

Background

No. 2568
June 22, 2011



Published by The Heritage Foundation

The Human Tragedy of Illegal Immigration: Greater Efforts Needed to Combat Smuggling and Violence

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Abstract: *Over the past 10 years, traversing the U.S.–Mexico border illegally has become increasingly dangerous for would-be immigrants. Illegal immigrants face kidnapping, murder, and rape at the hands of violent drug cartels and ever more ruthless human smugglers. Crossing treacherous desert areas exposes the travelers to heat exhaustion and dehydration. Hundreds of people die every year trying to cross the border into the U.S. However, illegal immigration is dangerous not only to the illegal immigrants themselves—it is costly to societies and nations as a whole. In order to fight illegal immigration and reduce the toll on human lives, the United States must take a comprehensive approach of increasing border security and improving legal immigration procedures and public diplomacy, as well as fostering reforms and greater efforts to crack down on human smuggling in Latin America. The Heritage Foundation lays out a plan for such an approach.*

In August 2010, 72 would-be illegal immigrants from Mexico were lined up and executed, their bodies discovered on a remote ranch a mere 90 miles from the U.S. border.¹ The drug gang responsible for the kidnapping and murders, Los Zetas, captured its victims as they traveled through Tamaulipas, presumably on their way to cross the border illegally into the United States. When the 72 people refused to work for the gang, they were executed.

Violence against illegal border-crossers has become a regular occurrence around land and sea borders over the past decade. Criminal acts committed against illegal

Talking Points

- Over the past 10 years, traversing the U.S.–Mexico border illegally has become increasingly dangerous. In 2009 alone, the U.S. Customs and Border Protection found 417 bodies along the U.S.’s southern border. Estimates indicate that each year some 22,000 individuals may be kidnapped while traveling through Mexico. Cost-free migration to the U.S. is simply no longer possible.
- Illegal immigration is dangerous not only to the immigrants themselves—it is costly to societies and nations as a whole, as countries face an outflow of human capital and individuals struggle with the effects of partial-family emigration.
- To curb illegal immigration and reduce the toll on human lives, the United States must take a comprehensive approach of increasing border security and improving legal immigration procedures and public diplomacy, as well as fostering reforms and greater efforts to crack down on human smuggling in Latin America.

This paper, in its entirety, can be found at:
<http://report.heritage.org/bg2568>

Produced by the Douglas and Sarah Allison
Center for Foreign Policy Studies
of the
Kathryn and Shelby Cullom Davis
Institute for International Studies

Published by The Heritage Foundation
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Washington, DC 20002–4999
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Nothing written here is to be construed as necessarily reflecting the views of The Heritage Foundation or as an attempt to aid or hinder the passage of any bill before Congress.

immigrants include kidnapping, robbery, extortion, sexual violence, and death at the hands of cartels, smugglers, and even corrupt Mexican government officials. Hundreds of individuals perish trying to cross the U.S. southwest border each year—due to heat exhaustion, drowning, and falling into the hands of the wrong people.² In Mexico, violence against illegal immigrants in transit has exploded since President Felipe Calderon began his battle against the country's transnational criminal organizations in 2006. Despite some success in thwarting these organizations, the slow pace of justice and law enforcement reform, as well as rampant corruption, has allowed organized crime to continue to thrive in Mexico. Likewise, as Mexico attempts to clamp down on narcotics operations, these increasingly multifaceted criminal organizations turn to other sources of income, such as human smuggling and sex trafficking.

The dangers of illicit movement are not confined to Mexico. Thousands of illegal immigrants attempt to reach the United States annually by sea from the Caribbean islands of Cuba, Haiti, and the Dominican Republic. They all put themselves at risk of abandonment, exposure, capsizing, and drowning.

This violence is augmented by an inconsistent policy by the Obama Administration, which downplays the risks of illegal migration, and an unorganized U.S. border security strategy. Exacerbating the problem is that enforcement of immigration laws inside the United States has been inconsistent—leaving a significant economic incentive for further illegal immigration. The escalating violence, *ad hoc* border security, and spotty immigration enforcement demands a more comprehensive and robust strategy for combating human smuggling, violence, and the huge numbers of illegal aliens. Such a strategy should include the following elements:

- Continued partnerships with nations to combat human smuggling and to dismantle trafficking networks throughout the region;
- Concerted efforts to promote justice and law enforcement reform, as well as free-market reform throughout Latin America to foster healthier economies, and thus weaken the incentive to migrate;
- Rejection of proposals for amnesty, which give incentives to illegal immigrants;
- An organized strategy for integrating border manpower, technology, and other resources into an enterprise capable of responding to threats and decreasing the flow of illegal aliens across the border;
- Increased interior enforcement in the U.S. and reforms in legal immigration aimed at discouraging illegal entry; and
- Creation of an active public diplomacy program to educate potential illegal immigrants on the risks of such a journey and the consequences of illegal entry into the U.S.

Multiple Illegal Routes

For many illegal immigrants, their journey to the United States does not begin at America's southern border. Mexico serves as a starting point as well as a path of transit for people all across Latin America seeking illegal entry into the United States.

Last year, Mexico's National Immigration Institute (INM) apprehended and repatriated a total of 62,141 illegal immigrants within Mexico's border. Of the 400,235 individuals that the INM estimates enter Mexico every year illegally, approximately 150,000—or 37 percent—intend to cross over into the United States.³ These individuals travel from their home countries throughout the region to Mexico's 750-mile

1. David Luhnow, "Mexico Killings Show Migrants' Plight," *The Wall Street Journal*, August 27, 2010, at <http://online.wsj.com/article/SB10001424052748704913704575454033356912888.html> (May 23, 2011), and "Source: Investigator in Migrants' Massacre Killed," MSNBC, August 27, 2010, at http://www.msnbc.msn.com/id/38883757/ns/world_news-americas (May 23, 2011).
2. Based on average number of bodies recovered by Customs and Border Protection per year from 2007 to 2009, and Chad C. Haddal, "Border Security: The Role of the U.S. Border Patrol," Congressional Research Service *Report for Congress* No. RL32562, August 11, 2010, at <http://www.fas.org/sgp/crs/homsec/RL32562.pdf> (May 23, 2011).
3. Cynthia Gorney, "Mexico's Other Border," *National Geographic*, February 2008, at <http://ngm.nationalgeographic.com/2008/02/mexicos-southern-border/cynthia-gorney-text> (May 23, 2011).

Migrant Routes Through Mexico



Source: Amnesty International, "Invisible Victims: Migrants on the Move in Mexico," at <http://www.amnesty.org/en/library/asset/AMR411014/2010/en/8459f0ac-03ce-4302-8bd2-3305bdae9cde/amr4110142010eng.pdf> (May 11, 2011).

Map 1 • B2568  heritage.org

shared border with Guatemala and Belize. While the terrain is mountainous and jungle-covered, there are few checkpoints along the crossing, making it appear to be a hospitable environment to many would-be illegal immigrants. Yet, at Mexico's southern border begins a dangerous journey of some 2,000 miles to the United States.

Illegal immigrants also travel by sea. Last year, the U.S. Coast Guard intercepted 2,088 illegal aliens off the coasts of the United States.⁴ While the number of interceptions has consistently declined over the past six years, previous estimates indicate that thousands of people still attempt to make the

maritime journey from the Caribbean each year.⁵ The majority of these immigrants set sail from Cuba, Haiti, and the Dominican Republic, each journey filled with its own set of challenges.

Trying to immigrate illegally comes with tremendous risks, including kidnapping, extortion, injury, and death. Illegal immigration also foists a tremendous social cost on the communities and societal units throughout Latin America, such as the economic difficulties posed by the absence of a family member, or the overall cost of the outflow of human capital.

4. U.S. Coast Guard, "Alien Migrant Interdiction: Total Interdictions—Fiscal Year 1982 to Present," May 20, 2011, at <http://www.uscg.mil/hq/cg5/cg531/AMIO/FlowStats/FY.asp> (May 23, 2011).

5. Robert B. Watts, "Caribbean Maritime Migration: Challenges for the New Millennium," *Homeland Security Affairs*, Supplement No. 2 (2008), at <http://www.hsaj.org/?special:fullarticle=supplement.2.6> (May 23, 2011).

Southern Border Hazards

While apprehensions of illegal immigrants along the U.S. southern border declined by more than 50 percent between 2004 and 2009, deaths have increased by nearly 28 percent in the same time.⁶ In 2009 alone, U.S. Customs and Border Protection found 417 bodies along the U.S. border with Mexico.⁷ In 2009, along the deadliest areas of the border, such as Arizona's Sonoran Desert, the risk of death for illegal border-crossers was one and a half times greater than it had been in 2004, and a staggering 17 times greater than it had been in 1998.⁸

According to various estimates, between 80 percent and 95 percent of illegal immigrants employ smugglers to assist in crossing the southern border.⁹ While smugglers often ease the means of travel, there are also significant risks in employing these networks. Chief among the concerns is that smugglers have been known to leave behind people who fail to keep up with the group due to exhaustion, injury, dehydration, or age.¹⁰ Furthermore, immigrants seeking to cross the southern border illegally increasingly do so in desert regions where the extreme heat can lead to over-exhaustion and death.

A study by the American Civil Liberties Union and Mexico's National Human Rights Commission estimates that 30 percent of the 390 people whose bodies were recovered in 2008 died due to exposure to extreme heat.¹¹ Those left behind often lack food and water, and face little chance of survival. Illegal immigrants may also be packed into trucks, hidden under seats, or smuggled in trunks to avoid detection. There they risk death and injury from suffocation or overturned vehicles.

Kidnappings

In 2009 and 2011, Mexico's National Human Rights Commission (CNDH) released reports highlighting the kidnappings of illegal immigrants in Mexico. The reports were assembled from the testimonies of those who claim to have been kidnapped while traveling through Mexico. CNDH was made aware of 198 multiple kidnappings in the period from September 2008 through February 2009, and 214 multiple kidnappings from April to September 2010. In total, these cases resulted in the kidnapping of 9,758 individuals and 11,333 individuals, respectively. The figures, however, represent only those kidnappings occurring during a six-month

6. U.S. Customs and Border Protection, "Total Illegal Alien Apprehensions by Fiscal Year: Oct. 1st through Sept. 30th," at http://cbp.gov/linkhandler/cgov/border_security/border_patrol/apps.ctt/apps.pdf (May 23, 2011), and U.S. Government Accountability Office, "Illegal Immigration: Border-Crossing Deaths Have Doubled Since 1995; Border Patrol's Efforts to Prevent Deaths Have Not Been Fully Evaluated," GAO-06-770, August 2006, at <http://www.gao.gov/new.items/d06770.pdf> (May 23, 2011).
7. Lourdes Medrano, "Border Deaths for Illegal Immigrants Hit Record High in Arizona Sector," *The Christian Science Monitor*, December 16, 2010, at <http://www.csmonitor.com/USA/2010/1216/Border-deaths-for-illegal-immigrants-hit-record-high-in-Arizona-sector> (May 23, 2011). Estimates, however, often vary according to source and method of data collection; even Department of Homeland Security annual numbers have varied at different dates of reporting. Further, while this number in and of itself is tragic, the number of immigrants who perish along the U.S. southwest border may actually be much higher. This is due to the fact that the data compiled by CBP fails to include bodies recovered by local law enforcement, and also does not take into account bodies found immediately on the Mexican side of the border. According to various sources, the average deaths between 1998 and 2008 may have been closer to 539 per year, even reaching a high of 827 in FY 2007 by the estimates of Mexico's Secretariat of Foreign Relations (SRE). Many other deaths may go unreported.
8. Maria Jimenez, "Humanitarian Crisis: Migrant Deaths at the U.S.-Mexico Border," ACLU of San Diego and Imperial Counties and Mexico's National Human Rights Commission, October 1, 2009, at <http://www.aclu.org/immigrants-rights/humanitarian-crisis-migrant-deaths-us-mexico-border> (May 23, 2011).
9. Bryan Roberts, Gordon Hanson, Derekh Cornwell, and Scott Borger, "An Analysis of Migrant Smuggling Costs Along the Southwest Border," U.S. Department of Homeland Security *Working Paper*, November 2010, at <http://www.dhs.gov/xlibrary/assets/statistics/publications/ois-smuggling-wp.pdf> (May 23, 2011).
10. "No Safe Passage: Add Drugs Gangs [sic] to the Long List of Dangers Facing Migrants," *The Economist*, September 9, 2010, at <http://www.economist.com/node/16994348> (May 23, 2011).
11. Jimenez, "Humanitarian Crisis."

period. Given the most recent findings, it is likely that more than 400 kidnappings involving some 22,000 individuals may be occurring in Mexico on an annual basis.¹² At its worst point, Colombia, the former “kidnap capital of the world,” saw an estimated 3,500 individuals kidnapped per year.¹³

The testimonies in the reports detailed scenarios in which individuals were ambushed by gangs or smugglers and held in safe houses awaiting their ransoms to be paid by their relatives and loved ones. The ransom demanded between 2008 and 2009 ranged from \$1,500 to \$5,000 with an average of \$2,500. While held captive, nine out of 10 of the victims were threatened with their own death or that of their relatives. Many also reported being deprived of food, beaten, tied, gagged, blindfolded, drugged, or burned.¹⁴

From 2008 to 2009, 55 percent of the reported kidnappings occurred in the southern portion of Mexico, predominantly in the states of Veracruz and Tabasco.¹⁵ By 2010, this percentage had reached 67.4.¹⁶ For many, however, the greatest risk lies not along Mexico’s southern border but along the railway lines, where illegal immigrants traversing through Mexico hop on freight trains heading north. In fact, between 2008 and 2009, of the 2,525 kidnapped individuals for whom the specific location of abduction was identified, nearly 98 per-

cent were kidnapped on railway lines or trains.¹⁷ In some cases, train drivers, engineers, and private security guards on the trains are complicit in the immigrants’ kidnappings, allowing criminal organizations or authorities to board the train and abduct illegal immigrants.¹⁸

Criminal gangs have also been known to lie in wait near immigration checkpoints where illegal immigrants will hop off the train to avoid identification. The members of the Mara Salvatrucha gang, for instance, call themselves “immigrant hunters.”¹⁹ Criminal organizations like Mara Salvatrucha have been expanding their reach and increasingly turning to human smuggling as a means of profiteering. Assuming the average ransom price has not risen even further since 2009, and a possible 22,000 kidnappings annually, these smugglers and criminal organizations could be making more than \$50 million a year from ransoming their victims.²⁰

Yet it is not just Mexican criminal organizations that pose a risk to illegal immigrants. Among the 2008–2009 kidnapping cases reported by the CNDH, 59 percent were said, by interviewed immigrants, to be carried out by “coyotes” or “polleros.” During this same period, illegal immigrants giving eyewitness accounts also indicated that state, local, or federal authorities were either responsible for or complicit in 2 percent of kidnappings (soaring to 8.9

12. Comisión Nacional de Los Derechos Humanos, “Informe Especial Sobre Los Casos de Secuestro en Contra de Migrantes,” June 15, 2009 (in Spanish), at <http://www.cndh.org.mx/INFORMES/Especiales/infEspSecMigra.pdf> (May 23, 2011), and Comisión Nacional de Los Derechos Humanos, “Informe Especial Sobre Los Casos de Secuestro en Contra de Migrantes,” February 22, 2011, at <http://www.cndh.org.mx/InfEspecialSecuestroMigrantes7.pdf> (June 2, 2011).
13. Simon Fraser, “Colombia: Kidnap Capital of the World,” BBC News, June 27, 2001, at <http://news.bbc.co.uk/2/hi/americas/1410316.stm> (May 23, 2011).
14. Comisión Nacional de Los Derechos Humanos, “Informe Especial Sobre Los Casos de Secuestro en Contra de Migrantes,” 2009.
15. *Ibid.*
16. Comisión Nacional de Los Derechos Humanos, “Informe Especial Sobre Los Casos de Secuestro en Contra de Migrantes,” 2011.
17. Comisión Nacional de Los Derechos Humanos, “Informe Especial Sobre Los Casos de Secuestro en Contra de Migrantes,” 2009.
18. Amnesty International, “Invisible Victims: Migrants on the Move in Mexico,” April 2010, at <http://www.amnesty.org/en/library/asset/AMR41/014/2010/en/8459f0ac-03ce-4302-8bd2-3305bdae9cde/amr410142010eng.pdf> (January 19, 2011).
19. George W. Grayson, “Mexico’s Forgotten Southern Border: Does Mexico Practice at Home What It Preaches Abroad?” Center for Immigration Studies *Backgrounder*, July 2002, at <http://www.cis.org/MexicoSouthernBorder-Policy> (May 23, 2011).
20. Comisión Nacional de Los Derechos Humanos, “Informe Especial Sobre Los Casos de Secuestro en Contra de Migrantes,” 2009.

percent in 2010).²¹ Yet, despite the prevalence and horrors of these kidnappings, victims are reluctant to file complaints. Mexican law provides that illegal immigrants may receive temporary visas pending investigation, but most are unaware of this fact or do not want to interrupt their journey to report the crime. Others are fearful that they will be deported if they speak to authorities, while some return home after the trauma or voluntarily turn themselves over to Mexico's National Migration Institute (INM) to avoid falling back into the hands of gangs.²²

There were several high-profile cases of illegal-immigrant abductions in Mexico in 2010, the most horrific being the massacre of 72 would-be border-crossers in Tamaulipas. In December of the same year, 40 Central American illegal immigrants, mainly Salvadorans and Guatemalans, were abducted from a freight train traveling north through Mexico. The train, originally carrying 250 people, was reportedly stopped first by "police and immigration officials," who detained 92 of the illegal immigrants. Following the stop, approximately 150 travelers re-boarded the train. The conductor of the train, run by the government-owned Ferrocarril del Istmo de Tehuantepec (FIT), then demanded fees from the illegal immigrants. Apparently unhappy with the amount he was paid, he warned there would be "more problems ahead." Shortly thereafter, the train was boarded a second time by armed men who proceeded to kidnap 40 of the illegal immigrants still aboard. The illegal travelers believe the Los Zetas cartel was involved, but they also raised questions about possible involvement of government authorities.²³

Extortion

As the CNDH report and the kidnapping of the 40 Central American illegal immigrants seem to

indicate, state and local authorities are sometimes complicit in such kidnappings. More commonly, however, authorities will seek to exact financial payments from illegal immigrants through extortion. As regional expert George Grayson explains, "rather than engage in crude violence, unscrupulous officials typically exact bribes [mordidas]."²⁴

Extortion of illegal immigrants most often occurs during unlawful immigration checks. In Mexico, the INM has ultimate authority to verify the status of travelers and detain them. The Federal Police, however, may conduct verifications of status at the request of the INM. According to current Mexican law, military and state and local law enforcement officials cannot initiate verifications and, similar to U.S. law, may only detain an illegal immigrant if the individual is first stopped for other illegal activity. While there are strict rules on how these immigration checks are to be carried out, these rules and other regulations are often disregarded.²⁵

There were more cases of extortion before 2008 due to a law that indicated that illegal immigrants could be punished for their presence in Mexico by up to 10 years in prison. Military and police officers would often use this law for monetary gain, extracting bribes from immigrants under threat of imprisonment. In 2008, however, the penalty of incarceration for illegal immigrants was reduced to a fine. This was a positive step toward necessary reforms. Nevertheless, corruption within the ranks of law enforcement remains rampant and much of the region continues to lack a strong and stable system of rule of law.²⁶

Sexual Violence and Human Trafficking

One in every five aspiring immigrants passing through Mexico is female, yet as many as 60 percent

21. Comisión Nacional de Los Derechos Humanos, "Informe Especial Sobre Los Casos de Secuestro en Contra de Migrantes," 2009 and 2011.

22. Amnesty International, "Invisible Victims."

23. "Top UN Official Tells Mexico to Investigate Kidnapping of Central American Migrants," Fox News Latino, January 21, 2011, <http://latino.foxnews.com/latino/news/2011/01/21/officials-tells-mexico-investigate-kidnapping-central-american-migrants/> (May 24, 2011).

24. Grayson, "Mexico's Forgotten Southern Border."

25. Amnesty International, "Invisible Victims."

26. *Ibid.*

of these women and girls will experience sexual assault during their journeys. As Amnesty International explains:

All irregular migrants are at risk of abuse, but women and children—particularly unaccompanied children—are especially vulnerable. They face serious risks of trafficking and sexual assault by criminals, other migrants and corrupt public officials.... [F]ew cases are officially registered and virtually none are ever prosecuted....²⁷

According to some immigration experts, the level of abuse is so high that some smugglers require women to receive contraceptive shots before beginning their trip, to prevent pregnancy as a result of rape.²⁸ In many cases, this sexual violence is considered just another “price” imposed on these women, or a means to threaten them and their families in order to extract further payment.

Just as in the case of kidnappings, many accounts of sexual violence may underestimate the total number of instances that occur, as women are often reluctant to report their experiences both out of fear of deportation and shame. Another study of illegal immigrants along the Guatemalan–Mexican border found that as many as 70 percent of illegal female travelers in that region are subject to sexual violence.²⁹

Many women seeking illegal entry into the U.S. and other advanced economies are also at risk of becoming victims of human trafficking. Human trafficking rates in Latin America and the Caribbean are growing rapidly.³⁰ An estimated 17,500 indi-

viduals are trafficked into the United States from areas throughout Latin America every year.³¹ While this number is high, it should come as no surprise, given that the region’s sex-trafficking industry is estimated to be valued at up to \$16 billion annually, not including child trafficking.³² In terms of the U.S.–Mexican border, efforts to crack down on illegal crossings have led hired smugglers to take more drastic measures in escorting their human cargo. According to the Congressional Research Service, “in order to avoid detection by U.S. border patrol agents, smuggling routes have become more dangerous and therefore more costly. Some smugglers have sold undocumented immigrants into situations of forced labor or prostitution in order to recover their costs.”³³

There are a number of ploys used to lure women into human-trafficking rings—the promise of marriage or a job, or scare-warnings of being kidnapped by traffickers while traveling unaccompanied to the U.S., or running out of money on the journey north to the U.S. border.³⁴ The traffickers then use violence, rape, and threats to the immigrants’ families to achieve compliance.³⁵ As in the case of kidnappings, the lack of preventative measures and an effective system of justice to hold traffickers accountable denies victims a legal source of protection, causing many not to report abuse.³⁶

Injury and Death

Along with the dangers of injury and death facing those who try to cross dangerous parts of the U.S.–Mexican border, many illegal immigrants face extremely dangerous situations elsewhere along

27. *Ibid.*

28. *Ibid.*

29. *Ibid.*

30. David E. Guinn, “Defining the Problem of Trafficking: The Interplay of US Law, Donor, and NGO Engagement and the Local Context in Latin America,” *Human Rights Quarterly*, Vol. 30, No. 1 (February 2008).

31. Clare Ribando Seelke, “Trafficking in Persons in Latin America and the Caribbean,” *Congressional Research Service Report for Congress* No. RL33200, October 16, 2009, at http://assets.opencrs.com/rpts/RL33200_20091016.pdf (May 23, 2011).

32. *Ibid.*

33. *Ibid.*

34. Amy Risley, “Sex Trafficking: The ‘Other’ Crisis in Mexico?” *The Latin Americanist*, March 2010.

35. *Ibid.*

36. *Ibid.*

the journey, particularly when riding freight trains. These trains are known colloquially as “la bestia” (the beast) or “the train of death” for the danger they pose to stowaways.³⁷

Aware of the risk of being caught by train conductors or immigration officials along the route, many illegal immigrants ride on the tops of train cars to avoid detection. During the trip, however, they risk falling asleep or losing their grip and rolling off, as well as being knocked off by tunnels or passing branches. Illegal immigrants face similar dangers when they stow away by clinging to couplings or shock absorbers between cars and axels. Many are then knocked off or injured by rocks that are kicked up under the train, or once again by falling asleep along the way. Many are killed or lose limbs when they fall onto the tracks. Similarly, when people hide in sealed train cars they risk dying from heat or suffocation in these “rolling coffins.”³⁸

No comprehensive estimates exist on the number of injuries or deaths that occur along the train tracks between locations such as Ciudad Hidalgo, Mexico City, Veracruz and the U.S.–Mexican border.³⁹ But at shelters along the railroad tracks, shelter operators see these injuries all too often. At Jesus the Good Pastor Shelter outside Tapachula, Mexico, some 5,000 injured individuals passed through its doors between 1992 and 2006.⁴⁰ These individuals represent just a small cross section of all those injured along the freight trains’ paths.

More recently, concerns have been raised over the dangers along northbound bus routes as well. In April 2011, several mass graves were uncovered in Tamaulipas, Mexico, the same region where the

72 immigrants were found slaughtered last August. Once again, the Los Zetas drug gang is believed to be behind the murders. Originally formed by a group of army deserters as a wing of the infamous and deadly Gulf Cartel, Los Zetas has since broken away and evolved into a broader crime syndicate, drawing profit not only from the drug trade but also extortion, kidnappings, and oil theft. This time it appears they have turned to kidnapping young men off inter-city buses as a way of forcibly finding new recruits. Just like in August of 2010, those that refused were killed. More chilling yet, in another case of law enforcement corruption, at least 16 police officers have been arrested as suspected accomplices in the murders.⁴¹ As of April 15, 2011, 145 bodies had been recovered in the graves, as families throughout Mexico wait to find out if their loved ones are among the dead.⁴²

Tragedy by Sea

In 2010, the U.S. Coast Guard interdicted 2,088 illegal immigrants off the coast of the United States.⁴³ While the number of interdictions has consistently declined over the past six years, previous estimates count as many as 50,000 people attempting to make the maritime journey illegally from the Caribbean each year.⁴⁴ The majority of these travelers set sail from Cuba, Haiti, and the Dominican Republic.

Cuban Journey. In 1980, Americans became intimately familiar with the image of Cuban “boat people” fleeing their home island in hope of reaching U.S. shores. During what was known as the Mariel boatlift, approximately 125,000 people fled Cuba for South Florida in a six-month period after

37. Karl Penhaul, “‘Train of Death’ Drives Migrant American Dreamers,” CNN, June 25, 2010, at <http://www.cnn.com/2010/WORLD/americas/06/23/mexico.train.death/index.html?iref=allsearch> (May 24, 2011).

38. George Grayson, “Mexico’s Southern Flank: The ‘Third’ U.S. Border,” *Orbis* Vol. 50, No. 1 (Winter 2006).

39. Kansas City Southern de Mexico, “Mapa del Sistema,” at [http://www.kcsouthern.com/en-us/KCS/Documents/system_map\[1\].pdf](http://www.kcsouthern.com/en-us/KCS/Documents/system_map[1].pdf) (March 16, 2011).

40. Grayson, “Mexico’s Southern Flank.”

41. Mara Gay, “Officers Arrested Over Mexico Mass Graves; Death Toll Climbs to 145,” AOL News, April 15, 2011, at <http://www.aolnews.com/2011/04/15/police-officers-arrested-over-mexico-mass-graves-death-toll-cli/> (May 24, 2011).

42. *Ibid.*

43. U.S. Coast Guard, “Alien Migrant Interdiction, FY 1982–Present,” January 11, 2011, at <http://www.uscg.mil/hq/cg531/AMIO/FlowStats/FY.asp> (January 11, 2011).

44. Watts, “Caribbean Maritime Migration.”

Fidel Castro declared that anyone who wanted to go to the U.S. was free to board a boat at Mariel harbor and leave Cuba.⁴⁵ While Cuban nationals had been leaving Cuba in significant numbers since the end of the Cuban Revolution, the Mariel boatlift was the first major influx of Cuban immigrants to the U.S.⁴⁶ It would not be the last.

In 1994, another massive flood of Cuban émigrés approached U.S. shores when Castro announced that the Cuban Frontier Guard would not prevent anyone from leaving the country. During the Balsero (rafter) crisis, the U.S. Coast Guard interdicted approximately 38,560 Cubans in the Florida Strait as a part of Operation “Able Vigil.”⁴⁷ Until 1994, Cuban refugees who were picked up at sea by the Coast Guard would be brought to the U.S. mainland and were allowed to remain in the U.S. After this second influx of immigrants, the U.S. and Cuba declared in a “normalizing” agreement on immigration policy that the U.S. would no longer pick up Cubans at sea to bring them ashore. Thus began the policy known as “wet foot, dry foot” in 1995. Cubans intercepted at sea are now automatically repatriated to Cuba or, if they exhibit a credible fear of persecution, held at Guantanamo Bay while seeking asylum or refuge in a third country. Only those who reach U.S. soil are allowed to remain here.⁴⁸

The adoption of the “wet foot, dry foot” policy drastically changed the nature of Cuban immigration to the United States. Before 1995, the goal of those fleeing Cuba had simply been to make it off the island and wait for U.S. rescuers in the Flori-

da Strait. Thus, rafts, small boats, even Styrofoam vessels and inner tubes made up a large number of the means of transport. These vessels presented many dangers, including the threat of capsizing and drowning, dehydration, exhaustion, and lack of food. Estimates indicate that during the Balsero crisis, 25 percent to 75 percent of Cubans who attempted the journey died at sea.⁴⁹

Under current immigration policy, Cubans must now traverse the 90 miles from the island to the coast of Florida and reach U.S. soil in order to be admitted into the country. Consequently, Cubans have increasingly turned to smugglers and “go-fast” boats, long and narrow vessels designed to reach high speeds, to circumvent Coast Guard vessels, thereby lowering the risks of dehydration and drowning associated with longer voyages.⁵⁰ Many of these vessels are financed not by the individuals themselves, but by their relatives in the U.S. who are willing to pay up to \$10,000 per individual.⁵¹ Hence, human smuggling from the island, in large part, is supported by Cuban Americans willing to pay to bring their relatives to the U.S. in the hopes of exploiting the current policy. At the same time, illegal Cuban immigrants are also turning to island hopping, heading first to the Dominican Republic, then Puerto Rico, in order to avoid detection.⁵²

These new methods carry a variety of new risks. First, smugglers have been known to abandon their human “cargo,” or force the people in their care to swim to land, when threatened with interdiction. In

45. Andrew Glass, “Castro Launches Mariel Boatlift, April 20, 1980,” *Politico*, April 20, 2009, at <http://www.politico.com/news/stories/0409/21421.html> (May 24, 2011).

46. Ruth Ellen Wasem, “Cuban Migration to the United States: Policy and Trends,” Congressional Research Service *Report for Congress* No. R40566, June 2, 2009, at <http://www.fas.org/sgp/crs/row/R40566.pdf> (January 28, 2011).

47. U.S. Coast Guard, “Alien Migrant Interdiction, FY1982–Present.”

48. Wasem, “Cuban Migration to the United States.”

49. Jefferson Morley, “U.S.–Cuba Migration Policy,” *The Washington Post*, July 27, 2007, at <http://www.washingtonpost.com/wp-dyn/content/article/2007/07/27/AR2007072701493.html> (May 24, 2011).

50. David Kyle and Marc Scarcelli, “Migrant Smuggling and the Violence Question: Evolving Illicit Migration Markets for Cuban and Haitian Refugees,” *Crime, Law and Social Change*, Vol. 52, No. 3 (March 6, 2009), at <http://law.journalfeeds.com/society/crime-law-and-social-change/migrant-smuggling-and-the-violence-question-evolving-illicit-migration-markets-for-cuban-and-haitian-refugees/20090306/> (May 24, 2011).

51. “High-Speed Escape: Greater Optimism at Home Has Not Stopped the Exodus to the United States,” *The Economist*, June 12, 2008, at <http://www.economist.com/node/11546110> (May 24, 2011).

52. Watts, “Caribbean Maritime Migration.”

2002, 17 Cubans were found on Cay Sal, an uninhabited island in the Bahamas, without food and water. The smuggler told these individuals that he would return for them after finding fuel and never came back.⁵³ In addition, smugglers eager to deliver their cargo and receive their payment have also become more aggressive in run-ins with the Coast Guard, leading to death and injury among passengers. In 2006, an overloaded boat of Cubans repeatedly tried to ram a Coast Guard cutter attempting to interdict their vessel. One immigrant aboard died as a result.⁵⁴

Perhaps the best known case in recent U.S.–Cuban memory is that of Elián Gonzalez. In November 1999, five-year-old Elián was found by a local fisherman in an inner tube three miles off the coast of Ft. Lauderdale, Florida.⁵⁵ The young boy had been among 11 people being smuggled from Cuba to the United States when the boat capsized. Nine others, including Elián's mother, drowned. Upon being rescued by the fisherman, Elián was turned over to the U.S. Coast Guard. Despite the continued “wet foot, dry foot” policy, the Coast Guard opted to bring him ashore for medical attention after he had floated alone for two days without food or water.⁵⁶ Elián's relatives in Miami, countless refugee groups, and other Cuban exiles fought to keep him in the United States, arguing that his mother had died trying to free him from government oppression.⁵⁷ Ultimately, the 11th U.S. Circuit Court of Appeals ruled that he be returned to his father in Cuba, and then-Attorney General Janet Reno ordered a raid to remove Elián from his relatives' home in Miami. More than 10 years later, Elián remains a symbol of the plight of illegal Cuban refugees, while the death

of his mother and others aboard their boat serves as a reminder of the vast dangers of the journey.

Today, the “wet foot, dry foot” policy remains an incentive that encourages illegal Cuban immigration. Congress, however, has yet to agree on a revision of the policy because of continued political repression in Cuba and the continued existence of the Castro regime.

Haitian and Dominican Crossings. The Haitian experience today largely parallels that of early Cuban émigrés. Haiti, with an estimated per capita GDP of merely \$1,200, and with 80 percent of its population living under the poverty line, has long been the poorest nation in the Western hemisphere.⁵⁸ Thus, Haiti's economy cannot as readily support networks of professional human smugglers as Cuba's. These networks demand vast coordination and resources, requiring smugglers to solicit high fees, which few Haitians can meet. The majority of Haitians, therefore, attempt to cross the nearly 700 miles between Haiti and Florida unassisted.

The distance alone, over seven times further than the distance between the United States and Cuba, makes the journey significantly more dangerous for Haitian travelers. This is particularly true, given that many vessels set out without navigation equipment, including compass and charts. Many of those navigating have little or no nautical experience. For the most part, they simply follow the northerly winds and hope to stumble upon the Florida coast. Coupled with the fact that most set out in very small sailboats, this raises the question of how many Haitians are lost at sea each year.⁵⁹ According to estimates by the U.S. Coast Guard, the success rates

53. “17 Cuban Migrants Left Abandoned on an Island,” *The Los Angeles Times*, August 31, 2002, at <http://articles.latimes.com/2002/aug/31/nation/na-cubans31> (May 24, 2011).

54. “Cuban Smugglers Clash with Coast Guard,” *The New York Times*, July 9, 2006, at <http://www.nytimes.com/2006/07/09/us/09cuba.html> (May 24, 2011).

55. U.S. Coast Guard, “Daily Chronology of Coast Guard History: November,” September 28, 2010, at http://www.uscg.mil/history/Chronology_Nov.asp (May 24, 2011).

56. “A Chronology of the Elián Gonzalez Saga,” PBS Frontline, at <http://www.pbs.org/wgbh/pages/frontline/shows/elian/etc/eliancron.html> (May 24, 2011).

57. “How the Saga Unfolded,” BBC News, June 28, 2000, at <http://news.bbc.co.uk/2/hi/americas/627262.stm> (May 24, 2011).

58. Central Intelligence Agency, “The World Factbook: Haiti,” May 17, 2011, at <https://www.cia.gov/library/publications/the-world-factbook/geos/ha.html> (May 24, 2011).

59. Watts, “Caribbean Maritime Migration.”

for these small vessels and rafts is no better than 50 percent, and is often closer to 25 percent.⁶⁰ A 25 to 31 miles-per-hour wind (22 to 27 knots), for example, can cause waves between 8 feet and 13 feet, easily destroying these makeshift and unseaworthy vessels and sweeping their passengers out to sea.⁶¹

Unlike Cubans, Haitian immigrants are automatically repatriated back to Haiti. The same is true of Dominican immigrants, who attempt to cross the roughly 90-mile Mona Pass between Puerto Rico and the Dominican Republic. From Puerto Rico, these immigrants then attempt to travel to Florida. The Dominican Republic has a per capita GDP more than seven times that of Haiti.⁶² While 42.2 percent of the Dominican Republic remains below the poverty line, the economy is much more able to support organized smuggling networks.⁶³ Dominican smugglers run “yolas,” shallow boats, at night to avoid detection. These boats are often overloaded, making them extremely dangerous and likely to capsize in the same manner as Haitian vessels. Ultimately, there is no way to know just how many vessels capsize or are lost at sea each year.

Island Hopping. Last year, the U.S. Coast Guard interdicted 422 Cubans, 1,377 Haitians, and 140 Dominicans in the waters off the U.S. coast.⁶⁴ Since 2004, the number of individuals interdicted has decreased from 10,899 to 2,088 in 2010.⁶⁵ In order to both intercept and deter these illegal immigrants, the Coast Guard maintains a forward deployment of

vessels and aircraft in the Florida Strait, Windward Passage, and Mona Pass.⁶⁶ Coast Guard interdiction occurs on both humanitarian grounds, under the International Convention for the Safety of Life at Sea, and as a matter of rule of law. Other deterrents include the aggressive repatriation of Haitian, Dominican, and certain Cuban illegal immigrants, prosecution of smugglers, and public diplomacy media campaigns in nations of origin.

In order to avoid interdiction some illegal immigrants have turned to island hopping. Haitians, for instance, have been known to travel to the Turks and Caicos Islands, the Bahamas, or Bermuda before attempting to reach their final destination of the United States.⁶⁷ Others have increasingly turned to land routes through Mexico.

Commonly called the “dusty foot” route, playing off the “wet foot, dry foot” policy, land passage, according to multiple sources, has recently become the preferred means of entry for the majority of Cubans and others throughout the Caribbean islands.⁶⁸ This change in migration patterns coincides with the decrease in maritime interdictions.

All that fleeing Cubans must do is to reach the U.S.–Mexico border and present themselves to U.S. Customs and Border Protection agents. By making it onto American soil, even if only at a point of entry, a Cuban can generally claim the benefits of the “dry foot” policy and be paroled into the U.S.⁶⁹ In 2007, 1,044 Cubans arrived on Florida’s shore, 2,868 were intercepted at sea, and 11,126 traveled

60. Rear Admiral Vincent Atkins, U.S. Coast Guard, “Department of Homeland Security Air and Marine Operations and Investments,” testimony before the Subcommittee on Homeland Security, Committee on Appropriations, U.S. House of Representatives, April 19, 2010, at http://www.dhs.gov/ynews/testimony/testimony_1271690315007.shtm (May 24, 2011).

61. National Oceanic and Atmospheric Administration, “Beaufort Wind Scale,” at <http://www.spc.noaa.gov/faq/tornado/beaufort.html> (May 24, 2011).

62. Central Intelligence Agency, “The World Factbook: Dominican Republic,” May 17, 2011, at <https://www.cia.gov/library/publications/the-world-factbook/geos/dr.html> (May 24, 2011).

63. *Ibid.*

64. U.S. Customs and Border Protection, “Total Illegal Alien Apprehensions by Fiscal Year.”

65. *Ibid.* Total alien migrant interdiction figures include Haitian, Dominican, and Cuban, as well as minimal numbers of Chinese (0 in 2010), Mexican (61 in 2010), “other” (88 in 2010), and Ecuadorian (0 in 2010) migrants.

66. Atkins, “Department of Homeland Security Air and Marine Operations and Investments.”

67. Kyle and Scarcelli, “Migrant Smuggling and the Violence Question.”

68. *Ibid.*, and Wasem, “Cuban Migration to the United States.”

69. Wasem, “Cuban Migration to the United States.”

through Mexico to reach the U.S. border.⁷⁰ In October 2008, Mexico began a policy of repatriating all Cubans who arrive in the country without proper documents.⁷¹ In both Mexico and the U.S., all other nationalities face automatic repatriation.

The majority of immigrants choosing the “dusty foot” route to the United States are Cuban or Dominican. This is largely because the length and complexity of the journey require highly organized smuggling rings to support the trek. The typical smuggling fee lies somewhere between \$10,000 and \$15,000 per person.⁷² According to Mexico’s National Institute of Immigration (INM), 337 immigrants of Caribbean origin were interdicted and deported by Mexican authorities last year.⁷³ These numbers, however, represent only those caught by authorities. The total number of Caribbean immigrants attempting to travel to the United States through Mexico is probably significantly higher.

While the distance between Mexico and the Dominican Republic can be over 1,000 miles, the distance between Cuba and the popular landing site of Quintana Roo, Mexico, is only 120 miles. Once reaching Mexican land, however, illegal immigrants face the same dangers as Mexicans and Central Americans traveling north. Additionally, these immigrants are often specifically targeted for kidnapping and extortion. This is particularly true for Cubans, since criminal gangs and corrupt officials have realized that many of these immigrants’ expenses are paid by wealthier relatives in the United States, and seek to extract ransoms or other payments. Illegal

immigrants also face violence in the Yucatan Peninsula as smugglers compete for business and deliver their human cargo at all costs.⁷⁴

On June 11, 2008, for example, armed criminals seized a bus carrying 33 Cubans who had been intercepted off the coast of Mexico and were being transported to an immigrant detention facility in Chiapas. Mexican officials blamed the incident on Miami-based smugglers determined to deliver their cargo to the United States and receive payment.⁷⁵ In 2010, Mexican authorities rescued six illegal Cuban immigrants held hostage in Cancún. The year before, 14 illegal Cuban immigrants were tortured and beaten by smugglers in an abandoned home, also in Cancún.⁷⁶

Societal Costs of Illegal Immigration

Illegal immigration has far-reaching impacts that extend deep inside the home country, taking a large toll on communities and societal units throughout Latin America. This aspect is often overlooked despite its long-term negative effects. In Latin America, the largest percentage of illegal immigrants consists of males between the ages of 30 and 50.⁷⁷ Many of these men leave their homes motivated by the hopes of better economic opportunities. Once in their destination country, they look for jobs to make money to send home to their families. These remittances have proven to provide measurable benefits for the families in the countries of origin. Remittances allow opportunities for housing, buying food, and access to education and health

70. Kyle and Scarcelli, “Migrant Smuggling and the Violence Question.”

71. Wasem, “Cuban Migration to the United States.”

72. *Ibid.*

73. Instituto Nacional de Migración, “3.2.1. Eventos de extranjeros devueltos por la autoridad migratoria mexicana, según continente y país de nacionalidad, 2010,” May 26, 2011, at <http://www.inm.gob.mx/estadisticas/2010/cuadro3.2.1.xls> (June 2, 2011).

74. Kyle and Scarcelli, “Migrant Smuggling and the Violence Question.”

75. Carol J. Williams, “No Strait Route for Cuban,” *Los Angeles Times*, June 18, 2008, at <http://articles.latimes.com/2008/jul/18/world/jg-smuggle18> (March 17, 2011).

76. Juan O. Tamayo, “Police Rescue Kidnapped Cuban Migrants,” *The Miami Herald*, September 2, 2010, at <http://www.miamiherald.com/2010/09/02/1803894/police-rescue-kidnapped-cuban.html> (March 17, 2011).

77. Louka T. Katseli, Robert E.B. Lucas, and Theodora Xenogiani, “Effects of Migration on Sending Countries: What Do We Know?” United Nations Secretariat, Department of Economic and Social Affairs, International Symposium on International Migration and Development, June 2006, at http://www.un.org/esa/population/migration/turin/Symposium_Turin_files/P11_Katseli.pdf (March 18, 2011).

care, but also create an appetite for consumption in favor of investment.⁷⁸ Overall, in the Caribbean and in Central America, remittances make up a significant portion of GDP. In Haiti and Honduras, for example, remittances make up 25 percent of GDP. At the same time, these remittances do not contribute to the long-term growth of receiving countries. Ultimately, while remittances may help reduce poverty in the short term, over the long term, they damage communities by removing laborers, sometimes even highly skilled workers, from the local economy and by disrupting families and weakening local social structures. This “outflow” can bleed human capital and reduce the overall economic growth potential of the country.⁷⁹

Further, in Latin America, when a man leaves his family, the family enters a time of “informal negotiations” about who will assume the role as “representative of the household.”⁸⁰ Often it is the mother, the wife, or the eldest son. When a woman seeks to fill this role, she must overcome engrained cultural and social challenges, especially when it comes to access to the labor market.⁸¹ These obstacles may often limit the ability of the household representative to support the family.

The damaging effects of partial-family migration are also of serious concern. The absence of a single family member, such as when a father leaves a family, can cause an acute vacuum within the family. For a wife losing her husband, or a child losing

his father, the psychological impact can be enormous. A young boy may well base his philosophy on education, work, and personal responsibility on his father’s actions, which may eventually result in him emulating the father’s illegal migration.⁸²

Family members left behind must also face the risk of losing their loved ones forever, without ever finding out what happened. If an illegal immigrant is killed, his family members may never know his fate, only that the remittances have stopped and that they are now without financial support.

The U.S. Response

The human tragedy of illegal immigration has been called a humanitarian crisis by groups from the American Civil Liberties Union to the Immigration Policy Center.⁸³ Rather than proposing serious solutions for securing the border and combating violence and human smuggling, however, this designation has been used to draw the wrong conclusion—that the U.S. needs less, not more, border enforcement.

It is likely that increased border security has, to some degree, created a “funnel effect” among illegal migration routes.⁸⁴ The U.S. Border Patrol itself has admitted that some of this change in illegal immigration patterns has stemmed from increased tactical infrastructure along the border, as the now largely complete border fence pushes illegal immigrants toward less populated and more dangerous areas.⁸⁵

78. *Ibid.*

79. Dilip Ratha and Sanket Mohapatra, “Increasing the Macroeconomic Impact of Remittances on Development,” The World Bank, Development Prospects Group, November 2007, at http://www.dilipratha.com/index_files/G8Berlin.pdf (April 27, 2011).

80. Katseli, Lucas and Xenogiani, “Effects of Migration on Sending Countries”

81. *Ibid.*

82. *Ibid.*

83. Jimenez, “Humanitarian Crisis,” and Raquel Rubio-Goldsmith *et al.*, “A Humanitarian Crisis at the Border: New Estimates of Death Among Unauthorized Immigrants,” Immigration Policy Center *Policy Brief*, February 1, 2007, at <http://www.immigrationpolicy.org/special-reports/humanitarian-crisis-border-new-estimates-deaths-among-unauthorized-immigrants> (May 24, 2011).

84. Raquel Rubio-Goldsmith *et al.*, “The ‘Funnel Effect’ and Recovered Bodies of Unauthorized Migrants Processed by the Pima County Office of the Medical Examiner, 1990–2005,” Binational Migration Institute, October 2006, at <http://www.derechoshumanosaz.net/images/pdfs/bmi%20report.pdf> (May 24, 2011).

85. Chad C. Haddal, Yule Kim, and Michael John Garcia, “Border Security: Barriers Along the U.S. International Border,” Congressional Research Service *Report for Congress* RL33659, March 16, 2009, at <http://www.fas.org/sgp/crs/homesecl/RL33659.pdf> (May 24, 2011).

Indeed, of the total border deaths, some 75 percent can be attributed to an escalation of deaths in the Arizona desert, with deaths in the Tucson sector—spanning 262 miles of the border between Arizona and Mexico—increasing from 11 in 1998 to 216 in 2005.⁸⁶

But the answer to this tragic problem is to continue the process of integrating the border resources—manpower, infrastructure, technology, and federal cooperation with state and local law enforcement—into a cohesive enterprise that can discourage illegal immigration, combat drug cartels and other criminal operations, and subsequently decrease the levels of violence and human smuggling.

The Bush Administration began major investments in border security in 2006. This increased emphasis on security and included more manpower, nearly 700 miles of fencing, new physical and technological infrastructure, and other technological deployments that were meant to secure border gaps. While this was yeoman's work toward making the southern border more secure, gaps still persist and the Obama Administration needs to develop a new strategy to finish the job. For instance, efforts should be made to delineate investments for a number of technologies that can supplement the work of the Border Patrol.

Yet, the Obama Administration continues to claim that the border is “more secure than ever.” This comes as the Administration has *cancelled* key border technologies like SBInet, a series of cameras and sensors meant to give the Border Patrol an operational picture of the border. It is essential that the Obama Administration fix its requirements process so that further technological investments will give the Border Patrol the best bang for its border-security buck.

Deeply concerning is that the Administration continues to erode interior enforcement efforts that would deter illegal immigrants from risking their

lives to enter the U.S. illegally, pushing for amnesty instead. The lax enforcement of immigration laws acts as a significant magnet for those looking for jobs in the United States. Amnesty would only act as a further incentive for illegal entry and also overwhelm security measures at the border. Alternatively, by taking steps to close border gaps while getting serious about interior enforcement, the U.S. can create an active deterrent to would-be illegal immigrants.

The U.S. must also combine this effort with stronger cooperation between U.S. and Latin American law enforcement agencies. Cooperative efforts such as Border Enforcement Security Task Forces (BEST) should be expanded. BESTs bring together local, state, federal, and foreign law enforcement, thereby helping to encourage collaboration and support measures to strengthen the border against security threats and criminal smuggling, while also decreasing illegal immigration and encouraging legitimate commerce.

Anti-Smuggling

Beyond the mere physical border security measures, the U.S. must maintain a robust anti-human-smuggling strategy. Immigration and Customs Enforcement (ICE), the primary U.S. agency charged with dismantling human-smuggling and human-trafficking networks has seen “an increase in hostage-taking, incidents of extortion by force or by threat of harm, use of firearms by human smugglers, and deadly roll-over car accidents involving smuggled aliens.”⁸⁷ Smugglers’ often complete disregard for human life makes ICE’s mission of the utmost importance.

ICE works to dismantle the infrastructure of human-smuggling networks. Its STAMP (Smugglers and Traffickers Assets, Monies and Proceeds) program, for one, targets smuggling organizations’ profits.⁸⁸ The program focuses on anti-money-laun-

86. Jimenez, “Humanitarian Crisis.”

87. James Dinkins, “Enhancing DHS’ Efforts to Disrupt Alien Smuggling Across Our Borders,” testimony before the Subcommittee on Border, Maritime and Global Counterterrorism, Committee on Homeland Security, U.S. House of Representatives, July 22, 2010, at <http://www.hsdl.org/?view&doc=127580&coll=limited> (June 2, 2011).

88. Department of Homeland Security, “Project STAMP: Smuggler and Trafficker Assets, Monies and Proceeds,” February 8, 2011, at http://www.dhs.gov/files/programs/gc_1297182316667.shtm (May 24, 2011).

dering measures and seizing criminal assets to combat the estimated \$6.6 billion human-smuggling enterprise. STAMP also follows money trails left by smuggling networks in order to identify and locate members.⁸⁹

Other programs and operations have worked to dismantle the transportation infrastructure of these human smuggling networks. One example is ICE's "Operation In Plain Sight." In cooperation with Mexico's Secretaria Seguridad Publica (SSP), ICE investigated transportation shuttle companies thought to be involved in moving illegal aliens north from Nogales, Mexico, to the Phoenix and Tucson areas, and then on to cities as far north as Chicago and New York. The operation resulted in the arrest of 47 suspects and implicated several high-level members of smuggling organizations in Phoenix, Tucson, Nogales, and northern Mexico.⁹⁰

Public Diplomacy

Both along the southwest border and in locations along the path north, signs and warnings of the dangers of illegal migration abound. U.S. Customs and Border Protection operates the Border Safety Initiative (BSI) along the southern frontier. Begun in June 1998 and operating in every sector along the southwest border, BSI seeks to both educate individuals on the dangers of illegal immigration and ensure the safety and security of those entering the United States, regardless of immigration status.⁹¹

In addition to posting signs and billboards, the U.S. has collaborated with countries throughout Latin America and the Caribbean to employ mass media and public relations campaigns targeted at educating citizens about the dangers of illegal immigration.

In the Dominican Republic, for example, the U.S. collaborated with the Dominican government to create a media campaign featuring recorded interviews of individuals who lost family members at sea.⁹² As part of the BSI, the Border Patrol also operates the "No Más Cruces en la Frontera" (No More Crossing on the Frontier, or NMC) program. Launched in 2004, No Más Cruces reaches out to citizens throughout Latin America through television, radio, and printed public service announcements. Similar to the Dominican campaign, NMC seeks to educate and inform individuals of the dangers of illegal immigration and of hiring smugglers.⁹³

As part of NMC, the U.S. has released a CD to local radio stations throughout Mexico titled *migracorridos* (*migra* being a slang term for U.S. immigration agents and *corridos* referring to traditional Mexican folk songs). The songs on the CD narrate the perils and hazards encountered by Mexican illegal immigrants on their journey to the United States.⁹⁴ These programs have been well received in Mexico.

Following the February deaths in San Diego sector, the U.S. Border Patrol proposed collaboration with Mexican officials to sponsor public service

89. United Nations Office on Drugs and Crime, "The Globalization of Crime: A Transnational Organized Crime Threat Assessment," 2010, at http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf (April 15, 2011).

90. Department of Homeland Security, "'Operation In Plain Sight' - Targeting Arizona Smuggling Organizations," U.S. Immigration and Customs Enforcement *Fact Sheet*, April 15, 2010, at <http://www.ice.gov/doclib/news/library/factsheets/doc/plain-sight.doc> (April 15, 2011), and "Human Smuggling Network Busted," Reuters, April 15, 2010, at <http://www.reuters.com/article/2010/04/15/us-usa-crime-smugglers-idUSTRE63E6AK20100415> (April 15, 2011).

91. U.S. Customs and Border Protection, "Border Safety Initiative Overview," at http://www.cbp.gov/linkhandler/cgov/newsroom/highlights/ice/breakout/awareness/antonio_ruiz.ctt/antonio_ruiz.pdf (April 15, 2011), and Michael J. Fisher, "Enhancing DHS' Efforts to Disrupt Alien Smuggling Across Our Borders," testimony before the Subcommittee on Border, Maritime and Global Counterterrorism, Committee on Homeland Security, U.S. House of Representatives, July 22, 2010, at <http://www.hsdl.org/?view&doc=127580&coll=limited> (April 14, 2011).

92. Watts, "Caribbean Maritime Migration."

93. U.S. Customs and Border Protection, "Border Safety Initiative Overview."

94. Carlos Ceresole, "US Uses Songs to Deter Immigrants," BBC News, February 15, 2009, at <http://news.bbc.co.uk/2/hi/7879206.stm> (March 17, 2011).

announcements in Mexico. Such announcements illustrate the dangers of illegal immigration before individuals begin their journey.⁹⁵

Reforms in Mexico and Central America

Over the past several years, programs to support judicial and law enforcement reform have received greater levels of support from the U.S. government. Under the umbrella of the Merida Initiative, the Central America Regional Security Initiative (CARSI), and the Caribbean Basin Security Initiative (CBSI), U.S. agencies support a wide variety of programs geared toward institutional reform. A portion of the total \$1.3 billion appropriated for the Merida Initiative in Mexico since its creation is intended to provide technical assistance to law enforcement and training to improve vetting processes. Further, at least \$207 million of the FY 2011 aid appropriated under Merida is specifically to be used to improve judicial efficiency and effectiveness, coordinate efforts to improve prosecutorial ability, and improve court and prison management.⁹⁶

Modeled after the Merida Initiative, CARSI includes similar provisions for institutional reform. In addition to providing training and technical support to law enforcement officials in seven Central American countries, CARSI also funds community-policing programs to build local confidence in police forces. In Guatemala, for example, the U.S. Agency for International Development and the Bureau of International Narcotics and Law Enforcement Affairs have developed a pilot program called Villa Nueva to increase public trust in law enforcement. In order to address the 90 percent impunity rate in Central America, CARSI also allots aid for identifying weaknesses in the judiciary and improving investigative capacity.⁹⁷ Developed in 2010, the CBSI establishes parallel programs in Haiti, the Dominican Republic, and other countries in the region.

What the U.S. Should Do

In order to combat the problem of illegal immigration and reduce the toll on human lives, the United States must take a comprehensive approach of increasing border security and improving legal immigration procedures and public diplomacy, as well as fostering reforms and greater efforts to combat human smuggling in Latin America. Such an approach should entail:

- **Enhanced border security.** The Department of Homeland Security and Congress should define a variety of solutions capable of responding to the multiple threats faced at the border ranging from illicit drugs to illegal migration. This should include investments in technologies such as unmanned aerial vehicles (UAVs) and cameras or sensors that would give the Border Patrol enhanced monitoring and detection capabilities. Furthermore, cooperation between the U.S. and Mexican law enforcement through Border Enforcement Security Taskforces and related Merida Initiative programs are essential. At the same time, Congress and the Administration should also ensure that the U.S. Coast Guard has adequate vessels and personnel to fulfill its missions and interdict illegal immigrants at sea.
- **Anti-human-smuggling components incorporated into justice and law enforcement reform in Mexico and Central America.** The U.S. should continue programs that assist the reform and professionalization of Mexican and Central American law enforcement agencies and strengthen judicial reform to reduce impunity, combat corruption, and advance the rule of law. As currently proposed, the extension of the Merida Initiative (Merida 2.0) focuses on illicit drug trafficking and border infrastructure. Given the growing interconnections between drug and

95. Elizabeth Aguilera, "Border Crossing Deaths Prompt Public Warnings," Sign On San Diego, March 5, 2011, at <http://www.signonsandiego.com/news/2011/mar/05/deaths-illegal-immigrants-spur-agency-create-publi/> (May 24, 2011).

96. Peter J. Meyer and Clare Ribando Seelke, "Central America Regional Security Initiative: Background and Policy Issues for Congress," Congressional Research Service Report for Congress R41731, March 30, 2011, at <http://www.fas.org/sgp/crs/row/R41731.pdf> (April 27, 2011).

97. Clare Ribando Seelke, "Mérida Initiative for Mexico and Central America: Funding and Policy Issues," Congressional Research Service Report for Congress R40135, April 19, 2010, at <http://wilsoncenter.org/news/docs/Merida%20Initiative%20for%20Mexico%20and%20Central%20America.pdf> (April 27, 2011).

human trafficking, it should also include an anti-human-smuggling component and target activities that both facilitate and exploit the illegal movements of immigrants.

- **A holistic and region-wide approach to combating human- and drug-smuggling and -trafficking networks.** The U.S. should focus on developing a comprehensive and cohesive strategy for combating the transnational criminal organizations that engage in drug trafficking and human trafficking in the Mexico–Central American corridor and the Caribbean. As before, Congress should continue to press the Obama Administration to integrate its four key regional security programs—the Merida Initiative, Plan Colombia, CARSI, and CBSI—into a single strategy aimed at the full range of illegal threats from narcotics trafficking and terrorism to illegal migration. It should recognize that while would-be illegal immigrants may be the victims of organized crime, they are also committing a crime by trying to enter the U.S. illegally.
- **Rejection of amnesty proposals.** Granting amnesty to the millions of illegal immigrants in the United States would only make the country's problems with illegal immigration worse. The United States learned this lesson in 1986 when Congress granted a mass amnesty to the nearly 3 million illegal immigrants in the U.S. at the time. This amnesty only served as an incentive for illegal immigration, encouraging a whole new wave of people to come here illegally. The Administration must reject calls for amnesty and instead employ measures to deter migrants from crossing U.S. borders illegally.
- **Programs to stem the “push-pull effect” that fosters illegal immigration.** Illegal immigration largely results from the “push-pull effect” caused by slow economies in Latin America and the need for workers in the United States. In order to stem this tide, the United States should implement a market-based temporary-worker pilot program to meet the American demand for workers, giving U.S. businesses access to a reliable, rotating workforce from abroad. Such a program would meet the needs of the American economy and also quell the drive for illegal immigration. Fur-

ther, fostering free-market economic reforms in Latin America would help to strengthen the economic opportunities of the region and reduce the need for individuals to seek employment abroad in order to support themselves and their families.

- **Strengthened interior enforcement measures in the U.S.** Since taking office, the Obama Administration has eroded key interior enforcement measures, including abandoning “Social Security No-Match,” which notified employers when they hired workers whose personal information did not match Social Security records and informed them of their legal obligations, and fostering changes that have weakened the 287(g) program, which allows Immigration and Customs Enforcement to train state and local police to enforce federal immigration laws. Likewise, the Administration has also reduced prosecutions of non-criminal aliens within the United States. These acts undermine efforts to deter illegal immigration, essentially sending the message that once here it is easy to find employment and stay. To ensure a comprehensive approach to illegal immigration, the Administration must commit to enforcing existing immigration laws.
- **Active public diplomacy to deter illegal immigration.** The Department of Homeland Security should work with the Department of State to develop and conduct analysis based on deportations and patterns of illegal migration in order to target public diplomacy campaigns that deter those activities. Active public diplomacy should explicitly warn targeted audiences of the dangers and legal consequences of illegal immigration to the U.S. and should be directed at high-density areas of illegal out-migration in Mexico, Central America, and the Caribbean. Programs such as CBP's No Más Cruces have been well received in host nations and serve to educate and inform individuals of the dangers of illegal immigration and of hiring criminal smugglers. At the ambassadorial level, U.S. diplomats should make informational campaigns and activities aimed at reducing illegal migration an important objective for the success of their missions.

Illegal immigration is dangerous not only to the illegal immigrants themselves, but costly to societ-

ies and nations as a whole. Cost-free migration to the U.S. is no longer possible. The dream of a better life via illegal migration is increasingly an illusion. Criminal organizations are increasingly adept at and entirely ruthless in exploiting the vulnerabilities of illegal immigrants. Neighboring nations linked by the North American Free Trade Agreement (NAFTA) and the Dominican Republic–Central American Free Trade Agreement (CAFTA-DR) to the world's largest market have unique advantages, but need to exploit them with enhanced economic freedom, entrepreneurship and expanded government and private investment. Developing individual accountability and responsibility, building trust in judicial

and law enforcement institutions, and reducing the extensive power of organized crime are crucial elements in combating human smuggling and putting an end to this tragic and increasingly devastating cycle.

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