

Immigration and Refugee Board of Canada

[Home](#) > [Research Program](#) > Responses to Information Requests

Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website.

31 August 2012

MEX104168.E

Mexico: Crime situation; police and state response, including effectiveness; availability of witness protection
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. General Situation and Statistics

An August 2011 report by México Evalúa, a think-tank on public policy in Mexico, indicates that, according to statistical data from the National Public Security System (Sistema Nacional de Seguridad Pública, SNSP), crime rates have been rising [translation] "steadily" in the country since 2007 (México Evalúa Aug. 2011, 6). The report highlights a 14 percent increase from 119,715 reported crimes during the presidency of Vicente Fox [2000-2006 (US 31 July 2012)], to 136,499 during the first four years and a half of Calderón's presidency [which started in 2006 (ibid.)] (México Evalúa Aug. 2011, 6). In particular, the rates of reported crimes such as homicide, kidnapping, extortion, and violent robbery have significantly increased (ibid.). Amnesty International (AI) indicates in its annual report published in 2012 that a growing number of people unrelated to drug cartels were killed by gangs, the military or the police (AI 2012).

The General Attorney's Office (Procuraduría General de la República, PGR) provides the following statistics with regards to the reported number of non-federal crimes:

Crime	2010	2011 (Jan.-June)
Theft	738,138	373,267
Bodily injury	230,687	109,192
Homicide	35,647	19,404
Damage on property	144,291	66,733
Rape	14,993	7,747
Kidnapping	1,284	694
Fraud	70,063	32,518
Other crimes, such as physical violence, ecological crimes, threats, and coercion	448,081	224,693

(Mexico 7 Sept. 2011, 75).

For 2010, the report enumerates the number of non-federal crimes reported per state per 100,000 inhabitants, and the 11 highest are:

State	Number of crimes per 100,000 inhabitants	Number of reported crimes
Baja California	3,530.7	111,395
Tabasco	2,981.6	66,747

State	Number of crimes per 100,000 inhabitants	Number of reported crimes
Yucatán	2,802.8	54,810
Quintana Roo	2,637.7	34,965
Morelos	2,489	44,235
Baja California Sur	2,476.8	15,778
Federal District	2,209.1	195,530
Chihuahua	2,082.5	70,938
Durango	1,841.3	30,068
Coahuila	1,811.1	49,777
México State	1,768.7	268,419
Mexico	1,518.5	1,705,882

(ibid., 399-405).

1.1 Homicide and Assault

InSight, a web portal on organized crime in the Americas, reports that government agencies responsible for collecting statistical data on homicides do not distinguish murders in general from those linked to organized crime (10 Jan. 2012). InSight also indicates that homicide statistics in Mexico are "tricky and politically-charged business" with discrepancies in the numbers presented by the media, analysts, politicians and among government agencies (24 Nov. 2011). For example, *Semanario Zeta*, a Tijuana-based weekly paper, reports that not all homicides are registered by the National Information System (Sistema de Información Nacional, SIN), and presented the case of the state of Chihuahua where the State Attorney's Office reported 16,456 homicides between 1 January 2008 and 31 October 2011, whereas the SIN reported 11,588 for the same period (12 Dec. 2011). The director of Human Rights Watch is quoted by *Semanario Zeta* as saying that in Mexico, there are no credible investigations on homicide statistics (12 Dec. 2011).

According to México Evalúa, during the presidency of Calderón, 1,298 homicides were committed each month on average (Aug. 2011, 7). *Semanario Zeta* reported that, according to statistics it compiled from federal, state, and municipal government agencies, 80,107 homicides were committed between 1 December 2006 and 31 October 2011, of which 24.58 percent are not related to organized crime (12 Dec. 2011). The UN Office on Drugs and Crime (UNODC) indicates that, according to the National Statistics Office, 25,757 homicides were committed in 2010 (UN n.d.a).

1.2 Kidnapping

According to InSight, Mexico has the highest kidnapping rate in the world (27 Nov. 2011). The report by México Evalúa indicates that from the government of Fox until that of Calderón, the rate of reported kidnappings has increased by 132.6 per cent, from 35.7 reported kidnappings per month to 82.9 (Aug. 2011, 7). The UNODC indicates that Mexico reported 1,162 kidnappings in 2009 and 1,284 in 2010, representing a rate of 1 and 1.1 kidnappings per 100,000 inhabitants respectively (UN n.d.b). A September 2010 report by the Mexican Congress indicates that kidnappings increased from 0.89 per day in 2005 to 3.72 per day in 2010, or 317 percent (Mexico Sept. 2010, 3). The report also indicates that 71 percent of kidnappings reported to local authorities from 2007 to June 2010 were committed in the following states: Chihuahua (498), Mexico (413), Federal District (380), Baja California (287), Michoacán (277), Guanajuato (145), Guerrero (133), and Tamaulipas (113) (ibid., 14). Sources indicate that, according to the president of the Citizens' Council for Public Security and Criminal Justice (Consejo Ciudadano para la Seguridad Pública y la Justicia Penal) and based on civil society organizations' calculations, between 2006 and 2011, 620 kidnapped persons were assassinated by their abductors, and that during 2011, 2,979 cases of kidnapping were reported (NOTIMEX 20 Feb. 2012; *El Universal* 20 Feb. 2012). The president of the Citizen's Council also highlighted that cases for 2011 do not include those that were not reported, including express kidnappings and the kidnappings of migrants transiting through Mexico (ibid.; NOTIMEX 20 Feb. 2012).

El Universal, a Mexico City-based newspaper, reports that, according to a legislator, 677 [translation] "express kidnappings" are committed every 24 hours in Mexico City (*El Universal* 27 Sept. 2011). A report by the Council for Law and Human Rights (Consejo para la Ley y los Derechos Humanos A.C., CLDH) corroborates the above number of kidnappings, adding that this crime is one of the most difficult to address since most victims do not file police reports (CLDH [Dec. 2011]). The CLDH is an NGO that investigates cases of corruption and crime within the security forces and advocates for victims of crimes such as kidnapping (ibid. n.d.). The National Autonomous University of Mexico

(Universidad Nacional Autónoma de México, UNAM) defines express kidnappings in a website on campus security as the kidnapping for a short period of time to force the victim to withdraw money from ATM machines or to negotiate a small ransom with family members (UNAM [n.d.](#)).

1.3 Extortion

México Evalúa reports that during Calderón's presidency, 418 cases of extortion were reported each month on average, up from 185 cases during Fox's presidency (Aug. 2011, 8). However, a study done by the Citizens' Institute for Crime Studies (Instituto Ciudadano de Estudios sobre la Inseguridad, ICESI), a Mexican think-tank specializing in the production of statistical data on crime in the country (ICESI [n.d.](#)), indicates that, according to statistics provided by the Public Security Citizens' Council of the Federal District (Consejo Ciudadano de Seguridad Pública del D.F.), 351,715 complaints related to phone extortion were reported in 2010, of which 10,698 were deemed actual cases (ibid. May 2011, 40). The ICESI report also indicates that 240 gangs involved in extortion operate in the country (ibid.). Sectors most affected by these gangs are schools, restaurants, pubs, used car dealers, street vendors, and the black market (ibid.).

1.4 Robbery

México Evalúa indicates in its report that monthly reports of violent robbery cases increased from 14,731 during the presidency of Fox, to 16,284 during Calderón's presidency (Aug. 2011, 8). The UNODC indicates that in 2010, Mexico reported 607,000 robberies (UN [n.d.c.](#)), 132,068 cases of theft (ibid. [n.d.d.](#)), 191,575 cases of burglary break and entering (ibid. [n.d.e.](#)), and 229,965 stolen vehicles (ibid. [n.d.f.](#)). The General Attorney's Office (Procuraduría General de la República, PGR) report indicates that between September 2010 and June 2011, 194,874 vehicles were reported stolen, a 10 percent decrease from the September 2009 to June 2010 period (Mexico 7 Sept. 2011, 127). The Research Directorate could not find additional information on robberies within the time constraints of this Response.

2. State Response

The Mexican government implemented on 1 December 2006 the National Security Strategy which comprises five main components:

[translation]

1. Coordinating operational in support of local government agencies and citizens,
2. increasing the operative and technological capacities of the armed forces,
3. reforms of the legal and institutional frameworks,
4. active policy for crime prevention, and
5. strengthening of national and international cooperation. (Mexico 1 Sept. 2011)

The PGR reports that among the programs that the document exhibits as being implemented are drug abuse and crime prevention programs, cyber crime prevention seminars, and the recovery of public spaces (ibid. 7 Sept. 2011, 109-113). Also, it indicates that the Mexican government is in the process of unifying the command of police forces in the country to facilitate cooperation by intelligence-sharing, strengthening tactical units, and integrating criminal and social databases (ibid., 120). The report further indicates that police stations and their equipment have been upgraded in some states, forensic science laboratories have been created and equipped, and that radio communication and information technology infrastructure have been strengthened (ibid., 125).

The government-owned Mexican press agency NOTIMEX reports that the Chamber of Deputies of Mexico passed a law in November 2011 that sentences persons found guilty of express kidnappings, theft or extortion to 20 to 40 years in prison and a fine of 500 to 2,000 days of salary (29 Nov. 2011). The new law also sentences kidnapping to 25 to 45 years in prison and a fine between 1,000 and 4,000 days of salary (ibid.). If the victim is either a minor, a person 60 years of age or older, a person who does not have the [translation] "capacity to understand the crime or to resist it," or a woman whose pregnancy is at an advanced stage, the prison term increases from 30 to 50 years and the fine between 1,500 and 4,000 days of salary (ibid.).

3. Efficiency

According to Amnesty International, "the criminal justice system made extremely slow progress," and the fabrication of evidence, "arbitrary" detention, lack of "fair" trials, and "inadequate" judicial proceedings supervision were reported (AI 2012). *The New York Times* also reports that impunity in Mexico has "worsened, and justice is harder to find" (*The New York Times* 17 Mar. 2012). The article cites current and former government officials, as well as experts in the Mexico's justice system, stating that criminals are less likely to be punished nowadays than before, describing a justice system overwhelmed by violent crime cases, corruption, fear and incompetence (ibid.). The article concludes by asserting that "[e]ven for families with wealth and connections... Mexican law enforcement is virtually useless" (ibid.). According to a 2011 UN Human Rights Council report on enforced or involuntary disappearances in

Mexico, impunity for crimes in Mexico "remains a major challenge... at the federal and local levels" (UN 20 Dec. 2011, [para. 32](#)). *Proceso*, a Federal District-based newspaper, cites a consultant for the UNODC stating that Mexico experiences an impunity rate of 95 percent, and an 80 to 90 percent rate of recidivism among those set free by the judicial system 30 days after their detention (*Proceso* 20 [Jan.](#) 2012). According to the consultant, during president Calderón's Office, 450,000 out of the 500,000 people who had been detained have been released due to the inefficiency of investigative bodies (*ibid.*). The consultant indicates that Mexico's justice system is characterized by [translation] "corruption, lack of professionalism and poor investigations" (*ibid.*).

According to ICESI, currently, for only 6 percent of reported crimes, the alleged perpetrators appear before the judicial authorities, and 1.3 percent are found guilty (May 2011, 9). The UNODC indicates that in 2009, 202,003 persons suspected of committing a crime appeared before judicial authorities (UN [n.d.g](#)), and 153,505 were convicted (*ibid.* [n.d.h](#)). The ICESI study also indicates that, according to statistics from the Ministry of the Interior (Secretaría de Gobernación), arrest warrants are issued in only 10 percent of the cases of reported crimes, and only half of those issued are ever executed (ICESI May 2011, 9-10).

ICESI indicates that 60 percent of kidnappings (*ibid.*, 26) and 78 percent of extortion cases are not reported (*ibid.*, 41). The study indicates that citizens may not report crimes because of the following reasons: the perception that reporting is a [translation] "waste of time" (39 percent of surveyed persons), mistrust in the authorities (16 percent), "long and difficult procedures" (10 percent), crimes perceived as unimportant (9 percent), and lack of evidence (8 percent) (*ibid.*). NOTIMEX reports that, according to a 2010 Mexico Chamber of Deputies' study, government agencies lack personnel to handle cases of kidnapping, especially in the states of Baja California, Coahuila, Guanajuato and Veracruz (20 [Nov.](#) 2011). ICESI explains that in some cases of alleged extortion, the Public Ministry refuses to initiate investigations for lack of evidence, or minimizes the complaint and refuses to provide assistance to the victim (May 2011, 41). *The New York Times* also reports that victims of abduction and persons whose vehicle was stolen are ignored by authorities when they go to file police reports (17 [Mar.](#) 2012).

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 sources consulted in researching this Information Request.

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Oral sources: Attempts to contact representatives from the following organizations were unsuccessful: Universidad Nacional Autónoma de México, Infomex Gobierno Federal, InSight.

Internet sites, including: *Los Angeles Times*; Embassy of the United States in Mexico City; ecoinet; Freedom

House; *Jane's Intelligence Review*; Instituto Nacional de Ciencias Penales; Instituto para la Seguridad y la Democracia; Mexico – Centro de Investigación y Seguridad Nacional; *Milenio*; United States – Bureau of Diplomatic Security, Department of State.

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