

Report on the Conditions of Central Americans Migrating through Mexico:

The Fifth Report on the Human Rights' Status of People who Migrate Through Mexico

Belén, Posada del Migrante
(Bethlehem, Sanctuary House for Migrants)

Humanidad sin Fronteras, A.C.
(Humanity without Borders, Inc.)

Frontera con Justicia, A.C.
(Border with Justice, Inc.)
Saltillo, Coahuila,
May, 2009



INTRODUCTION

A) A PANORAMIC VIEW OF THE PRESENT SITUATION OF CENTRAL AMERICAN MIGRANTS IN MEXICO

The only people who would dare to leave Central America to take the dangerous journey north as immigrants are those who have been driven out by the misery of the structural poverty that they have experienced. That is to say, even before they head north, the immigrants are people whose lives have been stripped of dignity. They lack human rights in their very own country—whichever that might be. There is no electricity, they don't know how to read or write, they work twelve hour days in foreign-owned factories, they have incurred huge debts after losing their harvest to a sudden frost—in the end, the migrants are victims of an dysfunctional economic system that has managed to corrupt the most interpersonal of human relationships, thereby destroying the social fabric of these poor countries.

Some come from homes in which the father of the family left and was never heard from again. There are others whose mothers died after someone "cast a spell" upon them, leaving behind six sons and

daughters in the care of a fifteen-year-old sister. Then there is the kid who tried marijuana when he was but nine years old, because an uncle “invited” him to give it a try. Or the young one who joined a gang because it was the closest thing he had ever had to a family—knowing all the same that he could die at any moment, simply because he had a new cell phone. There are those who quit school because “too many get killed going there.” These are all consequences of an economy that has devastated the social conscience of the region.

The Hondurans, Guatemalans, Nicaraguans and Salvadorans who end up as migrants at our institutions are those who are simply struggling to provide for their families—or to save their own lives. They are people who couldn't care less about the historic, ideological battles that define humanity. They are not even that interested in the violent, bloody conflicts that in more recent times have ravaged their own countries. Twentieth century imperialism and the neoliberalism of our times have defined once and for all what freedom is, and, above all else, the limitations it places on human beings.

Although a poor person may appear to accept his or her condition, and while we might think that he or she is resigned to this situation, in reality, the poor never quit believing that with enough hard work and suffering they might one day live with dignity, free of having to depend upon someone else for a job, able to be their own boss. That hope and that dream are incarnated in the daily misery of harvesting coffee, of laying cement block, of waiting tables, planting vegetables, driving a cab, making tortillas, taking care of someone's kids, washing clothing, making dinner—all lived out in complete and utter loneliness.

Worse, each and every one of these people believes that their condition is their own fault: if asked, they could spell out their guilt for you. They battle the misery of their poverty silently, ashamed of their condition. They hide their humiliation from their neighbors behind a mask of jovial well-being. Everything seems just fine. There is no drive to organize or work to create something new and different—the system of misery continues to perpetuate itself. The struggle to survive strangles any idea of a better life for all, and one forgets about the joy of working together, lost in the idea that the only way to get ahead is to go it alone, and, by God, be the strongest and the toughest, because “that's the way life is.”

Immigration is a violent departure from this mess by those who refuse to resign themselves to this life of misery. It is an act of desperate struggle to save their lives, and even from its beginning, it is a struggle that will be won only by the strongest. This “unnatural selection” of the fittest is refined by the hundreds of Mexicans who, at strategic points along the immigrants' journey, will do their best to destroy the hopes and dreams of these brave people. There are also scores of good Mexicans who populate the route north, and who generously open their homes and their hearts to the migrants, giving them life and hope. Tragically, fewer and fewer of the Central Americans in fact reach their journeys' end. Violence becomes the law of the land as soon as they enter Mexico at Tenosique, Tabasco, or Ciudad Hidalgo, Chiapas.

Organized crime rears its face at the very first access point to the trains. The apparent chaos that one would suppose (given the huge number of people gathering there) is under absolute control of the mafia, who, represented by the train operators, coyotes or guides, charge each immigrant at least two hundred pesos (\$15) just to be alongside the tracks with a chance to jump the train. Once the train has started off, the same criminals will attack the immigrants, this time disguised as armed thieves. Some immigrants will lose even the very little that they have; some will be kidnapped, and others will be raped, often enough right in front of their fellow travelers.

The first major train station is in Coatzacoalcos, and it is a nightmare. The criminals show up once again, this time entrapping those who find themselves in need of a guide. These “coyotes” promise an economical trip, though in the end it will turn out to be a ripoff at best or a kidnapping at worst. Even so, deception is not the only tool that the criminals use to make off with their human cargo. The amount of power and impunity that the mafia enjoys along the train routes is such that kidnappings occur in plain view of the police. In 2008, it began to be common to see huge, luxuriously appointed pickup trucks or dump trucks pull right up to the trains and, by means of threats and machine gun fire, carry away everyone that they found.

The same stories are repeated over and over again in Tierra Blanca and Orizaba, both of which are located, like Coatzacoalcos, in the state of Veracruz. The criminals' control continues to spread, so that now even Puebla, Tlaxcala, Lechería (in the state of Mexico) and Celaya are under the influence of criminal mobs that traffic in drugs and human beings. It is a matter of common knowledge that in the border cities of Piedras Negras, Reynosa, Nuevo Laredo and Matamoros, all near Saltillo, two hundred people a day are kidnapped and held in "safe" houses. The human being has become a piece of merchandise, presently worth about \$3,000 apiece.

Aside from the nightmare of crossing Mexico under these circumstances, immigrants often encounter incessant extortion, threats and humiliations at the hands of railroad security personnel, whose behavior for some time has resulted in grave violations of human rights. Migrants suffer extortion at the hands of both state and local police, who often as not will physically and verbally abuse the immigrants—although it seems that these cases are not as frequent as in the past. Just the same, and although the police have absolutely no legal jurisdiction to do so, their practice of throwing immigrants off of the trains has resulted in the deaths of hundreds of people.

It is clear, then, that although immigration from the south remains the same, the crossing through Mexico is becoming more and more violent and tragic. So it seems that migration by Central Americans will have to change somehow, although we know that it will never stop, for the victims of poverty have no other recourse than to continue this struggle for survival, even at the cost of their lives.

Belén, Posada del Migrante (The Bethlehem Migrant Shelter) is a house of hospitality for Central Americans who are immigrating through Mexico to the United States. The shelter's team also works to defend the human rights of the Central American immigrants, developing new strategies that would continue to offer direct assistance to the immigrants even as we condemn the violations of their human rights. The present state of lawlessness in Mexico, however, often leaves us with no other recourse than the difficult work of simply listening to the immigrants' stories and making observations on the present state of affairs. We hope that this report will serve as a wakeup call to all those who, upon hearing the stories that we recount in these pages, are yet capable of outrage. We pray too that this indignation will inspire those actions necessary to make our own lives, the lives of our families and communities, and the life of our own Mexico more human, more just, and more united in solidarity with those who suffer these abuses. Only in this way will we be able to offer a true sense of hope to those who daily suffer the barbarities of the present situation, but who nonetheless continue the struggle to survive.

B) METHODOLOGY

Since 2005, Belén, Posada del Migrante y Humanidad sin Fronteras, Inc. (Bethlehem Immigrant Shelter and Humanity without Borders, Inc.) have published reports which have laid out the systematic nature of human rights' violations of Central Americans who cross through Mexico as immigrants. In each report we have shown how the authorities have participated in these abuses, as well as how they have been indifferent to the situation. We have offered evidence of how the authorities themselves have participated in the physical and psychological torture of immigrants. We have documented the degree of their corruption and the state to which they are involved in organized criminal activity. Our reports reveal the guilt not only of the political authorities, but of many civilians who have taken advantage of the vulnerability of the immigrants. Each of these annual reports aimed to break the social silence around these crimes, and to pressure those who were indifferent to these events. We have done our best to sound the alarm for those who are unaware of this situation. As time has passed, we discovered that while government institutions may engage in discourse about the importance of human rights, they themselves target immigrants for abuse. We have also run up against the silence of those groups who do not even pretend to offer a political or diplomatic response to the situation.

Throughout these four years, different faces continue to tell similar tales that prove to us that corruption has infected each and every woman and man in positions of political authority. In our fourth report we warned that the very foundations of our government have become so damaged that rampant impunity has created what were previously unimaginable degrees of suffering.

During this past year we have clearly seen the pact between the government and organized crime. Uniformed government agents act with complete disregard of the immigrants, fully aware that the officials enjoy the protection of powerful individuals. These conditions are repeated over and over along the routes that the immigrants use. It does not seem to matter whether the official in question is a federal, state or municipal agent; they all follow the same orders.

This fifth report is the result of the stories of people who have sought hospitality in Belén, Posada del Migrante, from February 2008 until April of 2009. The report began to take shape back in November of 2008, when we noticed a sharp increase in reports of kidnappings by the immigrants.

Alarmed by the degree of dehumanization reached by organized crime and the conditions confirmed by press reports, and realizing that the situation was getting worse, we decided to begin to record the testimony of those men and women who had survived kidnapping and who wished to share their stories with us. For years, Belén, Posada del Migrante has worked at creating an atmosphere that encourages our guests to trust us. We strive to restore at least a sense of the human dignity that has been stripped from them as they made their way north. This attitude seems to have encouraged them to share their stories with us. We also hoped that when the immigrants returned to their journey, they would be able to understand that even as immigrants in Mexico, they enjoy certain human rights, and would be encouraged to denounce the abuses that they might suffer.

We employ a particular methodology in recording human rights violations. We have a special format for the description of kidnappings, which includes the addresses where the abductions took place, how the victims were moved about, how long they were held and how they were freed. In each of these areas, we try to get as many details as possible about the kidnappers, their weapons, and the places that victims were detained, as well as the physical and psychological mistreatment suffered by the victims.

What is happening in Mexico with regard to immigrants deeply offends the dignity of all human beings. We have therefore decided to make the kidnappings of immigrants the theme of this report. We selected the testimonies in this report so as to help the reader better understand what the victims suffer. We organized the presentation of the testimonies to systematically demonstrate what the victims have experienced. The stories are followed by some details that contextualize the narratives, but we have attempted to allow the victims' original voices to speak.

Although we believe that the testimonies themselves are sufficient to move any heart, we have included a chapter on the dictates of international human rights' laws as well as Mexican law regarding kidnapping. We did this with the aim of showing the degree of impunity that is found in our country, which directly and daily causes the sufferings of hundreds of immigrants.

In the third chapter we speak of certain violations of human rights that, due to their gravity and the organized nature of the acts, we had decided to take up with the National Human Rights Commission and the corresponding civil authority. The presentation of this information showed that those organizations, which are set up to protect human rights of immigrants in Mexico, are incapable of this task. Moreover, the very people charged with this responsibility have shown an astonishing indifference to the plight of the immigrants who are in their charge.

C) GOALS AND OBJECTIVES OF THIS FIFTH REPORT

The goal of this 5th Report on the Situation of the Human Rights of Central American Immigrants Passing through Mexico is to demonstrate that the crisis of insecurity that plagues our country affects not only those of us who live here, those of us with a certain social position, those of us who cooperate with narcotics trafficking or those of us who live along the borders. The inability of our state to control this violence also affects the lives of those who immigrate through our country with the idea of entering into the United States in order to work.

This fifth report seeks to share the agonized cries of the men and women who have overcome their own fears and decided to share their stories of suffering, trusting that the spoken word will be a powerful force for justice. These are the voices of those who refuse to remain silent. Despite beatings, humiliations,

Belén, Posada del Migrante; Humanidad sin Fronteras, A.C.; Saltillo, Coahuila; May, 2009

and rape, these women and men show the rest of us that solidarity is not so much window dressing, but a precious gift to be lived out. Theirs is an entire community of suffering, for it includes the agony of those who were killed on the journey north, as well as the pain of knowing that there are others who will have to pass through what they have already survived. The brave women and men who share these stories do so from a faith in the quest for justice and peace. They create a history told from the perspective of the little ones. Though they may appear to have been defeated by violence, yet they refuse to let any of this be forgotten. In time, history will judge those who are presently perpetrators, unveil the truth, and unmask those guilty of causing such evil to their fellow human beings.

In deep contrast to the generalized lawlessness and criminal irresponsibility of the government, and although each new day seems to generate another form of suffering for immigrants, some victims have discovered in our country women and men of good will who open their hearts and their lives to the immigrants, saving these unfortunate people from the further curse of invisibility. Immigrants have discovered people who, without understanding laws or international treaties, possess hearts that inform them as to how human beings should behave. Our hope rests upon the goodness of this community of sisters and brothers, a group of people with concrete faces and their own particular stories, who refuse to be complicit in injustice and barbarity. These are the ones who strengthen our own resolve. Some of these good people are themselves immigrants, some of them are Mexicans; in all of them we place our deepest trust and hope. To these men, and most especially to the many more women, we offer our deepest gratitude.

I. THE KIDNAPPING OF CENTRAL AMERICAN IMMIGRANTS TRAVELING THROUGH MEXICO

For more than a year now, the kidnapping of Central Americans who are immigrating through Mexico has become a reality impossible to hide or ignore. In the beginning, it seemed that there were only a few isolated cases. However, the number of survivors who make it to Belén, Posada del Migrante and other immigrant shelters is increasing. The stories that we hear each day show that the immigrants cross the country in a state of terror. This is not surprising: in less than a year, the organized crime that controls Mexico has now taken over the train routes, as well as the southern and northern borders.

For most immigrants, the route of terror begins in Tenosique, Tabasco. The road from this town to Coatzacoalcos, Veracruz has been described as a Central American cemetery. There are many who have died here. Some, due to lack of experience, did not know how to jump a train; they fell and their bodies were destroyed. Others suffered injury or death on the trains when assaulted by the Mafia, who use high-powered weapons. Immigrants are routinely stripped naked, raped, and robbed of all human dignity and emotional security. Most are kidnapped, fooled into thinking that they are being taken north by guides who instead take them to lairs where they are held under strict vigilance and undergo all sorts of degradation and suffering. They are kept until any family they might have in the United States manages to get together the money that the kidnapers demand, or until they escape or die or are murdered.

The same story of abuse is repeated along the length of the railroad line. After Coatzacoalcos, the following points of terror are Tierra Blanca and Orizaba, in Veracruz. In the central part of the country, Apizaco, Tlaxcala, Celaya, Guanajuato and, more recently, the municipality of San Luis Potosi are all places with a concentrated presence of organized criminals. In this context of crime, it is actually impossible for most immigrants to make it to the northeastern borders of Mexico. Those who make it to Saltillo, Coahuila, and who stay with us in Belén, Posada del Migrante, know that most of the human trafficking takes place in Nuevo Laredo, Reynosa, Piedras Negras and Matamoros. Faced with this reality, crossing the Rio Grande (Rio Bravo) has become even more dangerous. Now it is not just a case of trying to get past the American "migra;" one must figure out a way to become invisible to the so-called owners of the river, who wait in hopes of demanding money from each person who makes it that far.

As we listened to different testimonies we could tell that the kidnappings had many things in common. To help the reader better appreciate the suffering of the kidnap victims, we have organized the information according to a specific structure. We should note that for reasons of security, names, nationality and the ages of the people interviewed have been changed.

1. ORGANIZED CRIME

Me and two friends left home with the idea of getting to the United States on our own. We made it to Nuevo Laredo, but we could see that trying to cross there would be difficult, so we decided instead to try Reynosa (across from McAllen, TX). Things there, however, were worse—once we got outside of town, we saw members of the Zeta gang beating up some folks and stealing their money. We then decided to try to cross at Anahuac. When we reached the highway, we were stopped by a State Police patrol. One of the officers said to me that if we had money we had better give it to them, and then they would help us get past the Zetas. But we didn't have much money, so they left us on our own. The Zetas grabbed us near a cemetery, which had two graves that they themselves had just dug. They put us in a truck and told us that they wanted \$1,000. They told us that this was the toll we had to pay them in order to get to the United States. The one in charge asked me where I was from, and then told me that he wanted to see me the next morning.

They took us to a very large ranch, where they had some women cleaning and working in the kitchen. At first there seven immigrants, and then, five more showed up. They were all weeping, as they had been beaten. The next day, the fellow in charge called for me. He began to ask me all sorts of questions; he asked me if I wasn't afraid of the brush—because one of his ways to get people to talk was to insert a toothbrush in their rectum. I told him no. He also asked me if wasn't afraid of being beaten by pipes and boards or if I wasn't afraid of dying. I told him no, that we were born to die. He then took me for a ride in his truck, and tried to convince me to work with him. He offered me cash (dollars), a truck, drugs, and women, but I refused.

While we were riding around, I noticed that we were near the Colombia highway, the road that goes to Piedras Negras, and that there were some police that worked for the Zetas and who warned them when army patrols came through. When the army passes, the police hide from them, or else act as if everything is fine. These same police capture immigrants and turn them over to the Zetas. As the head man wanted me to work with him, he showed me how he tortured people. He took me to watch this overweight fellow that they made run, naked, through a cactus stand. The man screamed the whole time, asking them to forgive him. I also saw how the boss tortured others by putting a toothbrush in their rectum, so that they would give him the telephone numbers of their families.

I saw this particular boss get together with the fellow in charge of the main square in Nuevo Laredo, with the guy who ran Piedras Negras, and with a cop. They all shook hands and chatted. They talked about where and how it was easiest to cross into the United States. They met in a store where there were AK-47s, MP5 machine guns and shotguns. They wanted me to join up with them because they said that they needed at least three more people to cover the sector, and that they needed tough guys like me, not like the other idiots that were with me, who cried like children.

I saw a box in which they kept their money and how they took from the box whatever they needed for gasoline, food, cigarettes or drugs. I also noticed that they were organized into two shifts, a night shift and a day shift, and that each week they changed the shifts around. The river was never left unguarded; there was always someone there watching. From what they said, I understood that in Nuevo Laredo they beat up the men, and the women were sold as prostitutes. Each woman was worth 5,000 pesos (\$450), depending upon if they were pretty, or if they were just so-so.

Alvaro Méndez, 32 years of age, Guatemala, married, with three children.

The term "organized crime" was first used in 1929, by John Ledesco, to depict the activities of the mafias. The word "organized" emphasized the degree to which a group's cohesion and organization allowed it to effectively use violence, bribery, intimidation or force in the commission of crime. These days, organized crime in Mexico focuses its operations on the buying, selling, and distribution of drugs and weapons. They are also involved in protection rackets, in fraud, and in the trafficking of human beings. Through their links with different levels of government officials, they seek social, economic and political control of certain entire regions in the country.

The criminal group popularly known as the "Zetas" was formed in 2002 when Oseil Cardenas Guillen, the "capo" of the Gulf Cartel, in order to consolidate his control of drug trafficking operations in the state of Tamaulipas, recruited Arturo Guzmán Decena (alias Zeta-1) and a group of men who had deserted from the Aeromobile Group of the Special Forces of the Mexican Army. Since then, the group has grown in size and destructive capability. It is presently cataloged as a high security risk to both Mexico and the United States.

This group primarily benefits from extortion and protection schemes. They also hire themselves out for murder, to transport narcotics, and to launch large-scale kidnapping operations. They carry out additional operations for their own security, such as the search and rescue of imprisoned members of the gang. According to the Special Prosecutor for Organized Crime, the Zetas are highly trained in the use of military weapons, and in information-gathering technology. The American Drug Enforcement Agency notes that in the state of Tamaulipas, the state and local police openly work with the Zetas, advising them by radio and cell phone of the presence of suspicious people or vehicles, or arresting those who owe the Zetas money, often taking them to one of the different "safe houses" that the Zetas maintain in the region.

Regarding the kidnapping of Central American immigrants, there is little published information available. We can only deduce the way things work from interviews with the survivors or witnesses of such kidnappings. Although we cannot assure that all kidnappings of Central Americans are committed by the Zetas, we do know that the vast majority of the testimony that we have concurs that the kidnapers identified themselves as Zetas or as allies of the Zetas. Moreover, the kidnapping methods are the same all along the route that immigrants use. For instance, the border area of Tenosique, Tabasco has been so terrorized by the mafia that the kidnapers work openly and without the slightest problem. They routinely show up at the railroad tracks, and load the large numbers of immigrants that they find there into pickup trucks or dump trucks under the threat of high-powered weapons. Then they take the immigrants to places near Cotzacolcos, Veracruz. During the trip, the victims are harassed, insulted, humiliated, threatened, and warned of the torments that await those who fail to give up the phone numbers of their families. Most of the victims are kept in "safe houses", often described as large and luxurious, although a few immigrants speak of being kept in smaller, simpler places. Once there, the immigrants undergo all manner of abuse. They are systematically stripped naked, beaten, searched and tortured. After the kidnapers obtain the phone numbers of the victims' families, they begin to call and demand a ransom. Those who have no phone number, or who resist giving it up, suffer yet more. Once the ransom is paid, usually within a week or ten days after the capture, the immigrants are dumped on the side of a highway near where they had been taken in the first place.

In Nuevo Laredo, Reynosa, Piedras Negras and Matamoros, the immigrants are captured in much the same way as in Tenosique (on the Guatemala/Mexico border). However, most of the victims who are caught in the border area are fooled by people who pretend to be guides, assuring the immigrants of a safe crossing into the United States. Once immigrants are convinced to go with the supposed guide, they are handed over to the kidnapers, and the story is just as it is in the south. However, in these cases, the kidnapers are fairly sure that the victims have family members who will pay a ransom.

We need to mention that each of these criminal cells employs Central Americans, usually Hondurans or Salvadorans, who have the job of enticing kidnapping victims, whether on the train itself or in train stations. Many of the victims testify that there are Central Americans who beat the immigrants and guard them, while it is Mexicans who are in charge of transporting the victims and establishing contact with their families. When the victims discuss the ones running the operation, they nearly always portray them as typical Mexican cowboys, no matter in what part of the country the kidnapping took place. In some cases, the immigrants note that they carried high-powered weapons.

The kidnapers are portrayed as well organized, with a clearly defined social structure, a hierarchy and way of operation. The kidnapers are all perfectly aware of what they are doing. The testimonies make it clear that the people who kidnap Central Americans are not acting on their own, or as isolated individuals, but belong to a large, organized, and powerful group whose actions cause grievous harm to immigrants. Worse yet, these criminals cause irreparable harm to the Central American people as a whole, for the physical and psychological violence is also perpetuated against the victims' families, who must pay a

ransom, and who come to see the kidnappings as the end of a journey which was the last chance to better their lives.

2. KIDNAPPING IS A SYSTEMIC GENERALIZED CRIME

I have seen things that I could never have imagined happening. The Zetas roam all around Tenosique, which is on the border of Tabasco and Guatemala. They have their people spying on the trains, setting up kidnappings. They chased after me, but couldn't catch me. From my hiding place, I did see them run down several of my companions. Later on, my friends told me that the Zetas beat them and took their phones in order to call their families. The Zetas told my friends that they would take them to the United States, but most of them just get dumped along the road. For example, they told some of my buddies that they would take them to Houston for \$1500, but once the Zetas had the money, they just dumped them on the road, forget about Houston.

I could recognize them if I saw them. One was a Honduran, another was called José, and there was another who was tattooed. One who was bald beat the people as they loaded them on the truck. This all took place on Dec 17th, but the date doesn't really matter, because it happens all the time.

Luis Gonzalez, Salvadoran, with a wife and three children.

The similarity of the times, places and modes of operation show that the attacks by organized crime are not circumstantial, isolated or by chance. Each interview establishes that the targeted victims of the kidnappings are Central Americans who are grabbed along the train route that begins in Tenosique, Tabasco and goes through Coatzacoalcos, Tierra Blanca, and Orizaba, Veracruz; Apizaco, Tlaxcala; Celaya, Guanajuato; San Luis Potosi, San Luis Potosi; Saltillo, Coahuila; Monterrey, Nuevo Leon and up to the border through Piedras Negras, Coahuila, and Reynosa, Nuevo Laredo, and Matamoros, Tamaulipas.

At the moment of kidnapping, there is no distinction between sexes or ages. Men and women, children, youth and adults are all seen as so much merchandise, and as such, the simple act of being found along the aforementioned train lines makes you a victim of kidnapping. Neither is there a distinction between countries of origin. To be Nicaraguan, Guatemalan, Honduran or Salvadoran without documents in Mexico means, in the minds of the kidnappers, that you are easy pickings.

Organized crime has figured out a way to benefit from the passage of immigrants, whether they are traveling alone or under the supervision of someone who traffics in human beings. In fact, anyone who tries to cross the Rio Bravo will always be kidnapped. For this reason, the immigrants must hire a "pollero" to help them cross. Yet the pollero must also pay a tariff to the Zetas for each person in the group. If this is not done, then the entire group is kidnapped.

Each person that was interviewed represented hundreds of others who remain in custody, establishing that the kidnappings are systemic and generalized. No one who travels as a Central American through Mexico is safe. Their stories are living testimony that the kidnappings take place on a grand scale and are the product of an organized, well-functioning system that, thanks to the structural corruption of the Mexican state and a subsequent generalized impunity, carries on with very little risk and with great financial reward.

3. MURDER

It was about 3 AM and we were on the railway near Palenque, Chiapas when the Zetas arrived and took about 300 of us away. They killed three of the immigrants who defied them. They threatened the rest of us with death, and so no one else dared to resist. They had a lot of black and white trucks, with room for about twelve people in each one. Those who helped them were dressed like us—with dirty clothes and small backpacks. They loaded me onto a pickup truck and we were there for quite a while. I don't know where we were headed, because they made us keep our heads down and told us that if we looked up we would be killed. Later on, however, I saw that they had taken us toward Coatzacoalcos.

They took me to a house where there were twenty others who had been kidnapped. They began demanding that we give them phone numbers (of our families), but I didn't have a phone number to give them. During the three days that I was kept there, we were fed canned beans twice a day. I was only there for a short time because the federal police and the army came. They kicked in the door and we ran, because we thought that the Mexican immigration was there. There was a shootout between the federal police and the kidnapers. They killed this guy named "Alex" who was apparently the one in charge. I ran until I got to a place where I thought that I might be safe.

Rosendo Morales, 27 years old and married with two children.

The murder of a human being is an exceptional event. Yet many kidnapping victims have seen so much murder that for them it is no longer considered unusual. The number of victims of homicide continues to grow. The immigrants routinely report hearing gunshots while traveling on the train. A common experience is the discovery that the fellow with whom you had chatted or shared a meal is now bleeding out, dying, with no one there to help, simply because he resisted kidnapping. In our interviews we noticed just how heavy an emotional and psychological toll these experiences took on the witnesses, and how they used every mental and emotional resource at hand to forget, minimize or justify what they had seen.

And so it goes; each day, death piles up its victims along Mexican roads. If the murdered victims are fortunate enough to be identified, then their families might be able to take charge of their bodies, if they can get the diplomatic corps of their respective countries to take the necessary steps, and if they can manage to borrow the huge sums of money they will need to be able to take their beloved's bodies home for burial. If a victim cannot be identified, then he or she ends up amongst the thousands of the disappeared who die unknown, a nobody.

Murder is routine in the kidnapers' houses as well, as the criminals threaten the victims with death and cold-bloodedly carry out the threat, especially when the victim is without the support of family members who could pay a ransom. The strategy of slowly, painfully murdering one of the immigrants in front of the rest terrorizes the group, convincing everyone that the kidnapers are serious and that those who refuse to cooperate can expect even worse things to come.

The kidnapers commit murder in other ways as well. There are immigrants who have been held for months at a time, and who have no one who can pay their ransom. The daily rape, torture and other abuse kill them bit by bit. We have heard of hundreds of other immigrants who have suffered broken bones, disease, and near starvation, who were simply awaiting their death, which, under those circumstances, seems sometimes so very slow to come.

4. HUMAN TRAFFICKING

When I got off the bus in Matamoros, Tamaulipas, a young Honduran came up to me. He had Mara Salvatrucha tattoos on him. He told me that he had been expecting me, and that I was to go with him. I figured he was up to no good, and so I didn't pay him any attention, but then he told me that he worked with the Zetas, and that there was no point in trying to escape, as they had the whole area under their control and that no one would help me. He then took me over to four policemen, dressed in blue uniforms, carrying small pistols. They took me away.

The police put me in a small, white pickup with blue markings. They took me to a park that had a small lake, near the bus station. They began searching me, looking for telephone numbers. As they did this, they apologized, but said that they were under the command of the Zetas. I asked them to let me go, but they said that they couldn't, that only God could save me now. They found my families' telephone numbers, called them, and told them that I had been kidnapped and that they had to deposit \$3,000 in an account to save me. Then they put me in a car and about an hour later we arrived at this house where I was kept. As we drove along, they trained a pistol on me. Later they hit me in the back with a two by four, because they wanted to force my family to pay up, even though I had told them that they were going to pay.

We came to a huge warehouse. There were dogs and chickens inside, as well as some mattresses, where we would sleep five at a time. Besides myself, there were another forty-five kidnap victims there.

Belén, Posada del Migrante; Humanidad sin Fronteras, A.C.; Saltillo, Coahuila; May, 2009

There were three women, a fifteen year old boy, a three year old baby and many more. They put me to work cleaning chickens and cooking. Once they took me to a ranch where I had to work. There were a total of eight guards watching over us. At times, they would beat us even as they told us that they were sorry, but that the Zeta forced them to do this. One of the guards even prayed with us, as he was a Christian. In the morning we were given coffee and bread, and then about 1pm we were given a couple of tortillas with beans, and in the evening the same. They beat us to make us talk. One boy had his little finger cut off because he wouldn't give up his phone contacts. They did some really terrible things; right now I don't really want to think about them. All I can say is that I helped out with the cooking and such so that they wouldn't treat me so badly. While talking with one of them, I found out that they had people watching the bus stations in Monterrey and in Reynosa. Some of the victims were tricked into thinking they were going with coyotes who would cross them to the other side, but others, like me, were taken by force.

I was held for two weeks, hoping that my family could get the money together to free me. They weren't able to get it all, but the kidnappers settled for what they could get and one afternoon they dumped me at the same park near the bus station. I spent the night begging for money in the bus station, until I got enough together to head back home. I now have no interest in going north.

Mauricio García, 24 years of age, Nicaraguan, single, no children.

Human Trafficking is defined as a crime in the third article of the "The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Air and Sea." " 'Trafficking in persons' shall mean the recruitment, transport, transfer, harboring or receipt of persons, by means of threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or a position of vulnerability; or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, all forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs..."

The network which organized crime employs while kidnapping immigrants means that, often as not, the kidnapped women become victims of sexual exploitation and slavery, while the men become slave laborers.

The vast majority of women immigrants who are kidnapped are sexually abused and many of them are exploited by organized crime and put to work in the sex trade. The women are passed through Mexico via a series of bars and underground cantinas where they are forced to work as prostitutes. Other women are fooled by their guides who, in exchange for safe passage, require the women to become their sexual partners. These are the same guides who, upon reaching the northern border, then sell the women to the highest bidder, continuing in this way an endless cycle of violence and sexual exploitation.

As legally defined, human trafficking is not a crime whose only form is sexual exploitation. Male immigrants are also victims of trafficking, as the kidnappers use them in forced labor. More than once witnesses have told us how men have been forced to work in the traffickers' fields; other times they are forced to work in the maintenance of safe houses, cook for the other kidnapped victims, or act as personal servants of the gang leaders.

Victims themselves are at times forced to participate in the crimes. We have been told how Central Americans are often forced to take part in beatings, interrogations or in guarding the victims. At times, victims of kidnapping, especially the younger ones, are forced to go out and bring in other victims. In Coatzacoalcos, Veracruz, organized crime has gone to the extreme of harvesting the organs of those who otherwise cannot pay their ransom.

5. SEXUAL ABUSE

My four companions and I were on the train as it headed out of San Luis Potosi. Just before the train reached the electrical power plant, which is just beyond the train station, security guards kicked us off the train, telling us that we couldn't hitch a ride that way. The four railway guards wore caps and blue uniforms with a yellow ribbon that served as a belt. We begged them to let us stay on the train, that we
Belén, Posada del Migrante; Humanidad sin Fronteras, A.C.; Saltillo, Coahuila; May, 2009

would get down just a bit further up the line, some place where there was a town nearby, but they wouldn't let us—they dumped us off the train out in the middle of nowhere. We decided to camp out there in the woods, and then a pickup truck drove up. I thought it was suspicious looking. The truck came to a stop and some men with machetes jumped out. They began to run after us. I tripped over a wire and fell, and one of them came up to me with his machete. They eventually caught all of us, and kicked and beat us as we were forced into the truck.

After about fifteen or twenty minutes we came to the house where we were to be held prisoners. The men began to tell us that we had better have someone in the USA who could pay our ransom. They also told us that they were connected with the railroad police, the Mexican immigration and the Zetas. In the house there was a Honduran woman who beat me. She would stomp and walk on my back and call me "fucking bitch," because I didn't have anyone who could pay my way out of there. That was her job, to beat the women. She called me "fucking bitch" and told me that I was a slut. One of my companions gave her a phone number, and they called her family and told them that they wanted \$5,000 to take her across the border; but that didn't happen, they just took the money and dumped her alongside the road.

Once the one who was in charge stuck me in a room, just him and me, and he stripped me naked. He kissed my body. He told me that he wanted to have sex with me. I told him no and started to cry. Someone from his gang stood up for me and told him to leave me alone. But what the man did was slap me and ask me to tell him with which one of them I was going to have sex. As I had to pick someone, I picked the guy who defended me, because I knew that he wouldn't hurt me. So then he and I shut ourselves into a room, but nothing happened. He just told me that I shouldn't for anything in the world tell them that I had a phone number of someone. Later, the boss kept bothering me, touching me. He told me that he was going to sell me to a coyote, so that I would be the coyote's woman and that way get to the United States.

During the time that I was there, I noticed that the kidnappers would go to the railroad lines and act like immigrants themselves, and in that way, trick people. I know because while I was there, four others were caught. All told, there were twelve of us who had been kidnapped. We were all kicked, beaten, and insulted. The men had to take off their trousers and then they were hit with 2x4's. They were thrown to the ground and then the gangsters would jump up and down on them. They kicked me out after five days, because, they told me that my companions and I were just useless. The Honduran woman clubbed me three times before she let me go. One Sunday at about nine in the morning they freed us, and told us to run and not to look back because if we did they would kill us. We got away, and then, when night fell, we had to find a place to sleep in the middle of a field of cactus. Later, someone gave us a ride, and they took us to the nearest town; I don't remember the town's name.

María Villegas, 19 years old, Salvadoran, single, no children.

Sexual abuse in all its forms is a fact of life for immigrant woman. Most of them remain silent about what they have lived, and few of the men dare to tell what they have seen on the trains or in the safe houses. From what the men tell us, we know that the women are constantly intimidated, touched and abused in plain view of everyone else, and absolutely no one does anything to stop it.

To better understand this situation, it is worth remembering that the women themselves come from communities that celebrate machismo. The women grow up in an atmosphere that continually reinforces the message that they are inferior to men, and must be submissive and totally dependent upon men. This conception of themselves makes them perfect targets for sexual abuse. Thus many women who head off alone know that their own survival will depend on trading sexual intimacy for protection. Many others, after setting off with a smuggler, discover down the road that they will have to trade sexual favors in order to complete their journey.

The stories are complicated by the fact that the women seem to be freely participating in the acts. This attitude of seeming acceptance makes it difficult for either the victim or the perpetrators to properly understand this behavior as sexual abuse. The immigrants carry with them their own cultural baggage, and in that context, complaints of sexual abuse are not understood. People seem to think that the women themselves are guilty of what happens to them, simply because sexual abuse is considered to be a part of the risk of immigration.

Kidnapped women suffer every sort of sexual abuse. Some of the witnesses report gang rapes by kidnappers under the influence of drugs; others tell stories of how the victims are picked out and shared amongst the kidnappers, according to the perpetrators' tastes. The women are abused over and over again, draining from them their last bit of hope. The women who do manage to survive the ordeal end up dehumanized, humiliated and denigrated. Their lives are forever marked by the scars of shame, guilt, and fear. Incapable of understanding what has happened, they block out this part of their life, seeming to avoid expression of this at all cost. They sublimate their suffering, and often live lives crippled by the sexual abuse, an experience profoundly affecting not only the way they conceive of themselves, but their personal relationships as well.

6. TORTURE

I came through Guatemala with a young man with whom I became friends, so we became travel companions. When we got to Tenosique, we joined up with a group of immigrants. I told them that we had to stay together so that we could better defend ourselves, and then I sent some of the group off for water and others for food. A young man came up to me and asked me if I was the group leader. I told him no, that I had taken charge of things, but that I wasn't charging them money or anything like that. Then he and another one tried to convince me to become the leader. I told them no, that I didn't know the way north—which wasn't true—but that there was no way that I was going to be a smuggler. When my companions came back, they told us to get up into one of train cars that they were on, so that we would make a larger group. We did that, and then they called someone on their cell phone. They told us that their boss had told them that Immigration was stopping the train just ahead and that they had to write our names down in their notebook so that when Immigration stopped us, they would let us go through. They told us that they were smugglers and that they could get us through to Coatzacoalcos, but that if we didn't have the money to go further to not worry, they would let us go and that would be that. The train started up, and about a kilometer before the bridge that marks the limits to Coatzacoalcos, near a dusty road, some men alongside the train track made the train stop. The train engineer gave the men machetes and then they made us get into a new truck. People began to shout and cry as they were hauled up into the truck. They grabbed me and threw me into a larger truck. They threatened all of us with AK-47s and rifles.

The truck drove off; we were terrified. They drove down an old road to avoid an immigration checkpoint. We got on a highway and passed yet another checkpoint. These officials stopped us, but the drivers spoke for a while with the agents, and then they let us go. Further on there was yet another checkpoint, this one with two patrol cars, two motorcycles and a pickup, all Federal police. The smugglers opened the back of the truck, and the cop saw us there, piled up and crying, and he said, "Everything looks good to me," and he let them go on. As we went along, the coyotes pistol-whipped some of us and they constantly cursed and threatened us. There were nine kidnappers in the back of the truck with us. They all looked like they were Mexicans. One of them kept touching the women who were with us and told the others to keep them for him. Another important thing is that, as we were in the truck, we heard some of them on the cell phone saying that some of their company had been attacked by the army in Tenosique.

After about an hour on the road, we were taken to a house in a residential neighborhood. There were about twenty kidnappers there. Most were Mexican, but there were also some Hondurans and a Salvadoran. They put us all into a single room and then began searching us to find the telephone numbers we might have. They asked me if I would work with them, and I said no, that I worked for no one and that I was headed north. They hit me and knocked me to the floor. They kicked me until I passed out, although they didn't hit my face. One of them, doped up on cocaine, grabbed my testicles and squeezed them while he asked who I worked for. I cried out and said no one. The one that was beating me told someone to bring him a ruler, and then changed his mind and said, no, bring the plastic bag. They brought a plastic bag and tied it around my head. When I tried to breathe, the bag collapsed against my face until there was no air and I was suffocating. They asked me again who I worked for and I said no one—I couldn't even lie to them and make up someone, because I didn't know who their enemies were. They brought in a 2x4 and they told me that they were going to hit me four times, and that if I survived that, they were going to toss me into the river, after all the alligators were hungry.

In the end, they stood me up and told me to wash. After that, they brought another man into the room whom they had thought was a coyote—but he was really a simple looking fellow—I had spoken with him and he had told me that this was the first time that he had travelled north. I think that they must have killed him, because even as I quickly washed, I could hear him crying out and then I heard nothing, and when I passed by there, I saw blood and a machete. I went into the room where the rest were, and when they saw me, they all began to cry. And that is how it went, one by one, with the rest of us. We were 119 people there, and all of the women were raped. The kidnappers' friends came and touched the women and then raped them.

No one could say a thing.

Two days later they told us that we were a bunch of useless people and that they were going to dump us on the train tracks. They took us near the station in Coatzacoalcos, about a twenty-minute drive by car, although it took us a while longer, because we had to wait for an army patrol to pass by. The kidnappers called them "dogs" and didn't want them to see us. I couldn't walk, because they had beaten me so badly on my knees and calves, and because of what the Mexican who had jumped up and down on my ribs and my stomach did to me with his huge boots. It was about five in the afternoon that they freed us. I was really frightened and wanted to just get out of there. They had threatened me and told me that if I talked I would really suffer, and that I should trust no one, because it could be that some of the others that I met along the way really worked with them. About eight o'clock that evening I grabbed a train that was headed for Tierra Blanca. There, in a refugee shelter, I was interviewed by someone who worked with the Human Rights' Commission, who told me that he had registered with the police numerous cases like mine, but that the police never did anything about any of it.

Daniel González, 30 years of age, Honduran, married with two children.

According to the "United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment," torture means any act "by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity." The kidnapping of Central Americans in Mexico is only fully understood with a reference to torture, for the two are intertwined.

All of the survivors speak of how they and their companions were tortured in one way or another. Physically, the victims were beaten on their buttocks or backs with two by fours, or they were kicked in the stomach, on their extremities, in their genitals or faces, leading to broken bones or muscle tears. They were burned with cigarettes, cut with machetes or knives, suffered asphyxiation when plastic bags were placed over their heads; objects were shoved into their rectums; some victims were stripped naked and left that way for hours, at times having cold water thrown on them. And of course, some of the men would be raped, and all of the women report being raped, always.

The psychological torture, which is almost always the most grievous of the injuries, begins at the start of the journey, even before they have been kidnapped. The stories of kidnappings fill the journey; the stories reach all the way to Central America, serving as warnings to would-be immigrants. The psychological terror sets in, therefore, at the very beginning of the kidnapping, when the victim realizes that she has fallen into the hands of those whom she had been told to fear. Descriptions of the psychological torture run from sensory deprivation, isolation, verbal humiliation, and constant death threats to the witnessing of rape and even murder. In the end, the climate of human denigration leads to a profound depression and nearly complete loss of self-esteem, the final effect being that the victims simply surrender and hand over to the kidnappers the contact information for their families.

This torture affects the families as well, who are forced to quickly come up with an amount of money that they simply do not have. When they hear the agonized voices of their beloved on the phone, or a pistol shot, they quickly sell the few possessions that they own and enter into debts that, in the long run, will be so difficult to repay. In this way, the torture that takes place in a kidnapping is not experienced just by *Belén, Posada del Migrante; Humanidad sin Fronteras, A.C.; Saltillo, Coahuila; May, 2009*

the individual undergoing the agony, but by an entire family that must figure out how to recover from the financial blow that the ransom dealt to a community that was already barely surviving.

7. THE COLLUSION OF THE MEXICAN AUTHORITIES

I was kidnapped last year in Las Choapas, Veracruz. The train I was on was filled with immigrants—there were about 200 of us. The train suddenly came to a halt—the engineer is a part of the whole thing, of course—and about 20 Hondurans boarded the train. They told us that we should get off the train, because just up the way there was a Mexican immigration checkpoint. They told us that they were there to help us get around the checkpoint, and that those who didn't have any money, well, they were free to continue on. That is, they tricked us into thinking that they were smugglers. They then loaded us up onto some huge cattle trucks. Those who didn't want to go were beaten. The men carried sticks and machetes, and the truck drivers were wearing pistols. They insulted us and hurried us along.

First they took the highway to Coatzacoalcos. Some Mexican Immigration officials stopped the truck, and they saw us there, but did nothing at all. A little bit further on, we were stopped by the Mexican Federal Police. One of the officers opened the back of the truck and he saw us all piled up back there, but he did not do anything either. He even told the driver that everything was fine and that he should continue on. We ended up at a house in Coatza at about 11pm. The next morning, at around 10am, they loaded us back up into the truck and we headed out. We stopped at a small motel to sleep, I don't remember the name of the place. From there we drove until we got to Reynosa. Before we got there, they made us get out of the truck and get off the highway and then walk for about an hour and a half through underbrush so as to avoid a military checkpoint. Then we got back into the same trucks, which had passed through the checkpoints, empty. We were then taken to a house in Reynosa. We still believed that they were smugglers and that they were going to take us to someone who knew how to get us across the river (a pollero) and that then we would cross into the USA.

The house where we were kept in Reynosa had a fancy front door, with polarized glass in it, but they took us around the back. There were about 250 people there. The kidnapers were not the same as the ones who had brought us there. There were two people in charge of each room. The women that were kidnapped were put to work in the kitchen. I saw people beaten there. They insulted all of us and told us that they would kill us if we did not give them our families' phone numbers. But those who surrendered the phone numbers were treated even worse afterwards. I gave them my sister's phone number in Guatemala. They called her and told her that if she didn't help me, then the consequences would be on her head. I learned in this house how the Hondurans worked with the kidnapers so that after three or six months, the Hondurans would go there (to Guatemala) and collect the money.

When they saw that they weren't going to get anything out of me, they told me that I was lucky and threw me out. Two Mexicans took me away and told me that I should keep my mouth shut. This was about a week later, at about 10 o'clock in the morning.

Abraham Méndez, 37 years old, single with a daughter

Testimony that we have received makes it clear that it is precisely the Mexican Immigration Department and the Federal Police who set the path for the kidnappings of hundreds of Central Americans. These federal agents conspire and cooperate with organized crime, playing an important part in those activities that bring grave harm to immigrants.

In addition to forming alliances with federal agents, the mafia also puts local police districts to good use, for it is the uniformed local police who, especially in the border cities to the north, use radio contact to inform the criminals of the presence of Central Americans. In other cases, it is the police themselves who capture the victims and then take them to the kidnapers' hideouts. We need to note as well that a number of witnesses have reported that kidnappings in the southern cities of Mexico often take place in the presence of uniformed officers who do nothing to interfere with the crime. Indeed, at times, the kidnapers who have identified themselves as "Zetas" will order the police to leave the site, and the police immediately obey them.

It seems that Mexican organized crime fears only the army, as the different testimonies report how the kidnapers always avoid encounters with the military. Despite that, the numerous ways in which the Mexican authorities at all levels of government aid and abet the kidnapers is a clear sign of the weakness of the state and its inability to create and maintain the infrastructure required for order and public safety. And if officials at different levels of the government are working with the Mafia, then this too is a sign that the government is corrupted to its very foundations and therefore that no reform would ever be able to correct this defect.

8. CONSEQUENCES

On December 24th, while passing through Coatzacoalcos, Veracruz, I was kidnapped by the Zetas. This happened while I was on the railway tracks, along with eleven other companions. We had seen a bonfire with some immigrants around it and we decided to join up with them. We were there with them, warming ourselves at the fire, when a bunch of trucks pulled up. They forced us, at gunpoint and with curses and insults, to get into the trucks. Those who tried to escape were beaten. We had no other choice but to go with them.

There were sixty-four people and there weren't enough trucks, so we ended up laying on top of each other. Once we were in the trucks, they continued to threaten us, telling us they wanted our families' phone numbers, pointing their pistols at our heads and loading their rifles. We were afraid, the women were weeping and the kidnapers shouted at them to shut up. The trip only lasted twenty minutes, but it seemed to me that it went on for hours.

We got to a large house, but since it was at night, I really couldn't tell what color it was. They blindfolded us as we went into the house. We were all put into a large room, men and women together. At first, large groups of immigrants would arrive each Tuesday and Thursday; but after about a week, there were groups coming every single day. In the beginning, we could stand or sit, when they told us, but later on we had to stay in our own space, without moving, all day and all night. Every third day they beat us on our rear ends with 2x4 pieces of wood, trying to get us to give them our families' phone numbers. I had just been deported, but I didn't want to give them my wife's number in the USA, because I didn't want to endanger her, so I put up with the beatings. There were a couple of guys who didn't hit us so hard, and then there were others who hit me so hard that they brought tears to my eyes. The kidnapers said that for \$3,500 they would take us to Houston. A lot of those with us believed that, whether because they were afraid or because they actually believed the men, but I didn't buy it and so I didn't give them a phone number. They gave us very little food; some rice and beans and a glass of water, and that only once a day.

During the time that we were held, they stripped us naked about eight times. In the evening, the head guy would show up and tell his men to have us strip naked, and so screaming and threatening us, they did so. For us men, it wasn't such a big deal, but for the women it was really hard. They cried and said "No," but the men followed orders. At first we turned away so as not to see them; but later, it became normal to be naked in front of each other. I felt really sorry for them, because the women were really treated badly. I became friends with one of them. She was really pretty. They raped her every day; once all of the kidnapers raped her, one after another (there were about fourteen of them). One would finish with her and they would send her off to wash up, and when she came back, the next man raped her. The girl spoke very little; it filled me with rage to see how they treated her. Not even an animal would deserve such treatment.

We were threatened daily. We were told that they were going to set us on fire or chop an arm off; they would sharpen a hatchet in front of us, and then swipe it close to someone's arm or leg. They would put pistols to our heads. We were all terrified, but despite all of this, I didn't think that they would kill us, until one day when they picked out this kid and they told him that he had been there for two months and that not even the government put up with fools like him, and that if he didn't come up with the money soon, he would die. Then one of the kidnapers put on a cook's apron, sharpened a knife and told one of the others there to hold the kid down. They held him down by his arms and legs and then with one single blow with a machete, cut his arm off. They then cut off a leg. The boy screamed and cried; so did those of us who watched as they cut him to pieces. They cut off his other arm and then his leg; by then the boy had died of pain. One of the kidnapers told someone to bring him a garbage bag, and they put his arms and legs in it.

Belén, Posada del Migrante; Humanidad sin Fronteras, A.C.; Saltillo, Coahuila; May, 2009

The slaughter stopped, and then they asked us, who wanted to be next? And they told us that if we didn't come up with some phone numbers, the same thing would happen to us. They then cut off his head. We saw them put the body in a garbage bag that they threw into a barrel, and then they set it on fire. I knew then that these people were cold-blooded and that they would do whatever it took to get us to surrender our families' phone numbers. After we saw this, a lot of the immigrants gave up the phone numbers.

The kidnappers took kidneys from the ones who couldn't come up with the money. There were only three rooms in this place; we were in the largest room, the second one was for the kidnappers and the third one was for a doctor and a nurse. The medical people had some medicines and some ice chests where they kept the kidneys, and that was where they took the kids. The doctor would look them over and if he decided they were good candidates, he then removed their kidney. The kids would come out of there in great pain, and once they had recovered, the kidnappers kicked them out of the house.

I noticed that they received up to thirty money orders a day, and that there were at least two more houses in Coatzacoalcos, because when there was no more room in the house that I was held in, they would take them elsewhere. I overheard someone say that in each house there were up to 300 kidnap victims being held.

Since I had been caught while I was on my way back from the United States, I had some necklaces that the band's chief liked, and so he took them for my ransom. I told the chief that I wanted to take one of the Honduran women with me, because she didn't have anyone to help her out, and he agreed. The other kidnappers did not like this idea, so before they let me go, they beat me up really badly. I was hit fourteen times by a two by four and they told me that I deserved the punishment, as I hadn't paid the ransom. After all that I had seen, I thought that they were going to kill me, so I just put my life in God's hands.

They put us in the back of a pickup truck and left us along the railroad tracks. I was unconscious. I woke up the next day, but I couldn't get up and I couldn't sit up from the bruises that the beatings left me, on my thighs, my stomach and my head. A woman took the two of us in and she took us to a shelter, where we stayed until we got better.

Marcos López, 25 years old, married, with children.

II. MEXICAN LAW AND PROTECTIONS AGAINST ORGANIZED CRIME 7 VIOLENCE AGAINST IMMIGRANTS

(Not translated. This is a section that lists the various statutes of Mexican law on organized crime, homicide, human trafficking, and other crimes that immigrants suffer. There is not an analysis here, simply a listing of the pertinent articles of law. Then follows another section that lists pertinent international statutes of protection for immigrants).

III. HOW WE HAVE FOLLOWED UP CERTAIN CASES OF IMMIGRANTS WHOSE HUMAN RIGHTS WERE VIOLATED

Although organized crime is by far the most responsible for these crimes against the immigrants, we must not fail to mention those officials, governmental organizations and private security companies who are guilty themselves of the violation of the immigrants' basic human rights, and who, in their own way, worsen conditions for those who would migrate through Mexico.

Throughout 2008 and until April of 2009, the Humanity Without Borders team uncovered cases which, because of both their seriousness and their systematic nature, forced us to begin to pressure those responsible for these actions to cease and desist. This chapter is a summary of the communication efforts that were initiated with different organizations, as well as a reflection on the results that we have been able to identify regarding actions by civilians and authorities that violated human rights.

1. THE UNLAWFUL ACTIONS OF THE NATIONAL IMMIGRATION SERVICE ON THE TRAINS

The National Immigration Service operates checkpoints at different points along the railway route. The men and women who are traveling on the train, after being surprised by the federal agents, often jump from the trains and run through the scrub. This means of escape that the women and men are forced to use is an extremely dangerous one, with the possibility of injuries including the loss of limbs or even their lives. The violent act of chasing down a person is a dehumanizing action, not only for the immigrant, but also for the agent, who has changed the immigrant into a sort of prey.

The General Law for the Population, according to Article 1, establishes the norms under which the general population lives in order to ensure that all people benefit equally from the economic and social goods of the country. Chapter 10 of this law establishes the procedures for the examination of immigration status. Article 151 notes that the Immigration Service and the Federal Police are allowed to operate outside of established checkpoints. They are permitted to check papers, assure the appearance of foreigners before immigration authorities, and operate additional provisional checkpoints aside from the established ones.

Article 196 of this law describes the manner in which the immigration verification process is to be carried out:

Article 196.—The procedure for verifying immigration status is to be carried out in the following manner:

i. The public servant who carries out the verification must have an official act which would establish the object of verification, the place where the review would take place and the name of the person in charge of the operation, and where possible, the name of the person who would carry out the inspection, the date, the legal reasons for the inspection, as well as the name, signature and office of the person who has ordered the operation and the person who will carry it out.

If so petitioned, the Federal Police may carry out inspection operations in specific locations.

ii. The persons who have thus been commissioned must identify themselves to the foreigner, showing the papers that establish that they are acting as public servants of the Immigration Service, or as Federal Police, both under the authority of the Secretary, and

iii. A detailed report will be drawn up at every verification procedure in the presence of two witnesses suggested by the person who handled the procedure or by the person who carries it out, if the former person declines to suggest them. A copy of the report will be left with the person in charge of the case.

This article clearly establishes that authorities are not permitted to chase down immigrants. Daily, then, the National Immigration Service, at times aided by the Federal Police and the Mexican Army, breaks the law and violates the Human Rights of the Immigrant, a norm that Mexico recognized when it signed the Vienna Convention of Consular Relations in 1969.

During the months of February and March of 2008, immigrants consistently reported that the Immigration Service was operating checkpoints in a marshy area of Coatzacoalcos, Veracruz. The immigrants, seeing the immigration agents, would run to escape capture, a flight that took them along the railroad yards and caused the deaths of at least three persons. At this point, we notified the National Institute of Immigration Services, as well as the Commission for Human Rights.

In March of 2008, we wrote José Augusto Boleado Ocampo, the Regional Delegate of the Nation Immigration Service for Coatzacoalcos, Veracruz, telling him that we hoped that he understand the seriousness of the crime that he was committing in undertaking this sort of operation against immigrants. He responded by saying that he knew nothing of the activities about which we had written, and that to the contrary, his agents did everything in their power to respect human rights. At the same time, he noted that he could not share with us the details of his operations, as they were secret. His response encouraged us to write the National Commissioner for Immigration Services, Cecilia Romero. We made it clear to her what

Belén, Posada del Migrante; Humanidad sin Fronteras, A.C.; Saltillo, Coahuila; May, 2009

sort of activity was taking place, not only in Coatzacoalcos but in other areas of the country as well. At the time of publication, we have yet to receive a response to our report, even though we received assurance by telephone that our correspondence had arrived. Cecilia Romero's failure to respond to our request is in and of itself a violation of Article 8 of the Mexican Constitution, which places authorities under the obligation to give written responses to petitions such as ours.

As is well known, the immigrant community is by definition a floating one, never staying in one place for longer than necessary. It is therefore difficult to collect and follow up on complaints in the way that the National Commission on Human Rights stipulates. Thus, despite the fact that the commission recognized the existence of these checkpoints and the danger to the immigrant that they represent, the official observers concluded that since they had no direct testimony from those involved, they really could not proceed with the complaints. In this way, both the immigrants as well as those who work for their human rights find it extraordinarily difficult to believe that this Commission can offer any practical and timely resolution to the aggressions of the authorities if the Commission can not be convinced, at least as regards immigrants, to open themselves to other ways to process these cases.

Since April 2008, however, we have stopped hearing testimony about the roving checkpoints on the railroad. In the First International Congress on Human Migration, organized by the Regional Director of the National Institute of Immigration in Coahuila, the local delegates from Coatzacoalcos, Tijuana and Nuevo Laredo publically noted that these types of actions were not permitted under the law and declared they would no longer practice this sort of operation so as to avoid violating the dignity of immigrants.

However, beginning in December 2008 and up until the publication of this presentation, the Humanidad Sin Fronteras (Humanity Without Borders) team has discovered 47 checkpoints that the Immigration Services operates in conjunction with the Federal Police or the Army. These operations happen mostly in the southern part of the country, in the states of Tabasco, Veracruz, Chiapas, and Oaxaca, as well as in the states of Mexico, Tlaxcala, Hidalgo and Guanajuato. Once again, the government entities are violating the rights of the immigrants. Although this situation continues to physically and psychologically affect hundreds of people, Cecilia Romero remains silent and refuses to publically justify this abuse of power.

2. SYSTEMIC EXTORTION BY THE DISEPCO IN SAN LUIS POTOSI

The great majority of those immigrants who come to Belén, Posada del Migrante have been victims of extortion by the guards who work for the private security company known as DISEPCO, a firm that works in the San Luis Potosi train station. The security guards demand money from the immigrants who seek to get on the train; if the immigrants refuse to pay, they are verbally abused, or worse—in some cases beaten, in other cases thrown beneath a moving train. Since for four years now we have received consistent reports of this abuse, and since in the past year alone we received notice of 722 cases of this abuse, we notified the security company, the Attorney General's office for the state of San Luis Potosi and the state's Board of Human Rights.

In September of 2008 we sent a letter to DISEPCO in which we listed the abuses of the guards. The firm responded to our accusations saying that respect for human life was of utmost concern to the company and that they were against any form of abuse of immigrants. They in turn asked us to lodge with them the corresponding abuse, if it was necessary.

The same letter was sent to the San Luis Potosi State Director of Public Safety, since this group has oversight over private security firms, as well as to the state Commission for Human Rights, for while they may have no jurisdiction over private security firms, they could certainly challenge the government's institutions who do have this responsibility. We never received even a response from the Office of Public Safety; the State Office of Human Rights did reply, saying that they were aware of these abuses and were working on a response.

Despite our written inquiries, the extortionist activity continued in a systematic manner. We decided, therefore, to apply greater pressure by sending a letter of complaint in the name of each immigrant who complained about being abused by the guards. We have sent fifty-two such notifications to the DISEPCO

legal representative Hector Javier Gallardo Baez, to the Director of Public Safety Commander Jose Baca Gonzalez, and to the President of the San Luis Potosi Commission for Human Rights, Magdalena Beatriz Gonzalez Vega. We have not received a written response from any of these individuals. It is worth noting that during February and March of 2008, after forty-five of these letters were mailed, the complaints about the guards' abuses came to an end. When we stopped sending the letters, we began, once again, to receive complaints of abuse. For this reason, we took up this activity again.

The silence that we have received in these cases is a sign that in this country, and specifically in the state of San Luis Potosi, immigrants are considered of no worth and their frustrated hopes bother no one in the least. DISEPCO continues to allow their security personnel to practice their abuse. Those charged with public safety, by ignoring our protests, encourage the state of impunity which perpetuates the invisibility of immigrants, thereby serving as an obstacle to the justice that everyone is guaranteed in our country. With this in mind, we can only hope that the State Commission for Human Rights in San Luis Potosi is capable of fulfilling its obligation to protect the dignity of immigrant people. If they fail in this, then all of us, immigrants as well as those who defend Human Rights, will be unprotected.

3. ABUSE BY MUNICIPAL POLICE

Even as abuse by municipal police has dropped considerably in different cities of the country, we cannot affirm with any certainty that this is due to the correct application of the law, or because they now understand the concept of Human Rights. Our witnesses' testimonies have helped us understand that the majority of the police do not work near the railway. All the same, arbitrary detention and extortions do occur when the immigrants leave the railway routes and go into cities and towns searching for food, work and money.

a. Illegal Apprehension by the Municipal Police of San Nicolas de los Garza, Nuevo Leon

Each Monday the Humanidad sin Fronteras Teams are allowed access to the Immigration Detention Center in Saltillo, Coahuila. Beginning in July 2008, we began to hear testimonies of immigrants who told us that they had been picked up by the municipal police in San Nicolas de los Garza. They told us how the police had stolen money and belongings from them, then insulted, beaten and tortured them before handing the immigrants over to the Immigration Services.

Once it was clear to us that the police were acting in violation of Article 151 of the General Population Act, which allows only Immigration Agents and Federal Police to apprehend people for the purposes of verifying their immigration status, we opened up communication with Camilo Ramirez Puente, the Secretary for Public Safety for San Nicolas de los Garza, pointing out the serious violations of the human rights of immigrants that his police were committing. For three consecutive weeks we received complaints about this abuse; we responded by sending corresponding letters of complaint. Although we only received one single response, we have noticed that, as of the present, the abuse has ended.

In an effort to better serve the safety of the immigrant community, we decided to go ahead and lodge these complaints with the State Commission for Human Rights for Nuevo Leon by sending the same letters to them as we had sent to the local police. The State Commission disregarded our efforts, saying that the complaints had not come from the victims themselves. Once we heard this, we re-sent the letters, this time signed by the victims themselves. The State Commission, in turn, passed the complaints on to the National Commission for Human Rights.

The State Commission on Human Rights' attitude in this affair is an insult to the work of those who labor on behalf of human rights, and it undermines trust in these public organizations. We realize now that for this state commission, the human rights of immigrants are unimportant, and that the struggle to protect human rights in the state of Nuevo Leon requires a commitment that this group is unwilling to assume.

The National Commission for Human Rights gave the responsibility for investigating the reports of abuse by the police to the police themselves, asking them for a report about what happened on each date in which an immigrant was illegally detained. The police department only responded to one of these requests. Despite this, the National Commission decided that there was not enough evidence to warrant

further investigation of the complaints. This decision stunned us, to the point that we asked Mauricio Farah, the Fifth Official Visitor, to reconsider his position and reopen the case. All the same, in an earlier meeting with the Humanidad Sin Fronteras team, the Visitor reaffirmed his earlier position of denying that immigrants suffered any loss of their rights.

b. The Municipal Police of Saltillo, Coahuila, Extorting Immigrant Workers' Employers

Belén, Posada del Migrante and Humanidad Sin Fronteras have followed the process of naturalization of immigrants with several who entered the country without documents. As they await their papers from Immigration Services, they usually find work. However, in two occasions, the Saltillo Municipal police have illegally detained and threatened them, taking advantage of them and their employers' lack of knowledge about the law. The employers are told that they will be arrested for hiring undocumented workers and the immigrants are told that they are going to be detained in order to be deported. Confronted with these threats, the employers are forced to bribe the police in order to be released.

Having discovered this, we put together a number of complaints for the Commission on Human Rights for the state of Coahuila. The first case was filed on September 9, and the Commission sent a letter from General Marco Anthony Delgado Talavera, the Director of the Municipal Police, who denied the allegations. The young man who lodged the complaint had to return to his home country, and the complaint was rejected due to "lack of interest." The Police Chief likewise denied the allegations presented in a second complaint, filed on February 19. The State Commission continues to review the case.

We were surprised at the ease with which the Police Chief denied the allegations raised against his officers. By covering up their actions, the Police Chief aids and abets impunity, removing all possibility of a penalty that would effectively punish those guilty of the crimes of extortion and other abuse against immigrants.

c. Police from Coahuila Beat Immigrants

On the evening of March 11, 2009, a group of immigrants was caught by six agents of the municipal police in Alameda Park, in Saltillo. The police ran the immigrants down and then beat and insulted them. They searched them, stealing the six pesos (about 60 cents) that one of them had. They then let the immigrants go, but only after telling them that if they spoke up, the immigrants would be arrested and deported.

Although this is in fact an unusual event, as municipal police rarely engage in this sort of activity, we are disturbed by it, as it shows that the Municipal Police of this city have xenophobic attitudes which lead them to violate the rights of individuals—rights guaranteed by every person who is in the Mexican Republic. For this reason, we have registered a complaint about this incident with the Coahuila Commission of Human Rights. We have yet to receive a response to this complaint.

CONCLUSIONS

The Fifth Report on the Human Rights' Situation of Those People in Transit Through Mexico has been configured as a historical record of Mexico's cruelty to those persons who were forced to pass through the country en route to the United States. This history has been written so that all will be fully aware of what is happening here, so that no one will be able to hide behind the excuse of ignorance about these events and so that history will judge those specific individuals who have caused such suffering and death.

However, we cannot await that future day. We must step up for the truth now. For this reason, the Fifth Report must serve as a call for women and men, for organized civil society, for all those groups who promote and defend human rights, for academics and students and all those who have taken charge of their own struggles, to take up the challenge to recapture the dignity of the immigrant. We state our own sense of things with the following affirmations:

It is urgent that all sectors of society agree that the neoliberal economic system has trapped us in a process of complete dehumanization which impoverishes and destroys most people, socially and

physically, while enriching in a degrading way the very few. We condemn this economic system imposed upon us by the powerful and demand that we no longer permit its perpetuation, that our own rage slow its advance, that our own notion of a person with all of its human depths continue to advance, allowing us to live in a society which shares with, thinks with and works with others.

We ask that those involved in education to dedicate themselves to the formation of committed citizens who will confront social challenges, who will be people with innovative ideas, who will seek to establish structural change from within society itself, who know how to question the media as well as “official” history, and who, by means of their professions and the examples of their work, will direct coming generations to cease to perpetuate this system that continues to cause so much damage.

We invite religious organizations of every creed, their hierarchies, and their faithful, to accept the commitment inherent in their very foundation to refuse to be complicit through silence or ignorance of reality. We hope that with all of their inspirational force they refuse any pact with the powerful, that they denounce all injustice, that they take the side of the People, and that they fight for their salvation.

We invite each and every person to take seriously his or her responsibility as a member of society, keeping close at hand the importance of building community. We ask that parents and others who are responsible for the formation of children do so with love and with a sense of ethics, so that from the very center of the family they keep out egoism, hatred, greed and materialism.

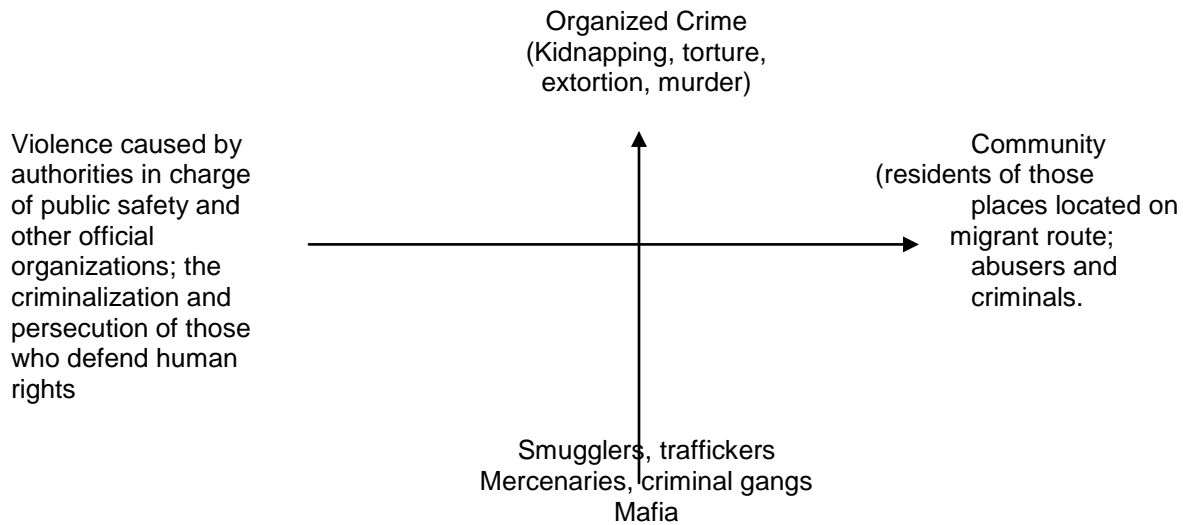
We exhort all victims of the economic system to break the chain of dehumanization, understanding that justice cannot be achieved if one simply repeats the actions of the oppressors.

We condemn the behavior of those who pay for and utilize sexual favors from men and women, minors as well as older people who have been forced to turn to prostitution for survival. We demand that these people recognize that their use of people for their sexual satisfaction forms and strengthens the illegal practice of human trafficking, and, worse, physically and emotionally destroys the victims, making them the objects of a slow and degrading murder.

We see the need for a complete commitment on behalf of the state to the psychological recuperation of the victims, taking immediate and urgently needed steps that would involve private and public mental health institutions who would work arduously on behalf of the victims of these crimes, understanding that deportation is not an alternative and even less a solution.

We hold the Mexican State responsible for all of its criminal actions and demand that Mexican federal, state, and city authorities, but especially those located in the states of Tabasco, Chiapas, Veracruz, Tlaxcala, Guanajuato, San Luis Potosi, Tamaulipas and Coahuila, establish the means for battling narcotics trafficking, sanctioning all those who have been involved with organized crime. The cleanup of all institutions must take place with exhaustive investigations in which there is no room for impunity.

We note the insensitivity of the Mexican government who, despite the thousands of Mexicans who daily migrate to the north, treats so horribly Central Americans who are undertaking the same journey, creating and sustaining the following schema of death:



We demand that the Mexican government modify its immigration policies so that any person who is seeking to better his or her life and the lives of his or her families would have access to a decent form of transit. Only in this way can we put an end to those mechanisms that Mexicans have created to exploit travelers who lack the necessary immigration documents and therefore must catch rides on freight trains, avoid the Immigration checkpoints, suffer extortion at the hands of different police departments or private security guards, or suffer kidnapping by organized criminals. Without this basic change in the law, any reform or suggestion offered to enforce the respect for human rights will remain but a lukewarm response that in no way changes the defenseless nature of the victims, or the corruption and impunity of government at every level.

We ask the governments of El Salvador, Nicaragua, Guatemala, and Honduras that if they are incapable of providing the basic rights of security, food, work and health care for their citizens, that they at least make the strongest commitment to protect their citizens when they are in Mexico, pressuring, questioning and demanding that the government apply the rule of law for them.

We plead with all those who work for the State that, despite the temptations of illicit economic gain and the pressure that they might receive because of the level of their responsibility in government, they refuse to participate in the cowardly and degrading activities of organized crime, and that they be reminded of the glorious fact of their existence and that defense of one's own self-worth is priceless.

Aware that as civil organizations we are alone in a Mexico that seeks to evade justice, we wish to express the need that we see for an attentive solidarity amongst ourselves. The violence that we daily experience is a clear sign that we must respond with the presence that is asked of us by the different groups of people for whom we live and exist. Reality requires that we be capable of creative ways of forming collaborations, understanding that if we do not do this, no one else will.

The social community sustains the journey of immigrant people, as well as our work in offering humanitarian aid and the defense of human rights. This community, conscientious, open and united, is that which with concrete action can truly pressure authorities into changing their systemic aggression against the immigrant community. Therefore we implore all men and women of good will to continue to support the immigrants in their struggle, so that we might be able to make it clear that Mexico can be a country in which one might live and travel through with hope and dignity.

In addition, we beg the Zetas Group to cease its daily massacre of immigrants. We recognize them as people, and, as such, ask them to see the immigrants not as merchandise but as fellow human beings. We know that they can see in the immigrants a bit of themselves and thus we have hope for their transformation. The Central American people simply cannot stand any more torture, extortion and murder. The time has come to reclaim one's conscience and opt for doing good and for disregarding any command that might cause someone else harm. May they understand once and for all that money and power gained through such abominations have only loneliness and death as their fruit. May their hearts be changed; there is yet time to create a new community.

We conclude this work noting that Belén, Posada del Migrante, Frontera con Justicia and Humanidad sin Fronteras will continue its own search for justice, lending our hearts and hands--no matter the cost--to all those women and men who, due to economic structures, have had to leave their homeland, only to find suffering as they crossed Mexico, beaten down by members of the Mexican society, by state authorities and by organized crime.