



## CAPÍTULO 2

# EXPLORING LABOR EXPLOITATION AND SEXUAL VIOLENCE AMONG FEMALE MIGRANTS AT THE MEXICO-GUATEMALA BORDER

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### Abstract

**Background:** The International Labor Organization estimates that globally 20.9 million people have been trafficked for labor exploitation.

**Purpose:** To describe the nature and types of labor exploitation experienced by Central American (CA) migrant women working in domestic and agricultural sector in Mexico.

**Methods:** In-depth interviews were conducted with CA migrant women (n=35) who reported working in either the agricultural or domestic sector.

**Results:** All women reported experiencing some form of labor exploitation or sexual violence.

**Conclusions:** CA migrant women working in domestic and agricultural sectors in Mexico are highly vulnerable group who experience labor exploitation and sexual violence.

**Keywords:** *Labor Exploitation, Sexual Violence, Female Migrants, México, Guatemala, Border.*

### Introduction

As a result of civil wars, economic hardship, and political instability, substantial migration from Central American to Mexico and the United

States (U.S.) has been occurring since the 1980s (García, 2006; Cruz, 2011). Alarming, recent reports have indicated a drastic increase in the number of individuals forcibly displaced from the Northern Triangle countries of El Salvador, Guatemala, and Honduras within the last decade. This increased mobility across Central America to Mexico and the U.S., is multifaceted and has been driven by the growing rates of extreme violence, forced recruitment into militias, and human rights abuses mainly perpetuated by transnational organized crime groups and local criminal gangs, is sustaining and exacerbating both human trafficking and labor exploitation (United Nations High Commissioner for Refugees [UNHCR] The UN Refugee Agency, 2015). While the dangers of human trafficking and labor exploitation are true for many individuals, migrant women seeking work in Mexican cities near the border of Guatemala are among those in greatest danger.

According to the International Labor Organization (ILO), it is estimated that 25 million people globally have been trafficked for forced labor of which 71% are females (ILO and Walk Free Foundation, 2017). These disproportionate rates of trafficking and forced labor are experienced by women are of great concern. Females

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are disproportionately affected as they account for 71% of the overall total. Indigenous migrant women are a uniquely vulnerable population as they face several dangers during migration including abuse, extortion, and rape by coyotes and government officials (Lopez & Hastings, 2015). Recognizing these vulnerabilities among migrants, the Attorney General of Mexico created the Crimes Investigation Unit for Migrants and Mexican Foreign Support Mechanism of Search and Investigation on December 18, 2015. This unit is in charge of investigating federal crimes committed against migrants, however, lack of resources coupled with limited strategies for formal investigations have resulted in crime rates against migrants to remain high.

Although several studies have evaluated the health outcomes of migrants from the Northern Triangle, limited studies have assessed the risk and prevalence of sexual violence in the context of labor exploitation and subsequent health outcomes among Central American migrant women in this region. Thus, this study aims to explore the nature and types of labor exploitation experienced by Central American migrant women working in the agricultural and domestic sectors at the Mexico - Guatemala border.

## Background

Guatemala has one of the largest populations of internally displaced people in Latin America (estimated at 248,500 in 2014), largely due to drug-trafficking associated violence (Internal Displacement Monitoring Center, 2015). Tecún Umán and Quetzaltenango represent strategic locations along Guatemala's main migration corridor and play key roles in patterns of internal, cross-border, and transcontinental migration (Campos-Delgado & Odgers-Ortiz, 2012; International Organization for Migration, 2012). Tecún Umán is located at the border crossing between Mexico and Guatemala. Characterized by the frequent and intense exchange of goods

and people, in 2013 it accounted approximately 40% of annual registered entries of people from Guatemala into Mexico (El Colegio de la Frontera Norte *et al.*, 2013). It is a city of the municipality of Ayutla (Pop: 38,057), located in the departamento [state] of San Marcos (Pop: 1,044,667) (Instituto Nacional de Estadística, 2012a). Central American and internal migrants frequently use this city as a gateway into Mexico and to the U.S.; it is estimated that transnational migrants comprise at least 50% of Tecún Umán's population (Campos-Delgado & Odgers-Ortiz, 2012; Villafuerte-Solís, 2007). Due to Tecún Umán's geographic position as a gateway into Mexico, populations passing through the community include those associated with cross-border trade (e.g., truck drivers, businessmen trading products in Mexico) as well as Mexico's agricultural sector (e.g., mobile agricultural workers who work in Mexico's agricultural fields) (Leyva *et al.*, 2004). Quetzaltenango, capital of the departamento of Quetzaltenango (Pop: 807,561) is Guatemala's second largest city and is located 1,259 miles from the border (Instituto Nacional de Estadística, 2012b). As a relatively prosperous city and a tourist destination, it attracts large flows of both internal and international migrants. Quetzaltenango has been noted to be a key destination for migrant sex workers largely due to its economic prosperity and its location along a major Northbound transit route (Morales-Miranda *et al.*, 2013; Morales-Miranda, Hernández, & Caal, 2010). This study took place in these cities that are major migration routes: Ciudad Hidalgo and Tapachula in Mexico and Quetzaltenango and Tecún Umán in Guatemala (Figure 1).

## Methodology

### *Data Collection*

Between April 2015 - September 2016, 392 participants were recruited from sites along the Mexico - Guatemala border as part of a National



Institute of Health (NIH) funded cross-sectional study Cruzando Fronteras (NIDA r01da029899; pi: Brouwer), that centered on exploring substance use and human immunodeficiency virus (HIV) risk in migrants. From this sampling frame, female domestic and agricultural migrant workers from El Salvador, Guatemala, and Honduras were identified and invited to participate in qualitative interviews (n= 35). This study centers on the findings from the qualitative interviews. Recruitment sites were along major migration routes in and near the cities of Ciudad Hidalgo and Tapachula in Mexico and Quetzaltenango and Tecún Umán in Guatemala (Figure 1). Recruitment for domestic workers was conducted in accordance with the two major migration seasons, the first being the Guatemalan summer season from September to December and the second following the permanent migration flow

of older, more experienced domestic workers that would return for the entire year. For agricultural workers, individuals were selected from ejidos (shared land) of smaller populations ranging from 10-50 workers, and from larger fincas of which more than 500 workers had populated. Recruitment depended on the agricultural season of the product harvested by the workers while also taking into consideration the mobility of the fincas, with workers often moving with the changing seasons of crops.

The purpose of this study, voluntary nature of participation, and risks and benefits of participating were explained, and consent was obtained prior to commencing an interview. Interviews were conducted in Spanish by trained local female staff who were familiar with domestic and agricultural work. Interviews were audio-taped (identified using only a study-unique

**Figura 1.** Interviews were conducted across four cities located in the Mexico - Guatemala border (Tapachula, Chiapas - Quetzaltenango, Guatemala) Ciudad Hidalgo, Chiapas - Tecún-Umán, Guatemala)



Map Author: Erin Connors Service Layer. Créditos: gdam.org, ESRI, DELORME, GEBCO, NOAA, HGDC, HERE, Open-StreetMap contributors and the GIS user community.



identification number) and lasted approximately 45 to 60 minutes. Informed by the World Health Organization (WHO) safety and ethical guidelines for conducting research with trafficked women, the interviews followed an open-ended guide, which was iteratively revised as data collection and analysis progressed. Given the sensitive nature of the interviews, substantial efforts were undertaken to ensure participants' comfort with the research process prior to, during, and following in-depth interviews.

### ***Eligibility Criteria***

Being 18 years or older; biologically female; being an international migrant; having worked in the domestic or agricultural sector in Mexico in  $\leq 5$  years; able to provide voluntary and informed consent; agreeing to receive treatment for sexually transmitted infections (STIs) and HIV, if applicable.

The study was approved by IRBs at the University of California, San Diego, the Instituto de Salud del Estado de Chiapas and the Universidad del Valle in Guatemala.

## **Results**

### ***Data Analysis***

All interviews were transcribed verbatim and translated by a trained bilingual research team member. Co-authors systematically read through transcripts and engaged in line-by-line coding. A codebook was developed that incorporated descriptive codes based on interview questions and emergent thematic codes informed by participants' lifetime chronologies. Transcripts were coded in atlas.ti version 6.2 to label emergent themes related to labor exploitation, sexual violence in the context of labor exploitation, risk behaviors for HIV/STIs, vulnerability

factors related to previous social and economic circumstances, and access to health and legal services. The constant comparative method was used to describe the content and structure of the data. The analysis adopted an inductive perspective in which we used participants' language and experiences to identify and understand factors influencing vulnerability and pathways to labor exploitation and sexual violence. Please note that participants' names have been changed due to confidentiality issues.

### ***Participant Characteristics***

Among the 35 migrant women, the median age was 32, the average level of education was six years (i.e., elementary), the predominant country of origin was Guatemala with 60% ( $n=21$ ) and 54% ( $n=19$ ) identified as a member of an indigenous group. Seventy-four percent of participants ( $n=26$ ) were of the domestic sector, 17% ( $n=6$ ) were in the agricultural sector, and 9% ( $n=3$ ) were in both sectors (Table I). Most domestic workers are Guatemalan and from the indigenous groups K'iche' and Mam. These individuals are mainly from the Huehuetenango and San Marcos, with smaller numbers from Quetzaltenango (Xela). Historically, Guatemalan girls and women have worked as domestic workers (DWS) in the Tapachula region. Tapachula is their main destination because it is the largest city close to the border. In comparison, most agricultural workers (AWS) are from the Guatemalan departments (states) of San Marcos, Quetzaltenango and Huehuetenango—all close to the border with Mexico. Agricultural migration most typically occurs in large groups of families who are organized pre-migration organization and provide post-migration support networks. They usually have established where to work pre-migration, with workers return voluntarily to the same fields every year.



**Table 1.**  
 Characteristics of Central American Migrant Women (N=35) Working in the  
 Agriculture and Domestic Sector at the Mexico Guatemala Border Region

Variable	N=35 (100%)
Age [median, IQR]	32 [25-40]
<b>Education</b>	
Six years or education or less (e.g., elementary school)	25 (71)
<b>Marital status</b>	
Married / common law <sup>a</sup>	5 (14)
<b>Country of origin</b>	
Guatemala	21 (60)
Honduras	10 (29)
El Salvador	4 (11)
Nicaragua	--
Member of indigenous group	19 (54)
Current undocumented migrant	33 (94)
<b>Type of work</b>	26 (74)
Domestic labor	6 (17)
Agriculture labor	3 (9)
Both sectors	
<b>STI results</b>	
HIV	2(6)
Syphilis	1(3)

<sup>a</sup>vs. single, divorced, separated, widow  
 Source: Prepared by the authors.

### Recruitment and working conditions

Both domestic workers and agricultural workers reported very poor working conditions and experienced different forms of exploitation. Domestic workers intimately coexist with their employers because they live in the houses where they work. Because there is no written contract when they are hired, they reported working long shifts without compensation or previous agreement. They are also fired without any notice or compensation for their previous work as exemplified by Flor and Elisa's experience:

*Where I used to work before, they would never pay me extra hours, I would have to work sometimes from six am until midnight. The lady I worked for had a very bad temper, so I was scared of complaining or saying something. [Flor, 25 years old, interviewed in Tapachula]*

*The lady accused me of stealing, she said, you re stealing from me because you want to leave and I said, yes, it s true [I want to go] but no, I do not have to steal That lady owed me like a month [of pay] because all*



*the time she would tell me that she didn't have money. One day, in the middle of a discussion [about my pay] the lady turned around and went into the room where I slept and grabbed my belongings and threw them out on the street. She didn't pay me a single peso and she took my wallet. [Elisa, 26 years old, interviewed in Cd. Hidalgo]*

Similarly, women that worked in the agricultural labor sector live in the fincas ("farms") where they work and eat for the season. All families live in the same room, called galleras (hen house), with men and women together. Rotten food is often served in the one or two meals received daily. The employer then discounts the food from their pay as well as any other items they may have used during their stay (e.g., toiletries). Likewise, they did not have a written contract and work long days and they are paid by activity or by amount of product they crop (weight). Women also reported being hired by a contratista (contractor) who goes and recruits individuals at the Puerta Roja (El Carmen Talisman) or in the community. The contratista applies for a visitor permit (i.e., Worker Migratory Form; FMTF) on their behalf, however, sometimes they use deceptive recruiting methods as Mariana explains:

*We came with him [contratista] to work and when we arrived to the finca, we wanted to return home because the finca was not what he promised. The finca was in terrible conditions and we had to sleep in an abandoned house with no sanitized water or electricity. We didn't have a place to eat, we couldn't take a shower or wash our clothes. We wanted to go back home the moment we arrived, but we didn't have any money, he paid for our bus ticket and everything... We regretted our decision, and*

*we didn't have a way of going back. He tricked us and lied to us. [Mariana, 29 years old, interviewed in Tapachula]*

### **Experiences of abuse, sexual harassment, and sexual violence**

Many of the women from both the domestic and agricultural sector reported experiencing sexual harassment and sexual violence. Domestic workers reported that some employers sexually abuse of them, and they take advantage of their migration status and threaten to tell the authorities or police if they report them. Agricultural workers also reported similar experiences where the intermediaries sexually harass or abuse girls and female workers and threaten to not hire them again the following year if they do not comply. The mixed sleeping conditions (i.e., galleras) facilitate these types of abuses at nights.

*Once they punished me [got sent home from work] because the manager there had bad intentions with me. He wanted me to have sex with him and I refused. For that reason, he punished me and sent me home [didn't let me work]. I told my mom and she told me that I could not go back to work there anymore. [Lupita, 25 years old, interviewed in Tapachula]*

*"They fired me from work because I did not accept their conditions, I did not want to do the old man [manager] any sexual favors. They fired me without any notice, and they did not pay me what I had already worked. [Carolina, 32 years old, interviewed in Ciudad Gentleman]*

Other women shared experiencing or witnessing verbal and/or physical abuse and discrimination by their employer because they belong to an indigenous group



*The girl that worked with me, she was treated very badly, they said that she stole from them, and they made fun of how she dressed and her [indigenous] language. They wouldn't pay her on time either. Also the daughters of the person we worked for mistreated us constantly... they would verbally insult us and throw things at us or intentionally make a mess for us to pick them up. [Claudia, 29 years old, interviewed in Quetzaltenango]*

Her claim that the worker was belittled in her native language shows a sense of xenophobia, tying into the theme of using domestic workers' status as foreigners as a means of manipulation. This also highlights that discrimination against migrant workers lead to instances of abuse of numerous forms with little opportunity for domestic workers to find alternatives due to their illegal status.

## Discussion

The results of this study identified that experiences of labor exploitation and sexual harassment and violence were common among this sample of Central American migrant women working in both the agricultural and domestic sector in the Mexico-Guatemala border region. Implications of these findings are discussed below.

Central American migrant women working in domestic and agricultural sectors in Mexico have a highly vulnerable profile. Fleeing poverty and conflict, low literacy levels, and lack of social support and resources that places migrant women at risk for labor exploitation and sexual violence. Further, the desperate need to find work of any kinds in addition to experiences of discrimination based on indigenous background and gender further exacerbate the safety of these women. Likewise, the informal recruitment processes reported by women in both the agricultural and domestic sector,

contributes to systemic gaps in employment and access to rights. Despite public policies aimed at protecting the human rights of migrant women (Convention on the Elimination of All Forms of Discrimination against Women) the systemic gaps in compliance with Mexico's legal framework represent an obstacle to securing rights for Central American migrant women during the recruitment and hiring process. In line with a 2017 report on migrants in Mexico, there is a lack of financial and personnel resources along with no clear strategies to investigate crimes against migrants (Suarez, Diaz, Knippen & Meyer, 2017). In order to improve compliance with the legal framework, Mexico must adopt a gender-based approach in the design and implementation of public policies to support the health and well-being of Central American female migrant workers.

Furthermore, as long as domestic work is not included in the FMFT, they will not be considered legal workers in Mexico. As a result, government agencies whose responsibility is to enforce labor norms and ensure minimum standards in the recruitment and workplace of migrant workers have no authorization to regulate domestic work. Thus, employers can continue to exploit these women without any consequences.

Of the cases that have been reported, local authorities indicated that they have never had a successfully prosecuted case. Border States such as Chiapas and Oaxaca continue to have high levels of impunity for crimes against migrants in Mexico (Suarez, Diaz, Knippen & Meyer, 2017).

Although our findings provide insights into experiences of labor exploitation and sexual violence reported by Central American migrant women, this qualitative study has inherent limitations such as a small qualitative study and lack of generalizability to other migrants or regions. As this sample lacks a control group, we are unable to compare experiences with women on the Mexican side of the border.



Due to the hidden nature, labor exploitation, sexual violence, migration status could be underreported. While more work is needed to understand the experiences these women have lived, these study findings highlight that Central American migrant woman working in domestic and agricultural sectors in Mexico are highly vulnerable. Our findings suggest an urgent need for developing long-term gender-centered prevention strategies such as targeting labor intermediaries and migrant networks involved in recruitment processes and other structural and policy level factors to prevent sexual violence and abuse.

## Conclusions

The stories of the Central American domestic and agriculture workers interviewed for this study reveal appalling working conditions and fundamental rights abuses in private homes and agriculture fields in the Mexico-Guatemala border region. Both domestic and agricultural workers have been a historically discriminated and excluded group in this region and globally. Their migration status, ethnicity, economic status, and gender further increases their vulnerability and visibility. International organizations, such as the ilo, the United Nations (UN), the Food

and Agriculture Organization of the un (FAO), the Organization for Security and Co-operation in Europe (OSCE), and the International Trade Union Confederation (ITUC), have in recent years strongly advocated to establish decent working conditions for domestic and agriculture workers on a global scale. In recent years changes were made to the Federal Labor Law and the Migration Law in Mexico to acknowledge domestic workers and migrant workers. However, there is no enforcement of the law and currently majority of these women still have no legal benefits, written contracts, safe working conditions, access to health care and have low salary wages (i.e., in most cases below the national minimum wage). It is also very difficult for migrant women to complete the immigration paperwork. Highlighting the need to simplify and streamline immigration and consular services for migrant women and also enforcement of the law to protect the rights of migrant women working in the agriculture and domestic sector in this region. Furthermore, these findings suggest an urgent need for developing long-term gender-centered prevention strategies such as targeting labor intermediaries and migrant networks involved in recruitment processes and other structural and policy level factors to prevent sexual violence and abuse.





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