
MEMORANDUM

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From: Alejandra Barrio, Virtual Student Foreign Service Intern

Subject: Summary of Developments on Trafficking in Persons in Mexico, from September to December 2011

Date: December 11, 2015

Summary

The following memo synthesizes findings from 27 news articles on trafficking in persons (TIP) in Mexico, culled from Mexican state and national sources from September to December 2015. Given the project's position within a broader effort by the U.S. State Department to address TIP in Mexico, the articles are examined with regard to Mexico's progress in fulfilling recommendations detailed in the agency's 2015 Annual Trafficking in Persons' report. The recommendations are centered on the following areas:

1. Expand laws addressing TIP and ensure their full application at the local level
2. Strengthen investigation and prosecutions
3. Improve protections consciousness toward victims
4. Improve coordination between agencies in varying sectors and jurisdictions

Snapshot of Articles

Regional focus of media source: National (15), State (6) local (5) U.S. (1)

Jurisdictional level of issues: State (14), National (8), International (5)

Primary locations addressed: Baja California, Chiapas, Guanajuato, Guerrero, Mexico D.F., Puebla, Quintana Roo, Sonora, Tabasco, Tlaxcala, Veracruz

Secondary locations addressed: Cancun, Ciudad Isla, Coatzacoalcos, Cordoba, Guadalajara, Guanajuato, Hidalgo, Juchique de Ferrer, Mexico, Michoacan, Morelia, Monterrey, Nanchital, New York, Oaxaca, Puebla, Poza Rica de Hidalgo, Queretaro, Tierra Blanca, Tijuana, Veracruz, Xalapa

International players: Australia, Cuba, Guatemala, United States

Subtopics: drug cartels, child pornography, justice for victims, migration, violence against women, disappearances

Activity discussed:	Count
Efforts to address TIP	7
Exposing criminal activity	6
Applying law/gaps in law	5
Failure to confront TIP	2
International treaty	2
Recognition	2
Review of incidents	2
Sentencing	1

Strengthening and Implementing the Law

The 2015 TIP report calls for Mexico to modify anti-trafficking laws at the federal and state levels to reflect the international anti-trafficking law. Sources offer evidence of recent efforts to improve the application of TIP law at the local and national level. Nationally, members of the Senate committee against TIP, Human rights and Migration affairs met with activists in October to discuss challenges to addressing TIP in Mexico, including the lack of a national protocol on the issue.^{i ii} Concerns were especially directed toward increasing human rights abuses in Chiapas and southern states, where rising numbers of migrant women and children are becoming enveloped in TIP. More locally, the Procuraduría General de Justicia del Estado (PGJE) and United Nations Office Against Drug and Crime (UNODC) partnered in October to conduct courses in Chiapas on preventing TIP, targeting media, officials, business owners, etc. to strengthen the region's adherence to international standards.ⁱⁱⁱ Internationally, Mexico and the United States created the Bi-National Network against Trafficking in Persons in September, aimed at reporting the crime between the two nations.^{iv}

Still, much is needed to improve and effectively apply TIP law in Mexico. An alarming example is the state of Chihuahua, which lacks a trafficking act but allegedly accounts for a large percent of incidents of TIP in Mexico.^v Altogether, sources generally express dissatisfaction toward state leadership, for embellishing successes in fighting against TIP and claiming unfounded recognition, and police (or other security) for perpetuating abuses against women and children and ineffectively fighting against TIP due to bribery and corruption. Frustration is also expressed toward TIP being entrenched in local

cultures,^{vi} and complacency on behalf of local communities. Additionally, legal experts call for a clearer distinction between TIP and smuggling, in addition to coerced vs. non-coerced prostitution.^{vii}

Strengthen investigation efforts and prosecutions

The 2015 TIP report calls for Mexico to strengthen efforts to investigate and prosecute trafficking offenses, and to convict and punish traffickers. Sources highlight achievements on this issue in multiple regions. For instance:

- Sonora: 16 people detained for TIP who confessed to the selling and abuse of children.^{viii}
- Acapulco: 6 people charged with sexual exploitation of 27 women who were rescued during a raid.^{ix}
- Mexico City: 8 members arrested for involvement in a trafficking network operating in Mexico and the United States.^x
- Tabasco: 3 people linked to trafficking were arrested, leading to the release of four of their victims.^{xi}

Attendees of the Subcommittee meeting in October noted that sentencing is increasing in places like Chiapas and Puebla. Still, activists maintain that effective persecutions are precluded by a lack of national protocol on the issue: since there is no established procedure for investigating TIP offenses, areas of impunity and protections are ill-defined by states, and statistics are only vaguely used to justify anti-TIP efforts certain areas.^{xii}

The report also calls for strengthening data collection efforts, however, the sources make no mention of such efforts. Rather, concern is expressed about a lack of data-driven efforts, and the fact that there is no national registry of TIP victims.^{xiii} Similarly, a lack of information persists on major investigations, as is evidenced by Guerrero, where the officer for the Crimes on Violence against Women and TIP offered an apology about the lack of information concerning disappearances due to TIP.^{xiv}

Improve Protection of victims

The report calls for Mexico to enhance formal procedures to identify victims among vulnerable populations and to refer them to appropriate care. There have been efforts to improve this on the one hand; for instance, officials in Tabasco formed a committee against TIP in October, where the prevention of trafficking is especially focused on persons in indigenous communities.^{xv} Such efforts have proven more complicated in the south: due to increasing tensions surrounding the growing migrant populations, immigration policies have come into conflict with efforts to protect victims of TIP. Furthermore, well-intentioned international efforts such as the UN's "Blue Heart Campaign Against Human Trafficking" has resulted to wrongful sentencing of women for involvement in trafficking networks.^{xvi}

Strengthen coordination and collaboration

Lastly, the TIP report calls for improved collaboration and coordination on behalf of various entities, namely, between state and local governments, and between the government and the non-profit sector (civil state). Concerning government coordination, Guanajuato is maintained as a model for its ability to maintain collaboration between NGOs and governments.^{xvii} However, the sources note that protection and services to victims are chiefly financed by the civil state, and call for increased involvement on behalf of the government. The partnership between PGJE and UNODC also offers evidence of coalitions to tackle TIP issues. Moreover, the report recommends increased funding for the provision of specialized victim services and shelters in partnership with civil society. A good example of recent efforts is the state of Puebla, which is the first state in Mexico to operate a state-run shelter for victims in conjunction with the civil state.^{xviii} These two cases serve as positive examples for other states to emulate.

Additional issues that warrant inquiry:

In sum, the sources references in the span of three months discussed touch upon virtually every topic of concern in the 2015 TIP report. However, evidence is lacking to demonstrate that the state has taken action to formally address a couple of the recommendations offered by the report. These include providing effective protection for witnesses and victims testifying against traffickers, and increasing efforts to hold public officials complicit in trafficking accountable through prosecutions and convictions. Furthermore, barriers to addressing TIP are complicated by the topics' entanglement with other issues, including disappearances, cartels, migration, and political corruption.

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- ⁱ “Adriana Davila: Efficient and forward Confrontation against the crime of Trafficking in Persons in Mexico,” *Gente Tlx*, (<http://gentetlx.com.mx/2015/09/30/combate-frontal-y-eficiente-al-delito-de-trata-de-personas-en-mexico-davila/>)
- ⁱⁱ “Senators in Mexico fight against Trafficking in persons,” *Star media*, (<http://www.rasainforma.com/noticias/nacionales/senadoras-aseguran-que-en-mexico-combate-contra-la-trata-vuelve-a-danar-a-las-victimas/148304/>)
- ⁱⁱⁱ “PGJE and the United Nations office against Drugs and Crime (UNODC) strengthen efforts in Tapachula,” *Diario Lavo Del Sureste*, (<http://diariolavozdelsureste.com/chiapas/2015/10/fortalecen-pgje-y-onu-combate-de-la-trata-en-tapachula/>)
- ^{iv} “U.S. and Mexico Fight against Trafficking in Persons,” *Star media*, (<http://noticias.starmedia.com/politica/mexico-eeuu-luchan-contra-trata-personas.html>)
- ^v “Chihuahua categorized in urgent need for an Act devoted to anti-trafficking efforts,” *Segundo a Segundo*, (<http://www.segundoasegundo.com/catalogan-como-apremiante-para-chihuahua-contar-con-ley-de-trata-de-personas/>)
- ^{vi} “Tlaxcala, Opacity and Endless Trafficking,” *Radio Bamba*, (<http://radiobamba.com/index.php/template/nacionales/5863-eleccion-2016-tlaxcala-opacidad-y-trata-de-personas-sin-fin>)
- ^{vii} “Gaps in the law obstruct fight against trafficking in persons,” *Senate Press Release*, (<http://comunicacion.senado.gob.mx/index.php/informacion/boletines/23338-2015-09-30-01-22-48.html>)
- ^{viii} “Adriana Davila: Efficient and forward Confrontation against the crime of Trafficking in Persons in Mexico,” *Gente Tlx*, (<http://gentetlx.com.mx/2015/09/30/combate-frontal-y-eficiente-al-delito-de-trata-de-personas-en-mexico-davila/>)
- ^{ix} “27 victims of trafficking rescued in Mexico city, 6 people held in detention,” *Heraldo Tamaulipas*, (<http://heraldodetamaulipas.com/web/2015/10/25/rescatan-a-27-mujeres-victimas-de-trata-de-personas-en-el-df-hay-seis-detenidos/>)
- ^x “Eight members of a trafficking network operating in both Mexico and the U.S. were arrested,” *Informador*, (<http://www.informador.com.mx/mexico/2015/627731/6/desmantelan-banda-dedicada-a-la-trata-de-personas.htm>)
- ^{xi} “Three individuals in Tabasco are arrested under accusations of trafficking in persons,” *Informador*, (<http://www.informador.com.mx/mexico/2015/626604/6/arrestan-en-tabasco-a-tres-personas-acusadas-de-trata.htm>)
- ^{xii} “Adriana Davila: Efficient and forward Confrontation against the crime of Trafficking in Persons in Mexico,” *Gente Tlx*, (<http://gentetlx.com.mx/2015/09/30/combate-frontal-y-eficiente-al-delito-de-trata-de-personas-en-mexico-davila/>)
- ^{xiii} “Senators in Mexico fight against Trafficking in persons,” *Rasa Informa*, (<http://www.rasainforma.com/noticias/nacionales/senadoras-aseguran-que-en-mexico-combate-contra-la-trata-vuelve-a-danar-a-las-victimas/148304/>)
- ^{xiv} “Still no official data from the State of Guerrero on findings concerning disappearance of women for Trafficking in Persons,” *Enfoque Informativo*, (<http://enfoqueinformativo.mx/nuevo/index.php/local/item/18945-sin-datos-oficiales-aun-en-materia-de-averiguaciones-previas-en-el-ano-2015-para-el-estado-de-guerrero-sobre-desapariciones-por-trata-de-personas-y-alerta>)
- ^{xv} “Committee Against Trafficking in Persons formed in Tabasco,” *SDP Noticias*, (<http://www.sdpnoticias.com/estados/2015/10/04/inauguran-comite-contra-la-trata-de-personas-en-tabasco>)
- ^{xvi} “Humanitarian visas are offered to immigrants for informing authorities on TIP,” *Revolucion Tres Punto Cero*, (<http://revoluciontrespuntocero.com/chiapas-ofrecen-visas-humanitarias-a-cambio-de-inculpar-a-migrantes-del-delito-de-trata-ejercito-es-complice/>)
- ^{xvii} “Guanajuato is recognized for preventing violence against women,” *Heraldo Del Bajio*, (<http://heraldodelbajio.com/reconocen-a-guanajuato-por-prevenir-violencia-contra-mujeres/>)
- ^{xviii} “Government of Puebla recognized for their efforts against Trafficking in Persons,” *Excelsior*, (<http://www.excelsior.com.mx/nacional/2015/10/14/1051265>)