

ACTION WHA-00

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| INFO | LOG-00 | AF-00 | AID-00 | AMAD-00 | GHFS-00 | RPPR-00 | CA-00 |
| | INL-00 | DS-00 | DHSE-00 | AVC-00 | OIGO-00 | UTED-00 | SIPD-00 |
| | FOE-00 | DIAS-00 | H-00 | TEDE-00 | INR-00 | LAB-01 | L-00 |
| | MOFM-00 | MOF-00 | NSAE-00 | ISN-00 | OMB-00 | NIMA-00 | EPAU-00 |
| | PA-00 | GIWI-00 | ISNE-00 | DOHS-00 | SP-00 | IRM-00 | SSO-00 |
| | SS-00 | VO-00 | FMP-00 | CBP-00 | BBG-00 | R-00 | EPAE-00 |
| | SHEM-00 | SCRS-00 | DSCC-00 | PRM-00 | DRL-00 | NFAT-00 | SAS-00 |
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INFO ALL US CONSULATES IN MEXICO COLLECTIVE

NATIONAL SECURITY COUNCIL WASHINGTON DC

CDR USNORTHCOM PETERSON AFB CO

CDR USSOUTHCOM MIAMI FL

DEPT OF HOMELAND SECURITY WASHINGTON DC

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UNCLAS MEXICO 000392

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E.O. 13526: N/A

TAGS: PGOV, PREL, SMIG, PHUM, XK, MX

SUBJECT: A Perilous Road through Mexico for Migrants

REF: A) 09 MEXICO 829; B) 10 MEXICO 4276;

1 (SBU) Summary: Following mass killings, protests from Central American states, and daily headlines reporting atrocities and kidnappings, the Mexican government has only recently focused attention on the protection of Central and South American migrants transiting northwards through Mexico. Over the course of 2010, a series of high-profile crimes against migrants, including the December kidnapping of 40 migrants from a train in Oaxaca and the August massacre of 72 migrants in Tamaulipas, highlighted the extent to which transnational criminal organizations (TCOs) control the business of illegal migration, acting alternately as paid facilitators, extortionists, kidnappers and traffickers. Anecdotal evidence suggests that migration authorities and local police often

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turn a blind eye or collude in these activities. While official statistics on migrants who transit through Mexico are questionable, National Human Rights Commission (CNDH) President Raul Plascencia caused an uproar in January 2011 when he estimated in a press conference that over 20,000 migrants had been kidnapped in Mexico in 2010—a number that the National Migration Institute (INM) refutes. A number of migration initiatives and management changes all point to the need to strengthen weak institutions, but are vague on details and offer little hope for a short term solution to the problem. End summary.

Migrant Sources

2. (SBU) In 2009, U.S. Border Patrol apprehended over 540,000 illegal immigrants on the U.S.-Mexico border, of whom over 90% were Mexican. Among non-Mexicans, over 14,000 were from Guatemala, 13,000 from Honduras, 11,000 from El Salvador, 1,300 from China, 1,100 from Ecuador, 800 from Nicaragua, and 500 from Brazil. Mexican authorities estimate that 171,000 migrants cross Mexico's porous southern border on their way to the United States every year; 95% of these migrants are from Guatemala, Honduras, El Salvador and Nicaragua. Scores of informal crossings allow undocumented migrants easy access into Mexico (ref A); a combination of understaffing, inability, and corruption allows many to bypass INM checkpoints. In 2010, INM detained approximately 65,000 migrants in transit in Mexico. Of these detainees, approximately 62,000 were voluntarily repatriated or deported.

Source: INM

3. (SBU) Migration paths through Mexico generally follow train routes. Migrants are particularly vulnerable to crime due to their undocumented status in Mexico, their tendency to travel in easily identifiable groups, the limited number of migration routes once in Mexico, and the fact that these often coincide with drug trafficking routes.

The Source of the Threat

4. (SBU) While migrants in transit have long been a source of income for and vulnerable to abuse by local criminals and immigration and law enforcement officials, the situation has worsened in recent years due to pervasive TCO control of routes and crossings. TCOs act alternately as paid facilitators, extortionists, kidnappers and traffickers. In a joint declaration on January 13, the presidents of Mexico and Guatemala declared that TCOs represent the largest threat to migrants transiting through the region. According to an initial report by the UN International Narcotics Control Board (JIFE), their January investigative mission found that Central America is entering an "extraordinarily critical phase" due to the consolidation of regional power by TCOs like the Zetas. Contacts with NGOs affirm their perception that TCOs now dominate the movement of migrants.

5. (SBU) U.S. law enforcement sources say that the smuggling of migrants from other countries through Mexico to the United States is highly organized, with recruiters in the home country and

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"handlers" along the entire route. While this system may be relatively informal for Guatemalans and other Central Americans, it is likely to be highly structured and linked to a TCO operation if the person is being smuggled from Asia or Africa. These migrants do not make their way independently to Mexico and then fall prey to smugglers. They start their journeys at the mercy of smugglers who pay the stronger TCOs along the way for the ability to pass through their territory.

6. (SBU) Many migrants are targeted while riding freight trains or walking on train tracks. According to testimonies gathered by the Washington Organization on Latin America and Mexican NGO Centro Miguel Agustin Pro, at times migrants are tricked into accompanying

someone who alleges that he/she is a human smuggler that can take them to the U.S. border, or who appears to be offering them humanitarian assistance; in other cases they are taken by force. In almost all circumstances the migrants are brought to buildings or structures termed "safe houses," where they are held under strict surveillance. They are frequently beaten, poorly fed, and suffer numerous abuses. The migrants are asked for the phone numbers of family members so that kidnappers can demand ransom. They remain in these houses until their family members can wire money to pay for their release. According to a 2010 study by CNDH, migrants were charged \$2,500 on average for their release, leading CNDH to estimate that criminal groups earned approximately \$25 million dollars from the migrants they kidnapped in the six month period covered in the report.

7. (SBU) Those who cannot pay are often brutally tortured and sometimes killed; others end up working for the kidnappers as a way to secure their release. While all kidnapped migrants suffer abuse, the situation of female migrants is particularly dire. According to Amnesty International, approximately six of every ten female migrants in transit are raped while traveling in Mexico. Many women are also trafficked by organized criminal groups for sexual exploitation and prostitution.

Legislative Proposals

8. (SBU) In 2008, Mexico reformed its General Population Law, rendering violations of the immigration statute, including illegally entering the country, falsifying documents, or overstaying one's visa, non-criminal offenses. They are now administrative offenses punishable by fines and voluntary repatriation or deportation. In September 2010, shortly after the massacre of the 72 migrants, the Mexican government further reformed this same law by removing the requirement for federal, state and local authorities to verify an individual's legal status before processing reports of crimes or providing migrants with medical treatment. Various proposals by Mexican political parties to create an Immigration Law that is separate from the General Population Law are in discussion by the Mexican Congress.

Mexican Government Announces Policy and Management Changes

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9. (SBU) Five days after the assassination of 72 migrants in Tamaulipas, the Mexican Government announced five commitments that aim to protect migrants and combat kidnappings and executions committed by organized criminal groups: 1) increased efforts to disband groups of migrant smugglers; 2) coordination among federal agencies and those states with the highest traffic of migrants; 3) implementation of a nationwide and international communications campaign to raise awareness about risks and GOM resources for crime victims; 4) streamlining of the legal process against kidnappers; and 5) more effective assistance for victims (ref B). Key to the fulfillment of all five points will be the strengthening of GOM institutions. Secretary of Government Francisco Blake Mora emphasized the importance of involving all three branches of the Mexican government in this process and discussed the pivotal role of civil society, noting that NGOs and citizens' groups are often a valuable source of information on migrant abuse. Significant focus will also be placed on increasing the capacity of the National Migration Institute (INM) through training, increased personnel and cooperation with U.S. counterparts. While the ideas in this initiative are good, there has been little progress on implementation since its announcement last year.

10. (SBU) Blake Mora underscored the need for a restructuring of INM, an organization with "problems of institutional weakness," and increased attention to the needs and human rights of migrants. In October 2010, current INM Commissioner Beltran del Rio replaced Cecilia Romero, who resigned in September as fallout from the August 23, 2010 discovery of 72 bodies of migrants who were massacred in the northern Mexican state of Tamaulipas. In a notable departure from his predecessor, Beltran del Rio, a career diplomat who was most recently Undersecretary for Latin America, has invited improved institutional ties with U.S. counterparts. In the initial months after Beltran del Rio's arrival, INM focused on the annual Christmas season welcoming and repatriation of Mexican nationals (Operation Paisano) from the United States. After Operation Paisano, and as 2011 started, the Mexican government announced that significant management changes would occur at INM.

11. (SBU) The Department of Homeland Security (DHS) is currently developing a bilateral strategic plan (BSP) with the Mexican Interior Department (SEGOB). This BSP is modeled after the BSP that DHS already has with Mexican Customs (Aduanas), and includes

the formation of a specific workgroup to collectively combat the transit of third country nationals through Mexico. Elements that DHS hopes to include in the BSP are: increased information and biometric sharing, joint diplomatic strategies to encourage visa requirements for countries along the travel routes to Mexico, increased detention and deportation of third country nationals from Mexico with financial assistance from DHS if necessary, extensive training for INM (perhaps even the establishment of a basic academy for INM officers, which they do not currently have), and a robust

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open dialogue to address issues as they evolve.

Regional Pressure

12. (SBU) In October 2010, Mexico hosted a regional ministerial meeting on migrant security. Migrant source, transit, and destination countries including the United States and Canada, all the Central American countries, and other Caribbean and South American countries agreed to share information about migration and transnational crime, to intensify outreach to migrant populations to inform them about potential risks, rights, and obligations, and to promote and facilitate the reporting of crimes committed against migrants. El Salvador, Guatemala, Honduras, and Nicaragua have opened joint consular facilities in several locations in southern Mexico to improve their ability to help migrants from their countries. The December high-profile kidnapping of approximately 40 migrants in Oaxaca caused outcry among Central American governments, particularly Guatemala, which accused the GOM of dragging its feet. In high level meetings in early 2011, the governments of Honduras, El Salvador, and Mexico announced that they will step up efforts to implement the migrant security action plan.

13. (SBU) In November 2010, Mexico hosted the fourth Global Forum on Migration and Development, bringing together nearly 150 countries for discussions on the links between migration, development, climate change, and civil society. PRM A/S Schwartz led the U.S. delegation to the conference, at which Mexico presented the findings of the ministerial meeting described above. Regional issues played strongly throughout the Forum.

14. (SBU) The ruling Farabundo Marti National Liberation Front party in El Salvador signed an agreement in January with the Mexican Party of the Democratic Revolution (PRD) and Labor Party (PT) to exchange information on complaints that received by migrants in the region. While it is unclear how Mexico's left might engage independently from the GOM, the parties reportedly stated that the issue of migrant kidnapping "requires the attention and effort of the Latin American left."

Comment

15. (SBU) As a result of continuing media coverage and resulting domestic and international pressure, the Mexican government has made much ado about the treatment of migrants transiting through Mexico and is making significant management changes at INM. While its political efforts have been impressive, a permanent solution requires the same strengthening of rule of law and increased professionalization of law enforcement agencies that is underway and partially financed by the Merida Initiative. In the short-term, increased pressure on the TCOs may encourage them to prey more on vulnerable migrants as a source of quick cash, but eventually reducing their power is critical to increasing migrant safety.

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