints about events leading to displacement

Challenges for Displaced Individuals

- Loss of means of subsistence
- Loss of land or property without compensation
- Exposed to new risks when looking to relocate
  - Often lack physical protection
- Difficulties accessing public services, housing, employment, education, property rights, healthcare, etc.
  - Less access to livelihood opportunities, education, and housing than local population (2012 case study)
- Serious economic problems
  - Difficulties obtaining employment (sufficient work and dependable jobs)
  - May end up in poverty or have lower living standards
  - Debt from paying ransoms to kidnappers

Challenges for Displaced Individuals

- Loss or lack of identification, identity cards, and mortgage documents
  - Impedes access to basic social services
  - Difficult to enroll kids in school or for adults to become legally employed
- Difficulties in finding adequate housing
- Invisible phenomenon
  - Gradual and individual displacement
  - Fear of harm
  - Self-censorship of media in violent areas
  - Do not trust authorities
  - Lack of state recognition

Interpersonal Relations

- More important than impersonal, bureaucratic norms and regulations in functioning of Mexican society

- "*Parentela* (extended family) members, *compadres* (godparents), *cuates* (very close buddies), and friends expect from one another various degrees of loyalty, material and spiritual assistance, emotional support, physical protection, and even flexibility in the enforcement of laws, norms, and regulations."

Family

- "Most important social institution"
  - Inalienable bond among relatives, with corresponding rights and obligations
  - Mexican household
    - Can include parents' nuclear family as well as married children and their kids
- Perceptions of the family
  - Viewed as "essential safety net providing help and protection"
    - Economic survival - often requires several family members to enter workforce and pool incomes
  - Rejection by one's family
    - Viewed as a "worse occurrence than injustice and abuse of authority, poverty, and work conflicts."

Can Displaced Individuals Be Tracked Down?

- *"Personal safety remains a concern after their flight, because some criminal groups have national reach and are able to trace their whereabouts."* - IDMC

- Gov. databases are not 100% trustworthy
  - Lack of control = vulnerable to theft and leaks
  - Some databases reportedly for sale in Tepito (Mexico City) flea market
    - Ex. federal registry of voters (IFE), vehicle and driver's licenses, public phone numbers, cell phone numbers, data on police officers, information on freight carriers, intelligence agency (CISEN) database
    - Reportedly obtained by organized crime and police

Can Displaced Individuals Be Tracked Down?

- Use of technology by cartels/organized crime
  - Cartels employ technology analysts to track down rivals or people who have wronged them
  - Some cartels have used the internet to track down targets by tracking their movements on social media
  - Reportedly have the potential to intercept private communications (like state intelligence agencies)

- *El Blog del Narco*
  - Popular website that reported on organized crime in Mexico
  - Cartel members allegedly used reverse hacking to determine the identity of one of the individuals behind the site
    - Has not been seen or heard from since

Juan Jesús Guerrero Chapa

- Gulf cartel lawyer, drug trafficker, and informant for U.S. law enforcement

- Murdered by alleged drug cartel hitmen in Southlake, TX in May 2013

Juan Jesús Guerrero Chapa

- Sophisticated, covert operation - stalking of victim
  - Used open source records to locate victim/family members
  - Tried to get the victim deported
  - Made multiple trips from Mexico to Texas
  - Lived in a rented apartment near Dallas
  - Used at least 8 rented and purchased cars
  - GPS tracking devices attached to cars of victim/family members
  - Cameras aimed at victim's home and placed in neighborhood

- Alleged assassins linked to 9 other murders in Mexico

Violence against Women

- UN = pandemic
  - Among 20 worst countries in world
  - Not exclusive to specific social or educational sector

- Increase in areas affected by drug war
  - Brutal, public violence
  - Viewed as territory to be conquered
  - Way to intimidate rivals and local population

- Femicide
  - 6 women killed per day
  - U.S.-Mexico border region (Chihuahua & Ciudad Juarez)
  - Mexico State

Violence against Women

- *"Violence against women is so rife in Mexico that there's no political cost for those who don't deal with the issue"*

- Domestic violence
  - 44% have suffered physical violence from partner
  - 89% have been psychologically assaulted by partner

- Victims often hesitant to speak out
  - Fear of possible retaliation from offender
  - Social stigmatization & ostracization
  - May believe it does not merit a complaint
    - Common in rural & indigenous areas

Women – State Protection

- Laws, institutions, and programs
  - Federal and state laws against rape, domestic violence, and femicide
  - Programs to combat domestic violence and prosecute human trafficking
  - Institutions dedicated to helping victims
  - Local courts that defend women's rights
  - Public and private shelters
  - Use of "gender alerts"
    - Direct relevant local, state, and federal authorities to take immediate action to combat violence against women
      - Granting victims legal, health, and psychological services
      - Speeding investigations of unsolved cases

Women – State Protection

- Limitations of state protection
  - Lack of necessary resources to address domestic violence
  - State and municipal laws
    - Largely failed to meet federal standards, and were often unenforced
  - Authorities at times did not take reports of rape seriously
  - "Gender alerts" - no noticeable changes
  - Health professionals - insufficient knowledge of legislation and institutions

- Police
  - Rampant corruption and incompetence
  - Usually show little interest in cases of missing women
  - May be involved in disappearances

Women – Challenges to Relocation

- Patriarchal culture & structural discrimination
  - High levels of violence and discrimination at domestic, work, social, and institutional levels
  - Employment
    - More likely to experience discrimination in wages, working hours, and benefits
    - May earn 5 to 43% less than men for same work
- Stigmas
  - Attached to women who leave partners
    - Makes them reluctant to seek help
  - Not having a partner = opens the door to sexual harassment

LGBTI

- Second largest number of murders on account of gender identity or expression of gender in the world
  - Over 1,200 murders motivated by prejudice for perceived or actual sexual orientation and/or gender identity (1995-2014)
  - 194 murders of transgender people (2008-2014)

- Impunity for attacks on lives and physical integrity
  - Frequently classified as “crimes of passion”
  - Commonly remain unresolved and inadequately investigated, prosecuted, and punished

LGBTI

- Discrimination based on sexual orientation and gender identity is prevalent
  - Anti-discrimination laws include sexual orientation, but not gender identity
- Police - routinely subject LGBTI individuals to mistreatment while in custody
- Rights granted at discretion of local officials?

LGBTI

- Gradual increase in public tolerance of LGBTI individuals
  - 61% = homosexuality should be accepted by society

- Survey of LGBT individuals
  - 70% = discrimination in schools
  - 50% = employment discrimination or harassment
  - 60% = know an LGBT person murdered in past three years

LGBTI

- Same-sex marriage
  - 49% oppose, 43% in favor
  - Laws restricting marriage to heterosexual couples were "discriminatory" (2015 Supreme Court ruling)
  - State laws can be circumvented with a court injunction
  - Explicitly legal only in 10 of 31 states and Mexico City
- Proposal to legalize same sex marriage throughout Mexico
  - Gov. proposed constitutional amendment in May 2016
  - Has lead to increasing homophobia
  - Well-funded and well-organized backlash to marriage equality
  - National Front for the Family
    - Over 100 marches against marriage equality throughout Mexico

LGBTI – Challenges to Relocation

- *"Mexico City remains a refuge for many LGBT Mexicans"*
  - Improvements in discrimination against LGBTI persons
  - Only place in country where:
    - Law prohibits discrimination based on gender identity
    - Transgender persons may change gender marker on identity documents
- However, violence and discrimination persist…
  - 143 murders of LGBT people (1995-2008)
  - Routine police abuse while in custody

LGBTI – Challenges to Relocation

- *"Mexico City is not Mexico"*
  - Deep-rooted stereotypes and prejudices in many parts of Mexico
  - Conservative religious attitudes and *machismo*
  - Gov. does not always investigate or punish those complicit in abuses, especially outside Mexico City

Police

- Issues
  - Ineffective
  - Extraordinary levels of corruption
  - Enable crime
  - Widespread abuse of citizens
  - May be working for organized crime/cartels
  - Human rights violations
    - Arbitrary detention, torture, unlawful killings, etc.
- Lack of accountability
  - Thousands have been purged in recent years
  - But 10% of police who should have been fired remain on streets

Police

- Federal police
  - Greater role in combatting drug violence
  - Extra-judicial killings
  - Institutionalized corruption and human rights abuses
- State police
  - Heavily infiltrated by organized crime
  - High ranking officials collaborate with and protect cartels and drug traffickers
- Municipal police
  - Officers recruited by criminal organizations
  - Active participants in criminal activity

Trust in Police?

- 90% believe police are one of most corrupt institutions in Mexico

- Little to no trust in…
  - Municipal police = 63%
  - State police = 56%
  - Federal police = 43%

- Crime reporting & impunity
  - 15% of crimes are reported
  - 1% of reported crimes are prosecuted
  - Barely 1% of accused are condemned
  - Lack of trust in authorities or waste of time

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U.S. Citizenship and Immigration Services

Mexico: Treatment of People with Albinism

October 27, 2017

What information is available that discusses the treatment of people with albinism in Mexico?

This query originated from the Newark Asylum Office, RAIO, USCIS.

The following Mexican news articles and select quotes—translated from Spanish to English by the Research Unit—discuss the treatment of individuals with albinism in Mexico:

Comunidad albina se une contra la ignorancia y la discriminación, El Universal (Mex.), Feb. 17, 2017.

- Despite not having an exact number of people with albinism in Mexico, the Fundacion Piel de Luna Albinos de Mexico A.C. seeks to promote the inclusion of these people in their community, provide them with comprehensive support, debunk myths about their medical situation and, thus, prevent discrimination.

  Jorge Rodriguez, founder of this civil association, observes that the strongest discrimination occurs, sometimes, in the home. "We have attended to various cases in which the fathers, the man, leaves (from home) thinking that his child is not his," he said in an interview with El Universal.

  He assured that there are also families where their own siblings or other relatives discriminate against those who are born with this condition. One of the many actions of Piel de Luna is "to clarify that an albino person, it is not necessary that the father is albino, there could be no one (in the family) and there could be an albino," he stated.

  About bullying or bullying in school, Rodriguez pointed out that a specific case has not been submitted, however, part of the psychological counseling given to the parents of children at the Foundation is to strengthen their judgment and to understand that their condition does not represent a disadvantage in the world.

  "In adults, discrimination occurs mainly at work, you are discriminated against by sight, because they think you can't see, among other things," he said. Regarding medical problems that a person with albinism could have, it is clear that they are not directly related to the lack of pigmentation, except for direct exposure to the sun.

  There is no exact figure or estimate of the population with albinism in the country, however, Rodriguez and the governments of some states are working in the application of a census. "You still can't have an estimate because it has been detected that there are rural areas where people don't have access to information. I can tell you that there are

[albinos] in Monterrey, in the Bajio, in Zacatecas there is a large population, same in Morelos and Guerrero, Mexico City has a low percentage," he shared.

Piel de Luna is the first and only foundation for albinism in Mexico. "It was born from the idea of creating a community, of generating help or valuable information because people come across erroneous information about what albinism is," he said.

Albinismo, una condición que todavía discrimina, Milenio (Mex.), Apr. 16, 2016.

- Karla Ruby Vizcarra Chavez was born with albinism…she is a 22 year old young woman with a strong activism in favor of albino people, motivated by the desire that they do not suffer the same path of discrimination and hurtful ridicule: the bullying that she has lived with since she was a child.

  Ruby says that the origin of the accentuated discrimination against albino people is "the ignorance of what albinism is." Her pale skin, the platinum blonde that appears in her hair and the sky blue in her eyes, have earned her mistreatment, from the teacher and students in the classroom, to exclusion. Even today, in a metropolis like Guadalajara, there are those who fear that her lack of pigmentation will "stick to them." In the best of cases, they confuse her with a foreigner and even begin to speak to her in English. She laughs…Other anecdotes make her cry, even today.

- The young woman is the founder of the Latino Albino association, which she hopes to formalize soon, whose purpose will be to educate and share data about albinism; as well as how to approach albino people.

  "I had ideas. What can I do to help other people (albinos)? I know those who already have skin cancer," she said, after explaining that in health services there is nothing for this group. "Truthfully they don't even know what albinism is," she said.

  In an interview with MILENIO, Ruby Vizcarra shared that in Mexico one of every 50,000 people is born with albinism, such that it is considered a rare genetic condition.

- This genetic condition can compromise the health of an individual in three areas: the health of their skin, eye health, and the emotional sphere. It is important to emphasize that people with albinism have the same expectations for life as any other; but they may be limited in outdoor activities because they cannot tolerate the sun. However, far from thinking that dermatologists and ophthalmologists know about the subject, through social networks and the association Ruby Vizcarra has collected testimonies that prove otherwise.

Sufren discriminación personas con albinismo, NTR Zacatecas (Mex.), Jun. 13, 2015.

- Andrés Campuzano García, municipal dermatologist, said that the situation of discrimination against people suffering from albinism presents itself because they look different from the rest of the population, and he even mentioned that there are people who associate this malady with supernatural issues.

  "Having a different look than the rest of the population, they are stigmatized due to incorrect ideas and a lack of information, which is a factor that influences the social aspect."

"Te tratan diferente, como extranjero", El Universal (Mex.), Aug. 27, 2014.

- It was not the first time that Jorge Rodriguez was confused with a foreign tourist: his skin and hair are white.

  "They treat you different, they really think that you are not Mexican. And you receive a lot of attention. I can speak to them in English or Italian, and they think you are a foreigner. Other times they want to sell you things at higher prices," says Jorge, a young man of 26 years old who suffers from albinism.

- He remembers the jokes about his condition that are part of the different stages of his life.

  The nicknames and teasing have not been impediments to having a normal life and carrying out his activities like any other person.

  "You fight against critics, against curious looks, as if you were not from this planet; however, I received a lot of safety from my mother, my uncles. So I was treated like any other child."

- In spite of this, he accepts that various albino people do not feel safe to confront the curious looks, taunts, and critics.

  "The majority conclude that society is difficult, because, unfortunately, society determines how your life will be. An albino person, speaking in general terms, fights against personal acceptance, and with the situation of society," he states.

- To help this group of people, Jorge created a support network for people with albinism. The first step was taken a year ago on social networks when he created a group on Facebook called Piel de Luna, where he disseminated information related to this disease.

  "In other countries like Colombia, Argentina, or Chile, you get a subsidy for being albino. Here in Mexico you don't have it. In our country the condition of albinism is not

taken into account; here you are common and in certain aspects that is ok, but there are those who need medical help," he explains.

The idea is to create a foundation where therapeutic, psychological and ophthalmic support is offered to people with albinism.

- Jorge says that another of his central goals is to disseminate accurate information about the disease. "So as sports spread, telenovelas, to spread information about albinism. To know that this condition is treated. That we do not come from another planet.

  That we are just people. That would be paramount," he says.

Supersticiones y mitos acechan a la enfermedad del albinismo, Expansión (Mex), May 28, 2011.

- Currently, there is some degree of discrimination against albino people in Mexico, and the lack of information about the needs of those with this disease helps little.

  Although there are no official statistics, Infogen and the Latin American Organization of Albinism speak of one albino person for every 50,000 in Mexico.

  If we divide 112 million inhabitants by this figure, we can calculate that there are about 2,200 people with this condition in the country.

  "Older people speak of little preparation of the education system for the needs of albinism, and later, once graduated, to place themselves in jobs," says Sergio Montemayor, founder of the Latin American Organization of Albinism and the father of a girl with this condition.

  "However, I know people with albinism with doctorates and teaching master's level classes who are very successful," he adds.

This response was prepared after researching publicly accessible information currently available to the RAIO Research Unit within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Cultural Perceptions and Beliefs about Disabilities in Mexico, Guatemala, Honduras, and El Salvador

November 7, 2017

What information is available regarding cultural perceptions and beliefs about disabilities in Mexico, Guatemala, Honduras, and El Salvador? Are there any superstitions, myths, or traditional beliefs related to disabilities which are held by individuals or groups in these countries?

This query originated from the Los Angeles Asylum Office, RAIO, USCIS.

The following sources and select quotes discuss cultural perceptions or beliefs about disabilities in Latin America, Mexico, Guatemala, Honduras or El Salvador. Many of the sources included in this response discuss traditional perceptions or beliefs potentially held by a certain group or by individuals living in a specific location, and may not necessarily be expressed by the general population within these countries.

Latin America

Frey, Georgia C. and Temple, Viviene A., Health promotion for Latin Americans with intellectual disabilities, Salud pública Méx, vol.50, suppl.2, Jan. 2008.

- In parts of Latin America, particularly in remote areas and among the uneducated, superstitions and false beliefs regarding disability exist. While families usually accept responsibility for the individual with a disability, a traditional belief is that the condition is God's judgment or punishment on the family, although this cannot be over-generalized because there are few fixed patterns of beliefs and perceptions toward disability vary within cultures.

Mexico

The Mixtec, Zapotec, and Triqui Indigenous Peoples of Mexico, Office of Head Start National Center on Cultural and Linguistic Responsiveness, Department of Health and Human Services, (last visited Nov. 3, 2017) https://eclkc.ohs.acf.hhs.gov/sites/default/files/pdf/ind-culture-background-eng.pdf.

- As is true for many people, in addition to using Western medicine when they have access to it, indigenous people have their own values, beliefs and behaviors regarding illness and healing. They may not have the same unquestioning faith in Western medicine as U.S. health practitioners and will turn to their own health practitioners for health issues.

For example, for the Mixtec, yingua (evil wind) is not only a physical reality but also has a spiritual essence and can cause illness. In many parts of Mexico and Latin America, traditional health beliefs include brujeria (witchcraft).

Many believe that witches can magically insert objects in a victim's body and this kind of illness can only be treated by a religious practitioner who specializes in magically removing those objects from the body. A traditional healer may also be used to reunite people with their guardian spirit.

Many people believe in mal de ojo (evil eye), which can intentionally or inadvertently cause illness. A common example is that when small children fall ill, it may be attributed to evil eye, either from someone paying too much attention to or being too complimentary toward the child. A person with evil intentions can also cause illness through evil eye. Individuals may also be sickened through susto (a strong fright) or may suffer from tiricia (sadness of the soul), among other illnesses. A practicante or curandero (healer) may be used to cure such illnesses. Such local healers undergo long periods of intensive training by a mentor. Treatment of an illness depends on its perceived cause and may include such practices as the use of herbs and medicines, rubbing an egg over the body to cleanse it of the illness, or sacrificing animals, such as a black chicken, to cure it.

Disabilities in children may be attributed to witchcraft or simply accepted as the will of God. Children with disabilities are cared for at home and typically do not have the same opportunities outside the home as other children. (p.5)

Skivington, Michael, Disability and Adulthood in Mexico: An Ethnographic Case Study, International Journal of Special Education, Vol. 26, No: 3, 2011.

- Beginning with their families, youth and adults with disabilities are framed within the context of myth and fear. Participants indicated that families often believe in folklore or old wives tales about people with disabilities. Reactions include denial of having a child with a disability carrying through to the belief that adults with disabilities cannot work or function without supervision. These beliefs pose limits to the possibility that the child with a disability will have the opportunities needed to reach his/her potential. In Cuernavaca, families with adolescents with disabilities have no expectations for employment, moving out, increased independence, or even finishing formal schooling. Thus, parental concern about independence relates more to whether or not a child with a disability will ever reach the level of personal independence that will make their care less onerous. (p.52)

- Societal rejection was real and obvious. It took many forms and included social rejection on public busses or not being allowed to stay in a movie until its conclusion. Ana described riding the bus (la ruta) with her child with a disability. She reported that she and her child were first given strange looks by the other passengers. Then, they would not move over to allow her to sit down even though there was plenty of room. She went on to say:

  Then I would just take him to the other side (of the bus) to avoid having to argue with people. Sometimes, kids (on the bus) attack him with their words or hit him.

José, a professional in the field of disabilities in Cuernavaca, described similar incidents. The first was when José took a student to the grocery store. At the store they encountered a woman who was so afraid of the child with disability that said she thought something might happen to her. He went on to report:

> We took him (the child with a disability) to the supermarket and a woman was there and she was upset and I had to say to the lady what was happening and that he was a special child and need more time and space to attend to him. The woman got very mad.

Rejection is based, in part, on the fact that adults with disabilities are seen as a burden to society. According to informants, in Cuernavaca (and quite probably in Mexico in general), if a person isn't viewed as contributing to society, he or she is viewed as subtracting from the society. Adults with disabilities are seen as taking the most away from society because of the perception that they can never be contributing members of the society. (p.52)

- Early in the twenty-first century Cuernavaca, Morelos is a society that is still trying to find a place for their adult citizens with disabilities. Many Cuernavacans hold stereotypical beliefs about people with disabilities grounded in superstition and ignorance. They believe that they are sick or crazy and might be contagious. The problems that arise from these erroneous beliefs are compounded by affects of corruption within the Mexican government. With blatant stealing of funds from schools to the buying and selling of teacher contracts, schools for students with disabilities struggle to keep their heads above water. High levels of unemployment may also contribute to the lack of or willingness to understand people with disabilities. With average adults in Cuernavaca working multiple jobs trying to meet the basic needs of their families, there appears to be little room for employment of people with disabilities. (p.56)

Bauman, Dona C., Hear Our Voice: Parents of Children with Disabilities from Mexico, Presented at the International Association of Special Education, June 12, 2007.

- The focus of this paper is our work with middle class families of children with disabilities. Zuniga (2004) describes the important characteristics that professionals working with Hispanic immigrant families who have children with disabilities should understand. Zuniga states that the beliefs professionals hold about Hispanic families may be stereotypical and so it is important that professionals view their beliefs with some skepticism until they know the family individually. Many of the cultural beliefs about disability do not apply to the growing middle class in Mexico. The middle-class believes less in the folk remedies and reasons for disability's occurrence as the middle class has acquired more education and sophistication. (p.3)

- Why do you think your child was born with a disability? This question was specifically asked because some of the literature reports that Mexican families are fatalistic and superstitious about the reason a child is born with a disability. Zuniga reports that many Mexican-heritage people believe that the evil eye caused the disability or someone puts a hex on the child out of jealousy and that caused the disability. None of the six families we interviewed ascribed to

this belief. They reported that there was birth trauma, birth defects or that the cause was not known. However, the mother of a child with autism reported that her child's doctor blamed her for her child's disability. (p.4)

Guatemala

Concluding observations on the initial report of Guatemala, United Nations Committee on the Rights of Persons with Disabilities, Sep. 30, 2016.

- The Committee is deeply concerned by the fact that persons with disabilities, especially women, children and indigenous peoples, are victims of customs, superstitions and practices that seriously violate their dignity, safety and other fundamental rights. It also notes that the State party's efforts to combat biased views and negative stereotypes of persons with disabilities are insufficient and that campaigns such as the Telethon, which is a recipient of public funding, reinforce a charity-based approach that runs counter to the Convention. (p.4)

Grech, Shaun, Disability and Poverty in Rural Guatemala: Conceptual, Cultural and Social Intersections, London School of Hygiene and Tropical Medicine, 2016.

- While efforts were expounded in the study at exploring in depth cultural and ideological beliefs about disability, evidence suggests not only that these are too heterogeneous and complex to be captured in such a small study. Importantly, they appear to be sparse, erratic and too incomplete to generalise that there are specific or well-defined beliefs about disability that are localised and/or that these are systematic and diffuse enough to state that there is a pattern. What emerges clearly is that there seems to be a sharp distinction with discourse propagated by organisations and lobbyists, especially those in Guatemala city. Over the course of the years, as well as in this study I have met many organisations who will easily state that in indigenous areas, disabled people are worse off, often subject to stigma, oppression and even persecution on account of strange traditional beliefs. Yet, when asked if they had personal knowledge of these or knew if they were factual, they stated that they didn't know. During the course of this study, I had informal conversations also with rural DPOs, who did mention the existence of certain beliefs, and who claimed to have heard them, in particular the notion of disability as a result of sin. Yet, when asked to explain further, many claimed that they had only heard about these from secondary sources and did not know enough…

  To be clear, findings do not suggest that beliefs around disability, in particular its perceived provenance do not exist or do not impact the perception and treatment of disabled people. They do in some instances, but these do not appear to be diffused or systematic enough. Instead, they seem to be intermittent hearsays as opposed to concrete beliefs; seem to have been more dominant in the past; and overall are not always taken too seriously by disabled people, contested by medical and also religious interpretations….

  Indigenous participants spoke in-depth about disability and how it was framed within their specific ideological and cultural settings. While it was clear that Catholic and Evangelical

Christian narratives often overshadow local and community beliefs (see below), a number of participants mentioned instances where they had heard about certain beliefs expressed about their disability, in particular the cause. Most admitted that they had heard these accounts second hand from their parents who had been told something in the past by some or other community member. These beliefs also appeared to surround predominantly those with congenital impairments. As they recounted what they had heard, some half smiled, shrugging away such discourse in a context where people 'believe many things', while others reflected concern that even if these beliefs were fewer and fewer, they were still a worrying reflection of the isolated context they lived in. (p.15-16)

- Overall, within such oral contexts, it is not difficult to see why traditional beliefs may contribute to framing disability. Asked whether they had heard any particular beliefs about them and their disability, indigenous participants did not often state clearly whether they did or not. Yet, a number mentioned two sets of beliefs: a. disability a result of sin or wrongdoing by their parents- punishment by God; b. disability resulting from the evil eye or a curse induced by someone else. (p.17)

Divine Punishment

- Divine punishment is well documented in colonial Guatemala for acts such as adultery or crimes of passion among others, with illness and disease frequent punishments displaying the wrath of God (see Few, 2002; Matthew, 2012). What is evident in these documentations is how diffuse and how seriously these were taken in a climate of profound spiritual and religious doom. These beliefs were supported and perpetuated by European perspectives on sickness propagated through the Catholic church acting as vehicle and ideological/spiritual motive for the colonising/'civilising' mission. The power of these beliefs were sustained by the church, because with divine punishment came also the power of healing, turning people towards fate and prayer in the hope for a miraculous cure. What colonial powers got in turn was submission and (self)control. To be clear, this did not mean no resistance by the Maya, and the continued practice of Maya religions in secret is a clear testimony of this (see Martínez Peláez, 2009).

Elements of these centuries-old beliefs continue to exist in present times. The notion of disability as a result of wrongdoing was documented by some of the participants, and this involved a supposedly sinful act committed by their parents, now being paid by the offspring. Two participants explained how community members tried to frame their disability within a broader narrative of judgement and blame….

On one occasion, a disabled participant for example stated how his parents were told that their son (the disabled person in question) was born disabled because the mother had been 'a bad person' 'una persona mala' in a previous or present life and that this was her curse. Asked what 'bad person' meant in this case, did not elicit a response. Another participant told how her father was rather distressed when he had heard that his only son had been born disabled as a punishment for his ill-treatment of someone else in the community. He went on to seek help from a spiritual guide…

When probed, participants were clear in stating that they did not take these beliefs too seriously, and how these were overshadowed and even discredited by a more 'tangible' religious narrative- the will of God. (p.17-18)

The evil eye

- The second notion, that of illness or disability as a result of the evil eye (mal de ojo) or a curse induced by someone else too has a long lineage and history among indigenous populations, dating back to the colonial period and before (see Few, 2002). Indeed, there is ample documentation, and anyone familiar with the Guatemalan terrain in rural communities will have heard much about the curse (maldición) and the evil eye. The consequences of the evil eye include illness and injury or a set of misfortunes.

  Beliefs in the evil eye are diffuse including in non-indigenous areas, and conversations with people will highlight an interesting dynamic, where even among those who reserve quite some suspicion or follow Catholic or Evangelical teachings, there is rarely an absolute denial of the existence of it. The evil eye among indigenous populations takes on very complex dimensions and manifestations in the Maya cosmovision. These include loss of the soul (pérdida de alma) where it is believed that the soul can detach itself from the body for example because of a traumatic incident. This is why there is so much attention devoted to susto (sudden fright) to refer to any incident or bodily sensation that alters the emotional state, the result of which may be a condition that weakens the body. These culture-bound interpretations mean that a range of conditions are framed as 'mal de ojo'. For example it is believed in some areas that a child may fall ill because the mother is malnourished and is not able to breast feed the baby. In turn the child who is born 'weak', is impacted by contact with some person with a powerful gaze (vista fuerte) or with very strong emotions, for example of envy and/or who touches the child. The child has weak blood and the contact produces disequilibrium in the body temperature, and which then results in fever, vomiting, restlessness and relentless crying. The belief is that mal de ojo cannot be treated by Western medicine. While this may alleviate the symptoms, it will not cure, and hence the person in question requires spiritual healing (see Randolph Adams and Hawkins, 2007). These beliefs and practices remain so diffuse and strong that in August 2016, the incoming Health Minister Lucrecia Hernández announced a new initiative where health centres will start attending to a number of these ancestral illnesses.

  Participants and their families had substantial (and understandably so) reservations about speaking about these ancestral beliefs to a foreign outsider on short fieldwork. There was also reasonable suspicion around the motives for asking these questions, so conversations were focused on disability and through which I tried to explore with them these beliefs, if and whenever they emerged with discrete probing. Nevertheless, they spoke about the worries of their parents about the possibilities that something may have happened during pregnancy and that this may have caused their disability. Participants explained how their parents sought to find a reason for the birth of their disabled child, and ancestral and cultural beliefs were an immediate and cost-effective option. The most frequently articulated one was

that disability could have resulted from sudden fright (susto) experienced by the mother during pregnancy. In some areas, this is considered an illness and requires treatment. Speaking to parents and children, it was clear that beliefs around the effects of sudden fright on the birth and development of the child do persist in communities. These include sudden fright from seeing a feared animal (e.g. a poisonous snake), witnessing a violent incident, or experiencing sudden strong emotions. Asked what the effects of this fright are, they suggested that it creates anxiety in the mother, tilting the equilibrium of the body including its temperature. One mother explained how this affects the baby in the womb, and post-birth the baby may cry a lot and be very restless. She explained how during pregnancy she was startled by a falling branch, after which she fell to the ground and ran and then felt her heart racing, and which she thought at the time could have contributed to the disability of her child…

The mother of another participant said that while she had her reservations as to the extent to which fright could have been directly responsible for the disability of her son, she nevertheless said that she did anything possible to have a calm pregnancy and not be subject to any sudden frights, including not walking on her own in the mountain for fear of seeing a snake. Having said that, she still mentioned the possibility of some 'mal de ojo' she may not have known about.

Exploring in depth these issues, a curse induced by someone else emerged sporadically. Once again the data is inconclusive, but a small number of participants did mention the curse as another belief in what seemed to fall under the broader bracket of 'mal de ojo'. They explained how in certain communities it is believed that someone can cast the evil eye through feelings of jealousy, envy and anger and wanting revenge…

The curse, though, is not one exclusive to indigenous areas. On one occasion during my fieldwork in a non-indigenous area, a young adult had collapsed and then started having uncontrollable seizures after which he was hospitalised. The community said his condition was deteriorating, and the reason, his family and some community members believed, was that someone had cast a spell (una maldicion) on him. I also had conversations with a number of people who said he was possessed by the devil. Doubt and speculation persisted over days, and the interpretations took twists and turns the more the story was recounted. Either way, the family were distraught and the hearsays that their son could have been possessed were met by anger and hurt. Speaking to the parents, they mentioned envy (invidia) a lot suggesting that in such a close knit setting, people often felt jealous or envious and wished harm upon others, but that this envy was also a cause for these rumours. They claimed they trusted the doctors' opinion more. (p.19-20)

- While the beliefs documented above were indeed present in certain indigenous areas (and most likely more intensely than evidenced here), the findings suggest that these are often confronted with, and even diffused by more hegemonic Christian beliefs and practices. What was interesting was that even participants who mentioned hearing these folk beliefs (e.g. that

disability is a result of sin) subscribed to another narrative diffuse in this study- that disability is the will of God…

God, as participants recounted is benevolent and has a plan, making their disability part of this plan as opposed to being a curse. While this did not necessarily alleviate the view of disability and its consequences as tragic, disability was framed as 'destiny' or something that was meant to happen because God wanted it. In turn, and despite the hardships, the only thing they could do was accept it and all that resulted from it, and seek recourse to God and prayer. (p.21)

- Evidence from this study, though, suggests that social responses just like disability are not homogeneous. They are also not necessarily negative or exclusionary. Instead, social and attitudinal responses seem to:
    - Operate along a spectrum, and can be both positive and negative
    - Not suggest systematic stigmatisation of disabled people
    - Be contingent on the type of impairment, personal and family circumstances
    - Be dynamic and indeed can change over space and time (p.23)

Replogle, Jill, Guatemala's disabled children face a lifetime of challenges, The Lancet, Volume 365, No. 9473, p.1757–1758, May 21, 2005

- ADISA, a small, privately-run rehabilitation and education centre in the town of Santiago Atitlán, near San Juan La Laguna, is lucky to have specialists visiting a few times a year to diagnose and refer children. Eduardo Moreno Barrera, a Guatemala City-based neurologist who volunteers at the clinic, says it's hard even for parents to get their children that far. Though the clinic is free, the cost and hassle of transportation and lost work time is a heavy burden for the mostly poor parents.

  Experts also say more efforts are needed to educate families and the population as a whole to eliminate discrimination and false ideas about disabled people. Argentina Figueroa de Sojuel, who founded ADISA along with her husband, says superstitions and false accusations about the causes of disabilities abound.

  "I know a case of a woman whose husband told her 'look, you shouldn't have breastfed the girl when she was little, that way she would have died. Now you must take care of her, it's not my fault that the girl was born that way'," recalls Figueroa de Sojuel.

Honduras

Schneider, Cornelia, Teachers' Perceptions of Disabilities on the Island of Roatán, Honduras, Disability, CBR & Inclusive Development, 28.2, 2017, p.5-22.

- Participants were asked about cultural belief systems related to disability. Often, the answer was connected to pregnancy and childbirth. Even though the island is home to six ethnic groups, there were no big differences in terms of cultural practices around childbirth. The Garífuna participant spoke about certain teas that one is supposed to drink when pregnant,

but which she personally refused to drink as she felt Western medicine recommendations for pregnant women were more trustworthy. Participants also reported that pregnant women were expected to be careful during a lunar eclipse. (p.13)

- One of the questions asked during the interviews was about the reasons for disabilities. While most of the participants seemed to side with a more medical perspective on the origins of impairment, hardly anyone voiced ideas connected with the lack of accessibility of the environment, or the incongruence between an individual's skills and what the environment has to offer in return. Much of the responsibility for a child's impairment or disability was attributed to the parents, and especially to the mother. The reasons given in the interviews ranged from neglect to drug abuse to incestuous behavior…

  Aside from the assumed parental misconduct during or before pregnancy, there were also teachers who were very clear that they did not consider the parents to be attentive enough or supportive of their child. In their perception, parents did not sufficiently support the work and actions undertaken by the teacher in the school. Pine's work (2008) about Honduran culture on the mainland shows beliefs about alcohol and drug abuse as a recurring problem of Honduran society, which also influences how Honduran people think about themselves ("bad people", "out of control", "lazy", "drinking too much", etc.). There is also a parallel with another study done in Cameroon, which indicated that a majority of participants believe that the causes of disability lie in alcoholism, medical problems and injuries (Opoku et al, 2015). The teachers' comments also reflect a moral-religious model of disability. This model intersected with the medical model of disability or impairment, which gives medical reasons for a person's impairment (foetal alcohol syndrome, incest). At the interviews, however, it seemed to be paired with a rather strong moral judgment of the parents, especially of the mothers, of children with disability. The teachers rarely mentioned genetic causes for disability, or the social or environmental circumstances that could create disability. The "fault" for disability was very clear and it usually involved inappropriate or abusive behaviour by the mother. In the conversations, the social model of disability was noticeably absent in the representations of the teachers (Oliver and Barnes, 1998; Bickenbach et al, 1999; Barnes and Mercer, 2010). (p.15-16)

- Teachers, in this case, seem to merely represent the general population's perspectives on people with disabilities, though they have more exposure as they encounter at least a small number of children with disabilities in their classrooms. The negative attitudes that emerged from the teachers' interviews reflect other cultures, as has been pointed out by Kabzems and Chimedza (2002) in the case of southern Africa. "Recent studies show that negative cultural attitudes persist not only in the community, but also among family members, fathers and paternal relatives in particular […] Disability continues to be associated with maternal wrongdoing, witchcraft, evil spirits, punishment or test by God" (Kabzems and Chimedza, 2002). Except for witchcraft and evil spirits, all the other elements were mentioned by the participants in the present study. (p.17)

Croyle, Christine, The Journey Toward Visibility: A Case Study of the Perceptions of Children with Disabilities in Honduras, Electronic Thesis or Dissertation, Ashland University, 2015.

- Focus groups with teachers and parents also revealed beliefs about religion and superstitions. Several parents reported that a parent receives a child with a disability from God as a punishment for a sin they have committed against God. One teacher from the focus group expressed her perception, "There are times when you don't want to address these issues, because some believe they are not natural and are possessed by evil." During the focus groups of both teachers and parents, a superstition was shared about individuals with cleft palate. One parent explained, "If a pregnant woman is not wearing red lace during a lunar eclipse, her child will be born with a cleft palate." This superstition was well known although many chuckled when they were sharing it. (p.66)

El Salvador

Human Rights of People with Disability in El Salvador, Japan International Cooperation Agency (JICA), Mar. 2006.

- To these indicators it can be added the cultural aspects that impact in the school drop out of People with Disabilities, mainly in the rural areas where the families continue believing in myths and prejudices on the disabilities topic. (p.64)

Giron Batres, Eileen, An Introduction to the Culture of El Salvador for Providers of Disability Services in the U.S., Center for International Rehabilitation Research Information and Exchange, 2001.

- The old concept of disability-as-a-disease is very prevalent throughout Salvadoran society. Among the general population, it is very common to hear that persons who are deaf are "ill" or such phrases as "the poor blind." (p.5)

This response was prepared after researching publicly accessible information currently available to the RAIO Research Unit within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Mexico: Forced Recruitment by Drug Cartels (Particularly Los Zetas)

March 12, 2018

To what extent do cartels in Mexico (particularly Los Zetas) harm those who refuse to join them when asked? To what extent do cartels in Mexico harm the family members of people who refuse to join them?

This query originated from the Arlington Asylum Office, RAIO, USCIS.

The following articles and select quotes discuss allegations of forced recruitment and the targeting of family members by Mexican drug cartels, particularly Los Zetas.

Forced Recruitment and Targeting of Family Members by Drug Cartels

Mexico drug cartels recruiting indigenous children to join them: UN, Agence-France Presse, Nov. 18, 2017.

- Mexican drug cartels are forcing indigenous children and teens to join their ranks, torturing or killing those who refuse, the United Nations warned Friday.

  The UN's special rapporteur on indigenous rights, Victoria Tauli-Corpuz, said she is "particularly worried" about violence against minors after speaking with indigenous communities around Mexico during a 10-day tour.

  "In areas affected by organized crime and the production and trafficking of drugs, the only choice left to young people is to join these groups or be tortured, disappeared or killed," she told a press conference at the end of her visit.

  "I have been presented with numerous cases of serious violations."

  She said "many" young indigenous people have disappeared, though she did not have a specific figure.

  Tauli-Corpuz, a Philippine national, visited the northern state of Chihuahua and the southern states of Guerrero and Chiapas, meeting with members of 23 ethnic groups from 18 different regions.

  Mexico's drug war has unleashed a wave of violence on the country, and powerful drug cartels are the de facto law of the land in the rural areas they control.

Mexico drug gangs target families, kids in breach of an unspoken code of honour, Agence-France Presse, Aug. 3, 2016.

- A series of murders targeting families, including children, has rocked Mexico in recent weeks, signaling [sic] that drug gangs are willing to break an unspoken code of honour within the criminal underworld.

  In total, 34 people have been killed, including several women and 10 children, since early July in three regions…

  The modus operandi indicates that all these killings were linked to turf wars between criminal organizations that are the remnants of cartels that have splintered, said Raul Benitez Manaut, a security expert at the National Autonomous University of Mexico (UNAM).

  Such gangs "no longer respect families, wives, and children," Benitez Manaut said.

  A police agent investigating the slaughters in Tamaulipas said there used to be "a code of honor in which family was untouchable" in the old days of large cartels led by veteran capo.

  "Now, in these modern times, this code is finished," said the agent, who spoke on condition of anonymity because he is not authorized to speak publicly….

  Killing a rival's son eliminates a potential competitor in the future, gets rid of witnesses and intimidates the enemy, he said.

  It also fuels fear among civilians and the authorities, discouraging people from reporting crimes, the expert said.

Nájar, Alberto, Masacrar familias enteras, la creciente práctica de terror de los narcos en México, BBC Mundo, Jul. 28, 2016.[1]

- Massacring entire families is a growing strategy of drug cartels in their fight to control trafficking zones.

  Experts believe that this is a tactic to intimidate rival groups, but also to control communities in territories where they operate.

  Terror as a strategy is useful, explains security analyst Alejandro Hope to BBC Mundo.

  "Acts of extreme brutality, including eliminating entire families, have a logic," he said. "They infuse terror in rivals, intimidate the civilian population, and generate panic in authorities."

[1] The following select quotes have been translated by the Research Unit from Spanish to English.

- Until a few decades ago a respected rule among drug traffickers was to not involve families in disputes with their rivals.

  But after ex-president Felipe Calderon started the war against the cartels in 2006, the situation changed.

Santamaría, Gema, Drugs, gangs and vigilantes: how to tackle the new breeds of Mexican armed violence, Norwegian Peacebuilding Resource Centre (NOREF), p.2, Dec. 2014.

- The security policies promoted by former president Felipe Calderón against DTOs further intensified levels of violence. Anchored in a three-pronged strategy – the use of militarised operations, the imprisonment and elimination of DTOs' main leaders or kingpins, and the seizure of drugs – Calderón's policies directly contributed to rising levels of violence both within and across these organisations…. Lastly, many DTOs started to promote the forced recruitment of members in order to make up for manpower losses. Mexican children and youth from marginalised areas, as well as Central American immigrants in transit to the U.S., have been particularly affected by this new development (Meyer, 2010)

Nájar, Alberto, ¿Por qué el narco recluta a miles de menores en México?, BBC Mundo, Dec. 17, 2013.[2]

- The war against drug trafficking that has been raging in Mexico for almost a decade has caused a serious problem, of which little is known about its magnitude: the forced or voluntary recruitment of thousands of adolescents and children to work for drug trafficking networks….

  According to the group Cauce Ciudadano, about 75,000 minors are currently members of organized crime groups and openly participate in their activities…

  The majority, about 24,000, were members of the Sinaloa Cartel, and followed by those who participate in the Zetas who total 17,000. Another 7,500 are in the ranks of La Familia Michoacana and the rest are distributed among other cartels, as documented by this organization.

  "There is an indiscriminate use of adolescents and youth, children of 13, 14 or 15 years old who work as lookouts, as assassins, in the packaging of drugs, kidnapping of people, or surveillance of safe houses," Carlos Cruz Santiago, director of Cauce Ciudadano, told BBC Mundo…

  The reasons why so many minors are found in organized crime are diverse, adds Cruz Santiago. Many were victims of mass kidnappings; in other cases their families received threats to force them to work for criminals, others joined because of fear or because it was their only employment alternative.

[2] The following select quotes have been translated by the Research Unit from Spanish to English.

There are also cases, at least, in which adolescents want to join the groups.

Cariboni, Diana, Mexico: Numbers Soar of Girls and Women Trafficked to the U.S., Inter Press Service, May 14, 2013.

- In today's Mexico, where organized crime is rampant and public security has been militarised, forced disappearances do not follow the pattern seen in past decades in this country and others in Latin America, marked by dictatorships, "dirty wars" against opponents and armed conflicts.

  These days "just about anyone" is vulnerable, López said. An unknown proportion of the victims fall prey to "illegal businesses that produce lucrative profits from an unpaid slave labor force," he said.

  This includes the forced recruitment of teenagers and young adults as hired killers, workers in the production of drugs or to serve other needs of the cartels, or for organ trafficking.

  "There have been confirmed reports of buses stopped by armed groups who take away all the young men," López said....

  The stories are horrifying: young men forced to fight each other to death, or to dismember a woman alive, as acts of initiation and hardening of recruits. Groups of men forced to undertake training that only the fittest survive. Women tricked, enslaved and forced into submission by threats against their children.

Tuckman, Jo, Mexico: Families of missing refuse to be silenced, The Guardian, Dec. 1, 2012.

- There is no reliable data on the number of people forcibly disappeared, but a document from the Mexican attorney general's office leaked to the Washington Post lists 25,000 adults and children who have gone missing since the start of the Calderon offensive…

  Jorge Verastegui found links to local police behind the abduction of his brother and nephew in Coahuila after a religious meeting in 2009. This brought "friendly advice" from officials to tone things down for his own safety, which he ignored.

  Verastegui pins his hopes on collective action. He admits the relatives' group he helped form, which has registered 258 forced disappearances since 2008, has not won significant improvements in investigations. But, he says, it has provided mutual support and chiselled away at the widely held assumption that those who go missing in drug war hotspots must have some link to organised crime.

  The dynamics of disappearances vary but Verastegui believes that in Coahuila they are associated with forced recruitment into the cartels, suggesting some of the missing could be

packing drugs in safe houses or working as hitmen. "No other explanation fits the fact that ransoms are not demanded in most cases," he says.

Martínez, Paris, Esclavos del Narco: Los niños del hampa, Animal Político (Mex.), Oct. 30, 2012.[3]

- Carlos Cruz was a gang member in his youth and today he is director of Cauce Ciudadano, a civil association dedicated to rescuing children and youth in environments of violence…

  Thus, he emphasizes, all the children recruited by organized crime are victims of exploitation, and since they have been recruited, through kidnapping, deception or coercion, "they do not have the possibility of refusing to do anything that is ordered of them."

  Carlos speaks fluently, but pauses reflexively to ask if those children can be considered slaves to the cartels: "Well, beyond the other semantic arguments around the definition of "slavery," I can say that they are adolescents and youth away from their family and community nuclei through the use of physical force or based on deception, with promises of leaving oppressive poverty, which is the only life they know; also there are young people who are paying with their work the debts contracted by their parents or other addicted relatives; young people whose obedience criminal groups obtain by means of threats not only against their lives, but also against those of their relatives."

- "The problem of forced recruitment and, in particular, of youth and minors by organized crime today begins to be clearly seen"—says researcher Alejandro Hope, specialist in insecurity and drug trafficking—"and it is likely there are many young people within criminal groups, even assassins, who want to leave, but cannot do it because the first thing these organizations do is gather information about the person and their family, against whom weighs a real threat against their life in case of desertion."

Pineda, Leticia, Mexican youths forced to work for drug gangs, Agence-France Presse (AFP), Jan. 31, 2012.

- Young Mexicans are being abducted from poor towns and villages and forced to work for drug gangs, rights groups say, alleging the authorities are failing to do anything to stem the problem.

  Stories of young people disappearing, as if swallowed up by the earth, are spreading in parts of Mexico gripped by drug violence which has left some 50,000 dead, according to media counts, in the past five years.

  Non-governmental groups in the northern states of Nuevo Leon, where Monterrey lies, as well as Coahuila and Michoacán, to the west, have documented more than 1,000 disappearances from 2007 to 2011.

[3] The following select quotes have been translated by the Research Unit from Spanish to English.

But they say they cannot prove that the youths were forced into working for organized crime groups which have rained terror on parts of Mexico as they battle for control of the lucrative multi-billion dollar drug business…

- Until recently, many believed the ruthless, powerful drug gangs were filling their ranks with volunteers, including ex-soldiers and ex-police, but witness accounts tell a different story.

  Youths are "massively being abducted," said Carlos Cruz, an ex-gang member who now heads Citizen Channel, an organization that has rescued almost 4,000 youths from drug gangs since 2003.

  Armed men enter marginalized areas and take up to 12-15 young men at a time, Cruz told AFP.

  "The majority of those we rescued were co-opted into the gangs because of extreme poverty or because they were taking drugs. But the percentage of those being co-opted has been growing" in past years, he said.

  Some were being taken to training camps operated by the Zetas in the northern state of Zacatecas and northwestern Sinaloa and Nayarit, he added.

  An Ecuadoran who was the only survivor of a massacre of 72 migrants on a ranch in northeastern Tamaulipas state in August 2010 said the migrants had been killed for refusing to go to work for the Zetas.

  Forced recruitment has also been reported in the eastern state of Veracruz, according to migrant activist and priest Alejandro Solalinde.

  A young Mexican in jail for involvement in the massacre of 27 farm workers in Guatemala last May said he had been abducted in Veracruz and forced to work for the Zetas, according to Solalinde.

  He said he had been told by the governor of Veracruz [sic] that it "is the principal state for the forced recruitment" of young people.

  Blanca Martinez, director of the Diocesan Center for Human Rights of Coahuila, said missing men in that state were aged an average 29 years old and included engineers, architects and construction workers.

  There were attempts to seek a ransom in only a handful of 228 cases documented between 2007 and 2011, she said, calling on officials to start investigating the apparent forced recruitment.

In western Michoacán, families of the missing meet up to exchange information in the state capital Morelia.

Many speak of threats from both criminals and the authorities.

Taylor, Jared, Investigators question rising numbers of drug smugglers claiming forced recruitment by Mexican cartels, The Monitor, (McAllen, TX), May 22, 2011.

- The case is the latest in a recent trend among drug smugglers caught in the Rio Grande Valley. They tell investigators they were forced into moving drug loads to avoid injury to themselves or their families.

  Federal investigators say many of the claims are alibis to garner sympathy and possibly a lighter penalty once their cases go to court.

  But those who track criminal activity in Mexico say the stories are part of a troubling trend that parallels recent discoveries of hundreds of slain migrants in Tamaulipas and other northern states. Mexican investigators have said Zeta assassins killed many of the migrants after they refused to join their ranks.

  "It's part of the norm where these guys are desperate to recover their attrition," said a spokesman for Grupo Savant, a Washington D.C.-based private security firm that operates throughout Mexico. "They're losing so many fighters that they don't have enough to continue the fight against the Gulf Cartel."

  Will Glaspy, who heads the DEA office in McAllen, said he doubts many smugglers' claims of cartel conscription. Waves of smugglers claiming extortion have emerged and subsided in the past.

  "The majority of them are stories that are being made up," he said. "They're doing it for some other means, but it's a trend right now that we are seeing."

  Drug trafficking organizations like the Zetas and Gulf Cartel, which move most of the narcotics through northeast Mexico into South Texas, also have targeted more affluent Mexicans with visas who are able to legally cross the border, said George W. Grayson, author of Mexico: Narco-Violence and a Failed State?. Recruiting Mexican nationals with immigration visas may draw less scrutiny from U.S. Customs and Border Protection officers at international ports of entry, he said.

O'Connor, Anne-Marie, and Booth, William, Mexican drug cartels targeting and killing children, The Washington Post, Apr. 9, 2011.

- In Mexico's brutal drug war, children are increasingly victims, innocents caught in the crossfire, shot dead alongside their parents — and intentionally targeted.

According to U.S. and Mexican experts, competing criminal groups appear to be killing children to terrorize the population or prove to rivals that their savagery is boundless, as they fight over local drug markets and billion-dollar trafficking routes to voracious consumers in the United States.

"It worries us very much, this growth in the attacks on little children. They use them as a vehicle to send a message," said Juan Martin Perez, director of the Child Rights Network in Mexico. "Decapitations and hanging bodies from bridges send a message. Killing children is an extension of this trend."….

- Recent, sensational killings of children — shot in a car seat, dumped in a field with a bullet in the head, killed as their grandmothers cradled them — have shocked Mexicans and shaken their faith that family is sacred, even to the criminal gangs.

  "Before, they went after their enemy. Now, they go after every member of the family, indiscriminately," said Martin Garcia Aviles, a federal congressman from the Party of the Democratic Revolution from the state of Michoacán…

- Historians of the Mexican drug trafficking culture say that until recently children were considered off-limits in the rough code honored by crime bosses, who once upon a time liked to portray themselves as Robin Hoods dealing dope to gringos and donating alms to the poor.

  "The rules no longer apply — rather, there are no rules," said Bruce Bagley, an expert in the drug trade at the University of Miami.

Mexico drug cartels go into the rehab business, Associated Press, Feb. 4, 2010.

- Mexico's powerful drug cartels have been operating drug rehabilitation clinics, turning some into bloody killing fields and forcing recovering addicts into their ranks of hit men and smugglers.

  At least two of the country's six major drug cartels have used treatment facilities to further their trade, top Mexican law enforcement officials told The Associated Press in exclusive interviews. One group even opened its own centers where they brainwashed addicts during rehabilitation, offering them an ultimatum once they kicked their habits: work for us or we'll kill you.

Forced Recruitment and Targeting of Family Members by Los Zetas

"Control...Over the Entire State of Coahuila": An analysis of testimonies in trials against Zeta members in San Antonio, Austin, and Del Rio, Texas, The Human Rights Clinic at the University of Texas School of Law, Nov. 2017.

- According to witnesses, this brutality was not unique to these massacres. The report documents a pattern of kidnappings, killings, torture and disappearance, targeting anyone whom the Zetas believed posed a threat to their illicit operations. In order to exercise control, Zetas also targeted innocent civilians who were completely unconnected to the cartel. Witnesses described the callous manner in which the Zetas stripped victims of their humanity, killed, and disposed of their bodies. The Zetas maintained a tight grip on Coahuila through violence and intimidation tactics such as death threats and through the forced recruitment of Coahuila residents, including the recruitment of minors. It is also clear from the testimonies that witnesses were being threatened even when members of the Zetas were already in custody in the United States. (p.3-4)

- The Zetas maintained control over the police, compelling their cooperation through force and intimidation. If a police officer refused to perform certain tasks, the Zetas would threaten him and his family's lives. (p.22).

- The testimonies indicate that there was no such thing as strict imprisonment. When Zeta members were sentenced to time in prison, they would have a private room, and would have access to drugs, alcohol, weapons, TVs, cellphones, refrigerators, and women. In 2012, there was an outbreak from the Piedras Negras prison (this is analyzed in a later section of this report). During this incident, the Zetas gathered about 130 people and transported them out of the prison to recruit them into the cartel—in some cases this recruitment was forced. (p.26)

- The following section is a compilation of human rights abuses gathered from the witness testimonies, including killings, kidnappings and disappearances, death threats, and forced recruitment. The Zeta cartel had many reasons for committing human rights abuses, but almost all these reasons sprung from their need to maintain control over their territory, the trafficking of various illegal goods, cartel members, and their network of workers.

  The Zetas would kill whomever they suspected of betrayal, or would kill if they received information of a possible double-crossing by a member or local resident. Many times, this information was incorrect. From the testimonies, it is difficult to understand the degree to which victims were linked to the cartel. However, witnesses often described how the Zetas killed completely innocent people who had no connection to the cartel or drug trafficking—especially in relation to the Allende and Piedras Negras Massacres. Furthermore, Zetas also killed state officials and law enforcement officials if they stood in the cartel's way. Overall, the testimonies suggest that if the Zetas thought that someone was negatively impacting them in some way, they would eliminate them and anyone who was connected to them—however tenuous that connection. (p.31)

- Additionally, the cartel ordered the killing of Alejandro Morales-Betancourt and his family as retaliation after he began cooperating with Mexican authorities. Aguilar was ordered to kill Morales-Betancourt's wife but did not end up following these orders. The family was then killed by another cartel member. (p.37)

- Another case of disappearance involved Martin Mondragon and his entire family, who were disappeared in Piedras Negras in 2010 for allegedly working with La Familia Michoacana, a rival cartel. Mondragon had worked as a drug trafficker since at least 2001 and he was also a close associate of Millan Vasquez. According to Mondragon's cousin, Efren Aguilar Diaz, Mondragon, his parents, and his wife were disappeared in 2010 and have not been heard of since. Mondragon's parents and wife were not involved in drug trafficking.

  Witnesses also testified to the 2010 disappearance of a drug trafficker that worked with the Zetas. His disappearance occurred after Millan Vasquez discovered that he was collaborating with the DEA. This man was summoned to speak to Millan Vasquez after a shipment of drugs was seized by U.S. authorities and was never heard from again. His wife was threatened after she began to look for him. According to her, an individual visited her at her home and told her not to look for her husband anymore, otherwise she and her entire family would also be disappeared. (p.39).

- In the trials there are testimonies indicating that the Zetas also kidnapped and disappeared hundreds of people without any information on the fate or whereabouts of those persons. The Zetas kidnapped cartel members and their family members if a shipment of drugs, firearms, or money was lost, stolen, or discovered by authorities. The members responsible—who often were completely innocent people—were considered to be indebted to the cartel. If the goods or money were not replaced quickly, the Zetas would kill them and disappear their bodies. (p.38)

- According to the testimonies, it was common practice for the Zetas to consistently threaten their own members, elected officials, the police, military, and civilians into submitting to their demands. Nearly every witness testified to receiving death threats at least once while working for the Zetas. The Zetas threatened to kill de Leon's family when they accused him of losing a load of marijuana. Costilla testified that the Zetas threatened to kill his entire family in Mexico, because the U.S. was negotiating a plea bargain with him (p.41).

- The Zetas threatened to kill Nayen's (the money launderer) family if he did not train horses for them. When Rodriguez, the drug trafficker, was arrested and detained to be extradited, Daniel Menera threatened to kill his family if he cooperated with U.S. authorities. (p.42).

- The Zetas frequently used many tactics to forcefully recruit new cartel members. These tactics included some of the abuses that have already been discussed in this report, such as death threats, kidnappings, and killings of family members. One example of forceful recruitment occurred when the Zetas took control over the Piedras Negras Prison…

> In addition to forcefully recruiting from prisons, the Zetas would frequently announce that they were taking over whichever city plazas they wanted and would force locals to work for them….
>
> The Zetas also forced people to work for them by blackmailing them for debt repayment…
>
> Several witnesses testified to the Zetas' practice of using minors in a number of different roles within the drug trafficking operations, such as drivers, mules, and scouts/ (p.43-44)

Nájar, Alberto, México: la historia secreta de cómo Los Zetas convirtieron a Coahuila en un infierno, BBC Mundo, Nov. 6, 2017.[4]

- Forced recruitment of teenagers to become hit men. Villages completely razed. Hundreds of people incinerated.

  This is way that, for at least six years, the Zetas drug cartel continued to control the lives of hundreds of thousands of people in Coahuila, in northwest Mexico.

  In three trials held in Texas courts, ex-members of the organization revealed details of massacres, bribes to police, mayors, and officials of two state governments…

  Between 2007 and 2013, there were atrocious murders in Coahuila. Hundreds of people were stripped of their property. An unknown number of teenagers were forced to become hit men and more than 1,600 people disappeared.

Zetas, Forced Criminal Activities along Mexico's Eastern Migration Routes and Central America,[5] The University of Texas – Rio Grande Valley, http://www.utrgv.edu/human-trafficking/blog/northern-mexico/zetas/index.htm (last visited Mar.7, 2018).

- The city of Nuevo Laredo is important because of its strategic location. It connects Mexican and American highways, enabling the transit of people and goods between the two countries. Despite Nuevo Laredo being controlled by the Zetas, migrants in Monterrey we interviewed deemed it to be safer for them than any other border city in Tamaulipas. In recent years, violence has been less conspicuous. Once one of the city's hallmarks, public displays of mutilated bodies and violent threats are no longer a regular occurrence in Nuevo Laredo. Nevertheless, local experts still report that convoys of Zetas vehicles and Zetas infiltration of unused buildings are still common in the city.

[4] The following select quotes have been translated by the Research Unit from Spanish to English.
[5] While this source is undated, a paper for the project "Trafficking in Persons Along Mexico's Eastern Migration Routes" was published on Mar. 8, 2017; this source reportedly reflects the findings of the research team who conducted the project and wrote the aforementioned paper. See Trafficking in Persons Along Mexico's Eastern Migration Routes, Woodrow Wilson International Center for Scholars, Mar. 8, 2017.

Recently, the Zetas have increased their interest on migrant smuggling as a revenue source. But their connection with smuggling is confined to charging migrant smugglers with safe passage fees. The Zetas control the Mexican side of the Rio Grande River, and they demand fees for every migrant crossing the border. Although official reports list drowning as the cause of death of people found dead in the river, experts and migrants assert that many of those bodies belong to migrants who were killed by the Zetas for not paying their fees. A local expert on migration described one migrant smuggling system put in place by the Zetas. The Zetas charge people, known as "panteras," with the responsibility of collecting fees from smugglers and then paying the cartel. Each "pantera" is in charge of a group of smugglers, known as "coyotes." The "coyotes" are the ones who get to move migrants across the border. They are usually young men and migrants themselves who were forced by the cartel to work as smugglers. In one of our interviews, we were told of an incident in which criminals invaded a local shelter and kidnapped two young migrants. Our source told us that the two men were suspected "coyotes" whose "pantera" did not pay the cartel on time. The whereabouts of the two men have since been unknown. Execution is the usual penalty for nonpayment.

As the Zetas have kept a mostly low-profile in the city and violence levels have decreased, local experts told us that they do not know if the cartel has been coercing migrants to join their ranks. However, they deem it possible that migrants may be working as lookouts or carrying out kidnappings and extortions for the Zetas. Circa 2010, the Zetas used to recruit migrants. In an interview with a shelter staff member, he told us that he and two colleagues were driving in Nuevo Laredo one time when they were ambushed by criminals. They were forced out of the vehicle and were brutally assaulted. The assault only ended when one of the victims identified one of his attackers as a migrant who stayed at the shelter a few months prior to the incident.

- In Coahuila, we visited the cities of Saltillo, Torreon, and Piedras Negras. Each of these cities is important for migrants for distinct reasons. Saltillo and Torreon are triage cities, where migrants choose whether to move east to Monterrey or to go north to Piedras Negras. Piedras Negras is important due to its location. It is the last Mexican city that migrants reach before crossing into the United States. Migrants in Coahuila are not yet safe from danger. The Zetas control most of Coahuila and human traffickers operate in the state, particularly Saltillo. We interviewed government officials and migration activists who told us that the Zetas are no longer publically committing violence as they used to in 2009 to 2012, but they are still present and operating in Coahuila.

  We were told that identifying human trafficking in Coahuila is difficult because potential victims are constantly moving to other states or out of the country. We were informed that there has not been any official report of human traffickers forcing migrants into sexual servitude in the state. Nevertheless, there seems to be evidence that criminals move human trafficking victims from the state to trafficking hotspots elsewhere. In our interviews, we were told that between 2010 and 2012, the peak years of the drug wars in Coahuila, cartels forced migrants to join their ranks. According to experts monitoring violence levels and

cartel activity in the state, there is currently no conflict in Coahuila propelling cartels to recruit migrants. When violence was at its highest in Coahuila, the Zetas kidnapped, extorted, and forced migrants to perform domestic, sexual, and criminal activities. According to local experts, currently the Zetas restrict their involvement with migrants to only kidnappings and extortion.

Martinez Aherns, Jan, Mexican drug gangs kidnapping bus passengers to turn them into hitmen, El País (Spain), Sep. 25, 2014.

- The most alarming aspect is not that it is happening in turbulent Tamaulipas, where the drug lords hold a sword over the military's head, or that they fleece passengers of every single thing they own. What's most frightening is the final goal: the forcible recruitment of people to grow the drug gangs' ranks. This chilling practice has extended across the state, which is on the border with Texas….

  The victims are usually illegal Central American immigrants who are trying to get to the United States. The Zetas (deserters from elite Mexican forces) and the once-almighty Gulf Cartel are the groups responsible. The organizations and their satellite groups are also fighting a ruthless territorial battle. In this war, the control of the highways – the main channel for drugs and immigrants – is of cardinal importance.

  Hundreds of hitmen patrol the roads. They move around comfortably in these parts, except for sporadic and violent skirmishes with security forces. Sometimes they dress like police officers and set up fake checkpoints. Sometimes they kidnap people by daylight, calmly, without fuss….

- Oddly, the police see this bloodcurdling recruitment method as a positive development, a sign of the cartels' waning power. "It shows that we are gaining ground," Montoya says. According to this line of thinking, the cartels – exhausted after years of combat with the army and weakened by their own internal wars – are now resorting to all kinds of tactics to replenish their ranks…

  Since 2011, when former President Felipe Calderón's war on organized crime reached its peak, the kidnapping and forced recruitment of bus passengers was thought to be a thing of the past.

  Officials have not revealed the number of abducted individuals in the last few weeks but sources close to the police say there were about 20. The captives were taken to training camps and later became hitmen or bodyguards. Few of those kidnapped refuse to comply. They know what the price would be. "It's a brutal world," Guerrero says. "There was a case in 2010 where they took the young people out, gave them bats so they could fight each other, and then chose the strongest ones."

The reappearance of this practice is closely linked to the deterioration of Tamaulipas – a state that is home to three percent of the Mexican population but where 30 percent of all the country's kidnappings takes place. Located on the border with Texas, Tamaulipas is a natural route for trade with the United States and thus one of the bloodiest battlefields in drug trafficking, especially between the Gulf Cartel and the Zetas. This all-out war has led to the total erosion of the region's legal authorities.

Los Zetas reclutan a migrantes vulnerables en Mexico, Agence France-Presse, Apr. 7, 2014.[6]

- According to Alejandro Solalinde, a well-known priest who defends the rights of migrants, Centeno was lucky because in various parts of the country the Zetas have conducted massive and forced recruitment among undocumented migrants.

  "Recruitment is obligatory. They enter it, or they kill them," bluntly states Solalinde, who directs another shelter in Oaxaca (south) and last year had to temporarily leave the country due to death threats.

  According to estimates of those responsible for the migrant shelters, the Zetas "keep 10%" of all of the undocumented migrants who travel clandestinely through Mexico on cargo trains to the border with the United States, added the cleric.

  Activists have reported forced recruitment, for example in Saltillo, Coahuila (north). "Right when they get off a bus they test them," forcing them to kill their own traveling companions. "Those that do it are those who go with them" and the others are murdered, says Solalinde…

  "Recruitment is becoming, let's say, another form of payment for these groups. You are recruited to the group or they kill you or a member of your family," said Nancy Perez, director of the organization Sin Fronteras.

Brutal cartel leader captured in Mexico, Associated Press, Jul. 17, 2013.

- For the group most terrorized by Trevino Morales, Central American migrants who were kidnapped, beaten and extorted by the tens of thousands, the arrest "will certainly be a relief," said the Rev. Alejandro Solalinde. The Roman Catholic priest runs a migrant shelter in the state of Oaxaca and has spent much of the last decade living under death threats from the Zetas.

  "This was a blow, but it's only skin deep," Solalinde said. "The Zetas operate in almost 20 states of Mexico. They have a lot of public servants on their payroll, a lot of police." Solalinde said that in southern Mexico, the Zetas have used their ties in Honduras and Guatemala, where they also ship cocaine and grow opium, to recruit street gang members to kidnap and kill Central American migrants in Mexico.

[6] The following select quotes have been translated by the Research Unit from Spanish to English.

The Zetas forcibly recruit some migrants, kill those who won't join and increasingly kidnap young girls, who are forced into prostitution at Zeta-run bars or are made to distribute Zeta drugs.

"We're talking about human trafficking, organ trafficking, kidnappings, forced recruitment, everything," Solalinde said.

MEXICO: Does U.S. deportation program put migrants in harm's way?, Los Angeles Times, Sep. 29, 2011.

- The Zetas cartel is said to control human and drug smuggling through much of northeastern Mexico, across from Texas, and is also known to commit atrocities against migrants making passage through the region. Zetas are believed to have massacred 72 mostly Central American migrants last year in a town in Tamaulipas state, in a case that drew international reproach.

  They're also suspected in the hijacking of low-cost buses that run through the area, which may be connected to the many mass graves that have turned up hundreds of bodies in Mexico's northern region, as The Times has reported. Cartels also practice forced recruitment of migrants, even slavery, Mexican authorities and immigrant advocates have said.

Gil Olmos, Jose, Los nuevos "esclavos" de los cárteles, Proceso, Jul. 25, 2011.[7]

- Alejandro Solalinde, who directs the Hermanos en el Camino shelter, located in Ixtepec, Oaxaca, warns that the Zetas often kidnap men and women and force them to work for them as lookouts. He assures that he has received testimonies from the kidnapped, according to which the assassins train them and turn them into their reserve army…

  The kidnapping of migrants by the Zetas started to be denounced two years ago. At first the assassins did not ask for a ransom from their relatives, rather they forced their victims to work for them.

  According to the testimonies gathered by Solalinde, after some time gone missing, some young people called their relatives to tell them not to say anything to the Army or the police nor to try to look for them; they told them that they were working for Los Zetas and that it was better to forget about them because they were never going to let them go.

  The migrants, insisted the interviewee, "are trapped. The assassins first train them and then put them to work in the territory that they control, or even outside the country."

  "They can't leave the area to which they are confined because they will kill them. We have had information that a pair of youth from Veracruz were forced to participate in a massacre

[7] The following select quotes have been translated by the Research Unit from Spanish to English.

in Guatemala. (The Zetas) took them there and forced them to kill people. Imagine what they will be doing in other parts of the country!...

After mentioning the entities in which this phenomenon occurs, he insists that Veracruz is the territory where forced recruitment is the highest. And he warns that now criminals are kidnapping adolescents from the towns and cities of Veracruz…

"For those who do not accept (working for criminal organizations) they kill them and disappear them; they are disposable, so they replace them with others. This is what happened with the migrants of San Fernando (Tamauilpas). Some survivors said that they had killed them (their peers) for refusing to work for them. They killed them and buried them in pits. Surely this is occurring in Veracruz, but also in Mexico State."

He notes that they have had information that in Mexican territory the Zetas also kidnap migrants to recruit them into their ranks. And, as they do with the youth of Veracruz, they take them to other areas like cannon fodder…

- The bishop of the diocese of Saltillo, Raúl Vera, has also denounced the forced recruitment of 12-year-old children in Coahuila by the Zetas "to train them and use them later as lookouts."

Stevenson, Mark, and Dininny, Shannon, US-bred criminal accused in Mexico mass murders, as US deports more ex-convicts over border, Canadian Press, May 7, 2011.

- In the first massacre in the area in August last year, 72 mainly Central American migrants were asked whether they wanted to work for the Zetas. When they refused, they were gunned down.

  In March, possibly also in an attempt at forced recruitment, the Zetas kidnapped passengers off passing buses, took them into the backwoods, killed them and buried them dozens at a time in mass pits, police said. No ransom demands were ever received.

  Tamaulipas official Canseco acknowledged that ``a very large number'' of the victims died of blows to the head with a heavy object, and that a sledgehammer was found at one of the sites. But he could not confirm whether they were forced to fight.

Los Zetas Employ Terror Tactics Near US Border, Homeland Security Today, Apr. 30, 2011.

- The first of these new graves of innocents was discovered in August near a ranch in San Fernando about 90 miles from the Mexican border with Texas. The bodies found in it were massacred migrants from Central and South America who'd been trying to reach the US-Mexico border. Tragically, they ran afoul of Los Zetas, the most brutal of Mexico's TCOs.

According to the lone survivor of the attack – a migrant from Ecuador – Los Zetas tried to force the migrants to either join them or pay a hefty ransom for their freedom. Those who refused were summarily executed and discarded in the mass grave. Investigation indicated that all of the migrants either bravely resisted the Los Zetas, or simply were foolhardy enough to say no…

- Narco-related criminal organizations in Mexico like Los Zetas traditionally have shied away from purposely targeting individuals who have nothing to do with the drug trade because it would have simply been bad for business and attracted unnecessary and unwanted attention from authorities.

  But as Los Zetas in recent years have ruthlessly worked to establish themselves as major narco-players, expanding their ranks in the process, authorities are scratching their heads over why the group has resorted to forced recruitment at gunpoint. Moreover, authorities are concerned about what this apparent trend may mean with regard to how the Mexican and US governments have traditionally viewed Mexico's narco-traffickers….

  Examples of forced recruitment around the world are plentiful. Los Zetas' imitation of this tried and true method of army building is just the latest manifestation.

Stevenson, Mark, Mexico police find 26 bodies in northern Mexico, Associated Press, Apr. 21, 2011.

- While Mexico's drug cartels have been known to kidnap migrants to demand ransom from their relatives, authorities believe the Zetas may have staged some kidnappings as part of forced-recruitment efforts.

Hernandez, Miguel Angel, Mexican troops kill 10 gunmen in Gulf coast state, Associated Press, Apr. 20, 2011.

- Also Tuesday, Mexico's Defense Department reported it had captured nine suspects in connection with the killings of at least 145 people whose bodies were found starting early this month in pits in the township of San Fernando, in the border state of Tamaulipas.

  The suspects were captured Monday in the Tamaulipas state capital, Ciudad Victoria. Three guns were seized during the arrests. They included alleged members of the Zetas cartel. Four of the suspects are women.

  The Zetas allegedly pulled passengers off buses in San Fernando in late March, possibly as part of a forced recruitment effort.

  The statement said the suspects confessed to participating in the kidnapping of bus passengers by the Zetas "so that a member of that organization could select people."

The statement did not specify what they were being selected for.

The killings occurred in the same township where authorities say the Zetas killed 72 Central American migrants in August. Those migrants were allegedly killed after refusing to work for the Zetas.

Castillo, E. Eduardo, 2 cars explode in Mexico where 72 bodies found, Associated Press, Aug. 27, 2010.

- President Felipe Calderon, speaking during a forum on security, said Suarez, a Tamaulipas state prosecutor, was involved in the initial investigation into the massacre, which authorities have blamed on the Zetas drug gang. The federal attorney general's office has since taken the lead in the case…

  Just north of Ciudad Victoria, heavily guarded investigators working at a private funeral home in San Fernando identified 31 of the 72 massacred migrants, whose bodies were discovered on a ranch Tuesday, bound, blindfolded and slumped against a wall.

  Those identified included 14 Hondurans, 12 Salvadorans, four Guatemalans and one Brazilian, according to the state attorney general's office.

  The government's chief security spokesman said the migrants were apparently slain because they refused to help the gang smuggle drugs.

  "The information we have at this moment is that it was an attempt at forced recruitment," Alejandro Poire told W radio. "It wasn't a kidnapping with the intent to get money, but the intention was to hold these people, force them to participate in organized crime _ with the terrible outcome that we know."

Forced Recruitment and Targeting of Family Members by Other Cartels (CJNG, Guerreros Unidos, Gulf Cartel)

Dittmar, Victoria, Is Mexico's CJNG Following in the Footsteps of the Zetas?, InSight Crime, Feb. 19, 2018.

- As the Zetas expanded and diversified, the group began to recruit members from local gangs and delegate new criminal activities to lower-level members. This ended up being counterproductive and causing divisions within the group, which led to its weakening…

  Unlike the Zetas, the CJNG expansion strategy has not been based on forced recruitment, but rather on alliances with local actors and weakened cartels in advantageous territories like Baja California and Michoacán. Part of the CJNG's operations now depend on these new groups, which already know the terrain but are not necessarily part of the cartel.

Gallegos, Zorayda, Mexico's Jalisco drug cartel uses Facebook to recruit new hitmen, El País (Spain), Aug. 3, 2017.

- Authorities in the central Mexican state of Jalisco say that the Jalisco Nueva Generación (CJNG) drug cartel has been posting fake jobs on Facebook and then forcing recruits to take part in gang training camps against their will.

  The cartel – Mexico's most powerful – allegedly placed false advertisements for positions including bodyguards, security guards, pollsters and even local police officers on the social media platform. Once people were recruited, they were taken to the town of Tala, about an hour from the state capital Guadalajara, where they were given weapons and self-defense training….

  This is not the first time that the CJNG, headed by Nemesio Oseguera Cervantes, has resorted to unusual recruiting methods. In March 2016, authorities said the cartel had set up a "ghost" business named Segmex to entrap people. The group distributed fliers advertising security jobs in the districts of Tlaquepaque and Puerto Vallarta and then forced possible recruits to attend training at a country estate.

Gulf Cartel, Forced Criminal Activities along Mexico's Eastern Migration Routes and Central America,[8] The University of Texas – Rio Grande Valley, http://www.utrgv.edu/human-trafficking/blog/northern-mexico/gulfcartel/index.htm (last visited Mar.7, 2018).

- In recent years, transnational criminal organizations have fought over cities in the northern state of Tamaulipas. The Gulf Cartel currently controls the border cities of Matamoros and Reynosa. Both cities have suffered high levels of violence since the Mexican government launched an offensive to capture Gulf Cartel leaders in these cities. One of the consequences of the government's operations was that the cartel broke into smaller factions, each contending for vacant leadership positions. One of the sources of revenue for the Gulf Cartel is migrant smuggling. In both cities, occurrences of human trafficking for compelled criminal activities have been reported. Unofficial sources indicate that forced recruitment of migrants and locals is widespread….

- Matamoros is a hotspot for human trafficking in the form of forced labor for criminal activities. The Gulf Cartel coerces migrants to commit crimes on its behalf, including drug trafficking and assassinations. While they wait for their smugglers to transport them across the border, migrants become extremely vulnerable to criminals in Matamoros and Reynosa.

  Migrants following the eastern migration route arrive to Matamoros from either Veracruz or Saltillo. According to a migrant we interviewed in Saltillo, organized criminal groups have

[8] While this source is undated, a paper for the project "Trafficking in Persons Along Mexico's Eastern Migration Routes" was published on Mar. 8, 2017; this source reportedly reflects the findings of the research team who conducted the project and wrote the aforementioned paper. See Trafficking in Persons Along Mexico's Eastern Migration Routes, Woodrow Wilson International Center for Scholars, Mar. 8, 2017.

kidnapped migrants travelling by bus from Saltillo and forced them to join their ranks. According to him, these migrants are kidnapped and held captive once they reach the city of Matamoros. Organized crime members also move some migrants further south in the state to San Fernando or Ciudad Victoria. It is believed that the Gulf Cartel controls the recruitment of migrants in Matamoros.

Gulf Cartel members target migrants in different parts of the city. Locals we interviewed pointed at the bus station and the migrant shelter as places where criminals recurrently recruit migrants. Local experts are concerned with the wellbeing of migrants. They mentioned multiple occasions when cartel members kidnapped migrants from the shelter. Criminals wait for migrants at the bus station and demand them to provide a passcode in order to be allowed in the city. Nevertheless, even migrants who know the passcode are often forced to pay the criminals for the right to be in Matamoros. Local experts told us that kidnappings for ransom are a common occurrence in Matamoros.

Although forced recruitment is allegedly occurring in Matamoros, some experts informed us that it is difficult to discern between those who are forced to join and those who join voluntarily. One of the crimes that cartels force migrants to perform is drug smuggling. Some of the migrants we interviewed in Matamoros told us that cartel members forced them to carry backpacks with drugs into the United States. Experts also noted that criminals use migrants as lookouts, drivers, and even assassins. Local experts and human rights activists told us that while migrant women are often raped or sexually assaulted, they are not aware of cartels systematically kidnapping women for sexual servitude.

- In Reynosa, organized crime is closely linked with human trafficking. Experts told us that migrants in Reynosa were unmolested while they waited to cross into the United States with the assistance of migrant smugglers. Nowadays, however, organized crime in Reynosa kidnaps, extorts, and force migrants to commit crimes. Extortion, ransom payment, and compelled labor for criminal activities usually take place in cartel's safe houses. Migration experts and advocates reported that TCOs [transnational criminal organizations] have now complete control over the illegal migration moving north.

  Reynosa is a primary crossing point for migrants heading to the United States. This city's support infrastructure for deported migrants is not as efficient as the one in Matamoros. Migrant rights advocates in Reynosa told us that they are concerned with the welfare of migrants arriving in the city. Migrants in Reynosa are extremely vulnerable. Local migration analysts told us that organized crime in the city is connected to sexual exploitation, labor exploitation, and forced prostitution. Organized crime members have used kidnappings, extortion, and human trafficking to force migrants to join their ranks.

  A migrant we interviewed told us that organized crime members forced him to smuggle a group of migrants into the United States. He told us he had to swim across the Rio Grande pulling on a rope tied to a raft carrying a group of people. When we asked him if he

considered running away from his captors, he replied that the criminals threatened to kill the people on the raft if he tried to escape.

Local activists reported that migrant women are often victims of sexual servitude in activities including pornography and prostitution in Reynosa's red light district known as "Boys' Town." The cartel also uses migrant women as forced domestic servants in their safe houses. Children and unaccompanied minors are particularly vulnerable, as well as the LGBT community, for human trafficking.

Hernandez, Daniel, Townspeople Were Forced to Help Cartel on Night of Attacks on Mexican Students, Report Says, Vice News, Dec. 16, 2014.

- At least 25 residents of Chilacachapa, including the chief local inspector Jesus Valle Rosas, were carried off by the Guerreros Unidos, against their will, *El Universal* said, in a practice of forced cartel recruitment that is considered common in the rugged southern Mexican state of Guerrero.

This response was prepared after researching publicly accessible information currently available to the RAIO Research Unit within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. The response only addresses the specific questions presented to the RAIO Research Unit in the associated query. If you are seeking additional information about non-state criminal actors and their activities, you may also want to consult the resources in the "Areas of Operation/Influence/Presence of Organized Crime & Drug Trafficking Organizations" section of the Mexico country page regarding the areas of operation of certain organizations. For additional information, on related topics, please visit the RAIO Research Unit ECN page and, if you are not able to find the information needed there, reach out to the RAIO Research Unit.

Mexico: Domestic and Sexual Violence and the Response of the Police, Including in Rural Areas

March 19, 2018

What information is available on domestic and sexual violence in Mexico and the response of the police, including in rural areas?

This query originated from the Los Angeles Asylum Office, RAIO, USCIS.

The following sources and select quotes discuss domestic and sexual violence in Mexico and/or the response of the police to domestic and sexual violence, including in rural areas.

Mexico: Domestic violence, including legislation; protection and support services offered to victims by the state and civil society, including Mexico City (2015-July 2017), Immigration and Refugee Board of Canada, Aug. 11, 2017.

- According to sources, violence against women in Mexico is a "pandemic" (Reuters 7 Mar. 2014; Medrano et al. 25 Feb. 2017, 1231). Sources indicate that most of this violence is generated at the hands of their partners (Medrano et al. 25 Feb. 2017, 1231; Bertelsmann Stiftung 2016, 23) or "male members of their family" (Bertelsmann Stiftung 2016, 23). Sources indicate that violence against women cuts across social, gender (Mexico Aug. 2016; El Universal 14 Feb. 2017) economic, cultural, and age lines (El Universal 14 Feb. 2017). Al Jazeera cites Zulema Carrio, the Director of the Women's Justice Centre (Centro de Justicia para las Mujeres, CJM) [1] in Guadalajara, as stating that "'[t]he causes of violence against women in Mexico include cultural attitudes and socially constructed gender roles ingrained in generation after generation'" (Al Jazeera 13 May 2015). According to the US branch of China Global Television Network (CGTN), a China-based news network (CGTN 16 Jan. 2017), "[s]pousal abuse has left millions of Mexican women single with children. Many move in with relatives to escape the aggression" (CGTN 20 Sept. 2015)….

- Al Jazeera cites Ana Güezmes, the Representative of UN Women in Mexico, as stating that 63 percent of women have suffered abuse by men (Al Jazeera 4 Jan. 2015)….

- Several sources indicate that in most cases, women in Mexico do not file a complaint when they experience domestic violence (Mexico 15 Nov. 2015; US 7 Apr. 2017, 21; Professor 30 June 2017). Sources explain that women fear reprisals from their partners if they file a complaint (Professor 30 June 2017; Al Jazeera 13 May 2015). They also fear re-victimization by state agencies that blame the victim for the violence they experience (Al Jazeera 13 May 2015; Lachenal and Toledo 23 Sept. 2016) or due to corruption within security forces (Al Jazeera 13 May 2015). According to the BBC, "[i]n a country where up to 99% of crimes go unsolved, many victims' families often do not go to authorities for help because they believe it will not change anything" (BBC 20 May 2016). According

to the Professor, there are victims of domestic violence who do not report cases because the procedure is "long and complex" and does not "guarantee justice" (Professor 30 June 2017).

According to Alianza por los Derechos de las Mujeres del Estado de México et al., cases of violence against women are not properly investigated, adjudicated or sanctioned (Alianza por los Derechos de las Mujeres del Estado de México et al. 29 Apr. 2015). Sources report that femicide [4] is committed with impunity (BBC 20 May 2016; TeleSur 25 July 2015).

Sources indicate that victims are socially stigmatized (Lachenal and Toledo 23 Sept. 2016; US 7 Apr. 2017, 21) and ostracized (US 7 Apr. 2017, 21). In correspondence with the Research Directorate, a professor at the Centre for Multidisciplinary Research at the UNAM who conducts research on gender issues and the empowerment of Mexican women stated that there are authorities who are not sensitive or gender-sensitive when women file a report on domestic violence (Professor 30 June 2017). According to a report on laws against domestic violence in Mexico by Cecile Lachenal, Cecilia Toledo and Tom Bakker, human rights and gender issues advocates and Fundar [5] researchers, "the lack of empathy from many public officers in state institutions generates another form of violence against women who seek protection services" (Lachenal et al. Apr. 2016, 26). Lachenal and Toledo further indicate in a policy brief that "institutions providing first and second level of attention, particularly the [Attention Centre for Domestic Violence (Centro de Atención a la Violencia Intrafamiliar, CAVI)] [6] and the [p]olice, do not perform their duties adequately, treating domestic violence as though this was the 'normal' state of affairs" (Lachenal and Toledo 23 Sept. 2016).

Mexico: Domestic Violence, Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), May 2017.

- In its March 2017 human rights report covering the year 2016, the USDOS notes that

> "[v]ictims of domestic violence in rural and indigenous communities often did not report abuses due to fear of spousal reprisal, stigma, and societal beliefs that abuse did not merit a complaint". (USDOS, 3 March 2017, section 6). (p.13)

- The USDOS human rights report covering the year 2016 provides the following information:

> "Human rights organizations asserted authorities at times did not take seriously reports of rape, and victims were socially stigmatized and ostracized. […] State and municipal laws addressing domestic violence largely failed to meet the required federal standards and often were unenforced, although states and municipalities, especially in the north, were beginning to prioritize training on domestic violence." (USDOS, 3 March 2017, section 6). (p.15)

- The Bertelsmann Stiftung mentions in its 2016 Mexico Country Report that there are "thousands of unresolved crimes of violence against women in many regions, especially, but not exclusively, in

Ciudad Juárez and the State of Mexico" (Bertelsmann Stiftung, 2016, p. 23). In its world report covering the year 2015, Freedom House notes that perpetrators of domestic violence "are rarely punished". The report continues to state:

> "Implementation of a 2007 law designed to protect women from such crimes remains halting, particularly at the state level, and impunity is the norm for the killers of hundreds of women each year. In July 2015, authorities in the State of Mexico issued a 'gender alert,' thereby triggering greater scrutiny and an influx of resources to combat an epidemic of violence against women; women's rights advocates expressed hope it would serve as a precedent for other similarly afflicted regions." (Freedom House, 27 January 2016). (p.16-17)

- Fundar, in a September 2016 brief based on its abovementioned June 2016 report, provides the following summary of the main findings of the case study carried out in a Mexico City shelter for victims of domestic violence:

> "In relation to the Mexican protection model for women who survived domestic violence, the literature and interviews revealed that the system does not always lead to greater protection and that this is largely due to institutional failures. The main objective of working with different levels of protection in the Mexican Law is to be able to detect domestic violence at an early stage. However, those institutions providing first and second level of attention, particularly the CAVI [Centro de Atención a la Violencia Intrafamiliar] and the Police, do not perform their duties adequately, treating domestic violence as though this was the 'normal' state of affairs.
>
> From the interviews, it became clear that none of the women who tried to access the protection services through the justice system (Police and CAVI) obtained any proper protection. Police and CAVI personnel sometimes reproduce social and gender stereotypes that translate into blaming women for the violence they suffer, they do not respecting survivors' decisions to report (or not to report) their aggressor, and they discourage them from receiving attention or going to a shelter. At the same time, public health institutions and their staff do not always detect and address cases of domestic violence – as the legal framework mandates – and can inflict institutional violence against victims. In not a single case in the shelter that we visited, had the violence experienced by the interviewed women been detected by the health sector.
>
> As stereotypes deeply embedded in society are currently reproduced by the institutions involved, this not only hinders women from breaking the cycle of violence, but also creates huge pressure on shelters, the third level of specialized services, where survivors of extreme violence end up. Furthermore, because of the lack of protection at health institutions and in the justice system, women who do end up seeking direct access to a

shelter were only able to do so because of an intervention by a relative, close friend or a good willing acquaintance. (p.17).

Driver, Alice, Journalistic Depictions of Violence Against Women in Mexico, Crime, Media, and Popular Culture, Mar. 2017.

- In the last 18 years, Paula Flores, the mother of María Sagrario, has continued to seek justice for her daughter and other young women who have gone missing. The day that Sagrario disappeared, authorities refused to listen to her mother or file a missing persons report, which is a problem that women have reported experiencing across the country. The police often respond to complaints of violence against women or the disappearance of women with sexist ideas, such as saying that the women probably ran off with boyfriends or were engaged in prostitution.

Women's Struggle for Safety and Justice: Violence in the family in Mexico, Amnesty International, Aug. 2008.

- However, despite changes and improvements in the law in Mexico, violence against women in the family is still considered by many to be a private issue for the family, not a human rights concern for which the state bears responsibility. This attitude appears to be shared by many officials working in the public security and justice sectors. As a result, state government officials continue to place the burden of responsibility for addressing this abuse on the family unit.39 (p.19)

- Members of municipal law enforcement police often attend incidents of domestic violence in response to emergency calls made by victims, relatives or neighbours. Amnesty International was informed that police response to such calls has improved, particularly in major urban areas where training on domestic violence has been most intensive. Nevertheless, as many of the cases included in this report indicate, there remains a tendency by police to consider such cases as private issues even when serious levels of violence have occurred which would in any other context be considered a criminal offence. Amnesty International found that some police are often still reluctant to take action against offenders and may only address the problem by taking the woman to a relative's house. In rural areas, there was also concern that police were sometimes on friendly terms with the offender and would therefore be less likely to take action.

  Police often argue that women do not want police action and that they lack powers to enter a home to arrest a man who is assaulting his wife. They fear that if they do, they may be subject to legal action by the perpetrator for violating Article 16 of the Mexican Constitution on the right to privacy in the home. In 2007 a National Supreme Court ruling gave greater powers to police to enter private homes when a crime is being committed.40

  When police detain someone committing an offence, they are legally bound to present the detainee "without delay" to the public prosecutor's office to be charged. However, this may result in several hours or more spent in local police holding cells. During this time, police may try to encourage a private solution to the problem. If the woman decides to press charges, the offender will be turned

over to the judicial police of the state public prosecutor's office to face a criminal complaint and potential custody. (p.19-20)

The Second Assault: Obstructing Access to Legal Abortion after Rape in Mexico, Human Rights Watch, Mar. 2006.

- But even the existing inadequate protections are not properly implemented. Police, public prosecutors, and health officials treat many rape victims dismissively and disrespectfully, regularly accusing girls and women of fabricating the rape. Specialized public prosecutor's offices on sexual violence, where they exist, are often in practice the only place to report sexual violence, further impeding access to justice for rape victims in more remote locations. Many victims of violence fear retribution from the perpetrator, especially if he is a family member. As a consequence, the vast majority of rape victims do not file a report at all. Generous estimates suggest 10 percent of rape victims file an official complaint. The real proportion is likely even less. (p.2)

- Moreover, even where the violence is physical and the signs of it are visible, women and girls say that public prosecutors and police often fail to investigate complaints of domestic violence. (p.14)

- In 2005, U.N. Special Rapporteur on Violence against Women Yakin Erturk, conducted a mission to Mexico and confirmed the prevalence of these problems. She added that police and prosecutors often are noticeably reluctant to receive and follow up on complaints related to violence against women. (p.20)

- Human Rights Watch found that specialized prosecutor agencies on sexual violence, where they exist, were inaccessible to many rape victims. Such agencies often were designated or seen as the only place to report sexual violence, thus further impeding justice for rape cases.

  Armando Villarreal, attorney general for Yucatán, told Human Rights Watch that the only place to report a sexual crime in Yucatán (a state the size of Switzerland) would be in the one specialized agency in that state in Mérida:

  > "There is no other place in the whole state where you can report a crime of this nature."72 The human rights ombudsperson in Yucatán, Sergio Salazar Vadillo, reflected on this lack of accessibility: More than 50 percent of [Yucatán's] population lives outside Mérida. … When a person goes to report a sexual crime in rural areas, they say: "Go to Mérida." … Already, it is difficult enough to get people to report [sexual violence] in the first place. And to get them to go to Mérida; forget about it!73 (p.24)

Other Sources which Discuss Domestic and/or Sexual Violence in Mexico

- Amnesty International Annual Report 2017/2018 – Mexico, Amnesty International, Feb. 2018.
- 2016 Country Reports on Human Rights Practices – Mexico, U.S. Department of State, Mar. 3, 2017.

- Making a noise about machismo in Mexico, BBC News, May 20, 2016.
- Violence against women 'pandemic' in Mexico, Reuters, Mar. 7, 2014.
- Mexico: Women who head their own households without male or family support; domestic violence in the Federal District and Guadalajara; whether women who leave abusive partners can obtain housing and temporary employment in the Federal District and Guadalajara; government support services available to female victims of domestic violence in these cities, Immigration and Refugee Board of Canada, Sep. 9, 2011.

This response was prepared after researching publicly accessible information currently available to the RAIO Research Unit within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Mexico: *Estás en tu casa* Plan

November 5, 2018

Do you have any official information on the Estás en tu casa plan—preferably from the Mexican immigration authorities—including who can qualify and how long the status is?

This query request originated from the Asylum Division, RAIO, USCIS.

The Government of Mexico provided details about the Estás en tu casa (Make Yourself at Home) plan in a Foreign Ministry/Interior Ministry joint press release published on October 26, 2018.

This response was prepared after researching publicly accessible information currently available to the RAIO Research Unit within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Mexico: Treatment of Central American Migrants

January 25, 2019

Do you have country of origin information about conditions for migrants from the northern triangle at the Mexico border with the United States?

This query originated from HQ Asylum, RAIO, USCIS.

The following sources and select quotes discuss the treatment of Central American migrants in Mexico. Select quotes were translated by the Research Unit.

What are the general conditions (employment, crime, health, etc.) for migrants and Mexican citizens on the Mexico side of the U.S.-Mexico border?

General

- Kate Morrissey, *Tijuana unprepared for crush of migrants awaiting US asylum decisions. Chicago Tribune*, Chicago Tribune, December 23, 2018.

  Marcelo Ebrard, Mexico's secretary of foreign relations, said in a statement Thursday that the decision had come from the U.S. but that Mexico was prepared to act "to protect the right of those who wish to begin and continue the process of applying for asylum in United States territory"…He outlined several high-level actions that Mexico would take, including allowing asylum seekers with court dates in the U.S. to enter and leave the country multiple times as well as authorizing them to work while they wait…Meanwhile, Tonatiuh Guillen, head of the National Institute of Migration in Mexico, said Mexican immigration officials have neither the capacity nor the jurisdiction to carry out the agreement. He said Mexico would have to change its laws to comply with such a policy.

- *Submission by the United Nations High Commissioner for Refugees For the Office of the High Commissioner for Human Rights' Compilation Report Universal Periodic Review: Mexico*, UN High Commissioner for Refugees (UNHCR), p. 5, July 2018.

  The 2011 Refugees, Complementary Protection and Political Asylum Act establishes that refugees should have all possible means to access the rights and guarantees established in the Mexican Constitution, including the right to work, housing, health, education, and other relevant economic, social and cultural rights. Nevertheless, asylum-seekers and refugees continue to face several obstacles in fully enjoying economic, social, and cultural rights due to obstacles in obtaining the Unique Population Code (CURP). The lack of knowledge of asylum-seekers and refugees' rights and related documentation by public service providers constitutes an additional barrier. In some instances, discriminatory patterns further complicate effective access to rights.

- Patrick McDonnell, *Mexico is unprepared for the deal it made with the U.S. on asylum seekers, immigration chief says*, Los Angeles Times, December 21, 2018.

Mexico's top immigration official has said the country is not prepared to handle fresh waves of migrants facing months and possibly years of delay before the resolution of asylum petitions filed in the United States. "We can't receive them," Tonatiuh Guillen, who heads Mexico's National Migration Institute, told reporters Thursday. "We don't have the capacity"…The asylum applicants will be free to remain in Mexico on humanitarian visas and will be eligible for work permits while their cases are pending in U.S. immigration courts, the Mexican Foreign Ministry said…The asylum seekers returned to Mexico would not be forced to remain in northern border cities such as Tijuana — which has been scrambling to provide housing, food, medical services and other aid for thousands of Central America migrants who have arrived in recent caravans with the hope of crossing into the United States. However, Mexican officials have not clarified whether those sent back to Mexico under the new U.S. policy would likewise be provided with shelter and other needs at government expense as they awaited the results of asylum claims…Shelters in Mexican border cities such as Tijuana, Ciudad Juarez and Matamoros are already mostly full, according to human rights advocates.

- Sarah Kinosian, *'The US can't dump people in Mexico': Trump asylum policy in doubt*, The Guardian, January 5, 2019.

  "Aside from this taking away people's right to apply for asylum, it would cause Mexico's northern border cities to nearly collapse," said Esmeralda Siu Márquez, the executive coordinator of Coalición Pro Defensa Del Migrante, a network of local migrant support organizations. "This would change Tijuana from being a transit point. Shelters, which are already at capacity, are temporary – we'd need housing, integration programs, school programs, etc. We don't have the budget"…Mexico's new president, Andrés Manuel López Obrador, cut the country's migration and refugee budget after he took office 1 December 2018, and has not indicated whether or not that would change in light of the new plan. His administration has also pledged visas and work in Mexico for Central American migrants…Meanwhile, human rights groups warn that Mexico, one of the most violent countries in the world, is not safe for asylum seeker. Last month two Honduran teenagers who had traveled with the caravan were murdered in Tijuana.

- Caitlin Dickerson, et .al, *Migrants at the Border: Here's Why There's No Clear End to Chaos*, The New York Times, November 26, 2018.

  The Mexican government has invited some caravan migrants to apply for asylum and has also promised them work visas. It even set up a job fair in Tijuana, which has a labor shortage. But it lacks the resources to fill all its promises. The Tijuana city government has asked the federal government and international organizations to come to its aid in caring for the migrants.

Employment

- *Situation Update: Response to Arrivals of Asylum-Seekers from the North of Central America to Mexico*, UNHCR, p. 4, November 22, 2018.

The COMAR Tijuana deployment operates in the context of the Job Fair organized by the National Employment Service. As of 19 November, state authorities are offering bus transport to the nearby Job Fair for those asylum-seekers and migrants housed at the Ciudad Deportiva B. The Job Fair will operate daily for one month and participating businesses will offer more than 20,000 vacancies. Employment requires having regularized one's presence in Mexico, either by registering with the Migration Institute (INM) or claiming asylum through COMAR, and both entities are present at the Job Fair location.

- Jason Marczak, *U.S. should welcome Mexico's bold new steps to help migrants and Central America*, USA Today, December 19, 2018.

  The Ministry of Labor is ramping up services to connect migrants with employers, providing transportation from shelters to a job fair, where migrants are also offered humanitarian visas. These visas are issued for one year with an option to renew, and function as a legal work permit. Already, more than 2,250 migrants in Tijuana alone have signed up for the job fair. Nearly 700 have already been issued their visas and accepted formal employment.

- *Tijuana job fair brings migrants, prospective employers together*, Mexico News Daily, November 21, 2018.

  The National Employment Service (SNE), working in conjunction with local companies, has set up a job fair near the Tijuana sports complex where thousands of Central American migrants, who began arriving in the city last week, are being temporarily housed…In addition to company representatives, who have set up stalls to interview migrants who are interested in the positions on offer, immigration authorities including the Mexican Refugee Commission are attending the fair to help migrants regularize their immigration status and ensure they can access social security benefits…Nayla Rangel, chief coordinator of the month-long fair, told the news agency AFP that "What they're seeking to do is give them a humanitarian visa so that while their immigration status [in the United States] is being determined they have a work permit."

- Mary Beth Sheridan, *While Washington focuses on the wall, Mexico fears its own border crisis*, The Washington Post, December 28, 2018.

  The federal government sponsored a six-week job fair in Tijuana starting last month and encouraged migrants from the caravan to attend. Nearly 4,000 job offers have been extended, said Patricia Campos, who works with the federal employment office — but as of Dec. 24, just 194 people had work. Many, she said, might still be doing the paperwork to get their visas.

Health

- Health Secretary, *They grant popular insurance to migrants*, Ministry of Health (Mexico), December 28, 2014.

In order to provide comprehensive care and health services to the migrant population that crosses the national territory to the United States, the National Commission for Social Protection in Health (CNPSS), by Gabriel O'Shea Cuevas, facilitates the undocumented its temporary incorporation into the Social Protection in Health System (SPSS).

- Hasan Dudar, *Poor health conditions of Central American migrants worry Mexican, UN health officials*, USA Today, November 29, 2018.

  More than 2,100 migrants camped in shelters along the U.S.-Mexico border have been diagnosed with respiratory infections, raising concerns among Mexican health authorities and international humanitarian organizations.

- René Leyva Flores, et al., *Access to health services for Central American migrants in transit through Mexico*, CANAMID Policy Brief Series, p. 9, October 2015.

  In Mexico, the right to health is recognized both by the Constitution and the General Health Law. In the case of foreigners, regardless of their immigration status, there are legal instruments that guarantee that they receive healthcare. In Article 8, the Migration Act states: Migrants, regardless of their immigration status, are entitled to receive any kind of urgent medical care that is necessary to preserve their life free of charge and without restriction. This law was restricted to emergency medical care and included nothing about the operational mechanisms to finance the expenses incurred by migrants using health services. However, in December 2014, the Mexican Government authorized the incorporation of irregular migrants to its Social Protection for Health System —known as Seguro Popular— for a period of up to 90 days: Migrants entering the country, specifically through the states of Campeche, Chiapas, Quintana Roo and Tabasco, do so irregularly, meaning that (…) they are not able to meet the requirements (documents) requested for joining the Seguro Popular (...). The migrants will receive the Bill of Rights and Responsibilities and Membership Policy, which specifies that they can access the health services they may require during their transit. Therefore, Seguro Popular, which is a financial instrument in terms of health, allows migrants access to a package of services that covers 266 actions of preventive and curative care. However, disparities amongst the processes that affiliate migrants with this health cover have been identified, or, in the worst cases, practices that do not recognize migrants as entitled to this service. In recent field visits to the states of Oaxaca, Chiapas, San Luis Potosi, Coahuila and Baja California, it has been documented that there are no established guidelines for such membership.

- Jason Marczak, U.S. should welcome Mexico's bold new steps to help migrants and Central America, USA Today, December 19, 2018.

  The Health Ministry is set to dispatch multiple mobile clinics to the shelters housing migrant families, the National Water Commission is installing a new water treatment plant nearby, and the navy has been deployed to coordinate food distribution. Alongside this immediate-term assistance, the government is implementing its medium-term plan: normalizing the migrants' status and placing them in formal jobs.

- *Submission by the United Nations High Commissioner for Refugees For the Office of the High Commissioner for Human Rights' Compilation Report Universal Periodic Review: Mexico*, UN High Commissioner for Refugees (UNHCR), p. 2, July 2018.

  UNHCR is pleased to note that Mexico has 76 Ambulatory Centres for the Prevention and Attention of AIDS and Sexually Transmitted Infections (CAPASITS, in Spanish) throughout all 32 states in the country – 15 of those along the migration route - which offer medical attention and psycho-social attention, as well as free antiretroviral treatment. Migrants, asylum-seekers, and refugees can receive medical treatment and HIV and ITS medication at CAPASITS at no cost and regardless of immigration status after persons have registered with the Seguro Popular.

Crime

- Situation of Impunity and Violence in Mexico's Northern Border Region, WOLA, p. 1, March 2017.

  Violence and crimes against migrants in Mexico's northern border states have long been documented to include cases of disappearances, kidnappings, rape, trafficking, extortion, executions, and sexual and labor exploitation by state and non-state actors. Please see pages 2-5 for region specific information.

- Stephanie Leutert, *Organized Crime and Central American Migration in Mexico*, LBJ School of Public Affairs, p. 19, 2018.

  The Mexican state of ***Tamaulipas*** along the border with south Texas has the highest incidence of crime against migrants. It is home to the Gulf Cartel and the remaining factions of the Zetas Cartel, who tax the illicit movement of goods across the U.S.-Mexico border and present the greatest kidnapping risk to migrants. These TCOs kidnap migrants and force their family members to pay a ransom for the individual's release. They may kidnap migrants opportunistically or kidnap those migrants who have not paid for their passage. Indeed, the failure of a smuggler to pay the proper fee for migrants to cross a TCO's territory may also lead to migrants being kidnapped. Although the scale—not frequency—of these kidnappings appears to have decreased, publicly known mass kidnappings are likely only a fraction of the total number.

- Stephanie Leutert, *The Impact of Securitization on Central American Migrants*, LBJ School of Public Affairs, p. 24, 28, 33-35, 2018.
  - Disappearances: While total federally reported disappearances (of Mexicans and foreigners) in Mexico peaked in 2014 with a total of 257 reported cases, state-level cases have continued to rise since 2015—increasing from 3,283 new cases in that year to 4,931 new cases in 2017. This overall trend does not appear to be correlated with disappearances of NTCA citizens, which had the highest number of disappearances in 2014…Municipalities in southern Chiapas, ***Baja California, and northern Sonora*** all appear to have higher instances of NTCA citizen disappearances in comparison to total disappearances. Other municipalities, such as Reynosa, ***Tamaulipas***, and Piedras Negras, ***Coahuila***, have similar rates of reported disappearances among both NTCA citizens and

Mexican nationals…***Tamaulipas*** has more reported disappearances (of both Mexican nationals and foreigners) than any other state, with 5,989 reported disappearances that total 17 percent of all disappearances in Mexico…For NTCA nationals, there have been 36 reports of disappearances in Tamaulipas alone, which is nearly triple the amount of the next state. Fifteen of the Tamaulipas disappearances were reported in Reynosa, followed by nine in Matamoros.

- Homicide: Although Mexico does not collect homicide information specifically for migrants in transit, INEGI collects homicide data for foreign nationals. This data showed that from 2013 to 2016 the number of murdered foreigners increased by 20 percent. 119 State-level data from Chiapas, Veracruz, Tabasco, Oaxaca, ***Sonora***, ***Chihuahua, Coahuila, and Tamaulipas*** depicts an even more dramatic trend, with the number of reported homicides of foreigners doubling from 2011 through 2017.
- Kidnappings: ***Tamaulipas*** has the highest number of kidnappings committed against migrants. According to the Tamaulipas state government, there were 211 kidnappings of migrants since 2014, of which 40 occurred in Reynosa. These high numbers are also reflected in the CAMRD, which documented 27 cases of kidnapping in Tamaulipas, 17 of which were in Reynosa. This included nine kidnapping cases in 2016 alone that totaled 300 victims. The Gulf Cartel and the Zetas both control territory in Tamaulipas, and the high rates of migrant kidnappings in this state can be attributed both to the presence of these criminal organizations and Tamaulipas's importance along the migrant route. The CAMRD reports eight incidents of large-scale kidnappings wherein TCOs were the primary perpetrators in Tamaulipas, more than in any other state. As mentioned previously, migrants who do not pay these groups' required taxes are at risk of kidnapping.

- Mary Beth Sheridan, *While Washington focuses on the wall, Mexico fears its own border crisis*, The Washington Post, December 28, 2018. See also, Mary Beth Sheridan & Kevin Sieff, Two Honduran teens from migrant caravan are killed in Tijuana, The Washington Post, December 19, 2018.

  Homicides in this city [Tijuana] of approximately 1.8 million surpassed 2,200 this year — a record. Earlier this month, two Honduran teenagers who had traveled with the caravan were stabbed and strangled in a robbery in Tijuana, according to press reports.

- *Mexico Travel Advisory*, U.S. Department of State, Bureau of Consular Affairs, November 15, 2018.

  - ***Baja California*** state: Exercise Increased Caution. Criminal activity and violence, including homicide, remain a primary concern throughout the state. While most of these homicides appeared to be targeted, criminal organization assassinations and turf battles between criminal groups have resulted in violent crime in areas frequented by U.S. citizens. Bystanders have been injured or killed in shooting incidents.
  - ***Chihuahua*** state: Reconsider Travel. Violent crime and gang activity are widespread. While most homicides appeared to be targeted, criminal organization assassinations and turf battles between criminal groups have resulted in violent

crime in areas frequented by U.S. citizens. Bystanders have been injured or killed in shooting incidents.
- ***Coahuila*** state: Reconsider Travel. Violent crime and gang activity are common in parts of Coahuila state.
- ***Nuevo Leon***: Reconsider Travel. Violent crime and gang activity are common in parts of Nuevo Leon state.
- ***Sonora*** state: Reconsider Travel. Sonora is a key location used by the international drug trade and human trafficking networks. However, northern Sonora experiences much lower levels of crime than cities closer to Sinaloa and other parts of Mexico.
- ***Tamaulipas*** state: Do not travel. Violent crime, such as murder, armed robbery, carjacking, kidnapping, extortion, and sexual assault, is common. Gang activity, including gun battles and blockades, is widespread. Armed criminal groups target public and private passenger buses as well as private automobiles traveling through Tamaulipas, often taking passengers hostage and demanding ransom payments. Federal and state security forces have limited capability to respond to violence in many parts of the state.

- *Mexico 2018 Crime & Safety Report: Ciudad Juarez*, U.S. Department of State, Bureau of Diplomatic Security, July 5, 2018.

  - While there is no indication U.S. citizens are specifically targeted, violence and crime rates remain high in this area of Mexico. U.S. citizens traveling to Ciudad Juarez and the city of Chihuahua need to guard against robbery, carjacking, theft, and burglary. A significant number of homicides in both cities are cartel/gang-related and are targeted actions where the perpetrators generally avoid injuring innocent bystanders. Carjacking also remains a problem in both cities. Most carjackings occur in traffic, day and night, and in all areas of town. However, living in a gated community or working in a location with access-control measures decreases the chances of being a victim of carjacking. Reports of extortion remained low in 2017. The Chihuahua state government and Ciudad Juarez city government have taken steps to reduce extortion with mixed results. Large businesses (including manufacturing plants) are not immune to extortion, although it is less common. A frequent method of extortion involves a telephone call in which the perpetrators threaten harm to the person/business if they do not pay for protection. These phone calls are often placed at random and can originate from outside of the state of Chihuahua, sometimes from inside Mexican prisons…Crime and violence remain serious problems throughout the state of Chihuahua, particularly in the south and in the Sierra Mountains, including Copper Canyon.
  - Drug-related crimes: The majority of homicides in Ciudad Juarez and the city of Chihuahua are considered to be drug-related. As a major drug-trafficking corridor, the state of Chihuahua has been contested by major drug-trafficking organizations for years. With greater availability of drugs in Ciudad Juarez, local drug use has increased
  - Kidnapping Threat: Kidnappings are a constant threat throughout the state of Chihuahua. However, kidnappings related to drug trafficking may be recorded separately in statistics, and due to fear of retribution, reported kidnappings remain low. Other types of kidnappings, such as virtual or express, occur with regularity. Report kidnapping-related incidents to the police and the U.S. Consulate.

- *Mexico 2018 Crime & Safety Report: Matamoros*, U.S. Department of State, Bureau of Diplomatic Security, April 10, 2018.

  The U.S. Department of State has assessed Matamoros as being a **CRITICAL**-threat location for crime directed at or affecting official U.S. government interests…Matamoros is located along the U.S.-Mexico border, sharing multiple international bridges with Brownsville, Texas, and is situated 50 miles from the Reynosa-McAllen border area. There are frequent gunfights throughout the consular district (including Mante, Ciudad Victoria, San Fernando, Valle Hermoso, Rio Bravo, Reynosa, Miguel Alemán). The random nature of violence, combined with one of the highest kidnapping rates Mexico, exposes everyone to a high risk of being subject to dangerous situations. There are no safe areas in Matamoros due to gunfights, grenade attacks, and kidnappings. Crime and violence related to the activities of Transnational Criminal Organizations (TCOs) are continuing concerns that directly affect the safety and security of U.S. government personnel. U.S. citizens remain under constant threat of abduction, robbery, or violent crime. The situation in northeast Mexico remains volatile; the location and timing of future armed engagements cannot be predicted…Much of the crime is indiscriminate, with criminals generally selecting victims based on the appearance of vulnerability, prosperity, or inattentiveness…Violent crime (kidnappings, extortions, homicides, sexual assaults, robberies, residential break-ins) and non-violent crimes (financial scams, vehicle thefts, and petty drug crimes) continue to be serious concerns for those living or transiting Tamaulipas.

- *Mexico 2018 Crime & Safety Report: Nogales*, U.S. Department of State, Bureau of Diplomatic Security, April 20, 2018.

  The U.S. Department of State has assessed Nogales as being a **CRITICAL**-threat location for crime directed at or affecting official U.S. government interests…Although in 2017 the overall level of crime in Sonora showed a slight increase, crime levels in northern Sonora, where the Nogales Consular District is located, significantly decreased. This information has been corroborated by official statistics from the government of Mexico. The majority of murders and other violent crimes committed in Sonora occurred in the southern part of the state near the Sonora/Sinaloa border. However, northern Sonora is without crime. Drug cartel-related (narco-related) violence continues to dominate as the motive behind many of the homicides and violent crimes in the Nogales district. The majority of cartel-related violence has occurred in other cities, such as Caborca, Altar, Agua Prieta, and Sonoyta, but not at the same level as in southern Sonora…Non-drug cartel related street crime (armed robberies, assaults, burglaries, etc.) continues to occur in the Nogales Consular District, but the numbers have not shown a significant change between 2016-2017. In 2017, petty theft and muggings not associated with DTOs occurred with similar frequency as past years, but with a slight decrease from 2016. No area of Nogales is immune from violent crimes. However, the area between El Periferico highway and Avenida Obregon is considered safer than the outlying suburban areas of the city…There is also no evidence that criminal elements are specifically targeting U.S. citizens or foreign visitors. Anyone who projects the perception of wealth and is unfamiliar with the area can easily become a target of opportunity by being in the "wrong place at the wrong time."

- *Mexico 2018 Crime & Safety Report: Tijuana*, U.S. Department of State, Bureau of Diplomatic Security, February 2, 2018.

- The U.S. Department of State has assessed Tijuana as being a **CRITICAL**-threat location for crime directed at or affecting official U.S. government interests…Tijuana is a very large metropolitan city with an ever-present, very real crime problem…Tijuana is an important and lucrative location for Transnational Criminal Organizations (TCOs), narco-traffickers, and human smuggling organizations, given its proximity to a major U.S. city with a massive border crossing. Mexico is the primary route for the transport of illegal drugs into the U.S, and Tijuana is the gateway to southern California. As a result of its highly strategic location, violent crime continues to be a part of everyday life. Organized crime occurs on a near-daily basis by TCOs. Drug-related violence in U.S. Consulate General Tijuana's consular district, for the most part, is confined to those involved in the drug trade. While U.S. citizens not involved in criminal activities are generally not targeted, innocent bystanders are at risk due to the rising violence. From an organized crime perspective, control over Baja California remains contested between three rival cartels: the Sinaloa Cartel, the Cartel Jalisco Nueva Generacion (CJNG), and remnants of the Arellano Felix Organization (AFO). In-fighting within the TCOs is also common and leads to further insecurity. Additionally, criminal deportees from the U.S. to Tijuana continue to be a problem since, due to a lack of other options, they often work with local criminal organizations. As law enforcement agencies on both sides of the border succeed in arresting high-level members of TCOs, unrest and power plays among the lower ranks tend to ensue.
- Homicides continue to be mostly connected to these rivalries and power struggles, but the continued increase in public displays of violence in 2017 and the frequency of homicides are the main cause for continued concern. Per official government of Mexico statistics, the five municipalities in Baja California – Tijuana, Mexicali, Ensenada, Rosarito, and Tecate – all had a record increase in homicides in 2017. Baja California as a whole experienced an 84% increase in the number of murder victims in 2017, as compared to 2016. This increase in violence continues to garner media attention, and many worry about its possible impact on the general populace. Tijuana experienced a slight decline in reported kidnappings, while Rosarito had the first reported incident since 2014. All other municipalities show similar numbers to last year. All five municipalities experienced a slight increase in reported rapes compared to 2016, while the amount of robberies showed a slight increase for Tijuana, Ensenada and Rosarito, and a slight decline for Mexicali and Tecate.

- *Mexico 2018 Crime & Safety Report: Nuevo Laredo*, U.S. Department of State, Bureau of Diplomatic Security, January 31, 2018.

  The U.S. Department of State has assessed Nuevo Laredo as being a **CRITICAL**-threat location for crime directed at or affecting official U.S. government interests…Violent crime, such as murder, armed robbery, carjacking, kidnapping, extortion, and sexual assault, is common. Gang activity, including gun battles, is widespread. In 2016, firefights took place throughout the consular district, including in Nuevo Laredo and Piedras Negras. Gun battles generally occur after dark, but there have been some in broad daylight, on public streets, and close to public venues. Armed criminal groups target public and private passenger buses traveling through Tamaulipas, often taking passengers hostage and demanding ransom payments. Local law enforcement has limited capability to respond to violence in many parts of the state. Violence and kidnappings rates in Tamaulipas continued to rise in 2017; homicides increased by 23% compared to 2016 data…2017

statistics for kidnappings in Mexico from the Federal Bureau of Investigation (FBI) place the state of Tamaulipas as the region with the highest rates and risk of kidnapping in the country…The security threat posed by TCO-related violence remains the most significant concern in the area.

- Jaime Arredondo Sanchez Lira, et al., *Policy Brief: The Resurgence of Violent Crime in Tijuana*, Justice in Mexico, p. 2, February 2018.

  In 2017, Tijuana had more homicides than any other city in Mexico, in a record year for national homicide figures. According to information from the Baja California Ministry of Public Safety, from 2016 to 2017 Tijuana saw the number of investigations on homicide cases rise from 872 to 1,618, an increase of roughly 86% in just one year. Preliminary figures from the Baja California State Secretary of Public Security put the total number of homicides in these cases at 1,780 homicide victims in Tijuana. Preliminary data from Mexico's National Public Security system puts the total number of victims of homicide in the country at 29,168, a number that could increase to over 30,000 when final tallies are completed in the coming months. Based on these figures, the authors calculate that in 2017 one out of twenty murders in Mexico took place in Tijuana.

- Laura Calderon, et al., *Drug Violence in Mexico*, Justice in Mexico, p. 18-21, 24, April 2018.

  The states that were hardest hit by violence after 2008 include the six Mexican border states—Baja California, Sonora, Chihuahua, Coahuila, Nuevo León, and Tamaulipas—as well as the Pacific states of Sinaloa, Nayarit, Michoacán, and Guerrero. However, violence began to diminish in certain areas in 2011 and 2012, particularly as the number of homicides fell in key states in northern Mexico, including Baja California, Sonora, and Chihuahua. Unfortunately, violence surged again in 2017 in these states and several new locations, particularly along Mexico's Pacific coast. SNSP data provided show that the top five states with the largest number of intentional homicide cases in 2017 were Guerrero (2,318), Baja California (2,092), Mexico State (2,041) Veracruz (1,641), and Chihuahua (1,369). In 2017, the state with the largest annual increase in total homicides was Baja California, with most of that increase concentrated in the city of Tijuana. However, the largest percentage increases in homicide cases were found in Nayarit (554% increase) and Baja California Sur (192% increase)…Among the major centers of violence, Tijuana stands out. While Tijuana was ranked as Mexico's second most violent municipality (after Acapulco) from 2013 to 2016, it moved into first place in 2017 largely because of an 85% increase in homicide cases over the course of that year. Whereas Tijuana saw 871 homicide cases in 2016, the number rose to 1,618 cases in 2017…A policy brief published by Justice in Mexico earlier this year, pointed out that one out of twenty murders in Mexico took place in Tijuana, and only 10% of these were cleared by law enforcement investigations. The authors of the policy brief point out that the increase in homicides in Tijuana reflects the influence of a new violent organized crime group in Tijuana: the Jalisco New Generation Cartel (Cartel de Jalisco Nueva Generación, CJNG).

- Ana Campoy, *The key reason why Central Americans don't want to asylum in Mexico*, Quartz, November 28, 2018.

Tijuana, where the bulk of the migrant caravan is waiting, was the world's fifth most violent city in 2017, according to a ranking (link in Spanish) by Mexican civil society group *Seguridad, Justicia y Paz*. Its murder rate is higher than in any city in Honduras, El Salvador, or Guatemala, where most asylum seekers at the border come from. Immigrants are also vulnerable to other types of crimes, such as robbery and extortion. After evaluating conditions in Mexico, the UN's Committee on Migrant Workers said last year it was worried about "the significant increase in crimes against migrants and in the risks encountered the entire length of the way through Mexican territory." Meanwhile, surveys conducted by Doctors Without Borders in 2015 and 2016 found more than 30% of immigrant women in transit through Mexico were sexually abused.

Housing

- Mary Beth Sheridan, *While Washington focuses on the wall, Mexico fears its own border crisis*, The Washington Post, December 28, 2018.

  Tijuana is still struggling to cope with the number of Central Americans who arrived last month in a giant caravan. Around 2,300 are living in pop-up tents in a refugee camp on the eastern side of the city, while nearly 300 more are staying in an unheated warehouse near the U.S. border with no running water, the only light streaming in through a few dirty skylights…Mexico was so unprepared for the caravan that its members initially were packed into a sports stadium, which degenerated into a muddy, unsanitary mess as rainstorms swept in. In recent weeks, authorities moved the migrants 11 miles away to a former concert venue, which is partially covered. The camp is well-organized with health facilities, regular meals and security, but there are no schools and no day care…Advocates say the migrants will probably stay near the border, where they can find jobs in manufacturing and keep track of their asylum processes. Exactly how they will manage the logistics of their cases, though, remains unclear.

- Daina Beth Solomon & Kristina Cooke, *U.S. plan to keep asylum seekers in Mexico sows confusion*, Reuters, December 21, 2018.

  Mexico's government said on Friday it wanted more details from the United States on the plan, and vowed not to deport people seeking refuge. It is not clear how Mexico plans to house what could be thousands of people from Central America for the months, or years, it takes U.S. immigration cases to be heard…Local officials in Mexican border states are worried they will not be able to deal with the influx, said Rodolfo Olimpio, head of Baja California's state council on migrant assistance. "It is clear the (Mexican) Federal Government does not have the infrastructure, capacity or legal framework for this to happen. And the state and municipal governments of border states also lack the budget and conditions for this," Olimpio said. He said recent budget cuts have also left migrant shelters strapped for cash.

- Noah Lanard, *Why Trump's Latest Asylum Decision Will Put Migrants' Lives in Danger*, Mother Jones, December 21, 2018.

  Mother Jones spoke to Adam Isacson, a Mexico expert and director of the defense oversight program at the Washington Office on Latin America, about the risks to migrants' lives posed by the new policy, the threats to their due-process rights, and the reasons a left-

wing Mexican president might have agreed to cooperate with Trump. He states: there are short-term migrant shelters in most border cities. All of those shelters are private. They are run by churches or charities. They get just about nothing from the national government. So this great need—at least in the short term—could fall on *charity*? To deal with hundreds of thousands of people? That's impossible.

- Associated Press, *Can Mexico really hold asylum seekers while U.S. processes claims? Local officials worry*, NBC News, December 14, 2018.

  Mexico, meanwhile, is struggling to say how it will house and protect what could become tens of thousands of Central American migrants who might wind up in its cities along the border with the United States. It is clearly not ready to shelter so many…But the assistant legal counsel for Mexico's foreign relations department, Alejandro Celorio did not say whether shelters, like the former Barretal concert venue in Tijuana, would be built, expanded or made more permanent — and whose money would be used to pay for such shelters.

Are migrants targeted for crime more than others in the region, either by private actors or by public officials?

- Parker Asmann, *How and Where Organized Crime Preys on Migrants in Mexico*, InSight Crime, July 17, 2018. See also, Steven Dudley, *Violence Against Migrants: The Guantlet*, InSight Crime, November 24, 2012.

  According to the report from the University of Texas at Austin's Robert Strauss Center for International Security and Law, titled "Organized Crime and Central American Migration in Mexico," migrants from Central America face three types of criminal actors: local actors, gangs and transnational criminal organizations. Local actors and gangs are typically less organized and prey on migrants through small-scale crimes like robbery, extortion, assault and sexual assault. On the other hand, more sophisticated organized criminal groups like the Gulf Cartel and the Zetas charge taxes for migrants to pass while also running their own migrant kidnapping or smuggling rings, in addition to attacking those traveling through Mexico…The report, while informative, misses a key actor in its analysis: the Mexican state.

- *Easy Prey: Criminal Violence and Central American Migration*, International Crisis Group (ICG), p. 13, July 28, 2016.

  Migrants are not just abused and exploited by criminal gangs. A survey of 31,000 conducted by a network of civil society groups that work with undocumented migrants in Mexico found that 20 per cent said they had suffered various crimes at the hands of authorities, including robbery, extortion, beatings and illegal detentions. Police, including federal forces, were most commonly accused of stealing, while migration officials and members of the military (soldiers and marines) were accused of extortion.

- Pedro Hipolito Rodriguez-Herrero, *Governmentality and violence towards Central American migrants in the Gulf of Mexico*, CANAMID, p. 10, November 2016.

A survey published in 2012 by Mexico's prestigious Colegio de la Frontera Norte shows that migrants deported by the U.S. government suffered various types of attacks and abuses that went unpunished. Of the more than 514,000 people deported during the survey (69.4% Mexicans, 13.9% Guatemalans, 10.7% Hondurans and 5.7% Salvadorans), 28,695 reported having experienced some form of assault or abuse in Mexico, mainly in the border states. Most of the aggression reported involved extortion (41%), theft (35%), threats (14%), physical aggression (8%) and kidnapping (3%), perpetrated by criminals and smugglers (34% and 16% respectively), military and police forces (31%) and immigration officials or authorities (8.8%).

- Emily Green, *After two boys murders, migrants and advocates fear new 'remain in Mexico' policy*, PRI, December 21, 2018.

  Two Honduran teenagers who traveled as part of a migrant caravan in hopes of reaching the United States were killed this week in the Mexican border town of Tijuana…The boys' deaths are a sobering reminder of the dangers asylum-seekers may face while waiting in violent Mexican border regions, where cartels and smugglers have big operations. Migrants are especially vulnerable to being kidnapped and held hostage for ransom by criminal groups because they don't have ties to the community or a safe place to sleep. Fear of such crimes is what led thousands of Central Americans to travel to Tijuana, which borders San Diego, California, instead of the much closer Texas border crossings — because, while dangerous, Tijuana is less dangerous than areas along the Texas border…The murders struck a nerve with migrants who traveled within the caravans. At Tijuana's El Barretal migrant shelter, a former concert venue where around 2,000 Central Americans are living, people have been talking about the murders all week. It reinforced their fears about Mexico.

- Patrick Timmons, *Mexico no 'safe third country' for refugees*, UPI, October 30, 2018.

  Experts also argue that Mexico is not safe for migrants and its asylum bureaucracy is unprepared for a significant increase in applications…Central American migrants in Mexico have been disappeared by organized criminals acting alone or in collaboration with law enforcement, often dumped in mass graves like in San Fernando, Tamaulipas…Homicides in Mexico in 2017 reached historic highs, and the country broke another milestone between January and August this year when there were 21,857 murders…Everard Meade, director of the Trans-Border Institute at the University of San Diego, estimates Central Americans' disappearances could be up to 35,000 people, doubling the official calculation of people disappeared in Mexico. The official figures do not include Central American migrants, he said. "Just in terms of brute numbers," Meade said, "disappearances of migrants in Mexico compares with the worst military dictatorships and counterinsurgency campaigns and civil wars in the Western hemisphere, certainly over the last 50 years." Sexual violence against women migrants in Mexico has also been amply documented. In 2017, Doctors Without Borders released its report, Forced to Flee: Central America's Northern Triangle: A Neglected Humanitarian Crisis, based on 467 interviews with migrants and refugees in Mexico. Almost 70 percent of those surveyed said they had been victims of violence, and a third of the women surveyed said they had been sexually abused during the journey north, echoing findings in a 2015 United Nations report, Women on the Run.

- Arron Daugherty, *Zetas Member Linked to 2010 San Fernando Massacre Captured*, InSight Crime, April 1, 2015.

In August 2010, Zetas members kidnapped a group of immigrants on a highway in Tamaulipas. The group was taken to warehouse and slaughtered — possibly for refusing to work for the Zetas.

- *Zetas*, InSight Crime, April 6, 2018.

  Zetas tortured victims, strung up bodies, and slaughtered indiscriminately, as was brutally illustrated in August 2010, when the Zetas killed 72 migrants and dumped their bodies in a hole in Tamaulipas. The Zetas preferred to take military-style control of territory, holding it through sheer force and exploiting its criminal opportunities…The territorial control of each local faction allowed them to take their share from any other criminal activity taking place in their "plaza," and the Zetas also began to profit from everything from kidnapping migrants to pirating DVDs. The group also began looking for political protection, and would go on to infiltrate state governments in states like Tamaulipas and Veracruz…The Zetas have now broken into splinter groups and largely independent local factions…The Zetas criminal empire once had a presence that stretched across Mexico, with their stronghold stretching from Nuevo Laredo to Monterrey. However, now the group occupies a patchwork of territory across the country. The Zetas' most critical areas remain Tamaulipas and the Gulf Coast…The Zetas' days as Mexico's most feared cartel and a drug trafficking organization with a vast transnational reach are now over. However, they are likely to continue the process of fragmentation, and splinter cells like the Northeast Cartel will continue to operate with an increasingly local focus on their criminal activities.

- Tristan Clavel, *21 Mexico Police Arrested for Kidnapping, Extortion of Migrants*, InSight Crime, October 17, 2016.

  Nearly two dozen municipal police officers were arrested on suspicion of kidnapping and extortion of migrants in Mexico's Chiapas state, highlighting the rise of police violence against migrants along this key transit route. A total of 21 municipal police officers in the town of Chiapa de Corzo were arrested for allegedly attempting to extort 19 undocumented migrants on October 11. According to El Universal, the accused intercepted a bus carrying migrants — including seven minors whose ages ranged from two to fourteen years — and proceeded to transfer the victims to the police station where they were subsequently held. The police officers then demanded that the victims, who came from Guatemala, El Salvador and Honduras, give up the names and telephone numbers of family members in their countries of origin in order to demand a ransom of 3,000 Mexican pesos — equivalent to roughly $160 — for the release of the victims, according to Chiapas' Attorney General's Office. Prosecutors say that the initial findings of the investigation suggest that the subdirector of the municipal police force ordered the detention of the migrants, implying that he may have been the leader of the extortion ring…Mexico has been struggling with the waves of Central American migrants fleeing violence and poverty in an attempt to reach the United States, and there has been growing concern about the violence and crime they suffer from during their perilous trip through Mexico. Chiapas, a key transit area due to its extended border with Guatemala, has become the most violent state for migrants, registering nearly 50 percent of the reported crimes. A worrying trend amid the increase in crimes against migrants is the growing involvement of security forces in kidnapping and extortion. This is not the first occurrence of police officers being accused of these crimes in Chiapas, and a recent report released by several human rights organizations found that the number of registered

complaints against Mexican officials for crimes against migrants rose 180 percent between 2014 and 2015.

- James Bargent, *CentAm Migrants Suffer Brunt of Mexico Crackdown: Report*, InSight Crime, September 26, 2016.

  In recent years, organized crime networks have found migrants a lucrative source of income by extorting them, holding them hostage until their families send money, using them as drug mules and even forcibly recruiting them. This onslaught against migrants has led to some of the worst atrocities seen in Mexico in recent years.

- Hannah Stone, *Anniversary of Migrant Massacre in Mexico Brings Few Answers*, InSight Crime, August 25, 2011.

  On August 23, 2010, a wounded man approached a security checkpoint close to the town of San Fernando, in the state of Tamaulipas, 160 kilometers from the U.S. border. He had been shot through the jaw, and told troops he was the survivor of a mass killing on a nearby ranch. Navy troops approached the property, exchanging fire with criminals, and found 72 bodies lying in a heap in an outside storehouse…The dead were migrants from Guatemala, Honduras, El Salvador, Ecuador, and Brazil, making their way to the U.S. border. They were killed execution-style, with one or two shots to each victim. Details emerged of at least one other survivor, while the wounded man who first raised the alarm, an Ecuadorean, told the authorities that there had been a total of 76 people traveling together, all of whom were killed…While questions mounted over the killings, the body count continued to rise in Tamaulipas — some 183 bodies were found in a series of mass graves outside San Fernando in April of this year. One NGO warned on the anniversary of the find that there are at least 500 more bodies hidden in mass graves in Tamaulipas, based on confessions from criminals. Many of these are likely migrants. The National Human Rights Commission said in 2010 that almost 10,000 migrants are kidnapped every year in Mexico. These attacks happen for different reasons. Often the migrants are the targets of kidnapping by gangs who force them to call their families and ask them to send money. Sometimes they are the unwitting victims of disputes over taxes, known as "piso," which criminal gangs charge migrant smugglers, in exchange for the right to bring the human cargo through the gang's territory. One theory with the Tamaulipas massacre is that the migrants were killed because their handlers failed to pay the correct "piso" sum to the Zetas. Even more disturbingly, some migrants have even claimed that Mexican immigration officials themselves handed them over to kidnapping gangs.

- *False Suspicions: Arbitrary Detentions by Police in Mexico*, Amnesty International, p. 23, July 2017.

  Arbitrary arrests: Justice sector personnel interviewed for this research stated that most of the people arrested and most of those subject to criminal proceedings are young men, which is consistent with other available data. However, participants had different interpretations of this: some felt this was due to the fact that it is young men would tend to commit the kind of crimes where they are likely to be arrested *in flagrante delicto* (such as assault or theft); for others, the arrests are the manifestation of discrimination in police practices, which one interviewee summed up as follows: "Those who tend to be detained are poor,

migrants, from marginalized communities and, above all, young." In some cases, the police claim that they are justified in arresting a young man living in poverty when he is in an affluent area of city (an area "where he does not belong") or if he is on the street at night or seems "suspicious" and "up to something"…Most of these youths are not detained in a contextual vacuum; they tend to be arrested for appearing "suspicious" to the police when, as well as being young and male, they belong (or are perceived as belonging) to other groups that have historically suffered discrimination, such as, for example, Indigenous Peoples, migrants or those living in poverty.

- *Submission by the United Nations High Commissioner for Refugees For the Office of the High Commissioner for Human Rights' Compilation Report Universal Periodic Review: Mexico*, UN High Commissioner for Refugees (UNHCR), p. 3, 4, 8, July 2018.

    - Concerns persist regarding the rise in crimes and the increased risk towards migrants throughout the country, the high levels of impunity for crimes committed against migrants, and the difficulties that migrants who are victims of crime and asylum-seekers continue to face in accessing justice and obtaining regularization for humanitarian reasons under article 52 of the 2011 Migration Act. These concerns were also raised recently by the United Nations Committee on the Rights of Migrant Workers. UNHCR recommends that the Government of Mexico ensure access to justice for migrants, asylum-seekers and refugees by strengthening the Special Unit for the Investigation of Crimes against Migrant Persons within the Attorney General's Office (PGR), and the State-level Special Prosecutor Offices for the Attention of Crimes against Migrants.
    - The Committee is concerned by reports that there have been numerous cases of disappearances of migrants, including migrant children, and that these cases include cases of enforced disappearance. It also notes with concern the challenges that this dramatic situation poses for full observance of the rights to justice and truth embodied in the Convention, particularly since the relatives of the disappeared persons are not normally resident in the State party. In this regard, the Committee notes the information provided by the State party in relation to the investigation of disappearances of migrants and its efforts to locate them and provide support and protection. It also notes that the State party is working on the design of a transnational search and access to justice mechanism for such persons.
    - The National Human Rights Commission (CNDH) recognized violence against women as an extremely serious problem in Mexico noting that almost 7 out of 10 women in Mexico have suffered violence. In this context, migrant, asylum-seeking, and refugee women are particularly vulnerable due to their national origin and their legal status in Mexico, due to discrimination, lack of generalized knowledge by public officials – particularly at the local level - regarding the rights of migrants, asylum-seekers and refugees, and due to a lack of specialized services. The application of administrative detention measures for persons submitting asylum claims at the border exacerbates the risk of violence for women, girls, and LGBTI persons because to avoid detention almost all enter the country irregularly. Asylum-seekers generally then travel to towns located 20 to 160 km from the border to make asylum claims, but to do so they often travel along remote routes and are exposed to significant risks of assault and sexual and gender-based violence. Additional obstacles hamper migrant, asylum-seeking and refugee women's access to services and justice, such as lack of access to services due to irregular migration status, lack of awareness by justice and public health authorities regarding the rights that asylum-

seeking and refugee women and girls are entitled to in Mexico, lack of access to legal representation to file criminal complaints, among others.

- *Mexico: Overlooked, Under-Protected: Mexico's Deadly Refoulement of Central Americans Seeking Asylum*, Amnesty International, p. 18, January 23, 2018.

  The almost automatic response by federal authorities to irregular migrants is to apprehend them and turn them over to migration detention centres…Unfortunately, irregular migrants and people seeking asylum are often subjected to arbitrary detentions by federal, state and municipal police. Federal and municipal police were most commonly mentioned as being involved in apprehensions that very frequently involved robbery or extortion of migrants by police. On a limited number of occasions police handed migrants over to migration detention centres.

- *'No Safe Place': Salvadorans, Guatemalans and Hondurans Seeking Asylum in Mexico Based on Their Sexual Orientation and/or Gender Identity*, Amnesty International, p. 20-22, November 27, 2017.

  In Mexico, high levels of crime and human rights violations are reported against migrants generally, including attacks, robberies and kidnappings perpetrated by organized criminal gangs, sometimes in collusion with different government authorities, as well as different kinds of abuse of authority by the security forces and other Mexican migration services, which go unpunished in 99 percent of the cases reported. Faced not only with these kinds of attack, LGBTI people also find themselves exposed to acts of violence due to their real or perceived gender identity and/or sexual orientation…In addition, the testimonies received by Amnesty International highlight the fact that, the whole way along their escape route, they are subjected to stigma and discrimination from the authorities, and also sometimes in the shelters that receive them, due to the injurious prejudice surrounding their sexual orientation and/or gender identity that is also prevalent in this country…UNHCR has acknowledged that LGBTI people are often at risk during the time they spend in migration detention centres. This risk is greater for transgender women when they are held in cells reserved for men because there are no adequate policies or measures that take their individual and gender identity needs into account. In Mexico, there are documented migrant detention centres that fail to meet the specific protection needs of LGBTI people; trans women in particular are mixed with others, or crowded into provisional cells that are temporarily allocated to them. In a report published in July 2017, the Citizens' Council of the National Migration Institute (INM) of Mexico highlighted the fact that the different LGBTI people met and interviewed in the different centres "stated that they had suffered discrimination, sexual harassment and even aggression from other detainees or the centre staff."

- *Dangerous Territory: Mexico Still Not Safe for Refugees*, Human Rights First, p. 3-4, July 2017.

  Migrants and refugees face acute risks of kidnapping, disappearance, sexual assault, trafficking, and other harms in Mexico. In 2017, Mexico's National Commission on Human Rights issued a report on mass graves in Mexico, which documented 312 registered deaths and disappearances of migrants. Between 2009 and 2014 another study found 390 mass graves with over 7,000 remains, including bodies of suspected migrants. In 2010, kidnappers massacred 72 migrants in Tamaulipas after family members failed to pay ransoms and the migrants refused to serve as drug mules. In 2011, 193 migrants were killed in San Fernando, Tamaulipas, and police officers were

reportedly involved. In 2012, 49 migrant bodies were discovered in Nuevo Laredo. Human rights monitors report an increase in kidnappings, disappearances, and executions of migrants and refugees in recent years. In some cases, organized criminal groups kidnap large groups of migrants, in collaboration with smugglers, and in some cases in collusion with Mexican police or immigration officers. Between 2011 and October 2016, the National Registry of Missing or Disappeared Persons (RNPED) documented 29,903 disappeared persons. In 2016 the International Organization for Migration (IOM) received reports of more than 700 migrant deaths in Mexico and said that countless more likely go unreported. Also in 2016, the *La 72* shelter in southern Mexico reported eight mass kidnappings of migrants and alleged that Mexican Federal Police officers participated in the events. Some migrants and refugees are trafficked into forced labor and some are reportedly enslaved and forced to work helping to grow and produce drugs…Refugees and migrants are particularly vulnerable to violence, exploitation and persecution due to their status as non-nationals lacking legal status and/or protection. Many refugees and migrants are also targeted due to their nationality, race, or gender. Those who flee persecution due to their sexual orientation or gender identity often find themselves again targeted in Mexico.

- Adam Isacson, et al., *Mexico's Southern Border: Security, Central American Migration, and U.S. Policy*, WOLA, p. 15, June 2017.

  Migrants are often victims of crime and human rights violations during their journey through Mexico. However, it has proved difficult to effectively investigate and sanction Mexican officials and individuals implicated in wrongdoing. Municipal and state police forces largely have weak internal affairs units and, while the Federal Police has strengthened its unit in recent years, agents continue to be accused of wrongdoing. La 72 denounced that municipal and federal police agents were implicated in some of the kidnapping cases in Cárdenas in 2016.. In August 2016, Vargas reported to the Mexican Senate that, since taking office in January 2013, he had dismissed 3,000 INM agents and administrative staff—out of a total workforce of nearly 6,000—for corruption, physical abuse, and extortion against migrants. Mexico's state-level and national human rights commissions, charged with investigating state and federal agents implicated in human rights violations, also document abuses against migrants and call for administrative and criminal investigations where merited. In 2016, the National Human Rights Commission (*Comision Nacional de los Derechos Humanos*, CNDH) received 532 complaints of human rights violations by INM agents.

- *Closed Doors: Mexico's Failure to Protect Central American Refugee and Migrant Children*, Human Rights Watch, p. 35-37, March 31, 2016.

  Migrants are vulnerable to being preyed on by gangs, criminals, and the people they have paid to guide them to their destination…The Mexican National Human Rights Commission (CNDH) has found that migrants are subject to abduction for ransom in large numbers…Sexual violence is another risk, for boys as well as girls. UNHCR observed in its report on children who had traveled through Mexico to reach the United States: "A troubling note is that staff members at two different ORR [the US government's Office of Refugee Resettlement] facilities stated they are seeing an increase in male residents reporting incidents of sexual abuse, occurring particularly during their journey to the US." Other groups, including Amnesty International, Centro Prodh, i(dh)eas, and Sin Fronteras, have also documented abuses against migrants during their journey in Mexico, including kidnappings, sexual violence, other forms of violence, and extortion. In

addition, the Working Group on Enforced or Involuntary Disappearances has observed that migrants are at risk of enforced disappearance—abduction by a state agent or with the state's acquiescence, followed by a refusal to acknowledge the abduction or the whereabouts of the abductee108—as they travel through Mexico.

- *They attack Central American migrants in Chihuahua*, Telemundo, May 1, 2017.

  Armed men attacked a group of 33 Central American migrants who were transported in six vehicles of the Uber service, on a road in the Sierra Tarahumara, in the state of Chihuahua. The State Attorney General's Office in the Western Zone reported in a statement that the foreigners had left Ciudad Obregón, Sonora, and were heading to the city of Chihuahua. The convoy of vehicles was attacked by armed individuals who intercepted them along the highway on the stretch from Yepachi to Basaseachi.

Are there specific border areas that are more or less amendable to migrants?

- Associated Press, *They manifest themselves in favor and against migrants in Baja California*, La Cronica.com, November 18, 2018.

  Hundreds of Tijuana residents joined near a monument of the city to protest the presence of thousands of Central American migrants that search to go to the US…They accused the migrants of being dirty, ungrateful, and a danger to the city…They fear their tax money will be used for the group of migrants…Another group of people gathered to rally in support of the migrant caravan.

- Ana Gabriela Rojas, *Caravan of migrants in Tijuana: why the arrival of Central Americans causes in the border city a hostility against migrants that had not been seen before*, BBC News, November 19, 2018.

  This hostility and xenophobia towards the caravan is something unprecedented in the border city of Tijuana, the experts consulted by BBC Mundo agree…The mayor of the city, José Manuel Gastélum, has not helped Tijuanenses to have a good attitude towards migrants, according to experts. On several occasions he has threatened to deport them…He assured that migrants "arrive in an aggressive, rude plan, with chants, challenging authority"…The caravans of migrants have become a recurring phenomenon in recent years, but this time several have joined and the phenomenon has become very large, which has made some see it as something threatening, explains the experts…Those interviewed by BBC Mundo agree that, although it is a new thing and could be on the rise, xenophobia and racism have been present only in a "minority" of Tijuana society.

- Sarah Kinosian, *'Tijuana first!': protests grow against migrant caravan in Mexico*, The Guardian, November 19, 2018.

  Tensions have risen in Tijuana as members of the Central American migrant caravan continue to arrive at the Mexican border city, while US troops continue to tighten security along the frontier. On Sunday, anti-caravan protesters chanted: "Out Hondurans, we don't want you here", "Tijuana first" and "Long live Mexico", and waved Mexican flags and signs reading "no to the invasion" and "no more migrants". The group, which at its height numbered about 300, gathered in front of a statue of the Aztec warrior Cuauhtémoc before making their way to a sports complex serving as

a temporary shelter to about 2,500 migrants from the caravan. When they reached the shelter, they were met by a line of riot police. The standoff lasted several hours, with the crowd throwing water and beer cans at officers before eventually dissipating…Many Tijuana residents have shown their support for the migrants, donating food and clothes to shelters and providing entertainment. But the relatively small groups displeased with their presence have been loud and vitriolic.

- Dennis Romero, *Migrants met with fear, disdain in Tijuana, Mexico*, NBC News, November 17, 2018.

  Mexico has long been a welcoming crossroads of the Americas with Tijuana its northern beacon. But this time, with an estimated 10,000 Central American migrants aiming to cross the U.S. border, good will is fading and hostility is growing…Protesters rallied Sunday at the monument to Aztec ruler Cuauhtémoc in the city's Zona Rio shopping and nightlife district against the estimated 2,600 migrants in Tijuana.

- James Fredrick, *Shouting 'Mexico First,' Hundres in Tijuana March Against Migrant Caravan*, NPR, November 19, 2018.

  A few hundred *Tijuanenses* gathered in the city's high-end Rio area to protest the groups migrating from Central American countries…While the protesters numbered only a few hundred, in a city of more than 1.6 million, vitriol against the migrants has spread across social media in Tijuana in recent days…Most of the protesters said the migrants should be detained and deported…The tensions are unlikely to die down soon: According to nonprofits at shelters in the border city Mexicali, 2,000 caravan members are expected to arrive in Tijuana in coming days. Another caravan of roughly 1,500 migrants is just north of Mexico City, according to a human rights commission that set up a shelter in the capital. Smaller contingents continue in southern Mexico. Even before the caravan reached the city earlier this month, migrants in Tijuana created an informal list of names to keep track of those hoping to seek asylum in the U.S. As caravan members have added their names, the list recently surpassed 3,000.

- Associated Press, *Can Mexico really hold asylum seekers while U.S. processes claims? Local officials worry*, NBC News, December 14, 2018.

  The only strategy Mexico's federal government has launched so far is a TV and radio "campaign against xenophobia" announced Thursday to combat suspicion and dislike of migrants. "Migrants are not a threat, this is not an invasion," said Alexandra Haas, the head of Mexico's anti-discrimination agency.

- *Tamaulipas's ability to host migrant caravan is questioned*, El Universal (Mexico), October 25, 2018.

  The President of the Human Rights Committee of Nuevo Laredo, Raymundo Ramos, questions the ability of the authorities of Tamaulipas to protect the caravan of Honduran migrants…"The Government of Tamaulipas is not prepared; it does not count with the facilities, nor with the elements to offer adequate attention," Raymundo Ramos told EL UNIVERSAL. He warns that the same scenario can be repeated from last year, when thousands of Cubans arrived in Reynosa and Nuevo Laredo, and there were cases of assault, extortion and sexual abuse due to lack of

preventive measures by state authorities. "The biggest challenge is the security of the people, they can be victims of extortion, kidnapping and recruitment of organized crime," he warned. An example of the danger represented by the transit of the State, in the last 18 years 5,600 people have officially disappeared, although unofficially the figure could exceed 15,000 victims. "It is the State with the greatest number of missing persons in the country," he said.

- Lourdes Flores, *The Government of Tamaulipas is ready to assist Honduran migrants*, El Economista (Mexico), October 22, 2018.

  The Government of Tamaulipas, in coordination with the Federal Government, is preparing to attend the migratory flow that is expected to increase along this border following the advance through the national territory of the caravan that left Honduras with the intention of reaching the United States…César Augusto Verástegui, requested support from the National Institute of Migration (INM), as well as from the Federal Police to attend and guarantee the orderly flow of migrants…He argued that the state respects the human rights of migrants and that they receive support and attention through the Tamaulipas Institute for Migrants…The state has collaboration of six Casas del Migrante, which provide health care, food, education, shelter and shelter to the migrant population, which will be ready. They will also allocate more resources to allocate security elements in areas where migrants advance through the territory of Tamaulipas. The entities of Chiapas, Tabasco, Veracruz and Campeche are also preparing to provide support in the shelters where they will surely receive thousands of migrants who left Honduras 10 days ago.

- Johan Ordonez, *The border state of Sonora prepares to receive migrants from the caravan*, Univision Arizona, October 23, 2018.

  Claudia Pavlovich, governor of Sonora (the Mexican state bordering Arizona), assures that efforts are already being coordinated with the municipalities to receive the caravan of Central American migrants but will request support from the federal government. "We are going to require support from the federal government because no state on the northern border is prepared to receive them, and much less so that they stay in our state, it is a large number of people," the official said in an interview with several fears. Pavlovich affirmed that the security issue is worrying because those who cannot cross, usually stay in Hermosillo as indigents. In addition, he said that the border fund for migrant assistance does not have enough resources to meet the number of people who are coming.

- Gardenia Mendoza, *Central American migrants walk through six Mexican states on the border*, La Opinion, December 27, 2018.

  Although Baja California, particularly Tijuana as the central axis, is the favorite place of migrant caravans, we begin to see more and more Central Americans seeking the ideal moment to enter the United States to ask for political asylum or wait on the south side along the 3,200 kilometers of the northern border…More to the east, the Casa del Migrante in Ciudad Juárez, Chihuahua, which is part of the Catholic Church, lamented that, because it is saturated with the recent arrival of hundreds of undocumented immigrants, it will no longer be able to receive more: it currently serves 500. "Casa del Migrante serves an average of 10,000 migrants every year, but in the last two months, more than 3,000 have arrived," priest Javier Carrillo told local press. In states with a greater presence in the manufacturing industry, some companies have chosen to hire some of the Central Americans (whose average school attendance is truncated primary school). Recently, the

Maquiladora and Export Manufacturing Industry (Index) hired 700, but was cautious in increasing hiring. While there are ten thousand vacancies in this sector, especially in Aguascalientes, Nuevo Leon, Sonora and Guadalajara, the most feasible for this season (in the midst of so many changes) is not to hire too many staff. But they opened the possibility for next year.

- Alejandro Montenegro, *Deputy calls for a stop to xenophobia against migrant caravan*, Vanguardia (Mexico), October 23, 2018.

  The local deputy Claudia Ramirez Pineda, of PRD, asked to stop the xenophobia, racism, discrimination that has been suffered by those who make up the contingent. Through a pronouncement, Ramírez Pineda showed her solidarity with the Central American migrants who currently travel through Mexico. She noted that social networks have intensified hatred against people who travel in the country fleeing their places of origin…On his part, deputy Emilio de Hoyos Montemayor requested from the state and municipal authorities of Coahuila that before the likely arrival of the migrant caravan through the state they take steps to attend them, as in the case of shelters and other kind of assistance.

- Andrew Vega, *Central American migrants are not a threat and do not come to take anything away: experts*, Vanguardia (Mexico), November 7, 2018.

  There are many messages on social networks with the same words: criminals, illegal, violent. Many more enunciate the fear that they do not only want to go through Mexico to the United States, but want to stay and cause overpopulation, unemployment, more crime. The contrast is in the response of support in poor communities where the caravan has passed. Networks have also been testimony to this: those with fewer resources are supporting migrants that for others, in a better position, seem to be a danger. Máximo Jaramillo, coordinator of Inequality Studies at Oxfam Mexico, says that this part of the reaction, xenophobic-class-racist, is one more expression of the meritocratic narrative: denied to recognize the privileges of some sectors for their origin. "Through these narratives they justify what they have and that no further actions are taken to try to change inequality."

- *Racism and xenophobia exploded in networks*, El Diario (Mexico), October 21, 2018.

  With the hashtag #CaravanaMigrante, which became the main trend in Twitter with 75,000 tweets, hundreds of users, real and fictitious, expressed their phobias and their hatred of expressions of solidarity from several representative accounts. In its Twitter account, the CNDH did not speak out against racist expressions against Central American migrants.

- Jesus Castro, *Xenophobia of Saltillenses explodes in networks*, Zocalo (Mexico), October 26, 2018.

  With the advance of the migrant caravan through Mexican territory, Saltillenses flood social networks with xenophobic messages against Central Americans, despite the efforts of politicians and civil or religious associations to raise awareness about giving them a dignified reception at their arrival. Due to the possibility that part of the migrant caravan of Hondurans and Guatemalans will pass through Saltillo, being a forced road to the border with the United States, Saltillenses expressed their rejection with the hashtag #NoMasInmigrantes and

#CoahuilaUnidoContraLosMigrantes…In spite of the acts of violence that they face during the trip, the solidarity of the Mexicans was reflected, not only in the altruistic actions of the civil society organizations and the volunteers to give a haven of peace to the migrants who flood the streets and boulevards, but in the survey conducted by De las Heras Demotecnia on the subject, which showed that 81% of Mexicans are aware of the migrant caravan, of which 52% agree with their passage through Mexico. Of those who do not agree, 72% refuse to build a wall on the southern border of the country.

- Jesus Estrada & Ruben Villalpando, Xenophobia against undocumented people who camp in Juarez Bridge, La Jornada (Mexico), November 19, 2018.

  About 186 migrants from Cuba, Guatemala, Honduras and various parts of Mexico refused to be transferred to shelters, after spending the last 11 days at the international bridge Paso del Norte (Santa Fe), Ciudad Juarez, due to the slowness of the asylum procedures accepted by the United States Customs and Border Protection Office (CBP, for its acronym in English). Luis Garcia, coordinator of the program of attention to migrants of the State Population Council, reported that this group of undocumented immigrants - including 48 children - have received decomposed food, in addition to being victims of physical and verbal aggression of people crossing the bridge with a visa. He asked the population to help with donations of baby milk, fruits, non-perishable and canned food, as well as personal hygiene items, such as baby and female towels, while the migrants are stationed on the international bridge in hopes of seeking asylum from the government. U.S." There are xenophobic attitudes; some Juarenses have delivered food that is in a state of decomposition and in some cases have given food even with purgatives, said the local official.

- Ricardo Pedraza, *Migrants: Monterrey is the new goal for Central Americans*, SDP News, July 28, 2017.

  According to El Heraldo de Honduras, Monterrey has gone from being a simple station to a goal for thousands of Central Americans who previously sought to cross into the United States…Following a bit the tendency of our countrymen in the United States, Central American migrants are taking jobs that the citizens of Monterey do not want. In factories, construction, mechanic workshops, ranches, or in the construction works of metro line 3, Central Americans have their source of work. Monterrey has ceased to be, for many migrants, a city of transit to the United States, and is now a refuge in which many of them settle and look for ways to survive…The reception of these people has been complicated…With the tradition of being a university city, having the Tec de Monterrey and the University of Nuevo León as recipients of people from other states and other countries, it is difficult for "Monterey citizens of all life" to receive "foreign" people. Imagine how difficult the life of a Central American migrant can be in a city that has a touch of xenophobia.

What regions near the border are cartels most active? Is law enforcement active in these areas? Are there reports that they are working with the cartels?

- Juan Carlos Garzon-Vergara, *Here's What Violence Along the U.S.-Mexico Border Really Looks Like*, OpenDemocracy, July 3, 2017.

The bad news is that the situation in Mexico has changed during the last year. In 2016 the homicide rate in the border municipalities rose again, with an increase from 20.8 per 100.000 inhabitants to 26.5 – six points in just 12 months. This change is related to the gradual fracturing of the cartels and many small clashes between less stable and predictable groups. Murder rates jumped in municipalities like Tecate (from 19.8 to 50.6) and Tijuana (from 35.5 to 49.8) in Baja California, and Ciudad Juarez in Chihuahua (from 18.9 to 32.7).

- Scott Stewart, *Tracking Mexico's Cartels in 2018*, Stratfor. February 1, 2018.

  The Sinaloa cartel continues to attempt to fend off a challenge to its control of Tijuana, the rest of Baja California and Baja California Sur by a faction of the Tijuana cartel (Cartel de Tijuana Nueva Generacion). As the name implies, it is being supported by the Cartel de Jalisco Nueva Generacion. At the same time the Sinaloa cartel is facing a challenge in Juarez and the state of Chihuahua by a remnant of the Juarez cartel calling itself the Nuevo Cartel de Juarez, which is also being supported by the CJNG. Both of these conflicts remain unsettled and continue to generate high levels of violence in the border cities of Tijuana and Juarez and around Cabo San Lucas. In the state of Tamaulipas, organized crime groups also are heavily fragmented. Several competing organizations call themselves the Gulf cartel, and much of the violence in the state is the result of intense fighting among them. Reynosa is in the midst of a particularly brutal period as remnants of the Gulf cartel vie for control of the plaza, or drug-smuggling corridor, centered there. At the root of the struggle are two groups of the Gulf cartel's Los Metros faction.

- Nathaniel Parish Flannery, *Splinter Groups of Cartel Gunmen Drive Rising Violence in Tamaulipas*, Mexico, Forbes, November 2018.

  Over the last three years Tamaulipas, a state on Mexico's Gulf Coast, has confronted a jump in violent crime. The current conflict is driven by a battle for local control between splinter groups of gunmen who were previously affiliated with the Zetas and Cartel del Golfo criminal organizations.

- *Mexico: homicides up 16% in 2018, breaking own record for violence*, The Guardian, July 23, 2018.

  Some areas, like the northern border state of Baja California, showed big jumps in murder rates, while others saw sharp drops. Home to the border city of Tijuana, Baja California saw 1,463 homicides in the first half of the year, a 44% increase over the same period of 2017. Authorities have attributed the spate of killings to battles between the Jalisco and Sinaloa drug cartels for control of trafficking routes in Baja California. The state is now Mexico's second most violent, with a homicide rate for the first six months of the year equivalent to 71 murders per 100,000 inhabitants.

- Yami Virgin, *Video warns of new cartel violence on the Texas-Mexico border*, WLOS News. September 17, 2018.

  The month of August was the deadliest in Juarez so far with 182 homicides tied to the cartel war that uses the streets of Juarez, according to authorities, as a war zone.

- Deborah Bonello, *100 people 'kidnapped' from migrant caravan by drug cartels in Mexico*, Telegraph, November 6, 2018.

  At least 100 members of the migrant caravan travelling through Mexico in an attempt to reach the United States have been kidnapped by the Zetas cartel, according to human rights officials in the country. They are suspected of having fallen prey to criminal gangs, who abduct migrants in order to extort their family members.

- June S Beittel, *Mexico: Organized Crime and Drug Trafficking Organizations*, Congressional Research Service, p. 7, 24, 27, July 3, 2018.

  The DTOs today are more fragmented and more competitive than in the past…In 2018, an array of smaller organizations is active, and some of the once-small groups, such as CJNG, have exploded into the space left after other DTOs were dismantled…Mexican political scientist Eduardo Guerrero-Gutiérrez developed a useful typology of different DTOs in 2015. He defines four types of DTOs: national cartels, regional cartels, toll-collector cartels, and drug trafficking cells. In 2015, Guerrero had identified more than 200 organizations across the country in the final category. Some of these groups do not participate solely in drug trafficking-related violence but also are engaged in what he terms "mafia-ridden" violence…The proceeds of drug sales (either laundered or as cash smuggled back to Mexico) are used in part to corrupt U.S. and Mexican border officials, Mexican law enforcement, security forces, and public officials either to ignore DTO activities or to actively support and protect DTOs. Mexican DTOs advance their operations through widespread corruption; when corruption fails to achieve cooperation and acquiescence, violence is the ready alternative. Police corruption has been so extensive that law enforcement officials corrupted or infiltrated by the DTOs and other criminal groups sometimes carry out their violent assignments. Purges of Mexico's municipal, state, and federal police have not contained the problem…At least 14 current and formers state governors have been investigated for corruption…With regard to complaints about security forces' use of torture, the alleged perpetrators in many cases have faced little resistance; only 0.5% of the 4,000 complaints of torture since 2006 received convictions when the cases were reviewed by Mexico's attorney general in 2017.

- Noah Lanard, *Why Trump's Latest Asylum Decision Will Put Migrants' Lives in Danger*, Mother Jones, December 21, 2018.

  Adam Isacson a Mexico expert and director of the defense oversight program at the Washington Office on Latin America, explains:The No. 1 humanitarian concern is that a lot of migrants are simply not physically safe in Mexican border towns. In Tijuana, which is one of the safer towns, we already saw two Honduran teenagers get murdered [this weekend]. In South Texas, which sees more Central American kids and families than anywhere else, that area is across from the state of Tamaulipas, which is being contested by factions of the Zetas and factions of the Gulf Cartel. It's a war of all against all. It's so bad that migrant shelters there don't let migrants leave at night. The idea now is to have Central Americans wait their turn for months or years in these very, very dangerous places.

- *Mexico 2018 Crime & Safety Report: Ciudad Juarez*, U.S. Department of State, Bureau of Diplomatic Security, July 5, 2018.

Levels of professionalism vary greatly among police agencies. In major metropolitan areas, foreigners can expect support from police.

- *Mexico 2018 Crime & Safety Report: Matamoros*, U.S. Department of State, Bureau of Diplomatic Security, April 10, 2018.

  There are no municipal police forces in Tamaulipas. They were disbanded years ago due to endemic corruption. Police corruption and police involvement in criminal activity is common. Generally, police receive low wages, are vulnerable to corruption, and receive less training than their U.S. counterparts. Police enjoy little respect from the general population. Consequently, citizens are often indifferent to police authority, adding to the sense of lawlessness. The general perception is that the majority of victims do not report crimes due to fear of reprisals by the police, the belief that police are corrupt, or the feeling that nothing would come from such reports. The result is that most crimes go unreported or uninvestigated. Reporting crime can be a bureaucratic, time-consuming process, and is widely perceived to have limited effectiveness, except for the most serious of crimes or where a police report is required for insurance purposes. Should a police report be required for an insurance claim, a nominal fee will be charged.

- *Mexico 2018 Crime & Safety Report: Nogales*, U.S. Department of State, Bureau of Diplomatic Security, April 20, 2018.

  The Cartel De Sinaloa has been able to remain the dominant Cartel in the Nogales area to date…A degree of narco-trafficking influence and complicity to criminal activity does affect police forces throughout Mexico. With the exclusion of several special units, Mexican law enforcement, especially at the local levels, is still developing professionally in comparison with U.S. standards. Many police are eager to serve, but they do not have the training and equipment to carry out their duties effectively. In addition, given that many of the local police grew up and live in the area with their families, they commonly acquiesce to threats of narco-trafficking violence. With low morale, poor pay, and narco-trafficking threats, local police typically have an overall negative perception with the populace in and with visitors to Sonora. The high number of arrests and the low rate of criminal convictions also contribute to low police morale.

- *Mexico 2018 Crime & Safety Report: Tijuana*, U.S. Department of State, Bureau of Diplomatic Security, February 2, 2018.

  The ability of police varies, but there have been strides made in recent years, especially in Tijuana. Police response and confidence generally continues to improve in Tijuana, although corruption still exists. The Tijuana police continue to demonstrate a desire to gain the trust of the populace and continue to pursue outreach activities. The general perception was that the majority of crime victims do not report crimes due to fear of reprisals by the police, the belief that police are corrupt, or the feeling that nothing would come from such reports. This is slowly changing, and Tijuana's increased reliance on technology and anonymous reporting may serve to improve people's confidence in law enforcement.

- *Mexico 2018 Crime & Safety Report: Nuevo Laredo*, U.S. Department of State, Bureau of Diplomatic Security, January 31, 2018.

The overall security environment did not substantially improve; the absence of a municipal police force, the inability to form a reliable, vetted state police force capable of maintaining law and order, and an inconsistent presence of federal forces, remain glaring signs that Nuevo Laredo, and Tamaulipas in general, remains a volatile security environment…Police corruption and police involvement in criminal activity, which are widely reported on, continue to be a problem in Mexico. Citizens are often indifferent to police authority, adding to the sense of lawlessness. The general perception is that the majority of crime victims do not report crimes against them due to fear of reprisals by the police, the belief that police are corrupt, or the feeling that nothing would come from such reports…In July 2011, the municipal police force in Nuevo Laredo was disbanded among allegations of large-scale corruption. A local police force has not been reconstituted. The duties of the local police have been assumed by a state police force and federal and military police. The state police force (*Policia Estatal Fuerza Tamaulipas*) began deploying to Nuevo Laredo in late 2013 although there are concerns with the lack of vetted officers being hired. Policing is supported by both the army and federal police within the city. All security forces conduct regular patrols throughout Nuevo Laredo.

- Jaime Arredondo Sanchez Lira, et al., *Policy Brief: The Resurgence of Violent Crime in Tijuana*, Justice in Mexico, p. 5, 7, 13, February 2018.

  In the vacuum created by the significantly weakened AFO operation after 2014 and the disruption of Sinaloa Cartel leadership in 2015-17, a new violent organized crime group emerged as an important influence in Tijuana: the Jalisco New Generation Cartel (Cartel de Jalisco Nueva Generación, CJNG)…The CJNG's entry into Tijuana appears to have contributed to elevated levels of violence in recent years. On the one hand, some violence appears to be related to direct conflicts between the remnants of the Sinaloa Cartel, on the one hand, and the CJNG and its allies, on the other. According to the Tijuana weekly newspaper Zeta, CJNG appears to have formed an alliance with the remaining elements of the AFO in order to force out the Sinaloans. Meanwhile, affiliates of the Sinaloa cartel—notably the Arzate Garcia brothers (better known as "Aquiles" and the "Frog") and members of the "Uriarte" criminal cell—fought back against CJNG expansion in Eastern Tijuana. This contributed to a surge in violence in certain areas of the city: La Presa, Zona Norte, Los Pinos, and especially Sánchez Taboada, the alleged headquarters of the CJNG…In 2017, the number of homicide investigations in Tijuana was double the number reported by Mexico's National Public Security System for Acapulco (834), which had led the nation with 918 homicides in 2016. What is more, Baja California attorney general Perla del Socorro Ibarra Leyva indicated in mid-2017 that the clearance rate for homicide cases in Tijuana— that is, the proportion of cases in which a suspect is identified and brought to justice—is around 10% (compared to 50% in Mexicali), suggesting near total impunity for murders in Tijuana. Unfortunately, the beginning of 2018 only seems to continue the existing trend for homicides in Tijuana, with more than 120 murders in January…Analyzing the geospatial distribution of violence in Tijuana, it is clear that there is a high concentration of homicides in a relatively small number of neighborhoods. Indeed, 20% of all homicides were concentrated in only 10 out of the roughly 850 neighborhoods in Tijuana. Of those, the three most violent neighborhoods accounted for 10% of all homicides in the municipality: Camino Verde (75), Zona Norte (49), Zona Centro (32). The most violent neighborhood, Camino Verde by itself accounted for one out of twenty homicides in 2017.

- Parker Asmann, *Mexico's Zetas: From Criminal powerhouse to Fragmented Remnants*, InSight Crime, April 6, 2018.

Heriberto Lazcano led the Zetas' transition towards independence and away from the Gulf Cartel. He was arrested and allegedly killed in 2012 by Mexican security forces — his body later disappeared. This was an important moment when the Zetas started to fragment…The Treviño brothers, Miguel, alias "Z40," and Alejandro, alias "Omar" or "Z42," were considered very violent leaders of the Zetas after Lazcano's death. The gradual fragmentation of the Zetas became even more visible after Z40 was detained in 2013 and Z42 was detained in 2015. This was in part due to the militarization of Mexico's war against organized crime, which further fragmented and weakened the group to the extent that we see today…The Northeast Cartel is one of several splinter cells of the Zetas. The Northeast Cartel has control over operations in the state of Coahuila because the Treviño brothers had a very special role in activities there because of the protection they had from security forces. But the Northeast Cartel has also fragmented and has lost a lot of power in Piedras Negras in Coahuila, among other places…At the beginning of current President Enrique Peña Nieto's term in late 2012 and early 2013, a new, violent group that controlled important parts of territory was not the Zetas anymore, but now the Jalisco Cartel New Generation (Cartel Jalisco Nueva Generación – CJNG).

- Laura Calderon, et al., *Drug Violence in Mexico*, Justice in Mexico, p. 40-41, April 2018.

  Once again, corruption remained an issue of enormous public concern and frustration in 2017. Since at least 2012, Mexico has been ranked as the most corrupt OECD country, according to Transparency International's 2018 report on the Corruption Perception Index. Mexico scored 29 on a scale of 0 ('highly corrupt') to 100 ('very clean'), down one point from its 2016 score. In Transparency International's ranking of countries from best to worst, Mexico placed 135th out of 176 countries, down several spots from 123rd place the year before. Mexico was ranked 27th out of 32 countries in the Americas, ahead of only Guatemala, Nicaragua, Haiti, and Venezuela, and tied with Paraguay…Corruption has also contributed to an increasingly disenchanted populous, as the Pew Research Center identified Mexico's top public concerns in 2017 being crime, corrupt political leaders, and corrupt police officers. In a comparison between 2015 and 2017, these concerns have increased respectively by 10%, 12%, and 9%. Moreover, Transparency International identified Mexico's bribery rate as the highest in the region with 51% of the populace paying a bribe for public services in the past 12 months.

- *Jalisco Cartel New Generation (CJNG)*, InSight Crime, March 30, 2018.

  The Jalisco Cartel New Generation (Cartel Jalisco Nueva Generación – CJNG) is a criminal group that has evolved as a result of killings, captures and rifts in older cartels. It is known for its aggressive use of violence and its public relations campaigns. Despite the capture of top leaders and some emerging signs of internal division, the group appears set to continue expanding…The weakening of the Sinaloa Cartel allowed the CJNG to become the most notorious Mexican cartel. However, in response to the group's growing strength, in May 2015 the Mexican government initiated "Operation Jalisco," aimed at restoring security to Jalisco and dismantling the CJNG…Since late 2017, the CJNG has begun to display signs of internal divisions, suggesting splinter groups could challenge the main cartel's dominance in key areas.

- *Sinaloa Cartel*, InSight Crime, January 24, 2018.

In recent years, the Sinaloa Cartel has become embroiled in a series of violent turf wars. In 2012, the cartel emerged victorious from a bloody battle with the Juarez Cartel over control of Ciudad Juarez. However, the war with rival cartel the Zetas, who in some regions have allied themselves with the remnants of the BLO, has spread across the country and raged through the states of Sinaloa, Durango, Coahuila, Nuevo Leon, and Jalisco, even reaching into Guatemala. The upper hand in the conflict has ebbed and flowed throughout the regions but with the Zetas an increasingly fragmented force, the Sinaloa Cartel seems poised to cement its position as the dominant force in the Mexican underworld. Nevertheless, the cartel continues to face challenges from remnants of several other drug trafficking organizations.

- *Knights Templar*, InSight Crime, June 22, 2017.

  The arrests and resignations of several politicians in 2014 with alleged links to La Tuta suggested the Knights Templar sill wield a significant amount of authority in the country's southwest. However, La Tuta's arrest in early 2015 has put the future of the Knights Templar in serious jeopardy. And the arrest of "El Cenizo" in June 2017 sealed their fate, solidifying the group's end.

- *Gulf Cartel*, InSight Crime, March 10, 2017.

  The Gulf cartel's traditional center of operations is in the northeastern border state of Tamaulipas, with its most important operational bases in Matamoros, Nuevo Laredo and Reynosa. These areas are critical from an operational and a financial standpoint. The cartel makes a substantial amount of money simply charging others for passage through the area. Other key northern cities include Monterrey, in Nuevo Leon, which the cartel lost control of to the Zetas following an intense struggle for control, but appears to be trying to regain…There are some indications that they have been able to drive a few elements of the Zetas out of Tamaulipas. But the latter organization is holding on tightly in the border towns, and the Gulf has already lost much of its former monopoly over Mexico's east coast to the Zetas.

- *Zetas*, InSight Crime, April 6, 2018.

  The Zetas criminal empire once had a presence that stretched across Mexico, with their stronghold stretching from Nuevo Laredo to Monterrey. Their reach also expanded into Central America, especially Guatemala. However, now the group is limited to Mexico and occupies a patchwork of territory across the country. The Zetas' most critical areas remain Tamaulipas and the Gulf Coast…The Zetas as an unified criminal organization no longer exists. The group's fragmentation into several smaller splinter cells has made it increasingly difficult to identify those in leadership positions…The Zetas' days as Mexico's most feared cartel and a drug trafficking organization with a vast transnational reach are now over. However, this does not mean the name will fade any time soon. Instead, they are likely to continue the process of fragmentation, and splinter cells like the Northeast Cartel will continue to operate with an increasingly local focus on their criminal activities.

- *Tijuana Cartel*, InSight Crime, February 13, 2018.

  In 2016, following the re-arrest of El Chapo, evidence emerged that the remnants of the Tijuana Cartel had formed an alliance with the Jalisco Cartel New Generation (Cartel Jalisco Nueva

Generación – CJNG) seeking to challenge the Sinaloa Cartel's hegemony in the northern border state of Baja California. Despite the capture of several top suspected members of the Tijuana Cartel, the group appears to retain significant control in the area…Enedina Arellano Felix, alias "La Narcomami," heads the Tijuana Cartel…The Tijuana Cartel primarily operates in its namesake city. Located on the US-Mexico border, Tijuana is a strategic location for smuggling drugs into Southern California.

- *Familia Michoacana*, InSight Crime, November 17, 2015.

  As the Familia Michoacana's name indicates, the group had its base and origins in Michoacan, in particular the mountainous Sierra Madre del Sur. The Familia's powerbase was located in the seven municipalities that make up "Tierra Caliente" in southwest Michoacan, about 600 miles from the U.S. border. The Familia also established cells in the states of Guerrero, Morelos, Guanajuato, Colima, Queretaro, Jalisco and Mexico City. With the decline of the Familia have come reports that the group has retrenched in Guanajuato and Mexico State…In 2011, authorities considered the Familia Michoacana to be essentially extinct. However, a police raid in May 2014 of a Familia Michoacana cell operating in Guerrero suggests the criminal group may be looking to gain power once again in the country's southwest following the weakening of the Knights Templar.

- *Juarez Cartel*, InSight Crime, November 17, 2015.

  The cartel maintains a firm foothold in Ciudad Juarez and the Valle de Juarez, which remains the key corridor for transporting illegal drugs into the United States. It still has some measure of control over the local and state police, as well as some politicians. It has turned to local gangs to be its enforcers, changing the dynamic in the area and increasing violent confrontation with its rivals. The group's drug trafficking operations are carried out by establishing two main fronts on both sides of the US-Mexico frontier. La Linea and the Linces control transport to the U.S.-Mexican border and the other gang, the Aztecas, manages the U.S. side, with operations in El Paso, Dallas and Austin…Despite recent news reports about its decline, the Juarez Cartel remains one of the most powerful criminal organizations in Mexico and the region. Small cells carry out different types of operations ranging from transportation to distribution of drugs; street gangs, mostly in the north, act as the enforcement wing and are involved in human trafficking and kidnapping operations.

- *Building Peace in Mexico: Dilemmas Facing the López Obrador Government*, International Crisis Group (ICG), p. 10, 12, 14, October 11, 2018.

  - The local variations in Mexico's patterns of crime and conflict pose major challenges for any future federal government strategy. But the fate of López Obrador's plans to improve public security also hinges on whether he will be able to rein in Mexico's security forces – and rely upon them to fight crime. Corruption, collusion and authoritarianism in the police and the armed forces has undermined their adherence to the law and their operational effectiveness. Internal resistance to establishing a system of external oversight for these forces is entrenched. Government officials tend to portray Mexico's violence as a symptom of the battle between the state and organised crime.
  - By defining a clear enemy, officials use this diagnosis to justify extensive military involvement in public security. In reality, however, the boundaries between the Mexican

state and organised crime are porous. This is especially true at the municipal level, the state's most embattled echelon…The dissolution or replacement of municipal police with federal or state police forces has become the standard response to alleged corruption and criminal collusion…Security provision has become overwhelmingly dependent on the armed forces. But despite the widespread perception that the military is the only institution capable of confronting organised crime, as well as continued public and political support for its role, it has so far failed to deliver the expected results…There are also questions as to the armed forces' operational effectiveness in the fight against organised crime, their coordination with other state bodies and their compliance with the law…Political pressure to show results has also reportedly driven the military to violence and unscrupulous behaviour. Human rights and other civil society groups have accused the military of enforced disappearances and extrajudicial killings on a scale that amounts to crimes against humanity. On 11 June 2018, a number of these groups presented a document before the International Criminal Court detailing armed forces' alleged involvement in such acts. On 30 May 2018, the UN High Commissioner for Human Rights said there were "strong indications" that "federal security forces" were behind "a wave of disappearances in and around the city of Nuevo Laredo" in *Tamaulipas* on the U.S. border. Human rights and other civil society groups have accused the military of enforced disappearances and extrajudicial killings on a scale that amounts to crimes against humanity…To date, federal security forces have resisted external oversight. A recent report found that Mexico's attorney general's office (Procuraduría General de la República, PGR) obtained convictions in just 3.2 per cent of the investigations it undertook into the armed forces' human rights abuses between 2012 and 2016. The report highlighted techniques of obstruction employed by officers in the security forces, including false testimonies and alteration of crime scenes, adding that "the PGR has not shown the political will to undertake serious and thorough investigations."

- Parker Asmann, *Disbanding Municipal Police Unlikely to Improve Mexico Security Crisis*, InSight Crime, September 27, 2018.

  Disbanding municipal police forces to create a single, unified force does not address any of the underlying factors that cause these units to become increasingly vulnerable to corruption and infiltration from organized crime groups. Overall, police officers in Mexico are paid dismal wages, often work more hours than should be expected and are understaffed in areas of the country that have the most public security threats. In particular, municipal police officers often earn less than those at the state and federal levels, making them even more susceptible to bribes and infiltration from organized crime groups…While municipal police forces are undeniably more vulnerable than other units, disbanding them and creating a single unit in hopes of improving security doesn't address the structural factors that are contributing to the problem, such as a lack of oversight and inadequate training to face organized crime-related threats, among others. It also doesn't take away the financial incentive for crime groups to continue moving drugs through criminally strategic areas.

- Parker Asmann, *Suspension of Entire Local Police Force Shows Depth of Mexico Corruption*, InSight Crime, August 27, 2018.

  The wholesale suspension of an entire municipal police force demonstrates the level to which organized crime and corruption networks penetrate the state on a local level. The move clearly

demonstrates that in areas such as Tehuacán, the state is not fit for purpose. Local police are particularly vulnerable to corruption and infiltration from organized crime groups, as they are overworked, underpaid and understaffed. They often receive far lower salaries than officers at the state and federal level do, making bribes from criminal groups all the more attractive.

- John Holman, *Mexico police officers 'underpaid, under-equipped'*, Al Jazeera, August 2, 2018.

  Last year, NGO Causa En Comun, which works with police forces across the country, surveyed nearly 5,000 state and federal police officers about their working conditions. "We've been told by some officers that they've been asked by their chiefs to give them $1,000 so they can have a higher rank or to not be assigned to a very dangerous neighbourhood," Marcela Figueroa, one the Causa En Comun investigators, told Al Jazeera. According to National Movement for Security and Justice and Causa En Comun, it's not just the officers who must pay, but also the public, who end up paying bribes called "mordidas" (bites) to police so that they can hand over the money their superiors demand…According to Causa en Comun, officers regularly take their own cut of the money exhorted from civilians. This may be in part due to the often meager salaries they receive, even by Mexican standards…This makes low-level police officers especially vulnerable to the overtures of the many criminal organisations operating in Mexico, especially at the municipal level…This has happened in multiple documented cases. Most notoriously in September 2014, when 43 students were taken by municipal police working with a drug gang. The students were never seen again, an act that horrified the country. In Allende, a small town in the Northern state of Coahuila, a report by human rights activists and academics showed the Zetas cartel had paid off the entire police force with about $5,000 dollars a month in the lead up to committing a drawn-out massacre in 2011 in which nearly 200 people were killed. In other places, entire police forces have had to be detained or disbanded because of widespread corruption. This has led to widespread distrust in the police…Officers who spoke to Al Jazeera say that they are ill-equipped to improve that perception, because they lack the basic equipment and training to do their job…An officer who didn't want to be identified in Tijuana, the border city with more than 900 murders so far this year, said many officers had to buy bullets smuggled in from across the border…The complaints from officers in Cuautitlan Izcalli and Tijuana are consistent with what the NGO surveying police - Causa en Comun - found to be a nationwide problem in equipping and training police…The organisation told Al Jazeera that they believe the municipal police, who weren't included in the survey, are working in worse conditions.

- *Mexico: Criminality, including organized crime; state response, including effectiveness; protection available to victims, including witness protection*, Research Directorate, Immigration and Refugee Board of Canada, Ottawa (2015-July 2017).

  A report by the Citizens' National Observatory (Observatorio Nacional Ciudadano), a civil society organization that promotes the oversight of security, justice and legal conditions in Mexico, indicates that the states with the highest homicide rate between April 2016 and March 2017 are Colima (74.97), Guerrero (62.6), Sinaloa (41.67), Baja California Sur (38.66), and Baja California (37.83)…Sources indicate that the police and the military have reportedly been involved in activities such as unlawful killings, torture and disappearances…The report by the Observatorio Nacional Ciudadano indicates that the country's kidnapping rate per 100,000 inhabitants between April 2016 and March 2017 was 4.97, and the states with the highest rates were México (37.5), Tamaulipas (21.25), Veracruz (20.17), Guerrero (11), and Mexico City (10.5)…Amnesty International (AI) indicates that enforced disappearances, including those

committed by state and non-state actors, are "widespread"…The report by the Observatorio Nacional Ciudadano indicates that the country's extortion rate per 100,000 inhabitants between April 2016 and March 2017 was 4.56, and the states with the highest rates were Baja California Sur (22.08), Nuevo León (12.34), Jalisco (8.68), San Luis Potosí (8.45), and Colima (8.4) (Apr. 2017, 44). The report by the Observatorio Nacional Ciudadano indicates that the country's extortion rate per 100,000 inhabitants between April 2016 and March 2017 was 4.56, and the states with the highest rates were Baja California Sur (22.08), Nuevo León (12.34), Jalisco (8.68), San Luis Potosí (8.45), and Colima (8.4)…Moloeznik indicated that the growing use of the military in combating violence has, in part, led to an increase in complaints of human rights violations committed by members of the military. Sources indicate that state agents that commit crimes continue to enjoy impunity.

- *False Suspicions: Arbitrary Detentions by Police in Mexico*, Amnesty International, p. 15, 21, 32, July 2017.

  One of the motives for arbitrary detention in Mexico is extortion. The police deprive people of their liberty in order to extort money in return for releasing them rather than bringing them before the public prosecutor, or for not accusing them or not planting evidence among their belongings to incriminate them…Detainees are not the only targets of police extortion. There are also cases of arrests carried out at the behest of third parties where the detainee is the victim of revenge or reprisal. Detainees may be held briefly and released or they may be brought before other authorities with planted evidence and false testimony and be handed over for legal proceedings in the justice system…Interviews conducted for this report reinforce research establishing that in Mexico unlawful use of force during detention persists and that many detainees are subject to torture or other ill-treatment. Previous Amnesty International research found that torture was widespread throughout the country. The UN Special Rapporteur on torture and other cruel, inhuman or degrading treatments or punishment reached a similar conclusion, as has the Inter-American Commission on Human Rights…In Mexico, a high degree of impunity for arbitrary arrests and detentions persists, as is the case for the majority of crimes, including violations of human rights committed by the security forces. It is estimated that impunity levels in Mexico are around 99%.

- Ximena Suarez, et .al, *Access to Justice for Migrants in Mexico*, WOLA, p. 11, July 2017.

  In Sonora, crimes against migrants are in many cases related to organized crime, often with the involvement of federal and state authorities. Approximately three years ago, local organizations detected cases of abuse by officials, including cases where the Federal Police extorted migrants. The *modus operandi* for extortion is to detain migrants on buses, make them get off the bus, and beat them. Now, the responsibility for these crimes is in the hands of the "mafia", which robs, kidnaps, and charges fees to let people pass or travel through an area. They have even gone so far as to mutilate people to force them to pay. Areas around the bus stations in Sonora are particularly vulnerable to crime. "Since there are no security guards, they go in through the back of the station and as people get off the bus, they say to them, 'You're the one,' and take them away." Violence against migrants also occurs in other areas.

- Maureen Meyer, *Migrants in Transit Face Crimes and Human Rights Abuses*, WOLA, November 15, 2016.

Although migrants have long been subject to petty corruption and abuse in Mexico, the expansion of organized criminal groups in the country has resulted in criminal networks increasingly engaging in extortion, kidnapping, and other crimes in the territories where they exercise control; migrants have become a lucrative source of income in this context. Many migrants have to pay to pass through cartel-controlled territory, a situation particularly prevalent at the U.S.-Mexico border. During their journey, migrants are frequently victims of kidnappings and ransom demands, human trafficking, sexual assault, robbery, and even murder. Local and federal agencies are involved in these crimes, including the Federal Police and the National Migration Institute (*Instituto Nacional de Migración*, INM), the lead agencies involved in Mexico's migration enforcement efforts…The government of Mexico has intensified its enforcement activities through the Southern Border Program (*Programa Frontera Sur*). The government says that this program aims to "protect and safeguard the human rights of migrants who enter and travel through Mexico, as well as to establish order at international crossings in order to increase development and security in the region"… Increased enforcement has also resulted in a rise in crimes and human rights violations against migrants. The migrant shelter in Saltillo, *Frontera con Justicia*, in the northern state of Coahuila, documented more crimes against migrants- kidnapping, extortion, robbery and other abuses- in the first seven months of 2016 than in all of 2015. The shelter La 72 in Tenosique, Tabasco in southern Mexico has denounced eight cases of mass kidnappings in 2016 and alleged that agents from Mexico's Federal Police participated in some of the events. Mexico's National Human Rights Commission (*Comisión Nacional de los Derechos Humanos*, CNDH) saw a 53 percent increase in complaints of human rights violations perpetrated by INM agents in 2015 as compared to 2014. In October 2016, the Commission released a report on the grossly inadequate conditions within several migrant detention centers in Mexico. It also released a report on the situation of migrant children in Mexico, highlighting that the Commission had received 881 complaints of human rights violations against migrant children in the past six years.

- *Human Rights of Migrants and Other Persons in the Context of Human Mobility in Mexico*, IACHR, p. 42, 49, December 30, 2013.

    - Migrants in an irregular situation are forced to live and move about clandestinely, to escape detection by the authorities. This exposes them to even greater dangers, in which they fall victim to various crimes and violations of their human rights, committed by criminals and authorities alike. The violence in Mexico today, brought on by the massive violence waged by the drug cartels, the war on drugs, and the militarization of certain areas of the country, has put migrants in the crossfire, exponentially increasing the dangers they face when they travel by way of clandestine channels, by remote routes through isolated territory. These are precisely the areas where organized crime and drug cartels have a greater presence. Migrants in an irregular situation run the risk of falling into the hands of these criminal organizations, but it is a risk they take to avoid being detected, detained and subsequently deported by the Mexican authorities, or becoming victims of crimes committed by the authorities. The Commission has received abundant information about state agents, such as INM agents and municipal, state and federal police officers who, either directly or by colluding with organized crime, have committed crimes and human rights violations against migrants.
    - Criminal organizations are involved in the business of irregular migration because of the high returns it offers for the small risk that these organizations run in committing crimes against migrants. At the present time, irregular transnational migration represents one of

the main sources of revenue for organized crime in Mexico and in the region. These organizations have long tentacles. This, combined with the overlapping migration, drug- and arms-trafficking routes and the collusion of various public officials, have made it easier for organized crime to make inroads into a business that reportedly brings in millions of pesos and dollars each year by exploiting undocumented migration. The areas hardest hit by the breakdown in security in Mexico are along the borders and in the areas surrounding the routes that migrants in an irregular situation use to cross Mexican territory.

- *Press Release: CNDH identifies areas that are high-risk for migrants,* CNDH, Mexico, D.F., p. 7, April 18, 2011.

  The National Human Rights Commission specified the places where there is a risk of becoming a victim of crime in the Special Report on Migrant Kidnapping Cases in Mexico. These points are located in Baja California, Chiapas, Coahuila, Estado de México, Guanajuato, Guerrero, Michoacán, Nuevo León, Oaxaca, Querétaro, Quintana Roo, San Luis Potosí, Sonora, Tabasco, Tamaulipas and Veracruz. 71 municipal districts are mentioned to have road ways and rail ways where in some zones kidnappings, maltreatment, extortion, theft and sexual attacks on migrants have been reported.

- Sieff, Kevin, *The U.S. sends thousands of deportees each month to Mexico's most dangerous border areas*, The Washington Post, January 8, 2019.

  It is the least secure city in Mexico, according to a government survey. It is in a state, Tamaulipas, that is the only place along Mexico's northern border to carry the State Department's most severe travel warning, putting it in the same category as Afghanistan and North Korea. From 2017 to 2018, the number of homicides more than doubled to 225 in the city of 600,000. At least another 2,500 people are missing. Criminal groups enrich themselves through kidnapping and extortion, with migrants among their most common targets…Officials have catalogued a string of crimes against both deportees and other migrants. In 2017, the Tamaulipas government recorded dozens of cases of migrants being kidnapped or extorted by criminal groups. That year, the governor of the state created a program known as "Project Safe Passage," providing a police escort to deportees as they navigate the city, a precaution not taken in any other state…The U.S. government has experimented with ways to keep deportees out of the hands of criminal groups along the border. Beginning in 2013, for example, it operated twice-weekly flights that took deportees directly to Mexico City, bypassing more dangerous cities like Reynosa. But that program was paused in May, and human rights advocates say the United States is ignoring the reality along the border.

- Alan Feuer, *El Chapo Trial Shows that Mexico's Corruption Is Even Worse Than You Think*, The New York Times, December 28, 2018.

  In two months of testimony, nearly every level of the Mexican government has been depicted as being on the take: Prison guards, airport officials, police officers, prosecutors, tax assessors and military personnel are all said to have been compromised. One former army general, Gilberto Toledano, was recently accused of routinely getting payoffs of $100,000 to permit the flow of drugs through his district. Even the architect of the government's war on Mr. Guzmán and his

allies — Genaro García Luna, the former public security director — was suspected to have taken briefcases stuffed with cartel cash.

- Alberto Najar, *Why did the migrant caravan choose the longest route to cross Mexico to the US?* BBC News World, November 10, 2018.

  The most usual route for Central American migrants who intend to travel to the United States is to follow the train tracks and roads that border the Gulf of Mexico. The road crosses some of the states with the highest rate of violence, such as Veracruz and Tamaulipas. As documented by the National Human Rights Commission (CNDH), these entities commit the largest number of kidnappings of migrants in the country. For example, the Office of the Attorney General of the Republic (PGR) has 270 investigations on plagiarism of Central Americans only in Veracruz. According to civil organizations such as the Washington Office for Latin America (WOLA), 99% of migrant kidnappings are not investigated in Mexico. The situation is more serious in Tamaulipas. "Even buses full of people have been taken away," says Rubén Figueroa, director of the La 72 de Tabasco shelter. One of the cities with the largest number of kidnappings is Reynosa, on the border with the United States. There, for three years in the region there has been a war between the Gulf Cartel, the Zetas and the Northeast…But there are also risks on the route to Tijuana. The migrant caravan must cross through Celaya, Guanajuato, where the authorities have detected several safe houses with kidnapped migrants. The problems also occur in Jalisco and Sinaloa, where there is a dispute over drug cartels. In those places it has been reported that Central Americans are forcibly recruited to work in drug cultivation fields. The organizations that fight the territory are the Jalisco Nueva Generación and Sinaloa cartels.

Are migrants treated the same as Mexican citizens when they request assistance from law enforcement?

- *Rights of Migrants*, CNDH, Mexico, last accessed January 23, 2019.

- The first article of the Federal Constitution broadly recognizes (without exception) the right of every person to enjoy the rights recognized by the Mexican State in it and in the international instruments subscribed by it. In Mexico all people, regardless of their ethnic or national origin and their immigration status, have the right to ensure that in any administrative or judicial process essential formalities are complied with and comply with the law, based on the constitutional and international guidelines.

- Stephanie Leutert, *Organized Crime and Central American Migration in Mexico*, LBJ School of Public Affairs, p. 7, 21-22, 2018.

  - The Mexican Federal Constitution grants all foreigners in Mexico the same protections as Mexican citizens, including the ability to access the justice system and report crimes.
  - In December 2015, the PGR created the Unit of Investigation of Crimes against Migrants and the Mechanism for Mexican Foreign Support in the Search and Investigation of Crimes against Migrants. The Unit investigates federal crimes against migrants and federal crimes perpetrated by migrants on Mexican territory. The Mechanism is a tool available for victims' families to report crimes against migrants from outside the country. From December 2015 through March 2017, the Mechanism received 67 cases of missing migrants, 59 of which involved victims from the Northern Triangle who disappeared in

Mexico between 1999 and 2014. However, given that there are 79 cases of migrant kidnapping in this report's original dataset alone (and kidnapping by an organized criminal group is a federal crime), the Unit's 67 cases likely remain a small proportion of federal crimes actually committed against migrants. This Unit has also faced low funding levels. Mexican law also provides an incentive for migrants to report crimes while in Mexican territory. As outlined in the 2011 Migration Law, migrants who are victims of crimes are entitled to temporary regularization via a humanitarian visa. Between 2014 and 2016, there was a 575 percent increase in the number of migrants who temporarily regularized their migration status in Mexico because they reported being victims or witnesses of a crime in Mexico. Yet, these numbers still reflect only a small percentage of the total number of migrants who are estimated to have suffered a violent crime during their journey. It is also unclear how many of these criminal cases were ultimately completed. In spite of these policies, the irregular nature of most transit migration through Mexico creates a challenge for protecting migrants. Migrants are generally wary to report crimes since they may fear being detained or returned to their home countries. Similarly, the relatively high levels of collusion between some security forces and organized criminal groups in parts of Mexico means that denouncing crimes to authorities may put migrants in greater danger from organized criminal groups. This dynamic of impunity creates the context in which the victimization of migrants can thrive. In response to criminal groups' victimization of migrants, the Mexican government has enacted several laws and programs to better address kidnapping, human trafficking, and violence against migrants.

- Pedro Hipolito Rodriguez-Herrero, *Governmentality and violence towards Central American migrants in the gulf of Mexico*, CANAMID, p. 10-11, November 2016.

- The attacks and abuses involving deported migrants between 2009 and 2011 prompted the passage of various state and federal laws. On May 25 2011, a new Immigration Act provided for unconditional respect for the human rights of migrants, both national and foreign, regardless of their origin or immigration status. The new law focuses on vulnerable groups such as children, women, indigenous people, adolescents and senior citizens, stipulating that in no case is irregular immigration status equivalent to committing a crime. On paper, it guarantees migrants' human rights. However, the subsequent amendments have meant that in practice, it is little more than a dead letter, since the authorities responsible for its enforcement either lack sufficient resources or have not been trained to assist migrants, as a result of which the crimes committed against them are neither combated nor investigated. Weak institutions of justice allowed networks of police officers and criminals to neutralize the basic functions of these authorities, leading to high impunity rates.

- *Annual Activity Report 2017,* CNDH Mexico, December 31, 2017.

- According to the complaints that this National Commission has received, the main authorities related to alleged violations of human rights against migrants are the following: National Institute of Migration (INM), Mexican Commission for Refugee Aid (COMAR), Federal Police (PF), Ministry of Foreign Affairs (SRE), Attorney General's Office (PGR), Secretariat of the Navy (SEMAR), Secretariat of Public Security of the State of Veracruz, Secretariat of National Defense (SEDENA), H. City Hall of Orizaba, Veracruz, Ministry of Public Security of the State of Chiapas, National Security Commission. The main rights violated by the authorities are the

following: the right to legal security (lack of legality, honesty, loyalty, impartiality and efficiency in the performance of functions, jobs, positions or commissions); the right to health protection (to omit providing medical care); the right to dignified treatment (actions and omissions that violate the rights of migrants and their families); the right to personal integrity and security (cruel, inhuman or degrading treatment); the right to equality (to omit providing medical attention); the right to petition (omit to respond to the request made by any person exercising his right); the right to freedom (arbitrary detention).

- Ximena Suarez, et .al, *Access to Justice for Migrants in Mexico*, WOLA, p. 14-15, 21-22, 24-25, July 2017.

    - Adequate procedures for reporting cases and human rights violations in migrant detention centers are lacking: Without access to human rights organizations or the necessary authorities, detained migrants' options for denouncing crimes are limited to reporting them to INM agents or to Mexico's National Human Rights Commission (CNDH) during its visits to the centers. However, we have found cases in which the INM does not submit migrants' complaints to the CNDH or inform the Commission of the human rights violations migrants report. We have also found that the INM sometimes denies the abuses reported in migrants' testimonies or discourages, threatens, and intimidates migrants if they file complaints.
    - INM Beta Groups are tasked with protecting migrants in transit through Mexico by providing rescue services, humanitarian assistance, and legal assistance. Agents from the Beta Groups can offer legal assistance by forwarding their reports to the appropriate authorities for investigation. However, several challenges exist in regards to the legal assistance the Beta Groups offer: Data obtained through an access to information request about the Beta Groups' legal aid services reveal several inconsistencies. For instance, some cases were submitted for investigation to authorities that do not investigate the activities of officials or protect human rights. Furthermore, the Beta Groups have not standardized their procedures for documenting crimes and abuses: while some reports are imprecise, others specify what kind of crime was committed (kidnapping, unlawful deprivation of liberty, threats, extortion, robbery, etc.) and contain a more detailed account of the crime. Some also document migrants' concerns about whether or not to file a report (for example, fear of retaliation), while others do not.
    - Inadequate backgrounds of special prosecutors and their teams, lack of resources, and lack of sensitivity: According to the lawyer at the Centro de Recursos para Migrantes in Agua Prieta, Sonora "…. the person who heads [the investigation of crimes against migrants] determines whether there will be will [to investigate] or not. Continuing to create laws, regulations, and rules does not always help to achieve real justice. They can keep setting up units or prosecutor's offices, but if there is no real interest in investigating, detaining perpetrators, and sentencing them, things will stay the same. There are no tangible cases of justice." Another challenge to investigating crimes against migrants is the lack of coordination between federal and state authorities and between the various departments within the same institution.
    - Authorities are unwilling to investigate crimes against migrants: Local prosecutors justify the lack of results in investigations by claiming that since migrants who are victims of crime do not stay in the areas where they file their complaints, investigations into their cases cannot move forward. For the Ministry of the Interior's Undersecretary of Population, Migration, and Religious Affairs, "migrants go and file reports, but do not

stay in the country. If they go to the U.S. or return to their home country, the investigation is cut off. We cannot proceed." Despite Mexican officials' claims, investigations into crimes against migrants can indeed move forward even if the victim leaves the country. As mentioned above, migrants who are victims of or witnesses to grave crimes can regularize their migration status in order to remain in Mexico and contribute to investigations into their cases. Additionally, the Federal Code of Criminal Procedures (Código Nacional de Procedimientos Penales, CNPP) which took effect nationwide on June 18, 2016 and is applicable to the investigation of crimes against migrants, allows for prosecutors to gather evidence before trial ("pruebas anticipadas") when "it is likely that a witness will not be able to appear at the hearing because he or she lives abroad or has reason to fear for his or her life," and to "avoid the loss or alteration of evidence." In the case of crimes against migrants, this means that authorities can collect all necessary evidence at the time that a migrant reports a crime and can pursue the investigation even in their absence.

Are there police stations and other law enforcement entities accessible to migrants at the border region?

- Stephanie Leutert, *Organized Crime and Central American Migration in Mexico*, LBJ School of Public Affairs, p. 8, 20, 24, 2018.
    - To aid migrants who are victims of crimes, the Federal Attorney General (Procuraduría General de la República, PGR) investigates federal crimes against migrants, most notably through the Unit of Investigation of Crimes Against Migrants (Unidad de Investigación de Delitos para Personas Migrantes). This unit also features an External Reporting Mechanism (Mechanismo de Apoyo Exterior Mexicano de Búsqueda e Investigación, MAEMBI) that takes reports of crimes filed by relatives of migrants and participates in investigations of migrants' disappearances in Mexico. Migrants who were victims of crimes, are awaiting refugee status decisions, or face other difficult humanitarian circumstances may also apply for a humanitarian visa (Visitante Por Razones Humanitarias) through the INM, which grants them a one-year permit to remain in Mexico and move freely throughout the country.
    - Mexico's federal government has enacted several policies and programs aimed at combating crimes against migrants. Broadly speaking, these policies allow migrants to more easily report crimes, improve responses for specific crimes that involve migrants, and attempt to reduce the number of migrants crossing Mexico without authorization. Overall, these policies' effectiveness remains unclear. Migrants continue to be victimized throughout Mexico, but it is difficult to calculate the counterfactual of how many crimes would be committed if these policies were not in place.
    - Eighteen states in Mexico have passed their own migration legislation. These laws contain various protections for migrants and outline states' responsibilities to protect all individuals inside their territory—including their citizens and migrants—from crimes such as robbery, extortion, and assault. Since 2008, Chiapas, Oaxaca, Veracruz, Coahuila, Tabasco, Campeche, and Quintana Roo have also created specialized prosecutor offices to investigate crimes against migrants.

- *Mexico 2018 Crime & Safety Report: Ciudad Juarez*, U.S. Department of State, Bureau of Diplomatic Security, July 5, 2018.

Levels of professionalism vary greatly among police agencies. In major metropolitan areas, foreigners can expect support from police…. Police/Security Agencies: Federal Police-Primarily functions as highway patrol and airport policing. Special investigative units exist to investigate federal crimes. Policia Estatal Unica- Formed in 2012 with state patrol and investigative responsibilities. Chihuahua State Police- Responsible for the investigation of all state crimes and includes specialized groups for anti-kidnapping. Municipal Police- Mainly patrol and crime prevention without investigative authority. They are the primary responders when summoned through 911 in a metropolitan area. Transito Police-Traffic enforcement and route control.

- *Mexico 2018 Crime & Safety Report: Matamoros*, U.S. Department of State, Bureau of Diplomatic Security, April 10, 2018.

  Since the escalation in TCO violence began, the government has significantly increased the number of troops and federal police in the region in an effort to quell the violence. These numbers constantly change due to the security environment elsewhere in Mexico. Military and federal police frequently conduct patrols throughout the city. There are no municipal police forces in Tamaulipas. They were disbanded years ago due to endemic corruption….Police/Security Agencies: A state police force (*Fuerza Tamaulipas*) began deploying to Matamoros in late 2014 but has faced serious recruitment and retention deficits. The force is estimated at one-third the size needed to police the state. The Mexican Army (SEDENA) and the Mexican Marines (SEMAR) combat organized crime across Mexico. The military operates checkpoints at the ports of entry and patrols throughout the city providing basic security functions.

- *Mexico 2018 Crime & Safety Report: Nogales*, U.S. Department of State, Bureau of Diplomatic Security, April 20, 2018.

  Police response to emergencies in Nogales is generally timely; however, in other cities in the consular district, the response time may not be as quick. A degree of narco-trafficking influence and complicity to criminal activity does affect police forces throughout Mexico. With the exclusion of several special units, Mexican law enforcement, especially at the local levels, is still developing professionally in comparison with U.S. standards…..Police/Security Agenies: Federal Police-their primary function is highway patrolling and airport policing. Special units exist to investigate federal crimes and conduct counter narcotics activities. Sonora State Police (*Policia Estatal Investigadora,* PEI): serves as the primary criminal investigative agency in the state. They have specialized groups that work with the U.S. FBI on kidnapping and other sensitive investigations. Municipal Police (*Policia Municipal*): They mainly patrol and conduct crime prevention. They are the primary responders when summoned through 911 in the Nogales area to include traditional police calls like traffic violations and incidents in the residential communities. The Sinaloa cartel has infiltrated many levels of society in Nogales. Conducting periodic personnel background checks on employees is a very good practice. However, given the size and population of Nogales and the state of Sonora as a whole, it would be difficult to hire a sizable workforce that is completely insulated from DTOs. Best practice calls for the use of periodic employee interviews and initial/periodic background checks.

- *Mexico 2018 Crime & Safety Report: Tijuana*, U.S. Department of State, Bureau of Diplomatic Security, February 2, 2018.

- The ability of police varies, but there have been strides made in recent years, especially in Tijuana. Police response and confidence generally continues to improve in Tijuana, although corruption still exists. The Tijuana police continue to demonstrate a desire to gain the trust of the populace and continue to pursue outreach activities…. Police/Security Agencies: The Tijuana Municipal Police Department is the largest police force in Baja California. They serve a preventive police role, patrolling and handling immediate response to criminal incidents. The Baja California State Preventive Police (PEP) serves a similar role for the entire state. Similarly, the Federal Police (PF), and to an extent the Mexican Army (SEDENA) and Mexican Marines (SEMAR), patrol more broadly, including public highways, airports, and the border regions. Recently, some public security leadership in Baja California Sur was replaced by members of the Mexican Marines (SEMAR). The new leadership has established a unified command structure that incorporates SEMAR, federal, state, and local police to establish public order. Despite these recent changes, the Consulate expects the violence to continue to increase as cartels compete for dominance in the area. In both states, the Attorney General's Office at the federal level (PGR) and state level (PGJE) are responsible for the investigation and prosecution of crimes that fall under the jurisdiction of federal and state courts respectively.

- *Mexico 2018 Crime & Safety Report: Nuevo Laredo*, U.S. Department of State, Bureau of Diplomatic Security, January 31, 2018.

  The overall security environment did not substantially improve; the absence of a municipal police force, the inability to form a reliable, vetted state police force capable of maintaining law and order, and an inconsistent presence of federal forces, remain glaring signs that Nuevo Laredo, and Tamaulipas in general, remains a volatile security environment…. Police corruption and police involvement in criminal activity, which are widely reported on, continue to be a problem in Mexico. Citizens are often indifferent to police authority, adding to the sense of lawlessness. The general perception is that the majority of crime victims do not report crimes against them due to fear of reprisals by the police, the belief that police are corrupt, or the feeling that nothing would come from such reports. Reporting crime can be an archaic, exhausting process and is widely perceived to be a waste of time, except for the most serious of crimes or when a police report (*denuncia)* is required for insurance purposes. Should a *denuncia* be required for an insurance claim, a nominal fee will be charged. In July 2011, the municipal police force in Nuevo Laredo was disbanded among allegations of large-scale corruption. A local police force has not been reconstituted. The duties of the local police have been assumed by a state police force and federal and military police. The state police force (*Policia Estatal Fuerza Tamaulipas*) began deploying to Nuevo Laredo in late 2013 although there are concerns with the lack of vetted officers being hired. Policing is supported by both the army and federal police within the city. All security forces conduct regular patrols throughout Nuevo Laredo…. Police/Security Agencies: The local, state, and federal governments are organized similar to their U.S. counterparts, but law enforcement capabilities within these jurisdictions vary greatly.

- *Dangerous Territory: Mexico Still Not Safe for Refugees*, Human Rights First, July 2017.

  In December 2015, Mexico's Attorney General created a unit to investigate and prosecute crimes involving migrants, both as victims and the accused. As of September 2016, the unit had received 129 cases. However, lack of resources and delays in operational rules have "prevented the Unit from fully focusing on the investigation of crimes against migrants," according to the Washington Office on Latin America (WOLA). In the state of Coahuila, as of August 2016, prosecutors had

charged just one perpetrator in the 162 reported cases involving crimes against migrants. In comparison, a June 2017 study documented 5,289 incidents of crime against migrants in 2016, including 921 crimes against migrants committed by federal or state officials.26 Discrepancies between the number of crimes against migrants documented by shelters and those investigated by State prosecutors indicate that nearly half of such crimes go unreported.

- Ximena Suarez, et .al, *Access to Justice for Migrants in Mexico*, WOLA, p. 7, 13-14, 15, 19, July 2017.

    - Mexican authorities have implemented a number of measures to investigate crimes against migrants. For example, in 2015, under pressure from civil society organizations, the federal Attorney General's Office (*Procuraduría General de la República,* PGR) created the Unit for the Investigation of Crimes for Migrants (*Unidad de Investigación de Delitos para Personas Migrantes,* UIDPM) tasked with investigating federal crimes committed against or by migrants in Mexico. It also established the Mechanism for Foreign Support (*Mecanismo de Apoyo Exterior,* MAE), which allows migrants and their families to report crimes that occurred in Mexico from abroad. Since 2008, seven states—Chiapas, Oaxaca, Veracruz, Coahuila, Tabasco, Campeche, and Quintana Roo—have opened prosecutor's offices or offices specialized in investigating crimes against migrants. Nonetheless, Mexico continues to prioritize the detention and deportation of migrants—a policy that has prompted an upsurge in crimes and human rights violations against migrants—and it has not treated with the same urgency the need to develop more effective mechanisms for investigating the crimes and abuses against them. Access to justice is secondary, impunity is the general rule, and successful investigations are the exception.
    - The first obstacle to justice migrants encounter is the difficulty of denouncing the crimes they have suffered in Mexico…. While the PGR has offices throughout the country, these offices are not located in the places where abuses against migrants most frequently occur, and neither federal nor local authorities have coordinated with the Unit to assist with case intake…. This situation impedes investigations, and local prosecutor's offices justify the delays by saying that the crimes occurred in areas outside their jurisdiction. Another obstacle stems from a lack of adequate procedures to ensure that migrants held in migrant detention centers have access to the UIDPM or local prosecutor's offices. Organizations that have access to the detention centers play a critical role in giving visibility to the crimes detainees want to denounce, but only a few are allowed inside the facilities. Their access is restricted to certain hours and days of the week, and they can only visit migrants who have requested their assistance.
    - The INM Beta Groups (*Grupos Beta*) are tasked with protecting migrants in transit through Mexico by providing rescue services, humanitarian assistance, and legal assistance. There are currently 22 Beta Groups present in nine of the country's states—Baja California, Sonora, Chihuahua, Coahuila, Tamaulipas, Veracruz, Tabasco, Chiapas, and Oaxaca Agents from the Beta Groups can offer migrants legal assistance by forwarding their reports to the appropriate authorities for investigation. These authorities can be public service ombudsmen (for example, the INM's Internal Control Office or the Ministry of Public Administration), human rights bodies (such as the CNDH or local public human rights bodies), or public prosecutor's offices in the case of potential crimes. However, several challenges exist in regards to the legal assistance the Beta Groups offer:

inconsistency with the situation observed by migrant shelters… effectiveness,… lack of transparency.

- The creation of special prosecutor's offices or units dedicated to investigating crimes against migrants—a process that began at the state level with Chiapas in 2008—symbolized an important acknowledgment of migrants' vulnerability to crimes and abuses in the country. However, their creation alone has not been enough to guarantee justice. Once migrants denounce the crimes committed against them in Mexico, many obstacles hinder their investigation….Another challenge to investigating crimes against migrants is the lack of coordination between federal and state authorities and between the various departments within the same institution.

Are there regions at the border where reports show that public officials are not willing to protect migrants or Mexican citizens from harm? Are there reports showing that law enforcement officials are particularly active in certain regions at the border?

- Ximena Suarez, et .al, *Access to Justice for Migrants in Mexico*, WOLA, p. 19-21, 24, 30, July 2017.

  - The creation of special prosecutor's offices or units dedicated to investigating crimes against migrants—a process that began at the state level with Chiapas in 2008—symbolized an important acknowledgment of migrants' vulnerability to crimes and abuses in the country. However, their creation alone has not been enough to guarantee justice. Once migrants denounce the crimes committed against them in Mexico, many obstacles hinder their investigation…. According to the lawyer at the Centro de Recursos para Migrantes in Agua Prieta, Sonora "…. the person who heads [the investigation of crimes against migrants] determines whether there will be will [to investigate] or not. Continuing to create laws, regulations, and rules does not always help to achieve real justice. They can keep setting up units or prosecutor's offices, but if there is no real interest in investigating, detaining perpetrators, and sentencing them, things will stay the same. There are no tangible cases of justice."… In Sonora, migrants know that to file a report "means going in the morning and coming back late in the afternoon. They take forever. That is why we now submit complaints in writing," collaborators of the Kino Border Initiative explained. For Ramón, a Honduran migrant who was kidnapped in Veracruz and is now in Nogales, lodging a complaint "takes a lot of time. I'd also have to talk to the other people who were kidnapped with me." What is more, local authorities have even gone as far as to threaten to report to the INM the irregular status of migrants who are victims of crimes…. The federal Attorney General's Office's Unit for the Investigation of Crimes for Migrants does not have sufficient human resources to investigate crimes involving transnational criminal networks.
  - Local prosecutor's offices have shown willingness to investigate crimes reported by migrants and to punish those responsible in only a few cases. While the head of the UIDPM demonstrates that she is willing to carry out investigations, the Unit's ability to investigate is limited by bureaucracy and a lack of communication within the PGR, a lack of capacity to investigate complex crimes that may involve transnational organized crime, and a lack of human resources…. According to official data, from 2014 to 2016, of the 5,824 crimes against migrants reported in Chiapas, Oaxaca, Tabasco, Sonora, Coahuila, and at the federal level, there is evidence of only 49 sentences, leaving 99 percent of the cases in impunity…. According to a CNDH official we spoke to in Nogales, not only do

agents of the Public Prosecutor's Office not investigate crimes for fear of losing their lives at the hands of organized crime hitmen, but also because "there is a lot of corruption and apathy among authorities. When crimes are not reported, it generates more impunity."

- *Annual Activity Report 2017,* CNDH Mexico, last accessed 1/23/2019.

  The recommendations for serious violations arise with the purpose of protecting and defending human rights in those cases in which it is not possible to obtain another form of solution in favor of the complainants and/or aggrieved persons, because certain violations considered serious according to the number of people affected or the consequences that are foreseeable. Such is the case of Recommendation 8VG / 2017 that according to the investigation and the proceedings carried out by this National Organization it was established that the then government of the State of Nuevo Leon did not guarantee the right to citizen security, since through the special reports of kidnapping of migrants issued by This National Commission, in particular the one published in February 2011, strongly established the situation of real and immediate risk that this sector presents when traveling through Mexican territory through the routes that comprise various states and municipalities, in which there are criminal incidents. Among the high-risk areas is the Monterrey-Reynosa highway, crossing the municipality of Cadereyta, a route where 49 people were found without life….This National Organization warned that effective and coordinated actions were not implemented among the government agencies of the state of Nuevo León, since there were no mechanisms for monitoring and analyzing measures to prevent the commission of crimes, resulting in spaces of abandonment and impunity, originating events such as those of the homicide of the 49 people found without life in the municipality of Cadereyta, Nuevo León.

- *Why do Mexicans not denounce?* Animal Politico, March 1, 2013.

  It is very unfortunate for Mexicans that 9 out of 10 crimes are not reported, it means that the crimes remain in the dark, without the possibility of receiving a punishment and that consequently continue to be committed systematically for the opportunity and benefit that implies that the crimes are committed without any consequence. According to the information generated by ENVIPE of the INEGI, in 2011 the black figure was 91.6% crimes that were not reported, which is equivalent to more than 20 million crimes that remain in impunity. And the problem is more acute in 17 states of the republic. Guerrero ranks first in the black figure, with 96.2% of crimes not reported, which is alarming because it is one of the entities where violence and crime have increased in recent years and has diminished the quality of life of both the inhabitants of the state, and the rest of the Mexicans who visited the entity as tourists. It is impermissible that crimes committed in such a violent state are not reported often due to distrust of authority. Other entities that also exceed the national percentage are: San Luis Potosí (94.9%), Veracruz (94.2%), Nuevo León (94%), Tamaulipas (93%), Nayarit (92.9%), Federal District (92.7%), Chiapas (92.3%), Puebla (92.2%), Sonora (92.1%), Zacatecas (92.1%), Jalisco (92.1%), Michoacán (92.1%), Guanajuato (92%), Oaxaca (92%), Sinaloa (91.8%) and the State of Mexico (91.6%). In the same survey it is possible to know that 63.2% of crimes that are not reported are due to causes attributable to the authority that includes the options: "for fear of being extorted", considering it "a waste of time", considering that it is "long and difficult procedures", "distrust of authority" and "hostile attitude of authority".

- Saul Hernandez, *Crime without punishment: When denouncing is useless*, El Sol de Mexico (Mexico), January 15, 2018.

  Impunity in Mexico is so serious that the hard data makes your skin crawl: less than 1% of crimes committed is punishable. No matter the state of the Republic in which the crime takes place, it is almost unlikely that the person responsible will pay…. Guillermo Zepeda was a pioneer in estimating impunity in Mexico. In his book "Crime without punishment", published in 2004, he calculated that a quarter of the crimes committed were denounced and only 4.5% were clarified. In the end, only 1.06% ended in a conviction. That is, impunity, understood as a crime without punishment, was 98.94%. The researcher of the College of Jalisco updated his estimate in a study published in 2017 with even more alarming results. Now only 6.4% of crimes are denounced and a hardly 0.89% are solved: almost none. In this minuscule proportion of cases we must also subtract those in which the person responsible is not captured or is not linked to the process and those who do not end up in prison. This leaves, according to Zepeda, an impunity of around 99.5%. That is to say, that of every thousand crimes justice is done in five! Despite the bleak panorama, Zepeda highlights some examples of what is going well in places like Guanajuato and Nuevo León. Today they are more effective in resolving crimes, which translates into more citizen confidence and therefore, a higher rate of complaint.

- Juan Pablo Arango Orozco, *Corruption and police abuse, some notes*, Animal Politico, January 12, 2017.

  According to data from the National Survey of Victimization and Perception of Public Safety 2016 (ENVIPE) the least reliable institutions in terms of security are the Municipal Police (48.7%), the Public Ministry (47.6), the Ministerial Police (47.5%) and the State Police (42.8). The order of distrust is due to many factors, but corruption is one of the main ones, the National Survey on Quality and Government Impact 2015, which shows that 48.9% of the population perceives corruption as a frequent occurrence in their entity….To date, there is no public statistics that clearly identifies who is abusing and where, as well as little is known about the sanctions received by the police responsible for the abuses. Even when there is evidence of poor performance, corruption and police abuses, the Internal Affairs Units, such as those in charge of policing the police, and the Commissions or Council of Honor and Justice, do not take advantage of the information available to influence changes that allow reducing these behaviors, as well as promoting practices aimed at improving the relationship with citizens.

Internal Relocation: Other than the northern and southern borders, where do migrants tend to move to? If so, why do they move to these regions? How easy/difficult is it to travel between these regions and the northern border?

- Gardenia Mendoza, *Central American migrants walk through six Mexican states on the border*, La Opinion, December 27, 2018.

  In states with a greater presence in the manufacturing industry, some companies have chosen to hire some of the Central Americans (whose average school attendance is truncated primary school). Recently, the Maquiladora and Export Manufacturing Industry (Index) hired 700, but was cautious in increasing hiring. While there are ten thousand vacancies in this sector, especially in Aguascalientes, Nuevo Leon, Sonora and Guadalajara, the most feasible for this season (in the

midst of so many changes) is not to hire too many staff. But they opened the possibility for next year.

- Karina Rodriguez and Antonio Garfio, *Chihuhua has become a destination for migrants*, El Heraldo de Chihuahua (Mexico), July 15, 2018.

  It is important to say that Chihuahua has become one of the most hospitable states in Mexico, such is the case of the maquiladora company, which receives hundreds of people to work in plants located throughout the region. Such is the case of the company Superior Bright Technologies, which has provided employment to a large number of Haitian employees, who seek to improve themselves and get a better life opportunity to their country, or who come from other countries such as Brazil, where the economic situation has been reduced in recent years…. Tijuana, Sonora and Chihuahua are three of the states that have the largest number of migrants seeking to overcome the conditions of their country, in order to have a good quality of life, being a non-negligible destination for the thousands of people who enter the country each year, and they end up staying.

- Ricardo Pedraza, *Migrants: Monterrey is the new goal for Central Americans*, SDP News, July 28, 2017.

  According to El Heraldo de Honduras, Monterrey has gone from being a simple station to a goal for thousands of Central Americans who previously sought to cross into the United States…. Following a bit the tendency of our countrymen in the United States, Central American migrants are taking jobs that the citizens of Monterey do not want. In factories, construction, mechanic workshops, ranches, or in the construction works of metro line 3, Central Americans have their source of work. Monterrey has ceased to be, for many migrants, a city of transit to the United States, and is now a refuge in which many of them settle and look for ways to survive….The reception of these people has been complicated. With the tradition of being a university city, having the Tec de Monterrey and the University of Nuevo León as recipients of people from other states and other countries, it is difficult for "Monterey citizens of all life" to receive "foreign" people. Imagine how difficult the life of a Central American migrant can be in a city that has a touch of xenophobia.

- Santiago Fourcade, *Migrants: 64% stay to live in NL*, Milenio November 19, 2018.

  But the most interesting aspect of this migrant phenomenon is that they no longer seek to travel to the United States and that their dream is in Nuevo León. Statistics? Overwhelming: 64% remains…. I repeat Almost 70% of Central American migrants arrive in Nuevo León to stay permanently. The main obstacle that they explain to progress is prejudices, and then they highlight the abuses of policemen and criminals almost equally.

- Dario Brooks, *Where is the migrant caravan going and what is it looking for that put Donald Trump on alert*, BBC Mundo, April 2, 2018.

  "Mexico is already a country not only of transit, it is of destination, because when arriving at the border there is no way to cross, many stay in Tijuana, in Monterrey, in Guadalajara, in Mexico City," says Irineo Mujica, [director of the organization Peoples without Borders that organizes the caravan].

- *Central American immigrants on their way to the US remain in Mexico*, La Informacion, February 27, 2016.

  The Central Americans that intend to migrate to the US are starting to stay in Mexico, in some zones in the center and north of the country, a new migration phenomenon, according to the experts. … Gustavo Mohar Betancourt, Mexican expert in migration added, "We've observed that they are staying in cities in the center like Guadalajara, Aguascalientes and Queretaro. On the border there are always more [Central American migrants] in Tijuana."

- *The migrant caravan decides its future while it meets in Mexico City*, El Periodico, November 5, 2018.

  The Mexican activist [Alejandro Solalinde] explained that the majority of the 5,000 Central Americans will be divided into two groups, the first will be those who want to go to the United States…. The second group will be of the people who decide to stay in Mexico City either "because they have relatives in a city or state of Mexico or a job offer, they will also stay." Those who do not have relatives or acquaintances in Mexico and want to stay to work " there already are concrete offers and even a fund to give work, especially to women with children," informed the activist. In the Mexican capital, thousands of Central American migrants will be welcomed at the Jesús "Palillo" Martínez stadium, located in the complex of the Sport City of Magdalena Mixhiuca, in the east of the city.

- Hilda Veronica Arreola, et .al, *Guadalajara, refuge of Central American migrants*, University of Guadalajara, May 2017.

  It is important to highlight that although the percentage of people who renounce to continue with their American dream and who contemplate the possibility of staying in our State, 82% indicate that they have been treated well by Tapatios….It is evident on the part of the migrants that their journey to the United States of America is surrounded by risks, since they can be subject to crimes such as robberies, sexual violations, extortion, among others, by criminal groups or the authorities themselves, which should be concerned about protecting their integrity as persons. The survival instinct forces them to look for strategies or change their plans, although in a very low percentage, 14% opt for the city of Guadalajara as the place to settle and conclude their American dream transforming it and realizing it in their Guadalajara dream, due to the great experience they have had with the people in the treatment offered.

- *One in 10 migrants change the "American dream" for Jalisco*, The Informer, December 24, 2018.

  Of every 10 Central American migrants seeking the "American dream" in the United States, one stays in Jalisco, according to the study "Guadalajara, refuge of Central American migrants", carried out by UdeG academics, Hilda Arreola, Adriana Hernández and Cristina Corona. Among the main reasons why migrants leave their journey to the North are good attention from the people of Guadalajara and job opportunities, according to the results of the research presented in the January-June 2018 edition of the Ibero-American Journal of Humanistic Social Sciences…. Luis Rodolfo Morán, an academic from the University of Guadalajara (UdeG), commented that one of the reasons why travelers stay in Jalisco is that they consider it a safer State than others,

such as Sinaloa or Tamaulipas, and that people He is usually kinder and gives them different supports. The help that public schools usually offer for their children is another incentive. The coordinator of the organization FM4 Paso Libre, also agreed with Morán, indicating, from his experience within the association, that Jalisco is a safe place and with possibilities of obtaining a job that allows them to live in a dignified way, for them and his family.

- Victor Hugo Ornelas, *Change of destination: migrants stay in GDL*, Milenio, February 22, 2017.

  Although the paths to migrate from southern Mexico and some countries in Central America to the United States have increased in recent years, the so-called "Pacific Route" is still one of the busiest, and on the way, it is inevitable to touch Tapatío soil, which previously was only a place of passage, a stopover in its journey, but at present, various factors influence travelers so that Guadalajara can be considered an option for their permanence. The environment offered by the Metropolitan Area of Guadalajara is not hostile as it is in other places, the police do not usually persecute them, their walking on public roads does not represent any problem beyond what any citizen faces, the ways of obtaining resources are diverse , they even have the possibility of obtaining a "humanitarian visa" and a formal job, information that is quickly disseminated among migrants….The Center for Comprehensive Care and Development for People in Situation of Indigence (Cadipsi), administered by the DIF Guadalajara, is one of the spaces that receives people in street situations, but more than 60 percent of its users are migrants since they have realized that it offers much more than just shelter, explained Rubén Arroyo, director of the center, "we have practitioners of psychology, nutrition, dentistry, we have podiatrists, we have realized that they have a lot of damage on their feet, we also give them a personal hygiene package, a shaver, soap, toothpaste, toothbrush, socks and underwear, worthy food and a place to sleep."… Cadipsi has an agreement with eight companies that help them to reintegrate indigent people, a benefit that foreigners have been able to take advantage of, "at the beginning the companies were closed to the situation, they hired them with some skepticism, now with full awareness and clarity of what this model is, it changed the attitude and perception that they have of them, who are responsible, work as a team, take care of people and take care of persons. I don't doubt that one may fail, but in the majority it's part of a human resource with potential and different attitude," added the head of the center, something that companies like…. Of the eight companies that come to Cadipsi in search of workers and have accepted migrants, five of them are private security, two offer work on issues related to agriculture and that operate in Colima, as well as another that is dedicated to organizing massive events, and, those who do not pass through Cadipsi, look for employment in one of the many construction companies that currently develop work in the Metropolitan Area…. The National Institute of Migration reported that in 2016, between the months of January and September, they presented 136,448 cases to the immigration authority, and, although Jalisco is considered one of the states that receives the largest number of migrants, it is not among those that most deport, which are headed by Chiapas, Veracruz, Tabasco, Tamaulipas, Oaxaca, San Luis Potosi, Coahuila and Mexico City, which collectively account for 76 percent of the deportations.

- Jose Chavez Santana, *Migrants stay here*, El Sol del Centro (Mexico), July 13, 2018.

  The normal passage of Central American migrants through the state has not changed, they continue to cross about 60 people monthly but not all of them are destined for the USA, many are staying in Mexico, and Aguascalientes is one of the selected sites to settle. This was reported by Xicoténcatl Cardona Campos, coordinator of the Migrant House in the state, who said that

migrants, "they stay here in the state, where they get work, although the city of Monterrey, Nuevo León, or any other border site are attractive sites for them." They stay here, he added because they are treated well and because there is employment, "so that out of every five people who seek it, three get jobs, mainly in construction and restaurants, but not those who seek to work in the field, there if there is no possibility."

- Claudia Rodriguez, *At least 50 percent of Central American Migrants Stay in Mexico*, LJA (Mexico), May 16, 2018.

  Mexico is now a destination for Central American migrants, because at least half of them decide to stay in the country, especially in cities where they receive more protection as Mexico City or where there is already a greater community as in Guadalajara and Monterrey….As for the migrants who decide to stay in Aguascalientes, the activist said that it is difficult to count them, since some live near roads in abandoned houses, others work in ranches or as domestic servants, without there being a statistic, "We hope that in the next Legislature we can promote a kind of census, there are many cases but there is no way to document them, because those who come to Casa Migrante are some, but nothing compared to those who arrive and live in other places."

- *Queretaro is the destination of undocumented migrants*, Metropolis (Mexico), August 31, 2016.

  The municipalities of Pedro Escobedo, Ezequiel Montes, Queretaro, San Juan del Rio, and Tequisquiapan, are the points where those migrants stay who see Mexico as a destination and not as a transit zone, explained Claudia Leon, in charge of linkage and incidence of the Tequisquiapan Migrant Station. She considered that in those municipalities, program for migratory regulation of people are required because many of the Central Americans have lived there and have family, so public policies give them security needed. Today, because of their situation, they are 'invisible' to the law and to authority. The activist said that Queretaro and other parts of Mexico are no longer transit areas, For some migrants, these are places where they want to stay to live, that is, "it is no longer just a place of transit, it begins to turn Mexico into a destination, there are people who are staying, but the government itself does not have information about it, there are no figures."

- *Transportation in Mexico City, the most dangerous for women*, Huffington Post (Mexico), November 15, 2018.

  Mexico City has the most dangerous transportation system for women among the five largest cities in the world, according to a survey by the Thomson Reuters Foundation, in which Mexicans said that passengers often turn a blind eye to abuses. The survey published on Thursday revealed that approximately three out of four women in Mexico City did not have confidence in using the transportation system without risk of harassment, abuse or sexual violence…. In Mexico City, 151 women said that security was their biggest concern when it came to moving.

- Monserrat Mata, *Expensive and deficient, public transport of Edomex: survey*, Milenio, June 1, 2017.

  For Mexicans the public transport service is described as "expensive, insecure and deficient", because according to the statistics, the investment to move ranges between 26 and 50 pesos per day, as shown by the Mobility Survey of the State of Mexico. Among the problems identified by

users, the highest rates are concentrated in the security issue, since 16.8 percent relate it to assaults or robberies, 16.4 which is a poor service, 13.7 that the units are in poor condition, while in the possible improvements 20.8 believes that it is necessary to have better units, 13 percent say that with more operations and safety, 12.1 that trains drivers and 12 percent adds that with regulation, sanctions and applying the law. In addition, another of the fears that reflects the survey is related to road accidents, because only 1.1 percent considers that public transport is safe before an event of this nature, while the Mexibus, taxi and private car are located in the other extreme.

- Gabriel Quadri de la Torre, *Transportation in Edomex: chaos*, El Economista (Mexico), March 16, 2017.

  The precarious and chaotic situation of mobility that exists today in the State of Mexico is remarkable. The public transport service in the State of Mexico is borrowed in large proportion by low capacity vehicles, inappropriate to serve the corridors of greater demand; induce unnecessary congestion, are inefficient, have a high average age, and create high costs for carriers and users; besides being highly dangerous, prey of crime and with large polluting emissions.

- Rodolfo Castillas, *The routes of Central Americans through Mexico, an exercise of characterization, main actors and complexities*, Migration and Development, January 2008.

  The land routes are the most used and, among them, the railway is the most used in recent times. The freight train is, by excellence, the railway medium of transmigrants. Those who most resort to it are, mostly, the mass of transmigrants with fewer resources but not totally without them because, although they travel from police, they have to make improper payments to officials who meddle with the undocumented, or to private security guards and salaried staff of the train, either to let them go up, not to lower them, or to lower them before a checkpoint, or not to slow down before an immigration control, etc. That is to say, the trip has an economic cost, sometimes corporal for Central American transmigrants (more often for women). The land routes of Central American transmigrants in Mexico are characterized by being very narrow in the southeast portion, mainly due to the form that the Mexican territory presents. As it approaches the central portion, these routes tend to diversify. This is mainly due to the construction of road infrastructure and rail transport. It is important to emphasize that the transmigrant population uses the existing means to transit throughout the country during its journey to the United States. That is to say, it does not need to trace new routes or alternative means of communication to existing ones.

This response was prepared after researching publicly accessible information currently available to the RAIO Research Unit within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. The response only addresses the specific questions presented to the RAIO Research Unit in the associated query. If you are seeking additional information about non-state criminal actors and their activities, you may also want to consult the resources in the "Areas of Operation/Influence/Presence of Organized Crime & Drug Trafficking Organizations" section of the Mexico country page regarding the areas of operation of certain organizations. For additional information, on related topics, please visit the RAIO Research Unit ECN page and, if you are not able to find the information needed there, reach out to the RAIO Research Unit.

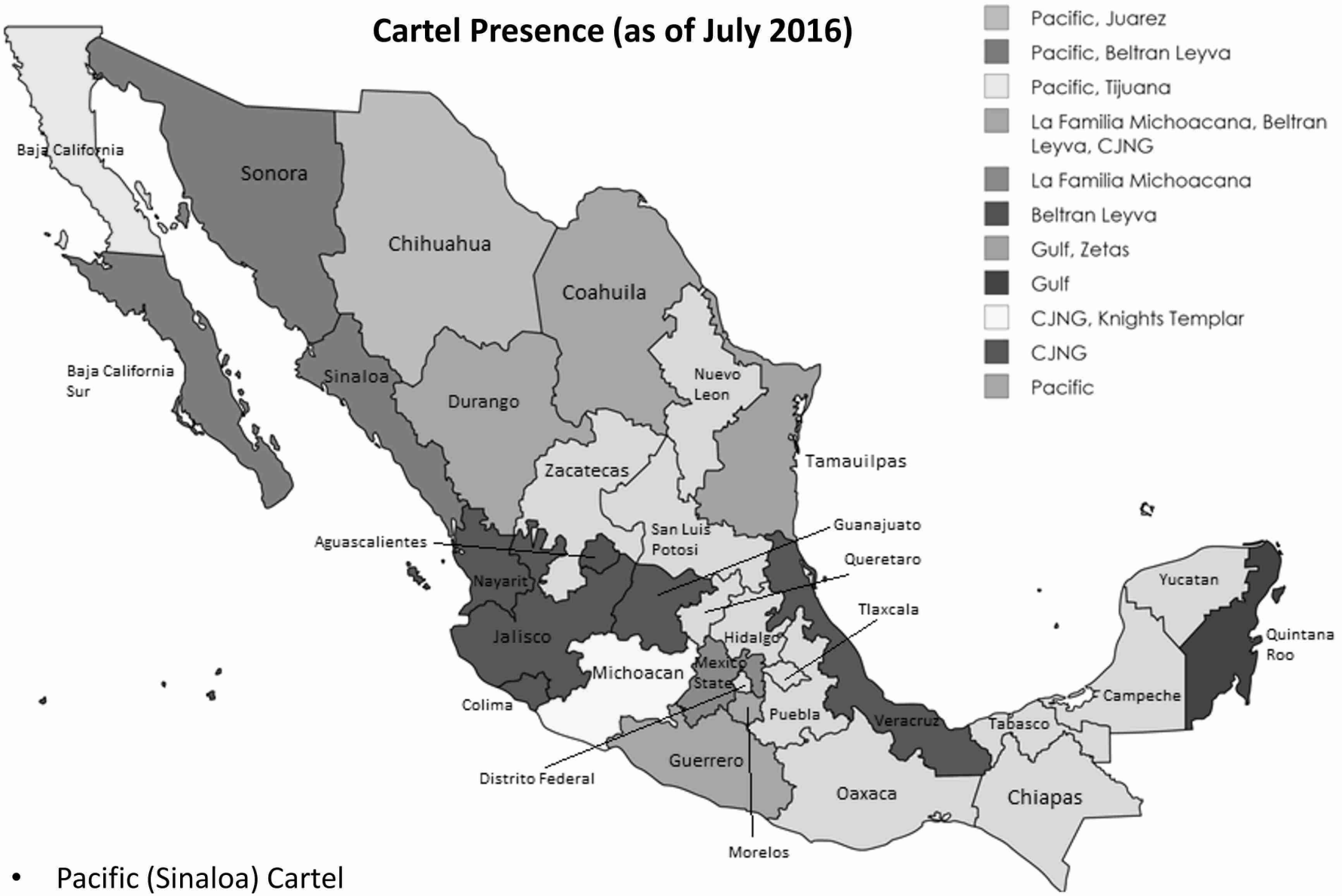
Mexico

U.S. Citizenship and Immigration Services

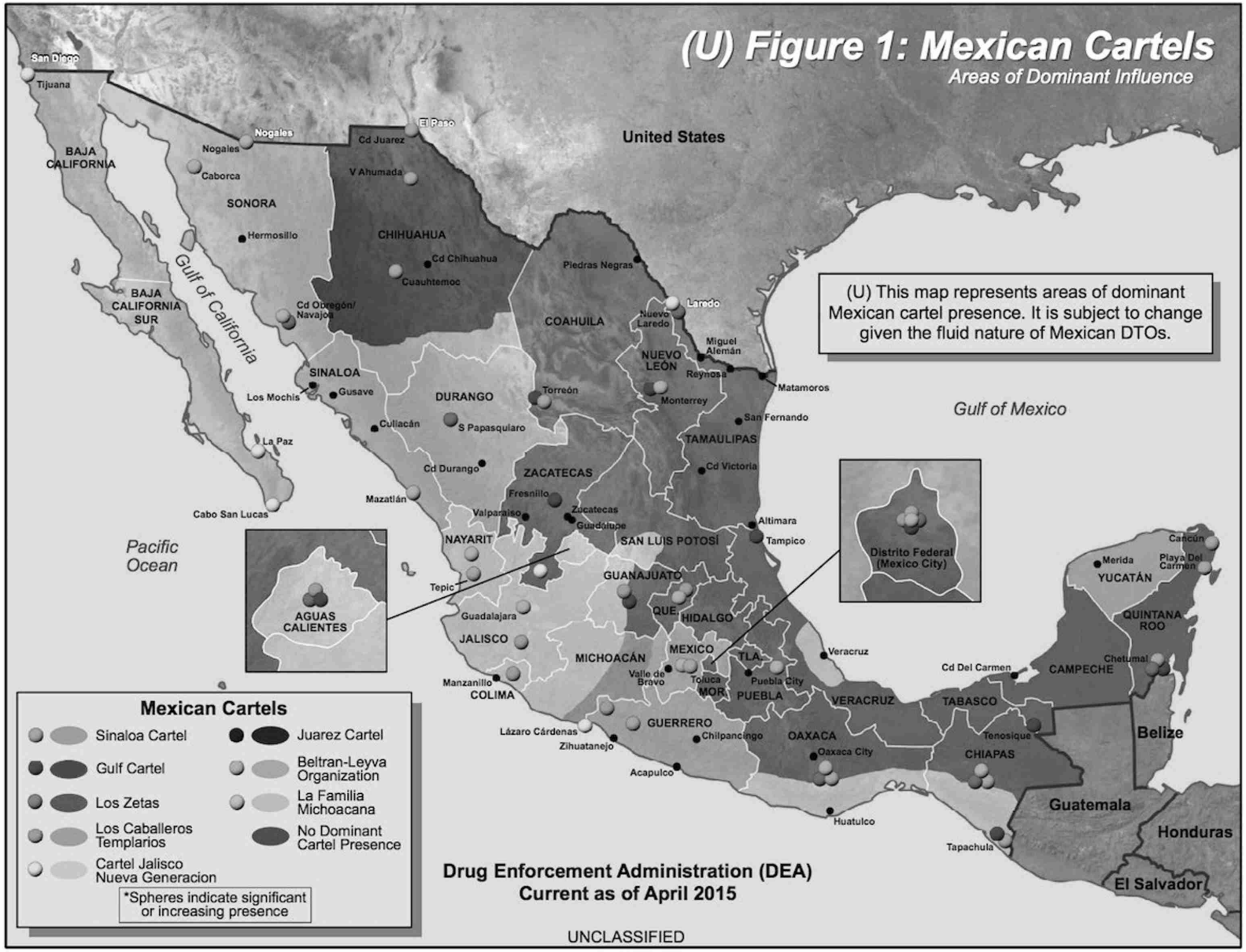
RAIO Research Unit

November 2019

Cartel Presence (as of July 2016)



- Pacific (Sinaloa) Cartel
- Beltran Leyva Organization (BLO)
- Tijuana Cartel
- La Familia Michoacana
- Jalisco Cartel – New Generation (CJNG)
- Los Zetas
- Gulf Cartel
- Knights Templar
- Juarez Cartel



- Cartel presence in geographic areas is fluid and subject to change…and may vary per source consulted

Areas of Cartel Influence in Mexico

ORGANIZED CRIME GROUPS AND THEIR SUBGROUPS

Sinaloa

Sinaloa Federation

Beltran Leyva Organization remnants

Tijuana cartel remnants

Juarez cartel remnants

Tierra Caliente

Cartel de Jalisco Nueva Generacion (CJNG)

Knights Templar remnants

La Familia Michoacana remnants

Tamaulipas

Tamaulipas

Los Zetas remnants

Gulf cartel remnants

esri

200 mi

400 km

Organized Crime / Drug Cartels

- Criminal activities
  - Drug trafficking
  - Kidnapping & extortion (increasing)
  - Illegal extraction of fuel
  - Forced disappearances
  - Forced displacement of entire communities
  - Human trafficking
- Violent confrontations between rivals or with security forces
- Links to security forces & government officials
- Extortion of municipalities to fund drug trafficking
  - Michoacán
  - Local politicians attacked and killed

“in state after state, the Mexican government long ago relinquished effective control of whole towns, cities and regions to the drug cartels”

Organized Crime / Drug Cartels

- In many regions, cartels have held extensive control for at least a decade
  - Buy off or intimidate law enforcement
  - Arsenals of weapons & networks of informants
    - Protect trafficking routes from the government & rivals
  - Almost all promise to respect & not extort nor kidnap the local population…but always break that promise

- Current government strategy = avoid violence at all costs
  - Pick up & release major drug traffickers
  - In certain cases, defend cartel boundaries (via checkpoints)
  - *"The capture of one criminal cannot be worth more than the lives of people.* […] *We do not want deaths. We do not want war."* - AMLO

Other Groups

- *Huachicoleros* = fuel thieves

- "community police" or "self-defense" groups
  - Vigilante groups - often accused of having ties to drug cartels
  - Southern Mexico (Michoacán & Guerrero)
  - Have proliferated & extended control over territory

- Street gangs
  - Exist, but cartels dominate the criminal landscape
  - Regional differences
    - Southern Mexico = Central American gangs, primarily along the Guatemala border and migrant routes
    - Northern Mexico = mainly gangs with a strong presence in U.S. border regions (Mexican Mafia, Barrio Azteca, etc.)
    - Central Mexico = low-level youth gangs with minimal criminal activity

Violence against Women

- UN = pandemic
  - Among 20 worst countries in the world
  - Not exclusive to a specific social or educational sector

- Increase in areas affected by drug war
  - Brutal, public violence
  - Women viewed as territory to be conquered
  - Way to intimidate rivals and local population

- Femicide
  - 6 women killed per day
  - U.S.-Mexico border region (Chihuahua & Ciudad Juarez)
  - Mexico State

Violence against Women

- *"Violence against women is so rife in Mexico that there's no political cost for those who don't deal with the issue"*

- Domestic violence
  - 44% have suffered physical violence from partner
  - 89% have been psychologically assaulted by partner

- Victims often hesitant to speak out

- Police
  - Rampant corruption and incompetence
  - Usually show little interest in cases of missing women
  - May be involved in disappearances

Violence against Children

- Social perception = viewed as property
- Violence - widely rationalized & accepted
- Child protection
  - Inefficient laws and dysfunctional system
  - Lack of clear roles and responsibilities between different institutions
- Underreporting
  - Low crime reporting in general
  - Fear of state taking away kids

Police

- Extraordinary levels of corruption
- Enable crime
- May be afraid to enter certain areas controlled by cartels
- May be working for organized crime/drug cartels
- Widespread abuse of citizens
- Human rights violations
  - Arbitrary detention, torture, unlawful killings, etc.

Police

- Ineffective
- Lack adequate training and support
- Low salaries and long hours
- Lack of accountability
  - Years of talk of police reform, but little has changed
- State and municipal levels - often directed by politicians and governors

Police

- Federal police
  - Greater role in combatting drug violence
  - Extra-judicial killings
  - Institutionalized corruption and human rights abuses
- State police
  - Heavily infiltrated by organized crime
  - High ranking officials collaborate with and protect drug cartels
- Municipal police
  - Officers recruited by criminal organizations
  - Active participants in criminal activity

Trust in Police & Crime Reporting

- Lack of trust in the police
  - Viewed as inefficient, corrupt, working for organized crime, etc.
  - *"Governments have spent 20 years trying to train the federal police, and it has not been possible, they are corrupt."* - AMLO
- People with confidence in…
  - Federal police = 6.1%
  - Municipal police = 4.6%

- Crime reporting & impunity
  - 6.8% = crimes are reported
  - 1.1% = crimes are reported, investigated, and solved

Other Security Forces

- Military
  - Expanded role in public security since 2006
    - Leading force in counter-drug operations (support police)
  - Dramatic increase in human rights abuses
    - Torture, enforced disappearances, extra-judicial executions
- National Guard
  - Established in 2019
  - Prevent & combat crime & preserve public security
  - After a five-year transition period, will replace the military in the fight against crime

Contact Info

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U.S. Citizenship and Immigration Services

Mexico: Exceptions to Visa Requirements for Certain Foreign Nationals

February 3, 2020

Question
Can a Chinese national present a valid Japanese visa for admission to Mexico?

This query request originated from the Newark Asylum Office, USCIS, RAIO.

According to the official website for Mexico's Instituto Nacional de Migración (National Migration Institute),

> A foreigner who presents any of the following documents will not require a Mexican visa [for entry]:
>
> a) A permanent residency document for Canada, the United States of America, Japan, the United Kingdom of Great Britain and Northern Ireland, any of the countries that form part of the Schengen Area, and those countries that are members of the Pacific Alliance (Chile, Colombia y Perú).
>
> b) A valid, active visa for Canada, the United States of America, Japan, the United Kingdom of Great Britain and Northern Ireland, or any of the countries that form part of the Schengen Area.
>
> c) A Business Traveler Card (ABTC) from the Asia-Pacific Economic Cooperation approved by Mexico.
>
> d) A certificate that accredits the person as a member of the crew of an arriving aircraft.
>
> e) A Seaman's Book, if the person is a member of the crew of a ship that arrives at a Mexican port during an international voyage. If the crew member arrives by air to enroll on a ship docked at a national port, he should present, in addition to the seaman's book, a document that accredits his enrollment, information about the ship, and the Mexican port at where it can be found.[1]

[1] The select quotes for this source have been translated from Spanish to English by the Research Unit.

Mexico: Treatment of Former Police Officers

February 7, 2020

Are there any sources that discuss current conditions in Mexico for former police officers?

This query request originated from the San Francisco Asylum Office, USCIS, RAIO.

The following is a list of sources with selected quotes and summaries discussing the elevated murder rate of current and former police officers in Mexico. The translations from Spanish to English were done by the RAIO Research Unit.

Almost 1,000 police murdered in Mexico in the past 2 years, EFE, February 5, 2020. "'From the statistics we were able to get from press reports that tell us the number of murdered police officers and the reports of people murdered in Mexico, being a police officer implies a risk four times greater than being a citizen doing any other activity,'" the president of the NGO [Causa en Común], Maria Elena Morera, told EFE."

Causa en Común [Common Cause] tracked police officer murders from 2018 through January 2020 and released their findings this week. The concluding paragraph of the study provides a summary of the current situation:

> "From the analysis of the information available, methods, patterns, and specific motives for the murder of police cannot be concluded. As is the case with any murder in our country, killing a police officer is easy, and very rarely leads to any consequences. Causa en Común and the network of media and journalists interested in following this topic will continue to insist that we should recognize police work, we should care for those who care for us, and we should reinforce institutional capacity to punish the growing number of murders in the country."

Asesinan a 16 policías en dos años, El Norte, February 5, 2020. From 2018 through January 2020, 16 police officers have been killed in the state of Nuevo Leon. This number includes federal, state, ministerial and municipal police, as well as two former San Pedro municipal police officers executed in the center of San Pedro last December. On a national level, Guanajuato is the most dangerous state for the police, with 148 officers killed between 2018 and January 2020.

Asesinan a ex policía en San Francisco del Rincón, Milenio, February 3, 2020. A former police officer for the city of Leon was killed months after leaving the police. He was shot several times inside a local convenience store at approximately 11 pm on February 2, 2020.

Matan a ex mando de Policía Federal en la Puebla-Orizaba, Milenio, January 7, 2020. A former federal police officer was shot several times in the head when he stopped at a Starbucks on the highway between Puebla and Orizaba while traveling with his wife and daughter. Those responsible had fled the scene by the time the police arrived.

> See also: Asesinan a excomandante de la Policía Federal en la Puebla-Orizaba, MSN.com, January 7, 2020. "[A]demás abrieron una carpeta de investigación para esclarecer su homicidio que estaría relacionado con un ataque directo debido a las funciones que desempeñó." [An investigation file was also opened to look into the homicide as a direct attack due to the functions that he carried out.]

Asesinan a un ex policía que se desempeñaba como taxista, El Sol de Cuernavaca, September 26, 2019. A former municipal police officer for the town of Temixco, who was working as a taxi driver, was shot in his car in a town just outside of Cuernavaca. He had left the police force a year earlier and had been working as a taxi driver ever since.

Ex policía asesinado, prestaba servicio de escolta sin permiso, El Sol de Tijuana, July 8, 2019. A former municipal police officer was shot several times in Tijuana while serving as a private security guard without a license. No arrests were made.

Asesinan a ex policía afuera de primaria, El Imparcial, May 15, 2019. A former municipal police officer who was separated from service due to a medical disability stemming from a previous gunshot wound in 2008 was shot and killed outside of an elementary school in Otay in May 2019 while he was sitting in his car. Children were playing on the school playground during their recess when the murder occurred. An investigation was opened, but no arrests have been made.

Matan a ex policía de la FGJEM en Coacalco, TeleDiario, March 7, 2019. An ex investigator for the State of Mexico's prosecutor's office was shot and killed while eating tacos at a taco stand in Mexico City. A man approached the former officer and, without saying a word, shot him eight times. The perpetrator fled and has not been caught.

Mexico: Cartels & Gangs in Ciudad Juárez

March 6, 2020

What gang/cartel is in control of Ciudad Juárez? If applicable, which gangs/cartels are vying for control?

This query request originated from the International and Refugee Affairs Division, RAIO, USCIS.

Crime, Violence & Drug Trafficking in Chihuahua State and Ciudad Juárez

Chihuahua State

Ciudad Juárez is located in the Mexican state of Chihuahua—"a major drug-trafficking corridor" that has been "contested territory for major drug-trafficking organizations for years."[1] In its most recent travel advisory for Mexico (published on December 17, 2019), the U.S. Department of State recommends reconsidering travel to the state of Chihuahua due to crime:

> Violent crime and gang activity are common. The vast majority of homicides are targeted assassinations against members of criminal organizations. Battles for territory between criminal groups have resulted in violent crime in areas frequented by U.S. citizens and U.S. government employees, including restaurants and malls during daylight hours. Bystanders have been injured or killed in shooting incidents.[2]

In a December 2019 article, *Infobae,* a Spanish language media outlet based in Argentina, reported that, in recent years, Chihuahua state has seen a "resurgence of violent crimes."[3] The media outlet also reported that, according to Mexico's Office of the Attorney General, "there are two large cartels operating there: Pacific (Sinaloa) and Juárez, but in recent months the Jalisco New Generation Cartel (CJNG) has entered the dispute over territory."[4] In November 2019, *El Economista*, a Mexican media outlet, reported that two large cartels (the Pacific (or Sinaloa) Cartel and the Juárez Cartel) and six criminal subgroups (Los Cabrera, Los Artistas Asesinos, Los Mexicles, Los Salazar, La Línea, and Los Azteca) operated in Chihuahua state.[5]

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[1] Mexico 2019 Crime & Safety Report: Ciudad Juarez, Overseas Security Advisory Council (OSAC), Bureau of Diplomatic Security, U.S. Department of State, Mar. 19, 2019.
[2] Mexico Travel Advisory, U.S. Department of State, Dec. 17, 2019.
[3] Mapa de una tierra sin ley: los focos rojos de la narcofrontera México – EEUU [Map of a land without law: the flashpoints of the Mexico-U.S. narcoborder], Infobae (Arg.), Dec. 3, 2019.
[4] Mapa de una tierra sin ley: los focos rojos de la narcofrontera México – EEUU [Map of a land without law: the flashpoints of the Mexico-U.S. narcoborder], Infobae (Arg.), Dec. 3, 2019.
[5] Monroy, Jorge, Bajo el acecho de los cárteles [Under the watching of the cartels], El Economista (Mex.), Nov. 5, 2019.

Ciudad Juárez

Ciudad Juárez is a city which is "severely affected by organized crime."[6] In its 2019 report on crime and safety in Ciudad Juárez, the Overseas Security Advisory Council of the U.S. Department of State's Bureau of Diplomatic Security reported that:

> There is serious risk from crime in Ciudad Juarez. While there is no indication criminals specifically target U.S. citizens, violence and crime rates remain at critical levels in this area of Mexico. U.S. citizens traveling to Ciudad Juarez and the city of Chihuahua must guard against robbery, carjacking, theft, and burglary. A significant number of homicides in both cities are targeted cartel/gang-related actions where the perpetrators generally avoid injuring innocent bystanders.[7]

The *El Paso Times* has reported that "Various gangs and drug-trafficking groups have been battling for control of the drug trade in Juárez for years."[8] In a December 2019 report on organized crime and drug trafficking organizations in Mexico, the Congressional Research Service noted the following about the evolution of drug-related violence in Ciudad Juárez:

> In 2008, the Juárez DTO [drug-trafficking organization] broke from the Sinaloa federation, with which it had been allied since 2002. The ensuing rivalry between the Juárez DTO and the Sinaloa DTO helped to turn Ciudad Juárez into one of the most violent cities in the world. From 2008 to 2011, the Sinaloa DTO and the Juárez DTO fought a "turf war," and Ciudad Juárez experienced a wave of violence with spikes in homicides, extortion, kidnapping, and theft—at one point reportedly experiencing 10 murders a day. From 2008 to 2012, the violence in Juárez cost about 10,000 lives. Reportedly, more than 15% of the population displaced by drug-related violence inside Mexico between 2006 to 2010 came from the border city, while having only slightly more than 1% of Mexico's population. […]
>
> Between 2012 and 2013 violence dropped considerably and this was attributed by some analysts to both the actions of the police and to President Calderón's socioeconomic program Todos Somos Juárez, or We Are All Juarez. Other analysts credit the Sinaloa DTO with success in its battle over the Juarez DTO after 2012. They consider Sinaloa's dominance, perhaps abetted by local authorities, to be the reason for the relatively peaceful and unchallenged control of the border city despite the Juárez DTO's continued presence in the state of Chihuahua.
>
> Many residents who fled during the years of intense drug-related violence remain reluctant to return to Juárez and cite the elevated homicide rate as one reason. The

[6] Mapa de una tierra sin ley: los focos rojos de la narcofrontera México – EEUU [Map of a land without law: the flashpoints of the Mexico-U.S. narcoborder], Infobae (Arg.), Dec. 3, 2019.
[7] Mexico 2019 Crime & Safety Report: Ciudad Juarez, Overseas Security Advisory Council (OSAC), Bureau of Diplomatic Security, U.S. Department of State, Mar. 19, 2019.
[8] Borunda, Daniel, 10 killed, bodies and buses burned in violent night of 'revenge' in Juárez, Mexico, El Paso Times, Nov. 6, 2019.

> El Paso and Juárez transit route again appears to be in flux with the rise in killings on the Mexican side of the border since 2016. In 2018, the two cities with the highest number of intentional homicides were Tijuana in Baja, California, followed by Ciudad Juárez.[9]

In 2019, 1,499 people were murdered in Ciudad Juárez —"making it the fourth most deadly year in history for the city."[10]

In an October 2018 article, InSight Crime reported that the fragmentation of criminal organizations was impacting levels of violence in Ciudad Juárez:

> The local and international drug markets in the city have splintered in recent years. Local powerhouses like the Barrio Azteca, the Artistas Asesinos, La Linea, and the Mexicles have openly battled for control of local markets, as the larger, monolithic groups like the Juárez Cartel and the Sinaloa Cartel disintegrate. Other new gangs have also emerged from fractured ones, among them La Vieja Guardia and La Empresa.[11]

USA Today reported in February 2019 that—according to a university professor and author of a book on drug-related violence in El Paso and Ciudad Juárez—the current violence in Ciudad Juárez "stems from fighting between local street gangs, such as the Aztecas, and police, not transnational cartels like before […] Victims tend to be confined to gangs and police, not average citizens."[12]

In late November 2019, Chihuahua's state police commissioner blamed escalating violence in Ciudad Juárez on local drug sales, and claimed that over 80% of murders were drug-related.[13] According to *Border Report*, while the state police director "said the bulk of the murders and drug activity takes place in working-class neighborhoods with little police presence, a lack of night lighting and many social problems…drug hits sometimes occur near the border crossings."[14] Similarly, in November 2019, *El Universal*, a Mexican media outlet, reported that:

> According to reports from the State's Attorney General Office, 80% of homicides in the border are linked to clashes for crystal [methamphetamine] distribution; likewise, DEA has pointed out the fragmentation and division of groups that look to control drug distribution in the border, such as Los Aztecas that got divided

[9] Beittel, June S., Mexico: Organized Crime and Drug Trafficking Organizations, Congressional Research Service, p.18-19, Dec. 20, 2019.
[10] 2019 was 4th deadliest year in Juarez; nearly 1,500 slain, KVIA ABC-7, Jan. 2, 2020.
[11] Robbins, Seth, Cause of Juárez Homicide Dip? Same as Homicide Jump, InSight Crime, Oct. 24, 2018.
[12] Jervis, Rick, As Trump demands a wall, violence returns to Texas border in Ciudad Juárez, USA Today, Feb. 15, 2019.
[13] Resendiz, Julian, In Juarez, authorities fight drug cartels one street corner at a time, Border Report, Nov. 25, 2019.
[14] Resendiz, Julian, In Juarez, authorities fight drug cartels one street corner at a time, Border Report, Nov. 25, 2019.

in Aztecas Viejos and Aztecas Nuevos, linked to the Juárez Cartel, as well as the conflict of Los Artistas Asesinos with Los Mexicles, related to the Sinaloa Cartel.[15]

Cartels & Gangs in Ciudad Juárez

In November 2019, *Border Report* noted that, according to Stratfor, a private intelligence firm, "at least three transnational criminal organizations have a strong presence" in Ciudad Juárez, including: the Sinaloa Cartel; the Jalisco Cartel New Generation (CJNG); and La Linea (which it characterizes as "the old Juarez cartel").[16] *Border Report* also noted that "these groups mostly operate by proxy — hiring local gangs to transport drugs into the United States and, increasingly, peddling drugs inside Mexican territory."[17] Similarly, in February 2020, *Border Report* noted that, in Ciudad Juárez, the Sinaloa Cartel and La Línea (which it describes as "remnants of the old Juárez Cartel") have "delegated the fight to their proxies — street gangs like 'Mexicles,' 'Barrio Azteca,' 'La Empresa' and 'Artistas Asesinos.'"[18]

In June 2019, *El Diario de Juárez*, a Mexican media outlet, reported that—according to a map produced by a working group of municipal and federal officials[19]—the Juárez Cartel defends its "influence and dominance in approximately 70 percent of the territory" of Ciudad Juárez.[20] The Juárez Cartel reportedly achieved this through groups such as La Empresa or La Línea, and dissident cells of the Los Mexicles and Los Aztecas gangs.[21]

According to *El Diario de Juárez*, La Empresa or La Línea "maintains control of the traffic of drugs and people in the northwestern part of the city, in neighborhoods such as Bellavista, Chaveñia [sic], Insurgentes, Barrio Alto and Rancho Anapra, among others, relatively close to the Rio Grande."[22] The organization also reportedly "controls the entire border territory from Anapra to Zaragoza bridge, parallel to the Rio Grande," and has extended "the sale of drugs to the south of the city to kilometer 20, in the west, and to Manuel J. Clouthier avenue in the east."[23] It also has a presence in various neighborhoods of the northeast part of the city—aside

[15] Mancinas, Ibeth, Drug cartel sows chaos in Ciudad Juárez from prison, El Universal (Mex.), Nov. 21, 2019.
[16] Resendiz, Julian, In Juarez, authorities fight drug cartels one street corner at a time, Border Report, Nov. 25, 2019.
[17] Resendiz, Julian, In Juarez, authorities fight drug cartels one street corner at a time, Border Report, Nov. 25, 2019.
[18] Resendiz, Julian, and Delgado, Roberto, Cartels target police following arrests of leaders, Border Report, Feb. 25, 2020.
[19] Instalan Mesa de Coordinación para la Construcción de la Paz [Working Group for the Construction of Peace Created], Gobierno Municipal, H. Ayuntamiento de Juárez, Dec. 2, 2018.
[20] Cambia el mapa criminal de Juárez [The Criminal Map of Juárez Changes], El Diario de Juárez (Mex.), Jun. 22, 2019.
[21] Cambia el mapa criminal de Juárez [The Criminal Map of Juárez Changes], El Diario de Juárez (Mex.), Jun. 22, 2019.
[22] Cambia el mapa criminal de Juárez [The Criminal Map of Juárez Changes], El Diario de Juárez (Mex.), Jun. 22, 2019.
[23] Cambia el mapa criminal de Juárez [The Criminal Map of Juárez Changes], El Diario de Juárez (Mex.), Jun. 22, 2019.

from the "residential areas of Zaragoza to El Porvenir, in the Valley, which are the domain of the Sinaloa Cartel."[24]

The Los Aztecas gang is reportedly "based in the northwest and Center, from the Azteca neighborhood, where it mainly controls drug trafficking and prostitution."[25]

El Diario de Juárez reported that the Sinaloa Cartel "has a predominant presence in the Juarez Valley area and in some northeastern neighborhoods, such as Riberas del Bravo."[26] The Sinaloa Cartel is aligned with the original faction of Los Mexicles—"which has broad dominance over the southeastern sector of the city"—and members of the Los Aztecas gang that "resigned from serving the Juárez Cartel."[27] Per the article, Los Mexicles have "developed their own strategies to expand drug trafficking in the eastern sector of the city and peripheral areas," and the group's reach extends from the "area known as 'Los Kilometros' in the west, to Puerto de Palos in the east, passing through dozens of neighborhoods located on the perimeter of De las Torres Avenue."[28]

The *El Paso Times* reported in June 2019 that "a war among drug-trafficking groups has intensified in the Valley of Juárez," with groups fighting for "control of border drug-smuggling routes in the Mexican farming communities along the Rio Grande east of Juárez."[29] The media outlet noted that "A war in the valley between the Mexicles gang and the Gente Nueva drug-trafficking group is part of a fragmentation of criminal alliances that authorities said has fueled much of the violence in recent years in Juárez."[30]

Relevant cartels and gangs mentioned in this paper include:

Juárez Cartel

In its November 2015 profile of the Juárez Cartel, InSight Crime reported that the group:

> is one of the oldest and most powerful criminal organizations in Mexico. Since its beginnings, the cartel has focused on drug trafficking, but has expanded into other criminal activities such as human trafficking, kidnapping, local drug distribution

[24] Cambia el mapa criminal de Juárez [The Criminal Map of Juárez Changes], El Diario de Juárez (Mex.), Jun. 22, 2019.
[25] Cambia el mapa criminal de Juárez [The Criminal Map of Juárez Changes], El Diario de Juárez (Mex.), Jun. 22, 2019.
[26] Cambia el mapa criminal de Juárez [The Criminal Map of Juárez Changes], El Diario de Juárez (Mex.), Jun. 22, 2019.
[27] Cambia el mapa criminal de Juárez [The Criminal Map of Juárez Changes], El Diario de Juárez (Mex.), Jun. 22, 2019.
[28] Cambia el mapa criminal de Juárez [The Criminal Map of Juárez Changes], El Diario de Juárez (Mex.), Jun. 22, 2019.
[29] Borunda, Daniel, Mexico drug cartel violence flares as Mexicles, Gente Nueva war rattles Valley of Juárez, El Paso Times, Jun. 19, 2019.
[30] Borunda, Daniel, Mexico drug cartel violence flares as Mexicles, Gente Nueva war rattles Valley of Juárez, El Paso Times, Jun. 19, 2019.

> and extortion. Based in the city of Juarez in the state of Chihuahua, northern Mexico, the Juarez Cartel is also known as the Vicente Carrillo Fuentes Organization (VCFO), after its leader. […]
>
> The Juarez Cartel has a large and longstanding transportation, storage and security operation throughout the country. It counts on its ability to co-opt local and state law enforcement, especially the judicial or ministerial police (detectives) and the municipal forces. It has long collected a tax for letting groups use its "plaza," or drug trafficking corridor, and relied on alliances to operate nationwide. […]
>
> The cartel maintains a firm foothold in Ciudad Juarez and the Valle de Juarez, which remains the key corridor for transporting illegal drugs into the United States. It still has some measure of control over the local and state police, as well as some politicians. It has turned to local gangs to be its enforcers, changing the dynamic in the area and increasing violent confrontation with its rivals.[31]

La Línea

La Línea is a criminal group linked to the Juárez Cartel.[32] InSight Crime has described La Línea as a "faction of the Juárez Cartel with a strong presence in Chihuahua state."[33] *El Diario de Juárez* has characterized the group as "the armed wing of the Juárez Cartel."[34] *Border Report* has described La Línea as a "criminal organization composed of surviving members of the once-dominant Juarez Cartel."[35] The *El Paso Times* has reported that La Línea "is another name for the Juárez drug cartel."[36]

InSight Crime has reported that La Línea "first emerged as a group of gunmen at the service of Vicente Carrillo's Juarez Cartel,"[37] and that the "Juárez Cartel hired current and former Mexican police officers to form La Línea."[38] In 2011, InSight Crime reported that La Línea:

> has been instrumental in helping Carrillo hold onto some semblance of territory in the city [Ciudad Juárez] — which is home both to one of the most important border crossings in Mexico and to a growing local retail drug market — despite the incursion of the Sinaloa Cartel.

[31] Juarez Cartel, InSight Crime, Nov. 17, 2015.
[32] Mapa de una tierra sin ley: los focos rojos de la narcofrontera México – EEUU [Map of a land without law: the flashpoints of the Mexico-U.S. narcoborder], Infobae (Arg.), Dec. 3, 2019.
[33] Asmann, Parker, How Mexico's 'Small Armies' Came to Commit a Massacre, InSight Crime, Nov 15, 2019.
[34] Así se presentó 'La Empresa' de 'El 300' en Ciudad Juárez [This is how La Empresa of El 300 in Ciudad Juárez presents itself], El Diario de Juárez (Mex.), Nov. 7, 2018.
[35] Resendiz, Julian, Police in Juarez move against drug cartel's foot soldiers, Border Report, Oct. 11, 2019.
[36] Borunda, Daniel, U.S. issues security alert for Juárez after wave of drug cartel, gang attacks on police, El Paso Times, Jan. 20, 2019.
[37] Corcoran, Patrick, Arrests Herald Juarez Drug Gang's Decline, InSight Crime, Jun 23, 2011.
[38] Asmann, Parker, How Mexico's 'Small Armies' Came to Commit a Massacre, InSight Crime, Nov 15, 2019.

> La Linea has been linked to some of the city's most notorious crimes in recent years, including the massacre of more than a dozen partying teenagers in January 2010, and a car-bomb attack against the Federal Police in July of the same year.[39]

InSight Crime has also reported that, under the command of a former leader who was arrested in May 2018, La Línea had "bought off several municipal police forces and co-opted political operators in northwest Chihuahua to facilitate the Juárez Cartel's drug trafficking operations through Ciudad Juárez and over the US-Mexico border."[40]

La Empresa

La Empresa is a criminal organization which reportedly "emerged after a fracture among factions of the Juárez drug cartel."[41] In June 2019, *El Diario de Juárez* reported that La Empresa emerged "as a structure of the Juárez Cartel from a division of that organization with the Los Aztecas gang" in mid-2018.[42]

Barrio Azteca/Los Aztecas

Also known as Los Aztecas, Barrio Azteca is a gang that was formed in El Paso's prison system in the 1980s, and subsequently expanded into Mexico and other parts of the United States.[43] According to a July 2018 profile of the group by InSight Crime:

> By the early 2000s, the gang controlled prisons in Chihuahua, and has since continued to grow. According to US estimates, it had around 3,500 members in 2011. By 2013, it reportedly had up to 5,000 in the Juárez area alone and an estimated 3,000 in the United States. […]
>
> Beginning in the 2000s, Barrio Azteca started to assist Mexico's Juárez Cartel with operations, and the gang became an important element in the battle between the Juárez Cartel and the Sinaloa Cartel for control of the city of Juárez. The Juárez Cartel's armed wing, "La Linea," recruited members from Barrio Azteca to fight the Sinaloa Cartel in 2008, and many gang members were killed or arrested. The group also helped the Juárez Cartel to move people and drugs as well as to acquire weapons and vehicles.
>
> In 2010, Barrio Azteca members allegedly murdered 15 teenagers at a party, and later that same year, killed a US Consulate employee, her husband and the husband

[39] Corcoran, Patrick, Arrests Herald Juarez Drug Gang's Decline, InSight Crime, Jun 23, 2011.
[40] Asmann, Parker, How Mexico's 'Small Armies' Came to Commit a Massacre, InSight Crime, Nov 15, 2019.
[41] Borunda, Daniel, 10 killed, bodies and buses burned in violent night of 'revenge' in Juárez, Mexico, El Paso Times, Nov. 6, 2019.
[42] Busca Cártel de Juárez recuperar el Valle [Juárez Cartel Seeks to Recover the Valley], El Diario de Juárez (Mex.), Jun. 13, 2019.
[43] Barrio Azteca, InSight Crime, Jul. 9, 2018.

> of another employee in Ciudad Juárez. The attacks brought down a great deal of pressure from the US government […]
>
> Despite US efforts, the gang has apparently regained strength, and maintains significant power in Juárez, particularly as the power of the Juárez Cartel has declined. According to the US Department of Justice, Barrio Azteca profits by moving heroin, cocaine and marijuana across the border. The gang also controls local drug distribution, extortion rackets and human smuggling in Juárez, and uses other smaller, local gangs for manpower, as well as charging other criminals to operate in its territory. Drug distribution is believed to represent over half of the gang's revenue.
>
> Barrio Azteca also draws recruits from Juárez jails who are attracted by the strict order that the gang enforces on members. The gang, which refers to itself as the "Familia Azteca," requires members to prioritize gang activities over all else and has a set of "sacred rules," the breaking of which is grounds for harsh punishment and even death for gang members and their families.[44]

In its July 2018 profile of Barrio Azteca, InSight Crime also noted that "the gang's key ally is the Juárez Cartel and its armed wing, La Linea. Barrio Azteca also works with the Zetas. A principal enemy is the Sinaloa Cartel, along with its subcontractor, the Mexicles gang."[45] However, according to *El Diario de Juárez*, a split reportedly emerged within the gang and a war broke out between rival factions in May 2018.[46] According to *El Universal*, the gang reportedly split into the Aztecas Viejos and the Aztecas Nuevos.[47] In June 2019, *El Diario de Juárez* reported that a faction of Barrio Azteca had shifted its allegiance from the Juárez Cartel to the Sinaloa Cartel.[48]

Sinaloa Cartel

According to InSight Crime's March 2019 profile of the Sinaloa Cartel:

> The Sinaloa Cartel, often described as the largest and most powerful drug trafficking organization in the Western Hemisphere, is an alliance of some of Mexico's top capos. The coalition's members operate in concert to protect themselves, relying on connections at the highest levels and corrupting portions of the federal police and military to maintain the upper hand against rivals. […]
>
> The Sinaloa Cartel is not a hierarchical structure. El Chapo, El Azul and El Mayo have all maintained their own separate but cooperating organizations, while the

[44] Barrio Azteca, InSight Crime, Jul. 9, 2018.
[45] Barrio Azteca, InSight Crime, Jul. 9, 2018.
[46] Así se presentó 'La Empresa' de 'El 300' en Ciudad Juárez [This is how La Empresa of El 300 in Ciudad Juárez presents itself], El Diario de Juárez (Mex.), Nov. 7, 2018.
[47] Mancinas, Ibeth, Drug cartel sows chaos in Ciudad Juárez from prison, El Universal (Mex.), Nov. 21, 2019.
[48] Cambia el mapa criminal de Juárez [The Criminal Map of Juárez Changes], El Diario de Juárez (Mex.), Jun. 22, 2019.

> cartel's operations in foreign countries, and even within Mexico, are often outsourced to local partners. […]
>
> The Sinaloa Cartel's central bond is blood. Many of its members are related by birth or by marriage. However, the cartel also often acts more like a federation than a tightly knit organization. […]
>
> The Sinaloa Cartel seems to have taken its cue from Colombia's Cali Cartel by establishing strong connections to Mexico's political and economic elite. It has successfully penetrated government and security forces wherever it operates. It often opts for the bribe over the bullet and alliances over fighting, but it is not above organizing its forces to overrun areas that it wants to control by force. […]
>
> In recent years, the Sinaloa Cartel has become embroiled in a series of violent turf wars. In 2012, the cartel emerged victorious from a bloody battle with the Juarez Cartel over control of Ciudad Juarez.[49]

Los Mexicles

Los Mexicles is a "prison-street gang dating back to the late 1980s or early 1990s"[50] that has been described as being a faction of, working for, and/or linked to the Sinaloa Cartel.[51] According to *Infobae*, Los Mexicles "were recruited by the Sinaloa Cartel to confront the Juárez Cartel and constitute a strong defense against other gangs that formed inside El Paso's prisons."[52] After allying with the Sinaloa Cartel, Los Mexicles reportedly began committing serious crimes, such as homicide and extortion."[53] According to *El Diario de Juárez,* Los Mexicles has functioned as an armed wing of the Sinaloa Cartel.[54] The group reportedly maintains a quasi-military structure and communicates via coded written messages.[55] In Ciudad Juárez, Los Mexicles have "been known to use tattoos of the 'Hecho en Mexico' eagle logo, but not everyone with such a tattoo is a gang member."[56]

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[49] Sinaloa Cartel, InSight Crime, Mar. 29, 2019.
[50] Borunda, Daniel, 10 killed, bodies and buses burned in violent night of 'revenge' in Juárez, Mexico, El Paso Times, Nov. 6, 2019.
[51] Mapa de una tierra sin ley: los focos rojos de la narcofrontera México – EEUU [Map of a land without law: the flashpoints of the Mexico-U.S. narcoborder], Infobae (Arg.), Dec. 3, 2019; Resendiz, Julian, 'Mexicles' gang blamed for 'night of terror' in Juarez, Border Report, Nov. 6, 2019; Resendiz, Julian, Police in Juarez move against drug cartel's foot soldiers, Border Report, Oct. 11, 2019.
[52] Mapa de una tierra sin ley: los focos rojos de la narcofrontera México – EEUU [Map of a land without law: the flashpoints of the Mexico-U.S. narcoborder], Infobae (Arg.), Dec. 3, 2019.
[53] Mapa de una tierra sin ley: los focos rojos de la narcofrontera México – EEUU [Map of a land without law: the flashpoints of the Mexico-U.S. narcoborder], Infobae (Arg.), Dec. 3, 2019.
[54] Busca Cártel de Juárez recuperar el Valle [Juárez Cartel Seeks to Recover the Valley], El Diario de Juárez (Mex.), Jun. 13, 2019.
[55] Mapa de una tierra sin ley: los focos rojos de la narcofrontera México – EEUU [Map of a land without law: the flashpoints of the Mexico-U.S. narcoborder], Infobae (Arg.), Dec. 3, 2019.
[56] Borunda, Daniel, Mexico drug cartel violence flares as Mexicles, Gente Nueva war rattles Valley of Juárez, El Paso Times, Jun. 19, 2019.

Rivalries between Los Mexicles and other gangs in Ciudad Juárez, such as Los Aztecas, have generated "years of violence" in the city.[57] Los Mexicles were reportedly "rivals of the Barrio Azteca gang, which was allied with La Linea."[58] The *El Paso Times* reported in June 2019 that Los Mexicles were allied with the Sinaloa Cartel for years, including with "the Gente Nueva branch of the Sinaloa drug cartel during the war with the Juárez cartel a decade ago."[59]

However, Los Mexicles reportedly underwent a division in April 2019.[60] *El Diario de Juárez* reported in June 2019 that a dissident group of Los Mexicles had abandoned its alliance with the Gente Nueva and decided to support La Empresa, while the original faction of Los Mexicles continued to support the Sinaloa Cartel in its efforts to maintain control of the Juárez Valley.[61] In December 2019, *Infobae* reported that Los Mexicles were fighting for control of prions in Ciudad Juárez with Los Artistas Asesinos.[62]

Gente Nueva

Gente Nueva is a cell of the Sinaloa Cartel[63] which reportedly began its operations in 2007 in Veracruz state.[64] In 2011, InSight Crime described Gente Nueva as:

> an enforcer gang which has been linked to Sinaloa Cartel boss Joaquin Guzman Loera, alias "El Chapo." Gente Nueva got their start working as hitmen for Guzman, and have been blamed for contributing to the violence in the border city of Ciudad Juarez. There the group earned the reputation of being a bitter enemy of La Linea, a gang who serve as foot soldiers for Vicente Carrillo Fuentes' Juarez Cartel.[65]

[57] Mapa de una tierra sin ley: los focos rojos de la narcofrontera México – EEUU [Map of a land without law: the flashpoints of the Mexico-U.S. narcoborder], Infobae (Arg.), Dec. 3, 2019.
[58] Borunda, Daniel, Mexico drug cartel violence flares as Mexicles, Gente Nueva war rattles Valley of Juárez, El Paso Times, Jun. 19, 2019.
[59] Borunda, Daniel, Mexico drug cartel violence flares as Mexicles, Gente Nueva war rattles Valley of Juárez, El Paso Times, Jun. 19, 2019.
[60] Cambia el mapa criminal de Juárez [The Criminal Map of Juárez Changes], El Diario de Juárez (Mex.), Jun. 22, 2019.
[61] Busca Cártel de Juárez recuperar el Valle [Juárez Cartel Seeks to Recover the Valley], El Diario de Juárez (Mex.), Jun. 13, 2019.
[62] Mapa de una tierra sin ley: los focos rojos de la narcofrontera México – EEUU [Map of a land without law: the flashpoints of the Mexico-U.S. narcoborder], Infobae (Arg.), Dec. 3, 2019.
[63] Navarrete Forero, Maria Alejandra, Narco Funeral Draws Attention to Los Salazar in Mexico, InSight Crime, Aug. 20, 2019; Gutierrez Gonzalez, Rodrigo, "Artistas Asesinos" y "Los Mexicles", ¿se avecina una guerra en el Cártel de Sinaloa? ["Artistas Asesinos" and "Los Mexicles," is a war in the Sinaloa Cartel coming?], La Silla Rota (Mex.), Aug. 28, 2018.
[64] Gutierrez Gonzalez, Rodrigo, "Artistas Asesinos" y "Los Mexicles", ¿se avecina una guerra en el Cártel de Sinaloa? ["Artistas Asesinos" and "Los Mexicles," is a war in the Sinaloa Cartel coming?], La Silla Rota (Mex.), Aug. 28, 2018.
[65] Ramsey, Geoffrey, 35 Dead 'Zetas' Dumped on Busy Street in Veracruz, Mexico, InSight Crime, Sep. 21, 2011.

Los Artistas Asesinos

Los Artistas Asesinos (Artist Assassins) "began as a Juárez graffiti crew in the early 2000s and grew into a violent street gang later hired as gunmen for the Sinaloa cartel."[66] Also known as Doble A (Double A or AA), the group is a rival of Barrio Azteca.[67] Los Artistas Asesinos has reportedly served as an armed wing for the Sinaloa Cartel in Ciudad Juárez, and has engaged in various criminal activities, such as drug trafficking, robbery, and kidnapping.[68] The group also maintains a presence in the United States (most notably in El Paso).[69] In December 2019, *Infobae* reported that Los Artistas Asesinos were fighting with Los Mexicles for control of prions in Ciudad Juárez.[70]

Jalisco Cartel New Generation (CJNG)

In its May 2019 profile of the CJNG, InSight Crime noted that:

> The Jalisco Cartel New Generation (Cartel Jalisco Nueva Generación – CJNG) is a criminal group that has evolved as a result of killings, captures and rifts in older cartels. It is known for its aggressive use of violence and its public relations campaigns. Despite the capture of top leaders and some emerging signs of internal division, the group appears set to continue expanding. […]
>
> The group appears to be growing rapidly. According to authorities, the CJNG operates in at least in 22 states: Aguascalientes, Baja California Sur, Baja California, Chiapas, Chihuahua, Nuevo León, Puebla, Querétaro, Quintana Roo, San Luis Potosí, Sinaloa, Tamaulipas, Jalisco, Colima, Michoacán, Guanajuato, Morelos, Nayarit, Guerrero, and Veracruz, plus Mexico City and the State of Mexico.[71]

This response was prepared after researching publicly accessible information currently available to the RAIO Research Unit within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. The response only addresses the specific questions presented to the RAIO Research Unit in the associated query. For additional information, on related topics, please visit the RAIO

[66] Borunda, Daniel, Gang videos: Artistas Asesinos threaten Mexicles amid violence in Juárez, Mexico, El Paso Times, Aug. 28, 2018.
[67] Borunda, Daniel, Gang videos: Artistas Asesinos threaten Mexicles amid violence in Juárez, Mexico, El Paso Times, Aug. 28, 2018.
[68] Gutierrez Gonzalez, Rodrigo, "Artistas Asesinos" y "Los Mexicles", ¿se avecina una guerra en el Cártel de Sinaloa? ["Artistas Asesinos" and "Los Mexicles," is a war in the Sinaloa Cartel coming?], La Silla Rota (Mex.), Aug. 28, 2018.
[69] Gutierrez Gonzalez, Rodrigo, "Artistas Asesinos" y "Los Mexicles", ¿se avecina una guerra en el Cártel de Sinaloa? ["Artistas Asesinos" and "Los Mexicles," is a war in the Sinaloa Cartel coming?], La Silla Rota (Mex.), Aug. 28, 2018.
[70] Mapa de una tierra sin ley: los focos rojos de la narcofrontera México – EEUU [Map of a land without law: the flashpoints of the Mexico-U.S. narcoborder], Infobae (Arg.), Dec. 3, 2019.
[71] Jalisco Cartel New Generation (CJNG), InSight Crime, May 21, 2019.

Research Unit ECN page and, if you are not able to find the information needed there, reach out to the RAIO Research Unit.

Mexico: Harm of Migrants by the Police & the Military in Ciudad Juárez

March 12, 2020

Have there been documented examples in the past year of the police/military in Ciudad Juárez committing extortion, sexual assault, and/or other forms of harm against migrants?

This query request originated from the International and Refugee Affairs Division, RAIO, USCIS.

In a February 2020 report on the impact of the Migrant Protection Protocols (MPP) program on children and families, Human Rights Watch reported that:

> Parents said that while waiting in Mexico, they or their children were beaten, harassed, sexually assaulted, or abducted. Some said Mexican police had harassed or extorted money from them. Most said they were constantly fearful and easily identified as targets for violence. […]
>
> In the current investigation, some families described extortion and other harassment by Mexican police. Edwin F. (all names are pseudonyms), a 28-year-old from Honduras staying in a shelter in Ciudad Juárez with his wife and 5-year-old son, said in January 2020: "Yesterday the police stopped a group of us. They asked all of us where we were from. They searched through our phone history as if we were coming to do harm to the country. They held us close to half an hour while they searched us, even our son. They asked for money. I didn't have any." His wife, Marisela, 21, said that when the police officers searched her: "I had some sanitary pads in a shopping bag. They dumped them out on the ground. Everything I had, they dumped out on the ground." The encounter traumatized their 5-year-old. "He became really anxious," his father said. "He started to cry uncontrollably."[1]

In a December 2019 report, Human Rights First reported that:

> DHS returned a Salvadoran asylum seeker, her husband, and three young children to Mexico in October even though they had been kidnapped and threatened by Mexican federal police in Ciudad Juárez. The officers brought the family to what appeared to be a police station, demanded ransom from the woman's family in the United States saying that they "would never see them again," if they failed to pay,

[1] US: 'Remain in Mexico' Program Harming Children, Human Rights Watch, Feb. 12, 2020.

> and even threatened to take away the woman's children and put them up for adoption.[2] […]
>
> In Ciudad Juárez, Mexican police attacked a Salvadoran asylum seeker, throwing him to the ground, kicking and robbed him in front of his two children as they approached the port of entry to attend an MPP court hearing in August. The man was walking with his children in the early morning hours to report to CBP at the port of entry by 4:30 am for their hearing. When the man was able to show the police his MPP court documents, they released him but stole his money.[3] […]
>
> Mexican police have repeatedly threatened, wrongfully detained, and extorted the clients of Constance Wannamaker, an immigration attorney representing asylum seekers returned to Ciudad Juárez under MPP. Police there threatened to beat a Honduran asylum-seeking client and demanded money from him. Two Cuban asylum-seeking clients, one of whom was pregnant, were also repeatedly detained and extorted by Mexican police in Juárez and in Tapachula in southern Mexico.[4]

In an October 2019 report, Human Rights First reported that:

> A Central American family with three children were abducted by men wearing Mexican police uniforms after being returned by DHS to Ciudad Juárez in August. An attorney assisting the family reported that photos sent with ransom demands to the family's relatives in the United States showed the family in what appeared to be a government office. […]
>
> A Guatemalan family with two children were kidnapped for ransom by men in Mexican federal police uniforms after DHS returned them to Ciudad Juárez in July. The family told an immigration attorney that the kidnappers tortured some of the migrants held with them, duct-taping plastic bags over their heads to suffocate them. They and others managed to escape when their abductors unexpectedly left. However, the family later saw the same men who had kidnapped them near the shelter where they were hiding.[5]

In August 2019, *Agencia EFE* reported that—according to videos and statements that the news organization reviewed— "a group of 17 Cuban migrants was assaulted by state police at the

[2] Human Rights Fiasco: The Trump Administration's Dangerous Asylum Returns Continue, Human Rights First, p.12, Dec. 2019.
[3] Human Rights Fiasco: The Trump Administration's Dangerous Asylum Returns Continue, Human Rights First, p.12, Dec. 2019.
[4] Human Rights Fiasco: The Trump Administration's Dangerous Asylum Returns Continue, Human Rights First, p.13, Dec. 2019.
[5] Orders from Above: Massive Human Rights Abuses Under Trump Administration Return to Mexico Policy, Human Rights First, p.5-6, Oct. 2019.

hotel where they were staying in Ciudad Juárez."[6] The migrants had traveled to Ciudad Juárez to seek asylum in the United States.[7] Chihuahua state police officers reportedly took more than $2,000 worth of money and goods from the migrants and the hotel manager, attempted to turn off the hotel's security cameras, and requested immigration documents from the Cuban migrants (which is illegal under Mexican law, as only immigration authorities can do this).[8] The migrants alleged that the police "threatened to kill them or plant evidence of drugs and deport them to Cuba if they did not give them the money."[9]

In August 2019, *Border Report* reported on a robbery and threats against two indigenous migrants from Guatemala:

> On their way to the United States, the two were robbed by a Mexican policeman who allegedly hurled racial insults at them; they were later threatened with jail by other officers when they tried to file a complaint in Juarez, according to affidavits filed with the Chihuahua State Human Rights Commission.[10]

In June 2019, InSight Crime reported on an incident in which a Honduran migrant was kidnapped and sexually assaulted:

> A migrant woman from Honduras was kidnapped and sexually assaulted after federal police agents in the Mexican border town of Ciudad Juárez abducted her and handed her over to a criminal group in the early morning hours of June 10, El Diario de Juárez reported.
>
> After her first immigration hearing in the United States, authorities sent the woman to Mexico to await her US court hearings for asylum. This controversial policy — implemented by the administration of US President Donald Trump and known as the "Remain in Mexico" program — sends asylum seekers to Mexico while they wait for US immigration courts to decide their cases.
>
> The kidnapping unfolded around 4:30 a.m. before dawn. The owner of the house that the migrant woman was staying in attempted to thwart her attackers. He was beaten, and along with his mother, who also came out to see what was happening, was kidnapped with the migrant woman, according to El Diario de Juárez.

[6] "Pensé que me iban a violar, a matar", dice cubana víctima de asalto de policías mexicanos ["I thought they were going to kill me," says Cuban victim of assault by Mexican police], Agencia EFE, Aug. 28, 2019.
[7] "Pensé que me iban a violar, a matar", dice cubana víctima de asalto de policías mexicanos ["I thought they were going to kill me," says Cuban victim of assault by Mexican police], Agencia EFE, Aug. 28, 2019.
[8] "Pensé que me iban a violar, a matar", dice cubana víctima de asalto de policías mexicanos ["I thought they were going to kill me," says Cuban victim of assault by Mexican police], Agencia EFE, Aug. 28, 2019.
[9] "Pensé que me iban a violar, a matar", dice cubana víctima de asalto de policías mexicanos ["I thought they were going to kill me," says Cuban victim of assault by Mexican police], Agencia EFE, Aug. 28, 2019.
[10] Resendiz, Julian, Too Afraid to go home: Texas lawyer stands up for two Mayan migrants, Border Report, Aug. 13, 2019.

> Federal Police then took them to a house where they were handed over to an unidentified criminal group.
>
> The criminals demanded $6,000 in exchange for releasing the Honduran migrant woman, but ultimately released her after receiving $5,000 from the victim's mother, who lives in the United States. The other man and his mother were released after paying 27,000 Mexican pesos (around $1,400), although the group initially demanded $10,000, according to El Diario de Juárez.
>
> The anti-extortion unit of the Chihuahua state Attorney General's Office received the victims on June 14, four days after their kidnapping.
>
> The woman told prosecutors that one of her attackers put a gun to her head and raped her.[11]

Human Rights First reported that, according to her attorney, the Honduran migrant was Garifuna.[12]

[11] Asmann, Parker, Mexico Police Collude With Criminals to Kidnap, Extort Migrant, InSight Crime, Jun. 20, 2019.
[12] Delivered to Danger: Illegal Remain in Mexico Policy Imperils Asylum Seekers' Lives and Denies Due Process, Human Rights First, p.4, Aug. 2019.

Links between Cartels/Gangs & the Police/Military in Mexico and Ciudad Juárez

March 30, 2020

To what extent are gangs/cartels working with the police/military in Ciudad Juárez?

This query request originated from the International and Refugee Affairs Division, RAIO, USCIS.

The following sources and select quotes discuss links between cartels/gangs and the police/military in Mexico and/or Ciudad Juárez.

Mexico

Mexico: Organized Crime and Drug Trafficking Organizations, Congressional Research Service, Dec. 20, 2019.

> Several observers have noted the severe human rights violations involving Mexican military and police forces, which, at times, reportedly have colluded with Mexico's criminal groups. (p.6) […]
>
> In Mexico, arrests of police and other public officials accused of cooperating with the drug trafficking organizations have rarely been followed by convictions, although a few prominent cases involving official corruption have achieved results. Police corruption has been so extensive that law enforcement officials sometimes carry out the violent assignments from drug trafficking organizations and other criminal groups. Purges of Mexico's municipal, state, and federal police have not rid the police of this enduring problem. (p.11) […]
>
> The government of President López Obrador continues to face challenges presented by DTO-related corruption of public officials, politicians, and members of the nation's police forces. (p.30)

Bonello, Deborah, How Mexico Is Losing the War Against Cartels, Vice News, Nov. 8, 2019.

> A deep dive into the drivers behind the most recent violence—in which state security forces at all levels are being outgunned, outnumbered, and outsmarted—reveals a fractured cadre of cartels more powerful than ever, facing down a weak government struggling to cope. Weapons and military training from the United States combined with the co-opting of police at all levels by cartels mean the country's crime armies feel Mexico is theirs. […]

> Historically, state, municipal and even federal police and the Army can be caught up in criminal rivalries and the co-opting of police has long complicated the challenge for the government, which for more than a decade has attempted, and failed, to tackle the issue of corruption within the police forces at all levels.
>
> "In the past, the municipal police within a town could be linked to one cartel, the state police that town exists within to another cartel, and the federal police coming into that town to a third. The old adage 'Plata o Plomo' (Silver or Lead) is not to be discounted, for it represents the actual web of corruption and violence the cartels are weaving across the country," said Dr. [Robert J.] Bunker, [an adjunct research professor at the Strategic Studies Institute, U.S. Army War College]. The cop killings in Michoacán suggest that all parts of the police are now allied with organized crime. The question now is: with which group?
>
> Police in Mexico are not only under pressure to swap their allegiance from the government to cartels, they are also seriously outgunned. This in turn makes them even more susceptible to corruption or aligning with criminal groups as a means of survival. "The Mexican police…are totally outclassed by cartel firepower and paramilitary tactics. Additionally, neither [the police of the military] is properly configured or trained to operate in a criminal insurgency environment as is taking place in Mexico," said Dr. Bunker.

Flores, Efrén, Nueve cárteles con al menos 74 brazos armados dominan el 80% del país. Son lo doble que en 2005 [Nine cartels with at least 74 armed wings dominate 80% of the country. This is twice as much as in 2005], SinEmbargo (Mex.), Sep. 17, 2019.[1]

> "80 percent of municipalities in Mexico are governed by authorities that have direct or indirect links with organized crime in any of its forms," writer and journalist Ricardo Ravelo Galó told SinEmbargo.
>
> For the organized crime specialist, "this means that [the criminals] have 80% of the state and municipal police forces under control," and "that is the reason why there is no security" in the country.

Jaramillo, Juan Camilo, Entire Police Forces Continue to be Arrested in Mexico, InSight Crime, Aug. 21, 2019.

> Entire police forces being rounded up for corruption and collusion with organized crime is nothing new in Mexico. In August 2018, 205 police officers were disarmed and suspended in the municipality of Tehuacán in central Puebla state, while 113 more were believed to have fled.
>
> The ease with which corruption spreads inside the police forces and the vast impunity for participating officers means that successive government reforms have shown no concrete results.

[1] The select quotes from this source have been translated from Spanish to English by the Research Unit.

> An average of 1,688 corruption cases were registered for every 1,000 active-duty police officers in Mexico in 2017, according to a survey conducted by the National Institute of Statistics and Geography (INEGI). That translates to 1.6 acts of corruption for every police officer at the national level.
>
> The state of Chihuahua reported that for every 1,000 police officers registered in the state, 133 had been participating in criminal activities. The state's corruption rate is only surpassed by Mexico City, with a rate of 179 for every 1,000 police officers.
>
> Mexican police forces are particularly vulnerable to corruption and infiltration by drug cartels, due to low salaries and a lack of government support. This makes the bribes paid by criminal mafias extremely attractive.

Felbab-Brown, Vanda, Mexico's Out-of-Control Criminal Market, Foreign Policy at Brookings, Mar. 2019.

> Yet just like in the Colombian case in the 1990s, the Mexican state failed to effectively fill in the vacuum in the criminal market because the military forces Calderón deployed to combat the cartels lacked adequate skills and strategy, and because police reform proved exceedingly difficult and slow-going. Today, 12 years later, the unfinished police reform remains a major hole in Mexican anti-crime efforts. In particular, the urgently and badly needed systematic reform of local police forces has not even begun, and local municipal police forces remain weak and often dominated by criminal groups. (p.8) […]
>
> The continual corruption, weakness, and lack of competence in Mexican law enforcement, particularly of local and state police forces, but also of the Federal Police, have created a bedrock climate of impunity and critically exacerbated the criminal violence. (p.10)

Fisher, Steve, and McDonnell, Patrick J., Mexico sent in the army to fight the drug war. Many question the toll on society and the army itself, Los Angeles Times, Jun. 18, 2018.

> Mexican authorities turned to the military because of the entrenched corruption of local and state police, who are often on gang payrolls. A disturbing sense of lawlessness pervades much of the country.
>
> For state and municipal governments, critics argue, reliance on troops has become a counterproductive crutch and a disincentive to police reform. […]
>
> Meanwhile, critics say, police forces languish, outgunned, underpaid and often compromised. This despite a $2.8-billion U.S. aid effort — the Merida Initiative — that is designed to foster rule of law and a modern police and justice system.

Ciudad Juárez

Asmann, Parker, How Mexico's 'Small Armies' Came to Commit a Massacre, InSight Crime, Nov. 15, 2019.

> The armed group alleged to be behind the massacre in Sonora emerged years ago as part of the outsourcing of security by Mexico's most dominant cartels. While starting out as small family-based operations, these networks eventually expanded, leading to rising profits and the militarization of their drug trafficking activities.
>
> Beyond securing their own areas of influence, the cartels were now also competing for control of drug smuggling corridors known as "plazas." By winning a specific plaza, the dominant criminal group could charge a "piso," or tax, to any other group moving contraband like weapons, humans or drugs through the area. This tax system provided another significant revenue steam.
>
> To win these plaza battles, however, it was essential to have a greater number of loyal foot soldiers willing to fight to the death. […]
>
> The Juárez Cartel hired current and former Mexican police officers to form La Línea, in addition to working with an El Paso-based street gang known as the Aztecas. […]
>
> Over time, however, the structure of Mexico's cartels changed and became less hierarchical. These armed wings developed more financial and decision making authority, as well as more autonomy. This in turn allowed them to expand outside of just providing security to engage in their own criminal activities, such as demanding extortion payments from local businesses and kidnapping. The Zetas, for example, would eventually break away from the Gulf Cartel and transform into one of Mexico's most ruthless criminal groups for a time.
>
> La Línea also rose to prominence, even finding itself in the crosshairs of the US Federal Bureau of Investigations (FBI). The group's former leader, Carlos Arturo Quintana Quintana, alias "El 80," made it onto the bureau's most wanted list before he was arrested in May of 2018 after a blood-soaked criminal career that spanned nearly a decade.
>
> Under Quintana's command, La Línea bought off several municipal police forces and co-opted political operators in northwest Chihuahua to facilitate the Juárez Cartel's drug trafficking operations through Ciudad Juárez and over the US-Mexico border.

Holguín, Ricardo, Cárteles pelean a muerte en Chihuahua [Cartels fight to the death in Chihuahua], El Heraldo de Chihuahua (Mex.), Nov. 10, 2019.[2]

> The state of Chihuahua has been overwhelmed by the different organized crime groups that operate throughout the state, because in only 10 days of the month of November, it is shaping

[2] The select quotes from this source have been translated from Spanish to English by the Research Unit.

up to be the most violent month of the year and perhaps in the state's history, since in a week almost a hundred people have been murdered within the state territory.

Deprivations of liberty, homicides, kidnappings, murdered individuals left in blankets, confrontation, burning of vehicles, massacres, disappearances, criminal arrests, massacres and fear in the communities of the Sierra Tarahumara, are part of the actions carried out by criminal groups in the state, where the lack of elements allows them to continue operating and mobilizing throughout the state of Chihuahua.

The control that these criminal cells maintain allows them to continue with their main activities, which are the production, sale, and transfer of drugs, for the interior as well as the exterior of the state, where they maintain routes to ship tons of marijuana and various kilograms of cocaine, as well as crystal [methamphetamine].

In addition to the lack of elements and the great capacity of members of organized crime in the state, one adds the complicity that has been detected in the municipal and state forces, where the majority of the public security institutions have investigated and detained more than 30 elements who have knowledge of or collaborate with criminal groups, that is to say that the "police" who work for drug traffickers are the same ones who take charge of the security in the municipalities.

In Parral, Chihuahua, Cuauhtémoc, Juárez, Valle de Allende, Madera, Guadalupe y Calvo, Jiménez, Matamoros, Bocoyna and other municipalities they have had security elements infiltrated by organized crime, where they provide protection, share information, and even murder rival groups at the instruction of the criminals. […]

The large amounts of economic resources generated in this business have corrupted police, politicians, and even judges, that is to say the entire justice system is sometimes involved with issues of organized crime, since under threat they must accept the resource or they would be harmed in another way. […]

The State Attorney General's Office itself acknowledges that it has a deficit of at least five thousand security elements, only in its agency, since they maintain little more than three thousand active elements deployed throughout the state and cannot combat the more than 15,000 criminals who operate throughout the state territory.

The possible state of force that authorities quantify about the criminal groups corresponds to groups of drug dealers, car thieves, lookouts, hired assassins, plaza chiefs, and leaders, according to the number of assurances they have made through the years.

Holguín Pérez, Ricardo, Van 32 casos de policías que trabajan para el narco [32 cases of police officers working for drug trafficking], El Heraldo de Chihuahua (Mex.), Jan. 26, 2018.[3]

> Security forces in the city and in the state have been marked after different cases of agents who turned out to be more criminals than uniformed, since in less than five years there are at least 32 cases of police elements that operated to protect the community at the same time that they destroyed it, lacking the ethics and professionalism of an agent. […]
>
> Within the journalistic archives of El Heraldo de Chihuahua are various cases of police officers of different ranks, forces, and municipalities who have kidnapped, murdered, robbed, and led bands of gunmen of organized crime and even raped; this has occurred mainly in cities like Chihuahua, Juárez, Buenaventura, Bocoyna, Cuauhtémoc, Madera, Bachíniva, Namiquipa, Aquiles Serdán, and other parts of the state.
>
> Among the detainees, four directors of police forces, from municipalities such as Bachíniva, Buenaventura, Aquiles Serdán, and Namiquipa, for different crimes; 24 municipal and state agents were arrested.
>
> One of the most recent and most emblematic cases was one that occurred on January 12, when security elements detained 10 armed individuals from Ciudad Juárez, whose mission was to assassinate people from other rival groups, under the command of a municipal police officer, identified as Miguel Vázquez Sánchez; the officer upon being identified by the criminals fled the city [Chihuahua].

Woody, Christopher, A Mexican cartel enforcer's prediction about a valuable border territory appears to be coming true, Business Insider, Oct. 23, 2017.

> State officials have said their efforts to root out unfit police has been successful, but some residents and local officials have accused forces sent into their areas of abuses like robbery and extortion, and some have compared [Chihuahua state governor Javier] Corral's crime strategy to the federal government's " kingpin strategy" that many believe has led to increased violence.
>
> Police in Juarez, like many local police forces in Mexico, have long been accused of corruption or complicity in criminal activity. Residents have said for some time that underlying causes of the city's violence — like poverty, impunity, or weak institutions — persist.
>
> "I would also have to contribute a lot of [criminality] to the fact that the local authorities in Juarez have always been and continue to be enormously corrupt,"[Mike] Vigil [former chief of international operations for the US Drug Enforcement Administration] told Business Insider. "They take sides with the different cartels. They take money from the different cartels, so they do nothing to try to stem the violence that's taking place there ... and my personal opinion is that it's gotten worse than what it was."

[3] The select quotes from this source have been translated from Spanish to English by the Research Unit.

González Rodríguez, Sergio, Anamorfosis de la víctima[4] [Anamorphosis of the victim], p.125-147, in Cacho, Lydia, et. al, La ira de México: Siete voces contra la impunidad [The wrath of Mexico: Seven voices against impunity], Oct. 2016.[5]

> In Ciudad Juárez, neighborhoods are the domain of gangs, which charge everyone the right to pass through and operate; the police accept and protect such a regime, which functions as an illegal government, in exchange for money. (p.133)

Corchado, Alfredo, Across the Divide, Texas Rising 2016, City Journal.

> Could Ciudad Juárez become more like El Paso over time? If that's ever to happen, real judicial reform will be necessary. Mexico's legal system is in shambles, failing to punish wrongdoers. According to Mexico's National Institute of Statistics and Geography, only 10.7 percent of crimes are ever reported in the country. The most common reasons for not reporting crimes are "waste of time" (32.2 percent) and "distrust of the authorities" (16.8 percent)—a plausible response in Juárez, a city in which one recent police chief had spent time in U.S. prison for drug smuggling and where law-enforcement corruption, including bribes, remains rampant. No surprise that of that 10.7 percent of crimes that are reported, only about 3.4 percent are ever resolved.

Back from the Brink: Saving Ciudad Juárez, International Crisis Group, Feb. 25, 2015.

> During the 2011-2013 tenure of Chief Julián Leyzaola, a former army lieutenant colonel, more than half the agents and officers on the municipal force were fired or resigned. Leyzaola also applied his "iron fist" approach to suspected gang members, rounding up as many as several hundred a day, sometimes simply for failing to carry identification. A state human rights official said complaints against police – for theft, beatings, torture and even disappearances – rose from about three a month at the beginning of Leyzaola's tenure to about 45 a month in 2012. (p.13) […]
>
> Today's police are less abusive than their criminally-infiltrated predecessors, residents say. The current chief, César Muñoz, says building stronger community relations is a top priority: officers visit schools regularly and are encouraged to talk to residents, rather than remain in their patrol cars. More than 90 per cent of state and municipal security forces in Chihuahua have been certified, having passed background checks and polygraph tests, slightly higher than the national average of 88 per cent.
>
> But the police are still overstretched: state and municipal forces in the city number about 2,500, 190 per 100,000 inhabitants, below the national rate of 280 per 100,000. Lack of adequate policing means that residents and business owners in some neighbourhoods still must pay local gangs for protection. "Residents still don't know their local police; there is more respect, but no reconciliation", said a community organiser. According to a survey of city residents

[4] Per the source, this chapter was originally published in González Rodríguez, Sergio, *Campo de guerra*, Jun. 2014.
[5] The select quotes from this source have been translated from Spanish to English by the Research Unit.

conducted in early 2014, a majority was unaware of enhanced police patrolling or other crime-prevention programs. More than 90 per cent were unaware of neighbourhood policing initiatives. (p.13-14)

Corchado, Alfredo, As Juárez curbs cartels and corruption, hundreds apply to be cops, The Dallas Morning News, Apr. 14, 2013.

Many here would attribute the drop in violence to the Sinaloa cartel — led by Joaquín "El Chapo" Guzmán — finally winning its drawn-out turf battle against the rival Juárez cartel and its frontline men, known as La Linea, who included enough local and state police officials to control the city for a time.

"The keys to why violence dropped in Juárez are varied," said Ricardo C. Ainslie, a psychology professor at the University of Texas at Austin and author of *The Fight to Save Juárez*. "I don't know that I would credit just law enforcement, because we don't really know what training they received or how they rebuilt the police force. […]

In Juárez, more than 10,000 people have been killed since 2008, but the worst appears to be over. Among the victims were public servants, politicians, soldiers and police, so many, in fact, that at the height of the mayhem the city's police force became the prime target of warring drug cartels. Officers resigned en masse, some succumbed to corruption, and others simply looked the other way, hoping not to become victims. Eventually, thousands of federal troops and soldiers replaced entire departments filled with underpaid, undertrained officers heavily infiltrated by criminal groups.

Many people credit the police chief, Julián Leyzaola, with turning things around.

The key, he said in a recent interview with Belo Television, was transforming the city's police force by professionalizing it — with purges of corrupt officers, stepped-up training and increased pay — and by reducing the force to a more manageable size, from 2,300 officers to about 1,800.

Dudley, Steven, How Juarez's Police, Politicians Picked Winners of Gang War, InSight Crime, Feb. 13, 2013.

When the Sinaloa Cartel declared war on the Juarez Cartel in 2008, it did so by placing a banner on a monument to fallen police officers. The banner — entitled "For those who did not believe" — listed the names of four police officers who'd been assassinated (see image, above). A section below that — subtitled "For those who still don't believe" — listed 17 more officers, who were still alive. All were supposedly members of La Linea, the Juarez Cartel's armed wing.

Police operatives were, in many ways, the guarantors of order in the city's underworld. For a price, they provided physical protection for personnel, illegal goods and services, and a

modicum of assurance that no one would prosecute these personnel. Control them, and you controlled the underworld. Remove them, as began to happen from the very onset of the violence, and you had chaos.

The traditional power broker, the Juarez Cartel, had established equilibrium in the city by paying these guarantors. It co-opted the local political class, such as mayors, city and state representatives, and the police: La Linea was drawn almost exclusively from active and retired police officers. It also rendered the Chihuahua Attorney General's Office powerless, or worse, depending upon who you ask.

For its part, the Sinaloa Cartel depended on different guarantors, namely members of the military and the federal police. (The most complete accounting of this tendency can be found in Anabel Hernandez's book, "Los Señores del Narco;" see also National Public Radio's 2010 special report, which was based, in part, on Hernandez's reporting.)

However, whether federal or local, these guarantors also have their own dynamics, their own leaders, their own inertia, and their own battles. There was, to be sure, a natural tension between these guarantors in Juarez. The ones at the top, the higher-level politicians and political operatives, wanted to get paid more than the lower-level operatives. The lower echelons, namely the mid-level police commanders and investigators, naturally felt slighted.

This tension may help explain why La Linea emerged in the first place. The group was in essence the police's way of guaranteeing that they would get their fair share. It's not a coincidence that other armed wings with ties to the security forces, such as the Zetas, emerged around the same time. Like La Linea, from the beginning they felt the need to have their own structure, name, and rules. That way they could ensure more return for their labor.

Ainslie, Ricardo, Mexico's Law Enforcement Challenge: The Case Study of Ciudad Juarez, UT Austin, Apr. 5, 2012.

With respect to Drug Trafficking Organizations (DTOs), there is a long-standing history of corruption and collusion within Mexican law enforcement that goes back to the 1970s when Rafael Aguilar, the head of the Federal Security Directorate (DFS by it's Mexican acronym) in the state of Chihuahua, became one of the founders of the Juarez Cartel. Until his death in 1997, Amado Carrillo Fuentes, who rose to take over the Juarez Cartel, was known to have highly placed contacts within Mexican law enforcement, beginning with the Mexican Federal Judicial Police, which controlled the highways and the airports, to state and municipal police forces which he controlled outright in the states that were of importance to the Juarez Cartel's operations. The same is true of the other powerful Mexican drug cartels – historically they have had a firm grip on the law enforcement agencies in the states where they operate and, at times, at the federal level as well. For this reason, there have been many efforts to clean up Mexico's various police forces, and most have met with mixed results at best. […]

Mexico's president, Felipe Calderón, launched the war on drugs in December of 2006 immediately upon assuming office. It was well established at the time that Mexico's five most important cartels (the Sinaloa/Pacifico Cartel, Juarez Cartel, Tijuana Cartel, Gulf Cartel, and La Familia) effectively controlled substantial swaths of Mexican territory. […] It was already established that municipal and state ministerial police forces in states like Chihuahua, Sinaloa, Baja California, Tamaulipas, Sonora, and Michoacán, to name some of the more important ones, were for all intents and purposes already under the control of the DTOs. Officers who posed obstacles to the cartels' interests were routinely executed. Police officers who were not colluding with the cartels were threatened and intimidated into silence and thus effectively neutralized. […]

Perhaps the most infamous example of corruption within the Juarez Municipal Police is the fact that in January of 2008 the force's former Director of Operations, Saulo Reyes, was arrested by Immigration and Customs Enforcement (ICE) agents in El Paso for smuggling nearly a ton of marijuana and attempting to bribe a Federal agent. Reyes had only left the Juarez Municipal Police (where he was the most important official after the chief of police) three months prior, when the term of then-mayor Hector Murguía expired. Murguía had appointed Reyes to the sensitive law enforcement post despite significant opposition from people who were concerned about Reyes' alleged links to the Juarez Cartel.

In the spring of 2008, as the war between the Sinaloa Cartel and the Juarez Cartel erupted, the Juarez Municipal Police became a highly contested strategic asset that each of the cartels sought to control. The result was the execution of scores of municipal and state police officers the spring and summer of 2008 (see Table 1). […]

The budget for the Juarez Municipal Police was approximately 60 million dollars a year. Mayor José Reyes Ferriz estimated that the cost of neutralizing the entire force cost the cartels approximately $300,000 dollars. "For $50,000 pesos a month (less than $5,000 dollars) they could own a commander, and that person controlled what went on within his area. Operations people they could buy for anywhere from $20,000 to $50,000 pesos a month, depending on what they did." An interview with a Juarez Cartel sicario (hit man) similarly describes the mechanisms via which the Juarez Cartel controlled state and municipal police forces. The sicario worked within the Chihuahua state Ministerial Police. In his training class, there were 200 recruits, of which he alleged that one-quarter were employed by the cartel. Whether or not the specific figures are accurate, the interview supports the idea that the cartels do not need to own all of the police, just key people who are strategically placed. […]

In March of 2008, the Mexican government launched Operación Conjunto Chihuahua, in an effort to stem the violence in Ciudad Juarez. 2,500 army troops were sent to support law enforcement efforts. Initially, the army refused to patrol with the Municipal Police because of the extensive penetration of the police by the cartels. […]

A systematic attempt to clean up the 1500 member Municipal Police force was launched at the same time, with the Federal Police administering a battery of tests, known as "Confidence

Tests," that included drug testing, polygraphs, voice biometrics, personality tests, background checks, and finger prints that were checked on the national data base known as Plataforma Mexico. The testing resulted in the firing of approximately 400 officers in October of 2008. Another 70 had resigned prior to the results and another 17 had been fired in the preceding six months. Adding the 38 officers that were assassinated in 2008, over a third of the Juarez Municipal Police force was fired, resigned, or killed in the course of 2008.

Rosenberg, Mica, and Cardona, Julian, Special Report: Federal forces sully Mexico's war on drugs, Reuters, Dec. 27, 2011.

Business owners, security experts and ordinary residents told Reuters that official corruption at all levels of the security forces has fanned violence in the city, with local and federal police and soldiers complicit in, or actually committing, many of the murders. […]

When President Felipe Calderon launched his war on drug cartels in late 2006, he meant it quite literally. He sent security forces to many parts of the country to try to put powerful drug gangs on the defensive. The nation's armed forces, in particular, were seen as a relatively clean player that would change the game.

The drug warriors have failed at every level of government in places like Ciudad Juarez. Before the army and federal police rolled into the city, many of the municipal and state police were paid operators for the Juarez cartel, government officials have conceded, directly involved in drug trafficking, kidnappings and murder. It has now come full circle: The army left Juarez in the face of a popular backlash, and the local police force is back in charge of the city's security, struggling to clean up its reputation.

While the problem is extreme in Ciudad Juarez, deep corruption inside the security forces is a problem across Mexico, a major weak spot in Calderon's campaign. It hinders efforts to end the violence that has killed more than 45,000 people around the country in the past five years. […]

Some say the descent into chaos began on New Year's Day 2008 when a local cop turned up dead, riddled with bullets in his black Volkswagen Jetta. The killings continued, and later that month, an ominous hit list appeared on a monument honoring fallen policemen. Under a heading "for those who didn't believe," it named five recently murdered officers. Under "for those who continue not believing" were 17 more.

Most of the 17 were killed within the year, along with many others. Around 50 policemen had been killed by mid-year, and the murder rate in the city quintupled.

Experts believe many of the murdered policemen were working for "La Linea," or "The Line," the armed wing of the Juarez cartel, and were targeted by a rival gang, most likely the Sinaloa cartel. […]

> "All our police forces are infiltrated. All of them, it's as simple as that," Chihuahua state's then-governor, Jose Reyes Baeza, said in 2008.

Felbab-Brown, Vanda, Calderón's Caldron: Lessons from Mexico's Battle Against Organized Crime and Drug Trafficking in Tijuana, Ciudad Juárez, and Michoacán, Latin America Initiative at Brookings, Sep. 2011.

> Judging local police unable to cope with the steadily increasing violence, President Felipe Calderón ordered Mexico's military forces to Ciudad Juárez in 2008 to secure the city. At the strategic level, the policy response was well-articulated: The military would be deployed to crisis areas where police forces, corrupted and hollowed out by criminal groups' penetration spanning many decades, were unable to provide public safety. Once the local police forces were retrained and their capacity to provide public safety strengthened, the military would be pulled back from the area. (p.9) […]

Campbell, Howard, No End in Sight: Violence in Ciudad Juárez, NACLA, Jun. 30, 2011.

> Bitter battles between the PRI and the PAN administrations of Vicente Fox and Felipe Calderón allowed little or no cooperation between the federal government and state and local governments in Juárez and Chihuahua State when violence and criminality began to spiral out of control. The thoroughly corrupt federal, state, and municipal police in Juárez viewed each other as enemies allied with rival branches of organized crime. The chronically underfunded, criminally infested Juárez city government—especially law enforcement, which in the best of times was a hindrance to the local population—became a scourge. Poorly planned judicial reform and the federally mandated military intervention only worsened an already desperate situation. In Juárez crime paid, and criminals were almost never caught or jailed. […]

Mexico 2011 Crime and Safety Report: Ciudad Juarez, Overseas Security Advisory Council (OSAC), Bureau of Diplomatic Security, U.S. Department of State, Apr. 14, 2011.

> The Juarez city police force is undersized and underfunded. Police training does not meet U.S. standards. At least 400 officers, one quarter of the police force, were fired in 2008 for gross (drug cartel related) corruption.

Johnson, Tim, With murders of 475 Mexican cops this year, rule of law dies, too, McClatchy Newspapers, Dec. 15, 2010.

> Mexico has multiple law enforcement agencies, including a federal police force of some 33,000, along with 371,000 officers in 2,022 municipal police departments and 32 state police forces. Turnover is sky-high. In the last three and a half years, President Felipe Calderon said on Oct. 6, turnover among state and local police was 106 percent.

In August, Public Safety Secretary Genaro Garcia Luna said drug trafficking organizations spent about $100 million a month in bribes to police officers across the nation. He said 60 percent of municipal cops earned less than $317 a month. […]

In the region surrounding Juarez, elements of different police forces are thought to side either with the Juarez Cartel and its band of enforcers, known as La Linea, or with the rival Sinaloa Federation and its leader, Joaquin "Shorty" Guzman. The two groups are in a brutal turf war that's left some 3,000 people dead in Juarez so far this year.

"Right now, La Linea are killing federal police while Shorty's people are killing state police. People from La Linea and Shorty are killing different groups within the municipal police, and sometimes they kill police indiscriminately to send a message to the governor or the mayor," [Gustavo] De la Rosa [a Chihuahua state human rights ombudsman] said.

Mexico 2010 Crime & Safety Report: Ciudad Juarez, Overseas Security Advisory Council (OSAC), Bureau of Diplomatic Security, U.S. Department of State, Feb. 1, 2010

The Juarez city police force is underfunded, and police training does not meet U.S. standards. The Juarez police department regularly dismisses large numbers of officers for failing confidence tests. Federal police and Mexican military forces patrol the city.

Reporting a crime is a lengthy bureaucratic process in Ciudad Juarez. As a result, many Mexicans only file reports for serious incidents or when a police report is required for insurance purposes. Despite the length process, victims should report all crimes. The police may require accident or crime victims to accompany them to a police station in order to make a report, but bear in mind that criminals have impersonated Juarez police officers in the past. The police will charge a nominal fee if a police report is required for an insurance claim or other purposes.

Mexico: Harm to Migrants by Mexican Government Officials

April 1, 2020

Are police collaborating with cartels in Mexico to exploit migrants? Have Mexican government officials been involved with the kidnapping, extortion, or harm of migrants in Mexico? Are Mexican officials offering security protections to migrants in Mexico? What presence do Mexican government officials have at migrant camps near the U.S. border? Are they successful at keeping out criminals, cartels and other criminal organizations? Are there reports of police or military near the U.S.-Mexico border collaborating with, or being infiltrated by, cartels or criminal organizations?

This query request originated from the International and Refugee Affairs Division, RAIO, USCIS.

The following sources and select quotes address the issues presented in this request.[1]

Mexican Government Officials' Involvement in Harm of Migrants[2]

Mexico police collude with criminals to kidnap, extort migrant, InSight Crime, June 20, 2019.

> The recent kidnapping and sexual assault of a Honduran migrant woman sent from the United States to Mexico underscores the extreme dangers that migrants face from corrupt security forces and organized crime groups south of the US border.
>
> A migrant woman from Honduras was kidnapped and sexually assaulted after federal police agents in the Mexican border town of Ciudad Juárez abducted her and handed her over to a criminal group in the early morning hours of June 10, El Diario de Juárez reported. […]
>
> The kidnapping unfolded around 4:30 a.m. before dawn. The owner of the house that the migrant woman was staying in attempted to thwart her attackers. He was beaten, and along with his mother, who also came out to see what was happening, was kidnapped with the migrant woman, according to El Diario de Juárez.
>
> Federal Police then took them to a house where they were handed over to an unidentified criminal group.

[1] For more information, see also: Mexico: Treatment of Central American Migrants, RAIO Research Unit, Jan. 25, 2019.

[2] See also: Mexico: Harm of Migrants by the Police & the Military in Ciudad Juárez, RAIO Research Unit, Mar. 12, 2020.

The criminals demanded $6,000 in exchange for releasing the Honduran migrant woman, but ultimately released her after receiving $5,000 from the victim's mother, who lives in the United States. The other man and his mother were released after paying 27,000 Mexican pesos (around $1,400), although the group initially demanded $10,000, according to El Diario de Juárez.

The anti-extortion unit of the Chihuahua state Attorney General's Office received the victims on June 14, four days after their kidnapping.

The woman told prosecutors that one of her attackers put a gun to her head and raped her. […]

What's more, Mexican migration officials have already been implicated in extorting migrants waiting in Mexico for their chance to make asylum claims in the United States.

To make matters worse, the recent abduction and sexual assault reaffirms longstanding concerns about the working relationship between corrupt state security forces and organized crime groups. Mexican police forces have regularly been at the service of the country's criminal groups in the past.

Mexican officials extort asylum seekers on their way to USA, InSight Crime, March 25, 2019.

Fresh reports that Mexican immigration officials extort asylum seekers at the US border add to scores of stories of abuse at the hands of crime groups, illustrating how vulnerable people are while taking one of the most dangerous journeys in the world.

According to a series of testimonies published by Vice, Mexican immigration officials demanded as much as $3,500 to allow migrants to stay at the border and wait for a chance to seek asylum in the USA.

Thousands of asylum seekers from countries including Venezuela and Cuba looking to enter the USA have been forced to wait on the Mexican side of the border after the administration of President Donald Trump has limited the number of people who can be processed on any given day.

Human rights groups have said this process, called metering, exposes migrants to extortion and even kidnapping by criminal groups.

In February, Telemundo published another series of testimonies by asylum seekers held in an immigration center in the border city of Reynosa who said police were demanding $3,500 to release them.

Mexican migration officials have also been accused of stopping buses entering Reynosa and demanding that migrants provide a code given to them by so-called 'coyotes' (human smugglers) or other local officials before they allow them to continue their journey.

Irineo Mújica, the director of People Without Borders (Pueblo sin Fronteras), an organization that assists migrants moving through Mexico, said that people without a

code can be charged anything between 500 and 2,000 Mexican pesos (around $25 and $105).

Mújica's accusations come after gunmen intercepted a bus in San Fernando, a city in the northern border state of Tamaulipas that connects to Reynosa, and kidnapped 22 migrants.

The day after the Vice report was published, Mexican President Andrés Manuel López Obrador said his administration was investigating corruption by customs and immigration agents.

'The government is full of corrupt practices, it has been for a long time. But we are cleaning it, we will end corruption,' López Obrador said at a press conference.

Extortion of migrants by Mexican immigration officials and other criminal groups has been common for some time, but the practice may be increasing as US policies force migrants to stay longer on the Mexican side of the border.

Both Mexico's National Migration Institute (Instituto Nacional de Migración – INM) and various local and federal police forces have long been linked to migrant kidnapping and extortion.

The promise made by López Obrador at a recent press conference to rid the system of corruption follows some steps taken by the INM when in 2016, it dismissed 2,500 agents.

However, corruption within Mexico's public services is endemic and ensuring migrants crossing Mexico are safe will be a titanic challenge.

Criminal organizations large and small are known to control the migrant trail across Mexico, making it one of the most dangerous journeys on earth.

Gangs prey on migrants through small-scale crimes like robbery, extortion, and assault. More sophisticated organized criminal groups like the Gulf Cartel and the Zetas charge taxes for migrants to pass while also running their own migrant kidnapping or smuggling rings.

The Trump administration's pressure on Mexico to detain and deport migrants and asylum seekers is making things even more complicated. When borders close, crime organizations win as the number of potential victims increases. With immigration flows unlikely to decline, the situation will continue to be desperate for some of the most vulnerable people in the region.

Mexico's Southern Border: Security, Violence, and Migration in the Trump Era, International Crisis Group, May 9, 2018.

These and other Central Americans reported that the main danger on the freight trains they use to travel north, the so-called Beast, is the numerous migration officials who stop and board the trains to detain undocumented migrants. Migrant and refugee activists have

recorded reports of verbal and physical abuse allegedly committed by INM officials using Taser guns to threaten and control the travelers. Central American gang members who board the trains and charge fees in sections of the route between Tenosique and Palenque also threaten those in transit, as do raiders who jump into the train in the tunnels between Orizaba and Puebla.

How and where organized crime preys on migrants in Mexico, InSight Crime, July 17, 2018.

Both the National Migration Institute (Instituto Nacional de Migración – INM) and various parts of the local and federal police have been linked to migrant kidnapping and extortion, as InSight Crime chronicled in its three part series on violence against migrants in Mexico.[3]

21 Mexico police arrested for kidnapping, extortion of migrants, InSight Crime, October 17, 2016.

Nearly two dozen municipal police officers were arrested on suspicion of kidnapping and extortion of migrants in Mexico's Chiapas state, highlighting the rise of police violence against migrants along this key transit route.

A total of 21 municipal police officers in the town of Chiapa de Corzo were arrested for allegedly attempting to extort 19 undocumented migrants on October 11. According to El Universal, the accused intercepted a bus carrying migrants — including seven minors whose ages ranged from two to fourteen years — and proceeded to transfer the victims to the police station where they were subsequently held.

The police officers then demanded that the victims, who came from Guatemala, El Salvador and Honduras, give up the names and telephone numbers of family members in their countries of origin in order to demand a ransom of 3,000 Mexican pesos — equivalent to roughly $160 — for the release of the victims, according to Chiapas' Attorney General's Office.

Prosecutors say that the initial findings of the investigation suggest that the subdirector of the municipal police force ordered the detention of the migrants, implying that he may have been the leader of the extortion ring. Some news outlets have affirmed that the suspected officer is Hernán Gómez Grajales, the brother of Chiapa de Corzo's mayor, Héctor Gómez Grajales. But this has not been confirmed by the authorities; the Attorney General's Office's statement only identified the suspect as 'Hernán 'N'.'

The incident prompted the town mayor to publish an official statement on the local government's webpage, in which he assured that there would be zero tolerance towards corrupt officials, and that he was not linked to the extortion ring.

[3] That three part series can be accessed here: Violence against migrants, InSight Crime, 2012.

The 21 police officers are officially under investigation by the Attorney General's Office for express kidnapping, and could be sentenced to up to 50 years in prison should they be found guilty.

Mexico has been struggling with the waves of Central American migrants fleeing violence and poverty in an attempt to reach the United States, and there has been growing concern about the violence and crime they suffer from during their perilous trip through Mexico. Chiapas, a key transit area due to its extended border with Guatemala, has become the most violent state for migrants, registering nearly 50 percent of the reported crimes.

A worrying trend amid the increase in crimes against migrants is the growing involvement of security forces in kidnapping and extortion. This is not the first occurrence of police officers being accused of these crimes in Chiapas, and a recent report released by several human rights organizations found that the number of registered complaints against Mexican officials for crimes against migrants rose 180 percent between 2014 and 2015.

In contrast, reports of crimes attributed to criminal organizations actually diminished during that same period. Based on these numbers, Mexican authorities were considered responsible for 41.5 percent of reported crimes against migrants, strikingly close to the 45 percent of crimes credited to criminal groups.

Government Security Protections for Migrants in Mexico

Over the past year, Andres Manuel López Obrador's[4] government increasingly has focused on the enforcement of Mexico's immigration laws over providing protection for migrants, and his plans for government austerity have limited the budgets of those agencies tasked with protecting migrants (the Comisión Mexicana de Asistencia a Refugiados (COMAR) and the Instituto Nacional de Migración (INM)).[5] The following sources and select quotes discuss the ways in which the López Obrador administration has increased its enforcement efforts:

Mexico's Immigration Control Efforts, Congressional Research Service, February 19, 2020.

> In 2014, with support from the United States, Mexico implemented a Southern Border Plan that established naval bases on its rivers, security cordons north of its borders with Guatemala and Belize, and a drone surveillance program. Unarmed agents from the National Migration Institute (INM) increased operations along train routes and at bus

[4] Andres Manuel López Obrador is the current president of Mexico. He took office on December 1, 2018.
[5] Mexico's Immigration Control Efforts, Congressional Research Service, February 19, 2020. For a discussion of the reduction of INM's budget, see Overflowing toilets, bedbugs, and high heat: Inside Mexico's migrant detention centers, The New York Times, August 3, 2019.

stations, which led to more apprehensions. INM improved infrastructure at border crossings and created mobile highway checkpoints. INM also sought to professionalize its workforce and improve coordination with Mexican federal police, military forces, and customs.

The State Department's 2019 Trafficking in Persons report documents how migrants in Mexico are vulnerable to human rights abuses and human trafficking. Human rights groups argued that the Southern Border Plan pushed migrants to take more dangerous routes, which increased their reliance on smugglers. These groups criticized the Mexican government for not adequately addressing corruption among police and migration officials or prosecuting crimes against migrants. By 2018, increasing numbers of migrants began to travel in large groups (so-called caravans) to share resources and gain protection.

President López Obrador took office in December 2018, endorsing a humanitarian approach to migration and pledging to promote development in Central America as a solution to unauthorized migration. Nevertheless, López Obrador did not increase funding for Mexico's backlogged Commission for the Aid of Refugees (COMAR). His government's austerity policies also could prevent him from fulfilling his pledge to invest $100 million in the Northern Triangle.

Since April 2019, López Obrador has taken a harder line toward migration, as he has faced pressure from the United States to reduce migrant flows and Mexico's detention facilities have grown overcrowded. His government has increased migrant apprehensions […] and restricted access to humanitarian visas, particularly for those traveling in caravans. Mexico has deployed its new National Guard to help with immigration enforcement. Apprehensions of migrants from Northern Triangle countries totaled roughly 154,400 in 2019, up from 138,600 in 2018 but below the 177,950 apprehended in 2015.

Overflowing toilets, bedbugs, and high heat: Inside Mexico's migrant detention centers, The New York Times, August 3, 2019.

The National Migration Institute, which oversees the migrant detention system, had already been struggling in the face of Mr. López Obrador's effort to bring down the cost of government. As part of this austerity program, the agency's budget was cut by 23 percent this year.

Since the spring, reports of the deteriorating conditions have multiplied.

'There is concern about the violation of rights for people who will inevitably go to immigration stations,' the Citizens Council of the National Migration Institute, a group that advises the migration agency, said in a statement in mid-June. 'Due to the increase in immigration containment, the stations become saturated, causing overcrowding and precarious conditions.'

Mexico says it has deployed 15,000 forces in the north to halt U.S. bound immigration, Reuters, June 24, 2019.

Mexico has deployed almost 15,000 soldiers and National Guard in the north of the country to stem the flow of illegal immigration across the border into the United States, the head of the Mexican Army said on Monday.

Mexico has not traditionally used security forces to stop undocumented foreign citizens leaving the country for the United States, and photographs of militarized police catching Central American and Cuban women at the border in recent days have met with criticism. Mexico is trying to curb a surge of migrants from third countries crossing its territory in order to reach the United States, under the threat of tariffs on its exports by U.S. President Donald Trump, who has made tightening border security a priority.

Responding to weekend reports of heavy-handed interventions by the military, Luis Cresencio Sandoval, the head of the Army, said soldiers were needed to back up migration officials in containment operations.

Alongside 6,500 members of the security forces sent to Mexico's southern border area with Guatemala, where many migrants enter, a larger contingent was in the north, he said. 'In the northern part of the country we have a total deployment of 14,000, almost 15,000 units between the National Guard and the Army,' Sandoval told a regular news conference.

'If we left it completely in the hands of the National Institute of Migration it wouldn't be possible,' he added. 'That's why we're providing support, it's a strategy being pursued on both borders.'

A new militarized police force formed from soldiers, marines and federal police, the National Guard is at the heart of Mexican President Andres Manuel Lopez Obrador's plan to restore order in a country convulsed by record levels of violence.

The force is still taking shape, and due to be headed by a retired general under the aegis of the security ministry.

Former Mexican national security official Gustavo Mohar said Mexico's security forces had not been used this way before, describing the development as 'sad.'

Mohar blamed the change on Trump's threats to impose tariffs. The National Guard should ideally not be implementing migration policy, he argued, while acknowledging that Mexican migration authorities were overwhelmed.

Mexico on June 7 agreed to reduce significantly the number of migrants reaching the U.S. border within a period of 45 days.

If that fails, Lopez Obrador's government has said it will consider changing its laws to satisfy Trump's demand that Mexico become a buffer zone to stop migrants entering the United States.

Most of the people caught on the U.S.-Mexico border are from three Central American countries suffering from high levels of gang violence and poverty: Guatemala, Honduras and El Salvador.

Trump has said he will impose initial tariffs of 5% on all Mexican goods if the migrant flow is not curbed. The tariff could eventually rise as high as 25%, he has said.

Mexican Government Presence at Migrant Camps Near the U.S. Border

The abandoned asylum seekers on the U.S./Mexico border, Vox, December 20, 2019.

Mere feet from the US-Mexico border, thousands of asylum seekers have been forced to live in squalid conditions in some of the most dangerous parts of Mexico. They are under threat from drug cartels and dependent on American volunteers for even the most basic necessities.

The humanitarian crisis is happening in plain sight, but they're still waiting for desperately needed aid. Some migrants are lucky to find housing in shelters, hotels, or rooms for rent, but for more than 5,000 others, only colorful tents and tarps, some held up by only sticks and stones, stand between them and the elements, even as temperatures drop below freezing. The encampments are clustered around bridges linked to US ports of entry along the Rio Grande, where families and children have been waiting for a chance to apply for asylum for months. […]

As populations swell, both the US and Mexico have left thousands in the camps without basic necessities like clean drinking water and warm clothes — and at risk for extortion, kidnapping, and rape at the hands of cartels and other criminal actors. […]

The Mexican government has deployed its National Guard and military to help improve security in some of the border cities, and has also opened a small number of municipal shelters, but is doing little else to protect the migrants who have been relegated to makeshift tent settlements for now.

Nor has the United Nations filled the growing need for humanitarian aid along the border. [...] UN agencies are working on improving capacity in migrant shelters, sending migrants back to their home countries and informing migrants of their options, but haven't delivered aid to the encampments. […]

The primary driver of this crisis is that President Donald Trump's policies are sending thousands of migrants back to Mexico, where there isn't enough safe, temporary housing in which they can stay. […]

In Matamoros, a city of about 500,000 people across the border from Brownsville, Texas, about 2,000 migrants have moved into makeshift tent encampments along the Rio Grande — so close to the US border that they can show up at the port for processing whenever their names are called.

Matamoros is a dangerous place: The US State Department has issued a Level 4 'Do Not Travel' advisory for the region due to high rates of violent crime, kidnapping, and robbery.

The encampment has grown to house several thousand people. Some tents have been erected on land that has been contaminated with feces because there were no public toilets, raising concerns about E. coli infections. Migrants have no access to running water, leading to poor hygiene and the contraction of rashes and funguses. As flu season ramps up, there are concerns it will spread throughout the camps. […]

But UNHCR has nothing to do with these makeshift encampments along the US-Mexico border. It's not necessary that the organization run the camps in Mexico because the overwhelming majority of migrants come from Spanish-speaking countries and have a chance to integrate into the local community, according to UNHCR's office in Mexico. Instead, the migrants themselves are in charge, with some oversight from the Mexican government.

Earlier in December, the Mexican government began constructing six large tents over a football field near the bridge to the US port of entry in Matamoros, where they will require asylum seekers living in the tents to relocate. […]

Basic health care services come from US-based nonprofits, including Global Response Management, which are stretched thin. Other volunteers cross the border daily, bringing supplies like bedding and food. […]

Even when migrants do obtain a spot in a shelter, the availability and quality of shelter space varies.

The Mexican government runs a federal shelter in Ciudad Juárez, where more than 650 migrants are currently living, according to Taylor Levy, an immigration attorney based in El Paso, which is right across the border. Migrants are technically only allowed to stay there for three weeks at a time, but some exceptions have been made. Though it's guarded by the Mexican military, there is little security inside the shelter, leading to reports of sexual violence, she said.

Of the 15 other private shelters in Juárez, many are located in dangerous neighborhoods — where migrants are vulnerable to cartel kidnappings — and in buildings that should be condemned, Levy said. Other migrants live in small rented rooms, in abandoned buildings, and in hotels, which are also frequently raided by kidnappers.

Although they are allowed to study alongside Mexican children, few migrant children go to school in Juárez because their parents are afraid that they will be kidnapped. Save the Children has opened small schools inside some of the shelters.

The nonprofit group Team Brownsville has also opened up an informal 'Sidewalk School' on a concrete plaza near the bridge in Matamoros, where teachers provide school supplies and brief lessons in math, reading, social studies, geography, music, and English to children stranded there — but it's no substitute for formal schooling. […]

Advocates argue that the ultimate solution is an end to the Remain in Mexico policy, which they say is illegal because US law forbids sending asylum seekers back to countries where they will likely face persecution.

But they're also wondering why no one is stepping in to offer more humanitarian aid, particularly in Matamoros. The UN has stopped short of deploying humanitarian workers on the ground to manage the tent camps or even to bring migrants basic supplies, like food and bedding. And while UN refugee camps have security measures in place, monitoring who enters and exits the camp, the migrants in Matamoros have no such protections.

Although the UNHCR has expanded its presence to eight offices across the country, including in Tijuana and Juárez, it sends only mobile teams to Matamoros for missions that might last a few days, due to concerns about safety.

Both of the UN's agencies dealing with refugees and migration have taken some steps to help migrants. The UN's International Organization for Migration (IOM), which has historically focused on migration management and not humanitarian protections, funds shelters in Juárez, Tijuana and, more recently, Matamoros. It's been able to increase capacity and provide water, sanitation, staffing, and food items as necessary, Christopher Gascon, the chief of IOM's mission in Mexico, told Vox. In Matamoros, where shelters are at capacity, the group is working with the local government to identify spaces that could house more migrants.

The agency has also assisted 1,167 migrants, many of whom were returned to Mexico under MPP and then decided to go back to their home countries, Gascon said, interviewing them to ensure they would be safe and then placing them on buses, commercial flights, or charter flights for free. If migrants are found to be at risk in their home countries, the agency will refer them to the UNHCR or to the Mexican Commission for Refugee Assistance.

The IOM's next project is to help migrants who must stay in Mexico on a long-term basis become self-sufficient. The agency plans to help migrants obtain work permits and jobs, find accommodations outside of the shelters, and offer cash assistance so they can pay for rent, food, and some basic household items for a few months, Gascon said. […]

[T]he UNHCR has primarily worked to inform migrants of their options in the US and Mexico and to explain how the asylum system works, Josep Herreros, UNHCR's protection officer in Mexico City, said. When UNHCR encounters particularly vulnerable asylum seekers, they're informally referred to the Mexican authorities.

The group has raised concerns with Mexican authorities about ensuring that migrants have access to 'dignified reception conditions,' including proper documentation and places to stay while they wait in Mexico, Herreros said. The UNHCR is also helping shelters and NGOs improve their capacity to administer protection and is working on an initiative to help victims of gender-based violence in Mexico.

Herreros emphasized that Mexico ultimately has to take responsibility for migrants' well-being: 'We are trying to enhance the protection response, but we are not operationally involved in the reception of persons returned by MPP,' he said. 'The government of Mexico is in charge of the receptions.' […]

Mexico, meanwhile, is under pressure from Trump to treat migration as an enforcement problem, rather than as a humanitarian one. The government wants to avoid antagonizing the Trump administration, but it also simply lacks the capacity to manage such large numbers of migrants.

And the UN faces its own limitations. UNHCR's offices in Mexico have traditionally focused on helping migrants who are seeking asylum in Mexico, not in the US, with integrating into Mexican society and finding jobs, Herreros said. They're not in contact with US authorities. […]

The organization recognizes that more needs to be done to offer humanitarian aid and is exploring ways to expand its presence on the border gradually. But UNHCR is also wary of becoming the sole party responsible for ensuring that migrants affected by Remain in Mexico are treated humanely and lawfully, arguing that the Mexican and US governments need to step up. […]

Still, advocates argue, UN agencies could be doing more to provide humanitarian aid to those affected by the policy. They could refer cases to legal service providers and advocate on behalf of migrants. And they could help the Mexican government, other international agencies, and nonprofits to make the camps safer and provide more services.

In their absence, nonprofits have been shouldering the bulk of that work.

'It's a humanitarian crisis without a coordinated humanitarian response,' Ojeda said. 'We recognize that this is a difficult political situation for UN agencies, but I believe they could be doing more.'

Federal shelter in Tijuana opens for migrants waiting for U.S. asylum, The San Diego Union-Tribune, December 11, 2019.

A federal shelter with a capacity for housing 3,000 migrants opened Wednesday in Tijuana, aimed at providing services to U.S. asylum seekers waiting for the outcome of their immigration cases.

The 'Carmen Serdán' Migrant Integration Center will be one centralized location where migrants can access shelter and food, as well as services for health, education, paperwork, training, and employment, officials said.

It's located in an industrial park in the El Águila neighborhood in Tijuana's Cerro Colorado borough. A brief media tour of the facility featured a well air-conditioned receiving area, small office spaces for providing services and large separated dormitory areas with metal bunk beds.

The shelter is specifically for asylum seekers enrolled in a Trump administration policy known as the Migrant Protection Protocols program or Remain in Mexico.
Rolled out in January in Tijuana and then expanded across the U.S.-Mexico border, the policy requires migrants trying to legally enter the United States wait in Mexico to complete the immigration court process.

That process usually takes several months, sometimes up to a year, and involves multiple court hearings.

So far, only 12 people, mostly from Honduras, are being housed at the new facility. Mexico's Deputy Secretary of Employment Horacio Duarte Olivas said the goal is to help migrants integrate into the Baja California labor market while they wait for their next court appointment in the U.S.

The location of the facility is in an industrial park where migrants may be able to find factory jobs, but it is somewhat isolated from the central, urban parts of the city where other service-industry jobs and transportation may be more readily available.
Officials said they plan to provide busing to workplaces, if necessary.

Duarte, who is the national coordinator for the country's Migrant Assistance Plan and the sub-secretary for employment and labor productivity, said the facility was the second such center for migrants to open in Mexico's northern border states.

In October, the government opened the 'Leona Vicario' facility in Ciudad Juárez, across the border from El Paso. That facility has housed or provided services to more than 7,000 migrants, he said.

There are plans to open similar facilities in Mexicali and Matamoros for a total of four migrant care centers along the border that will help Central Americans find jobs while they wait for their U.S. court dates.

The government official, part of the national cabinet of Mexican President Andrés Manuel López Obrador, stressed the purpose of the facility was to help people quickly become independent and find more permanent housing.

'I reiterate that this is not a shelter, this is an Integrative Center that seeks to place migrants into jobs and thus they can have a contribution to the economic life of the city, to the economic life of the state and obviously to the economic life of our country,' said Duarte.

For at least six months, Mexican officials have said they were about to open a huge shelter in this border state where they have accepted at least 11,600 Central Americans returned to Baja California under the Remain in Mexico policy.

Wednesday, Duarte said approximately 30 percent of the *retornados* or migrants returned to Mexico have decided to voluntarily return to their country of origin.
Federal delegate Alejandro Ruiz Uribe said he has closely monitored the numbers of Central American migrants in the state and the capacity of privately run shelters throughout the city and state. Up until this point, the number of Central American migrants have not required a federal shelter, he said.

Duarte said providing services and protection to asylum seekers stranded in Mexico's northern border states was part of a commitment between the United States and Mexico to avoid punishing tariffs President Trump threatened to impose.

Those tariffs 'would devastate the country's economy from the northern border to the southern border,' he said.

Asylum at the border is over-and Mexico is turning factories into shelters to clean up Trump's mess, Mother Jones, November 18, 2019.

Four miles south of the narrow footbridge that connects Ciudad Juárez to El Paso sits a sprawling, peach-colored former factory with a new 'Bienvenidos' banner above its doors. The Leona Vicario Migrant Integration Center opened four months ago as the first of several shelters run by the Mexican government to house asylum-seekers turned back at the US border. With nearly 600 Central Americans currently taking up residence inside, it is a concrete manifestation of how President Donald Trump's immigration

policies have fundamentally altered the decades-old process of seeking asylum in the United States.

The shelter opened to manage the large numbers of Central Americans who have been funneled through the Trump administration's Migrant Protection Protocols program, or 'Remain in Mexico.' Under MPP, asylum seekers are forced to stay in Mexican border cities for the duration of their asylum proceedings—a process that can take months or years. Since MPP was implemented in late January, more than 50,000 people have been sent back to wait in Mexico.

In January, after the Trump administration announced the policy, Mexican officials called it a 'unilateral move.' Over the summer, when the number of migrants reached record highs, Trump threatened Mexico with steep tariffs if it didn't stop more migrants from reaching the US border. Mexico conceded in June. Two months later, Leona Vicario opened its doors to asylum seekers who had been sent back to Juárez. 'Any expense we incur in building shelters like this one will be far less than what the tariffs would cost us,' said Mexico's Labor Undersecretary Horacio Duarte Olivares at Leona Vicario's opening, according to El Paso's KTSM. 'The export tariffs would devastate our country's economy.'

The former maquiladora is about as homey as a factory could feel. A mural of Central American and Mexican flags is bordered by colorful handprints of the shelter's first residents. Collages celebrating Columbus Day and whiteboards with upcoming events dot the walls. There's a notice for a workshop on managing stress that will take place in the 'children's corner,' and a sign-up sheet for volunteers interested in putting together a Day of the Dead offering.

Inside a cavernous central room with concrete floors and cinder block walls, rows of hundreds of blue metal bunk beds extend in all directions. The sheets hint at who occupies them: dark, muted colors in the section for single men, pink flowers and Disney characters in the family area. About half of the shelter's residents are children. Another room resembles Costco, with toilet paper, bottled water, and other sundries stacked in floor-to-ceiling shelving. In one corner, a handful of women dance Zumba to a Marc Anthony song as toddlers scamper around a makeshift nursery. In the corner of another warehouse room, more than 70 kids sit at plastic tables in an impromptu school: elementary schoolers fill in coloring books, while older kids fill out workbooks. Outside, members of the Mexican military prepare rice and pea soup for lunch in a camo food truck the size of a big rig.

It can feed up to 3,000 people—and over there we have our *tortilladora*,' explained our tour guide, Abraham Mercado, who works for Mexico's Department of Labor and Social Services, pointing to a second food truck that churns out fresh tortillas.

Leona Vicario feels a bit like a grand experiment in how to quickly house and feed thousands: Never has the Mexican government been forced to shelter US asylum seekers as it has in the last few months. 'Nobody understood MPP at the beginning, and we are learning as it evolves,' said Tania Guerrero, an attorney at the Catholic Legal Immigration Network who offers legal advice to migrants in Juárez. The Mexican government is opening two more 'migrant integration centers' this month— one in Tijuana this week and Mexicali at the end of the month, according to Department of Labor officials. A fourth is in the works for Nuevo Laredo.

Most migrants come to Leona Vicario after they've petitioned for asylum in the United States; often they were detained for a few days before being returned to Mexico with little explanation. Many are in shock, unfamiliar with Mexico and afraid of notoriously crime-ridden Juárez. Some believe that they are still in the United States.

They're technically given two weeks to stay at Leona Vicario as they get used to life in Mexico. 'That's how long it takes us to connect them with an employer—they have enough time to collect a paycheck and be prepared to integrate,' Mercado explained, though he acknowledged that many stay a couple weeks extra as they nail down housing and job logistics. During their stay, migrants have access to medical and mental-health services and are set up with Social Security-like cards and documents that allow them to work in Mexico. Afterwards, some move into smaller, overcrowded migrant shelters in Juárez run by churches or other NGOs. Some move into their own housing. Others, confronted with the new reality at the border, give up and go home. A United Nations office set up at Leona Vicario helps arrange transportation back to their home countries.

'This is a large undertaking in a short period of time, so I try to be critical with that in consideration,' Guerrero said. Still, a two-week integration timeline is unrealistic, particularly since the process involves far more than a roof and the promise of a job: 'The ideal migrant is healthy, unafraid—and that is not the migrant that is under MPP, and that is not the migrant at Leona Vicario,' she said.

Migrants are particularly vulnerable to exploitation of all kinds in Mexico, from kidnappings to wage theft. There have already been more than 340 public reports of rape, kidnapping, and other violent attacks against asylum seekers returned to Mexico under MPP, according to the advocacy group Human Rights First. Most crimes against migrants aren't reported for fear of corrupt police; stories abound of cops in Juárez declining to investigate those that are. Visitors to Leona Vicario are met at iron gates by an armed guard.

Mercado describes himself as a 'pretty tough person when it comes to emotional stuff' but admits that it's been challenging to work at the shelter—particularly when families leave after he's gotten to know them for a couple weeks 'Here I've become soft,' he said. 'How could you not?'

Tents, stench, smoke: Health risks are gripping migrant camp, Associated Press, November 14, 2019.

> The conditions show the health risks associated with the Remain in Mexico policy — which many have criticized for sending migrants to dangerous border towns — and how nonprofit groups are struggling to provide health care and other basic services without more support from the U.S. or Mexican governments.

Mexico Opens First Government Shelter for Asylum Seekers, U.S. News and World Report, August 1, 2019.

> The Mexican government opened its first shelter Thursday in the border city of Juarez to house Central Americans and other migrants seeking asylum in the United States who have been sent back to Mexico to await the process.
>
> Government officials said the shelter at a former assembly plant in the city across from El Paso, Texas can house 3,500 migrants.
>
> Labor ministry official Horacio Duarte Olivares said the facility will provide shelter, meals, medical attention and access to the local labor market for migrants.
>
> Duarte said that similar shelters would open in the coming days in Tijuana and Mexicali and that there are plans for one in Nuevo Laredo.
>
> The U.S. government has returned more than 20,000 asylum seekers to wait in Mexico since the program began in January.

Reports of Collaboration with Cartels by Police and Military Near the US-Mexico Border

The man who took bullets waging war on Mexico's cartels is now taking on politics, The Guardian, December 27, 2019.

> But Leyzaola [Julián Leyzaola, a former police chief for both Tijuana and Ciudad Juarez] waged another war: against many of his own officers. Mayor Ramos's predecessor, Jorge Hank Rhon, who owns a betting empire and the Tijuana Xolos football team, had undertaken a recruitment drive into the city's police, which the Justice in Mexico report says 'enabled large numbers of corrupt officers to join the city's roughly 2,000-member police force.' [...]
>
> In Mexico, police forces are infamously contaminated, either willingly or after offers from the cartels, payment for services rendered, or death […] With the Arellano Félix syndicate in decline, 'my real war was against the Sinaloa cartel', recalls Leyzaola. 'They offered me money' – reportedly $80,000 a week – 'as they had done to my predecessors, but I refused, for which they tried to kill me five times'.

Cowed and outgunned: why Mexico's police 'don't stand a chance' against drug cartels, The Guardian, November 5, 2019.

> But the ambush has shone a spotlight on Mexico's local police forces, which – under the hands-off security strategy of President Andrés Manuel López Obrador – have been saddled with the fight against organized crime groups in many of the country's most dangerous regions. Cowed, outgunned and enmeshed in alliances with criminal groups, Mexico's state and local police are clearly not up to the job.

For more information on widespread collaboration between Mexican police and military officials and criminal organizations, see the RAIO Research Unit's Mexico ECN page, and in particular Links between Cartels/Gangs & the Police/Military in Mexico and Ciudad Juárez, RAIO Research Unit, Mar. 30, 2020.

Mexico: Cartel Violence Against Family Members

July 13, 2020

Are there any sources that discuss why Mexican cartels kill the family members of their targets?

This query request originated from the International and Refugee Affairs Division, RAIO, USCIS.

The following sources and select quotes discuss the targeting of family members for retaliation by cartels.

Grant, Will, Mexico ambush: How a US Mormon family ended up dead, BBC News, Nov. 8, 2019.

> In July [2009], Benjamin was dragged from his family home by gunmen with his brother-in-law, Luis Widmar, who had tried to intervene. The next day, their dead bodies appeared on the outskirts of town having been brutally beaten and with signs of torture.
>
> The drug cartel's message to LeBarón family was clear: don't meddle with us; don't meddle with our business interests or the smooth operation of our drug routes north. Don't talk to the police or draw attention to things that are happening in these states. To defy such a warning will cost you your life.

Stevenson, Mark, Slayings of Americans show drug war worse this time around, Associated Press, Nov. 7, 2019.

> Children are being killed with chilling frequency as the unwritten rules of Mexico's drug war appear to fade. In August, gunmen burst into a house in Ciudad Juarez, home of the Juarez cartel, and fired 123 bullets that killed girls aged 14, 13 and 4, along with an adult male who apparently was the real target. […]
>
> Breaking the old rules against killing children, families or attacking foreigners no longer appears to be a priority — or even a concern — for criminals anymore, given the weak law enforcement in Mexico.
>
> 'From the criminal's perspective, killing one person or killing nine, it's all the same,' said security analyst Alejandro Hope. 'They don't see any increased risk in committing these kinds of acts of extreme brutality.'
>
> 'The same goes for killing children, they don't see any line drawn in the sand,' said Hope. 'And the reason they don't see it is that the government hasn't drawn it.'

Stevenson, Mark, Mexico's new drug war is more deadly than past violence, Associated Press, Aug. 30, 2019.

> Mexico's drug war appears to be back — and it may be worse this time around than in the bloody years of the government's 2006-2012 offensive against drug cartels.
>
> Back then, the worst of the violence was confined to a few cities. Now it is spread out throughout the country. Once it was not uncommon for gangs to kill adults but leave children unharmed. Now, the killing of children alongside their parents has become all too frequent. […]
>
> Another disturbing trend is that young children are being gunned down by killers targeting adults. The Sinaloa and Juarez cartels once prided themselves on their targeted killings, which riddled intended targets with bullets while leaving family members untouched.
>
> Now, children are being killed with chilling frequency. In June, a young boy was killed along with his father in Sonora state. In July, a 10-year-old was killed during a robbery in Puebla state. In August, gunmen burst into a home in Ciudad Juarez and fired 123 bullets that killed three girls, aged 14, 13 and 4, along with an adult male who apparently was the real target.
>
> Two years ago, Coatzacoalcos made headlines across Mexico when a man, his wife and three young children were gunned down by a drug cartel. In contrast, the shooting of the three Ciudad Juarez girls drew less attention. […]
>
> Hope [Alejandro Hope, a security analyst in Mexico] notes Mexico has a lamentable record in investigating and prosecuting killings — over 90 percent of crimes go unpunished.
>
> 'The risk involved in killing a man, or killing his whole family, is the same,' the analyst said. Under that logic, wiping out an entire family 'has its advantages. It is more intimidating, it is easier to carry out, and it makes escaping easier.'

Ortega, Yemeli, Breaking code of honor, gangs kill families in Mexico, Digital Journal (Mex.), Aug. 3, 2016

> A series of murders targeting families, including children, has rocked Mexico in recent weeks, signaling that drug gangs are willing to break an unspoken code of honor within the criminal underworld.
>
> In total, 34 people have been killed, including several women and 10 children, since early July in three regions.

Last month, 19 people, including eight children, from three different families were gunned down in less than a week in Ciudad Victoria, the capital of the northeastern state of Tamaulipas.

Authorities suspect that those massacres were linked to disputes between rival gangs in Tamaulipas, a region that has been besieged by drug cartel violence for years.

On July 18, seven shark fishermen from the same family were killed in the southern Pacific coast state of Oaxaca.

Authorities suspect it may be linked to illegal activities at sea. The Pacific is a key route for drug trafficking.

The most recent massacre came on Saturday, when seven people from the same family, including two children, were shot dead in a small town in southern Guerrero state. While the motive is unknown, gangs are fighting for control of opium poppy production in the region.

The modus operandi indicates that all these killings were linked to turf wars between criminal organizations that are the remnants of cartels that have splintered, said Raul Benitez Manaut, a security expert at the National Autonomous University of Mexico (UNAM).

Such gangs "no longer respect families, wives and children," Benitez Manaut told AFP.

A police agent investigating the slaughters in Tamaulipas said there used to be "a code of honor in which family was untouchable" in the old days of large cartels led by veteran capos.

"Now, in these modern times, this code is finished," said the agent, who spoke on condition of anonymity because he is not authorized to speak publicly.

The Gulf and Zetas drug cartels have been fighting in Tamaulipas for years, but several of their leaders have been arrested or killed. Violence in Ciudad Victoria is blamed on offshoots of the Zetas known as the Old School and the Cartel of the Northeast.

Experts warn that the vendettas between criminal cells may rise as family killings continue.

Mexico's paltry record at putting criminals behind bars encourages gangs to kill without fear of consequences, analysts said.

Only one percent of crimes in Mexico lead to convictions, according to a 2016 study by the University of the Americas in Puebla state.

The spate of family killings "is more evidence of the impunity and lack of coordination to deal with or contain crime," said Javier Oliva, another prominent security expert at UNAM.

"You can murder entire groups, including minors and women, without getting justice immediately," Oliva said.

Alejandro Hope, a former official at Mexico's CISEN intelligence agency, said a gang "doesn't run more risks killing one person or eight or 11 people" as investigations are not rigorous and special operations are lacking.

Such acts of "extreme brutality" will continue as long as they carry little risks for criminals, Hope said.

While killing women and children can spark revenge attacks, Hope said there are grim advantages for the killers.

Killing a rival's son eliminates a potential competitor in the future, gets rid of witnesses and intimidates the enemy, he said.

It also fuels fear among civilians and the authorities, discouraging people from reporting crimes, the expert said.

The Tamaulipas police agent blamed the spate of family murders on the nefarious influence of Central American gangs that have worked with Mexican drug cartels.

"When Mexican cartels saw that they didn't have enough heartless people to finish off their enemies, they began to bring the Mara Salvatrucha (gangsters) from El Salvador, who are known internationally for their savagery," the agent said.

"It's not because impunity allows it," he said. "It's because these are people who are brought from outside with this type of criminal ideology."

Lawson, Guy, How the Cartels Work, Rolling Stone, Apr. 18, 2011.

Torturing rivals and beheading victims serve a purpose in Mexico, where drug-related violence has killed 12,000 people in the past three years; *narcotraficantes* routinely use brutality to subdue competitors, eliminate witnesses and frighten off police recruits. […]

'Mexicans don't flip,' says an undercover DEA agent who participated in Operation Pocono Powder, a major case against the cartels in New York. 'Part of the way the cartels retain control is through fear. Mexicans will cooperate to a certain level, but they won't talk about Sinaloa. They know their family back home will be killed.'

Anne-Marie O'Connor, Anne-Marie & Booth, William, Mexican drug cartels targeting and killing children, The Washington Post, Apr. 9, 2011.

> On a sunny afternoon last week, when the streets of [San Luis Potosí] were filled with schoolchildren and parents hurrying home from work, gunmen entered a tiny apartment and started firing methodically.
>
> The assassins killed everyone: the family matriarch and her adult son; her daughter and son-in-law, and finally, her 22-month-old granddaughter.
>
> The child was not killed by mistake. Preliminary forensics indicate that the gunmen, unchallenged, pointed a pistol at Scarlett Ramirez and fired.
>
> In Mexico's brutal drug war, children are increasingly victims, innocents caught in the crossfire, shot dead alongside their parents — and intentionally targeted.
>
> According to U.S. and Mexican experts, competing criminal groups appear to be killing children to terrorize the population or prove to rivals that their savagery is boundless, as they fight over local drug markets and billion-dollar trafficking routes to voracious consumers in the United States.
>
> 'It worries us very much, this growth in the attacks on little children. They use them as a vehicle to send a message,' said Juan Martin Perez, director of the Child Rights Network in Mexico. 'Decapitations and hanging bodies from bridges send a message. Killing children is an extension of this trend.' […]
>
> 'Before, they went after their enemy. Now, they go after every member of the family, indiscriminately,' said Martin Garcia Aviles, a federal congressman from the Party of the Democratic Revolution from the state of Michoacan.
>
> A Chihuahua state police commander was attacked as she carried her 5-year-old daughter to school two weeks ago. Both died of multiple gunshot wounds.
>
> In February, assassins went hunting for a Ciudad Juarez man, but the intended target wasn't home, so they killed his three daughters instead, ages 12, 14 and 15.
>
> In March, a young woman was bound and gagged, shot and left in a car in Acapulco. Her 4-year-old daughter lay slumped beside her, killed with a single bullet to her chest. She was the fifth child killed in drug violence in the resort city in one bloody week.
>
> 'They kill children on purpose,' said Marcela Turati, author of *Crossfire*, a new book on the killings of civilians in Mexico's drug war. 'In Juarez, they told a 7-year-old boy to run, and shot his father. Then they shot the little boy.'
>
> **Once off-limits**

Historians of the Mexican drug trafficking culture say that until recently children were considered off-limits in the rough code honored by crime bosses, who once upon a time liked to portray themselves as Robin Hoods dealing dope to gringos and donating alms to the poor.

'The rules no longer apply — rather, there are no rules,' said Bruce Bagley, an expert in the drug trade at the University of Miami. When the monolithic Institutional Revolutionary Party ruled Mexico, until 2000, Bagley said excess violence was tamped down by the state, which controlled the drug bosses with selective coercion and complicity.

Now no such 'pacts' exist, Bagley said.

U.S. and Mexican officials say the grotesque violence is a symptom the cartels have been wounded by police and soldiers. 'It may seem contradictory, but the unfortunate level of violence is a sign of success in the fight against drugs,' said Michele Leonhart, head of the Drug Enforcement Administration. The cartels 'are like caged animals, attacking one another,' she added.

Earlier this month, the award-winning poet and commentator Javier Sicilia rallied at the main plaza in Cuernavaca and appealed directly to the drug lords 'to return to your codes, where civilians are not touched, where civilians are sacred, where children are sacred.'

Booth, William, Mexico's drug war engulfs breakaway sect of Mormon Church, The Seattle Times, Jul. 24, 2009.

Early on July 7, four trucks loaded with men were videotaped passing through a highway tollbooth outside Galeana, where Benjamin LeBaron lived in a sprawling, new stucco home with his wife and five young children. Two trucks stopped at the cemetery outside town and waited. Two pickup trucks filled with 15 to 20 heavily armed men, wearing helmets, bulletproof vests and blue uniforms, came for LeBaron.

They smashed his home's windows and shouted for him to open the door, as his terrified children cried inside, according to an account given by his brothers. LeBaron's brother-in-law Luis Widmar, 29, who lived across the street, ran to his aid. Both men were beaten, and the gunmen threatened to rape LeBaron's wife in front of her children unless they were led to LeBaron's arsenal of weapons.

'But he didn't have any, because I promise you, if he did, he would have used them to protect his family,' Julian LeBaron said.

LeBaron and Widmar were shot in the head outside town. A banner was hung beside their bodies that blamed them for the arrest of 25 gunmen who were seized in June after terrorizing the town of Nicolas Bravo, where they burned buildings and extorted from business owners. According to law-enforcement officials, the gunmen are members of the

Sinaloa drug cartel, which is fighting the Juárez cartel for billion-dollar cocaine-smuggling routes into El Paso.

The tollbooth camera captured the men's departure — the make, model and year of their vehicles and the license numbers, according to family members. There have been no arrests.

Who killed Benji LeBaron — and why? These questions are difficult to answer, and the unknowns fuel the fear of those left in Colonia LeBaron.

The state attorney general, Patricia Gonzalez, blamed the group La Linea — The Line — the armed enforcement wing of former police officers and gunmen that works for the Juárez cartel. A few months ago, Gonzalez said La Linea was an exhausted remnant of dead-enders whose ranks had been decimated by infighting and arrests.

Luhnow, David & de Córdoba, José, Hit Men Kill Mexican Hero's Family, The Wall Street Journal, Dec. 23, 2009.

The brazen murder of several family members of a Mexican Naval hero threatens to start a dangerous new chapter in the country's drug war, in which cartels increasingly resort to terror tactics to try to force the government to back off.

More than a dozen hit men carrying AK-47 and AR-15 assault rifles burst into a house in eastern Mexico around midnight Monday, gunning down several relatives of 3rd Petty Officer Melquisedet Angulo, the 30-year-old who was hailed as a national hero last week after being killed in a battle that left drug lord Arturo Beltrán Leyva dead.

Mr. Angulo's mother, aunt, a sister and a brother were killed in the attack Tuesday.

Another sister was badly wounded and remained in critical condition, according to Rafael González, the attorney general of Tabasco, the Gulf Coast state where the shootings took place. "We will not rest until we find those responsible for these killings," Mr. González said.

The shooting came just hours after the enlisted sailor was buried with a military honor guard for his role last week in a Navy Special Forces operation that killed Mr. Beltrán Leyva, the highest-profile drug lord taken down in Mexico since Osiel Cárdenas, former head of the Gulf Cartel, was arrested in 2003. […]

In the past few years, drug gangs have resorted to increasingly barbaric acts in an effort to intimidate rival traffickers or law enforcement, using tactics adopted from Islamic terrorists such as videotaped decapitations. But until now, family members of drug gangs or the soldiers and police who fight them were largely considered off limits. Tuesday's killings could mark a further change in the unwritten rules of the Mexican drugs war.

> Mexican gangs have started to target the families of rival drug lords, but never on this scale. "This is the first time that anything like this has happened," said Raúl Benitez, a professor at Universidad Nacional Autonóma de México and an expert on Mexico's armed forces.
>
> He added it was too soon to say whether the murders marked the beginning of a sustained campaign against the families of armed-forces personnel who take part in antinarcotics operations.

This response was prepared after researching publicly accessible information currently available to the RAIO Research Unit within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. The response only addresses the specific questions presented to the RAIO Research Unit in the associated query. For additional information, please visit the RAIO Research Unit ECN page and, if you are not able to find the information needed there, reach out to the RAIO Research Unit.

Mexico: Pre-Trial Detention

July 30, 2020

How is pretrial detention defined in Mexico? Is it only used in cases involving organized crime? Does it impact certain populations more than others? If so, which populations?

This query request originated from IDEA, RAIO, USCIS.

Reforms of Mexico's criminal justice system began in 2008[1], but the concept of pretrial detention existed in the prior inquisitorial system and carried over to the new adversarial system.[2] The list of cases in which automatic pretrial detention applies was expanded in 2019.[3]

Definition

Prisión preventiva oficiosa, or automatic pretrial detention, has been defined as "the immediate imprisonment of an individual accused of a particular categorical crime."[4] According to the current version of Article 19 of the Political Constitution of the United States of Mexico, automatic pretrial detention applies to individuals accused of the following crimes:

> **abuse or sexual violence against minors**; organized crime; homicide; **femicide**; rape; kidnapping; human trafficking; **robbery**; **use of social programs for election purposes**; **corruption involving unlawful enrichment and abuse of power**; **theft of any form of freight transportation**; **crimes related to hydrocarbon, oil or petrochemical material**; **crimes related to forced disappearance committed by private individuals**; crimes committed by violent means such as with firearms and explosives; **crimes involving firearms and explosives limited to exclusive use by the Army, Navy and Air Force**; serious crimes against national security, the right to freely develop personality, and public health. Paragraph revised Jul. 14, 2011, Apr. 12, 2019.[5]

In addition, the prosecutor may request pretrial detention:

> only when other precautionary measures are not enough to ensure the presence of the accused in his trial, the development of the investigation, the protection of the victim,

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[1] Rodríguez Ferreira, Octavio and Shirk, David, Criminal Procedure Reform in Mexico, 2008-2016, Justice in Mexico, October 2015.

[2] Montaño, José Benjamín, In Mexico, the Threats and Failures of Pre-Trial Detention, NACLA, Jan. 13, 2020. See also The Mexican criminal law system, Government of Canada, March 30, 2020.

[3] Mexican congress expands pre-trial detention to more crimes, Associated Press, February 21, 2019.

[4] Montaño, José Benjamín, In Mexico, the Threats and Failures of Pre-Trial Detention, NACLA, Jan. 13, 2020.

[5] Constitución Política de los Estados Unidos Mexicanos, Cámara de Diputados del H. Cogreso de la Unión (Mex.), current text with most recent reform published May 8, 2020. For an English version that includes changes through 2015, but not the more recent additions, see Political Constitution of the United Mexican States, Universidad Nacional Autónoma de México (UNAM) (Mex.), 2015. The 2019 additions appear in bold, emphasis added by the RAIO Research Unit. Select quote translated from Spanish to English by the RAIO Research Unit.

> witnesses or community, as well as when the accused is on trial or had been previously convicted for having committed an intentional crime.[6]

According to analysis by the North American Congress on Latin America, pre-trial detention can result in long-term imprisonment without a formal sentence:

> Accused individuals can be imprisoned immediately and legally for up to two years without receiving a sentence. But currently, an extensive appeals process allows prosecutors to stall trials by six-month periods if they deem they have had insufficient time to bring an investigation to completion.[7]

Organized Crime

Under Article 16 of the Constitution, special expanded due process exceptions, including pretrial detention, apply to organized crime cases, as discussed in a 2016 Washington Office on Latin America report on Mexico's judicial reforms:

> The exception rules are based on a broad definition of organized crime: 'a de facto organization of three or more persons that perpetrate crimes on a permanent or repeated basis.'[8] This broad definition can potentially widen the range of cases that fall under the exceptions and restrict defendants' rights. Some of these due process exceptions for organized crime include: 1) a prolonged form of pretrial detention, called *arraigo*[9], in which the prosecutor can request the detention of a person with suspected links to organized crime for up to 80 days without any formal accusation or indictment; 2) mandatory pretrial detention; 3) the interception of private communications; and 4) restricted communication and visitation rights. The due process exceptions for organized crime are a key part of the current problems with Mexico's 'old' criminal justice system. [… A]*rraigo* violates human rights, exposes the detainee to torture, and it is ineffective (only 3.2 percent of individuals subject to *arraigo* since 2008 have been convicted of any crime).[10]

In his 2014 report, the U.N. Special Rapporteur discussed *arraigo* and pretrial detention in the context of the 2008 judicial reforms and organized crime:

> 11. In 2008, another set of constitutional amendments laid the bases for the transition from inquisitorial to adversarial criminal proceedings, which must

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[6] Constitución Política de los Estados Unidos Mexicanos, Article 19, Cámara de Diputados del H. Cogreso de la Unión (Mex.), current text with most recent reform published May 8, 2020. Select quote translated from Spanish to English by the RAIO Research Unit.

[7] Montaño, José Benjamín, In Mexico, the Threats and Failures of Pre-Trial Detention, NACLA, Jan. 13, 2020.

[8] This definition appears in Article 16 of the Mexican constitution.

[9] *Arraigo* is defined by the Department of State as: "a constitutionally permitted form of pretrial detention employed during the investigative phase of a criminal case before probable cause is fully established." 2019 Country Reports on Human Rights Practices: Mexico, Section 1.D., U.S. Department of State, March 11, 2020.

[10] Meyer, Maureen and Suárez Enríquez, Ximena, Mission Unaccomplished: Mexico's New Criminal Justice System is Still a Work in Progess, Washington Office on Latin America (WOLA), p.6, July 2016.

> apply throughout the country by 2016. The amendments enshrined in the Constitution important preventive safeguards, including the obligation to record a person's detention immediately, the inadmissibility of evidence obtained in violation of fundamental rights and the admission solely of evidence presented in court hearings, with exceptions for evidence submitted prior to the trial and for cases of organized crime. They also affirmed the inadmissibility of confessions made in the absence of defence counsel and endorsed the principles of presumption of innocence and access to defence counsel from the moment that a person is detained.
>
> 12. However, the 2008 amendments also enshrined in the Constitution practices that interfere with fulfilment of the obligation to prevent and eradicate torture. For instance, it accorded constitutional status to the procedure of *arraigo penal* (pre-charge detention in criminal cases) in cases of organized crime. Under article 16 of the Constitution, pre-charge detention may be imposed for 40 days, renewable for a further 40 days, with judicial authorization, "whenever necessary for the success of the investigation, the protection of persons or legal rights" or when there is reason to believe that the accused might evade justice. The article also permits detention without a judicial warrant in cases of *flagrante delicto*, "quasi-*flagrante delicto*" and urgent cases involving serious offences. Article 19 authorizes pretrial detention without formal charges for cases of organized crime and serious offences.[11]

Impact on Other Groups

Human rights activists express several concerns about the effects of automatic pretrial detention, including increased impunity in cases where the prosecutor chooses not to proceed with an investigation against individuals who committed crimes but who are already in pretrial detention.[12] Those individuals eventually may be released without ever being tried, convicted, or sentenced for the crimes they committed.[13] Other concerns include "the likelihood of innocent people being funneled into an already burdened penal system."[14]

Reportedly, pretrial detention disproportionately affects those who lack economic resources to hire attorneys to defend themselves.[15] Populations with reduced economic resources may also experience greater difficulty providing the information required to demonstrate that they will appear for trial if released.[16] Reports discuss the disproportionate impact of pretrial detention on indigenous populations, who face language barriers in understanding and contesting their

[11] Mendez, Juan E., Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment: Mission to Mexico, United Nations, pp.4-5, Dec. 29, 2014.
[12] Zerega, Georgina, México aprueba la prisión preventiva para los acusados de corrupción, delitos electorales, y robo de combustible, El País (America Edition), Feb. 20, 2019.
[13] Zerega, Georgina, México aprueba la prisión preventiva para los acusados de corrupción, delitos electorales, y robo de combustible, El País (America Edition), Feb. 20, 2019.
[14] Montaño, José Benjamín, In Mexico, the Threats and Failures of Pre-Trial Detention, NACLA, Jan. 13, 2020.
[15] Montaño, José Benjamín, In Mexico, the Threats and Failures of Pre-Trial Detention, NACLA, Jan. 13, 2020.
[16] García Castro, Teresa, Women, Drug Policy and Incarceration Policy Brief, Washington Office on Latin America (WOLA), p.4, June 2019.

charges[17] and suffer abandonment as prisons generally are located far from their home communities.[18] In Oaxaca, 1,144 of the 1,174 indigenous people in detention in August 2017, or more than 97%, were being held pursuant to pretrial detention rules.[19] In Chiapas, more than 52% of the indigenous people in detention at that time were being held under this policy.[20] For context, as of January 2016, approximately 41.4% of all prisoners in Mexico were in pretrial detention.[21] In 2018, 39.4% of all prisoners in Mexico were in pretrial detention.[22]

According to a 2019 report by the Washington Office on Latin America, women also face increased likelihood of being held in pretrial detention in Mexico.[23] Approximately 20% more women are in pretrial detention than men[24], and in some states the percentages are higher:

> In Mexico, there are 14 states in which more than 50% of the female prison population does not have a sentence. According to a 2017 study conducted by the Mexican National Institute of Statistics and Geography, 100% of the women incarcerated were in pretrial detention in the state of Michoacán, meaning that all of them were waiting behind bars without a sentence. Similarly, in Baja California Sur, Aguascalientes and Durango, 78% of those held had not yet been to trial. Furthermore, in Mexico, proportionally women spend longer periods of time in pretrial detention than men. According to the National Survey on Prison Population, 27.4% of women waited between one and two years for their sentence, while only 24.7% of men waited that long.[25]

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[17] Montaño, José Benjamín, In Mexico, the Threats and Failures of Pre-Trial Detention, NACLA, Jan. 13, 2020.
[18] Gutiérrez Román, José Luis and Aguilar Arias, Adriana, El acceso a la justicia de personas indígenas privadas de libertad en los estados de Chiapas y Oaxaca, Asistencia Legal por los Derechos Humanos (AsiLegal) (Mex.), p.69, Sept. 2017.
[19] Gutiérrez Román, José Luis and Aguilar Arias, Adriana El acceso a la justicia de personas indígenas privadas de libertad en los estados de Chiapas y Oaxaca, Asistencia Legal por los Derechos Humanos (AsiLegal) (Mex.), p.69, Sept. 2017.
[20] Gutiérrez Román, José Luis and Aguilar Arias, Adriana El acceso a la justicia de personas indígenas privadas de libertad en los estados de Chiapas y Oaxaca, Asistencia Legal por los Derechos Humanos (AsiLegal) (Mex.), p.69, Sept. 2017.
[21] Meyer, Maureen and Suárez Enríquez, Ximena, Mission Unaccomplished: Mexico's New Criminal Justice System is Still a Work in Progess, Washington Office on Latin America (WOLA), p.7, July 2016.
[22] García Castro, Teresa, Women, Drug Policy and Incarceration Policy Brief, Washington Office on Latin America (WOLA), p.3, June 2019.
[23] García Castro, Teresa, Pretrial Detention in Latin America: The Disproportionate Impact on Women Deprived of Liberty for Drug Offenses, Washington Office on Latin America (WOLA), June 3, 2019.
[24] García Castro, Teresa, Pretrial Detention in Latin America: The Disproportionate Impact on Women Deprived of Liberty for Drug Offenses, Washington Office on Latin America (WOLA), June 3, 2019.
[25] García Castro, Teresa, Women, Drug Policy and Incarceration Policy Brief, Washington Office on Latin America (WOLA), p.6, June 2019.

Possible Meanings of the Three Dots Tattoo in Latin America

November 19, 2020

A Mexican applicant has a tattoo of three dots between his thumb and index finger. Is this a gang-related tattoo?

This query originated from the Arlington Asylum Office, RAIO, USCIS.

The Research Unit found some sources which talk about the potential link between the three dots tattoo and gangs and/or crime in Latin America, while other sources did not discuss such a link and/or offered alternative meanings. Quotes from Spanish language sources have been translated into English by the Research Unit.

- In *MS-13: The Making of America's Most Notorious Gang*, a recently published book which focuses on the evolution of MS-13 in the United States and El Salvador, the three dots tattoo on a gang member was described as follows: "He had gentle, youthful features that belied his twenty-four years. His last name was tattooed across his right forearm, and three tiny dots were inked on his left cheek, just below the eye. The dots signify the three places where gang members believe they inevitably go: the hospital, prison and the cemetery. He wore a Cleveland Cavaliers hat and was cleanshaven. Unless you were an expert in tattoos, you couldn't tell he was a gang member."

- According to a 2014 article published by InSight Crime on gang tattoos in Honduras, a Honduran newspaper had "consulted an expert on gang communication to get a breakdown of the meanings of the most common tattoos, which police have reportedly deciphered as a result of investigations." InSight Crime reported that "Three points positioned in a triangle mean 'my crazy life,' a phrase used by gang members to describe outlaw gang life."

  A 2014 article by *Voice of America*, which also reported on the Honduran newspaper article, similarly stated that "Likewise, it is very common for gang members to get three points tattooed, often on their hands. These form a triangular geometric figure that symbolizes: 'my crazy life': delinquency, crime, living outside the law."

- A 2018 article published by *Univision* on why MS-13 members had stopped getting tattoos stated that: "The names of their mothers and lovers have been tattooed on the skin of MS-13 gang members for decades. Claws and horns of demons next to the image of the Virgen Mary. Skulls, which count the dead they carry, and hands in a position of

prayer. Tears that spill from their eyes and three dots that usually appear on their hands and summarize their possible destinations: jail, the hospital, or death."

- A 2015 document entitled "Parents' Guide to Gangs" published by the U.S. Department of Justice's National Gang Center stated the following: "Symbols and numbers have special significance within the gang culture. Common symbols of some of the large gangs in the United States include stars (five- and six-pointed), crowns, pitchforks (pointing up or down), three dots in a triangle, and numbers. These characters do not have the same meaning across the country, and symbolism varies regionally. Contact your local school resource officer or other law enforcement representative to get specific information on the meanings of unidentifiable symbols or numbers you may see in your area."

- A 2003 article by a Mexican media outlet on "*cholos*" in Mexico City who had appropriated the style of appearance used by Mexican immigrants in the United States reported the following when describing the appearance of one individual: "[…] the three upper buttons fastened that signify the crazy life, that is: my neighborhood, my life, and my blood, a symbol that is repeated in the three dots tattooed on the wrists of both hands."

- In a 2016 article on prison tattoos, *Mental Floss* reported that: "The three dots tattoo can appear under the eye or on the hand, and can represent, among Latinos, either the three words *mi vida loca*, 'my crazy life,' or the holy Catholic trinity. Cultural anthropologist Margo DeMello says that the three dots might come from a French criminal tattoo, of which the trio of spots stood for *mort aux vaches*, or 'death to the cows'—cows meaning the police."

- A 2003 book on the origins and meanings of tattoos—*The Tattoo Encyclopedia: A Guide to Choosing Your Tattoo*—stated the following about the "three dots" tattoo: "Hobos in every part of the world used graphical symbols to leave messages for one another, frequently having to do with the potential for good begging in the vicinity. The symbol that consists of three dots arranged triangularly and tattooed on the skin between the forefinger and the thumb is known as hobo dots in Sweden and has a protective significance. The three hobo dots are said to represent faith, hope, and love. In recent times, in the United States, it is a tattoo associated with Latino gang membership."

- A 2007 study on gangs in Central America reported that "Some tattoos indicate group membership with letters and numbers that identify the gang. […] Other tattoos refer to personal experiences of each individual: […] what it takes to be a gang member (three dots that represent the gang, jail, and death). (p.30)

- In a 2015 article on the meaning of criminal tattoos in Brazil, *BBC Brasil* reported that, according to a Brazilian police officer, "three dots, in the shape of a pyramid, point to a link with drugs."

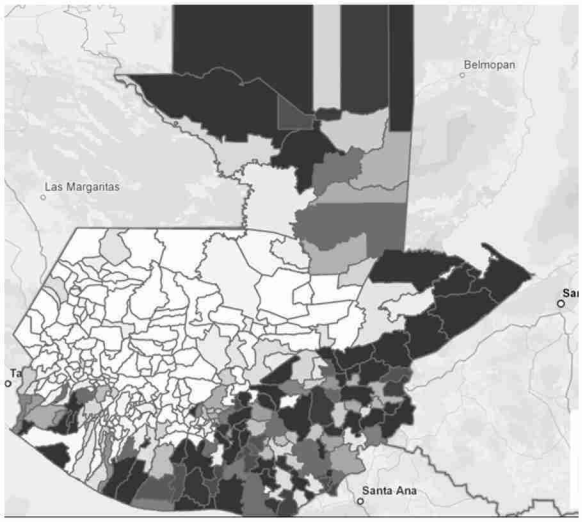
- A 2015 article on tattoos in Cuba by an independent Cuban media outlet offered various meanings for the three dot tattoo, which varied by individuals who were interviewed: "sex, money, and whatever comes"; "hatred of the police"; and "the crazy life…a lot of drugs, sex, and money". A sociologist who had allegedly studied gangs in Central America and Cuba claimed to the media outlet that "The three dots is not a mark of identity in gangs, not here nor anywhere in the world. It has a thousand meanings and they are all true."

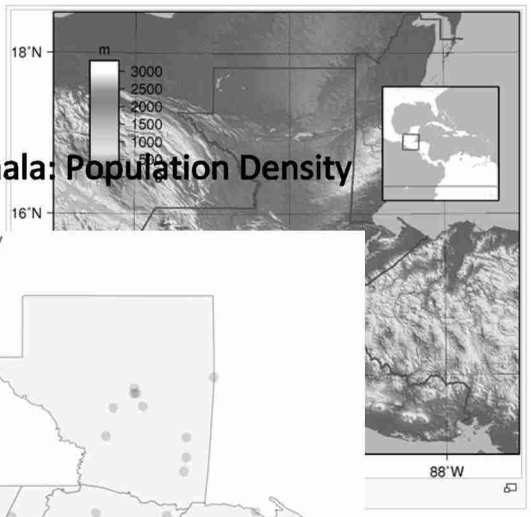
- A 2003 Nicaraguan magazine article on tattoos and gangs reported that: "The three dots arranged as vertices of a triangle are shared by dozens of Nicaraguan and Californian gang members. In Managua, these three dots identify the gangs of the 'sureños', rivals of the gangs of the 'norteños.'"

This response was prepared after researching publicly accessible information currently available to the RAIO Research Unit within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. The response only addresses the specific questions presented to the RAIO Research Unit in the associated query. For additional information, on related topics, please visit the RAIO Research Unit ECN page and, if you are not able to find the information needed there, reach out to the RAIO Research Unit.

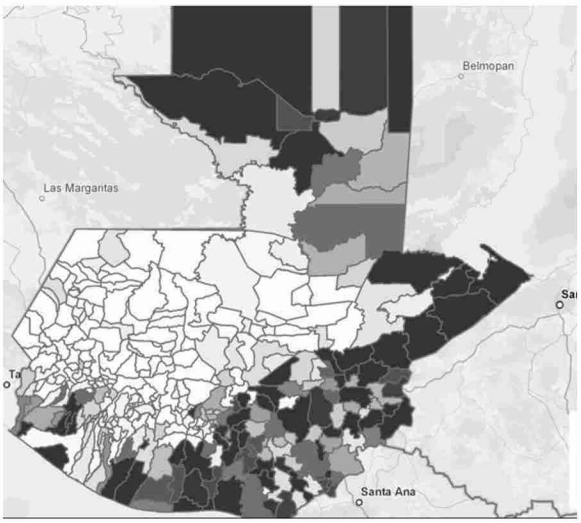
Guatemala: Homicide Rate (2018)

Guatemala: Topographical Map

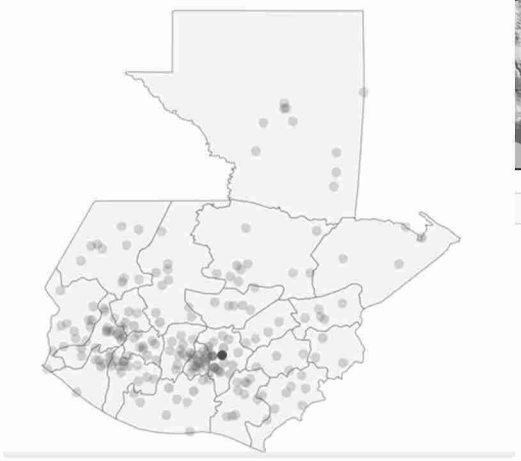




Guatemala: Homicide Rate (2018)

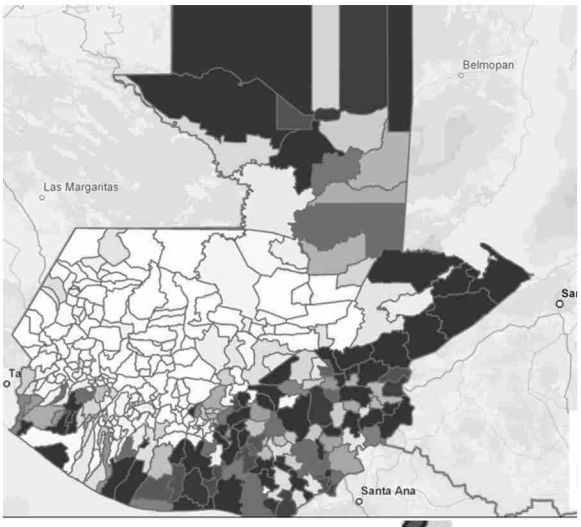


Guatemala: Population Density



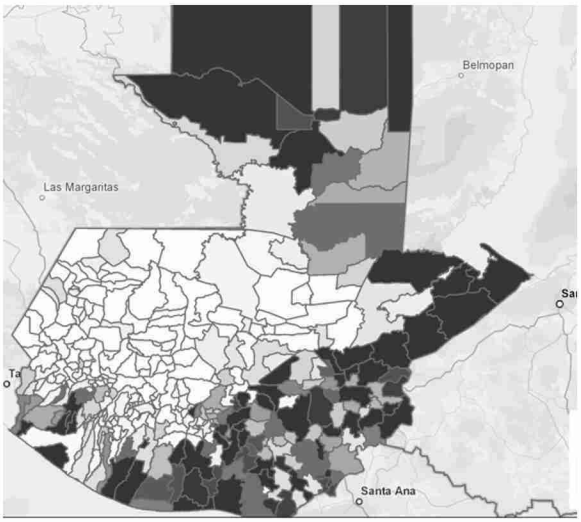
Guatemala: Homicide Rate (2018)

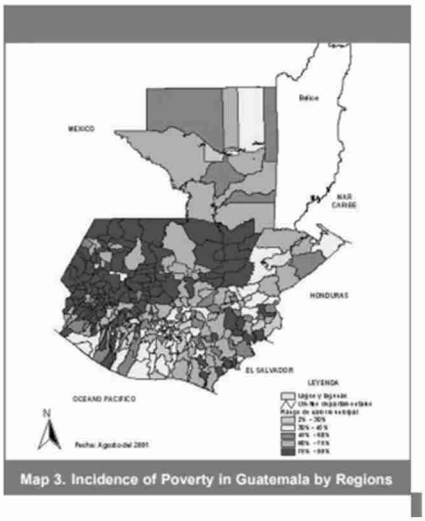
Guatemala: Indigenous Territories



Guatemala: Homicide Rate (2018)

Guatemala: Incidence of Poverty





Map 3. Incidence of Poverty in Guatemala by Regions

Country of Origin Information Relevant to Northern Triangle Reported Crime Rates

May 2019

State's Bureau of Conflict and Stabilization Operations (CSO) has compiled and provided to USCIS two PowerPoint presentations containing information showing the rates of reported homicide, disappearance, and extortion by municipality in El Salvador, Guatemala, and Honduras. Additional country of origin information that adjudicators may find useful and relevant to contextualizing the crime rates presented in the CSO slides is provided below.

El Salvador: *The municipalities in El Salvador with no reported homicides in 2018 follow a pattern of being sparsely populated, having economies based on agriculture/subsistence livelihoods, and high poverty rates. The majority of these municipalities are rural areas that are difficult to access and have low population densities where non-natives are easily identifiable. These rural areas also tend to have the highest percentage of the population living in poverty. For example, Meanguera del Golfo has a population of roughly 2,500, its residents are indigenous Lenca and Poton, and it is located on an island. Further, in 2018, there were only three police officers for the entire municipality and residents experienced extortion, theft, threats, domestic violence, rape, usurpation, and violence against women, among others. Additionally, MS-13 gang members were using the municipality as a place to evade the police. In San Antonio Masahuat, a municipality of approximately 4,000 that is 75% rural, in the first six months of 2018, women reported two cases of sexual violence, two cases of physical violence and two cases of domestic violence. MS-13 is present , with two killed in 2017.*

Guatemala: *In Guatemala, the Western region with zero to few reported homicides is sparsely populated, mountainous, largely indigenous, and has the highest incidence of poverty (see Attachment A: Guatemala Maps). According to the DOS Bureau of Diplomatic Security Guatemala 2019 Crime and Safety Report, these areas lack a police presence, so there is no mechanism by which to properly report crimes, and community members instead rely on a traditional indigenous justice system that results in vigilante justice such as stoning, lynching, and immolation. The preference for vigilante justice along with the lack of police presence and widespread mistrust between indigenous communities and Guatemalan state authorities may strongly contribute to the chronic underreporting of homicides in rural indigenous communities.*

Honduras: *Similar factors appear to be at play in the Honduras municipalities with no reported homicides in 2018. For example, Santa Rosa de Aguan has a population of roughly 5,000 and is sparsely populated, ethnically Garifuna, rural, and impoverished, and with many parts still uninhabitable after being devastated by Hurricane Mitch in 1998. Humuya is sparsely populated, with a population of under 1,500. San Jose in Choluteca has a population of roughly 5,000, an agricultural economy, extreme poverty, is isolated due to undeveloped roads, and lacks clean drinking water and sufficient health clinics leading to communities affected by diseases including diarrhea, dengue, Zika, and chikungunya. The other municipalities with no reported homicides in 2018 are also sparsely populated, have economies based on agriculture/subsistence livelihoods, and have high poverty rates.*

Attachments:

Attachment A: Guatemala Maps

Report for USCIS
LL File No. 2016-012914
USCIS Request ID No. 293

Mexico: Domestic Violence Laws in the states of Guanajuato, Jalisco, Michoacán, Puebla, and Zacatecas

December 2015

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Mexico: Domestic Violence Laws in the States of Guanajuato, Jalisco, Michoacán, Puebla, and Zacatecas

Gustavo Guerra
Senior Foreign Law Specialist

SUMMARY The Mexican states of Guanajuato, Jalisco, Michoacán, Puebla, and Zacatecas have enacted statutes that govern family violence and violence against women. These statutes provide rules concerning the individuals protected under such laws and generally aim to prevent and address family violence and violence against women in these states.

I. Introduction

This report responds to an inquiry of United States Citizenship and Immigration Services (USCIS) concerning the domestic or family violence laws of the Mexican states of Guanajuato, Jalisco, Michoacán, Puebla, and Zacatecas. Specifically, USCIS seeks information on whether persons in intimate partnerships that do not involve marriage, cohabitation, or children in common are protected by such laws.

Before turning to these states' laws, it should be noted that Mexico's federal government has enacted the General Law of Women's Access to a Life Free of Violence.[1] This Law requires Mexican states to enact laws aimed at guaranteeing the right of women to a life free of violence and regulating and enforcing the guidelines provided by the Law.[2]

This Law defines family violence as an abusive act of power or intentional omission aimed at dominating, subduing, controlling, or aggressing against women in a variety of ways (including physically, verbally, psychologically, financially, or sexually), inside or outside the family domicile, committed by an aggressor who has or has had, with respect to the victim, a relationship of kinship by blood or affinity; a marital or concubinary relationship; or a relationship in fact.[3]

[1] Ley General de Acceso de las Mujeres a una Vida Libre de Violencia, DIARIO OFICIAL DE LA FEDERACIÓN, Feb. 1, 2007, available as amended through 2015 on the website of Mexico's House of Representatives, at http://www.diputados.gob.mx/LeyesBiblio/pdf/LGAMVLV_040615.pdf, archived at https://perma.cc/HND7-9YFM.

[2] Id. arts. 2, 49(II), (XX).

[3] Id. art. 7.

II. Discussion

Guanajuato

The goal of Guanajuato's Law for Women's Access to a Life Free of Violence is to establish guidelines aimed at promoting, protecting, and guaranteeing a woman's right to a life free of violence, as well as preventing, addressing, and eradicating violence against women.[4]

This Law defines family violence as any type of violence inflicted upon women by persons with whom they have or have had kinship relationships by blood, affinity, marriage, concubinage, or an analogous relationship; or by persons who permanently live in the same domicile as the victims and have or have had relationships with them.[5]

Similarly, Guanajuato's Law to Prevent, Treat and Eradicate Violence defines interfamily violence as any violence that occurs between persons who have or have had relationships by kinship, marriage, concubinage, or an analogous interpersonal relationship, or is committed by any person who permanently lives in the same domicile as the victim.[6]

Jalisco

Jalisco's Law for Women's Access to a Life Free of Violence defines violence against women as any act of violence that may result in the harm or physical, psychological, or sexual suffering of women. It also considers as violence a threat to perform such acts, coercion, or arbitrary deprivation of liberty.[7]

This Law provides that violence against women may occur in different settings and is of different types:

> I. Family violence against women is violence that takes place inside or outside the domicile of the victim, committed by an aggressor with whom the victim has or had kinship by blood or affinity, or a relationship of marriage or concubinage, or a relationship in fact;

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[4] Ley de Acceso de las Mujeres a una Vida Libre de Violencia para el estado de Guanajuato art. 1, PERIÓDICO OFICIAL, Nov. 26, 2010, available as amended through 2014 on the website of the Guanajuato State Congress, at http://www.congresogto.gob.mx/uploads/ley/pdf/2/Ley_de_Acceso_de_las_Mujeres_a_una_Vida_Libre_de_Violencia_P.O._16_DIC_2014.pdf, archived at https://perma.cc/DX5V-WTMB.

[5] Id. art. 6-I.

[6] Ley para Prevenir, Atender y Erradicar la Violencia en el Estado de Guanajuato art. 7, PERIÓDICO OFICIAL, Mar. 27, 2009, available as amended through 2015 on the website of the Guanajuato State Congress, at http://www.congresogto.gob.mx/uploads/ley/pdf/80/Ley_para_Prevenir__Atender_y_Erradicar_la_Violencia_en_el_Edo._de_Gto.__P.O._11_SEPT_2015.pdf, archived at https://perma.cc/5Y24-9NCF.

[7] Ley de Acceso de las Mujeres a una Vida Libre de Violencia del estado de Jalisco art. 11, PERIÓDICO OFICIAL, May 27, 2008, available as amended through 2015 on a website maintained by Mexico's Department of Interior, at http://www.ordenjuridico.gob.mx/fichaOrdenamiento.php?idArchivo=81780&ambito=estatal, archived at https://perma.cc/46A9-9ES2

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> VIII. Violence during courtship consists of the actions or intentional conduct that generates sexual, physical or psychological harm, committed by an individual with whom the victim has an affectionate, loving or courtship relationship, with the goal of exerting pressure, manipulating or mistreating the victim.[8]

Furthermore, Jalisco's Law for Preventing and Addressing Intrafamily Violence establishes guidelines aimed at pursuing the peaceful coexistence of family members and the eradication of intrafamily violence.[9]

This Law defines a family as a group of individuals united by kinship, marriage, or concubinage; it defines intrafamily violence as an intentional action or omission by a family member against another family member that puts at risk or affects the latter's physical, psychological, or sexual well-being.[10]

Michoacán

Michoacán's Law for a Life Free of Violence for Women indicates that its provisions are aimed at protecting women located within this Mexican state from all types of violence, including psychological, physical, sexual, patrimonial, and economic violence, or any other type of violence that harms or may harm the dignity, well-being, or liberty of women.[11]

This Law defines family violence as any act of power or intentional omission aimed at dominating, subduing, controlling, or harming women in a variety of ways (including physically, verbally, psycho-emotionally, sexually, or financially), inside or outside the shared domicile, performed by persons with whom the women have a relationship of kinship by blood, marriage, or concubinage, or by persons with whom the women have or have had a relationship in fact.[12]

Similarly, Michoacán's Law for Preventing and Addressing Family Violence provides that family violence comprises active or passive conduct that is intentionally aimed at dominating, subduing, controlling, or aggressing against any family member in a physical, verbal, psycho-emotional, or sexual manner, inside or outside the family domicile, with the goal of causing

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[8] Id. art. 11(I, VIII).

[9] Ley para la Prevención y Atención de la Violencia Intrafamiliar del Estado de Jalisco art. 1, PERIÓDICO OFICIAL, Dec. 18, 2003, available as amended through 2014 on a website maintained by Mexico's Department of Interior, at http://www.ordenjuridico.gob.mx/fichaOrdenamiento.php?idArchivo=108715&ambito=estatal, archived at https://perma.cc/3NBR-PJXH.

[10] Id. art. 5.

[11] Ley por una Vida Libre de Violencia para las Mujeres en el Estado de Michoacán de Ocampo arts. 3, 5, 9, PERIÓDICO OFICIAL DEL ESTADO, Aug. 9, 2013, available as originally enacted on the website of the Michoacán State Congress, at http://transparencia.congresomich.gob.mx/media/documentos/trabajo_legislativo/Ley_por_una_Vida_Libre_de_Violencia_para_las_Mujeres_en_el_Estado_de_Michoac%C3%A1n_.pdf, archived at https://perma.cc/SN7P-BUDF.

[12] Id. art. 8.

harm.[13] This Law also provides that a family relationship is established between relatives by blood or affinity, as well as by marital, concubinary, or family relationships in fact.[14]

Puebla

Puebla's Law for Women's Access to a Life Free of Violence provides guidelines aimed at preventing, addressing, and eradicating all types of violence against women.[15]

This Law defines violence against women in a family setting as an abusive act of power or intentional omission aimed at dominating, subduing, controlling, or harming women in a variety of ways (including physically, verbally, psychologically, sexually, or financially), inside or outside the family domicile, performed by any person with whom the women have or have had a relationship of kinship by blood or affinity, marriage, or concubinage, or by persons with whom the women have or have had a relationship in fact.[16]

Similarly, Puebla's Law for Preventing, Addressing, and Punishing Family Violence provides that family violence is an intentional and recurring act or omission involving the use of physical or virtual force performed with the purpose of dominating, subduing, controlling, or aggressing against any family member or individual that lives in the family domicile.[17]

Pursuant to this Law, victims of family violence include spouses and concubines, and persons with whom the victims had at some time a relationship of marriage, concubinage, partnership, or companionship outside of marriage.[18]

Zacatecas

Zacatecas's Law for Women's Access to a Life Free of Violence defines violence against women in a family setting as any act or omission of aggression or intentional discrimination, committed inside or outside the family or marital domicile, aimed at dominating, controlling, limiting,

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[13] Ley para la Atención y Prevención de la Violencia Familiar en el Estado de Michoacán de Ocampo art. 3(I), PERIÓDICO OFICIAL DEL ESTADO, Feb. 11, 2002, available as amended through 2007 on the website of the Michoacán State Congress, at http://transparencia.congresomich.gob.mx/media/documentos/trabajo_legislativo/LEY_PARA_LA_ATENCI%C3%93N_Y_PREVENCI%C3%93N_DE_LA_VIOLENCIA_FAMILIAR_EN_EL_ESTADO_DE_1.pdf, archived at https://perma.cc/9J9L-59ZF.

[14] Id.

[15] Ley para el Acceso de las Mujeres a una Vida Libre de Violencia del Estado de Puebla art. 4, PERIÓDICO OFICIAL DEL ESTADO, Nov. 26, 2007, available as amended through 2012 on a website maintained by the Puebla State Government, at http://ojp.puebla.gob.mx/index.php/zoo-items-landing/item/ley-para-el-acceso-de-las-mujeres-a-una-vida-libre-de-violencia-del-estado-de-puebla, archived at https://perma.cc/L8X8-ZNSQ.

[16] Id. art. 11.

[17] Ley de Prevención, Atención y Sanción de la Violencia Familiar para el Estado de Puebla art. 2-VIII, PERIÓDICO OFICIAL DEL ESTADO, Apr. 6, 2001, available as originally enacted on a website maintained by the Puebla State Government, at http://ojp.puebla.gob.mx/index.php/zoo-items-landing/item/ley-de-prevencion-atencion-y-sancion-de-la-violencia-familiar-para-el-estado-de-puebla, archived at https://perma.cc/RPT4-N38Q.

[18] Id. art. 3(I), (VII).

humiliating, or harassing women in a variety of ways (including verbally, psychologically, sexually, or economically), regardless of the number or continuity of such acts.[19]

Women who are victims of this type of violence include those who have or have had a family relationship with the aggressor; kinship by blood or affinity; a guardianship, marital, or concubinary relationship; or have or have had an affective or sentimental relationship in fact.[20]

Furthermore, Zacatecas's Law to Prevent and Address Family Violence defines family violence as the inflicting of physical or virtual force on a family member by another aimed at attacking the former's physical, psycho-emotional, or sexual well-being, committed inside or outside the marital domicile, and regardless of the existence or absence of injuries.[21]

[19] Ley de Acceso de las Mujeres a una Vida Libre de Violencia para el Estado de Zacatecas art. 11, PERIÓDICO OFICIAL DEL ESTADO, Jan. 17, 2009, available as amended through 2013 on the website of the Zacateca's State Congress, at http://www.congresozac.gob.mx/e/elemento&cual=142, archived at https://perma.cc/YFH3-9JWN.

[20] Id.

[21] Ley para Prevenir y Atender la Violencia Familiar en el Estado de Zacatecas art. 2, PERIÓDICO OFICIAL DEL ESTADO, Feb. 19, 2003, available as amended through 2013 on the website of the Zacatecas's State Congress, at http://www.congresozac.gob.mx/e/elemento&cual=72, archived at https://perma.cc/RYF8-5ATK.

U.S. Citizenship and Immigration Services

Refugee, Asylum and Int'l Operations Research Unit

Response to Information Request | Number: 1

Date: March 18, 2014

Subject: Knights Templar/Vigilante Groups Mexico

From: USCIS, Refugee, Asylum & Int'l Operations Research Unit, Washington, D.C.

Keywords: Knights Templar, Vigilante Groups, Auto-Defense Groups

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1a. What connection, association, or relationship does the Knights Templar have with federal, state, and local governments? Is this a connection, association or relationship with officials that are acting in their official capacity?

There are several sources that indicate widespread connections between the Knights Templar and government officials at all levels, but particular local and state authorities in the state of Michoacán.[1] As Alejandro Hope, director of security policy at the Mexican Institute for Competitiveness in Mexico City stated: "If you're extorting everyone from big mining concerns to local taxi drivers, that requires a level of local corruption and police collusion unprecedented even for Michoacán."[2] In Michoacán state, 1,200 police agents have been investigated for possible links to the Knights Templar.[3] The following is a list of Mexican authorities who have been linked to the Knights Templar in the Mexican press:

In July 2013, one of the leaders of the auto-defense groups (vigilantes), Jose Manuel Mireles Valverde, accused then acting governor of Michoacán and now secretary of state, Jesus Reyna Garcia, of being a member of the Knights Templar. According to the vigilante leader, Reyna Garcia protects the Knights because his wife's sister (in other words, his sister-in-law) is the wife of one of the founding members of the Knights Templar, Servando Gomez Martinez, aka "La Tuta."[4]

Louisa Maria Calderon Hinojosa, former president, Felipe Calderon's sister, allegedly had contact with the Knights. According to Gomez Martinez, one of the leaders of the Knights Templar, Calderon contacted them on three different occasions to talk to her. At the time she

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[1] http://www.rnnoticias.com.mx/leonardo-herrera-garcia/corruptos-causan-la-guerra-en-michoacan
[2] http://www.csmonitor.com/World/Americas/2014/0309/Mexico-s-vigilantes-the-aftershocks-of-ousting-a-cartel-video
[3] http://www.extraconfidencial.com/articulos.asp?idarticulo=14013
[4] http://www.proceso.com.mx/?p=348801

was running for governor of Michoacán, and apparently wanted to talk to them to discuss the upcoming election. Gomez Martinez denied talking to her. She subsequently lost the election.[5]

Party of the Democratic Revolution (PRD) Senator, Iris Vianey Mendoza, was accused by leaders of the vigilante groups of having ties with the Knights Templar. She denied any links, but did admit that she met with members of the Knights Templar because they are "citizens" and "human beings," and because she was asked to do so by the mayor of Apatzingán (a city in Michoacán that is witnessing much of the violence between the Knights Templar and the vigilante groups), Uriel Chavez, and by a business leader, Juan Polvos, director of Conalep en Apatzingán, a professional college in Michoacán. The senator attended the same party as, and took a picture with, Melissa Plancarte, daughter of one of the leaders of the Knights Templar, Enrique Plancarte.[6] One of Vianey Mendoza's political collaborator/advisor is, Jose Luis Torres, who is the father of José Luis Torres Castañeda, a leader of one of the self-defense groups (vigilantes) who was recently killed. (See below).[7]

The son, Rodrigo Vallejo Mora, aka "El Gerber," of the current governor of Michoacán, Fausto Vallejo Figueroa, has been accused of having links with the Knights.[8]

The governor himself, Fausto Vallejo Figueroa, has also been accused of having links to the Knights. One of the vigilante groups have said that the Knights Templar forced people under threat to vote for Vallejo Figueroa in the recent elections.[9]

Julio Cesar Godoy Toscano, ex-legislator (PRD party), was charged with having links with one of the leaders of the Knights, "La Tuta." Godoy Toscano tried to avoid the charges brought against him and was a fugitive for one year. During the same investigation into Godoy Toscano's activities, 11 municipal presidents, 16 state civil servants, one judge, and several police were also detained and investigated in the state of Michoacán for their connections with the Knights. Ibid.

Uriel Chavez Mendoza, the mayor of Apatzingán, Michoacán was also accused of having links to the Knights Templar by a spokesperson of the vigilante groups. According to the spokesperson, Chavez Mendoza is related to one of the founding members of the Knights, Nazario Moreno "El Chayo." Ibid.

Juan Polvos, director and educator of Conalep en Apatzingán, a professional college in Michoacán, is said to have links to the Knights and be a Knights' doctrinarian. Ibid.

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[5] http://blogs.aljazeera.com/blog/americas/knights-templar-mexicos-newest-drug-cartel ; http://www.proceso.com.mx/?p=359103 ; http://www.adnpolitico.com/gobierno/2014/02/07/7-politicos-senalados-por-supuestos-nexos-con-templarios

[6] http://aristeguinoticias.com/0502/mexico/senadora-del-prd-gestiono-reunion-con-presuntos-templarios-mireles-acusa-nexos/ ; http://www.adnpolitico.com/gobierno/2014/02/07/7-politicos-senalados-por-supuestos-nexos-con-templarios

[7] José Luis Torres Castañeda

[8] : http://www.24-horas.mx/vinculan-a-hijo-de-vallejo-con-los-templarios/

[9] http://www.adnpolitico.com/gobierno/2014/02/07/7-politicos-senalados-por-supuestos-nexos-con-templarios

1b. Does evidence indicate that the Mexican government is able and willing to control the Knights Templar cartel?

Up until recently, the Mexican government did not seem willing or able to control the Knights Templar cartel. The Knights seem to be infiltrated at all levels of government, particularly within the state of Michoacán. If a local authority did try to speak-up, they could face retribution. As the Washington Post reported: "Last month, the mayor of a small town in Michoacán who protested the Knights Templar's extortion demands was found beaten to death in his truck along the side of the road. … 'Mayor Ygnacio Lopez Mendoza had gone on an 18-day hunger strike this year, camping in a tent outside the Mexican Senate, to protest that mayors in Michoacán were being forced to turn over a percentage of their budgets to the cartels.'"[10]

In November of 2013, the government sent the federal police to try to control the situation in Michoacán. The operation was mostly unsuccessful and the federal police retreated.

On January 12, 2014, the Mexican government began an extensive operation to disarm the self-defense groups and take control of the Knights Templar leadership.[11] This operation included thousands of military soldiers. On March 9, 2014, Mexican authorities killed one of the founding members and leaders of the Knights Templar, Nazario Moreno Gonzalez, aka "El Chayo." The former Mexican president, Felipe Calderon, had previously believed/claimed to have killed Moreno Gonzalez in 2010, but during this operation it was confirmed that he had been alive and was in hiding. Digital fingerprints confirmed the identity of Moreno Gonzalez, and his death. Another Knights Templar leader, Dionicio Loya Plancarte, aka "El Tio Nicho," was recently captured during this offensive by Mexican authorities on January 27, 2014.[12]

2. Does the Knights Templar target specific categories of individuals? (e.g. young men from a certain area, business owners)

The Knights Templar do not appear to target anyone specifically, they seem to target people in the area indiscriminately for extortion and kidnappings.[13] However, they do target members of the auto-defense group and rival cartel members, including those from Los Zetas and the Jalisco New Generation Cartel.

3a. What connection, association, or relationship do the vigilantes have with federal, state, and local governments? Is this a connection, association or relationship with officials that are acting in their official capacity? Is there any evidence that vigilante groups, particularly in the Michoacán region, are acting as de facto governments with the express or implied consent of the

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[10] http://www.washingtonpost.com/world/the_americas/mexican-bishop-takes-on-cultish-cartel-in-drug-war-battleground-state/2013/12/01/62eea6d4-508f-11e3-9ee6-2580086d8254_story.html

[11] https://janes.ihs.com/CustomPages/Janes/DisplayPage.aspx?ShowProductLink=true&DocType=News&ItemId=+++1598272&Pubabbrev=JDW

[12] http://mexico.cnn.com/nacional/2014/01/27/fuerzas-federales-detienen-al-lider-templario-dionicio-loya-plancarte

[13] http://www.csmonitor.com/World/Americas/2014/0309/Mexico-s-vigilantes-the-aftershocks-of-ousting-a-cartel-video

federal government? Does evidence indicate that the Mexican government is able and willing to control the vigilantes?

The vigilante or auto-defense groups proclaim that they must do what the federal government and police are unable to do – which is to protect the citizens of Michoacán. The vigilante groups seem to control local police, whether through force or police corruption.[14] According to sources in the Mexican press and with the leadership of the Knights Templar, the vigilante groups are funded by a rival drug cartel, the Jalisco New Generation Cartel.[15] The fact that the vigilante groups were able to quickly arm themselves with high caliber weapons, drive expensive trucks, and have professional printed t-shirts, are seen as proof that these auto-defense groups are not a spontaneous, community reaction to the violence of the Knights Templar but rather that the auto-defense groups are heavily funded by the rival cartel, the Jalisco New Generation Cartel. The leaders of the vigilante groups deny this association. There is also evidence that the mining industry and other big business in the area are also funding the vigilante groups to put an end to the extortion and illegal business activity of the Knights Templar.[16]

Moreover, there is concern that the vigilante groups may be like the paramilitary groups in Colombia during the 1990's that had implicit consent and support from the government for their activities.[17] The former personal security advisor of current Mexican president, Enrique Pena Nieto, is Oscar Naranjo, the retired Colombia general of the National police, who was active during the creation of these paramilitary/defense groups in Colombia during that time. Naranjo purportedly has links to the vigilante groups in Mexico, and is believed to be the architect behind their formation.[18] According to one article, the current Mexican government operation against the Knights Templar includes a "pact made with the other cartel and the creation of numerous and well-equipped auto-defense groups.[19]

It is not clear what the government's response is/will be to the vigilante groups, or their ability or willingness to control them. During this recent, ongoing operation in Michoacán, it seems the government was working with the auto-defense groups to identify and capture Knights Templar members. The government and the auto-defense groups are said to be in dialogue as to how to proceed next and to find ways to incorporate vigilante members into local police. The auto-defense group leaders have stated that they will make sure to complete an internal "cleaning" to

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[14] http://www.insightcrime.org/news-briefs/mexico-self-defense-group-boom-set-to-continue

[15] http://www.insightcrime.org/news-briefs/growth-of-mexican-vigilante-groups-cause-concern ; http://www.proceso.com.mx/?p=339181; http://sipse.com/mexico/autodefensas-operan-con-armas-del-cartel-jalisco-nueva-generacion-73437.html ; http://www.lajornadajalisco.com.mx/2014/01/15/cartel-jalisco-nueva-generacion-detras-de-lideres-de-autodefensas-michoacan/ ; http://eleconomista.com.mx/sociedad/2014/02/27/autodefensas-exculpan-cartel-jalisco

[16] https://janes.ihs.com/CustomPages/Janes/DisplayPage.aspx?DocType=News&ItemId=+++1702447&Pubabbrev=IWR ; http://www.eluniversal.com.mx/nacion-mexico/2014/impreso/en-caleta-de-campos-marejada-insurrecta-213580.html

[17] http://online.wsj.com/news/articles/SB10001424052970204226204576599161405735224?mg=reno64-wsj&url=http%3A%2F%2Fonline.wsj.com%2Farticle%2FSB10001424052970204226204576599161405735224.html

[18] http://vozpueblocom.wordpress.com/2014/01/19/en-mexico-piden-investigar-al-ex-general-oscar-naranjo-por-tener-vinculos-con-las-autodefensas/; http://www.cambiodemichoacan.com.mx/nota-212719

[19] http://www.cronica.com.mx/notas/2014/808631.html; http://www.mcclatchydc.com/2014/01/27/215843/a-general-takes-his-leave-of-mexico.html

rid the vigilante movement of any criminal elements that might be infiltrated.[20] The federal government is attempting to reign in the vigilante groups so that they can operate in accordance with the government under set rules: "We are putting up the 'stop' sign to the vigilantes, a federal official who was not authorized to be quoted by name said Friday on condition of anonymity. 'We are reaching a turning point, a point of change.'"[21] Exactly what these rules will be are still being negotiated and how and if they will be implemented is ongoing: "Various points of the law are somewhat vague. It says they can work with the municipal police, but does not obligate them to be part of the police. It requires them to register their weapons with the army, but does not say if they can keep their weapons, or what kind of weapons they have to register (Mexican law allows citizens to carry up to a .38 caliber)."[22]

4. Are vigilante groups targeting former members of the Knights Templar cartel or any other individuals specifically?

The vigilante groups seem to target current members of the Knights Templar. There are several accounts in the Mexican press about a dispute between the main vigilante groups because some vigilante groups are accepting former Knights Templar members into their organization; and not everyone agrees that former Knights should be allowed to join vigilante groups.[23] There was also a growing dispute between main vigilante fractions, one led by Hipolito Mora Chavez and others led by Luis Antonio Torres Gonzalez, known as "El Americano" because he was born in the US, and Estanislao Beltran. Apparently part of the dispute was over allowing former Knights members to join vigilante groups. Mora is against allowing the so-called "forgiven ones" from joining the vigilantes, whereas the other two leaders are not.[24] The dispute was also apparently over returning land confiscated by the Knights Templar, particular lime groves, to their rightful owners. Torres Gonzalez accused Mora of not turning over the land. Mora has denied this and has stated that the other vigilante groups are infiltrated by cartel members and Knights members. A local Catholic priest, Gregorio López Gerómino, who has been very vocal against the Knights Templar has sided with Mora Chávez. He has stated that the vigilantes groups must guard against infiltrators from the cartels and formal Knights members who are trying to usurp the vigilante movement. Ibid.

On March 8, 2014, Torres Gonzalez and Rafael Sanchez Moreno, aka "El Pollo," another vigilante leader, and former Knights Templar member, were found dead, burned in a truck. On

[20] http://mexico.cnn.com/nacional/2014/03/06/las-autodefensas-de-michoacan-acuerdan-hacer-una-limpia-en-sus-filas
[21] http://news.yahoo.com/mexico-draw-line-vigilantes-231828360.html
[22] http://www.insightcrime.org/news-analysis/a-legal-framework-will-not-solve-mexicos-vigilante-issue
[23] http://www.jornada.unam.mx/2014/01/21/politica/005n1pol ; http://www.eluniversal.com.mx/primera-plana/2014/impreso/-8220leales-a-hipolito-presuntos-asesinos-8221-44647.html ; http://mexico.cnn.com/nacional/2014/02/13/10-cosas-que-debes-saber-para-entender-el-conflicto-en-michoacan
[24] http://www.lajornadamichoacan.com.mx/2014/02/22/ex-templarios-no-seran-aceptados-en-las-autodefensas-hipolito-y-padre-goyo/

March 12, 2013, Hipolito Mora Chavez was accused of being involved in the deaths.[25] However, Mora Chávez and the priest, López Gerómino, deny Mora Chávez involvement and state that Mora Chávez is being set-up infiltrated members of the Knights Templar who want to start an internal battle between the vigilante groups to regain control of the area. Ibid.

5. Are there any recognizable signs or characteristics that distinguish the Knights Templar cartel from any other criminal groups in Mexico?

Pseudo-religious: Like their predecessor, La Familia Michoacana, the Knights Templar claim to be religiously influenced and waging an ideological battle against the drug cartels. Particularly at the beginning, the Knights claimed the group was religious – hence the name and imagery used of the medieval Knights Templar (a Christian military order endorsed by the Catholic Church in charge with protecting Christians during the Crusades). The Knights Templar of Michoacán published a code of conduct in which they claim to fight against poverty, materialism, tyranny, injustice, and in defense of long standing societal ethics. The twenty-two page pamphlet entitled "The Code of the Knights Templar of Michoacán" states, among other things, that the members are prohibited from the abuse chaste and under-aged women, and the pamphlet espouses religious ideas and principals that are in line with the population. The Knights also criticized the federal police for not protecting the citizens from the violence of the Zetas.[26] One of the founders, of the Knights, who was formerly a leader of La Familia Michoacana, Nazario Moreno Gonzalez, gained cult-like popularity among some of the population in Michoacán because he was seen as a messianic leader. Speculation that he was still alive after his supposed shooting/death in 2010 by Mexican authorities (which ultimately was proved correct – see above) only added to his legend.

Social media: The Knights Templar are becoming increasingly savvy with social media. Some members have posted gruesome photos and even "selfies" on Facebook and other social media sites. According to experts, they do this both to intimidate but also to gain a popular following.[27] One Knights Templar hit man in particular, Antonio Olalde, aka Broly, has gained notoriety and a popular following on Facebook for his "sexy" and "pouty" selfies. In an interview he stated that his father worked for the Mexican government but did not elaborate further.

Business model: According to several experts, the Knights Templar is unique because the cartel is run more like a transnational business organization rather than a traditional cartel. Traditional cartels are in the business of selling illegal drugs, and being active in other criminal activities, like prostitution and human trafficking. However, the Knights Templar are also engaged in low and high level extortion/kidnapping of not only individuals and small businesses, but also large state industries, like iron and mineral mines, as well as large private industries like avocado and

[25] http://www.nytimes.com/2014/03/13/world/americas/opponent-of-mexicos-cartels-is-detained-in-vigilantes-deaths.html?src=un&feedurl=http%3A%2F%2Fjson8.nytimes.com%2Fpages%2Fworld%2Famericas%2Findex.jsonp&_r=2 ; http://www.eluniversal.com.mx/nacion-mexico/2014/impreso/rencillas-en-las-autodefensas-213904.html ; http://www.eluniversal.com.mx/primera-plana/2014/impreso/-8220leales-a-hipolito-presuntos-asesinos-8221-44647.html

[26] http://www.prensalibre.com/internacional/Cartel-mexicano-Caballeros-Templarios-conducta_0_520748179.html

[27] http://www.nydailynews.com/news/world/mexican-drug-cartel-thugs-post-atrocities-social-media-article-1.1515860

lime producers. The main source of income for the Knights Templar was illegal mining sold to China.[28] Exports of minerals to China went from 1-1.5 million tons to 4 million tons under the Knights Templar.[29] "'I've never looked at them as drug-trafficking organizations,' Logan said of Mexico's cartels. 'They're multinational corporations that will react to market pressures and do what they have to do to stay in business.'"[30] This: "contrasts with traditional drug-trafficking cartels, which generate jobs and wealth for local people, buying loyalty and protection. The classic example is the Sinaloa cartel, the only pure drug-trafficking organization left in Mexico, even with the recent capture of its leader, Joaquin 'El Chapo' Guzman." Ibid.

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[28] https://janes.ihs.com/CustomPages/Janes/DisplayPage.aspx?DocType=News&ItemId=+++1703781&Pubabbrev=JIWK ; http://noticias.univision.com/article/1824712/2014-01-22/mexico/noticias/los-caballeros-templarios-operan-como-una-empres

[29] http://www.milenio.com/policia/Caballeros_Templarios-Michoacan-China-hierro-Lazaro_Cardenas_0_219578203.html

[30] http://news.yahoo.com/mexico-drug-cartel-makes-more-dealing-iron-ore-043802519.html

Land Conflict in Oaxaca between the Municipalities of San Sebastián Nopalera and Zimatlán de Lázaro Cárdenas

August 24, 2015

This response provides an overview of historic and contemporary conflict over land in the Mexican state of Oaxaca between residents of the municipalities of San Sebastián Nopalera and Zimatlán de Lázaro Cárdenas.

Query

This query was submitted by the Newark Asylum Office, RAIO, USCIS.

What information is available on conflict over land in Oaxaca between residents of the municipalities of San Sebastián Nopalera and Zimatlán de Lázaro Cárdenas?

Response

The origins of agrarian conflict between San Sebastián Nopalera (hereafter Nopalera) and Zimatlán de Lázaro Cárdenas (hereafter Zimatlán) date back to 1933. In this year, residents of Nopalera were granted 1,416 hectares of communal land (known as an ejido). Shortly thereafter, a group of settlers claimed a piece of the land and called their settlement Zimatlán. The actual conflict started in 1953, when settlers from Zimatlán petitioned the Secretariat of Agrarian Reform for the division of the communal land. Residents of Zimatlán submitted additional petitions in 1980, 1985, 1992, and 1993. In 1984, Nopalera accepted the division of the communal land, but Zimatlán rejected their proposal.

In 1998, conflict over 499 hectares of disputed land intensified between Zimatlán and another neighboring municipality in Oaxaca, San Pedro Yosotato, Tlaxiaco (hereafter Yosotato). Residents of Yosotato incited various violent incidents against residents of Zimatlán. Nopalera became involved in the conflict in defense of the lands claimed by Zimatlán. The conflict lasted for five years, and left 5 people dead, 11 arrested, 65 homes burned, and cattle stolen and harvests lost, among other forms of harm. In 2004, the parties in conflict entered into dialogue. In June 2006, the Agrarian Tribunal issued a sentence that divided the disputed land between Zimatlán and Nopalera on one side (415 hecatares), and Yosotato on the other (84 hecatares). However, Nopalera denied to recognize the rights of Zimatlán to the land, only wanting to grant them a small part. The ruling did not delineate the percentage of land to be awarded to each of the communities, provoking further conflict.

In March 2010, violent conflict broke out between Zimatlán and Nopalera. According to Maurilio Santiago Reyes, the president of the Centro de Derechos Humanos y Asesoría a Pueblos Indígenas (CEDHAPI), local authorities from Nopalera were leading the aggression against residents of Zimatlán. On March 8, homes were burned in Zimatlán and constant gunfire was reported, causing teachers and health professionals to flee the community, and women to abandon working in the fields. On May 29, two individuals from Zimatlán disappeared. On July 20, two people were wounded by gunfire. In total, 70 people fled the community and took shelter in the municipal government headquarters. Santiago Reyes claimed that state government authorities did nothing to resolve the situation.

In August 2010, residents of Zimatlán requested police presence because they felt threatened by their neighbors in Nopalera. Also in August, CEDHAPI requested "precautionary measures" for the 850 residents of Zimatlán before Inter-American Commission for Human Rights (CIDH). The CIDH granted the measures to protect the life and physical integrity of all inhabitants; the Mexican government was required to comply with the measures, and guarantee the security of the inhabitants.

In February 2011, eight people were killed, 12 injured, five detained, and one disappeared as a result of a shootout between residents of Nopalera y Zimatlán.
Maurilio Santiago Reyes, the president of CEDHAPI, again claimed that residents of Nopalera were the aggressors. He also noted that sporadic gunfire evolved into shootouts, and at one point 400 armed men were sighted.

In May 2012, in a letter to the governor of Oaxaca, Nopalera accepted the proposal of Zimatlán to resolve the situation.

In October 2012, officials from Nopalera held a press conference announcing that they would accept the proposal made by the Oaxacan Secretary General of Government to divide the lands in conflict. Officials from Nopalera claimed that prior agreements had failed to end the attacks that had impacted more than half a dozen homes in their community. Nopalera officials claimed that the land was theirs, but that they are agreeing to the proposal because they want peace.

In March 2013, municipal authorities and residents of Zimatlán urged the state government to provide assistance with resolving the conflict. Authorities noted that certain areas of Zimatlán are affected constantly, to the extent that they cannot grow crops and have been destroyed. State government officials noted that there were around 60 municipalities in Oaxaca where there was conflict over land.

In April 2013, officials from Nopalera threatened to revoke a peace accord with Zimatlán, due to recent "armed incursions to burn their land" and a lack of attention from state and federal officials; they claimed that on April 23, residents from Zimatlán burned 30 hectares of their land.

In early September 2014, authorities of Nopalera claimed that there had been gunshots fired by residents of Zimatlán. State officials met with municipal authorities from both communities and noted that there was no direct conflict.

On September 5, 2014, the state government of Oaxaca announced the ratification of a peace agreement between representatives of Nopalera and Zimatlán. The General Assembly of Nopalera was scheduled to confirm the division of the land in November 2014, with the participation of federal and state agencies. Per the request of the representatives of Nopalera, the State Government of Oaxaca agreed to strengthen police presence in the area in order to protect the agreement and preserve order.

In October 2014, before the CIDH, Nopalera officials criticized the federal government for failing to resolve the conflict, and claimed that the Mexican state has a racist attitude and lacks interest in resolving the problems of indigenous communities.

On November 23, 2014, the assembly of Nopalera voted to accept the government's proposal to divide the disputed territory, as well as other terms of the peace agreement. The agreement is the latest in a series that Nopalera has agreed to with other neighboring communities in recent years, including in 2005, with Santa Lucía Monteverde; in 2013, with Santiago Nuyoo; in 2006, with San Antonio Jicaltepec, and in 2008, with San Pedro Yosotatu.

In March 2015, during a press conference about an upcoming protest march in Mexico City regarding agrarian, social, and political conflicts in Oaxaca and the failure of state officials to adequately address these conflicts, an NGO stated that, despite the "precautionary measures" of the CIDH, there is no solution to the conflict between Nopalera and Zimatlán.

In August 2015, Arturo Peimbert Calvo, the Ombudsman for Human Rights of the People of Oaxaca, referred to the conflict as a "serious social and agrarian problem," in the third annual report of the Defender of Human Rights of the People of Oaxaca; the report also noted that the definitive solution to the conflict between Nopalera and Zimatlán would be the division of the ejido.

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U.S. Citizenship and Immigration Services

Refugee, Asylum and Int'l Operations Research Unit

Response to Information Reques

Date: 12 August 2013

Subject: Mexico: Information on legal changes relating to same-sex marriage and adoption, and violence against members of the LGBTI community

From: USCIS, Refugee, Asylum & Int'l Operations Research Unit, Washington, D.C.

Keywords:

Query:

(1) How often are gay men in Mexico targeted for harm;
(2) The Mexican government's willingness and ability to protect gay men from harm; and
(3) Whether it is safe for openly gay men to live in Mexico City.

Response

On December 22, 2009, the Mexican legislature passed a law formally entitling same-sex couples to marry and adopt in Mexico City by a vote of 31-24, with nine abstentions.[1] From the time the law went into effect in March 2010 until September 2011, more than 1,000 same-sex couples married in Mexico City.[2] In August 2010, the Mexican Supreme Court, in a 9-2 decision, held that gay marriages entered into in Mexico City must be legally recognized in the country's other states.[3] By March 2013, the Mexican Supreme Court ruled that homophobic language, such as "maricon" (faggot), is hate speech and not entitled to legal protection.[4]

These changes have made Mexico's LGBTI community more prevalent in the public domain. For example, in July 2013, a collective same-sex marriage featuring 26 couples took place in

[1] México DF legaliza el matrimonio homosexual, EFE, Dec. 22, 2009. Same-sex couples is Mexico were legally entitled to enter into domestic partnerships pursuant to the Domestic Partnership Law (Ley de Sociedad de Convivencias), approved on December 16, 2006. The first gay "marriage" was highly publicized and held pursuant to the rights extended under this law, which included, but were not limited to inheritance, health, and housing benefits. On February 14, 2007, approximately 500 same-sex couples registered to enter into domestic partnerships at a registration drive in Mexico City. Primer matrimonio gay en México, NUEVO DIARIO (Nic.), Mar. 16, 2007.
[2] Primera adopción de una pareja gay en México, RT (Mex.), Sept. 3, 2011.
[3] Jesús Aranda, Válidas en todo el país las bodas gay del DF, determina la Corte, LA JORNADA (Mex.), Aug. 11, 2010.
[4] Alberto Nájar, En México la homofobia se paga con multa, BBC MUNDO, Mar. 8, 2013.

downtown Mexico City.[5] Eighty gay couples also held a symbolic wedding in Monterey to pressure that state's legislature to follow Mexico City's lead.[6] Efforts to extend equal rights to LGBTI persons are led by the Democratic Revolution Party (Partido de la Revolución Democrática – PRD), with the support of the Labor Party (Partido del Trabajo – PT).[7]

The recently enacted laws and the LGBTI community have encountered opposition from political parties and the Catholic Church. Political opponents to marriage equality include the National Action Party (Partido de Acción Nacional – PAN) and Green Ecological Party of Mexico (Partido Verde Ecologista de México – PVEM).[8] The Catholic Church has also taken a position against the legal reforms. For example, in August 2010, the Archbishop of Guadalajara remarked in church, "Would you like to be adopted by a couple of faggots?"[9] The Catholic Church, however, holds that it is not against homosexuality, but rather the commission of homosexual acts.[10] Through a doctrine of guilt and regret, the Catholic Church attempts to "heal" people from what it calls "same-sex attraction."[11]

Members of the LGBTI community suffer from discrimination and may be targets of violence. The National Counsel for the Prevention of Discrimination (Consejo Nacional para Prevenir la Discriminación - CONAPRED), created in 2004, receives most complaints from LGBTI persons and individuals with disabilities, each accounting for 14% of total filings.[12] Official statistics on hate crimes or killings of LGBTI persons are not available.[13] However, according to the Citizens Commission Against Homophobic Hate Crimes (Comisión Ciudadana Contra Crímenes de Odio por Homofobia – CCCCOH), there were 798 homicides of LGBTI persons from 1998-2013. CCCCOH statistics indicate that the average number of killings rose from 33 in 1995-2004 to 51 from 2005-2013.[14] Statistics provided by the organization Letter S (Letra S) vary, indicating that there were 420 homicides of LGBTI persons from 1995-2006.[15] A third source, the Report on Homophobic Hate Crimes (1995-2008), reportedly states that 143 LGBTI persons were killed during the reporting period.[16]

The RAIO Research Unit was unable to access the original reports published by CCCCOH or Letras S within the time constraints of this research and is therefore unable to determine the

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[5] En fotos: La primera boda colectiva gay de 2013, ANIMAL POLITICO, July 14, 2013, http://www.animalpolitico.com/2013/07/en-fotos-la-primera-boda-gay-colectiva-del-df/#axzz2bPHWhKyX, last accessed Aug. 12, 2013.
[6] Parejas gays se casan simbólicamente en Monterey, TERRA (Mex.), Feb. 16, 2013, http://noticias.terra.com.mx/mexico/estados/nuevo-leon/parejas-gays-se-casan-simbolicamente-en-monterrey,df8f9608b36ec310VgnVCM4000009bcceb0aRCRD.html, last accessed Aug. 12, 2013.
[7] México DF legaliza el matrimonio homosexual, supra note 1.
[8] Id.
[9] México discrimina a gays y mujeres, EL UNIVERSAL (Mex.), Mar. 3, 2012.
[10] Alberto Nájar, México: Católicos buscan "sanar" a los homosexuales, BBC MUNDO, Dec. 8, 2010.
[11] Id.
[12] México discrimina a gays y mujeres, supra note 9.
[13] Ocupa México Segundo lugar en crímenes de odio por homofobia: IKOS, NOTIMEX, May 17, 2013.
[14] Id. citing to statistics attributed to CCCCOH.
[15] COMISIÓN NACIONAL DE DERECHOS HUMANOS (MEX.)/NAT'L COMMISSION ON HUMAN RIGHTS, INFORME ESPECIAL DE LA COMISIÓN NACIONAL DE LOS DERECHOS HUMANOS SOBRE VIOLACIONES A LOS DERECHOS HUMANOS Y DELITOS COMETIDOS POR HOMOFOBIA, at p.2, available at http://www.cndh.org.mx/sites/all/fuentes/documentos/informes/especiales/2010_homofobia.pdf.
[16] Torturan y asesinan a homosexual en el centro de México, AFP, Feb. 6, 2013.

accuracy of these statistics, as reported, and regions of Mexico where hate crime against homosexuals is more prevalent.

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Response to Information Request **Number:** MEX05001.ZLA

Date: 2 February 2005

Subject: Mexico: Update on Treatment of Sexual Minorities for the Year 2004

From: USCIS Resource Information Center, Washington, DC

Keywords: Mexico / Discrimination based on sexual orientation / Homosexuals / Lesbians / Police brutality / Transsexuals

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Query: What developments have there been in the treatment of sexual minorities in Mexico during the year 2004?

Response:

Despite appreciable legal gains for sexual minorities, Mexico remains a country of sharp contrasts and contradictions. Gay-friendly businesses have opened up in the tourist zones of Mexico City, Acapulco, Puerto Vallarta, Mazatlán, and Cancún, and Mexico City's high-brow cultural scene is promoting respect for sexual minorities. Yet most everywhere else in Mexico, deep-seated hostility to homosexuality persists, particularly against men who are perceived as effeminate. Transvestites are the primary targets of that wrath. In this climate, legal gains have remained for the most part paper gains, as even state governments ignore the federal law banning discrimination on the basis of sexual orientation, a law that is strong on high-minded prose but provides scant powers of enforcement.

According to anthropologist César Octavio González Pérez, "Unfortunately there are many laws that are there as window dressing, in order to be able to say that human rights are being respected. But there are many regulations that contradict constitutional principles. What is needed is a lot of political work and public education" (Zamora 28 June 2004).

Transgendered persons scored a legal gain in Mexico's Federal District (the central part of Mexico City) with the promulgation on March 13, 2004, of an amendment to Article 135 of the Civil Code. The amendment, proposed by Mayor Andrés Manuel López Obrador on December 2, 2003, and passed by the Representative Assembly of the Federal District on January 26, enables any individual "upon request to change a name or any other essential data affecting a person's civil status, filiations, nationality, sex and identity" in official documents. That means transgendered persons can now switch their name and sexual identity without an arduous and costly legal process, and without having to first undergo a sex-change operation (IGLHRC 15 June 2004).

The political gain coincided with the release of "Bad Education," a new motion picture by famed director Pedro Almodovar ("All About My Mother"). The film cast 25-year-old Mexican

heartthrob Gael García Bernal ("Amores Perros," "Y Tu Mamá Tambien," "Motorcycle Diaries") in the lead role, as a transvestite who suffered sexual abuse during his Catholic upbringing. By choosing a handsome Mexican actor often likened to James Dean to portray a transvestite, Almodovar created a sympathetic view of a member of a group that is typically despised in Mexican popular culture (Geitz; Wood).

Even so, real transgendered persons continued to suffer discrimination, even among stars of stage and screen. On April 23, 2004, federal agents arrested Jacqueline Aristegui – better known by her stage name "Libertad" ("Freedom") – in Puebla, where she had been performing in the sex farce "Violines y Trompetillas" ("Violins and Little Trumpets"). They charged her with falsifying a voter registration document because she used her female name rather than the name she had been born with. As Armando Palomo Suárez, "Libertad" had achieved fame as one of Latin America's top male soap opera stars before having a sex change operation in the United States in 1997, and adopting a female name to match. On June 8, 2004, a federal judge ruled that Libertad was guilty as charged. Mexican authorities did not dispute Libertad's feminine identity; they just disputed her right to switch names under existing law. Libertad appealed the decision, saying the real issue was the federal government's unwillingness to grant legal rights to transsexuals. "I feel as if I were a criminal," she said, "and I'm not a criminal" (Johnson).

On September 28, 2004, the Federal District published a regulation requiring "respect for human rights, without distinction or preference by group, religion, sexual orientation or by particular individuals," in the prison system. According to Mexico City Secretary of Government Alejandro Encinas, the new regulation enables gay inmates to request intimate conjugal visits, just like heterosexual inmates. The rules require "a permanent, stable relationship," which need not necessarily be marriage, as a condition for exercising the privilege (AP 29 Sep 2004).

Sexual minorities continued to achieve gains in public acceptance in parts of some larger cities and tourist resorts. The chic Zona Rosa ("Pink Zone") shopping district in the center of Mexico City is one example. A large number of recently-established gay and lesbian-oriented cafes, clothing stores, and restaurants have transformed several blocks into a relative haven for sexual minorities (Schiller). The BGay BProud café, which opened in the summer of 2003, features large windows offering a street-level view of its brightly-lit interior, where gay and lesbian couples hold hands and occasionally kiss in full public view. Co-owner Gerardo Espinosa, 22, told a reporter "We're not the typical gay place that's afraid to be seen. We want to show Mexican society that we are here, that we're nice people, and that we are not ashamed" (Buchsbaum). Throughout the Zona Rosa, young men can be seen walking with their arms around each other, gathering on street corners, and eyeing passers-by. Lesbian couples are likewise beginning to show affection in public. "In the last five years, there is a freer gay climate here," university student Alberto Ibarra, 23, told a reporter. Outside the Zona Rosa, though, "there is still a lot of discrimination despite the changes" (Iliff).

However, even in the Zona Rosa, despite its generally freer atmosphere, police still abuse homosexuals. At about 9:30 pm on July 20, 2004, seven gay students – Víctor Enrique López Díaz, César Solís Sánchez, Héctor Pérez Pérez, Antonio Daniel Sánchez Bonilla, and three

more who requested anonymity – left a restaurant where they had been dining on Lenders Street. Five police officers, three of them in plainclothes, approached and asked if they were gay. When they said yes, the police made them line up against a wall, and searched them, as one officer made a sarcastic remark, "We will search you, but don't get excited." None of the officers produced a search warrant, and they uncovered nothing illegal. Antonio Sánchez Bonilla said "we thought it was an operative to find weapons or drugs and that we would be released when they found nothing on us. But they forced us into the vehicles, using a lot of violence." The officers took them in police vehicles with license plate numbers 58028, 58040, 58044, and 58045 to Civic Court Number 3, where the students were told they were being arrested for "incitement to prostitution or the practice of it," under Article 8.11 of the Civic Justice Code. None of the young men were brought before a judge, nor were they allowed to make telephone calls as required by law. They used cell phones to notify their families. Requests to use the toilet were denied on the basis of a supposed public health risk posed by their being gay. One of the officers fondled his own crotch and asked César Solís whether he liked what he was seeing. Three of the students obtained release by paying bribes; the other four were held more than thirteen hours. A policewoman confided to Víctor López that they had been arrested because he had been holding hands with his partner, César Solís. As the police behavior violated both city and federal anti-discrimination statutes, the students filed a complaint with the Human Rights Commission of the Federal District (IGLHRC 13 Aug 2004).

Generally speaking, outside a few upscale neighborhoods and small tourist zones, homosexuals continue to be subject to prejudice, discrimination and physical abuse throughout Mexico. A case in point was the May 13, 2004, fatal stabbing of Mario Medina Vazquez, a gay U.S. citizen, in Nuevo Laredo, Tamaulipas. Medina was being held on murder charges in the city jail. A fellow inmate, Roberto Herrera Gonzalez, alias "El Pitufo," stabbed him at least 26 times. The killing occurred after local officials ignored a request from the U.S. Embassy to ensure Medina's safety. Both Medina, who was 23, and his Mexican partner, Hiram Olivares, had been charged with the March 19 murder of Roberto Mora, editor of the Nuevo Laredo newspaper El Mañana. Mora's apartment was located one floor down from theirs (AP 14 May 2004; Hernández).

Prosecutors said Medina had confessed to killing Mora in a jealous rage because he "imagined" Mora was having a relationship with Olivares. But Medina said he had been tortured into making the confession, following days in which he was deprived of sleep, beaten, and threatened with death: "You have to understand, I had no choice. It was either die or confess." He said he had been interrogated and tested for traces of blood on the night of the murder, then released when none were found. The test results were excluded from the investigation. Journalists also discovered that the videotape containing the confession had been doctored (AP 14 May 2004; Hernández; Althaus).

Roberto Mora's journalistic colleagues dismissed the charges against Medina as a "sham" intended to cover up drug cartel involvement in the killing. As editorial director of Nuevo Laredo's morning newspaper, Mora had published front-page exposés of activities of the Gulf Cartel, a drug trafficking organization prominent in the region. In April, the Office of the Federal Attorney General announced it was investigating allegations that the Tamaulipas police were providing protection to the Gulf Cartel. As the scandal continued to unfold amid protests

from the U.S. Embassy, Tamaulipas State Attorney General Francisco Cayuela resigned on May 14 (AP 14 May 2004; Hernández; Althaus).

Like Tamaulipas, the Pacific coast state of Colima is more representative of Mexico as a whole than the tourist centers where sexual minorities have scored the greatest gains. According to anthropologist César Octavio González Pérez, author of Transvestites Undressed: Homosexuality, Identity, and Territorial Struggles in Colima (Travestidos al desnudo: homosexualidad, identidad y luchas territoriales en Colima), it remains a very hostile place for homosexuals, "who are tolerated to the extent that they remain invisible, because visibility sets off anxiety in some parts of society." Despite national legislation banning discrimination against sexual minorities, González has found that such discrimination remains entrenched. The state's Technical Regulation for the Exercise of Prostitution (Norma Técnica para el Ejercicio de la Prostitución) penalizes transvestite prostitution while tolerating other forms of sex work. Police take advantage of that regulation to arrest transvestites and charge them with prostitution even when they do not have a shred of evidence. Another regulation states that no place that serves alcoholic beverages may be located within 100 meters of any church, school, or residential area. Yet it is only enforced against gay bars and discotheques. Among the few gay venues that have not been closed by the authorities is the discotheque Danza on the outskirts of Villa de Alvarez, which is located in a seedy area near the former municipal dump (Zamora 22 June 2004).

González says that violence against men who are considered effeminate, and transvestites in particular, is underreported because families prefer not to incur feelings of shame in conservative communities. Such violence is also widely excused by saying that the victims must have provoked someone, and that if they had been behaving properly nothing would have happened (Zamora 22 June 2004).

Gay and transvestite activists formed Colima's first LGBT organization in June 2003. They named it Colima Association in Support of Diversity (Asociación Colimense de Apoyo a la Diversidad, ACADI). The new group's communications director, Jorge Iglesias de la Cruz, who also heads Colima Friends Against AIDS (Amigos Colimenses contra el SIDA, ACOLSIDA), said "our society is becoming more open to the topic of sexual diversity, and we must take advantage of that … if we organize the gay community we will be strengthened in our quest to secure our rights." Ramón, a sales agent and founding member, said "Homosexuals do not have access to good jobs because of societal discrimination, and we sometimes suffer abuse from the authorities, because the police do not like to see a man dressed like a woman on the street, and quickly haul him off to jail, and often beat him too – and who says anything?" (Zamora June 2003).

The abuses persist. Around noon on May 11, 2004, agents of the Colima Justice Police (Policía de Procuración de Justicia) based in Armería detained Sergio Morfín Bautista, a 40 year old transvestite from Morelia, Michoacán, who was travelling by bus from Manzanillo to Guadalajara. When the bus driver asked the police whether they had a warrant, they told him to keep quiet and stay out of the matter. In a complaint filed with the State Human Rights Commision (Comisión Estatal de Derechos Humanos, CEDH), Morfín said the police treated him roughly, and stole 140,000 pesos and a lot of valuables, including a watch and rings.

Sensing he was about to be tortured, he warned the officers that he was HIV-positive and that they could get infected by contact with his blood. At that point they left him alone, but without his HIV medications and without food. They released him the following day, but would not return his money and valuables, asking him "What would you prefer? That we send you to prison, or that we keep all of this?" As he was leaving, he saw his jewelry spread out on a desk, surrounded by police officers and three secretaries. One of the officers told the secretaries to "choose the ones you want, dolls, there's plenty for everyone." One of the officers then pushed him out to the street, telling him to return to Morelia and not come back, and warned that if he filed a complaint he would be made to "disappear." To replace his HIV medication, Morfín had to seek assistance from ACOLSIDA (Zamora 15 May 2004).

According to the National Center for the Prevention and Control of HIV-AIDS (Centro Nacional para el Control y Prevención del VIH/SIDA, CENSIDA), Mexico had just over 90,000 diagnosed cases of HIV-infected individuals, and an estimated 160,000 undiagnosed cases, for a total of about a quarter million infected persons. Eighty percent of the new cases diagnosed in the first half of 2004 were men; just over 18 percent were women; and only 2 percent were children and adolescents under 15 years old. That pattern diverged markedly from the global pattern, where most new cases have been among women and children. It indicated that male to male transmission through homosexual contact remained the principal means of transmission of HIV. CENSIDA responded by distributing condoms through 21 non-governmental organizations that seek to stop the spread of HIV among sex workers. It also spread the warning that "Machismo puts the risk on women and men. You can change it!" – an allusion to machismo-influenced attitudes that contribute to a low rate of condom use among "real men" when engaging in sexual activity with either men or women (Barclay).

In 2003, First Lady Marta Sahagún de Fox advocated the use of condoms as a measure to halt the spread of HIV, but was denounced by two Catholic Bishops, who told the Mexico City daily newspaper Reforma that it was "depraved" to sanction sexual license by promoting the use of condoms (Barclay).

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Attachments

None.

Response to Information Request **Number:** MEX05002.ZSF

Date: 19 July 2005

Subject: Mexico: Information on Cultural Roots and Current Incidence of Domestic Violence in Mexico

From: USCIS Resource Information Center, Washington, DC

Keywords: Mexico / Domestic violence / Cultural heritage / Sexual assault

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Query: How does culture have an impact on domestic violence in Mexico?

Response:

ORIGINS OF INSTITUTIONALIZED MACHISMO AND MARIANISMO

Domestic Violence in Mexico affects women from all ethnic and socio-economic groups. According to the National Institute of Women of Mexico, INAMU (Instituto Nacional de las Mujeres), "Gender violence includes values, beliefs and attitudes learned that are passed on from generation to generation regardless of economic, social, educational, ethnic, religious status, or political ideas" (INAMU 2004).

According to Giselle Aguilar Hass, Professor at the American School of Professional Psychology, existing institutionalized structures, dominant societal norms, and gender roles can be seen as a result of cultural and ideological systems inherited from the Spanish conquest. According to Haas, the reverence of the submissive role and lack of value attributed to women in Latino culture can be traced historically to the conquest and/or the act of colonization. In particular, the "characteristics of the conquest were such that what men believed was a temporary sexual use of native women became their life long relationship. The already low social situation of these native women became compounded by the presence of Spanish white women and the consequent racial differentiation" (Haas Sep 1996). The idealized perception of the Spanish conquistador evolved into what is now known as the modern day "macho." According to Steven Bocchi, "Machismo is characterized by hypervirility, the aggressive masculine behavior that is expected of the Latin American male. One who is macho is admired for his physical strength, bold and sexual advances toward women, great sexual prowess, self-confidence and bravery. Macho men express these characteristics through both their words and actions" (Bocchi 2003, 1).

"Marianismo" or "Marianism" is the stereotyped female equivalent and has been classified as a response to macho behavior by some. The Mariana is expected to be the antithesis of her male counterpart. Therefore the Mariana is idealized for her purity, submissiveness to her spouse, father, brothers, etc. and lacks any sexual desire or behavior (Bocchi 2003, 1). Although not a

specific religious practice, Marianism is frequently associated with a movement in the Roman Catholic Church. The term Marianism is often used to describe a woman whose behavior is thought to closely resemble that of the Virgin Mary. To aspire to and emulate the life of the Virgin Mary means to uphold "the sacrament of marriage forever, the obligation to help others in need or emotional stress, as well as the endorsement of altruism and suffering" (Haas Sep 1996). Holding women to such an expectation is believed to have led to the validation of violence and women's suffering.

It is important to examine how the power of religious influence has evolved into and permeated cultural practices and expectations. When asked what role Catholicism plays in the lives of Latina domestic violence victims and how religion may influence their decision to leave an abusive partner, a social worker for AYUDA, Inc. of Washington, DC, responded, "Catholicism is not only a religion, but that which dictates social norms and regulations and the large part of the culture in our countries. Whatever women do that is contradictory to this norm is not accepted well" (Calderon Dec 2003).* This is by no means to posit that the Catholic Church is in any way directly responsible for encouraging abusive behavior. However, the analysis highlights extremely influential structures that have potentially fostered dominant cultural ideological systems maintained in Mexico today.

THE FAMILY

According to Hondagneu-Sotelo, the legacy of historical, religious, and social norms is best examined in the family unit. Hondagneu-Sotelo maintains that family relations are important to understand because they are representative of greater ideological and cultural values, and they "enact and reconstruct patriarchal gender relations in families (Hondagneu-Sotelo 1994). The work of Jennifer Hirsch and Constance Nathanson, "En El Norte, La Mujer Manda: Gender, Generation, and Geography In A Mexican Transnational Community," makes generational comparisons through the examination of the respective languages of Mexican mothers and their daughters who have migrated to the United States to demonstrate their differing social values. For the mother living in Mexico, the word "respeto" is used to explain her relationship with her husband, meaning "keeping conflict underground and carefully managing speech to stay within the bounds of respect" (Hirsch 1999). In contrast, the daughter living in Atlanta, GA uses the word "confianza," a word that implies equality within a relationship (Hirsch 1999).

The power and influence of cultural norms on the community, family, and more specifically on the women in the family unit can be seen when Hirsch writes, "Any inability to get along, to 'saberse llevar,' casts shame on the woman's natal family: women knew that their parents would not take them back once they married" (Hirsch 1999). If the woman decides to leave her partner and remain in the community, the cost is often community wide rejection (Parreñas 2001). According to Yvonne Vega Martinez, director of AYUDA, Inc., in "Latino culture, when a man is accepted as a son-in-law in the family, he is there for life" (Vega Martinez Dec 2003).

Important industrial and political developments and significant migration to urban areas have brought about tremendous changes in Mexican society. For example, employment opportunities for women have increased and national fertility rates have declined markedly

(Hondagneu-Sotelo 1994). The question remains whether this progress has translated into institutional structures in Mexico such as legislation and police protection for women who are victims of violence in Mexican society. As of 2002, crimes of sexual violence and rape were met with a 99% rate of impunity, according to women's groups (Jordan 2 Jul 2002). It is important to differentiate between urban and rural areas when examining the extent to which patriarchal constructs have not only permeated but persist in Mexican society.**

In many rural areas of Mexico, women are still subjected to what is known as customary law. In the article, "In Mexico, and Unpunished Crime," Mary Jordan writes, "Whatever problems women face in cities and towns are compounded in the villages, where the only real law is customary law. Ten million Mexicans are indigenous, as are most people in these highlands of the Sierra Madre. In many of the thousands of indigenous communities, by custom, women are essentially servants of their fathers, brothers and husbands. Town elders, who act as judges in local criminal matters are invariably men" (Jordan 2 Jul 2002).

Another example of how the legacies of historical patriarchal norms are highly visible in rural areas is the custom of "rapto." This custom is defined by law as "a case in which a man kidnaps a woman not for ransom but with the intent of marrying her or to satisfy his 'erotic sexual desire.' " This practice was challenged by the Oaxacan Women's Institute, a government-funded women's NGO in Oaxaca. During the summer of 2001, the Oaxacan Women's Institute persuaded the legislature to pass criminal penalties of a minimum of ten years detention for those who practice "rapto." However, in March, 2002 the Mexican legislature amended the penalties for "rapto," defining the act as a minor infraction after a male legislator argued that the custom was "harmless and 'romantic'" (Jordan 2 Jul 2002).

The following two examples further demonstrate Mexico's need to modernize its legislation regarding violence towards women. According to Barbara Jordan, nineteen of the thirty-one Mexican states allow statutory rape charges to be dropped if the rapist agrees to marry the victim. Additionally, statutory rape victims bear the burden of proof of establishing both their purity and their chastity in all of the thirty-one states. (Jordan 2 Jul 2002).

A report released in December 2003 by the United Nations Office of the High Commissioner for Human Rights addresses severe problems within Mexico's institutions, including law enforcement and the justice system. The report came as a result of an agreement between President Vicente Fox and the UN High Commission for Human Rights during the president's first day in office in 2000. Part II of the agreement directed that a national human rights program be developed in 2002 based upon the UN's recommendations. The purpose of the report was also to highlight vulnerable populations within Mexico and to address how they have not been protected against brutal crimes and discrimination (HRW Dec 2003).

One of the most extreme examples of the state's failure to protect women in Mexico is reflected in the hundreds of unsolved murders of the young women of Ciudad Juarez. According to Amnesty International, approximately 370 women have been murdered over the last ten years. Of these women, it is estimated that at least 137 were victims of brutal sexual violence before their death (AI 11 Aug 2003). High levels of violence are characteristic for the state of Chihuahua, which has a high level of deaths as a result of domestic violence. What is notable

about the Juarez murders is not only the degree of brutality and high number of murders, but also the degree of impunity and discrimination of the state law enforcement and judicial systems. A Mexican woman who challenges a patriarchal ideology may experience rejection from her immediate family and local community, and may also encounter discrimination and enforcement from the justice system and other law enforcement entities. Amnesty International's article, "Mexico: Intolerable Killings: Ten years of Abductions and Murders in Ciudad Juarez and Chihuahua," illustrates the attitude of state authorities regarding the reporting of these killings:

In fact, in the first few years after the abductions and murders began, the authorities displayed open discrimination towards women and their families in their public statements. On more than one occasion the women themselves were blamed for their own abduction or murder because of the way they dressed or because they worked in bars at night. A few years later in February 1999, the former State Public Prosecutor, Arturo Gonzalez Rascun, was still maintaining "Women with a nightlife who go out very late and come into contact with drinkers are at risk. It's hard to go out on the street when it's raining and not get wet" (AI 11 Aug 2003).

The absence of the Mexican state and the inability of a woman to avail herself of state protection in Ciudad Juarez and Chihuahua, for example, are documented by the 2003 UN High Commissioner's Office's recommendations for the Mexican government. "There is a tendency to blame women for breaking family structures. In fact, the change in the economic model that has incorporated women into the labor market influences and affects traditional roles in the family without proportionate representation or compensation that would allow women to care for and educate their children. The lack of support by the state also contributes to the fact that women remain defenseless against violence (UNHCR 7 Dec 2003). The UN report argues that the case of Juarez is a stereotypical model of both what should have been done by the state to protect these women and what was not done. It also demonstrates systematic violence against gender (UNHCR 7 Dec 2003).

According to the UN report, domestic violence in Mexico affects one out of three families, and at least fifty percent of women in the country have been victims of some kind of violence in their lifetime. One of the greatest obstacles regarding domestic violence in Mexico brought to light was that most of the victims of domestic violence do not view the violence as abuse or rape. According to the findings of the UN, the following are reasons that explain why violence is not reported in Mexico:

Some of the reasons that there is a lack of condemnation of violence is that society minimizes, tolerates or promotes these acts; that they are threatened by the aggressor; there is a lack of familiarity of the appropriate mechanisms to denounce violence, or it recognized as a part of the culture. There is also a fear of the legal authorities, of the shame and fear of the consequences that denouncing violence might bring, more specifically when sexual violence has been committed by family members, which is the majority of cases. Because of this, it is very common that these crimes are not reported to the health or justice system. Denouncing family violence is seen as a betrayal of the culture or going against/breaking the familial bond. (UNHCR 7 Dec 2003)

Because the majority of the victims of domestic violence are women, one of the main recommendations by the UN is for the Mexican government to adopt existing programs that have a gendered focus in the areas of work, health, and family (UNHCR 7 Dec 2003).

*AYUDA is a non-profit community-based organization that provides legal, immigration, and social services to immigrant and refugee women who are fleeing from domestic violence. AYUDA provides both advocacy and policy work for immigrants and refugees in the DC area. In a report presented by the National Network on Behalf of Battered Immigrant women highlighting sixteen national, state, and local models for progressive policies, AYUDA was listed as having the best training and technical assistance practices in the nation. 98% of AYUDA's clients are Spanish speaking. In mid-December 2003, AYUDA's director, Yvonne Vega Martinez, and a social worker who works for AYUDA, Melba Calderón, were interviewed for this paper.

**See the Immigration and Refugee Board (IRB) of Canada's paper entitled, "Mexico: Domestic Violence and Other Issues Related to the Status of Women," dated March 2003, which delineates the status of legislation protecting women.

This response was prepared after researching publicly accessible information currently available to the RIC within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

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Attachments

None

Response to Information Request Number: MEX06001.ZMI

Date: 23 June 2006

Subject: Mexico: Information on the Procedure for Renunciation of Mexican Citizenship

From: USCIS Resource Information Center, Washington, DC

Query: Provide information on the procedures in 1983 for renouncing Mexican citizenship by a person with Colombian citizenship.

Provide information on documentation issued as proof of renunciation of Mexican citizenship.

Response:

Mexico's Constitution was amended on March 28, 1998 to specify that no native-born Mexican, and no Mexican born of a parent who is Mexican, may be deprived of Mexican nationality. A new Nationality Law (Ley de Nacionalidad) took effect that day. The new law for the first time allows dual nationality. Naturalized Mexicans, however, can still lose their nationality by becoming nationals of another country. A distinction is made between nationality and citizenship. Under Article 34 of the Constitution, Mexican nationals acquire citizenship when they reach adulthood and have an "honest way of life." Dual nationals must still choose where they will exercise citizenship: they may not register to vote in another country if they wish to vote in Mexico, for instance. Mexican nationals must use their Mexican passport to enter or leave Mexico, regardless of any other nationality they may possess. Dual nationals are exempted from military service, but must apply for an exemption (Martin).

The Nationality Law of 1998 also provided that any native-born Mexican or child of a Mexican national, who previously lost Mexican nationality by acquiring another nationality, could have his or her Mexican nationality restored by applying within five years. That opportunity expired on March 28, 2003 (Ministry of External Affairs).

Mexican government officials gave conflicting accounts of how the old law operated. According to the legal section of the Mexican Consulate in New York City, there were two possibilities under the old law. Anyone born of a Mexican parent and a foreign parent had to choose one or the other nationality upon becoming 18 years old. If an individual chose the foreign nationality, he or she would renounce the Mexican nationality in writing. If, on the other hand, a Mexican citizen of Mexican birth and parentage chose to become a citizen of another country, the loss of Mexican citizenship was automatic as far as the Mexicans were concerned, and did not require the submission of any letter of renunciation to the Mexican authorities (Mexican Consulate).

Mexico's Director of Naturalization offered a differing interpretation. She said that even prior to 1998, renunciation of citizenship did not, regardless of the circumstances, involve letters of renunciation. She said that renunciation took effect when the citizen was seen to have acquired a foreign passport, and that a proceeding was then launched to strip the individual of Mexican nationality (Director of Naturalization).

This response was prepared after researching publicly accessible information currently available to the RIC within time constraints. This response is not, and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum.

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Attachments

None

Response to Information Request Number: MEX06002.ZSF

Date: 8 August 2006

Subject: Mexico: Information on HIV-positive individuals - access to medical treatment

From: Resource Information Center, USCIS Asylum Division, Washington, DC

Keywords: Mexico / Acquired Immune Deficiency Syndrome / Discrimination based on health / Health care services / HIV-infected persons / Medical treatment / Patients / People with AIDS / Public health / Right to health

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Query: Provide information on whether HIV-positive individuals in Mexico are refused adequate medical treatment because they are HIV-positive.

Response:

According to most recent reports, HIV-positive individuals are not refused adequate medical treatment because they are HIV-positive. On the contrary, Mexico has made enormous progress in the past decade, transforming itself from one of the laggard countries in providing highly active antiretroviral therapy to one of the world's leading countries (Reding). According to the Joint United Nations Programme on HIV/AIDS (UNAIDS), the estimated percentage of known HIV-positive individuals receiving antiretroviral combination therapy in 2005 was 100 percent in Mexico. Mexico was one of only six Latin American countries to achieve universal coverage (UNAIDS, pp. 559-560).

In fact, the Mexican Ministry of Health has prioritized access to antiretrovirals (ARVs) for those without the means to pay for them. Seguro Popular, the Mexican system for providing free health care to those not enrolled in the social security system, now covers ARVs, ensuring universal free ARV drugs to all patients (Bulletin of the World Health Organization, pp. 543-544).

Advances in the provision of AIDS medicine in Mexico have been rapid in recent months. In August 2005, health ministers from Mexico, Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay, and Venezuela met in Buenos Aires to sign an agreement with twenty-six pharmaceutical companies to lower the cost of antiretroviral drugs by fifteen to fifty-five percent (Christian Science Monitor). Officials said the agreement, reached at the conclusion of two rounds of negotiations, would enable provision of the drugs to 100 percent of persons diagnosed with HIV/AIDS in Latin America, up from 73 percent at the time of the decision (IPS).

In October 2005, AIDS Healthcare Foundation (AHF), the largest AIDS organization in the US, teamed up with the Mexican nongovernmental organization Agencia Familiar Binacional, A.C.

(AFABI) to open a free AIDS clinic in Tijuana. The clinic provides free antiretroviral drug therapy and medical care for persons infected with HIV (PR Newswire US, 26 Oct 2005).

And finally, in July 2006, Gilead Sciences, Inc. announced it was cutting the price of antiretroviral drugs it sells to Mexico by almost two-thirds. Michael Weinstein, President of AIDS Healthcare Foundation, said "We hope that other drug companies will follow Gilead's lead and also reduce prices for AIDS drugs in many of these hard-hit middle-income countries" (PR Newswire US, 17 Jul 2006).

This response was prepared after researching publicly accessible information currently available to the Resource Information Center (RIC) within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

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Reding, Andrew. Expert Consultant to the USCIS Resource Information Center (RIC). Email to the RIC (18 Aug 2006).

Attachments

None.

Response to Information Request **Number:** MEX07002.ASM

Date: 1 March 2007

Subject: Information on U.S. military service and Mexican military service

From: USCIS, Asylum, Resource Information Center, Washington, D.C.

Keywords: Mexico / military / draft / conscription / exemption / deferment / lottery / penalties

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Query: Provide information, if any, on whether a Mexican's prior military service in the U.S. and lack of service in the military of Mexico would result in imprisonment of some sort and harsh treatment.

Response:

Summary:

Mexican law does not provide for exemption from the military draft based on having served in a foreign military, nor does it provide for penalties for serving in a foreign military. Mexican men residing abroad are required to register for the draft with the nearest Consulate during the calendar year in which they turn 18, and to keep the Consulate informed of any changes in domicile. Deferments for periods of up to five years are available to those residing abroad, but must be applied for beforehand. Failure to comply with these rules makes the violator potentially subject to trial in federal civilian courts and to serving sentences in federal civilian prisons. According to the military attaché at the Mexican Embassy in Washington, however, no serious attempt is presently being made to enforce these provisions, and proposals for an all-volunteer army are under consideration (Ley del Servicio Militar; Military Attaché). Full details and documentation follow.

Mexico's military draft is known as the National Military Service (*Servicio Militar Nacional*, SMN). According to the Mexican Ministry of Defense (*Secretaría de Defensa Nacional*, SEDENA), every male Mexican living abroad must, in the year he turns 18, register with the nearest Mexican Consulate. In addition, he must keep authorities informed of any change in domicile. The period of service is one year, beginning the January after registration. In addition, Mexican men serve in the Reserves until age 40, and in the National Guard until age 45 (SEDENA "A disponibilidad"; Ley del Servicio Militar, Arts. 4, 5, 11, 21, 34, 43).

The law provides for exceptions in the following cases (SEDENA "Excepciones"):

- Physical or mental handicap;
- Persons over 40 years old;
- Dual citizenship;
- Clergy;
- Moral impediments (*impedimientos de orden moral*);
- Children of foreigners residing in Mexico;
- Mennonites.

The application form for exemption from military service is available online at http://tramilnet.sedena.gob.mx/portal/pdfs/SMN-SM-018.pdf.

To demonstrate dual citizenship, the applicant must show either a foreign passport or alternative form of positive identification that proves citizenship of another country (SEDENA "Alistamiento").

In an official statement to the United Nations Committee on Human rights in August 1999, the Mexican government stated that

1. Mexican legislation does not recognize the right to conscientious objection and military service is obligatory of all Mexicans by birth or naturalization.

2. Although Mexican legislation does not recognize the right to conscientious objection, the Ministry of National Defence is empowered under the Military Service Act and Regulations to exempt those persons who do not meet the requirements for military service, including on the grounds of physical, moral or social impediments as provided in article 10 of the Act and the Regulations.

3. Article 10 of the Act states: "The Regulations pursuant to this Act shall establish the grounds for complete or partial exemption from service in the armed forces, indicating the physical, moral or social impediments thereto and the manner in which they must be verified. The Ministry of National Defence is vested under this Act with the power to exempt from military service those who do not fulfil the requirements of national defence" (Commission on Human Rights 1999).

The Law of Military Service also provides for deferments for

- Students;
- Mexicans residing abroad, for a period of up to five years;
- Mexicans serving criminal sentences;

- Those who are the sole base of support for their families (Ley del Servicio Militar, Art. 26).

Those who do not get exemptions or deferments take part in a draft lottery, held on Sundays in the month of November. Black, white, and blue balls are rotated in a spherical container. Those who draw black balls are subject to incorporation in the armed forces. Those who draw white or blue balls merely have to show up for training every Saturday from the beginning of February to the first Saturday in December. White balls signify training for the army and air force; blue balls for the navy (SEDENA "Sorteo").

All Mexican men who register for the draft have a military identification card (*Cartilla de Identidad Militar*) which they must keep thereafter. Once they have fulfilled their military obligation, they receive a release form (*hoja de liberación*) which is then attached to the ID (SEDENA "Liberación"). Presentation of this card is required to obtain certain official documents, most notably passports (Military Attaché).

Charges of failure to register for the draft, or of draft evasion, are subject to penalties of one month to one year in prison. Those who provide refuge to such individuals are subject to imprisonment from one to six months (Ley del Servicio Militar, Arts. 50, 51, 54). Failure to notify the authorities (the Consulate in the case of Mexicans living abroad) makes an individual liable to two to fifteen days imprisonment (Ley del Servicio Militar, Art. 58). In all cases in which the infractions occurred prior to participation in the draft lottery, trial is in federal civilian courts, and sentences are served in federal civilian prisons. Only after formal entry into the military are infractions referred to military courts (Ley del Servicio Militar, Art. 63).

According to the military attaché at the Mexican Embassy in Washington, DC, no effort is presently being made to prosecute anyone under the aforementioned provisions, and proposals for an all-volunteer army are currently under consideration. He also said that service in a foreign military such as that of the United States is not an infraction, and is in no way punishable in Mexico (Military Attaché).

This response was prepared after researching publicly accessible information currently available to the RIC within time constraints. This response is not, and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum.

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Attachments

None.