



RESPONSES TO INFORMATION REQUESTS (RIRs)

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Mexico: The production, availability and use of fraudulent documents for immigration and asylum purposes; state efforts to combat fraudulent documentation (2004-2005)
Research Directorate, Immigration and Refugee Board, Ottawa

Information on the production, availability and use of fraudulent documents for immigration and asylum purposes was limited among the sources consulted by the Research Directorate.

Various news and government sources of 2004 and 2005 reported that a range of fake documents, including fraudulent documents for immigration purposes, could be purchased in La Plaza de Santo Domingo in Mexico City (*Diario de Mexico* 3 Oct. 2005; *Tribuna de Queretaro* 5 Sept. 2005; Es Mas 18 June 2004). For example, in June 2004, Es Mas reported on the relative ease with which one could purchase false Mexican identification documentation in La Plaza de Santo Domingo (*ibid.*). The news story outlined the case of two Colombians who reportedly bought passports, birth certificates, voter cards and driver's licences for a total of 2,200 pesos (CAN\$241.34 [Bank of Canada 4 Oct. 2005]) (*ibid.*). The Colombians received the false documents within four days of purchasing them from a local counterfeiter (*ibid.*). Information as to whether the Colombians purchased the documents for immigration or asylum purposes could not be found among the sources consulted by the Research Directorate.

The weekly newspaper *Tribuna de Queretaro*, published by the Faculty of Social and Political Science of the Autonomous University of Queretaro (*Tribuna* n.d.), reported that Guadalajara was another city where fraudulent documents could be obtained (5 Sept. 2005). In July 2005, after a lengthy investigation by United States (US) authorities, Pedro Castorena-Ibarra, a Mexican national who led a multimillion-dollar counterfeit operation based in Guadalajara was indicted by a federal grand jury in the United States (*Washington Times* 26 July 2005). Castorena's criminal operation included the distribution of three million fake identification documents, such as Mexican and US birth certificates, resident alien cards, and driver's licences, from Mexico to the environs of Los Angeles (*ibid.*). According to US Immigration and Customs Enforcement (ICE) officials, the Castorena crime network was comprised of "more than 100 members who direct cells of 10 to 20 people located in cities across the United States" and included some of Castorena's relatives (*ibid.*).

According to information provided in 2004 by the National Migration Institute (Instituto Nacional de Migración, INM), 46 per cent of undocumented migrants entering Mexico from its southern border were carrying a "forged documents of some kind" (FBIS 30 July 2004). The news report noted that both US and Mexican migration authorities identified the Guatemalan border town of Tecun Uman as the "'cradle' of document falsification" (*ibid.*). Among the fake documents used by illegal migrants were passports, birth certificates, voter identification (ID) cards and "stamped migration forms" (*ibid.*). Authorities also claimed that "much of this documentation, such as birth certificates and voter photo ID cards, is original and has been stolen from Civil Registry offices and the Federal Electoral Institute (IFE) in Mexican border towns over the past two years" (*ibid.*).

A September 2004 *El Universal* news article noted that Chiapas was the state ranked number one in Mexico for widespread use of fraudulent voter identification cards (*credenciales de elector*) (25 Sept. 2004). The extensive use of counterfeit voter cards was attributed to the presence of undocumented Central Americans travelling into Mexico from the southern border towns of Chiapas in order to make their way to the United States (*El Universal* 25 Sept. 2004).

According to a January 2005 news story, 800 birth certificates (*actas de nacimientos*) were reportedly stolen from the civil registry office in Comitán, Chiapas (Es Mas 28 Jan. 2005). The state's Public Prosecutor (Fiscalía General del Estado) noted that the theft of the birth certificates was linked to human trafficking (*tráfico de seres humanos*) (*ibid.*). The news article also stated that there have been about 80 reports of robberies of this kind in recent years, and that more than 2,000 birth certificates have been stolen during this time (*ibid.*).

During Interpol's 18th Americas Regional Conference held in Peru in June 2005, a report presented to delegates mentioned that, among other illegal activities, human traffickers (also known as "coyotes" or "polleros") in Mexico are engaged in the production of counterfeit travel documentation (*Voces de Mexico* 24 June 2005). These "coyotes" reportedly charged between US\$2,000 and US\$10,000 to assist Central and South American migrants' travel through Mexico into the US (*ibid.*). The report added that two principle bases of operation for

"coyotes" are the frontier cities of Tijuana, Mexico and Tecun Uman, Guatemala (ibid.). According to the *Trafficking in Persons Report* of June 2005, "[m]any illegal immigrants fall prey to traffickers and are exploited along Guatemala and United States' borders" (3 June 2005).

Efforts to combat fraudulent documentation

Article 243 of Mexico's Federal Penal Code penalizes the falsification of public documents with "imprisonment of 4 to 8 years and fines of 200-360 days minimum wage for public documents, and imprisonment of 6 months to 5 years and a fine of 180-360 days of minimum wage for private documents" (OECD 2 Sept. 2004, 35; Mexico 23 Aug. 2005; *Tribuna de Queretaro* 5 Sept. 2005).

Government and news sources of 2004 and 2005 have reported on efforts by authorities to enhance the security features of identification documents such as the passport (Mexico 27 June 2005; ibid. 17 Aug. 2004) and the birth certificate (*El Universal* 15 Jan. 2005). Moreover, in a May 2005 report about Mexico's consular ID card, the Congressional Research Service (CRS) noted that

... Mexico has developed a national database of passport and consular data that can be used to prevent the issuance of duplicate and fraudulent cards. It also has the ability to check the person's identity against the large Mexican voter registration database and against a "stop list" of approximately 13,000 records of non-acceptable persons, including fugitives or people who have attempted to use fake documents in the past (US 26 May 2005, 2).

Nevertheless, the CRS report also outlined ongoing concerns regarding false documentation in Mexico (ibid., 6). For example, opponents to the consular card claim that the Mexican birth certificate is "easily forged" (ibid.). Mexico's law enforcement capability against human traffickers, who foster the production of fraudulent migrant documentation (Es Mas 28 Jan. 2005; *Voces de Mexico* 24 June 2005), has also been criticized (*Trafficking in Persons Report* 3 June 2005). According to the *Trafficking in Persons Report* of June 2005,

[t]he Government of Mexico does not fully comply with the minimum standards for the elimination of trafficking; however it is making significant efforts to do so. Mexico remains on the Tier 2 Watch List for a second consecutive year for its failure to provide evidence of increasing efforts to combat trafficking, particularly in the area of law enforcement. Deficiencies in Mexico's efforts to combat trafficking remained throughout the year, though the Mexican Government has recently committed to do more (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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