

# Criminal Violence and Forced Internal Displacement in Mexico: Evidence, Perception and Challenges

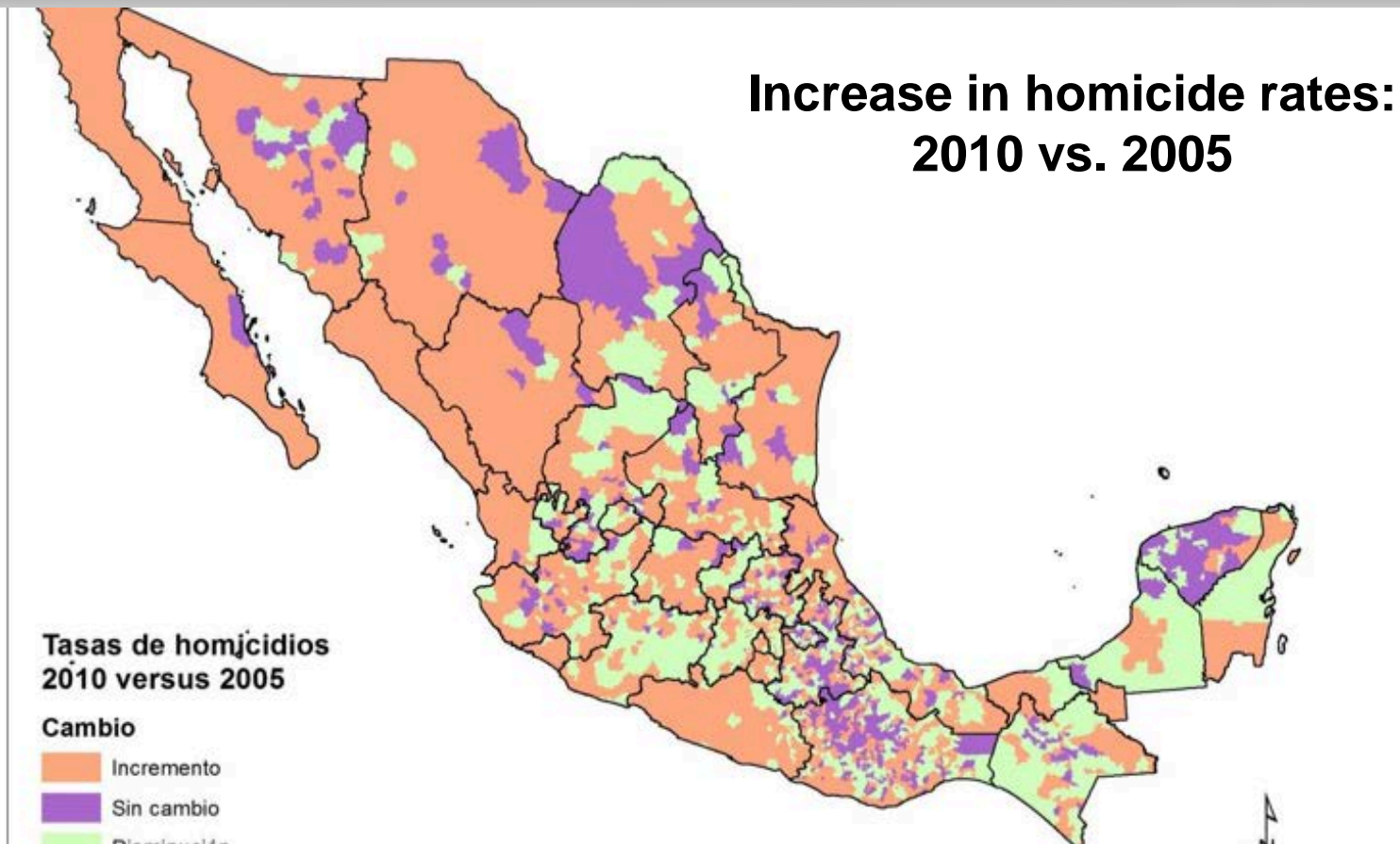
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# Context:

*“Where there is violence there is internal displacement”* (UNHCR)



# Institutional weakness:

State and federal security forces intervening at the municipal level



# I. Describing the phenomenon

- 1) Before 2007 – Disputes over land, communal conflicts, religious intolerance (45,000 people in Oaxaca, Guerrero, Chiapas), development projects, natural disasters, and the Zapatista conflict in Chiapas (25,000 people)
- 2) After 2007 – Criminal violence, the security strategy with joint operations, corruption and human rights violations, as well as victims from diverse crimes such as homicides, threats, extortion (illegal protection) and depredatory crime.

# I. Describing the phenomenon

- 1) Mass displacement (more than ten families)
- 2) Goutte-à-goutte displacement - invisibility

# I. Describing the phenomenon:

1. Extortion- Lack of effective payment of illegal protection leads to violent reactions.
2. Failure of justice system- Search for truth & justice leads to threats from local authorities & organized crime
4. Families from young men who have refused to become a part of criminal groups.
5. Peasants forced to sell their lands for less than their real value to drug cartels that use them to cultivate narcotics.

# I. Describing the phenomenon

6. Families of former hired hitmen dead in combat, victims of extortion and threats.
7. Families of victims of bystanders & innocent witnesses
8. Perception of generalized threat -Families that fear being victims of violence like their neighbors that have been victimized.
9. Small & large business owners victims of extortion that flee from violence and go to less violent places or to the United States
10. Displacement of the families of threatened mayors, public servants, human rights activists, and journalists.

## II. Evidence: Statistics

1. Mid-term population count (conteo de población) 2005; 2010 Census INEGI; Violence and marginalization rates.
2. Judicial Statistics (Crime - INEGI 2013)
3. Mortality rates 2005, 2010
4. Censo Nacional de Gobiernos Municipales y Delegacionales 2011 (CGMD)



## II. Evidence: Surveys

- Encuesta Nacional de Ocupación y Empleo (ENOE)
- Encuesta de Victimización y Percepción de Seguridad Pública (ENVIPE- INEGI, 2011)
- Encuesta de Ciudadanía, Democracia y Narco Violencia (CASADE, 2011)
- Latin American Public Opinion Project (LAPOP – 2012)
- Encuesta de Percepción Ciudadana de Inseguridad en Ciudad Juárez (UACJ, 2010,2011, 2012)

# Statistics: Key findings

- An association was found between violence - and a net migration rate.
- This was the first indication that the significant population loss taking place might be connected to violence perpetrated by organised crime groups.

# Statistics: key findings

- The municipalities with the highest rates of violence are Tijuana (BC), Chihuahua (Ch), Juárez (Ch), Monterrey (NL) and Culiacán (Sin): all have net migration rates.
- The states of Chihuahua, Durango, Sinaloa and Guerrero have the highest rates of population loss and with high levels of violence.
- Of the most violent municipalities included in the study, roughly 70 per cent have lost population.

# Key Findings - cont.

- Between 2005 and 2010 there was an increase of homicide rates in 42% of all the municipios, particularly in the northern states, the north Pacific states, and Oaxaca.

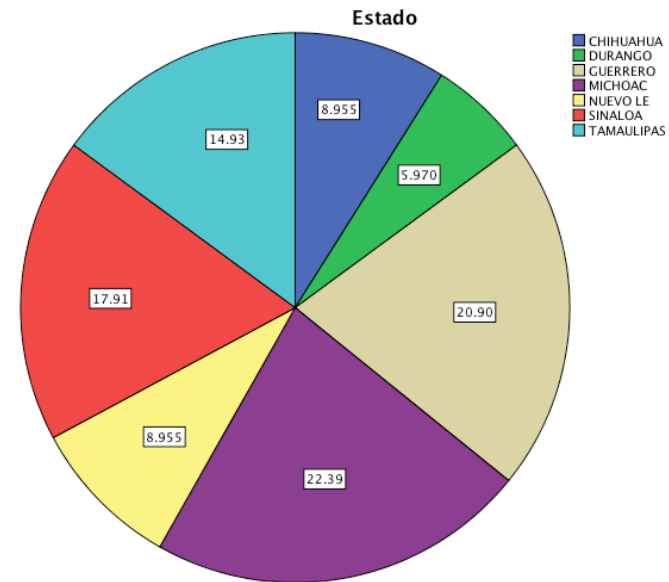
# Surveys: Key findings

- ENVIPE: In 1.32% of Mexican families some members changed residence because of violence during 2010.
- 80.2 per cent of those who left Ciudad Juárez had a job. Violence and insecurity rather than economic concerns are causing displacement from Juárez.
- 72 per cent of IDPs left behind some type of property in Juárez

# Evidence – Medios (2011-2013)

67 episodes reported (involving more than ten families)

Estado				
	Frequency	Percent	Valid Percent	Cumulative Percent
lid				
CHIHHUAHUA	6	9.0	9.0	9
DURANGO	4	6.0	6.0	14
GUERRERO	14	20.9	20.9	35
MICHOAC	15	22.4	22.4	58
NUEVO LE	6	9.0	9.0	67
SINALOA	12	17.9	17.9	85
TAMAULIPAS	10	14.9	14.9	100
Total	67	100.0	100.0	



## II. Evidence: testimonials

32 testimonials involving 190 displaced persons

- patterns:
  - of vulnerability
  - Victimization
- Guerrero, Estado de México, Michoacán, Chihuahua, Veracruz, Nuevo León, and Sinaloa

# From response to crime to protection response

“Traditional criminal justice seeks answers to three questions: What laws have been broken? Who did it? and, What do the offender(s) deserve? Restorative justice instead asks: Who has been harmed? What are their needs? Whose obligations are these?”



<b>Motivation</b> <b>Location</b> <b>and temporality</b>	<i>a. Safety and security</i>	<i>"Between a. and .b"</i> <i>"Mix of a. and b."</i> <i>"Neither a. nor b."</i>	<i>b. Economic and livelihoods</i>
<i>1. Internal movement, anticipation</i>	Protected under guiding principles and national law	Protected as IDPs under a broad interpretation of guiding principles	Human rights law and national law
<i>2. Internal movement, consequence</i>	Protected under guiding principles and national law	Protected as IDPs under a broad interpretation of guiding principles	Human rights law and national law
<i>3. Cross-border movement, anticipation</i>	<ul style="list-style-type: none"> <li>- Eventual protection under refugee law on case-by-case basis (persecution + statutory ground).</li> <li>- Cartagena declaration</li> </ul>	Cartagena Declaration	Not protected (except for minimal human rights protection)
<i>4. Cross-border movement, consequence</i>	<ul style="list-style-type: none"> <li>- Eventual protection under refugee law on case-by-case basis (persecution + statutory ground).</li> <li>- Cartagena declaration</li> </ul>	Cartagena Declaration	Not protected (except for minimal human rights protection)

# III. Vulnerability and Protection Needs

- Protection vs. Assistance in Mexico's context
  - Victims Reparation vs. Traditional Justice
- Housing, land and property rights
  - protection in places of origin
  - Transfer of mortgages (Infonavit, and private banking)
- Livelihood opportunities: access to labour market and micro-finance

- Access to basic necessities of life:
  - Food, shelter and health care (Seguro Popular) .
- Education for children

# IV. Responses

- Official Denial of Internal Displacement
  - Felipe Calderón
    - Fragmented and insufficient responses
    - ProVictima
    - CDI
    - DIF
    - Failed Legislative initiatives
- Limited international support
- Local Responses

# Enrique Peña Nieto

- CNDH – Protocol for IDPs
- Sistema Nacional de Atención a Víctimas (SNAV)
- Programa Nacional de Prevención del Delito
- Protection of Human Rights Defenders and Journalists
- Self-defense groups
- New Legislative Momentum
  - IDPs – Ley General de Población
  - Chiapas - reglamento

# V. Challenges

- Comprehensive Assessment (Profiling)
- Legislative Definition
- National Program for IDPs (Coordination)
- Committee within SNAV for IDPs
- National Registry
- Capacity & Trust Building Trust