

Mexico: Sheinbaum to Face Militarisation and Human Rights Concerns

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Mexico: Sheinbaum to Face Militarisation and Human Rights Concerns

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Mexico's president-elect Claudia Sheinbaum secured victory by pledging continuity to the outgoing López Obrador presidency. However, under his tenure, the military's power was extended to civilian functions, leading to increased violence and persistent human rights violations. Accountability, civilian control, and transparency will be crucial in Sheinbaum's term in office if violence is to abate.

- Since 2006 the militarisation of public life in Mexico has intensified. Soldiers and civil servants with military training are now taking on tasks largely outside their constitutional role, ranging from fighting crime to detaining migrants, building trains, and controlling airports. Claudia Sheinbaum has pledged to continue involving the Army and National Guard in civilian functions.
- Militarisation has thus far failed to create security, as in Mexico violence and human rights violations remain high. Documented consequences of increased militarisation include extrajudicial executions, escalating lethal violence, enforced disappearances, and violations of migrants' rights.
- Civil society actors play a key role in defending human rights. They gather information on the ground, document, and denounce cases of human rights violations. In some cases, activists themselves have become victims of espionage, state violence, and criminalisation. With the repression of protests and the targeted killings of journalists and human rights defenders, civic space is shrinking.

Policy Implications

The key to addressing human rights violations is to support civil society actors calling for strengthening law enforcement institutions to protect the population, hold those responsible accountable, and provide justice and reparation to victims. The gradual withdrawal of the Army from civilian space and the implementation of a migration and security plan with a human rights focus must be ensured.

President López Obrador's Militarisation Legacy

At the end of February 2023, the Mexican Armed Forces (MAF) killed five young people in a hail of bullets in Nuevo Laredo, in Mexico's northern state of Tamauli-



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pas. This by no means was an isolated incident; there were at least 13 other cases of alleged extrajudicial executions by the National Guard or the MAF between 2019 and 2023. These killings have taken place under a government that had promised to return the military to its barracks. Instead, President Andrés Manuel López Obrador (2018–current) has granted the military power in public security matters and assigned it civilian functions, in discord with its constitutional role. A far-reaching militarisation of Mexican society has resulted.

These decisions have significantly impacted the lives of people in Mexico. They have led to impunity for human rights violations committed by the MAF and the National Guard, as well as by civil servants with military training from the National Migration Institute (Instituto Nacional de Migración, INM). Data shows that extrajudicial executions, enforced disappearances, and other abuses are directly linked to the militarisation of Mexico. In addition, there are numerous indirect victims of this security policy, and organised crime groups have grown and diversified as a result. These crimes include killings and disappearances.

Militarising Mexico

Unlike many other Latin American countries, such as Argentina, Chile, and Guatemala, Mexico has never experienced a military dictatorship, which makes the deepening militarisation currently underway all the more worrying. Former president Felipe Calderón’s (2006–2012) “war on drugs” policy put the military on the streets and set in motion a spiral of violence that continues to this day. Despite the “hugs, not bullets” narrative López Obrador deployed in his campaign, under his presidency militarisation in Mexico has extended beyond the realm of security – including the failed attempt to control organised crime – and penetrated other areas of public life, as the armed forces have been given more civilian functions, more power, and more funding.

According to [Aguilar and Anaya \(2020\)](#), *militarisation* is understood as a process in which different state functions adopt a military logic, viewing problems as threats and resorting to warlike dynamics to solve them. *Militarism* refers to the predominance of military power over civilian power, where the military influences state policy decisions that transcend security and national defence. Mexico is currently experiencing both, as the military, National Guard, and militarised personnel – meaning, public servants with military training and using military logics – take on tasks ranging from fighting crime to detaining migrants, building trains, controlling airports, and even checking bags in the Mexico City metro with little civilian control, accountability, or transparency.

In the National Inventory of Militarisation presented by the Drug Policy Programme (Programa de Política de Drogas, PPD), Mexico United Against Crime (México Unido Contra la Delincuencia, MUCD), and Intersecta, 8 out of 10 transfers of civilian functions or budgets between 2007 and 2022 were allocated to the Secretariat of National Defence (Secretaría de la Defensa Nacional, Sedena). During the López Obrador government, during which the ruling Morena party has enjoyed a majority in Parliament, two constitutional reforms and 12 legal reforms have expanded military functions. In addition, the president has used agreements and presidential decrees to create companies under the control of Sedena that

participate in public works, thus creating risks of opacity and unchecked military power inconsistent with the Mexican Constitution (PPD 2024).

One of the constitutional reforms included the creation of the National Guard to replace the civilian Federal Police. The Constitution defines the new force as a civilian body, with transitional provisions stipulating that the MAF's participation in security matters would be exceptional for some years and would be extraordinary, regulated, supervised, subordinated, and complementary vis-à-vis the National Guard. However, the López Obrador government gave control of the National Guard to Sedena, both de facto and de jure, with a law extending Sedena's control from five to nine years. In April 2023 the Supreme Court overturned part of these reforms through an unconstitutionality action. This was an important decision, although in practice the militarisation of the National Guard continues in the forms of military training, military command, and military-style discipline.

In the understanding of organisations such as MUCD, the MAF uses militaristic rhetoric that extols the virtues of military bodies to justify its involvement in civilian projects, turning them opaque. The assignment of new functions is accompanied by budget allocations. Since 2006 the MAF's budget has increased by 390 per cent, since 2020 by 42 per cent (MUCD 2024).

Serious Human Rights Violations by the Mexican Armed Forces

Torture; cruel, inhuman, and degrading treatment; sexual violence; enforced disappearances; and extrajudicial executions are considered serious human rights violations. In the context of the militarisation of Mexico, national and international organisations have reported that the MAF has a history of committing these practices against the civilian population. This has led to at least six rulings by the Inter-American Court of Human Rights against Mexico where the Army was the perpetrator (Colectivo EPUMx 2023).

President López Obrador has insisted that the MAF and the National Guard must respect human rights, citing this as his order as commander-in-chief, and has claimed that the massacres under his government have not worsened compared to previously. While there are reports of a decrease in human rights complaints against the MAF, with the National Human Rights Commission (Comisión Nacional de Derechos Humanos, CNDH) noting a 56 per cent decrease in military abuses between 2013 and 2018 compared to the period from 2007 to 2012, this decrease may not tell the whole story. Victims may be reluctant to file complaints due to a lack of trust in the institution, fear of retaliation, or a belief that the investigation process will be obstructed. The MAF and the National Guard remain among the federal institutions which most frequently violate human rights. Between 2019 and 2022 the CNDH recorded 43 complaints of enforced disappearances and 45 complaints of extrajudicial killings against Sedena, the Navy, and the National Guard.

Rights abuses take a particularly devastating toll on women, especially when these abuses take the form of sexual violence. Shockingly, according to Colectivo EPUMx, more than 238,000 women over the age of 15 have been physically,

psychologically, and/or sexually abused by the MAF. In 2021 alone, more than 86,000 women were victims of such attacks, 54 per cent of which involved sexual violence, 41 per cent psychological abuse, and 5 per cent physical harm (Colectivo EPUmX 2023).

Concerning extrajudicial executions, there have been five tragic cases in Tamaulipas, one of which was that of the five unarmed young men massacred by the MAF. Among other victims in Mexico were several young men, including a student from the University of Guanajuato, and a girl of only four years. In addition, according to Sedena, the number of deaths due to violence by the MAF has risen to 800. This raises critical questions about compliance with international principles governing the use of force, such as legality, absolute necessity, proportionality, and accountability in these deadly encounters.

Enforced disappearances are defined as those carried out either by state agents or with the tacit approval of the state. Since the beginning of Calderón's "war on drugs," some cases of enforced disappearance implicating the MAF have emerged; in particular, the tragic disappearance of the 43 students from Ayotzinapa is a stark example in which the active role of the Army has been acknowledged. To add insult to injury, perpetrators often go unpunished. Although the Mexican Constitution stipulates that military personnel involved in human rights violations should be tried in civilian courts, trials rarely ensure accountability or investigate the chain of command. Moreover, a veil of opacity shrouds these incidents, preventing access to information that is essential for truth and justice.

Violence as a Consequence of the "War on Drugs"

The study of violence in Latin America requires an examination of the region's relationship with organised crime. Because of the corruption and impunity prevalent in many countries, organised crime occupies a prominent place on the security agendas of several Latin American governments, as in the case of Mexico. Organised crime is not just a category of crime but a conduit for a variety of criminal activities orchestrated by well-coordinated groups. By taking a militarised approach, these governments "fight" organised crime using methods of military discipline and weapons typically reserved for warfare. However, this approach often targets suspected criminals at the expense of the civilian population and lacks comprehensive crime prevention strategies.

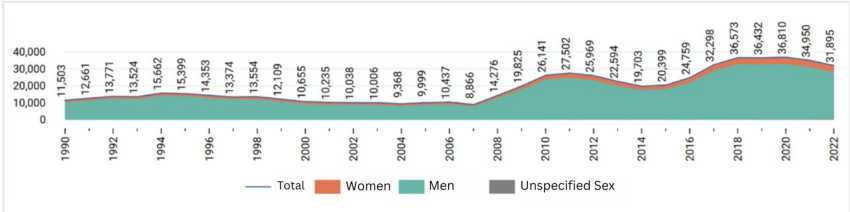
In Mexico, drug-trafficking organisations have emerged as a major threat to security, social stability, and political integrity. This threat extends beyond mere clashes between drug-trafficking organisations and the government to include violent turf wars between rival criminal factions. Under pressure from the United States, Mexico has pursued a strategy of "decapitation" against criminal groups – capturing or killing their leaders. However, this approach often proves ineffective, as groups replace their leadership or fragment into new factions, especially in the presence of lucrative illicit markets (Atuesta and Pérez 2016).

As a result, the issue of succession becomes a recurring challenge, as the power vacuum left behind tends to be filled by the most ruthless or capable individuals, with ruthlessness often being prized by cartel members, leading to territorial

struggles between cartels taking on very violent forms. This strategy has led to an increase in the number of drug-trafficking organisations, as cartels have fragmented, their growth facilitated by structural impunity, and they can more easily (and sometimes forcibly) recruit young people (Atuesta and Pérez 2016).

While it is not possible to attribute the rise in homicides to the increased presence of the military in non-military roles, the presence of Army personnel in public security roles has not reduced homicides or violence in the country. Mexico is in a deadly spiral of violence that has intensified in recent years. According to the “Atlas of Homicides, Mexico 2022: A Never-Ending Crisis” (MUCD), in 2006 Mexico recorded an average of 10,000 homicides a year, a figure that rose to over 20,000 by 2010. Since 2017 this number has risen to over 30,000 victims per year. The “Atlas” also sheds light on the demographics of victims, highlighting that the largest age group affected are those between 25 and 29 years old (MUCD 2023).

Figure 1. Homicides by Gender in Mexico, 1990–2022



Source: MUCD with INEGI data.

Although the majority of homicide victims are men, it is important to distinguish generalised homicide from the specific characteristics of femicide. According to MUCD, the number of homicide victims under the age of 15 was almost five times higher for girls than for boys in 2022. The ways they are killed is also significant: while 71 per cent of boys and men were killed with a firearm, this figure is 59 per cent for girls and women, while 14 per cent of girls and women were fatally injured by physical force, compared with 7 per cent of men. The location of these homicides is also important, as women were twice as likely to be attacked at home (26 per cent) compared to men (12 per cent). A significant change observed with militarisation policies is the increase in murders of women in public spaces since 2009, having since surpassed those in the home.

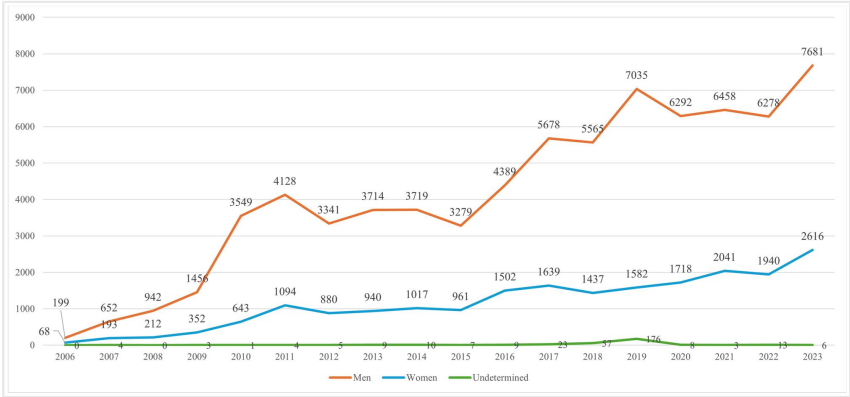
Femicide refers to the targeted killing of women because of their gender. It is a hate crime rooted in machismo-based discrimination and often involves prior sexual or physical violence, desecration of the victim’s body, and public display of the body after death. Femicide is difficult to measure accurately, however, due to under-reporting and inadequate investigations by prosecutors. It is therefore difficult to calculate the increase in femicides as a consequence of the government’s militaristic strategy.

Disappeared Again and Again in an Endless War

Disappearances are a form of double suffering: On the one hand, the victims are often tortured and live in fear of losing their lives. On the other hand, the families, not knowing the whereabouts of their loved ones, exist in an uncertain limbo between hope and despair. They often wait for years for news that is unlikely to ever arrive. Enforced disappearances deprive victims of their right to a violence-free life, to liberty, and to freedom from torture. In many cases, enforced disappearances also result in the ultimate violation of the right to life, as victims are often murdered.

According to the National Registry of Missing and Disappeared Persons (Registro Nacional de Personas Desaparecidas y No Localizadas, RNPNDNO), more than 317,500 people have disappeared and then been located since the register began in 1952. More than 114,000 people are still missing. Of note, almost 100,000 cases were registered between 1 January 2006 and 31 December 2023, representing 88 per cent of the total, as shown in Figure 2.

Figure 2. Disappearances in Mexico by Year, 1 January 2006 – 31 December 2023



Source: RNPNDNO 2024.

In addition to the crisis of disappearances linked to crime and violence, there are more than 52,000 unidentified bodies in morgues, cemeteries, university labs, and forensic service facilities. The UN Committee on Enforced Disappearances has described disappearances in Mexico as the “paradigm of the perfect crime” since without a body there are no guilty parties; the wave of disappearances is exacerbated by the inability of institutions to investigate due to lack of capacity, corruption, and other problems.

At least 46 per cent of all registered disappearances between 2006 and 2023 occurred during López Obrador's presidency. Most of the data for this census came from state prosecutors' offices and search commissions, but due to the large increase in the number of disappeared people in Mexico, the government decided to conduct a census to find out the "real" number of disappearances. However, the organisation Data Cívica has claimed that the new data, which shows fewer disappearances, may have been altered or even removed from official records, meaning that no one may be looking for these missing people. While the government census reported that 10,953 people had been found, Data Cívica found evidence that some of those people were still missing ([Data Cívica 2024](#)).

In the absence of an efficient search for the disappeared in Mexico through public authorities, it is the families of the victims (mainly women: mothers, sisters, wives, and daughters) who form collectives and organisations to continue their tireless search for the disappeared, often uncovering further evidence of this ongoing crisis. Many search collectives utilise archaeological and forensic anthropological methods in their efforts to locate their loved ones in mass graves and extermination camps throughout the country.

In Mexico, disappearances are often the result of institutional failure, impunity, and lack of diligence. First, people disappear at the hands of perpetrators who remain unknown due to inadequate investigations. They disappear again when the government fails to search for them or include them in public databases. Finally, they disappear once more when their bodies, left in neglected places, are not identified by the authorities.

Anything but Safe for People Migrating through Mexico

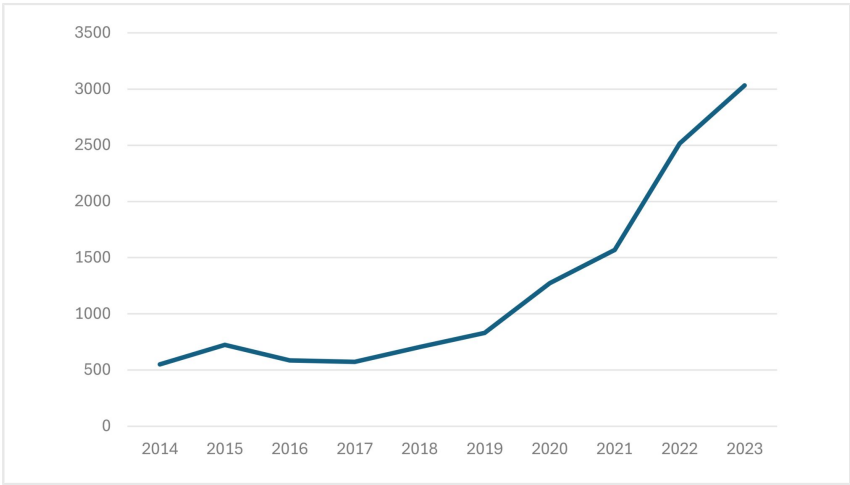
Militarisation is also evident in Mexico's migration policies and has led to increased human rights violations against migrants by the INM and the National Guard (IBERO 2024). The INM is the state body tasked with implementing Mexico's migration policy, including the detention and deportation of people without valid residence permits. As of 2019 the National Guard has the authority to control and verify migration permits in coordination with the INM.

In addition, active and retired military personnel have been appointed to key positions in the INM and are in charge of a number of migration detention centres. In 2023 personnel with specialised training in military, penitentiary, and public security tasks were running 20 out of 32 INM state delegations. In addition, the National Guard, Sedena, and the Ministry of the Navy (Semar) have been involved in the detention of people from other countries passing through Mexico on their way to the US and Canada ([Colectivo EPUMx 2023](#)). According to the Mexican government's security reports ([Gobierno de México](#)), the number of members of these three institutions has increased in recent years. By January 2022 the Mexican government had deployed 28,397 members of the Army, Navy, and National Guard, mainly on the two national borders and in Mexico City. By January 2024 the number had risen to 32,150.

This militarisation goes hand in hand with the securitisation of migration in North America. As Varela (2015) notes, US pressure on Mexico to stop irregular migra-

tion to the north has been the main driver of this development. Since the 1990s, binational agreements have sought to curb irregular migration to the US. In the wake of the attacks of 11 September 2001, the US declared irregular migration to be a national security issue, in this context extending its border control to Mexican territory through the training of INM personnel, the transfer of economic resources, and the provision of technological tools (IBERO 2024). Since then, migration controls have not only taken place at border crossings, but also through mobile operations and raids in bus stations, highways, hotels, and public spaces throughout Mexico. This is why scholars speak of a “vertical border” with a containment character, erected over the entire national territory.

Figure 3. Official Complaints of Human Rights Violations against Migrants, 2014–2023



Source: CNDH various years.

Note: Data for 2023 are from January to November.

As Figure 3 shows, official complaints of human rights violations against migrants and people seeking international protection are on the rise. The increase is particularly evident in the last five years – during the López Obrador administration. These figures are an approximation of reality, as many people do not report human rights violations due to fear, lack of institutional support, and the need to continue migrating. In 2023 the CNDH received 2,422 complaints against the INM alone (CNDH). These complaints included aggression, abuse of force, dispersal, extortion, and family separation (Colectivo EPUmX 2023).

The report by FJEDD et al. (2022) shows how the National Guard unilaterally detained migrants illegally and handed them over to the INM for detention and deportation, without investigating each case. The detained included pregnant women, children, and adolescents, along with people seeking international protection. The report also describes racist behaviour and sexual abuse by the National Guard. Pro-migrant civil society organisations have observed that with more National Guard personnel at the borders, the risk of psychological and physical violence for migrant women has increased (Soto 2024).

The length of detention is also arbitrary. People have been held in detention centres for days, weeks, or even months, often cut off from the outside world and information about their rights. In this context, the organisations speak of being denied effective access to a lawyer. INM personnel have also used strategies of harassment, intimidation, and violence to torture migrants and people seeking international protection to get them to drop charges and sign their deportation papers (FJEDD et al. 2022: 51). The tragic death of 40 people in a fire at the INM-run migration centre in the city of Juárez last year underlines the lack of state protection for this group of people in the current militarised migration policy. One reason for these numerous human rights violations is that people with a military background are trained to fight enemies, not to manage civilians (FJEDD et al. 2022).

The Role of Civil Society Actors in Defending Human Rights

Human rights organisations, academics, journalists, and Mexican civil society collectives are important political actors in the defence of human rights. Individually or collectively, they gather information on the ground and identify, document, and denounce cases of human rights violations at local, national, and international levels.

Collectives of families of the disappeared have become experts in the search for missing persons, both living and deceased. They have successfully lobbied for legislation on the search for missing persons and support for victims of violence. They have also taken their cases to the international level, setting important legal precedents in Mexico. However, the mothers and sisters who carry out these searches face considerable risks. On numerous occasions, they have been forcibly evicted from their homes, threatened, disappeared, and even murdered for seeking justice.

NGOs with a history of documenting human rights abuses and militarisation have been labelled by López Obrador as opponents, conservatives, or allies of opposition parties. This divisive us-versus-them narrative has significantly reduced civic space. In addition, human rights defenders and journalists who have raised concerns about human rights abuses or corruption have been branded “enemies” by the president, fostering a climate of polarisation in one of the most dangerous countries to practise journalism.

Migrants and people seeking international protection also attempt to defend themselves and others against these systematic human rights violations and general insecurity. Despite their limited resources, they are using various forms of protest, such as travelling in caravans, blocking roads, hunger strikes, sewing their lips shut, and burning mattresses. Family members abroad and migrant collectives in Mexico have used various channels to draw attention to human rights violations and have contacted their embassies to demand the release of detainees. International and Mexican human rights organisations and migrant shelters have been their allies in defending their rights, both proactively and at the request of those affected.

All of this activism takes place in a context where civil space is subject to repression of protests, targeted killings of journalists and human rights defenders, espionage, state violence, and criminalisation. What was uncovered under former president Enrique Peña Nieto has continued under López Obrador: Sedena using Pegasus spyware to illegally monitor activists and journalists working on human rights violations committed by the MAF. In addition, the state continues to criminalise and prosecute journalists, human rights defenders, forensic experts, and victims who investigate human rights violations.

No End to Militarisation in Sight under Sheinbaum

Claudia Sheinbaum won the presidential election pledging continuity with the outgoing administration of López Obrador. Concerning the security strategy, her rhetoric underscored five pillars: (i) honesty and attention regarding circumstances that may indicate susceptibility to crime, such as social networks and lack of prospects, with a focus on youth and young adults, (ii) consolidation of the National Guard, (iii) strengthening of intelligence and investigation, (iv) coordination with the National Police, the Public Prosecutor's Office, and the Attorney General's Office, and (v) reform of the judiciary. The security plan provides for the National Guard to remain under military command. To that end, Sheinbaum's government has pledged to continue the policy of militarisation. Her 100-point government plan states:

The National Guard's attachment to Sedena should strengthen it and make it sustainable as a police force with the capacity to deploy nationally, patrol the highways, and carry out its role as a first responder. (Sheinbaum 2024: 325)

In addition, Sheinbaum highlights the continuity and involvement of the MAF beyond defence:

This includes not only their central role in the internal security apparatus, but also their function as builders and administrators at the express request of a presidency that found the available civilian bureaucracy and private companies unable to perform the required tasks. By contrast, the army and navy are structures with the discipline, training, and personnel necessary to respond immediately to the kinds of tasks assigned to them by the first 4T government [the López Obrador administration]. (Sheinbaum 2024: 82)

It is striking that Sheinbaum has yet to make any official statement about the ongoing human rights abuses by these institutions. Demands and proposals from civil society to put an end to these human rights violations are hardly reflected in the government's plan. These demands include the gradual withdrawal of the military and its military strategies from public security work and a security policy that complies with international human rights standards (Colectivo EPUMx 2023). It also calls for an integral policy to prevent and eradicate all forms of violence, including homicides, femicides, and disappearances. Colectivo EPUMx's demands that the resources, capacities, and legal framework of law enforcement institutions be bolstered in order to effectively combat impunity are only partly reflected in Sheinbaum's plans.

The reports of human rights violations show that the new government has an important task to fulfil in order to ensure civilian control, accountability, and transparency in the actions of the MAF, the National Guard, and the INM. The government must be responsible and accountable for its militarisation policies and the consequences of this strategy on people in Mexico.

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