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## LOOKING NORTH: IMMIGRATION POLICY IN MEXICO

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The topic of migration has always been a political hot potato in Mexico, particular with regard to its relationship with its Northern neighbor. A number of the country's prevailing problems are linked to it. Insufficient economic growth means there are not enough jobs, thus raising migration pressures. Organized crime is behind the gangs of smugglers operating at the borders. There is also smuggling of arms, drugs, people, and money laundering. Unsecure borders in the South and North are of concern to the United States. Mexico is campaigning internationally for human rights; however, it has failed to preserve them in its own country.

### TYPES OF MIGRATION IN MEXICO

There are various types of migration in Mexico. In addition to internal migration and immigration, emigration of large parts of the population to the United States tends to dominate. There is also an increased trend towards transmigration. In this regard, Mexico merely acts as a springboard for other foreign migrants to enter the U.S.A.

Internal migration within Mexico stands out for a number of reasons. For one thing, in the wake of the industrialization during the past century, many people from rural areas moved to the economic centers, with the capital and its suburbs seeing the greatest influx. Also, a great number of day-laborers travel each season to agriculturally productive areas in search of work. During the past few decades, increased tourism – and with it, the increased demand for cheap labor in the construction and service industries – has also caused internal migration, with people moving

to the respective strongholds.<sup>1</sup> As a result of growth in the *maquila* industry in the 1990s, increased numbers of assembly plants have settled along the Northern border, resulting in strong inward migration flows, particularly among young women.

The scale of immigration into Mexico is rather low in comparison to the migration flows towards the North. In 2000, the *Centro Latinoamericano de Demografía* estimated immigrants in Mexico to account for about 0.5 percent of the total population, whereas at that time, nearly ten percent of all Mexicans were resident in another country. Seventy percent of immigrants are from the U.S.A., the majority of whom (sixty-eight percent) are below the age of fourteen; presumably, these are children born in the U.S.A. to Mexican migrant parents, who have returned with their parents to their home country. There are also Central Americans, most of whom are between twenty and thirty-nine years old. Presumably most of them are workers. Generally, immigrants from South America tend to be aged between twenty-five and forty-nine and this is indicative of higher levels of education and professional qualifications.

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For many immigrants from other countries – above all, Central America – Mexico acts as a bridge to the United States. The phenomenon of transmigration is characterized by the migration of individuals through several different countries, sometimes oscillating between them. Thus, migration is not a single episode in the lives of those concerned, rather it is a permanent condition. According to the economist and social scientist Luis Ignacio Román Morales from the ITESO Jesuite University, transnational social networks are becoming increasingly important in the context of transmigration. This and other types of migration cannot be explained purely in terms of economic motives.<sup>2</sup>

1 | Hugo Ángeles Cruz, "Las migraciones laborales a la frontera sur de México," (paper presented at the Primer Foro 2005 – Hacia una política migratoria integral en la Frontera Sur de México, Instituto Nacional de Migración, Tapachula, Chiapas, May 2005).

2 | Luis Ignacio Román Morales, "Migración en México: tendencias y consecuencias", in: Peter Fischer-Bollin (ed.), *Migración y políticas sociales en América Latina*, SOPLA – Konrad-Adenauer-Stiftung, Rio de Janeiro, 2009, 201-231.

**Emigration is an important source of foreign currency income. The so-called remesas rank second, behind the income of the state oil company.**

In ninety-seven percent of all cases, Mexicans emigrate to their Northern neighbor. In 2007, according to the Pew Hispanic Center, 12.7 million Mexicans lived in the United States. Meanwhile, this figure has dropped to approximately 11.7 million. Still, Mexicans represent one-third of all immigrants in the country. More than half of them do not have valid papers. Six out of ten illegal immigrants in the U.S.A. are coming from Mexico.<sup>3</sup>

On the one hand, emigration is a valve for relieving pressure in the Mexican job market. On the other, it is an important source of foreign currency income. The so-called *remesas* rank second, behind the income of the state oil company, PEMEX, even ahead of the foreign currency income of the tourist industry. According to the latest estimates of the *Migration Policy Institute*, they account for two percent of the Mexican GDP. There has been a slight decline since 2007. In 2009, approximately twenty-two billion U.S. dollars were transferred by Mexican migrants to their home country. Ninety-nine percent of *remesas* originate from the United States.<sup>4</sup> In some regions that are particularly affected by emigration, there are often financial dependencies as a result of the reverse transfers. Furthermore, migration of a large proportion of the young workforce slows down economic development.

## EMIGRATION DEVELOPMENTS

Most Mexicans emigrate to the United States for economic reasons. One of the primary incentives is the marked difference in wages, which have leveled off over the years at around a ratio of one to ten for low-qualified workers.<sup>5</sup> The continually increasing demand for Mexican workers since the 1980s has led to growing numbers of immigrants.

3 | Pew Hispanic Center, *Mexican Immigrants in the United States, 2008*, Pew Hispanic Center, 15.04.2009. <http://pewhispanic.org/files/factsheets/47.pdf> (accessed August 17, 2010).

4 | Migration Policy Institute (MPI), *Remittances Profile: Mexico*, MPI, 2010. <http://migrationinformation.org/datahub/remittances/Mexico.pdf> (accessed August 17, 2010).

5 | Francisco Alba, "¿Nuevas estrategias frente a la migración México-Estados Unidos?," in: Gustavo Vega Cánovas (ed.), *Alcances y límites de la política exterior de México ante el nuevo escenario internacional: ensayos en honor de Mario Ojeda*, El Colegio de México, 2009, 353-374.

According to current data from the Pew Hispanic Center, in the wake of the recent financial and economic crisis there has been a strong decline in the number of migrants to the North, particularly illegal aliens. The number of legal immigrants has remained constant. Despite the crisis, there has not been an increase in the number of Mexicans returning to Mexico from the U.S.A.<sup>6</sup> On the one hand, this development may be the result of long-term change in migration patterns and, on the other, of a short-term increase in border protection along the Río Grande, or the weakened U.S. economy.

There is a noticeable concentration on a few federal states. Eighty-three percent of Mexican foreign nationals in the U.S.A. live in just ten states. 4.5 million Mexican migrants live in California, 2.5 million in Texas; these are followed by Illinois (approx. 700,000) and Arizona (approx. 650,000). In Los Angeles alone, there are one and a half million Mexicans – as many as in Mexico’s economical centers Tijuana, Toluca or León.

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For more than a decade, the traditional regions of emigration in Mexico have been the Northern states and urban centers, such as Guanajuato, Jalisco, Michoacán and Zacatecas. Meanwhile, however, emigrants are increasingly coming from the South of the country, in particular from Puebla, Veracruz, Oaxaca and Guerrero. The resultant worker vacuum is filled by immigrants from Central America. There has also been a diversification of the types of migrants in terms of sex, age and education.

Since the job prospects for highly-qualified workers in Mexico have worsened as a result of the economic crisis, many of them are again moving to the U.S.A. According to recent figures from the OECD, eight percent of skilled Mexican workers are now living there. The effects of this *brain drain* will be noticed by 2025 at the latest, so the OECD predicts. Already over thirty percent of Mexican

6 | Jeffrey S. Passel, D'Vera Cohn, *Mexican Immigrants: How Many Come? How Many Leave?*, Pew Hispanic Center, July 22, 2009. <http://pewhispanic.org/files/reports/112.pdf> (accessed August 17, 2010).

doctoral graduates live in the neighboring country, as well as twenty percent of Mexican academics with a Master's degree.

A large proportion of emigrants, however, only has a basic level of education. Three out of five do not have a high-school diploma. Nearly three-quarters barely speak any English. More than half of them do not have health insurance and are without regular access to healthcare. Often migrants are employed in the low-wage sector and, in addition, are subject to unsafe working conditions thus, exposed to an increased risk of accidents at work.

The migration patterns between Mexico and the U.S.A. are multifaceted. As well as attempts to settle permanently, there is also a pattern of circular migration. Mexicans regularly oscillate between the two countries, spending a few months in each at a time. Seasonal tendencies can also be observed. In the spring and summer there are stronger flows towards the North, and in fall and winter these flows are in the opposite direction.

### **MEXICAN IMMIGRATION POLICY AND THE UNITED STATES IN THE TWENTIETH CENTURY**

At the beginning of the twentieth century, the Mexican government sought to dissuade potential emigrants from leaving Mexico and to encourage Mexican foreign nationals to return to their home country. In 1942, following bilateral

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negotiations, the *bracero* program was introduced in answer to the labor shortage in the U.S.A. during the Second World War. As a result of the program, more than five million Mexican migrant workers (*braceros*) were sent by state institutions to help with seasonal harvests in the U.S.A. In 1964, following efforts by the United States, the program was canceled, despite opposition from Mexico. Owing to a silent agreement between both countries, there was almost uninterrupted border traffic in both directions. The Mexican side reacted to this by following a policy of *laissez-faire*, or rather adopting a *no policy policy*, as Francisco Alba, an expert in migration studies, from the university and research institute, *El Colegio de México* noted. Due to a lack of a

coordinated strategy, migrants on the far side of the Río Grande were consigned to their own fates.

Since the early 1970s, the proportion of Mexicans within the United States' population has increased dramatically. Mexicans have represented the largest foreign community within the U.S.A. ever since 1980. These developments have led to resentment towards immigrants from the South and, in 1986, these culminated in the *Immigration Reform and Control Act* (IRCA). The Act legalized the residence status of 2.3 million Mexican migrants without valid papers; in turn, border controls were tightened. This caused the flow of Mexican migrant workers – one which used to be primarily cyclical between the two countries – to become a constant flow towards the North.

Experts such as Jorge Durand from the *Universidad de Guadalajara* believe that President Carlos Salinas de Gortari initially sought to limit the damage during the 1980s.<sup>7</sup> At the U.S. administration's request, the topic of migration was left out of negotiations about the North American Free Trade Agreement, NAFTA. However, Francisco Alba sees the negotiations as an indirect attempt to stem the ever-increasing migration flow. As a result of the free trade agreement the negotiating parties had hoped, among other things, to create more jobs and to harmonize wages. At the very least, this would have reduced the economic impetus for emigrating to the North. However, these desires could not be realized.

In the 1990s, there were efforts on the U.S.A.'s part to seal off the borders further. According to Francisco Alba, this certainly went against the spirit of NAFTA and thwarted deeper economic integration within

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North America. The restrictive *Illegal Immigration Reform and Immigrant Responsibility Act* (IIRIRA) was passed in 1996 and border patrols were increased. These measures were aimed, in particular, at stopping the waves of illegal immigrants from Mexico. Instead, however, they tended

7 | Jorge Durand, *From Traitors to Heroes: 100 Years of Mexican Migration Policies*, Migration Policy Institute, 2004, <http://migrationinformation.org/Feature/display.cfm?ID=203> (accessed August 17, 2010).

to encourage migrants to look for riskier routes across the Río Grande and through the desert, leading to increased numbers of deaths at the border. Between 1995 and 2006, the number of deaths rose by twenty percent per annum, from sixty-one to four hundred twenty-five. During the same period, the policies of the Mexican government, which had tended to be more apathetic, had turned to migration issues, and the country – under President Ernesto Zedillo Ponce de León’s leadership – began to take a more active role from 1995 onwards. Above all, this led to increased protection for emigrants through the Mexican Consulate in the U.S.A., as well as improved coordination between the two countries. With his government program from 1995 to 2000, Zedillo had already defined the Mexican nation beyond the country’s national borders and managed to include not just Mexican foreign nationals, but foreign nationals with Mexican roots.

#### **RAPPROCHEMENT AT THE TURN OF THE MILLENNIUM AND THE LANDMARK EVENTS OF SEPTEMBER 11, 2001**

The change of government in 2000 precipitated a realignment in Mexican immigration policy. Negotiations between President Vicente Fox and George W. Bush at the start of 2001 initially gave grounds for hope that both governments were interested in opening up the legal channels for the flow of workers. The talks centered around the legalization of Mexican immigrants without valid papers, the development of a program for itinerant laborers, improving the security conditions at the border, and widening visa access for Mexicans. The foreign minister at the time, Jorge Castañeda, spoke of an *enchilada completa* which seemed within reach.

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The events of September 11, 2001, however, suddenly put an end to these positive developments. Henceforth, it became the highest priority for the Bush administration to secure and seal off the national borders. Proceedings to regulate migration between Mexico and the United States were put on hold. Instead, the existing immigration laws were applied more stringently, and border controls were

increased to prevent possible terrorists from entering the U.S.A. Just as in the decade before, Mexico concentrated on protecting and supporting Mexican foreign nationals in the United States.

In 2004, Bush reopened the immigration debate, albeit without making explicit reference to Mexico. Itinerant labor programs were to be set up following the slogan *to bring willing workers to willing employers*. The primary aim was to legalize those immigrants already living in the country without valid papers by means of temporary work permits. Francisco Alba interprets this as a security measure, which gave a previously hidden and marginalized section of the population a face and an identity, ultimately meaning that it was easier to monitor them.

These proposals were welcomed by the Fox administration. Politicians of all shades, scientists and non-governmental organizations, as well as other social actors involved with migration issues all agreed that unrestricted regional freedom of movement should be supported, and that this was a long-awaited addition to NAFTA, which had come into force ten years earlier. There were also loud calls for Mexico to recognize its own status as an emigration country and to adjust its policies accordingly.

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In 2005, Mexico signaled to the U.S.A. that it was prepared to assume "shared responsibility" in a document published in October of that year entitled *México ante el fenómeno migratorio*.<sup>8</sup> Mexico pledged to increase control over immigration towards the North in return for the status of Mexicans currently living in the U.S.A. without valid papers to be legalized and an itinerant labor program to be created. The United States, however, simply responded by tightening border controls with more physical barriers, increased patrols, and the deployment of the National Guard along the border. In 2007, debate surrounding legal reorganization of immigration in the U.S.A. ceased.

8 | Secretaría de Relaciones Exteriores (SRE), *México ante el fenómeno migratorio*, Mexico City, October 2005.  
[http://portal.sre.gob.mx/con\\_mcallen/pdf/MEXICOFRENTEALFENOMENOMIGRATORIO.doc](http://portal.sre.gob.mx/con_mcallen/pdf/MEXICOFRENTEALFENOMENOMIGRATORIO.doc) (accessed August 17, 2010).



Even under the Obama administration, the issue of immigration has yet to be tackled seriously. At the same time, this is not just a foreign policy matter, but also a domestic issue that is heavily criticized. In many federal states, there is dissatisfaction. People feel let down by the Obama administration. A possible consequence might be radical legislation born out of necessity at federal state level. A patchwork rug of different legal frameworks would not be in the interests of the national governments of Mexico or the U.S.A.

The current government under Felipe Calderón Hinojosa has continued to follow the course set by his predecessor, Fox, and has not launched any shining new initiatives in this field, neither to control migration nor to reduce the incentives. The president's discourse on creating new jobs is limited to trying to attract foreign and domestic private investors, according to Francisco Alba. The economist Luis Ignacio Román Morales also criticizes the lack of a comprehensive immigration policy. He notes that in his government program for 2007 to 2012, Calderón only names human rights protection for Mexican immigrants and the establishment of equal opportunities in all those regions that are economically weak due to their high net emigration figures as a priority.

### **FOCUS ON CURRENT INTEGRATION EFFORTS: MEXICAN MIGRANTS IN THE UNITED STATES**

For many years, the integration efforts of the Mexican government have mainly focused on the Mexican population living in the United States. As Laureen Laglagaron from the *Migration Policy Institute* notes, in so doing, Mexico, as a source country, has taken on a task, which is traditionally left to institutions in the recipient countries.<sup>9</sup> This is only possible thanks to the direct proximity of both countries and the high concentration of emigrants in the U.S.A. Ninety-five percent of

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9 | Laureen Laglagaron, *Protection through Integration: The Mexican Government's Efforts to Aid Migrants in the United States*, Migration Policy Institute (MPI), 2010. <http://migrationpolicy.org/pubs/IME-Jan2010.pdf> (accessed August 17, 2010).

Mexican foreign nationals live in the U.S.A., a total of 11.5 million people in 2009. At the same time, this represents more than ten percent of the total Mexican population, meaning that one in ten Mexicans lives in the U.S.A. These account for some three percent of the U.S.

population, not including the twenty million second and third generation U.S. citizens with Mexican roots. In light of these dimensions, Rafael Alarcon from the *Colegio de la Frontera Norte* spoke of the “thirty-third state” of Mexico.<sup>10</sup>

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Furthermore, two constitutional reforms have been groundbreaking. The first was in 1997, with the introduction of a perpetual Mexican nationality in contrast to citizenship. This aimed to allow emigrants to retain their nationality and accept U.S. citizenship. The second was brought about in 2005 by constitutional amendment after nearly ten years of debate, and granted Mexican foreign nationals the right to vote by post. A year later, these foreign nationals were able to take part in the presidential elections from outside the country.

The institutionalization of the Program for Mexican Communities Abroad (PCME – *Programa para las Comunidades Mexicanas en el Exterior*) was even more important, as too was the Institute for Mexicans Abroad (IME – *Instituto de los Mexicanos en el Exterior*).

The PCME, which was founded in 1990 by a presidential decree and assigned to the foreign ministry, pursued many aims. Alongside generally strengthening the relationships between Mexicans living within Mexico and abroad, it aimed to improve the reputation of Mexican foreign nationals within their home country, while simultaneously promoting a sense of affinity with their home country. Finally, it sought to cultivate cultural roots for emigrants and, above all, their offspring, to promote investment in regions of migration, and to protect the rights and development of Mexican foreign nationals.

10 | Rafael Alarcon, “Hacia la construcción de una política de emigración en México,” in: Secretaría de Relaciones Exteriores – SRE (ed.), *Relaciones Estado – Diáspora: Aproximaciones desde cuatro continentes* (Mexico City: SRE, 2006), 157-179.

The migrant organizations in the United States also made a decisive contribution to their development thanks to collective return transfers for social projects and the construction of public infrastructures in the regions of origin. Thanks to the initiative of Governor Genaro Borrego, every dollar transferred from abroad was matched by a further dollar by both the national and state governments in the state of Zacatecas in the 1980s. This scheme was implemented in 1992 throughout the country as part of the program *Dos por Uno*. Although temporarily abandoned by Zedillo, Fox returned to the basic idea and initiated the program, *Iniciativa Ciudadana*, also known as *Tres por Uno* in 2002. Going beyond the original principle, this program also involved local governments in the subsidization of turn transfers.

In April 2003, the Institute for Mexicans Abroad (IME) emerged out of the PCME, and this adopted an innovative approach to integration and education for social and human capital among emigrants in the U.S.A. and Canada. By integrating migrants, not only will they themselves benefit, but also their respective countries of origin and residence. The IME draws particular attention to those migrants with low levels of education and poor language abilities, who often find themselves in precarious employment situations as a result. Without legal papers they fall through the social net in the U.S.A.

Through its *Consejo Consultivo*, the institute possesses an independent advisory body, whose members are elected

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by members of immigration organizations in the U.S.A. and Canada and who are mainly immigrants themselves. According to Laureen Laglagaron from the *Migration Policy Institute*, this is a unique feature of the IME compared to similar institutions in other countries. Furthermore, the institution promotes citizens' involvement and seeks to generate influence within the United States through politically active Mexican foreign nationals and U.S. citizens with Mexican roots – not least of all to combat resentment against Mexicans and prevent oppressive political measures. Luz Robles is a good example of someone who has benefited from integration and political involvement. After she joined the advisory

body of the IME in 2008, she was nominated as a senate candidate for the state of Utah. She had only emigrated to the United States twelve years previously in order to study for a degree.

The greatest strength of the IME is that it can spread knowledge and experience in a targeted fashion. Most programs are initially developed as pilot projects directly responding to the needs of local Mexican migrant communities. If they prove successful, they become examples of best practice for the network of fifty Mexican consulates in the U.S.A. Thus, they promote and spread strategic partnerships between emigrants, companies and local governments.

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The Mexican consulates also strive to broaden awareness of the so-called *matrícula consular* among Mexican immigrants in the U.S.A. Within the local communities, financial institutions and police authorities, they appeal for acceptance of this form of proof of identity. This has existed since 1871 but suffered as a result of the increased security measures and identity card requirements in the wake of September 11, 2001. This form of identity also enables illegal aliens to identify themselves to police officers, to have access to financial services and hospitals, to register with a telephone company, etc. Kevin O'Neill notes in a study for the *Migration Policy Institute* that the Mexican model has served as an example for other countries, such as Guatemala or Peru, and he believes that other Latin American governments will follow suit.<sup>11</sup>

Mexico's involvement in promoting the integration of its citizens in the United States should be seen within the context of the idea of "shared responsibility" for both countries on the issue of immigration, which has been prevalent in recent years. The Mexican government advocates the principle that a country's responsibility for its citizens does not end when they emigrate. If these receive assistance from domestic institutions to integrate into a foreign country, Lauren Laglagaron argues that it is

11 | Kevin O'Neill, *Consular ID Cards: Mexico and Beyond*, Migration Policy Institute, 2003. <http://migrationinformation.org/feature/display.cfm?ID=115> (accessed August 17, 2010).

possible to maintain long-term bonds between a diaspora and its country of origin. In so doing, Mexico is leading the way internationally and is seen by other Latin American countries, such as Bolivia, Ecuador, Paraguay and Uruguay, as a model for creating diaspora organizations.

### **THE ARIZONA ACT: SHARP CRITICISM FROM MEXICO**

**The "Arizona-Act" makes it illegal for migrants to reside in Arizona, to infringe civil liberties. The first lawsuits were filed in May by U.S. human rights organizations.**

Senate Bill 1070, which partially came into effect on July 29, 2010 and is often simply referred to as the "Arizona Act," has shaped public debate surrounding Mexican migrants in the United States in recent months. Ever since Jan Brewer, Governor of Arizona, presented the draft bill on April 23 of this year, there has been strong criticism from the Mexican government, numerous non-governmental organizations and even the U.S. Federal Government.

Brewer is accused of using the Act, which makes it illegal for migrants to reside in Arizona, to infringe civil liberties. The first lawsuits were filed in May by U.S. human rights organizations, which alleged that the anti-immigration, SB1070, was unconstitutional. At the start of July, the U.S. Justice Department also filed an action at the Court in Phoenix. It has been claimed that the Federal State of Arizona is aiming to use the Act to appropriate the powers of the U.S. Federal Government. The way in which it has been constructed may also lead to hostility towards foreigners and U.S. citizens. With the support of numerous Latin American countries, Mexico has taken part in the trial as an *amicus curiae* and has heavily criticized the bill. Susan Bolton, the judge appointed to preside over the case, finally decided to allow the bill to take effect, albeit with sharp curtailments.

The mass deportations that were feared in the wake of the Arizona Act have failed to materialize in the state, which has approximately half a million illegal immigrants, of which ninety-four percent are Mexican. This represents ten percent of Arizona's available workforce.<sup>12</sup>

12 | Pew Hispanic Center, *Hispanics and Arizona's New Immigration Law*, April 29, 2010. <http://pewresearch.org/pubs/1579/arizona-immigrationlaw-fact-sheet-hispanic-population-opinion-discrimination> (accessed August 17, 2010).

The episode surrounding SB1070 showed again that immigration policy in the United States is seen as a domestic policy issue. Directly in the run-up to the *midterm elections*, the immigration debate has given many political candidates a stage. Instead of tackling the long-overdue reforms together, Democrats and Republicans are merely blocking each other in Congress. If the Government fails to find and implement a sustainable solution for the problem of illegal immigration in the future, many more states are likely to follow Arizona and introduce “anti-immigration” initiatives.

### **THE FORGOTTEN SOUTH: THE SITUATION OF CENTRAL AMERICAN MIGRANTS IN MEXICO**

The outrage and numerous debates on the Arizona Act among the Mexican public have noticeably upstaged the situation of immigrants along Mexico’s Southern border. However, the number of critical voices is increasing with regards to this. In the Mexican daily newspaper, *La Reforma*, the Argentinian columnist Andrés Oppenheimer recently decried the discrepancy between Mexico’s involvement on the world stage in opposition to the Arizona Act and its own actions in the South of the country.<sup>13</sup> At first glance, it appears that Mexico’s international behavior is congruent with the national legal framework. Until the law was amended in 2008, illegal immigrants still faced two years’ imprisonment and deportation and, in the case of renewed illegal entry, even up to ten years in prison. Unlike in Arizona, however, illegal immigrants now no longer face the threat of incarceration. According to the new law, if they are taken into custody by officials working for the migration authorities, they will now only be fined and deported. In principle, police officers are also not entitled to ask a person about the migration status. The migration authorities may only be informed in the case of a voluntary statement by a migrant, declaring his or her illegal status. It is obvious that migrants would rarely reveal such information without coercion.

**Unlike in Arizona, illegal immigrants in Mexico now no longer face the threat of incarceration. Police officers are not even entitled to ask a person about the migration status.**

13 | Andrés Oppenheimer, “México tiene su propio ‘Arizona,’” in: *La Reforma*, May 24, 2010.

Still the situation of most immigrants is disastrous. According to the *Consejo Nacional de Población*, between 2007 and 2009, there were on average one hundred forty thousand immigrants a year, the majority of whom came from Central America and were planning to enter the U.S.A. later. Aside from the fact that they have no access whatsoever to medical treatment or education, they often become the victims of organized crime. This is not just silently accepted by local police authorities, but they often earn substantial sums from the lucrative business surrounding the plight of migrants.

On the long and difficult road via Mexico to the United States, many migrants turn to smugglers for help, who guarantee them a supposedly safe transit for a few thousand U.S. dollars. Often, however, these smugglers cooperate with bands of infamous *maras*, sometimes selling the migrants to these gangs by the truckload.

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The migrants are then kept prisoner by the *maras* until relatives in the U.S.A. transfer on average about two and a half thousand U.S. dollars. Anyone without a contact in the States is generally shot without hesitation. Women and children are often raped and abused. Six out of ten female migrants in Mexico suffer some form of sexual abuse.

The scale of this business is just as shocking as the methods used. The Mexican Human Rights Commission, CNDH, discovered ten thousand such kidnapping instances nationally in only a six month period of investigation between September 2008 and February 2009. More than half of these were in the South of the country, mainly in the states of Veracruz and Tabasco. The kidnappers' incomes for these six months alone are estimated at about twenty-five million U.S. dollars. Owing to their illegal status, many migrants are reluctant to press charges with the authorities, meaning that the estimated number of unreported cases is considerably higher. A particularly sobering thought: more than half of all the victims reported to representatives of CNDH that the police and other officials were involved in the kidnappings. This also includes members of the unit, *Grupo Beta Sur*. The Beta groups have been

deployed in Northern and Southern border regions by the national migration authority, INM, since 1990, supposedly to protect migrants.<sup>14</sup>

International human rights organizations, such as Amnesty International, warn of a “human rights crisis” in the South of Mexico. José Miguel Vivanco from Human Rights Watch admits that while there is no anti-immigration law in Mexico as opposed to Arizona, many immigrants still are in constant danger of abuse and violence from the local police forces, many of which are all too closely linked with the Mafia and people smuggling. The actions of the police often go unpunished.

### U.S. INTERESTS IN SOUTHERN MEXICO

Even if Mexico’s Southern border does not enjoy the same level of exposure in public discourse as the one along the Río Grande, there are still actors, who are keeping a very close eye on it: Mexico’s Northern neighbor. Following the events of September 11, 2001, there has been a realignment of U.S. security policy, argues Erubiel Tirado, an expert in national security from the renowned *Universidad Iberoamericana*.<sup>15</sup> These led to the so-called *Smart Border Agreements* with Canada and Mexico – bilateral agreements on strategies to strengthen border security between the respective countries. Signed by Mexico in March 2002, the agreement provides for wide-ranging collaboration on issues of national defense, security, the secret services, and migration. Tirado considers this as a *de facto* border shift by the United States from the Río Grande to the Río Suchiate in the South of Mexico.

**The events of September 11, 2001 led to the so-called Smart Border Agreements with Canada and Mexico. The agreement provides for wide-ranging collaboration on issues of national defense, security, the secret services, and migration.**

14 | Comisión Nacional de Derechos Humanos (CNDH), *Informe Especial sobre los casos de secuestro en contra de migrantes*, CNDH, 2009. <http://cndh.org.mx/INFORMES/Especiales/infEspSecMigra.pdf> (accessed August 17, 2010).

15 | Erubiel Tirado, “Frontera Sur y Seguridad Nacional. El olvido intermitente,” (paper presented at the Primer Foro 2005 – Hacia una política migratoria integral en la Frontera Sur de México, Instituto Nacional de Migración, Tapachula, Chiapas, May 20, 2005).



The *Smart Border Agreement* does not just aim to make the Southern Mexican border as impenetrable as possible for illegal migrants on their way to the U.S.A., but also seeks to put a stop to organized crime there.

**The maras which arose in the 1990s from groups of illegal Central American immigrants in the United States have well over one hundred thousand members between Canada and Honduras.**

In so doing, the focus is on the *maras*, gangs known for their lack of scruples, which arose in the 1990s from groups of illegal Central American immigrants in the United States. Meanwhile, these groups now have well over one hundred thousand members between Canada and Honduras. In February 2005, the Mexican intelligence service, CISEN, found that the *maras* were operating in twenty-one of the thirty-two federal states in the country, and Erubiel Tirado has described the border state of Chiapas as the natural origin of these activities.

However, it is not just the Central American *maras* that are supposed to be stopped at the border. The U.S.A. also fears that Islamic terrorists could enter its territory through Mexico via Central America and carry out further attacks.

Given the above specified plurality of interests south and north of the Río Grande, immigration policy in North America will only be successful through close cooperation of all the important players. To deal with it solely on national or federal state level will not suffice. Domestic immigrant organizations as well as affected civilians have to be consulted by the Mexican and U.S. governments to develop effective plans for reform. But in the wake of this bilateral cooperation, Mexico has to be careful not to lose sight of its own domestic struggle against violence and infringement of immigrants. The necessity of political action is sadly demonstrated by the recent discovery of 72 murdered immigrants from Central and South America in Tamaulipas, Northern Mexico.