



Smuggling of migrants from the Northern Triangle to the United States

All migrants want to improve their lives. Not all of them can fulfill the administrative requirements to migrate legally to the United States, so some of them decide to breach the law and become “irregular migrants”. There are essentially two ways of doing this. For those Central Americans who can afford the airfare and are able to get a visa, either with or without the assistance of an agent, the simplest way is to fly in and overstay the visa. For those unable to secure visas, there is the tried and true route of travelling the length of Mexico and crossing the border clandestinely. Illegally crossing the United States land border is quite difficult, and most of the irregular migrants employ smugglers. And it is this latter flow of people - the migrants smuggled through Mexico to the United States – that is the subject of this chapter.

Irregular migrants are willing to work off the books for lower wages and under worse conditions than would be legally permissible in most destination countries. Since they are not legally in the country, they are not likely to complain, and they will continue to come, at their own expense, so long as conditions abroad appear better than conditions at home.

At times, the exploitation of irregular migrant labour crosses the line from opportunism to criminality. Smuggled migrants are extremely vulnerable to being trafficked. Employers offering low pay may opt to offer no pay, with protests being met with a call to the immigration office. It may also suit the employer to deny the workers freedom of movement. It may suit them to deny bathroom breaks, reasonable nutrition, safe working conditions, or time to sleep. Misdirection, threats, intimidation, and even violence may be employed to ensure compliance. Migrant labourers may also be sexually exploited. Poor, displaced, often

illiterate, and unable to seek help from the authorities, smuggled workers are easily cowed.

Even before they arrive at the workplace, irregular migrants may be subject to a range of abuses. They aspire to invisibility, and this is often their undoing. Far from home and hiding from the law, they may be victimized with virtual impunity. Migrant smugglers know this, and although some work hard to maintain a reputation for reliable service, others do little to ensure the safety and comfort of their charges. When threatened by law enforcement, they may abandon the migrants, wherever they happen to be at the time. Worse, they may hold the migrants hostage, extorting additional payments from family members for their return. Thus, enforcing laws against the smuggling of migrants is not just about protecting borders. It is about protecting an extremely vulnerable population.

The following assessment looks only at the overland flow of irregular migrants from Guatemala, El Salvador and Honduras through Mexico to the United States. This flow is the focus because:

- Although people from the region also migrate irregularly to other parts of the world, such as Western Europe, they do so in much smaller numbers than to the United States.⁴⁶
- Although people from the Caribbean and the southern countries of Central America migrate irregularly to United States, they do so in much smaller numbers than

⁴⁶ According to Census figures, there were over three million people born in Central America living in the United States in 2010. The equivalent figure for Spain, the primary destination of Central American immigrants to Europe, was just over 100,000.

those from the Northern Triangle of Guatemala, El Salvador, and Honduras.⁴⁷

What is the nature of this market?

The United States is host to more migrants than any other nation in the world. These migrants represent a vital part of the labour force, key to United States economic dynamism. According to the 2010 United States Census, more than three million people who were born in Central America are living in the United States, nearly equal to the entire population of Panama. The Census may not include many irregular migrants. The Pew Hispanic Trust estimates that there were 1.3 million irregular immigrants from Central America living in the United States in 2009.⁴⁸ Based on border detection figures, almost all of these Central Americans came from the so-called Northern Triangle of Guatemala, El Salvador, and Honduras.

Of those migrants who entered the country irregularly, surveys show that most were smuggled into the country. Mexicans represent the single largest national group in this

irregular migrant labour force, representing 87% of those apprehended at the border in 2010. Migrants from the Northern Triangle (Guatemala, El Salvador, and Honduras) come second, representing 75% of the “other than Mexican” migrants apprehended at the border. Most of these migrants are young men traveling in search of work,⁴⁹ and so their intent may be to return home with their earnings.

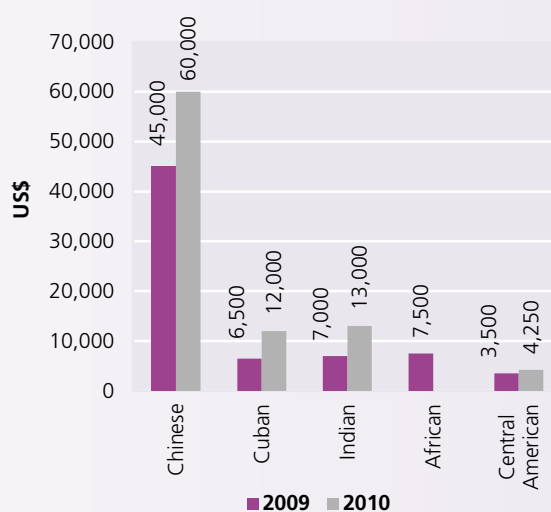
The number of these Northern Triangle migrants appears to have declined dramatically in recent years, as has the number of irregular migrants generally. The number of Guatemalans, Salvadorans, and Hondurans apprehended by the Mexican authorities dropped off after 2005, and the number of apprehensions of Central American migrants on the United States border in Fiscal Year 2011 was the lowest in 40 years. This is due in part to the recession of 2009, which has similarly affected migrant flows to Europe. But the decline predated the recession and was sharpest between 2006 and 2007. This suggests that the reduction is at least partly ascribable to growing apprehension of the dangers posed by the journey north. These dangers have been augmented by the increasing involvement of territorial and

Central America as a global pathway to the United States

Central Americans are not the only ones being smuggled through Mexico to the United States. Irregular migrants from the Horn of Africa (Eritrea, Somalia, and Ethiopia), as well as South Asia (Bangladesh, Nepal, and India), China and other African and Asian States are also being smuggled through Central America.

Migrants from the Horn of Africa are transported using land routes to South Africa, and then air transport to Brazil and Colombia. Those who can afford onward air travel fly to Mexico, while others proceed by land and sea to Costa Rica or Panama. From that point, their journey looks very much like that of the Central Americans. Until recently, Indian nationals did not require a visa to enter Guatemala, and from there joined the rest moving northward.¹ Chinese nationals may reach their North American destinations via Central America and Mexico with forged passports from Japan or Hong Kong, China, which allow entry without a visa.² According to the authorities of Panama, smuggling of Cuban migrants has increased threefold in the first months of 2012.

Figure 37: Cost of being smuggled to the United States via Central America, 2009-2010



1 FLACSO-UNODC, *El Tráfico de migrantes en Centroamérica y México* (Mexico, 2011).

2 Ibid.

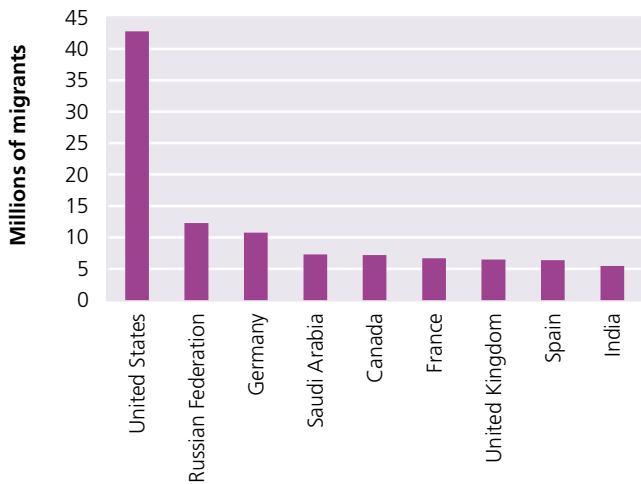
Source: FLACSO-UNODC

47 Large numbers of people from the Caribbean live also live in the United States, but these communities are well-established and more likely to be naturalized than those from Central America. United States authorities detected around 46,000 irregular migrants from the Northern Triangle at United States borders in 2010, compared to 1,300 from the Dominican Republic and 700 from Cuba, the Caribbean countries with the highest numbers. Similarly, only 900 were detected from Nicaragua, with very few from Costa Rica or Panama. See Sapp, L. *Apprehensions by the U.S. Border Patrol: 2005–2010*. Department of Homeland Security Factsheet, 2011.

48 Passel, J. and D. Cohn, *U.S. Unauthorized Immigration Flows Are Down Sharply Since Mid-Decade*. Washington, D.C.: Pew Hispanic Center, 2010.

49 According to research conducted by FLACSO and UNODC, there has been a slight decrease - from 98.8% in 2008 to 96.4% in 2010 - in the percentage of migrants who state ‘labour’ as the main reason for migrating. The remaining 4% migrate for family reunification and political reasons, such as the *coup d’etat* in Honduras in 2009.

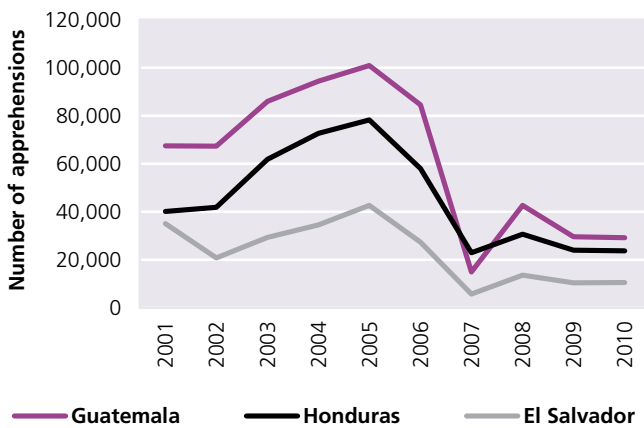
Figure 38: Countries with the highest number of resident international migrants*, 2010



Source: World Bank

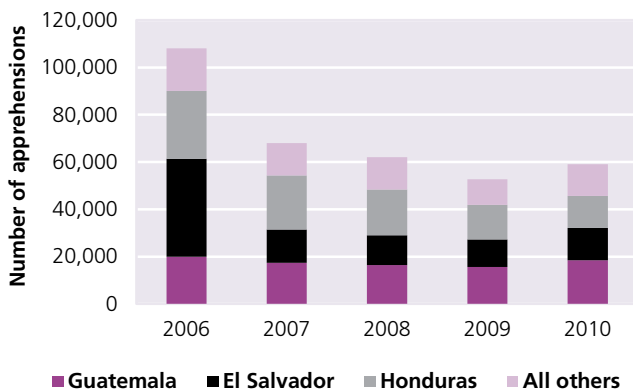
*Defined as people living in a country other than the one they were born in, regardless of citizenship status.

Figure 39: Apprehensions of irregular migrants from Guatemala, El Salvador, and Honduras in Mexico, 2001-2010



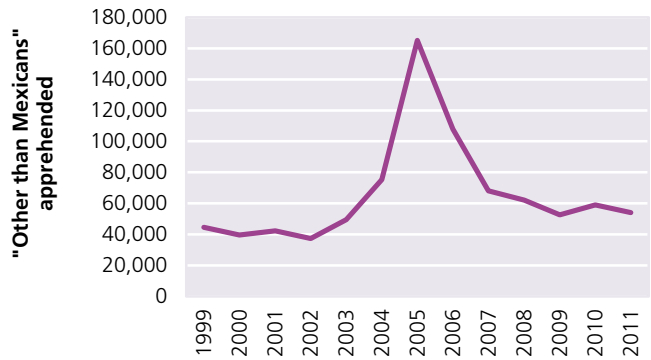
Source: Instituto Nacional de Migración, México

Figure 40: Apprehensions of irregular "other than Mexican" migrants at United States borders, 2006-2010



Source: United States Immigration and Customs Enforcement

Figure 41: Irregular "other than Mexican" migrants apprehended at United States borders, 1999-2011



Source: United States Border Patrol

The "Tamaulipas Massacre"

In 2010, 58 men and 14 women were shot dead just outside Tamaulipas, Mexico, allegedly by the Zetas. A survivor has claimed both that the Zetas attempted to extort money from them, and also tried to force the migrants to work for them. It has also been alleged that the Zetas believed the group was on its way to working with their rivals in the Gulf Cartel.

That same month, Mexican Federal Police captured Edgar Huerta Montiel, known as "*El Wache*," a high-ranking member of the Zetas who was allegedly responsible for the massacre. By August 2011, Mexican authorities had detained 81 members of the Zetas who were allegedly involved.

predatory organized crime groups in controlling the flow. The risks were most dramatically illustrated in what has come to be known as the "Tamaulipas Massacre" of 2010 (See Box), where 72 migrants were murdered, allegedly by the Zetas.

How is the smuggling conducted?

As is true in migrant flows around the world, there is no single road from source to destination. Irregular migrants employ a range of strategies, with some paying piecemeal, hazarding part of the trip on their own, and others buying a comprehensive package. According to Mexican experts on the topic, the premium package being offered today includes up to seven attempts to cross the border; in the past, three attempts were standard. Those who opt on with a single smuggling network pay large sums to be smuggled across two borders and to ensure that they will not be victimized during the 3,000-kilometer journey across the length of Mexico.

Getting to the Guatemalan border is relatively easy, as citizens from Honduras, Guatemala, and El Salvador are

able to travel freely between these countries.⁵⁰ The first hurdle is the crossing into Mexico, but there are many options for surmounting this obstacle. According to estimates by Mexican authorities, there are more than 350 unofficial crossing points between Mexico and Guatemala.⁵¹

Some of these unofficial crossings are marked with gates and chains operated by local peasants, who collect a “toll” from travellers. Other points include river crossings, using raft ferries or zip lines. Along the Usumacinta River, which forms a portion of the border between Guatemala and the Mexican state of Chiapas, a zip line crossing is available for just over US\$1. Zip line crossings can also be found on the Suchiate River, which also serves as a border between the two countries.

Once in Mexico, many irregular migrants traveling without smugglers choose rail travel, while smuggled irregular migrants are more likely to be moved in trucks, buses, and vans. Those crossing the Suchiate River must hike along the train tracks to Arriaga, a 320 kilometer trek that can take up to nine days, to board the train and head north.⁵² The Chiapas-Mayab Railroad, connecting Merida, Campeche and Coatzacoalcos along the Gulf coast of Mexico with Ixtepec, Tapachula and Ciudad Hidalgo, is another option, although it is said this route is controlled by *maras*.⁵³

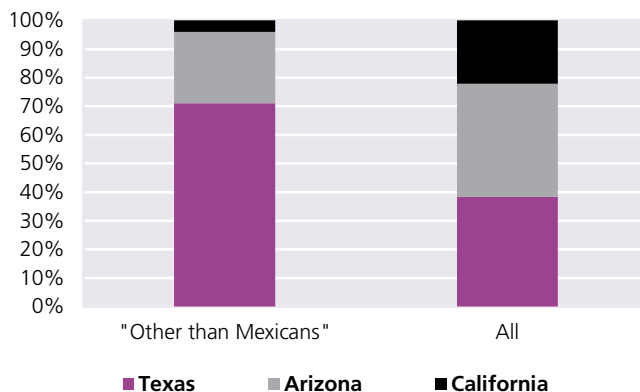
Cargo trailers seem to be the most common method of transporting large volumes of irregular migrants, and they are employed right from the border. Trailers with large volumes of people have been apprehended near the border in Chiapas in January (219 people), March (513 people), and May (210 people) of 2012. The hot and uncomfortable ride allows irregular migrants to traverse the country undetected.

While Mexican nationals are smuggled along the full length of the Mexican border, smuggling of irregular migrants from the Northern Triangle has been concentrated along the Caribbean coast toward crossing points along the Texas border. The primary reason for this appears to be a policy of releasing Central American irregular migrants on their own recognizance when shelter space is overwhelmed, as it frequently is in this area.

Unlike Mexicans, who can quickly be shuttled back to their home country, there are no automatic repatriation agree-

ments between the United States and the Northern Triangle countries. Thus, when irregular migrants are apprehended, they are detained until the country of origin accepts repatriation and sufficient numbers are consolidated to justify a chartered flight. This means that irregular migrants are held

Figure 42: Breakdown of the states where “other than Mexicans” were apprehended versus that of all irregular migrants in 2011



Source: United States Border Patrol

Migrant smuggling from the Caribbean to the United States

Migrants are smuggled from the Caribbean to the United States, but they are smuggled in much smaller numbers than from Central America. The United States border patrol made just over 8,000 coastal apprehensions in 2010, just slightly more than were made at the border with Canada and less than 2% of those made at the southwest land border.¹ In recent years, only two countries in the Caribbean have contributed significant numbers of detected irregular migrants: the Dominican Republic and Cuba. The Dominican Republic is the country that contributes the most, with around 1300 irregular migrants detected in the country in 2010, while Cuba presented 712.

The Dominican Republic is a popular point of departure for migrants from a number of countries, due to its proximity to Puerto Rico (about 40 nautical miles). Because Dominican citizens are almost immediately repatriated on detection, smugglers make use of motorized rowboats called “*yolas*” to make the short journey at night. Cubans, in contrast, are given a special status under United States immigration law, assuming they manage to make it to United States soil. As a result, their voyage to the United States is conducted with stealth and speed, but almost all Cuban entrants declare themselves upon arrival.²

50 The Central America-4 (CA-4) Border Control Agreement was a treaty signed in June 2006 between the Central American Nations of El Salvador, Guatemala, Honduras, and Nicaragua, establishing the free movement across borders between the four signatory states of its citizens without any restrictions or checks. Foreign nationals who enter one of the signatory countries can also travel to other signatory states without having to obtain additional permits or to undergo checks at border checkpoints. The CA-4 Agreement establishes a harmonized visa regime for foreign nationals travelling to the area.

51 Procuraduría General de la República-CENAPI

52 Heather Stone, *Immigrants Grapple With Man and ‘The Beast’*, (Nieman Foundation, 2006).

53 Ariel Gustavo Forselledo , *Maras y tráfico de Personas*, (Universitario de Estudios Superiores, Washington DC, October 2006)

1 Sapp, L. *Apprehensions by the U.S. Border Patrol: 2005–2010*. Department of Homeland Security Factsheet, 2011

2 Watts, R., ‘Caribbean Maritime Migration: Challenges for the New Millennium’. Proceedings of the 2008 Center for Homeland Defense and Security Annual Conference. *Homeland Security Affairs*, 2008.

for several days pending transfer, and bed space is limited, particularly at the Rio Grande Valley (formerly McAllen) and Del Rio border stations. When berths are filled, the balance of apprehended Central American irregular migrants are released on their own recognizance, effectively immigrating.

Who are the smugglers?

As with drug trafficking, migrant smuggling involves *transportista*-type groups, territorial groups, predatory groups, and street gangs.

The *transportistas* are known by a variety of names: *coyotes*, *pateros*, or *polleros*. The full-time professional *transportista* groups are usually very small: often an extended family or group of friends from the same town or region. These people have experience with the journey north and may have been irregular migrants themselves at one time. They coordinate the trip using contacts along the route and usually accompany the irregular migrants. If apprehended, they blend with the other irregular migrants and are unlikely to be denounced. Their relationship with the irregular migrants is based on trust, and this trust runs both ways.⁵⁴

In addition to these professional *coyotes*, many people involved in smuggling irregular migrants are simply opportunists. Migrant flows shift, and with them come the prospects for profits in communities all along the flow. Bus drivers, taxi drivers, truck drivers, hotel operators – all can do well by tailoring their services to a community willing to pay more than the market rate for a little discretion. They may see themselves as providing a needed service to their clients, and making a sizeable profit for skirting the law.

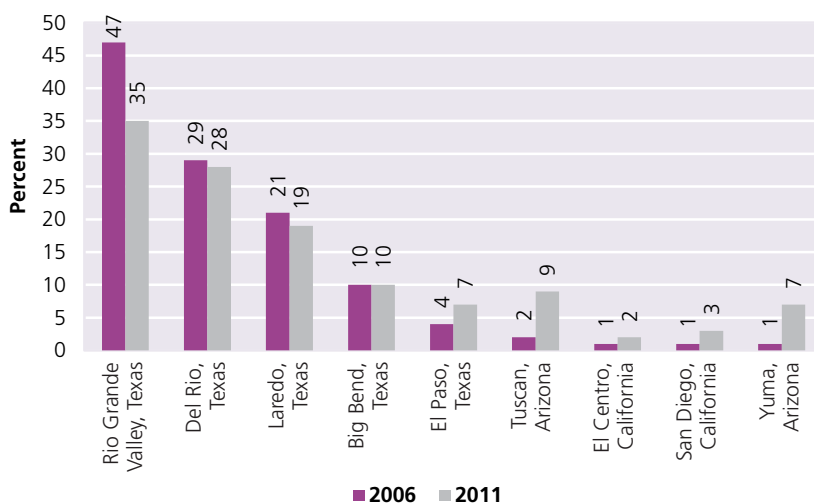
The law, however, is not the biggest concern of the irregular migrants. Their greatest concern is those who operate outside the law. Migrant smuggling involves the interests of territorial organized crime groups situated along border crossing areas. These groups can tax the income of professional smugglers, charge them protection fees, or simply assume control of the whole operation themselves. Through their connections to corrupt officials, territorial groups can guarantee passage free from legal hassles. They can also victimize with impunity.

Groups of irregular migrants are subject to robbery, kidnapping, and exploitation. Because irregular migrants frequently carry their life savings in cash, they are prime targets for robbery. Women may be raped or sexually exploited. Some are kidnapped for ransom, and kidnappings are conducted by groups known to be involved in cocaine trafficking. Well publicized massacres and many unexplained disappearances assure that irregular migrants do all they can to meet ransom demands if detained. All these threats keep the smugglers in business. For a single consolidated payment, irregular migrants can reduce uncertainty.⁵⁵

Where true territorial groups are absent, irregular migrants may encounter street gangs. Mara Salvatrucha is active along parts of the southern border of Mexico, and is said to control the Maya-Chiapas route. As with other territorial groups, they sell “protection,” essentially from themselves, to irregular migrants and *coyotes* operating in this area. The *maras* have publically warned that any attempts to interfere with their operations will result in violence.

The *maras* are a worry, but the group most feared by irregular migrants is the Zetas. In Northern Mexico, the gravitation of irregular migrants to the relatively weak

Figure 43: Share of all apprehended irregular migrants who were “other than Mexican” in FY2006 and 2011 by border crossing area



Source: United States Border Patrol

54 López Castro, G., *Binational Study: Migration Between Mexico And The US, Factors that Influence Migration Coyotes and Alien Smuggling* (United States Commission on Immigration Reform, 1997). Available at: <http://www.utexas.edu/lbj/uscir/binational.html>

55 Comisión de Jefes (as), y Directores (as) de Policía de Centro América, México y el Caribe. Anuario Estadístico Regional, 2010.

control posts on the Texas border also drew them into the territory of the Gulf Cartel, which would become the territory of the Zetas. While Texas is still the crossing point of choice, irregular migrants from the Northern Triangle have begun to shift towards Arizona and away from the Rio Grande Valley, which covers some of the areas where the Zetas are most prominent. This may be a reaction to the threat of violence.

How big is the flow?

In the past, most “other than Mexican” irregular migrants have known that they would be released if they were apprehended. Being detected assures transport from the crossing area to a major urban center, from which they can move further north once released on their own recognizance. As a result, they did not attempt to escape detection, and so the number of irregular migrants detected was close to the total number making the crossing. This “catch and release” policy was, in principal, suspended during the Bush Administration, but was necessarily continued in many areas as border stations expanded their capacity to accommodate more irregular migrants. Many migrants may not be aware of this change. As a result, the number of irregular migrants detected is probably close to the number of irregular migrants making the crossing. About 46,000 crossings by irregular migrants from the Northern Triangle were detected in 2010.

The Pew Hispanic Center estimates that in 2008 some 300,000 irregular immigrants entered the United States,⁵⁶ and, based on earlier research, about 55% of these people would have entered clandestinely.⁵⁷ It also estimates that, in 2009, about 12% of the irregular immigrants in the United States were from Central America.⁵⁸ If the flow is proportional to the population, this would suggest only about 20,000 irregular migrants from Central America around that time. Based on apprehensions, the flow has reduced since then.

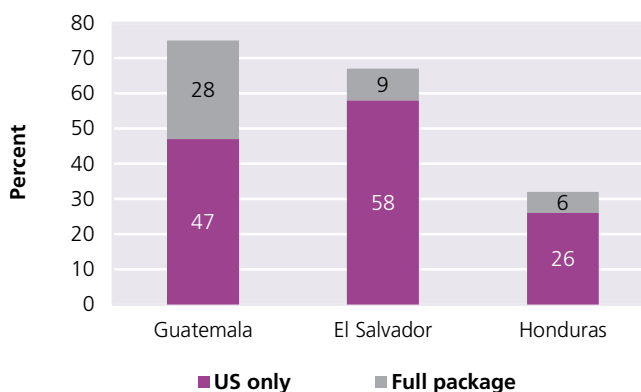
Looking at it another way, Pew also estimated there are 1.3 million irregular Central Americans living in the United States in 2009.⁵⁹ If, as indicated by the border detection figures, almost all of these irregular migrants were from the Northern Triangle, the inflow represents just 3% of the total Central American irregular migrant population resident at that time. But Pew also estimates that just 47% of the population arrived in 2000 or later, which suggests

around 600,000 Central Americans arrived in nine years time, or about 70,000 people per year on average. With strongly declining flows, these estimates are in keeping with a flow of 20,000 to 46,000 in 2010.

Immigration and Customs Enforcement Authorities report deporting just under 74,000 people from the Northern Triangle in 2010. The migrant status of these people varied – even legal permanent residents can be deported if they commit certain criminal offences - and 38% of these deportees were criminally deported. The size of the irregular migrant population seems to be declining, so again, a partial replacement of these deportees suggests a flow of 20,000 to 46,000 irregular migrants is on the right order.

Not all these irregular migrants paid to be smuggled. Surveys among returnees show the share of irregular migrants who paid to be smuggled at various stages of the journey varies greatly by national origin.

Figure 44: Share of irregular migrants apprehended in the United States who paid to be smuggled all the way to the United States versus those who paid just to cross the border to the United States in 2010



Source: La Encuesta sobre Migración en la Frontera Sur de México

Surveys have also revealed the prices paid by irregular migrants to be smuggled from their home countries to the United States, as well as the prices paid by those who only wished to be smuggled across the United States border. The prices are actually very close to one another – as surveys with Mexican irregular migrants attest, the crossing into the United States is by far the most expensive. Oddly, Salvadorans who pay just to be smuggled into the United States at the border pay more than those who contact with the smugglers for the whole trip in Central America.

By estimating the number of irregular migrants as the number detected by United States authorities (about 46,000 irregular migrants in 2010), and taking into account the share smuggled and the amount paid by each nationality for each service, a total annual flow value can be estimated at about US\$85 million, which represents the gross annual income for smugglers plying this trade. Due to the decline in migration flow, these revenues are down substantially from five years ago.

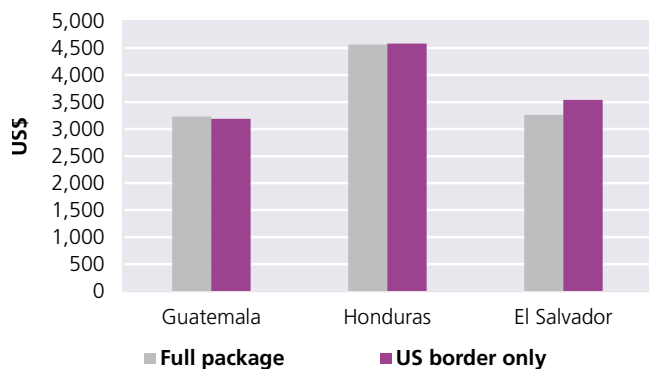
56 Passel, J. and D. Cohn, *U.S. Unauthorized Immigration Flows Are Down Sharply Since Mid-Decade*. Washington, D.C.: Pew Hispanic Center, 2010.

57 Pew Hispanic Center, 'Modes of Entry for the Unauthorized Migrant Population'. *Fact Sheet*, May 22, 2006, <http://pewhispanic.org/files/factsheets/19.pdf>

58 Passel, J. and D. Cohn, *U.S. Unauthorized Immigration Flows Are Down Sharply Since Mid-Decade*. Washington, D.C.: Pew Hispanic Center, 2010. The United States Department of Homeland Security places this estimate slightly higher, at 1.56 million in 2011. http://www.dhs.gov/xlibrary/assets/statistics/publications/ois_ill_pe_2011.pdf

59 Ibid.

Figure 45: Prices paid by irregular migrants for smuggling from Central America and across the United States border in 2010



Source: La Encuesta sobre Migración en la Frontera Sur de México

Implications for responses

Migrant smuggling is an occupation with low barriers to entry. Many of the participants are professional transportation and hospitality agents, so little adaptation is necessary to specialize in assisting this particular group of clients. Flows shift over time, so those involved today may not be involved tomorrow. It is unclear where opportunities for smuggling will next emerge. As a result, any attempt at deterrence must be broad and sustained.

Given the extreme flexibility of this market, it is unlikely that law enforcement alone can stop the smuggling of migrants. As indicated by the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (2000), interventions should rather be based in the realm of migration policy reform, allowing the labour demand to be met within the bounds of the law. The politics of migration management have been debated for decades, but if progress is to be made in stemming the abuse of people willing to risk their lives and liberty for a job, change will have to come at the policy level.