

# **PERSISTENT INSECURITY: ABUSES AGAINST CENTRAL AMERICANS IN MEXICO**



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# **Persistent Insecurity: Abuses against Central Americans in Mexico**

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**W**hile migration from Mexico to the United States has declined in recent years, Central Americans continue to migrate to the U.S. in unprecedented numbers. In 2012, U.S. authorities apprehended 99,013 non-Mexicans on the U.S./Mexico border, compared to just 54,098 in 2011.<sup>[1]</sup> Similarly, in 2012, Mexican authorities reported a 34.9% increase in apprehensions of Central Americans within Mexico.<sup>[2]</sup> Advocates suspect that migration has increased so dramatically because of the rise in violence in Central America; in 2012, San Pedro Sula, Honduras became the most violent city in the world with 169 homicides for every 100,000 inhabitants.<sup>[3]</sup>

These large flows of Central Americans toward and into the U.S. require special consideration both from a human rights perspective and because their vulnerability is intimately linked to continued regional insecurity. As they travel through Mexico, migrants are abused by organized crime, drug cartels, Mexican officials, and opportunistic criminals. These rampant abuses include kidnapping, extortion, robbery, and assault. As part of a strategy to diversify their sources of income, organized crimes targets migrants as particularly vulnerable victims who can be exploited with impunity. From the kidnapping of migrants alone, criminal groups generated an estimated \$25 million USD in revenue within a six month window between September of 2008 and February of 2009.<sup>[4]</sup> This income is then fed back into organized crime's infrastructure, strengthening its ability to commit violence against both Mexicans and migrants, and further destabilizing regional security. The systemic abuse by government officials furthers this dangerous cycle as migrants do not feel safe reporting crimes or providing information to law enforcement. Therefore, stakeholders committed to stabilizing the region and reducing violence should be concerned with protecting migrants from crime and ending impunity for those who perpetrate this epidemic of aggression.

These twin goals are both challenging and necessary in light of the fact that migrants' journeys through Mexico are fraught with perils. In the past four years, 1,346 of 9,147, or 14.7%, of migrants interviewed by the EMIF Sur reported suffering extortion (see Appendix I on Methodology for more information).<sup>[5]</sup> However, this aggregation obscures even higher rates of abuse among certain sub-populations and the fact that abuse has increased in each of the past four years. This report shows the pervasiveness of these abuses through a statistical analysis of surveys of Central Americans as

1. Customs and Border Protection (2013), "U.S. Border Patrol Nationwide Apprehensions from Other Than Mexico by Sector Fiscal Year 2000-2012", available at [http://www.cbp.gov/linkhandler/cgov/border\\_security/border\\_patrol/usbp\\_statistics/usbp\\_fy12\\_stats/appr\\_otm.ctt/appr\\_otm.pdf](http://www.cbp.gov/linkhandler/cgov/border_security/border_patrol/usbp_statistics/usbp_fy12_stats/appr_otm.ctt/appr_otm.pdf) (accessed 14 June 2013).
2. Ernesto Rodríguez Chávez and Graciela Martínez Caballero (2012), "Síntesis 2012: Estadística Migratoria," *Centro de Estudios Migratorios*, available at [http://www.inm.gob.mx/estadisticas/Sintesis\\_Grafica/2012/Sintesis2012.pdf](http://www.inm.gob.mx/estadisticas/Sintesis_Grafica/2012/Sintesis2012.pdf) (accessed 27 June 2013), 29.
3. Consejo Ciudadano para la Seguridad Pública y Justicia Penal A.C. (2013), "San Pedro Sula otra vez primer lugar mundial; Acapulco, el segundo," available at <http://www.seguridadjusticiapaz.org.mx/sala-de-prensa/759-san-pedro-sula-otra-vez-la-ciudad-mas-violenta-del-mundo-acapulco-la-segunda> (accessed 12 June 2013).
4. (2010) "Secuestros a Personas Migrantes Centroamericanas en Tránsito por México" Documento para la audiencia temática el 22 de marzo por la Comisión Interamericana de Derechos Humanos, 17.
5. Unless otherwise specifically indicated, all data refers to those interviewed by the EMIF Sur after deportation by U.S. officials. See methodology section for further details.

they are deported by U.S. or Mexican officials. This statistical analysis is enhanced by qualitative information in the form of testimonies from shelters in Mexico that serve Central American migrants.

### **Report Organization**

This report is divided into six sections which set the context for abuses and explore various vulnerabilities.

The first section explains the context of Central American migration both in terms of the economic and social realities of migrants' countries of origin and the legal and institutional structure in Mexico. This section also includes information about already-existing research and advocacy on the vulnerability of Central Americans in Mexico.

The second section details the types of abuse that Central Americans suffer as well as the prevalence of abuse. This section gives information on the perpetrators of abuse and highlights specific groups that are most at risk. The statistical information about abuse rates is reinforced by testimonials illustrating particular trends.

In light of this environment of abuse, the third section explains how migrants travel on this daunting journey, with particular emphasis on how abuse affects the choices they make regarding mode of transit and the routes they take. This section highlights factors, such as socioeconomic class, that constrain migrants' options in transit. This section also includes information on the contracting of coyotes<sup>[6]</sup>, or guides, and the cost of those coyotes.

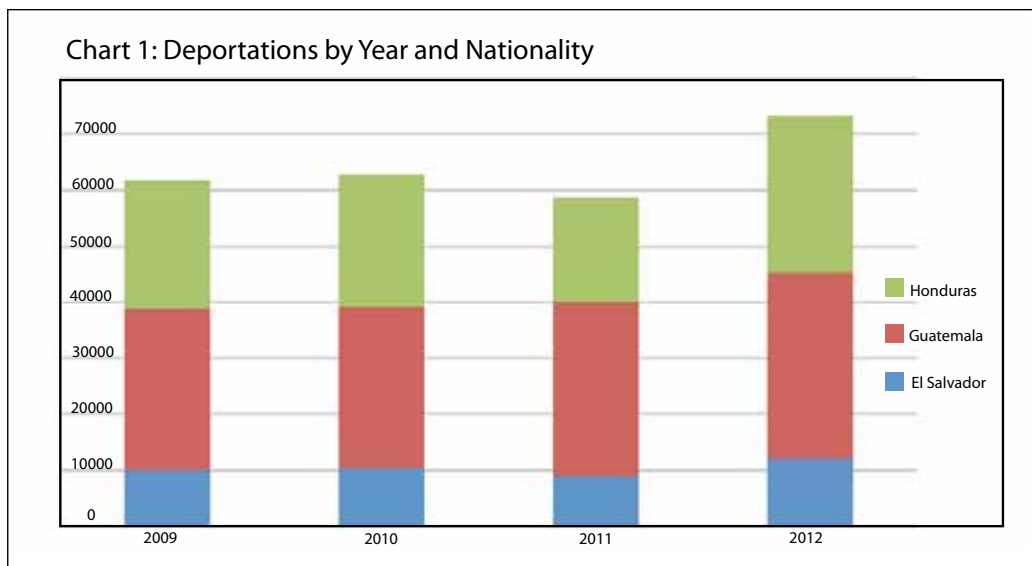
The fourth section explores the potential sources of assistance along a migrant's journey. This section explores which subgroups of migrants are more likely to access assistance and what type of assistance they receive. This section also establishes the complex mandate of migrant shelters and highlights violence against shelters and other challenges that limit shelter effectiveness and further increase migrant vulnerability.

The fifth section provides suggestions for further research based on observations and hypotheses from our statistical analysis. This section discusses our preliminary findings on the role of geography, coyotes, and socioeconomic status in the frequency of abuse but acknowledged that limitation in our data prevent us from forming definitive findings. This section then suggests areas of investigation for future reports.

The final section of the paper presents specific recommendations to the U.S. government, the Mexican government, Central American governments, and civil society for these actors to fulfill their obligations to promote justice and improve the protection of migrants in transit.

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6. There is no neutral term to describe the people who migrants contract to lead them through Mexico. Guide, which is the term the EMIF Sur uses in interviews, is overly euphemistic and human smuggler is highly negative and too easily confused with human traffickers. Therefore, throughout this report, we will use *coyote*, a term commonly used by the migrants themselves.



## CONTEXT

The current context in Central America's Northern Triangle, the capabilities and weaknesses of the Mexican government, and civil society research and advocacy are all critical to understanding migration through Mexico and the alarming rates of abuse that migrants suffer. Economic and social problems in migrants' countries of origin both motivate migration and shape migrants' journeys and vulnerabilities in Mexico. The Mexican government has taken some positive steps to fulfill its obligations to protect migrants through legal and institutional safeguards, but without more robust implementation and better accountability for government officials, migrant abuse is likely to remain inexcusably high and continue to worsen, a trend shown by data from the last four years. Meanwhile, civil society has played a crucial role in improving the protection of migrants through research, reports, and advocacy that raise awareness of the serious abuses that migrants suffer and by pressuring the Mexican government and international community into action.

### *Context of Sending Nations*

As mentioned above, there has been a recent increase in migration through Mexico. The National Institute of Migration (INM) in Mexico apprehended 85,100 migrants in 2012, compared to 63,072 in 2011. These migrants were primarily Central Americans; migrants from Honduras, Guatemala, and El Salvador compose 95% of those detained by the National Institute of Migration (INM) in Mexico and 89% of the non-Mexicans detained by U.S. authorities on the U.S./Mexico border.<sup>[7]</sup> Of the migrants deported from Mexico in 2012, 45.3% were Guatemalan,

while 32.9% were Honduran, 14.0% Salvadoran, 3.5% Cuban and 0.8% Ecuadorian.<sup>[8]</sup> (See Chart 1)

Since migrants overwhelmingly come from Guatemala, Honduras, and El Salvador, this report focuses on migrants from those three countries of origin.<sup>[9]</sup> Of course, migrants from other countries who transit Mexico in similar ways to Central Americans are likely vulnerable to similar abuses.

Even among El Salvador, Guatemala, and Honduras, there are significant differences in economic situation. El Salvador has the third largest economy in Central America and the Caribbean, with a GDP per capita of \$7,600 USD in 2012.<sup>[10]</sup> By contrast, Guatemala has a GDP per capita of \$5,300 USD<sup>[11]</sup> and Honduras has a GDP per capita of only \$4,700 USD, making it the second poorest country in the region.<sup>[12]</sup> Both Honduras and Guatemala experience a high degree of economic inequality – with Honduras as the 9<sup>th</sup> most unequal nation in the world and Guatemala as the 10<sup>th</sup>.<sup>[13]</sup>

Central Americans began fleeing to the U.S. in large numbers during the civil wars in El Salvador, Guatemala, and Nicaragua in the 1980s. Salvadorans and Guatema-

8. Rodríguez and Martínez 2012, 30.

9. Central Americans compose the overwhelming majority of the population in transit through Mexico, and the data that we analyze almost exclusively concern Central Americans. Therefore, in this report "migrants" and "Central Americans" are used interchangeably, unless otherwise noted.

10. Adjusted for purchasing power parity. Source: Central Intelligence Agency, (2013) "World Factbook – El Salvador," <https://www.cia.gov/library/publications/the-world-factbook/geos/es.html> (accessed 15 August 2013).

11. For 2012, adjusted for purchasing power parity. Central Intelligence Agency, (2013), "World Factbook – Guatemala," <https://www.cia.gov/library/publications/the-world-factbook/geos/gt.html> (accessed 15 August 2013).

12. For 2012, adjusted for purchasing power parity. Source: Central Intelligence Agency (2013), "World Factbook – Honduras," <https://www.cia.gov/library/publications/the-world-factbook/geos/ho.html> (accessed 15 August 2013).

13. Central Intelligence Agency (2013) "World Factbook - Gini Index," <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2172rank.html> (accessed 15 August 2013).

7. Ernesto Rodríguez, Salvador Berumen, and Luis Felipe Ramos, "Migración centroamericana de tránsito irregular por México. Estimaciones y características generales," Apuntes sobre migración, México: Centro de Estudios Migratorios del INM; No. 01, julio 2011. [http://www.inm.gob.mx/index.php/page/Migracion\\_Centroamericana](http://www.inm.gob.mx/index.php/page/Migracion_Centroamericana) (accessed October 16, 2013), 2.



lans tend to have more established migration networks (a third of all households in El Salvador receive remittances<sup>[14]</sup>), while Honduran migration began in earnest more recently. This difference is illustrated in part by the higher flows of remittances to El Salvador and Guatemala. In 2012, immigrants remitted \$3.9 billion USD to El Salvador, \$4.8 billion USD to Guatemala, and \$2.9 billion USD to Honduras.<sup>[15]</sup> Expatriates compose 19% of native born Salvadorans and 6% of both Guatemalans and Hondurans.<sup>[16]</sup> However, because Honduras is a significantly poorer country with a lower GDP, remittances accounted for 20% of Honduran GDP in 2011, 17% of Salvadoran GDP and 10% of Guatemalan GDP.<sup>[17]</sup> In the U.S., 19% of immigrants from El Salvador live below the U.S. poverty line compared to 26% of immigrants from Guatemala and 27% of immigrants from Honduras.<sup>[18]</sup> Of the total immigrant population in the U.S., 46% of Salvadorans, 60% of Guatemalans, and 68% of Hondurans are undocumented.<sup>[19]</sup>

Although all three countries experience insecurity, Honduras as a country is far more precarious than El Salvador or Guatemala because of rampant violence. In 2012, there were 7,172 homicides in Honduras, up from 7,104 in 2011 and representing a rate of 85.5 murders per 100,000 inhabitants.<sup>[20]</sup> By contrast, the number of murders in El Salvador fell by 40% between 2011 and 2012 because of a truce between rival gangs. In 2012, there were approximately 40 homicides for every 100,000 inhabitants.<sup>[21]</sup> Guatemala has seen a decreasing homicide rate for the past three years and in 2012 had 34 murders for every 100,000 inhabitants.<sup>[22]</sup>

### **Legal Context for Migrants in Mexico**

Over the past decade, Mexico has expanded legal protections for migrants who transit the country. In 2007, Mexico introduced humanitarian visas for migrants who are the victims of crime in Mexico. The National Migration

Institute (INM) issued only 32 between 2007 and 2009,<sup>[23]</sup> but 400 between September of 2010 and September of 2012.<sup>[24]</sup> In 2008, Mexico recategorized illegal entry from a crime punishable by up to 10 years in prison to an administrative offense with a possible fine of up to 5,000 pesos.<sup>[25]</sup> In 2010, the Mexican Congress reformed the General Law of Population to grant all immigrants, regardless of their status, the right to report abuses and receive emergency medical attention without fear of detention. For the first time, public officials who violated migrants' rights could be sanctioned with up to 30 days of suspension or dismissal from their post.<sup>[26]</sup>

The culmination of these changes came in 2011, when Mexico passed a new Migration Law with the intention of better establishing and protecting the rights of migrants in transit. The law passed unanimously, partially in response to the horrific murder of 72 migrants in Tamaulipas.<sup>[27]</sup> Unfortunately, the widespread support for legal changes resulted from that particular moment in history. Since then, sufficient popular enthusiasm for further legal reforms on behalf of migrants has not been sustained.

The 2011 law recognizes the basic equality of all people, whether immigrant or citizen, and guarantees access to health care, education, and legal protection regardless of documentation. It decriminalized illegal entry and illegal presence in the country. It increased accountability for Mexican migration officials and made them the sole enforcement authorities able to detain migrants, though the federal police can be called upon to assist in operations. This change was intended to reduce the potential for abuse by other branches of law enforcement, such as the federal and municipal police. The law increased sanctions for violations of the rights of migrants to include a fine of 1,100 to 55,000 pesos.<sup>[28]</sup> It also provided a procedure to report abuses and crimes, and required migration officials

14. CIA, "World Factbook – El Salvador"

15. Rene Maldonado and Maria Hayem (2013), "Remittances to Latin America and the Caribbean in 2012: Differing behavior across subregions", Multilateral Investment Fund, Inter-American Development Bank, Washington, D.C., available at <http://idbdocs.iadb.org/wsdocs/getDocument.aspx?DOCNUM=37735715> (accessed 16 August 2013), 1.

16. Andrew Wainer (2012) "Exchanging People for Money: Remittances and Repatriation in Latin America," *Bread for the World Institute*, June, <http://www.bread.org/institute/papers/briefing-paper-18.pdf> (accessed 16 August 2013), 2.

17. CIA, "World Factbook."

18. Wainer 2012, 3.

19. *Ibid*, 2.

20. Edward Fox (2013), "2012 Record Year for Homicides in Honduras," *Insight Crime*, January 22, <http://www.insightcrime.org/news-briefs/2012-record-year-for-homicides-in-honduras> (accessed 16 August 2013).

21. Edward Fox (2013), "El Salvador Homicides Fell Over 40% in 2012," *Insight Crime*, January 4, <http://www.insightcrime.org/news-briefs/el-salvador-homicides-fell-over-40-percent-2012> (accessed 16 August 2013)

22. U.S. Department of State (2013), "Guatemala – Country Specific Information," March 22, [http://travel.state.gov/travel/cis\\_pa\\_tw/cis/cis\\_1129.html](http://travel.state.gov/travel/cis_pa_tw/cis/cis_1129.html) (accessed 16 August 2013).

23. Relevant Law: CRM 189/2007 adopted March 20, 2007. Source: Amnesty International (2010), "Invisible Victims: Migrants on the Move in Mexico," <http://www.amnesty.org/en/library/asset/AMR41/014/2010/en/8459f0ac-03ce-4302-8bd2-3305bdae9cde/amr410142010eng.pdf> (accessed 15 August 2013), 29.

24. Guadalupe Flores (2012), "INM otorga 400 visas humanitarias a migrantes," *Noticieros Televisa*, September 5, <http://noticierostelevisa.esmas.com/nacional/495910/inm-otorga-400-visas-humanitarias-migrantes/> (accessed 16 August 2013).

25. Laura González-Murphy and Rey Koslowski (2011), "Entendiendo el cambio a las leyes de inmigración en México," *Wilson Center*, March, <http://www.wilsoncenter.org/sites/default/files/KOSLOWSKI%20SPANISH1.pdf> (accessed 16 August 2013), 13.

26. *Ibid*, 14.

27. Francisco Alba and Manuel Ángel Castillo (2012), "New Approaches to Migration Management in Mexico and Central America," *Migration Policy Institute*, October, <http://www.migrationpolicy.org/pubs/RMSG-MexCentAm-Migration.pdf> (accessed 16 August 2013), 14.

28. González-Murphy and Koslowski 2011, 20.

to inform all migrants in detention of their rights.<sup>[29]</sup>

The law was a significant step forward in the protection of migrants in transit, but its language and sweeping promises are only significant if effectively implemented. State officials and particularly the Commissioner of Migration determine much of the laws' implementation. Therefore, President Peña Nieto's appointment of Ardelio Vargas as the head of the National Institute of Migration (INM) is significant in terms of predicting the law's impact in the short term.<sup>[30]</sup> While he has rhetorically committed to promoting the rights of migrants, many observers within the country are concerned that his appointment marks a turn toward enforcement-focused migration practices rather than the 2011 law's emphasis on the promotion of justice and rights.

In addition to the 2011 Migration Law, Mexico also passed a Victims Law in January of 2013 to promote restorative justice for victims of crime throughout the country, regardless of nationality. The law recognizes the rights of victims of crimes such as kidnapping to a speedy investigation, specialized attention, and monetary reparation. The law gives special consideration to people who protect victims of crime and therefore put themselves in a situation of vulnerability.<sup>[31]</sup> The law also establishes the obligation of authorities to protect and support such individuals and to give special consideration to vulnerable groups, including migrants, human rights defenders, and members of indigenous groups. Executive Commissions in each state are tasked with caring for individuals who are victims of crimes committed by state officials.<sup>[32]</sup> However, since the regulations for this law have not yet been published, it is completely unknown how the law will be implemented and whether it will be effective. Ultimately, in order to fully realize the potential of these positive legislative steps, the Mexican government must increase the capacity of Mexican authorities to investigate and prosecute crimes committed against migrants.

29. Arias Muñoz Karina and Carmona Arellano Nancy (2012), "Evolución y retos del marco normativo migratorio en México : Una perspectiva histórica," *Sin Fronteras*, March, [http://www.sinfronteras.org.mx/attachments/article/1406/informeMigracion\\_web.pdf](http://www.sinfronteras.org.mx/attachments/article/1406/informeMigracion_web.pdf) (accessed 14 June 2013), 28.

30. From 2005 to 2006, Mr. Vargas was Chief of Staff of the Federal Preventative Police and was in charge of operations in 2006 that were accused of significant violations of human rights, including cases of physical and sexual aggression and arbitrary detention. Source: Fabiola Martínez (2013), "Peña Nieto designa a Ardelio Vargas nuevo comisionado de Migración," *La Jornada*, January 16, <http://www.jornada.unam.mx/2013/01/16/politica/013n1pol> (accessed 16 August 2013).

31. (2013), "Mexico publica reformas a la ley de víctimas," *Univision*, May 5, <http://noticias.univision.com/mexico/noticias/articulo/2013-05-03/mexico-publica-reformas-a-la-ley-de-victimas#axzz2akyu1e51> (accessed 16 August 2013).

32. Ley General de Víctimas (2013), *Diario Oficial de la Federación* <http://www.diputados.gob.mx/LeyesBiblio/pdf/LGV.pdf> (accessed 16 August 2013).

## ***Institutional Context: Key Governmental Actors***

Under Mexican law, a number of different government bodies intersect on issues of migration. The National Institute of Migration (INM) is the body of the Mexican government responsible for migration law, including enforcing the law through detention and deportation as well as issuing visas in relevant cases. Out of its annual budget, 82% is dedicated to enforcement and 11% to the protection of migrants.<sup>[33]</sup> This 11% is divided between 4 program areas: humane repatriation, protection of youth, reintegration of repatriated Mexicans (Programa Paisano), and Grupo Beta.<sup>[34]</sup> Grupo Beta was started on the northern border in 1990 in Baja California to protect migrants from criminals. The groups that form Grupo Beta were officially consolidated under INM's mandate in 2000 and now provide humanitarian aid to migrants, including conducting rescue missions in the northern desert, and providing assistance to migrants to defend their human rights.<sup>[35]</sup> A miniscule 2.6% of INM's annual budget is directed to this organization<sup>[36]</sup>, which has 21 groups and 163 staff, mostly concentrated at the northern border to assist Mexicans and Central Americans, and along the routes of the cargo train to assist Central Americans.<sup>[37]</sup>

As previously mentioned, the 2011 Migration Law gave INM the sole authority to apprehend and detain migrants. However, the Federal Police in Mexico still regularly interacts with migrant populations because it has territorial jurisdiction over border zones, federal highways, and railways. The Federal Police was primarily established to combat drug cartels, but INM can call upon this branch of police to aid in migration enforcement operations. In recognition of the role that the Federal Police continue to play in the execution of immigration policies, increased accountability is imperative, including increased sanctions for police who engage in extortion or robbery, and confidence tests or a process similar to that used to identify corrupt practices among INM agents. Civil society can play an important supporting role by conducting independent audits.

In 1999, the Mexican government officially established the National Commission of Human Rights (CNDH) as an autonomous body to observe, protect, and promote human rights in the country, including the rights of mi-

33. (2013), "Una mirada al presupuesto del Instituto Nacional de Migración," *Fundar*, April 23, <http://fundar.org.mx/mexico/?p=9894> (accessed 16 August 2013).

34. Ibid.

35. Thomas Lothar Weiss and Pedro Arturo Lopez Chaltelt (2011), "México: políticas públicas beneficiando a los migrantes," *Organización Internacional para los Migrantes*, [http://www.oim.org.mx/pdf/OIM\\_PP\\_SP.pdf](http://www.oim.org.mx/pdf/OIM_PP_SP.pdf) (accessed 16 August 2013), 77.

36. "Una mirada al presupuesto del Instituto Nacional de Migración"

37. Weiss and Chaltelt 2011, 81.

grants.<sup>[38]</sup> The CNDH in Mexico is the best-resourced such commission in Latin America with a budget of \$73 million USD and 1,000 employees.<sup>[39]</sup> Its mandate is expansive and includes receiving complaints, investigating cases, and issuing recommendations on how the government can better protect rights.<sup>[40]</sup> In 2012, changes in the Mexican Constitution gave the CNDH particular authority in pursuing cases of “serious crimes” and requires that government agencies either adopt the recommendations of the CNDH or issue a public statement explaining why they have chosen not to make changes based on the recommendations.<sup>[41]</sup> Despite this opportunity, the CNDH issues very few recommendations in response to the hundreds of complaints it receives each year. Investigations are also often inefficient and at times, CNDH investigators do not arrive on the scene of a complaint until three months after it is filed<sup>[42]</sup>, which is problematic as migrants eventually must continue their journey and can no longer be interviewed about the case or called upon to testify.

According to statistics, 90% of cases are ultimately resolved, but the CNDH fails to release any information about these cases to the public.<sup>[43]</sup> This lack of transparency limits the ability of advocates to track trends in cases. A more proactive approach by the CNDH regarding investigating claims even when migrants are not present, making recommendations to other agencies, and publishing data about the cases they receive would increase the institution’s contribution to the protection of migrants.

Central American governments are also active in protecting their citizens during migration. These governments lobbied in favor of the 2011 Migration Law and Central American consulates present in Mexico also support their citizens who are migrating through the country. The consulates have a mandate to support the protection of their citizens’ rights and the Migration Law requires that the Mexican government inform the consulates about each migrant in detention. To create a better network of protection, El Salvador, Guatemala, and Honduras pooled some of their consular resources to create joint offices in

Mexico.<sup>[44]</sup>

The Salvadoran government has taken a particularly active role in the defense of their citizens and in 2011, inaugurated a call center which Salvadoran migrants can use to place a toll-free call to access consular assistance, report an abuse, and talk to family in El Salvador. The Salvadoran government widely disseminates information about this service along with information on migrants’ rights.<sup>[45]</sup>

### **Context of Important Research and Advocacy Reports**

In the past few years, research and reports have been critical to documenting and raising awareness of abuses against Central Americans. In 2009 and 2011, the National Commission for Human Rights (CNDH) in Mexico released two reports based on studies in migrant shelters that shed light on the estimated 20,000 kidnappings of migrants perpetrated by drug cartels, for an estimated \$50 million USD in annual profit.<sup>[46]</sup>

Beyond the CNDH report, most reports have been published by civil society organizations that have maintained a strong advocacy presence on behalf of migrants. Amnesty International released an influential 2010 report that detailed the shocking range of abuses that Central Americans experience, including kidnapping, violence, theft, sexual violence against women, extortion, and lack of access to complaint filing mechanisms and due process – particularly when detained by Mexican authorities.<sup>[47]</sup> This report was paired with the production of *Los Invisibles*, a short documentary on the journey north that includes testimonies by migrants, shelter workers, and advocates.

Advocacy efforts moved ahead when abuse of Central Americans proved unabated by the passage of the 2011 law. “Victims between Borders” (*Victimas entre Fronteras*)<sup>[48]</sup> was released in the summer of 2013 by *i(dh)eas*, a Mexican civil society organization focused on strategic litigation. This report collected information on

38. Comisión Nacional de Derechos Humanos, “Atribuciones,” <http://www.cndh.org.mx/Atribuciones> (accessed 16 August 2013).

39. Tamara Taraciuk and Daniel Wilkinson (2008), “La Comisión Nacional de los Derechos Humanos en México: una evaluación crítica,” *Human Rights Watch*, February, <http://www.hrw.org/es/reports/2008/02/12/la-comisi-nacional-de-los-derechos-humanos-de-m-xico-0> (accessed 16 August 2013), 13.

40. *Ibid.*, 14.

41. Constitución Política de los Estados Unidos Mexicanos 1917 (2013), *Diario Oficial de la Federación*, <http://www.diputados.gob.mx/LeyesBiblio/pdf/1.pdf> (accessed 16 August 2013).

42. Antonio López Ugalde (2010), “Desempeño de la CNDH en la atención de quejas contra la Procuraduría General de la República,” *Programa Atalaya*, August, [http://atalaya.itam.mx/Documentos\\_Atalaya/01.%20\(2\)/02.%20\(10\)/03.%20\(24\)/01.%20\(18N\).PDF](http://atalaya.itam.mx/Documentos_Atalaya/01.%20(2)/02.%20(10)/03.%20(24)/01.%20(18N).PDF) (accessed 16 August 2013), 112.

43. Tarciuk and Wilkinson 2008, 5.

44. Demetrios Papademetriou, Doris Meissner and Eleanor Sohnen (2013), “Thinking Regionally to Compete Globally: Leveraging Migration and Human Capital in the U.S., Mexico, and Central America” *Migration Policy Institute*, May, <http://www.migrationpolicy.org/pubs/RMSG-FinalReport.pdf> (accessed 12 June 2013), 39.

45. Ruben Zúñiga (2011), “Consulado de El Salvador lanza la ‘Línea que te protege’” *Diario del Sur*, June 20, <http://www.oem.com.mx/laprensa/notas/n2114768.htm> (accessed 12 June 2013)

46. Comisión Nacional de los Derechos Humanos (2011) “Informe especial sobre secuestro de migrantes en México,” February, [http://www.cndh.org.mx/sites/all/fuentes/documentos/informes/especiales/2011\\_secigrantes\\_0.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/informes/especiales/2011_secigrantes_0.pdf) (accessed 12 June 2013) and Comisión Nacional de Derechos Humanos (2009), “Informe especial sobre los casos de secuestro en contra de migrantes,” June 15, [http://www.cndh.org.mx/sites/all/fuentes/documentos/informes/especiales/2009\\_migra.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/informes/especiales/2009_migra.pdf) (accessed 12 June 2013)

47. Amnesty International 2010.

48. (2013), “Victimas entre Fronteras: La ausencia del estado en la defensa de los derechos de las personas migrantes en México,” *i(dh)eas*, [http://imumi.org/attachments/victimas\\_fronteras.pdf](http://imumi.org/attachments/victimas_fronteras.pdf) (accessed 16 August 2013).



abuses from eight different civil society organizations that support migrants along their trajectory through Mexico. The document condemns the abuses that they suffer at different points on the journey and then offers a detailed explanation of the legal context in Mexico, explaining the responsibilities of different government bodies and providing targeted recommendations. Forthcoming work from Jesuit Migration Service (SJM) will offer a statistical analysis of the demographics of migrants served by six different shelters and information on the abuses of migrants that the shelters have documented.

There are also a number of recent reports focused on more particular aspects of the journey. In December of 2011, the Miguel Agustín Pro Juárez Human Rights Center (Center Prodh) released a collection of testimonies of migrants who had been kidnapped.<sup>[49]</sup> The Latin America Working Group is currently in the process of translating those testimonies and preparing them for publication in English. An October 2011 report by the National Network of Civil Society Organizations for Human Rights (Red TDT) focused specifically on the widespread abuses of Central Americans in Tenosique, just a few miles away from the Guatemalan border.<sup>[50]</sup> Sin Fronteras has released a number of important publications, including a 2012 report on violence against migrant women<sup>[51]</sup> and a 2013 report on detention conditions and due process.<sup>[52]</sup> The International Detention Coalition also released a 2013 report on detention of migrants and potential alternatives to detention.<sup>[53]</sup> The Center for Human Rights Fray Matias released a 2012 report on the suffering of minors during their journey and

in detention.<sup>[54]</sup>

This report does not attempt to duplicate the efforts or the important work of these and other organizations. Rather, we seek to show the pervasiveness of human rights challenges facing migrants by providing a broad statistical analysis of a number of trends. The alarmingly high rates of abuse that this report reveals provide motivation for the various actors mentioned in this chapter to continue to take concrete steps to promote justice and dignity for migrants in Mexico.

## ABUSE

Despite improvements in legal and policy frameworks for migrant protection, abuses have gone up, not down, over the four years of data analyzed here, and Central American migrants travelling through Mexico suffer a wide range of shocking abuses on their journey. While the pervasiveness of abuse is indicative of broader problems of corruption, insecurity, and impunity in Mexico, the severity of these abuses demonstrates the extreme vulnerability of migrants in transit. In addition to gross human rights violations, this abuse has implications for security policy as well. In order for the Mexican government and the international community to increase security in the country, they must be particularly concerned for these migrants who are easy prey for organized crime and corrupt officials. Perpetrators grow stronger financially and institutionally from committing these crimes with impunity, further undermining regional security.

### Types of Abuses

Abuses against migrants take a number of forms. One of the most serious is kidnapping, which has drawn much attention in the past few years with little progress toward mitigating the problem. A series of studies by the CNDH found that in six months between the end of 2008 and beginning of 2009, 9,758 migrants were kidnapped<sup>[55]</sup> and in six months of 2010 that number increased to 11,333 migrants, for an estimate of over 20,000 a year.<sup>[56]</sup> Kidnapping is a particularly gross abuse because those who are kidnapped are subjected to horrific and traumatizing mistreatment. They are often tortured in order to force them to reveal their relatives' phone numbers so that kidnappers can demand a ransom. If their families do not pay the ransoms, the migrants are killed or are forced to work for the criminal organization. The CNDH estimated that organized crime gained \$25 million USD in profit from ran-

49. (2011), "Cuaderno sobre secuestro de migrantes: Dimensión, contexto y testimonios de la experiencia de la migración en tránsito por México," *El Centro de Derechos Humanos Miguel Agustín Pro Juárez (Centro Prodh) and la Casa del Migrante de Saltillo* December, [http://www.centroprodh.org.mx/index.php?option=com\\_docman&Itemid=28&lang=en](http://www.centroprodh.org.mx/index.php?option=com_docman&Itemid=28&lang=en) (accessed 16 August 2013).

50. (2011), "'La frontera olvidada': Informe sobre las condiciones de personas migrantes, desplazadas y defensoras de DH en Tenosique," *Red Nacional de Organismos Civiles de Derechos Humanos "Todos los Derechos Para Todos y Todas" AC*, October, [http://www.redtdt.org.mx/d\\_informes/d\\_visual.php?id\\_publicacion=143&descargable=Informe%20Tenosique.pdf](http://www.redtdt.org.mx/d_informes/d_visual.php?id_publicacion=143&descargable=Informe%20Tenosique.pdf) (accessed 16 August 2013).

51. (2012), "Construyendo un modelo de atención para mujeres migrantes víctimas de violencia sexual en México," *Sin Fronteras*, <http://www.sinfronteras.org.mx/index.php/es/publicaciones/informes-tematicos/1418-construyendo-un-modelo-de-atencion-para-mujeres-migrantes-victimas-de-violencia-sexual-en-mexico> (accessed 16 August 2013).

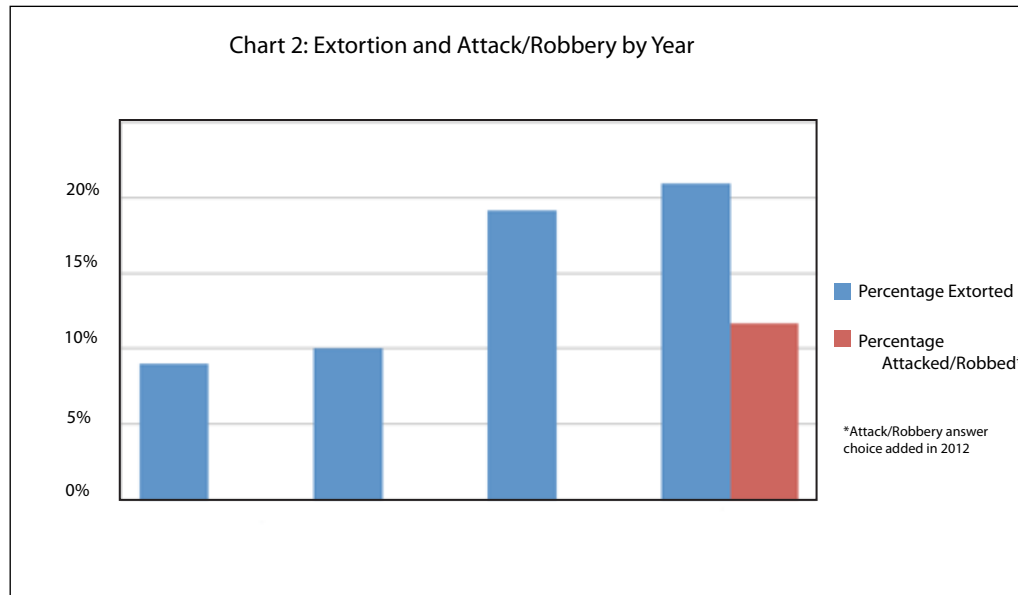
52. (2013), "Ser migrante no me hace delincuente," *Sin Fronteras*, April, <http://www.sinfronteras.org.mx/index.php/es/publicaciones/informes-tematicos/1432-informe-ser-migrante-no-me-hace-delincuente-monitoreo-a-las-estaciones-migratorias-de-iztapalapa-distrito-federal-y-villahermosa-y-tenosique-tabasco> (accessed 16 August 2013)

53. Elba Coria Marquez and Giselle Bonnici (2013), "Dignidad sin excepción: Alternativas a la detención migratoria en México," *International Detention Coalition*, <http://www.sinfronteras.org.mx/index.php/es/publicaciones/informes-tematicos/1440-dignidad-sin-excepcion-hacia-la-construccion-e-implementacion-de-alternativas-a-la-detencion-migratoria-en-mexico> (accessed 16 August 2013).

54. Pablo Ceriana Cernadas 2012, "Los derechos humanos de niños, niñas y adolescentes migrantes en la frontera México – Guatemala," *Centro de Derechos Humanos Fray Matías de Córdoba and Universidad Nacional de Lanús - Centro de Derechos Humanos*, September, [http://www.cdfraymatias.org/sites/default/files/informe\\_completo.pdf#overlay-context=documentos-de-interes](http://www.cdfraymatias.org/sites/default/files/informe_completo.pdf#overlay-context=documentos-de-interes) (accessed 16 August 2013).

55. CNDH 2009, 12.

56. CNDH 2011, 26.



soms in just six months of kidnapping between 2008 and 2009.<sup>[57]</sup>

There have not been systematic studies of kidnapping since the CNDH report, but in March of 2013, the Hermanos en el Camino migrant shelter condemned a recent wave of aggression. Based on the numbers of migrants who had escaped or witnessed kidnappings, the shelter indicated that since October of 2012, the kidnappings have escalated in number and the involvement of criminal groups in abuses against Central Americans has also intensified.<sup>[58]</sup>

Other reports have described the prevalence of sexual abuse that women suffer in transit. Some human rights defenders believe that as many as six out of every ten women suffer sexual abuse on their journey through Mexico.<sup>[59]</sup> Some groups of migrants that include one or more women may also turn women over to organized crime or police as a form of payment when extorted.<sup>[60]</sup>

Even detention facilities are sites of abuse, as there have also been reports of use of excessive force by migration officials and inadequate provisions within facilities.<sup>[61]</sup> A number of reports, discussed in the introduction, give further details on the variety of hardships that Central Americans encounter in Mexico. To add to that discussion, this section specifically focuses on the frequency of

57. (2010) "Secuestros a Personas Migrantes Centroamericanas en Tránsito por México," 17.

58. (2013), "Denuncian ola de secuestros en el sureste de México," *La Prensa*, March 3, <http://www.laprensa.hn/Secciones-Principales/Migrantes/Hondurenos-en-Mexico/Denuncian-ola-de-secuestros-de-migrantes-en-sureste-de-Mexico#.UdrW-fmTi-0> (accessed 16 August 2013)

59. Amnesty International 2010, 15.

60. Melisa Munguía (2013), "Indocumentados usan a mujeres migrantes como pago a extorsiones," May 3, <http://www.heraldodepuebla.com.mx/2013-05-03/reportaje/indocumentados-usan-mujeres-migrantes-como-pago-extorsiones> (accessed 16 August 2013).

61. See Amnesty 2010 and "Ser Migrante no me Hace Delincuente" 2013.

abuse within different sub-populations. Within the EMIF Sur, there is only one question on hardships suffered while in transit. The only abuses that a migrant can report are extortion and – just for 2012 – attack or robbery, so in measuring the frequency of abuses we focus on those particular aggressions.

### Analysis of Extortion and Attack

Over the past four years, 14.7% of migrants reported suffering extortion on their journey north. In fact, extortion is an increasingly likely abuse experienced by migrants. In 2009, just 9.0% of migrants suffered extortion while by 2012 that number had increased to 21.0%. Only in 2012 did the EMIF Sur include attack or robbery as forms of suffering that migrants could report on the survey.<sup>[62]</sup> In that year, 11.7% of migrants reported suffering attack or robbery. As the testimonies in this section illustrate, number of different actors systematically perpetrate these abuses, including common criminals, the drug cartels, police, and migration officials. (See Chart 2)

#### TESTIMONY 1 BY A 20-YEAR OLD MAN FROM HONDURAS: ATTACK AND ROBBERY

*This adolescent was travelling in a group of 18 migrants in southern Mexico when two or three men accosted them with machetes and a pistol. The men ordered them to lie down on the ground and not move. The men proceeded to remove the migrants' clothing and steal their money. They raped the two women who were in the group.*

### Severity of Extortion

The prevalence of extortion on all forms of transportation and its increase in recent years is a worrying trend,

62. In previous years, migrants reporting attack or robbery would have had their answer coded as "other" by the interviewer.

particularly because extortion is not an innocuous process with only financial consequences. Extorters make and carry out a number of threats in order to coerce migrants to pay the fee that they have set. For example, when state officials who don't have immigration enforcement authority encounter migrants on the bus or the street, the officials often extort the migrants by threatening to turn them in to INM if they do not pay (See Testimony 3). This abuse takes advantage of migrants' undocumented status and vulnerability for personal gain, but also contributes to an environment of distrust in which migrants are condemned to the shadows and do not provide information to police or other law enforcement officials, hampering the ability of authorities to investigate a wide range of crimes.

Extortion on the train often involves more violent threats than extortion on buses. For example, there is a recent pattern of abuse in southern Mexico in which criminal gangs extort a so-called fee from migrants travelling by train. Criminals extort between \$100 and \$400 USD, depending on the length of the migrants' journey.<sup>[63]</sup> Criminals kidnap or assault migrants, or throw them off the moving train, if they do not pay. Migrants have reported that criminal gangs often force young Honduran children under the threat of violence to collect these extortion payments for them.<sup>[64]</sup> In May, a number of migrants were injured in an attack related to the collection of these payments.<sup>[65]</sup> In July, a migrant was shot and another badly injured by those who collect the money.<sup>[66]</sup> Testimony 2 is the story of one man who suffered this form of extortion and witnessed the abuse of those who could not pay. This extortion is part of a strategy by organized crime to diversify their income and generate profits, to the great harm of migrants.

**TESTIMONY 2 BY A 34-YEAR OLD MAN FROM HONDURAS:  
EXTORTION ON THE TRAIN**

*In Medias Aguas, 100 dollars. It is the very people who travel on the train. Afterward, with a pistol in the hand, they threatened us and asked for 100 dollars. For those who didn't give the money, they threw them from the train while it was moving. I was in the front*

63. René Alberto López (2013), "Palenque-Tenosique, ruta 'donde más se extorsiona y secuestra a migrantes,'" *La Jornada*, May 27, <http://www.jornada.unam.mx/2013/05/28/estados/031n1est> (accessed 16 August 2013)

64. (2013), "CAMR reitera que menores hondureños son utilizados para cobrar impuesto de guerra en trenes de México," *Proceso*, June 22, <http://www.proceso.hn/2013/06/22/Migrantes/CAMR.reitera.que/70652.html> (accessed 16 August 2013).

65. (2013), "Ataca crimen a migrantes en tren, gobierno de Veracruz no lo informa," *Arestegui Noticias* May 2, <http://aristeguinoticias.com/0205/mexico/ataca-crimen-a-migrantes-en-tren-gobierno-de-veracruz-no-lo-informa/> (accessed 16 August 2013).

66. Noé Zavaleta (2013), "La Bestia deja otro muerto; investigan la CNDH y la PGJ de Veracruz," *Proceso*, July 18, <http://www.proceso.com.mx/?p=347750> (accessed 16 August 2013).

*wagon. I just heard yells, bullets ... sometimes, it was our very countrymen who were pressuring us. Before we got to Palenque, they asked for another 100 dollars. In total, they took 500 dollars from us.*<sup>[67]</sup>

**Extortion by Means of Transportation**

The focus of advocacy efforts and news media on the dangers of migrating through Mexico by train can lead to the perception that the train is the only way in which migrants travel. While threats are more severe on the train and abuses can be more dramatic, authorities and civil society must consider the precariousness of the migration journey as a whole and not just the particular vulnerabilities of migrants on the train in order to effectively protect migrants. Holistic consideration is important because, as will be discussed in the coming section, most migrants use multiple means of transportation to traverse Mexico. Migrants must be protected on their entire journey to avoid quelling violence in one area just to see it balloon on another means of transit or another route as perpetrators seek to recoup lost revenue. The Mexican government has a particular obligation to address abuse on the buses because Mexican citizens are also extorted on their journey to the border and because the perpetrators tend to be state officials, often the Federal Police, whose corruption is particularly corrosive to the rule of law.

**TESTIMONY 3 BY A 20-YEAR OLD MAN FROM HONDURAS:  
EXTORTION IN A VAN AND A BUS**

*When we crossed the river from Guatemala to Mexico, we got into a van. We each paid 200 pesos. Ten minutes later, 3 Federal Police at a check point took us aside and told us 'How do you want us to help you? If you cooperate with something we will let you go on.' They asked us for 100 pesos each. We were 15 in the group. My friend and I offered 50 pesos because we didn't have money. Further ahead, the Federal Police inspected us to make sure that we didn't have weapons. Five more got in the van. An older family. We continued. Further ahead, in a dark place, a car of Federal Police. They got all the migrants out of the van – they knew who we were – and again said that they could help us. They asked for 200 pesos each. We didn't have money. I took out 200 pesos just as a car was driving by and they said "hide them, hide them" so that those in the car didn't see that they were asking for bribes. They turned the five migrants who didn't carry money into migration. Those who approached us in the car weren't migration officials, they*

67. "En Medias Aguas \$ 100.00 dólares. Eso la gente que ahí mismo venía en el tren. Después, con pistola en mano, nos amenazaron y pedían \$ 100.00 dólares. A los que no los daban, los aventaban del tren y estaba en marcha. Yo iba en el vagón de adelante. Nomás escuchaba gritos, balazos...A veces, entre los mismos paisanos venimos fregándonos. Antes de Palenque, nos pidieron otros \$ 100.00 dólares. Total, te sacan hasta 500.00 dólares."

were Federal Police. On the way from Coatzacoalcos to Puebla, they got all of the Guatemalans off of the bus. There were 8 or 10 of us. There they asked for 500 pesos each. It was migration officials.”<sup>[68]</sup>

Based on the EMIF Sur data, travelling on the train does not make migrants more likely to be extorted. For Hondurans in 2009 and 2012 and for Salvadorans in 2010 and 2012, those who did not at any point in their journey travel by train were actually more likely to be extorted than those who did travel on the train. In other years, there was no significant correlation between transit by train and likelihood to suffer extortion.<sup>[69]</sup> In fact, in some years, groups of bus riders, particularly Hondurans, seemed to suffer significantly higher levels of extortion. Of those surveyed in 2009, 2010, and 2012, Hondurans who travelled by bus were much more likely to be extorted than those who did not.<sup>[70]</sup>

For Hondurans, the difference in the incidence of extortion between those who travel on train and those not travelling on the train becomes clearer after controlling for education level and whether or not one is travelling with a coyote. For example, in 2012 when only considering migrants with a primary level of education who did not have a coyote, 34.1% of Hondurans who travelled on the train suffered extortion, while 69.2% of those who did not travel on the train suffered extortion.<sup>[71]</sup> On the other hand, Guatemalans and Salvadorans did not demonstrate the same correlation between travelling on a means of transit other than the train and suffering extortion – perhaps because Hondurans are more easily identifiable. This issue of disparity between national groups is further explored shortly.

68. “Cuando cruzamos el río de Guatemala a México, nos subimos a una combi. Pagamos \$ 200.00 cada uno. A los 10 minutos, 3 federales en un retén, nos llevaron a un lugar apartado y nos dijeron: “Cómo quieren que los ayudemos? Cooperen con algo y los dejamos continuar. Nos pedían 100.00 por cada uno. Eramos 15. Mi amigo y otro ofrecimos \$ 50.00 porque no teníamos dinero. Más adelante, los Federales, solo nos revisaron que no trajéramos armas. Adelante se subieron cinco. Una familia, ya mayores. Seguimos. Más adelante, en lugar obscuro, un carro con Federales. Nos bajaron a todos los migrantes- nos conocieron- y otra vez dijeron que nos podían ayudar. Pedían \$ 200.00 por cada uno. No teníamos dinero. Yo saqué los \$ 200.00 y en eso, venía un carro y dijo: “guárdenlos, guárdenlos” para que no vieran que estaban pidiéndonos. Pero a los cinco que no traían dinero, los entregaron a Migración. Los que iban en el carro, no era Migración. Eran Federales. De Coatzacoalcos a Puebla, nos bajaron a todos los guatemaltecos. Eramos 8 ó 10. Ahí nos pidieron \$ 500.00 (Quinientos pesos, M.N.) a cada uno. Era Migración.

69. Based on a significance level of .05% in the Chi-squared test

70. Based on the Chi-squared test for a comparison within Hondurans between those who do or do not travel by bus and those who do or do not suffer extortion. In 2009, the p-value for this test was 0, in 2011 the p-value was 0.038, in 2012 the p-value was 0, which, based on a .05% significance level, indicates that in each of those years there is a relationship between travelling on the bus and suffering extortion. A comparison of actual frequencies with expected frequencies shows that those who travel by bus suffer a higher-than expected number of extortions than those who do not travel by bus.

71. This difference is statistically significant. A two-sample z-test yields a p value of 0 for these proportions being the same.

As will be discussed in the next section, many of those who travel at some point on the train also travel at some point on the buses. A number of migrant shelters at the northern border of Mexico recently detected a new trend of abuse committed against those who travel partially on the train and then partially on the bus. According to their report, migrants who travel through the south on the train are guided under false pretences to buses in Puebla or Michoacán. They are charged 50% more than the standard fare, with the promise that the price includes free passage through highway checkpoints by Mexican police. When migrants arrive by bus at the northern border in Agua Prieta, Sonora, Federal Police extort 500 pesos from each migrant. Organized criminal groups also charge migrants who arrive in Altar, Sonora 3,500 pesos to leave the city, whether to cross to the north or return to Central America. Those who do not pay are forced by the groups to carry drugs into the US.<sup>[72]</sup>

Now that cartels are systematically extorting migrants on the train, it is likely that the 2013 EMIF Sur data will reveal higher levels of extortion for those on the train. Also, as the below testimony (Testimony 4) illustrates, the threat that accompanies extortion on the bus tends to be one of turning migrants in to migration officials. Although the severity of the threat differs in important ways between migrants on the buses and on the train, both manifestations of extortion constitute a crime and the increasing number of these abuses demonstrate the failure of Mexican authorities to protect migrants for the duration of their journey.

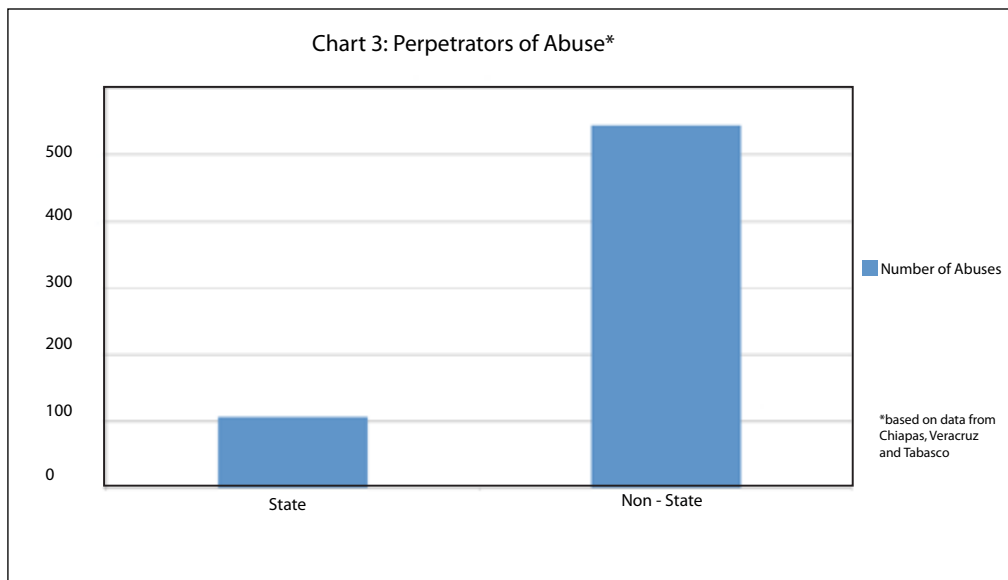
### **Abuses on the Bus and Effects on Mexicans**

Although Central American migrants are particularly vulnerable to abuses because of their undocumented status in Mexico, officials and organized crime also take advantage of Mexicans traveling to the northern border to attempt to cross into the U.S. as well as Mexicans who have recently been deported from the United States. The mixed nature of the flows of people travelling to the northern border should be further incentive for Mexican authorities to act to protect migrants. For example, Mexicans also suffer from the aforementioned abuse in which buses that travel to the northern border charge more expensive fees with the false promise of protecting migrants from extortion. Similarly, the tight control that organized crime has over exit and entry in Altar, Sonora creates insecurity for Mexican migrants as well as Central Americans.<sup>[73]</sup> Moreover, other studies have shown that officials more often extort people from southern Mexico because with darker skin color those people are more identifiable as

72. Lilita Alcántara (2013), “Federales operan red de tráfico humano,” *El Universal*, July 5, <http://www.eluniversal.com.mx/primer/42449.html> (accessed 16 August 2013).

73. “Victimas entre Fronteras” 2013, 81.





migrants.<sup>[74]</sup>

### Perpetrators of Abuse

From the preceding anecdotal evidence, it is clear that state officials, particularly the Federal Police, often undermine the rule of law by perpetrating abuses on the bus. Because state officials are so often the perpetrators on this mode of transit, governmental reforms in INM and police interactions with migrants are the most logical starting place to protect migrant well-being. According to Iván Merino at Jesuit Migration Service (SJM), preliminary results from abuse documentation in shelters supports the idea that state officials perpetrate many abuses such as robbery and extortion, even among migrants who primarily travel by train.<sup>[75]</sup> Preliminary data on 896 abuses documented throughout Mexico in the first 6 months of 2013 indicate that 136 (or 15.2%) were committed by state officials. The officials accused of the most violations were Federal Police, with 53, and Municipal Police, with 54. Although there were only seven reported abuses by INM officials, it is likely that these numbers underestimate the problem. Contact with INM officials most often results in detention and deportation, which means that the migrants would not have an opportunity to report abuse by INM to shelter staff.

While state officials commit abuse at alarming levels, criminal elements still seem to commit the majority of abuses. Of the 896 abuses in the preliminary data, 722 occurred in the southern states of Chiapas, Veracruz, and Tabasco. Among those 722 abuses, migrants identified

perpetrators in 651 incidents. Of those 651 abuses, 107 were reported as abuses by state authorities and 544 by non-state criminals. In other words, in that particular region, state officials committed 16.4% of abuses where migrants report perpetrator information and non-state actors committed 83.6% of abuses. (See Chart 3)

Within the general framework of aggressions by non-state actors, aggression by organized crime is of particular concern because of the way in which it threatens both migrants and Mexicans, as well as the territorial control of the Mexican state. Organized crime is strengthened by the revenue it generates from the abuse of migrants, such as kidnapping ransoms and train extortions, further compounding the threat these cartels pose to Mexican security as a whole. Of the 722 abuses in which migrants identified perpetrators, migrants reported that 141 of those aggressions were perpetrated by organized crime. The presence of organized crime is particularly worrying in the state of Veracruz, where those groups reportedly committed 101 of the 296 abuses in that state. This preliminary data confirms the widespread understanding that Veracruz is a hot spot for criminal activity, particularly by the Zetas. This activity includes kidnapping and the recent systematization of extortion on the train.<sup>[76]</sup> (See Chart 4)

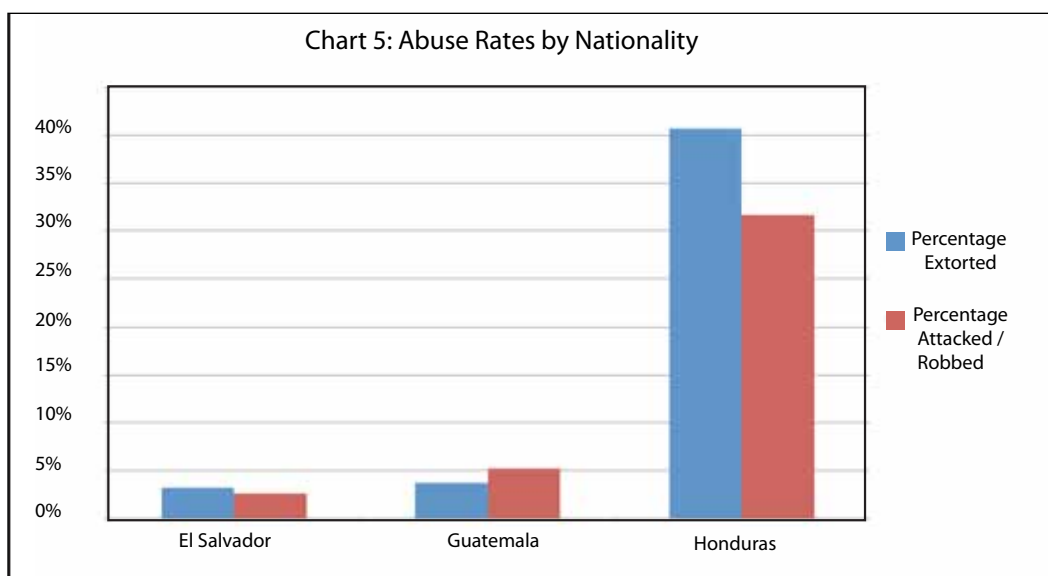
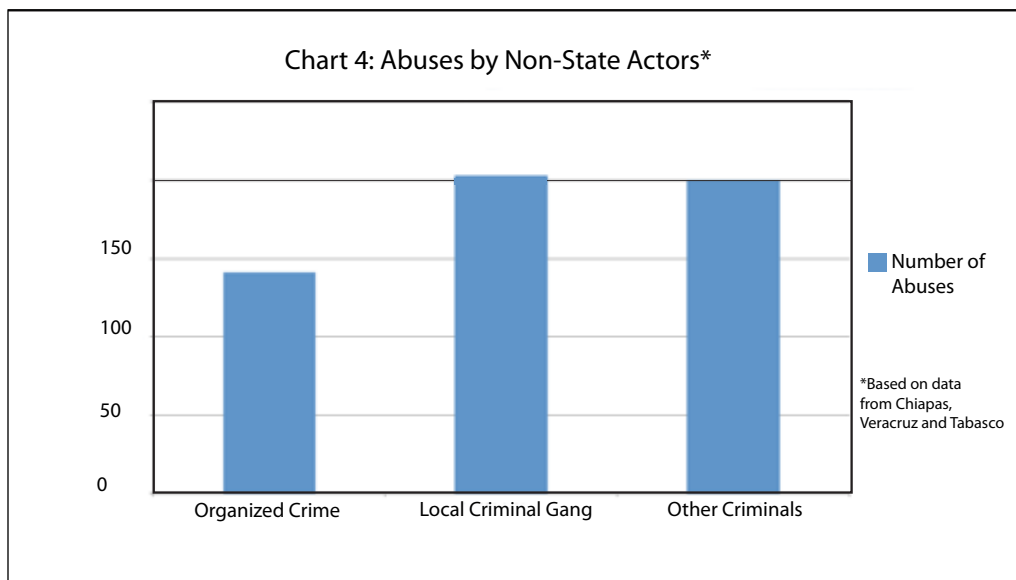
When the shelters document abuses, they only record the direct perpetrator, which means that the already-high percentage of abuses perpetrated by state officials does not include times when officials are complicit with the criminals who commit the actual abuse. The existence of state complicity is well-documented in the CNDH reports on kidnapping and the Amnesty International report on abuses in Mexico, among other research and advocacy sources. From the evidence in those reports, state complicity is more common with organized crime than with

74. Ana Langner (2012), "Policías mexicanas son los más racistas," *El Economista*, September 9, <http://eleconomista.com.mx/sociedad/2012/09/09/policias-mexicanos-son-mas-racistas> (accessed 16 August 2013).

75. Evidence from this section is from an interview with Iván Merino at Jesuit Migration Service (SJM) based on his knowledge from preliminary results of abuse documentation at six shelters in Mexico. All data are preliminary and results could change upon further evaluation and classification.

76. Noé Zavaleta (2013), "El infierno de los migrantes," *Proceso*, June 12, <http://www.proceso.com.mx/?p=344659> (accessed 16 August 2013).





other forms of crime. Moreover, the incidence of abuses by all perpetrators is likely undercounted because migrants were not always able to identify who perpetrated the abuse.

### ***Standing out as Migrants: the Special Vulnerability of Hondurans***

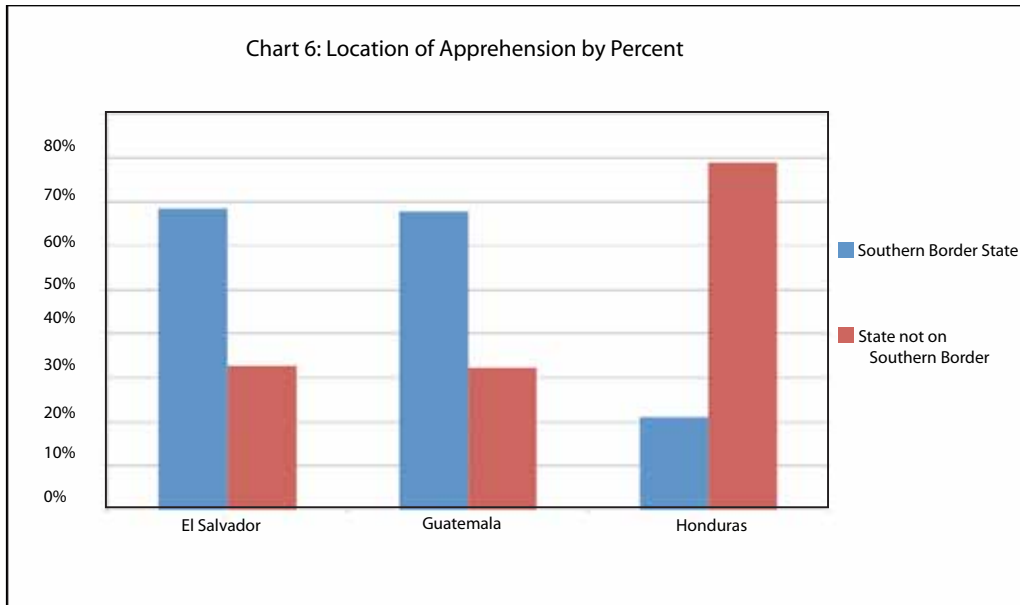
The various perpetrators of abuses seem to target those who are most easily identifiable as migrants, which means that Hondurans are particularly vulnerable to abuse as their physical appearance makes it more difficult for them to pass as Mexicans. Over four years, 40.7% of Hondurans interviewed by the EMIF Sur reported suffering extortion, compared to just 3.7% of Guatemalans and 3.3% of Salvadorans. In 2012, the only year that attack and robbery were measured, 31.7% of Hondurans deported from the U.S. reported suffering attack or robbery, compared to just 2.6% of Salvadorans and 5.2% of Guatemalans. (See Chart 5)

Although Hondurans are more likely to travel by train, as will be discussed in the following section, that tendency does not explain the stark contrast in abuse rates. In 2009 and 2012 those who did not travel by train were more likely to suffer extortion than those who did travel by train.<sup>[77]</sup> Even in the other years, Hondurans who did not travel by train were just as likely to suffer extortion as those who travel by train.<sup>[78]</sup>

In essence, Hondurans are more likely to suffer abuse because they are more visually identifiable as migrants. This distinction is evidenced by the stark contrast in place of apprehension between Hondurans deported by Mexican authorities and other Central Americans (Salvadorans

77. See above discussion relating means of transit to abuse rates.

78. These results are significant based on a chi squared significance test comparing whether a migrant travelled on the train to whether the migrant reported suffering attack or robbery. The p-value for the test was 0, and the relative frequencies showed that those not travelling on the train were more likely to suffer attack or robbery.



and Guatemalans) because migration officials can more easily identify Hondurans as undocumented migrants. Of deported Hondurans interviewed in the last four years, 78.9% were deported from within the country – that is, from a state other than the border states of Chiapas and Tabasco. By contrast, it seems that migration officials are only able to identify Salvadorans and Guatemalans when they have recently crossed the border and therefore stand out as migrants for situational reasons rather than phenotype. The vast majority from those two nations – 68.4% of Salvadorans and 67.7% of Guatemalans interviewed in the last four years - were deported from a border state.

Again, this difference cannot be explained solely by the fact that Hondurans travel by train at higher rates. In 2012, for example, only 24.3% of Hondurans interviewed were caught by migration officials while travelling on the train. The rest were caught on the street, on the highway, or in bus stations. Even excluding the percentage caught on the train, Hondurans are much more likely than Salvadorans and Guatemalans to be caught within Mexico. (See Chart 6)

Since Hondurans are more easily identifiable as migrants, they are more vulnerable to a range of abuses, as was discussed above. This finding is significant because it indicates that a primary indicator of risk is how easily one can be identified as a migrant. The perpetrator of abuse is not targeting Hondurans based on their nationality but based on their vulnerability as migrants. As they seek to identify migrants to target, they disproportionately identify Hondurans because they stand out. Therefore, the question of the special vulnerability of Hondurans is actually one of the danger of being a migrant because it demonstrates that those who are suspected of being migrants are more likely to be abused.

In June of 2012, Hurricane Carlotta destroyed a railroad bridge at Loma Bonita in the state of Oaxaca, so the train

was no longer running. Migrants who normally travelled on the train were forced to either walk or take the bus. Since they had the clothing and backpacks typical of those who ride on the trains, they were more easily identifiable than migrants who typically ride the bus and suffered numerous abuses. The below testimonies illustrate a few of those instances.

#### TESTIMONIES 4-6: SINGLED-OUT FOR EXTORTION

*One group interviewed in Veracruz reported that in Tabasco the municipal police locked them in a room in the bus station. The police demanded that they strip all of their clothes and, after inspecting the clothing, they took all of the money that they could find.*

*Similarly, the police took a group in Loma Bonita, Oaxaca from the bus station to a house in an unknown place. The migrants feared that they were going to be kidnapped. The police threatened to turn them in to migration officials but eventually the police simply robbed them of all the money that they had and then let them go.*

*Many other migrants in this time period also reported that Federal Police extorted between 500 and 1,000 pesos from them at bus checkpoints, with the threat that if they did not pay then the police would turn them in to migration officials.*

Abuse of migrants in Mexico happens on a daily basis. Continued impunity for perpetrators and extreme danger for migrants is a threat to the legitimacy of the Mexican government. If Mexico aims to improve security within the country with the help of the international community, they must better protect migrants. This would accomplish the multiple goals of diminishing human rights violations, cutting off an important source of income for organized crime, addressing corruption among government officials and strengthening the rule of law.

In order to accomplish this, the Mexican government should make it easier for migrants to denounce abuses and increase the capacity of institutional actors to productively respond. To facilitate the reporting process, the Mexican government should increase funding for Grupo Beta and expand its mandate to include documenting abuses and supporting humanitarian visa applications. It should also consider developing a toll-free hotline or other mechanisms readily accessible to migrants on the move with extremely limited resources. Similarly, an agreement between the different Central American governments making the services currently available to Salvadorans accessible to migrants more broadly would facilitate reporting.

## WAYS OF TRAVELLING

Central American migrants travel with the dual, and sometimes competing, aims of protecting themselves from abuse while still avoiding immigration enforcement. These two necessities shape the ways that they travel along the thousand-mile-long route through Mexico in complicated ways. Immigration enforcement throughout the country, and not just on the southern border, drives migrants to use unsafe means of transportation to evade migration officials, exposing them to more severe abuses, as was explained in the preceding section. At the same time, the rise in abuse in certain geographic areas has caused migrants to vary their routes and their means of transit. Despite these adaptations, there is no fully safe way for migrants to pass through Mexico. Protecting particular groups of migrants in a given area or on a particular means of transit, such as the train, is insufficient because of the way in which migrants adjust their travel patterns and protection in one area would simply shift the location of abuse from one means of transit to another. Therefore, a comprehensive approach to protecting migrants throughout the country is required to address the challenges that they face.

### Routes

In the past several years, Central American migrants have tended to travel through the eastern side of Mexico to arrive at the Texas border, the shortest and often cheapest route to the United States. For that reason, the increased flow of Central Americans led to a dramatic rise in the number of apprehensions in fiscal year 2013 compared to fiscal year 2012 along the Texas sectors of the U.S./Mexico border – as much as 67% in one sector.<sup>[79]</sup> At the same time, heightened violence along the eastern sectors of the border has driven many Central Americans to change their routes. Women in particular now tend to avoid the Gulf of Mexico routes and instead travel through western

79. Lourdes Medrano (2013), “Border Apprehensions Up Again. Big Blow to Immigration Reform Efforts?,” *CS Monitor*, June 4, <http://www.csmonitor.com/USA/2013/0604/Border-apprehensions-up-again.-Big-blow-to-immigration-reform-efforts> (accessed 16 August 2013).

Mexico to Tijuana.<sup>[80]</sup> Confirming that no route is fully safe, some migrants have said that although organized crime is less present on the Pacific route, the police still exploit migrants.<sup>[81]</sup> The environmental conditions are much more perilous on the Pacific route. This route involves travelling over 600 miles on the train through the desert, which means suffering temperatures of up to 122 degrees Fahrenheit.<sup>[82]</sup>

### Means of Transportation

As mentioned before, some of the most severe abuses against migrants occur on trains. For that reason, much of the media attention and advocacy in recent years have rightly focused on the plight of migrants travelling by train. However, most migrants use more than one means of transportation over the course of their journey through Mexico.

In fact, those on the train actually represent a minority of the total number of Central Americans travelling north. The Mexican National Migration Institute (INM) estimates that only 14% of migrants travel at some point by train.<sup>[83]</sup> EMIF Sur statistics confirm this rough estimate, as over the past four years 19% of those surveyed report travelling by train at some point during their journey north. The vast majority of Central Americans, on the other hand, travel for at least part of their journey on the bus. Of migrants interviewed in the past four years, 80.7% used the bus as one of two reported means of transportation through Mexico. A portion, 11.6%, also travelled for at least part of their journey in a trailer or truck. (See *Chart 7*)

This data matches migrants’ testimonies. Those who travel by train might, for example, take buses through particularly dangerous parts of southern Mexico or might take the train for the entire route to Mexico City and then travel by bus from Mexico City to the northern border.<sup>[84]</sup> With the recent rise of extortion via so-called fees and a wave of kidnappings on the train in southern Mexico, many migrants now travel by bus from the southern border to Mexico City to avoid that danger. Once in Mexico City, they might travel by train to the northern border to avoid checkpoints and save on bus fare costs.<sup>[85]</sup>

There is a degree of variation between different bus

80. Adriana Franco Rosales (2013), “Optan mujeres migrantes por papeles falsos para llegar a EU,” *Cimacnoticias*, June 24, <http://www.cimacnoticias.com.mx/node/63647> (accessed 16 August 2013).

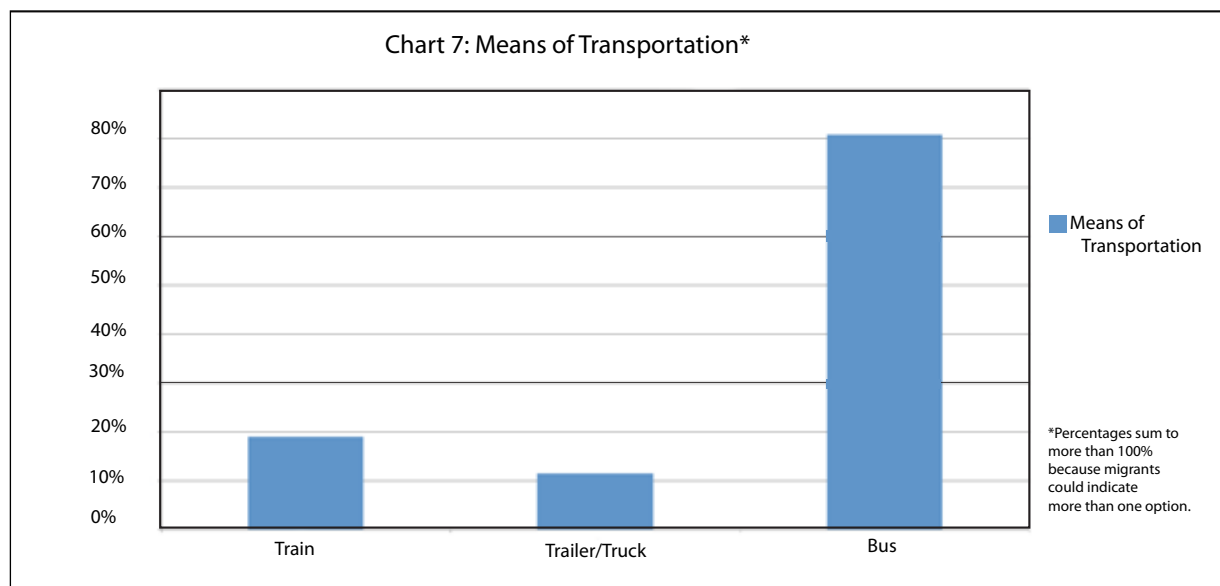
81. Laura Sánchez (2013), “El Diablo, nuevo tren de migrantes,” *El Universal*, July 14, <http://www.eluniversal.com.mx/estados/2013/impreso/el-diablo-nuevo-tren-de-migrantes-91663.html> (accessed 16 August 2013).

82. *Ibid.*

83. Rodríguez, Berumen and Ramos 2011, 7.

84. Ana María Chávez Galindo and Antonio Landa Guevara (2011), “Migrantes en su paso por México: nuevas problemáticas, rutas, estrategias y redes,” *Centro Regional de Investigaciones Multidisciplinarias de la Universidad Nacional Autónoma de México*, <http://www.somede.org/xireunion/ponencias/Migracion%20internacional/147Pon%20Ana%20Ma%20Chavez-Antonio%20Landa.pdf> (accessed June 27, 2013), 14.

85. Sánchez 2013.



options. One of the drawbacks of travelling by bus is the greater number of migration checkpoints, which some migrants counter by purchasing fake identity cards, significantly adding to the cost of this mode of transportation. Officials also use these checkpoints to extort migrants. Only migrants who are able to pay significantly more for their migration journey, especially for extortion at multiple checkpoints, are able to exclusively travel by bus.<sup>[86]</sup>

**TESTIMONY 7 BY A 19-YEAR OLD WOMAN FROM GUATEMALA: TRAVELLING NORTH WITH A FAKE IDENTITY DOCUMENT**

One Guatemalan woman interviewed at the border reported using the identity of a 20-year old Mexican woman from Chiapas. This 19 year old was travelling north to pay for medical treatment for her ill parents. For the entire duration of her journey, including with her Mexican travelling partners, she went by a fake name to protect herself. As a Guatemalan, she could feasibly claim to be from Chiapas and because of her false identity evaded many of the more dramatic risks that Central American migrants face, though it did not protect her from all abuses. Her coyote robbed her of 500 dollars and the border mafia charged her double the standard rate (3000 pesos as opposed to 1500 pesos) because they guessed that she was Central American.

Migrants who do travel by bus most often use cheaper bus lines which do not stop at normal bus stations. Passengers on these buses are vulnerable because the bus lines are known for carrying migrants.<sup>[87]</sup> As discussed in the previous section, criminal gangs have also encouraged migrants to take more expensive buses from Puebla or Mi-

choacán to the border with the promise that they will be protected from abuse. In spite of paying the more expensive ticket price, the migrants on these buses are systematically extorted upon arrival at the northern border.<sup>[88]</sup>

**Means of Transportation by Socioeconomic Class and Nationality**

The effect that insecurity has on migrants and their ways of travelling is even more worrying because of the relationship between socioeconomic class and means of transportation. Those who travel on train tend to be the poorest and most marginalized migrants.<sup>[89]</sup> They are caught between the impossible choices of either incurring debt to finance a journey on a slightly-less dangerous, though still unsafe, route, or exposing themselves to the more drastic abuses of the train. The poorest do not even have this choice; they cannot afford bus tickets and the pervasive extortion payments on buses, so must travel by train.

Our analysis of EMIF Sur data confirms that means of transit is related to socioeconomic class. We used education level as a proxy for socioeconomic class. However, particularly for migrants, economic status is often largely determined by the support of friends and family who remit money and not an individual's earning alone, making education level only a mediocre approximation of class. With this caveat in mind, data on education is still a useful indicator. At least among Hondurans, who represent the majority of those who ride the trains, socioeconomic class is correlated with means of transit; those who travel by train for at least part of the journey tend to have slightly lower levels of education than those who do not.

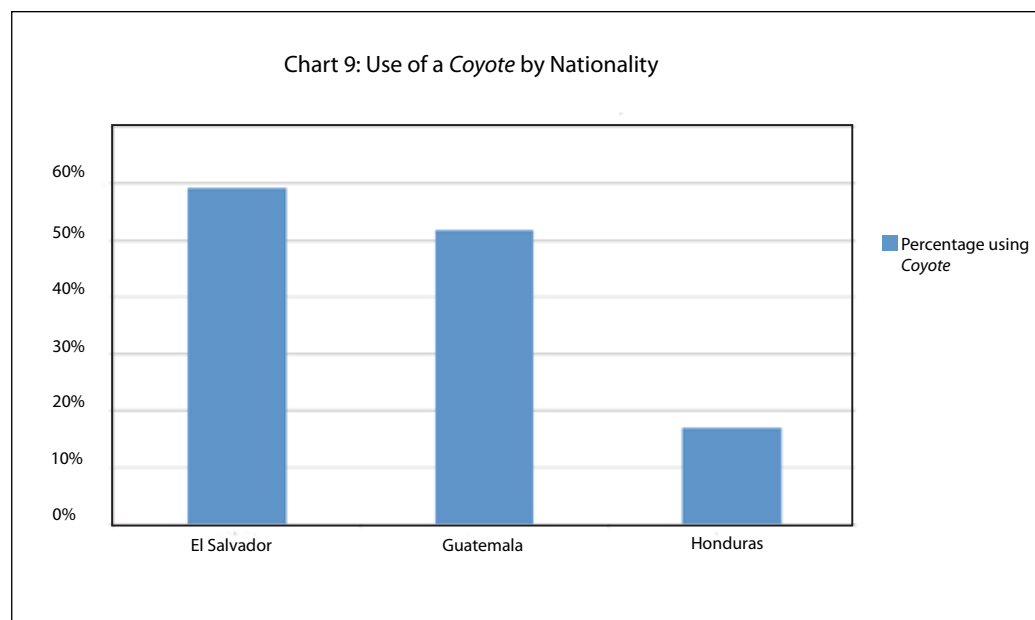
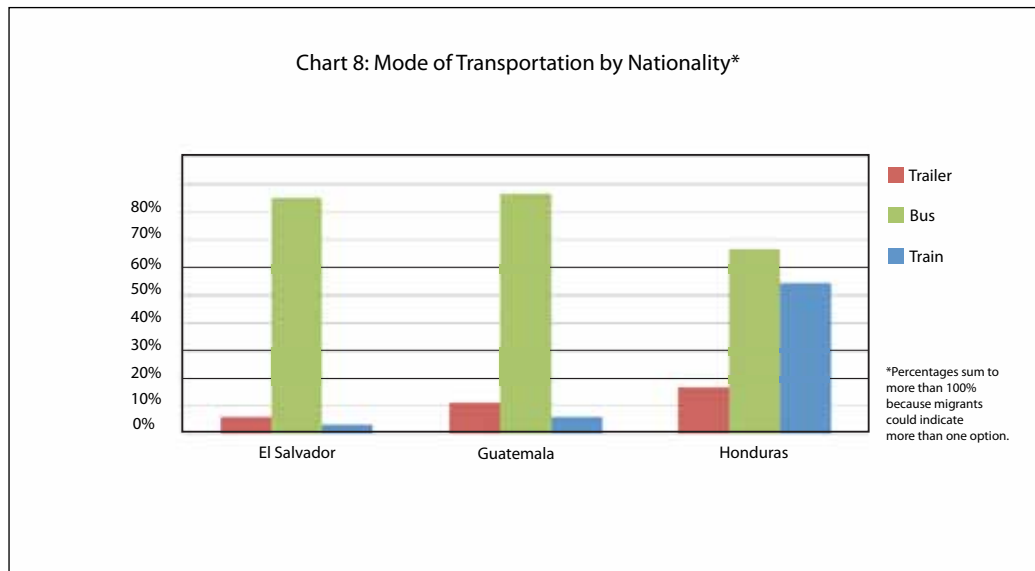
In part because Honduras is the second-poorest coun-

86. Rosales 2013.

87. Galindo and Guevara, 13.

88. Alcántara 2013.

89. Galindo and Guevara, 12.



try in Central America (after Nicaragua)<sup>90</sup>, Hondurans as a group are poorer and significantly more likely than other nationality groups to travel by train. Of Hondurans surveyed in the past four years, 54.5% reported travelling on the train for at least part of their trajectory. Since just 6% of Guatemalans and 3.3% of Salvadorans interviewed report travelling by train, the disparity between national groups is significant. This disparity is not only due to individuals' lack of economic capital, but also the lack of social capital in Honduran networks. Salvadorans and Guatemalans have a longer history of migration to the United States, as evidenced by the higher amounts of remittances sent to El Salvador and Guatemala (mentioned in the introduction). The longer migration history of Guatemalans and Salvadorans means that they have better-established social networks to support them on their journey, includ-

ing the support to purchase bus tickets. (See Chart 8)

Because of these differences in social networks, there were also differences among nationalities in the percentage who travelled by bus. However, the majority of each nationality report using the bus at some point during their trajectory. Of Hondurans interviewed, 66.8% report using the bus at some point during their trajectory. This figure is less than the percentage of Guatemalans who report using the bus, 86.5%, and the percentage of Salvadorans, 85.1%, but for each nationality the bus is clearly an important means of transportation.

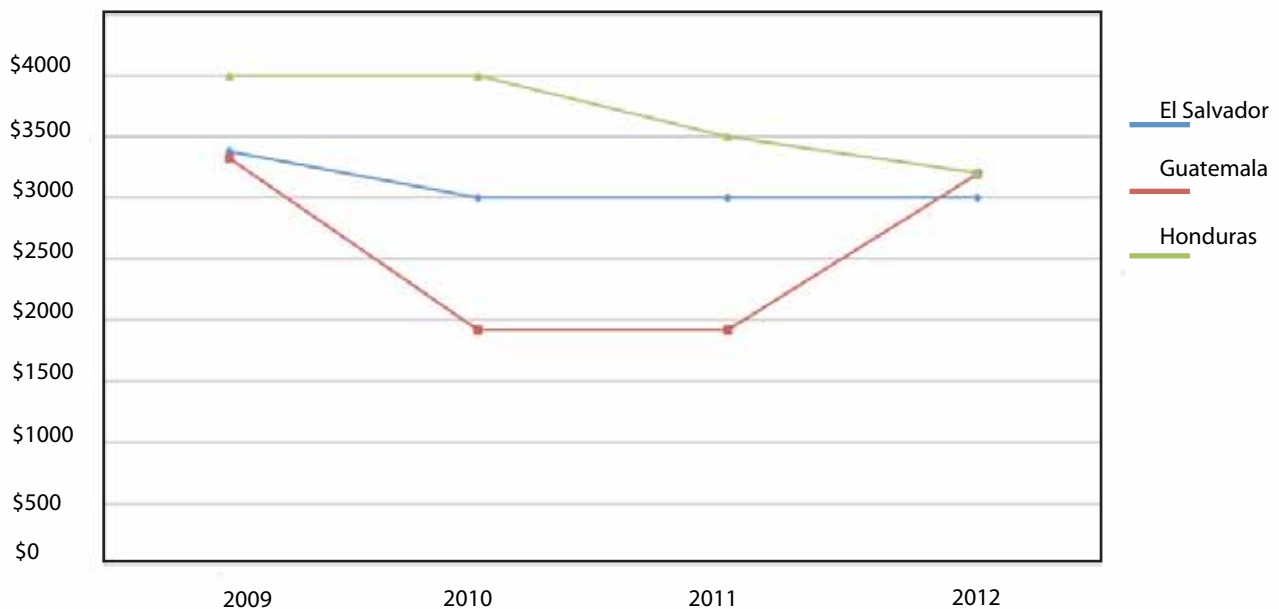
### Contracting Coyotes

Because of the need to evade Mexican migration officials, many Central Americans hire a coyote to guide them not just for their crossing attempt into the U.S. but also

90. CIA "The World Factbook – Honduras" 2013.



Chart 10: Media Amount Paid to Coyotes by Nationality



for their journey throughout Mexico. From 2009 to 2012, 43.7% of Central Americans hired a coyote for at least part of their trajectory through Mexico. However, there are significant differences between nationalities in terms of their propensity to contract a coyote. While 59.2% of Salvadorans and 51.8% of Guatemalans interviewed in the last four years reported using a coyote, just 17.0% of Hondurans said that they contracted a coyote. Again, this disparity by nationality likely relates to the relative poverty of Hondurans and the lack of established social networks to support Hondurans as they journey north. Salvadorans and Guatemalans who have family in the U.S. have greater access to funds to pay for coyotes and to recommendations of effective and trustworthy coyotes. (See Chart 9)

The one area in which there doesn't appear to be a disparity by nationality is the cost of contracting a coyote. In this respect, migrants who did contract a coyote tended to pay approximately the same amount, regardless of their nationality. In 2012, Salvadorans paid a median of \$3000 USD for a coyote through Mexico, while Guatemalans paid a median of \$3192 USD and Hondurans paid a median of \$3200 USD. (See Chart 10)

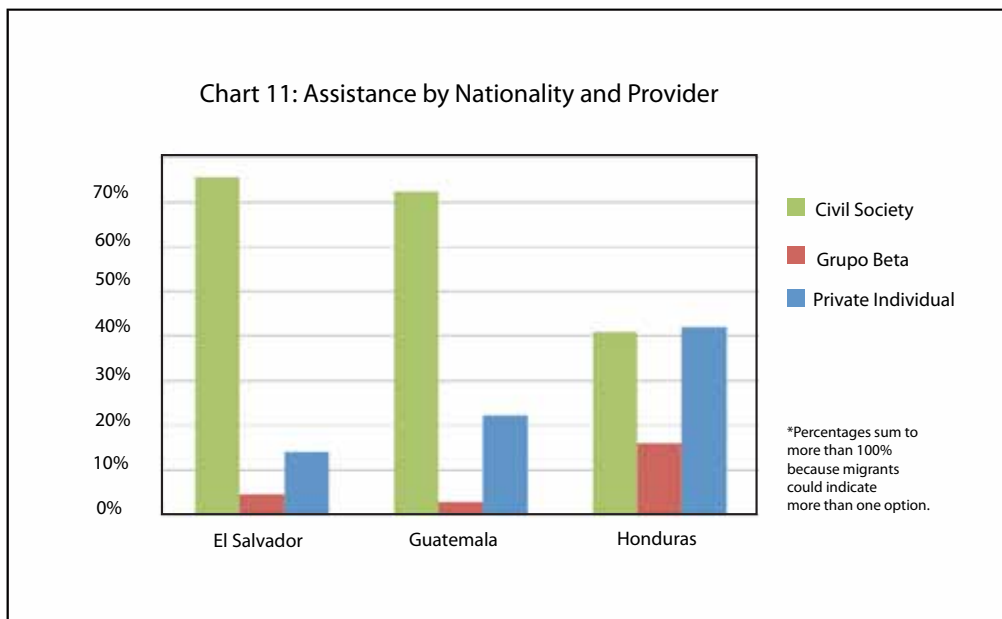
Since the poorest migrants travel by train, they are also much less likely to have contracted a coyote than those who do not travel by train. In the past four years, 11.5% of those interviewed who travelled for part of their journey on the train reported using a coyote while 51.6% of those interviewed who did not travel on the train reported using a coyote.

The high cost of coyotes and likely mode of transportation, such as trains where abuses are less frequent but much more severe, mean that the poorest migrants are the most exposed to dramatic abuses throughout their arduous journey. While changing patterns of abuse cause many migrants to adjust their strategies, new routes can expose migrants to dangers such as extreme heat in the desert in northwestern Mexico. Unfortunately, abuse is also likely to follow migrants as they adjust their strategies because organized crime and other perpetrators will also adapt. It is within this hyper-dynamic environment that more robust, accessible and timely reporting mechanisms are critical to combating public official corruption and organized criminal violence, while protecting migrants.

## RECEIVING ASSISTANCE

In this environment of abuse, the 54 migrant shelters along the journey are crucial safe havens for vulnerable migrants. These shelters have a dual mandate: First, they provide immediate humanitarian assistance to migrants, such as food and a place to sleep. Second, as part of a longer term strategy of protection, they document and report abuses and educate Central Americans on the dangers of the journey and their rights as they travel through Mexico.

Shelters reach a critical contingent of the migrant population: 12.4% of those travelling through Mexico report receiving assistance along their journey. Of those who received assistance, 56.5% report receiving services from civil society, which includes migrant shelters, non-profit



organizations, or the Catholic Church in general. Another 10.2% received assistance from Grupo Beta. Most of the remainder reported receiving assistance from private individuals. (See Chart 11)

The most visible assistance that shelters give is the basic provision of food, water, and a resting place. Of those who reported receiving assistance in 2012, 89% indicated that they received food, 95.6% were welcomed into accommodations to rest or bathe, 6.6% received medical attention, and 8.8% were given the opportunity to speak to their families by telephone. Migrant shelters provide many of these services for thousands of migrants every year. For example, in the single month of March 2013, the Albergue Decanal Guadalupano in Tierra Blanca served 2542 plates of food and received 820 migrants who entered to bathe, wash clothing, and rest.<sup>[91]</sup>

In the past few years, migrant shelters have also become a courageous advocacy voice for the Central American population. Shelters have collaborated in the publication of reports such as those mentioned in the introduction of this paper. Less visibly, shelters document abuses, communicate with consulates, and work within the network of shelters to identify and jointly condemn particular patterns of abuse, such as the systemic extortion on the train or violations by migration officials.<sup>[92]</sup> Migrant shelters played a critical role in the formation of the 2011 Migration Law, which was meant to better protect migrants in transit, expand protections for migrant shelters, and

prevent migration officials from conducting operations in the vicinity of shelters.<sup>[93]</sup>

### Shelter Insecurity

The fact that shelters play such a critical role in defending migrants makes their own insecurity even more troubling. In its 2011 report on the situation of human rights defenders in the Americas, the Inter-American Commission on Human Rights said that defenders of migrants' rights are exposed to particular danger in Mexico and outlined a number of abuses against them, including threats against shelter staff and migrant shelter security and the illegal detention of human rights defenders.<sup>[94]</sup> These threats are so severe, that some shelters have been forced to close.

Since shelters specifically attempt to protect migrants from drug cartels, the largest perpetrator of abuses against migrants, they are also menaced by the same cartels. Defenders who publicize the more severe abuses or ones that implicate more powerful actors are particu-

91. 2013, "Infomigrantes Marzo," *Albergue Decanal Guadalupano*, April 12, [http://alberguetierrablanca.blogspot.mx/2013/04/infomigrantes-marzo\\_12.html](http://alberguetierrablanca.blogspot.mx/2013/04/infomigrantes-marzo_12.html) (accessed 16 August 2013).

92. See, for example, (2012), "En solidaridad con el pueblo migrante ofendido, perseguido, golpeado, humillado por el INM, ayuno frente a la delegación en Tenosique, Tabasco," *La 72 Hogar*, October 3, <http://la72casademigrantes.files.wordpress.com/2012/10/comunicado-0310121.pdf> (accessed 16 August 2013), (2013), "Comunicado Urgente," *Albergue Decanal Guadalupano*, June 17, <http://alberguetierrablanca.blogspot.mx/2013/06/comunicado-urgente.html>, and López 2013.

93. Fifth Title, First Chapter, Article 76: "El Instituto no podrá realizar visitas de verificación migratoria en los lugares donde se encuentre migrantes albergados por organizaciones de la sociedad civil o personas que realicen actos humanitarios, de asistencia o de protección a los migrantes." (The Institute [of Migration] cannot conduct migration checks in places where migrants are sheltered by civil society organizations or where people are carrying out humanitarian acts of assistance or protection of migrants). *Ley de Migración* (2011), *Diario Oficial de la Federación*, <http://www.diputados.gob.mx/LeyesBiblio/pdf/LMigra.pdf> (accessed 16 August 2013).

94. (2011), "Segundo informe sobre la situación de los defensores y los defensores de derechos humanos en las Américas," *Comisión Interamericana de Derechos Humanos*, December 31, <http://www.oas.org/es/cidh/defensores/docs/pdf/defensores2011.pdf> (accessed 16 August 2013).

larly vulnerable to backlash from those accused.<sup>[95]</sup> For example, La 72 Shelter in Tenosique gathered evidence of the recent trend of systemic extortion of migrants on the train. After documenting the abuses, they held meetings with a number of Mexican governmental authorities to shed light this practice, which is perpetrated by organized crime. Shortly after accusing particular individuals of abuse, shelter staff and Ruben Figueroa, who had supported the investigations, received death threats from the criminals networks associated with the accused individuals.<sup>[96]</sup>

As a spokesperson for the defense of migrant rights, Fr. Solalinde who runs the Hermanos en el Camino shelter has also been a frequent target of death threats. Between March and May of 2012, he received six different death threats from sources that were all connected with organized criminal groups.<sup>[97]</sup> These death threats forced him to temporarily leave Mexico, though he returned after a few months and continues his work in spite of ongoing threats and the absence of protection from Mexican authorities.<sup>[98]</sup>

Not only has the state failed to protect shelters from these threats, but state officials have recently allegedly flouted the 2011 law's provisions that protect migrant shelters as a safe haven. On June 17, 2013, shelter workers in Huehuetoca (close to Mexico City) report that an operation of municipal police, federal police, and migration officials entered the shelter and detained two migrants within the shelter. Shelter workers allege that they also grabbed a migrant directly outside of the shelter and hit him with nightsticks before detaining him in the truck.<sup>[99]</sup> Shelter workers presented a formal complaint about this legal violation before the National Human Rights' Commission (CNDH).<sup>[100]</sup> Migration officials deny these accusations, and claim that the operation, which detained 30 migrants in total, was restricted to the area surrounding the train tracks and did not involve the shel-

ter.<sup>[101]</sup>

Similarly, just before midnight on July 27, 2013, Federal Police allegedly breached Mexican law by forcibly entering the "Todo por Ellos" shelter in Chiapas for migrants who are unaccompanied minors. The police claimed that they did not need a warrant because they were acting on a tip that the shelter was engaged in human trafficking. According to the shelter report to the CNDH, upon entering the police threatened the 15 migrants staying in the shelter, including youth and children, before inspecting the area.<sup>[102]</sup> The shelter suspects that police carried out the operation because a few months earlier, shelter workers had denounced seven policemen for extortion and sexual abuse. This denunciation eventually led to the detention of the policemen, and shelter workers claim that the police who forcibly entered were retaliating and attempting to intimidate them.<sup>[103]</sup> The Director of Federal Police in Chiapas apologized for the incident, said that the police were acting independently, and promised that the five officers involved would be charged for their crime.<sup>[104]</sup>

These specific examples of abuse compound other struggles faced by migrant shelters. For three years, the Catholic Church operated a shelter in Mexico City close to the train tracks, which gave migrants clothing, medical attention, and food. Neighbors forced the shelter to close in July of 2012, claiming that Central Americans in the area littered and contributed to an increase in crime.<sup>[105]</sup> When shelter workers then set up a temporary location to serve migrants, they were harassed and threatened.<sup>[106]</sup> The inability of shelter workers to safely provide basic assistance to migrants created a gap in humanitarian assistance, abuse documentation, and rights education in the migrant route.

The lack of security for migrant shelters and the rights defenders who staff them creates a two-fold problem. First, circumstances that restrict shelters also limit the availability and accessibility of humanitarian assistance.

95. (2012), "Situación General de defensoras y defensores de derechos humanos de migrantes en México," *Consejería en Proyectos*, December, [http://www.pcslatin.org/portal/images/documentos/Rotador/informe\\_PCS.pdf](http://www.pcslatin.org/portal/images/documentos/Rotador/informe_PCS.pdf) (accessed 16 August 2013).

96. (2013), "Comunicado," *La 72 Hogar*, March 10, <http://la72casademigrantes.files.wordpress.com/2013/03/comunicado-100313.pdf> (accessed 16 August 2013).

97. Emir Olivares Alonso and Ciro Pérez Silva (2012), "El sacerdote Alejandro Solalinde sale del país, amenazado de muerte," *La Jornada*, May 15, <http://www.jornada.unam.mx/2012/05/15/politica/005n1pol> (accessed 16 August 2013).

98. Ginebra (2012), "Amenazas de muerte no han parado: Solalinde," *El Universal*, December 13, <http://www.eluniversal.com.mx/notas/889839.html> (accessed 16 August 2013).

99. Juan Manuel Barrera (2013), "Allanan comedor de migrantes en Huehuetoca," *El Universal*, June 18, <http://www.eluniversaldomex.mx/otros/allanan-comedor-de-migrantes-en-huehuetoca.html> (accessed 16 August 2013).

100. Ricardo Rocha (2013), "Presentan queja ante CNDH por operativo en comedor Huehuetoca," *GrupoFórmula* June 18, <http://www.radioformula.com.mx/notas.asp?Idn=332943> (accessed 16 August 2013).

101. (2013), "Niega el INM supuesto ingreso a albergue de migrantes en Huehuetoca," *GrupoFórmula*, June 18, <http://radioformula.com.mx/notas.asp?Idn=333121> (accessed 16 August 2013).

102. (2013), "CNDH investiga ingreso de policías a un albergue en Chiapas," *SDP Noticias*, July 29, <http://www.sdpnoticias.com/local/chiapas/2013/07/29/cndh-investiga-ingreso-de-policias-a-un-albergue-en-chiapas> (accessed 16 August 2013).

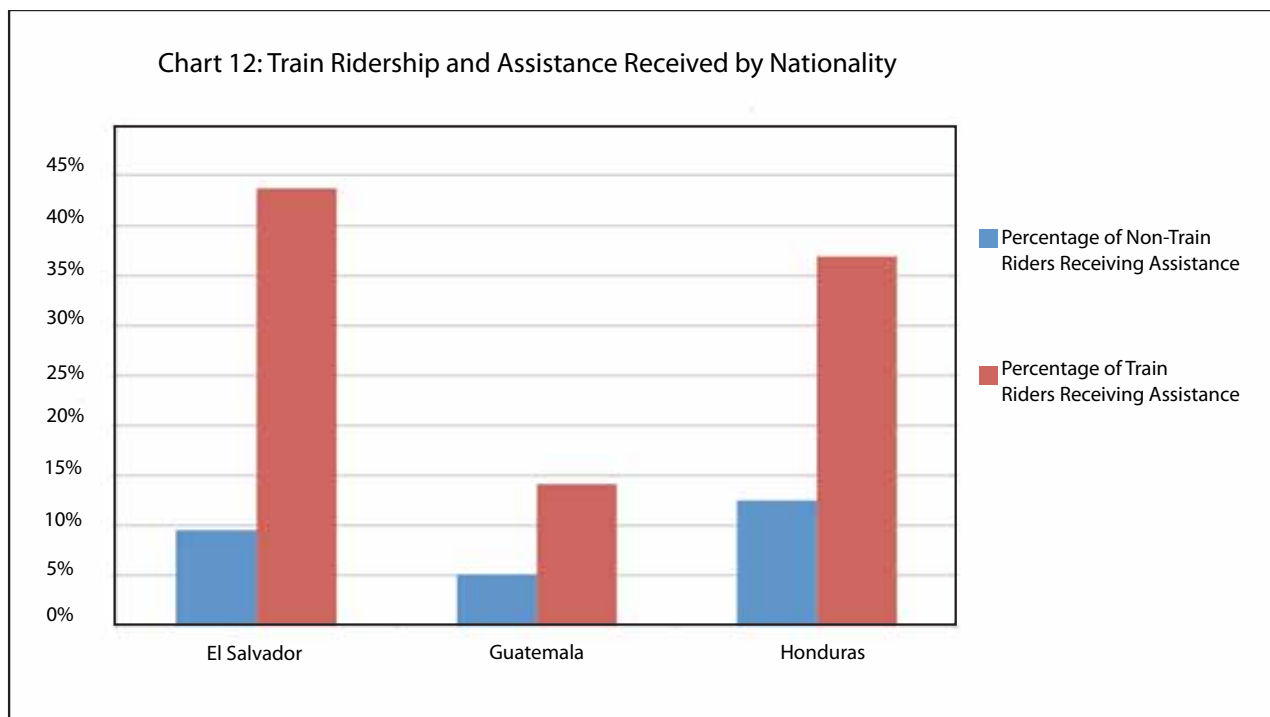
103. (2013), "Investigan irrupción de policías en refugio para migrantes en Tapachula," *Jornada*, July 30, <http://www.jornada.unam.mx/ultimas/2013/07/30/83625752-investigan-irrupcion-de-policias-en-refugio-para-migrantes-en-tapachula> (accessed 1 August 2013).

104. Juan de Dios García Davish, "Se disculpan PF con directivos de albergue en Chiapas," *Milenio*, July 28, [www.milenio.com/cdb/doc/noticias2011/174795593da5a9c787db6062bdc61876](http://www.milenio.com/cdb/doc/noticias2011/174795593da5a9c787db6062bdc61876) (accessed 16 August 2013).

105. Catherine Shoichet (2012), "In Mexico, Central American Immigrants Under Fire," *CNN*, July 14, <http://www.cnn.com/2012/07/14/world/americas/mexico-immigrant-shelter> (accessed 16 August 2013).

106. (2012), "IACHR urges the State to guarantee conditions of security in shelter for migrants in Mexico," *Organization of American States*, August 2, [http://www.oas.org/en/iachr/media\\_center/PReleases/2012/098.asp](http://www.oas.org/en/iachr/media_center/PReleases/2012/098.asp) (accessed 16 August 2013).

Chart 12: Train Ridership and Assistance Received by Nationality



As mentioned above, 58.5% of migrants who receive assistance obtain it at a shelter or similar organization. Migrants who endure dehydration and hunger along the journey, particularly those on the train who have limited resources, need these critical outposts of aid. The second consequence of the insecure situation of migrant shelters is that it limits the shelters' ability to defend migrant rights through abuse documentation and denunciation. Shelter workers take courageous risks to empower migrants who report abuses. Migrant shelters must be protected from insecurity so that they can both provide humanitarian aid and protect migrants through condemning abuses.

In order to support the critical work of the shelters, the Mexican government must adhere to the Migration Law's prohibition on immigration enforcement actions at shelters and respond more quickly and comprehensively when shelters and their staff are threatened. To both benefit from the wisdom of the human rights defenders and humanitarian workers, and to validate their work, the government should provide an ongoing and legitimate space for dialogue between government and civil society. These actions, along with other recommended throughout the report, will help to mitigate the impunity that threatens all people within Mexico, regardless of the immigration status.

### **Disparities in Access to Assistance**

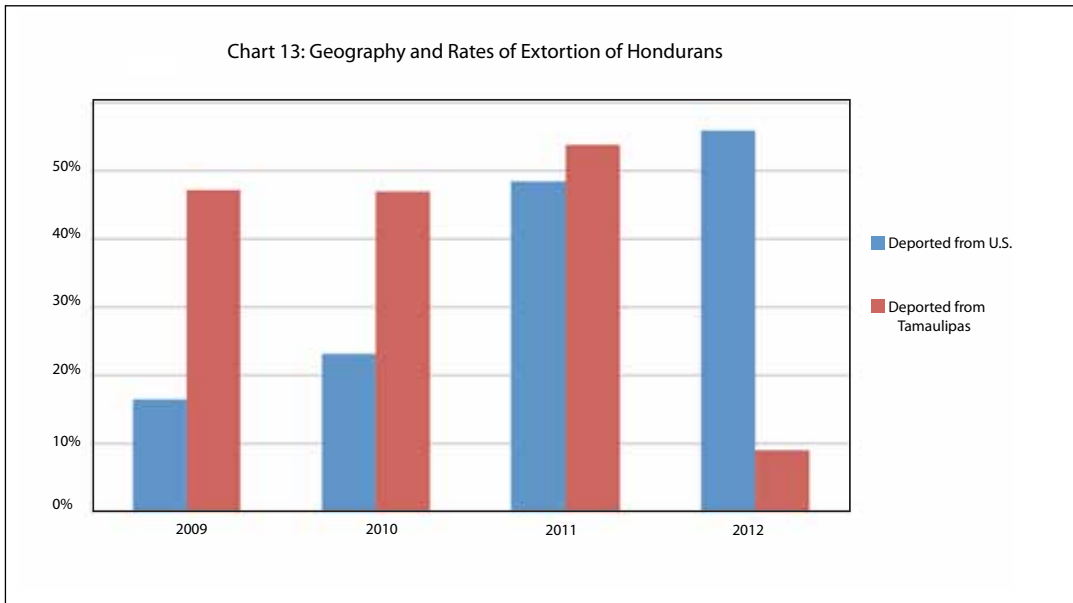
In general, those who travel on the train are more likely to access assistance than those who do not. For example, in 2012 just 12.5% of Hondurans who did not travel on the train reported accessing assistance, whereas 36.9% of those who travelled on the train received assistance. Similarly, 9.6% of Salvadorans not travelling on the train

received assistance, compared to 43.8% of those who did travel on the train and 5.1% of Guatemalans not travelling on the train received assistance compared to 14.1% of those travelling on the train.<sup>107</sup> Since Hondurans travel more often by train, as a group they are more likely than other nationalities to access assistance. Over the past four years, 23.3% of Hondurans interviewed have reported receiving assistance during their journey, compared to 6.3% of Guatemalans and 12.7% of Salvadorans. Within those receiving assistance, those who travelled by train were more likely to report receiving assistance from a migrant shelter or non-governmental organization whereas those who did not travel by train more often said that they received assistance from private individuals. (See Chart 12)

There are several possible reasons for the disparity in assistance between those who do and do not travel by train. First, those who travel on the train tend to be the poorest migrants and therefore are in the most need of support along the journey. Similarly, the train exposes migrants to a number of environmental hazards, such as exposure to the sun, lack of food and water, and injury while mounting and dismounting, and shelters are places of temporary protection and respite from that exposure. In response to the particular needs, environmental hazards and exposure of migrants on the train, most shelters are located along train routes to make them more accessible to migrants travelling on the train. This location makes those migrants not travelling by train less able to access to majority of shelters. Finally, migrants travelling by bus have a greater incentive to not be identified as migrants because they seek to blend in with Mexican bus riders, whereas those

107. These results are statistically significant. For Hondurans and Salvadorans, a two-sample z-test yields a p value of 0 and for Guatemalans a two-sample z test yields a p value of 0.001.

Chart 13: Geography and Rates of Extortion of Hondurans



on the trains are already marked as migrants and so risk less when they are seen near a shelter. Therefore, both a higher need for assistance among train riders and barriers to access for bus riders likely contribute to the disparity between groups.

Because of the more dramatic abuses against train riders and their greater environmental and financial vulnerability, shelters are right to direct their resources towards migrants who travel on the train. Unfortunately, as a result, those who travel by bus do not benefit from the protection and advocacy that civil society offers through those spaces. Much is still unknown about what bus riders suffer on their journey, in part because they less frequently access the abuse denunciation mechanisms of shelters. Already-overwhelmed shelters are likely not in a position to expand their mandate, but consideration should be given to opportunities to advocate for the protection of migrants riding on buses as well.

## DIRECTIONS FOR FUTURE RESEARCH

This report is not an exhaustive account of abuses against migrants in transit through Mexico. Much work remains to be done in order to better understand the problem and identify the ways in which different actors can respond to better protect migrants in transit. This section details a few areas for further investigation, based on interesting trends in the data that we cannot fully explain.

### *Geography of Abuse and Complaints*

While general information on the rates of abuse throughout Mexico is helpful, more specific analysis of the geography of abuse is critical so that the government and civil society can understand the particular challenges of different geographical areas and more effectively protect migrants from abuse. The recently released report *Victimas entre Fronteras* is helpful in that regard because it

gives examples of different types of abuse that occur at different points in the journey of a migrant. More analysis of that kind is needed to illustrate and analyze trends and changes.

Our analysis suggests that the geography of where abuses are committed may be shifting north, particularly based on recent inconsistencies in abuses reported by those deported from the U.S. and those deported from the northern border of Mexico. In previous years, migrants deported from Tamaulipas, which is a Mexican state that borders the U.S., reported extortion at a higher rate than those deported from the U.S. Perhaps the extortion and other abuses that migrants suffered inhibited their ability to continue their journey and attempt to cross the U.S./Mexico border, while those who suffered a lower rate of abuse had a better chance of crossing Mexico's northern border. For example, in 2009 16.4% of Hondurans deported from the U.S. reported suffering extortion compared to 47.2% of Hondurans deported from the state of Tamaulipas.<sup>[108]</sup> Similarly, in 2010 23.2% of Hondurans deported from the U.S. reported suffering extortion compared to 46.9% of those deported from Tamaulipas.<sup>[109]</sup> The difference in extortion rates is not significant in 2011: 48.3% of Hondurans deported from the U.S. reported suffering extortion compared to 53.8% of those deported from Tamaulipas.<sup>[110]</sup> (See *Chart 13*)

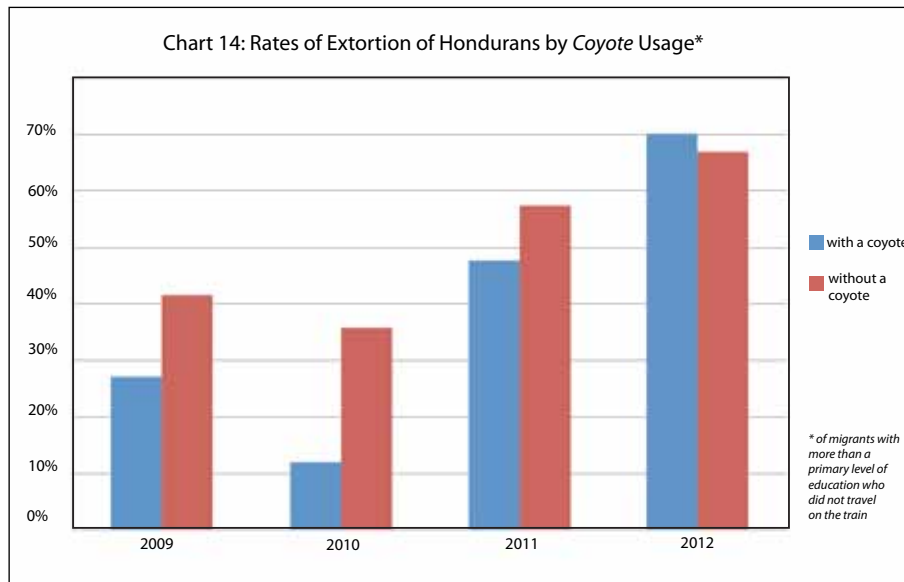
However, this trend disappeared in 2012, potentially due to a shifting geography of abuse. In that year, 55.9% of Hondurans deported from the U.S. reported suffering extortion compared to just 8.9% of those deported from

108. This difference in percentages is statistically significant: a two-sample z-test yields a p value of 0.

109. This difference in percentages is statistically significant: a two-sample z-test yields a p value of 0.

110. This difference in percentages is not statistically significant: a two-sample z-test yields a p value of 0.224





Tamaulipas.<sup>[111]</sup> It is possible that this significant reversal is because the northern border is much more violent than it was previously, so the majority of abuses that migrants suffer occur on the northern border itself. Those deported from Tamaulipas have been in Mexico for a median of 15 days while those deported from the U.S. report that their journey through Mexico lasted a median of 25 days. Therefore, there is an approximately ten day gap between the two groups in which migrants finish their journey to the northern border or prepare to cross. It is possible that significant levels of abuse occur during this window. While this explanation seems possible, the data is not clear enough to strongly conclude that abuse has shifted in its location.

Anecdotal evidence is mixed, particularly because the increase of extortion on the trains in the south could also signal a shift in the geography of abuse. An additional complicating factor is the difference between where an abuse occurred and where it is reported. Migrants deported from the U.S. may report abuse at a higher rate because they are further separated from the place of abuse or the perpetrator. For migrants deported from Mexico, however, abuses may have occurred more recently or at the hands of actors who are still present. The more recent trauma might affect the rate at which they will report abuse. Because of these various complicating factors, more research is needed on the geography of abuse.

### ***Relation between Coyotes and Abuse***

As mentioned above, 43.7% of Central Americans hire a coyote to lead them on at least part of their journey through Mexico. In spite of the high percentage using coyotes, the relationship between use of a coyote and rate of abuse is unclear. In general, migrants hope that coyotes will help them avoid the risks of the journey,

111. This difference in percentages is statistically significant: a two-sample z-test yields a p value of 0.

including abuse at the hands of authorities and organized crime. In many cases, however, coyotes are complicit with organized crime and rather than protecting migrants they expose them to more abuses. On the other hand, coyotes might collaborate with organized crime by paying for their group of migrants to pass through the cartel territory. This payment, while potentially a form of extortion itself, may also protect migrants from other worse abuses.

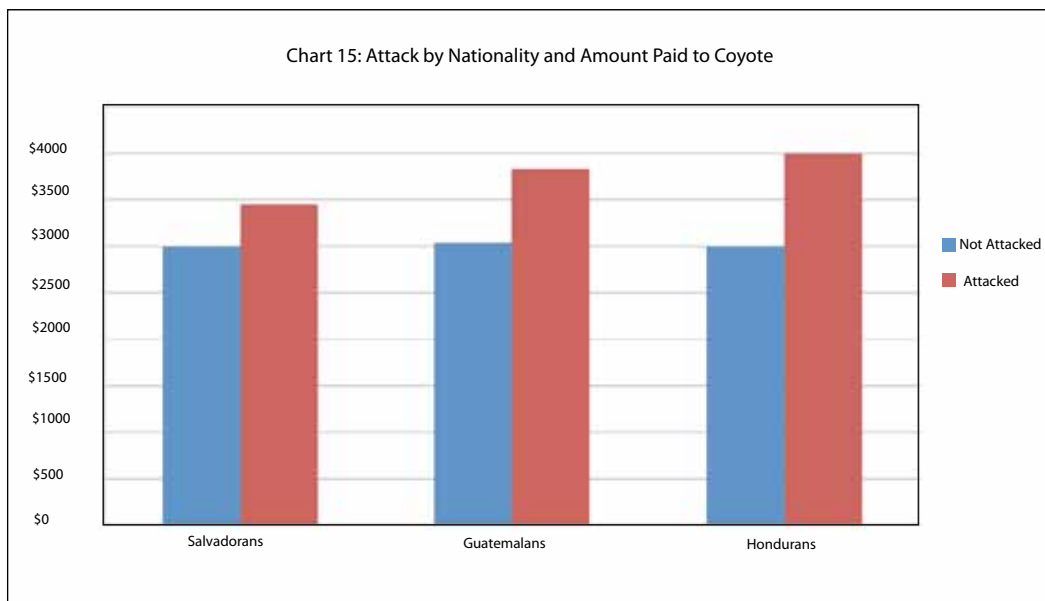
Statistically, the picture is mixed on the effectiveness of a coyote to help a migrant avoid abuse. Education and means of transit both affect abuse rates so we controlled for both factors in order to give a clearer picture of the impact of a coyote. We also looked specifically at migrants with more than a primary level of education who did not travel by train, since other groups are very unlikely to hire coyotes and might complicate the finding by introducing additional variables. In 2012, having a coyote did not make a significant difference in protecting Hondurans with the aforementioned characteristics. While 70.1% of such Hondurans who used a coyote were extorted, 66.9% of migrants who did not use a coyote were extorted.<sup>[112]</sup> At the same time, it seems that coyotes are correlated with a reduced rate of attack and robbery. Just 21.7% of those with a coyote and the aforementioned characteristics<sup>[113]</sup> suffered attack or robbery, compared to 33.9% of those without a coyote.<sup>[114]</sup> (See Chart 14)

However, the results are different for Salvadorans and Guatemalans. These migrant populations have a much lower rate of abuse in general, but it seems that those with a coyote were slightly more likely to be abused than those without one. For Salvadorans, the difference is not statistically significant: In 2012, 2.7% of Salvadorans

112. This difference is not statistically significant: a two-sample z-test yields a p value of 0.613

113. Of Hondurans deported in 2012 with more than a primary education and not travelling on the train

114. This difference is statistically significant: a two-sample z-test yields a p value of 0.045.



with more than a primary level of education who did not travel by train but did have a coyote suffered extortion, compared to 0.6% of those without a coyote.<sup>[115]</sup> For Guatemalans, the difference is significant: In 2012, 5.8% of those with the aforementioned characteristics and with a coyote suffered extortion, compared to 0.8% without a coyote.<sup>[116]</sup>

The data are also mixed on the correlation between coyotes and extortion for Hondurans before 2012. In 2011, there is only a smaller, statistically insignificant difference: 47.8% of Hondurans with more than a primary level of education who did not travel on the train and had a coyote suffered extortion compared to 57.5% of those without a coyote.<sup>[117]</sup> In 2010 there is a large, statistically significant difference: 11.9% of those of the same characteristics and with a coyote suffered extortion compared to 35.8% of those without a coyote.<sup>[118]</sup> In 2009, there seems to be a large difference but because of sample sizes it is not statistically significant: 27.1% of the more highly educated who did not travel on train and did have a coyote were extorted, compared to 41.6% of those without a coyote.<sup>[119]</sup>

It is unclear why coyotes in 2012 were far less helpful than coyotes in previous years. One hypothesis regarding the link between coyotes and abuse is that cheaper coyotes are less likely to protect migrants from abuse because they are lower quality. However, there is no evidence to support of this hypothesis among those who suffer extortion. In 2012, Salvadorans who were not extorted

and Salvadorans who were extorted both paid a median of \$3,000 USD for their coyotes. Guatemalans who were extorted actually paid more than those who were not. Those who were not extorted paid a median of \$3,192 USD compared to a median of \$4,043 USD for those who were extorted. However, because of the small sample size, that difference is not significant. Only for Hondurans was the difference in amount paid statistically significant: Those who were extorted paid a median of \$3,000 USD, compared to the \$3,500 USD that those who were not extorted paid.<sup>[120]</sup>

Not only is the hypothesis on cheaper coyotes not substantiated by the data, the data on attack and robbery, which was a new question in 2012, actually seem to contradict the idea that cheaper coyotes are worse. The difference in medians is not statistically significant, probably because of small sample sizes, but if anything, the data show a slightly higher price for coyotes among those who are attacked.<sup>[121]</sup> Salvadorans in 2012 who were not attacked paid \$3,000 USD while those who were attacked paid \$3,450 USD. Guatemalans who were not attacked paid \$3,033 USD while those who were attacked paid \$3,831 USD. Hondurans who were not attacked paid \$3,000 USD while Hondurans who were attacked paid \$4,000 USD. It is unclear why migrants who paid their coyotes more also seemed to be more vulnerable to attack and robbery. (See Chart 15)

Ultimately, our information is further limited by the fact that coyotes may take migrants for different segments of their journey and the abuses that migrants suffer may

115. This difference is not statistically significant: a two-sample z-test yields a p value of 0.12

116. This difference is statistically significant: a two-sample z-test yields a p value of 0.021

117. This difference is not statistically significant: a two-sample z-test yields a p value of 0.189

118. This difference is statistically significant: a two-sample z-test yields a p value of 0.001

119. This difference is not statistically significant: a two-sample z-test yields a p value of 0.093

120. Significance tested through a quantile regression test. For Hondurans, the 2.5 percentile of the difference was 501.25 and the 97.5 percentile of the difference was 1500, which means that we reject the null hypothesis that the difference between medians is 0. The distribution of the difference for Salvadorans and Guatemalans did include 0, so we cannot reject that null hypothesis.

121. Significance tested through a quantile regression test. All distributions of difference did include 0.

not necessarily be during the period in which they had a coyote. Further investigation is needed on this point and, more broadly, on the relationship between contracting a coyote and vulnerability to abuse.

### ***Socioeconomic Status and Abuse***

Over the course of the four years of EMIF Sur data for each of the three nationalities, only among Hondurans in 2012 were the differences in extortion rate significantly correlated with socioeconomic class.<sup>[122]</sup> However, larger sample sizes may yield more significant results. In general, the small differences that exist indicate that those of lower socioeconomic class, defined here as those who only have a primary level of education, are more likely to be extorted than those who have more than a primary level of education. However, within that broad trend, there are a number of differences depending on the year and nationality of the migrants. Our data is insufficient to explain this variation, partially because education level is only a rough proxy for socioeconomic class. Therefore, our findings are only a preliminary basis for future research.

Class seems to have the most consistent, though insignificant, effect on Salvadorans, where those who have lower levels of education were more likely to be extorted than those with more than a primary education in 2009, 2010, and 2011. Extortion was equally likely for the two groups in 2012. For Guatemalans, there is no clear trend indicating how socioeconomic status affects rates of abuse, as those with only a primary level of education were more likely to be extorted in 2010 and 2012 but less likely to be extorted in 2009 and 2011. For Hondurans, those with lower levels of education were more likely to be extorted in 2010 and 2011 and equally likely in 2009. In 2012, however, while on the train those with higher levels of education were more likely to be extorted, there was very little difference by socioeconomic class for those not on the train.

Reports of attack and robbery, which were only measured in 2012, yielded slightly different results. Guatemalans and Hondurans with lower levels of education were much more likely to be attacked or robbed than those with higher levels of education. Among Salvadorans, however, the opposite was true: those with more than a primary level of education were more likely to be attacked or robbed. This result for Salvadorans is surprising given that those with lower levels of education were consistently more likely to be extorted. Although we cannot yet hypothesize on reasons for these results, the impact of socioeconomic class – along with other variables in this section – merits further investigation.

122. For Salvadorans, the p-values were as follows: in 2012, 0.752; in 2011, 0.542; in 2010, 0.858 and in 2009, 0.109. For Guatemalans, the p-values were: in 2012, 0.722; in 2011, 0.372; in 2010, 0.720 and in 2009, 0.5708. For Hondurans, the p-values were: in 2012, 0; in 2011, 0.457; in 2010, 0.244 and in 2009, 0.306.

## **RECOMMENDATIONS**

### ***Further Research***

The EMIF Sur questionnaire should be changed to include separate questions on abuses suffered, rather than listing abuses as potential responses to the question on general suffering.

The first additional question on abuses suffered should provide further options for type of abuse, such as kidnapping. The EMIF Sur should have subsequent questions on the location of the abuse and the perpetrator. This recommendation is in keeping with the Mexican government's acknowledgement of the need for enhanced research on the pervasiveness of abuse.<sup>[123]</sup>

The EMIF Norte should include a question on extortion and robbery of Mexican migrants while they are en route to the border in order to see the extent to which Mexican migrants are also affected by these abuses.

Research institutions should investigate migrants' motivation for migrating and whether these motivations are correlated with vulnerability to abuse, though this may be beyond the scope of the EMIF Sur.

### ***United States Government***

Engage in bilateral discussions with Mexico about the implementation of the 2011 Migration Law and the 2013 Victim's Law. Support measures to build the capacity of Mexican authorities to investigate and prosecute crimes against migrants and to educate health officials and law enforcement bodies on the implications of the laws for their work.

Recognize that victims may not feel safe denouncing abuses in the vicinity of perpetrators. Work with Central American consulates to develop mechanisms through which victims of crimes committed in Mexico can denounce and participate in legal proceedings from the U.S. Support funding for similar mechanisms in Central America.

Support Mexico in their efforts to reduce kidnapping of migrants by creating a way for people in the U.S., regardless of immigration status, to denounce attempts at extortion. Explore the potential for federal law enforcement entities to play an active role in investigating attempted extortion of U.S. residents, particularly as the transnational nature and victims of these crimes implicate multiple jurisdictions.

Ensure that any support for increased control of migration flows by the Mexican government, especially at Mexico's southern border, is coupled by resources to increase migration officer accountability and human rights

123. "Informe del Estado Mexicano Sobre Secuestro, Extorsión y otros Delitos Cometidos contra Personas Migrantes en Tránsito por Territorio Mexicano." July 16, 2010, Chapter 8, Section 161

training. This can be accomplished by strengthening the human rights conditions in U.S. Congressional appropriations, particularly for southern border security funding.

Use Mérida funding, which is primarily directed to the Federal Police, to exercise leverage and ensure better accountability and respect of human rights among Federal Police, specifically with regards to their treatment of migrants and implementation of the 2011 Migration Law and 2013 Victim's Law.

Increase funding to Grupo Beta to enhance the agency's ability to provide life-saving humanitarian assistance and human rights protection to migrants within Mérida Initiative funding and ensure that Mexican partners, including the National Institute for Migration, understand that humanitarian and human rights operations carried out by Grupo Beta are a key component for promoting stability and the rule of law throughout Mexico.

Explore multilateral opportunities, such as the UN Trust Fund for Human Security, to promote the human rights of migrant crime victims, and facilitate ease of registration of crimes and participation in legal proceedings.

Ensure that the U.S. returns identity documents to deported Central Americans to reduce their vulnerability after deportation as such documentation will help them access services and consular resources, and denounce abuses.

### ***Mexican Government***

Provide a toll-free hotline for migrants to denounce abuses, in which migrants have the option of remaining anonymous or identifying themselves. Information about this hotline should be disseminated to migrant shelters and the hotline number should also be posted in bus stations and other locations where migrants take alternative means of transportation.

Expand resources directed at Grupo Beta and the mandate of the organization to allow them to identify and document abuses committed against migrants and provide information to migrants about how to denounce such abuse. In particular, expand the mandate of Grupo Beta to give them more authority to support applications for humanitarian visas.

Encourage the National Human Rights Commission (CNDH) to be more proactive in efficiently investigating human rights complaints and making recommendations to government agencies as a result of these findings. To increase accountability, the CNDH should be more transparent about the number of cases and complaints received, observed trends, and the actions taken in response to the cases.

Explicitly add kidnapping in the scope of "serious crimes" for which the CNDH has an expanded mandate to investigate particular cases.

Improve the efficacy of the humanitarian visa system by expanding the network of offices that grant these visas and provide greater transparency and clarity about what constitutes a legitimate claim to prevent arbitrary denial of claims.

Increase accountability and oversight of public officials to combat their involvement in extortion rings, including increased sanctions to penalize police for engaging in extortion, robbery, and other abuses. This increased accountability should particularly focus on the Federal Police and should include confidence tests or a process similar to that used to identify corrupt practices among INM agents. Civil society can play an important supporting role by conducting independent audits and dialoguing with the Mexican government about findings.

Provide an ongoing and legitimate space for dialogue between government and civil society on issues of protection of migrants by expanding and strengthening efforts such as "la mesa sectorial de migración." These efforts at dialogue should encompass civil society actors throughout the country and not be limited to meetings in Mexico City or at the northern border.

Protect and support civil society in its humanitarian assistance and protection of migrants. The Mexican government must respect the 2011 Migration Law's limits on conditions under which authorities can enforce migration laws in order to preserve and promote humanitarian access to shelters.

Act quickly to implement comprehensive protection measures when human rights' defenders are threatened.

Strengthen the legitimacy, effectiveness, and transparency of the Internal Control Organisms (OCIs) for governmental bodies, especially the Defense Secretary and the Secretary of Governance. To provide further accountability, the government should encourage better collaboration between the CNDH and the OCIs. However, the OCIs should not wait for CNDH complaints to take action but rather should proactively investigate accusations and sanction officials judged culpable for human rights violations.

Improve efficiency of investigations into human rights abuses of migrants in order to effectively prosecute such abuses and to combat impunity. In addition, the judicial system should pursue legal investigations into alleged abuses even in cases in which the migrant victim does not remain in the country for the full duration of the legal process.

### ***Central American Governments***

Continue to increase coordination of consular resources to support access for all Central American migrants in Mexico. Consider a model of regional cooperation which expands the call center for Salvadorans to provide access for all Central Americans to contact their consulates while

they are in transit through Mexico.

Provide a mechanism for migrants to denounce abuses suffered when they are deported to Central America. Questions about abuse suffered while in transit in Mexico should be part of the intake process for deported migrants. Although this information likely will not be used in specific judicial processes, it can be used to identify patterns of abuse and trends to identify parties culpable for such abuses.

Provide human rights complaints to consulates in the United States and communicate this information to Central American and Mexican governments. Consulates should also disseminate information on the proposed toll-free hotline, and encourage families to pass on this information to migrating friends and relatives.

### ***Civil Society***

Encourage CNDH to be more proactive in investigating complaints, publishing findings and making recommendations to government entities.

Advocate holding governments accountable for following through on all recommended actions, with particular attention to failures of governments to abide by national or local laws and regulations that protect migrants' human rights.

Spread information and awareness of the recommended toll-free hotline (if implemented) and encourage migrants to use this resource.

Increase the presence of civil society actors and services in and around bus stations, and seek increasingly creative ways to serve migrants without making their status as migrants visible. This recommendation is based on the data showing the vulnerability of bus riders to abuse, particularly trends demonstrating increased abuse on migrant-only buses.

Expand mechanisms for using and publishing migrant shelter data to document trends in abuse, mode of transit, and motives for migration.



# APPENDIX: METHODOLOGY

## The EMIF Sur

This report relies upon data from the EMIF Sur. The EMIF Sur is a survey that began in 2004 through the collaboration of the Northern Border College (COLEF) and various governmental bodies. The collaborating governmental institutions include the National Population Council (Conapo), the Ministry of Labor and Social Welfare (STPS), the Foreign Ministry (SRE) and the National Migration Institute (INM). The EMIF Sur is based on the model of the EMIF Norte, which has been in operation interviewing migrants on the northern border of Mexico since 1993.

The EMIF Sur surveys migrants who have been deported by Mexican authorities and those who have been deported by US authorities. Those deported by Mexican authorities are interviewed at the land borders of Guatemala, Honduras, and El Salvador. Those deported by US authorities are interviewed in the airports of each country. Therefore, for each year, there are six data sets: Hondurans deported from the US; Hondurans deported from Mexico, Salvadorans deported from the US, Salvadorans deported from Mexico, Guatemalans deported from the US, and Guatemalans deported from Mexico.

### Choosing Data Sets

Those migrants who were deported from Mexico were captured after a median of 10 days in the country whereas those deported from the US report spending a median of at least 20 days in Mexico. For this reason, the experiences of migrants deported from the US offer a more comprehensive picture of the range of abuses migrants are likely to suffer. Because of this vast difference in exposure to opportunities for abuse in Mexico and slight variations in the different EMIF Sur questionnaires, this report primarily relies on data from interviews of those deported from the US. In the few instances in which this report uses data of those deported from Mexico, it does so because of the particular explanatory power of the data in those situations. Any such instances are specifically noted to distinguish them from the majority of the data, which is of those deported from the US.

### Presentation of Data

As mentioned above, the EMIF Sur produces separate data sets for each year and nationality. In some instances we aggregated the survey data across years and nationalities by adding together totals in the survey results. When we aggregated across years, we limited the scope of the data using the method described below in the Limiting Time Period section. Since these data come from different sets, we cannot test for statistical significance in these aggregations and therefore do not present that information in the footnotes. However, in many cases we analyzed the data sets separately for each year and nationality and

present the data as such. When data are disaggregated, we do provide information on the statistical significance of our results.

In some sections, we present data only for a particular subset of the overall population. This allows us to control for certain variables and better understand how different variable interact with one another. For example, in our further research section on coyotes, we specifically present data for migrants not on the train who have more than a primary level of education. In this case, we narrow our presentation because that particular group contracts the overwhelming majority of coyotes. Therefore, in order to analyze the relation between coyotes and abuse while controlling for other variables, we limit our analysis to those not on the train with more than a primary level of education.

### Adjustments Made for Data Analysis

*Using Un-Weighted Data:* The EMIF Sur data was weighted based on the location and time of the survey.<sup>[124]</sup> Since this weighting was not directed at representing the demographics of the overall population of migrants, we used the un-weighted data for our analysis in order to more easily aggregate data across years and nationalities.

*Limiting Time Period:* The sample of Central Americans deported by US officials included people who resided in the US for many years prior to being deported. Those who had resided for a longer period in the US do not reflect recent experiences of transiting Mexico, since their migration journey was several years prior. In order to be more precise in our analysis of recent trends of abuse, we limited the scope of the data that we considered. For our aggregate 4-year estimates, we excluded any migrants who had been residing in the US since 2009 because their time of transit through Mexico was outside of the scope of our time period. Therefore, from the 2012 data we excluded anyone who had been in the US for over 3.5 years, from the 2011 data we excluded anyone who had been in the US for over 2.5 years, from the 2010 data we excluded anyone who had been in the US for 1.5 years and from the 2009 data we excluded anyone who had been in the US for over 6 months. When we present year-by-year analysis we limit the scope of each year to those who arrived in the US within the previous 365 days.

### Difference between our Data and EMIF Sur Published Results

In the process of writing this report, we discovered a number of disparities between our results and published

124. The EMIF Sur data is weighted based on time, geography, and proportion of people interviewed. Analysts calculate a weight for each of these three factors. For time and geography, they calculate the weight largely based on the probability of selecting that particular site at that particular time. For more information on weighting, see: <http://www.colef.net/emif/metodologia/docsmetodologicos/Diseno%20estadistico%20Emif%20Norte%20y%20Sur.pdf>

tabulations of the EMIF Sur. The most glaring such instance is that our analysis found approximately twice as many abuses of Hondurans than the EMIF Sur did in their 2012 summary of four years of data.<sup>125</sup> We were able to replicate their results using their weighted data, but we disagree with their methodology.

The EMIF Sur survey allows migrants to indicate two different kinds of suffering and nearly all migrants do select two different forms of suffering. Given that there are two answers per migrants, a breakdown of what percentage of migrants suffered a given abuse should never sum to 100%. The data should sum to much greater than 100% (though not necessarily 200% given that some will not report experiencing any kind of suffering and others will report only one kind).

In section 8b of their report, the four trimesters of 2012 demonstrate that between 20 and 30 percent of Hondurans report suffering abuse and the reported percentages of different kinds of abuse sum to 100%. In order to obtain this result, it appears that the EMIF Sur analysts added the number of those who reported extortion as a first kind of suffering and those who reported extortion as a second kind of suffering and then divided that total by the number of responses to the question on suffering. While this does provide the percentage of responses that listed extortion as a form of suffering, it does not accurately portray what percentage of people suffered extortion. Because each migrant gave two responses (even if they reported no suffering in one or both responses), such analysis undercounted by half the percentage suffering abuse.

In contrast, we created a new extort variable which counts someone as having been extorted regardless of whether they selected extortion as their first or second form of suffering. We then used that variable to measure the percentage of people who suffered extortion, and concluded that, for 2012, 54% of Hondurans reported suffering extortion, which is twice the EMIF Sur estimate.

The EMIF Sur did not use the same method of analysis for the data sets of Salvadorans and Guatemalans and in those sets there is only a slight disparity between their results and our data.

125. <http://www.colef.net/emif/resultados/indicadores/indicadores/Indicadores%202012%20Sur.pdf>