

LANDSCAPE ANALYSIS:
HUMAN TRAFFICKING FOR
THE PURPOSE OF LABOR
EXPLOITATION IN MEXICO





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This document began as an internal exercise, an attempt to collect and organize the available information on trafficking in persons for labor purposes in Mexico, with the objective of guiding our strategic work in Mexico. What we found, or precisely what we did not find, convinced us that there is a general lack of information about it. For a strategy to work, it must be based on reliable data. We need to know where and how the crime occurs if we were to disrupt it in midstream. We must have some idea of who is likely to be targeted by the traffickers if we want to prevent the vulnerable from becoming the victimized. In Mexico, on trafficking for labor purposes, this data set just does not exist. Clearly, creating it is the next step.

Documenting and collecting data on trafficking in persons is particularly challenging, in any country, under any set of laws. The lack of conceptual clarity, the various criteria in the measurement tools, the close relationship of the crime with social phenomena, and economic aspects make it difficult to size it. Part of this complexity is due to the nature of the crime. Trafficking in persons is in itself a little-known crime and therefore hugely underreported, so prevalence is

always something of an extrapolation. In Mexico, the difficulty over the interpretation and application of the law that governs trafficking in persons makes it particularly challenging, even to glean actionable insights from the legal cases for which there is public documentation. The researchers who developed this report analyzed those public documents, surveyed existing press and literature, and supplemented what was available with extensive interviews of a wide range of government officials and experts from non-governmental organizations. Ultimately, piece-by-piece, we were able to build up a fuller picture than has existed to date of labor trafficking in Mexico in general and in Mexico's agricultural sector in particular.

We hope that by sharing what we have learned, we will not only expand the state of knowledge about trafficking for labor purposes in Mexico but also galvanize a movement to learn more and to encourage other efforts aimed at obtaining more information. At this moment, the most precise image we can see is that there are gaping holes. Contributing to fill those gaps is what will lead Mexico to formulate and implement practical solutions.





MEXICO'S HUMAN TRAFFICKING LAW

Like the United States, Mexico is party to what is commonly known as the Palermo Protocols, which include the “Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children.” The Palermo Protocols were adopted by the United Nations in 2000 as a supplement to the U.N. Convention against Transnational Organized Crime. All states that are party to the Trafficking Protocol are under obligation to punish, at a minimum, the following actions: *exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude and the removal of organs.*

According to the Palermo Protocol, the crime of trafficking includes three elements:

- **Action**—recruiting, harboring, transporting, or otherwise obtaining an individual
- Through the **means** of force, fraud or coercion¹
- For a specific **purpose**, either of compelled labor or services

Mexico’s first human trafficking law

went into effect in 2007, a few years after the Protocol, but the processes and implementing regulations lagged so far behind that it was mostly ignored.

In June 2012, that 2007 law was replaced with the new General Law to Prevent, Punish and Eradicate Crimes in the Area of Human Trafficking and to Protect and Provide Care to Victims of these Crimes.² Today, this is the law of the land as it relates to trafficking.

While well intentioned, the law as written creates enormous barriers to identifying and prosecuting labor trafficking cases.

Specifically, the Mexico “General Law” eliminates the “means” element of the crime of trafficking. Without this element specified, the law holds that taking action—such as recruiting an individual into a job, specifically for the purpose of exploiting their labor—as trafficking regardless of whether force, fraud or coercion is present. Similarly, putting a person to work as a beggar, or involving a minor in organized crime,³ are also listed as human trafficking crimes under the General Law.

¹ The exception is that it is not necessary to show force, fraud, or coercion if the individual participating is a minor. Article 3(c) Palermo Protocol: The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means outlined in subparagraph (a) of this article; <https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html#Fulltext>

² General Law to Prevent, Punish and Eradicate Crimes of Human Trafficking and to Protect and Provide Assistance to the Victims of those Crimes, published in the Official Journal of the Federation (DOF) on 14 June 2012.

³ These practices can be grouped under the heading forced labor; their inclusion as specific types of forced labor is *illustrative*. The advantage of this is that it allows different forms of the same problem to be identified, and for punishment to be a specific variant.



MEANS OF CONTROL	
FORCE	<ul style="list-style-type: none"> • Physical assault • Sexual assault, rape • Physical confinement or isolation
FRAUD	<ul style="list-style-type: none"> • Fraudulent employment offers • False promises about work and living conditions • Withholding wages
COERCION	<ul style="list-style-type: none"> • Threats to life, safety, family members or others • Threats of deportation or arrest, debt bondage • Withholding legal documents and psychological manipulation

Article 123 of Mexico’s Constitution very specifically spells out a range of strong protections around working hours, conditions and salaries. In theory, legally conflating violation of labor laws - aka labor exploitation - with labor trafficking should mean that far more cases are filed and prosecuted.

In reality, the opposite is true.

The problem is that the constitutional labor protections are rarely enforced.

This lack of enforcement can be blamed partially on resources —the government does not have the capacity to oversee working conditions throughout the country adequately. Enforcement is also hindered by a lack of clarity over whose job it is to oversee labor conditions. For example, in specific sectors or for specific products, responsibility for labor oversight can switch from local to federal authorities depending on the place of production, the destination of the product, and its supply chain relationship with

other industries. Case in point: the supervision of large farms falls under federal jurisdiction if the product is a recognized staple of the national economy, like sugar or tobacco. Other agricultural products, however, are the responsibility of local authorities—unless they are going to be packed, tinned or jarred, in which case they fall under federal jurisdiction.

This complex regulatory structure creates numerous grey areas where it is difficult to determine which authority should be supervising labor conditions. As a result, some sectors and industries remain de facto exempt from supervision.

However, the problem goes deeper than resources or systems. Businesses routinely violate labor laws, and law enforcement and government authorities allow the exploitation—so much so that exploitation has become normalized. For example, the Mexican Constitution establishes the right to a minimum salary that must be sufficient to satisfy the ordinary needs of a head of the family and to allow the family to keep their children in compulsory education. The minimum wage is approximately \$88.36 Mexican pesos per day, US\$4.80 per day (US\$60 cents per hour). This hardly fulfills the constitutional criteria. According to data from non-governmental organizations, one out of every seven farmworkers work every single day with no break during the week—also in violation of constitutional standards.

In this environment, it stands to reason that merely changing the name of the violation —making it a criminal offense called human trafficking—would not necessarily expand the incentive for investigating and prosecuting what has become business as usual in Mexico.

Indeed, it has not. The law is broad enough to be treated as virtually meaningless.

At the same time, it remains too narrow to encompass the full range of criminal activities related to labor procurement and treatment of laborers that do include at least elements of force, fraud, and coercion related to work.

For example, a Polaris team member in Mexico has been working on a case in which 60 men from Zacatecas and Aguascalientes were promised temporary work visas and jobs in Louisiana. The men were driven to Monterrey, Nuevo Leon, Mexico and charged \$15,000 pesos (about US\$880) and asked for copies of their passports, but no one ever showed up to take them further. Eventually, the men realized they were abandoned in Monterrey,

forced to pay for the food and hotel and find some way back to their hometowns.

In this case, the element of fraud was present, but the trafficking law would not apply because no actual work was performed. Worker advocates in Mexico believe if the trafficking law had actually contained language on force, fraud, and coercion than the men who perpetrated the fraud could at the very least be tried and potentially convicted for an attempt at trafficking—since they did represent that there would be work, regardless of whether putting the victims to work was ever, in fact, part of the plan.

Instead, authorities said the case was merely fraud—a crime with limited penalties that, like many others, is rarely enforced.





SCOPE OF LABOR TRAFFICKING IN MEXICO

The International Labour Organization (ILO) estimates that the rate of forced labor in Latin America and the Caribbean is at 3.1 people for every 1,000 inhabitants.⁴ If we accept this rate and apply it to Mexico, it means that 379,047 people, out of a population of 122,273,473,⁵ are subject to forced labor. That figure is consistent with the *Global Slavery Index*, which estimates that 376,800 people are subject to some form of modern slavery in Mexico, though the Global Slavery Index figure does not include sexual exploitation.⁶ This figure places Mexico at the top of the list for the largest number of trafficking victims in the Americas and at 36 out of 167 countries worldwide.⁷

The number of victims identified by the Mexican authorities, however, differs

widely from this figure. This discrepancy is also directly connected to how the existing law defines trafficking as well as how that definition plays out regarding actual victim identification and trafficker arrests and prosecutions.

According to the Intersecretarial Commission to Prevent, Punish and Eradicate Human Trafficking Crimes (*Comisión Intersecretarial para Prevenir, Sancionar y Erradicar los Delitos en Materia de Trata de Personas*), only 2,010 trafficking victims⁸ were identified in 2014,⁹ barely 5 percent of the total number of victims estimated by international organizations.

Our research shows that Mexican authorities recorded cases of human trafficking involving 10,175 in the period between

⁴ Ibid., p. 15. Prevalence ranges from between 4.2 per thousand (countries in Eastern Europe and the Commonwealth of Independent States), 4.0 per thousand in Africa, 3.4 in the Middle East, 3.3 per thousand in Asia and the Pacific, and 1.5 per thousand in developed countries and the European Union.

⁵ The estimated population in 2016. See INEGI, Statistical and Geographic Yearbook of the United Mexican States 2016, Table 2.1.

⁶ Walk Free Foundation, *Global Slavery Index 2016*, p. 126, with prevalence estimated at approximately 0.3% (3 per thousand), in relation to an estimated population of 127,017,000 inhabitants. This report indicates that, regardless of the evidence of the existence of cases of commercial sexual exploitation in the country, it wasn't possible to identify victims in this sector (p. 127).

⁷ Ibid.

⁸ *Comisión Intersecretarial para Prevenir, Sancionar y Erradicar los Delitos en Materia de Trata de Personas*, Annual Report 2014, pág. 88.

⁹ There isn't sufficient clarity concerning the numbers reported. On one hand, the total of the disaggregated numbers is different from the total reported. On the other, the report refers to 437 victims attended to by five (5) entities of the Federal Public Administration (Ministry of the Interior, SEGOB; National Migration Institute, INM; Foreign Relations Ministry, SRE; Ministry of Health, SS; National System for Comprehensive Family Development, SNDIF), and 481 attended to by various departments of the Attorney General's Office, to reach a "total" of 918 victims reported by the federal authorities. It is striking that in the report they total both figures because would indicate that the victims reported by other authorities were never known to the prosecutor—bringing to light the lack of coordination between institutions—or, possibly, duplication of the data.

2009 and 2016.¹⁰ Approximately 949 of those were victims of labor trafficking.

The Attorney General’s Office reported¹¹ that from 2014 to 2016 various departments that investigate human trafficking crimes¹² had initiated and referred to a judge¹³ the following investigations:

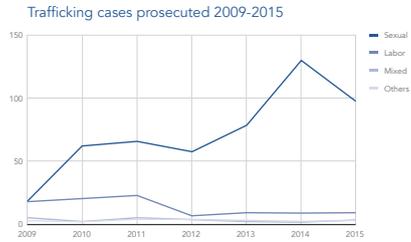
Year	Prior Inquiry	
	Initiated	Referred
2014	155	12
2015	269	37
2016	85	38
Total	509	87

Of all investigations initiated during this period, only 11 involved labor exploitation of one or more persons. The information provided is ambiguous. It does not specify the type of investigation initiated and referred to a judge, or the particular category of trafficking under investigation.

Of the 32 states that make up the country, Baja California, Campeche, Chiapas, Chihuahua, Distrito Federal, Guanajuato, Hidalgo, Nayarit, Oaxaca, Puebla, Querétaro, Quintana Roo, and Tabasco all reported cases of labor trafficking.

For those that did not, we cannot assume that there were no cases. In fact, the federal authorities and news media frequently refer to cases in those states, even when local authorities later fail to report them.

The following chart shows the general trends in the prosecution of trafficking cases. The number of labor trafficking cases increased significantly in 2010 and 2011 and then stabilized at an average of 10 per year. There was a tendency for numbers of sex trafficking cases to rise until 2014, and then to decrease:



Information on the number of convictions is relevant to understand how justice is administered in these cases. The 2014 Inter-Sector Commission’s report covers judgments issued for human trafficking from 2009 to 2015. In total, 570 people went to court (including those found not guilty). Of those, 551 were tried at the state level, and 19 by the

¹⁰ We only took into account: the first figure reported by the CNDH (from all authorities) was reported by the Inter-Sectoral Commission; and information from the Foreign Relations Ministry for the period 2015 and 2016. Other figures are not included because we believe that they are at least partially contained in one of the reports mentioned above; or because they cover, in part or entirely, the same time.

¹¹ Notification PGR/UTAG/03563/2016, October 20, 2015. Transparency and Openness Office, PGR.

¹² There are several departments within the Attorney General’s Office that deal with human trafficking: the Deputy Attorney General’s Specialist Office for Investigating Organized Crime (SEIDO); Deputy Attorney General’s Office for Regional Control; Deputy Attorney General’s Office for Regional Control; Criminal Procedures and Appeals (SCRPPA); Deputy Attorney General’s Office for the Prevention of Human Rights Crimes and Community Services (SDHPDSC), which houses the Special Prosecutor’s Office for Violent Crimes Against Women and Human Trafficking (Fevimtra), among others.

¹³ To apply a previous inquiry after conducting an investigation, the Public Prosecutor’s Office must determine there is sufficient evidence of a crime having been committed. If this is the case, the prior inquiry is referred to a judge so that a trial can be scheduled.



federal authorities. In total, 411 guilty verdicts were issued. That is, 394, or 96 percent at the local level, and 17, or 4 percent, by federal judges.

Jurisdiction	Type of sentence	Total
State	Not guilty	155
	Guilty	390
	Mixed	4
	Not specified	2
Total at State Level		551
Federal Judicial Power	Guilty	17
	Security Measure *	1
	Not specified	1
Total at Federal Level		19
*Non-custodial psychological or psychiatric treatment for 3 years.		





INDUSTRIES OF LABOR TRAFFICKING IN MEXICO

As in other countries, forced labor is more common in sectors and industries that depend on manual, low-skilled labor or seasonal workers. One of the most significant sectors where trafficking appears is agriculture.

Others include construction, mines with no authentic union presence, and domestic service. There have been numerous reported cases of national and international victims, transported from their places of origin in Mexico or abroad, primarily from Central America and South America, who have been forced to do domestic work as well as peddling or begging. Their lack of knowledge about their labor rights and their immigration status makes these migrants particularly vulnerable.

Labor trafficking also occurs in *maquilas*—factories generally owned by foreign entities or individuals who import raw materials from their home companies to Mexico to take advantage of the lower-cost labor force. Large-scale infrastructure, mining and tourism projects, and industrial development zones (such as those along the northern border and in the central corridor of Mexico, or “*el Bajío*,” where *maquila* investment has been promoted), attract migrant workers from rural and more deprived parts of the country. Labor trafficking plays a

role in the growth and development of small, medium-sized, and large towns in these areas. Grassroots organizations have reported, for example, that workers are trafficked from the *Sierra Norteña* in Puebla, Oaxaca, and Veracruz, to do construction work in the seven small towns around the city of Puebla.

TRAFFICKERS PROFILE

There is not enough information on traffickers to paint a clear picture of who is perpetrating the crime. Anecdotally, it is estimated that 70 percent of the cases of human trafficking in Mexico is related to organized crime, but there is little concrete evidence to back this up.¹⁴ In most of the cases recorded by NGOs, the authorities, and the press, the traffickers are typically described as private individuals or small groups of people.

Sometimes that person is the actual owner/employer of a factory or farm. More often, it is a supervisor, foreman, human resources officer, employer protection union delegate, another worker, or member of the employer’s family.

In cases reported by domestic workers (informally referred to as “maids”), traffickers are often middle class or upper-middle class female employers, making this sector unique.

¹⁴ Global Slavery Index, p. 127.



While pinpointing individual traffickers is challenging, human-labor rights organizations working in the region feel strongly that responsibility for the crime should not be limited, upon prosecution or morally, to a single perpetrator in many cases.

In reality, many people may know about the trafficking, but there is usually shared responsibility for covering it up or neglecting to tell the authorities. This logic applies to owners of hostels, transportation companies, and even the family members of the trafficked workers or the traffickers.

Interviewees from the agricultural sector spoke of complicity between the local, state and federal authorities—and owners of farms and sugar refineries. They claim this is the key factor contributing to these people to act with impunity for labor exploitation and trafficking. In some cases, the owners/employers are elected or appointed to political office in their states. In other cases, the recruiters, who also have close relationships with the local authorities, are elected to political office at the municipal level.

VICTIMS PROFILE

Individuals and communities who become victims of labor traffickers in Mexico are for the most part those already facing hardships including extreme poverty, total lack of opportunity, historical discrimination and mass displacement.

More specifically, labor trafficking is most likely to affect indigenous communities and towns, young girls and boys, adolescents, and the migrant population, both internal to Mexico and transnational.¹⁵

Labor trafficking in Mexico is integrally connected to migration. Victims include external migrants, those who enter Mexico from bordering countries and are extremely vulnerable to abuse, exploitation, and trafficking because of their lack of legal status, which allows for the threat of being repatriated to home countries. However, most trafficking victims in Mexico are Mexican.¹⁶

Internal migration, traveling from home states for at least part of the year to find work, has become a means of survival for entire communities.¹⁷ The phenomenon is particularly prevalent in indigenous communities in the southern part of the country. Indigenous peoples face the highest rates of marginalization as a painful consequence of the prejudices against their ancestral heritage. Estimates suggest there are **3.5 million internal agricultural migrant workers in Mexico, mostly from indigenous communities**.¹⁸ Three out of five migrant agricultural workers (**58.5 percent**) **come from extremely marginalized municipalities**.

Migrant agricultural workers who became victims of labor trafficking were

¹⁵ Several studies refer to five dimensions of the migration phenomenon: emigration, immigration, transmigration (transit) and return, as well as internal displacement; see Jorge Schiavon, *Migration Policy in Central America-Mexico-United States: Myths and Realities*, Senate of the Republic, a conference of August 10, 2016.

¹⁶ *Diagnostic study on Human Trafficking in Mexico*, CNDH, 2013, p. 128.

¹⁷ Report "Migrate or Die: the dilemma of agricultural day laborers," Ford Foundation, Tlapa, Guerrero, México, 2005, p. 17. Tlachinollan Mountain Human Rights Center.

¹⁸ Nashieli Ramírez, "The Context of Texts. Program for Children who Move," in *Migrations we see ... Childhoods we ignore. Childhood and Migration in México*, Ed. Childhood in Movement, Ririki Social Intervention, México, 2008, p. 11.

most likely to be from Chiapas, Guerrero, Jalisco, Morelos, Oaxaca, Puebla, and San Luis Potosí. The vulnerability was particularly high among Tennek, Pamme, and Nahuatl indigenous peoples; as well as *mestizos* from the Huasteca zone, the Nahuas, and the *na'savi*, and *me'phaa* from the mountainous region of Guerrero. The Quechua, Otomi, Mixteco, Huasteco, and Tlapaneco populations are also highly susceptible to trafficking situations.

Overall, based on the information gathered for this study, it was possible to identify 11 states of origin of potential victims of trafficking for labor purposes: Chiapas, Chihuahua, Puebla, Oaxaca, the State of Mexico, San Luis Potosí, Guerrero, Tamaulipas, Nuevo León, Hidalgo, and Veracruz. Another nine states reported incidences of labor trafficking but did not say where the victims started their journey. In total, we identified at least 22 receiving states. The fact that victims weren't recorded in a particular state doesn't mean that a crime had not been present.

LABOR TRAFFICKING OF MEXICANS OUTSIDE MEXICO

The Foreign Relations Ministry reported that 4,012 Mexican victims of trafficking were registered in the Comprehensive Sys-

tem for Consular Protection, from January 1, 2014, to September 26, 2016.¹⁹ Of the total number of cases, 3,347 (83 percent) were for human trafficking, without specifying the type, and 665 (16.6 percent) were for labor trafficking. Of the labor trafficking cases, 428 (64.4 percent) were men and 237 (35 percent) were women. Most of the victims were between 26 and 46 years old.

Of all foreign cases, 99.1 percent were dealt with in the United States. The Consular Offices with the most significant number of labor trafficking cases were: Sacramento, California (127 cases); San Bernardino, California (125 cases); Chicago, Illinois (57 cases); Atlanta, Georgia (40 cases); and Philadelphia, Pennsylvania (40 cases).

The Mexican Attorney General's Office reported that from 2014 to 2016, the U.S. government filed international extradition requests with the Mexican government for eight persons accused of human trafficking. The Mexican government did not submit any extradition requests with the U.S. government during the same period.

The other destination countries of Mexican victims were Argentina, Belize, Colombia, El Salvador, as well as Spain, Korea, Germany, Panama, and Canada.

¹⁹ Notification UDT-0496/2016, October 3, 2016. Office for Transparency, Foreign Relations Ministry.





MECHANISMS OF LABOR TRAFFICKING

RECRUITMENT FRAUD

Wages earned abroad and sent back home to family in Mexico make-up 3 percent of the Mexican Gross Domestic Product. Of the approximately US\$26,670 million²⁰ that families in Mexico in 2016 received in remittances, more than 95 percent was sent home by workers in the United States.

Many of these workers are in the United States as part of programs designed to meet short-term labor shortages by giving U.S. businesses an allotment of temporary work visas to hire foreign nationals for prescribed periods of time. The way these programs are designed and the lack of transparency and oversight with which they are implemented make it all too easy for human traffickers to take advantage of migrant workers who think they are joining a well-regulated system.²¹

The largest of these programs are H-2A visas for agriculture workers and H-2B visas for workers in other service industries. While workers from Mexico comprise the largest group of recipients of both these kinds of visas, the programs themselves are unilateral—that is, designed and regulated entirely by the United States. Fixing problems with the programs on the U.S. side—notably, making the visas portable

so workers in abusive situations can switch jobs without fear of deportation—would go a long way toward reducing incidences of human trafficking in the United States of workers from Mexico and elsewhere who are in the country legally on temporary work visas.

However, there are also steps the Mexican government could take to reduce vulnerabilities and abuses in the recruitment stage of the process. Recruitment is almost always contracted out by U.S. and Canadian companies to agencies in Mexico. These agencies often operate networks of smaller unregulated proxies across the whole country. While it is technically illegal to charge potential workers for any step in the process leading to an H-2A visa, that prohibition is very rarely enforced. Instead, workers are told they need to pay high fees for everything from attending a job fair and getting the paperwork for the visas, to transportation to the United States.

According to one of the NGOs interviewed, workers wind up paying on average of US\$590 each to be part of the guest worker programs.

Often that money is borrowed from friends or family, or in some cases work-

²⁰ http://www.conapo.gob.mx/es/IOM/monto_de_remesas_1990_2016.

²¹ ILO R086 defines the introduction as all operations carried out to prepare or facilitate the arrival or admission to a territory of persons recruited in accordance with the conditions set forth in the same instrument.



ers put up land as collateral. The existence of a debt and the desperation it creates makes workers far more vulnerable to be trafficked once in the United States or Canada. Traffickers know they have no real choice but to stay on the job, regardless of the conditions, because leaving would mean they have no way whatsoever to pay off the debt. In some cases, recruiters give potential workers high-interest loans to cover the costs of the fees and transportation.

Perhaps even more troubling than debts incurred for actual jobs, one organization estimated that 10 percent of migrant workers attempting to enter formal guest worker programs pay an agency or recruiter only to find out that there is actually no job to be had.

While there is clearly fraud (an element of trafficking under the Palermo Protocol), these incidents are not regarded as actual cases of trafficking because there is not technically exploitation since no work is ever actually performed.

Recruitment of workers for jobs in Mexico is similarly unregulated and can lead to fraud and exploitation. In-country employers often give the recruiter an advance for securing workers, but then deduct the cost of that advance plus the remaining portion of any additional payment to the recruiter from the workers' wages. In this way, the worker ends up paying for their own recruitment, while the employer in the informal sector avoids recruitment costs and all associated responsibilities. Occasionally, the employer will pay the employee's wages, without their consent, through the recruiter, who will then retain a significant percentage.

COERCION

Withholding workers' wages and identity documents, trapping them in debt, and threatening to report workers if they are undocumented are standard practices for traffickers, especially in labor trafficking—although they are not part of the statutory definition of trafficking under Mexican law.

Farmworkers and domestic workers face the possibility of being locked in—in that they are actually imprisoned—at their place of work. Economic and psychological pressure by the employer is also used to prevent workers from leaving the workplace. Sometimes they are forced to sign contracts with illegal or abusive clauses.

Restrictions on the mobility of farmworkers are most often used against foreign seasonal migrants as they are most likely to have to live in camps on the farms due to the nature of their work.

Workers who have more experience in the agriculture industry are more likely to have information about employers and their practices. This, along with stronger social networks around the farms, assists them in leveraging information to make better decisions to avoid abuses. Some farmworkers whose families have been working in the sector for several generations become permanently established in neighborhoods surrounding the farms, significantly reducing their risk of being subjected to trafficking and forced labor, and increasing the opportunity for different forms of resistance.

Farmworkers and domestic workers report that some employers rely on the authorities—municipal police and migration agents—to reinforce their threats. In some



instances, these authorities are enlisted to carry out the risks and punish workers if they resist, complain, or quit their job.

The severe abuse suffered by vulnerable workers manifests through the use of psychological violence, salary retention, fees for the purpose of work equipment, unbearably unhealthy and overcrowded work conditions , document retention,

movement restriction, remuneration below the required minimum, and fictitious, arbitrary, and unilaterally imposed indebtedness. Additionally, other abuses can include scarce or putrid food and, on occasion, sexual and physical violence. Workers in Mexico frequently face these conditions, which would serve as reliable indicators that a labor trafficking situation exists.





CONCLUSIONS AND NEXT STEPS

The complex and geographically dispersed nature of labor trafficking means that efforts to eradicate it require transnational and multi-dimensional cooperation between governments, civil society, and the public sector. Given the particular nature of labor trafficking and the predicament of vulnerable migrant workers, dedicated and committed stakeholders in the northern and southern regions must collaborate with each other to efficiently protect the victims, prosecute the perpetrators, and go the distance to prevent the crime. This includes law enforcement authorities.

It is essential for federal, local, and municipal authorities to expand their knowledge of human trafficking and its implications. Besides, representatives from the nation's executive, legislative, and judicial levels of government should articulate and design training programs in applying the appropriate labor laws and regulations. Congressional representatives and Senators should thoughtfully consider, write, debate, and pass legislation to include a

full range of perspectives on the subject. Moreover, labor rights, women's rights, indigenous rights, children's rights, and migrant rights, among others, must all be an integral part of the change that is needed.

To prepare for this, significant engagement from civil society, the labor movement, labor and civil rights advocates, organizations, defenders, and government can work to aid in the development of enlightened, transparent, and feasible frameworks. In so doing, they can create a fair and balanced system of protecting the rights of workers and more favorable work conditions. Such a system can also help increase the likelihood that affected individuals will file incident reports without fear of retribution. This can then lead to improving access to acceptable work and work conditions under the models of ownership/management and laborers for labor rights already established in other countries and, in this manner, positively impact the reduction of trafficking for labor purposes toward its eventual eradication.





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