

***Trafficking Migrant Women and Minors
at the Mexican Southern Border.
An Exploration Into an Unknown Reality
(Executive Summary)***



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Executive summary

The undocumented migration of women and minors to the Chiapas border region, which has the city of Tapachula as a main transit point, attracts public attention both self as for its relationship to diverse regional, national and international events. Further attention is drawn if it is conceived as being a place where the traffic in people takes place, as it actually does in many places in similar circumstances and on several borders all over the world. The likelihood of becoming victims of this criminal activity compels these migrant women and children, coming from particular countries and relocating in specific locations within a neighboring region, to attain a unique international importance.

At the Mexican southern border, there are novelties and continuities in regard to international migration in general, and to female and children migration in particular. Likewise, there are explicit signs of ongoing and upcoming social tensions that might result in wider conflicts if inevitable, immediate action is not taken.

But, what does society, political institutions, international organizations, everyone involved have to do? What to do, when a social issue has just been “discovered”, when international rules have just been enacted, when national institution are slow to react, when society has yet to become acquainted with the issue, when those directly affected don’t know how to name what is hurting them and their present and doubtless also their future, and as they actually don’t know, they demand that government authorities help them defend their rights and prosecute those responsible of harming them?

Knowing the conditions and circumstances in which the trade in migrant women and children takes place at Tapachula, Puerto Chiapas (formerly Puerto

Madero), and Ciudad Hidalgo, is a first step to deal with this issue thanks to the collaboration of civic organizations, government agencies and national academics. A byproduct of this manifold cooperation, this research has as a major feature to be an *exploration* of this phenomenon.

In order to conduct this research we had to work according to two main simultaneous lines: 1) consulting bibliographical and journalistic references; and 2) conducting *in situ* interviews with qualified informers from public institutions, consular offices, civic organizations, diverse social agents involved in this migratory issue across the region as well as with the alleged victims of the trade in migrant women and children. This second line of research required the combination of qualitative and quantitative methods. We resorted thus to participant observation techniques and to conducting in depth as well as semi-structured interviews.

Chapter one deals with the study area in a semi-ethnographic manner. Its inclusion is pertinent since, besides presenting the demographic, topographic and economic milieu, with a special reference to the zone under study, it provides the reader with basic elements to understand this within the frontier logic, its importance for Central American migrant workers, its strategic location for a myriad of transactions lawful or otherwise, the geo-strategic character of the social and physical platforms for articulating the criminal and social networks in the south, center and north of the continent. And, above all, the social and climate conditions on which the migrant population has to move, work and live.

Chapter two presents official statistical information about the scope of the problem, in regard to the volume, nationality, and performance of the competent migration agencies. We'll show the basic process framework on order

to set the specific course as part of a broader and more complex migratory flow. Likewise, we include some much-needed features so to understand Mexico's migration policy, the administrative workings of its immigration agency and its organization and jurisdictional structure inside Chiapas, as well as its most recent achievements in regard to arrests, assistances, programs and operations, related to its infrastructure, personnel and training. There is also a characterization of the migrant traffic networks intended to 1) provide the reader with some primary elements to detect the presence of traffickers in the subsequent material, and 2) to show continuities, developments and innovations, in addition to the articulation of traffickers and migrant dealers' networks that have neither been revealed nor exposed in previous documents.

This chapter highlights the following ideas:

1. In particular, at the Sononusco region old-style migrants have absorbed new influxes, have shared their social networks, have oriented them in their search for jobs, have shown them the ways and means of unlawfully entering into the country, as well as the resulting social defense mechanisms. All of this hasn't nevertheless been enough to counter or hinder harmful institutional, organizational and sectorial practices, in particular the migrant trade.
2. The migratory process at Mexico's border with Guatemala, in particular at the city of Tapachula and its environs, has been quite dynamic; it's increasing; it's becoming more diversified in nationalities, gender composition, and people is arriving at an ever younger age, with repercussions upon the source of menial jobs, albeit engrossing the informal economy, or of activities that are easy to hide legally, and thus hard to regulate by the state.

3. There is sufficient and indisputable evidence of little known regional flows, some more recent such as those entering into the informal and tertiary sector, activities in which the significant presence of women and minors, most of whom lack lawful migratory papers. These evidences, however, aren't enough to characterize their helplessness, thereby making empirical research of this topic imperative.
4. There is a linkage between the manifold flows, especially the regional ones which perform similar tasks and develop an occupational perviousness, with crossovers according to circumstances, activity and any other accident escaping anyone's volition.
5. Mexico's migratory authorities have exercised, and still do, a *permissive policy towards Central American immigration*, which comes and goes, works and lives, for more or less lengthy periods of time, in Chiapas' border region, wherein Tapachula is the chief population and population flows center, in which they labor in informal and tertiary activities. Permissiveness has several implications: 1) it's evident that the concentration of tolerated inflows on the border region has favored complex relations of diverse sort and significance, both within the birthplace and reception society, with a reach that is both unpredictable as well as not always susceptible of timely control; 2) permissiveness is conditioned by the fact that immigrant aliens must neither get involved in deeds that alter the public peace nor get involved in police raids in the places where they live and work, or to be subject to a complaint filed to local authorities; permissiveness implies, too, the acknowledgement of a *de facto* situation responding to a cross-border regional logic, in which there are signs of abuse by players and

sectors harboring special interests, which gain a lot by acting outside of and in stark opposition to the national legal framework by abusing those who are helpless. These abusers have made lawbreaking into a *modus vivendi*, and thus, due to the state's oversight, weakness and reluctant enforcement, can act with impunity; the farther the state stands the larger the impunity is. Their impudence and minimal daily precaution reflect on their relative strength. This is evident in regard to the trade and the sexual exploitation of women and children; and;

6. Regardless of this migratory background, and the Central American presence at Tapachula and its environs, the arrival of migrant women and children, their local socialization and the exploitation of their helplessness by local sectors, private and government employees, who have been able to develop a series of practices that are as beneficial to their self-interest as harmful to the migrants, would be inexplicable.

Chapter three is the longest. Two thirds of it is devoted to describing the situations lived by migrant women directly involved in sexual commerce; the first third is about migrant women and children working in diverse occupations. It shows in some detail the complexity of the international migration activity within the border region. It broadly and with the utmost detail depicts the findings of the field work, including the results of several interviews that demonstrate and depicts the complexity in relationships, connections, exchanges, transferences of activities, agents and players in that regional migration. It shows the most visible and day to day part of the situations of moving, staying and entering into the workforce, intertwined with the relationship to social practices and local cultural values that contribute to insert

the rapes, abuses, trafficking, etc. in a series of polyvalent actions that cast a shadow on the excesses and the crimes.

The chapter ends with a list of 35 unique social players, waitresses, dancers and sex workers in Tapachula in particular. Without its explicit mention, this network of acceptance/rejection relations exists inside their social milieu, both as persons and as private and public officials.

The visible turns into less visible in Chapter four. The almost ethnographic portrayal of the previous chapter would have been left unfinished and unintelligible had an effort haven't been made to present an organizational analysis of the networks of traffickers in people, which are the crime organs that promote, shape and benefit from the region under study thanks to a daily combination of personal needs; social defenselessness, restricted government involvement; legal irresponsibility; corrupt practices, autonomous or acquired operational dexterities; carnal desires and appetites untold but nonetheless practiced; social complicities; the precedence of public order over the age and migratory status of women who prostitute themselves willfully or by force as well as over the children who destroy their lungs and bodies, either by carrying heavy loads and peddling in the streets under a burning sun, or by sorting out recyclable materials at the municipal dump, accompanied by birds of prey, rodents and pests of every sort that live on the refuse, where these kids toil, sleep and live every day, etc.

The exercise of making abstractions out of criminal organizations, on how they work, organize, complement themselves, etc., in the light of the empirical work performed, suggests an array of elements which in chapter four are summarized in the following points:

1. Ideas, notions and the analysis of previous experiences related to organizational forms devoted to the migrant traffic in the city of Tapachula and its outskirts --since little thought have been given to the people traders--, have been surpassed by the events hitherto portrayed. Or, rather, these are insufficient to analyze the present situation, especially if we consider the current links to other kinds of criminal networks, such as drug-trafficking.
2. The crime organizations dedicated to smuggling people across the Mexican southern border are similar to parasite organisms, such as certain species of plants that exist and grow at other plants' expense, over which they grow roots, nourish themselves and have a full life. It happens so with these crime organizations dedicated to the drug and migrants trade, even though they have to subordinate their interests to specific modalities and conditions. Conversely, they reap some benefits including the curbing of physical risks, plus the costs generated by the investments, distribution and marketing of people and goods. Yet, on the other hand, as the short run and the intensive modalities of the sexual exploitation of migrants and minors are a feature of their activities, and that they have to admit a larger involvement of society's free agents in the location and daily chores of the traffic's presumed victims, who also "charge" for their socialization, in turn receive a share of social mimesis that diffuses their responsibility to lay eyes. The old Central American migratory influx into the region and the also dated practice of "free" sexual commerce among Central American women, which has been legalized by the introduction of red light zones some ten years ago, have contributed to the fact that there isn't a labor identity in society which favors smugglers in particular.

3. There are many competencies and several levels of competency. Smuggling organizations vie daily against public and civil society institutions that try to counteract their criminal activities. But there is also the competition between similar organizations and the competition (tension-collaboration) they undergo with other organizations such as those dealing in people and drugs. These competencies and their levels become more problematical as the abetting agents work regularly in diverse public organisms and legal activities, with daily links that instill dynamism these activities, but also make current loyalties vary.
4. While criminal traffic remains easily conducted, the state's actions remain ineffectual, and migrants keep on coming in huge volumes, the development costs will remain low for the people smuggler, who would improve their operations methods and their own security mechanisms. Moreover, they can continue hugely profiting as a "parasite" organism with the non-dismissible likelihood of taking their human offer to a more ambitious international scene, as has been seen already.
5. If in its origins the migrant women traffic in Tapachula and its environs, the cost of entrance was presumably lower, as we have seen, as the traffickers have developed their collaboration and location of people and goods networks, they have thus been able to curb their costs in the sexual market. But, at the same time, they have had to deal with the ever more demanding a larger share of the profits, either by direct action or by protection, as it occurs with informers and agents infiltrated within the government structure.
6. In turn, the volume of Central American migrants and the social and commercial networks they bring along, or they partake in, curb the

overall costs of the person/good, in particular the price of taking him or her to a new destination. However, a larger supply can glut the sexual services market and make it more demanding. In fact, the user of the regional prostitution centers tend to prefer young women, the younger the better, as it didn't happen ten years ago, when sexual commerce was exercised by visibly adult Central American female undocumented aliens. Today, the presence of minors is public and, if a customer demands it it's possible to get minors in their early teens and even in middle childhood.

7. The organizational exercise here posited in conceptual. With an empirical basis, certainly, but without ignoring the researchers' mistakes. We stress the functional framework of the organization and their multi-sector and multi-institutional linkages and collaborations, so to show their complexity as well as to point out that those mistakes have been less burdensome as public agencies, regardless of the corruption issue, have also been shown to be less capable of rising to the challenge posed by people smugglers.
8. A new analysis can lead to a new assessment of the issue of undocumented immigration. The chapter shows what an academic exercise can do. It isn't possible that with all its training and assets the academic milieu cannot dig deeper into this matter that exhibits major criminal features, such as those that experts in public security and criminal organizations have dealt with. In addition, and based upon field work, it's advisable to correctly read this document, since leaks quickly produce "identity" adjustments in the organizations prone to receive government responses, in their operations, articulation, collaboration mechanisms and in their capability to suppress criticism. Therefore, the

social field has allowed them to develop with minimal problems and with many opportunities to articulate in a chain available to them, formless but clear-cut in that they know they have to protect their illicit activities. So, the state's indispensable caution when dealing with organizations that have turned social fragility into a source of their own strength, population movement into a source of commercial permanence; social uncertainty into organizational certainty, and untold sexual fantasies and desires into a prosperous business, still budding, relatively unknown and thus less challenged.

Chapter five refers to legal norms. This essay would stand unfinished if we do not consider that in a Rule of Law, law enforcement is crucial to find solutions to undesirable, unacceptable situation that violate the people's fundamental rights. Since the Palermo Agreement and Protocols, individuals, societies, governments and international organizations have progressed much in enacting precepts to defend victims and to punish those who commit crimes, it is necessary to examine the most significant concepts and definitions. Likewise, we refer to national and Chiapas' current laws, which though inadequate to deal with the migrant traffic, have been and still are the legal parameters that victims can invoke and authorities can use, at least initially, in case a valid charge is filed. In the chapter we reconsider elements from previous developments, as well as we examine the region's judicial system, its personnel and its knowledge of the aforementioned international instruments.

The main ideas of this chapter can be summarized as follows:

1. The enactment of the Palermo Agreement and Protocol is recent (2000).
Along with an array of studies and contributions to specialized legal

- doctrine, they provide the states with a very valuable and relevant reference framework;
2. It is equally recent that Mexico has joined a group of nations that decided to partake in both international instruments, by assuming the corresponding commitments, on 3 February 2003;
 3. The road towards adapting the legal framework in Mexico (by incorporating or reforming some legal precepts) is still long indeed;
 4. It's understandable that society itself is not familiar with the appropriate terminology, which can explain the lack of complaints filed to the authorities or the fact that many are filed under another crime. This results in a greater social vulnerability for victims, especially undocumented migrant women and children in Mexico;
 5. On the other hand, it's necessary to consider that organized crime has improved its crime methods and its organizational structure. With inadequate laws and a society that is not aware of the new legal precepts protecting it, it is not feasible to counter the brisk development of groups and practices that have taken advantage of globalization, the increase in world trade and the existence of new communication and information technologies to utilize them in their criminal activities;
 6. Notwithstanding how recent international judicial innovation and the speedy way the Mexican establishment adapted it to its internal workings, the complexity of the migrant traffic in the southern border region, as is presented here, tries to prompt the immediate enactment of a new legal framework. If the state fails to do so, criminal organizations will become better organized and their criminal activities will gather strength as their networks penetrate the social and public agencies;

7. Criminal organizations devoted to smuggling people, by themselves and in combination to other groups, show evidences of great mobility, a capability for sorting out functions and collaborations, as well as a great pragmatism that surpasses Mexican government's current infrastructure, resources and legal framework. Consequently, it's necessary that the authorities try harder to stop these criminal activities:
8. Conversely, and without denying the complexity of the undocumented migratory flows in the region, it's important that the Mexican state changes the way it sees and deals with them, thus seeking for a way to favorably channel their mutation, assimilation, conversion features as well as their socio-demographic character influencing the border milieu;
9. The long drawn Central American migratory presence in the region has made and still makes various contributions of assorted scope and significance, such the locative, selective and integrating functionalities of the communities in question, in a polyvalent relationship to local Mexican populations that has to be considered either within the national legal framework or within various government social assistance programs; and
10. The Mexican state has a great law making and law enforcement responsibility. Yet the attention on this issue is neither exclusive of the government, nor desirable that it be so. It's fundamental that society shares with the burden; without it little or nothing can be done. And without the collaboration of the victims, the reach will simply not be enough. So full-fledged assurances must be given to these individuals in order to alleviate their state of helplessness and not made it worse by inadequate and hurtful government actions.

The essay ends with an array of insights and suggestions on how to urgently deal with this problem by involving social milieus, humanitarian organizations and institutions, in the intelligence that this investigation, as has been said before, is just a preliminary exploration and so some aspects receive only a cursory treatment. So, we must promote a specialized research along with social and state actions.

Throughout this document we often resort to graphs to illustrate insights, describe geographic settings and present testimonies of the agents and social players interviewed. Thus, there are 14 maps, 56 tables of statistics, 16 diagrams, and 176 boxes with testimonies from our files.

Finally, there is a list of published references and appendixes in the order mentioned in the document.