



MEXICO-U.S. ADVOCATES NETWORK NEWS

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Migration Policy Reforms Face Uncertain Future

By Oscar Chacón and Spring Miller

For migrants' advocates in the U.S. and throughout the North American region, who have been working toward the enactment of migration policies that reflect increasing economic and social integration across national boundaries and that ensure the protection of migrants' human rights, the repercussions of the tragic events of September 11th represent a major setback. In the months immediately prior to September 11th, a prominent national dialogue emerged regarding the role of immigrant workers in our economy and society, the phenomenon of migration in relation to global economic forces, and migration policy as a binational issue. Through that discussion, many of the concepts that immigrants' advocates have articulated for years became part of the national public and political lexicon.

The most hopeful element of the pre-September 11th environment was the real political momentum around concrete changes in migration policy, specifically a legalization for undocumented immigrants. The pre-September 11th prospects for some form of a legalization for undocumented immigrants in the U.S. should not be overstated – in the middle of August, the Bush administration began to back away from earlier indications that it would support such a legalization – but a potent alliance of labor unions, immigrant and Latino organizations, and certain business sectors had managed to attract Congress and the Administration's attention to the issue. *(continued on p. 2)*

Perspectives From Mexico, Post-September 11th

In the wake of the September 11th attacks, Heartland Alliance staff solicited commentary from several leading Mexican migrants' advocates regarding their perspective on the future of Mexico-U.S. migration, the bilateral negotiations, and regional migration policy. Below are their responses.

Rodolfo García Zamora, professor at the Universidad Autónoma de Zacatecas:

In general, the events of September 11th have revealed Mexico's great economic vulnerability, its enormous dependence on the U.S., and the need for a new social, economic, and political plan for the country that addresses those problems. However, the new Mexican government, instead of moving toward a new economic and social model, is deepening the neoliberal model applied since 1982 and its corresponding subordinate and unilateral integration into the U.S. This is demonstrated in Mexico's unrestricted support for the U.S.'s vengeful military strategy towards Afghanistan, in its political, military, and diplomatic subordination to the U.S., in its agreement with the U.S. on criminalizing migration, and in its efforts to strengthen Plan Sur, an initiative which aims to militarily seal the border with Guatemala in order to block the passage of migrants to the U.S.

Since September 11th, there has been greater control and vigilance of undocumented and documented migration, and higher risks and costs associated with undocumented migration. *(continued on p. 4)*

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(post-September 11th, continued from page 1) Although most of the people suspected of carrying out the September 11th attacks entered the U.S. on nonimmigrant visitor visas, the public image of immigrants and political discussions surrounding migration policy reform were radically transformed that day. The dialogue that advocates had long pushed policymakers to initiate – regarding the role of undocumented immigrant workers in our economy and society, how labor issues should fit into free trade agreements, what role migration policy should play in our relationships with countries to the south, etc. – has been pushed to a back burner, at least for now. In its place is a discussion of immigration policy dominated entirely by national security concerns.

Historical experience suggests that initial restrictionist and even xenophobic impulses will be further solidified into law in the months to come. Some of the most deeply restrictive policies regarding immigration and immigrants in our history have been enacted following some sort of attack that threatens the nation's sense of security. Two months after Pearl Harbor was bombed in December 1942, President Roosevelt signed an executive order that set the stage for the forced removal and incarceration of Japanese-Americans, citing national

security concerns. In 1996, following the Oklahoma City and 1993 World Trade Center bombings, Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act, the Anti-Terrorism and Effective Death Penalty act, and the Personal Responsibility and Work Opportunity Reconciliation Act, all of which included major anti-immigrant provisions ranging from the denial of public benefits to legal immigrants to the implementation of expedited removal, a policy which allows INS inspectors to turn away asylum seekers at ports of entry without ever having their cases heard an immigration judge.

Over the last six weeks, several major pieces of immigration legislation have been introduced and one has been signed into law. The USA Patriot Act, signed by President Bush on October 26th, includes provisions that allow immigrants “certified” by the Attorney General as terrorists to be held for up to seven days without being charged with a criminal offense or an immigration violation. The law also broadens the definition of involvement with a terrorist organization, a finding authorities can use to deny foreigners entrance into the U.S. (continued on page 3)

ABOUT US

The Mexico-U.S. Advocates Network is a binational project dedicated to improving communication and mutual education between Mexican and U.S. non-governmental organizations concerned with the human and labor rights of migration policy and developing vehicles for joint advocacy on those issues.

With support from the Ford Foundation, the John D. & Catherine T. MacArthur Foundation, the General Service Foundation, and the Joseph and Jeanne Sullivan Foundation, Heartland Alliance (Chicago) coordinates network activities in the United States. Sin Fronteras, IAP (Mexico City) coordinates network activities in Mexico.

The Mexico-U.S. Advocates Network News is a quarterly publication intended to provide network members and other interested individuals with information and analysis regarding issues related to migration and migration policy throughout the U.S., Mexico, and Central America. If you have any comments or questions about the content of this newsletter, please contact Spring Miller at spring@mexicousadvocates.org.

Please visit our website at www.mexicousadvocates.org to access past newsletters, special reports, and other documents.

(continued from page 2) A number of bills that would increase funding for Border Patrol and Customs agencies, provide for tracking of visitors' visa holders, and require information-sharing amongst federal law enforcement agencies, the Immigration and Naturalization Service (INS), and the State Department have also been introduced. Currently, over 1000 people are being held in a sweeping post-September 11th crackdown on Muslim and Arab immigrants, though the Justice Department acknowledges that few, if any, of them had anything to do with the terrorist attacks.

President Bush recently announced the formation of a Foreign Terrorist Tracking Task Force to recommend more changes to U.S. immigration law and regulations. Specifically, the task force is expected to consider a re-evaluation of the student visa process and new technologies to check immigrants' palm prints at airports and borders.

Additionally, the Bush Administration has already put pressure on other nations in the region to align their migration policies and practices with U.S. security interests. Mexico and Central American countries took steps immediately following September 11th to tighten border and airport security and to cooperate with U.S. (for more information, see the Mexico-U.S. Advocates Network's October 11th Update on the Post-September 11th Situation: *Impact on Migrants in Central America and Mexico* online at www.mexicousadvocates.org) Additionally, Canada has been under intense pressure from U.S. officials to tighten its immigration – particularly its asylum – policies and to strengthen its border security.

However, while national security has come to dominate the agenda in most areas of U.S. policymaking, many observers have noted that a fundamental tension between security concerns and national economics interests is emerging. This tension will likely be manifested with regard to many aspects of immigration policy. Employers who rely on international high-tech workers have already expressed their concern about potential restrictive changes in the H-1B visa process. Many businesses are already complaining about significant revenue losses (up to 60% in many areas) due to long lines at U.S./Mexico and U.S./Canada border crossings. In mid-October, members of Congress representing districts along the Mexico-U.S. border sent a letter to the Bush administration requesting that he declare a state of emergency for border communities whose economies are struggling as a result of intensified and lengthened border inspections.

Aside from a radically transformed policy environment, advocates must also be concerned with the impact of the worsening economic slump on migrants and migration throughout North America. Many of the sectors currently experiencing the greatest job losses employ large numbers of immigrant workers. Simultaneously, the Mexican economy is sliding into a full recession (experts are predicting that 400,000 jobs will be lost this year), while the smaller, more fragile economies of Central America are in full-fledged crisis, with an

estimated 1.4 million of the region's residents facing food insecurity. (see *Drought and Drop in Coffee Prices Lead to Economic Crisis* on p. 11) Rapidly declining employment opportunities in the U.S. and sending countries could trap many immigrant workers in a desperate quagmire.

While there is no evidence of unusual increases in return migration to Mexico and Central America (traditionally, many migrants return home for the winter holidays around this time), the Mexican Migration Institute has reported a 50% decline in border crossings into the U.S. over the past month. This decline can be largely explained by apprehension regarding the uncertain situation in the U.S. and probably does not represent a long-term shift. In spite of its current slump, the U.S. economy is still heavily dependent on the labor of immigrant workers, and historical patterns of migration throughout North America will no doubt continue.

The question then becomes: under what conditions will this migration take place? The horrific events of September 11 have scarred the country and provoked a thorough realignment of national priorities. It is important for advocates to remain proactive in this new environment, and to emphasize that policy reforms which would guarantee the human rights of migrants and correspond with the reality of regional social and economic integration are not necessarily at odds with the goal of increased national security. The legalization of undocumented migrants today would provide the government with information on millions of U.S. residents it currently knows little or nothing about, and would serve to incorporate a segment of the population that is often isolated in spite of its multiple contributions to the well-being of U.S. society.

There have been some indications in recent days that the economic and political interests that first pushed the U.S. towards bilateral negotiations on migration policy with Mexico are resurfacing despite the changed political environment. On a recent trade mission to Mexico, Georgia Governor Roy Barnes – citing the economic benefits Mexican labor has brought to his state - called on Presidents Fox and Bush to restart bilateral migration talks. Los Angeles mayor James Hahn, concerned that he may have alienated the city's Latino voters during his heated mayoral campaign, called for some kind of legalization for Mexicans who have lived in the U.S. for a number of years. The high-level bilateral working group on migration will reconvene in Washington in late November to continue its discussions.

We cannot allow policymakers to ignore the pressing need for meaningful migration policy reform. The existing disconnect between our immigration policies and practices and the forces that drive people north in search of a better life will go unaddressed at great cost to our nation, our neighbors, and millions of human beings throughout the region.

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The possibilities of more exploitation of the labor of undocumented workers have also increased due to the economic recession, an increase in xenophobia, and an increased emphasis on criminalizing migration between the U.S. and Mexico. There has also been much alarmism regarding the risk of forced return of thousands of Mexicans, the potential for a sudden and steep decline in remittances, and the possibility that Mexican migrants could be sent to war. These alarmist cries are mostly false, although there could have been small examples of the first two things, due more to the deceleration of the U.S. economy than to the events of September 11.

Given the impact of the issues mentioned, it is urgent that Mexico develop a national migration policy that addresses its unique status as a country of origin, transit, and destination for migrants. This comprehensive migration policy should include strategies for dealing with these different types of migration; economic, social, educational, and health programs; and strategies specific to different regions (southern border, sending communities, transit zones, the northern border). All elements of this policy should safeguard the human rights of all migrants.

Because of the aforementioned issues we assert the urgent need for the design and implementation of a national policy regarding migration that - among other things - addresses the following:

- i) Regional development policies on the southern border, sending communities, and the northern border.
- ii) Social, education, and health programs for all migrants.
- iii) Establishment of a national policy with respect to the rights of all migrants that come from and pass through national territories.
- iv) Modification of the General Law of Population to actualize the aforementioned plans.

Given the growing migration flows to the U.S. and the silent integration of Central America and Mexico into that country, responsibility for this phenomenon should be shared amongst all countries in the region. Together, regional governments should explicitly define the terms of an open, responsible, and cooperative integration that allows these countries to overcome regional polarization, social tensions, and military "solutions" inspired by national security concerns. As social organizations we can fill an important role developing a strategic agenda regarding migration and comprehensive regional development, one that addresses the structural roots of migration, responsibly involves all countries, and rejects a politicized focus. In advancing this agenda, we can make the right not to emigrate a reality, by ensuring that the

populations of various countries throughout the region can count on employment and well-being.

Blanca Villaseñor, Director of the *Centro de Apoyo al Trabajador Migrante* in Mexico City:

Bilateral relations between Mexico and the U.S. on migration issues prior to September 11 were dominated by labor and economic issues. Now migration between the two countries has taken on increased relevance as a national security issue. Before September 11, undocumented economic migration was associated with organized crime – the trafficking of drugs, of people, of weapons. Now we can add terrorism, which, since September 11, has permeated the life of the government and residents of the U.S.

Because of international pressure regarding U.S. violations of the human rights of undocumented migrants and assertions that its border with Mexico is a border of death, the U.S. government reached agreements with the government of Mexico so that migration controls could be reinforced on Mexico's southern border with Belize and Guatemala. From there Plan Sur was born, like a belt of migration control in the Isthmus of Tehuantepec. Because of this it is said that the border of the Rio Bravo with the U.S. has been lowered to the River Suchiate along the border with Guatemala.

Observers had thought that President Fox and the new Mexican government would have a better position in the bilateral relationship with the U.S. than previous Mexican administrations. However, the attacks of September 11th modified the panorama for our country. Now the U.S. will maintain a low profile with regard to migration relations with Mexico. Both presidents had been using the issue of migration and the bilateral discussions as a way to project a certain image. The negotiations, for now, will remain branded by the interests of the U.S. Meanwhile, civil society can:

- Pressure both governments to de-link the issue of terrorism from that of undocumented economic migration and to look for other mechanisms to combat terrorism without making migrants more vulnerable.
- Pressure both governments to legalize the Mexicans that are already in the U.S.
- Maintain vigilance regarding the human rights situation on Mexico's northern border and pay special attention to its southern border, where violations can continue to grow.
- Take bilateral cooperative actions to promote development of regions in Mexico.

(This article was translated by Spring Miller)

Mexican Hometown Associations

An Opportunity for Increased Civic Participation in the U.S. and Mexico

By Oscar Chacón and Spring Miller

In September 1999, the Mexico-U.S. Advocates Network published *The Federation of Michoacán Club in Illinois*, a report summarizing several years of research on Mexican hometown clubs and federations. Hometown associations are organizations of Mexican immigrants who jointly send money to fund infrastructure and economic development projects in their communities of origin.

In order to maximize their political and financial impact, these clubs come together to create statewide federations associated with various states in Mexico (ie, the Federation of Michoacanos, the Federation of Zacatecanos, etc). Among other things, the report's findings included: the formation of Mexican hometown associations in the U.S. is a grassroots response to the stresses placed on communities undergoing rapid social and economic change; federations, which depend entirely on volunteer donations and labor, can serve as a model of international, grassroots philanthropy; and finally, hometown associations are generally associated with sending communities in Mexico which have experienced heavy job and population loss due to economic restructuring over the past two decades, and the projects they undertake in their communities of origin are intended to mitigate those problems and preserve community life.

Since the publication of the report two years ago, Mexican Hometown Associations (HTAs) in Illinois and across the country have continued to develop and mature as organizations. Many of them are beginning to move beyond an exclusive focus on development projects in their towns of origin, and are emerging as actors in political arenas associated with their communities in the U.S. as well. This dual engagement with civic issues in their towns of origin and their new communities makes Hometown Associations part of a new breed of transnational community-based organizations with real

potential to impact an ever more regional and global reality.

Because of the HTAs' promise as a model for grassroots, transnational civic engagement, the Mexico-U.S. Advocates Network has re-initiated a formal relationship with Chicago area Hometown federations. Heartland Alliance staff are working with Chicago-area HTA leaders to develop a short-term pilot project focused on developing leadership within Mexican Hometown

Associations and on strengthening their organizational capacity.

The project was formally initiated in October 2001 and will last approximately seven months. Through it, Heartland Alliance plans to equip key members of several

This dual engagement with civic issues in towns of origin and their new communities makes Hometown Associations part of a new breed of transnational community-based organizations.

Federations of Mexican Hometown Associations with a common base of knowledge and skills intended to promote their growth as leaders within their respective organizations.

The areas of knowledge that will be covered through this short term training will include basic environmental scanning techniques (social, economic and political macro context); defining an organization's vision and mission for the future; leadership development; fundraising techniques; short and long-term organizational planning; methods for promoting cooperative and collaborative work relations among organizations; and an exploration of the role of cultural and national identity in a diverse society.

By increasing their level of social organizing and developing collaborative relations with all other sectors (private and governmental) impacting their communities in the U.S. and Mexico, HTAs will further strengthen their social, political, and economic influence in both countries. The training provided to HTAs through this pilot project will help them maximize their capacity as transnational grassroots organizations that utilize effective civic and democratic participation to better community life in Mexico and the U.S. *Oscar Chacón is Director and Spring Miller is Program Coordinator of the Mexico-U.S. Advocates Network.*

Guatemala's Plan Coyote 2000

By Patricia Bezares

Guatemala is not only a country of origin for migration, but also a destination country and one of transit for migrant populations from Central America (especially Honduras and El Salvador), from South America (especially Colombia, Ecuador, and Perú), and from nations outside the region, like India, China, and Middle Eastern countries. These migrants move toward the North (ie, Mexico, the U.S., and Canada) with the fundamental aim of creating a better life for themselves.

Guatemalan immigration authorities, responding to the global political environment with regard to migration, have implemented various policies designed to contain and control this migrant flow.

At the beginning of 2000, Guatemalan authorities put into effect "Plan Coyote 2000-2001," with the stated principal objective of dismantling human trafficking networks and capturing coyotes – those individuals responsible for trafficking migrants. For the implementation of this plan, the Immigration and Naturalization Service (INS) of the U.S. provided training to officials of Guatemala's General Direction of Migration and to members of the National Civil Police, who are responsible for coordinating the execution of the initiative.

During the year 2000 and the first months of 2001 the police carried out a series of operations under the framework of this plan, principally in the capital and border zones with Mexico. Elite law enforcement teams like the Special Police Force (FEP) entered places presumed to be "hideouts" for undocumented migrants like factories and hotels, as well as in roads, parks, and bus terminals.

While special law-enforcement teams were responsible for capturing suspected undocumented migrants, the General Direction on Migration (Guatemala's Migration Agency) assumed the role of reviewing the documents of people who have been arrested. The National Civil Police took responsibility for the detention of the arrested migrants.

In practice, these operations have been aimed at the arrest and detention of undocumented migrants of various nationalities who travel through Guatemala, who have earlier been pushed from their country of origin by political or economic forces. To date, these operations have not resulted in the capture and/or sentencing of any "coyote" or of the identification and dismantling of any organized human trafficking networks.

According to what has been reported by the Procurator of Human Rights in Guatemala, these operations have loaned themselves to various violations of the human rights of migrants, in the moment of arrest as well as during the time of detention. These violations include – among others - the arrest and detention of Central Americans who have all their migration documents in order; the destruction of migrants' valid migration documents; physical abuses of migrants; prolonged detention of migrants in unhygienic, prison-like, conditions; and a lack of access to good nutrition or medical care when it is necessary.

Given these and other facts, the National Roundtable for Migration in Guatemala (MENAMIG), the national body that coordinates the efforts of various civil society organizations concerned with the issue of migration, has taken a number of steps aimed at the defense and protection of the human rights of the migrant population. These actions include: making public pronouncements denouncing outrages on the part of authorities involved; holding forums directed at civil society organization and public functionaries to shed light on different aspects of the migration phenomenon and the vulnerability of migrants. Additionally, MENAMIG members have made visits to detention centers in order to evaluate the conditions in which migrants find themselves and to develop actions to protect them.

Plan Coyote was halted at the beginning of July of this year, after a change in the directorship of the General Direction on Migration. It is still not clear what sort of migration actions and measures will be taken by this new administration.

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Plan Puebla-Panamá

A Grand Vision that May Fall Short

By Oscar Chacón

In the course of this year, President Fox from Mexico and his colleagues from Central America have spoken many times about a regional development and integration plan known as Plan Puebla a Panamá (PPP).

The PPP is a Mexican initiative that would bring together Mexico's nine south-southeastern states (Puebla, Guerrero, Chiapas, Campeche, Yucatan, Veracruz, Tabasco, Quintana Roo and Oaxaca) and the seven central American nations (Belize, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, and Panamá) into one common macro-region. The states and countries included in this plan share similar conditions of high poverty rates, low levels of "human development" (as measured by the United Nations), high unemployment, and high levels of migration.

The PPP proposes to undertake a major economic development plan in the region with the goal of increasing the social, economic, and cultural well-being of its nearly 64 million inhabitants. In addition to diagnosing the region's commonalities in terms of poverty and underdevelopment, the PPP also identifies an important unifying characteristic of the region: the presence of indigenous peoples. This is particularly true in the south/southeastern Mexican states, as well as in Guatemala.

PPP draft documents emphasize the need to involve civil society actors, especially those representing indigenous peoples throughout the region, in the implementation of the plan. However, the documents fall short in identifying how and when civil society representatives will be included. In mid-May of this year, President Fox traveled to El Salvador to meet with all heads of state from Central America to sign a memorandum of common understanding regarding the PPP. Civil society representatives were not involved in the meetings at all. It is clear that unless civil society actors themselves demand otherwise, their level of participation in this process will be symbolic at best.

The conditions of extreme poverty affecting at least half of the 64 million inhabitants of the Puebla-Panamá macro-region are not new. They have been around for many years. Furthermore, because of the near-total abandonment of rural development policies over the past twenty years, including a failure to adequately reexamine of the role of agriculture in the region, these historic conditions of poverty have only worsened. As an alternative, industrial assembly plants or *maquilas* have been introduced to the region. So far, *maquilas* have not brought any qualitative improvement in the life of millions of Central Americans and Mexicans. At best, they represent a lonely and painful alternative to being absolutely unemployed and without any opportunity to make a living.

It appears doubtful that such a plan will present a real challenge to the seductive appeal migration holds for the region's residents, who dream of securing a better quality of life.

Based on the little that is known about the PPP, it appears doubtful that such a plan will present a real challenge to the seductive appeal migration holds to the region's residents, who dream of securing a better quality of

life. In order to reduce migration pressures, the region's governments and civil society representatives will have to work together to design an alternative economic development plan that generates economic and social conditions which can satisfy the basic life aspirations of its residents. However, even in the best of cases, such a process will not produce ideal results right away. Therefore, a regional development plan of this sort will have to take into account the migration flows that are likely to continue taking place within this region, as well as from this region to other northern neighbors such as the U.S. and Canada.

For President Fox, the PPP represents an opportunity to assume a prominent leadership role not just within Southern Mexico and its Central American neighbors, but also on behalf of all of them before the U.S., Canada, and the rest of the first world. However, in order to become a real leader on behalf of the region, President Fox will have to foster the development of functional economic and community development alternatives, as opposed to simply prescribing once again the ineffective treatments
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contained within structural economic adjustment programs supported by multilateral financial institutions. Additionally, he will have to take a leadership role on behalf of the many people from this region that will continue to opt, at least in the short term, for migration as an avenue to seek economic well-being.

Plan Puebla Panama in the post-September 11 context

As is the case with virtually everything else, the future of the PPP is uncertain following the terrorist attacks carried out on September 11 on U.S. soil. As the U.S. demands greater cooperation from its allies and neighbors in the fight against terrorism, the response by Mexico and other Central American nations may complicate the chance for a regional economic development initiative such as the PPP.

The prominent role Mexico sought in relationship to its southern neighbors had been at least partially based on the supposition that it would soon enjoy an even more closely integrated relationship with U.S. One major element of this tightened Mexico-U.S. relationship was to have been a bi-national agreement on migration. In the post-September 11 context, the bi-national migration agreement in particular and Mexico in general have been relegated to a distant second set of priorities for the U.S. government. The fight against terrorism, national security and defense, and the management of a quasi-recessive economy have become the U.S.'s top priorities.

One implication of the new U.S. focus on national security is an increased emphasis on its border protection system, which has been revamped since September 11. For millions of Mexicans whose livelihoods depend on crossing the U.S./Mexico border, life has become a

nightmare. But even beyond imposing new forms of control mechanisms at its own borders, the U.S. is exerting great pressure on Mexico and Central American nations to strengthen their national borders as well. In the last few days, there has been much discussion within Mexico about the merits of militarizing its southern border with Guatemala and Belize. Exercising this option would likely complicate Mexico's relationship with its southern neighbors.

Another complication is that billions of dollars would be required to adequately fund an alternative regional economic development plan such as the PPP. In the pre-September 11 context, securing such support was already a daunting task. In the post-September 11 period, in which the rich nations on the planet seem to be only interested in boosting their defense and national security budgets, securing funds for a massive development project becomes an almost impossible one.

It is sad that the conditions of structural violence under which millions of Mexicans, Central Americans and other impoverished peoples around the world live – conditions which often become breeding grounds for extremist and fundamentalist groups who end up resorting to terrorism – are so easily ignored. The rich nations on earth should realize that a better way to fight against all forms of terrorism, and to build powerful international alliances based on cooperation, collaboration, mutual respect and mutual benefits, is to engage in a worldwide campaign to eradicate poverty and bring about humane standards of living for every human being on the planet.

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Baja California Declares a "High-Risk" Zone for Migrants

In mid-August, the government of Baja California, Mexico declared an emergency situation in the mountainous region between Tecate and Mexicali, where it is estimated that more than 650 migrants have died since 1996 in attempts to reach the U.S. As the U.S. Border Patrol has cracked down on points of entry like the Tijuana/San Diego crossing in recent years, journeying across remote areas like La Rumorosa and La Mesa de Andrade – as these rugged areas in the northeastern part of the state are known – has become increasingly common for undocumented migrants coming from or passing through Mexico on their way to the U.S. Temperatures in the lowlands of the region can reach as high as 130 degrees in the summer.

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Along with declaring a state of emergency and proclaiming 100,000 acres of land near Tecate and Mexicali a "high-risk" zone, the governor announced a new initiative aimed at prohibiting migrants from entering the region. Teams of state law enforcement officers and federal immigration agents now patrol the highway that runs along the desert in an effort to prevent trucks and buses from dropping off immigrants in isolated areas. They also monitor areas near the highway in order to dissuade migrants on foot from continuing. Within the area that has been declared to be "high-risk," agents can intercept and remove migrants. The Baja California government argues that extreme meteorological conditions render the region so perilous that it has the right to keep people away from the area – much like the Mexican government keeps people away from certain potentially active volcanoes. The initiative also includes the installation of radio towers throughout the area, which allow agents to monitor the movement of immigrants.

This decree and its implementation reveal many of the complexities and the contradictions inherent in the Mexican government's attempts to address migration across its national borders. Many critics see the decree as little more than an attempt to demonstrate willingness to comply with U.S. demands that Mexico work to control and stem the flow of migrants across its northern border. When the decree was issued in August, hopes in Mexico for some form of bilateral migration agreement with the U.S. were high. However, the decree is regarded as unconstitutional by many observers and is expected to be challenged in court. Migrants and human rights advocates assert that giving law enforcement agencies more power to control the movement of migrants only pushes them to take even riskier measures to cross the border and renders them more vulnerable to exploitation by human smugglers and corrupt government officials. They also note that the implementation of this initiative while a supposedly pro-immigrant President Fox is in power is deeply troubling.

Below are excerpts from a letter written by the newly-created Mexican Migration forum, a coalition of advocates, academics, faith-based organizations, and other members of civil society concerned with the issue, to the governor of Baja California in response to the decree.

...Actions to avoid the deaths of Mexicans as well as people of other nationalities on the border with the U.S. (and the southern border with Guatemala) should be a priority of the federal government and of relevant state governments. These actions should be one element of a set of programs and measures that make up a national policy on migration, which should be coordinated and implemented by various agencies that deal with the phenomenon of migration.

We are once again facing a measure that does not generate or contribute to a coordinated and harmonized national migration policy framework. This is a grave reality. Some months ago, many of us pointed to the risks associated with this lack of coordination in the development and implementation of migration policies and programs, such as the inadequate use of human, financial, and technical resources, the potential for contradictions between programs and institutions, and possible interferences in the development or negotiation of policies.

It is time to find a definite remedy to this situation and to stop sending contradictory messages with relation to Mexican migration policy and with relation to programs run by diverse federal, state, and municipal agencies.

The President's Commissioner for the Northern Border has mentioned the idea of reproducing decrees such as this one in other border states. We could arrive at the absurd point of bringing the border further south, only for the migrants, the most poor.

What is this decree other than a measure comparable to the border control operations established by the U.S. government in recent years?

It would seem that the governor, the Congress of Baja California, and the Commissioner of the President for the Northern Border have not paid attention to the denunciations of civil society and of the churches, who for years have attended to victims and documented the direct relationship between the deaths of migrants and border control operations.

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Have they not seen the spectacular exhibits in Tijuana where non-governmental organizations in California and Baja California count each week the number of deaths along that border?

Have they also not encountered the report recently released by the U.S. General Accounting Office (GAO)? This report concludes that after seven years of INS investment in the implementation of a strategy on the southwestern border, with more than eight thousand agents dedicated to protecting the border and a budget of two billion dollars a year and incomparable technical resources, irregular (undocumented) migration flows have not decreased. On the contrary, some results of this strategy have been the diversion of these flows to more inhospitable zones outside of urban centers and the growth of illegal human trafficking networks. The most perverse results, recognized by the GAO, have been rising numbers of deaths and accidents. The GAO recognizes that no operation dissuade those who decide to cross the border and recommends the suspension of these operations whose financial and, above all, human cost is unsustainable.

The people who operate human trafficking networks and corrupt government officials will likely be the greatest beneficiaries of this decree.

It is obvious then that this type of strategy will not serve to dissuade or stop those who decide to cross the border. If its resources cannot do it, the U.S. Border Patrol with all its limited resources – with the state of Baja California – certainly will not be able to.

type of strategy will not serve to dissuade or stop those who decide to cross the border. If its resources cannot do it, the its limited resources –

In allowing the application of these containment measures in Mexico, which are highly discriminatory, in place of the protection of life, our own authorities will provoke diversion of migration flows and will expose migrants to greater risks in their own land. These risks include the death and accidents that the decree supposedly aims to prevent.

Organizations that work on the issue of migration have pointed constantly to the fact that the participation of security agencies at diverse levels of government in efforts to control migration (limiting the free transit of people is an activity of migratory character that is not the responsibility of a state government) is a direct cause of abuses, acts of corruption, and impunity. Also, it has been reported that these measures make migrants easy prey for extortion. The people who operate human trafficking networks and corrupt government officials will likely be the greatest beneficiaries of this decree.

Because of all the above, the organizations below affirm:

1. We energetically condemn the decree promulgated by the government of Baja California on August 17, 2001.
2. We ask that the federal executive and the federal legislature, in compliance with the commitment that the government of Mexico has made to the human rights of migrants, publicly condemn the measure taken by Baja California.
3. We demand that the government and legislature of the state of Baja California immediately annul this agreement.
4. The complexity of international migration requires broad participation from society with different governmental agencies. These agencies should be represented by competent authorities who are capable of implementing a national policy respectful of the human rights of migrants. Civil society organizations have on various occasions expressed their willingness and ability to participate in the development of proposals and policies as well as in the application of those policies, if and when adequate institutional mechanisms are developed that guarantee the independence of this sector.
5. We ask for recognition and respect of the following principles:
 - Respect for human rights should give shape to migration policy, and should be one of the core elements of regulations and programs on the issue. *(cont. on p.11)*

(cont. from p.10)

- Migration flows respond to complex and diverse factors and cannot be “administered” or “controlled” with border control or containment measures.
- The promotion of sustainable community, municipal, and regional development is the only way to gradually lessen migration pressures.
- The best way to lessen the risks associated with undocumented migration is to take measures to promote the development and regularization of existing labor flows.
- The above can only be accomplished with bilateral, multilateral, and co-responsible policies.
- We demand congruence with international principles of human rights in migration policies and programs. We also demand congruence and coordination among the diverse (federal, state, and municipal) agencies in charge of the definition and/or application of national migration policies. That is to say, the state should develop and implement a comprehensive migration policy of that protects the rights of all migrants, independently of their migration status.
- We demand the harmonized development of a comprehensive program of border development that includes measures necessary for the protection of migrants.

Mexico City, September 11, 2001
Migration Forum

This letter was translated by Spring Miller.

Drought and Fall in Coffee Prices Lead to Central American Economic Crisis

By Spring Miller

Central America, which has been dealt devastating blows in recent years by such natural disasters as Hurricane Mitch in 1998 and the Salvadoran earthquakes of January and February 2001, is now facing a regional economic crisis precipitated by a drought and worldwide drops in coffee prices. The situation in the region’s export-dependent countries will likely worsen as the U.S. economy continues to slow, and analysts are concerned that many rural inhabitants of Guatemala, Honduras, El Salvador, and Nicaragua will face severe food shortages and even starvation. Currently, the UN World Food Program estimates that 1.3 million people in Central America are “severely affected” by the latest drought – a classification which implies that those people have lost between 50-100% of their crops.

The social consequences of this economic crisis and the lack of viable political mechanisms to address it are profound. Internal and external observers are warning of a potential social explosion as frequent natural disasters continue to spiral into cyclical human tragedies. Food shortages and lack of work have already sparked significant internal displacement throughout the region,

with indications that the displaced rural population is beginning to flow towards receiving countries in the region (Mexico and Costa Rica), as well as towards the U.S.

The Drought

The rainy season in Central America typically begins in late spring and continues through mid-fall. However, the rain never came this year in parts of northern Nicaragua, southern Honduras, eastern El Salvador, and southeastern Guatemala. Subsistence farmers in these areas have lost most or all of their basic grain crops, while small farmers who sell their crops in domestic markets (who have already been marginalized in recent years by policies favoring cheap imports) have been rendered unable to support themselves or employ agricultural workers. Many of the areas most affected by the drought are ones still struggling to recover from Hurricane Mitch and the Salvadoran earthquakes.

Estimates vary as to the extent of crop loss in Central America. (cont. on p.12)

(cont. from p.11)

According to US Agency for International Development (US AID) figures, crop loss ranges from 70-100% in certain areas of Honduras heavily affected by the drought. Overall, the Honduran government estimated that crop production to date this year is 50% below average levels. In Nicaragua, the Ministry of Agriculture estimates that many municipalities in the northern part of the country have experienced 50 to 80% crop loss. Four departments in the eastern portion of El Salvador are sustaining heavy crop losses estimated to cost about \$24 million. In Guatemala, the drought will result in an estimated 5% decrease in corn production and a 1.5% decrease in bean production.

The Coffee Crisis

Historically, subsistence farmers and other rural dwellers have depended on seasonal employment in coffee farms for income when other crops failed to materialize. However, the worldwide drop in coffee prices has been utterly disastrous for Central American coffee farms; seasonal coffee laborers have been unable to find any work, while coffee farmers find themselves deep in debt.

□ World prices for coffee are as low – in real terms – as they have been in 100 years. The average price of a pound of coffee on the world market today is \$.55, compared to \$1.45 eighteen months ago. This dramatic drop in coffee prices is due to a glut of coffee on the world market, which can largely be explained by the use of new high-yield technologies and greater output by countries who have historically not been coffee exporters. A number of deeply-indebted developing countries have turned to coffee production and exportation for the hard currency needed to repay their loans. Vietnam, whose export coffee industry was heavily subsidized in the early 1990s by the French government and the World Bank, saw its coffee exports increase by 400% during the 1990s; it is now the world's second-largest coffee exporter. Unfortunately, international demand for coffee has not kept pace with increasing supply. Over the past ten years, production of coffee has increased at twice the rate of consumption.

The people hardest-hit by this drop in coffee prices are small coffee farmers and landless agriculture workers in coffee-dependent regions. Currently, a number of small farmers and owners of medium-sized coffee plantations are choosing not to harvest their crops this season, as harvesting and production costs (estimated at around \$.65 per pound) will outstrip the selling price of their product.

Food Insecurity and Social Instability

In a special report released in mid-August, the UN World Food Program (WFP) found that 775,000 rural inhabitants of Central America are facing situations of extreme food insecurity. There are reports of ten people in Nicaragua and 41 people in Guatemala starving to death this summer. According to USAID, the breakdown of people in need of short-term emergency food by country is: Honduras – 300,000; Nicaragua – 206,250; El Salvador – 200,000; and Guatemala – 65,000.

International aid groups and the WFP are working to get emergency food aid to the most affected areas to tide them over until the next harvest in November, which is expected to produce closer to normal levels of crops. In spite of some normalization of rainfall levels this fall, the number of people facing immediate food shortages in still region is still overwhelming, and the regional economic crisis precipitated by the plummeting coffee prices shows no signs of abating.

Critics charge that the governmental response to the situation in the region has been mixed. Through its Plan Sembrador (Planting Plan), the Salvadoran government is attempting to get new seeds to farmers who have lost crops due to the drought. However, the efficacy of this plan is being questioned by critics who note some reports that only farmers who own their own land will be eligible for the program and that the corn variety being distributed may be inappropriate for the late growing season.

In Nicaragua, thousands of laid-off workers from coffee plantation have begun to migrate towards cities, squatting along highways and in city parks. Several hundred marched to Managua and camped out in front of the presidential palace in late August, in an attempt to capture the attention of a seemingly indifferent President Arnoldo Alemán. President Alemán, who had earlier suggested that reports of the crisis were fabrications of his political rivals, did take initial steps to address the plight of the laid-off workers, offering some \$2 a day to sweep the streets and initiating requests for international loans.

This crisis is provoking displacement and social instability throughout the region. Costa Rican officials have anecdotally asserted that increased numbers of Nicaraguan migrants have entered that country this year in search of work and food. (cont. on p.13)

(cont. from p.12) USAID reports from Guatemala and Honduras suggest that migration to urban areas, as well as to Mexico and the U.S., is increasing as a result of the economic situation in rural departments. As unemployment rates continue to rise and displaced rural dwellers migrate to urban areas, violent crime is increasing.

It is crucial that Central American governments, civil society, and international institutions take steps to ensure that the current crisis does not result in a regional famine. However, the much-needed distribution of emergency food aid will not address the underlying conditions that leave the region susceptible to cyclical disasters like the one it is currently experiencing. Central America's economy, which is historically dependent on a few export crops and

subsistence agriculture, is increasingly vulnerable to fluctuations in the global financial market, as well as to natural disasters exacerbated by environmental degradation. In spite of the much-celebrated return to peace and the election of democratic governments in the 1990s, the life choices for most of Central America's residents are increasingly limited. Lawmakers and governmental officials looking to contain and control migration flows throughout Central and North America would do well to examine and address the fundamental economic and social contradictions that are at the heart of Central America's perpetual crises.

Spring Miller is the Program Coordinator of the Mexico-U.S. Advocates Network.

Migration Policies and the Legislation of Migration Flows in El Salvador

By Rolando Mata

At the end of the 1980s, the United Nations High Commissioner for Refugees (UNHCR) reported that there were around two million refugees from Central America (principally Salvadorans, Guatemalans, and Nicaraguans) within countries in the region and North America. Of those, some have since been officially recognized by states as refugees. Other refugees are waiting because the states where they currently reside do not have laws to address their situation or because they have returned to their country of origin. It is estimated that within Central America today there are one million undocumented migrants.

The governments of Mexico and Central America recently announced the Plan Puebla a Panamá initiative (see p.7). This plan does not address the structural causes of migration; therefore, it is uncertain that it will actually help to contain migration flows.

Parallel to the implementation of Plan Puebla a Panamá, governmental authorities in Central America have reinforced border posts and increased requirements of entrance and transit through these countries. These measures have intensified since the September 11 attacks. Although government spokespeople deny it, Central American countries and Mexico are trying to be filters to stop the migration flow towards the U.S.

According to figures released by the Salvadoran National Civil Police (PNC), from January to September 2001, it captured around 3,000 undocumented migrants from at least 24 different countries. 56% of those came from the neighboring country of Honduras. On October 6 of this year, the PNC pulled two Colombian citizens off of a bus because they had declared that they were heading towards the U.S. The PNC detained these migrants although they both had their traveling documents in order.

From the perspective of concern for the human rights of foreigners in the country, the Migrants' Forum in El Salvador – a coalition of civil society, religious, and academic organizations concerned with the issue of migration - has analyzed a proposal for a new Law of Foreign Migration of El Salvador. This proposed law was written by the Executive Branch and introduced in April of 2000 to the nation's Legislative Assembly. The aim of the law is to modernize migration legislation and eliminate disparities in the existing migration regulations. This law establishes legal categories, processes, requirements, and agencies to deal with migrants in the country.

The Migrants' Forum of El Salvador – a coalition of ten civil society organizations concerned with migrants' rights - has developed a campaign and broad discussion about the contents of the proposed law over the past year. This campaign and public discussion have been developed by

(*cont. from p.13*) means of working groups, forums with specialists, and meetings with government representatives. The Forum has also held a number of meetings with organizations associated with Salvadorans who have family members living in the U.S.

The Forum recognizes that the proposed law presented by the Executive Branch has positive aspects. It aims to fuse into one normative body the two current laws governing the flow of Salvadoran citizens out of the country and the flow of foreigners into the country (which were passed in 1958 and 1986 respectively). However, the proposal is still not satisfactory in terms of its substantive adherence to constitutional and international norms of human rights. The Forum has presented its commentaries, proposals, and recommendations to authorities to ensure that this legislation guarantees legal security and the protection of the rights of nationals and foreigners in national territory.

One of the principal recommendations of the Forum has to do with the production and definition of migration policies. The bill's draft mentions these issues, but they are still not well defined. Also, there is a need to define more clearly a service policy regarding the more than 2 million Salvadorans that live outside the country. The family remittances that are sent by these 2 million people (who make up one-fourth of the total Salvadoran population) are extremely important to the Salvadoran economy.

The Forum has asserted that the migration policies of the country should be developed with a base of respect for human rights and the fundamental liberties of every person. In that sense the law should be respectful of the constitutional and judicial order of the country as it is of international law. It is important to consider the conditions that currently characterize migration flows, without circumscribing the entire law to the issue of national security.

The Forum proposes that the new law include the creation of a National Advisory Board on Migration for the definition and application of migration laws. Representation on such an advisory board could consist of governmental authorities, UNHCR, the Procurator of Human Rights and civil society entities linked to the migration phenomenon.

The Forum has presented its own proposal for a Migration and Foreigners Law that incorporates the positive aspects of the proposed bill, but also eliminates repetition and addresses the thematic voids and contradictions in the text. The Forum's version of the bill reduces the discretionary powers the Executive Branch's bill gives to the Director of Migration. The Forum's version of the bill establishes requirements for the legalization of migrants. It also establishes procedures and resources for deportations. The government's draft gives an excess of regulatory power to migration authorities.

The efforts of the Forum have had an effect. A technical table (composed of lawmakers, Governmental Ministries, and civil society entities) is now working on an analysis of the draft of the Migration and Foreign Affairs Law. The Forum has presented a draft of a Refugee Law to address the issue of refugees separately. Reforms to the Penal Code that establish "human trafficking" as a crime, which had been included as part of the original draft of the Migration and Foreign Affairs law, have been approved by the Assembly separately, as the Forum recommended. Additionally, there is increased public awareness now in El Salvador that migration has multiple causes and its solutions can't be derived solely from migration control and regulation.

Rolando Mata is the Director of the FUNSALPRODESE in San Salvador, El Salvador. This article was translated by Spring Miller.

Human Rights Defender Assassinated, Others Threatened

By Oscar Chacón

Digna Ochoa, an internationally recognized human rights attorney, was assassinated in her office in Mexico City on Friday, October 19. Digna gained international recognition as a leading attorney with the Agustin Pro Human Rights Center (PRODH), an institution founded by the Order of Jesus (Jesuits) in 1988. At the time of her assassination Digna Ochoa was no longer a staff member at the PRODH, but was continuing to work closely with the organization. (*cont. on p.15*)

(cont. from p. 14) Digna's assassination represented the culmination of a pattern of attacks that began in 1995 when the PRODH took on the defense of individuals charged with being members of the Zapatista National Liberation Army. Mexican military leaders, as well as various law enforcement entities involved with counter insurgency efforts in southern Mexico (particularly in Chiapas), have regarded Digna Ochoa, the PRODH, and other human rights advocates as rebel sympathizers.

Digna Ochoa dedicated her professional career to the defense of individual freedoms such as the right to free speech, the right of association, the right to due judicial process, etc. In the last few years, Digna Ochoa worked arduously to eliminate different forms of official coercion, including physical and psychological torture in the cases of individuals detained who are government critics.

Although Digna Ochoa was involved with several human rights defense cases, her defense of two Mexican environmentalists generated particular controversy. Rodolfo Montiel and Teodoro Cabrera Garcia, two environmental activists and peasants from the state of Guerrero who insistently opposed the exploitation of forests by Boise Cascade (a U.S. company), were captured in May of 1999 by the Mexican army. They were accused of illegal firearms possession and marijuana cultivation. Later on, Digna Ochoa, as an attorney working for the PRODH, established that torture had been used to extract self-incriminating confessions from Montiel and Cabrera Garcia.

In May of 2000, Amnesty International declared Montiel and Cabrera Garcia to be prisoners of conscience. In February of this year, they both were awarded the "Chico Mendez" environmental defense award by the Sierra Club, the largest and oldest U.S. environmental organization. However, in Mexico, Digna Ochoa continued to be constantly harassed. The relentless pattern of persecution forced her to a period of self-exile in the U.S. from August 2000 to March 2001.

On October 27, several Mexican news outlets received an anonymous statement claiming responsibility for the execution of Digna Ochoa. In addition, the statement also made death threats against five other human rights advocates: Edgar Cortez, Fernando Ruiz, Miguel Sarre, Juan Antonio Vega and Sergio Aguayo.

The execution of Digna Ochoa, as well as the threats against other distinguished human rights advocates, have caused many observers to question the Fox administration's ability to deliver on his vehement promises to put an end to political violence and impunity. In order for President Fox to maintain credibility before the international community and the Mexican public regarding his commitment to break with the past, the federal government must promptly and decisively bring to justice those responsible for these actions.

The Mexico-US Advocates Network of the Heartland Alliance for Human Needs & Human Rights will continue to monitor these developments and will cooperate with the human rights advocacy community in Mexico, as well as in the U.S., to ensure that justice be delivered in these and other cases of human rights violations in Mexico. *Oscar Chacón is Director of the Mexico-U.S. Advocates Network.*

Nicaraguan Elections 2001

In a closely-watched election held November 4th, Enrique BolaZos, of Nicaragua's ruling Liberal party, defeated former Sandinista president Daniel Ortega. Voter turnout for the tightly-contested election was high; estimates indicated that nearly 75% of those registered to vote did so. International observers, including former U.S. President Jimmy Carter, confirmed BolaZos' victory. Ortega, who had a several point lead in the days immediately prior to the elections, managed to garner 42% of the vote. The Bush Administration openly expressed its opposition to Ortega, suggesting that he had links to terrorist organizations such as the leftist FARC guerrillas in Colombia and the ETA separatist movement in Spain.

BolaZos is the former vice-president of current President Arnoldo Alemán. Alemán has faced widespread allegations of corruption throughout his tenure in public office; his wealth increased by 900% between 1990, when he became mayor of Managua, and 1997, when he became president. He has refused to make any further wealth declarations since 1997. BolaZos attempted to distance himself from Alemán during the election, and has promised to investigate the corruption charges against his former boss. However, dealing with Alemán, who - thanks to a power-sharing pact made last year between the Liberal and Sandinista parties - has a guaranteed seat in the national assembly, will be only one of the many challenges BolaZos will face after assuming office. Aside from dealing with the immediate economic crisis and social unrest discussed on p.11 of this edition, BolaZos must also work to obtain desperately-needed debt relief from foreign lenders.

