

# A Look at Human Trafficking and the Anti-Trafficking Apparatus in Mexico through the Experience of Victoria, a Trans Woman

*Juliana Vanessa Maldonado Macedo and Luz del Carmen Jiménez Portilla*

## Abstract

In this article, we discuss the experience of Victoria, a trans woman who was trafficked in the context of the criminal war in Mexico. Drawing on anthropological and feminist perspectives that privilege the dialogue of knowledge, Victoria's experience allows us to problematise two central elements of the phenomenon of human trafficking in Mexico: first, the relationship between organised crime groups and human trafficking, and its effects on daily life in local contexts in Mexico, specifically in the experience of a trans woman. And second, the functioning of the Mexican anti-trafficking apparatus which, by focusing on the rescue of victims of sexual exploitation in places where independent sex work occurs, overlooks the identification of other forms of trafficking, such as trafficking for labour exploitation and servitude, both experienced by Victoria at the hands of organised crime groups.

**Keywords:** human trafficking, anti-trafficking apparatus, trans women, war in Mexico

Suggested citation: J V Maldonado Macedo and L C Jiménez Portilla, 'A Look at Human Trafficking and the Anti-Trafficking Apparatus in Mexico through the Experience of Victoria, a Trans Woman', *Anti-Trafficking Review*, issue 22, 2024, pp. 91-110, <https://doi.org/10.14197/atr.201224226>

## Introduction<sup>1</sup>

The Mexican government's fight against human trafficking has primarily focused on locating victims, mainly cisgender women, in places where sex work occurs and along migratory routes used by irregular migrants, thus criminalising both actions. This is one of the great risks caused by the *General Law to Prevent, Punish and Eradicate Crimes of Trafficking in Persons and for the Protection of and Assistance to Victims of These Crimes*, introduced in 2012, which has been aimed at prosecuting almost exclusively what it defines as 'sexual exploitation' in independent sex work sites, while neglecting other forms of trafficking that go unreported due to the absence of institutional spaces and trained bureaucratic personnel to process and deal with such cases. Additionally, these forms of trafficking have become so normalised that they are invisible in narratives about the phenomenon and the implementation of anti-trafficking initiatives.<sup>2</sup>

In other national contexts, academics have developed new and better ways of researching anti-trafficking operations and their numerous biases. They have critiqued, among others, the use of unverified statistics;<sup>3</sup> stereotypical descriptions of trafficking, victims, and traffickers that limit the understanding

---

<sup>1</sup> Editors' note: This article was submitted, peer-reviewed, revised, and accepted in Spanish. The final version was translated into English by Xiomara Rivas and then edited by Borislav Gerasimov and Matthias Lehmann.

<sup>2</sup> C Torres, *Ambigüedades y complejidades: la ley de trata con fines de explotación sexual y el no reconocimiento del trabajo sexual en México*, Cátedra Extraordinaria Trata de Personas de la Universidad Nacional Autónoma de México (UNAM), Mexico, 2016; L Jiménez, 'El mercado sexual callejero a merced del dispositivo antitrata. Genealogía del discurso de la trata sexual de mujeres en México y los efectos de la operación del dispositivo antitrata en la zona de La Merced de CdMx', Doctoral Thesis in Sociology, UNAM, 2019; V Maldonado, 'Políticas antitrata (de personas) en la frontera de México, Chiapas-Guatemala: ¿rescate de víctimas o criminalización del trabajo sexual y las migraciones (indocumentadas)?', in M Lamas (ed.), *Comercio sexual y discurso sobre trata en México. Investigaciones, experiencias y reflexiones*, CIEG-UNAM, Mexico, 2018, pp. 149–186.

<sup>3</sup> M Hurtado and A Iranzo (eds.), *Miradas críticas sobre la trata de seres humanos. Diálogos académicos en construcción*, Universidad de la Sabana, Bogotá, 2015; R Weitzer, 'The Social Construction of Sex Trafficking: Ideology and Institutionalization of a Moral Crusade', *Politics & Society*, vol. 35, issue 3, 2007, pp. 447–475, <https://doi.org/10.1177/0032329207304319>; R Weitzer and A M Tato, 'Movimiento para criminalizar el trabajo sexual en Estados Unidos', *Debate Feminista*, vol. 50, 2014, pp. 187–219.

of diverse experiences and complex roles;<sup>4</sup> and the assertion of the existence of transnational criminal networks without empirical evidence<sup>5</sup> that, in turn, leads to the disregarding of local networks which operate in more covert and simple ways. In other words, despite much that has been said about human trafficking—mainly by state bureaucracies and the media—there is still a need for research into the nuances and particularities of the phenomenon.<sup>6</sup>

This article presents different narratives of human trafficking within the context of the criminal war<sup>7</sup> in Mexico. It introduces a perspective from the trans experience, which in Mexican literature, both on trafficking and sexual diversity studies, has not been critically analysed but is essential to know, as trans people's lived experiences have also been ignored by anti-trafficking initiatives.

We employ the notion of 'criminal war', which was originally proposed by Lessing to account for the strategic use of violence by organised crime groups aimed at the protection of illicit markets in Latin America,<sup>8</sup> and has been applied in the analysis

---

<sup>4</sup> J Doezeza, 'Loose Women or Lost Women? The Re-emergence of the Myth of "White Slavery" in Contemporary Discourses of "Trafficking in Women"', *Gender Issues*, vol. 18, issue 1, 2000, pp. 23–50, <https://doi.org/10.1007/s12147-999-0021-9>; L Agustín, *Trabajar en la industria del sexo y otros tópicos*, Gakoa, Donostia-San Sebastián, 2004; E Bernstein, 'The Sexual Politics of New Abolitionism', *Differences*, vol. 18, issue 3, 2007, pp. 128–151, <https://doi.org/10.1215/10407391-2007-013>; A Piscitelli, 'Entre as "máfias" e a "ajuda": A construção de conhecimento sobre tráfico de pessoas', *Cuadernos Pagu*, vol. 31, 2008, pp. 29–63, <https://doi.org/10.1590/S0104-83332008000200003>; A Piscitelli, 'Feminismos e prostituição no Brasil: Uma leitura a partir da antropologia feminista', *Cuadernos de Antropología Social*, vol. 36, 2012, pp. 11–31; A Baxter and N Chazal, "'It's About Survival': Court Constructions of Socio-Economic Constraints on Women Offenders in Australian Human Trafficking for Sexual Exploitation Cases', *Anti-Trafficking Review*, issue 18, 2022, pp. 121–38, <https://doi.org/10.14197/atr.201222188>.

<sup>5</sup> S Cheng, *On the Move for Love: Migrant Entertainers and the U.S. Military in South Korea*, University of Pennsylvania Press, Philadelphia, 2010.

<sup>6</sup> G Sanchez, "'Circuit Children': The Experiences and Perspectives of Children Engaged in Migrant Smuggling Facilitation on the US-Mexico Border', *Anti-Trafficking Review*, issue 11, 2018, pp. 103–119, <https://doi.org/10.14197/atr.201218117>; M Lamas, '¿Prostitución, trabajo o trata? Por un debate sin prejuicios', *Debate Feminista*, vol. 50, 2014, pp. 160–186.

<sup>7</sup> B Lessing, 'Logics of Violence in Criminal War', *Journal of Conflict Resolution*, vol. 59, issue 8, 2015, pp. 1486–1516, <https://doi.org/10.1177/0022002715587100>; R Zepeda Gil, 'Conceptualising Criminal Wars in Latin America', *Third World Quarterly*, vol. 44, issue 4, 2023, pp. 776–794, <https://doi.org/10.1080/01436597.2022.2153665>; G Trejo and S Ley, *Votes, Drugs and Violence: The Political Logic of Criminal Wars in Mexico*, Cambridge University Press, New York, 2020.

<sup>8</sup> Lessing.

of the current context of violence in Mexico.<sup>9</sup> Zepeda defines criminal war as:

a violent conflict between the State and criminal organisations, or between criminal organisations. The onset, duration, and continuation of which are fostered by local or national governments' use of militarised force to implement a regime of prohibition of any illicit goods or activities. In these conflicts, criminal organisations form private armies to resist, combat, and lobby against the strategies of the State and other criminal organisations to protect their profitable illicit activities.<sup>10</sup>

The current context of violence in Mexico responds to the expression of a neoliberal state that has deregulated access to rights and strengthened the capitalist market and the penal system.<sup>11</sup> Its expressions are deep economic, political, and social inequality, impoverishment, unemployment, and the abandonment of rural areas.

Additionally, the offensive military strategy known as the 'War on Drugs', deployed in 2006 by former President Felipe Calderón, initiated the consolidation of a state that has resorted to its armed forces to carry out an increasing militarisation of security and public life.<sup>12</sup> It has also constructed narratives of terror and threats against certain racialised subjects, aimed at governing life and death,<sup>13</sup> reasserting its authority and authoritarianism, and reconfiguring the sovereignty of the state as a classifying and stratifying agency.<sup>14</sup> This 'War on Drugs' has marked life and

---

<sup>9</sup> For example, Trejo and Ley define criminal wars through four elements that characterise the organised crime groups that participate in them: 1) the search for control of illicit markets; 2) the creation of their own militias to defend their territories; 3) large-scale violence (more than 1,000 deaths per year); and 4) the establishment of territorial controls, in addition to illicit markets. See Trejo and Ley.

<sup>10</sup> Zepeda, p. 784.

<sup>11</sup> *Ibid.*

<sup>12</sup> Velázquez identified the following as evidence of the militarisation of public life: 'activities involving the extended deployment of the army encompass the construction of public and private infrastructure; the distribution of gasoline, textbooks for basic education, and fertilisers; the surveillance of borders; the detection and inspection of migrants; the control of ports and customs; and even the participation of the heads of the Army and Navy in the Science and Technology Council', as well as the transportation and storage of COVID-19 vaccines during the pandemic. See S Velázquez, *Inventario Nacional de lo militarizado. Una radiografía de los procesos de militarización México*, Programa de Política de Drogas-CIDE, Mexico, 2021.

<sup>13</sup> A Mbembe, 'Necropolitics', *Public Culture*, vol. 15, issue 1, 2003, pp. 11–40, <https://doi.org/10.1215/08992363-15-1-11>.

<sup>14</sup> L Wacquant, *Castigar a los pobres. El gobierno neoliberal de la inseguridad social*, Gedisa, Barcelona, 2010.

collective memory in Mexico based on territorial and local plots of differentiated violence.<sup>15</sup>

It is worth noting that the various groups involved in the drug trade operate differently throughout the country and have diversified their markets to incorporate other types of activities related to illicit markets, such as human trafficking. However, not all of them do so in the same way or use violence as a means of control.

The links established between the state and the drug market have been mediated by various types of agreements, explicit or not, where the actors are complex, and there is an interrelation between state apparatuses and organised crime groups at different levels.<sup>16</sup> Furthermore, local violence in communities disputed by drug trafficking groups also responds to ‘a complex web of mimetic indistinctions between drug groups and state institutions.’<sup>17</sup>

To reflect on the conditions that make human trafficking possible, and the implementation of actions to prevent and address it in these contexts of criminal wars and the militarisation of life, we draw on our research on human trafficking in Mexico, which each of us began between 2011 and 2013. At different points in time, we have conducted ethnographic research, structured and semi-structured interviews with cis and trans women, participant observation, and pro-sex worker rights activism in Mexico City, Tapachula, and Tijuana.

---

<sup>15</sup> According to Atuesta, former president Felipe Calderón used the term ‘war’ on the basis that, on the one hand, the number of homicides linked to drug trafficking had exceeded 500 per year and, on the other, as a discursive strategy to demand national unity in the face of the political rupture caused by the 2006 elections. See L H Atuesta Becerra, *La política de drogas en México 2006-2012: Análisis y resultados de una política prohibicionista*, Open Society Foundations, Aguascalientes, 2014.

<sup>16</sup> G Pereyra, ‘México: Violencia criminal y “guerra contra el narcotráfico”’, *Revista Mexicana de Sociología*, vol. 74, no. 3, 2012, pp. 429–460.

<sup>17</sup> *Ibid.*, p. 430. This link between government and organised crime has been documented and analysed in journalistic investigations and academic studies (including those cited in this text). It is further evidenced by the large number of government officials arrested, imprisoned, and sentenced for their participation in organised crime. For example, Genaro García Luna, Secretary of Public Security between 2006 and 2012, was one of the people in charge of the so-called ‘War on Drugs’. He was arrested, tried, and sentenced in February 2023, after being found guilty in a US court of five charges related to his ties to drug trafficking groups. Salvador Cienfuegos, Secretary of National Defence between 2012 and 2018, was also arrested in the US for drug trafficking; following his extradition to Mexico, he was not prosecuted. Among the people identified and prosecuted (in Mexico and the USA) for links to drug trafficking, there are also governors, members of parliament, senators, and actors related to politics and the Mexican government.

Our experiences in conducting research are also inscribed in the contexts of criminal wars, as is the evolution of our lives, coexisting daily with violent conflicts that seem permanent, and their effects. Our interest in researching human trafficking has been focused on producing situated, embodied knowledge<sup>18</sup> in such a way that with our field interlocutors, we use dialogical methodologies,<sup>19</sup> questioning, sharing knowledge, anger, and reflections, and creating affective and political alliances based on ethical, close, and respectful contact.

We conduct this research following a critical perspective on human trafficking,<sup>20</sup> which proposes a construction of knowledge that accounts for its characteristics and the experiences of the actors beyond their current representation, based on a legalistic, institutional, and state discourse.<sup>21</sup>

This is why we chose to present the experience of Victoria, a Mexican trans woman who was internally displaced by the violence taking place in her community and has lived through a process of human trafficking by an organised crime group. Victoria's experience is an ethnographic and analytical window that allows us to recognise the particularities of human trafficking in this context of criminal wars, the failures of the state as a form of violence, and the operation of the Mexican anti-trafficking apparatus.

The interactions with Victoria were part of the doctoral research of Vanessa Maldonado,<sup>22</sup> who conducted fieldwork from 2018 to 2020. The interview with Victoria took place in Tijuana, Baja California, Mexico in 2019, as part of ethnographic research conducted with migrant trans women on the southern and northern borders of Mexico. Although it focused on documenting the violence experienced by trans women sex workers in their transit through Mexico, Victoria recounted her trafficking experience to Vanessa. Hence, she decided to conduct a semi-structured interview about this experience to better understand Victoria's trafficking process.

---

<sup>18</sup> D Haraway, *Ciencia, cyborgs y mujeres. La invención de la naturaleza*, Cátedra, Madrid, 1995.

<sup>19</sup> N Scheper-Hughes, *Death Without Weeping: The Violence of Everyday Life in Brazil*, University of California Press, Berkeley, 1992.

<sup>20</sup> A Piscitelli, 'Atravesando fronteras: Teorías postcoloniales y lecturas (antropológicas) sobre feminismos, género y mercado del sexo en Brasil', Lecture at LASA, 5-8 September 2007, Montreal; L Agustín, *Sexo y Marginalidad. Emigración, mercado del trabajo e industria del rescate*, Editorial Popular, Madrid, 2009; Lamas, 2014; Sanchez.

<sup>21</sup> Hurtado and Iranzo.

<sup>22</sup> V Maldonado, 'Devenires trans: De Cuba, Honduras y Guatemala ¿a Estados Unidos? Narrativas de trabajo sexual, migración y movilidad transnacional de mujeres trans en tiempos de las caravanas', Doctoral Thesis in Social Anthropology, CIESAS-CdMx, 2023.

One of the elements that motivated us to revisit Victoria's experience in the context of criminal war is that her story allows us to explore one of the expressions of the government's 'War on Drugs' within a framework of securitisation and militarisation of life that is causing different damages to different subjects. Although we present a close relationship between organised crime groups and human trafficking, we are adamant that criminal justice is not the solution to conflicts that are rooted in deep social, political, and economic inequalities and a state that administers life and death<sup>23</sup> in a racialised manner.

The article is organised in two parts. In the first part we describe and analyse the general context of the criminal war in Mexico. In the second, we problematise how this criminal war is experienced in the body of a trans woman who survived human trafficking.

We ask readers not to appropriate or spectacularise the experiences of human trafficking, but to identify plots of violence that have a structural origin, both in the complex organisation of people who belong to organised crime groups, and of the people who experience violence from them. Although Victoria's story is presented as an individual experience of human trafficking, it is not, in fact, individual but imbricated in a system of capitalist, racist, and cis-heterosexual violence.

## The Mexican Anti-Trafficking Apparatus in the Context of a Criminal War

Mexico signed the UN Trafficking Protocol in 2003. This led to the enactment of the *Law to Prevent and Punish Human Trafficking* in 2007, which was then replaced in 2012 by the current law, the *General Law to Prevent, Punish and Eradicate Crimes of Trafficking in Persons and for the Protection of and Assistance to Victims of These Crimes*. The new law harmonised the definitions with the UN Protocol, including the semantic ambiguity of 'sexual exploitation',<sup>24</sup> which has resulted in the criminalisation of autonomous sex markets and their regulation. The *General Law* and state laws in Mexico conceptualise human trafficking as a crime committed by organised crime groups and focus on trafficking for sexual exploitation, mostly of cis women, without distinguishing between sex work and trafficking.

---

<sup>23</sup> Mbembe.

<sup>24</sup> Lamas, 2014.

At the global level, an *anti-trafficking apparatus*<sup>25</sup> has been established, described as a network of hierarchical knowledge/power relations, which constructs subjects and regimes of truth about human trafficking in a given historical, social, and political moment. These power relations are embodied through various technologies that function at different levels and generate discourses of truth in and about the social body.

The Mexican anti-trafficking apparatus was formed in a context in which, starting in 2006 under the government of Felipe Calderón, one of the strategies to confront potential threats against national security became the so-called ‘War on Drugs’, which militarised security and daily life and created an enemy to combat: organised crime.<sup>26</sup> This criminal war continues, with some differences, to this day.

Historically, Mexico’s drug prohibition policy started at the beginning of the twentieth century, under pressure from the United States and the ‘consolidation of a global drug prohibition regime’.<sup>27</sup> However, drug trafficking, human trafficking, and migrant smuggling have been explicitly treated as national security issues against ‘organised crime’ since 2008, following the signing of bilateral agreements with the US. Security agreements that began with the *Merida Initiative*, which was focused on ‘combating’ organised crime, strengthening borders, and—from

---

<sup>25</sup> In Mexico, we have developed this concept based on two theoretical sources: One is Foucault’s proposal to explain the existence of a network of knowledge and power relations, which operate through a series of elements that, together, function as a dominant strategy to address a problem. (See M Foucault, *Historia de la sexualidad 1. La voluntad del saber*, Siglo XXI, Mexico, 2009.) In this case, these are the laws to combat trafficking and support victims; public policies against trafficking; government and non-government organisations and others that not only define the phenomenon but also develop political actions to address it. The other source of inspiration are critical anti-trafficking scholars, among them: Adriana Piscitelli in Brazil who calls it the ‘anti-trafficking regime’; Laura Agustín who analyses the ‘rescue industry’ in Spain; Cecilia Varela in Argentina who analyses it as ‘anti-trafficking narratives and campaigns’; Kamala Kempadoo in Canada who discusses human trafficking narratives from ‘modern slavery’, abolitionist feminism, and humanitarian perspectives; and Gabriella Sanchez who questions state-centric narratives about smuggling and trafficking of minors on the northern border of Mexico.

<sup>26</sup> Atuesta Becerra; S Pérez Dávila and L H Atuesta Becerra, *Fragmentación y cooperación: la evolución del crimen organizado en México*, Centro de Investigación y Docencia Económicas A.C. Región Centro, Open Society Foundations, Aguascalientes, 2016; Trejo and Ley.

<sup>27</sup> N Olvera, ‘Policías, toxicómanos y traficantes: el control de drogas en la Ciudad de México (1920-1943)’, Master’s Thesis in Social Anthropology, CIESAS-CdMx, 2016, p. 6.



2014, with a special budget—‘combatting’ human trafficking.<sup>28</sup>

The discourse and strategies of national security derive from the penal state and the prison system and policies that emerged in the United States at the end of the twentieth century and operate as the impetus for the ‘War on Crime’. They have become a ‘theoretical source and practical inspiration’, generating technologies and security policies *made in* the USA.<sup>29</sup> This discourse of national security, penal policies, and the ‘War on Drugs’ view crime as the isolated actions of individuals and not in the context of repression, exclusion, marginalisation, or racism that operate in the production of these very laws and in social relations.<sup>30</sup>

The result of this criminal war has been the exacerbation of violence throughout the country and in all its expressions where the state itself, ‘the army, the navy, and the municipal, state, and federal police forces have been participants in multiple forms of violence such as torture, extrajudicial executions, and enforced disappearances.’<sup>31</sup> According to data from the Mexican Commission for the Defense and Promotion of Human Rights,<sup>32</sup> between 2006 and 2019, the Attorney General’s Office initiated 13,560 criminal investigations for the crime of torture exercised by various public servants, plus 21,360 investigations in state prosecutors’ offices.<sup>33</sup> However, the reported cases do not necessarily reflect the prevalence of these crimes, as they are under-reported due to perpetrators’ impunity.

---

<sup>28</sup> V Maldonado, ‘Relaciones entre Trata de Personas y Trabajo Sexual en la frontera México-Guatemala: distinciones para su análisis’, Master’s Thesis in Social Anthropology, CIESAS-CdMx, 2016.

<sup>29</sup> Wacquant.

<sup>30</sup> Maldonado, 2016.

<sup>31</sup> A Ramírez, ‘Comunidades políticas de la pérdida: resistencia y construcción de memoria en familiares de desaparecidos’, Master’s Thesis, Centro Universitario de Ciencias Sociales y Humanidades, Universidad de Guadalajara, 2016, p. 61.

<sup>32</sup> J Amaya *et al.*, *Entre la brutalidad y la impunidad. Los crímenes atroces cometidos al amparo de la estrategia de seguridad militarizada (2006–2018)*, Comisión Mexicana de Defensa y Promoción de los Derechos Humanos, A.C., Mexico, 2020.

<sup>33</sup> In its latest 2023 report, the National Registry of the Crime of Torture (RENADET), under the Attorney General’s Office, states that between 1 January 2018 and 30 September 2023, it has opened a total of 17,837 cases of ‘torture and other cruel, inhuman or degrading treatment or punishment’, in 27 of the 32 states; however, there is no indication in how many of these cases the perpetrators are agents of the State. See Fiscalía General de la República, *Registro Nacional del Delito de Tortura (RENADET) Presentación de estadísticas públicas, nacionales (fuero federal y fuero común)*, 2023, retrieved 19 March 2024, [https://renadet.fgr.org.mx/assets/docs/01\\_RENADET\\_Nacional\\_18-Sep2023.pdf](https://renadet.fgr.org.mx/assets/docs/01_RENADET_Nacional_18-Sep2023.pdf).

[In Mexico] there are official numbers that record the murders committed each year and we can say that, since 2006, more than 370,000 intentional homicides and femicides have been reported. But there is no way to gauge the accuracy of the official numbers, to know which of these deaths should be counted as results of the armed conflict.

In addition, the victims officially registered by the National Institute of Statistics and Geography (INEGI) do not include, for example, 111,000 missing persons, a number that the authorities themselves consider to only offer an approximate idea of the size of the problem because there is no possibility of having an exact figure either. Of course, those counts do not include the victims who lie in hundreds or thousands of clandestine graves that remain hidden throughout the country, waiting for a group of searching mothers, those who travel miles every day looking for their sons and daughters.<sup>34</sup>

Research by academics<sup>35</sup> and human rights organisations<sup>36</sup> has documented the crimes and effects of the criminal war, demonstrating that this securitisation and militarisation of daily life does not address or resolve the origins of precariousness or social and economic inequality or violence that could be considered the basis of organised crime; on the contrary, it produces, reproduces, and exacerbates them.<sup>37</sup>

The geography and the context of criminal war and securitisation was the framework that outlined the central interests in the bilateral relationship between the United States and Mexico: irregular migration, border ‘security’, ‘ungoverned

---

<sup>34</sup> Data Cívica, ‘Permiso para matar. Asesinatos y desapariciones por agentes federales y estatales’, 2022, <https://permisoparamatar.org/capitulo/1>.

<sup>35</sup> Ramírez, 2016; A Ramírez, ‘Política y (po)ética de vivos y muertos: Caminos para rehacer el mundo después de la desaparición forzada y la muerte violenta’, Doctoral Thesis in Social Anthropology, CIESAS-CdMx, Mexico, 2022; S Gerardo, ‘Masacre y desaparición’, Presentation at the Course on Assistance to Victims of Enforced Disappearance and Society, CAP-CUAM, Campeche, Mexico, 2021; A G Rojo Fierro, ‘La guerra contra el narcotráfico en México, ¿un conflicto armado no internacional no reconocido?’, *Foro Internacional*, vol. 60, no. 4, 2021, pp. 1415–1462, <https://doi.org/10.24201/fi.v60i4.2628>; N L De Marínis and R A Hernández Castillo (eds.), *Resistir en la sombra de la pandemia: Las violencias de género en México en el contexto de la COVID 19*, CIESAS/COLMICH (forthcoming).

<sup>36</sup> Amaya *et al.*; Equis Justicia para las Mujeres, Intersecta y Red Nacional de Refugios, *Las dos pandemias: Violencia contra mujeres indígenas en el contexto de COVID-19*, 2020, <https://equis.org.mx/wp-content/uploads/2020/08/informe-dospandemiasmexico.pdf>; Data Cívica.

<sup>37</sup> Data Cívica.

areas', human trafficking, and the alleged threat that links them all, drug trafficking.<sup>38</sup> All kinds of state violations of human rights, the militarisation of daily life, and the presence of US armed forces in the country have been exercised and justified by this national security approach.

Although drug production and trafficking are the priority issues of these agreements, in regional cooperation with the United States, irregularised migration<sup>39</sup> (legally termed irregular),<sup>40</sup> human trafficking, and smuggling are also targets of persecution.

With all of the above said, in a Mexico devastated and in permanent mourning as a result of the multiple social, human, and material consequences of this criminal war, the violences of the state are committed against specific people—some by action and others by omission—in the name of national security and the war against drug trafficking. Such reasoning has also been used and validated by the Mexican anti-trafficking apparatus.

## Experiencing Criminal War in the Body: Surviving human trafficking and the state's failures

In Mexico, we live *de facto* in a criminal war or a multiplicity of criminal wars. This has resulted in profound damage to the social fabric of the populations, forced displacement, kidnappings, extortion, massacres, human trafficking,

---

<sup>38</sup> M Rodríguez Rejas, *La Norteamericanización de la seguridad en América Latina*, Akal/Inter Pares, Argentina, 2017.

<sup>39</sup> The term 'irregularised migration' draws attention to migration control policies as producers of irregularity sustained within a global border control regime that operates with a systemic functionality 'to produce irregularized and disposable subjects [...] as an element of contemporary neoliberal capitalism'. See S Álvarez, 'Etnografías y violencias en comunidades en movimiento y circulación migratoria Legados de la primera inmersión en el campo. Desmantelando preconcepciones del sentido común, la selectividad nacionalista, y politizando la etnografía del tránsito migratorio irregularizado', in Y C Neira and A Blazquez (eds.), *Micropolíticas de la violencia. Reflexiones sobre el trabajo de campo en contextos de guerra, conflicto y violencia*, Cuadernos de Trabajo de Meso, Paris, 2017, p. 54.

<sup>40</sup> These forms of securitisation of mobility become relevant in a country like Mexico, which, on the one hand, is the country of origin, transit, and destination of millions of irregular migrants from the Global South, but on the other, the number of Mexican people who have been forcibly displaced has grown due to the violence of the war context. See V Ruíz-Lagier and A Varela-Huerta, 'Caravanas de migrantes y refugiados en tránsito por México: el éxodo de jóvenes hondureños que buscan, migrando, preservar la vida', *Entre diversidades*, vol. 7, issue 14, 2020, pp. 92–129, <https://doi.org/10.31644/ED.V7.N1.2020.A04>.

violent deaths, enforced disappearances, as well as daily extrajudicial executions. Officially, there are 115,353 people reported missing in the country,<sup>41</sup> and we are also experiencing a forensic crisis with more than 52,000 unidentified bodies,<sup>42</sup> in addition to thousands of clandestine graves across the country.

This situation of criminal war is intertwined with the continuum of violence<sup>43</sup> produced in the current capitalist, neoliberal, and neocolonial mode of production and based on accumulation by dispossession,<sup>44</sup> which has structured contemporary Latin American states and economies. All this has resulted in armed conflicts, the weakening of national economies, the militarisation of daily life, and the increasing exacerbation of economic inequalities.

Human trafficking in Mexico has this structural origin, embedded in a long historical process of dispossession and grievances, which generates differentiated access to rights based on racialisation, class, sex, and gender. It is not an event of individual wills or subjective evils. The human trafficking reported in this article is of the kind that operates under a specific context of criminal war, controlled by organised and state crime groups linked to the drug trade and related to territorial control and the construction of messages of terror for the population.<sup>45</sup> This is sustained by the criminalisation of drugs and the violent national security policy that places human trafficking and drug trafficking as two actions linked to each other, which must be 'combatted' with military force, instead of addressing the contexts of exclusion, marginalisation, and precarisation of life. As Rita Segato states regarding the 'War on Drugs':

---

<sup>41</sup> According to official figures from the National Registry of Missing Persons (RNPDO) as of 5 April 2024: <https://versionpublicarnpdno.segob.gob.mx/Dashboard/ContextoGeneral>. In these official records, there are several sub-records, some due to the fact that not all disappearances are reported due to the complicity of government officials in the disappearance and others because the missing persons registration system does not record gender identity, so in Mexico we have no idea how many trans people are missing or located.

<sup>42</sup> 'Crisis forense y propuesta de política pública forense desde el Gobierno Federal', presentation by Alejandro Encinas, Undersecretary of Human Rights of the Secretary of the Interior, 17 March 2022, <http://www.alejandroencinas.mx/wp-content/uploads/2022/03/Crisis-forense-y-propuesta-17mar22.pdf>.

<sup>43</sup> R A Hernández Castillo, 'Etnografía feminista en contextos de múltiples violencias', *Alteridades*, vol. 31, no. 62, 2021, pp. 41–55, <https://doi.org/10.24275/uam/izt/dcsh/alteridades/2021v31n62/hernandez>.

<sup>44</sup> D Harvey, *The New Imperialism*, Oxford University Press, Oxford, 2003.

<sup>45</sup> This does not mean that only organised crime groups are the perpetrators or that trafficking has emerged with them. There are other instances of trafficking, such as of indigenous Guatemalan women forced into domestic work by privileged Mexican families on Mexico's southern border, or the men, women, and children in situations of trafficking in the country's agricultural sectors.

Armed groups interweave and hybridise with parts of the State and with parastatal forces. The multiplication of the actors also implies a strong network of economies that recruit and live off these conflicts, growing decisively as an economic opportunity for many people, young and not so young, stripped of other possibilities of resolving life.<sup>46</sup>

The case of trafficking that we discuss is not the kind that corresponds with the dominant narrative of the Mexican anti-trafficking apparatus, which posits ‘trafficking for the purpose of sexual exploitation’ as the most common form and proposes the abolition of sex work and the criminalisation of irregular migration as the main actions to combat it.<sup>47</sup>

It is within the context of criminal war and the Mexican anti-trafficking apparatus that we locate the story of Victoria, a self-described 32-year-old trans woman, who was born and lived during those years in Tlacotepec, a small municipality with no more than 8,500 inhabitants, located in the Sierra Madre del Sur in the state of Guerrero, Mexico. Guerrero has a total population of 3,540,685 inhabitants<sup>48</sup> and in 2020, 66.5% of the population lived in poverty or extreme poverty, 22% above the national average.<sup>49</sup>

Exclusion, impoverishment, and impunity have placed the state of Guerrero in a complex web of various armed groups since the 1960s, when armed organisations of political dissidents arose in the face of authoritarianism, exclusion, and the denial of rights.<sup>50</sup> Currently, without any change in the structural and state violence,

---

<sup>46</sup> R Segato, *Las nuevas formas de la guerra y el cuerpo de las mujeres*, Pez en el árbol, Puebla, 2014, p. 7.

<sup>47</sup> L Jiménez, ‘Darle sentido a la trata: ¿quién, cómo y para qué? Reflexiones teóricas y experiencias de resistencia en torno a las narrativas míticas de la trata sexual de mujeres’, in K Tinat and C Laverde (eds.), *Más allá del rescate de víctimas. Trabajo sexual y dispositivos antitrata*, El Colegio de México, Mexico, 2021, pp. 145–180; L Jiménez, ‘Representaciones de la trata sexual de mujeres en contextos neoliberales: El papel de los productos culturales en la operación del dispositivo antitrata’, *Critical Reviews on Latin American Research*, vol. 10, no. 1, 2022, pp. 85–98; V Maldonado, ‘La criminalización selectiva del dispositivo antitrata en México. Experiencias de mujeres trans migrantes y trabajadoras sexuales’, *Papel Político*, vol. 27, 2022, <https://doi.org/10.11144/Javeriana.papo27.csda>; Maldonado, 2023.

<sup>48</sup> ‘Censo de Población y Vivienda 2020’, Instituto Nacional de Estadística y Geografía (INEGI), <https://www.inegi.org.mx>.

<sup>49</sup> Consejo Nacional de Evaluación de la Política de Desarrollo Social, *Informe de pobreza y evaluación 2020*, Coneval, Guerrero, 2020.

<sup>50</sup> F Ávila, ‘Problemas para el estudio de la guerrilla del Partido de los Pobres (PDLP), Atoyac, Guerrero (1972-2012)’, Master’s Thesis in History, UNAM, 2013.

people from various villages have also organised in self-defence groups.<sup>51</sup>

Guerrero is one of the states with the highest poppy production in the country.<sup>52</sup> The poppy is a plant that produces opium in its flowers, from which morphine, heroin, and other psychoactive substances are obtained for medicinal, scientific, or recreational use.<sup>53</sup> Guerrero is also the territory of operations and disputes between various armed groups who belong to the drug market.

Victoria's work oscillated between sex work and styling in a beauty salon that she established with a financial partner. Her life was spent amid social violence that has become naturalised in Mexico. She narrates:

*In Tlacotepec, most people grow poppies and marijuana to survive, it is a very important place for drug traffickers. It's their region. There have been entire villages [whose inhabitants] leave, that migrate to other cities because you can't live there, it's like a prison. There, drug traffickers can grab you and force you to do whatever they want, from being a lookout, a cook, a sex slave, a hitman, whatever they want! They threaten you and your family to do what they ask, if not, they will kill you and your family. They are the law. People are tortured, murdered, and found in ditches every day. And I never imagined that one day they were going to kidnap us and [take over] the business, I never imagined that what I heard was happening would happen to me.<sup>54</sup>*

The operation of armed groups that have spread throughout Mexico is a response to the criminalisation of drugs and a state that is involved in drug trafficking networks, which, in turn, creates cities, such as the one described by Victoria, where armed groups operate as the law, i.e., they make decisions about people, territories, and social relations. Thus, the forms, nuances, and distribution of violence are determined by moments of peace and conflicts between state and non-state armed groups and distributed in a differentiated way throughout the territory.

---

<sup>51</sup> Guerrero is also the scene of the enforced disappearance of 43 students from the Raúl Isidro Burgos Rural Normal School in Ayotzinapa in September 2014, a crime in which the state and municipal governments, security forces, and armed forces were involved. See A Ramírez and H Guerrero, *Ayotzinapa frente a la mentira institucionalizada*, Fundar, Mexico, 2023.

<sup>52</sup> UNODC, *México, Monitoreo de Plantíos de Amapola 2019-2020*, Mexico, 2022.

<sup>53</sup> Olvera; G Ventura, *El conflicto detrás de la regulación de la amapola con fines médicos y científicos en México*, Thesis to obtain the degree of Specialist in negotiation and conflict management, UNAM, 2020.

<sup>54</sup> All quotes of Victoria in this article are excerpts from an interview conducted with her in August 2019 in Tijuana, Mexico.

It is in these contexts, where armed groups control the social, economic, and political life of entire communities, that human trafficking operates (even before the emergence of these groups).<sup>55</sup> However, it seems that when human trafficking is not perpetrated to sexually exploit children or cis women, or if it is perpetrated against trans women, it is invisible to the anti-trafficking apparatus.<sup>56</sup> In order to move away from the dominant, moralising narratives aimed at the abolition of the sex trade, it is thus of vital importance to highlight the experiences of people who have gone through situations of trafficking, and to identify, name, and integrate an intersectional perspective in analysing these experiences. Victoria narrates:

*I had a normal life, I ran my beauty salon together with a friend who was also trans, but one day the drug traffickers took over our beauty salon and our business. We could never say no to them because we knew what would happen if we did. At first, they only 'charged rent'<sup>57</sup> of MXN 5,000 (USD 250) per month. We worked just to give them the money, there was nothing left for us.*

*One day we told them that we didn't have any more money, so they said that they were going to keep the business and that my partner and I had to stay and work there. That's how they kept me locked up for almost 10 months, from August 2018 to May 2019. Ten months locked up without being able to sleep day or night, without being able to know if something was going to happen to me or not. So, I decided to run away, and I ran away, I did, I succeeded!*

In Victoria's account, we find the central elements that make up the crime of human trafficking: recruitment (actions), force and coercion (means), and labour exploitation or servitude (purpose). Likewise, it demonstrates that trafficking is carried out by organised armed groups that control territories, not only in terms of drug trafficking, but in a diversity of economies (formal and informal),

---

<sup>55</sup> In the region around Guerrero, there are no non-governmental organisations or international humanitarian organisations that assist victims of trafficking. There are very few complaints about crimes (not only trafficking, but any crime that involves government actors) due to the collusion between the state and organised crime, and the permanent armed conflict that plagues the region.

<sup>56</sup> It should be noted that the *General Law* on trafficking does not explicitly recognise trans women as women; therefore, the application of the law is at the discretion of the implementer. The government statistics of trafficking only indicate 'women' and 'men' in terms of gender, so it is not clear if there are trans people who have reported being trafficked or if they have been identified as possible victims.

<sup>57</sup> In Mexico, this (*cobro de piso* in Spanish or 'floor charge') refers to an activity carried out by various criminal groups, who extort merchants by demanding payment of fees. This 'rent', along with threats and murders, are an expression of power, violence, and territorial control, and also send messages to other armed actors.

dehumanising people through coercion and physical, psychological, and verbal violence.

Victoria's story allows us to understand the local specificities of human trafficking linked to the conditions of structural, state, and governmental violence in which she lived (before the trafficking process) and where she situates the violation of her rights. It shows that she is far from a fragile and passive victim; she has the capacity for action. She also shows how the punitive logic and practices of national security in Mexico do not transform the contexts of inequality and violence, and that the State is even less interested in identifying and addressing cases of trafficking outside of its limited focus on cisgender women in sexual economies or under immigration control operations.<sup>58</sup>

Another element that Victoria makes legible about trafficking is how it is linked to the transphobia and homophobia in Mexican society:

*It's been three months since I left. Because they lock you up, and your life is the guarantee that you're going to be there. They had locked me and my trans friend in rooms. At first, I didn't accept that this was happening to me, I thought that they were going to reconsider at some point and set us free, that they were going to tell us that we could leave. But many months passed and the truth is that I couldn't stand it anymore. Above all, because I couldn't sleep, thinking what will happen to me tomorrow? What will happen if I disobey? What will I do if something goes wrong?*

*When I was locked up, they threatened me all the time with weapons, they didn't threaten my family, because my family abandoned me when they found out that I was trans. I was 16 years old, so it was easier to escape. Obviously, I didn't have access to my social networks, or Facebook, or WhatsApp, or anything, they took away my phone and all external communication.*

*During the day, the beauty salon seemed like a normal salon, but after 10 p.m. they started drinking and doing their things. They humiliated me, they made fun of me a lot, they yelled at me. I already knew I was gay; they didn't need to repeat it all the time. They did a lot of damage to my body and my dignity; the last time was when I decided I wasn't going to*

---

<sup>58</sup> This claim that Mexican anti-trafficking initiatives and policies focus on cisgender women in sexual economies and immigration control operations stems from our experience conducting field research for more than ten years with cis and trans sex workers in different parts of the country, with migrants transiting through Mexico, (cis and trans) women who have experienced trafficking, anti-trafficking police forces, and bureaucracies that deal with trafficking. See, e.g., Jiménez, 2019, Maldonado, 2023, and our other publications.



*stay there, I didn't want to live the same experience for the rest of my life. All my childhood I suffered discrimination for being homosexual, and then becoming an adult and going back to the same thing? No! And on top of everything, being locked up and yelled at every day that you're worthless because you're gay, no!*

Victoria's story allows us to identify various elements of the experience of living through human trafficking, which are ignored in the dominant narrative and by the anti-trafficking apparatus. One is to situate the violations within the trafficking experience and how these are not necessarily located in the realm of 'sexual exploitation' or sexual exchanges, but in the continuum of homophobic and transphobic violence that permeates all spheres of life. This violence is a product of deeply ingrained cis-heterosexual norms and its expression traverses social, ethnic, political, family, school institutions, and all social relations. For the Mexican state, these elements are not even part of its understanding of trafficking, much less in the perspective of care for victims of trafficking.

Machismo, sexism, homophobia, and transphobia are produced and reproduced in various spaces. They are effects of a biopolitical and sexuality apparatus<sup>59</sup> that seeks to control and normalise certain dichotomous cis-heterosexual binary practices. Victoria's story also forces us to see the specificity of trans women's experiences with trafficking from their structural dimensions. Although trans people in Mexico have the right to register their identity as women (in this case),<sup>60</sup> they are subjected to constant harassment and educational, family, labour, and social exclusion because of their identity and dissident sex and gender expression. In addition to homophobic and transphobic violence, they also experience job insecurity and have limited work opportunities, due to transphobia, discrimination, and stigmatisation directed against trans women.<sup>61</sup>

Human trafficking in Mexico is used as an argument to justify national security policies, the militarisation of daily life, and the securitisation of migration and sex work; however, the trafficking that does occur is invisible to the anti-trafficking policy. Most of the experiences of human trafficking that we have documented in the last 10 years of ethnographic work (between Mexico, Guatemala, and Honduras) do not take place in the sexual sphere, and in none of the cases have the people who found a way out of the trafficking processes been 'rescued' by the anti-trafficking apparatus or any other type of government operations. All our interlocutors have survived and escaped those spaces by themselves, with their own means, using their own agency and the networks they managed to build

---

<sup>59</sup> Foucault.

<sup>60</sup> Twenty-two Mexican states have a gender identity law, which allows people of legal age to change the gender marker in their identity documents.

<sup>61</sup> Maldonado, 2023.

even within the situations of trafficking, Victoria narrates:

*One day they recruited a new boy from the mountains and they sent me with him to buy dyes for the salon. At that time, they were running out of people, because other groups had been killing their people in confrontations. When that happened, they would recruit more people, then the ones with more experience would surveil the area and the new ones would stay there [in their headquarters]. So, I went with one of those new guys. We went to Walmart, he went into the bathroom and because we couldn't go at the same time, he went in and told me: 'I'm going to go in, don't move or go anywhere.' At the time, he didn't know how things worked, he would call all the time to ask what he had to do and how he had to do it.*

*He went into the bathroom for about two minutes. And in that moment, I saw that the Urban [local public transport] stop was exactly by the bathroom exit. So I left the bags there and with the change I had from the things I'd bought, I got on the Urban bus, paid my fare, and went to the north of the city. There I took a bus to Mexico City. And from Mexico City to here.*

Victoria's experience highlights one of the ways to escape from a situation of human trafficking without any help from the state, and the total absence of public policies in terms of prevention and care for people in trafficking situations. And Victoria's case is not the only one. During Vanessa Maldonado's fieldwork on Mexico's northern border, kidnapping of migrants for economic extortion, forced recruitment, or human trafficking were a daily reality. Every day, hundreds of young people (men and women) are kidnapped, held, and forced into labour by the organisations that govern or dispute territories. This violence thrives in economic precariousness, racial and sex-gender radicalisation of poverty, and in the daily exploitation of human labour embedded in the capitalist system.<sup>62</sup> It appears to be invisible in discussions of trafficking, thus legitimising labour exploitation in the agricultural sector, in *maquiladoras*, or in other workplaces, where the exploitation of the working class is evident and quotidian.

Class violence, labour exploitation, and the enslavement of women, men, and children in the world have been central in and the engine for the capitalist system of accumulation and reproduction, where 'life is subordinated to the production of profit [and] the accumulation of labor-power can only be achieved with the

---

<sup>62</sup> Capitalist systems imply the exploitation of workers and dispossession of the labour force (see Harvey), but governments do not seem concerned by these exploitative practices. On the contrary, they are complicit; in the case of Mexico, through the promotion of social and criminal policies (Wacquant, 2010) to the detriment of the precarious and working classes.

maximum of violence so that, in Maria Mies' words, violence itself becomes the most productive force.<sup>63</sup>

To be a trans woman in this context is to risk one's life every day given the prevalence of transphobia and sexism, and the daily and normalised transfemicides. Trans women's life expectancy across Latin America is 35 years, half the average life expectancy of cisgender women.

Victoria's case is just one of many: there are thousands of trans women who live in a country that does not guarantee their access to rights and also ignores them when they experience social violence or specific crimes.

## Conclusion

In Mexico, there are 'racialised geographies where organised crime violence, militarisation, and the violence of paramilitary groups are concentrated'.<sup>64</sup> The Mexican state operates under a structural racism and heterosexism which also organise the distribution of violence and vulnerabilities. It is in this geospatial distribution of violence that we find human trafficking and the effects of anti-trafficking operations. Effects that have been ignored by a state that, as seen in this article, constructs inefficient anti-trafficking policies, permeated by security and punitive perspectives, with a discourse of 'victims' mobilised as a category linked to an essentialist perspective of (cisgender) women and girls. Mexico's anti-trafficking apparatus neither proposes that, in order to eradicate human trafficking, the contexts that produce social and economic inequalities must be transformed, nor does it acknowledge the existence of structural systems that allow these conditions to exist. On the contrary, it enables these systems and their technologies of power to keep these contexts and scenarios intact.

Finally, Victoria's experience allows us to reflect on the various expressions of human trafficking that trans people in Mexico may experience, beyond trafficking for sexual exploitation, and their relationship with the violence and vulnerabilities of their specific contexts, characterised by a growing presence of armed groups, as well as the effects of forced displacement. The analysis of trans people's experiences involves elaborating a critique of the heterosexist bias of anti-trafficking policies and transphobia that operates through an anti-trafficking apparatus that does not recognise trans people as subjects who are vulnerable to this form of violence.

<sup>63</sup> S Federici, *Caliban and the Witch*, Autonomedia, New York, 2004, p. 16.

<sup>64</sup> R A Hernández Castillo, 'La guerra contra el narco. Violencias de género, militarización y criminalización de los pueblos indígenas', in S Bastos and M T Sierra (eds.), *Pueblos indígenas y Estado en México. La disputa por la justicia y los derechos*, CIESAS, Mexico, 2017, pp. 245–269.

**Juliana Vanessa Maldonado Macedo** holds a PhD in Social Anthropology from the Center for Research and Higher Studies in Social Anthropology (CIESAS-CdMx). She is an anti-racist and decolonial feminist teacher, researcher, and activist. Her research interests lie in irregularised migrations, migrations of trans women, human trafficking, and the sex trade. She is a member of the Latin American Group for Analysis/Action on Sexual Markets (GLAMSex). Email: [juliana.maldonado@gmail.com](mailto:juliana.maldonado@gmail.com)

**Luz del Carmen Jiménez Portilla** holds a PhD in Political and Social Sciences, with a focus on Sociology, from the National Autonomous University of Mexico (UNAM). She is a feminist researcher at the Gender Studies Center of the Universidad Veracruzana and a member of the Latin American Group for Analysis/Action on Sexual Markets (GLAMSex ). Her research interests lie in the links between feminisms, gender and sexuality norms, and neoliberalism. Email: [luzjimenez@uv.mx](mailto:luzjimenez@uv.mx)