Gendered Transnational Impunity and Infrastructural Violence on the Migrant Journey through Mexico

This paper explores the gendered infrastructural violence that migrant women experience along their journey through Mexico. Drawing from work on the gendered infrastructural violence of cities along with the infrastructural violence of borders, it brings a spatialised understanding to gendered infrastructural violence and shows how this form of violence transcends borders as migrant women move transnationally. This manifestation of violence not only impacts women's decisions to flee but it also affects the protection and justice they are able to procure in their displacement process. By considering this transnational flow of violence, I show how impunity is a key dimension of gendered infrastructural violence that follows women throughout their trajectory. This results in an experience of *gendered transnational impunity*. Empirically, the paper uncovers three salient experiences of gendered infrastructural violence and impunity that migrant women face along their journey in Mexico: seeking assistance from Mexican authorities after experiencing gender-based violence in transit; seeking asylum from the Mexican refugee agency, COMAR; and, finally, seeking international humanitarian protection. As a result of these findings, international protection measures must begin to acknowledge the indirect forms of gendered violence, such as infrastructural violence and impunity, that influence migrant women's experiences of displacement as they seek justice and protection.

Keywords: Gendered infrastructural violence; gender-based violence; impunity; migrant women; migrant journeys

Introduction

Increasingly, research has acknowledged how gendered violence displaces young Central American women along the migrant trail through Mexico highlighting how it is reproduced in complex ways (Wurtz, 2022). Likewise, there has been a burgeoning of scholarship that has explored the gendered dimensions of 'infrastructural violence' (Rodgers & O'Neill, 2012) in the context of cities (Datta & Ahmed, 2020; Turelove & Ruszczyk, 2022). This has entailed examining structural violence that is understood as

operating through restricted access to services, protection, and justice. Indeed, such conceptualisations of this violence have been extended to the migrant industry, borders, and displacement infrastructures (Dubal et al. 2021; Sigona et al., 2021). Yet, there is opportunity to consider how differentiated access to infrastructure on the journey is *gendered*, operating as a gendered infrastructural violence that is paralleled by a *gendered transnational impunity*.

In this paper, I will argue that developing such concepts permits consideration of how these manifestations of violence in particular, not only shape women and girl's decisions to move but also proliferates in new ways along their displacement journey. Such an approach expands current thinking on gendered infrastructural violence beyond the city limits. It also links scales of displacement at the urban level through to the transnational (e.g., Roast et al. 2022). Moreover, in examining the connections across spatial scales, I argue that impunity is a key dimension of gendered infrastructural violence. Impunity and restricted access to infrastructure at the local level furthers the potential for transnational impunity and infrastructural violence on the move as it fractures access to protection across borders. This spatialised and transnational flow of impunity or a "gendered transnational impunity" begins at the community scale where women are unable to seek justice or protection from gendered crimes due to the infrastructural violence they face in their home countries which contributes to their departure. However, it is then reproduced at the international level as they confront impunity in Mexico when they are victims of new forms of gendered violence while migrating precariously. And finally, through to the transnational as they navigate seeking asylum both in Mexico as well as in third countries further north, such as the U.S., in search of international protection. These experiences inform women's journeys, how they navigate access to services along the way, and ultimately the justice and international protections they are able to secure.

The empirical support for this paper draws on 18 months of field research conducted along the migrant trail in Mexico. A multi-sited ethnography was implemented at three key points along the journey: the beginning of the migrant trail at the Mexican/Guatemalan border, in Tapachula, further north in central Chiapas, and Mexico City. Before introducing this empirical evidence, I frame my argument by presenting existing work on gendered infrastructural violence in cities while also

considering work done on migrant infrastructures. The following section examines research on impunity related to gender violence crimes to create linkages between infrastructural violence and impunity. I then briefly outline the current situation for young migrant women who are displaced by ubiquitous gender violence and the context of the journey through Mexico. The final sections will analyse experiences of young women through a lens of transnational gendered infrastructural violence that shape their displacement process. Specifically, I look at the ways this violence materialises through experiences in accessing protection and justice from Mexican authorities along with when women seek asylum from the Mexican refugee agency, *Comisión Mexicana de Ayuda a Refugiados* (COMAR). The paper concludes by demonstrating how the transnational migrant infrastructure of border containment and externalisation policies results in a spatialisation of gendered infrastructural violence and impunity across borders. I argue that in order to advance an understanding of how violence impacts migrant women throughout their displacement process, approaches must pay attention to the elements of such violence as they shape the outcomes and protections available to migrant women transnationally.

Conceptualising Transnational Gendered Infrastructural Violence and Impunity in Transit

Exploration of the infrastructure of cities has elucidated how the material of the urban produces social order and in turn sustains structural harm and direct forms of violence, or "infrastructural violence" (Rodgers & O'Neill, 2012). It allows for examination of how the structural dimensions of violence frequently exist through material conditions. This violence is understood to manifest in both 'active' forms, referring to infrastructures designed intentionally to be violent; and 'passive' forms, where the detrimental effects are a result of infrastructures' exclusions and constraints (ibid.). Feminist scholars have expanded this understanding by highlighting the gendered dimensions of infrastructural violence in cities (see Sawas et al., 2020; Sultana, 2020; Truelove & Ruszcyk, 2022). For example, Datta and Ahmed (2020) have developed the concept by reflecting how urban infrastructural violence is experienced in intimate ways by women, arguing that this limited "access to infrastructure" manifests as a form of intimate violence (p.67). Importantly, migrant women survivors of gendered violence experience infrastructural limitations (McIlwaine & Evans, 2023). By engaging

'migrant infrastructures' (Xiang & Lindquist, 2014) focus has been brought to the role state institutions and non-governmental organisations play in such systems. As a result, the definition of migrant infrastructure includes police, judiciary bodies and organisations responsible for documentation.

While such understanding has uncovered the gendered infrastructural elements that are violent in the city, there is scope to move this engagement beyond the limits of the urban. Thus, the gendered infrastructural violence that exists along the migrant trail in Mexico contributes to such an expansion. Indeed, analysis of the migrant journey in this context has shown how structural elements of violence link to poverty, hunger, marginalisation, and health needs (e.g., Jacome, 2008; Vogt, 2013). Moreover, research has highlighted the ways "gendered mobility biases" undergird such experiences which lead to propagating the same "cycles of violence" and precarity from which women are trying to escape (Wurtz, 2022, p.15). These cycles of violence also correspond to the impunity that operates as a form of infrastructural violence both in source countries and along the journey.

To examine the gendered infrastructural violence of the journey, some key concepts should be considered drawing from research on global infrastructures that drive displacement (e.g., Dubal et al. 2021), particularly, through consideration of how such infrastructures interconnect across scales from urban dislocations to those of transnational forced mobility (Roast et al., 2022). Such interlinkages relate to the continuities between "practices of border policing and immigration law (enforcement) and the illegalisation of rights, claims, and judicial status of minoritised citizens" (De Genova & Roy, 2020, p.352). Moreover, an analysis of the global drivers of displacement enables consideration of how the production of irregularity operates through the violent infrastructures of borders. In turn, this extends to the policies that develop such infrastructures (see De Genova, 2004; Sigona et al., 2021). Likewise, these policies foment both active and passive infrastructural violence that is upheld by impunity as, for example, immigration officers are immune from being held responsible for the crimes they commit at borders, such as sexual assault, against migrant bodies (Tellez et al., 2018); crimes that are enacted on the basis of enforcing such stringent policies. As a result, there are theoretical linkages between (in)justice and infrastructure that materialises within and across international borders (Kathiravelu, 2021, p.645).

In positioning infrastructures and (in)justice together there is an opportunity for closer examination of the interconnections between impunity and infrastructural violence. Drawing from research in the context of gender-based violence and impunity, Walsh & Menjívar (2016) have shown how laws on gendered violence are impacted in their implementation by structural and cultural factors on the ground. While laws may protect survivors of gendered violence to access justice, in practice such legislation is ineffective. As such, the cultural and structural factors can be linked to the state institutions, such as law enforcement, immigration agents, and bureaucratic institutions, that are responsible for implementing such laws, in other words, the infrastructural apparatus, as delineated by scholars on migrant infrastructures (McIlwaine & Evans, 2023; Xiang & Lindquist, 2014). Thus, it is relevant to pay particular attention to not only the infrastructural factors that play out when implementing frameworks for gender justice and humanitarian protection, but also the ways impunity parallels such processes.

Therefore, using a gendered infrastructural violence approach accounts for the experiences of such violence that migrant women in their home countries face, often in the urban context, related to restricted access to education, limited participation in the public sphere due to insecurity, as well as a lack of protection and justice from gendered violence. Yet, with movement across borders, access to infrastructure and protection becomes fractured and more complicated due to precarious immigration status and forced clandestine travel. This results in women navigating transnational gendered infrastructural violence that becomes mutually constitutive of the direct and indirect forms of gender-based violence, including impunity, that they experience on the journey. Impunity operates as a mechanism for gendered infrastructural violence as it dehumanises certain bodies where "in a culture of impunity … direct and structural violence are indistinguishable" (Opotow, 2001, p.152). Hence, gendered infrastructural violence can be framed as both: the 'active' violent infrastructures of the border and immigration policies that result in gender-based violence for transnational migrant women; and the 'passive' manifestations of such violence, that restrict and limit migrant women's access to services and protection along the journey.

Gendered Violence Induced Displacement Among Central American Women

The steady increase in generalised violence in Central America, specifically, Guatemala, Honduras, and El Salvador, has been widely studied. Such levels of everyday violence and insecurity have provided a lens to understand the extreme levels of displacement from these three countries (e.g., Arriola Vega, 2021; Galemba et al., 2021). Media, governments, and policymakers acknowledge that individuals are escaping extraordinarily high incidence of violence and seeking protection from impunity, instability, and organised crime (Marchand, 2021). Moreover, many of those who are fleeing are women (Obinna, 2021), thus leading to an understanding of the ways in which ubiquitous everyday violence is gendered. The correlation between transnational mobility and gendered violence becomes evident when considering the realities that women and girls from this region face. These three countries have the highest levels of violence against women in the world, apart from those countries in zones of declared armed conflict (Kinzer, 2018). They also have some of the highest rates of feminicide globally, El Salvador ranked first, Honduras ranked sixth, and Guatemala seventh in 2022.[1]

Gendered violence manifests across social and spatial scales in the lives of women living in these three countries, in both direct and indirect, multi-dimensional ways (Walsh & Menjívar, 2016; Lopez Ricoy et al., 2021). This is seen, for example, in experiences, at the interpersonal level, where it is common for partners, fathers, other male relatives and neighbours to sexually abuse women. At the community level, gangs use gender-based violence as a way to exert power and maintain control through both sexual assault and or forcing women to enter relationships with gang members (Alberto & Chilton, 2019). Finally, at the institutional level at the hands of government officials and authorities who fail to prosecute or provide protection, retribution, or services to women and girls who are victims of violence (Judeh & Hallet, 2022). Hence, increasingly it has been reported that sexual and gender-based violence are primary factors in individuals' decisions to move (Trigos Padilla, 2021).

[1] https://worldpopulationreview.com/country-rankings/femicide-rates-by-country. Accessed 19 October, 2022.

However, despite recognition of the ways gendered violence causes women to flee, there remains limited consideration in international protection measures that encompass the multidimensional nature of gendered violence. As a result, protection frameworks still only acknowledge the direct forms of gender-based violence as a reason why women flee. This in turn, results in women's susceptibility to additional forms of gendered violence, particularly related to its structural manifestations (including infrastructural violence and impunity), that move with women along their journey.

To analyse women's experiences of such violence on the migrant trail, this paper draws on data collected through a multi-sited ethnographic methodology in Mexico. The approach included participant observation in three different migrant shelters as well as 30 interviews with both young migrant women and key informants working with migrants in Mexico.[2] The 15 migrant women who were interviewed were between the ages of 16- 28 years old and from El Salvador, Honduras, Guatemala, Nicaragua and Haiti. The interviews were semi-structured in nature, covering a range of topics, including life at home, decisions to migrate, and experiences of the migrant journey. To ensure the interview process did not retraumatise participants, no direct questions were asked in relation to gender-based violence specifically. In addition, because the field research was greatly impacted by the COVID-19 pandemic, and accessing migrant women participants for interviews was challenging, the evidence also draws from informal conversations had with migrant women through participant observation as well as key informant interviews. In the remaining sections, the empirical evidence will be considered in relation to the gendered infrastructural violence and impunity that shape women's journeys in Mexico.

Journeys and Restricted Access to Protection and Justice in Mexico

Deficient infrastructure, such as access to public transportation, access to water and medical attention, are further complicated by direct forms of violence such as harassment and assault, for example (Datta & Ahmed, 2020). This is intersected by

[2] All names have been changed for anonymity purposes; The different shelters where fieldwork was conducted are referred to as 'Shelter A,' located on the Mexican/Guatemalan border; Shelter B, located in Mexico City; Shelter C, located in central Chiapas

class, race, ethnicity, and social location (McIlwaine & Evans, 2023) and in the case of the journey, language and precarious immigration status play key roles. In the following sections, the gendered infrastructural violence specific to migrant women's experiences of the journey through Mexico will be presented by discussing three overarching themes that were salient in this research: access to assistance in reporting gender-based violence cases to Mexican authorities, seeking asylum from COMAR, and finally the gendered impunity experienced by women at the transnational level in the context of seeking humanitarian protection.

Women spoke of direct violence along the journey which included, robbery and kidnapping, as well as sexual violence, gang violence, and institutional violence. Significantly, these experiences of direct violence are framed by macro processes of violence, namely the imposing of the border, both at its physical location as well as its imaginary throughout the migrant trail. For example, women in this study described how police officers, the National Guard, and immigration officials both extorted and robbed them when they were stopped along their journey. Likewise, women frequently described the physical violent threats they faced from state authorities at the geophysical location of the border.

Reporting Gender-Based Violence: 'Porque soy mujer y soy migrante'

This section specifically refers to migrant women survivors of gender-based violence who report and seek assistance from Mexican authorities after such experiences on the journey. Barriers specific to migrant women survivors when reporting gender-based violence relate to language, cultural norms such as the normalisation of violence, experiences of reporting in home countries, economic reasons, and legal barriers including fear of deportation (Hulley et al., 2022). Such barriers were discussed by key informant service providers particularly around the normalisation of gender-based violence at home along with previous experiences of impunity. For example, a legal service provider from an NGO in Mexico City, shared with me:

> "There is a lot of reluctance on the part of women to proceed legally, because they have had bad experiences in their countries of origin, because they listen to what is happening here in Mexico, that justice takes time, etc. So, many times they do not want to proceed legally…. All of this inadequate support, then contributes to its normalisation and lack of disclosing such violence. Because

> they (migrant women) say things like, 'well yeah, when I asked for help, they told me that this is the way it is, and the way it should be'. And of course, then there is no point in continuing to mention these acts (of gender-based violence)."

Work on barriers migrant women face most often is limited to analysis of reporting along the journey at an individual level (McIlwaine & Evans, 2023). However, there are key structural connections to be drawn between the normalisation and stigma of violence within the context of impunity as a primary reason for underreporting of sexual violence on the journey, as noted in the interview above (see also, Infante et al., 2020).

Likewise, it is productive to also consider the gendered infrastructural violence amongst migrant women when they do decide to file a claim with Mexican authorities. Migrant women who come forward to make a claim about an incidence of violence often face infrastructural neglect due to both being a woman in a specific cultural context that normalises gendered violence which is further magnified by being a migrant. Moreover, such violence not only inhibits protection for migrant women seeking support, but it often incriminates them when they do come forward in favour of the perpetrator. This can include utilising their precarious migratory status as a disadvantage and to revictimise them as they seek protection (see also McIlwaine & Evans, 2023). Furthermore, women themselves recognise that their immigration status contributes to their revictimisation. A key informant shared that women have said to her: "They think because I'm a foreigner, I can't ask for anything, that I don't have any rights… because I'm a woman and because I'm a migrant." Another key informant from an NGO in Tapachula corroborated the systemic revictimisation of women who come forward to report cases of gender-based violence:

> "It doesn't make sense, then (to come forward) ... For example, if they want to make complaints to the prosecutor's office, it ends up being more revictimising, that is, there ends up being more blocks and more blocks and the person is already hurt, damaged, not only emotionally, but also the scars they bring on their body and they come to find a totally violent Mexican government system- one of rejection, discrimination, xenophobia, and racism".

This also has significance for the journey and decisions women must make when faced with these circumstances. Often, women are traveling with their perpetrator, so when receiving a response from a state authority that does not provide them protection but

rather tells them to respect the rights of the aggressor, woman may face challenging decisions on how to proceed along their journey. This is reflected in an example noted in my field diary:

> "I spoke to Brenda today, and she told me that she had been working at a shelter in Huichapan and had been helping a woman there who was 33 and whose partner had tried to kill her. She told me how the woman was trying to bring a claim against him, and he had been in jail. But then the authorities switched it around and said that the woman would be the one who was arrested and sent to jail. So, the woman ran away from the shelter and the people who were supporting her through this process were told to leave because the husband was supposedly released from jail, and they felt that he would come looking for her and the people who had supported her" (Field notes, September 28, 2020).

In this instance, how women navigate reporting, seeking protection and justice is often a delicate balance when institutions can quickly exonerate the perpetrator of gendered violence. Reporting such crimes when the response from authorities is non-responsive and often harmful, frequently forces women to continue in dangerous situations as the perpetrator may be in a position of power and someone that they have come to depend on for a variety of factors such as a mobility strategy, economic reasons and/or insecurity. In these responses from Mexican institutions, the connections of migrant women's experiences along the journey are characterised by a layering of the same sociocultural normalisation of gendered violence and impunity that many faced in their home country contexts and now experience from Mexican police force and government institutions.

However, being in active transit creates added pressure in these instances. In a key informant interview with a program director at an NGO providing support to migrants in Mexico City, when discussing what services were available to migrant women survivors of gender-based violence, he shared:

> "Look, to be quite honest, I think those that do exist are from civil society organisations and a lot of recent experiences have left us with the question as to whether or not there really are … institutions with sufficient means to accompany women who suffer domestic violence for example. In other words, if I am completely honest with you, I would say that when we have referred cases

> to specialised institutions, the success rate has been non-existent … I mean in the end it happens that the woman returns to the aggressor, returns to the situation of violence, or they show up again (at the organisation) with the same needs."

In this, the ways gendered infrastructural violence by institutions that neglect migrant women and are unable to protect them, is conflated by intimate direct forms of violence. This was the case for Nadia, a transgender woman, from Nicaragua. She described how she was horrifically gang raped upon her deportation back to Mexico in Nuevo Laredo, Tamaulipas:

> "I've already lived in the United States, and I wanted to get back there. So, I travelled through Nuevo Laredo, where I was kidnapped, tortured, raped by eight people, where my rectum has a scar, raping me wasn't enough for them, they asked me and my family for 8,000 dollars."

Nadia, spoke of how she reported this to Mexican police but that they did not investigate her claim nor provide her any support because it occurred in a town that is controlled by *narcos*.

> "I am being threatened because they tell me that if the police manage to do something to them, that they are going to kill me. And I put all of this forward to COMAR, and they won't … do anything."

Thus, the impunity migrants face when reporting such crimes contributes to their displacement process, further marginalising them because of the precarious space they occupy while making it all the more difficult to seek justice. Frequently, when migrant women seek support from police in reporting such crimes, officials in many areas in Mexico are either working alongside such organised groups or if not are often paid by them. While Nadia referenced resorting to Mexico's refugee agency, COMAR, for some sort of assistance, in her case as with many others, gendered infrastructural violence is also imbued within this institution's processes.

The Gendered Infrastructural Violence of Seeking Asylum in Mexico

There has been an increase in migrants seeking asylum in Mexico more broadly due to transnational immigration policies and landscape along with it increasingly becoming a strategy for onward mobility. Additionally, key informants spoke of COMAR's legal foundation of gender as a recognised grounds to seek asylum in Mexico (Lopez & Hastings, 2016). This is a legal standard that is much more progressive than Mexico's northern neighbour, the United States (Díaz Prieto, 2020). However, despite this forward thinking as a means to recognise asylum, the implementation is not matched due to the paradox between containment and expansive protection policies (e.g., Kerwin, 2018). I argue it is because both the implementation and processes of the Mexican institution are underpinned by gendered infrastructural violence.

The gendered infrastructural violence of COMAR materialises in multifarious ways for migrant women. For example, despite taking a progressive stance, the institution itself neglects and often harms migrant women who seek protection. Many service providers spoke of how COMAR does not operate using a gender framework in the processes they have on the ground. This point arose often in conversations with service providers in reference to Mexican government's commitment to creating gender equality across its institutions by working from a gendered methodology that identifies and evaluates the potential discrimination, inequality, and exclusion of women in the work carried out by a given institution (*Comisión Nacional para Prevenir y Erradicar la Violencia Contra las Mujeres*, 2018). Service providers therefore discussed how this lack of gender framework in COMAR results in a further barrier to women as when they do bring claims they are met with gendered infrastructural violence, re-victimisation, stigmatisation, and discrimination. A key informant interview with a woman who worked at an NGO in Mexico City corroborated this. She told me how there is a lack of training for greater awareness of how to attend to the needs of migrant women who are survivors of violence:

> "To be able to handle this type of case, my more-in depth experiences have been with UNHCR in Tapachula. And there, I haven't found that there is an adequate way to approach women victims of violence. There is no protocol of how to ask the questions appropriately … I think there is a need for a protection protocol for these women particularly. There is also a need for a better guide of how to conduct legitimacy interviews to ensure that they are not being revictimised through the process, to ensure the questions are open, to give them space, to be

> conducted in a space with certain confidentiality. That is not happening in many places. For example, I have accompanied cases in Chihuahua, where the interview is conducted in the hallway in immigration because there is no COMAR office there."

Another key informant also shared how COMAR does not necessarily have a physical office in places where migrant women might need to access them. For example, she spoke of how in Acayucan, Veracruz (a key point along the migrant journey), COMAR has no physical office but rather attends to people in the city's detention centre. Both examples illustrate a lack of gender perspective in providing these protective services that can affect women's capacity to fully disclose experiences of gendered violence and ultimately determine what protections are available to them. The ways institutions neglect the needs and safety of migrant women survivors of violence therefore produces new experiences of victimisation creating huge barriers for migrant women to feel safe and protected.

Likewise, other service providers discussed how they have found certain elements of neglect when it comes to woman receiving the necessary documentation from COMAR. For example, a legal service provider at an NGO in Mexico City, who worked directly supporting migrant women survivors of gender-based violence spoke to me about the delays in receiving essential documentation in order to be able to live securely in Mexico:

> "This woman arrived, I believe in 2018, she presented her application in immigration, because in Puebla there is no COMAR office and until the beginning of this year she had not received anything, not even the proof of processing … she had nothing, that is, she was literally in limbo. What happened is that she submitted her request outside the legal timeframe and then at COMAR, as they send the official notices here to Mexico City, Mexico City received it … they sent (this notice) to immigration (in Puebla), immigration did not notify this woman and then she could no longer submit this request."

Here not only is the physical location and access to COMAR restrictive, but there are also elements of the convoluted bureaucratic processes that cause lives to remain in limbo as they wait for resolutions to their case. Social service providers also discussed how during the 2017 earthquake, COMAR completely shut down and people's wait

times extended beyond a year. Similarly, participants discussed that they were now seeing this trend due to COVID-19. Indeed, two migrant women participants in this study described how they waited in limbo to receive their humanitarian visas while COMAR was shut during the pandemic. The same key-informant quoted above, went on to describe how they have noticed these documentation issues are particular to migrant women:

> "We have detected this pattern … the only cases that have been presented to us have been women, that is, in our small study, so to speak, there have been no other blatant delays (for documentation), other than for women."

These delays support the notion that the way gendered infrastructural violence manifests in women's lives is not only spatial but temporal. These suspensions have repercussions for migrant women and how they are able to establish themselves and access other services they may need. Furthermore, the use of time becomes a tactic to deter people from seeking asylum or as scholarship has discussed, a temporal method of the border (e.g., Davies et al., 2017). For example, in an interview, an administrator from another NGO in Mexico City described this institutional strategy in relation to COMAR:

> "It seems to me that this was a political solution, for… well yes, in the end you're not breaching your obligation of international protection in nominal terms, but instead creating a system that what it does is depends on the wear and tear of people ... So that they do not conclude their processes and that it is the people who give up, right? So, a little bit the same as what Trump did, that is, I'm not going to deny you international protection, but I'm going to make you wait a year and a half and I'm going to return you to Mexico, so that you get tired, and leave it, and it wasn't me (who made that decision), it was you."

Therefore, these 'delays' and resulting gendered infrastructural violence can be understood in a broader context of global migrant infrastructures but also can be analysed in terms of how it links to a form of impunity at the transnational scale to which the discussion now turns.

Gendered Transnational Impunity

Impunity thus underpins the gendered infrastructural violence migrant women experience along their journey through Mexico. As they seek both justice and

protection, this impunity is situated within broader systems of infrastructural violence, where both impunity and gendered infrastructural violence are mutually constitutive of one another. When women experience gender-based violence in transit, for example, it often goes unpunished, akin to the impunity faced at home but exacerbated by a precarious legal status (see Menjívar & Salcido, 2002). Therefore, in this final section I position the international policies that generate gendered transnational impunity, reflecting on how they affect migrant women's ability and options when seeking justice and protection.

There is scope to consider draconian immigration measures within a spatialised approach of infrastructural violence and impunity. The initial development of an understanding of impunity has predominantly been positioned in human rights discourses as well as in work on diplomatic immunity (e.g., Ozdan, 2018; Kalanadan, 2020). Moreover, specific engagement of the transnational dimensions of impunity has been considered in the context of crimes that transcend national borders when violating human rights and humanitarian law (e.g., Guest, 2021). However, recent scholarship has begun to engage the transnational dimensions of impunity further by looking at how it is embedded in borders, detention systems, and practices of immigration officials (e.g., Mann, 2020); or more succinctly impunity is embedded in the infrastructure of borders.

Building on this theorisation to incorporate the gendered dimensions of transnational impunity we can draw from De Genova (2013) who argues that asylum seeker regimes systematically and disproportionately disqualify asylum seekers and convert them into "illegal and deportable migrants" (p.1180). This "production of illegality" (De Genova, 2004) deems bodies as rightless, unwanted, deportable, and in effect disposable through immigration policies. Thus, there is an association with the construction of the female undocumented, asylum seeker's bodies in the ways they become disposable in the transnational sphere. This is not dissimilar to its previous construction in which their gendered bodies are viewed at the national level in a context of widespread feminicide. Thus, the layering of disposability implies an inevitable experience of impunity for gendered violence crimes to go unpunished as these bodies are "over killed by violence-but with implications that reverberate beyond … geographical boundaries" (Fuentes, 2020, p.1683). Therefore, it is pertinent to consider specific policies that create the gendered effects of disposability and deportability along the journey in Mexico.

International immigration policies that transcend borders such as the "Migrant Protection Protocols" (MPP) and "Safe Third Countries," introduced by the U.S. but often implemented in collaboration with third countries, such as Mexico and Guatemala, are some of such policies that serve to create conditions for gendered transnational impunity. For example, the MPP forces migrants seeking asylum in the U.S. to wait in dangerous border cities. Increasingly, NGOs have shown how waiting makes migrants more susceptible to gender-based violence and kidnapping (Duvisac & Sullivan, 2022).

However, the policies' impacts are not limited to experiences specifically at the U.S./Mexican border. Migrants are offered transportation to other locations in Mexico while they wait for their hearings, offered to them as a 'safer' alternative or place to wait. This includes sending migrants back to Tapachula in the south, with no return transportation to the northern border to be able to cross for their asylum hearings in the U.S. For example, when I first arrived in Tapachula for fieldwork this was notable, as many migrants waited at this border. One key informant from a university in Tapachula shared with me that "migrants are trapped here in Tapachula" (Field notes, October 10, 2019), waiting to be able to move north. Thus, analysis of the role of these policies in people's experiences must account for how it forces people to wait in insecure contexts and or make the journey multiple times resulting in them becoming susceptible to new instances of gender violence.

Policies in this context work to force migrants to remain in situations that are violent through methods of containment. However, such strategies of containment also extend to intentionally keep migrants moving which is achieved by such practices as transporting people away from the border where they are awaiting an asylum hearing with no means of how to travel back (see Tazzioli & Garelli, 2020 on containment). Likewise, it acts as an element of infrastructural violence as well as impunity by inhibiting individual's access to their asylum process. It operates in sustaining impunity both by denying vulnerable migrants' safety and access to protection while they wait to apply for asylum. Impunity is furthered by forcing migrant women to wait in situations of extreme danger with both the great likelihood of gender-based violence and limited likelihood of access to justice when crimes do occur.

Moreover, the COVID-19 pandemic has not only made migrating more challenging for migrant women at the international level, countries such as the U.S. have leveraged the

pandemic as a form of migration control to introduce further stringent policies. For example, the U.S. introduced Title 42 which denies asylum seekers' entry to the United States, under the pretense of controlling the spread of the pandemic (Duvisac & Sullivan, 2022). Title 42 has expedited removals while enabling the U.S. to evade any humanitarian obligation it is committed to in terms of protecting the rights of asylum seekers. This is crosscut by gendered infrastructural violence at the local level as many key-informants shared that they had to suspend providing services due to COVID-19 and were unable to offer even basic provisions to migrants while they travelled. For example, I met a migrant woman with her daughter in June 2020 in Mexico City, in the height of the pandemic, and she explained to me that she did not have anywhere to sleep:

> "[s]he told me that she was going to try and find shelter at a place nearby. She said she had been staying somewhere else in the city before this, but that in this next place like the last, they were not allowing people to stay longer than a day because of the pandemic" (Field notes, June 9, 2020).

Leveraging the pandemic to implement such policies that enable impunity at the transnational level intersect with infrastructural violence such as access to lodging along the journey. Similarly, a key-informant in Tapachula shared with me how they had to stop providing services in person to migrants and the challenges this created:

> "So, it definitely has changed, because we cannot be in person, the accompaniment has been by phone, but we recognize that this is an exercise of privileges, these virtual forms of services, because they aren't accessible to everyone, right? Because people come looking for basic needs such as food, housing, for example, and well, the issue of access to a phone or the internet or a computer, these are needs that are becoming essential, but we recognize that not all people have this accessibility. So, this type of accompaniment, well, it's one of the things that has been put on pause..."

Thus, the ways the transnational impunity of not granting asylum seekers access to the U.S. is intersected by the infrastructural violence of limited protection and access to services at the local level due to COVID-19.

Moreover, it is important to acknowledge that the reach of U.S. imperialism and its policies extend beyond its own border with Mexico. These agreements are not always made overt to the public. For example, Clarisa, an administrator at Shelter C, came in one day and explained that Mexico had shut its border with Guatemala in agreement with the U.S.: "she told me that today, Mexico shut both borders because of pressure from the U.S. to stop the flow of migrant children. She explained that the agreement was the U.S. will pay the Mexican government with COVID-19 vaccines per detained migrant" (Field notes March 19, 2021). In this example, the U.S. pressures Mexico to stem the flow of migrant children due to the specific moment in time where there was an increase in children arriving at the northern border. This example illustrates how the U.S. has leveraged COVID-19 to drive its immigration agenda as it was at a time when the vaccine had newly been released and Mexico was in a position of great need to protect its broader population. I corroborated this at the time through media reports.[3] Many migrants at the shelter were impacted by this, which led to increased time in limbo, and also inevitably linked to their ability to access justice and protection. Hence, the ways impunity becomes spatialized for asylum seekers by means of these policies transcends borders. It has repercussions for migrants travelling precariously in a context that preys on their vulnerability who are often kidnapped and who often disappear (see also, Vogt, 2018).

For example, during my time in Tapachula, the Caravan of Central American Mothers, came to start their yearly trip in search of loved ones who embarked on the migrant journey but were never heard from and whose whereabouts were unknown (Field notes November 14, 2019). The caravan of mothers was established in 2004 and visits key points along the journey to search for information regarding missing migrants. It is common for migrants to become separated en route, which unfortunately can lead to greater susceptibility to violent crimes. For example, while working at Shelter C, a 22-year-old woman named Maria from Honduras arrived at the shelter. She was distraught as she did not know what happened to her 20-year-old female cousin. The two women were travelling together but had been separated when Maria was detained by immigration. Her cousin was not answering her phone and Maria's family in Honduras

[3] https://www.washingtonpost.com/national-security/biden-mexico-immigration-coronavirus-vaccine/2021/03/18/a63a3426-8791-11eb-8a67-f314e5fcf88d_story.html

were beginning to worry as they had not spoken with her either (Field notes, February 22, 2021). It is estimated that 72,000 to 120,000 migrants have gone missing in Mexico between 2006-2016 (Coralli, 2021). While Mexico has established a special commission to investigate such crimes, forced disappearances of its own citizens is often associated with rampant levels of impunity. Thus, the reality of such crimes against transnational migrants in transit are less likely to be brought to justice.

Kidnappings and mass disappearances of migrants are influenced by infrastructural access to the justice system and transnational impunity. For example, at the two shelters in Chiapas along the journey, preying on migrants' vulnerable status at the hands of various actors all who leveraged migrants' precarious position to their advantage was common. An example of how impunity operates transnationally can be seen through an interview with Clarisa, the administrator at one of these shelters. She shared with me a story about a young 13-year-old girl from Guatemala who had been taken from her indigenous family at home and was travelling north with her kidnapper:

> "We talked to the girl, she was scared, she didn't say much, she just said that she wanted to go back home, which was close, very close to Tapachula. But she had been kidnapped in a car, they caught her, and they brought her here to Mexico. We tried on that occasion to speak to the authorities about a possible case of trafficking and it didn't go anywhere because it wasn't proven that it was human trafficking, right? Since she was a migrant girl, the situation she was in wasn't very important either. So, we had to leave it that way".

She went on to describe how eventually the young girl's family began looking for her, but the process of her return was slow partly due to language barriers as the young girl and her family did not speak Spanish. Therefore, a spatial understanding of impunity shows how international policies transect local experiences of impunity while in transit, with a lack of volition to prosecute and protect when the case deals with a young, indigenous, migrant woman (see Stephen, 2018).

Finally, conceptualizations of a gendered transnational impunity require discernment of those migrant women who become victims of feminicide while in transit. While there is extremely limited data of migrant women who are victims of such crimes, there is a great likelihood that these numbers are high. Given the indicators of migrants who disappear while in transit, along with the frequency of trafficking and kidnapping that

are common along the journey, and finally the general context of feminicide in Mexico more broadly, there is reason to believe that there is a high instance of feminicide for migrant women while they transit Mexico. For example, during my fieldwork, there was a case of a Salvadoran migrant woman working in Tulum who was brutally murdered on video by Mexican police in March 2021. While this is one example that was made public due to both the timing of the murder in the global context of police brutality (Zaidi, 2021) and because it was recorded on camera, there was awareness of this migrant women's experience of feminicide. However, there remains a great deal of invisibility surrounding cases of feminicide of transnational migrant women.

Hence, a theorization of gendered transnational impunity incorporates an understanding of the 'disposability' of women related to feminicide (Wright, 2006) along with their 'deportability' (De Genova, 2004) due to international immigration policies which catalyze experiences of impunity to transcend borders from the local through to the transnational, at the hands of various actors. However, to develop this conceptualization it is essential that future research explores the histories and life course of migrant women prior to becoming victims of transnational feminicide. In particular, it is crucial to draw attention to how these cases relate to an inability to seek international protection in the desired destinations due to restricted and limited access to social services and justice across social and spatial scales throughout the course of their journey.

Conclusions

Through a lens of gendered infrastructural violence, this paper has examined how migrant women experience restricted access to protection along their journeys through Mexico. It has made important contributions to debates on gendered infrastructural violence, the infrastructural violence of borders, and work on impunity. In examining the gendered infrastructural violence migrant women face along the journey, this paper expands current thinking on gendered infrastructural violence which has primarily been situated in the context of cities (e.g., Truelove & Ruszczyk, 2022) by applying such analysis to the migrant journey. Moreover, it draws connections between theorizations on gendered infrastructural violence of cities and work on the infrastructural violence of borders (e.g., Dubal et al., 2021).

The analysis of such manifestations of violence revealed the ways impunity undergirds the gendered infrastructural violence that migrant women experience. As a result, it

contributes to understandings of how gendered infrastructural violence and impunity are interrelated. In bringing these two manifestations of violence together, it has revealed how they both shape migrant women's departures but also transcend social and spatial scales across borders resulting in a spatialization of gendered infrastructural violence and impunity. In so doing, this paper elucidates the importance of greater consideration of the structural dimensions of gendered violence that both displaces migrant women and shapes their experiences of displacement. Accordingly, there is a need for greater attention to these structural elements of gendered violence in international protection measures intended to protect women. Historically such dimensions have too often been neglected in frameworks for justice, which has resulted in the reproduction of these forms of gendered violence along the displacement process rather than mitigating their consequences.

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