



# BORDERS: WALLS OR BRIDGES?

Proceedings of the First International Forum  
on  
**MIGRATION AND PEACE**

Antigua Guatemala, January 29-30, 2009

Edited by

Leonir Mario Chiarello  
Maria Isabel Sanza Gutiérrez  
Ezio Marchetto

**Scalabrini International  
Migration Network**

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The Scalabrini International Migration Network (SIMN) is a non for profit organization established in 2006 to promote the dignity and the rights of migrants, refugees and people on the move worldwide. This publication contains the proceedings of the First International Forum on Migration and Peace, organized by the SIMN, which took place in Antigua, Guatemala, on January 29-30, 2009.

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Proceedings of the First International Forum  
on  
MIGRATION AND PEACE

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*To all men, women and children  
who by crossing borders  
are peace builders...*



# Acknowledgments

The *Scalabrini International Migration Network* (SIMN) thanks everyone who, in one way or another, made possible the celebration of this First International Forum on Migration and Peace.

We are grateful to the Forum participants for their excellent contributions, especially the moderators and experts who took part in the debate panels and workshops, the proceedings of which are published in this volume.

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during the Forum, and facilitating “live” media coverage of the event through Radio Migrantes.

In times like this it is easy to forget someone, however, we express our most heartfelt thanks to each and every one who was there, or who contributed in any way to this Forum.

Finally, we would like to thank all those who fight for, work for, and share in the ideal of *a world more just and more fraternal*, so that one day migration may be an actual choice, not a necessity, and walls may give way to bridges and meeting places for sharing in full the rights of each and every human being, regardless of documentation or provenance.

*Rev. Leonir M. Chiarello*  
*Executive Director*  
*Scalabrini International Migration Network*

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In a world ever more complex and globalized, the increase in international migration in recent decades has become, and will in the future continue to be, one of the central issues on the public international agenda. Figures published by the United Nations indicate that approximately 200 million people reside in a country other than that of their birth. Despite restrictive immigration policies, border controls, and the expulsion of undocumented migrants, the pervasive socio-economic asymmetries, poverty, lack of jobs, natural disasters, armed conflicts and other international problems, among other factors, will continue to force millions of people across national borders in search of better living conditions. History shows that migrant movements cannot be contained or repelled by building walls. The most appropriate policy for managing migration is to build bridges toward international coexistence.

Discussions about the best way to address global migration, among governments and international organizations, currently focused on demographic, economic, cultural, and national security issues, will have to consider one of the most challenging aspects of this phenomenon: the peaceful coexistence between local communities and immigrants. Social and political conflicts generate forced migration, while negative perceptions of immigrants in receiving countries generate social conflicts and hostilities, making it difficult for the two groups to coexist harmoniously. This underscores the need to promote a culture of peaceful coexistence in the mobility and settlement of migrants in the communities of destination. From this perspective, migrants themselves, along with other social, political, national, and international actors, are the true protagonists in the debate.

For the past few years, on the American continent and elsewhere in the world, there has been a furtherance of peace and reconciliation processes that seek to heal the wounds caused by forced migration and the violations of human rights perpetrated by military governments and dictatorships, and during armed conflicts. In addition to solving the conflicts of the past, these processes are expected to contribute to a *sustainable peace* by focusing on solutions to structural problems such as injustice and social exclusion, which are at the root of the current conflicts.

With these things in mind, the *Scalabrini International Migration Network* (SIMN) envisioned the creation of a space for reflection and debate and organized the International Forum on Migration and Peace, choosing to

focus on the Americas at its inaugural meeting.

With the title “Borders: Walls or Bridges?,” and the support of the Guatemalan Conference of Bishops' National Commission for Pastoral Care of Human Mobility, the First International Forum on Migration and Peace was held in the city of Antigua, Guatemala, on January 29<sup>th</sup>-30<sup>th</sup>, 2009. During the two days, 218 expert panelists shared their reflections, commitments, and proposals for the promotion of a fully human and peaceful existence as the right of every person, at the international level, and particularly within the American continent. Among the participants in attendance were several Nobel Peace Prize Laureates, government representatives, delegates from international, civic, academic, and migrant organizations, as well as members of the media. The first day's discussions centered on the role of the various social agents in the processes of reconciliation and peace building, and their impact on international migrations. The second working day was focused on the role of public policy in building bridges to reach peaceful international coexistence.

This publication brings together the proceedings of the First International Forum on Migration and Peace, including the presentations by the seven debate panels around which the Forum was organized, and the conclusions from the six thematic workshops on best practices for the promotion of peaceful coexistence in the area of international migrations.

Following the papers presented during part one of the Forum are the presentations by the debate panels. Part two discusses the processes of reconciliation and peace building and their impact on international migrations. The first panel, *Reconciliation and Peace-Building Process: Their Impact on International Migration*; the second panel, *Migrations: Walls or Bridges for a Peaceful Coexistence?*; the third panel, *The Role of the Church in the Promotion of a Peaceful Coexistence between Migrants and Local Communities*; the fourth panel, *Experiences of Promotion of a Peaceful Coexistence Along the Borders*; the fifth panel, *The Role of Politics in Building Bridges for Peaceful Coexistence and Integration among the People of the Americas*; the sixth panel, *Migration Policies and Reconciliation Processes in the Americas*; the seventh panel *Beyond National and International Walls: New Challenges for a Peaceful Coexistence*. Following these are the reports from the thematic workshops on best practices for the promotion of peaceful coexistence (part three). Last are the Forum's conclusions and the proclamation of the Final

Declaration of Antigua. A series of interviews of several Forum participants, conducted by Mr. José Luis Perdomo Orellana, and supported by the Soros Foundation of Guatemala, are included with these proceedings.

The sharing of experiences, the inclusion of the work of so many different authors from such diverse backgrounds, and the networking among the various institutions represented at the Forum, are the essential elements in continuing the work initiated at this conference. Action requires the cooperation of all to create, implement, and strengthen the means necessary to generate and establish a culture of peaceful coexistence among all peoples (something sorely needed in the area of human mobility) with migrant persons at the center. Given their vulnerability, these persons need protection. Major efforts are required to ensure that their human rights are not just mere words and declarations of principle in treaties and statutes, but a reality. On the other hand, not only are these persons (men, women, youth, boys and girls in movement) the subject of rights, but are the principal agents in the construction of a common culture of *co-existence* that seeks to overcome the walls of fear and discrimination and cross the bridge to full enjoyment of the inalienable rights to which every human being is entitled.

The First International Forum on Migration and Peace, a space for encounter and debate, for input and commitment, has among its main goals: to acquire and contribute new knowledge regarding the connections between international migrations and the processes of reconciliation and peace building; and to encourage a high-level international dialogue about migration processes and the promotion of a fully human and peaceful existence for all. This is conceived as a dialogue among all the agents with decision-making and acting power in our societies, from Nobel Peace Prize Laureates to governments, civil societies, migrant advocates, international organizations, academia, and the media. The Forum hopes that governments will accept the knowledge generated by these dialogs and implement migration policies that respect and protect the rights of all migrants and their families, and develop concrete proposals that engage each and every one of the different social and political agents in the construction of a welcoming culture of solidarity and peace. It also aims to become a radius of dissemination for the Church's solid commitment to migrants, their families and communities (it is particularly symbolic that this first conference should take place at the same time as the first decade of the promulgation of the apostolic exhortation *Ecclesia in America*). The



Forum promotes the creation of a support network for peaceful coexistence between immigrant and local communities in the Americas and, in very concrete fashion, calls on its participants to continue acting as agents of socio-cultural change and promoters of a more peaceful world.

The opinions expressed in the different reports published in these Proceedings are those of their respective authors and do not necessarily reflect the opinion of the *Scalabrini International Migration Network* (SIMN) or the organizations sponsoring this Forum.

*Rev. Leonir M. Chiarello*  
*Executive Director*  
*Scalabrini International Migration Network*

BORDERS: WALLS OR BRIDGES?

## **Words of Welcome and Forum Inauguration**





## **Rev. Leonir M. Chiarello**

*Executive Director and Head of Advocacy  
Scalabrini International Migration Network (SIMN)*

---

Distinguished Mr. Oscar Perdomo Figueroa, Private Secretary of the Vice President of the Republic of Guatemala, Most Rev. Paulo Vizcaíno Prado, President of the Guatemalan Conference of Bishops, Most Rev. Alvaro Leonel Ramazzini, Bishop of San Marcos and President of the Guatemalan Conference of Bishops' National Commission of Pastoral Care of Human Mobility, Rev. Monsignor Novatus Rugambwa, Deputy Secretary of the Pontifical Council for Pastoral Care of Migrant and Itinerant People of the Holy See, Rev. Sergio Geremia, General Superior of the Congregation of the Missionaries of Saint Charles, Scalabrinians, Mr. Juan Esteban Belderrain, Regional Director for Latin America of the Porticus Foundation, Dr. Gerhard Wahlers, Director for International Cooperation of the Konrad Adenauer Foundation; distinguished Nobel Peace Prize Laureates and representatives of the Nobel Peace Prize Laureates, representatives of the international and government organizations, diplomatic and consular representatives, representatives of ecclesial and civil society organizations, guest experts, representatives of migrant organizations, ladies and gentlemen, welcome to this First International Forum on Migration and Peace.

We all know about the socio-economic and political difficulties that we currently face. It is ever more difficult to search for solutions to multifaceted problems. The relationship between international migrations and peaceful coexistence constitutes a challenge for the international agenda. All social and political agents must assume our responsibilities. On the one hand, as we all know, the lack of peace causes migration; on the other hand, migrations also disrupt peaceful coexistence.

Today, as in the past, economic crisis, lack of work, globalization processes, armed conflicts, and war, force millions of people across national and continental borders in pursuit of better living conditions and likewise seeking to protect their own lives. Immigrants will go wherever there is work and better security. In this sense, history shows that an influx of immigrants cannot be contained by walls like the one being built not too far

from here. Secular migrations cannot be held back by walls, armies, force, nor by restrictive immigration policies like the ones being implemented in the majority of the developed countries. As long as the economic system continues to exclude a large majority of the population from the benefits of development, social conflicts and migrations will continue to be persistent phenomena at the international level.

In the face of this situation, we ask ourselves: What is going on today that is making matters worse? We live in a more civilized world. Nevertheless, intercultural, interfaith, and international coexistence is ever more difficult. In a world with plenty of declarations, just last month we celebrated the 60<sup>th</sup> anniversary of the Universal Declaration of Human Rights, we still find the vast majority of the world's population living without rights. During colonial times and in times of occupation, there was no acknowledgement whatsoever of human rights for anyone. Today, rights are considered essential at the international level. But, what is going on that people still cannot enjoy those rights either in their own countries or when they flee? What is going on that the hunting down of immigrants has become a form of social self-affirmation, as in the case of the murdered migrants last month in New York? What is going on to make everything different today? What is going on that democratic governments are, more often than not, manipulated by interest groups? What is going on that international declarations are, more often than not, left on the paper on which they were written? What is happening with the concepts of citizenship and borders? Does dignity have borders now? Will national states continue to impose political borders on territories with a millenary culture of coexistence? What, then, must we do in order to establish peaceful coexistence? What kind of society do we want to build? What should our attitude be regarding the phenomenon of international migrations?

*“Let us not wallow in the valley of despair, I say to you today, my friends. And so even though we face the difficulties of today and tomorrow, I still have a dream. I have a dream that one day this nation will rise up and live out the true meaning of its creed: ‘We hold these truths to be self-evident, that all men are created equal.’”* We want to make these words of Martin Luther King, Jr. our own, and unite them with the lyrics of a popular Brazilian song that says: *“A dream that dreams itself can only be pure illusion, but a dream that is shared is the sign of a solution.”*

In these two days of the First International Forum on Migration and Peace we are looking for a way to share the dream that human dignity has no borders. Therefore, we invite you: Nobel Peace Prize Laureates and representatives of Nobel Peace Prize Laureates, representatives from government, international organizations, social and ecclesial organizations, academia, the media, and migrant associations to share in our reflection and commitment to promote peaceful and fully human coexistence as a matter of universal right.

On the first day, our discussion will be focused on the role of the various social agents in the processes of reconciliation and peace-building, and their impact on international migrations. On the second working day we will undertake the task of analyzing the role of public policies for building bridges for peaceful international coexistence. The options may be framed as follows: Shall we continue to build formal walls or shall we build bridges of dignity?

We are grateful to all for your support and participation. We are grateful for your generosity and collaboration in contributing each grain of sand to the construction of a bridge of peaceful international coexistence. We are thankful to the Guatemalan Conference of Bishops' National Commission for Pastoral Care of Human Mobility, presided by Most Rev. Alvaro Ramazzini, for their help and logistical support of this Forum, assisted by their team under the coordination of Rev. Mauro Verzeletti. We are also grateful to the Porticus Foundation, the Konrad Adenauer Foundation, the Soros Foundation, the Fondazione Cassamarca, TROCAIRE, Catholic Relief Services, the Central American Parliament and the Guatemalan Ministry of Foreign Affairs, for their support.

Welcome everyone to Antigua for this First International Forum on Migration and Peace.

Thank you very much.

## **Dr. Oscar Perdomo Figueroa**

*Personal Secretary of the Vice President of Guatemala*

---

Good morning, distinguished members of the presiding table. A very special greeting to Dr. Rigoberta Menchú, Nobel Peace Prize Laureate; Dr. Sergio Morales, Human Rights Ombudsman of Guatemala, and to all the friends who have come from other countries to this city of Antigua, Guatemala.

Welcome everyone on behalf of Dr. Rafael Espada, Vice President of the Republic, who sends his regrets since, precisely at this very moment, he is boarding a plane to Mexico City in order to tackle major issues within the bilateral agenda with our sister Republic of Mexico, as well as to work on the subject of transparency and access to information as an instrument that generates governability. Consequently, he asked me to share with you some ideas that he has been promoting during this first year of our new administration, not only from his perspective as a surgeon but also as a citizen concerned with migration. He is, and he defines himself as, an immigrant. He lived for thirty-eight years in the United States and decided to return to his country, among other things, to analyze the difficulties that produce migration.

Curiously enough, as he has often said, we are always talking about all kinds of movements: movement of vehicles, merchandise, even trafficking. However, it is difficult to find an acceptable solution for the free movement of human beings due among other things to those political boundaries we call borders.

The quest for food and opportunities is, fundamentally, the motivation for migrating. Nevertheless, we have not fully understood the roots of those basic needs that force human beings to migrate. In “Abya Yala,” as our natives call our America, indigenous peoples were already moving around to share foods, knowledge and, certainly, also solutions. The practical wealth and multicultural exchange that migration can generate may also help provide answers to the issues that each society has to face.

But above all, there is often a missing dimension in the migration debate: the question of the human being as such. Economic or material advantages are always discussed, but as a rule the analysis of human needs,

which should guide the actions of any public servant or politician, is left out of the debate. It is precisely for this reason that the Vice-President wanted to accept this opportunity to speak to you, because he believes, and he emphasizes it frequently, that the human being is the center around which all personal, professional, and public activities should revolve.

When people ask the Vice-President why he stopped being a surgeon and turned to politics, he answers that precisely both activities have much in common. In the operating room he has to make decisions and figure out how to maintain the life of a human being. In high level politics he has to participate in meetings and also make decisions that affect many human beings. It is essential to recognize that each decision, determination, and public policy will affect entire groups of people for better or for worse.

It caught our attention when it was mentioned that the discussion among social agents in this Forum should be based on their experiences and lessons learned. How might we formulate proposals that will allow us to generate public policies that may approach migration problems comprehensively?

It is worth mentioning that for the Vice-President, as a public administrator, when a proposal comes from a group that is fully aware of the problems and makes concrete recommendations based on experience or lessons learned, it is something of great value indeed. He frequently calls attention to the dangers in allowing major decisions to be made by decision makers only. Without consulting, taking advice, and listening to those who have specific knowledge, as well as those who will ultimately be affected, it is very difficult to arrive at meaningful decisions leading to public policies and government actions that actually address the real needs of society.

Therefore, possibly the most frank and sincere message coming out of my participation here today is to beseech the distinguished colleagues gathered here, not only from Guatemala but from the other countries as well, to ensure that the proposals stemming from this Forum have a developmental logic borne out of a full awareness of the circumstances, and based on what is really possible to achieve, at this given historical and political moment, for the nations involved in the processes of migration.

The Vice-President has insisted repeatedly that if poverty is not dealt with and resolved, we are not going to achieve sustainable human development in our country. These are issues that you certainly know and have mastered; yet really, in the development of the modern Guatemalan



State, in our case, what is it that the government must do at this historical and political juncture of 2009, in order to implement structural responses that assure us that we are on the right track toward solving root problems? It is very important that the groups gathering to debate deep social issues, such as migration, take into consideration that the evolution of any State has a cycle, which for the purposes of Guatemalan public administration lasts only four years. Within such timeframe, what can be done to achieve an institutionalization of policies, which civil society may follow up in order to arrive at truly structural answers for the benefit of human beings here in Guatemala and, possibly, in other countries?

This is a call from a high level political official who is receptive to this issue because he has experienced it in his own flesh. This is his invitation and, we hope, also a productive challenge for the work to be carried out in the various panels.

In conclusion, I would like to quote a Guatemalan singer-songwriter, who has written a very popular song on the subject of migration, a song indeed that invites us to make a full revision of the matter. These lyrics, particularly in the presence of representatives of the Church, are worth pondering: “The universal visa to live on this planet has already been issued by the Creator.”

Thank you.

## **Most Rev. Pablo Vizcaíno Prado**

*Bishop of Suchitepéquez-Retalhuleu*

*President of the Guatemala Conference of Catholic Bishops*

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Good morning everyone. I would like to welcome Mr. Oscar Perdomo, who is representing the Vice President of the Republic of Guatemala. I would also like to cordially welcome Rev. Sergio Olivo Geremia, General Superior of the Congregation of the Missionaries of Saint Charles, Scalabrinians. I also want to express my appreciation to Rev. Leonir Chiarello who was in charge of organizing most of this event.

The title, First International Forum on Migration and Peace, is highly suggestive, and invites us to look ahead at those countries that receive our people, and understand that acceptance is not established by building a wall of rejection, but a bridge of dignity.

The Guatemalan Conference of Bishops has always been deeply concerned for the well being of all Guatemalans, especially those who suffer or who have suffered the most. Over the years, a broad evangelical teaching has developed, which focuses on those topics that most directly relate to the fate of the people, here in Guatemala. Throughout this broad teaching several topics have been covered, such as education, the land, and other issues and circumstances that deeply affect the life of Guatemalans.

The first section of our last publication from the Guatemalan Conference of Bishops was on our point of view regarding the widespread affliction that results from the violence affecting our country. Such is the reality of Guatemala: a violence that, to a certain extent, is the product of drug trafficking from organized crime. However, that publication, at some point, also talks about all those migrants who, because of violence, persecution, or poverty, have been forced to migrate, and whose rights are currently being violated by anti-immigration policies that cause distress in the lives of many Guatemalan families. That last communication was an invitation to view life from a different perspective. For this reason, the Church reaffirms a great truth that has been spoken since the beginnings of the Christian era: *“The Living Man is God's Glory,”* and it is the living man on whom we should focus our efforts and our support by sharing our faith.

Clearly, the work of the Guatemalan Conference of Bishops has

gone above and beyond in the search for a better understanding and greater support among the bishops from the other countries of Central America. That is how the fraternal meetings with Mexican bishops, and most importantly those from the United States, were initiated.

We would like the perception in most people's minds to change, and rather than view the Guatemalan immigrants as a threat, begin to see them as a resource, the most important resource that Guatemala exports. We sincerely ask those of you who are concerned for the well being of others, to also focus your attention on all those Guatemalans who have been repatriated. Undoubtedly, some of them have been received back into the family unit and will once again flourish; however, there are others who return devoid of any kind of support and, their fate notwithstanding, simply wish to return, in any way possible, to the country from which they were deported. It is on those migrants that we should focus our attention and care, for if we do not, they will be a vulnerable group whose fate will depend entirely on the generosity that any good-willed Guatemalan or individual may afford.

Welcome to Guatemala and welcome to Antigua, Guatemala. This is a very special city that has received us all with open arms. For all of you who believe in a better tomorrow, it is my hope that these two days we share together will truly mark a moment where the glimmer of change will shine on your destiny, as well as that of your countries.

Welcome and thank you.

## **Rev. Sergio Olivo Geremia**

*General Superior*

*Missionaries of Saint Charles Borromeo, Scalabrinians*

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Good morning everyone. Forgive me for not repeating all the names; however I do extend the same words of greetings and appreciation that Father Leonir expressed to everyone at this presiding table. Thank you.

This morning, while we were celebrating Mass with Most Rev. Pablo Vizcaíno and a few priests, he invited us to ask God, as the Christians and Catholics that we are, for this gift: that in this world of borders, we may be bridge-builders and promote peaceful coexistence. For all of us, including you who are gathered here, I ask this same gift this morning that we may learn to be bridges.

The Congregation of the Missionaries of Saint Charles, Scalabrinians, in their 122 years of existence and working in the world of migrations, has worked closely with the migration process at an international level, with comprehensive service programs promoting the more human and Christian side of man, as it befits each particular period in history. Our Congregation was founded in 1887 by the devout John Baptist Scalabrini, in order to accompany millions of Italians who back then were migrating to the American continent, fleeing from the consequences of the Industrial Revolution in Europe. From the end of the 19<sup>th</sup> century until post-WWII, the Congregation of the Missionaries of Saint Charles, Scalabrinians, worked closely with this process by establishing parishes, schools, hospitals, migrant service centers, cultural centers, orphanages, nursing homes, cooperatives, migrant associations, and service committees.

Since 1960, the Scalabrinian Congregation has extended its services to all migrants, and has expanded its outreach worldwide, even arriving in Guatemala 10 years ago. In this manner, the programs and services that help migrants have multiplied, especially for the neediest. In 2006, in order to strengthen the international coordination amongst all of these services, and to promote political awareness worldwide, we, the Scalabrinian Missionaries, created an international network called *Scalabrini International Migration Network (SIMN)*. This network promotes a series of programs and activities in the area of development and

political awareness that benefit the people, families, and communities of local and international migrants.

We find ourselves at a moment when migration policies are increasingly restrictive. This gives rise to the incessantly growing number of undocumented immigrants, as well the negative stereotypes that label them responsible for rising unemployment, delinquency, and social unrest. As a result, the *Scalabrini International Migration Network (SIMN)* is implementing a campaign to foster a culture of peaceful international coexistence. This culture of peaceful coexistence between local and migrant communities requires everyone to participate, especially civic and government organizations. The civic organizations, churches, religious communities, media, schools, and other social sectors, are largely responsible for valuing and promoting the migrants' cultures, if they want to build better coexisting societies. The governments, on the other hand, are chiefly responsible for creating and implementing public policies on migration that are relevant to the current socio-economic and political challenges. These policies should be based on a greater political goal to completely integrate development and demographic policies with respect for everyone's human rights, including those of the immigrants. Without these policies, countries will continue suffering from a permanent imbalance between rising economic development and continuously regressing social development. This dichotomy is the root of the injustices and segregation that accompany the migration process and subsequent social conflicts.

We are gathered here in Antigua, Guatemala for the First International Forum on Migration and Peace, in order to answer the call for dialogue and communication between the various social and political agents. This International Forum aims to generate a high-level debate on the relationship between building a peaceful international coexistence and the migration process. This debate requires the commitment of the social and political sectors in order to effectively build bridges of peace among nations.

Ladies and Gentlemen, welcome to the Forum. Thank you for your participation and your commitment to building a peaceful international coexistence.

## **Dr. Juan Esteban Belderrain**

*Regional Director for Latin America*

*Porticus Foundation*

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Distinguished Mr. Oscar Perdomo, Private Secretary of the Vice President of the Republic of Guatemala, Most Rev. Paulo Vizcaíno Prado, President of the Guatemalan Conference of Bishops, Most Rev. Alvaro Leonel Ramazzini, Bishop of San Marcos and President of the Guatemalan Conference of Bishops' National Commission for Pastoral Care of Human Mobility, Rev. Novatus Rugambwa, Deputy Secretary of the Pontifical Council for Pastoral Care of Migrant and Itinerant People, Rev. Sergio Olivo Geremia, General Superior of the Congregation of the Missionaries of Saint Charles, Scalabrinians, Dr. Gerhard Wahlers, Director of International Cooperation for the Konrad Adenauer Foundation, Rev. Leonir Mario Chiarello, Executive Director of the *Scalabrini International Migration Network* (SIMN), distinguished Nobel Peace Prize Laureates, representatives of the national, international and governmental organizations, ladies and gentlemen, I cordially welcome all of you on behalf of the Porticus Latin America Foundation.

Surely many of you are probably wondering what the Porticus Foundation is, as it is not a well known organization in the area of cooperation for international development. Thus, this brief introduction is simply to share with you what the Foundation is about and why we are in attendance at this Forum. We consider this an honor, and are very pleased to see that the dream of holding this Forum on Migration and Peace has finally been realized.

I would like to start by saying that the Porticus Foundation is an organization dedicated to promote solidarity and development. It is a holding company that belongs to a family of Dutch entrepreneurs, who for more than 150 years have incorporated into their entrepreneurial endeavors activities that promote solidarity and philanthropy throughout various parts of the world. For more than 15 years in Latin America, the development of this holding company in several countries within the region has been accompanied by an increase in the number of organizations that promote solidarity and that have made specific commitments to the various fields of

health, education, and development.

If you would allow me to explain further, I would like to tell you why this Forum on Migration and Peace is of utmost importance to the Porticus Foundation's strategy within this region. I will make my explanation brief by making two simple references obtained from two recent lectures. They will help me present the objectives of our Foundation in a clear and concise manner. The first reference is to the latest report from the Economic Commission for Latin America and the Caribbean (ECLAC), entitled "*Social Cohesion, Inclusion and a Sense of Belonging in Latin America and the Caribbean.*" This report states clearly and conclusively that a "deficit in social cohesion" is the fundamental cause for the delay in development in the region. There is a loss of strength in the bonds that make up such cohesion. What is really innovative and groundbreaking in this report, especially coming from an economic organization, is that it distinguishes between objective causes and subjective causes. Among the objective causes, there are those everyone knows about, such as: increasing marginalization, poverty, and segregation. However, in a clear and compelling way, the report states that inequality is the primary cause for the loss of social cohesion in the region. Latin America is not a region that lacks natural, human, or cultural resources. On the contrary, Latin America is a prosperous region, but it suffers greatly from inequality and poor distribution of wealth. Secondly, and this is the most surprising part, the report introduces the subjective causes for the loss of social cohesion. It is here where the report explains the profound cultural reasons for the loss of the sense of identity in Latin American communities. Divisions prevail, along with fragmentation and individualism. It is difficult for us to say "we." It is difficult for us to think of ourselves as a community or a family. The report introduces a set of variables that it uses to analyze the deterioration of the sense of belonging over the last several years.

The second reference is to the book "*City of Fears, City of Hope*" by Polish sociologist Zygmunt Bauman. While analyzing the topic of coexistence within cities, Bauman asserts that when the national states weaken their authority in confronting the deficits within the social sectors that are produced by globalization, the cities find themselves in a paradox. They have to find local solutions to global problems, and in doing so, they have only succeeded in "*administering fear.*" This fear is provoked by the continuous arrival of "other" or "different" individuals to the cities. In my

view, it is here where Bauman takes a deep look at the fear that the migration process causes in the life of the cities. According to the sociologist, we suffer from permanent *alterophobia*: the fear of the other, the fear of the diverse.

I believe these two references, the report by ECLAC and Bauman's book, articulate the mission and strategy of the Porticus Foundation in Latin America, which is: to weave a social fabric, foster stronger social cohesion within the region, and understand that greater equality, more opportunities, and a sense of belonging are today's key words when discussing the common good and peaceful coexistence for the region. This is why we immediately identified with the objectives of this Forum.

We would like to express our appreciation to the people of Guatemala by thanking the representative of the Vice President of the Republic of Guatemala. We thank the Church of Guatemala and the President of the Guatemalan Conference of Bishops for welcoming us to this wonderful meeting. We would also like to thank the members of SIMN, the Scalabrinians, for they are the driving force of this mission and the protagonists of this event. We also thank each one of you, because it is your presence that makes these meetings possible. If you allow me, I would like to share personal thanks, as it has only been three weeks that I started working at the Porticus Program Coordination Office in Latin America. I would like to publicly thank my predecessor, Dr. Einardo Bingemer, who has been a promoter of this event and to whom we must credit a large part of this opportunity. We are grateful to *Ekke* (which is what we, his friends, call him) for this legacy. This is one more fruit of the work he carried out throughout his years at the Porticus Foundation.

My deepest desire, and my wish for all of you, is that on the last day we will be able to leave here with our hearts full of hope; that Bauman's *alterophobia* becomes *alterophilia*, in friendship and love, particularly towards those who are victims of the migration process in our region.

Thank you.



## **Dr. Gerhard Wahlers**

*Director of International Cooperation  
Konrad Adenauer Foundation*

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Mr. Oscar Perdomo Figueroa, Private Secretary of the Vice President of the Republic of Guatemala, Most Rev. Paulo Vizcaíno Prado, President of the Guatemalan Conference of Bishops, Rev. Sergio Olivo Geremia, General Superior of the Congregation of the Missionaries of Saint Charles Borromeo, Scalabrinians, Most Rev. Alvaro Leonel Ramazzini, Bishop of San Marcos and President of the Guatemalan Conference of Bishops' National Commission for Pastoral Care of Human Mobility, Dr. Juan Esteban Belderrain, Director of Porticus Foundation, Rev. Leonir Mario Chiarello, Executive Director of the *Scalibrini International Migration Network* (SIMN), Ladies and Gentlemen:

It is a great honor for the Konrad Adenauer Foundation to have the opportunity to open the doors of this First International Forum on Migration and Peace in the Americas. These issues are very important and deserve all our support as a German political foundation, which has been working for the past 40 years in Latin America for Peace and Democracy.

Fortunately, major armed conflicts are no longer part of the current Latin American reality, although we cannot help remembering the terrible consequences these conflicts generated just a few years ago and especially here in Central America. It is true that in the history of mankind there have always been migration processes, and those of the two Americas in the last 500 years determined its current demographic structure. Therefore migration is part of human coexistence. But the instances of conflicts in Central America, Colombia's civil war, military dictatorships in Central and South America with its millions of refugees and migrants have also shown us exactly the close interdependence that exists between migration and peace. And I, personally, would like to add, after migration and peace, *democracy* as well. It has also been demonstrated that in the majority of cases, migration is connected to serious political, social, or economic necessities, and it often happens that the most talented members of a society are forced to abandon their own country.

For all these reasons, the political challenge that migration posits

makes it an important issue for the Konrad Adenauer Foundation as it deals with it in many countries of Latin America, and particularly in its regional program on social policies. For us it is important to enter into a dialogue with policymakers in Latin America, which allows us to contribute to formulating appropriate policies for the different countries. In this manner it is possible to create a society that does not force its citizens to migrate anymore, and instead, affords them, within the globalization process, opportunities for development of their personal potential, to the country's own benefit. To that end we, as a foundation, conducted studies in 13 countries, developing recommendations for policies to be adopted by governments and parliaments. Those studies revealed the multiplicity of causes for migration and the diverse profile of migrants. In the least privileged sectors, the studies point out that people often embark on a risky journey to distant countries as a result of the desperate situation in which they find themselves. On the other hand, highly qualified people often study abroad and discover better professional opportunities. We also have the deplorable circumstance, even now in the year 2009, that there are still cases where people are forced to abandon their country due to lack of political freedom. Such diversity of reasons makes it very difficult, if not impossible, to arrive at simple solutions to the complex challenges of migration.

We applaud the fact that this Forum is fostering a dialogue between civil society agents and the Church, along with political leaders. Certainly, it will call attention to the high costs, in human, family, and social terms, which migration processes generate. Of course we are not ignoring migration's positive effects, such as the acquisition of international expertise, linguistic resources, or family remittances, which today have great relevance for Latin America. For this reason, it is necessary to establish an objective exchange of ideas regarding the multiple phases of migration, which will result in better policymaking in the Americas.

The Konrad Adenauer Foundation will include the conclusions of this Forum in its global network, including Europe, the destination of many immigrants from Latin America. In my capacity as a European I wish to emphasize that we should not overestimate the absorptive capacity of receiving countries and that in a debate of this kind, this issue should be taken into consideration. Frequently, the least qualified workers see their jobs endangered by the arrival of immigrants, and the most vulnerable social sectors feel fear, socially and culturally motivated, when they face a surge in

the number of immigrants. This is something that European policymakers should take into account. Despite the improvements that should be introduced in the immigration policies of North America and Europe, these are issues that cannot be ignored.

We applaud the fact that the Catholic Church takes care of the underprivileged and the weak and supports these groups through a variety of religious orders and initiatives. This international perspective will contribute, undoubtedly, to focus our attention on the concerns and needs of people in all countries, and to understand that open, stable and democratic societies can better protect the interests of the most vulnerable sectors. These societies can afford their citizens all the freedoms they need to advance personally and financially, and to create structures of solidarity with the weakest sectors, in harmony with the principles of the social market economy.

Finally, I would like to express my appreciation especially to the *Scalabrini International Migration Network* (SIMN) for their excellent cooperation and the invitation to contribute to this event. I wish all of you much success in this Conference and the best and most concrete results possible for your future endeavors.

Thank you.

## **Most Rev. Alvaro Leonel Ramazzini**

*Bishop of San Marcos*

*President of the Commission for the Pastoral*

*Care of Migrants, Guatemala Conference of Catholic Bishops*

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Dear friends, I believe the most fundamental motivation that inspires us all in this meeting is to become builders of bridges to achieve peace. The president of our Conference of Bishops was telling us about the communiqué that we publicized last week where we mentioned the positive aspects of the presence of Guatemalan and Central American immigrants, especially in the United States. At the same time we indicated the major concerns we have when we realize this entire situation is being experienced by thousands of deportees, more than 28,000 deportees in 2008 from the United States, and most importantly, the criminalization nowadays to which the immigrants are being subjected in the midst of an environment of racism and xenophobia. Undoubtedly, to talk about migration is to talk about many issues. We have wanted to insist on the positive aspects but we cannot refrain from mentioning the negative ones, such as human trafficking or *coyotismo* and the life-threatening risks taken by so many migrants.

On January 1<sup>st</sup> of this year, Pope Benedict XVI sent a message to be proclaimed to the Universal Church entitled “*Fighting Poverty to Build Peace.*” Therefore, although it is true that we must add the element “*democracy*” to the issue of “migrations” in order to achieve peace, it is also necessary to add to this the concept of “*development,*” because in Pope Benedict's words “*the new name for Peace is development.*” And I believe that from this point of view we need also to frame the wealth, the presence, and the value that migrants have everywhere in the world.

The Guatemalan Conference of Bishops has established a preferential option for the poor and the excluded. It is a commitment before God, before Jesus Christ, before us as Christians, and before the people of Guatemala. Therefore, it is very important to keep in mind what Mr. Oscar Perdomo said when he mentioned that the Vice President of the Republic is always willing to consult and listen to advice. Well, we at the Commission on Human Mobility are ready to do just that: to share our experiences in order to contribute, so that our government assumes the responsibility that it

must before the entire situation currently affecting migrants, especially, I repeat, in the United States, because that is where Guatemalan migrants go.

In Aparecida, Brazil, in May 2007, we, the bishops of Latin America and the Caribbean also reaffirmed our commitment to this preferential option, not just for the poor but for those we call the “*excluded*,” those who are still at the bottom of society, those who do not count anymore, the disposable ones. Unfortunately, among this entire mass of people there are the migrants; migrants who are invisible simply because they do not have a visa or because they have arrived without documents. They are not considered persons because they do not have the documents that will identify them as such. It is one of the contradictions of globalization that we, the bishops, addressed in Aparecida, hence our interest in achieving “human” globalization, a humanization of the globalization, or globalizing solidarity.

By the same token, I would like to thank the Scalabrinian Congregation for their efforts in promoting international solidarity, including organizing this Forum, where we, as the Commission for Pastoral Care of Mobility, are fully involved. I would also like to express my gratitude for the support that we have received from the Porticus Foundation, the Konrad Adenauer Foundation, the Soros Foundation, TROCAIRE, and Catholic Relief Services.

We need to find global solutions to global problems, to articulate global efforts to meet global challenges, without losing sight of the particularity of these problems, which in the case at hand, it means the faces and hearts of thousands upon thousands of persons who move from one place to another, whether they are economic migrants, temporary migrants, refugees, persons displaced by armed conflicts, or any other group that moves in search of a more dignified life. Looking at the faces of these brothers and sisters who live on the same planet as us, and who need to be treated as such, challenges us to make a commitment to promote the globalization of solidarity.

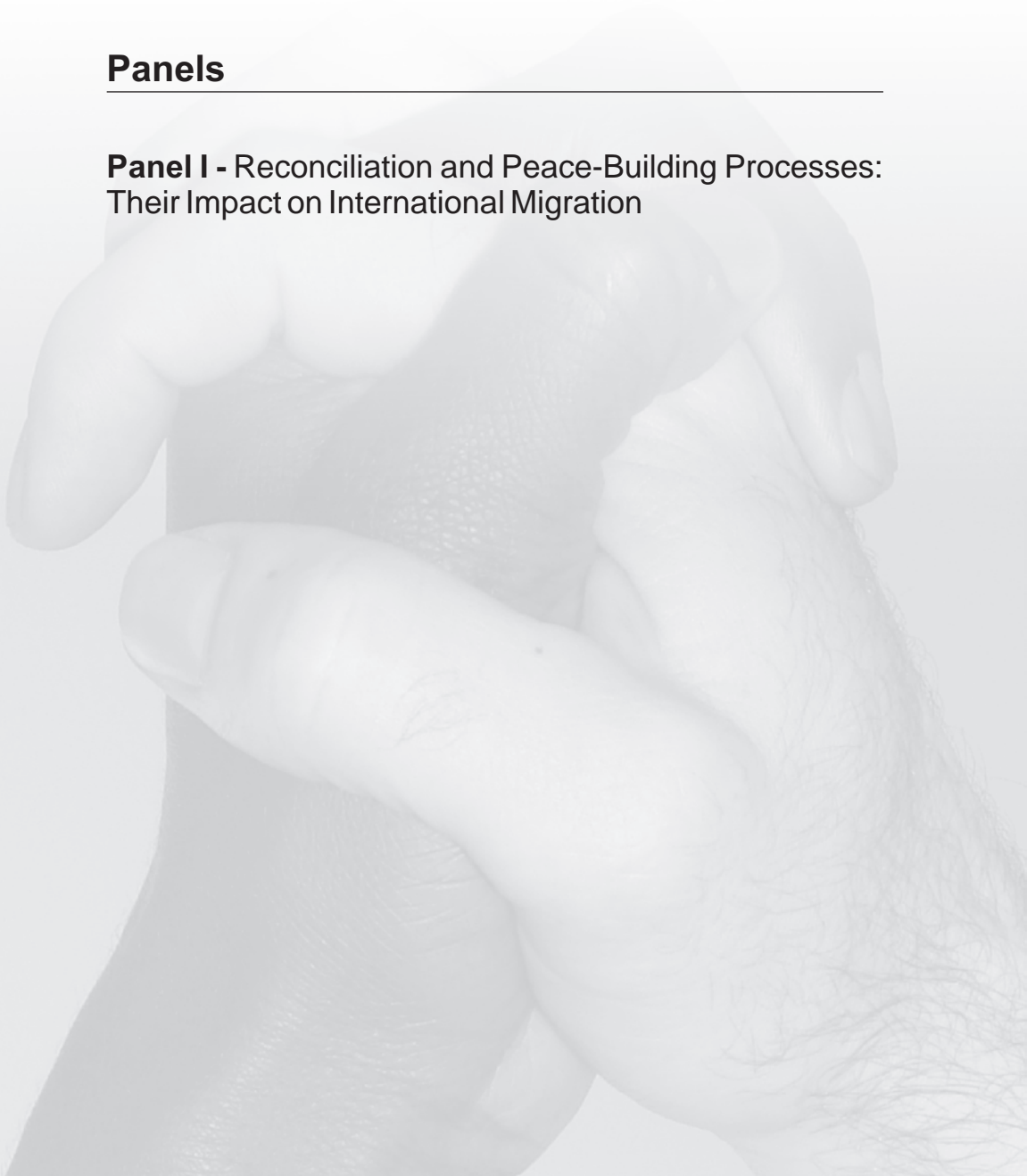
I hope that this Forum advances this ongoing debate, with its many facets and thorny issues. But at the same time, I hope our reflections and proposals help us focus on a single theme: that we all are builders of bridges to achieve peace.

Thank you.

## **Panels**

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**Panel I - Reconciliation and Peace-Building Processes:  
Their Impact on International Migration**





## Introduction

### Dr. Joseph Chamie

*Director of Research*

*Center for Migration Studies of New York (CMS)*

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Good morning, distinguished guests, colleagues, ladies and gentlemen.

It's a real pleasure for me to be here in Antigua, Guatemala. I'm also honored to be the moderator this morning for the first panel of the inaugural International Forum on Migration and Peace, which is being organized by the *Scalabrini International Migration Network* (SIMN). Congratulations to them for convening a conference on such a vital subject of our age.

Let me begin with a couple of apologies. First, I am unfortunately not a Spanish speaker. Also, I suspect that I am one of the few participants using the earphones this morning. The second apology is that I'm a demographer. Accordingly, my presentation and remarks this morning are intended to provide a demographic background for the discussions of this Forum during the next two days.

My brief presentation this morning concerns the world demographic situation. Often at such conferences we have presentations, and it is not at all clear what the speaker is talking about. We receive a message from the speaker that is frequently difficult to decipher and increasingly difficult to understand, especially if you're listening in another language.

Let me please provide you with an interesting example of this difficulty. In New York, a place that some of you have visited, there is a famous business man named Frank Perdue. Mr. Perdue sells chickens in many of the food stores in the region. Nearly everyone likes chicken and his business prospered in New York. Accordingly, he wanted to expand his business to Central America. His business slogan for selling his chickens is: "It takes a strong man to make a tender chicken." Well, of course, he wanted to translate his slogan into Spanish. He wasn't a Spanish speaker, so his company hired someone to translate the slogan into Spanish. Here is the translation that was made: "It takes an aroused man to make a chicken



affectionate.” I suspect that this is not exactly what he had in mind. Often, when we're speaking different languages, communication problems arise.

This morning I will try to be as clear as possible. What is the message of my introductory remarks? In brief, it concerns the central question: Where are we headed? I would like to begin by briefly summarizing five major population trends that the world will be experiencing in the coming decades and then provide some additional details on these most important expected global demographic developments.

The first point I would like to make is the following: the world will have a much larger population in the 21<sup>st</sup> century. Today there are about 6.8 billion people on this planet and we are continuing to grow rapidly, adding approximately 78 million people annually to the world.

The second point is that the world is experiencing population growth in many developing regions and population decline in many developed countries. For example, the Russian Federation, Japan, and a number of other developed countries are now declining in population size.

The third point concerns rapid urbanization and the growth of very large cities. Humanity has now reached an historic point: for the first time, the majority of the people are now living in cities, not rural areas. This has never been the case in the past. This extremely new phenomenon is having enormous consequences and repercussions in many different spheres of human endeavor as well as the environment.

Fourth, the world now has a much older population than ever before, with people living much longer than any time in human history. In the coming decades, the effects of population aging, which are now evident in the more developed regions, will increasingly influence societies in the less developed regions.

And finally, and this will be the focus this morning of our discussions here in Antigua for the next two days, we are going to see increased migration and, as a result, increased diversity within different populations. These migration flows are indeed major challenges for many nations, developed and developing.

The historic period of migration from Europe and elsewhere to the western hemisphere was a period of great human movement. My own personal belief is that we will see this high level of international migration

happening again in the 21<sup>st</sup> century. Most of this, I anticipate, will be large groups of people moving from Africa, Asia and Latin America to developed regions. So let's look at some of the trends.

Population trends and projections of the growth of the world population reveal a world of several billion more people by 2050. In addition, most of this growth, in fact nearly all of it, is occurring in the developing world. In contrast, the developed regions of Europe, North America, Japan, Australia, and New Zealand, collectively, are growing very little. In contrast, population growth is very large in the developing countries, especially among African nations.

Also noteworthy are trends presented for the world's proportions of urban and rural populations. Up until now, the rural proportion has been the majority. Now, however, urban dwellers have become the dominant group. Also, after approximately another 20 or 30 years, a large majority, something close to two thirds of the world's population, will be living in urban areas. In addition, many of these people will be residing in large metropolitan agglomerations. Again, this development is something that the world has never experienced. Clearly, these demographic changes are massive in scope. How to successfully manage these extremely large cities with increasingly diverse populations will be a central challenge for governments, municipalities and world leaders.

As with urbanization, the consequences of population aging and longer life expectancies are unprecedented and profound, affecting virtually every household on this planet. The world is rapidly moving away from young populations to comparatively older ones. For the first time in history, there will soon be more people above age 65 than below five years of age. The number of children is declining as a ratio, and the proportion above 65 is increasing. In other words, there will be more elderly than children. Again, this change is monumental in nature for the populations of the world.

I wonder how many of you know of a woman named Jeanne Calment? I'll give you a hint: she is from France, and most demographers are familiar with her. The answer: she was verified to have lived longer than any other person. She was born in 1875, and died in 1997. Ms. Jeanne Calment lived 122 years and 167 days. This trend of increasing longevity is expected to continue well into the future, with increasing numbers of people living longer than ever before.

Population aging and increasing longevity are having large impacts

on migration trends. This is because populations in the developed regions, especially in Europe and East Asia, are declining and aging. Many of their labor forces are declining and many of their citizens are reaching 65, 70 and 80 years and more. These elderly persons are in need of services and assistance, and this brings us to the issue of global international migration.

Regions are not immune to human migration. Indeed, there's not a single region in the world that is unaffected by international migration. Most of you are aware that the current estimate of the number of people living outside the country of their birth is roughly 200 million. My own projections indicate that this number will be substantially larger by 2050. In fact, I strongly believe that my prepared estimate of nearly 300 million will be surpassed.

Also, as many of you know many cities and many areas of the world welcome immigrants. Consider the example of the city of San Francisco, California. The city welcomes people in different languages, with different cultures and many believe that the city of San Francisco and the state California, for example, are enriched by these immigrants.

A sign that one often encounters in San Francisco and elsewhere is "HELP WANTED." Equally prevalent, perhaps, are other signs that say "KEEP OUT." Those two signs illustrate a type of schizophrenia that is being played out in many of the receiving countries. On the one hand, one encounters a message of welcome; while at the same time, on the other hand, there is an unambiguous message of exclusion. This schizophrenia prevalent in many countries may account for some of the confusion and anxiety that many immigrants experience.

An obvious question that one may pose is: Why is this occurring? Why has international migration become such a controversial issue in so many countries? No doubt, there are many factors responsible for this situation. Given the limited time available this morning, with your permission, I will quickly enumerate several of them.

Why has international migration become such a contentious and important issue, moving to the forefront of the international agenda? Well, in my opinion, the first, and perhaps primary, factor in the ascent of international migration on the global political agenda is demographics. The populations of the wealthy industrialized countries are having difficulty replacing themselves; many of these countries are below replacement fertility, not having the number of children to replace themselves. As a

consequence, their labor forces and overall populations are aging and some of them, as I mentioned earlier, are declining.

A second reason for the primacy of international migration on the global agenda is that the ethnic compositions of the populations are changing. Increased diversity and the interactions among very different groups are presenting challenges to many communities, especially those which do not have a recent tradition of large-scale immigration.

Third is the political dimension. The issue of international migration has become highly politically sensitive in many countries. As a result, we are seeing the rise of different parties and different groups supporting opposition to international migration flows and the rights of migrants. Also, more recently, the events of September 11<sup>th</sup>, and other security problems that occurred in Europe, Indonesia and other places in the world have made migration unfortunately linked to issues of security.

In addition, we have a series of other related issues that I'll go through quickly. One is the issue of asylum-seeking, as civil conflicts increasingly push people to seek safety abroad. Another is the issue of illegal immigration, which has become a major concern for many countries in both developed and developing regions.

Another issue, often mentioned in the migration literature, is that of "brain-drain" and "brain-gain." Some countries are losing many of their talented men and women and other countries are gaining the benefits of having these skilled people. Moreover, this phenomenon has become global. It no longer matters which corner of the world one looks at, this pattern is evident with no region immune from its effects.

It is also important to note that the cost of travel has become much less than in the past. People now can move much more quickly and at a cheaper price. So, we have much greater flows of people. In addition, movement becomes easier with communications and media indicating where there are jobs and opportunities. There is also another unfortunate phenomenon: trafficking and smuggling of persons.

A few other global matters that are impacting international migration include: the WTO's General Agreement on Trade Services (GATS), the intervention of nongovernmental organizations to protect immigrants' rights, and the ascent of migration to the top of the United Nations agenda.

Finally, there is the question of what should be done. Based on my experience, the first thing that usually happens is denial. People say “Well, this isn't really a big issue; it's not a major concern. We're more concerned about other issues, such as industrialization, employment, defense, pensions or security.” So, this first stage is straightforward denial. After people become familiar with the topic, they then move to the next stage, which is delay. They then say “let's form a large committee, a task force of scholars, of people from all over the country to study this matter,” which often takes several years to complete. Well, after the committee meets for several years they come up with a report, which of course is delayed. As a result, they do nothing because they say the government has changed and the recommendations of the report do not properly reflect the positions of the new government.

In contrast, my suggestion is that we embrace the future challenges. We should embrace what's likely to be taking place in the coming years, namely, a larger population, more migration, urbanization, population aging and so on. In order to embrace these future challenges, I see three important ingredients.

First, bold vision is needed. This morning I am very pleased to have the four Nobel Peace Prize laureates addressing the conference and presenting some of their bold vision on these difficult issues. In addition to bold vision, strong and enlightened leadership is required. Based on my own experience, I have seen many countries demonstrate strong leadership, but all too often it is not enlightened. Government leaders need to be enlightened in order to consider international migration within a broader historical context and to appreciate the many complex dimensions of this phenomenon. And finally, resources are needed; that is, both financial and human resources. Educated people are needed to deal with the many challenges lying ahead.

With those remarks, I would like to thank you for your attention.

## **Mrs. Rigoberta Menchú Tum**

*Guatemala, 1992 Nobel Peace Prize Laureate*

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Honorable members of the presiding table, dear friends:

It is with great enthusiasm that I partake this morning in this International Forum on Migration and Peace. I congratulate and acknowledge the work carried out by each and every one of you regarding the issue at hand. Furthermore, I applaud your determination and dedication in voicing and extolling the plight of our people who have been forced to live in exile. I consider it a great honor, to extend to you a cordial welcome to Guatemala, the land of the Mayans and corn. The highest percentage of Guatemalan migrants or exiles comprises Mayans from the diverse linguistic regions of our country.

In my brief address, I want to pay tribute, above all, to those people who have eked from the migration experience the means to make significant contributions to their children's education, provide them with decent shelter, and improve the conditions of our people in the countryside, while contributing to the economic sustainability and well being of relatives and families living in Guatemala. I would like in particular to honor all those Guatemalans who have made a significant contribution to the progress of this country, and who have done so through the courageous decision of crossing borders, despite having to leave their families behind.

I often find myself saddened during forums such as this one, because I witness scarce participation of the indigenous peoples in these halls, particularly from the Mayans, who constitute the largest group of exiles or migrants from Guatemala. These are the people who are destitute and vulnerable, who have been touched by tragedy, misery, poverty, and hunger, and have been forced to flee these abhorrent conditions under the cloak of invisibility, in the pursuit of a new opportunity and a better life abroad. Alas, these are the people whose voices should be heard, whose testimonies, and life stories should contribute to transforming our collective consciousness.

The solidarity of people who helped me along the way afforded me the opportunity to flee Guatemala as a young girl. Their support enabled me, a survivor of genocide, of massacres, and repression, to cross the border.

Moreover, my suffering emboldened me to denounce these atrocities, to shed light on and raise public awareness about what was happening here to the indigenous people.

What impelled and gave me strength to move on with my mission, and makes me feel like a privileged and successful woman today, was my undivided and active participation in various venues, stages, and platforms. Within these avenues I decried injustices, spoke of the racism I encountered, and conveyed the life experiences of a young girl and an adult woman, and not those of a mere statistical figure. Due to all these platforms that enabled me to break the silence and speak out against repression, discrimination, and abuses of power, I have been able to participate in the dream of peace for Guatemala. For these reasons, I suggest we provide these same venues and opportunities to our exiled and migrant brothers and sisters who continue experiencing these same injustices, so they may also enjoy the utmost respect and guarantee of basic human rights.

I ask this Forum not to merely restate the current percentages of exiles or migrants here or there. This statistical data is extremely important. However, equally important is to state what we already know to be the true conditions or situations that have compelled our fellow countrymen and women to abandon their families, land, homes, and culture. I hope this Forum will provide guidance with specific steps that will directly benefit our people.

What sorts of solutions can we provide? One idea has been suggested in this introduction. It is imperative to reorganize the communities. People must feel that peace is essential and that it is deeply related to their daily lives. They must come to understand that the rebuilding of their identities is not merely a matter of theory, but a source of value and respect, which has been all but lost. Those of us who have been victims of exile know that exile entails being divested of our ancestral values, and consequently having to grapple with a different lifestyle. Returning involves rebuilding and beginning one's life anew. This not only implies reconstituting a family life, but having to surmount many obstacles. These obstacles include restoring the cultural and family identity, reestablishing family ties, while being able to convey the reason why the person or persons were absent. Another painful issue to be dealt with is the uprooting from one's community. We witnessed it first hand in Guatemala, when our people returned to appalling conditions. The communities they

had left behind, in many cases, were not given reasons as to why their loved ones had been missing for so long. It is important to take into account this issue of being uprooted from one's community. Nonetheless, it can be worked out within the communities themselves and by means of the information that we can provide and share.

Then, one must also consider the issue of social uprooting. After spending years abroad, reestablishing oneself in a homeland means, having to adapt to working under conditions that are no longer familiar, but quite different from those experienced overseas. Herein lies a source of frustration for a large group of people, a source from which other problems arise. How can we focus on reintegrating people to a new reality? The solution cannot be a one-way street. We must consider the other side: What will those who left Guatemala return to? The present environment is entirely different from what they left behind. These men and women are victims of a forced transition. This information is not disclosed to the population.

I would like to suggest we ponder the following: How can we bring about steps that will clearly establish the duties of the government and the current administration toward migration? What are the specific policies upheld by our State Department in regards to migration? In what ways can these policies be enhanced to afford people the necessary tools to empower themselves to become champions of these public policies? The goodwill of a government that states "They want to support migrants" will not suffice. It is necessary to determine, redefine, and clearly state those ideas which the government can support. And that is impossible to do, if these decisions are made in the absence of those who are most affected.

Another important issue to consider is the national and international legal and judicial systems. Simply stated, the migrant's identity is associated with the term "illegal." The expression "*los ilegales*" encompasses the migrant experience, how they are perceived, and the manner in which they lead their lives. This situation cannot be changed unless a legal watershed concerning their rights is instilled in these populations.

Finally, I believe that the most important task at hand is to restore a code of ethics and values, a code of solidarity and cooperation, which does not result in the mistake alluded to earlier: that which would allow those who are absent and inhabit the fringes of our society, who suffer



discrimination and remain invisible to us because they have no economic power, and who are estranged from their land in their pursuit for survival, to continue to live in exile. When we endeavor to empower the absent, and become ourselves mirrors of their absence, we realize the need to forge an effective leadership. Nonetheless, an effective leadership is not simply one that is born of opportunity, but a constitution of entities that can become not only a framework for the legal defense of migrants, but also a means to exercise the rights to which migrants are entitled. In this sense, I feel that what is most relevant is to achieve goals whose impact goes beyond mere analysis, and which may bring to the forefront those who are most directly affected, who precisely happen to be the migrants themselves.

I have many stories to tell. Some are drawn from events I witnessed in the United States, where I encountered people who had an electronic device attached to their ankle and had to live and walk around with it, so that *la Migra* could track their every move. The women who wore these devices were unable to don skirts and resorted to wearing pants, in order to hide these gadgets. Aren't these the same type of devices used for tracking dolphins to determine their patterns of movement in the ocean? Aren't they meant for animals, not humans?

This type of treatment should be condemned; it should be chastised. But who will chastise it? This is precisely the issue at hand. I am here on behalf of the foundation that bears my name. We have devoted ourselves to the tasks of carrying out exhumations and seeking compensation for victims of armed conflicts. We know that many of our people are victims, pawns even, of genocide. However, they were never considered political refugees, but simply classified as *ilegales*. Because of this, I don't regard the issue of migration and peace as a mere end product whose quality should be our concern. No, what we are talking about is men, women, children, and the elderly. We are talking about entire communities, and about an essential part of humankind. Long live our ancestral values! Let us foster solidarity and union, whether it is to help five, three, one single person or just people in general. Let us prepare cases that establish precedents and become paradigms. Let us raise our voices against these injustices. Let us not be shy or ashamed to criticize public policies. Let us not be complacent, because that does not befit the measure of a migrant's dignity, and it is incumbent on us to be straightforward.

I congratulate Most Rev. Alvaro Ramazzini of Saint Mark, whom I

greatly admire and respect. He told us in very simple terms what we seldom dare say, when he said no to racism, no to authoritarianism, and no to inequality. Let's get to the root of the issues and have them be known, so that after this Forum there may be thousands upon thousands who find themselves outraged. Because if people do not become angry, then our efforts will have been fruitless. I wish you much success in this Forum.

Thank you.

## **Mr. Giorgio Negro**

*Deputy Head of Operations for Latin America and the Caribbean*

**International Committee of the Red Cross**

*1917, 1944 and 1963 Nobel Peace Prize Laureate*

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Ladies and gentlemen:

On behalf of the International Committee of the Red Cross (ICRC), I would like to express that it is a great honor and an immense satisfaction to be in this beautiful city, as a guest of the *Scalabrini International Migration Network* (SIMN), and to participate in the First International Forum on Migration and Peace.

The ICRC considers it of utmost importance to be able to speak about the issue of migration, which is one of the most pressing issues for the International Red Cross and Red Crescent Movement. As a matter of fact, at the outset of the 30<sup>th</sup> International Conference of the Red Cross and the Red Crescent held in 2007, it was determined that the humanitarian consequences of international migrations are one of the greatest challenges faced by the modern world.

Although this problem hinges on a country's national sovereignty, the delegates became aware of the need to arrive at a common ground within the International Red Cross and Red Crescent Movement, in order to enhance the protection and assistance afforded people adversely affected by migration.

Figures show that a growing number of people find it necessary to abandon their homes, due to issues related to safety, economic stability, and other social and environmental factors. In many cases the experiences of those who decide to emigrate clearly show that the humanitarian consequences of migration can be very dire.

Throughout the displacement process, migrants, and particularly those without documents, face such hardships as being relegated to the fringes of society, being excluded, and having to face discrimination. All of this puts them at risk of becoming victims of human trafficking, sexual exploitation, violence, and even abuse by government officials.

This phenomenon we call migration comprises various types of

population movements. It is important to point out the differences between migrants and other vulnerable groups who nevertheless enjoy various resources for the protection of their human rights. Thus, there is a clear difference between migrants, refugees, and those displaced internally within a country.

Establishing these differences is essential in order to enable the enforcement of those protective provisions which target very specific vulnerabilities. For instance, refugees are subject to the 1951 Refugee Convention, and their protection and assistance are provided by the mandate of the Office of the United Nations High Commissioner for Refugees (UNHCR).

Let us talk now about those who are displaced internally; in other words, people who because of an armed conflict have been forced to move to other places within the borders of their own country, leaving behind their land, their properties, and their environment. They are not subject to any specific convention of international law. However, within the framework of an armed conflict or other situations of violence, and to the extent that they do not partake in those hostilities, they enjoy protection under International Humanitarian Law, which is extensive to the civil population in general.

Now, the international community, through the Geneva Convention and its protocols, has entrusted the ICRC with a special mandate. This mandate bestows upon the ICRC the task of advocating for International Humanitarian Law (IHL), and ensuring that it is upheld during armed conflicts. It also confers upon the ICRC the right to offer its services in order to assist the victims of armed violence, within the framework of neutral, impartial, and solely humanitarian actions.

Because of this, the ICRC, acting as a watchdog for IHL, has placed, over the course of many years, the issue of internally displaced refugees at the core of its institutional priorities, seeking to draw attention to their vulnerability during armed conflicts. In Colombia, for example, the ICRC has been assisting internally displaced refugees for over ten years.

Colombia, second only to Sudan, is among the countries with the largest internally displaced populations. The crisis of displaced people in Colombia is among the most serious in the world. It affects mostly and in disproportionate numbers, the Afro-Colombians and indigenous populations, who constitute some of the poorest inhabitants in the country.

The violence, according to data gleaned by the NGO Consultancy for Human Rights and Displacement (CHRD), has displaced more than four million Colombians since 1985. In turn, the Presidential Agency for Social Action and International Cooperation (known simply as “*Acción Social*”) has included in the National Registry of Displaced Populations approximately 2,800,000 persons, thus enabling them to access institutional aid through the National System for Comprehensive Aid to Displaced Populations.

Despite policies and efforts by the Colombian government, the ICRC has had to offer support, for over a decade, to the displaced population, through its Humanitarian Assistance Program. It has worked alongside the Colombian Red Cross since 2003, and has enhanced its presence in the country, which has enabled the ICRC to provide humanitarian emergency support to large numbers of displaced people. We have garnered many lessons throughout this process, and have focused on new challenges and goals. Moreover, our current work is directed to the development of multiple tasks, given that the forced displacement of people persists.

ICRC's priority is to meet the needs of the displaced population and to search for means or resources to protect them. Logistics is a challenge, as well as providing aid to vulnerable populations in supported communities, which are not immune to the humanitarian consequences of the conflict.

Through its assistance program, the ICRC in Colombia has distributed a total of four (4) million packaged meals, benefiting more than one million displaced persons, 53 percent of whom are under the age of 18.

It is important to point out that many Colombians seek protection in neighboring countries due to the conflict, as is the case with the population of the state of Chocó, which has been forced to cross the border into Panama in search of a safe haven. This population does not enjoy refugee status; therefore, it finds itself in a legal limbo, which may have an impact on its protection.

In this case, the Red Cross of Panama, along with the economic support and underpinning of the ICRC, has been providing humanitarian assistance to this population. This aid includes, among many other things, health related services as well as reestablishment of family bonds. Cases such as this one occur in different circumstances and contexts worldwide. It is in these particular situations that the ICRC and the national associations of

the Red Cross and Red Crescent may contribute to a great extent to easing the suffering of victims of armed conflict, regardless of their status, and focusing solely on their vulnerability and its humanitarian implications.

The ICRC, as well as other humanitarian organizations, regards migrants as human beings who are in a position of extreme vulnerability, due precisely to this condition of being displaced from their known place of residency, and forced into another one which is unknown to them and may be hostile. Therefore, and restating the thoughts expressed in the 30<sup>th</sup> International Conference of the Movement concerning the means by which to meet the challenges arising from the phenomenon of migration, the ICRC considers and assesses humanitarian activities that may benefit migrant populations who may not necessarily be victims of armed conflicts.

Mexico is a clear example that underscores this issue. Many people arrive there from various Central American countries, with the intention of crossing the border over to the United States. These people encounter extreme danger, and in some instances suffer serious injuries requiring limb amputations. In these cases, the ICRC lends its support to the national associations of the Red Cross of Guatemala, Mexico, Honduras, and El Salvador, in order to facilitate the migrants' return to their home countries.

It could be said that, as a result of its mandate, the ICRC cannot elude its ethical duties of maintaining close ties with those populations affected by global crises, which in turn have dire humanitarian consequences.

Therefore, the challenge for the ICRC is the ensuing protection of victims of armed conflicts and, at the same time, providing resources for humanitarian assistance amidst violent situations, which could emerge during times of peace.

Thank you very much.

## **Mrs. Wendy Batson**

*Executive Director, Handicap International*

*1997 Nobel Peace Prize Laureate*

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I would like to thank the *Scalabrini International Migration Network* (SIMN) for inviting Handicap International to participate in this First International Forum on Migration and Peace. I want to say that Handicap International, although we do have programs here in Central America and in Colombia, is overwhelmingly based in sub-Saharan Africa, the Middle East, Asia and southeastern Europe, and my remarks today are going to be primarily based on those experiences.

More than twenty years ago, thousands of destitute, sick and wounded Cambodians fled across the Thai-Cambodia border, which was heavily mined, to take sanctuary in refugee camps. Three young French staff of Doctors without Borders, assigned to provide basic medical care, found thousands of landmine and gunshot victims living among the general population. Saved by surgery and basic emergency medical care, they were then forgotten among the hundreds of thousands of refugees spread out in sprawling makeshift camps, and initiatives to meet their specific needs were totally nonexistent. Nothing in their training had prepared these young doctors to help what over time has become an estimated 35,000 amputees, one out of 350 kilometers.

Handicap International, born of that crisis in 1982, now works in some sixty post-conflict or low-income countries in Asia, Africa, Latin America, the Middle East and southeast Europe. Historically, Handicap International is part of the “sans frontières, without borders movement”, which is composed of associations whose chosen mandate is to intervene in the most inaccessible zones even in the midst of a conflict, asserting the principle that access to people in need is a humanitarian necessity and access should be guaranteed.

Today our staff work with local partners to provide crucial assistance programs to men, women and children disabled by armed conflict, diseases like polio or HIV/AIDS, natural disasters and poverty. Many of the people we work with are refugees or Internally Displaced Persons (IDPs) fleeing conflict or migrants displaced by changing economic

conditions and now often found living in large urban ghettos in destitute conditions.

We now work at the local level with the individual and his or her family to ensure access to health services, education and employment; at the village level to change attitudes about the inclusion of people with disabilities; at the national level to help people learn to develop and implement policies that open opportunity to all citizens; and at the international level to stop the use of indiscriminate weapons that continue to wound years after conflicts end, and assist local disabled peoples' organizations to learn to advocate with local power brokers for enactment and enforcement of policies that will open the door for inclusive development. But we, like many humanitarian agencies, did not always do so and had to learn through experience why collaborative action at each of these levels is imperative if the movement of peoples is to be a bridge and not an obstacle to peace and reconciliation.

There is much to be learned from the experience of working with persons with disabilities caught in emergencies, during both the crisis stage and the return and reintegration into home communities. All humanitarian crises, natural disasters and conflicts will include persons with disabilities. Conflict situations also generate serious injuries and trauma, some of which will become permanent. Yet our experience has shown us over and over again that Persons with Disabilities (PwDs) are more likely than others to be excluded all along the continuum of emergency assistance to development. When displaced, persons with disabilities and injuries may worsen because of lack of appropriate care and services and because of the additional barriers they often face in accessing emergency support. Furthermore, they are often more vulnerable to physical, sexual and emotional abuse. During a crisis, changes in their environment can dramatically limit the mobility and visibility of people with disabilities and their capacities and skills to help themselves often remain largely overlooked by relief stakeholders.

Why is this so? Even experienced relief workers tend to think PwDs have died during natural disasters or conflicts because they could not escape or find shelter. Donors think that global relief measures cover basic needs for all and that response to the specific needs of persons with disabilities can be postponed to the post-emergency period, often with disastrous consequences for the newly injured. Disability issues are usually thought to require highly specialized expertise, costly infrastructure and



complicated programs. For all these reasons, global emergency actors do not take the necessary steps to make their assistance accessible. Persons with disabilities are not taken into account in an appropriate and timely fashion and thus are deprived of the humanitarian aid to which they are entitled.

But steps can be taken that lead to inclusion and participation and the mitigation of the worst that can happen to persons with disabilities. Handicap International and other organizations can and do set up identification and monitoring mechanisms that help track persons with disabilities. We involve persons with disabilities in needs assessments and in the design of response modalities to emergencies. We establish protection measures and early links with caregivers and families. We work with UNHCR and other NGOs to build in accessibility in the organization of basic services and infrastructure including food distribution, community facilities, water and sanitation. All must also be built upon the universal recognition of the right of safe return and on having in place the conditions for successful reconciliation once that return takes place.

Reconciliation and peace-building processes open the door for refugees and IDPs to go back home but if reconciliation is to have any chance for success it requires that specific support structures be put in place. The challenges can be forbidding: among others, the absorptive capacity of the public health system often must be strengthened to cope with returnees and particular attention has to be paid to imported plagues like HIV/AIDS, which can become as divisive as the creation of zones of extreme poverty or, at the other end of the spectrum, the excessive wealth of returnees in contrast with those who stayed behind. Equity in resource allocation is crucial along all stages of the emergency movement of people, from refugee to return and reconciliation.

Special attention must be paid to the most vulnerable communities among the larger diasporas, and close attention must be paid to the continuity of care. In the early 1990s, when refugee return to Cambodia became possible under UNTAC supervision, Handicap International organized a special convoy from the border for more than a hundred tetra and paraplegics after first working with local partners to build the first center to treat such conditions in western Cambodia.

Do not assume that war victims, refugees and IDPs sit on the statistical far edge of migration, outliers to the more familiar stories of

economic migrants. Many of us in this room have sat through meetings trying to work out categorizations to correctly label the people we are tasked with helping (are they refugees or asylum seekers or economic migrants?), which leads to distinctions between what is needed, versus deserved, versus permitted under national and international law, custom and so forth.

But we all also know that many of these distinctions blur in the field. All refugees are to some extent economic migrants or soon become so out of necessity, and I would argue that economic migrants are often to some extent refugees in the broadest definition when they are driven from their villages by conditions often beyond their control. Who can accurately parse choice from coercion in the difficult situations in which many of the people who migrate find themselves? If your family goes on the move because they cannot eat, does it matter all that much if the cause is civil conflict, natural disaster or endemic poverty?

We have learned much in the intervening 25 years about how to work together effectively with our constituency of refugees, IDPs, and persons with disabilities, most of whom are poor and marginalized and live in developing countries, but do those lessons have any relevance for the truly global issue of international migration? My own country of the United States is engaged once again in a sharp, often divisive argument about the place for immigrants within our already large and diverse population. I can see the effects of global migration all about me: the newsletter published at my children's high school comes out in four languages (English, Spanish, Vietnamese and Amharic). The generally live-and-let-live attitudes of the local high school contrast sharply with the frantic and often hostile push-back against immigrants in counties in Virginia and Maryland just a few miles from my home. At first glance, the war victims and other persons with disabilities usually found in the world's poorest countries seem a small subset of the some 200 million people the UN believes have left home, and the problems of the urban migrant in America seem much removed with those confronting a displaced Congolese somewhere on the border of Congo and the DRC.

But on closer reflection, I begin to see links between these disparate communities of the displaced. The explicit needs expressed by persons with disabilities in very poor countries are achingly familiar: concern about earning a living and caring for a family is often far more powerful than concerns about medical care or mobility. They want themselves and their

children to go to school and get an education; they want to participate in the social life of their town or village, in short, to lead productive lives embedded in community. No different than the desires expressed by migrant farm workers, urban displaced or, for that matter, all of us.

It's hard to imagine a constituency more embattled/less empowered than war victims or other persons with disabilities who have been forced to become refugees, IDPs or economic migrants. Poverty is often the key factor in leading to disability:

- World Health Organization estimates that there is a global population of 600 million disabled people and that 75 percent live in the developing world;
- One in every four families living in poverty has a disabled family member;
- Poverty is a defining factor in increasing the vulnerability of people to injury or death from mines or UXO; and
- 50 percent of disabilities are preventable and directly linked to poverty.

Yet, members of this much disenfranchised group have participated in two of the great international movements for change in the past decade: the campaign to ban landmines and the convention for the rights of persons with disabilities.

We learned over the years the critical importance of working at every level of the social and political continuum if reconciliation and inclusive integration is to be made possible. When we talk at this Forum about how to establish a network in support of peaceful coexistence between migrant communities and local communities we are in fact also describing an ideal support system for refugees/IDPs in complex emergencies.

This continuum of action is exemplified by our experience in Mozambique. At the end of a long and very destructive war that involved both international and national players and massive displacement among the civilian population, Handicap International was among those organizations tasked with assisting war victims from all sides of the conflict. After long negotiations, we entered into partnership with ADEMO and ADEMINO, the two official Disabled Persons Organizations at that time, each of which was linked to one of the two sides in the civil war. Both agreed to collaborate with Handicap International staff nationally to care for the soldiers and civilians disabled by the war. We worked together to set up and run

rehabilitation centers to provide orthopedic care, and we worked with newly appointed government officials to write curriculum and train local technicians to run the centers. Mine-risk education and mine/UXO clearance operations were launched by Handicap International, Norwegian Peoples Aid and Halo Trust, among others, to ensure safe return. And, ultimately, ADEMO and ADEMIMO, setting aside years of hostility, helped Handicap International gather 200,000 signatures from their fellow citizens asking their government of the time to join and sign the International Treaty to ban landmines, which Handicap International presented to international officials at the Ottawa treaty convention in 1997.

Much has been written about the movement to ban land mines, but I think it is worth mentioning here again because it still seems to me a glorious example of civil society actors moving from the particular to the universal. NGOs like Handicap International and ICRC worked with individual landmine victims and their families for years before a growing consensus emerged that it was a moral imperative to move upstream and stop the use of the weapon rather than be content to build systems to help its victims. This weapon in particular is one that primarily affected poor countries and was one of the contributing factors to the forced migration of thousands of people in Afghanistan, Angola, Mozambique, Cambodia, and the Balkans, among others. The campaign pulled in an international cohort of activists coming from every level of society, including many from the very villages most affected. And it worked, even those powerful countries that did not sign, including the United States and China, have followed the ban, and landmine casualties have dropped dramatically since the 1980s.

Over the past two decades, many humanitarian aid agencies have moved from a one-on-one relationship of server, to a complex network of relationships involving many actors, not the least of which are the people we first set out to help. Handicap International staff develops projects and carries out political action so that, by improving their living conditions and increasing their social participation, people in disabling situations may recover their capacity to act. Handicap International's aim is to increase peoples' capacities to satisfy their own basic needs and exercise their fundamental rights, and in manner that does not lead to further conflict but to reconciliation.

When we ask whether international migration is an obstacle or bridge to peace, I think we must immediately answer "It depends!" All

migrations, even those that end well, are in the beginning inherently destabilizing. But that destabilization can result in new ways of living that are a great improvement over the old ones. Most of us much prefer a world without landmines in it! The answer to whether it is obstacle or bridge always hangs in precarious balance because it depends on a complex web of possibilities that may range from the crucial, but mundane (“is there money and can it be effectively and intelligently deployed?”) to the imponderables of the human heart in its infinite capacity to respond with cruelty and indifference or compassion and love to the disasters that befall others.

One of those young French doctors I mentioned in my first sentence was Jean Baptiste Richardier, one of the founders of Handicap International. He has many times noted that he and his colleagues remain deeply marked for life by the survival strategies those Cambodian refugees with disabilities and their close relatives displayed when confronted with deprivation and the absence of specific assistance. Inspired by their generosity and individual courage in a time of crisis, they taught many of us that families never give up and rarely abandon those among them who are the most fragile. With admirable and breathtaking obstinacy, they keep trying to look after those they love, seeking concrete solutions to make their situation better. We can, each and every one of us, try to emulate them by providing what assistance we have in us to offer.

Thank you.

## **Dr. Aitor Zabalgogeoazkoa**

*General Director of Spain Section*

**Doctors Without Borders, 1999 Nobel Peace Prize Laureate**

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### **“You Cannot Gate an Open Field” Populations in Movement: a Humanitarian Challenge<sup>1</sup>**

Thank you for inviting us to participate in this International Forum on Immigration and Peace. A special thanks to the volunteers and missionaries of the *Scalabrini International Migration Network* (SIMN), whose extraordinary work helping immigrants is well known to us. There are more experienced voices besides Doctors Without Borders (DWB) at this Forum who could speak about immigration. Even so, I hope that our calling to overcome frontiers in order to bring medical and humanitarian assistance to all human beings who suffer from precarious conditions, and who are victims of natural or man-made disasters or armed conflicts, could offer a useful perspective within the framework of this debate.

Migration is not a new phenomenon. It is part of the history of mankind. Why has it become important from the limited humanitarian perspective? Historically, it has been a positive phenomenon for those who migrate and for those who received them. It is true that immigration makes us all wealthier while at the same time it fights human misery. In a recent issue of *The Economist*, an article written by Legrain stated that to stop immigration is morally corrupt and economically stupid.<sup>2</sup>

I would like to focus my presentation, first of all, not on the causes of migration, since we do not deal with that directly as part of our medical humanitarian action, but rather on the consequences of migration. Secondly, I would like to focus on the moment that appears to us most critical in the migratory process, that is, the process itself, mobility as such.

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<sup>1</sup> This presentation is based on an internal paper produced by Carme Tapiés of the Humanitarian Affairs Unit of DWB OCBA.

<sup>2</sup> “Open Up,” *The Economist*, January 3<sup>rd</sup>, 2009.

## **Definition**

An aspect worth mentioning is the language we use, precisely the word “migrant.” This word has been accepted by the Royal Academy of the Spanish Language; so perhaps we are able to start shifting categories and their implications. We often use the expression “displaced populations” or “populations in movement” in order to avoid categorization into “migrants,” “internally displaced,” and “eco-environmental refugees,” etc., as they are sometimes called today. We believe that to talk about “populations in movement” or “displaced populations” encompasses the whole spectrum. This is a way to skip the classifications linked to the causes, which define them in a restrictive way, justifying only some reasons and not others.

Therefore, we prefer to call those who migrate, “populations in movement.” Moreover, we will not forget that at the time of their movement is when these people are most vulnerable. “Populations in movement” has been the traditional focus of our endeavor. Given that DWB works in the countries of origin, transit, and destination of these populations, our organization has plenty of experience in assisting these refugees and internally displaced people.

## **Consequences**

Therefore, allow me to speak about the effects and impact on the individuals and not the causes that make people migrate. As I told you before, we believe that these people are most vulnerable during the migratory movement per se. It is during this transit when people go through critical and vital moments; and taking into consideration the dimensions of the phenomenon, we can consider it a humanitarian crisis. This is when we interact, given the characteristics of our medical and humanitarian endeavor, and it is why we are able to render an opinion about this issue. During these days, we will certainly have testimonies of colleagues, missionaries, volunteers, and social entities that will share stories of these crucial moments. We, DWB, are experiencing these moments at the borders that separate Europe from Africa and Asia from Africa. This is perhaps not as pervasive in the Americas, but I believe that the situations are similar. The living conditions of displaced people are similar.

I would like to share the following concerns:

- **First, there are more migrants everyday and it is a global phenomenon: the magnitude of the phenomenon is difficult to gauge**

The extent of the migration phenomenon is difficult to quantify. It is estimated that there are some 191 million migrants, approximately 3 percent of the world population. Thirty to 40 million of them are considered “undocumented migrants,” inappropriately called “illegal.” Half of them are women. Some 24.5 million are internally displaced within their country of origin and 9.9 million are refugees. However, I would like to avoid emphasizing figures. Immigrants are people and we should make an effort not to reduce them to statistics. Focusing only on figures makes it easier to ignore them and abandon them to their own fate. Moreover, the vast scope of the phenomenon could end up paralyzing us.

At the same time, this is a global phenomenon. The migration receptor “poles” are not the traditional ones or the more obvious, such as Europe, the United States, or Australia, but the movement extends to countries like India and South Africa. In general, Latin America is a sending region, with some exceptions like Costa Rica, Chile, and Uruguay.

Moreover, it is a phenomenon that is getting more complicated as people are forced to migrate due to security, economic, and environmental reasons. There is a part of the displacement or movement of people that is unpredictable, as much as the effects of conflicts, environmental degradation, and increasing urbanization too are unpredictable. To illustrate this unpredictability, we might remember that before the U.S. intervention in Iraq in 2003, it was predicted that the intervention would have a sizable impact on the displacement of people, but that did not happen at the time. Yet today, five years later, no less than three million Iraqis are refugees or internally displaced.

- **Second, we are witnessing an increase in the vulnerability of these populations in movement, to unimaginable extremes**

The unfolding of the migration phenomenon outside the legal framework means that today thousands of people find themselves in situations of high vulnerability, and this is reaching a critical level. Some of the characteristics of that vulnerability are:

- The subhuman living conditions during the trip, at the arrival, in transit centers, or in detention centers.



- Suffering due to physical abuse, racial harassment, theft, extortion.
- Becoming victims of human trafficking or brutal mafias.

All of this has serious implications on people's health. Illness lurks permanently in these people in the way of traumatic wounds, infections, infectious diseases, untreated chronic illness, stress, mental traumas, and sexual violence. It also has typical impacts on public health. Just to mention some examples: dengue and schistosomiasis are a problem in Brazil; Chagas disease in the United States and Spain; malaria is spreading beyond its limits; HIV and its relation with the sex trade; and the outbreaks of exotic diseases such as Chikungunya disease in Italy. We are seeing ever more often the spread of infectious diseases that we must, above all, examine and fight against. At the same time, we also need to fight to make sure migrants are not criminalized or blamed as being the cause of these diseases, because they are not responsible for them.

We must also mention that there are groups that are more vulnerable within the vulnerability spectrum suffered by immigrants; that is: families, women, children, and minors without supervision, who become easy victims of abuse and human trafficking.

- **Third, it is a confirmed fact that heightened security measures in the migration corridor make vulnerability even more acute**

Migration routes become more complicated. Destination countries become inaccessible fortresses, and as a result, in order to reach their objective, migrants must explore new routes. The migratory journey becomes more dangerous; the underground becomes a breeding ground for mafias and human trafficking. Migrants find themselves exposed to increasing risks and situations of violence of various kinds, inhumane living conditions and, ultimately, possible death.

Nonetheless, it is impossible to measure the magnitude of the tragedy and to learn, for instance, the number of people who die along the migratory journey. Just to have an idea, it is enough to mention that there are data indicating that at least 12,000 people have died attempting to enter Europe. A minimum of 8,300 of them have drowned in the Mediterranean Sea and some 1,600 have perished of thirst crossing the Sahara desert. How many people die during their journey from South and Central American countries on their way to North America?

Another consequence of shielding the borders is the increasing number of people whose migratory journey is interrupted and they find themselves trapped and forced to remain in countries of “transit” over long periods of time, often years, living in conditions of extreme vulnerability and becoming victims of violence.

• **Fourth, migrants are invisible, excluded; they are “no one’s” responsibility**

Often, migration is perceived purely as an economically motivated phenomenon; however, today thousands of people are forced to leave their homes for a variety of reasons. For instance, as we all know, in Latin America, having left behind the armed conflicts of the 1980s and 90s (with the exception of Colombia), the causes are economic, environmental (thousands of Hondurans emigrated after Hurricane Mitch), and also due to security concerns such as organized criminal violence (as in the north of Mexico, Guatemala, El Salvador, or Brazil). Each time, it becomes more difficult to distinguish among those who are fleeing from a conflict or persecution and those who are forced to emigrate for other reasons such as the destruction of the economic and social structures necessary to survive. Wars initially beget movements of people who at the beginning are considered refugees, but end up being classified as migrants. To show some data, let me mention that in 2007 there were 26 million people displaced as a consequence of situations of violations of human rights, 15 million due to the effects of big development projects, and 143 million displaced by several environmental phenomena.

Currently, immigrants are excluded from “traditional protection mechanisms.” We are seeing an increased restriction to granting recognition of refugee status to people who are fleeing zones of conflict. International legal instruments currently in force, such as the International Refugee Statute of 1951, are overwhelmed by reality and fail to specifically provide for all of these situations. States are limiting more and more the right of asylum and are even hindering the movement of refugees. Along these lines, we find examples such as the 2001 U.S. intervention in Afghanistan and the 2009 Israeli intervention in Gaza, where populations were prevented from fleeing, moving, or taking refuge. On the other hand, people who are forced to flee because of other reasons (the so-called “forced migrants”) do not enjoy any international protection. In this context, we must point out

that criminal and organized violence is an important cause of forced displacement in Central America.

A paradigmatic example is that of the children born during the migration journey to mothers who are often victims of human trafficking and sexual violence. These children are stateless, they do not belong anywhere, and they are not allowed to be registered. In sum, they do not exist.

- **Finally, migrants become stigmatized, discriminated against, or criminalized in both transit and “receiving” societies and States**

Destination countries are passing ever more restrictive laws, limiting asylum rights, and denying the most basic rights such as healthcare. The collapsed of immigration reform in the United States, in June 2007, and the economic downturn could produce even more pressure on the phenomenon in America. These legislative changes are accompanied by practices such as increasing police and military control and more than precarious receiving conditions. Moreover, once inside the “fortress” they are persecuted and forced underground. They are “second class” or “invisible” citizens with no rights.

Inside “democratic” states, sub-territories are created outside the legal framework (such as detention centers). On this subject, I would like to recall specific experiences in Yemen, Italy, and Greece, where DWB carries out assistance programs. I suggest you take a look at the report entitled “*Without Any Other Option*” about the situation of Somali and Ethiopian refugees, asylum applicants, and immigrants who cross the Gulf of Aden into Yemen.

At the same time, the so-called “destination” states subordinate trade and institutional agreements to foreign controls, a practice known as “externalization of borders.” “Democratic” states delegate border control to neighboring states. Thus, states such as Mexico, Algeria, or Turkey receive funds in exchange for behaving as “bad cop,” laundering the consciences of well-off Western societies.<sup>3</sup> Civil society in receiving countries is exposed to xenophobic propaganda and fear mongering in the media, on behalf of political and commercial interests of all kinds, acting as enemies of peace

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<sup>3</sup> The 60 million Europeans who migrated to America during the 20<sup>th</sup> century expected to double their income. Those who migrate now expect to increase it fivefold.

and integration. Is it not a paradigmatic example that there are as many Mexican immigrants in the world as there are British (5.5 million of each), and yet the former are portrayed as a problem while the latter are not?

Administrative matters such as having papers or not, having a work permit or not, all of a sudden are linked to “granting”, or not, the basic rights of every human being, such as the simple right to exist. There are no human rights for clandestine immigrants. And without any rights, the conflict remains. Thus, for instance, in Italy a new proposal has been introduced requiring physicians to report undocumented patients, while in France a controversy has erupted because a teacher has denounced a child whose parents were undocumented. The conflict is served from the moment immigrants in situations of high vulnerability do not have any recognized rights or a voice to claim them. They do not exist as citizens. They have been placed outside the law, while the inapplicability of the most basic human rights is justified with aberrant arguments.

Suspicion and fear are imposed over peace and social cohesion. We cannot talk about democracy and the rule of law when there are States where more than 20 percent of the population is underground and without any rights. We need to shift the immigration debate away from the security agenda and couch it in the economic and social reality.

### **What, Then, is the Answer from a Humanitarian Perspective?**

Like the legal and human rights perspectives, the humanitarian approach to immigration is a challenge. It is a problem for which there isn't a user's manual. Immigration is a challenge. The challenge consists in providing assistance while speaking out and calling attention to the extreme situations that we are witnessing.

One of the characteristics of current migratory flows is that they blur the borders of the origin, transit, and destination countries of migrants. As aid organizations, we have before us the challenge of learning to maximize our presence in these countries in order to improve the assistance we provide. Unfortunately, when we talk about helping migrants, we are talking about the most elementary level of humanitarian care. We are talking about helping them regain their dignity as people and being recognized as human beings. We are talking about returning to them their humanity and helping them survive in order to be recognized and treated as human beings.

Currently, most DWB programs oriented to this kinds of people take place in Europe, Africa, and Asia; specifically Italy, Greece, Turkey, Morocco, Egypt, Yemen, Somalia, Thailand, India, and Mexico. DWB is also considering the possibility of getting involved in assisting migrants at the borders of Mexico and Guatemala.<sup>4</sup> We believe that we have good experience and examples in Spain and Morocco, where our assistance was strategically and primarily oriented to taking care and saving the lives of those affected, but also intent on having society and authorities recognize and take stock in the problem as well.

The priorities are:

- Providing aid and emergency medical care,
- Basic medical care and referrals to hospital systems,
- Working within a network to facilitate their legal and social protection.

As in all humanitarian crises, the challenge for all aid organizations is how to provide the best solutions within the limits of their capabilities. Today we try to assist in some key places along the migratory routes of our planet. But, above all, we have the will not to remain silent given the difficult dimensions of coping with this drama. Our programs, aside from assisting a few people, must have an aggregate value. Meaning: taking care of them during these critical moments in their lives and also learning lessons that will help to change these situations.

In the meantime, we continue offering help, medical care, and we favor all actions that seek to provide social and legal protection. We continue providing aid to the best of our abilities and capacities, and will continue to bear witness, while other agents, some of them present at this Forum, through concerted political action can make progress on the judicial and legal frameworks and press for changes in both policy and mentality.

Thank you.

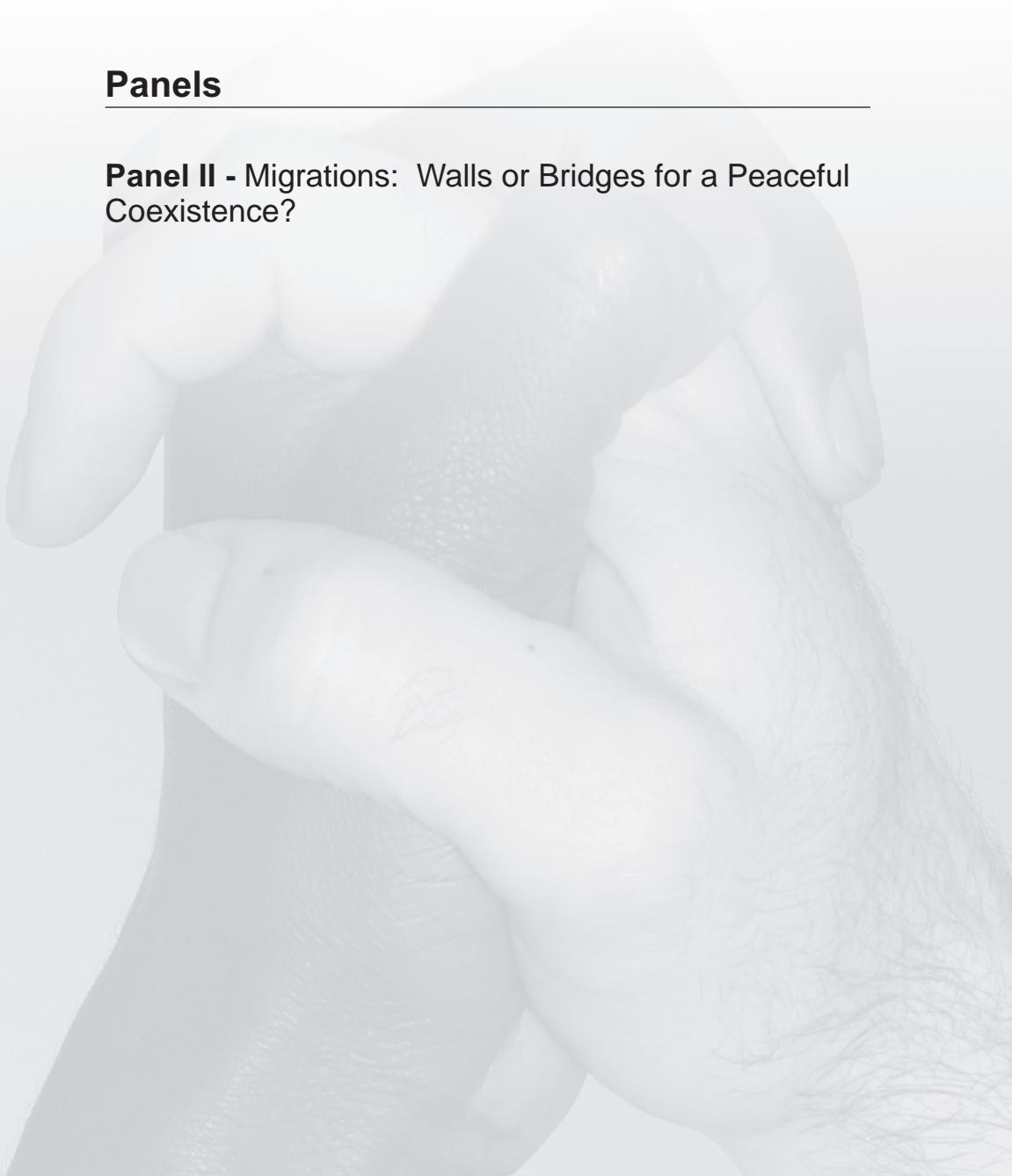
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<sup>4</sup> See the Exploratory Mission's report *Southern Border: The Weakest Link*, 2008.

## **Panels**

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**Panel II - Migrations: Walls or Bridges for a Peaceful Coexistence?**





## Introduction

### Dr. David Ungerleider Kepler

*Assistant to the Rector*

*Universidad Iberoamericana of Tijuana*

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Good afternoon to everyone.

From the window of my room in Tijuana, I see pedestrians crossing daily. They are those we call “international workers.” This corridor accounts for thousands and thousands of these individuals yearly. The expression, *international workers*, comes from a phrase painted on a fence that separates San Diego (California) from Tijuana (Mexico). Dr. Jorge Bustamante remembers it very well. It is the same place where migrants wrote in big letters “WE ARE NOT CRIMINALS OR ILLEGALS BUT INTERNATIONAL WORKERS” and to the side, another phrase that says: “IF THE BERLIN WALL FELL, WHY WOULD THIS ONE NOT FALL TOO?”

Beginning with these two phrases, I would like to refer to what our Peruvian colleague, Gustavo Gutiérrez, wrote not so long ago: *the multi-dimensionality of poverty*. I believe that when you speak about the migration of human beings, you need to consider the multi-dimensionality of their poverty. Specifically, in economic terms one can speak of: (a) migration of cheap, slave-like labor; and (b) brain-drain (or rather, drain and gain, depending on where they are headed), all for the sake of security, better income, better health care, and a better education for their children.

The statement “*dying to live*” by His Eminence, Honduran Cardinal Oscar Andrés Rodríguez Maradiaga describes the experience of our life when we are in mourning. The moments when we are faced with the death of a loved one, the recent loss of our only means of income, or when an abrupt change has caused a period of our life to suddenly end. Migrants, on the other hand, are always in mourning. Migrants are forced to leave their families and friends behind, their sole emotional connection, in order to find a means to support them. They leave their language and culture behind. They essentially leave behind a large chunk of their identity. Migration is so much more than mere geographical change.



The war on terror, since the attacks of September 11<sup>th</sup>, 2001, has led the U.S. Government to respond with militarized solutions and border enforcement as a way to tackle organized crime and the trafficking of drugs and human beings. Thus, a third wall has been built outside my window, one that will make the pedestrian crossing of international workers much more difficult, if not impossible.

In this panel, we are going to reflect on these issues, considering the situation of structural risks of an *extralegal nature* (violations of human rights), of a *criminal nature* (hiring of traffickers), of a *social nature* (discrimination and xenophobia), of a *persecutory nature* (the accidents and replication of violence in the south of Mexico with the arrival of the Salvatrucha gang), and of a *deterrent-geographical nature* (the changing of routes and the danger in the desert).

We need to deconstruct these dichotomies: illegality/vulnerability, vulnerability/risk, and corruption/impunity. These binomials dramatically impact family life, attachments to inherited customs and cultural norms, physical and mental isolation, the legal system (in the face of social order and chaos), and the defense of human rights.

In this context, beyond an obstacle, a wall, or a bridge, I see the onset of another revolution. In Mexico, we had one in 1810, then another one in 1910, and I think we are arriving at a third one for the year 2010. This new turmoil is about people searching for a better life and for survival, in view of the desperate situation they face in their own country.

We now invite our speakers to this panel on the topic of "*Migrations: Walls or Bridges for a Peaceful Coexistence?*" First, we will hear from Dr. Jorge Rodríguez Grossi, former Chilean Minister of Economy and Dean of the College of Economics and Business at Alberto Hurtado University in Santiago de Chile. Next will be Dr. Raúl Delgado Wise, Director of the Doctoral Program in Development Studies at the Autonomous University of Zacatecas and Executive Director of the International Migration and Development Network. Our third speaker will be Mr. Einardo Bingemer (*Ekke*), Consultant for Kolping Work for Latin America. The closing speaker will be Dr. Jorge Bustamante, United Nations Special Rapporteur on the Human Rights of Migrants, who will have the final words.

Welcome and thank you very much.

**Dr. Jorge Rodríguez Grossi***Former Minister of Economy of Chile**Dean of the Faculty of Economics and Business**Alberto Hurtado University, Santiago de Chile*

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Good morning. It is a special pleasure for me to participate in this Forum.

I would like to begin this presentation by asking: Why migrations? Why are there migration processes? Since we all know that the answers to these questions are related to the quest for better living conditions, the question I ask myself (and which I try to answer in this presentation) is whether the main reason for our people leaving for other countries and regions is not ourselves, in the sense that we are not able to have better societies, which do not force people to move. And a second reason, probably less relevant than the first one, has to do with the responsibility of an outside world that does not allow our main products to be exported and sold in their markets, so that if our products don't move, then our people have to move.

Migrants move, obviously, to places where they expect to have a better life. And this is, fundamentally, caused by enormous economic differences between the country of origin and the country of destination. However, there are also political reasons, natural disasters, and others, all of which generate mobility in characteristic fashion, from areas of low well-being to areas of high well-being. This picture is so compelling that migration statistics we have seen right here indicate that, between 1990 and 2005, approximately 92 percent of those who migrated went to developed countries. This figure speaks for itself as to the magnet that a better standard of living represents in comparison to what our countries are offering. In Latin America, there is clear evidence of such migratory trends. Receiving countries for Colombians, Ecuadorians, or even Chileans, have a much higher per capita income than the countries of origin. In the case of Chile, which is beginning to receive immigrants from neighboring countries, exactly the same phenomenon is happening. Therefore, the economic magnet is a fundamental factor; and since I am an economist, this is the area in which I would like to make my strongest argument.

Migration has an effect not only on the receiving country but also on the sending country. In the countries of origin, the main effect of migration is on the local labor market from which the workforce stems. It decompresses the excess supply of labor. Salaries then increase. I want to be very clear, though: this increase may very well not take place at all if emigration is not important enough to impact the labor market. In the receiving country, it is exactly the opposite. The arriving workforce increases the supply, and thus exerts downward pressure on salaries. This is probably one of the reasons why, in many cases, labor groups in the destination country see immigrants as a threat and a source of conflict.

I would like to point out that the basic tenet of the proposition I am presenting is that economic outcomes are the product of many variables, not just one. Furthermore, such outcomes are not due to purely economic variables.

In the markets of origin and destination, what takes place is exactly what traditional economic theory would have predicted. According to such theory, productive resources go where they are needed. People use their own productive capacity to earn a living. Goods and services are exchanged, and countries with better comparative advantage to produce specific goods sell them to other countries without such advantage, and vice versa. This is what constitutes trade. What I am describing occurs with productive resources, whether it is capital or people willing and able to work at our disposal. However, we know that the global economy is not completely open and that free-trade does not exist in a perfect version. This raises the question: Why not? One of the most important reasons has to do with the defense of the local interests of protected groups (employers and employees). We can simply remember the failure at the Free Trade Round of Doha, after years of work, just as happened previously with UNCTAD, the United Nations Conference on Trade and Development. The reason for such failures lies in the fact that the major countries are not willing to open their markets either to reciprocal trade or to products coming from less developed countries. By the same token, and due also to other ethnic, political, or religious reasons, these major countries are not really welcoming to immigrants.

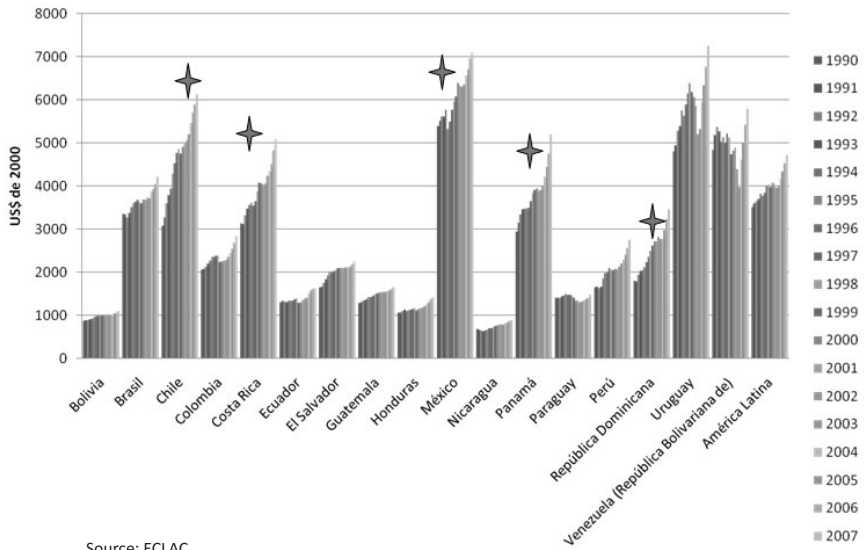
On the other hand, from the point of view of the country that sends workers and people to other countries, migration in many cases becomes a source of income through the well-known remittances. Many states in Latin

America, particularly Mexico and other Central American countries, enjoy an influx of remittances that is extremely important and constitutes one of the benefits stemming from emigration.

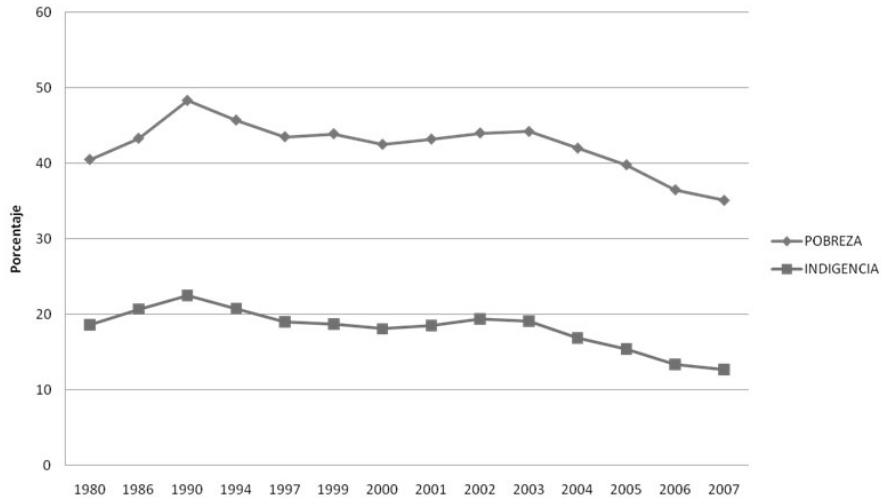
Why has Latin America not been able to generate the conditions that lessen this force, this magnet, exerted by developed countries upon our fellow citizens, which impels them to move to those countries? First, a caveat: when we talk about Latin America, we must remember that we are not a continent where all the countries are equal or behave in the same manner. There are marked differences in per capita income among our countries, just like there are major differences in levels of poverty, and in economic or political behaviors. Consequently, migratory patterns are also very different. Between 1990 and 2007, the GDP (Gross Domestic Product) per capita doubled in Chile and the Dominican Republic. In other countries, such as Argentina, Costa Rica, Mexico, Panama, and Peru, it rose between 60 percent and 70 percent. Sadly, in other countries, the GDP per capita has remained quite stagnant for more than 17 years. In general, the advances are rather modest in Latin America. Only Chile has been able to decrease its level of poverty by two thirds, while Brazil, Mexico, and Panama have reduced it by a little less than one third. In the rest of Latin America, the levels of poverty have remained about the same as they were in the last decade. On the other hand, Chile and Panama have stopped being countries that send people abroad and instead have become receivers of people from abroad. The same occurs in Costa Rica, a country that maintains a relatively low level of poverty with a stable and reasonably good economic and political situation.

In the first chart, the five stars indicate the countries that have managed to sharply increase their GDP per capita. In the second chart, the curve depicting poverty, which fell slightly over a 27-year period, exhibits virtually stable levels in Latin America. Much the same occurs with indigence, but the decline is greater than the poverty indicator. This shows a continent that, generally, aside from some exceptions, manages to advance very modestly while the developed world progresses at a fully accelerated pace.

**CHART N° 1**  
**GDP per capita (US\$, year 2000)**

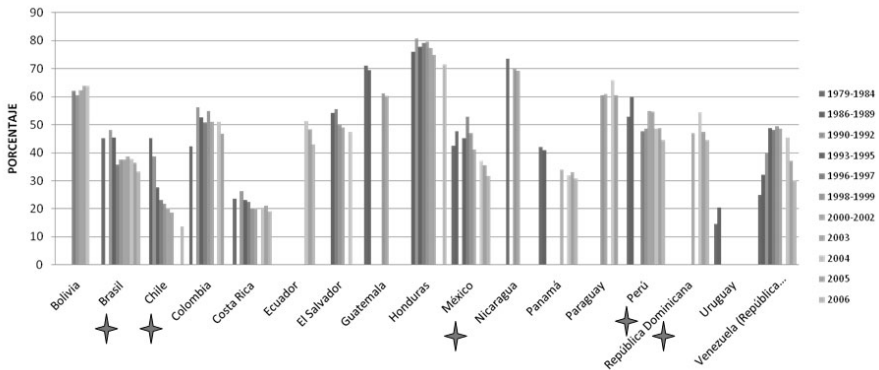


**CHART N° 2:**  
**POVERTY AND INDIGENCE IN LATIN AMERICA (CEPAL)**



The following chart (Chart n° 3) also shows five stars for countries that have managed to lower their poverty levels dramatically. Despite this, for the vast majority of countries, those levels have remained unchanged.

CHART N° 3:  
POVERTY IN LATIN AMERICA

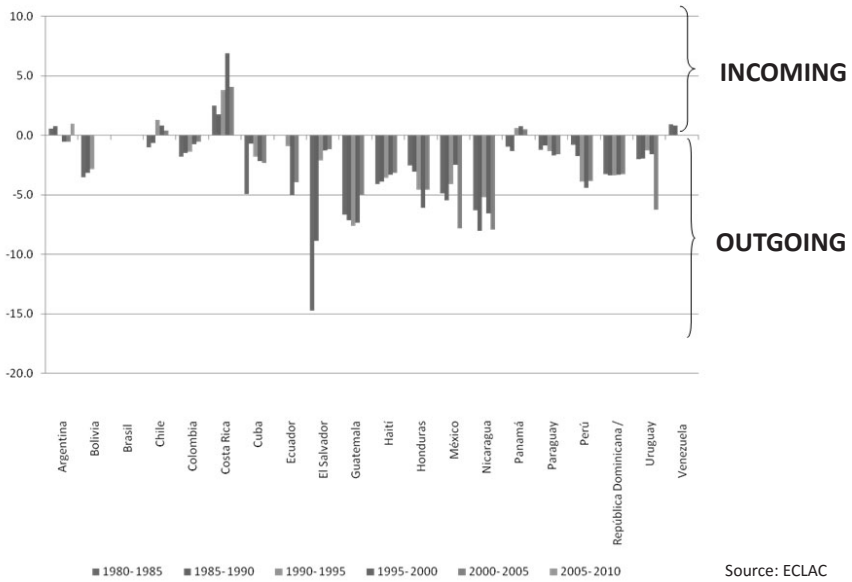


Source: Prepared with CEPAL data, social indicators and statistics [BADEINSO]

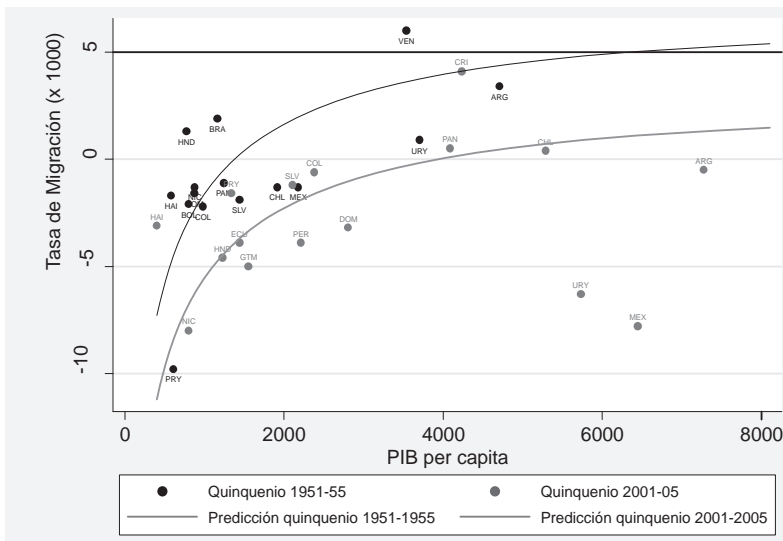
The chart below (Chart n° 4) shows a dramatic trend. In the area where it says “incoming,” we are talking about countries that are able to attract people to their region. In the lower area, where it reads “outgoing,” it refers to countries that send people abroad. As you can see in the graph, the upper part is practically deserted, while the lower part is full.

Latin America is a continent that sends people abroad because it is incapable of achieving an adequate level of development. That is the principal responsibility and the main cause for the migration issue that we are discussing here and that wears so many people down. Nevertheless, we have a Latin America that is not homogenous, that presents diverse scenarios, and thus forces you to throw out the standard one-size-fits-all solution to solve the problem. By the same token, we cannot apply the same remedy to all people when we are talking about human health. If we wanted to stem the exodus of people and offer them a better standard of living, it would be a mistake to propose the same economic policies across the board. Furthermore, we should be aware that we cannot only think about economic solutions. On the other hand, if we don't improve living conditions in our countries, we will continue to experience powerful migratory flows abroad.

**CHART N° 4:**  
**LATIN AMERICA: MIGRATION RATES BETWEEN 1980 AND 2005**



**CHART N° 5:**



Source: Prepared by Marcela Peticara, Alberto Hurtado University, Chile.

This graph (Chart n°5) shows the correlation between per capita income and emigration. You can see a pair of curves representing two different estimates for two, five year, periods (1951-55 above, and 2001-05 below); the lower axis shows the “income level per capita” and the vertical axis the “migration rate.” You can see that there is a positive correlation. The larger the immigration, the more the emigration rate tends to contract in a wealthier country (or when a country transforms itself), and thus the country becomes a magnet. Conversely, the less wealthy a country is, obviously, it tends to be a country that repels people.

The increase in the desire to emigrate seems to follow a pattern: it is connected to a higher income level elsewhere. There are nevertheless two important phenomena that we need also to consider: First, the fact that global migration has been much more powerful in the last two decades than it was in the past; second, exceptional cases which will continue to arise because there can always be a crisis in some country that will propel people abroad.<sup>1</sup>

Developed countries have what is called “good business climates” in words of the World Bank. Reality shows us that developed countries have business climates that entice investors to move amongst them and invest in them without major problems. Then, we have the “emerging countries,” which are those in transition from an underdeveloped situation, but which also exhibit acceptable business climates. The rest of the countries, clearly, offer a bad business climate. Despite the fact that the GDP per capita is a very commonly used indicator to measure the degree of well-being, truth be told, it is solely an indicator of averages. It tells us nothing about how public and private resources are obtained, the backdrop behind those figures, or the conditions in which people are living, factors that may be keeping people in the country or propelling them abroad.

For many years, the World Bank has been developing various indexes to evaluate and compare the world's economies. These are indicators that attempt to measure, in each country, the degree of corruption, effectiveness of government, level of political stability, incidence of violence, capacity to listen to its citizens, degree of institutionalism, so

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<sup>1</sup> As always, there are exceptions: countries that reach very high levels of income per capita in Latin America, but suffer problems that arise suddenly, as happened in 2001 in Argentina and Uruguay, when they suffered a worsening crisis. These countries, despite maintaining relatively high levels of income per capita, repel people who desire to live in better environments.



authorities can see what they are doing and how they are doing it, and whether or not it is successful, quality of the legal framework used to handle monopolistic situations, and respect for law and order. These indexes are compiled not only for the Latin American region, but for 180 other countries around the world. It is assumed that the better the levels of these indicators, the better the standard of living, and therefore the better the environment is for doing business in a particular country. An investor faced with a choice between a country that exhibits high levels of corruption, lack of respect for law and order, a corrupt judicial system, government incompetence, and violence, and another country that exhibits better indicators, would prefer the latter. This is completely obvious to the people familiar with the entrepreneurial world.

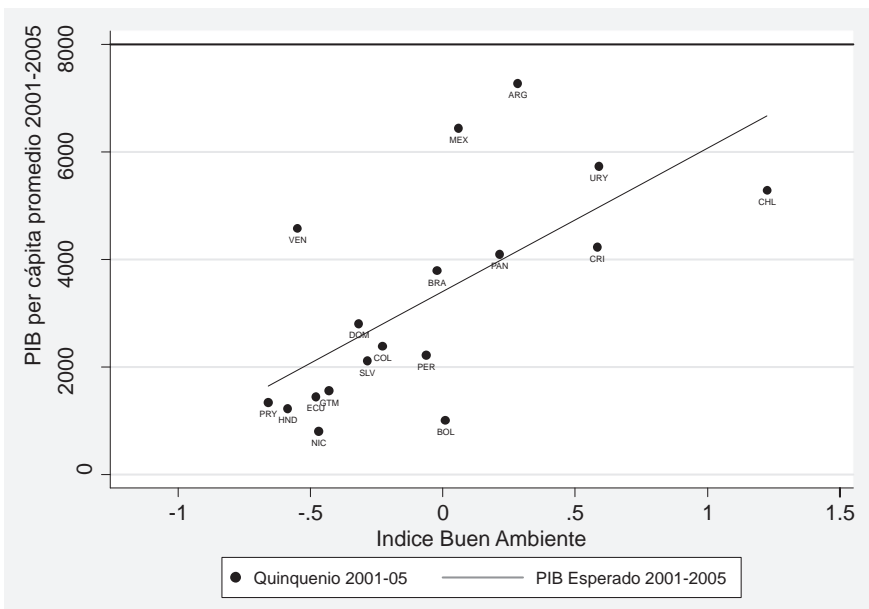
Talking about improving the business climate often seems a bit too complex an expression, particularly when it is linked to ending poverty and improving the standard of living for the people, among other goals. However, for entrepreneurs, it is obvious that if the environment is improved, this factor is going to contribute to an increased probability that the returns they expect will become a reality. Why? Because if the risks of fraud, violence, dishonest courts, and corruption in the government, among others, are diminished, it is more likely that the profitability of the business the investor wants to develop may be realized. Therefore, with greater certainty, he will dare to invest with much more confidence. The country in question will benefit from greater investments and pay lower interest rates on its foreign loans, which will raise per capita GDP, and many other social indicators will rise as a result.

Is a good business climate one where entrepreneurs can simply do as they please? Obviously it is not. When we talk about a business climate, we are not referring to a situation where entrepreneurs come and exploit all they want. We are talking about conditions of social calm, respect for law and order, healthy, honest and stable labor conditions. If there is political stability, there is a good climate, as well as if, among other factors, the people have guaranteed freedom of expression and the authorities have accountability.

Where can we find this wonderful world? Usually people tend to think that it can be found in developed nations, and thus that is where they go. In some exceptional cases, it is also starting to be sought in the so-called emerging countries.

How can we consider the business climate? Is it cause or effect of development? The question of whether a country needs to develop in order to achieve a good business climate is best answered in the reverse: only when countries are capable of generating conditions for investors to feel confident, does the moment arrive where conditions for development begin to exist, not the other way around. When the conditions and the climate are not there, when there is no suitable environment to do business, no business is done, or business is done under such expensive and difficult conditions that no development is allowed to happen. In other words, this is not a case of head or tail, the chicken or the egg. Here it is very clear that the head leads the tail, as you can gather from the following chart (Chart n° 6).

CHART N° 6:  
**RELATIONSHIP BETWEEN GOOD BUSINESS CLIMATE AND GDP per capita**



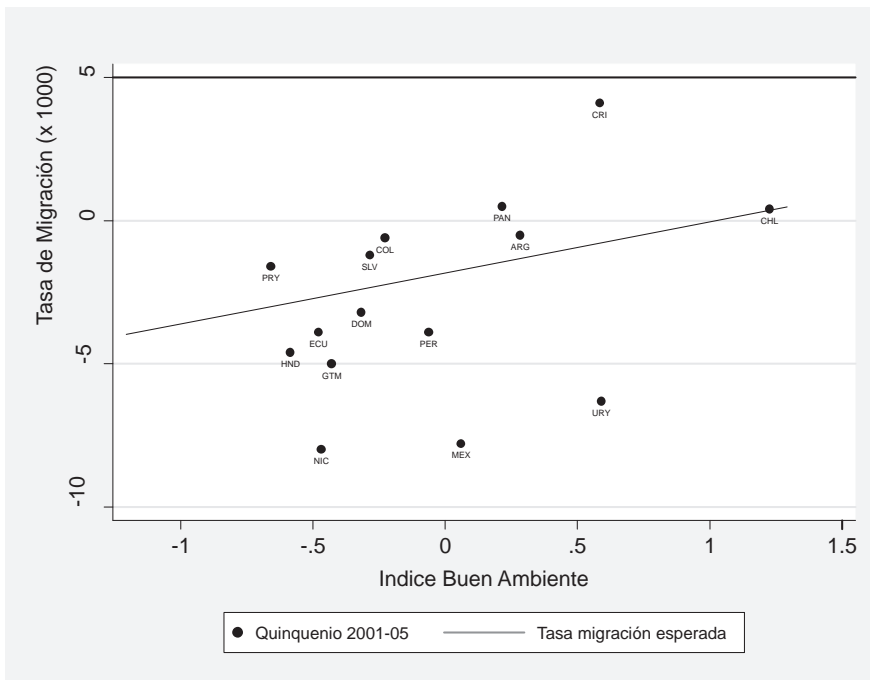
Source: Prepared by Marcela Peticara, Alberto Hurtado University, Chile.

This chart shows the relationship between three indicators: quality of the regulatory framework for monopolies, efficiency of the government, and respect for law and order. We are going to combine these three indexes

into one, and then plot it against good business climate and income per capita. The result is a correlation of 0.65 out of a maximum of 1. In other words, there is a huge correlation between a good climate or business environment and the level of income per capita. And what we are doing here is measuring good business climate five years behind the per capita income that we are also measuring. Hence, what we are witnessing is a relation of “cause and effect.” It is absolutely clear that if one has a good business climate, the level of income will also be higher. Is this a surprise? The truth is that it cannot be. Isn't a good living environment one where there is respect for law and order, low corruption, honest courts, and contracts are honored, etc.? I think it is totally logical.

Now, in this other graph (Chart n° 7), we have another curve, less spectacular but also positive: Good business climate also correlates positively with lower emigration.

CHART N° 7:  
GOOD BUSINESS CLIMATE AND MIGRATION



Source: Prepared by Marcela Peticara, Alberto Hurtado University, Chile.

In conclusion, I go back to the question: Why do our countries suffer from bad business climates? My impression is that the politics (not the economics) in the vast majority of our countries, have not been able to build basic consensus that allow the creation and implementation of public policies without changing them every time the government changes. That has been my experience as an international consultant. In addition, I know that my country, Chile, has indeed been able to maintain some policies, even some dating to the military dictatorship of Pinochet. We have been able to recognize those policies that were successful, maintain them, and develop them further, as, for example, the opening to foreign trade. In countries that do not have a political leadership mature enough to generate effective public policies, ineffective policies have been the main culprits in causing the bad business climate that has existed for the past four decades. Let us not forget that factors such as corruption, lack of respect for law and order, and many others, are also important and can be resolved by adopting new institutional reforms. This applies to some of our countries as well as those in other regions.

I will finish here by pointing out that when we talk about migration, poverty, and a host of problems, we should not look only to the developed world and complain that they mistreat us when we are immigrants. We must also look inside, within our own countries, and ask ourselves what we can do so that the political world truly works for a consensus, and helps to make our countries more stable, our policies more permanent, so that we may foster the type of business climate that will make investors turn away from other regions and come to our countries instead. This would create jobs and raise income, so instead of going abroad, people would stay at home because we can offer them a decent future.

Thank you.

## **Dr. Raúl Delgado Wise**

*Director of the Doctoral Program in Development Studies  
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Executive Director, International Network  
on Migration and Development*

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### **The Dilemmas of Migration and Development: Lessons from the Mexican Experience**

This article examines several points, with the objective of outlining the context under which migration between Mexico and the United States occurs, and how international migration occurs under the current context of neoliberal globalization in general.

#### **Migration and Neoliberalism**

Among the vital signs of contemporary capitalism, apart from the financial crisis that we are experiencing, characterized by speculation and the predominance of fictitious capital, we notice a very significant increment in labor migration, mainly from south to north associated with the internationalization of production and with the *trans-nationalization*, differentiation, and uncertainty of labor markets. It is important to underscore that the mechanism that has driven this dynamic restructuring is the programs of structural economic adjustment under the baton of the International Monetary Fund and the World Bank. The impact of these programs has been expressed and expresses itself by the triggering-off of three movements that operate in the majority of the countries in the south. The first one is the dismantling and restructuring of the productive apparatus of their economies, which implies a regressive effect in their process of development. The second movement is also associated with the unleashing of a redundant overflowing population that has been left out of the formal labor market. The third one alludes to an overflowing growth of south-to-north migration that takes the form of a process of population expulsion, as those persons search for survival options that are not available to them in their native countries.

In this general framework, an important issue worth emphasizing is

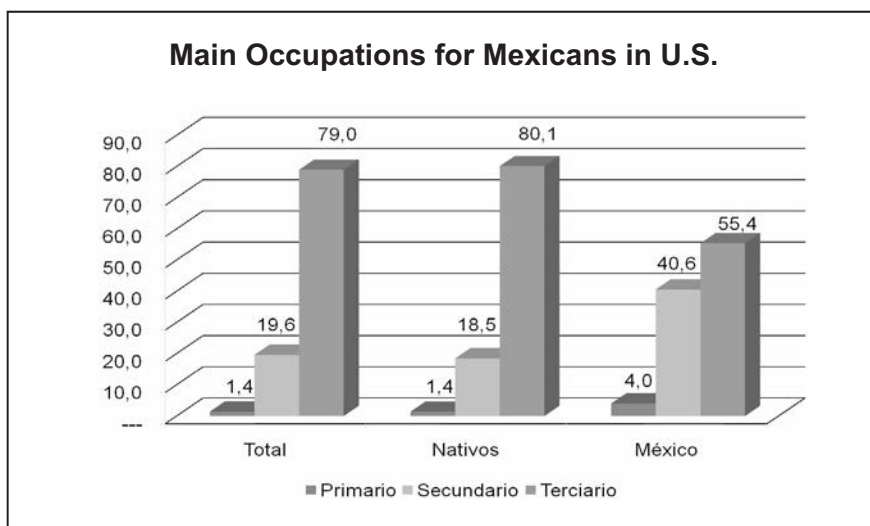
that although Mexico is considered an important exporter of manufactured goods, such a characterization is superficial and distorted because what Mexico exports in reality is a cheap, highly vulnerable, and strongly uncertain workforce. This export of labor is based on three closely interconnected mechanisms: the *maquila*, the “disguised *maquila*,” and labor migration. The *maquila* and disguised *maquila* represent approximately 90 percent of Mexico's manufactured exports, which contain 70 to 90 percent imported components. This reveals that behind the disguise of manufactured exports, Mexico is really exporting a workforce that does not have to exit the country. As a correlating dimension to this regressive orientation of the export sector, there is another important area of Mexican exports: the direct export of workforce through labor migration. This modern Mexican export platform, which in reality involves a new precarious and exclusionary mode of accumulation, is linked to the restructuring of the U.S. economy.

The following is data on the new migratory dynamics: between 1990 and 2007 the Mexican born population residing in the United States increased from 5.2 to 11.8 million. The data from 2008 is very similar: around 12 million Mexicans residing in the United States. The total population of Mexican origin reaches almost 30 million. Between 2000 and 2005, approximately half a million Mexicans immigrated each year to the United States. It is known that 56.4 percent went as undocumented immigrants, meaning that there are around 6.2 million Mexicans that carry the stigma of being a criminal in the United States. In 2007, Mexico received \$24 billion in remittances.

Within this very significant Mexican-U.S. immigration growth, there are also qualitative changes of great importance, amongst them the phenomenon's geographical expansion both in Mexico and the United States. For all practical purposes, the entire geography of both countries is marked, in one way or another, by migration of Mexicans to the United States. In fact, there are already 31 states in the Union where Mexicans constitute the largest immigrant group. By the same token, we are witnessing a growing selectivity. There is an even more significant influx of highly-skilled workers into the United States. A recent datum from the Current Population Survey reveals that 30 percent of the Mexican population with Masters and doctoral degrees are in the United States. If 10 percent of the Mexican population resides in the United States, 30 percent of

that same population with Masters and doctorates is already in that country.

Together with the aspects mentioned above, there has been a transformation of the migratory pattern. Predominantly circular in the past, the new dominant modality is the permanent immigrant, or the migrant who establishes himself in the United States. This is due to the lack of opportunities in Mexico. A new and worrisome phenomenon has also appeared: 50 percent of Mexican municipalities exhibit depopulation, that is, negative population growth rates. Mexico has also become the main country of transit in the world. One more item that is worth mentioning is that a large part of the Mexican population working in the United States is employed in the industrial or “secondary” sector.



Source: My own estimates based on the Current Population Survey.

This graph shows how there has been a replacement of sorts, especially in the manufacturing sector, of North American workers by Mexican workers, which hints that it is not just a matter of free-market behavior but of corporate strategy. Despite this apparent social promotion for Mexicans, there has not been any real upward mobility. Mexicans earn salaries that on average are much lower than those of other immigrants in the United States.

What are the implications of this phenomenon? The transfer of some capital to Mexico has allowed United States corporations to lower

their labor costs up to 9 percent compared to the United States averages. This movement has weakened labor, particularly unionized labor, in the United States. The incorporation of 1.2 million workers (plus another 2 million who are working in *maquila* and “disguised *maquila*”) has increased the competitiveness of the U.S. manufacturing sector to a certain extent. I am referring not only to lower-skilled labor but also to higher-skilled labor.

We have tried to measure the contribution of Mexicans to the U.S. economy through data that is usually invisible or not brought up for discussion. Working with a team of experts, we have made calculations based on official U.S. statistics, with very conservative premises. Mexicans have indeed satisfied the labor demand increments in the United States: one out of six new vacancies in the United States since 1994 (the year the North American Free Trade Agreement came into effect) has been occupied by Mexican immigrants. The direct contribution to the GDP by Mexicans, in 2006, was \$485 billion. Mexicans stimulate the domestic economy through consumption in the United States by \$268 billion, half of Mexico's total consumption. What we did here was to take the income of Mexicans in the United States, which is \$165 billion, subtract what they send to Mexico in remittances and see what its multiplier effect is, then factoring in a conservative figure for the U.S. domestic economy. The contribution through direct taxation from labor by Mexicans in the United States was \$23 billion in 2006, which is practically equivalent to the remittances sent to the country. Mexico transfers \$99 billion to the U.S. economy in educational expenses for the immigrant population. On the other hand, the United States saved \$723 billion for the same item, a figure that is equivalent to the largest financial banking rescue in history. If we consider labor reproduction and educational expenses, Mexico transferred \$356 billion to the United States, allowing the United States to save \$2 trillion, which is a little over 15 percent of its GDP.

What are the implications for Mexico? Through this kind of “integration,” participating essentially as a cheap labor exporter, Mexico has suffered a process of deindustrialization and disintegration; a major part of Mexico's productive apparatus has been dismantled. More than 20 chains of production have been destroyed. The formal labor market has been reduced and become uncertain, and the informal economy of the country has expanded dramatically: 50 to 60 percent of the Mexican population that is economically active is in the informal sector.



## Conclusions

Migration contributes to the economic development of the United States by reducing production costs on a bi-national horizon and increasing U.S. corporate profits, particularly for large multinational corporations. All of this takes place at the expense of Mexico's development. In this sense, and contrary to the traditionally understood relationship between migration and development (where migration is presumed to contribute to the development of the labor exporting country), here we are demonstrating exactly the opposite. Even though there is a contribution to the labor exporting country through remittances, these do not compensate for the transfer and loss of human capital. Therefore, what we have is the opposite of what is propagated by international organizations and prevails in the international agenda on the matter: migration contributes, above all, to the growth of the receiving country, without such country recognizing it, and at the expense of the sending country.

The Mexican model suggests a definite regression in the development of the country's export platform. In fact, we have fallen into what I have called a process of "*suprimaryization*," because Mexico is not exporting manufactured goods but primary ones: mainly crude oil and, above all, cheap labor. In this way, we have then taken two steps backward. It is therefore essential to emphasize that exporting a labor force is neither the road to development nor a way to peaceful coexistence.

In conclusion, I think it is important to point out that if we recognize the contribution that workers from labor-exporting countries make to the receiving countries, then we can talk about reciprocity. Reciprocity implies that the receiving countries acknowledge their need for migrant labor as well as the contribution migrants make to their economies and societies. This should have, as a counterpart, development assistance as a fundamental factor and basic principle of public policies. If we agree on this, then another important issue is the voluntary mobility of people instead of what currently exists: forced migration. It is a priority to advance towards the full human rights of migrants in the countries of origin, transit, and destination. It is necessary and urgent to move migration off the security agenda, where it has been trapped, onto the development agenda, and at the same time, place development at the heart of the immigration agenda.

## Mr. Einardo Bingemer (Ekke)

Consultant for Latin America  
Kolping Organization

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Good Morning. I would like to thank my predecessor for his comments regarding my work at the Porticus Foundation, which, along with the Konrad Adenauer and Soros Foundations, is promoting this Forum. I don't deserve Juan Esteban Belderrain's praise, but then again, we Argentinians like to praise each other. Juan Esteban and I have taken on new duties since the beginning of the year. He took over my responsibilities, and I'm now retired and dedicated to other endeavors. Although I don't wish to speak about my current activities as advisor to the Kolping Organization in Latin America, I wanted to mention that its founder, Father Adolfo Kolping was a migrant par excellence and I would certainly like to continue his efforts. However, I was asked to speak about my past experience, and that is what I will do.

*“Migrations: Walls or Bridges for a Peaceful Coexistence?”* How to frame such a question when faced with the destruction of human coexistence through the constant presence of the specter of xenophobia? We should first analyze this issue, along with authors much more qualified than this humble Argentinean keeping in mind that this self-description is a *contradictio in terminis*. Nevertheless I refer to myself as a humble Argentinean, because the organizers asked me to speak about my personal experience, acknowledging the fact that neither knowledge nor theory can replace experience. So I am getting older and wiser.

Argentineans are famous for their lack of humility. When Argentineans arrive in Antigua, Guatemala, they climb the volcano known as *De Fuego* (the tallest of the three surrounding the city), just to see how the city looks without them. Realizing that the volcano is active and that I could get burned, I opted for contemplating the city from the altitude that my sexagenarian age affords me. And I was able to see something that burns before me, and within me: the zero tolerance toward aliens or people who are ethnically different, who are treated like city trash.

I speak this way because, for reasons very different from those we normally deal with, I have also been a migrant. After falling in love with a

“Carioca,” a native of Rio de Janeiro, I settled down in that city. Adding to the string of imperfections that comprise my résumé, a summary of which you heard during the introduction, I am a *Porteño*, a native of Buenos Aires. Ever since I can remember, I have witnessed urban violence, not only in the cities I mentioned before, but also in others I have come to know.

This experience motivated me (in my last job, from which I retired at the end of last year after eleven years of service) to recommend as a priority the eradication of urban violence. The Porticus Foundation is devoted to providing advice on various projects to family foundations of Dutch Catholic entrepreneurs, who for more than 170 years and in more than 70 countries have been supporting religious causes.

In order to efficiently complete this task, we focused on three issues: (i) providing pastoral care in prisons (jails, particularly on our continent, are prime places for society's human refuse), (ii) supporting community organizations that provide drug addiction therapy (which is both the best way to empty these human dumpsters called jails, and the least expensive way to deal with drug trafficking and its most recent exacerbation, narco-terrorism), and finally, (iii) advancing projects designed to serve migrants who have been uprooted due to economic or political reasons, and forced to migrate either within or outside their country.

As believers in a Trinitarian God (a migrant par excellence, in that He migrated from His Divine to His Human nature for our redemption) our motivation is humankind, individually and collectively. With this, faith adds to the definitive recognition of the Kantian categorical imperative (here is an advertisement of my German roots, recognizing this philosopher's ultimate systematic expression about the mother of all sciences that, by definition, is the love of truth) and defines our collective destiny as the “*volkommende bürgerliche Vereinigung in der Menschensgattung*,” which could be translated as the unification of the species in one common citizenship.

And this faith prompts us to reject the current situation. As God's children, we have to do it this century, facing the image of the migrant who turns up in refugee camps, “*nowherevilles*,” “*favelas*,” “*villas miserias*,” “*barriadas*,” “*sin techos*” [roofless]; in social forms of negative agglutination as those of “*malheureux*,” “*pariahs*,” and “*wretches*” produced by those at-risk societies so well described by Ulrich Beck (in new editions of his sociological conceptualizations following September 11<sup>th</sup>)

and preceded by Zygmunt Bauman in his various essays about a *liquid society* controlled by *liquid fear* and bred from a *liquid love*.

This new expression of excess of humanity finds its roots in the “*eugenic*” school of thought, which dominates the contemporary metropolis. We must therefore stress that this issue, illustrated by huge cities like São Paulo and others, is the result of internal and external migration.

It is known that Mexicans descended from the Aztecs, Peruvians from the Incas and Argentineans from boats. In Brazil's case we should add that the *Paulistas* (the inhabitants of São Paulo, although this could very well apply to any major city in the south of Brazil) descended from the *pau de arara* which is the name of the vehicle that carries people to São Paulo after a long journey from the impoverished northeast in pursuit of a better life. This is how the current President of Brazil, Luis Ignacio da Silva, “Lula,” along with more than half of the almost twenty million people currently living in São Paulo, arrived in this city. In my opinion, those who were born here, and are members of the power elite, develop a “*eugenic*” attitude that ignores those “*sin techo*” [without roof], who live on the banks of the river Tieté (which defines the city sections). They don't see them as people who can be rescued but, on the contrary, people who should be drowned in the river, because their existence is like garbage in the city streets.

Migrants are defined not only as people “without roof” but also “without rights,” not because they cannot be recognized as equals before the law, but because there is no law that can be applied to them. We must remember post-*Shoah* thinkers such as Arendt, Bauman, and Derrida. The latter categorizes these human beings as “*permanent temporaries*,” neither sedentary nor nomads.

Going back to the perspective of faith, which enhances the perspective shared with all these secular thinkers, I see Christ in the migrants, and even in my own history of almost forty years in another land. Of course, not coincidentally, this year my wife and I celebrate our fortieth wedding anniversary. My wife will celebrate 100 years, for she will also celebrate her sixtieth birthday.

Faced with this occasion and the somber situation I have been called to describe, I must also point out the light of hope. A migrant, like Lula in his own way, aside from his occasional good deeds and mistakes, brings change.

In a way, Lula is a forerunner, a “tropical version” of Barack Obama.

I mention the new president of the United States, for I must step out of the local context and enter the global community. It is difficult for me to celebrate my anniversary when I still see the image of a couple kissing through the fence that separates Mexico from the United States, one on this side, the other on the other side, at the border in Tijuana, a place that I had to visit several times during my previous job.

It is not possible to provide local solutions to global problems; solutions must come from truth, which stems from an idea that transforms itself into truth. It becomes truth by way of seminal events that stem from reality, with the verification of a utopia.

Since global problems require global solutions, I must leave open the question of truth. In a world characterized by virtual communication we need to think as an orator, and as Franz Rosenzweig would say: “*não se pode prever coisa alguma,*”<sup>1</sup> so I should be able to wait for such solutions to germinate, because I depend on the other's word.

Borders are nothing more than human creations. I must accept the truth, never before as emphatic, that I am nothing more than a human being, and bring solutions that can be multiplied as it is done with many of the Church's initiatives, for instance, the Scalabrinians or the Jesuits.

In spite of the shadows cast over the Church, it is noteworthy how it expresses itself over time on the very issue of migration, with perseverance and coherence, although too discreetly for a world where image and the media are paramount.

To give you just a small example, in addition to offering shelter, the Church works on securing for the migrants the most basic of rights: documentation. In that manner they create paradigms, like “*Casa del Migrante*” in Chile, where thanks to the Church, more than thirty-five thousand people ended their illegal or criminal status, to become international workers.

In her essay about humanity, Hanna Arendt quotes Leising regarding the subject of truth: “*Jeder sage was ihm Wahrheit dink/und die Wahrheit selbst sei Got empfohlen,*” which means: “Each one of us states the

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<sup>1</sup>Editor Note: The meaning of this sentence in Portuguese is “*We can foresee nothing.*”

truth as he sees it/and the truth itself is finally entrusted to God.” Perhaps it is easier to understand this concept with a witty story about religious people: a Dominican, a Jesuit and a Franciscan tried to walk on water to imitate Jesus. The Dominican, under the weight of the truth, the Charisma of his Order, drowned after a few steps. The Jesuit and the Franciscan managed to get to the other bank. The repentant Jesuit, known for his planning and organizing skills, wondered if they should have told the Dominican to walk on the stones, to which the Franciscan responded with the typical naïveté of the Saint of Assisi: What stones?

I believe it is time to work out solutions for these hidden and neglected people, even if the solutions seem unrealistic or naïve. In order to emphasize the need to overcome the fear that keeps us tied down, I will finish by sharing with you my most recent experience with *mate*, a container used in the south to drink the infusion of the *mate* herb. A nun offered me to drink from a *mate* belonging to a Uruguayan prisoner. On it I read: “Fear is only for those who don't know perfect love.” This was a statement by a prisoner, a migrant, who was denied food and saw no option but to break the law.

I believe we all know it is time to take risks (*I risk therefore I am*), and that those risks should certainly replace abstract political solutions, rationalizations without subjectivity, and futile speculations left behind after decades of misinterpreted ideas. *Change* is the *leitmotiv*, the theme that the North is calling on us to live by in the years to come.

With this spirit and in forums like this one, others more skilled than this humble Argentinean, a migrant in beloved American lands, will come up with new and fertile solutions.

Thank you very much for your time.

**Dr. Jorge Bustamante**

*The United Nations' Special Rapporteur on Migrants' Rights*

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**Migration from Mexico to the United States from the  
Trend to the Substance<sup>1</sup>****Introduction**

Good Morning, I wish to express my gratitude to my Scalabrinian friends, from whom I have learned so much over several decades, starting with Father Flor María Rigoni in Tijuana, more than 20 years ago today. I congratulate you for organizing this most important Forum on Migration and Peace.

This work focuses on the relationship between international migration and human rights. This relationship is framed within the theoretical context from which we try to explain the *vulnerability* of migrants as subjects of human and labor rights. Given that the United States is the most important receiving country on the map of migratory flows from Latin American countries, we begin this work by focusing on that country's decision-making process in immigration policy and its most recent and relevant developments. Starting from the present, though temporarily suspended, legislative process that is taking place in the United States over immigration policy, we will go to the heart of the matter: the conditions of vulnerability for Central American migrants in Mexico. Although migratory flows from Mexico and Central America to the United States are the most voluminous in the hemisphere, the evaluation of the conditions of vulnerability for migrant workers should not overlook the population movements issuing from South America, particularly given the importance of the rise in emigration to Spain from the Dominican Republic and lately from Ecuador. These immigrants coming into Spain from Latin American countries are in first place, overtaking the numbers of immigrants coming from Maghreb countries. This is relevant to the study of the issue of

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<sup>1</sup> The author of this paper is UN Special Rapporteur for the Human Rights of Migrants. Yet, he is writing neither on behalf of the UN nor any other institution, but in his private capacity, assuming sole responsibility for this text.

immigrants who are subject to human and labor rights vulnerabilities. There are other important migratory movements in the Southern Cone of the hemisphere such as those coming from Bolivia and Paraguay into Argentina and Brazil, and to a lesser extent, from Colombia and Ecuador. Variations aside, in all those movements there are human rights violation problems for migrants. If we mapped the intensity of such violations in the western hemisphere, we would find a correlation with the volume of migratory flows, but we would also find a geographical pattern in which the further north the destination country is, the more intense the violations of the human rights of migrants.

By definition, international migration phenomena cannot be approached from the unilateral perspective of any one country. Especially in the case of labor migrations, these are the result of processes of interaction among factors arising from both countries of origin and destination. This occurs in unison with factors arising from the labor markets of two or more countries. Among them we find that the demand for migrant labor arises from endogenous factors in receiving countries, and that the supply of labor arises from endogenous factors in sending countries where those migrations originate. However, we find an unfortunate pattern of resistance, because it does not correspond to objective factors but to ideological ones, on the part of receiving countries to officially acknowledge the endogenous nature of their respective demands for immigrant labor, particularly undocumented labor. Part of this pattern of resistance is the fact that not one single major immigrant receiving country has ratified the United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The idea behind this resistance is stated in the recommendations proposed at the end of this report, after the discussion of the theoretical framework of vulnerability.

### **The Political Culture of the United States and the Legislative Process towards its Immigration Policy**

In the United States something is taking place that challenges the theoretical frameworks typically used to explain phenomena in the social sciences. In order to understand this, it is necessary to review the historical record. This review will need to consider some aspects of the country's political culture and power structures.

The impasse that detained the legislative process over [immigration



policy] was the U.S. Senate's indecision about the bill to be approved and later discussed in the Conference Committee, where they settle differences in the bills approved by each legislative chamber, it was resolved the second week of May 2006, according to statements by Majority and Minority Leaders, Senators Bill Frist and Harry Reid, respectively, published in *The New York Times* on May 12<sup>th</sup>, 2006.

The different bills discussed in the Senate covered a wide spectrum that was gradually narrowed down. At one extreme there was the Sensenbrenner Bill, also known as HR-3447, oriented to the criminalization of immigration, law enforcement, and border control, in the name of national security and the war on terror. If it is fair to say that the Sensenbrenner Bill belongs at the far end of the spectrum, representing the most xenophobic and anti-immigrant of the immigration policies discussed in the U.S. Congress between 2005 and 2006; at the other hand of the spectrum would be the bills that were the friendliest to immigrants, like the one sponsored by Senators Kennedy and McCain. But that political spectrum was gradually reduced, not only without modifying the anti-immigrant extreme represented by the Sensenbrenner Bill, but actually pushing it further to the right with amendments providing for the approval of anti-immigrant ordinances at the state and local levels, in addition to the federal level, or sending the National Guard to the border with Mexico. Although, President Bush was concerned with not swinging the political pendulum so far to the right, warning that the National Guard “is not the army of the United States because it is formed by volunteers”, as if the rest of the Armed Forces were not also made up of volunteer recruits, and warning that its soldiers would not engage in law enforcement but in administrative and logistic duties only, such concern became less credible when it was criticized in statements by Governor Bill Richardson, who not only confirmed the presidential decision was about deploying the U.S. Army to the border with Mexico, but also highlighted the slant of doing so only along the southern border.

That political spectrum is as dynamic as the clear direction in which it was moving. This became obvious with the vote, taken on May 22<sup>nd</sup>, 2007, against Democrat Senator Feinstein's amendment for the creation of a new visa card that would legalize millions of undocumented immigrants. The hard line of the Republican Party was reaffirmed when they approved amendments that were only indirectly related to immigration, such as the

one approved by the Senate regarding English as the national language. The HR-3447 bill sponsored by Wisconsin Republican Congressman James Sensenbrenner had subsumed the feelings of an unusually large number of rebel legislators from his party who were against President Bush's idea of a "guest workers" program. This was an immigration policy proposal with which President Bush attempted to respond to the clamor shown in all the opinion polls in favor of a reform to immigration laws that included more effective enforcement of national borders, particularly the border with Mexico. President Bush had made that proposal since the beginning of his first term, when his approval ratings had risen above 80 percent of the population of his country, concomitantly with the approval for the invasion of Iraq and his leadership in the U.S. war on terror.

The exacerbation of nationalistic sentiments as a result of the events on September 11<sup>th</sup>, 2001, had detoured toward a xenophobic tendency that saw in any foreign element a potential threat to national security. With this background, the legislative branch of the United States overwhelmingly approved not only the budget increments for war expenditures that took the U.S. budget deficit to unprecedented levels in its history, but also the legislative reform that increased presidential power, through the Patriot Act, at the expense of some individual civil rights protecting citizens against abuse of power by authorities and safeguarding their privacy, which were provided by existing U.S. laws. The fervor which engulfed all Bush administration policies for the war and against terrorism, in parallel to President Bush's leadership against the "enemies" of the United States, was such that it produced a boomerang effect against the President's own immigration policies from members of his own party, led by representative Sensenbrenner, whose criticism against his own President charged that his proposal for a "guest workers" program was nothing but a "disguised amnesty" that "rewarded" those who broke the law. Congressman Sensenbrenner, from his important post as Chairman of the House Judiciary Committee, got on the post-September 11<sup>th</sup> xenophobic train and introduced HR-3447, which was approved by a large majority in the House of Representatives in December 2005. This bill not only became the most important symbol of rebellion from members of his party against President Bush's proposal of a "guest workers" program, but also subsumed the most radical anti-immigrant proposals, breaking the xenophobic records established by California's "Proposition 187" of 1994 and Arizona's "Law

200” against all immigrants, undocumented or not. Such an increase in anti-immigrant feelings within U.S. politics generated a reaction in the spring of 2006, with spectacular mass demonstrations of protest against anti-immigrant bills in general, and the Sensenbrenner Bill in particular. Most of those mass demonstrations were organized by local Mexican immigrants and church followers, along with many other immigrants from different origins. Never before in the history of the United States (a country of immigrants) had there been pro-immigrant marches at the scale of those which took place between March and May of 2006, when more than two million people took to the streets in over one hundred (100) cities throughout the United States, while displaying an exemplary behavior of civility, without any incident of violence or public disturbance.

In sum, march protesters spelled out their disagreement with measures such as: (a) raising to a federal felony the unauthorized entry or presence in the United States, which up to now is penalized as an administrative misdemeanor; (b) the power of any police officer in the United States to arrest and immediately remove any foreigner who by simple appearance could raise suspicion of being an “illegal alien”, this provision made any person, based on the color of his or her skin, subject to arrest and immediate removal, upon suspicion of being “undocumented” by any U.S. police officer; (c) had the Sensenbrenner Bill become law, any act of aid or assistance to an undocumented immigrant would have become a federal offense, this provision was what motivated Archbishop Mahoney of Los Angeles to declare that he would ask all the priests from his Archdioceses (the largest in the United States) to disobey the provisions of the Sensenbrenner Bill if it became law; (d) this bill also authorized the construction of walls along most of the Mexican border and an unprecedented surge of the Border Patrol. It is worth clarifying that although the wall on the Mexican border certainly symbolizes a hostile gesture of rejection against Mexicans; from the perspective of international law the United States has the sovereign right, just like any other country, to erect walls on its borders.

The organization of the protest marches was a manifestation of what Emile Durkheim called the “*collective awareness*” of the immigrants and their sympathizers regarding the unfair treatment and working conditions under which undocumented immigrants live in the United States, this being the first time in U.S. history that so many people mobilized in protest against

an anti-immigrant legislative bill. The political aim of the marches was clearly expressed in signs borne by the people stating: "Today we march, tomorrow we vote." Now, in 2009, we know that, in fact, that is what they did. The so-called "Latino vote," two thirds of which was made up of Mexican-Americans, was crucial to Barack Obama's victory as the presidential candidate of the Democratic Party, as well as for those candidates running for seats in the new Congress of the United States, which, as we all know, has the last word on that country's immigration policy decisions.

One fact about those marches that deserves a more thorough analysis is the almost complete absence of expressions of solidarity on the part of the Mexican civil society, even though news coverage and images of those marches appeared practically worldwide, not to mention that those marches were in support of the rights of a contingent of Mexican citizens that makes up more than half of the estimated 12 million undocumented immigrants living in the United States.

A total of two million people attended the marches, from the first demonstration in Chicago on March 10<sup>th</sup>, 2006, with more than 300 thousands demonstrators, to those of May 1<sup>st</sup> in Los Angeles, where approximately one million protesters participated in two demonstrations at two different times on the same day. This mobilization showed an organizational capacity on the part of Latinos, the most recent example of which was the way they came out to vote this past November 4<sup>th</sup>. In this way, a political force is taking shape, which has surprised politicians of all stripes in the United States, and which is in the process of producing more surprises in the manner in which it will influence the bilateral agenda of both countries. Despite the uncertainty caused by the lack of a decision on the presidential proposal on immigration, in the aftermath of the Democratic victory in the 2008 elections no one doubts that the political force of the "Latino vote" could pass unnoticed in the short-run within the political contexts of the two countries, but that most likely it will be prominent in the future of their bilateral relations. The most plausible hypothesis regarding the effect of the marches is that they had a politicizing effect on a critical mass of young people with the right and age to vote, so as to result in an increment of what is understood in the United States as the "Latino vote." If this vote follows the tendencies established in the last elections, from the California elections in November 2005 to the presidential elections on

November 4<sup>th</sup>, 2008, the political influence of the “Latino vote” will become ever more important.

At the same time the Sensenbrenner Bill was being approved in December 2005, a new study on the effects of undocumented immigration on the California economy was being published. The *Los Angeles Times* editorialized the news of this publication with the headline: “*The truth about illegal immigrants,*” including a note signed by Michael Hiltzik (<http://www.americas.org/item23783>) highlighting the importance of this publication by the Center for Continuing Education of the State of California, located in Palo Alto, California. In an ironic coincidence, given the contradictions between the findings of a scientific research study and the conclusions of a legislative bill, the results of this study were presented before a California state government panel on “economic strategy” almost simultaneously with the approval of the Sensenbrenner Bill by the House of Representatives. In sum, the scientific study by the Palo Alto institute concluded that immigration from Mexico, including the undocumented, is profitable for the economy in California and the United States. Its conclusions dispel the myth that migrant workers have a negative effect on the California economy. It shows that 86 percent of the 2.4 million undocumented immigrants currently living in California arrived after 1990, and are concentrated in just a few sectors of the state economy where wages are the lowest. It indicates that, in 2004, undocumented migrants occupied 19 percent of jobs in the state's agriculture; 17 percent in cleaning services, and between 11 and 12 percent each in food preparation and the construction industry in California. The study found no evidence that undocumented immigration had anything to do with the causes of unemployment in the state or any depressive effects on wages in the sectors of the economy where migrants were employed. The study recommends that U.S. immigration policy recognize the positive effect of immigration on the California economy, the exact opposite conclusion reached by the Sensenbrenner Bill. It also recommends granting “green cards” for legalization, or what Republican legislators call with horror, “amnesty.” In sum, this study shows an absence of empirical data to support the Republican legislators' proposals.

If there were any rationale behind the motivation and persistence of anti-immigrant legislative proposals, this study's findings would be enough to abandon it. Nevertheless, the probability that xenophobia would succeed

continued to rise up until the 2008 presidential elections, at which point they began to dissipate without ever disappearing completely. We are still a long way away from the moment when science will prevail in the search for the truth and the identification of what is reasonable.

To complicate life even further in the cities on the northern Mexican border, at the end of May 2008, two ominous tendencies cast a shadow on the future of the region: one was the economic crisis in the United States and its negative effects on employment in the *maquiladora* industry; and the other was the growing violence and criminality associated with drug trafficking. The Mexican government's ability to do anything effective against these tendencies has not gone beyond the relative hopes derived from the Merida Plan agreement, whose details were still not known at the end of January 2009.

Barack Obama's inauguration as the first African-American U.S. President created new hopes for the disappearance of the anti-immigrant environment that had prevailed up until then, stimulated every day in the United States by radio programs addressed to the most recalcitrant anti-immigrant and anti-Mexican opinion sectors. Hal Turner, a New Jersey radio commentator, encouraged his audience to kill each one and every one of the "invading foreigners." According to the Southern Poverty Law Center (SPLC) and the Anti-Defamation League (ADL), "hate groups" have grown by 33 percent in the last five years. A statement by Susy Buchanan, an SPLC researcher, illustrates the increase in xenophobia: *"Throughout the country the anti-immigrant movement is expanding like a fire out of control, and a group of activists are feeding those flames."* Among the organizations promoting hatred against immigrants in general, and Mexicans in particular, are the Minutemen, American Border Patrol, Ranch Rescue, and Save our State. According to Angelica Salas, director of the Coalition for Human Immigrant Rights of Los Angeles (CHIRLA), her organization's monitoring of these groups has revealed their connections to the Ku Klux Klan and the neo-Nazis.

Jim Chase, age 59, from Oceanside, California, Vietnam veteran, leader of the anti-immigrant group California Border Watch, made a call through the Internet to "all those who do not want their families to die at the hands of Al Qaeda or undocumented criminals, or Aztlan punks wearing Che Guevara t-shirts" to join him. This agitator's base of operations has been in Campo, California.

The actions of these anti-immigrant groups represent a facet that was not taken into account by the debates of the 45 amendments that preceded the approval of the SB-2611 bill approved by the Senate on May 26<sup>th</sup>, 2008. It is not by accident that the great majority of those amendments aimed at strengthening the anti-immigrant proposals of SB-2611. There has been a clear feedback process between the anti-immigrant legislative actions and those of the groups previously mentioned. The increasing force of this combination suggests, retrospectively, the impossibility of reaching a conciliation of the HR-4437 and SB-2611 bills, approved by each chamber of the U.S. Congress. The virulence of the anti-immigrant arguments was the main factor in the failure of the so-called “immigration reform.”

To understand the transition between the highest point of preponderance in the xenophobic anti-immigration policies that reigned during the entire Bush era and the still uncertain beginning of the corresponding era presided over by Barrack Obama, it is important to understand the political contexts in which the most characteristic anti-immigrant events in immigration policy under the Presidency of George W. Bush developed, such as the approval of the Sensenbrenner Bill in December 2005, the deployment of troops to the Mexican border, the wave of anti-immigrant ordinances that sprung in more than a hundred municipal governments throughout the United States from 2006 to 2008, the growing practice of police raids on immigrant neighborhoods and workplaces from May 2006 until now, the increase in the so-called “hate crimes” in U.S. legislation in 2008, and the persistence of radio and TV programs of clearly inflammatory anti-immigration rhetoric, such as that of Lou Dobbs from CNN. The predominance of the anti-immigration environment in which these events occurred was interrupted by the electoral victory of Barack Obama. It is too early to tell what the new U.S. president's immigration policy will be. What can be perceived is the cumulus of hopes for change in some groups inside and outside of the United States. In terms of immigration, however, hopes have diminished because the new president has not given any indication that he will abandon the unilateral orientation that has characterized U.S. immigration policy for decades. It should not come as a surprise that an issue that is bilateral in its causes and consequences, as is the case of migration between Mexico and the United States, remains unresolved, so long as Washington keeps seeing it as a domestic issue that should only be resolved unilaterally through

enforcement or military measures. The fact that none of the presidential candidates who competed in the primaries, nor the two remaining in the final phase, had even mentioned a bilateral approach to negotiations with Mexico as a way to solve an issue that, by definition, is bilateral, makes it less likely for there to be changes in the immigration arena between these two countries. In the end, it is about the manifestation of an asymmetry of power by which the United States has, atavistically, refused to admit the international nature of a phenomenon conformed by factors located on both sides of the border.

It is quite possible that the political momentum derived from the ability to organize the mass demonstrations we saw back in the months of March, April and May 2006 is expressed once again by groups of Latinos as a sign of frustration due to the lack of change in the living conditions of immigrants in the United States.

### **The Circularity of Migration from Mexico to the United States**

The following graph shows some socio-economic characteristics of Mexican migrant workers derived from a multi-factor analytical model of migratory flows towards the north and towards the south, which have been arranged according to the probability value that they may travel north to the United States or return to Mexico. In other words: (a) the general comparison of the direction of migratory flows determined that the percentage of migrant workers who went to the United States was larger than the percentage returning to Mexico, and this is demonstrated on the graph's horizontal axis by the inflection point of the model with reference to an indexed point for each 100 persons who traveled to the United States interviewed at a Mexican border crossing point; (b) among those who went to the United States, the most significant factor in the statistical models was crossing through the city of Tijuana (without government inspection), and this conclusion confirms the spatial dimension of the circular migration process associated with the dynamics of an international labor market, in which the attraction exerted by California has been extensively documented; (c) the preponderance of seasonal migratory flows during the second quarter (April-May-June), in relation to the range of variance in migratory flows, again shows a tendency that coincides with the demand for labor in the United States, and particularly in California, where Mexican migrant workers make up more than 90 percent of the hired workforce for



the state's agricultural production, equaling one third of the agricultural production of the entire country; (d) the growing importance that labor demand by the U.S. industrial sector has in the significance of the factor that determines migratory flows from Mexico, especially when compared to agricultural work, is pushing slightly on the return of migrant workers from Mexico; (e) the most productive age cohorts in such an internationalized labor market, and the male gender, appear on the list of factors associated with the presence at the border of individuals bound for the United States. Graph 1 shows some of the tendencies in U.S. annual labor demand for undocumented Mexican migrant workers, by economic sector, and then [Graph 2] by city of entry into the United States. Tijuana is the Mexican border city close to San Diego, where a little over 50 percent of the total border crossings of undocumented immigrants take place.

Migration cost includes everything the migrant worker must pay from the moment he leaves his home until he gets his first wage in the United States. The index for the volume of migratory flow shows the percentage of change for both semesters of 1988.

Graph 1 should be interpreted as a virtual view of labor demand and supply factors for the United States and Mexico, respectively, as two sides of a *de facto* international labor market. On the right side of the graph are the socio-economic characteristics associated with the attraction factors for migrant workers to return to Mexico, according to the times of the EMIF surveys (1995).

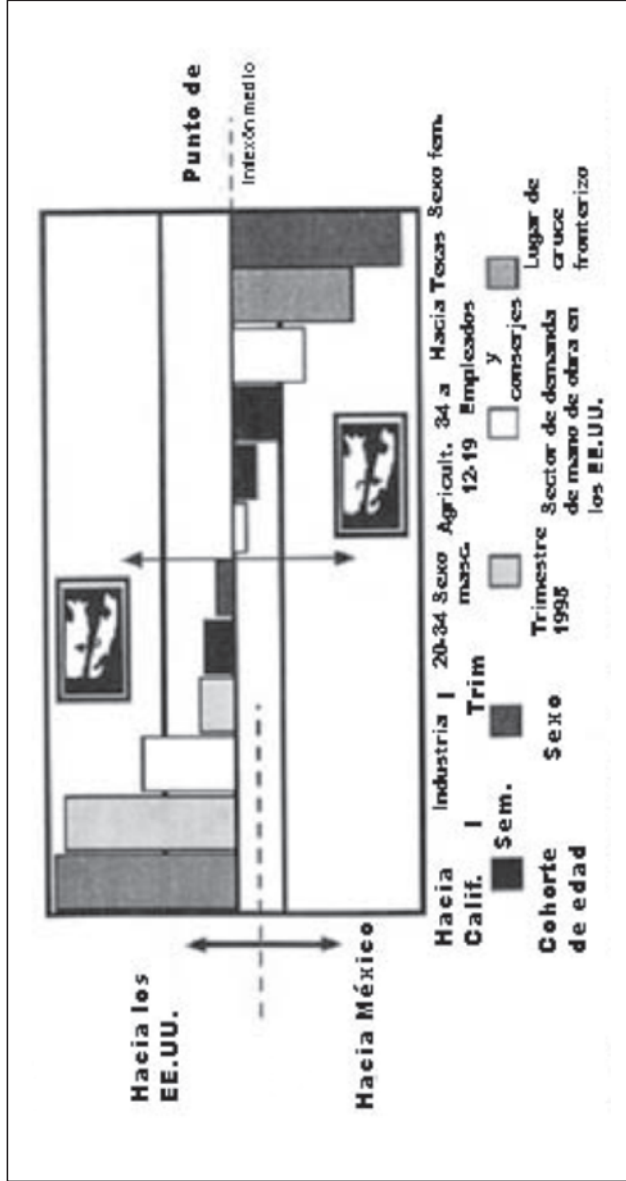
The data in the present document supports the concept that the movement of undocumented and documented workers from Mexico to the United States is one of circular migration propelled by the “forces” of supply and demand of a *de facto* international labor market. It is an imperfect “market,” such as it was conceptualized by Max Weber,<sup>2</sup> where salaries and

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<sup>2</sup> Wolfgang J. Mommsen, *Max Weber un die deutsche Politik 1890-1920*, pp. 23-54, quoted by Dirk Kasler in *Max Weber: An Introduction to his Life and Work* (Chicago: University of Chicago Press, 1988). In this quote, Mommsen refers to the detailed studies that Weber conducted on the agriculture of the Elba river region, in which he analyzed, in more than twelve publications that appeared between 1892 and 1894 (not yet translated from German), the conditions of the agricultural workers, including Polish migrant workers. Many of Weber's ideas, especially those relevant to labor sociologists, are in this series of works commissioned by the Verein für Sozialpolitik in 1980 so as to be directed by Weber jointly with Thiel, Conrad, and Sering. My knowledge on this aspect of socio-economic theory, on which Weber carefully builds his sociological concept of a labor market, came from reading Dirk Kasler's book, previously cited, and from the subsequent work by Wolfgang Mommsen, *The Political and Social Theory of Max Weber* (Chicago: University of Chicago Press, 1989).

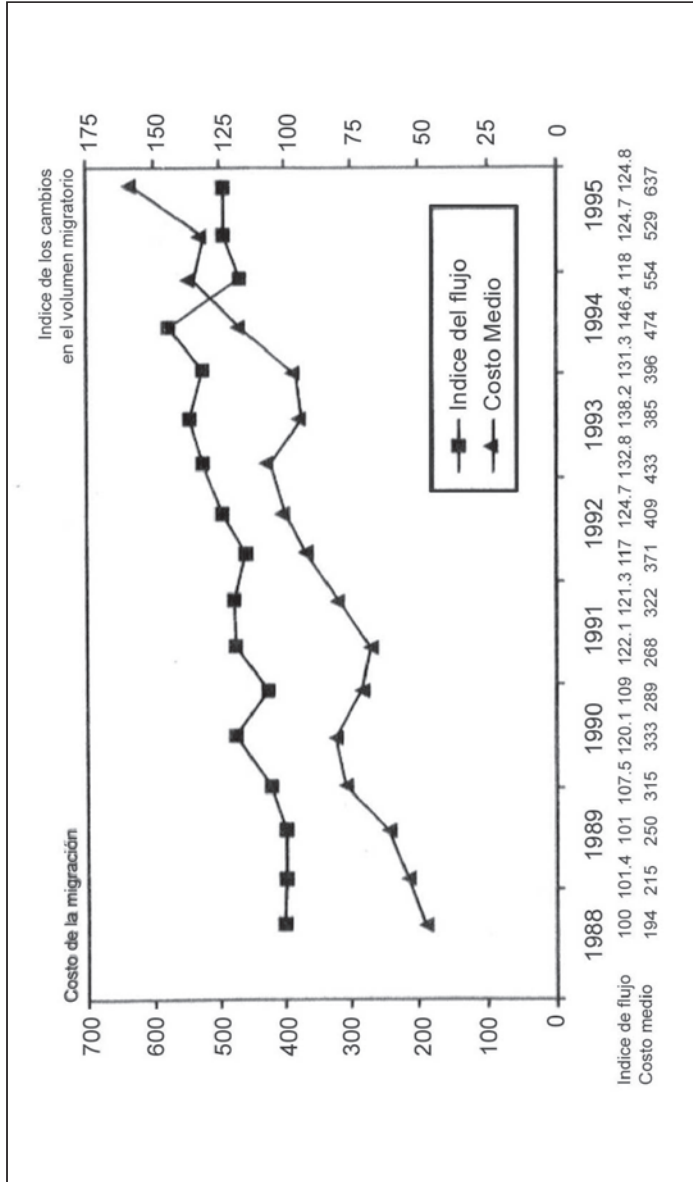
**GRAPH 1**

Circular Labor Migration between Mexico and the United States  
 According to the Migratory Directional Flow's and the Considerations of Pull  
 Factors (US Labor Demand) and some of the Pull Factors Attracting the  
 Return Migration to Mexico during 1994-1995



Source: Survey of EMIF of El Colegio de la Frontera Norte for CONAPO and STPS (1994-1995)

**GRAPH 2**  
**Changes in the Volume of the Flow of Mexican Undocumented Immigrants**  
**from the State of Jalisco to the State of California**



Source: Opinion Poll made by the EMIF of El Colegio de la Frontera Norte for CONAPO and STPS (1994-1995)

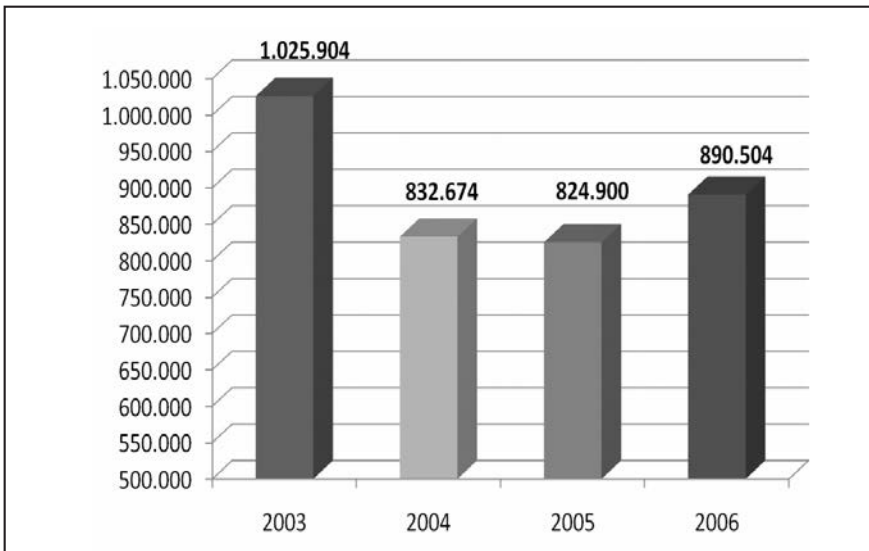
working conditions are more the result of an asymmetry of power between the main protagonists in the labor relationship than the result of the classical interaction between supply and demand. The way the asymmetry of power develops between the main protagonists in such a socio-economic relationship has to do with values and ideologies belonging to a different order from the migratory reality about which this document has afforded some data. Therefore, the conclusion that you can draw from this data is still incomplete, despite the direct estimates of the migration of documented and undocumented workers from Mexico, which were first achieved by COLEF.

Understanding the circularity of migration between Mexico and the United States is particularly relevant, given the appearance in Mexico the end of 2008 of a new myth about migration, regarding a supposed massive return of several million Mexicans from the United States, due to the lack of jobs brought about by the economic crisis in that country. The data produced by *El Colegio de la Frontera Norte* appears in the following graphs (Graphs 3, 4 and 5).

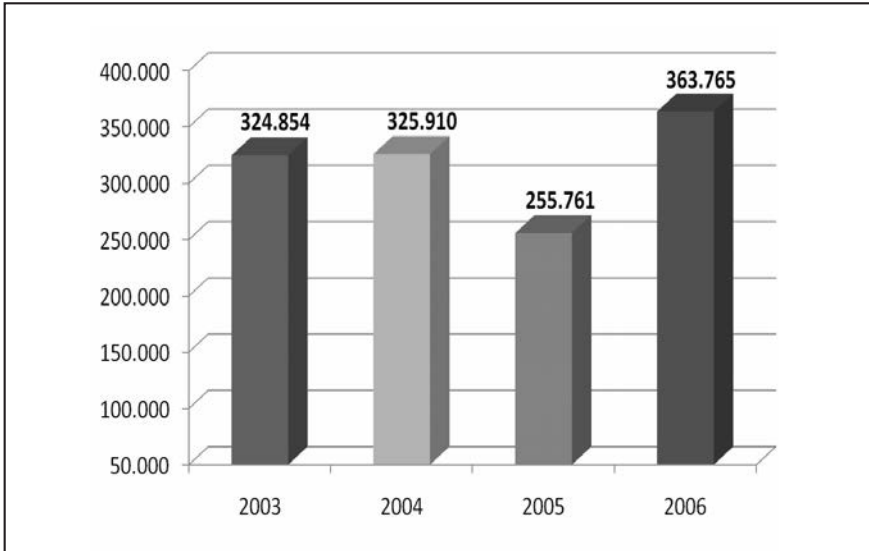
#### GRAPHS 3-4-5

### Coming from United States

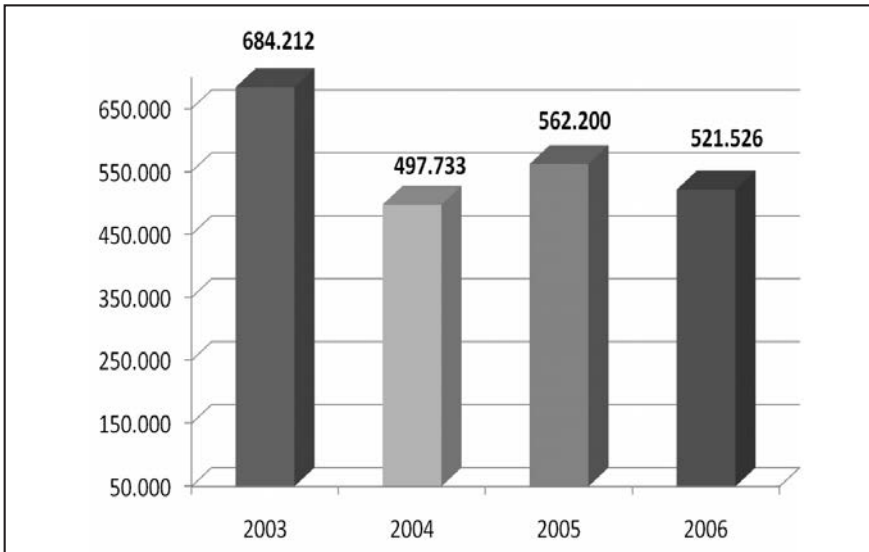
#### People Being at Least 15 Years Old, Born in Mexico



### People at Least 15 Years Old, Born and Living in Mexico

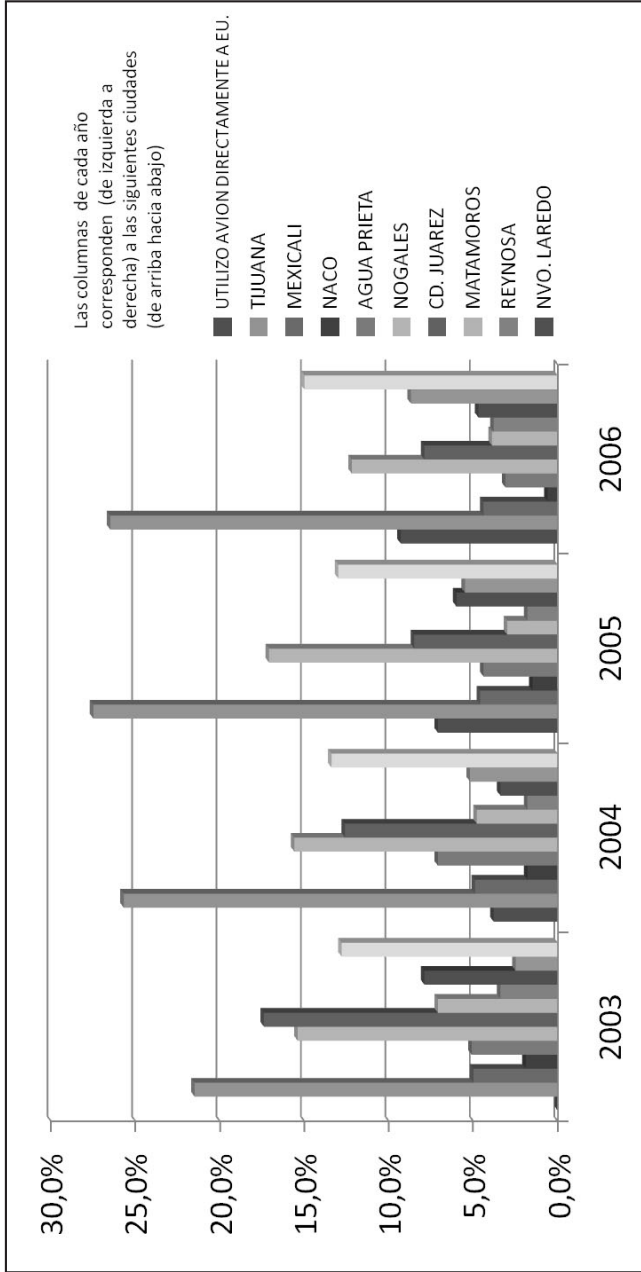


### People at Least 15 Years Old, Born in Mexico and Living in USA



Source: Prepared by the USEG-El Colegio de la Frontera Norte. Opinion poll about migration in the northern border. SEGOB: CONAPO, INM; STPS, SRE and El Colegio de la Frontera Norte, several years.

**GRAPH 6**  
**Crossing City Towards USA**  
**Coming From USA**  
 People at Least 15 Years Old, Born in Mexico



Source: Prepared by the USEG-El Colegio de la Frontera Norte. Opinion poll about migration in the northern border. SEGOB: CONAPO, INM, STPS, SRE and El Colegio de la Frontera Norte, several years.

These graphs correspond to a series of surveys carried out annually in several cities on the northern border, based on samples of migrants taken systematically at random in various border cities, through personal interviews conducted annually with migrants both on their way to the United States as well as on the return to Mexico. These graphs show: (a) that Mexican emigrants bound for the United States regularly return to their country; (b) that those born in Mexico returned in 2006 in lesser numbers than the previous year, and that one can hardly speak of a massive return when the level of return has not yet reached that of 2003; (c) that return levels for migrants have traditionally been massive for many years now; and (d) that thus far there is no evidence of any massive return, beyond what regularly occurs every year.

Certainly there is some logic in the supposed return of those who left the country searching for employment, when suddenly jobs become scarce as a result of the economic crisis, in the country where they went to look for work. The reason reality does not support this assumption could be explained by what is understood as the concept of migrants' "social networks." This concept should be understood as a series of "contacts" migrants look for and establish to help each other achieve the objectives for which they emigrated. Seen from a sociological perspective, these "contacts" are nothing more than "social relations" that migrants establish from the moment they leave home until they achieve the objectives that motivated their emigration. These "social networks" are made up of people who help migrants, particularly in times of crisis or emergencies or events that hinder their plans. Even when facing the loss of their job, migrants resort to their "contacts" for help before they decide to return to Mexico. Returning is a last resort, for the migrant tries to avoid confronting all the costs and sacrifices that he had to suffer in his previous migration experience. Besides, the information he has about economic conditions in Mexico does not help him answer the question as to what to return for. In reality, migrants acquire sufficient skills to make "contacts" or build "social networks," so they have persons they can turn to in case of need, which explains why they resist returning despite the existence of factors adverse to the objectives for which they emigrated in the first place.

### **The Vulnerability of Central American Migrants in Mexico**

Several decades ago, Mexico stopped being just an emigration

country, becoming a country of immigration and transmigration for those who follow the labor demand, which originated in the United States of America, by crossing the Mexican territory. Traditional migration in Mexico has become internationalized. There is still a great shortage of research in Mexico on immigration and transmigration of Central American people. There is even less data allowing us to know for certain the level of human rights violations against Central Americans in Mexico. Nevertheless, there is enough data to suggest that those violations could be equally or even more serious than those committed in the United States of America against Mexicans. I base this assertion on several sources:

- First, the journalistic work of Sonia Nazario, winner of several Pulitzer prizes in the United States for her investigative reporting and journalistic photography, as well as for her “nonfiction” book, *Enrique's Journey* (New York: Random House, 2006).
- She is also responsible for the investigation resulting in a journalistic report published by the Spanish newspaper *El País* on August 16<sup>th</sup>, 2005, entitled “The train that smells of death”.
- An investigative report by a Mexican NGO, entitled “First Report of Migrant Human Rights,” to which I had access through my UN office in Geneva, where the authors forwarded it to the attention of the UN Special Rapporteur for the Human Rights of Migrants.
- Furthermore, I base my assertions on research at the *Colegio de la Frontera Norte*, particularly a forthcoming report, whose preliminary conclusions they were kind enough to share with me. It is the first of its kind in describing the socioeconomic characteristics of Central American migrants and *transmigrants*.

Nevertheless, the authors mentioned above are in no way responsible for the present text, which is solely my responsibility.

The book by Sonia Nazario, as its title suggests, is about the saga of a Honduran boy who leaves Tegucigalpa [Honduras] for the United States of America, in order to look for his mother. The description of his tribulations is not only stirring from a humanitarian standpoint, but also for its great educational value as a rigorous case study about the conditions of extreme vulnerability of a migrant boy who faces the systems, governments, and societies of the countries through which he journeys, encouraged only by the love for his mother, whom he missed to such a degree that it motivated him



to surmount what were, for a 12-year-old, incredible obstacles.

Released in two parts, the cited article in *El País* begins by stating: “Thousands of Central American emigrants suffer assaults and injuries that leave them disabled when trying to get to the United States of America on Mexican trains. Some are killed en route.” (August 16<sup>th</sup>, p. 12). The information from this report not only corroborates the information collected and explained by Sonia Nazario in her aforementioned book, but it also exposes a scenario of corruption and criminality within Mexican government agencies regarding Central American immigration; such that, as a Mexican, I feel ashamed to listen to President Fox and Chancellor Derbez proclaim the fulfillment of the international commitments on Human Rights subscribed to by Mexico.

Commenting on this issue in my weekly column for the newspaper *Milenio Diario*, I wrote on August 22<sup>nd</sup>, 2005: “It is obvious there is sufficient data to justify a complaint against the government of Mexico for failing to protect the most basic human rights of Central American migrants. Standing before President Zedillo, more than ten years ago, I warned the Mexican government to exhibit congruence between the demands made to the United States of America and the treatment of the Central American immigrants in Mexico.” I finished by saying: “We continue seeing the spec in our neighbor's eye.” It is regrettable that such commentary is as valid today as it was then.

In my conclusions, I will not fail to comment on how slow the government of Mexico has been handling the reform of the General Population Law that governs the issues discussed here. This rule is widely recognized in Mexico as outdated and insufficient to be considered a fulfillment of Mexico's commitments after having first promoted, then signed, and finally ratified the International Convention of the UN on the Human Rights of All Migrant Workers and Members of their Families. This UN regulation went into effect six years ago, after it was ratified by a minimum of 20 countries, as established by that instrument which represents the most complete and valid regulation currently in place, about the protection of the human and labor rights of international migrants. In strict compliance with the law, a reform to the General Population Law cannot provide any less than what is already committed by virtue of the UN Convention going into effect in 1990. In accordance with the Mexican Constitution, this rule must be considered like an effective internal law in

Mexico, of the highest hierarchy, which the President of Mexico vows to fulfill and to enforce when he takes the oath of office. It is particularly urgent for the Mexican Legislature to draft legislation to cover the omissions in Mexican law regarding the “trafficking” of migrants, particularly girls, in correspondence with the Protocols of Palermo about trafficking of international migrants.

### **Theoretical Framework to Explain Migrant Vulnerability**

The basic structural condition that determines the social condition of undocumented migrants in the destination country is their vulnerability as subjects of human and labor rights. Understanding this theoretical premise becomes relevant in relation to the UN definition of international migrants as a “vulnerable group.” The basic premises discussed below refer to the concept of migrants' vulnerability as subjects of human rights.<sup>3</sup>

In a 1997 address at Oxford University, Mrs. Mary Robinson, United Nations High Commissioner for Human Rights, spoke about an aspect of rights that is essential to understanding the concept of vulnerability as it is used in this report. She said: “One lesson we need to learn, and to reflect in our approach, is that the essence of rights is that they empower.”<sup>4</sup> Along these lines, *vulnerability* is a personal condition of extreme lack of empowerment, imposed on an immigrant or foreigner.<sup>5</sup> It is fundamental to this conceptual approach to understand such lack of empowerment as a *social construct*<sup>6</sup> imposed as a label<sup>7</sup> on the immigrant.

The social process that involves the imposition of such a condition

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<sup>3</sup> See Bustamante, J.A. “Immigrants' Vulnerability as Subjects of Human Rights,” *International Migration Review* 36:2, pp. 333-354. An empirical reference about vulnerability as understood in this work can be found in a ruling in late April 2004, in Portland, Oregon, by a federal judge who during a trial against the owner of De Coster Farms in Maine, slammed as “slavery conditions” the situation in which more than 800 kidnapped Mexican undocumented immigrants were kept. We could hardly find something worse as an illustration of “*extreme deficiency of power*” than the “*slavery conditions*” to which the Federal judge alluded in this trial. This concept's level of abstraction as well as that of *vulnerability* risk being dismissed by skeptics when applied to the reality of a democratic country like the United States in the 21<sup>st</sup> century.

<sup>4</sup>Robinson, Mary, *Human Rights*, No. 1 (Winter 1997-1998) p. 6.

<sup>5</sup>See note 8.

<sup>6</sup> Berger L. Peter and Thomas Luckmann, *La construcción social de la realidad*, Buenos Aires: Biblioteca de Sociología, Amorrortu Editores, 1970.

<sup>7</sup> This term is used in the sociological sense that Howard S. Becker used it in *Outsiders Studies in the Sociology of Deviance*, New York: Free Press, 1968, pp. 17-18. A basic premise in Becker's “*theory of*

of vulnerability, by one person to another, implies an asymmetry of power between such people. For the purpose of this work, when identifying such people as immigrant or foreigner,<sup>8</sup> in social interaction with a citizen from the receiving country, it is necessary to dwell on the nature of the relationship and the origin of the power asymmetry characterizing it.

In order to understand this relationship, we will need to refer to Max Weber's theory of social relations. An important advantage of this German sociologist's theory is that he understands social relations in two dimensions: an objective one, consisting of the observable behavior of the agents who interact in the process in order to outline their social relations, and a subjective one, consisting in the inter-subjective "sense" (*Gemeinter Sinn*)<sup>9</sup> that agents assign to the behaviors they respectively direct to the other parties in the relationship.

The distinction made by Weber between the observable behavior of the actors and the inter-subjective dimension of the cultural aspect is utilized here as a theoretical basis in order to differentiate between *structural vulnerability* and *cultural vulnerability*.

The former refers to the difference between a national and a foreigner/immigrant in their relationship with the State<sup>10</sup> in the receiving country. This difference derives from the sovereign right each country has to define who is a national and who is not. The structural origin of the

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labeling" is that: "Social groups create deviance by making the rules whose infraction constitutes deviance, and by applying those rules to particular people and labeling them as outsiders. From this point of view, deviance is not a quality of the act a person commits, but rather a consequence of the application by others of rules and sanctions to an 'offender'. The deviant is one to whom that label has successfully been applied; deviant behavior is behavior that people so label" (Becker, *Outsiders*, p. 9).

<sup>8</sup>The terms "immigrant" or "foreigner" are used interchangeably in this paper, since immigrant means an international migrant who, by definition, is a foreigner in the country of destination.

<sup>9</sup>*Gemeinter Sinn* is a fundamental concept in Max Weber's theory of social relations. It is understood here differently than in most common translations of Weber into English where this concept is rendered psychological in nature as it was translated by Talcott Parsons as "subjective meaning." In the present text, Weber's concept of *Gemeinter Sinn* is understood in its original sociological sense, as a cultural meaning or inter-subjectively shared meaning by members of the same community as actors of patterned social interactions. Max Weber developed this concept in the first chapter of his posthumous published work, *Grundriss der Sozialökonomie*, III Abteilung, *Wirtschaft und Gesellschaft*, Verlag von J.C.V. Mohr (Paul Siebeck) Tubinga, 1925.

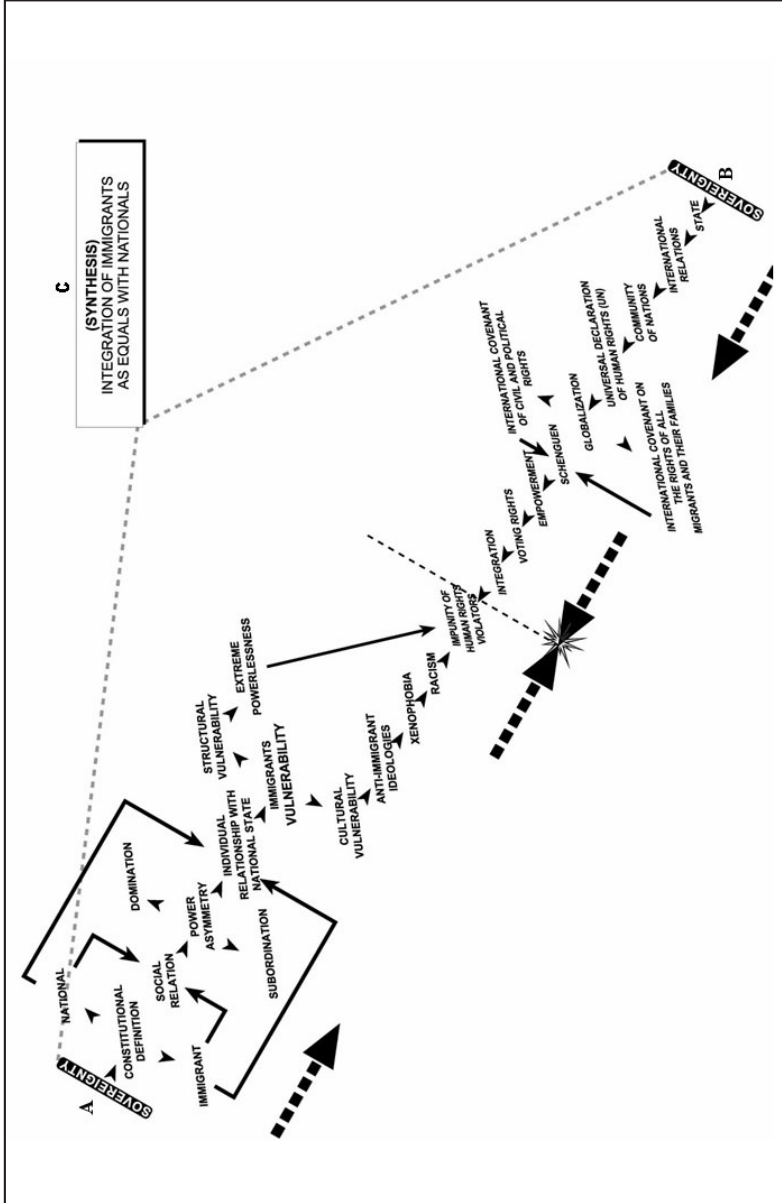
<sup>10</sup>As analyzed below, the internal "nature" of the relationship of the individual with the State in his country of origin sets him apart from the condition of immigrant/foreigner acquired as a consequence of his immigration, condition from which he starts a relation with the State of the receiving country. This last relationship is the relevant one for international law, the context in which the vulnerability of international migrants is analyzed in this work.

inequality in the access to state resources between nationals and foreigners or immigrants lies in that legitimate differentiation, which appears in the constitutional laws of most countries. When entering into social relation with one another, this dissimilarity becomes, in practice, an understood value that gradually evolves towards a normative criterion of observance within growing social circles, given the repeated experience of social interaction between nationals and immigrants. In this dynamic, nationals transfer the differentiation made by the State to the social context of their relations with immigrants/foreigners. That differentiation ends up becoming a criterion or normative basis for a *de facto* power asymmetry in the relationships between immigrants and nationals. As a result of reiterated practices producing the same results, this asymmetry of power slowly becomes what Weber called a “*content of sense*.” Thus it gradually inserts itself as an element of the cultural baggage of both principal agents of social interaction between immigrants and nationals. As a cultural element, that “*content of sense*” acquires a very important role in the reproduction of those social relationships, by means of the socialization processes through which new agents are integrated, replicating the same patterned roles their predecessors played, because they have already learned *Gemeinter Sinn* from their social relationships. This socialization process allows not only for the reproduction of those social relationships but also for their perpetuation, whereby both elements remain constant: *structural vulnerability and cultural vulnerability*.

Throughout the process that gives rise to vulnerability there is a dialectics that arises from an apparent contradiction between two different modes of exercising *sovereignty*. This dialectics is depicted in the diagram below (Graph 7).

The diagram starts from the Hegelian notion of a dialectical process in which two exercises of sovereignty with different objectives are opposed as a sort of *thesis* and *antithesis*, whose *synthesis* is a qualitative change in the condition of vulnerability. One of the sovereignty exercises consists in the definition that the constitutions of the different countries generally provide for what is to be understood as a *national* and a *foreigner*. Although the legitimate sovereignty law on which this definition is based does not intend to place the foreigner in a subordinate position *vis-à-vis* all social relationships he may establish with citizens of the destination country, in practice, this legal distinction becomes *socially construed* as a *de facto basis*

GRAPH 7  
DIALECTIC OF MIGRANTES VULNERABILITY



for discrimination, whereby foreigners are placed in a subordinate position with respect to nationals, which means the imposition of a condition of inequality or *asymmetry of power* in the social relationships among them. This inequality is specifically manifested in the different way foreigners and nationals are treated by the State in the immigrants' country of destination. This difference in treatment includes the differentiated access they have to resources of goods and services the State offers to its nationals. This gradually changes in the measure that the State, in some destination countries, grants access to its resources also to foreigners. This differentiation then becomes the basis for the social construction of the condition of vulnerability of international immigrants as subjects of human rights. This vulnerability has two dimensions: an objective one, conceptualized as *structural*, and a subjective one, conceptualized as *cultural*. The former is characterized by an "extreme lack of empowerment." This condition follows from what Max Weber understood as *ideal type* in his theory of social relationships: a theoretical construct, which does not necessarily have an empirical reference. Something akin to concepts like "perfect emptiness" in physics, which is a theoretical construct defined and expressed by an equation, whose use in actual research practice does not depend on its empirical verification. By the same token, "extreme lack of empowerment" is a theoretical construct representing the extreme of inequality characterizing international immigrants as subjects of human rights. This theoretical construct acquires relevance when it becomes the datum point from which the notion of *empowerment* must be understood as a crucial element for understanding human rights and integration (this concept is further developed below) as used throughout this work.

Typically, one of the empirically demonstrable manifestations of "extreme lack of empowerment" is "impunity", understood as a consequence of the condition of "extreme lack of empowerment." "Impunity" is here understood as the absence of sanctions for the violation of the human rights of immigrants.

In the dialectical process of vulnerability, it is of the utmost importance to understand the subjective dimension we called "*cultural*." This consists of the ideological justification for the existence and practice of the condition of vulnerability as defined above, which gives rise to the *impunity* of the violator of immigrants' human rights. This impunity exists because it is fed by the ideological elements used to subjectively justify the

inequality imposed on immigrants, *compared to* nationals of the receiving country. A concrete manifestation of this ideological dimension is the Sensenbrenner Bill, approved in December 2005 by the House of Representatives of the United States Congress. The part of this bill that most clearly reveals such an ideological dimension is the clause that grants any police officer in the United States the power to arrest and immediately remove from the country any person who at first sight may appear suspect of being an "illegal alien." This bill, which is not yet a law, assumes that every police officer has the imputed ability to distinguish *a priori* who may be deemed an "illegal alien" (here referred to as an undocumented migrant). Such an *a priori* distinction can only be derived from the *ideological* meaning that the government official assigns to the profile he/she associates with his/her definition of an "*illegal alien*." In a state where over 90 percent of the "illegal aliens" arrested by U.S. immigration authorities have, for several decades now, been Mexican, skin color is the prime discriminator for "distinguishing" who "may be" an "illegal alien." From this perspective, the Sensenbrenner Bill proposes an *a priori* "criminalization" of anyone who, because of his skin color, may "seem" Mexican. It therefore provides for the *a priori* "criminalization" of an entire ethnic group in the United States of America. That is something similar to the "criminalization" process to which Jews were subjected in Nazi Germany after the enactment of the "Nuremberg Laws" in 1934. I am not at all suggesting a comparison between the historical experience of the Jewish people and those of Mexican immigrants in the United States. What I am suggesting is a legal comparison between the Nuremberg Laws and the Sensenbrenner Bill. The impunity with which the criminalization of Jews in Nazi Germany was carried out is of the same sociological nature as the *a priori* "criminalization" of anyone whose skin color may make him seem Mexican, for the purpose of the provisions of the Sensenbrenner Bill. As we all know, this bill was almost copied from the text of the "Proposition 187," which was the basis for Governor Pete Wilson's successful re-election campaign, where he employed the strategy of appealing to the most anti-immigrant feelings of the California electorate, in order to win his re-election by offering his support to the most racist and anti-Mexican law in the history of U.S.-Mexico relations. This law, approved by plebiscite in 1994, was suspended by judicial order before being enacted, through a federal court decision declaring it unconstitutional, based on the principle of exclusivity that the U.S. Constitution grants the federal government in

immigration matters. Without going into other aspects of this bill, anyone who examines the various anti-immigrant bills introduced in the U.S. Congress in light of current events in the immigration debate approaching the 1996 elections, might describe that year as a watershed that could very well mark the critical point in the dialectical contradiction proposed in this diagram. Perhaps more than anything else, the impressive expansion of the U.S. economy in the latter years of the 20<sup>th</sup> century set the stage for two events, in early 2000, which were in sharp contrast with the predominantly anti-immigrant atmosphere of the United States of America. One was the proposal by Alan Greenspan, Chairman of the Federal Reserve in charge of U.S. monetary policy, to open the U.S. borders to immigrant labor as a condition for the continued expansion of the U.S. Economy. The other event was the unanimous decision by the AFL-CIO Executive Committee in its annual board meeting in New Orleans on February 17<sup>th</sup>, 2000, demanding from the U.S. government the full legalization of undocumented immigrants with a certain number of years of residence in the United States. Perhaps even more than Alan Greenspan's statement, the AFL-CIO recommendation marked a 180-degree turn in the immigration policy of the largest union in that country. From being the champions of anti-immigration bills such as the various Simpson-Rodino Bills, to becoming the main proponents of mass legalization for "illegal aliens" with their mid-2000 proposal, the AFL-CIO had made an enormous leap. It is still too early to know if this leap was linked more to political survival by incorporating, in a single stroke, such a large contingent of new members recruited from the growing Latino proletariat, or if it had to do with a new vision of globalization processes where the internationalization of commerce and finance is to be followed by the internationalization of labor union. The fact remains that the change to a pro-immigration course by the AFL-CIO in early 2000 was the total opposite of the Proposition 187 in 1994. This virtual watershed is very useful to explain the theoretical basis for the dialectical process of vulnerability illustrated in the diagram.

In the opposite direction of the left-to-right virtual flow shown in the diagram, we can see the flow of sovereignty. At both ends of the diagram there is a reference to the same well-known concept of sovereignty which arose with the birth of the nation-state in the time of Bodino and Vitoria and becomes a principle of international law. This is the same concept on which countries base their right to define who is a national and who is a foreigner,



except that in this other direction, dialectically opposed, we have the sovereign right of countries to limit themselves in the exercise of their own sovereignty when vowing to accept, promote, and protect the human rights of its inhabitants, without restrictions of nationality, ethnic origin, religion, gender, age, etc., exactly as it was consecrated in the UN Universal Declaration of Human Rights. This means, a sovereign commitment to understanding human rights *without distinction of national origin*, establishing conditions of equality between nationals and foreigners/immigrants. That is to say, something dialectically opposed to the sovereign decision to constitutionally distinguish between nationals and foreigners/immigrants. The concept of sovereignty from which the virtual flow starts from right to left in the diagram, finds its clearest expression when a State decides to ratify its commitments to human rights for migrants/foreigners, established in the instruments of international law. One such instrument is the *International Convention on Civil and Political Rights* approved by the UN General Assembly by means of resolution 2200A (XXI) on December 16<sup>th</sup>, 1966, which entered into effect on March 23<sup>rd</sup>, 1976, and was ratified by the U.S. Senate in 1992. This ratification places the human rights referred to by the UN Convention of 1966 at the highest rank of supreme “Law of the land,” which most constitutions in democratic countries grant to international treaties and conventions duly ratified by their legislative bodies. Here emerges the apparent contradiction between a sovereignty exercise that, on the one hand, discriminates between nationals and foreigners, giving rise to a process of immigrant *disempowerment* that culminates in the imposition of a condition of “structural vulnerability” and, on the other hand, gives rise to an *empowerment* process that can culminate in the *integration* of immigrants into the society of the receiving country, such integration being understood as a synthesis of the dialectical opposition between the extremes indicated by points (A) and (B) in the diagram: that is to say, as a condition of the migrant that would be theoretically opposed to the condition of vulnerability resulting from the opposite exercise of sovereignty in the diagram. The migrants' structural condition deriving from the exercise of sovereignty indicated in point (B) on the right side of the diagram, results from the evolution propelled by the globalization process acting upon international relations, which gave rise to the principle of equality under the law and under the state for all human beings regardless of national origin, among other principles issuing from the UN Universal Declaration of the Human

Rights. If we understand this rule as the result of globalization processes, we may see that such process do not take place or have an effect in the short term. Think about how much time has passed between the “Rome Agreements” and the recent admission of East European countries into the European Union, in relation to the development that led to the recommendations of immigrant integration contained in the Schengen Agreement, in light of the rigidity of a constitutional distinction between nationals and foreigners. Against this background, there would seem to be a contradiction between both exercises of sovereignty. In reality there is no such contradiction, nor do they occur simultaneously. It is rather the conceptualization of an evolving process occurring in response to changes produced by globalization. One of those changes leads the participating countries to make necessary adjustments to the traditional concept of sovereignty. It is an unfolding process in which “national interest” has to adjust to new rules of international coexistence that give rise to a new principle of *accountability* concerning respect for domestic law as well as the norms of international coexistence, a principle that can no longer be limited or conditioned by the traditional notion of sovereignty.

Perhaps the inflection point between the validity of the traditional and the new notion of sovereignty was the case of *apartheid* in South Africa, which the international community regarded as intolerable considering it to be in flagrant violation of human rights consensually defined by the international community in the Universal Declaration of Human Rights. That led to the international community's decision to act accordingly, over and above the arguments raised by the government of South Africa regarding violation of sovereignty and external interventionism on internal affairs, etc.

Since then, globalization processes have carried along with them the understanding for countries interested in partaking of the benefits, that no notion of sovereignty can ever justify recurrent patterns of human rights violations. That has been the premise behind international interventions in Somalia, Kosovo and Timor, and the target for criticism against the Russian government for its treatment of Chechnya, and against the Chinese government for its treatment of political dissidents. The principle of foreign non-intervention in the internal affairs of countries is far from disappearing. It continues to be a basic rule of International Law. However, there is no doubt that this principle is no longer what it was before, especially when a

country is subject to accountability on patterns of recurrent human rights violations within its borders.

Globalization is one of the factors of change that has altered the classic notion of sovereignty. Industrial production and communications, in conformity with international trade, have produced an internationalization effect on the regulatory frameworks under which globalization processes advance. Deviations from those regulatory frameworks, to the extent they constitute behavior patterns on the part of a country that wishes to participate in globalization, become obstacles for partaking in its benefits, which generally have a real or perceived association with better standards of living. This can be clearly seen from the growing list of countries waiting to be accepted as members of the European Union, particularly those Eastern European countries that came out of socialism and are now encountering difficulties for adapting to the regulatory framework under which European Union countries currently operate.

One of those regulatory frameworks relevant to understanding vulnerability as a condition of immigrants who are subjects of human rights is that of the so-called "Schengen Agreement." The spirit of this agreement is to obtain conditions of equality or "complete integration" for immigrants/foreigners to access the public and private resources leading to the improvement of their standard of life and the protection of their human rights. The Schengen Agreement constitutes a regulatory framework by which countries interested in being accepted as members of the European Union are measured. This does not mean that those currently integrated have completely fulfilled them. Applicant countries criticize members for a double standard in requesting accountability on the observance of that regulatory framework from each member country in the European Union. The fact is that several countries in this system are leaders in their levels of compliance with and protection of immigrants' human rights. The levels of compliance of such regulatory frameworks with international implications have had an empowering effect on immigrants/foreigners as subjects of human rights, whose clearest manifestation is the recommendation to grant all legal immigrants voting rights in local elections.

This effect is concomitant with a departure from the condition of "extreme lack of empowerment" in which immigrants find themselves in receiving countries that have not accepted the commitment represented by those regulatory frameworks for human rights whose origin is the UN

### Universal Declaration of Human Rights.

If it were feasible to construct a scale of “integration” of immigrants/foreigners as members of society in receiving countries with equal rights to those of nationals, it would be equivalent to having a basis of measurement for the situation of vulnerability affecting immigrants in each country as subjects of human rights. Conversely, we would also have a basis to measure the empowerment that “clashes” dialectically, as the diagram suggests, with the conditions of impunity arising from the inequality created initially by the act of sovereignty behind the distinction between nationals and foreigners/immigrants. This distinction led to the “asymmetry of power” between them when carried by their social relations to the condition of vulnerability of international immigrants. At the positive ends of such measurements we might find those countries that have granted voting rights in local elections to immigrants with legal residence. Presently that is the case with Spain, Sweden, Denmark, and Portugal. Comparisons are inescapable between these countries and others receiving the largest flows of immigrants in the world. From such a comparison emerges a discouraging idea about how far we have yet to go in terms of the conditions of vulnerability affecting the lives of the great majority of the 190 million international migrants who walk the world, crossing international borders with or without documents. This reflection makes us return to the diagram in order to understand that integration, as defined here, is the most rational avenue for fighting impunity, which in turn is the most unjust and irrational consequence of the processes of vulnerability affecting immigrants as subjects of human rights.

To the extent that in the practice of social relationships, the foreigner/immigrant does not have sufficient power to successfully challenge the imposition of that power asymmetry as a condition of his social relationship with a national, the resulting inequality gradually acquires a normative nature that provides for the subsequent relations between immigrants and nationals to be thus replicated and perpetuated.

The recurrence of social relations between nationals and foreigners, in which this power asymmetry acquires “content of sense” in Weber’s terms, carries a process of “social construction” of power asymmetry as inherent to the social relations between them. This social process entails the metamorphosis of structural vulnerability into a cultural vulnerability which, from an “understood value” obtained in the origin of the social

relationships between immigrants and nationals, has turned into a social construction equivalent to what Bourdieu calls *habitus*.<sup>11</sup> In other words, it is a *sui generis* regulatory framework, which immigrants remain subject to, in the social contexts of their interactions with nationals of their receiving country.

It becomes necessary, when taking the analysis to a greater depth, to elaborate on the “structural” character of vulnerability. That character is derived from the existence of a power structure present in any national society where some are more powerful than others. The concept of power as a factor shaping social relationships is taken here from the writings of American sociologist Howard S. Becker, who included it in his theoretical explanation of deviance, and expressed it in the following terms:

*“Differences in the ability to make rules and apply them to other people are essentially power differentials (either legal or extralegal). These groups whose social position gives them weapons and power are best able to enforce their rules. Distinction of sex, age, ethnicity and class are related to differences in power, which accounts for differences in the degree to which groups so distinguished can make rules for others.”*<sup>12</sup>

In this sociological approach to the power differential between those who “make rules” and the “others” who accept them, the actors interacting to make “norms for the others” are implicit. The cultural nature of vulnerability derives from the set of cultural elements (stereotypes, prejudices, racism, xenophobia, ignorance, and institutional discrimination) with derogatory meanings which tend to justify the power differentials between “nationals” and “non-nationals” or immigrants.

The combination of (a) power differentials based on a power structure where the immigrant is at a lower level than nationals, with (b) the set of cultural elements that justify it, results in various degrees of impunity for the cases of violation of the human rights of a migrant. This impunity

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<sup>11</sup> Bourdieu Pierre, *Meditations Pascaliennes*, Paris, Editions du Seuil, 1997, pp. 158-193.

<sup>12</sup> Becker, *Outsiders*, pp. 17-18. The following paragraph alludes very eloquently to the application of “labeling” theory to immigrants: *“There is other element in Hughes' analysis we can borrow with profit: the distinction between master and subordinate statuses. Some statuses, in our society as in others, override all other statuses and have a certain priority. Race is one of these. Membership in the Black race, as socially defined, will override most other status considerations in most other situations; the fact that one is a physician or middle-class or female will not protect one from being treated as a Black first and any of these other things second. The status of deviant (depending on the kind of deviance) is this kind of master status.”* Becker, pp. 33-34.

becomes then an empirical indication of the powerlessness of the migrant which is equal to his or her vulnerability. “Impunity” here is understood as the absence of economic, social or political costs for the violator of the human rights of a migrant.<sup>13</sup>

### Recommendations

The fact that not one single major immigrant receiving country has ratified the United Nations *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*, approved in 1990 and put into force in 2003, speaks sufficiently eloquently of a resistance on the part of receiving countries to recognize the benefits they derive from immigration. This fact leaves no doubt that in receiving countries with the greatest volume of immigrants there is a resistance to recognize the endogenous nature of their demand for immigrant labor. It could be that if there were no resistance, but instead an official recognition of the way immigrant labor responds to endogenous conditions of labor demand, such recognition would have a neutralizing effect on the anti-immigrant ideology that promotes xenophobia and justifies the discrimination of immigrants.

Such recognition by the governments of UN member states would mean the production of annual statistics on immigrant labor demand by each sector of the economy. A regulation binding all countries to send to the UN quantitative data on their annual demand for immigrant labor could become an incentive for receiving countries to seek negotiations with sending countries to subscribe international agreements for a shared responsibility in combating unauthorized immigration in a more rational manner.

The growth in unauthorized immigration globally is clamoring for new strategies to make international migrations compatible with the

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<sup>13</sup> In May 2008 an anonymous message appeared on the Internet with an invitation to “hunt down illegals” in the ranches of Arizona. One of those ranchers, named Roger Barnett, said that he was prepared to defend his property from the deterioration caused by the crossing of “illegal foreigners” who, as he told *USA Today*, litter and destroy the water plumbing, which is why he was willing to stop it with weapons and was prepared to kill Mexicans if necessary (see the *Los Angeles Times*, May 9<sup>th</sup>, note by Sergio Muñoz). The context of impunity in which this kind of xenophobic expression occurs acquired tragic results on May 13<sup>th</sup> when migrant José Vega Bastida was shot by a U.S. Border Patrol agent a few steps from the metallic border fence on Mexican territory at the place called “el bordo” (see Mexicali daily *La Voz*, May 18<sup>th</sup>, p. 23-A). Another Mexican was shot to death with a bullet to the chest by a U.S. Border Patrol agent at dawn on Sunday, May 21<sup>st</sup> in Brownsville, Texas. That same week, five Mexican immigrants died in violent acts by U.S. assailants (see Tijuana daily *Frontera*, May 23<sup>rd</sup>, p.1).

principle of legality and the Rule of Law, without which market rationality and international coexistence are lost. Accepting a UN regulation binding member states to produce annual quantitative data on their respective demands for immigrant labor would not contradict each country's sovereign right to decide who can enter its territory and who cannot, nor would it give the right to any person to enter a foreign country without due authorization by its government.

Such a regulation would aim to inhibit the development and proliferation of anti-immigrant ideologies that tend to feed xenophobia and justify discriminatory practices against immigrants. The production and availability of statistics on endogenous demand for immigrant labor may provide the possibility of confronting anti-immigrant ideological positions with the objectivity of the facts.

For these reasons, we recommend the creation of a UN regulation that binds the member states to generate an annual report with measurements and statistics on their demand for immigrant labor.

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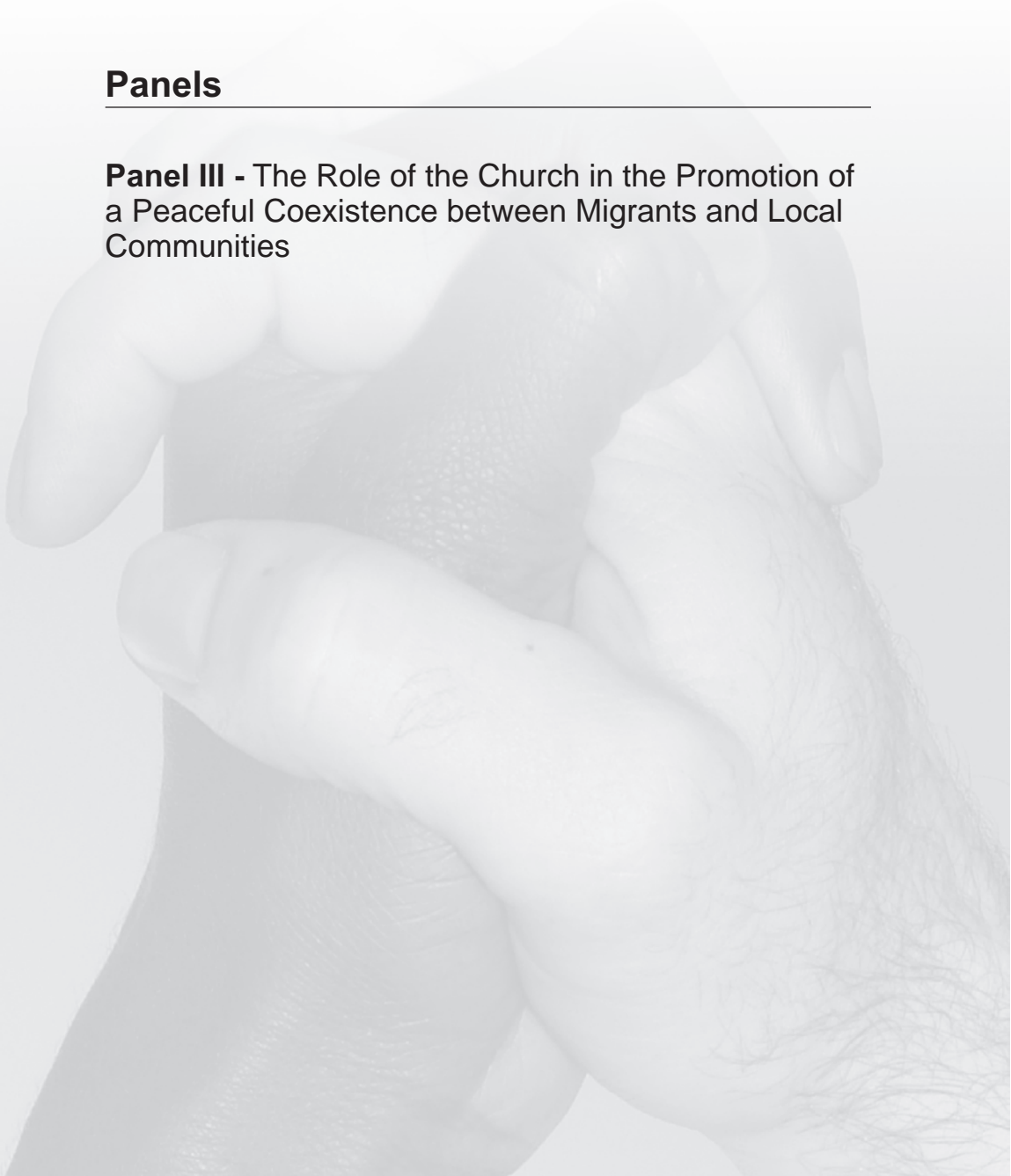




## Panels

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**Panel III** - The Role of the Church in the Promotion of a Peaceful Coexistence between Migrants and Local Communities





## Introduction

### **Rev. Rui Manuel Da Silva Pedro**

*General Director*

*Scalabrini International Migration Network (SIMN)*

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Good afternoon, everyone. As we all know, one of the objectives of this First International Forum on Migration and Peace, promoted by the *Scalabrini International Migration Network (SIMN)* of the Congregation of the Missionaries of Saint Charles, Scalabrinians, is to reaffirm the Church's unwavering commitment to the migrant communities, as we celebrate the tenth anniversary of the Apostolic Exhortation *Ecclesia in America*. In its 14<sup>th</sup> issue, the Exhortation realizes that in the Americas migrations were providential and gradual bridges for the religious and human identity of the American social physiognomy.

Experts from various Church entities involved in the Pastoral Care of Human Mobility will participate in this panel. Rev. Novatus Rugambwa, Deputy Secretary of the Pontifical Council for the Pastoral Care of Migrant and Itinerant Peoples, and Mr. Johan Ketelers, Secretary General of The International Catholic Migration Commission (ICMC) will represent the Church's universality. Rev. Sister Erta Lemus, Secretary for the Human Mobility Commission of CELAM, and Rev. Sister Janete Ferreira, Coordinator on Migration and Human Trafficking of SELACC, will represent the regional Pastoral Care of Human Mobility. Finally, Rev. Maurizio Pontin, Coordinator of the Human Mobility Commission for the Colombian Bishops Conference, will represent the national level.

International migration, with its exodus of culture, language, religion, moral values, political participation, and quest for dignity, is an alternative bridge to peace in the American Continent and in the world. Migrants are peace builders, mediators of reconciliation, agents of change and meeting among peoples.

Before I give the floor to Rev. Novatus Rugambwa, from the Holy See, I would like to invite you to take a moment of silence. Let us pray for the migrants of the world who die in the name of peace and hope. [*Editor's note: During the moment of silence there was a PowerPoint presentation*

*prepared by the dioceses of Cadiz, Spain, about the deaths of migrants in the Mediterranean Sea.]*

These are the prophetic words of Most Rev. Juan Gerardi, son of the traveling church in Guatemala, assassinated in 1998: *“Peace is possible; peace that is born from the truth of each one of us and from all of us, painful truth, memories of the afflictions of our country; personifying truth, liberator that empowers any man and any woman to find themselves in order to take charge of their history; truth that is challenging us to recognize our individual and collective responsibility and to commit ourselves to ensure that those abominable acts never happen again.”*

Once again, thank you, to all the participants on this panel. I will now hand the podium over to them.

## **Rev. Novatus Rugambwa**

*Deputy Secretary*

*Pontifical Council for the Pastoral Care of Migrants and Itinerant People*

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### **The Role of the Universal Church in Promoting Peaceful Coexistence between Migrants and Local Communities**

Excellencies and Distinguished Friends:

The most cordial greetings on behalf of the President of the Pontifical Council for the Pastoral Care of Migrants and Itinerant People, His Eminence Cardinal Renato Raffaele Martino, and the Secretary of the Pontifical Council, His Excellency Archbishop Agostino Marchetto. We are very pleased with the celebration of this “First International Forum on Migration and Peace.” Thank you for the opportunity to share with you my reflections on the role of the Universal Church in promoting a peaceful coexistence between migrants and local communities.

#### **1. The Human Person: the Church's Core Concern**

The Church's pastoral concern in the area of migration became more structured in the second half of the 19<sup>th</sup> century, when migration flows became a mass phenomenon under the pressure of acute poverty and economic insecurity. Since then, there have been many migration flows, affecting approximately 200 million people.

The main pastoral concern is “man's complete development and the development of all mankind” (*Populorum Progressio*, n. 5).<sup>1</sup> Naturally, this includes the migrant man. It is important to remember that “man is the main road the Church must travel in fulfilling its mission: he is the primary and fundamental road, traced out by Christ himself; the road that invariably leads to the mystery of Incarnation and Redemption. This man is the road for the Church, a road that, in a sense, leads to the origin of all roads the Church must travel, because each and every man has been redeemed by Christ, and Christ has bonded with each and every man, even if the man is

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<sup>1</sup> *Acta Apostolicae Sedis* 59 (1967), p. 260.

unaware of it” (*Redemptor Hominis*, n. 14).<sup>2</sup>

Human migration follows two main directions: the first one is the dimension of poverty, suffering and need, which requires immediate assistance. The second direction is the one that shows the potential and the resources that migrants bring along in their progressive integration into their new socio-cultural world.

Naturally, the Church feels committed to both directions and works with institutions and volunteers who defend migrants. In this manner, the Church aims at establishing a collaborative relationship, knowing that migration offers the ecclesial world the opportunity to join efforts with society in an environment prone to dialogue.

## 2. The Church's Magisterium

Solidarity and subsidiarity are fundamental principles of the Church's Social Doctrine. They ratify the basic rights of a person. “To work for the unity of the human family means to reject all discrimination based on race, culture or religion.” It means to be a testimony to a fraternal life based in the Gospel, respecting cultural diversity and remaining open to dialogue. It entails defending the right to live in peace, as well as keeping vigilant, so that the immigration laws of each state recognize basic human rights.”<sup>3</sup>

In 2006, Pope Benedict XVI, referring to the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*, entered into force on July 1<sup>st</sup>, 2003, stated that “the Church supports the ratification of the proposed international agreements to defend the rights of migrants, refugees and their families, and offers much needed advocacy through its various institutions and associations.”<sup>4</sup>

One of the most important rights of a person is the right to emigrate and settle where he/she considers the best place to better realize his/her capabilities, aspirations and projects.

This right is subject to each state's right to manage its own

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<sup>2</sup> *AAS* 71 (1979), pp. 284-285.

<sup>3</sup> John Paul II, Message for the World Day of Migrants and Refugees: *People on the Move* XXVII (81, 1999), p. 5.

<sup>4</sup> Benedict XVI, Message of the World Day of Migrants and Refugees: *OR* 264 (44.40615.XI2006), p. 5.

immigration policies, but should not be subordinated to conditions that render it banal.<sup>5</sup>

Within the current socio-political context, more important than the right to emigrate is the right not to emigrate; in other words, conditions must be set in place to enable a person to remain in his or her own land, as emphasized by John Paul II: “The primary right of man is to live in his own land. This right may only be exercised if the state keeps constant control over the factors that cause migration.”<sup>6</sup> On the American Continent, emigration is not always a free choice, but a need caused by natural disasters, wars, social conflicts, extreme economic hardship and the lack of essential goods. In many cases, emigration constitutes the only true alternative for survival. In these cases, just as life is sacred, the right to emigrate is sacred.

The causes of migration are not limited to those previously mentioned. Another frequent cause is lack of socio-economic balance, which has been worsened by globalization. Immigration of undocumented persons creates human trafficking and exploitation. The Church condemns such situations, and calls for regulations to control migrant flows. It challenges us to take responsibility and find solutions. We must go beyond simple verbal statements in favor of the economic development of the migrants' countries of origin; we should put more emphasis on the war against human slavery and trafficking; we must take care of those special cases that require humanitarian protection beyond political asylum, all the while denouncing the criminalization of undocumented aliens as an inhuman act.

It is therefore necessary to enact regulations to ensure stability and the protection of rights. The Church does not participate in the enacting of legislation, but reserves the right to contribute with timely proposals or with moral criticisms and defenses so that such actions may inspire respect of the fundamental rights, which are based in the great Christian tradition. In turn,

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<sup>5</sup>“Every human being has the right to freedom of movement and of residence within the confines of his own state. When there are just reasons in favor of it, he must be permitted to emigrate to other countries and take up residence there.” John XXII, Encyclical *Pacem in Terris*, First Part, 25: *AAS* LV (1963) 263, Cfr. also *EF* 79; *GS* 65, 69; *DPMC* 7; *EMCC* 21, “at the same time one corroborates the right any country has to practice a migratory policy that corresponds to the common good” (*EMCC* n. 29).

<sup>6</sup> John Paul II, *Discourse of the Holy Father: Pontificio Consiglio della Pastorale per i Migranti e gli Itineranti*, Atti del IV Congresso Mondiale sulla Pastorale dei Migranti e dei Rifugiati (October 5<sup>th</sup>-10<sup>th</sup>, 1998), Città del Vaticano 1999, p. 9; cfr. *EMCC* 29.



secular people, groups, associations and organizations of Christian inspiration must abide by such legislation.

Successful migration entails the transformation from a multi-cultural society, where ethnic groups are simply superimposed, to an intercultural society, where ethnic groups interact and enrich each other.

### **3. The Intervention of the Holy See**

In the area of human mobility, before making a call to action, the Church takes on the responsibility of proposing the motivations that justify and support the commitment. This is how the Church has produced, particularly in the last 60 years, important legal, organizational, pastoral and, above all, doctrinal documents in support of migrants.

The recent Church's documents regarding the pastoral care of human mobility have a novel flavor, not because they introduce into the Church's patrimony anything new, but because they emphasize eternal principles, while applying them to historic situations. It is the renewing of continuity.

The Church remains very vigilant to the pastoral acceptance of all migrants, particularly the undocumented migrants, who suffer fear and, more often than not, are criminalized. Additionally, unscrupulous thugs, who participate in human trafficking, feed the xenophobia and sometimes provoke racist outbursts that cause suffering among migrants.

### **4. The Church's Commitment from her Magisterium**

The Church's Magisterium in the area of pastoral care of human mobility offers suitable, analytical and synthetic considerations but, most importantly, points out directives and itineraries on how to carry on with migrants. All of this is specifically articulated in the following pronouncements:

1. The Apostolic Constitution *Exsul Familia* written by Pope Pious XII (1952)<sup>7</sup> is commonly known as the “*magna carta*” of the Church's thoughts on the migratory phenomenon. The first part describes the history of migrations. The second part has a legal and prescriptive nature. It is an

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<sup>7</sup>Cfr. *AAS* XLIV (1952) 649-704.

open invitation to the Pastors of local dioceses to create favorable conditions for the religious life of migrants by establishing national parishes or similar structures to be entrusted to priests or missionary chaplains who speak the same language and are of the same nationality as the migrants. Likewise, the document prescribes the profile of such priests and directors as well as responsibilities for Bishops of the churches from the migrants' country of origin and destination.

2. The *Motu Proprio De Pastoralis Migratorum Cura* by Pope Paul VI (1969)<sup>8</sup> with the corresponding Instruction of the Congregation of Bishops, *De Pastoralis Migratorum Cura*,<sup>9</sup> declares that “the migrants' spiritual patrimony and their own culture must be taken into account with great consideration; thus, a major concern is the importance that must be given to the national language through which they express their thoughts, mentality and religious life.” From which we conclude that “pastoral assistance for migrants will reap more fruit if it is entrusted to those who know these issues very well and have better mastered the migrants' language” (n. 11). In this manner, important work proposals are open in pastoral and social fields to address the responsibility of the local Church, the cooperation of the whole Christian community, the fundamental role of the lay faithful, the very definition of the concept of migrants and their specific pastoral care, which is not limited to the first and second generation but extends over the whole time that is needed.

3. *The Church and Human Mobility* (1978).<sup>10</sup> This Third Document has as an objective to translate everything that has been written for those “responsible for the work” into a current language format accessible to all and into a comprehensive summary for all the various form of human mobility.

4. The Instruction *Erga Migrantes Caritas Christi* (2004),<sup>11</sup> in continuity with the previous pronouncements of the Magisterium of the Church, and updating many of the aspects of the ecclesial pastoral care in the

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<sup>8</sup> Cfr. *AASLXI* (1969) 601-603.

<sup>9</sup> Cfr. *AASLXI* (1962) 614-643.

<sup>10</sup> Cfr. *AASLXX* (1978) 357-378.

<sup>11</sup> The Pontifical Council for the Pastoral Care of Migrants and Itinerant People published in 2004 the Instruction *Erga Migrantes Caritas Christi*, which can be found in *AAS XCVI* (2004), 762-822, in the Journal of Pontifical Council for the Pastoral Care of Migrants and Itinerant People, *People on the Move* XXXVI (95, 2004) and on the web page:

[www.vatican.va/roman\\_curia/pontifical\\_councils/migrants/index\\_it.htm](http://www.vatican.va/roman_curia/pontifical_councils/migrants/index_it.htm)

area of migrations, presents a global vision of the migratory phenomenon emphasizing, especially, religious and social cultural aspects, while promoting the commitment for a fair and ethical economic and political order. This document calls attention to the necessity for an improved perspective in which the migrants feel that their own experience, frequently a painful and dramatic one, contributes to the creation of a world that is more just and prosperous for all, a world where development is not only understood in economic terms but as a new world that promotes and takes care of the centrality and the sacred nature of the human person: the “culture of welcome” (EMCC, n. 39). The Church, in this manner, manifests her own conviction that the human person occupies a central place in society; hence “the immigrant thirsts for some 'gesture' that will make him feel welcome, recognized and acknowledged as a person” (EMCC, n. 96). While States, typically, fight for their own interests, the Church, on the contrary, supports the perspective of an economy truly global that co-integrates all nations and all population segments, starting from within each country, combining the national common good with the universal one.

On the subject of respect for the fundamental rights of the person, and also for those who are involved in human mobility, and with particular concern in the area of pastoral care, the Church is continually championing them through several levels, such as the specific initiatives and Messages of the Holy Father as well as through sensitizing activities by International Organizations and by the governments of the migrants' countries of origin, transit and destination. Moreover, we stress the recommendations of the five world congresses organized by our Pontifical Council, in the Vatican, while the sixth one is approaching, which will take place in November 2009. These Congresses structure the Church's strategy starting from the centrality and sacred nature of the human person, especially in cases of vulnerability and marginalization.<sup>12</sup> We also have continental conferences.

*Exsul Familia, De Pastoralis Migratorum Cura, Church and Human Mobility*, and now *Erga Migrantes Caritas Christi*: at various moments, the Church has offered the world decisive principles of her Social Doctrine, among them, the centrality of the person, defense of his/her fundamental rights, protection and appreciation of minorities in civil society

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<sup>12</sup> See, for example, Benedict XVI, Message for the World Day of Peace, 2007, “The human person, peace's heart”: *OR* 146 (44.429-13.12.2006), pp. 4-5.

and in the Church, the value of culture in the work of evangelization, contributions by migrations to universal peace, the ecclesial and missionary dimension of the migratory phenomenon, the importance of dialogue and meeting deep down within civil society and the ecclesial community across the various denominations and religions.

In fact, the Church is interested and is attentive to all categories of human mobility: besides the migrants in search of jobs, domestically or abroad, there are also refugees, fugitives, displaced people, those who are victims of human smuggling or trafficking, foreign students, nomads, circus and funfair people, tourists and pilgrims, fishermen, sailors, those who travel by air and land, youngsters and street women, and the homeless. In such monumental work, complex and honorable, there is the ever present search to obtain the same collaboration from all of those who carry in their heart the cause of millions of brothers and sisters co-involved in human mobility. Lastly, along with the major International Organizations, it is ever more difficult to find opportune solutions to migratory problems, especially in the fight against the trafficking of minors, smuggling and trafficking of organs; thus, the Church has focused particularly on prevention and proper training of personnel, protective services, formation of committees and support groups, and emphasis on legislative reforms related to migration.

## **5. Outstanding Matters**

It is important to underline the positive aspects that the Social Doctrine of the Church has received from the migration phenomenon in order to better structure her responsibility in the promotion of peaceful coexistence between migrants and local communities. In fact, the Church's perspective on migrants is derived from the faith in God the Creator and His Providence, Who bestows all things created to the whole of humankind and redeems it in Jesus Christ and makes it part of the life of God. It is about a perspective that, in the end, creates predisposition for inclusion, reciprocity and dialogue. In this manner, we are paying attention in order to discover the socio-economic factors, and especially the cultural ones, that fundamentally put the migratory reality in a positive perspective.

From that coexistence, cultural pluralism will arise, at least, through the tolerance and respect for the various cultural expressions dynamically living together, side by side, which is the most favorable form, as intercultural, which is the result of the exchange of authentic values amongst

diverse cultures. Without exaggeration or naïveté, the Church seeks the following objective: “In contemporary society, to which migration contributes by making it more and more multiethnic, intercultural and multi-religious, Christians are called to face a substantially new and fundamental chapter in their missionary duty, (...). With great respect and attention for the migrants' traditions and culture, we Christians are called to bear witness to the Gospel of love and peace” (*EMCC*, n. 100).

From the previous quote arises a perspective of peace, we could say a possible and constructive meeting within diversity: “Cultural plurality thus invites contemporary man to practice dialogue and also face basic questions such as the meaning of life and history, suffering and poverty, hunger, sickness and death. Openness to different cultural identities does not, however, mean accepting them all indiscriminately, but rather respecting them, because they are inherent in people, and, if possible, appreciating them in their diversity” (*EMCC*, n. 30).

In fact, mobility offers an opportunity to promote men to living interpersonal relations in accordance with essential values of life, peace and justice, while being conscious that “notwithstanding the repeated failures of human projects, although noble, no doubt, Christians, roused by the phenomenon of mobility, become aware of their call to always be renewing a sign of brotherhood and communion in the world, by practicing respect for differences and common interests in their ethical encounters with others,” (*EMCC*, n. 102).

Then the possibility emerges to individualize factors and aspects of migrations that help us discover the value of the phenomenon, in itself, with the objective of interpreting with a Christian spirit this “sign of the times.”<sup>13</sup> For this reason, the Instruction *Erga Migrantes Caritas Christi* promotes a unprecedented perspective of the migratory phenomenon by declaring that “The cultural situation today, global and dynamic as it is, calls for the incarnation of the one faith in many cultures and thus represents an unprecedented challenge, a true *kairòs* for the whole People of God” (n. 34). In fact, this profound expression refutes a series of elements, shedding light on the difficulties and shadows of migrations, especially stressing that “The

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<sup>13</sup> Cfr. Benedict XVI, Message for the World Day of Migrants and Refugees: *OR254* (29.10.2005), p. 4: A. Marchetto, “Le migrazioni: segno dei tempi”: PONTIFICIO Consiglio della Pastorale Per I Migrante e gli Itineranti (a cura di), *La sollecitudine della Chiesa verso Imigrante*, (Quaderni Universitari Parte 1), Libreria Editrice, Città del Vaticano 2005, pp. 28-40.

passage from mono-cultural to multi-cultural societies can be a sign of the living presence of God in history and in the community of mankind, for it offers a providential opportunity for the fulfillment of God's plan for a universal communion (n. 9). Next, turning from the migratory phenomenon to the people involved, we must recognize that “Migrants, too, can be the hidden providential builders of such a universal fraternity together with many other brothers and sisters. They offer the Church the opportunity to realize more concretely its identity as communion and its missionary vocation (n. 103). Finally, even in a wider perspective “today's migrations may be considered a call, albeit a mysterious one, to the Kingdom of God, which is already present in His Church, its beginning (cf. *LG* 9), and an instrument of Providence to further the unity of the human family and peace” (n. 104). Thus, this broadened vision, certainly, considers that “the migratory phenomenon which, by bringing together persons of different nationalities, ethnic origins and religions into contact, contributes to making visible the true face of the Church (cf. *GS* 92) and brings out the value of migrations from the point of view of ecumenism and missionary work and dialogue” (n. 38).

In sum, the ecclesial perspective directs to disseminate the concept that the migrants' presence in contemporary society is not temporary but structural, and thus represents “a great richness in the development of humanity.”<sup>14</sup>

At any rate, the fact that we are still missing that solidarity, cooperation, international interdependency, and fair distribution of the fruits of the land, points to the necessity of working with depth and strength in the areas of origin of migratory flows, so as to be able to mitigate those factors which compel people, whether individually or collectively, to abandon their own natural and cultural place (cfr. *EMCC*, nn. 4; 8-9; 39-43).

Thank you very much.

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<sup>14</sup> Benedict XVI, *Angelus*, March 14<sup>th</sup>, 2007: *People on the Move* XXXIX 104, 2007, p. 29.

## **Mr. Johan Ketelers**

*Secretary General*

*International Catholic Migration Commission (ICMC)*

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### **The Role of the Church in Promoting Social Cohesion Between Migrants and Local Communities**

There are many aspects of peace and migration that determine the level of social cohesion (*peaceful coexistence*) in and of our societies at community level, intercommunity and national levels, regional and international levels. Many actors are involved in very complementary ways and among them are the various Church structures, including the International Catholic Migration Commission (ICMC). Promoting social cohesion between migrants and local communities is in fact identifying and establishing a link between international and local realities. A first reading and understanding of the tools that genuinely enhance social cohesion reveals that any international work disconnected from daily realities very often hampers and diverts local initiatives. This is to say that the Church, with its most important and yet still insufficiently recognized capillary structures that have the capacity to reach every last person in remote geographies, is an excellent medium to contribute to the strengthening of social cohesion and the implementation of peace.

But the Church is more than a structural means. It adds vision and message, ethical and moral dimensions: in this way, it is a true builder of society. The work of the Church is concrete and human-oriented in order to preserve the dignity and well-being of people at both the spiritual and social levels. In line with Catholic social teaching, ICMC believes that social cohesion is so real you can touch it: it is also about life without running or hiding; it is about a fair wage and decent working conditions; it is about decent housing, access to health care and education that is no different for migrants and refugees than it is for the nationals of a country. ICMC's work, directly and through members and other partners, aims to be that concrete.

The previous speaker, Msgr. Novatus, has already focused on the theological and pastoral aspects related to the moral, ethical and practical values of integration and community-building. I will therefore very briefly

and solely touch on *how* the Church, including through its ICMC structure, can meaningfully contribute and engage in promoting social cohesion and, therefore, peace both in practical programming and policy-building.

**1. Increasing efforts in the promotion of social cohesion (*peaceful coexistence*) by advocating a correct vision, a more holistic, and, above all, human vision of development**

“Development is the new name for peace,” wrote Pope Paul VI in *Populorum Progressio*. Peace is indeed not so much the absence of the various levels of conflict but the co-creation of global, international and local environments in which progress and development are secured, where rights and duties have become relevant reference frameworks, where justice in economic, political and social realities is guaranteed; it is about an environment that no longer divides but embraces and unites. In his message for the celebration of this year's World Day of Peace, Pope Benedict XVI concluded that “*in today's globalized world, it is increasingly evident that peace can be built only if everyone is assured the possibility of reasonable growth: sooner or later, the distortions produced by unjust systems have to be paid for by everyone.*”

Peace is therefore to be defined in terms of global progress and globally shared prospects. These can be economic, social and environmental, but they have to be moral and ethical. It is evident that the Church, the bearer of a message of freedom, morality and ethics, has a very important pastoral and social role to play in however such progress and prospects are constructed. Very concretely: the Church will always put the human person in his/her human dignity in the centre of any man-made strategy and accompany the local, national and even global communities in their proceedings.

The relationship between peace, development and social cohesion is eloquent: peace and social cohesion are in large part carried and driven by the concrete concepts of progress and development. However, without clear and shared societal objectives (and societal vision), social cohesion and development typically shrink to the level of individual aims which tend to result in mechanisms that focus only on specific profit-oriented goals, and which in fact generate inequity, division and social tension. These mechanisms of profit become even more appallingly clear in countries where the gap between those who have and those who haven't grows ever



wider. Civil society organizations in Latin America, including the Church, have repeatedly called attention to this risk, and more than once denounced such mechanisms, declaring emphatically that they cannot be understood as a sign of true development because they do not include the quality criteria of human dignity and equity.

## **2. Strengthening the tools that regulate the transit from less humane conditions to more humane conditions**

Given that development is indeed the new name for peace, *Populorum Progressio* then defines development as “the transition from less humane conditions to those which are more humane.” Peace, therefore, depends upon a complex process of transitions at individual, community-based, international and even global levels. That is where peace and migration are linked: because global efforts meant to increase development and progress have not yet provided the kind of results people may have wished for themselves, or, as conditions and situations in too many places have actually deteriorated, growing numbers of people decide individually and as communities to leave those places of less humane conditions to look for safer havens, where more humane conditions exist and where a new future can be built. Very worryingly, many meet even worse conditions, enduring them in the hope of finding better economic prospects in order to provide a better income for their families and give their children a better upbringing. In these human choices, undeniably, often forced, migration is nothing less than the search for, and a road to, peace as an immediate or long-term individual or family project.

Distortions in growth and development are at the heart of the migration phenomenon, arguably even the central element of classic “push-pull” forces. When the migration is actually forced, as a reaction to such distortions, it is not only a measurable indicator of a breakdown in social cohesion but, in the absence of accompaniment and policies that are sensitive to needs as well as rights, also often the cause of further breakdown of cohesion among migrants, their families, and their communities. Just consider the millions of families and spouses scattered and separated for years, and their children left behind. Indeed, these and other more notorious signs of the times, such as the recent collapse of financial markets, and to some extent the failure of the mechanisms that govern these markets, invite us to invest much more in humanity and mankind, but, above all, to develop

policy responses that improve the situations of migrants as and after they consider a decision to migrate and organize humanitarian and social assistance that responds to their needs.

### **3. Promoting social cohesion (*peaceful coexistence*) between migrants and local communities by standing for families and family unity**

Family reunification promotes strong family values, and family values are powerful building blocks for any nation. In our encounters with and accompaniment of migrants in societies worldwide, the simple presence of family drives migrants to search for stability and peaceful integration. At the same time, the presence of family raises the migrant worker and the members of his or her family to a sociologic position comparable with the native-born, promoting not only participation in and contribution to the society, but genuine well-being. Were we to lose the human and sociologic dimensions of family unity among migrant families, as one group or among any other groups, individuals and society would lose one of the most powerful forces positively affecting social cohesion, coherence and societal development.

It should also be emphasized here that a family does not cease to be a family because its members have crossed borders, no matter how legal systems may today suggest differences. Any modification to the status of a genuine family relationship brought about by the simple fact of crossing a border is a new, artificial and unsustainable construct imposed upon the family. In that context, policies that disfavor family reunification in favor of strictly economic or utilitarian values of labor migration, not only deny the right to family unity and its value in building social cohesion, they clearly generate social tension, indeed, the very opposite of social cohesion, within the families themselves, and within the multiple societies in which the migrants and their families are kept separate by those policies. At a minimum, support of these fragile families and the upbringing of children who in many cases grow up in a more consumerist-oriented reality artificially constructed on remittances, calls for differentiated accompaniment to avoid reduced cohesion in future societies.

### **4. Contributing to a rights-based approach and quality integration**

Integration that aims at the full respect of both the arriving persons or families and the existing communities cannot be done without a well

implemented and transparent legal framework. From time to time, we hear the suggestion that rights-based is not practical, that it is not “concrete” enough. May we say most clearly, that in our experience, the rights-based approach is not only solution-oriented, it is a factory of solutions, for migration as well as development, for social cohesion and ultimately also for peace.

We at ICMC see all too well what happens when, for example, laws ask people to choose between compliance with those laws and the unity of their families, and in particular the terrible risks that migrants and families take, in irregular migration, when the law says “no” to legal reunification: deaths and disappearances at sea, in deserts and on so many other borders; the desperate travel of unaccompanied women and children; the exploitation, violence and enduring trauma in the smuggling and trafficking of vulnerable human beings. While the Church does not endorse irregular migration, these realities offer additional reason to recognize that it is the laws that are wrong and need to change, not the people migrating.

Perhaps most notable in this regard is ICMC's emphasis on the value of international rights frameworks. While all of these issues can benefit from concrete bilateral or region-specific approaches and cooperation, the activities of all actors, that is, states, international organizations, civil society and even the private sector, should be conducted with full respect for universal frameworks for human rights and obligations. Given the widespread ratification of so many international human rights treaties whose protections generally cover migrants equally with citizens, there is no reason for states to further delay ratifying the Migrant Workers Convention, which, to a large extent, gathers rights from those other treaties but which is today ratified by only 41 countries, including 13 Latin and Central American countries. ICMC urges greater ratification and implementation of the Migrant Workers Convention as a distinct complement to the other human rights treaties, and no less than a recipe for better cooperation, coherence and cohesion in and among countries of origin, transit and destination.

##### **5. Promoting social cohesion (*peaceful coexistence*) between migrants and local communities by accompanying individuals in their journey**

In the migration debate, the world continues to be divided into countries, to, through and from which people migrate. While such distinctions are not always so clear, they are helpful for the purpose of

examining the role of the church in promoting social cohesion (*peaceful coexistence*) between migrants and either *new* local communities (in countries of destination), their *former* communities (in countries of origin) and even in communities of temporary stay (in countries of first asylum or transit.)

- *Promoting cohesion in new local communities (in countries of destination)*

Great attention needs to be given to migrants who have arrived in new environments and who need to develop ways to adjust to the new societies. Social awareness-raising, for both the migrant and the hosting community, is an essential field of action for the Church. ICMC, for example, prepares people for their resettlement with cultural orientation classes whereby we provide the migrant a bridge to the new local community.

- *Promoting cohesion in communities of temporary stay (in countries of transit)*

Communities in transit countries often struggle with the burdens and challenges of the presence of large numbers of refugees, displaced persons or other migrants. Especially in countries that themselves are poor or developing, infrastructures and services can be too limited to adequately accommodate the new arrivals. ICMC, therefore, develops specific programs to assist the extremely vulnerable in larger situations of crisis of massive influxes such as the Iraqi's arriving in the neighbouring countries.

- *Promoting cohesion in former local communities (in countries of origin)*

Whatever the journey will be, there is a need to be present with those that have been left behind and a need to foresee, for many, the possibility of return. Income generation and community building are often essential, a vision ICMC is e.g. implementing in its various return programs.

## 6. Conclusion

We need to continue to combine, coordinate and reinforce our efforts as Church to achieve a paradigm shift in the global discussion of migration and development. In a sentence, the shift that is needed is to an

explicit preference for dignity in the debate: the fundamental human dignity of a migrant, his or her labor and family; and the dignity of states and other international, regional and political actors to discuss these matters honestly and with humanity, not only with respect to the economic and social forces involved in migration today, but also the lives, hopes, challenges, contributions and common good that migrants and citizens share and can benefit from together.

This is not a soft shift; in fact, it is not even an option. Rather, it is essential to moving forward: as a matter of obligations to respect universal rights and as a key to social cohesion, in countries of origin as well as transit and destination.

May I close by pointing to three specific areas in which we can collaborate better, areas that flow one into the other, and in which ICMC and ICMC members work in operations and policy-building:

- Building new *needs-based* protections for migrants who are vulnerable or hurt, manifestly:
  - victims of violence and trauma when crossing borders on boats, trains and trucks, and crossing deserts,
  - unaccompanied and separated children, and children left behind,
  - broader legal residence and working statuses for migrants from countries profoundly debilitated by environmental degradation, manmade disaster, or conflict,
  - permanent legalization of undocumented workers, beginning with law-abiding, tax-paying long-term residents,

Such a *needs-based* approach, focused intently on people who are vulnerable or hurt and the protection they require, properly leads, but must be guided, to a recognition of rights.

- Strengthening emerging and existing rights-based protections:
  - to preserve family unity and reunification-and stop enforcement-induced de-unification-of close family members,
  - to secure durable solutions for 1951 Convention refugees, including expanded opportunities for resettlement in this region,
  - to universalize recognition of men, women and children who have been trafficked as victims of the crime, not criminals, and entitle them

to protection and assistance,

- to ensure rights, that is, relief at last, to migrant workers and members of their families, including under the UN Migrant Workers Convention, in which the states of this region have led the world in drafting and ratifying the Convention, and promoting its ratification by other countries.
- Engaging in regional and global processes:
  - deepening participation in regional consultations, such as the South American Conference on Migration, not only to address regional issues (including rights and root causes of migration) but to generate leadership on such issues at the global level,
  - achieving more full and formal participation in the new Global Forum on Migration and Development,
  - emphasising the role and dignity of migrants in development and co-development approaches,
  - insisting on attention to root causes, so that men, women and children may exercise their right not to migrate.

This is urgent work always, and a particular challenge as the world confronts a global economic disruption of epic proportions. May we here, our Church and those we work with, meet the challenge as community, searching for, and truly on the road to, peace.

## **Rev. Sister Erta Lemos**

*Secretary for the Human Mobility Commission of the CELAM*

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Thanks to the organizing team for inviting me to participate in this magnificent Scalabrinian event. I would like to mention that I will present a brief summary of what we do as an Ecclesial Institution in the area of Pastoral Care of Human Mobility in Latin America and the Caribbean, following precisely the instructions presented by Rev. Novatus Rugambwa, Deputy Secretary of the Pontifical Council for the Pastoral Care of Migrants and Itinerant People in his address.

CELAM is the Episcopal Council for Latin America. It is a Council, and as such its objective is to serve the Bishops Conferences in Latin America and the Caribbean, among other things, articulating, motivating, coordinating activities and events to foster communion and to reach important common objectives for all of the Latin American Continent.

Since July 1987, CELAM has been servicing pastoral care to peoples in mobility. First, its name was SEPMOV-Secretariat for Pastoral Care of Human Mobility. Now it is called the Section of Human Mobility of the Department of Justice and Solidarity beside the Social Pastoral Care and Lay Faithful. At the beginning, we created ministries to serve seamen and tourist industry workers. Now, in addition to those previously mentioned, we also work with trafficked persons, itinerant people, and the new phenomena of environmental migrants as another dimension of the Pastoral Care of Human Mobility that we are beginning to study. The Section of Human Mobility of CELAM develops its work according to the Global Plan and the directives established by the general assembly at the start of each period.

Its mission is to do the best it can, not only to create but also to become a bridge among cultures, peoples and ethnic groups by the power of the Holy Spirit under the light of Jesus Christ, to please the Father who wishes that we all become one with his beloved Son. We work not only within the social dimension but also the pastoral and spiritual ones. Through the example of the migrants and itinerant people, we walk along with the Church, which is also a pilgrim, hoping for a new world of peace, joy, justice and solidarity, *“for the world is the homeland of man,”* as John

Baptist Scalabrini, the Father of the Migrants, used to say.

Regarding its organization, CELAM is always communicating with the Pontifical Council for the Pastoral Care of Migrants and Itinerant People and works under the coordination of the Council. We also work with the Episcopal Conferences whenever we are asked, take care of regions or dioceses where we are assisted by a support team, and participate in congresses and meetings whenever we are invited. We have a bishop as a supervisor and an executive secretary. We maintain and carry out several programs. We serve the Migratory Pastoral Care directed to migrants, refugees, human trafficking victims, itinerants, displaced people, and the homeless.

Moreover, we serve the Ministry for the Sea for seafarers, artisanal and industrial fishermen, and people from the seas, lakes and rivers. Likewise we are on board with projects linked to the Pastoral Care of Tourism, where we assist tourists, tourist industry workers, including also ecology and sustainable development.

Currently we are beginning a study of environmental migrants.

Within each of these programs, we develop a range of activities: meetings throughout Latin America, regional gatherings, seminars, publishing, advisories, hosting and coordination for the Pastoral Care of Human Mobility, and networking.

The objectives of each program are as follows:

- Regarding the Pastoral of migrants, it is about reinforcing the dialogue and cooperation among the churches of the countries of origin, transit and destination, attempting to give legal and pastoral humanitarian assistance to those who are mobilized, supporting them in their religious beliefs and valuing their cultural expressions in everything related to the Gospel, motivating them to become disciples and missionaries in the countries and communities where they were received.
- Regarding the Ministry for the Sea, the objective is to promote the Ministry in the Latin American and Caribbean Episcopal Conferences, so seafarers and fishermen from the seas, lakes and rivers become disciples and missionaries of hope, accepting the Word of God and bearing witness to His fraternal welcome.
- In relation to the Pastoral Care of Tourism, we want to strengthen the work with the Episcopal Conferences to increase common courses of



action in this pastoral venue in Latin America and the Caribbean, such that, along with entertainment, respect is paid to the work of creation and the cultures of the receiving communities.

In summary, our work is to be bridges among the churches and migrants, to facilitate relations between cultures and promote the value of diversity as a source of wealth that makes visible the infinite creativity of our God. At the same time, we want to walk always with our hearts full of hope in the construction of a better world, where we all may be brothers, children of the same God the Father, and bearers of universal solidarity, thus building peace and a culture of global citizenship.

## **Rev. Sister Janete Ferreira**

*Coordinator of the Migration and Traffic Program of SELACC*

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I would like to begin by saying that the Secretariat of Latin America and the Caribbean of Caritas does not have a major structure at the regional level but, indeed, is a service center with one full-time position, the Executive Secretary. Currently, it is Rev. José Antonio Sandoval. The rest of us are working in each of the Caritas Social Pastoral centers throughout the continent in support of diverse tasks.

We think it is also very important to note that, of the 19 countries that have Pastoral Care of Human Mobility at the Latin American and Caribbean level, 12 attend the Caritas Social Pastoral Care in each of their respective countries. For Caritas, the continent's migration and human trafficking issues are priorities. Therefore, rather than talk about Caritas' structure, a topic well known to all of us, I want to tell you about the experience of working to build peaceful communities on the Colombian-Ecuadorian border.

In Ecuador, the presence of the Colombian brothers and sisters is ever stronger. Generally we look at Colombia as the center of conflict, and partly it is, but the conflict is no longer just Colombian, it is regional. It is also in Ecuador, Venezuela, Panama, and neighboring countries. The international community often looks only to Colombia and forgets about the countries receiving Colombians.

The number of people that Ecuador receives increases every day, and, in this context, the presence of the Border Pastoral Care to carry out the work of the Caritas organizations is extremely important.

The social, political and military conflict in Colombia is more than 60 years old and has become the gravest humanitarian crisis in the Western hemisphere, and one of three most dire in the world: more than three million people displaced in the last 15 years, confinement of entire populations, and approximately eight thousand persons kidnapped in the last three years. The leftist insurgency, FARC, ELN, other armed groups, right wing paramilitaries, self-defense groups, the armed forces, and common criminals are all involved. The civilians are totally defenseless victims, most of all the poor, the peasants, and the indigenous people.

In Ecuador, the major increase in migratory flows from Colombia began in 2000 and was the result of the dynamics of the internal armed conflict in Colombia. The migration continues due to the combined consequences of implementing the Plan Colombia and the attraction of “*dollarization*.” It is, therefore, a forced economic migration that is part of an interaction in which it is very difficult to determine whether the specific causes arise from one component or the other.

Official records of migratory flows indicate that, from 2000 to 2006, there would have been 1,406,169 registered arrivals and 835,948 departures, yielding a migratory balance of 570,221, which accounts for 49 percent of the total increase in immigration.

The Ecuadorian provinces where most of the Colombian population lives are Pichincha, Carchi, Guayas, Sucumbíos, Santo Domingo de los Tsáchilas, Esmeralda, and Ibarra. In Guayas and Pichincha, we find the most educated Colombian population, whereas the poorest of Colombians have settled in the border provinces.

Colombians work in the formal sectors of agriculture and trade, but especially in the informal ones, manufacturing and domestic service. Agriculture prevails in the border provinces and in Santo Domingo de los Tsáchilas; whereas formal and informal trade prevails in Pichincha and Guayas.

There is much tension on the Colombian-Ecuadorian border due to the deteriorating relationship between the Uribe and Correa governments, since March 2008, because of the incursion of the Colombian army into Ecuadorian territory (at Angostura). Other factors that feed this tension are the built-up military presence of the Ecuadorian army, and of irregular armed groups, organized crime groups and drug traffickers. All of this has caused the Ecuadorian government to reinstate the requirement to have an immigration certificate from each Colombian citizen who immigrates into Ecuador, a reversal of the principle of presumption of innocence and the fundamental right of “universal citizenship” provided by the new Ecuadorian Constitution, which holds no one to be “illegal.” This is also a step back in the area of international law and human rights, as well as refugee and humanitarian rights.

Moreover, using the media, the official discourse has managed to break down the sense of solidarity and collective participation in the receiving community, stigmatizing and criminalizing everything

Colombian. This turns newcomers into victims of isolation, unemployment, labor exploitation, sexual harassment, and distrust by the community, which reacts in discriminatory and even xenophobic fashion.

For eighteen years now, the Border Pastoral Care has constantly worked and coordinated a string of Diocese on the border: four on the Ecuadorian side and four on the Colombian side. Against this backdrop, we have served as a defensive response, promoting and campaigning for the rights of the people; posing responses that seek the integration and peace for the community.

How can we build peace on that border? We could build it by doing little things at a time, working like ants do. We work to include persons in the support communities. It is a coordinated effort among the churches in each country with the support of national and international NGOs.

The dynamics followed by the Border Pastoral Care grow out of the annual meetings with the bishops of the respective dioceses and their support teams to update the context and redesign the humanitarian responses that the reality of the moment demands. These solutions are coordinated on both sides of the border, which results in a local as well as bi-national impact.

Here are some examples I would like to share. In Ecuador certain documents were required for Colombian children and teenagers to be able to go to school. We worked hard, in conjunction with civil society organizations at the local and national levels, so that these [migrant] children could be admitted into the school system. We were able to get the Minister of Education to sign decree 337, recognizing the right to education for children and teenagers in mobility, without regard to their immigration status or any documentary requirement other than an identity card. With this initiative, we contributed to helping migrant people to become participants in the process of community integration.

In addition, together with other civic organizations, the Border Pastoral Care has intervened on behalf of those who have been denied refugee status by the Ecuadorian government; and on behalf of those who have not been able to access the system and get their documents processed through the Registry.

These small joint achievements on both sides of the border help us to understand that building peace along the Colombian-Ecuadorian border

is a very complex task that is never easy, and that it requires the active participation of the population, as well as various organizing processes.

This is possible only if there is a constant assessment and sharing of experiences. The dynamics are very different in each country. Nevertheless, the ability to share experiences has helped us in the learning process. Pastoral care and support services, schooling, research and agency are important elements that complement our work.

Our great strength is the existence of other organizations, whose efforts along the border or the country's interior share our same concern: How to change the situation at the border? In this manner there are several important alliances with civil society and international organizations with which we build plans and joint strategies.

There are limitations and difficulties. It is a slow process because although we are able to make a difference, we cannot respond to all the current demands due to the growing complexity of the situation at the border. Another limitation is the sometimes divergent interests of the dioceses. Some commit themselves more than others, which results in some of the already established agreements failing to meet their goals.

Often our responses are for immediate aid, given the nature of the humanitarian crisis that prevails in the region, but they are necessary responses, and we know that this fieldwork also allows us to have an influence at the local and national levels. Therefore, fieldwork is important in order to build the kind of impact that enables us to influence policy. We know that the Church is a point of reference in migratory matters, as well as, a shelter on both sides of the Colombian-Ecuadorian border.

These are some of the issues and impacts that we deem important to highlight. Joint endeavors are being broadened and strengthened in many communities. We have participated in developing technical proposals on legal regulations. Presently, the Ecuadorian government is concerned with ensuring that we have a Comprehensive Law of Human Mobility, which includes the issues of shelter, migration, human trafficking, internal migration, and displacement of people. As part of civil society, we are working on this effort. There is a technical team, and we, as part of the Church, with our work, our agency, and our fieldwork capability, are having a definite input and making important contributions. We know that in so doing, we are also helping to build peace along the border.

There are many challenges, but we have a dream that there will be favorable public policies based on people's rights; that there will be more efficient regulation of migratory processes, and the recognition that the legalization of undocumented Colombians already in our territory is indeed a priority.

We have a dream that there will be respect for the principle of non-discrimination on the basis of national origin, ethnicity, or religion, as well as respect for due process.

We dream of forging solidarity among the people at the border by strengthening their cultural, social, and fraternal bonds.

We dream of a quality education for all children and teenagers without discrimination of any kind.

We have a dream that the population of the Colombian-Ecuadorian border will one day demand and enjoy the rights they are currently denied, such as the right to work, to healthcare, and to live in an environment of social integration and peace.

## **Rev. Maurizio Pontin**

*Coordinator of the Human Mobility Commission  
Colombia Conference of Catholic Bishops*

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### **Colombia: A Nation Searching for Peace as a Way to Stop the Exodus**

I want to begin with a song that the Colombian rock group *Aterciopelados* donated to “*Exile and Compensation*,” a project sponsored by the Antioquia Museum, the City Hall of Medellín, Region Corporation and *Semana* magazine, along with other partners, that has, since last September, sought to raise consciousness about the issue of the displacement of people in Colombia. The song “*Wandering Diamond*”<sup>1</sup> describes the situation of millions of Colombians forced to abandon their homes and migrate to the cities under deplorable displacement conditions.<sup>2</sup>

To start, I also will read two testimonies from displaced persons. One woman says: “They came asking for water and to be allowed to camp out: We just cannot say no. Right after, came the others, accusing us of being informers, rats, snitches, and we had to flee.”

Another testimony: “They destroyed everything: they ask for a share of the crops from the farm, take away food and animals; afterwards, they return for the children, the bullies, those between 12 and 14 years old. And if one refuses to give them up, you must give up the land or everybody will pay the consequences. There was nothing else to give them.”

Two previous speakers have talked about Colombia. Rev. Sister Janete Ferreira just told us that the major concern for Ecuador is precisely the existing problems at the Colombian border due to the large influx of

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<sup>1</sup> Refer to the text in the annex. The song's video can be seen at [www.destierroyreparacion.org](http://www.destierroyreparacion.org).

<sup>2</sup> Definition: “Displaced is any person who has been forced to migrate inside his/her own national territory, abandoning his/her place of residence and everyday economic activities because his/her life, physical integrity or freedom have been violated or are threatened due to the existence of any of the following situations caused by man: internal armed conflict, disturbances or internal tensions, generalized violence, massive violations of human rights or other circumstances stemming from previous situations that could alter or drastically alter the public order.”

asylum-seekers. The representative for the International Committee of the Red Cross (ICRC) also talked about the efforts that his organization is doing in Colombia to alleviate the needs of displaced people and facilitate the liberation of hostages.

Colombia is the country with the longest period of prolonged democracy in Latin America. It is the only country that enjoys this privilege: there has been no coup d'état. Paradoxically, Colombia, which has, nominally, the longest democracy in Latin America, also has the longest period of violent conflict in the history of Latin America.

To mention just one example in the last sixty years, we might remember the bloody conflict known as the *epoch of violence* that took place from 1948 to 1957.<sup>3</sup> In Colombia, during that period of fighting between liberals and conservatives, there were an estimated 300,000 deaths and 2 million displaced persons, although they were not referred to as such in those days. That label was ascribed around 1991 by the Inter American Committee for Human Rights in San José, Costa Rica.

During the “epoch of violence,” Colombia was practically depopulated. Those who were threatened or persecuted had the option of

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<sup>3</sup>*Violence* (1948 to 1957), a text taken from the website of *The Manuel Cepeda Vargas Foundation for Peace, Justice and Culture*. The political phase in Colombian history called “Violence” covered a period of armed confrontation of irregular character with terror and violent demonstrations of major proportions all over the country. The quarrels between the liberal and conservative parties in that era were the manifestation of a conflict of socio-economic interests, motivated by the expropriation and redistribution on thousands of acres of land. This conflict finished off small and medium-sized farms, strengthening the power wielded by the country's old and new landowners. The murder of Jorge Eliécer Gaitán worsened the political polarization, which in this period acquired national dimensions and gave way to the peasant and popular revolt, which constituted the basis for the first source of guerrilla fighters in the second half of the twentieth century in Colombia.

The foray by the incipient guerrilla movement marked this violent epoch with open and organized warfare amongst armed peasants, the leadership of the liberal party and the conservative government of Laureano Gómez. With the support of the Church and the National Army, the government started a campaign of political persecution in the cities under the guise of defending against the supposed threat of “international communism.” In the countryside, they formed paramilitary groups that called themselves “Los Chualistas.”

As the conflict heightened, the political process began to degenerate into a series of retaliations and acts of vengeance, which stained the national territory with blood. Two of the most unfortunate consequences of this phenomenon were the murders of approximately 300,000 victims and the forced displacement of large numbers of peasants, who moved to repopulate cities or migrated in search of new land far away from the mountain range, especially to the Eastern Plains, the Atlantic Coast, and Magdalena River region, where the development of settlements took place. To this day, those settlements remain. This first phase of “Violence” ended with a military coup d'état by General Gustavo Rojas Pinilla in 1953.

The government of Rojas Pinilla promised to stop the terror and to promote the economic reconstruction of the regions affected by the violence. General Rojas Pinilla offered a general and unconditional



moving to other parts of the country. If you did not consider yourself liberal, you could go to where the conservatives were; and if you did not consider yourself conservative, you could go to where the liberals were. And if you did not feel comfortable with either of them, you could go to an unpopulated area. And this is how Colombia was settled beyond the Andean region and the plains, extending as far as the borders with Venezuela, Brazil and Peru, the entire region surrounding the Amazons. This was the settlement period.

For 20 years, there has not been any neutral, unclaimed territory. Several groups and private persons began to seek complete control over the remaining lands. Thus, there is nowhere for the persecuted to escape. Colombian guerrillas derived from liberal peasant groups persecuted by the army due to their “pro-communist” ideals. The Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), the Popular Liberation Army (EPL), and the M19 are some of the armed groups that have arisen at various times. Until now, none of them has been defeated militarily by the National Armed Forces.

The ideals of guerrilla movements began to lose credibility when, due mainly to economic subsistence needs, these guerrilla groups, or “terrorists,” as labeled by the current government, began to engage in drug trafficking, initially offering only territorial protection for the coca and poppy crops, but, afterwards, providing assistance along the trade routes, and, finally, managing their own business from production to sales.

What concerns us most is that, as reported during the last two weeks, there is an agreement between the National Liberation Army (ELN) and the Colombian Army to fight against the FARC in the border zone with Venezuela, in the Department of Arauca. The guerrilla leaders told the Army: “Give us the weaponry, and we will eliminate some of the members of the FARC for you and deliver them to you so you can claim them as part of

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amnesty to insurgents who were recognized as members of rebel forces. However, many of these promises went unfulfilled, and peace could not be consolidated in the country, which resulted in a resumption of the partisan violence of previous years.

On June 8<sup>th</sup> and 9<sup>th</sup>, 1954, when the first civilian anti-government mass demonstrations took place, 13 students were murdered in Bogota by the National Army; this further eroded the government's prestige. The traditional political parties took advantage of the situation and created a civil front, which managed to overthrow the government three years later. On July 20<sup>th</sup>, 1957, facing the General's resignation, the elites belonging to the liberal and conservative parties founded the National Front, a political pact that consisted of taking turns in the national government. For the next four governments, liberals and conservatives shared, along party lines, bureaucratic national seats and alternately held the Presidency of the Republic.

your initiative against the guerrillas.”

This is the same as was done with the paramilitaries. These armed groups, organized by civilians, trained by the military and often even led by them, were in charge of the “cleansing” of citizens suspected of being pro-guerrilla or accused of being helpers. Justice finally has been served by the subsequent revelation that many events described by paramilitaries as clashes with subversive groups were really massacres perpetrated against innocent peasants, who were totally uninvolved in the conflict.

All of this background is helpful to better understand what we stated previously: in Colombia, currently, there is no available territory beyond the large cities. You are either on one side or the other; with the government or with the guerrillas; with the paramilitaries; or with drug trafficking, which permeates almost everything. Why? Because every little piece of territory must be utilized to control the population, whether by the paramilitaries or the guerrillas, for collecting illegal taxes, called “vaccines” in Colombia; or for planting psychotropic-plant crops such as marijuana (which is already out of fashion), coca to produce cocaine, or poppy to manufacture heroin. Other areas must be defended by these armed groups in order to operate their laboratories, maintain their drug-trafficking routes or routes for arms trafficking.

Under these conditions, the civilian population always ends up paying for the negative outcomes of these wars, which continue because of various vested interests.

One positive outcome of this humanitarian tragedy is that Colombia was the first country to develop a law to protect displaced persons, even before the United Nations promulgated its “Governing Principles.”

The Law for the Protection of Displaced People in Colombia dates to 1997. More than 11 years have passed since this law was enacted. However, the Constitutional Court had to intervene with its T-025 ruling of 2004, because in actual practice the law was not being enforced. There were signs, moments, elements of improvement, but the provisions of the law were not being fully complied with in terms of the protection of displaced persons.

Colombia was also one of the first countries where the Office of the United Nations High Commissioner for Refugees (UNHCR) received the specific mandate to concern itself with the well-being of displaced people

whom we may describe as “internal refugees.” These are people who exhibit the same needs as international refugees, because their lives are threatened due to their sociopolitical ideas or simply because they are in a region of the country that is of interest to armed groups. The only characteristic that differentiates them from refugees is their geographic location: they have not fled outside the national territory. Thus, within the country there is chaos, a demographic transformation that compels the nation to restructure, to relocate its population.

The Colombian Conference of Bishops was the first organization to carry out, between 1993 and 1994, the first national survey of displaced people, with the objective of bringing into public view an issue that nobody wanted to see or, much less, was willing to solve. As a consequence, between 1987 and 1994, more than 300,000 people have been internally displaced by violence. Against this background, the Church saw the need to establish a permanent Information System to continuously measure the number of people displaced by the violence in Colombia. This system was called RUTH.<sup>4</sup>

According to CODHES (Consultancy on Displacement and Human Rights), from 1997 to 2001 more than 1.5 million persons were displaced by violence, and from 2002 to 2005 another 1.2 million. Specifically: 207,607 persons in 2003; 287,581 in 2004; 310,237 in 2005; 221,638 in 2006; 305,638 in 2007; and 308,863 in 2008.<sup>5</sup>

To illustrate this situation, it will suffice to focus on the data we have for Bogotá: in five years, from 1997 to 2001, 263,000 displaced persons arrived in the city. From 2002 to 2006, more than 200,000 arrived. Thus, the city grew by approximately half a million people, just because of forced displacement. These were people who tried to register their status as persecuted and threatened, and stated that they had to abandon all of their possessions.

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<sup>4</sup> RUTH is not an acronym with a specific meaning, as though it were a single registry for displaced persons. The name for this “Information System on Forced Displacement by Violence” and its corresponding Bulletin is taken from the Old Testament character in the Book of Ruth. She is a widow who decides to accompany her mother-in-law, Noemi, and tells her: “Don’t urge me to leave you or to turn back from you. Where you go I will go, and where you stay I will stay. Your people will be my people and your God my God” (Ruth 1, 16). In this same manner, the Catholic Church, through different means and methods, wants to accompany the displaced people of Colombia, to share in their tribulations and anguish but also their dreams and hopes.

<sup>5</sup> Cfr. Fundación de Atención al Migrante (Famig) and CODHES, *Gota a gota: Desplazamiento forzado en Bogotá y Soacha*, First Edition, Bogotá, Colombia, July 2007.

Where do they normally arrive? They do not head to privileged places, and often they leave everything behind, typically fleeing under specific threats like: “You have four hours or six hours or until tomorrow to leave.” These people arrive penniless and have to look for shelter on the outskirts of cities, in marginal sectors, in the poorest of areas. What are the reasons why these persons who arrived in Bogotá, for example, had to flee? Actually, the majority state that they received a direct threat on their lives. They are people accused of being either collaborators for the guerrillas or the paramilitaries, depending on the place or date where they were. Another type of threat that is common lately is the forced recruitment of children over 12, or even 11 years of age, into the guerrillas or paramilitaries. Sometimes, the threats come simply because the Army or the illegal armed groups went through their land, and they offered resistance or failed to comply with extortion quotas either in money or produce. Other reasons for displacement include: the forced disappearance of the head of household, the children, or other family members; a neighbor's murder; fear of clashes; the clearing of zones, which many times is carried out by the Army itself, even with bombardments; and all forms of indirect threats deemed dangerous by the individuals, such as combat around them, stressful situations, public disorder, generalized panic, massacres, selective murders, or disappearances, in places close to where they live. In other words, in most instances the main motive is a simple psychological fact: fear, because everywhere in the world, violence engenders fear.

Besides arriving to the major cities in the hope of hiding in the anonymity of the crowd, many displaced persons remain in the provincial capitals, harboring hopes that soon they will be able to return to their districts, because the reason of their displacement stems from transitory clashes between the Army and the guerrillas, or from the path of the paramilitaries, who carry out what they call “social cleansing.” Humanitarian intervention by the government and the international community is thus necessary, both in the outskirts of major cities and in small municipalities.

What are the effects of these displacements? We will find out with the next population and housing surveys, if they are done accurately. The first effect will be noticed in the depopulation of the countryside and concomitant growth in *latifundios*, or large estates, because almost always the land abandoned by displaced people is taken over by the major

landowners, especially those who are backed by the paramilitaries. Another effect is the increase in urban marginalization: the need to respond to the rising demand for basic services, the need to strike a balance between responding to the needs of the resident “traditional poor” and the new arrivals of displaced people. The effect will also be noticed, although it is already evident, in the disintegration of the family, because often the breadwinner goes one way and the rest of the family goes another, leading to a change of roles at home.

In focusing on the home situation of the displaced population, we must stress the following: the percentage of households that have a woman as breadwinner rose to 49 percent among displaced people, from just 29 percent among the normal population. Often the head of household, the man, leaves the home because he sees himself displaced from his traditional role after displacement to the city. In urban centers, women are more apt to find jobs, whether by the day or by the hour, in domestic tasks or reselling, whereas men, accustomed to life in the countryside, do not succeed in getting hired in an urban context.

Another negative factor is victimization and discrimination. This still happens although it is being rather overcome: for most Colombians, the notion still stubbornly persists that “if he was displaced, there must be a reason... who knows what he got into.” Thus, a displaced person is always seen with the apprehension that “if I help him, he could get me mixed up in the affairs in which he is already entangled.”

Then, what do we do regarding these issues as the Catholic Church in Colombia? For more than 15 years we have undertaken several humanitarian initiatives supported, thank God, by many international organizations such as the International Committee of the Red Cross, the Consultancy on Displacement and Human Rights (CODHES), the International Organization for Migrations, Caritas International and many other national chapters of Caritas from Europe and the United States. Also, national and foreign NGOs, governments, and embassies from other countries contribute to the work the Church is doing in looking for solutions to this situation.

We are trying to be, as the Church, facilitators, but not mediators, in the conflict. We seek, wherever they give us the space, to facilitate the meeting and dialogue of opposing groups. Many times we have succeeded; others we have failed for lack of will between the parties. A National

Commission for Reconciliation has been created; there is an effort to increase those spaces for dialogue; whether official or not, regional peace dialogues are indeed held; and there is intervention for freeing prisoners and hostages.

From the very beginning, we have sought to offer humanitarian assistance, but, above all, we work in building communities, both displaced and receiving communities, because it is essential to foster that welcoming spirit for the people arriving to the cities. There are programs such as Peace Planters and Laboratories for Peace, and four national conferences for reconciliation and peace. This is, among many other initiatives, what we try to do as the Church. Another project that has emerged with the support of Colombian religious communities, and which has had its share of successes and difficulties, applause and harassment, is the creation of Peace Communities, those who have refused to be displaced and have asserted: "This is our community; we don't allow the use of weapons; we don't want the presence of either guerrillas or paramilitaries or the Army." This is because the official armed forces, too, were not considered to be as fair and impartial as they should be.

The road to peace in Colombia is a very long one indeed, especially if the government thinks that it is by force that it must be achieved, and continues to act under this premise, and continues to bet that the armed solution is the answer to the conflict.

For these reasons, we need the continued support and presence of international organizations and friendly countries that might help to find new avenues for dialogue, reconciliation, and reparation, in order to achieve peace.

*Addendum***“Wandering Diamond” Lyrics by Aterciopelados**

Oh! I left because it was my turn.  
Oh, but I left my heart.

I left the dinnerware and the TV,  
left my home, my land, my mattock.  
I also left my landscapes, my serene breeze,  
for cold traffic lights and dirty sidewalks.  
I exchanged my fruit trees  
for panhandling on the bus route.

Oh! I left because it was my turn.  
Oh, but I left my heart.

I left my family's corpses unburied:  
down the river the criminals were coming.  
I am a traveler of absences,  
with my backpack full of fear and loneliness.  
But if I am still alive, there must be a reason.  
Keep on, keep on, wandering diamond,  
a wandering hero, an aspiring saint.

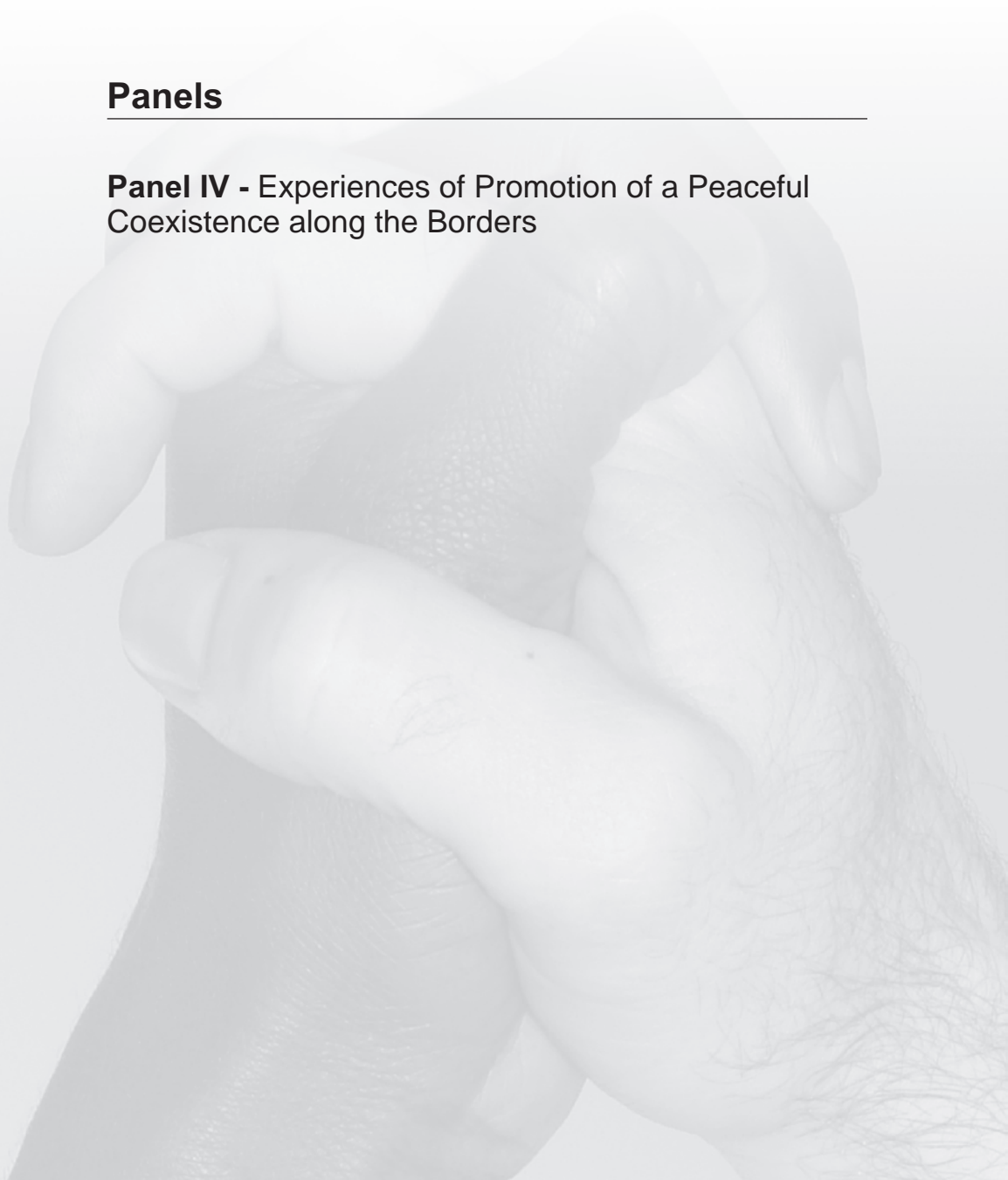
The veil must be lifted.  
The horrifying truth and its miseries must be uncovered.  
Justice must become part of this terrifying story.  
May radiant faith be again by your side...  
and courage so enormous and a fearsome force so bright.

Keep on, keep on, wandering diamond.

## **Panels**

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### **Panel IV - Experiences of Promotion of a Peaceful Coexistence along the Borders**







## Introduction

### Rev. Mauro Verzeletti

*Secretary of the Commission for the Pastoral Care of Migrants  
Guatemala Conference of Catholic Bishops*

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Distinguished friends, for the last panel of this first day of the Forum on Migration and Peace, we want to share the experiences of our migrant brothers and sisters and of persons who are working in promoting a peaceful coexistence along the border regions. The life experiences of these people will demonstrate to us the need to build bridges of humanity, which go beyond market borders. Their experiences and life stories are the contributions of these migrants, who have crossed borders and now are questioning the policies and immigration laws that have been implemented lately. These migrants crossing borders are revealing to us that we can globalize solidarity in order to guarantee a dignified and peaceful coexistence as a universal right.

In this panel, six persons will present their experiences and testimonies as migrants. First, we will hear Rev. Luiz Kindzierski, Scalabrinian missionary and director of Casa del Migrante in Tijuana, Mexico, who is here representing Rev. Flor María Rigoni, also a Scalabrinian missionary and director of Casa del Migrante in Tapachula, Mexico, who for personal reasons could not attend this Forum. Afterwards, we will hear the testimony of Rev. Claudio Holzer, Scalabrinian, parish priest of *Saint Charles Borromeo* and *Our Lady of Mount Carmel* in Chicago, and director of the Attention Center for Migrants and Refugees in Chicago.

Second, we will hear the testimonies of Rosa Mejía, Marvin Danilo Gómez and Mardoqueo Valle Callejas. Their stories are part of the history of the 28,000 Guatemalans who were deported from the United States in 2008 and thousands of others who have been deported from Mexico. These are stories that are repeated constantly in the lives of migrants, where there is no respect for international agreements and treaties or human rights. Their traumatic experiences reveal the pain and suffering of their detention, the long months of prison, uncertainty and deportation. They are part of the history of a doubly-forced migration, first from our Latin American

countries from which migrants are forced to flee in order to survive, and then their forced deportation back to their former situation of poverty. Their stories prompt us to question ourselves and to build bridges of solidarity, development, and peaceful coexistence on our continent and the world. Development is the new name for international peace without borders. A different world is possible when one globalizes solidarity.

Third, our friend Luis Argueta, internationally renowned movie director and journalist, will present a brief documentary on the May 12<sup>th</sup>, 2008 Postville raid in the United States. Luis Argueta proposes, in all his films, a reflection about the reality of our countries, from an ethical and realistic perspective. He proposes a reflection about the realities that our societies experience, and most importantly the realities of our migrants and their families, and the children who are abandoned in the streets, and then traded and sold. In his films, he also proposes a reflection on the need and possibilities to change this reality and to change history.

I give you the floor now so you can share your experiences as migrants and promoters of a world without borders.

Thank you very much.

## Rev. Flor María Rigoni

*Director of Casa del Migrante of Tapachula*

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Good afternoon. I am Father Luiz Kindzierski and I am going to lend my voice to Father Flor María Rigoni, who could not be here at the Forum to present his address, entitled:

### **The Migrant as Viator and Bridge: The Transversal Axis of History**

*“Therefore, you are no longer foreigners or strangers but fellow citizens of the saints and relatives of God” (Ef. 2, 19).* This biblical vision from the New Testament summarizes the Christian perspective of the great Diaspora and can be considered a key to the reading of Peter's Gospel for all the homeless and landless, which we translate in our time, according to the Scalabrinian perspective, as the following proclamation: *Migration transforms the human being into a citizen of the world.*

This might seem a simple rhetorical phrase, a word game, a sound-bite. However, I refuse to consider this perspective a made-up reality, which too often is identified with tragedy, while at the same time with the vision for a future of hope.

Zygmund Bauman talks about *liquid societies* and, almost by way of a corollary, about *liquid love*, emphasizing within the framework of economic globalization, how also human relations and *attitudinal* parameters sail adrift on an unsteady board out in the open sea.

Even a cursory analysis of the moment we presently live in throws upon us the background of an unstable society, surrounded by an undefined mist, which seems rather a shattered puzzle thrown into aimless space. Karl Marx, along with Engels, defined the human being as a *digestive tube*. Today, personally I dare to correct that definition calling the human being an *emotional tube*. Neither that definition, nor mine today, is accurate, and much less exhaustive, about a human being that, according to Blaise Pascal, continues to be a pendulum oscillating between nothingness and infiniteness; in other words, as capable of destroying everything as of gestating the impossible. In my daring definition of *emotional tube* I express

an attitude already codified at the subconscious level, as well as in the public mindset (media, movie and soap opera fodder, an object of marketing, etc.), according to which everything is emotional and is reduced to epidermal perception. When we talk about digitalization and virtual reality, our intention is simply to refer to a technological field, to a domain of scientific development. Here, I think, lies the permanent illusion of this era: the virtual and the digital are lived no longer as fictional, but as the only reality. It is a little as if, suddenly, we were to live the dreams of the night, transmigrating continuously to visions and sensations, to the point of erasing the day and walking by night as though it were day. This premise allows me to situate migration in a deep contrast with the political, economic, and social tendencies of our today, in order to consider it a sign of a different dawn.

### **Contradiction between Social Weltanschauung and Migration**

Retaking Bauman's concept of "liquid societies" or Slotterijk's "foamy society," everything that is related to stability, regulations, definitions, institutions, etc. falls into the void. Furthermore, it is a language for the deaf, because volatility, oblivion, and affective uprooting are presented as conditions for success and as the new code of conduct for our day. The individualism that marks our relationships turns them precarious, temporary, and volatile. Modern liquidity is a figure of change and transience: "solids preserve their form and persist over time, while liquids are formless and they are constantly morphing. They flow like deregulation, suppleness, or market liberalization." Financial transactions, stock market volatility, where stocks rise and fall without a defined face or name, are at once the cause and the effect of our daily conduct, until minding that unstableness becomes the new frontier of humankind. In this daily living of fluctuation there is a common denominator, firm and solid: the rejection of migration, of the *other*, the different, the foreigner, as the unknown. In my reading of reality, after years in the midst of migration on many latitudes, I have come to denounce the socio-cultural and, in part, religious suicide of the industrial and so-called developed world. Fiercely defended is the culture and identity of a country or a group that identifies with the nation-state in a renewed *melting pot* that looks more like a new Babel, where we now live in uncertainty, and where the future is enveloped by fog and doubts. Culture has become the new omnipotent idol, hailed

before the masses generally devoid of any critical spirit toward those who make and manipulate culture, because they own the lobbies of political and economical power.

We have linked together certain patterns, precisely because everything has become restless and we have blinded ourselves, like ostriches, with our heads in the sand. In this context, there is a common stubbornness towards migration, a shared fear regarding the other, which unites us in building walls and borders, to reject whoever knocks on our doors, convinced of having built a fortified castle, when in reality we are sitting on a raft.

If we venture to psychoanalyze our society, we might arrive at the hypothesis that we perceive the migrant as a free man who, by virtue of severing his roots, is willing and able to redefine his culture, his *Weltanschauung*, his future as a subject “*in between*”, as Peter Phan defines the migrant: by severing his roots, the migrant cuts off his deepest ties to his self and his identity, and opens himself to a new gestation of his future. Here rests, I believe, the psycho-sociological conflict between the labor-importing society and the migrants it attracts.

Host countries defend their culture nail and tooth as if it were a monolithic block, when we all know so well that culture is a dynamic reality, very liquid, like our society, with contradictions and deep ruptures. For instance, let's ask ourselves how to define American culture or Italian culture, with two *Italies*, North and South; a still-divided Germany in its historic memory, and then reunited after two generations indoctrinated by communist ideology and state bureaucracy. On the other hand, the migrant, open to the future, has, at least, a more stable point of reference in his past. It is the cultural identity of work, of a poverty lived out with dignity, with certain values that have not yet been eroded. Besides, proceeding with this sociological psychoanalysis, the migrant has nothing to defend. His adventure is open to the four points of the compass; he is ready for change; that is why he flees his land and his condition and bursts into the receiving society as someone who is betting on an imagined future, creating it day by day. In this sense, the migrant is the deck's joker who adapts and inserts himself in the empty spaces of our societies, negotiating instabilities and imbalances. I can state that the migrant is perceived as an agent of rupture, because he is perceived in the subconscious as a novelty factor, a challenge to change, an invitation to embark on an adventure that our society, in its

resignation, has already discarded. He bursts into our today with a vision of tomorrow.

### **From a Crossroads of Conflicts to the Bonding of Bridges**

In my experience on the borders between Mexico and the United States, Mexico and Guatemala, and endless missions in Honduras during the Contra war, and in El Salvador during the civil war, as well as in border wars in Africa (Mozambique, Angola, Congo) I was snatched by waves of confrontation and violence and, at the same time, purified and liberated in stillness by gestures of gratitude, by that stretched-out hand that never fails even amid the slaughters. Ideology, race, ethnicity, culture have been, and continue to be, the arenas where modern-day gladiators do battle. It is useless to remember here that all civil wars provoke an avalanche of refugees and marginalized, displaced, exiled people. Migration, in this sense, becomes the tip of the iceberg that shows and refers us to its depths.

When I arrived in Tijuana in early 1985, the political slogan in the mass media was: *We have to stop the Brown tide...!* It was also the peak year for deportations by the *Border Patrol* in the Tijuana-Mexicali area: 687,000 persons in a border stretch of 200 kilometers. My response to such biblical exodus was to open a *Casa* for those children of no one. It was a *Casa* that very quickly a migrant defined as a *mother along the road*. This concept soon became a social concept, a sacrament of solidarity, an issue in the controversy of those years between Washington and Mexico: to create an open house that could recreate the Bible's sanctuary city. That became my school of humanity.

I remember how in the first few days after opening, I saw a migrant from Michoacán who was saying farewell, with a brand new blanket under his arm, a blanket snatched from the bed where he had slept. I allowed myself to tell him: *"friend, you are taking a blanket."* And he responded: *"No, dear father, I am taking of piece of my country with me."* It was the concept of the motherland that accompanies migrants almost like the *litterae comuniois* of the first Christians: I, land of Mexico, or of Latin America, am sending you as my son to the land of North America. Thus, in the peasant's worldview, land is a big family without borders, where there is room for everyone and where one becomes a brother to others sheltered by the same mother.

Returning to the slogan of the first years of my migratory adventure

between Mexico and the United States, if we had changed that slogan from: “*We have to stop the Brown tide*” and said instead: “*We have to stop the human tide*,” perhaps today’s politics and sociology would be different. No one can stop the human being in his quest for freedom and in his pilgrim’s challenge. Man is born a *viator* because he is born yearning for freedom.

My experience tells me that cutting the wings of humankind, or of one of its expressions, which is migration, is like trying to imprison the wind. Thus, in our *Casas* we mold the theology of the road, a present day application of the Samaritan’s parable that transcends all religious borders, to talk and embody the language of man and his history. For me this kindness has become an open Bible that everyone can read, even the Islamic world, which has passed through some of our houses, where it has found the space and the times to celebrate its Ramadan.

In this migration Calvary that starts in Central America and runs through all of Mexico to reach the border with the United States, undocumented migrants are the target of all kinds of abuse, from their own country, going through the filters of those uniformed Mexican vultures, as migrants call the Mexican police, to organized crime, because it is profitable to strip the poor. A hunting license has been established, and it pains me to have to denounce its existence, against those who bet on the future or on the daily bread. Moreover, Mexico is on the list, a very small one, of those countries that persecute undocumented migrants throughout their territory. Professor Rodolfo Casillas, has prepared a map of Mexico with red dots, pointing out the places where there are migratory stations and fixed police posts; it looks like a patient ill with measles: a dangerous territory with red lights.

Against this background, the idea of creating a network of *Casas*, a path of inns like oases, although it is better to call them shelters, and even *bunkers*, where migrants could protect themselves from the hunters, seeks to become an alternative, a social and political message in order to transform migration into a meeting and a dialogue among peoples, ethnic groups, and religious creeds. It is a historic meeting place full of novelty. It is intellectual or racist blindness, pure and simple, to refuse to recognize that when migration moves, history moves, and with it our humanity and our culture. Walls fall quietly, even if we denied it. How can we eat a pizza, a taco or a *pupusa* in the United States or anywhere and reject the country that has conquered us through our greed? It is impossible to deny a person or a



people the truth of possessing something new to share with others.

The mission of turning around the crossroads of conflicts begins with us, supporters of the Casas del Migrante and of all those hostels where the undocumented person knocks, asking for a hand. We are a sign of contradiction amid the people in the streets, who are quick to raise a shield or look for scapegoats and choose the foreigner for one. A bitter story has taken shape inside me many times when I reflect on the fate of the undocumented. The rejection of a category of defenseless people will soon lead us to the rejection, and even the elimination of other similar categories, such as indigenous peoples, the elderly, terminal patients, etc. Whereas Plautus and later Hobbes argued that *homo homini lupus*, today we have to accept the historical challenge and dare to dream that *homo homini frater aut amicus*.

On this same line of thought, whoever chooses the migrant and undocumented for a fellow man or as an object of his or her Christian ministry, or simple humanitarianism, sits on top of a barricade that many want to tear down. The same happens with the builders of peace and justice, the defenders of human rights and of minorities in general. Peace and human coexistence have their price, a bit of death to the protagonists. To accept and defend the undocumented is to take their side, to become a sign of contradiction. We come out smelling of migrants, foreigners and undocumented, renewing on our skin the biblical passage from Exodus 23, 9: *You smell as foreigners because you were foreigners in Egypt*.

Facing the rejection that society could throw at us because of our option, I want to remember the blessing that the Bible entrusted to the people of Israel, and that constitutes until today in my experience the basis for peace, the Biblical Shalom: *May Yahweh bless you and shelter you; and show you his face and grant you peace* (Num. 6, 22).

Retaking the starting concept of liquid societies, the migration challenge can today constitute a basis from which to begin to rebuild solid points. The migrant bets on the future, believes in a positive development, accepts risks, and in the end, he is the one who bets on the receiving country, considering it, in the end, a good one. Rejecting the migrant is, fundamentally, in my experience, a signal of fear and uncertainty, by an old society that feels its life and its dreams are slipping between its fingers. What has renewed me, in any border, has been the creativity of the migrant to invent, day by day anew, the reasons for his hope. This is the magic word, dead long time ago in the language and the conscience of many workforce

receiving nations. When the concept of hope disappears, the future has also disappeared.

To transform migration into a historic, social, economic, and political meeting of minds is to reinvent the feast of life, of coexistence, of the event that turned Babel into Pentecost. Here a denunciation and a condemnation are raised against all types of cloning perpetrated by dominant cultures through fashion, advertising, or economic and political models. If it is true that we have transformed the world of migration into a huge eBay where we buy and sell and transfer the cheapest and most convenient source of labor, we must also accept the risk of entering an eBay marketplace where different values, other cultures, and diverse worldviews will challenge ours.

The other university in my life has been the border, a meeting place where I have gone beyond the limits of my defenses, letting them down, and opening myself to the richness of others.

Please allow me to highlight this fact: In erecting walls and borders we fool ourselves into believing we are defending our identity and our wealth, and we don't realize that we are shutting ourselves inside our limitations. We delude ourselves into thinking we have everything because we have enclosed our world inside a nutshell.

I do not mean by this to overlook the many adventurers, bandits, and swindlers who get mixed along with the honest migrants. This is not a new phenomenon. Italy exported, along with its workforce and its people, mafia and fraud. Migrants, as we know, are of above-average IQ; so it should come as no surprise if at any given moment someone realizes our so-called developed world's weaknesses, our dependency on drugs, alcohol, easy money... and throws us the bait.

I would like to finish with a poem that perhaps will say more than all of these reflections.

## BORDERS

Man was born a *viator*,  
a pilgrim without land,  
treading as a foreigner  
on expanses without owners.

He once learned to open pathways  
like the rivers,  
seeking heights after the birds,  
sleeping under shelter of the sky.

One day he learned of fear,  
that faceless, nameless ghost:  
fear of the other,  
fear of aloneness,  
fear of himself.

He thus invented fences,  
wire nettings, barricades.  
He repainted the world map  
as a harlequin of patches;  
divided people, north and south,  
patricians and plebeians,  
and even classified the color of their skin.

Castles and fortresses,  
with their fences, motes, and trenches  
became borders,  
with a seat at the UN.

A Babel of languages returned:  
the passing of goods is smuggling;  
the transit of people, trafficking; and to be different today  
can sometimes be a form of terrorism.

The tragedy of our journey...  
We have traded freedom for a web of bunkers  
where we bury ourselves along with our Fear.

Egypt fell. So did Rome  
and Jerusalem with its temple,  
and war monsters...

The day that borders fall,  
will man still stand, thirsting for freedom?

## **Rev. Claudio Holzer**

*Director of the Welcome Center for Migrants, Chicago*

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I want to share with you my experience as priest in the parishes of Our Lady of Mt. Carmel and St. Charles Borromeo in Melrose Park, Illinois, and as a member of the board of the Illinois Coalition for the Rights of the Migrant and the Refugee. This morning, in this Forum, somebody said that the human being is the center of our attention. In this brief presentation I want to share a very specific project that can serve us to see a definite way of “not fearing the other, not fearing the diverse,” as mentioned earlier. I also want to explain what we are doing in a specific place, the suburb of Melrose Park in Chicago, Illinois. We are giving a local, specific answer to a global problem. This presentation is an example, a specific way to help the most needed human being: the migrant.

I consider the religious dimension to walk with the human and social aspects of our lives. As a priest, my parishioners not only hear me talk about God's love, but they also see me carrying out this love with specific actions. The project that we are promoting is a way of helping the immigrant, is a way of building bridges: first, a bridge with God's people, and second, a bridge with authorities, with politicians, with civil society institutions and with all, for the good of all. In this sense, I remember a phrase of the founder of the Congregation of the Missionaries of St. Charles, Scalabrinians, Blessed Juan Bautista Scalabrini: “Where God's people are suffering, there is the Church.” How are we going to promote a peaceful coexistence between borders?

When I answer this question, I'm not talking about geographical borders between two nations, but the borders that also exist in our social groups, in our workplaces, in our cities, and also in our parish communities. In my parish community, we have people who speak Italian, English, Portuguese, and a Spanish-speaking majority, all of them intertwined by sharing the same space. How do we help the different groups?

First, I am going to talk about the Illinois Welcome Center, a government office which is the first and so far the only one in the United States. For profit and nonprofit organizations, the community alliance, the church and its community center, community outreach programs, the

government, and the local authority all of these entities collaborate with [The Welcome] Center or they are associated with it; in sum Casa Jalisco is an example of interaction between two countries, one in United States and the other in Mexico.

I begin with the words of the former governor of Illinois, Rod Blagojevich, on the role of the immigrants: *“Immigrants bring desire to work, strong family values, and desire to improve. The state of Illinois is a leader in adopting new laws to help the immigrant integrate to our society. Together we can take this to the next level, and ensure that the immigrants continue to play an important role in Illinois.”*

Statistics show that 13 percent of the resident population of Illinois is made up of immigrants. Immigrants and children of immigrants are 26 percent. Their participation as voters made the difference in the last elections of our new president. Seventeen percent of Illinois' workforce is made up of immigrants, and 46 percent of new homeowners in the state of Illinois, are immigrants.

### **Illinois Welcome Center**

The Illinois Welcome Center is a group of interrelated agencies. The purpose of the center is to facilitate the integration of immigrants and refugees into their new lives in Illinois. We recognize the cultural, social and economical richness that the immigrants bring to the state and we try to take advantage of this potential.

The purpose of the welcome center is to provide an array of state services in one place, to provide correct information and refer them to state services, offer seminars and sessions with a variety of themes, and to be a safe, open place where classes can be held. There is also a mobile unit that provides state services to different communities.

Why a welcome center in Melrose Park? The great majority of the immigrant population now lives in the suburbs. Since there is no space to live in the city, and the nonprofit agencies continue to be concentrated in the center of the city, this suburb became a good home for the Welcome Center because of the absence of services for immigrants. It is also a good place to collaborate with both religious institutions and state agencies, but the main reason is the great need for services in the immigrant community, which represents 70-75 percent of the suburban population. In the past, services

were far from the immigrants and it was hard for them to seek help or for the agencies to come to them. The Welcome Center intends to create a simple, fundamental concept for success: to create a single point for immigrants to access all the services needed for them to integrate with American society, either through direct assistance or referral to other specialized agencies.

The benefits of serving the community are the following: immigrants can participate in their communities, find jobs, receive job training, advance their own educations, share in the education of their children, find housing, learn English, request social services for their families, ensure healthcare, and obtain citizenship information. These are specific answers to the needs of immigrants, a collective service with a common goal: to better the lives of the members of the community. We have a state that cares about its residents and is responding to their needs.

### **The Community Alliance**

The second part of this model was to locate all the agencies that did not have an office in Melrose Park. Currently there are more than 40 agencies that work with us, the majority of which are nonprofit. We also work with the school district, hospitals, and other institutions that serve the needs of the immigrants. This is the purpose of the Community Alliance: all working to better the situation of the immigrant population in Melrose Park and the suburbs. We are in the process of creating a general directory with all the immigrant services.

### **The Fundamental Role of the Church**

The role of the church is fundamental to this model. The community, in this specific context, in this model, has some important features, such as the trust among church leaders. In Melrose Park, more than 50 percent of the population is undocumented. That is why immigrants don't go to government offices. They don't go to hospitals, because they don't have health insurance. The church is the fundamental means of obtaining information and services. As a church, we also have direct and immediate communication. Every Sunday, we can talk directly to approximately 10,000 people. The church is a place to pray, share, grow, learn, celebrate and meet with family. The church is seen as a unifying vehicle, as a bridge, what we were talking about today.

## **The Community Center**

The community center is a welcoming home for all. At the community center, we do not ask for a baptismal certificate, or passport, or visa. All are welcome. We provide direct services, groceries, immigration legal assistance, formation and information, personalized advice and work sessions. The center also provides indirect services, helping people to find solutions to their problems, using all existing resources in the area, including the community alliance and beyond, because we work with many agencies.

The local government plays an important role in this task. I will explain it with a simple example. Everybody thought: What happened in cases of domestic violence at the homes of people without papers? No one calls the police because they are scared. Yet, they can, even those without documents. We began with workshops and seminars with the police, so they would learn to properly respond to these situations. We also did seminars with immigrants, from which two groups emerged to advise and support victims of domestic violence. There is also financial aid and help with integration issues.

## **The Example of Casa Jalisco**

For the first time, a state in Mexico, in this case Jalisco, assisted by providing millions of dollars, which represents three one-hundredths of what Jalisco receives in immigrant remittances, to build a cultural center that can serve their community not only as cultural venue, but also help with migration issues and other social problems. It is an example of the success that can be attained with the collaboration of all.

The key to all of it is that it does not matter if you are a Republican or Democrat, Catholic or non-Catholic; the important thing is that everyone can work together to improve the integration process for immigrants.

Thank you.



## **Mrs. Rosana Mejía**

*Migrant, Guatemala*

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Good afternoon, ladies and gentlemen. My name is María Rosana Mejía Marroquín, and my daughter is here with me. I migrated to the United States looking for a better future for myself and my family. I arrived in Postville, Iowa in July 2005. I worked for some time, and there I met the father of my child; later I got pregnant, and I stopped working for a while. After delivering, I took care of my baby girl for no more than two months. My husband's salary was not enough to cover expenses in the United States, and I had to return to work. I worked nearly one year and five months, until May 12<sup>th</sup>, 2008, the day of the raid.

That day, May 12<sup>th</sup>, was a tragic one for me, as well as for my colleagues who were there, because we had dreams, hopes, and because we were certain that in the United States we could reach whatever dream we wanted. That day, we were quietly working, when suddenly everybody started yelling and running. I was very scared. I did not know what was happening. I was lost, I don't know how to explain it to you; I was in shock. Later I heard that it was immigration agents that were arriving. I ran and I tried to hide because of my baby girl, as the father of my daughter was in another state. My brother and my father-in-law were also working at the plant. I hid, but it was impossible to hide with so many eyes from so many immigration agents. They found me and threatened me with a gun and told me not to move. I felt so scared, I felt like a little animal in the hunters' hands. Even though afterwards they told me that they were releasing me due to humanitarian reasons, I spent about three and a half months having to wear an ankle bracelet. And, when I would ask what was going to happen with my baby girl, they told me: "That's not our problem, we don't know." Finally they allowed me to come back to my country with my little daughter.

Thank God, she is with me and... [*Editor's note: while Rosana was talking her daughter began to cry.*] I no longer have words to express myself.

Thanks.

## **Mr. Marvin Danilo Pérez Gómez**

*Migrant, Guatemala*

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Good afternoon to everyone. My name is Marvin Pérez and I describe myself as a victim of the raid in Postville, Iowa, on May 12<sup>th</sup> and deportation on October 11<sup>th</sup> of last year. There are many reasons why we emigrate, and the main reason is poverty, lack of opportunities and the discrimination that many of us who live in Guatemala suffer because we don't have an elementary education. That and many other things are the ones that make us emigrate, mainly need and poverty.

I want to state that all that pushed me to travel illegally to the United States was discrimination, because I found out about an opportunity to travel legally to the United States. I found out that there was an opportunity to plant pine trees in the state of Mississippi, earning \$30 for each 1,000 pine trees planted. I repeat: I attempted to emigrate legally. But the day we met with the supposed recruiter, he informed us that he would charge \$2,000 to take us to work legally to the United States. Thus, I committed myself to this \$2,000 debt so he would get us the interview at the U.S. Embassy.

On the day of the interview, what we obtained was nothing, because the moment we walked into the Embassy of the United States, we realized the consular officials were making fun of us, perhaps because of our physical appearance. Each of us went to the corresponding official for the interview. We assumed that what we were looking for, the fifty of us who went, was an opportunity to legally work in the United States, but the first thing they asked us was if we had bank accounts, credit cards, if we owned properties, despite them knowing full well that what we were applying for was a visa. At that time it was an H-2B visa, a work visa, and they denied us, but by their gestures we knew they were making fun of us. They laughed at us and said: "What, do they think... it's so easy to get into the United States?"

Already having incurred my debt with the supposed recruiter, I had no choice but to get more money to pay a "coyote" to take me, so I could repay the first debt. I paid 40,000 quetzals to a "coyote" to take me to the United States.

In Postville, there were many friends that had immigrated earlier

and were working there at the meat processing plant where we were arrested. I got there, thank God I arrived, after much suffering on the road. At that company, they were exploiting us to the maximum. They made us work many hours and they did not pay us for all the time we worked. They exploited us, yelled at us, and they knew we could not complain to anybody because we had no papers, because those people knew we were immigrants.

There are many things to tell you about what it was like inside that company; however, because of lack of time, I will not be able to tell all. The day of the raid, that was a horrible day! I knew that I was illegal in the United States; I knew I had violated the law by crossing the border illegally, and I knew that at the moment of my arrest, my deportation was inevitable and something imminent. I was certain of that.

When they got there and they arrested us, I thought it was going to be a quick deportation, perhaps, at most, one month in jail, and afterwards I was going to be deported. But it was not to be. They arrested us; they mistreated us, yelled at us, and insulted us in Spanish. And the saddest part is that the people who yelled at us and insulted us were people of our same color. People who, because of the time spent there, had obtained their residencies and taken those jobs, and those people were the ones abusing us the most. Afterwards, they put us inside some cages. We looked like dogs, like chickens inside cages, suffering cold and suffering hunger. Chained and shackled, they wouldn't even free our hands to eat; with our hands chained around our waists, they gave us food and they placed it in front of us, and we did not have anything to grab it with. We had to bow our heads, with our hands stuck to our waists, chained, all while they mocked us and humiliated us. They would not allow us to go to sleep, and the worst came afterwards.

After all of this came the court proceeding. They charged us criminally. Supposedly, in the United States, we, the group of 270 detainees, are now criminals; we have a federal number in the United States, and the saddest part is that I hoped to reach an immigration detention center. However, on the third day after the raid I was inside a state prison, mixed with a whole bunch of criminals; I think this is not fair. I have always respected the laws, I have respected them here in my country, and I also respected them there, because the most I ever did was to work; going from work to my room, from my room to work, and that was all I did. What I want is for them to answer my questions: Why so much hate? Why so much

rancor against us, when all we had done was to look for the means to bring food home? If we didn't have persons depending on us, things would be different, but we were compelled by poverty. That is all we know. The only thing I returned with was the "why." Why do they hate us? Why so much rancor? Why did they violate our rights? What is immigration for them? Immigration is also a crime now, isn't it?

When I was there, with everything that they were doing to me, my only thought was my daughters. I felt that when they were humiliating me, despising me, they were doing it to my daughters. Now, the only thing I ask, and I am grateful to all of you who are interested in migrants, is: Don't simply come to see us to ask us: "Hey! What happened? How was it?" But come and help all of us that were deported home; especially those from the group of 270, those of us arrested in Postville, because for all I know, we are the first group that they have criminalized, to whom they have given criminal records and have imprisoned us for the longest time.

I want to thank the persons who brought us to this place, and to thank all of you for paying attention, and for supporting all the migrants that are there, and ask those who are working, for instance, at the Consulate in the United States to pay more attention to Guatemalans who are arrested, because, at the Consulate in Chicago, the only thing they told us was: "That's the way life is. I'm sorry, gentlemen, but we cannot do anything for you; all we can do is expedite your deportation." However, nothing happened in expediting our deportation, either. Thankfully, it was the Consulate in Miami that learned about our case, came to see us in jail, was concerned about us, and hired lawyers. The day we finished serving our sentence was October 11<sup>th</sup>, 2008.

The day before, they took us out of prison, and we spent only one night at the Krome Immigration Detention Center, and on Saturday, October 12<sup>th</sup>, we were deported. I thank the Consulate in Miami and Dr. Erik Camayd, who was present and visited us in prison.

The only thing I ask of the Guatemalan Government is: Pay more attention to the people who are in the United States, as well as those of us who are returning. And to all of you too, thank you for listening to us and supporting us and God bless you.

Thank you.

## **Mr. Mardoqueo Valle Callejas**

*Migrant, Guatemala*

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Good afternoon, everyone. I first want to thank God for giving me the opportunity to express and testify to the suffering each of us goes through when we flee our country for the United States. I also thank my friend, Luis Argueta, and our friend Erik Camayd. Because of them we are here today. For us it is a moment of joy to be able to share with each of you the suffering each one of us went through. Just like you heard the words from my colleague Marvin, so am I one of the persons deported from the state of Iowa. We who have been deported have been humiliated by the authorities of that country. The reason why we have been humiliated is for the bitter need each one of us has suffered in our home country.

I went to that place because I had a need. I have a wife and five children, and I knew that here in Guatemala I could no longer do anything for them. I needed to earn the means to support my children, my wife, including my mother, with whom I've lived since I was seven years old, when my father died. I started working when I was ten years old, earning 1 quetzal per day. Earning six quetzals a week, I gave my mother five for expenses and I kept one for Sundays. I grew up, got together with my wife, and we had our family.

When I felt propelled to flee to the United States, I did not have a way to travel to that place. The only thing I had was the inheritance that my poor mother had given me; I had to fall back on it. I mortgaged my inheritance and traveled abroad with a 60,000 quetzals debt. I arrived at that place without imagining all that was going to happen to me and all the suffering I would have to go through. We began to work, and thank God we had the opportunity to work in that company. But when the job was finally taking shape, the authorities raided it and did not allow us to remain there. Later, they transported us to several prisons. Personally, I went through five prisons in the United States. These were sad and painful moments because, as my colleague was saying, the suffering I experienced in those places, and that my children and my wife experienced here for five long months without the consolation of receiving any money for expenses or for everyday food. I was a prisoner for five months. All of that time, we could not communicate

with our families because we did not have any money to call and check with them about the situation we were in. The only thing we asked God is that God would bring us back to our country again, even with debts and the fear of finding my wife and children homeless, without the house I had left them, because I was unable to repay the accrued debt.

What I was afraid of when I was in prison is exactly what happened, because when I got here, my wife was no longer where I had left her. She was in another place; but now I pray God that He helps us and strengthens our faith to continue forward, so I can work again.

I know that we don't have anything. Since October 11<sup>th</sup>, when I arrived here, I have not worked a single day. I have not worked because I can't find a job. I don't have a job to earn the means to support my family, but I pray God that between tomorrow and the day after tomorrow, He gives me a job to earn the income to support my family. I am grateful to all of you for considering us, and we ask the authorities of this country, as well as those of the United States, to have a little bit more concern with all the migrants still there. They are there without their families; there is nobody to take care of them. I also ask that you think about us, the deported. We also need your collaboration, from each of the attendees here, and from the highest authorities.

Thank you for the privilege you have given us in allowing us to share with you. God bless you on this afternoon.

Thank you.

## **Mr. Luis Argueta**

*Movie Director, Guatemala*

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### **Introduction by Dr. Erik Camayd-Freixas**

*Professor, Florida International University (FIU) and Federal Interpreter*

Good afternoon. My name is Erik Camayd. I would like to make a very brief introduction to the documentary trailer we are about to see, produced by filmmaker Luis Argueta, about the town of Postville, Iowa, and the immigration raid that took place there on May 12<sup>th</sup>, 2008.

The story of Postville will open your eyes and shake your deepest human and patriotic convictions. It is at once an epic story of survival, hope, and humble aspirations, of triumph, defeat, and rebirth. You will see the profound personal sacrifice of dozens of simple parents, toiling to secure a dignified future for their children, tragically fall prey to a secular injustice, and yet rise as a living and enduring testament to the human spirit. This is the story of a Heartland town struggling to survive and keep together its multiethnic fabric against the arbitrary shredder in the blades of prejudice and globalization. It is the spectacle of the world's most powerful government crushing the lives of the most humble and destitute. But it is also the momentous history of a community and a nation rising together to reclaim its democratic values, its humanistic spirit, and its rightful place in the community of nations, as the last champion of liberty. At every corner of this moral saga was the unblinking lens of Guatemalan-American filmmaker Luis Argueta. Thanks to his vision the silenced masses now have a voice, and the epicenter in the most crucial social struggle of our generation, finally, has an all-too-human face.

### **Testimony by Mr. Luis Argueta**

*Movie Director, Guatemala*

Ladies and gentlemen: good afternoon to everyone. I will try to be brief. I will give you a report on the situation in Postville, Iowa, and I will focus on four points: the situation of the women in shackles, the situation of the minors, their legal situation, and lastly the situation of the group of Guatemalans who were recalled as material witnesses in the legal

proceedings against the company that employed the undocumented immigrants, their managers and owners.

First: Today, eight months and 17 days after the most brutal immigration raid, the most costly, and one of the largest in the history of the United States, in Postville: 30 adults, 29 mothers and one father, await resolution of their situation. They wait while prohibited to travel outside the county; they wait while prohibited to work; they wait while wearing electronic shackles on their ankles, the same ones that during the past eight months and 17 days they have had to connect to a wall outlet for two hours every day. That electronic shackle that humiliates them, burns their skin, that produces pain in their bones and muscles, fear in their children, fear of watching their parents plugged in to a wall like an electric toaster and fearing that they will be electrocuted, the terror to think that when they return home from school their mother will no longer be there. Perhaps that is why these traumatized children refuse, now more than ever, to go to school, and they wet their pants at night and during the day without even realizing it.

Second: Today, eight months and 17 days after the most brutal immigration raid, the most costly, and one of the largest in the history of the United States, in Postville: 17 minors await the resolution of their situations. They wait without wanting to go to school, with the pressure that their families in Guatemala place on them to stop studying and find jobs, so as to start sending the money to survive, to go to the doctor, and to buy medications.

Third: Today, eight months and 17 days after the most brutal immigration raid, the most costly, and one of the largest in the history of the United States, in Postville: 30 parents, heads of households, 17 minors, and approximately 57 dependents, in total more than 100 immigrants directly affected by the raid, all with legal charges pending against them, have a roof, heat, food, and legal counseling, thanks to the ongoing ecumenical efforts centralized at St. Bridget's Church. I ask: Out of that charitable cost of \$80,000 per month, how much is the contribution of the Guatemalan government and/or the Guatemalan institutions that support and protect migrants? I believe it does not exceed zero.

Fourth: Today, eight months and 17 days after the most brutal immigration raid, the most costly, and one of the largest in the history of the United States, in Postville: 30 workers who already served their five-month sentences, 4,500 days in total, have been retained and returned to Iowa as



material witnesses against the meat processing plant, its managers and owners.

Let's remember that the sentences of those 30 workers, together with the other 202 who have already been deported to Guatemala, were the product of an illegal entrapment, which attorney David Wolfe Leopold, President of the American Immigration Lawyers Association, in his testimony before the United States Congress on July 24<sup>th</sup>, 2008, called a "travesty of justice." These 30 workers wait, shivering with cold in the implacable Iowa winter, to be used by the same government that, on May 12<sup>th</sup>, 2008, arrested them with premeditation and malice aforethought at a place for chopping meat, where they were abused and exploited daily. And during their exasperating wait, these 30 workers had to plug themselves into a wall for two hours every day to recharge the electronic shackles on their ankles. Those 30 workers were returned to Iowa penniless. "The government does not have any money," is what they told Byron López Lux, a native of Chimachoy, Itzapa, Chimaltenango, when he asked them if they would live on air. This same government that now says it does not have the money, spent \$5.2 million on the May 12<sup>th</sup> raid alone. Those 30 workers have work permits that took weeks to arrive, but they do not have jobs. Those 30 workers live with the anguish of not knowing for how long those permits will be valid. And, sooner or later, like the other 202 from Postville, and another 28,000 Guatemalans in 2008, they too will be deported to a country that, until now, has only offered them poverty, violence, and death. A country where Rosa Zamora, one of the shackled women from Postville, has a mother sick with Alzheimer's living in a shack, in Calderas, and waiting for death to arrive, because her daughter can no longer send money for medications. A country where José Asyool Gómez cannot sleep thinking about the 35,000 quetzals he borrowed at a 10 percent monthly interest, of which he has not paid one cent, because on May 12<sup>th</sup>, 2008, he had only worked for two months at the company. A country where Mercedes Gómez, single mother of two, was deported on October 11<sup>th</sup>, 2008, after serving her five-month prison term, and after she denied having children, was horrified that they would put them in prison with her. Mercedes Gómez today has been eight months and 17 days without seeing Dani, who remains in Postville under the care of her aunt, María Laura.

A Guatemalan legend tells how *La Llorona*, a Crying Woman driven mad by her attraction for a foreigner, drowned her children in the river.

Migrants, and I include myself, because we all are migrants, are the remaining children of the *La Llorona*. We are those who fled so as not to die like our siblings, drowned in the river by our mother country. Today, forced to return, *La Llorona's* other children anxiously ask themselves if the mother country will drown them like their brethren, or if she will help them rebuild their lives and become bridges of peace. Now we will see a short trailer, seven minutes long, from what will be a feature-length documentary, which my dearest friend and colleague Vivian Rivas and I are directing.

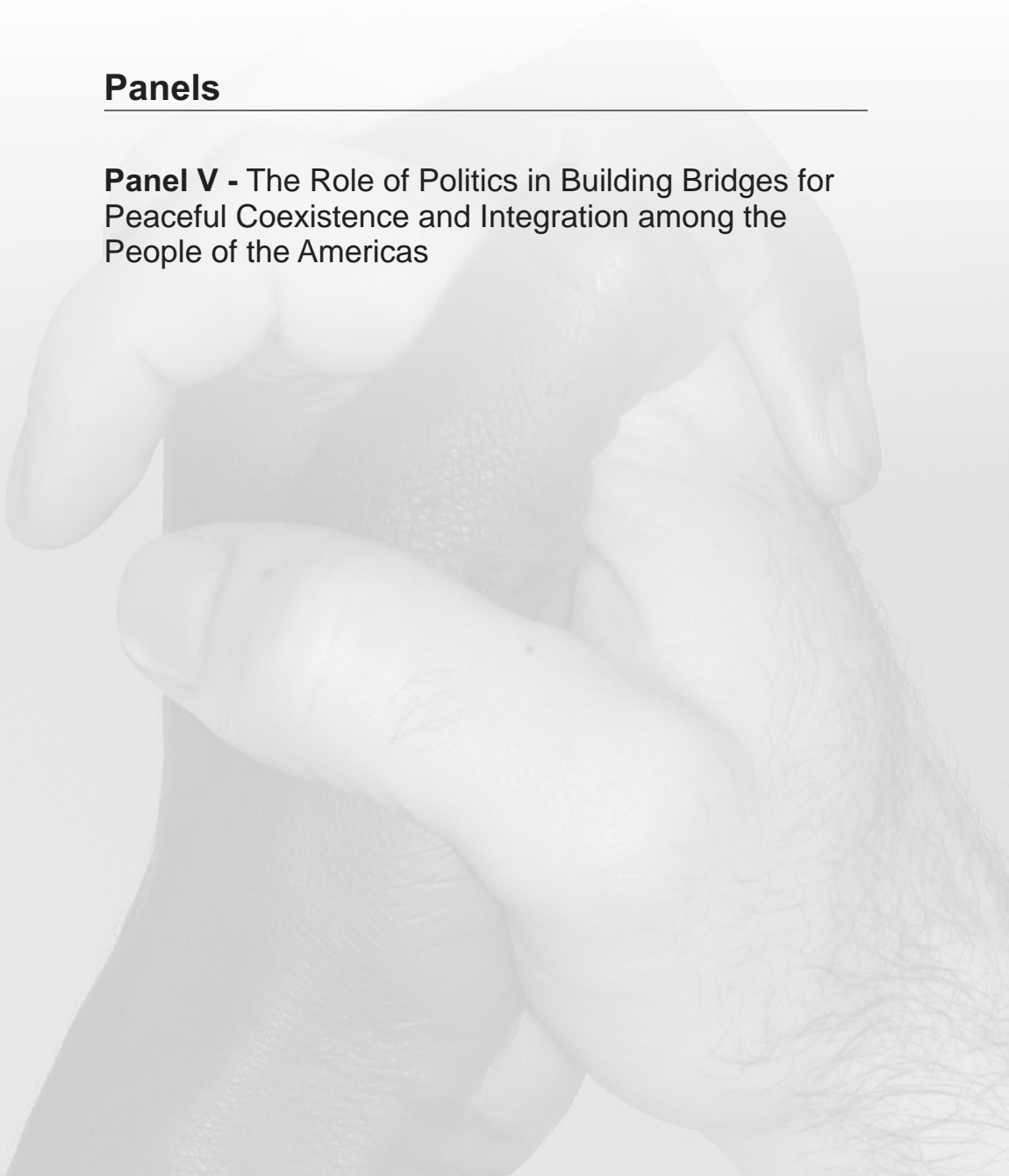
Thank you.



## **Panels**

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**Panel V** - The Role of Politics in Building Bridges for Peaceful Coexistence and Integration among the People of the Americas





## Introduction

### **María Isabel Sanza Gutiérrez**

*Legal Advisor, SIMN*

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Good morning, ladies and gentlemen:

The second day of this First International Forum on Migration and Peace starts with a debate on: “*The Role of Politics in Building bridges for Peaceful Coexistence and Integration among the People of the Americas.*” The speakers on this panel are individuals and/or representatives of institutions that have received, or have been nominated for, the Nobel Peace Prize, in recognition of their political and humanitarian work.

Our first speaker is Dr. Josef Merkx, the representative of the United Nations High Commissioner for Refugees (UNHCR), an organization that received the Nobel Peace Prize in 1954 and 1981. Next, Dr. Luis Alberto Cordero Arias will have the floor. He is Executive Director of the Oscar Arias Sánchez Foundation for Peace and Human Development, created by Oscar Arias Sánchez, president of Costa Rica and 1987 Nobel Peace Laureate. Finally, Mr. Jorge Jamil Mahuad Witt, former president of Ecuador and candidate for the 1999 Nobel Peace Prize, will address this Forum.

In their respective talks, our speakers will present different perspectives on the role of politics, in this very crucial moment in history, in building bridges toward a peaceful international coexistence and integration. Politics today seems to be building walls instead of using all the tools at its disposal to advance in the construction and development of a pluralistic society, enriched by the variety of cultures, traditions, and faces that paint the rainbow of every modern city (modern city and today's world is the same thing). We speak here about the kind of politics that does not use people as mere objects or tools but, instead, is an instrument at the service of the people, and not an end in itself; politics that does not turn a blind eye to reality, but looks at each human being and sees the fullness of history in all persons; a past that led them to where they are today, and a future they try to build each day. Such politics cannot ignore the fact that every single person, even if considered a “foreigner,” participates in building the society he or

she is a part of, or wants to be a part of, provided that he or she is allowed to do so.

The formulation and implementation of policies based on a new citizenship requires the commitment of all those involved to overcome situations of displacement, to reject the violations of human rights, to put an end to the abuses at the borders we ourselves have erected and to eliminate the vulnerability so many people feel when they find no institutions they can trust. Education and the right to information are fundamental building blocks in developing these policies. Only through the free access to information can we become aware of the obstacles our countries place before nationals and foreigners, as well as those in transit. Furthermore, only through access to an education based on freedom and the shared responsibility of every person (and particularly our children) can we succeed in building a world that lives in peace and enjoys equality. It is only through clear and transparent information about the rights and duties affecting our lives and our decisions that we may recognize that all of us, citizens, people on the move, migrants, displaced persons and refugees, are actors in our lives and of the societies where we live. It is only through the communication of such rights and duties that we become aware of each person's responsibility in building a shared society. Nationals or foreigners, documented or undocumented, we cannot escape being the protagonists of our own existence, with everything this entails. We are all members of the society we live in and we all have an influence on it through our active or passive participation. Education and access to real and objective information makes us all aware that we are born with the right to a dignified life and the individual responsibility to build one, as well as the social responsibility to do so together with others, as subjects of the same fundamental rights.

The country that is able to generate and implement policies and structures that are guaranteed to all who live inside its territory access to an equal education, freedom and responsibility; and guarantees the right to information in order to build and strengthen self-examination; and consolidates its people's rights and opportunities will be rewarded with a strong, pluralistic society, based on a peaceful coexistence through mutual respect and the recognition of the other as an equal.

The role of politics in the creation of bridges for peaceful coexistence acquires a particular relevance today. We have been invited to

come to Antigua by the Scalabrini International Migration Network, an organization with a strong commitment to advocating for the human rights of migrants. This organization was created by the Scalabrinian Missionaries. Today, January 30<sup>th</sup>, is a special day for them because it is the anniversary of the ordination of their founder, the Blessed John Baptist Scalabrini. The Blessed John Baptist Scalabrini was a man of great social, religious, and political commitment, which led him to become an advocate for migrants and to support them, not only in their religious needs, but also through the creation of the Scalabrinian Religious Congregations of missionary men and women; and through vehement advocacy in the governments of the main receiving countries, in order to promote conditions under which migrants could prosper away from their countries of birth, while being recognized as persons endowed with full rights.



**Mr. Josef Merkx**

*Representative of United Nations High Commissioner for Refugees (UNHCR), 1954 and 1981 Nobel Peace Prize Laureate*

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**Borders: 'Walls or Bridges'**  
**The State of the World's Refugees: Challenges and Answers**

Distinguished guests, it is a great honor to represent the UN High Commissioner for Refugees at this important Forum on migration and peace. Although the refugee agency received a limited mandate in the wake of World War II, it has since been working in many crisis situations, protecting civilian victims of persecution and conflict. Like other participants in this event, UNHCR has been awarded the Nobel Peace Prize. In recognition of its refugee work, the agency even received the prize twice: in 1954 and 1981.

Although the world has changed drastically over the years, UNHCR's humanitarian work has not diminished. On the contrary it could be said that refugee work has become more urgent and complex, particularly after the end of the Cold War and after the tragic events of September 11<sup>th</sup>, 2001. The refugee definition as reflected in the 1951 Convention is, however, still relevant, even though new forced displacement dynamics have come to the fore and preoccupation with national security has increased. We could ask ourselves: who in today's world does not mistrust asylum seekers, often seen as potential terrorists and as a problem of national security? Unfortunately, international protection for refugees is still very much needed and will most likely be needed in the future.

In my presentation I want to focus on six major challenges the UN Agency for Refugees is facing: new humanitarian emergencies, the asylum migration nexus, protracted refugee situations/search for durable solutions, environmental refugees, internal displacement and the current situation in the Americas.

**1. New Humanitarian Emergencies**

When talking about current emergencies, I will quote several

statements High Commissioner, Antonio Guterres, made in the UN Security Council on January 8<sup>th</sup>, 2009.

In Iraq, with the improved security situation, UNHCR is working hard to help the government create appropriate conditions for the voluntary return and sustainable reintegration of several million refugees and internally displaced persons. However, there is a long way to go. Voluntary return must take place in safety and dignity. It is therefore imperative that states preserve the asylum space that they have made available to Iraqi refugees throughout the past five years in the region and beyond. More than two million Iraqis are still hosted mainly by Jordan and Syria in a very generous way and a similar number remain displaced inside the country.

Full support is required for those countries and organizations that are bearing the brunt of the Iraqi exodus, both by means of material assistance and through the expanded provision of resettlement opportunities to those vulnerable Iraqis for whom voluntary repatriation will not be a viable option.

To prepare for sustainable returns, the agency plans to further expand our presence and activities in Iraq as the evolving security environment permits.

In Darfur, an appalling humanitarian and human rights disaster persists. More than two million persons remain displaced internally and, just in Chad, nearly a quarter of a million Sudanese have sought refuge.

Without a political agreement that involves both the government in Khartoum and the different rebel movements, there is a risk that the UN-AU mission will be unable to meet the security expectations of the affected populations. This would represent a terrible blow to the people first of all, but also to the credibility of those organizations and the international community as a whole. Even if a comprehensive peace agreement can be established, the international force strengthened and impunity ended, a massive investment will be needed to re-establish the social, economic and environmental equilibrium of the area, ensuring harmony between different ethnic groups, farmers and herders, and overcoming the tensions created by dwindling water resources and high population growth rates.

In Somalia, the hardships endured by its people are well known. With more than a million Somalis already dependent on food aid, any further limitations on humanitarian access could lead to additional population

displacements of a daunting magnitude. The burden placed on neighboring states, including Kenya, Yemen and Djibouti is already enormous. Any further deterioration would stretch regional capacities beyond breaking point and could generate a catastrophe of unprecedented proportions.

We cannot avoid mentioning the current situation in the Gaza strip. UNHCR is not present in Gaza. A sister agency, the UN Relief and Works Agency, was created before UNHCR existed to address the needs of Palestinian refugees in the area. While we may not be directly involved, it is impossible for UNHCR not to make reference to the current political and humanitarian crisis. In Gaza, the civilian population is not even allowed to flee to safety elsewhere. UNHCR wants to express its firm solidarity with the UN agencies in Gaza and restate the call that was made earlier for a strict adherence to humanitarian principles in and around Gaza, including respect for the universal right to seek and enjoy asylum.

I have just described four refugee situations, but want to reiterate that many other situations do worry the UNHCR. Let me just mention some other countries with serious refugee situations: Democratic Republic of Congo, Zimbabwe, Georgia, Sri Lanka and Colombia. At the end of my presentation, we will focus more on the Americas.

## **2. The Nexus between Asylum and Migration**

International migration is a defining characteristic of the contemporary world. It is estimated that there are close to 200 million migrants; in comparison, the total refugee population is estimated to be 14 million. Throughout the globe, including the Americas, people are being pushed beyond the borders of their own countries by armed conflict and natural disasters, and attracted to other states by the prospect of better security and opportunities than are unavailable at home. At few times in human history have so many people been on the move from one country and continent to another.

International migration makes an enormous contribution to our economic, social and cultural life. It helps to fill gaps in the labor market and provides billions of dollars to developing countries each year in the form of migrant remittances. It enables people to improve their education, to learn new skills and to make the best use of their talents. And it contributes enormously to the global exchange of ideas and information, enabling us all to experience a more varied and cosmopolitan lifestyle than was possible in

the past.

But migration also has a darker side, especially when people move because they are escaping intolerable conditions at home and when they do not have access to the passports and visas that would enable them to migrate in a safe and legal manner.

Throughout the world, refugees, asylum seekers and irregular migrants are being held in detention and subjected to physical abuse. Many face harassment, discrimination and exploitation, not least by the human traffickers and smugglers who prey upon people who are desperate to move. Sensationalist media coverage and political populism have contributed to the growth of racism and xenophobia, which are often targeted at the most vulnerable and visible migrants. In contravention of international refugee law, people whose lives and liberty are at risk in their own country are turned away from the borders of states where they hope to find safety and security.

For UNHCR, it is important to remember that all migrants, irrespective of their motivation for moving and their legal status, enjoy the protection of the core international human rights treaties. Let us also recall that among those on the move today are people who are fleeing from persecution and armed conflict, and who deserve to be treated in accordance with the 1951 UN Refugee Convention, which has now been signed by almost 150 states.

When that Convention was established, the international community expressed its 'profound concern for refugees' and underlined the need to ensure that they could enjoy 'the widest possible exercise of their fundamental rights and freedoms.' At a time when so many parts of the world are affected by violence, political turmoil and social disintegration, this must remain our objective.

### **3. Protracted Refugee Situations and Possible Durable Solutions**

UNHCR defines protracted situations as those in which refugees have worn that appellation for at least five years. When refugees first arrive they are often accompanied by a great deal of international attention and support. As time passes and solutions are not found, international attention and solidarity diminish. Refugees in protracted situations may be denied basic human rights for years. In most cases, the burden of hosting refugees falls almost exclusively on developing states. It is important to recognize

that the international community has not done enough to share that burden.

There is no single type of protracted situation. There are refugees in traditional camp settings, where the prospect of a durable solution through voluntary repatriation or local integration is meager or nonexistent. There are refugees who are substantially self-reliant but lack a legal basis for the continued stay in their countries of asylum. There are also refugees in urban settings who live in slums among the urban poor.

Relations with host communities can become strained. Depending on where and how many refugees arrive, national security concerns can be triggered.

What can we do?

Only through a concerted effort by the international community, with a true commitment for sharing the burden and the responsibility, can they be resolved. This will require the mobilization of additional resources for community development as well as effective humanitarian responses. The present financial and economic crisis might prove to be an obstacle in this context.

UNHCR is promoting a durable solutions strategy emphasizing three options: voluntary repatriation, local integration, and resettlement to a third country. For each refugee situation the appropriateness of these solutions will have to be considered.

Voluntary repatriation is considered the most favorable durable solution for refugees and host countries alike. This option is only viable if basic conditions can be guaranteed in the country of origin; return will have to be voluntarily and sustainable.

Local integration and the pursuit of self-reliance are an important durable solution for refugees who are not able to return home. Creative initiatives are required to promote local integration, focusing on employment or self-employment, adequate housing, and proper access to basic health and educational services.

Resettlement to a third country is an option for small numbers of refugees who face serious protection problems or have no options to rebuild their lives in the first asylum country. For resettlement to be the key to unlocking protracted situations, it must be conceived and used as a strategic solution, as well as a tool of protection.

For all durable solutions it is important to recognize that the refugee

population is not necessarily homogeneous and, for this reason, it is important to recognize and respond to different needs among refugees, based on the age, gender and diverse characteristics of the population.

#### **4. Environmental Refugees**

Recently the High Commissioner stated that “Although there is a growing awareness of the perils of climate change, its likely impact on human displacement and mobility has received too little attention.”

The process of climate change, and the multiple natural disasters it will engender, will in all certainty add to the scale and complexity of human mobility and displacement.

Climate change can take so many different forms in terms of how it impacts on migration or even on refugee flows. The first requirement is to get better analysis. The international community has focused thus far on the scientific aspects of climate change, with the aim of understanding the processes at play and mitigating the impact of human activity. Yet climate change is equally a humanitarian problem and challenge. As such it is of direct interest also to humanitarian agencies, including the UNHCR.

It is projected that climate change will, over time, trigger larger and more complex movements of population, both within and across borders. Since climate change is certain to have a major impact on future patterns of human mobility, approaches which address environmental issues in isolation from other variables and processes will not be sufficient to address the problem. Some substantial percentage of the people who will be displaced will be escaping conflict or persecution brought on by civil strife caused in turn by climate change. To provide international protection to 'environmental' refugees will be a growing challenge to UNHCR.

#### **5. The Internal Displacement Crisis**

In today's world, many victims of armed conflict and/or persecution flee, but stay within their own country. Instead of crossing an international border, a prerequisite for becoming a 'refugee', these victims become what we now call 'internally displaced persons' or IDPs. Currently, the number of internally displaced persons is estimated to be more than 25 million persons worldwide. In most cases, these victims have similar international protection needs as the refugees. It is important to note that the governments of the countries with IDPs remain responsible for their protection and the

search for durable solutions.

In recent years, UNHCR, in coordination with our sister agencies, has become more and more involved in internal displacement situations.

As is clear from the UN Guiding Principles on Internal Displacement, the solutions framework for displacement is substantially similar to that for refugees, but with some important differences. At present, for example, there are only a handful of modest individual country programs providing third-country resettlement. The principal solutions are thus return to one's place of origin or settle voluntarily in another part of the country.

As with refugees, restoration of displaced persons to their full human rights is vital. The embrace of a solution must therefore be free and voluntary and the solution chosen must be sustainable. In the context of displaced persons, this may require a higher order of support for reconciliation efforts than in refugee situations.

Large internal displacement situations are found in Sudan, Iraq, Democratic Republic of Congo and Colombia among others.

## **6. The Current Displacement Situation in the Americas**

Before, finishing my presentation I want to briefly focus on the Americas and UNHCR's main challenges in this region. Indeed, most refugees and internally displaced persons in Latin America originate from Colombia. According to estimates and the latest government figures, there are some three million IDPs in Colombia. Furthermore, there are a large number of Colombian refugees, some 400,000, in neighboring countries such as Ecuador, Venezuela, Panama and also Costa Rica.

Although improvements have been observed in parts of Colombia, there are still large regions suffering from armed conflict and ongoing presence of armed groups (both FARC/ELN guerillas and armed groups formed by ex-paramilitaries). Last year, the Norwegian Refugee Council, a respected private foundation, said that "forced displacement of civilians in the Americas is less a byproduct of fighting between armed groups than a military objective serving political and economic ends (EFE)." Control of territory by armed groups and clashes between them continue to produce Internally Displaced Persons and refugees.

It is important to mention that Latin America has a long

humanitarian tradition in dealing with refugee flows. During the time of the military dictatorships in Southern America, thousands of refugees fled to neighboring countries or further away to Europe or other parts of the world. In the eighties and early nineties the Central American wars produced many refugees who found shelter and protection mostly in the same Central American countries and Mexico. In 1984, Latin American Governments adopted the so-called Cartagena Declaration, providing a broader refugee definition and extensive protection to the victims of conflict and persecution. Following the refugee tradition, Latin American countries adopted important new refugee legislation applying international standards and norms. The same countries signed the Mexico Declaration, reconfirming their adherence to the principles of international refugee protection and demonstrating their solidarity in hosting refugees from within the region and from other continents.

It is this hospitality towards refugees, and migrants for that matter, which remains important in a continent that continues to see important migratory flows in which refugee protection is still needed. It was just over 60 years ago that the UN General Assembly adopted the Universal Declaration of Human Rights. Refugees have been able to avail themselves of Article 14 of this Declaration, the right to seek asylum from persecution in other countries.

Thank you for your attention.



## **Dr. Luis Alberto Cordero Arias**

*Executive Director of the Oscar Arias Sánchez Foundation  
for Peace and Human Progress*

*Founded by **Oscar Arias Sánchez**, President of Costa Rica  
and 1987 Nobel Peace Prize Laureate*

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### **Breaking Down Walls through Peace, Transparency, and a Renewed Sense of Citizenship: The Role of Civil Society in Central American Politics**

*“We build too many walls and not enough bridges”  
(Isaac Newton)*

Good morning, distinguished guests, ladies and gentlemen. It's a real pleasure for me to be here in Antigua, Guatemala to participate in the First International Forum on Migration and Peace, which is being organized by the *Scalabrini International Migration Network* (SIMN). Congratulations to them for convening a Forum on such a vital subject of our globalized age.

Central America is a land of stark contradictions. Once plagued by political turmoil and devastating civil wars in Guatemala, El Salvador, and Nicaragua, this region achieved the historic feat of successfully negotiating a peace agreement that moved beyond a cease fire. It also delineated a series of national and regional tasks to be accomplished in order to maintain peace, such as: reconciliation, democratization, free elections, aid for refugees and the internally displaced, arms control, and an end to the support of rebel groups. Two decades later, this same region is now the most violent and socioeconomically unequal in the world, as the rates of social violence and organized crime have increased to alarming levels. This situation is further aggravated by the uncontrolled proliferation of weapons among the civilian population. Central America has witnessed significant advancements in the legal recognition of the rights of women, youth, and indigenous groups; but beyond what is written on paper, in practice, minority groups remain underrepresented and continuously discriminated against. Democracy as a form of governance has made important strides in a region once under

authoritarian rule. However these new democracies remain moderately weak and deficient, as democratic institutions, values, and practices are not deeply rooted to their fullest extent within the Central American societal psyche, all further complicated by the wide and ever increasing socioeconomic inequality gap. The most evident contradiction presents itself in this reality, for how can democracy, the form of government whose cornerstone value is equality, prosper in the midst of such accentuated inequality. It is therefore within this context that the theoretically conflicting dichotomy regarding the current social and economic state of Central America becomes apparent and presents an overwhelming challenge to the political system. The multi-dimensional nature of the region's problems and unique circumstances undoubtedly requires historical sensitivity and cooperation from all sectors of the political system. While it is most appropriate for government to remain as the political frontrunner, with the chief duty and authority to tackle the aforementioned issues, civil society also has the responsibility of actively assisting in the process towards human progress. Its distinctive position as an organized, informed, and representative voice of the people makes it an ideal complementary agent to governmental actions seeking to consolidate democratic values that will lead to lasting peace, development and prosperity. Therefore, civil society can have an outstanding impact and best fulfills the role of "bridge builder" by encouraging political participation, aiding in the design and implementation of mechanisms of accountability for both public and private institutions, and fomenting a culture of peace, specifically by promoting a renewed sense of citizenship among the people of Central America.

### **The Developing Establishment of Democracy**

Democracy is the shared system of government in Central America, an outstanding political achievement for a region recently under the threat to succumb to authoritarian rule. All five countries have the most basic democratic institutional structures and mechanisms in place, and carry out, in most cases, competitive elections for all representative offices, for which they are rightly classified as electoral democracies. Central American countries currently share similar governmental structures comprising relatively weak executive branches presiding over fairly divided and moderate legislative branches. The lack of a strong majority is an obstacle to

passing concrete, specific, and targeted public policies, measures that are necessary for real change and development to occur. With respect to the judiciary branch, there are persistent barriers in access to rightful justice, especially because of a lack of transparency and accountability within the justice system, all evidently linked to the region's staggering levels of corruption. All countries have active political parties, and, with the exceptions of Guatemala and Nicaragua, the formation, disintegration and general dynamics of the region's political parties do not present a threat to democracy.

There is consensus that, indeed, the process of democratization in Central America is still incomplete and fragile. According to the most recent State of the Region Report (2008), there are five main aspects of the region's current political condition that endanger the consolidation of democracy: 1) weak state institutions that are consequently ineffective, 2) the absence of regulations and transparency in matters of public finances, 3) the limited political independence of electoral authorities, 4) low levels of citizen inclusion and subsequent political exclusion, and 5) increased levels of insecurity that threaten peaceful coexistence among the population.

Therefore, a political analysis of the state of Central American politics reveals differences in the quality, strength, and perceived permanence of democracy. As mentioned above, the state as a governing entity is neither strong nor fully developed and therefore falls short in its capacity to fulfill its obligations towards its people. The inability to meet expectations and satisfy basic needs has led to high levels of uncertainty and discontent among the Latin American electorate. This frustration has led to general disappointment in the system as a whole, and thus a lack of interest in politics. The danger in this is that politics has become tainted and perceived as only pertinent and beneficial to the elite, a sentiment that has its validity in that the percentage of representation of minority groups such as indigenous people, women, and the young are considerably less in comparison with the majority groups. The low levels of participation of minority groups leads to a lack of representation, the effect of which is then present in the elaboration of laws, public policies, and other reforms from which these groups are excluded. Thus we see a reinforcement of the disillusionment with government and the perception of the political system as foreign to the people's true needs. This is further reflected in the population's lack of identification with political parties and the notion that

campaign promises are made to allure votes, only to later dismiss their implementation, thus compounding the disillusionment with politics.

This frustration is in part due to the evolution of social values in Central American politics and the expectations bestowed on government. There has been an observable shift in priorities regarding social values. While there remains a high demand for material and life-essential goods such as housing, access to water, food, land, and health services, nonmaterial intangible values that affect the quality of life, such as peace, individual rights, and equality, have gained a stronger foothold. This change in values is favorable for democracy and, to a great extent; the shift is a response to democratic ideals. According to Paramio (2002), what has occurred is that multiple sets of differing priorities have emerged from all sectors of Central American society and thus a generalized dissatisfaction has arisen; rooted in that fact is that it's impossible to please everyone, and taking a centralist approach creates even more dissatisfaction. Paramio argues that this situation places the political parties of the region in the dilemma of both parting ways from their traditional line of thought and incorporating these new social demands, by which they run the risk of alienating part of their constituency, or remaining inflexible to the new social demands.

Democracy will fail in a hostile, unreceptive, and indifferent environment. Although there is no strong desire within the region to replace democracy with authoritarian rule, it is noteworthy to state that eight out of ten Central Americans support the idea of granting special, authoritative ruling powers to a strong leader if employment, security, lessening of poverty, access to affordable health care was secured (*Estado de la Región*, 2008). In this regard, civil society can play a conciliatory role by reaching out to the multiple disenfranchised sectors and help to better channel and articulate their needs. This improved communication must be done with the intention of influencing governmental priorities, but with the realistic understanding of the state's limited resources and capabilities, because governmental officials are not exempt from the same frustrations and restrictions the population feels. In other words, the disenchantment with government can begin to dissipate if active political participation is encouraged. Political participation leads to further representation, and in this way, democratic values are simultaneously cemented. Through projects, independent research, innovative initiatives, partnerships with

universities, and access to foreign development aid, civil society can, unlike governments, reach out to and establish direct contact with socially excluded groups.

### **Transparency and Accountability Tear Down the Walls of Corruption**

The absence of a political culture in which transparency and accountability are revered as beyond a standard legal requirement, but also as a moral obligation, is another destabilizing force for democracy and development in the region. Mechanisms for transparency ought to be incorporated as a vital part in the process of decision-making and in the execution, supervision, and evaluation of public policies and governmental actions. Central America has not been immune to rampant corruption, from the highest public office of the presidency to private entities such as banks or companies contracted for government projects. Indeed, over 40 percent of all citizens in the region consider that their governments do very little or nothing to fight corruption (*Estado de la Región*, 2008), yet another example of the mistrust placed on government. Although it is difficult to quantify the exact extent of monetary loss to corruption, in Central America three specific areas have been identified as the most affected by corruptive practices: public contracting, health services and business transactions (*Estado de la Región*, 2008). Perhaps the most regrettable end result of corruption is the unavailability of proper health services to the most vulnerable groups that cannot afford private health care. In countries where bribery is customary, business transactions become costly and timely, thus crippling the climate for investment and entrepreneurship. Suffice to say that the correct and proper allocation of resources towards social needs is paramount for development. Mechanisms for transparency and accountability help foster the values of honesty and integrity and are a clear manifestation of governmental officials taking into consideration the public's best interest. Legitimacy for the political system is thus achieved. As a member of the overall political system, civil society can serve as a social auditor and contribute to improvements in the design, implementation, and enforcement of mechanisms of accountability.

### **A Culture of Peace and the Strengthening of Citizenship**

The mission of the Arias Foundation for Peace and Human Progress is to contribute toward the permanent integration of nations, the

consolidation of peace and justice, gender equality, and the strengthening of democracy in Central America, while promoting the global reduction of arms. As an organization devoted to peace, our understanding is that peace is an ongoing process and not simply an end that can be directly achieved. Peace must be intended to affect all people and permeate every level and aspect of life. This is the underlying principle of our work and is at the root of our continual commitment to foster a culture of peace. True and lasting peace requires an acceptance of a paradigm shift, both at a societal and individual level, in which our actions, thoughts and words all correspond to a philosophy of peace.

An example of this principle put into action by civil society is the initiative proposed by the Spanish and Turkish governments entitled: Alliance of Civilizations. Its mission is to “improve understanding and cooperative relations among nations and peoples across cultures and religions and to help counter the forces that fuel polarization and extremism” ([www.unaoc.org](http://www.unaoc.org)). Under the sponsorship of the United Nations, the Alliance of Civilizations promotes intercultural respect and tolerance, facilitates projects aimed at building trust and understanding between culturally distinct groups of peoples, particularly between Western and Middle Eastern societies, and serves as a platform to access resources and link like-minded organizations helping them to unite and collaborate. The Arias Foundation recently had the privilege of co-organizing and co-hosting, along with the Toledo International Center for Peace (CITpax), the first Alliance of Civilizations meeting in Latin America. Political and academic experts from around the world presented their latest research, professional expertise, and ideas involving the similarities, differences and complex relationships between Latin America and the Middle East. The success of this meeting confirms that civil society has the full capacity to prompt, mobilize, and instill core values and actions for an effective culture of peace.

An integral component of democracy is the concept of citizenship. Before the advent of globalization, citizenship was strictly defined in terms of territory and identification to one's immediate surroundings. As the world has become more interconnected, culture and identity are no longer rigid ideas, and gender and ethnicity have also become distinct factors in which a person claims a degree of distinctiveness in comparison with the rest. The study of citizenship is vast and encompasses social, economic and

even psychological dimensions. However, in political terms, a good citizen is an active member of society, with duties and responsibilities within the law, and a commitment to contribute towards the improvement of society.

Although this concept has been defined, the ideals of citizenship have yet to be firmly consolidated, as social exclusion and socio-economic disparities persist; therefore, a true environment of inclusion has yet to be formulated. The role of civil society is to make the political spectrum aware that only through the formulation and implementation of effective public policies will citizens feel enfranchised and invested in the politics of the region. And effective public policies are needed to fully address the challenges related to migration and peace.

Thank you.

## **Mr. Jorge Jamil Mahuad Witt**

*Former President of Ecuador (1998-2000)*

*1999 Nobel Peace Prize Nominee*

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First of all, I would like to thank Isabel for her great presentation, and also the organizers of this Forum, as well as Luis Alberto and Josef, with whom I have the pleasure of sharing this panel.

### **Walls or Bridges?**

*“Migration and Peace: Walls or Bridges?”* Here we are surrounded by walls, disproportionately large walls, which were built all over the city of Antigua, Guatemala; these walls were built by the local workers, probably following the design of Spanish immigrants. These walls, walls that provide a support base and are the foundation for building something, are good walls. For the purpose of our panel, the word “wall” means something else; it means the wall that we build to stop, to restrain. The Great Wall of China is probably the most famous wall in the world; the only piece of manmade engineering work that can be seen from the space shuttle. It was built to stop possible foreign invasions. At one point, the wall was so long, and the foreigners so many, that the defense capabilities of the Chinese military were not enough and the wall was breached. When walls are built to stop, to maintain a status quo, to serve as a barrier in our way and keep us from moving forward, then we are talking about the type of wall referred to in the title of this Forum.

And what is the opposite to this type of wall? It is a bridge. The bridge is necessary when we have a chasm in the middle and when we do not have a way to continue. If there is a road, and suddenly there is a ravine, we need a bridge. If there is a river, we need a bridge. And how do we build a bridge? We build a bridge with a support on one side of the river and another support on the other side. In other words, the bridge is like a hug in the language of love. It is our natural predisposition when we reunite with someone we love, such as a son or a daughter, our spouse or a beloved friend: we open up, and we are able to show our vulnerability; we are ready to give that hug and by doing so we are telling the other: “I trust you so much that I



am ready to redefine a part of who I am based on my interaction with you.” And that is where we take the risks of love, because we open up to foreign influences.

In contrast, the gesture of a wall is that of folding your arms across your chest in a defensive manner. It is the opposite of the hug. Now, which feeling is the opposite of love? For many years I thought that the opposite of love was hate; but hate is not the opposite of love. Hate is a form of love that became distorted. A famous Peruvian ballad entitled *Hate Me* says “Hate me out of pity, I plead you. Hate me without limits or mercy. I’d rather have your hate than your indifference, because hate hurts less than being forgotten.” Hate is the other side of the coin, and the other side of the coin is not the opposite of the coin, but something that is part of it. In some way it complements it. The opposite of the coin is not what completes it; it is the absence of the coin. The body language that is the opposite of a loving hug is like this: folded arms, the body folded onto itself, a frown, and the head hanging low. That is the opposite body language to love. What is the main emotion that such gesture depicts? Fear! The contrary of love is fear: “I have to wear armor because I cannot open up to you; I am so vulnerable that I run too many risks.” A bridge is a hug; the wall is folding your arms across your chest, and closing yourself up.

In an old U.S. story a grandfather was telling his grandson that a wolf had two cubs. One cub was good, docile, and cooperative. The other cub was aggressive, quarrelsome, and selfish. And only one cub, the grandfather told the child, could survive. “Which cub will live?” -his grandson asked. “The one mama wolf feeds,” said the grandpa.

By proposing bridges, you have decided to hold a Forum where we want to feed the loving cub, the cooperative and understanding one. And that is why it is such a pleasure to share these days with you.

### **Three Main Ideas**

There are three main ideas that have become very clear to me after listening to all of your presentations yesterday.

First: we need to distinguish the symptom from the cause. The symptom is not the problem. The symptom is a manifestation of the problem. When we say “immigration is a problem,” I think we are describing the symptom and not the cause. What happens when we focus

only on the symptom? We go from the symptom to the solution without analyzing the cause. If I have a headache, I take an aspirin: symptom-solution. This is a false solution because it is caring for the symptom without taking the causes into account. It is prescribing without arriving at a diagnosis. When you have a symptom, according to this false solution, you ignore the symptom, suppress the symptom or eliminate the symptom. What happens if this person goes to the doctor and the doctor says: "Well, your headache is recurrent, we are going to run some tests to see what we find," and then the tests show a small tumor in your brain? Then the symptom (a headache) led to an analysis (a test), a diagnosis was reached (brain tumor), which led to a treatment. Two steps, symptom to solution, turn into four steps: symptom-diagnosis-treatment-solution. Yesterday we reiterated that migration is not the cause but the symptom of the international social order, or disorder, that generates a great disparity between wealth and poverty.

This is the second lesson: Latin America is not the poorest region of the world but it is the most unequal region of the world, where the difference between the wealthy and the poor is more evident than anywhere else, as Luis Alberto Arias reminded us. Let us take responsibility! This is what we have built! And literally, "he who is without sin among you, let him cast the first stone." Let's take responsibility for our actions! So many of us have spoken about this economic disparity, so many times, and in so many forums and books, that it would seem that we think that announcing the problem would be enough for it to solve itself.

Developed countries are always telling us that the problem of underdevelopment in our own countries occurs because we do not do our homework; because if we had put the right incentives in place and if we had the right order, and the correct institutions, we would already be developed. According to this version, implementing capitalism, not savage but humane capitalism, depends exclusively on us.

There is a country that invites us to think seriously about what we have, and to be careful about what we wish for, because we just might get it. That country is China. For more than a decade, China registered the highest economic growth in the world, and that is indisputable. The opening of the Chinese economy has employed many of the principles of a market economy. What have I been hearing in the last two or three years? That "We are going to end up with no resources." "They are taking all of our cement."

“They are buying all the soy.” “What is going to happen to this planet?” But, are they, the underdeveloped countries, not doing what we have asked them to do? They are doing their homework too well. We have created a system in which two thirds of the human population lives on less than \$2 a day, which is what the World Bank calls the poverty level. Two out of every three people are poor, and when two out of every three say: “I don't like the system, what does the system give me?” We say: “They want to destroy our system.” And this is an ecological matter, a systematic matter. Call any biologist or scientist, and ask that person if a system, any system in the world, is sustainable when it excludes two thirds of its members. How is it going to survive? Then it is like having a big banquet to which only a few of us are invited, and we tell anyone else who wants to come that they are not invited, while we let them know how well we eat, and we make sure that they can smell the food. We celebrate how well we are doing and expect them to do anything to come and eat with us. This is, from my point of view, irrational.

The third idea is that, as Einstein used to say, we cannot solve problems by using the same kind of thinking we used to create them. A paradigm shift is required, because if we do not change the model that we use for thinking things over, we will continue to make the same mistakes. So if we continue to think according to the traditional paradigm, we will see immigration as a matter of national security. If we use a paradigm that takes the international situation into consideration and the unacceptable levels of inequality and poverty, immigration is simply a mechanism of redistribution, a way of sharing the world's resources.

### **Cooperation or Confrontation: the Role of Human Emotions**

Yesterday we were listening to moral, ethical, and theological principles expressed by those who believe that migration, or the right to move freely, is a fundamental and inalienable human right. Surely, this opens up a debate about whether a human right can be limited, conditioned or regulated; and then how and under what circumstances. A very respectful suggestion is that, for the next Forum, those who may represent the other point of view be invited. Yesterday, the representative of the Konrad Adenauer Foundation noted that: “We need to be careful not to overestimate the capacity of absorption of the receiving countries.” Then we need someone who thinks that way and who can explain such a point of view,

because it seems to me that, aside from a few minor differences, we all agree.

This is a situation that, because of its complexity, requires a long and profound negotiation process in which all the interests of all the parties involved are taken into account; the options that satisfy those interests are analyzed; and then solutions can be found following a process of respectful dialogue. This process of negotiation will be successful if we participate in it with love, with our arms open; if we use the paradigm of the bridge builder and not the paradigm of fear, of the wall builder.

I have been working on this in recent years. The topic that interests me is: What is it that allows or prevents human communication? How is it that sometimes two people who disagree in everything can communicate, and sometimes, people who agree in everything do not understand each other? We would say: “But they are saying the same thing! I don't understand why they are fighting!” Well, they fight although they agree because that is a way of expressing human emotion.

There are more than one hundred emotions in the human species' repertoire. Since it is impossible to pay attention to such a great diversity, we have found that they all fit within five great groups, five great basic expectations or psychological needs that every human being would like to satisfy:

First, every human being *wants to be appreciated*.

Second, every human being has *a sense of ownership, a sense of affiliation* to different circles (geographic, historical, familial, social, intellectual, sports-related, etc). In fact, when we meet someone, the first thing we do is try to find something in common with that person. “Where are you from?” “Do you have a family?” “What do you like to do?” “What did you think about the latest political/sports/scientific event, the latest news?” We take advantage of the answer to demonstrate our similarities: “My family lives in that city.” “I also have a teenage daughter.” That is how human relationships are born: they are based on a sense of affiliation and ownership rooted at the core of our beings.

Third, *the need for autonomy*; this means the capacity to make decisions and influence others' decisions without receiving or exerting inappropriate pressures. We do not like to be told what to do; we do like to be respected in our capacity to decide.

Fourth, we all have a perception about our position within the

structures to which we belong; a clear idea of our situation in comparison with that of the other members of a structure: this is what we call a *status*. We want our status to be respected. And, as in every perception, our perception of status is entirely subjective.

Fifth, *we need to fulfill roles that give us satisfaction*. We have different roles in society, some of them structural and others temporary or short-term. “I am a mother.” “I am a priest.” “I am young.” “I am the devil's advocate.” It is essential for us to value the roles that we represent and that fill us with satisfaction. We need our lives to have a purpose. We are not here by chance; we do not want to live by chance; we have come with a purpose: we need to complete our mission.

When one of these five basic expectations is not fulfilled, human communication becomes frustrating. Status and role can be confused with one another. Here is an example of a way to tell them apart: when the Pope flies to another country, the status of the Pope is the highest in the airplane, but at the moment of landing, the pilot's is the most important role.

### **The Five Basic Expectations in a Real Conflict: Ecuador and Peru sign a Final Peace Treaty in Brasilia, October 26<sup>th</sup>, 1998**

This reflection over human psychological needs explains my presence as a speaker at this Forum. I met with Leonir Chiarello in Geneva, where I gave a presentation about the peace process between Ecuador and Peru and he told me: “We are going to have an international Forum about migration and peace in Antigua, Guatemala. Would you be able to attend and give a presentation about your reflections?”

By fulfilling this request I have the pleasure of sharing with you a very concise version of my experiences as President of Ecuador and the peace process between Ecuador and Peru. (*Editor's Note: from this point forward, President Mahuad explains the slides projected on a large screen*).

Looking at the map of South America, we can see that Ecuador is disproportionately smaller than other countries.

The history of the armed conflict between Ecuador and Peru had three fundamental characteristics:

- *It was the oldest military conflict in the Western Hemisphere:*

This is how the U. S. Department of State described it after the Peace

Agreement was signed. Its history is rooted in the discovery of the Amazon River in 1542, by an expedition that had started in the city of Quito, Ecuador. Since the legal policies at the time stated that whoever conquered a territory was the owner of that conquered territory, when the Royal Audience of Quito was established in 1563, it established the borders as shown on this map, where, as you can see, the territory crossed the width of South America from the Pacific to the Atlantic, following the Amazon River pathway. Afterwards, and following history, the map of Ecuador began to shrink until it became the current small territory that you can see there.

This has been a huge problem for Ecuadorians who study this map in school, and come to accept how Ecuador lost its territory and how it shrunk to what it is today. The Ecuadorian narrative is one of victimization: because we are not a large country, we do not have a large army, we do not have a great economy, we have always been stripped of what we had, we have been abused for being weak and we have not been capable of defending what is ours. Then, psychologically, we have always felt like victims.

- *The territory that was disputed was the largest territory ever disputed in the history of Latin America:*

This was an extension larger than that of France, and one of the largest disputed territories in the world.

- *A discouraging history of failures generated skepticism:*

For a period of time, every peaceful or violent way of ending the dispute over the territory and closing the borders entirely had failed. The countries tried wars, direct conversations, arbitrations, mediations, friendly interventions from other countries, but nothing worked.

Therefore, why would it work now?

### **From the 1941 Rio de Janeiro Protocol to the Tiwintza War of 1995**

The modern conflict culminated in 1941, when the big war started with Peru. Peru entered an area of Ecuador that was not part of the disputed territory, and while Peru was occupying Ecuadorian provinces, we were pressured to sign an international *Peace, Friendship, and Borders* treaty in Rio de Janeiro, Brazil in January 1942.

This “Rio de Janeiro Protocol” had Argentina, Brazil, Chile, and the United States as guarantors. Despite its name, it never led to peace; it fostered more hostility and it did not close the borders completely.

In 1981 and in 1995 we had two more wars in the Amazon jungle. Was there a wealth in resources to be gained from the place of war? This aspect has never been verified. Was there oil, minerals? It has not been proved yet. Were people living there? No settled populations. The natives are nomads who have always moved freely and who feel that their family and tribal ties are stronger than the limits of the borders between states. “Then, why were they fighting?” That’s a question I am asked frequently. Because this area, the Cordillera del Condor, is a symbol of the values and principles for which we had been fighting a long time. The Condor, a place known as Tiwintza, where Ecuadorian and Peruvian soldiers were buried, became an emblem of the war and later of the negotiations.

We are not talking about displaced populations due to the war in this area of the Amazon; but when there was a problem, the borders were closed down and it affected the flow of commerce and people, deeply disrupting the lives of the people in border communities.

After the 1995 war, a no militarized zone was created, with military supervision from various countries, and negotiation committees with members from both countries were formed with active intervention from the Guarantor Countries of the Rio Protocol. The work of the committees went well. These met in Brasilia, Buenos Aires, Santiago de Chile and Washington, reviewing numerous possibilities for cooperation such as bi-national projects, hydroelectric plants, highways, security, and trust measures to discuss what we could do in the future so we could trust each other in business and navigation plans, etc. In other words, everything was moving forward perfectly. There was only one problem: the territorial problem, which could be summarized in this phrase: “Who will keep Tiwintza?”

In an effort to solve the problem a Legal/Technical Committee was formed to prepare a report about the case. Ecuador proposed that this committee formulate a binding decision for the countries. Peru did not accept this and held that the report would just be an opinion, a Legal/Technical “point of view” and that is how it was agreed. A few days before the first round of the presidential elections in Ecuador, the committee presented its report with the “point of view” that Tiwintza was part of Peru's

sovereign territory.

Ecuador rejected the report and both countries moved their troops into the zone, which until then had been no militarized. A new war was most likely to take place and could start at any moment with a shooting on the border.

### **Presidential Diplomacy**

The Ecuadorian Chancellor, Jose Ayala Lasso, a diplomat with very extensive experience whose professional resume included his work as a United Nations High Commissioner for Refugees, told me: “Diplomacy has reached its limits. The diplomatic levels have achieved everything they could achieve. The territorial problem is beyond the purview of the Chancellors; this is a problem that needs to be dealt with politically at the highest level. Only the presidents can solve this.”

Verification of this led to so-called presidential diplomacy, which meant the personal and direct efforts of the presidents of Peru and Ecuador to find an acceptable formula to establish permanent peace.

The task was extremely difficult: as presidents, we did not know each other; the history of failures in past negotiations was added to the fresh memory of armed conflicts generating rage, fear, skepticism, distrust, and although the majority of the Ecuadorian people wanted peace, the hopes of achieving it were minimal.

In addition to the difficulties with the international negotiations, there were difficulties with each country's internal negotiations. Any presidential agreement required the approval of two parties of Congress to have legal validity.

### **The Five Sensible Aspirations and the First Meeting of the Presidential Diplomacy**

The first meeting with President Fujimori took place in Asuncion, Paraguay on August 14<sup>th</sup>, 1998. My purpose was to establish a working relationship that would allow for a sincere and deep process of dialogue that would take place in different stages, and allow us to reach permanent peace. Attention to the five sensible aspirations turned out to be indispensable for reaching our objective.

As in any negotiation process, it was crucial to separate the person



from the problem. This went against common sense, since the tendency is to identify the person with the problem, and, also, maintain that the person is the problem. A successful negotiation process begins when the negotiators do not attack each other as adversaries but behave as colleagues and work together to attack a common adversary; the adversary is the problem they want to solve.

I expressed to President Fujimori how much I admired his successes in fighting against inflation (Peru went from hyperinflation to only single-digit inflation) and in controlling the inhumane guerrilla violence (*Sendero Luminoso* [Shining Path] had been taken apart and its main leaders arrested and prosecuted). My show of appreciation for his work allowed me to point out that in this meeting we could not move forward on the fundamental aspects of the problem, but we could establish an environment of dialogue and cooperation and lay out the bridges for future meetings. We both acknowledged the opportunities, as well as the limitations, many common ones, that we had as Presidents (affiliation), and we were careful to respect the autonomy and self-determination of the other. I emphasized the difference in status in the field of territory negotiations (“You have been the President of Peru for eight years and I have been the President of Ecuador for four days,” I told him. “In fact, I have dealt with this topic with four Ecuadorian Presidents,” he answered). I told him that I understood the logic behind his actions, and that, reciprocally, I was sure that he would understand mine (appreciation, affiliation). We concluded that peace was attainable and that our role in history was to forge it.

President Fujimori and I met on ten different occasions during ten consecutive weeks. Despite our cordial personal relations, we found ourselves in an insurmountable bind: neither one of us could accept an agreement that did not include Tiwintza as part of our country. And Tiwintza, as any other geographical space, constituted an indivisible material reality. We admitted that we were almost at a deadlock. We then decided to ask the Guarantors to intervene and present a solution.

Any formula would lead to an insurmountable problem because it would require first the approval by both Congresses and it was obvious that the Congress of the country that did not get Tiwintza would not accept it. This contingency was overcome when both Congresses, in simultaneous sessions in Lima and Quito, decided that the Guarantors should have the power of binding arbitration and accepted the result in advance. It was like

giving the “arbitrators” a blank check.

The Guarantors' decision employed a creative solution. The concept of sovereignty and the concept of property always go together. The Italian Embassy in Washington, for example, is considered sovereign Italian territory, and that Embassy's building is also Italian property. Therefore, if one enters the Italian Embassy, legally, it is Italian territory. The Guarantors' formula separated the two concepts: Tiwintza's sovereignty belonged to Peru, and the Tiwintza property belonged to Ecuador.

This way, the Tiwintza symbol could be shared by both countries and by both peoples. The Ecuadorian people saw that this mechanism, plus the agreements reached by the negotiating committees, constituted an outline that met the objective of reaching the 'peace with dignity' that the Ecuadorian people had been seeking since 1995.

To conclude, I invite you to watch a short video that compiles scenes of the Peace Treaty signing ceremony in Brasilia. I want to share with you the profound spirit of Latin American celebration that accompanied this act.

It has been ten years now since the peace treaty with Peru was signed. This is a finished process that has survived many political, social and economic ups and downs. Peru is now Ecuador's number-two trading partner after the United States. The same thing that Luis Alberto Arias was saying when he was referring to the Central American peace process can be applied to the process between Ecuador and Peru: it was a process initiated by Latin America, with Latin American ideas, and it plays a part in Latin America's daily life.

### **Migration and Peace**

On one occasion, Joseph Campbell, the world's top authority in mythological research, was asked how we could improve understanding among humans on Earth. “With tourism,” he said. “Find someone new and different; learn a new language, another mythology, another religion. If enough people in the world do this, we could begin to see the end of demonizing; of the *demonization* of other countries across the world.

Migration fulfills this purpose. We are currently working on reconstructing *Abraham's Path*. Abraham is recognized as the father of three religions: Christianity, Judaism, and Islam. He traveled along paths that now belong to several countries (from Turkey to Saudi Arabia), when

there were no borders. Abraham's Path welcomes a universal pilgrimage.

Rigoberta Menchú remembered the dual process of adjustment experienced by an immigrant. The person who goes to, let's say the United States, has to get used to living there, and when he or she returns to Guatemala, Guatemala is not the same. We change, and the people around us and those who were around us change. The place we leave changes and the place where we are changes.

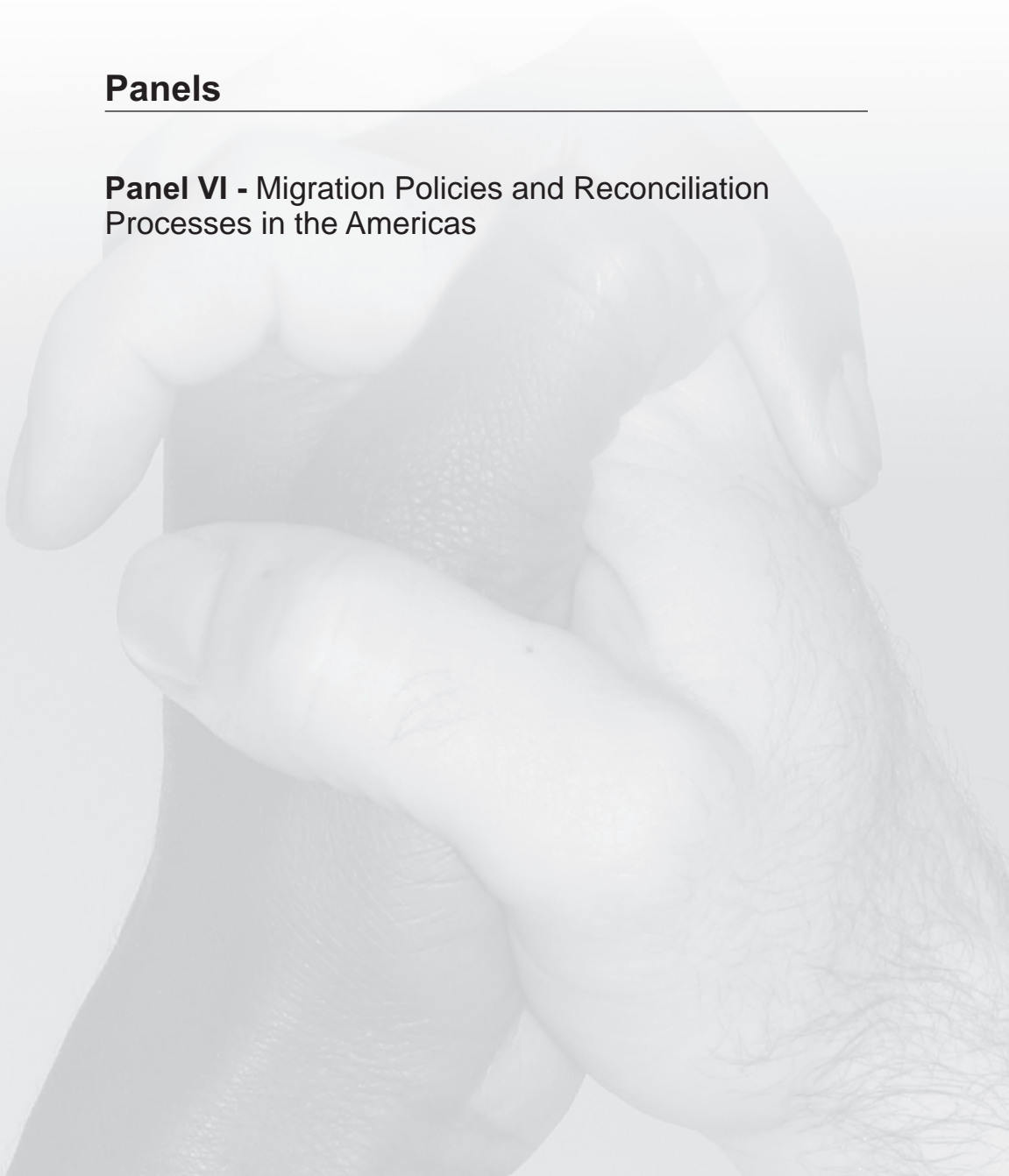
The song "Everything Changes" ("*Todo Cambia*") written for the Chileans in exile during Pinochet's dictatorship, picks up on an aspect of the harsh reality of immigrants' lives: *Because my love does not change, no matter how far I am, nor does my memory, or the pain of my country and my people. What changed yesterday will have to change tomorrow, just as I change in this faraway land.*

Many thanks.

## **Panels**

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**Panel VI - Migration Policies and Reconciliation Processes in the Americas**





## Introduction

### Mr. Ramón Cadena

*Director of the International Commission of Jurists, Central America*

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Good afternoon. It is an honor for me and for the International Commission of Jurists to moderate this panel composed of experts in the area of migration and who, undoubtedly, will show us in a clear and accurate manner the relationship that exists between migratory policies and the process of reconciliation on the American Continent.

We will begin by analyzing national perspectives on the relationship between public policies on migration and peace processes, with the participation of the distinguished Ambassador Miguel Angel Ibarra González, Vice Minister of Foreign Affairs of Guatemala, and Commissioner Cecilia Romero Castillo, head of the National Institute of Migration in México, representing the governments of Guatemala and México, respectively. As you well know, public policies on migration not only need comprehensive attention, but also a review that starts with the current reality of the country's socio-economic structure itself. In the case of Guatemala, the extreme poverty that continues to provoke migratory flows should be confronted by better efforts than those carried out by the government. On the other hand, changes in public policies on migration and the fight against poverty are also generated by changes in governments. We hope the changes the United States is experiencing under Mr. Barack Obama's presidency will also bring changes in immigration policies, so they can become more humane and not as they have been during the previous administration, with repression and the building of walls.

Migration public policies should also consider bilateral and regional approaches. In this sense, perhaps it would be worth analyzing further the possibility of creating a joint-training program for Guatemalan and Mexican border authorities. On the other hand, the Inter-American Human Rights Court approved an advisory opinion, which probably everyone here knows, by which it established that consular protection is a human right linked to due process. This interpretation represents a considerable advancement regarding the protection of the human rights of

migrants. This opinion issued by the Inter-American Human Rights Court, at the direct request of the Mexican government, constitutes an example of good practice: the Mexican government, concerned about the situation of Mexicans detained in the United States and condemned to the death penalty, petitioned for an opinion by the Inter-American Human Rights Court, which in turn interpreted the Vienna Convention on Consular Relations, resulting in the aforementioned advisory opinion. In this fashion, it would be possible to think of new regional initiatives at the legal level and the approval of laws applicable to the entire Central American region. For the various countries facing the migratory phenomenon, I think this would present a good opportunity for mutual cooperation.

In 1987, as you know, in order to face the internal displacement and return issues of refugees, Central American governments created a regional policy through the Committee of the International Conference on Central American Refugees (CICCAR). Despite the fact that it was not a solution to all of the problems at that time, it indeed opened spaces for returning migrants in each of the countries. Currently, it is easy to search for updated and coordinated reports regarding the challenges brought about by migrations in the Central America region. To analyze this regional perspective on migratory policies and peace processes, representative Lorena Peña Mendoza, Vice President of the Central American Parliament, will participate on behalf of representative Gloria Guadalupe Oquelí de Macotto, President of the Central American Parliament, who could not attend.

Another important aspect of migratory policies and reconciliation is coordination with international organizations. In Guatemala and Central America, due to the armed conflicts we have had, we have developed important knowledge and experience, based on much learning and mutual enrichment, among government agencies, civil society, and international organizations. The United Nations High Commissioner for Refugees (UNHCR), whose representative participated in the previous panel, played a fundamental role in Central America in achieving not only protection for refugees but also quite complex return processes to conflict areas. The International Committee of the Red Cross, also represented in this Forum, played an important role in the areas of training and implementation of international humanitarian law. In Guatemala, international organizations such as the International Commission Against Impunity in Guatemala and

the Office of the United Nations High Commissioner for Human Rights are sponsoring activities linked to peace, development and the human element of migration. Among these international organizations we bring your attention to the International Organization for Migration (IOM), which has had, and continues to have, a fundamental role in promoting public policies and innovative projects related to international migration. To report on the activities of this international organization in the region, Mr. Günter Müssig, Director of IOM in Guatemala, will address this Forum.

The phenomenon of forced migrations, whether provoked by persecution, natural disasters or situations of extreme poverty, requires the commitment of all the principal actors. The country's authorities, specifically those who are tasked with protecting refugees, are the ones who must also protect immigrants returning to their own country, and they must also protect their own citizens abroad through consular protection. Countries also have the duty to offer international protection by establishing international agreements and coordinating work with the international organizations already mentioned. In theory, all governments and international organizations have a comprehensive perspective at the conceptual level; however, in practice we find many gaps, for instance, illegal detentions and lack of access to justice at the borders. In Guatemala, for example, there are policemen destroying the documents of Central American migrants; in México and the United States, there are persons in prison and in deportation proceedings who are treated like criminals. In summary, there is a generalized phenomenon of impunity regarding violations of the human rights of migrants. This is an issue that needs to be analyzed further, in order to propose more concrete solutions to the problem of lack of justice for migrants.

Lastly, this panel will analyze the roles of nongovernmental organizations. In México, for example, those who first came to assist Guatemalan refugees were members of NGOs or people who, individually, assisted and protected them. Governments came later. Among civil society organizations, the Catholic Church stands out. To discuss the significant work of the Church in Guatemala and the region in defending and promoting the dignity and rights of migrants and refugees, we will have Most Rev. Alvaro Ramazzini, Bishop of the Diocese of San Marcos and President of the Guatemalan Conference of Bishops' Commission for Pastoral Care of Human Mobility, an admired figure in Guatemala for his work in protecting



migrants and the disenfranchised, such as landless peasants, and for his concrete proposals in favor of a more just economic system.

Thank you very much.

## **Ambassador Miguel Angel Ibarra González**

*Guatemala Vice Minister for Foreign Affairs*

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Good afternoon. I am grateful for the invitation to this interesting meeting and I congratulate the organizers of this Forum and all the attendees. I understand that it has been a very interesting journey and I hope that it will end the same way, enhancing and strengthening the knowledge we can gain to benefit our fellow citizens in the countries where they now reside.

The Ministry of Foreign Affairs strengthened the assistance to migrants during 2008. In the same year, in order to comply with President Alvaro Colom's government plan, the Ministry of Foreign Affairs carried out a series of activities to extend assistance and protect Guatemalan migrants who live in the United States. Since the beginning of this administration, the Ministry of Foreign Affairs reinforced 11 Guatemalan consulates in the United States by providing them with human and financial resources and equipment to be able to improve services to the Guatemalan population there. Such is the case with the Los Angeles, California consulate, which now has larger offices to serve the large Guatemalan community living in Southern California.

During 2008, the consulates of Guatemala in the United States organized 130 mobile consulates to serve thousands of Guatemalans in need of passport processing and consular identity cards, civil registrations, birth and marriage registrations, authentication of documents, and information on migratory matters. These mobile consulates are a great help to Guatemalans, for they can receive consular services in their own communities without incurring extra expenses or risking exposure by traveling.

The consular services of the Ministry of Foreign Affairs also provided assistance to Guatemalans in crisis situations. It covered financially and logistically the repatriation of 279 bodies of Guatemalans who had died abroad. It also repatriated eleven persons who were in situations of vulnerability as a result of either an accident or serious illness. Several visits were paid to give humanitarian aid amounting to more than 330,000 quetzals to family members of Guatemalans detained in massive

raids in Iowa and Rhode Island, to provide them with food and clothes. Consular officers visited Guatemalans in detention centers to establish the reasons for their being in prison and to ensure that their human rights were respected.

The consulates also participated in the Health Bi-National Week 2008 with health-related activities, such as free medical exams and care, which benefited approximately 25,000 Guatemalans. The Ministry of Foreign Affairs also organized projects and negotiations during 2008 to promote the legalization of labor migration.

In México, after negotiations between governments, migratory agreements for the border workforce and local visitors went into effect, which allow Guatemalans who either work in or regularly visit the Mexican states of Chiapas, Campeche, Quintana Roo and Tabasco, to travel safely and legally through the Guatemalan-Mexican border.

In Canada, the temporary workers program with Guatemala accounted for a record number of 2,887 Guatemalan workers in 2008, and the Ministry of Foreign Affairs is currently seeking an increase in the number of workers, as well as to identify new sources of seasonal employment in other provinces of Canada.

In the United States, lobbyists have been hired to promote legalization, a moratorium on deportations, and respect for the human rights of Guatemalans in that nation. In 2008, the Ministry of Foreign Affairs also established a legal assistance program at the Guatemalan consulates in the United States. Now, the consulates provide free legal assistance to Guatemalans with migratory problems. Consultations with lawyers who have expertise in immigration laws guarantees that proper procedures are followed in cases of detention and deportation, and also allows Guatemalans to obtain free legal advice regarding their immigration cases.

In 2008, the Guatemalan National Council for Assistance to Migrants (CONAMIGUA) was formally established to comply with the law, although it could only be constituted after the Congress of the Republic elected the Council's Executive Director and Deputy Secretary, which took place in October.

CONAMIGUA has the duty of coordinating the country's institutions, such as Congress and the Office of the Ombudsman for human rights, to generate initiatives, plans, and programs to promote and guarantee

the respect for the human rights of migrants. Within a few weeks, CONAMIGUA already had several working meetings at which internal regulations, strategic, and operational programs were approved. These programs are divided into four main areas:

- The institutional strengthening of CONAMIGUA, which includes strengthening the work of the advisory council and giving more participation to all the Guatemalan migrant organizations.
- Supporting the protection of the human and labor rights of foreign migrants.
- Promoting the necessary changes in the transit and receiving countries to offer guarantees and human rights protection for migrants, including lobbying for and supporting immigration reform in the United States of America, and strengthening the nation of Guatemala in matters of international migration, an objective that includes seeking reforms to the CONAMIGUA law. For 2009, the Ministry of Foreign Affairs has planned several projects, including the organization of 150 mobile consulates; a system of video-conferencing at the consulates so Guatemalan migrants can communicate with their relatives in Guatemala; establishing a virtual consular office so that Guatemalans may have easy access to consular services; reaching out to the Guatemalan community through the presidential program “Governing with the People”; increasing the availability of lawyers with expertise in immigration to give free advice; and having one officer promoting literacy programs and another officer in charge of the health care program.
- Opening new consular locations in North America, including North Carolina, Texas, Nebraska, and Canada.

All of these initiatives are part of a plan to broaden and reinforce our assistance to Guatemalan migrants, which is one of the objectives set out by the Ministry of Foreign Affairs in its guidelines for Guatemalan foreign policy for the period 2008-2012.

Our government took office January 14<sup>th</sup>, 2008, and our migratory policy has been designed to provide protection to the Guatemalan community living abroad, regardless of immigration status, as well as to the family members left in Guatemala. Support for migrants should be comprehensive and participatory. We are looking for ways to provide

conditions for social development in our country, so Guatemalans do not feel compelled to leave in search of better living conditions. This is an essential step that is not easy to implement, but we have started working on it, and we believe that, in the short run, we can have comprehensive development, especially in the countryside, so that our fellow citizens do not emigrate abroad.

Likewise, migrant assistance has become a paramount issue in bilateral relations with the United States, where so many Guatemalans reside. This is part of a dialogue and consultation process that is taking place on an ongoing basis at several levels. Guatemalan migratory policy is framed according to the main principles of the Peace Agreements signed by the government and the URNG in 1996, which put an end to more than three decades of internal armed conflict that caused the migration of thousands of people to neighboring countries, mainly the United States.

These Peace Agreements marked the end of hostilities. However, economic conditions and social inequalities have continued to feed the flows of Guatemalans in search of better living conditions abroad. Among the Peace Agreements, it is worth mentioning the Agreement on the Resettlement of Populations Displaced by the Armed Conflict, which the government of Guatemala is committed to support, along with Guatemalan civil society, in order to find a lasting solution to the resettlement process within a framework of social justice, democratization, and sustainable development. Likewise, for those displaced people who wish to remain abroad, it was established as part of the Agreements that we would take steps and pursue the necessary negotiations with host countries in order to guarantee them a stable immigration status.

It is only fitting to emphasize that the Peace Agreements have been kept on ice for a long time, and the commitments established in them as a nation and as a government, have not become a reality. This has contributed to a process whereby the inequalities suffered by the Guatemalan people continue to foster the need for many citizens to cross borders, under very difficult circumstances, especially to reach the United States. I also must highlight, at this point, the very important agreements reached regarding the improved treatment of temporary workers who have moved to or reside in Mexico. Among these agreements, I must point out those we worked out with the governor of Chiapas, who has strived to ensure respect for workers' human rights. We also have had talks with the governors of border states.

President Colom and the Minister of Foreign Affairs, Mr. Haroldo Rodas, met. They reached important agreements, such as promoting development in towns on the border. However, there still is much to be done, and we are working on it, and making the effort, jointly with the Mexican government and the governorship of Chiapas, to improve the situation of our workers in the countryside of Southern Mexico.

The government of Guatemala, with the support of countries friendly to the Peace Agreements and the support of international organizations, facilitated the return to Guatemala of displaced peoples who voluntarily decided to return. In the case of Guatemalan migrants who decided to remain abroad, the government issued guidelines to provide them assistance and protection through embassies and consulates accredited abroad. A main government initiative is strengthening the consular network, and I must briefly digress here. When our government took office a year ago, the first thing we did was to meet with all the consuls, mainly those in the United States, in order to know what we had at the consulates. In most of them, we did not even have one person to answer the phone; instead, there were answering machines with dozens of messages, and there was no way to establish communication. We started by doing an inventory of the existing equipment and found it to be deficient. We began to strengthen the consular network with more personnel, more equipment, and we immediately hired a person for each consulate exclusively to answer the phone. I would like you to know that even when you have two or three persons answering the phones in a consulate, sometimes it is impossible to take all the calls. There is also a cash program in order to assist the repatriation of vulnerable Guatemalans, as well as those who died abroad. Under this program, the Ministry of Foreign Affairs will donate up to \$2,000 per person to bring a body back, and, once in Guatemala, it will be brought all the way back to his or her community, free of charge. Utilization of this service has increased as people have become aware of its existence. The year before last, there were 145 such repatriations, and last year it doubled.

For several reasons we have increased the number of mobile consulates to get consular services closer to the Guatemalans, so they do not have to travel from their homes or places of work all the way to the main consulate. First, they would need one or two days to travel. This means money for them. Second, each time they go out, they risk being detained on the road because they do not have driver's licenses, and if they go by public

transportation, they might be stopped and, being without documents, be deported.

We are also working to assist deportees. At the airport, we have been receiving those traveling by air and transporting them to their original villages free of charge, plus giving them a stipend upon arrival. Also, the Ministry of Labor is present to inform all those who would want to access any of the vacancies the Ministry has in its database of registered companies. We also have additional services through the Center of Assistance to Migrants in the capital and in Huehuetenango.

In accordance with migratory policy, Guatemala has joined various international organizations at the bilateral level in an attempt to mitigate restrictions surrounding undocumented migrants, formulate policies designed to regulate migratory flows and protect migrants' interests. The best example of the regulation of migratory flows in Guatemala is the temporary workers program agreement with Canada, which allows for a circular, safe and orderly migration, whereby Guatemalan workers are able to provide their services in exchange for a better salary, without the deplorable collateral effects typical of irregular migration, such as family separation, labor exploitation, and human trafficking.

Likewise, given the positive results achieved by this program, we have started negotiations in search of similar opportunities with other countries, including the United States, Aruba, Costa Rica, and Panama. With the objective of coordinating inter-institutional efforts that will allow us to define a comprehensive migratory policy for Guatemala, in 2007 the Guatemalan National Council for Assistance to Migrants (CONAMIGUA), was created through Congress and the Ministry of Foreign Affairs and was launched in November 2008, with the objective of creating programs and projects to benefit our fellow citizens abroad and their families here in Guatemala.

The CONAMIGUA law we have is not perfect, but as a colleague at the Ministry said very well: "if it has defects, we can correct them as we go along." The important thing is that the law was created and we are working with it, and we will be able to reform it possibly in the future so it will be structured in such a way that all Guatemalans who are organized in the United States of America are able to contribute through CONAMIGUA so the government will be able to formulate policies that improve the lives of Guatemalans in the United States.

Undoubtedly, on this issue other Guatemalans in organizations in the United States of America will make important contributions to develop a coherent law in accordance with the needs of those fellow citizens living in the United States of America. Undoubtedly, organized Guatemalans there will work actively, and the ministry and CONAMIGUA will be providing them with all the necessary assistance, recognizing the needs that Guatemalans have in the United States. I believe they have better knowledge than we do here in Guatemala of how to arrive at an agreement and to work hand in hand with the Guatemalan organizations in the United States.

It is important to mention that assistance to migrants is not limited to Guatemalans living in the United States and Mexico. Although the number of Guatemalans in Europe is considerably less in absolute terms, the restrictions applied to them also have been increasing. Guatemala works with several organizations to mitigate the effects of those policies through contacts with member countries of the European Union, at the bilateral level as well as with the rest of the Central American countries. Migratory policy is one of the priorities of President Colom's administration, as we pay special attention to all avenues of assistance and protection for the Guatemalan community abroad and their families here in Guatemala.

In this regard, during his last visit to New York, our president announced the intention to hold two meetings in the United States with his fellow citizens on the issue of *Governing with the People*. This is much like what we do here in Guatemala when the cabinet travels with all its ministers to a region of the country, in order to learn their needs and offer solutions. We then make a second round, after we have considered the issues explained by the people, and each ministry is responsible for providing a specific solution with a deadline for implementation. Finally, there will be a third round in which our government reports back to the communities, with each ministry being responsible for the commitments arising from the previous visit, and reporting on whether or not the problems were resolved. Well, we will do the same in the United States, so as to establish a commitment to our fellow citizens there, with the whole government cabinet gathered, and also to establish deadlines for policies or commitments that we make to our fellow citizens in the United States. We have planned to implement two sessions of *Governing with the People* in the United States, and we are working to establish the dates and places, which we will publicize once they are finalized.



The Ministry of Foreign Affairs, through its diplomatic and consular network, is vigilant about the fundamental rights of Guatemalans, to ensure they receive fair and just treatment, regardless of their migratory, social, or economic status.

We are working continuously to strengthen our efforts to provide all the services and assistance necessary to ensure their well-being as well as that of their families.

Thank you.

## **Representative Lorena Peña Mendoza**

*Vice President of the Central American Parliament*

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Good afternoon, everyone. I would like to salute our president, Representative Gloria Oquellí, who is presiding over our parliamentary duties and was not able to attend this important event.

I would like to begin by expressing my satisfaction, as well as that of the Board of Directors, for the opportunity to participate here alongside persons who have dedicated their lives to defending the human rights of migrants.

In Central America and the Dominican Republic, as in the rest of the world, massive migration is linked to high rates of poverty, unequal income distribution, unfair labor practices, depraved behavior toward the environment, increased violence, deepening intolerance and moral alienation by our societies. This phenomenon has propelled huge numbers of people to flee from our nations, with their hopes on their backs, seeking new possibilities away from their homelands. Furthermore, in Central America, these conditions produced civil wars: confronted poverty and military dictatorships. The region bled until it managed to achieve an opening towards democratic processes through negotiated solutions to their conflicts.

It has been more than fifteen years since the processes of *Esquipulas I* and *II*, as you well know, and their own framework of agreements. The civil wars have ended. Democratic systems have been established, imperfectly in some cases, and we no longer have military dictatorships. However, segregation and over-exploitation of people and the environment have not ceased, and, as a result, violence has intensified in our lands and so has migration, resulting in uprooting, interfamily domestic violence, and sexual harassment of women, among other things. All of this is very well known to all of us; I just happen to mention it again to underscore the importance of implementing specific policies to defend the rights of migrants. However, it is equally important to work to transform our societies so that our people will find a future in their own places of origin. As long as such inequality and poverty continue to exist in Central America, there will always be migrants. And we should fight the effects, but also the

causes.

In the Central American Parliament we are aware of this reality. We know that the agenda from the *Esquipulas Agreements* is unfinished, as it only rectified the political issue, leaving all the economic and social aspects unresolved. Today, we watch with concern the difficult situation prevailing in Central America because, although political democracy and social justice are sides of the same coin, when there is only political democracy but not social justice, economic development or human development, then we generate more migration, more violence, more crime and, in the long run, we endanger democracy. That is the reason why we, at the Central American Parliament, have proposed to the different social and political forces within our governments that they convene an *Esquipulas III*, a people's *Esquipulas*, along with all of civil society in Central America, to deal with the economic and social issues that were not addressed in the region's previous peace processes. We believe that in a new *Esquipulas III* agreement, all the issues related to the rights of migrants should be one of the central points.

We must assume the custody and defense of migrants' rights as a state responsibility. We, ourselves, must begin a change in attitude and treat our Central American migrants, who pass through our countries, and all of those who cross our region, with the human dignity they deserve. We cannot expect from those outside our region what we are not providing in our countries. Likewise, we must demand that third countries respect our fellow citizens. It is not acceptable in the 21<sup>st</sup> century to have a wall built to hold back our brothers and sisters en route to the United States or to have organizations that are dedicated to hunt down and kill migrants with impunity at border crossings. It is not acceptable for the European Union to establish a law, euphemistically called *Directive of Return*, that forces the return of family units, for whatever reason, who are already established in that region.

In Central America, many free trade agreements have been signed with various countries. We have acquired the ability to move our goods and merchandise, without major problems, throughout the region. Merchandise does not encounter problems at the borders. However, human beings find those same doors closed. They are not taken care of at hospitals just because they are not nationals or because they are undocumented foreigners; they do not have access to healthcare, and they are denied the dignity of employment. That is why we propose for this new *Esquipulas III* that

immigration and emigration be categorized as a human right, as a human reality, which cannot be limited.

Another major problem is human trafficking, which has become one of the most serious and urgent challenges in international migration and also in our region. These practices take place in all the regions of the world and have reached enormous proportions, with very high human costs to migrants and lucrative earnings for traffickers. The network of organized crime fosters the violations of migrants' human rights, especially minors and women, as they are placed in defenseless situations, even exposing them to sexual and labor exploitation. Sexual exploitation is a grave crime that should be punished. It is a form of modern-day slavery, for it implies extreme forms of violation of the fundamental human rights of people.

The idea of allowing countries not to regulate anything, or leaving everything to be solved by the laws of supply and demand, is very much in crisis; it is a bankrupt idea. The crisis continues, especially for the banking industry; however, if bankers are not criticizing the fact that the government is bailing them out, we also should have the courage to ask the state to intervene to save the poorest among us. The media informed us this week that millions of jobs have been lost in the developed world. That means, if there are no formal jobs for the natural citizens of the First World, then what is left for the undocumented immigrants?

The economic and social crisis forces us to see in the most urgent manner the real situation of our migrant brothers and sisters, but it also forces us to decide to change the reality of our countries. To be an undocumented immigrant means going from an unfair uncertainty about your future in your own country, to experiencing fully the injustices and discrimination in your country of destination. We deplore how the United States and European Union make resolutions that affect Latin American and Caribbean migrants, while the raids and deportations are actions that violate their fundamental rights. We can no longer just be spectators of the ruthless raids and massive deportations of Latin American and Caribbean people in the United States and Europe. Every day we are witnesses to the tragedy of migrant families whose loved ones are killed in the deserts, at sea, or at the hands of unscrupulous persons. We are also witnesses to the pain and suffering of those who remain. We see the children, and then see the grandparents take on responsibilities that should no longer be theirs in order to take care of the households. We see the daily sacrifices of these people

who, in the final analysis, are the foundation of our economies. And this constitutes another paradox that forces us to reflect on the commitment we have before us, all of us who consider ourselves responsible for the social transformation that must occur for these persons. In many countries in Central America, the most important contribution to the Gross Domestic Product is the remittances from the migrants, followed by the contributions of workers in the informal economy. To say it plainly: It is not globalization that is supporting us, but the poor masses.

However, there is no deliberate policy to take care of these people who are keeping our economies afloat. This should be the end of an era and the beginning of a new period where we promote societies that are more just, societies more in solidarity with our fellow men, in which we all agree that any injustices committed must be punished and sanctioned.

The Central American Parliament, which today I am proud to represent, has on several occasions manifested itself in favor of all of the above, and has made resolutions to promote the ratification of the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Therefore, at this First International Forum on Migration and Peace, we also want to present the following proposals:

First: To join efforts in asking our Heads of State and governments to pay attention to the migratory issue, to strengthen a common front for the protection of migrants.

Second: To propose, along with the social organizations that take care of these issues, strategies that decrease migratory flows, that are especially focused on sustainable human development and both social cohesion and social justice, because social cohesion is not the same as social justice.

Third: To urge the region's governments to develop programs geared to the reintegration of deportees.

Fourth: We propose to create integrated consular networks of the region's countries abroad to serve and assist migrants, contributing to the formulation and coordination of regional policies and strategies for the protection of migrants.

Fifth: We propose, at the same time, to support migrants by reviewing changes to existing mechanisms that would decrease the cost of sending remittances, and to follow-up initiatives on migratory laws in the

region, in order to establish as a priority the defense of human rights for the migrant workforce.

As the Central American Parliament, we do not have full legislative power, but we have comptroller's power and the ability to promote public policies in our various countries; for this reason we are very interested in contributing to the efforts that might be derived from this First International Forum on Peace and Migration.

Finally, we want to call upon the European Union and the United States to stop the massive deportations, and abolish the Return Directive and other similar laws, so as to foster family and employment stability for our migrants. They should reciprocate in good faith, with our migrants, and share the profits they have gained from the multinational corporations.

Thank you very much.

## **Commissioner Cecilia Romero Castillo**

*Head of the National Migration Institute of México*

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Thank you very much, good afternoon. It is an honor for me to be at this Forum. I regret that, at the end of my presentation, I will have to head to the airport, not for the marvelous city of Antigua, and I would say, above all, for not being able to participate in the afternoon sessions, where surely some very interesting conclusions will be drawn from this wonderful work that has been developing here.

I would like to begin by evoking the Blessed Scalabrini, for after his path, testimony, and apostleship with migrants this fantastic work has been taking shape in favor of all who leave their places of origin in search of new horizons. We need to understand that migration is about men and women who walk, move, travel, discover, suffer, and carry out, exactly like every other living being in the universe. Yet, this universe is a global village where merchandise, goods, and money travels freely, but not so for human beings.

President Felipe Calderón and the Mexican government, continuing a hospitable and humanitarian tradition, have worked since the first day of his administration to fuse migration policy with humanism, with three important elements: respect for the law, respect for human rights and, above all, respect for the individuals themselves, regardless of their condition.

This panel is concerned with public policies, and the processes of peace and reconciliation, and migration work. It should, therefore, examine how Mexico was set in the 1980s when more than 45,000 Guatemalans and 10,000 Salvadorians arrived due to conflicts in their own countries.

Back then, the Mexican government, which already had an important tradition of giving asylum and refuge to foreigners, had to take exceptional measures because of the considerable number of people who had arrived. It was at that time when we established a direct communication and a formal relationship with the United Nations High Commissioner for Refugees, and we made all of the important legislative changes to incorporate the refugee aspect into our internal legislation. Later, the Mexican government sought permanent solutions for Central American refugees, supporting both the refugees who decided to return to their

countries and those who decided to regularize their stay in the country.

Now, there are other forces at work, and not only war or armed conflicts, but others, which are affecting migration and the search for protection abroad, as well as, natural disasters, and especially in our region, the problem of poverty.

Currently, democracy and peace are practically the norm, not the exception, in our countries, but we have to broaden the perspective of these peace processes. Now we have to talk about social peace, we have to talk about human rights, integration, stability, and development, remembering Giovanni Batista Montini, Pope Paul VI, who in the *Populorum Progressio* told us that “development is the new name for peace.”

If we talk about migration and peace, we should consider these two concepts as complementary, not exclusive. We have to understand that today the name for peace is development, and in this specific case, echoing the subtitle of this Forum, the fight for borders to be bridges and not barriers, as the former President of Ecuador suggested a moment ago. We need to make our borders spaces of coexistence. Borders were established by governments; they were invented by those who wanted to conquer different territories. Borders, like in the specific case of the southern border of Mexico, are spaces often shared by one and the same people. I have said this many times and I proved it by coming to Antigua, as the Guatemalans proved it by going to Chiapas. They speak the same language, they are related to each other, they dress the same, they eat the same food, and they use the same idioms. Recently they started distancing a little and acquiring different personalities, but the border crossing has been the same for many centuries, for many generations... The border was traced only after the onset of political and diplomatic negotiations.

This border cannot be a barrier, it should be a bridge, and we should respect the preexisting cross-border life, and even support the weakening of this border, to make borders, I insist, as places of coexistence, places of exchange, of harmony. And so as not to leave it in mere romanticism, we need a concerted effort by society, governments, organizations and institutions, to fight corruption head-on, which is always aggravated whenever those we can corrupt are weaker than we are.

We also need to act, in a very special and definite way, against intolerance, which I have had the opportunity, and unfortunately the experience, of knowing up-close during my time heading the National



Migration Institute. We must also fight xenophobia, against the hatred of others because they are different, and against hatred of others because they are poorer than us, because they have more needs than us, and, because they have no papers.

What can we say about the refugee situation in Mexico today? There is no doubt that the movement of refugees and the number of requests from refugees has been reduced. From 2002 to the present, we have recognized little more than 500 refugees, but we also count on the daily work of the Mexican Commission for Refugee Help, charged with the important permanent task of family reunification, integration, support for education and, eventually, when there are urgent needs, financial assistance. Currently, the Mexican Commission for Refugee Help has completed, with the important support of ACNUR, an asylum law initiative project to deal with the matter of asylum in internal legislation with a specific law. We are waiting for the next period of the Union Congress sessions to do the necessary work so that this bill is presented before Congress, and passed this same year, before the legislative elections next July.

On another front, the Mexican government, through the National Migration Institute, kicked off the legalization program in November 2008. Through this legalization program we are offering all foreigners living in Mexico, especially in the southern border, including inhabitants of this region of our continent, the possibility of having an identity. With this ambitious program, we offer the possibility of legal residence in Mexico for people who came and are living in Mexico undocumented. This program intends to give legal status to persons already living in Mexico, who have a stable job, and of course they will need to be law-abiding and honest to qualify for the program, who have family, social ties, and roots in the community, but are currently unable to take their children to school, or to have access to medical services, and who do not enjoy any legal certainty. The legalization program offers them legal certainty, incorporates them into legality, and therefore gives them a more definite possibility to assert their rights and fulfill their duties.

This program, with all due reservations, is part of the congruency work that the Mexican government wants to carry out, because it is precisely what our government is asking and demanding for our people living in the United States. We have already decriminalized undocumented immigration; in other words, never again will an immigrant without papers

be detained, tried, incarcerated, or extorted for not having documents. Traditionally, there were no charges filed by the authorities against undocumented immigrants, but they were easy prey for those who sought to exploit them. This is an important factor, certainly a first, but the first of a series of modifications that we are carrying out.

Another important issue, which has not been approved by Congress yet, but was brought up and approved by the Senate, hoping that it soon will be approved by the House of Representatives, is that prosecuting the trafficking of the undocumented, a serious problem in our region, will no longer require a federal complaint against the trafficker, but the appropriate local authorities will be responsible for prosecuting the trafficking of undocumented persons.

Talking about the southern border, we have created an important program for border immigrant workers, mentioned earlier by the vice-minister of Guatemala in his presentation, to allow them to work not just in coffee production, as they do now, but also in construction, services, and business. We have given out more than 4,500 border-worker applications since March of last year. We also have an immigration form for local visitors to respect, specifically, this border life. Both these programs are part of a broader and much more ambitious project by President Calderón, the Comprehensive Program for the Southern Border, concerned with social development, education, health, and also of course with security. For their part, the government of the State of Chiapas, with whom we have worked intensively, recently created the Department for the Development of the Southern Mexican Border, to provide our border the necessary identity and respect.

Among other things, we also have instituted supplementary forms and humanitarian visas for those people who do not meet the requirements to be recognized as refugees but, even so, need international protection for other various reasons.

It is very important for Mexico to take care of immigrant children. We have trained and graduated 170 child protection officers; they are immigration agents specially trained to work with immigrant kids, particularly those traveling alone.

There is no doubt that international actions are necessary and indispensable for the success of the migrant protection actions. I refer especially to human trafficking. In this regard, we are working to strengthen

our Migrant Protection Groups and the Human Distribution Program which is being implemented as a priority.

I would like to end by referring to the recent World Family Encounter, which took place in Mexico. In this Encounter, Most Rev. Agostino Marchetto talked about the importance of education in fighting xenophobia, discrimination, and hatred of the weak, something that is accomplished fundamentally and primarily at the heart of the family. Those who, when they grow up, exploit and abuse the immigrants, also come from a family, in the same way that our immigrants come from a family. We have the matter of family reunification, which should be a core principle for any public policy and any reform legislation.

Furthermore, with the objective of harmonizing internal legislation with international treaties that we have signed and with those we have committed to, we at the National Migration Institute of Mexico, together with the government offices who have migration jurisdiction, are carrying out a migration law project which has as a fundamental pillar respect for the family and the aim of family reintegration. The asylum law project that I told you about contemplated family reunification as a principle and family reunification will be a core principle in the migration law project. Again we are talking of congruency, because something that the Mexican government is fighting for, is for Mexicans living in the United States not to be deported, leaving the other half of their lives, their wives, their children, their parents, in that country.

We are implementing our migration law project, as well as our other programs, public policies, and budget agreements, with the essential collaboration of other departments from the three branches of government and, of course, the international and national organizations who work for human rights and migration, and who have as a goal the humanization of migration. We cannot see it as a problem, but rather, as we said many times, as a phenomenon that we have to manage so that migration will not remain the only possibility for a life and a future, but an option to be chosen by those who want it. We are working on that. We are committed to that, and because of that we also expect good results and conclusions from this seminar that, of course, we will seek a way to put it into practice in our public policies and in our national legislation.

Thank you very much.

## **Mr. Günter Müssig**

*Head of Mission*

*International Organization for Migration (IOM), Guatemala*

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Good afternoon and thank you for the invitation to participate in this Forum about the matter of the relations between migration policies, peace and reconciliation processes in the Americas. First of all I would like to present in general terms IOM's comprehensive model for migration procedures. Briefly, the primary migration spheres for the IOM on a global level are: Migration and Development, Facilitated Migration, Migration Regulation, and Forced Migration.

In Migration and Development, it is necessary to focus on the return of qualified nationals and the matter of money transfers, important issues on which we have been working for five or six years now, with yearly national surveys. Another issue linked to migration and development is micro-credit concession mechanisms. This is important in many ways, not only for reducing migration but also for return and reinsertion, as well as the matter under discussion, which is reconciliation. Another important point is “brain flight and acquisition,” because migration automatically leads to the flight of human capital, also known as brain drain.

Regarding the second item, Facilitated Migration, first of all I want to consider the workers and the professionals. The Program for Temporary Workers in Canada operates primarily from Guatemala. Another aspect is the facilitation of family reunification. Finally, there is the scope of contracting and work allocation, which includes providing documentation, language instruction and cultural orientation before departure.

The third item, Migration Regulation, refers to entry visa systems, assisted returns, reintegration and fight against human trafficking.

The Forced Migration area includes asylum and refuge, the resettlement problem, and the problem of internally displaced people.

Among the migration authorization activities, there is a series of issues to consider: technical cooperation; immigrant rights; research data; migration and health; migration and race; integration and reintegration.

## **Guatemala's Political Migration History**

The signing of the peace agreement in 1996 led to the political conditions for the government and civil society to pay attention to the migration phenomenon, and, in particular, the following fundamental aspects:

- First is the constant and irregular migration of Guatemalans to the United States, which is still an important phenomenon.
- Second is the increase in migration flows of migrants from third countries, specifically of Central Americans traveling through Guatemala to Mexico and the United States. Guatemala is the latest country to join NAFTA and, in a certain way, serves as a trampoline for all migration, not just from the region, but for extra-regional migration as well.
- Third is an issue of growing concern, the mass deportation of Guatemalans from Mexico and the United States of America.

In light of these issues, in February 2001, IOM developed an Action Plan for the Government of Guatemala, though the Ministry of Foreign Affairs, for the Management of Internal and International Migrations, which has served as a basis for approaching migration policy. This governing plan in Guatemala has four programmatic aspects: (i) nationals abroad; (ii) returning nationals; (iii) relatives of nationals abroad; and (iv) local development for migration prevention.

The extent of help for nationals abroad includes legal advice regarding legalization of immigration status, as is the case in Mexico, protection of the human rights of migrants, and the banking transfer of remittances, which IOM has implemented mostly in Canada. The latter is a mechanism used to considerably reduce the costs of sending remittances by means of a master account in Guatemala, from which funds are distributed at a cost of between U.S. \$0.50 and U.S. \$1.50 per person, depending of the number of participants. Another important programmatic aspect is migration prevention through technical assistance with productive projects.

Regarding the return of people, we have two lines of action. One refers to short term solutions, and the other, to lasting solutions. Meeting people at the airport and delivering their ticket to travel to their place of origin is an example of a short-term solution. Among the lasting solutions

we should mention those implemented through the Ministry of Labor: the promotion of new work posts and the work reintegration of the returned migrants, taking into consideration that people deported from the United States have acquired enhanced abilities in many areas. These people came out of a developed country; they have endured and demonstrated their capacity to survive in a developed country; they have great potential that should be tapped and integrated into the local society.

Regarding the labor reinsertion for Guatemalans who returned from the United States, there is also a pre-project that consists of the identification of the work profile of the returned: assistance for the transfer of migrants from the airport to their communities; the execution of inducement and training costs according to the work/social profile of the returned to prepare them for their productive work reinsertion; and returned-migrant support to design and execute projects that will produce reasonable income, and in other cases, to refer returned migrants to work centers to obtain employment. In 2008, Guatemala received 28,051 deportees.

### **The Participation of IOM in the Peace Process**

The participation of IOM in the peace process happened in three stages: before, during and after the signing of the peace agreement, in the transition from its emergence to its development.

Before the signing of the peace agreement, as mentioned by Ramón Cadena, IOM participated actively in the return process, which resulted in the return of about 46,000 people. Also, IOM worked with the National Peace Fund, through the mechanism of FORELAP, in providing access to land and developing productive projects. One of the paradigmatic examples was the massive return of January 20<sup>th</sup>, 1993, called “the victory of January 20<sup>th</sup>,” when 2,421 people returned. For that return, IOM had to do preparation work in the return area, building roads, reconditioning the city hospital, and building a provisional health and infrastructure site for the school in the area where returned people were received. Also, legal residents of the cooperative of Ixcán Grande were compensated for their improvements and their harvest, and they received land to which they could relocate.

During the peace process, we worked in the demobilization and reintegration of former combatants in Guatemala and other related programs.

Regarding the policies and actions implemented in Guatemala, as presented by the Vice-Minister, I would like to refer to the topic of farm workers in Canada, a program initiated by the IOM in 2003. Since that date, we have sponsored over 8,000 Guatemalan workers to work temporarily in Canada. This year we expect to surpass the number of 3,300 workers sent in 2008.

IOM also has experience in Colombia at the regional level, the Peace Strengthening program. This program has the financial support of USAID and has three components: support for the Colombian state, support for civil society initiatives and a citizen coexistence center. Among the main activities of this program there are 19 institutional strengthening projects. With these projects we have prepared, through Colombian radio, peace advocates and promoters in forty cities and twenty-five departments, and there are five projects with the purpose of decentralizing and updating action information systems against anti-personnel mines. Another project is the "Soccer for Colombian Peace." The next projects will be devoted to supporting civil society initiatives. The goal is to promote the reconciliation and assistance of victims with fifty-four projects of forty-nine NGOs that work together with us. There are also projects like "Restoration Justice and Peace in Colombia for Reconciliation" and "Nurturing Peace in the Family," implemented by the Colombian Association of Flower Exporters, which have two strategies: sensitizing and training. Finally, there is the Citizen Coexistence Center project that is part of the National Coexistence Center Program. For that we have built and launched nine centers. Also, we worked on a Manual for Coexistence and we inaugurated the *Saberes Indígenas* (Indigenous Knowledge) in Valledupar Center. Finally, after the beginning of the democratization period in Chile, IOM had the experience of helping in the return of Chilean citizens and the reinsertion of returned people, primarily returning from Europe, and in that way we contributed to reconciliation.

Thank you.

## **Most Rev. Alvaro Leonel Ramazzini**

*President of the Commission for the Pastoral Care of Migrants  
Guatemala Conference of Catholic Bishops*

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Dear friends, my self-esteem went through the roof from everything that Ramón Cadena said about me, but now I am going to try to bring it down to earth. When we speak about migration policies and reconciliation, I would like to focus on the second term, “reconciliation,” because the word “reconciliation” brings to mind the idea of division, of a clash, separation, confrontation. By itself the word means to reunite, to conciliate again, to get close or integrate; and I believe that the history of many Latin American countries is the history of countries divided by ideologies and armed conflicts. Guatemala and El Salvador are clear examples of this reality.

The armed conflict in Guatemala produced, as we the bishops have said many times, a polarization of society, an exacerbated polarization, but it had already existed in this country: racism and discrimination against indigenous people, and even sometimes between the indigenous people themselves. Incidentally, let us not forget that January 31<sup>st</sup> marks another anniversary of the burning of the Spanish Embassy, one of the results of this armed confrontation. There was also a division in Guatemala produced by the social discrimination between rich and poor. This division was particularly exacerbated at certain moments in history by a class struggle, which instead of uniting, divided people even more, and now, unfortunately, it has become stronger than before in certain sectors. In some of them, there was a division also produced by religion, and it was Christian religion, which is contradictory, if we believe that the essence of Christianity is to love God and to love thy neighbor, and to love means to unite, not to divide. I say this thinking about serious churches, historical Protestants, and, in general, I say it also thinking about members of the Catholic Church who forget that ecumenism really is the effort of uniting and reconciling.

In this context of reconciliation, and from my experience about the subject, I believe migration policies must deal with a dual task. The first task would be integrating the nation. The peace agreements established that Guatemala is a multicultural, multi-ethnic and multi-lingual society, but that is far from being an accomplished reality. We have the Agreement on the Identity Rights of Indigenous People. We have the Agreement on



Socioeconomic Rights and the Agrarian Situation. However, and in spite of all that, their fulfillment is far from ideal, even if we say that they continue to be a fundamental tool to accomplish changes in favor of reconciliation. We do not forget that these peace agreements did not touch on some aspects that should have been addressed and incorporated. But given the negotiation process itself, some things just stayed the same. In spite of it all, there they are, the invaluable Peace Agreements.

On the other hand, if we connect reconciliation to migration policies, we are also looking at the task of integrating foreigners into the country, and this assumes that the people have the real possibility of being integrated into those other countries where they need to go. At this Forum, we have talked much about migration to the north, to México and the United States, which are the countries that receive the greatest numbers of Central American migrants, including, obviously, Guatemalans. This brings me to ponder over some concerns that I want to share with you.

First, if we talk about reconciliation in the context I mentioned, of integration as a nation, we would need to ask ourselves how and up to what point. If we have said that migration should promote democracy and development, I ask: What kind of development are we promoting in this country to unite us instead of divide us? What kind of development projects are we promoting for the entire population to feel integrated and not excluded? But we would also have to ask, if we talk about integration of foreigners in our own country, what is the attitude of our government and ourselves, the Guatemalans, towards the migrants who come from abroad? What is our immigration policy, if we talk about reconciliation, toward the Colombians seeking refuge in this country? It is a policy of acceptance to tell them: "Come, because you are going through what we went through here." It is a policy of saying "Although we are poor, an impoverished country, we want to share our poverty with you." I never forget when, for the first time after being ordained as bishop, I went to visit the Guatemalan refugees in San *Cristóbal de Las Casas*, with Bishop Samuel Ruiz. He commented that when the Guatemalan refugees arrived, he told the families in his dioceses: "Well, take them in, receive them." One person said: "Yes bishop, we are willing to split our tortilla, if we have only one, with our Guatemalan brethren who come: half for them, half for us." That impressed me, because it truly showed the ability to forget about oneself in order to think of others. How have we treated the Ecuadorians who come to our country? Have we truly taken them in and integrated them? How have we

(this is no longer talked about, as in years past, when it was talked about much more) treated the migrants captured on the high seas, in so-called “international waters” by the U. S. Coast Guard, and brought to our shore and left there in Puerto Quetzal?

I ask these questions when we speak about reconciliation, considering the two aspects that I mentioned before. In this sense, we have the right to strongly criticize the attitudes of the governments of Mexico and the United States about the way they treat our migrants. Hence the importance of your hearing from these people how they were treated when they were captured in the raid at Postville, Iowa; the way they were abused, and the way migrants continue to be criminalized. But that is a problem that we have ourselves here in Guatemala. Therefore, if we talk about the relationship between migration policies and reconciliation, I do find some obstacles that we should seriously reckon with and figure out how to overcome and eliminate. And the first great obstacle, in my opinion, is to change our mentality, to see migrants as people; and in our case, as Christians, a brother or a sister. This change in mentality has to do also with a change in language. We cannot continue to talk about “illegals.” We could, at most, talk about people who do not have their documentation up to certain requirements, but this is even more tragic when inside our own church, be it of a Christian denomination or be it the Catholic Church, we ourselves do not recognize the Other as our brother or sister. There is a saying in a very important document in the tradition of the 2<sup>nd</sup> century of the Church, the letter of Diogneto, which affirms: “No one is a stranger inside the Church.” If we do not change this mentality we will not have the possibility of reconciliation. That is very clear to me.

Second, another very important step to me is that we have to strive to take a leap, a leap that consists in stepping from the legal into the ethical; because today, all migration problems are looked at from a legal point of view: “it is the law and the law must be obeyed.” But sir, what if the law is unjust? Who makes the laws? What are the values on which we base our laws? Is it the value of justice? Is it the value of respect for human dignity? Is it the value of equality? To accomplish a true reconciliation, we need to treat people as though they were more important than money, capital, nationality, or our own culture, even if there is a relationship between the person and the culture. We have to be aware that the person is even more important than religion itself. In the end, if we look at the great world religions in their essence, they will always proclaim the equality of all

human beings. Because in the end, God is Love, and love unites; it does not separate, it does not divide, and it does not oppose.

In this sense, the next great step is to reach a very specific and practical application of fundamental principles. What are those fundamental principles? I would like to name some, although there are others. To begin with, we have the fundamental principle that every human being in this world has the right to participate and enjoy in all the created goods that God has made. I mean, this is a clear principle in the social doctrine of the Church regarding the universal destiny of goods. When we read the current studies about the results of globalization, we are dumbfounded to see that the difference between the people who die of hunger and the people who have abundant food is increasing. More people die of hunger today than a few years ago, when food production was the same or maybe less. In that sense, it is very important to think of the message of Pope Benedict XVI, *Journey for Peace*, on January 1<sup>st</sup>, when he analyzed nutritional insecurity and the noncompliance with the right to nutrition in many countries of the world. Every human being has a right to what God has created for his well-being.

Third, we have to apply the fundamental principle that there is a dominance of “Being” over “Having,” and that people are valuable for what they are, not for what they have, because if economic policies are defined along the lines of “having,” undoubtedly “being” will be pushed aside. When I was a student I enjoyed reading Erich Fromm's book *To Have or to Be?*, when he makes the analogy of how even in the affective relationship between a man and a woman, attitudes differ when love is considered as “Having” or as “Being.” It is very interesting to see the analysis by this psychotherapist. The point is to accomplish the predominance of “Being” over “Having”: for a true respect of the right to free mobility, for a respect of the right to justice, and for all of this to be infused with truth, full of a great spirit of solidarity. This has to do with a problem that goes beyond technical problems, beyond public policy problems, beyond strategies. All of this has to do with a fundamental matter: to form the consciences in ethical values, and in the case of those who profess to be believers, to form the conscience in the practice of religious values.

I would like to finish by pointing out some of the things that I have heard, and you have also heard as well, in an effort to build and not to destroy, and I am sorry that the representatives from the Central American Parliament (PARLACEN) and the Mexican government have left, because I feel it is a bit wrong to talk about what they said, without their being present.

But, considering that the Forum is a public space, and that I am not offending, I do not want to miss the opportunity to share this:

First, what does the Central American Parliament really do about the matters that they have brought up? I ask this because if they do a lot, they certainly do not tell us about it, and I would like to see results from PARLACEN, given their ample budget. I understand that at PARLACEN there are very enthusiastic and conscious people who want changes, but we would need to see what is going on at the structural level, like in the United Nations. Pope John Paul II, some years ago, strongly criticized the United Nations, saying that they were not capable of reacting to avert a war in Iraq. Many times it is not about this or that person, but about structure. So, it is definitely worth looking into this in terms of a matter so important like migration.

Second, since I live in the border region with Chiapas, I recognize that the Mexican government allows those of us who live there to have a credential that authorizes us to move freely in Chiapas, Tabasco, Campeche, and Yucatan. This is a great novelty. I mean, in this sense, there is progress. But it is also true that the humiliation of migrants continues, and that on the way from the border towards the Federal District one can still see those cages, like the ones I saw five months ago, where they put migrants, men and women, and there they have them detained. I believe this is a matter on which we need to insist, and we are insisting because now there is a close relationship, not so much with us here in Guatemala, but on the Mexican side, with the Mexican authorities, to analyze this situation. In addition to all that, there are the constant violations and abuses against our migrants by the Mexican immigration authorities. This is a bit like Ramón Cadena was saying earlier, that we need to try and see how to get down to the core of the matter of impunity for the violations of the human rights of migrants.

For years we have insisted that our country needs to reform the Guatemalan migration law. There is a need to do so. This is the responsibility of the Representatives, from whom we do not see any interest in reforming laws for the good of the country. Our Human Mobility Commission studied the current migration law and we consider that it truly needs an urgent reform. If we want to talk about reconciliation, we have to reform the laws. Then, we cannot overlook the matter of the relationship between migrations and socioeconomic exclusion, inequality, and a reality of injustice. In view of this reality we need to see what we are going to do about solving the problem of migration out and also of migration in. Ramón

said it truthfully: on the way to the border there are corrupt police officers who not only destroy migrant documents but also demand money. I understand that this is hard for the police authorities to prevent, but we have to say it because it is a reality. There is much arrogance by the authorities regarding Central Americans themselves; and do not forget that Guatemala signed the CA-4 pact, so that Nicaraguans, Salvadorians, and Hondurans could freely transit throughout Guatemalan territory. In practice, this is not being fulfilled. They are extorted, manipulated, and threatened. In this sense, the mobile consulates are an excellent strategy to prevent this problem, as the Vice-Minister explained earlier. I was just in New York and I noticed the work of the Consulate in New York and in other parts of the United States with these mobile consulates, which are really helping our fellow countrymen. Still, we are concerned that these consular officers will be changed, providing no continuity of service: there you have a matter of a state policy that is not maintained and does not endure.

Another important Guatemalan matter is the reintegration of deportees into the workforce, not forgetting that many of those who return from the United States just want to go back because they do not feel like they fit here anymore.

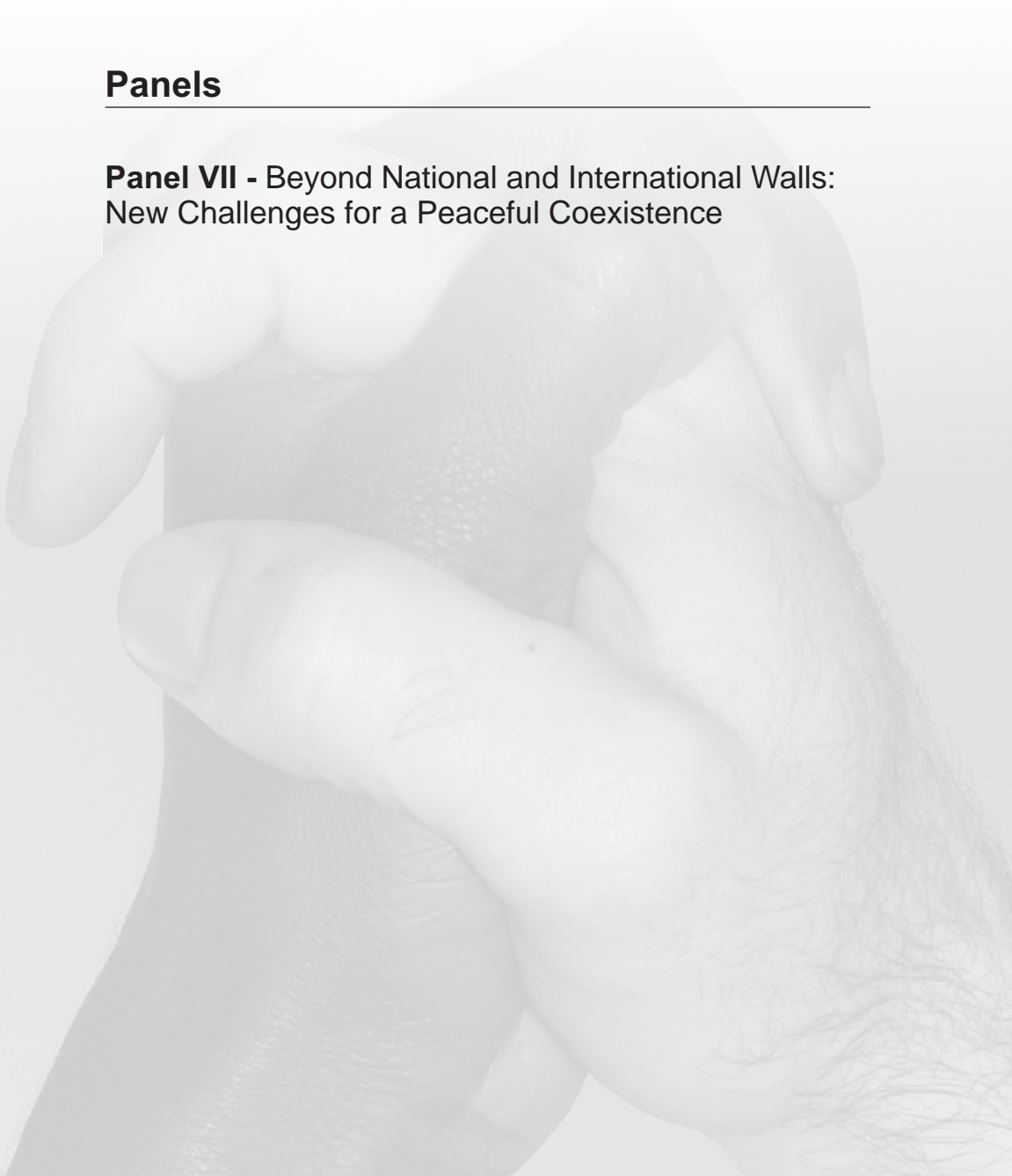
Finally, I would like to talk about the matter of the workforce insertion of Guatemalan workers in some cities in Canada, as mentioned by Mr. Günter Mussig. We know that there are places where migrant workers are well treated, but there are other places where they are being exploited. I do not know if IOM has a control mechanism, because there is also the matter of Canadian sovereignty, to evaluate the conditions under which these migrants actually work and live.

Thank you so much for your attention.

## **Panels**

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**Panel VII - Beyond National and International Walls:  
New Challenges for a Peaceful Coexistence**





## Introduction

### **Mrs. Irene Palma**

*Executive Director Central America*

*Institute of Social and Development Studies, Guatemala*

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It is a great honor to have the opportunity to moderate this panel. Our main objective is to formulate proposals and initiatives for establishing bridges toward a different understanding of migration and thus focus our discussion. The contributions that will be presented are very important for the debate that will take place during the workshops, especially because we will have the opportunity to listen to the presentation and determine approaches for outlining proposals on public policy and specific actions. In addition, we will also listen to remarks on the management of international migration and peace, in institutional spaces related to the context of globalization.

There will be five experts on this panel, whom I am pleased to introduce: first, Representative Luis Fernando Galarreta Velarde, from the National Congress of Peru. Next will be Dr. Lelio Marmora, Director of the Master's Program in International Migration Policies at the University of Buenos Aires. Third is Dr. Bela Hovy, Secretary of the Migration Section of the Population Division of the United Nations in New York. Fourth will be Ambassador Alfonso Quiñones, Executive Director for Comprehensive Development and General Director of the Inter-American Agency for the Cooperation and Development of the Organization of American States. To conclude this panel, we have Rev. Alfredo Gonçalves, Provincial Superior of the Scalabrinian Missionaries, São Paulo, Brazil.



## **Deputy Luis Fernando Galarreta Velarde**

*Representative of the National Congress of Peru*

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Good afternoon. First of all, I would like to congratulate the organizers of this Forum and to thank you for the invitation to represent the National Congress of Peru, where, in spite of the reduced visibility of the matter, we are seeking to promote initiatives related to migration.

Considering the important matters presented during the first day of the Forum, I want to begin my presentation with two premises. First, I was very pleased when the former president of Ecuador, Mr. Jamil Mahuad, remembered so well the words of a Peruvian song, that he made me remember that crucial time in the history of Peru and Ecuador. I agree with his assertion that the resolution prevented deaths on the Ecuadorian and the Peruvian side. Mr. Mahuad noted the importance to also listen to other points of view and, at the same time, to seek to overcome challenges. We all know that the current international economic crisis has generated an attitude of rejection, fear, and even xenophobia against immigrants in the destination countries. In spite of that, I want to raise this first premise: There is no justification, in any part of the world, for the violation of human rights.

The second premise I want to present, which is also related to the matter of how to face the international migration challenges, is about the justification that we generally get for the inability to meet challenges: “It is their fault.” That is what I have read in some books and that express the attitude we often have regarding the unpleasant situation experienced by our fellow countrymen abroad. If we take that perspective we run the risk of focusing solely on the consequences, as opposed to the causes of migrations. In other words, like Mr. Mahuad said, the victimization approach is a mistaken approach, which can lead us to a bad negotiation, if we want to build peaceful coexistence. This coexistence obviously requires cultural interchange, it requires negotiation. It is even harder to find peaceful coexistence when our societies or our leaders are noticeably farther from God every day. This is a complicated situation, but it is the reality of our current world.

Starting from these premises, I want to recall that in our Latin American countries we have basically sought for years to associate

migration with the existence of dictatorial governments in the region. In the face of this perception I ask: Why is there still migration when the majority of our Latin American countries have democratic governments today? The next big question is: Why haven't we been able to provide health services, education, and opportunities for a decent life to our populations in over 400 years? I come from Peru, where the macroeconomic statistics reveal a growth of seven to eight percent. It is probably one of the few countries to grow, in this year of economic crisis, but that is the reality of one part of the country. The people who live close to Bolivia, in an abandoned apartment, do not know what the economic growth is. Yet, faced with this situation, the temptation is to proclaim: "It is their fault." This raises the need to question the responsibilities of our societies and our leaders. As we saw during the first day of the Forum, there is an aggressive position toward the countries of destination; and, perhaps, a less aggressive position toward those responsible for governments that have not been capable of generating better living conditions for their citizens or that have been corrupt. I would like to invite us all to reflect during the debates of this Forum, and in the workshops, also about our responsibilities as source countries of migration.

The most basic concept of globalization relates to the free flow of information, capital, and people, but the migratory barriers reveal that what is happening is obviously very far from what is globalization. This process is going the wrong way, because if there is no freedom of movement, like it existed during the last century in great regions of our American continent, we realize that globalization is evolving. In this sense, last century was more globalized than this one and even more so than the one before last. This does not mean that globalization is wrong, but that some societies and some countries are moving away from globalization. They are globalized only with regard to information exchange.

How do we face this challenge, a challenge that finds us before an already clearly unfortunate situation? Who is not going to denounce what we saw happening yesterday to those who were incarcerated and deported from Postville? The first step in facing this challenge is to have a correct analysis of the actual situation in Latin American countries, mainly the situation in which the migrants live. The analysis we make is that the countries of destination have a radical, uncivilized, inhuman position. I ask: is that the real analysis, or are we just analyzing one point of view? It would be good for us to wear the other shoe, at least to know how they think, and to

solve the problem, because when two people with a problem talk and evaluate a problem, they normally seek the solution together. The concern I raise is that to face the challenge we have to do a correct and complete analysis of the situation.

I will present two concrete examples that could help us in considering the different aspects of a specific situation. The first example is from my family life. When I was 11 years old and my brother was 13 years old, my mother's brother had a problem, and he was evicted from his house. Facing this situation, my uncle talked with my mom and one morning my uncle arrived with his wife and five children. My brother, my father and I said: "Welcome." The house was a small apartment, 75 square meters, and both families were accommodated in the two bedrooms. My cousins had different habits from my brother and me. For example, in the morning while having breakfast, my cousins would chew with their mouths open and my brother was annoyed, they yelled a lot and we talked without yelling, we prayed before eating and they did not pray. My brother, already annoyed, found out one night that the beds we used to sleep in had been joined and they had put my four cousins and me together, trying to fit us all. My brother was stubborn and he pulled one bed and obviously both beds opened up and we all fell in between. After this, the next day my mother talked to my brother and my uncle about this state of differences, and that, even though it was not their intention, our family felt somehow invaded, in own home. My brother's attitude was corrected by my mother, who made him understand that we had different habits but that tolerance and search for understanding were the only way to coexist.

The second example is about our fellow Peruvian countrymen in Chile. Three years ago on July 28<sup>th</sup>, I saw a video of our Peruvian brothers celebrating their country's independence in one of the main parks in Santiago. During this time of celebration in Peru, we eat our typical food from vendor carts. Our fellow countrymen did the same in Santiago. The scenes from the next day was a disgrace, there was a chaos of beer bottles and trash all over a park that is always clean and well kept. Obviously, if the Chilean authorities get mad in that moment and punish the Peruvian people with an act of violation of rights, it has to be denounced, but if the Chilean authorities are naturally outraged, and they call on the Peruvian authorities to correct this situation, the reason is understood.

I cited these two examples to insist on the need to analyze more than

just how bad we are treated. I repeat: there is no justification for human rights violations, but to find the solution to the problems of peaceful coexistence between migrants and local communities, the analysis has to consider and evaluate both sides. With this I want to say that in order to move on with the formulation of migration policies that will benefit our people, we have to at least, at some point, put ourselves in the receiving countries' shoes, to see what the best strategy would be, the best way of solving some of the problems, even if we cannot solve them all.

When one speaks about peaceful coexistence, and this is why I mentioned the previous examples, one has to consider that the difference in itself is not the aggression, but it can generate aggressions. In my opinion, to reach a peaceful coexistence we have to not only put ourselves in the shoes of others but to also try to consider the four necessary stages, to do this. The first stage is to avoid the exodus of our citizens and this is not the responsibility of a globalized world, but primarily of our governments. The second stage is to provide orientation for migrants, so that the culture shock and the different customs they will encounter in the destination countries may be less traumatic to both sides. The third stage is the protection of migrant rights, especially the most vulnerable groups and the victims of human trafficking. The fourth stage is the repatriation of those who want to return to their own countries. An example of that is the tax incentives offered by the government of Peru for returning citizens, when they, obviously, bring their goods and resources.

These elements are essential to outline a State policy on migration. Parliaments like ours, which are normally detached from such matters, should get involved in the formulation of an explicit migration policy. That is the message I take back to my country after these two days in the Forum, after listening to people so committed to this topic, and frankly, different from us who have not been as committed. But now we know better, because the politicians and decision makers can make better decisions based on the experience of experts and that is you. What I am presenting now is an idea, a proposal to reach a solution.

In conclusion, I think that another important aspect to be considered in order to overcome the challenges to peaceful coexistence in the field of international migrations is to look for the positive aspects that always exist in all situations. I believe that there are also competitive advantages. For example, I have a great advantage compared to you if we go to a cool place

like Peru where in some cities the temperature reaches 5 degrees below zero. Since I do not have hands, I don't need gloves to cover them and my advantage is in the savings. In this sense, we know that there are some advantages in the European countries where the demographics are aging and the retirement system will require the contribution of young people to be sustained. That is where our authorities need to look, to find those vantage points and it attractive for the countries of destination, in order to formulate a migration policy where our fellow countrymen and countrywomen have better results.

Thank you so much for your attention.

## **Dr. Lelio Mármora**

*Director of International Migration Policies Master Program  
Universidad de Buenos Aires*

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Thank you very much. First of all I would like to thank the *Scalabrini International Migration Network (SIMN)* and our friend, Leonir Chiarello, for the invitation to this Forum.

I am going to consider the matter of “bridges or walls” from a slightly different perspective. I would change the expression “bridges or walls” to “bridges and walls,” because we currently find that in the last 20 years we cannot talk about a single policy or governability logic on migration, but rather what we see is that different perspectives or policies have been developing, which are not mutually exclusive. Some points are addressed, but they have been developed independently. To put this in a more or less schematic form, I would say that today we have at least three models or three logics of governability in migration policy.

The first is the perspective of *security*, of control, generally used or carried out, each time with greater force by the developed countries that receive migrants. The second perspective considers migration as a variable of adjustments in the job markets. The third is that migration is part of human development.

The first perspective informs us that migration is a problem. Migration is seen as a political, labor, economic, cultural problem. In the second one, migration is seen as a social-labor phenomenon, which could be a problem as much as a solution. In the third or human development perspective, what is being raised is basically a matter of ethics: the human being as the center of the migration policy. This is what would distinguish the basic logic in each of them.

There are also differences regarding the question of migration and development. In the first case, in the policy of security and control, migration is considered an unsustainable cost or would be an unsustainable cost for the receiving countries. On one hand there is talk about an uncontrolled migration wave, while on the other hand, the migration of qualified human resources is encouraged.

In the second case, in the policies directed to job markets, the

suggestion is a co-development where “everybody wins” and where migrations would be as positive for the countries of origin as for the countries of destination. This is the position maintained by many international organizations and it is being promoted through different programs.

In the third case, of migrations contributing to human development, the suggestion is, as Raúl Delgado Wise said yesterday, that migrations are fundamentally beneficial for receiving countries. It is the source countries that carry the negative effects of migration, whether in family separation, the cost of training or education of technical professionals, or the loss of opportunity for not having the technical staff when you are in a position to develop, especially in this “knowhow” society in which we live. Yesterday we saw an estimate of the cost of training compared to the value of remittances. In the Argentinean case, they would need 30 years of remittances to cover the cost of professional training of Argentinean qualified personnel migrating abroad.

As for the causes, there are also differences in the perspective of how to look at the causes of migration. In the first case, the case of security, the sending countries are to blame or at least are seen as primarily responsible for that exodus of people, whether because of overpopulation, institutional inability, imperfect democracies, or corruption. There is a very interesting example also in the case of Argentina, of how this corruption phenomenon is many times linked not only to local elements but also to multinationals. One very well known case in the courts of the United States is the agreement between the multinational company Siemens and the Argentinean government. In the 1990s, an agreement was signed by which the company was going to charge 1.2 billion U.S. dollars to computerize border controls and make a new national ID. Later, the agreement was broken by a subsequent government because of administrative problems in the way it was done. It is estimated that the real cost to the company was an investment of 80 million U.S. dollars, and there was another 80 million U.S. dollars that had been distributed among corrupt Argentinean employees, while the multinational company was taking the small difference of a little over 1 billion U.S. dollars in profit. In other words, it is important to consider one basic thing: where there are corrupted, there are corruptors, and generally the corruptors take the bigger slice.

Regarding the second perspective, the causes of migration are seen

as a variable of adjustment in the job markets and as a product of globalization, in general. Globalization would be producing more information, better means of transportation, and the establishment of networks among migrants to facilitate migration. On the other hand, migration would respond to the excess of manpower in the source countries and the unmet demand in the countries of destination.

In the third approach, migrations as contributing to human development, the causes of migrations are seen as directly linked to the negative effects of a neoliberal globalization, an asymmetrical, monopolized, and exclusionary globalization. According to United Nations data, the existing gap between the five richest developed countries and the five poorest developing countries went from 30:1 in 1960 to 60:1 in 1990 and to 74:1 in the year 2000. This demonstrates that the gap is not just an income gap: it is a gap in access to education and in parity of purchasing power. For example, the relation between Spain and Tanzania in terms of parity of purchasing power is 30:1, while the relationship between the United States and Mexico is 5:1. These would be the objective factors presented within this analysis as to why people migrate.

In terms of human rights, the perspective of security addresses *the undocumented (ilegales)*. As already mentioned in this Forum, the illegal would be committing a crime by entering the receiving country in an irregular manner, therefore, creating a criminalization of migration.

From the perspective of the variable of adjustment in the job markets, human rights are considered from the point of view of establishing bilateral agreements to allow the controlled and secure movement of manpower. An example often cited is the case of the Philippines and the United Arab Emirates, whereby it is suggested that a well-protected migrant is more productive. In other words, this is basically a cost-benefit perspective.

From the point of view of migrations fostering human development, there is recognition of vulnerability, rejection of the criminalization of migrants and the principle of coherence. If human rights are expected to be observed in the countries where the migrants arrive, the source countries should also have a position of respect for the migrants who come to their countries. And migrants are seen as subjects with full rights, of free mobility, free residency, equal treatment, and expanded participation in citizenship.



With regard to shared responsibility, which is something that is much discussed, the perspectives are also different. In the first case, shared responsibility means sharing the responsibility for preventing migration, or to help migrants be deported through the notorious “voluntary return.” The only voluntary aspect of this form of return is: “you can choose to stay in jail or you can choose to get on the returning plane.”

In the second case, the responsibility to regulate the flow of temporary labor migrations would fall on the sending countries as much as on the receiving countries.

In the third position, the responsibility is seen from another perspective: it is a shared responsibility where the developed countries and those in development must equitably share in the benefits of commerce, technology, environmental protection and information.

Another important point is the coexistence between the newcomer and the one who is already there. From the perspective of security, the concept of coexistence is that of digestive assimilation. This perspective expects the migrant to be a clean slate that enters and adjusts to the culture and norms of the country of arrival, and refrains from bothering anyone. And, for many, it would be ideal if migrants arrived at 8am and left by 8pm, working of course, according to the local needs. As an example of this perspective, there is an interesting case. The Dutch Minister Rita Verdonk, who is the Minister of Integration and Immigration, known also as *Iron Rita*, has not only proposed prohibiting Muslims from wearing their veils in public places, but has also manifested her desire that only Dutch be spoken in the streets of Holland, and to pay a commission to police officers who detain illegal immigrants. This is one of the examples that falls within this perspective.

From the second perspective, coexistence is no longer seen as assimilation, but as a coexistence of multiculturalism. Multiculturalism was proposed by American sociologists the 1960s, during the struggle for civil rights. It was later picked up in different parts of the world, mainly in Australia and Canada. Multiculturalism basically prescribes tolerance for those who are different.

In the human development position, what is assumed is not multiculturalism but inter-culturalism, or even cross-cultural interface, in terms of coexistence, living together, and building new identities and cultures.

In relation to space in each of these positions we can recognize the following perspectives. Under the first approach, evidently, there is the unilateral space represented by the walls. We have examples of walls that have been reinforced, for example, the walls of CETI-Melilla in Spain. The United States moves forward with their 1,300 kilometer wall, and walls have sprung up or are being kept between Turkey and Cyprus, North and South Korea, India and Pakistan, in Cashmere, between Botswana and Zimbabwe, Saudi Arabia and Yemen, Kirghizstan and Uzbekistan, Thailand and Malaysia, in Holland at the port of Rotterdam, in Morocco at the border with the Polisario Front, the longest of all; and the Peace Line in Belfast between Protestants and Catholics, or the one dividing Israel and the Palestinians and enclosing the latter in some kind of ghetto. We could go on with many more examples.

The second perspective, in turn, privileges bilateral agreements that allow shared commitments between the countries of origin and destination.

In the third perspective there is a greater tendency towards the establishment of multilateral agreements that ensure the rights of migrants and their families.

The consequences of these forms of governability, considering the state of the current situation, lead us to ask: What is happening? Why are these policies adopted? What consequences do they have?

In the case of security, these policies are adopted generally as a function of pressure by groups of voting xenophobes. There is an electoral calculation in all, or almost all, of the positions that adopt restrictive migration policies, and Mr. Jorge Bustamante said it yesterday, that the majority of the United States population is anti-migration. And that anti-migration public opinion, in some way, is determining migration policies.

In the case of the variables of adjustment, what is being done is promoting correct policies according to the situation of the market.

In the case of human development, it is about avoiding forced migration, the protection of the right not to migrate, the supportive responses to vulnerability, especially of the migrants.

Regarding consequences, in the first case, they see the masses of migrants, they do not see them as signs of the “era of migration”; they read them as the era of illegal, irregular migrations. There are masses of irregular migrants, they are reinforcing the clandestine underground world, there is

the impossibility of legalizing their situation, and this produces administrative corruption, more restriction, more corruption across the world, human and migrant trafficking, labor and sexual exploitation, unfair competition in the job markets, and a social exclusion that produces resentment.

In the second case, we find programs that, even though they do not address the whole problem, they try to deal with part of this migratory movement by regulating the flow of labor migration.

In the third case, what is sought is a diminished illegality, a measure of equity, social justice, and integration of migrants in the exercise of their own rights.

In conclusion, it is necessary to point out that currently, on one hand, there is a struggle between the universal awareness of human rights in general and of migrant rights in particular; and on the other hand, a factual situation: there are anti-migration sentiment in different social and government sectors of the receiving countries.

At the same time, new spaces of free circulation are being created, like in the case of South America, from the Andean Community to Mercosur. In the case of Mercosur, they have signed an Agreement for Free Circulation and Residency. In the Andean Community, progress is visible in the Andean Plan for the Human Development of Migrations, which provides for measures consistent with this third perspective.

Thank you very much.

## **Dr. Bela Hovy**

*Chief of the Migration Section*

*Population Division of the United Nations, New York*

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I want to thank the *Scalabrini International Migration Network* for organizing this meeting. They really do justice to their name; this is a place to network, not just to listen to formal presentations. Probably, you will have forgotten my presentation when the next speaker arrives, but this is also a place, at least as I experience it, to network, to meet old friends and to make new contacts. I want to thank Leonir Chiarello for inviting me to this meeting. I met him in Manila, when he very skillfully and very graciously Chaired one of the round tables of the Global Forum, and now I meet him again as a very graceful and apt organizer of this conference.

My presentation will be mostly about the governance of international migration, but before we get there I want to quickly define international migration and secondly, present a few global migration trends. We have heard already some facts, which I want to confirm. But also direct your attention to trends that are less well known, certainly through the media.

In the third part, and here is the governance, I will show you what is happening at the United Nations in the area of international migration and development. The fourth part will be on the Global Forum on Migration and Development, a completely new process in the area of global governance of migration and development. I will end with a few concluding remarks.

Why do we talk about governance? During the past one and a half days, we have heard about concerns, we heard about problems, but we also heard that migrants have dreams and that there are opportunities. With this presentation I want to show you what governments are doing at the global level. Are they listening to migrants? Are they listening to non-governmental institutions? What is happening there?

Let's quickly go through the definition of migration. Migrants are crossing borders. Borders are one of the themes of this meeting. If there were no borders there would not be any migration. IOM would not exist; UNHCR (ACNUR) would not exist. We wouldn't have this nice meeting. And I would be out of work. But borders are there and we have to deal with

them. There are internal borders and there are external borders. When we talk about the roughly 200 million migrants that we have estimated at the United Nations, we mean the international migrants who cross country borders. Internal migration, movements within borders, is much higher than international migration, but it is under the responsibility of only one government. International migration involves at least two countries.

A second very important distinction is between the reasons, or causes, for migration. During the presentation on ACNUR this morning, we heard about forced migration where persecution, conflict and disasters are the main reasons for migration. But the majority of international migrants migrate on a voluntary basis simply to find work, to stay in a country permanently, to join families, to take up studies, etcetera. We have heard earlier that these two categories are sometimes difficult to distinguish and I totally agree with that. Let me explain why the distinction is nevertheless very important. Forced migrants are running away from their own governments. They are no longer protected by the country of their citizenship. Yet, they do not have the full protection of the host country, because they are foreigners. Thus, every refugee needs international protection. In contrast, international migrants, when they're crossing a border for voluntary reasons, can still enjoy their rights as citizens through consulates abroad. That is why the distinction between refugees and voluntary migrants is so important. As an international migrant, I normally do not need international protection. If I am a refugee, I need it per definition.

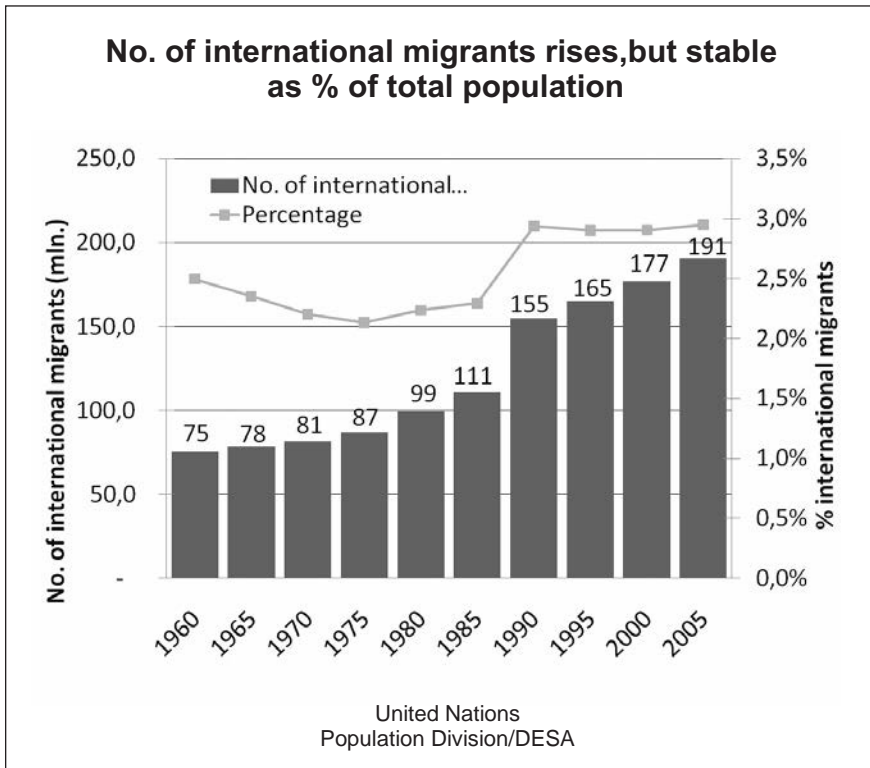
Then there is duration of stay. In the UN estimates of the number of international migrants, we count people who changed their place of residence, that is, people who move to another country for at least one year.

A fourth important distinction is legal status. Although it is difficult to count irregular migrants, our estimates normally include them. How is this possible? The main source of our estimates is the population census, which normally counts all persons residing in the country, both legally and illegally.

In chart number 1, the bars represent the total number of international migrants. It has increased slowly but surely from 75 million in 1960 to 191 million in 2005. Yesterday we heard a prediction that migration will further increase and I expect that too, but not very fast. The red line is the

proportion of the total population that is an international migrant. Some three percent of the world's population has crossed an international border, a figure that has been stable over time.

Chart 1



Where are the 191 million international migrants residing? [In Chart 2] the bars on the left refer to 1990, the bars on the right to 2005. The greatest increase since 1990 took place in high income developed countries. Development leads to more migration. There is also a significant increase in the number of international migrants in the high income developing countries, particularly the oil-producing countries in the Middle East. Middle and lower income countries have not gained any migrants.

Chart 2

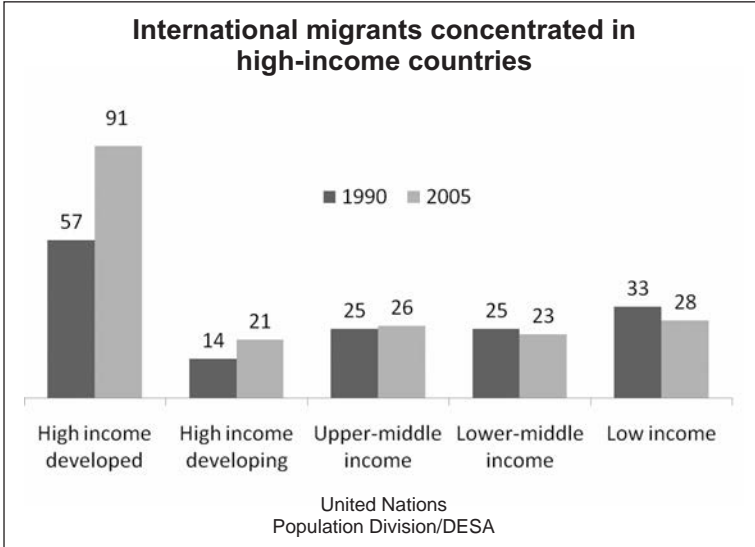
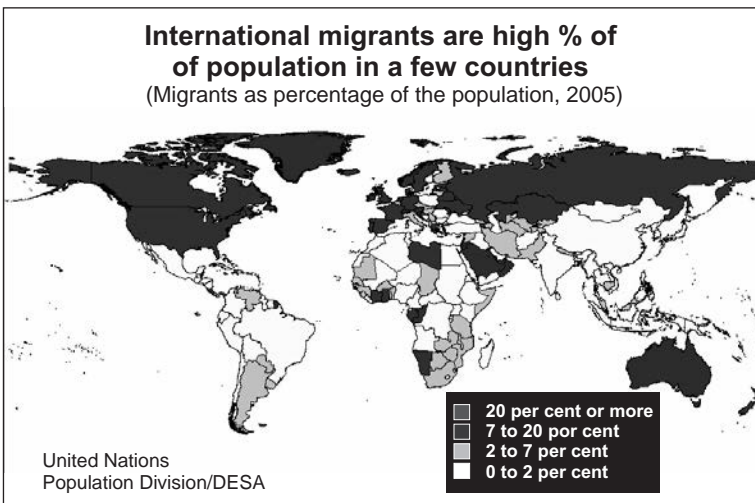


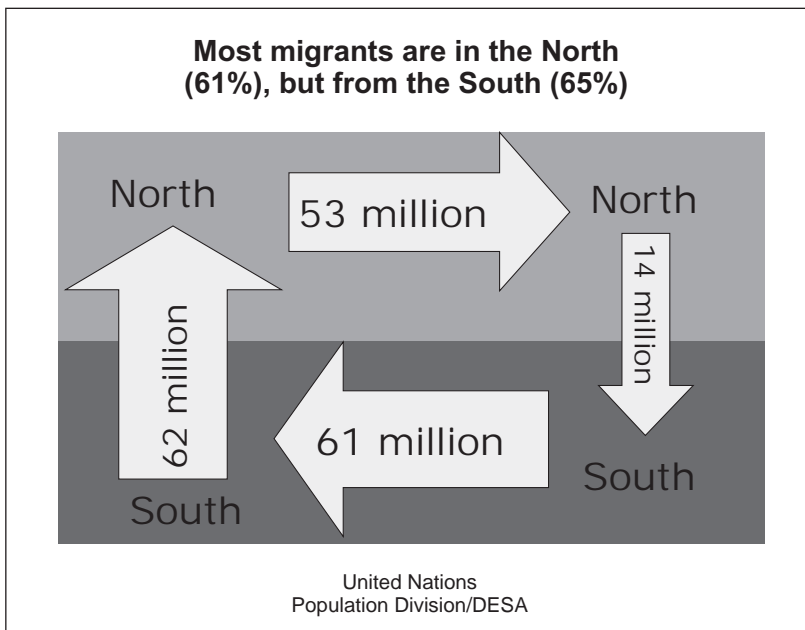
Chart 3 shows the same picture, not in absolute numbers, but as a proportion of the total population. The more developed countries host a higher proportion of international migrants than the developing world.

Chart 3



This chart indicates the origin and destination of international migrants. We know that most migrants are living in the North and we have also heard that most migrants are from the South. I want to focus on the blue and the yellow arrows. The yellow arrow represents the number of migrants from the South that moved to another country in the South: some 61 million. Compare that to the blue arrow that represents migrants from the South who live in the North. This is about the same number, 62 million. What we see here is that South to South migration is roughly as important as South to North migration. Clearly, migration is more than just migration from the South to the North.

Chart 4



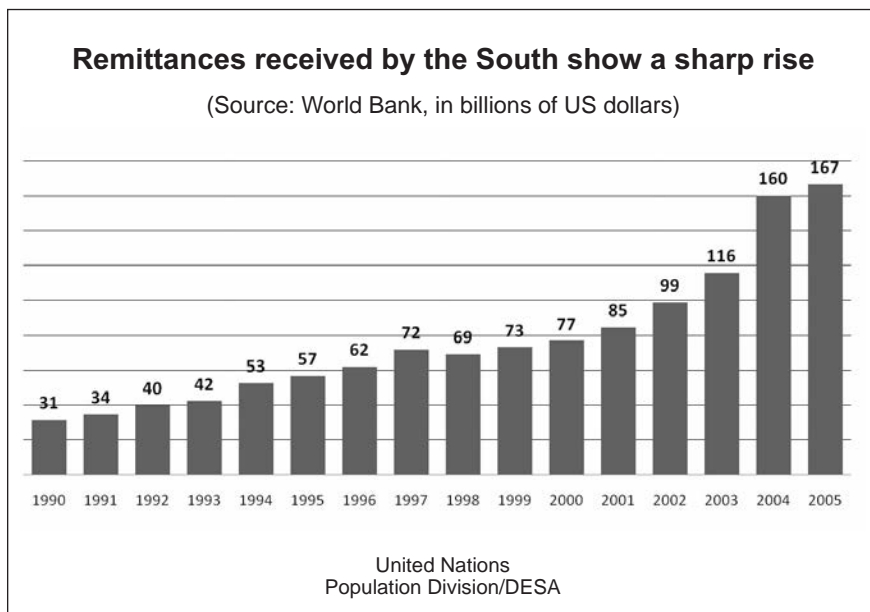
The remittances are going up [See Chart 5] and it is a very important contribution of international migration for development.

At the UN, we are also monitoring population policies. Let me point out a myth here. At this meeting, we've heard a lot about restrictive policies, but in fact government migration policies are becoming less restrictive. For example, a number of countries have introduced new policies to allow for



selective migration of highly skilled migrants. Also, new schemes for temporary migration were established for migrant workers from Guatemala to Canada and to Mexico. Similar schemes have been created in other parts of the world. Lastly, it should be pointed out that migration policies remain very diverse between countries.

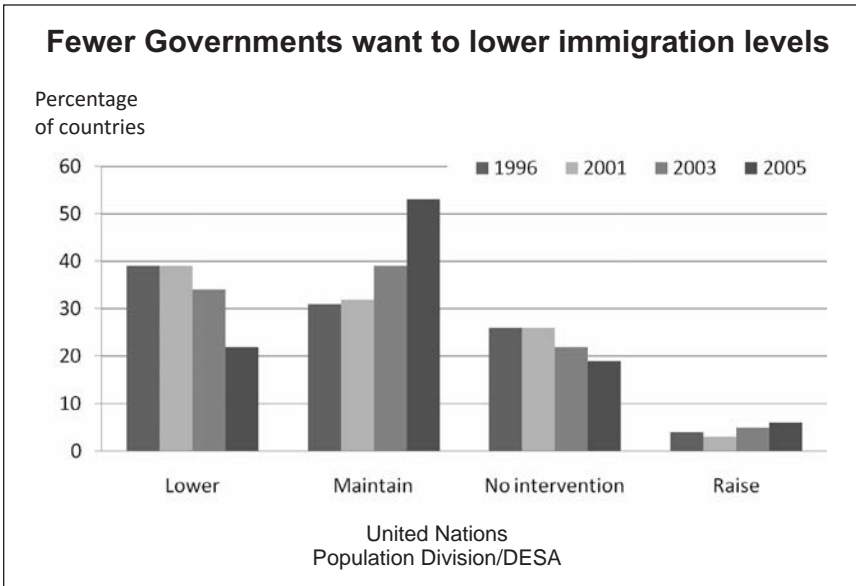
*Chart 5*



The number of governments that want to lower immigration levels has decreased from around 40 per cent in 1996 to 20 percent in 2005. If government migration policies would become more restrictive, as we heard a lot during the conference, the trend should have gone up, not down. [See *Chart 6*]

Regarding the governance at the United Nations, at this meeting, we have heard a lot about a rights-based approach. I have listed nine major international instruments on international migration. I'm sure you are familiar with some of them. First, there is the Migrant Worker Convention of 1990, ratified by only 37 States. None of these countries are major migrant receiving countries, a main weakness in the application of the convention. Then there is the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, each ratified by some 144 countries. The

Chart 6



protocol to combat trafficking of persons, which was adopted in 2000, has already been ratified by 123 countries. The protocol against migrant smuggling has received a similar high level of interest: some 114 countries have ratified it as of today. The issue of stateless persons, the subject of two United Nations Conventions, has gained in importance in recent years. There is more money to reduce and prevent statelessness and UNHCR is working harder to achieve that. Lastly, there are two ILO Conventions to protect migrant workers, but they are not widely ratified.

There are three major milestones when it comes to migration governance at the United Nations. In 1994 there was an International Conference on Population and Development. Twelve years later, there was the High-Level Dialogue on International Migration and Development. The 2006 High-Level Dialogue was a watershed in the global governance of migration. The Secretary-General proposed the creation of a Global Forum on Migration and Development. He appointed a Special Representative on migration. He decided to strengthen interagency coordination by creating the Global Migration Group. Third, the United Nations General Assembly has just decided to hold another High-Level Dialogue on International Migration and Development in 2013.

Regarding the Global Forum process, how does it work? First, let's look at the chairing arrangements. Currently, the Greek Government is the Chair. The previous Chair was the Philippines. Next year's chair will be Argentina. These three countries currently form the Troika. Then there is an "executive," a steering committee of some 25 countries. The Friends of the Forum, an "assembly" of all interested Member States, officially endorse the steering committee's decisions. There is a small secretariat. Finally, there are the relationships with civil society. I want to underline that the Global Forum is not a United Nations process, but it does have close links with the United Nations.

There are six annual Global Forum meetings on the agenda. The meetings in Belgium (2007) and the Philippines (2008) have taken place; Greece will host the third annual meeting from 2<sup>nd</sup> to 5<sup>th</sup> November 2009. Future hosts are Argentina (2010), Spain (2011) and Morocco (2012).

What are the plans for Athens? The proposed theme, nothing has yet been decided, is integrating migration policies into development strategies for the benefit of all. There will thus be a strong focus on development. On the 2<sup>nd</sup> and 3<sup>rd</sup> of November, there will be two civil society days. The governmental Forum will have three roundtables: one on migration, development and the achievement of the Millennium Development Goals (MDGs), one on facilitating regular migration, and one on institutional coherence and partnerships.

I would conclude by saying that international migration and development has become a priority on the UN agenda. We have seen the High-Level Dialogue in 2006. It was a talk-show, that is correct, but I have seen results as well. I have been to regions where governments said: "We do not have a migration policy right now. In six months we need to go to the Forum in Brussels and we better formulate a policy." There is work in the countries and in the regions in order to prepare for these meetings. The Global Forum does not make any decisions, it is not normative, and it is outside the United Nations. But at least it offers a possibility to informally discuss migration and development at the global level. Six of these global forums will be held. In December 2008, the General Assembly decided to organize a second High-Level Dialogue in 2013 as well as a one-day informal thematic debate in 2011.

So, is the glass half-full or half-empty? I will let you decide. And where do you, civil society, come in? There are many opportunities for

participating in the Global Forum. There are more than 150 countries which attended the Manila meeting. Talk to your governments about organizing a preparatory process so that your issues will be considered by the country delegations. Secondly, there are the civil society days. With your NGOs you can contact the Onassis Foundation which is the foundation that is running the civil society days in Greece and you can find out how to participate. To conclude, there are many possibilities for participating in the governance of international migration and a lot depends on you.

Thank you.

For more information, check: [www.unmigration.org](http://www.unmigration.org)

## **Ambassador Alfonso Quiñones**

*Executive Secretary for the Integral Development  
Organization of American States (OAS)*

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Thank you very much. It is really an honor for me to participate in this First International Forum on Migration and Peace. This matter is certainly of the utmost importance to the Organization of American States, and we trust that the results of this event will provide important inputs to promote the debate on the impact of migration in all of its dimensions, especially in the peace and development of our countries. I congratulate the organizers of the event, and thank you for the invitation. I would also like to point out that it is especially relevant to have this Forum here in Guatemala, since Guatemala has the *pro tempore* presidency of the Regional Conference on Migration.

As we know, the main cause of migration is the search of a better economic future for the people who migrate. For this reason, there is more need every day to integrate migration matters with the development strategies and policies of our countries and regional agendas. We, at the Organization of American States (OAS), consider it essential to understand migration as a part of development processes, both in terms of its causal relationships, as well as the effects the phenomenon has in the socioeconomic realities of the countries of origin and destination. In this sense, migrations are related to the unequal development of the hemisphere, which generates very uneven per capita incomes, causing in great measure the migration movements and determining their directionality. At the same time, migrations benefit the countries of origin through remittances, which have become an effective tool in the fight against poverty; and it helps destination countries, by providing manpower in the sectors that require it, contributing with taxes, and counteracting demographic imbalance, among other benefits. Also, on a local level, migrants are important agents of technological and cultural globalization. We have seen indigenous communities that inhabit remote Andean regions appropriating communication technologies through their migrants, and this has allowed them to connect with other regions; and we have seen the cultural richness contributed by the immigrant communities in the receiving countries.

However, it is also important to notice that in great measure, the positive impact that migration can have on the development of the countries of destination is related to the conditions of integration into these societies available to immigrants, as well as their integration into the job markets, the general economy, and the social and cultural life. Certainly, unfavorable conditions for immigrants have serious implications regarding the contribution they can make to these receiving societies. We all know that there are negative effects such as discrimination, abuse, lack of information about their rights, violent acts, social exclusion, and lack of access to justice.

Considering this, it is very important to promote inclusion and integration without discrimination in the receiving communities, and to point out the fundamental importance of peaceful coexistence, tolerance, and support in the societies. A greater degree of reception should be promoted on the part of the communities of destination, appealing precisely to the benefits of migration and the principles of tolerance and inclusion. On one side, this is accomplished through understanding and valuing the contributions made by the migrants and their families to the cities of destination; it favors the political space to comply with labor laws, the implementation of cultural integration policies, and access to health services and education. In this sense, they have carried out important work in civil society, churches, and immigrant communities, in establishing integration mechanisms, offering information and support channels both formal and informal, and promoting respect for the human rights of migrants.

From a broader perspective, the matter of migrant integration in the receiving community and/or transit community should be guided by the principles of equality and non-discrimination stated in the declaration of human rights. Migration policies should tend to reconcile, on the one hand, the sovereign right of States to control the entry and presence of migrants and, on the other, the greater good regarding the human rights of all human beings in search for better opportunities.

In the Inter-American Program for the Promotion and Protection of Migrant Human Rights, including migrant workers and their families, which was approved by the member States of the OAS, in a 2005 resolution of the General Assembly, it is stated that: “The objectives of promoting and protecting Migrant Human Rights are compatible with the sovereign rights of each of the member States of the OAS for controlling their borders and enforcing their laws.” And it also adds: “The discretion of the States to

regulate the entry of foreigners in their territories and determine the condition of migrants should be exercised in a manner consistent with the applicable international law on the Human Rights of refugees.” In the same way, the program suggests to the member States, among others, the implementation of activities oriented towards the protection of the physical integrity of migrants and the appropriate measures to prevent, combat, and eradicate violence and other forms of crime such as fraud, extortion, and corruption committed against migrants.

Within the framework of this program, the work of the OAS focuses on the protection of the human rights of migrants, by means, on the one hand, of the Works of the Inter-American Commission for Human Rights, and particularly the Special Reporter of the Commission for Migrant Workers and their Families; and, on the other hand, of the political entities of the organization, particularly the Special Commission of Migrant Matters of the Permanent Council of the OAS.

We also have organizational events, projects, and programs in which we develop cooperative activities. For example, with the aim of coordinating efforts in this area with other international organizations, and with the internal General Office, and at the same time work in unison and transversal fashion in the area of migration, we created in 2008, within the Executive Office of Comprehensive Development of the OAS, the “Migration and Development Program.” Through this program we will seek to contribute to the drafting of public policies that promote just, secure, and organized migration processes.

I will now, mention some of these projects and events:

The Continuous Reporting System on Labor Migration for the Americas (SICREMI) has as its objective to gather standardized, timely, and current information on migration flows. Some of you may know the Migration Data Collection System SOPEMI (French acronym), implemented for over a decade now by the Organization for Economic Cooperation and Development for its member States. We are trying to implement a similar system for the member States of the OAS. We are also developing an Interactive Map of Temporary Employment Programs for migrant workers (MINPET), creating a database and a web page that compiles the migration norms in the region, developing and promoting state and regional assistance models for migrant women affected by violence, and also identifying educational programs for migrant youth and children and

promoting their dissemination and advertisement. We are also working in the support and training of regional migration officers, security forces, judges and prosecutors, for the identification, protection and assistance of human trafficking victims and also the elaboration of tools for promotion and dissemination of material related to the human rights of migrants.

By the same token, we are carrying out a study of the role of education in the promotion of cultural diversity in societies and schools, and a project on the tendencies of early transition education policies in rural, indigenous and border communities.

In the labor context we have an annual meeting of labor ministers of the hemisphere, a meeting that, in its last session, adopted a declaration that includes this paragraph: "All immigrants, regardless of migration status, should be afforded full protection of their Human Rights and full compliance with applicable labor laws, including labor principles and rights contained in the International Labor Organization (ILO) Declaration, regarding fundamental labor principles and rights."

In this sense, in February 2008, we will carry out a workshop in the city of Quebec, Canada, on labor migration and labor market information systems.

I have presented this brief review of the activities of the OAS on migration not just to point out the importance that this matter has for us, but also to point out the need for migration policies to have a multi-dimensional approach, because they will hardly be effective otherwise and will hardly contribute in fostering societies that are more inclusive, respectful, receptive, and tolerant, for conducting prosperity, development, and peace.

In conclusion, I would like to mention that for this to be possible, it is necessary to create awareness and to educate. This has been mentioned repeatedly in this Forum, but for that effort to be effective it is necessary to deepen the study and dissemination of information on effective incorporation and integration policies in terms of inter-cultural coexistence and job markets, the effects of the current economic and financial crisis on migrant populations and their communities, the promotion of peace, and also the repercussions of these reconciliation processes. All of these are matters that we have been working on during these two days. In the same way, in this effort we should consider the role of the different actors, including, beside the migrants themselves and their communities, the governments, international organizations and civil society. Unfortunately,



the migration agenda has been focused on negative and conflictive aspects, and it is our task, for those who are convinced that it is not like that, to work for a turnaround in the approach to migration matters.

Again, I would like to congratulate the organizers of this First International Forum on Migration and Peace and mention that the matters discussed here are of the utmost importance, and should be considered by policymakers, so that in this way instead of walls we will have, maintain, and extend bridges.

Thank you very much.

## **Rev. Alfredo Gonçalves**

*Provincial Superior*

*Scalabrinian Missionaries, São Paulo, Brazil*

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### **Some Observations on the Notion of Borders**

My task in this Forum is to share with you some observations on what a border is. We know that words reveal concepts and concepts in turn are like seeds. Just as a seed in the earth sprouts into a plant or a tree, so is a concept translated into words capable of producing a vision of the world, a mentality and a culture. I will subdivide this topic into three distinct and complementary parts: the ambiguity of border areas, the various types of borders, and the border as a brand new theological site.

#### **1. The Ambivalence of Border Areas**

To begin with, border areas are not well-defined places; they are ambiguous, unstable, with flexible boundaries. There languages, currencies, and flags intermingle; faces also mingle, along with traditions and values. Not only people, but also identities blend and interact and end up reshaping each other.

Borders are free, often confusing and pluralistic spaces, where encounters can easily occur and just as easily be forgotten. Such spaces are ideal for daily commercial exchanges, for the traffic of drugs, weapons and even people; and for constant arguments over commercial and economic interests. The same space is equally useful for building new human relationships, albeit quick and short-lived.

If, on the one hand, the border remains open to the most unforeseen novelties, hourly surprises and unexpected events, on the other hand along the same border new friendships and contacts are possible, and new paths open up. Although it is a place of daily struggle for survival, a border is also a stage where conflicts become more serious and evident, just as new forms of solidarity are created. The border thus turns into an area where conflicts coexist along with solidarity. Generally borders are lawless areas but they are also open to all kinds of informal agreements and contacts; a no man's

land that can become every man's land.

As Paraguayan sociologist Tomás Palau states, in the Latin American context these border areas show evidence of a new and vigorous migration within a new globalized economy. According to him, border migrations constitute one of the most telling aspects of the new world order, which is increasingly asymmetrical and exclusionary. The massive displacements of people, particularly in the border regions, are a barometer of international relations fraught with injustice and discrimination.

Through them new social habits and new human relationships are born which in the long run can give rise to a world without borders. This is migration's hidden and silent potential: by repeatedly crossing borders, migrants are aiming at a world where borders will slowly disappear.

In this sense it is not an exaggeration to speak of a border-culture where at the same time all is forbidden and all is allowed, and where identities simultaneously open up to one another, but can just as easily turn on each other. Borders are places where people live and work together in a spirit of solidarity, but they are also places of violence and death. Every day, life and death are pitted against each other, seeking predominance. Ultimately, however, we should always keep in mind that the true border between good and evil, violence and peace, life and death passes primarily through the depths of our heart.

In conclusion, borders are spaces riddled with paradoxes. Not only are they fertile ground for dangers and risks, but they also represent new opportunities as well, and a ground for reflection, capable of new cultural expressions where values are continuously re-created. All situations and moments of crisis, be it of a personal or familial nature, be it institutional or historical are always an opportunity for learning and rethinking, and a time for suffering and pain, a time for giving birth and for rebuilding faith and hope; in a word, a time and a terrain favorable to evangelization.

## **2. Types of Borders**

At this time, a distinction should be made among the different types of border. First there is a *geographical or territorial border*, where two or more countries have set their boundaries. It is a place where the territory of one nation ends and that of another begins. The boundary could be a river, a bridge, a man-made sign or mark, or the sea. Today, with the war on

terrorism and drug trafficking, new more or less visible walls are being erected between neighboring countries such as, for example, Mexico and the United States, Israel and Palestine, etc. In the territorial border Immigration and Customs Services are located. Ports and international airports are also to be considered territorial borders: through them products and persons come and go on a daily basis. As we all know, Latin America has a considerable number of these types of borders, between two or even three countries.

Secondly, there are *political borders*. This is not a matter of territory or geography but mostly of laws regulating immigration in some countries. This border is to be found in national Parliaments or Congresses, in each country's capital city. Here migrants are subject to the laws and the Constitution of the country they enter; and for the migrant, changes in migration laws and their enforcement represent another real border: to be able to obtain citizenship or not.

Finally, there is the *ethnic-cultural border*. Differences between peoples and nations are often the most complex and impenetrable borders. Language, history, traditions, values, and identities too often produce insurmountable barriers. In this case, the border is everywhere a migrant is found. Relationships between migrants and local people could be easy or difficult depending on the degree of mutual openness among cultures. Barriers are found at the heart and soul of people. The cultural expressions of one group stand side-by-side with those of another.

Many migrants succeed in crossing territorial barriers but not political barriers, and remain in the country of destination in an irregular status. There are millions of undocumented migrants in the world, mostly in rich countries but also in our Latin American countries. They live under conditions of extreme vulnerability to many forms of exploitation. Almost always, they hold the dirtiest, toughest, and most dangerous jobs. Others succeed in crossing territorial and political borders but not the ethnic-cultural ones. They end up forming ghettos amid the local population: they are exposed to prejudice and discrimination of every kind, and are victims of hostilities on both sides. In this regard, nowadays we are witnessing an adverse and widespread rise in xenophobic and racial attitudes.

The differences among these three types of borders (territorial, political, and ethnic-cultural) allow for a better knowledge of both, the distinct areas and activities that could develop in each and the coordination, integration, and interaction among them. In fact, the challenges of those

who work with migrants at geographical borders and those who seek to be active in the political border are very different. Both in turn are different from the challenges of those who try to overcome cultural obstacles. The three types of borders present distinct challenges and require different commitments; they however are interconnected to one another.

Those who work at a geographical border have to deal with documentation issues, housing, providing food, personal, work-related, and psychological assistance and orientation, as well as many other similar things of a practical and concrete nature. Here, the most important task is to provide immediate assistance and shelter. A migrant who is hungry and cold cannot be left on the street; he needs a temporary “home.” Those who work in the political field, usually in capital cities, seek juridical assistance, collaboration with authorities, consulates and embassies, lobbying for the drafting and passing of migration laws. Knowledge of the law is critical for them. Those who are active within an ethnic-cultural border have to create opportunities for cultural and religious expressions across ethnic groups, trying to promote opportunities for mutual enrichment.

The challenge is not so much in dealing with a multicultural environment, but rather with an intercultural one. In fact, it is not enough to secure tolerance and peaceful coexistence; what is necessary is for the groups to interact with each other and enrich each other with their different values.

What is important is realizing that even though the challenges and opportunities are different for each type of border, the motivations and objectives are the same: that is, the welcoming and integration of migrants in the country of arrival. These distinctions are just a framework for a better distribution of services. Being acquainted with each other's different responsibilities ensures better coordination and integration. Those who work at a geographical border are aware that they can count on the backing of those who work in the political border. Both, in turn, can count on the backing of those who are active in the field of culture, promoting encounters and seeking exchanges among groups and individuals. Once again the responsibilities are distinct but they complement each other.

This reflection on the concept of border can also help us to rethink the concept of democracy. Historically democracy is born and grows strong within a predominantly homogeneous ethnic and cultural identity. It is the democracy of a given people, with its own history; namely, a democracy

among equals. Presently, in the context of migration, and considering the growing religious and cultural pluralism, democracy is seeking a new foundation: not the equality of a common ethnic, cultural, and historical background, but the equality of human rights. The challenge, then, is to establish democracy among un-equals. The basis for this new form of democracy is not the homogeneity of historical and cultural roots, but the heterogeneity of different peoples and cultures. This issue was debated in depth by scholars such as A. Touraine (in *Can We Live Together?*), J. Habermas (in *The Inclusion of the Other*) and G. Gadamer (in *Truth and Method*).

Democracy among subjects from diverse backgrounds is a much tougher matter. The basis, now, is not consanguinity, or common origin, much less history, but the right of each individual citizen. The most important document is not a passport or an identity card, but a birth certificate. The fact that one is born guarantees the right to live with dignity wherever one happens to be.

### **3. The Border as a New Theological Place**

This was the topic of my contribution at the seminar on the Theology of Migration, held in April 2006 at the *Instituto Teológico de São Paulo*, Brazil (ITESP). On that occasion, I insisted that borders are privileged places for theological reflection. Borders are a kind of “non-places” where many people move, at times without documents, roots, destination, family, or country. It is a space where identity and security are constantly under scrutiny, where loneliness, anonymity, and forlornness could very quickly turn into despair; a place where people, wounded and disfigured by the tragedies of migration and displacement, are ravaged in body and soul by the scars of too many repeat trips.

However, in symbolic terms, this border, this “non-place” could turn out to be the basis for a “new place.” The person who goes through the painful experience of the border becomes more open to changes, whether personal or family-related, financial, political, social, or cultural. Those who were fed with a silver spoon are not interested in radical changes; migrants, instead, by virtue of facing the border crisis, have become historically more receptive to new things. We can say that when migrants start moving, they set human history in motion. They even get the Church moving. As Scalabrini would say, “The world is moving fast, and we cannot

fall behind.” When masses of people are on the move, everything else moves: the whole world and even life itself are on the move. Migrations and historical changes are two sides of the same coin. Generally, migrations precede or follow great social changes; often they are their cause and/or the effect.

It is in this sense that Pope Benedict XVI, in his message for the 2006 World Migration Day, described migrations as “the sign of the times.”

As he moves along, the migrant draws a different border, across a world order built upon shameful social inequalities and in need of radical socioeconomic transformation. A migrant is a sign of contradiction: if on the one hand he denounces international relations based on the exclusion of millions of people, on the other he urgently calls for the establishment of new relations among peoples, groups, and countries.

We would do well to remember that Jesus himself was born and died outside the walls of the city. St. Luke, the Evangelist of Jesus' infancy (Lk 2,7), tells us “there was no room for them.” He came into the world and appeared on a border, at a “non-place” far from home. He lived among the poor and the excluded, (even surrounded by animals) and there he set his tent.

Maybe this was to remind us that the Kingdom of God has its truer roots in an ambiguous and marginal border space, and also to teach us that the poor will be the first to enter it.

Thus, the border becomes the place for God's revelation and, consequently, the privileged place for theological reflection. For this reason, as we begin to speak of borders from a theological standpoint, the first thing we should ask is that they be abolished. The good news of the Kingdom of God knows no borders. “I was a migrant and you welcomed me,” so says the Gospel (Mt 25, 35). In the same Gospel of Matthew we are told that Jesus was moving through towns and villages, and that upon seeing the great crowd, he felt compassion, because they were tired and discouraged, “like sheep without a shepherd” (Mt 9, 35-38). The same can be said of the episode of the disciples of Emmaus (Lk 24, 13-35), and of the Good Samaritan (Lk 10, 25-35). In all of these Gospel passages Jesus is on the move. He is a pilgrim among pilgrims; he follows in their footsteps, listens to their voice, looks into their faces, and strengthens their faith and hope.

The unforgettable John Paul II said: “The Church knows no foreigners, because we are all brothers.” And so, by virtue of his movement, the migrant is a prophet of the Kingdom, of a world without borders: the true protagonist of the new times to come, the maker of a universal citizenship. In closing these reflections, we can quote the words of Scalabrini: “Migration gives a man the whole world for a homeland.”

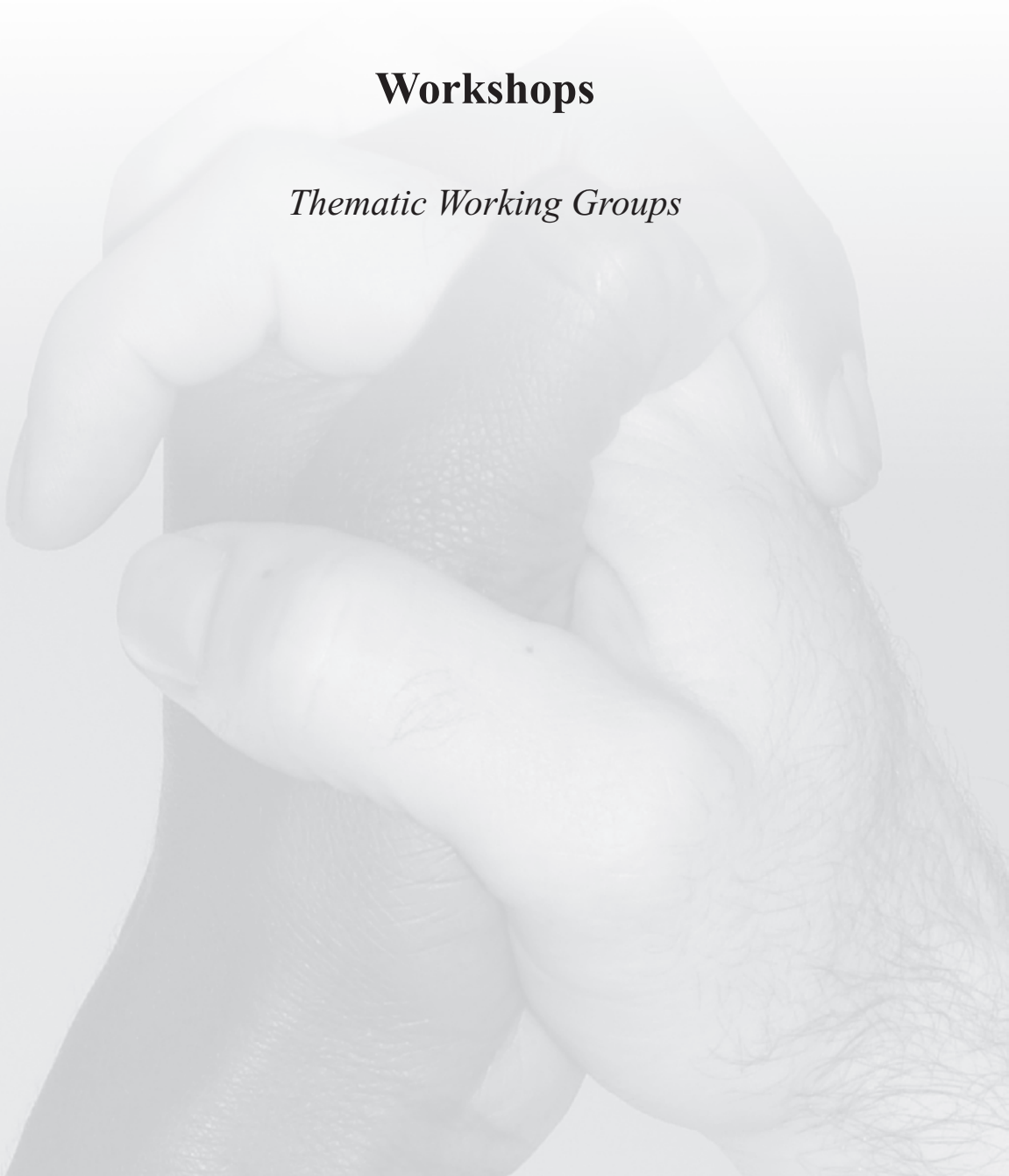




BORDERS: WALLS OR BRIDGES?

## **Workshops**

*Thematic Working Groups*





## **Working Group 1: Migrants: Opportunity or Challenge for Peaceful Coexistence?**

### **Rev. Mario Santillo**

*Director of the Centro de Estudios Migratorios Latinoamericanos (CEMLA), Buenos Aires*

### **Rev. Ademar Barilli**

*Director of Casa del Migrante, Tecún Umán*

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The first workshop's theme was “*Migrants: Opportunity or Challenge for Peaceful Coexistence?*” Mario Santillo opened the discussion with a brief introduction on this topic and stressed the following points:

Very often, migrants are stigmatized by the media in the country of arrival as those who cause problems in society, using its services (like healthcare and education), competing with local workers by accepting underpaid and illegal employment. They bring illness and hold on to traditions and customs that are incompatible with those of the receiving countries.

Currently, many countries apply restrictive immigration policies often leading to a situation of irregularity, even for migrants who enter as tourists and then stay on. This may lead to violations of their fundamental rights. Living in fear, migrants are forced into a life of insecurity and hiding.

The integration of migrants in their receiving countries should reduce conflicts in normal daily life. In order to achieve this, however, local and national governments should promote programs to ensure that migrants will feel as rightful citizens and not as second-class people. Those countries that historically have received a great contribution from immigration, like Argentina, Uruguay, Brazil, Venezuela, United States, and Canada, have gained and have forged multicultural countries, respectful of cultural diversity.

Following Mario Santillo's introduction the workgroup members went on to exchange current experiences and to propose the following initiatives for the promotion of peaceful coexistence in the context of international migrations:

- **Encourage a positive perception of migrants**

In order to view migrants as an opportunity for peaceful coexistence, political and social entities could implement concrete programs and activities with the aim of promoting a positive perception of migrants, which would acknowledge the contribution of migrants to the receiving society. Migrants are bridges between different cultures, not obstacles.

- **Promote educational programs for the integration of migrants**

To guarantee peaceful coexistence between migrants and the receiving society, government agencies, in coordination with other social organizations, should promote educational programs against discrimination and for the integration of migrants into local society. This could be done by making use of an educational video produced by CEMLA, which is distributed in schools to help educate people in nondiscrimination and integration of migrants in the destination country. This video would be made available to political entities, the media, schools, churches, NGOs, and society at large.

- **Lobby for participation in international debates on migration and development**

Participation of social and political entities, together with migrants and migrant organizations, in the debate on the connection between migration and development, is another concrete initiative that could help in overcoming the negative perception of migration as a threat, and appreciate it as an opportunity for a model of development that is more open to the human and intercultural dimensions within the current international context. Migrants provide a growth factor for receiving societies and are also points of reference for their countries of origin.

## **Working Group 2: Public Policies and Human Rights: Legal and Ethical Implications**

### **Rev. Sr. Rosita Milesi**

*Director of the Instituto Migrações e Direitos Humanos (IMDH), Brasília*

### **Rev. Algacir Munhak**

*Vice-President of the Instituto Católico Chileno de Migración (INCAMI)*

*Santiago of Chile*

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The second workshop looked at the topic of “*Public Policies and Human Rights: Legal and Ethical Implications*,” and began its work by first defining the methodology and the agenda for the debate.

The group coordinators offered some words to stimulate the reflection: they stated that the manner in which the issue of international migrations is approached in the context of human rights is rather complex and is the object of debates. What is at stake in the displacement of millions of people is not only the question of the fundamental rights of migrants and refugees but also the rights of their family members, and of those who must deal with the presence of foreigners in their own territory. It is not uncommon to witness conflicts in dealing with diverse values or rights among the different social entities who are directly or indirectly involved in the dynamics of migration.

It should be noted that the issue of migrations *in relation to* public policies is part of a wider debate over the promotion of human rights at all levels of society, both nationally and internationally. In other words, the work on behalf of migrants and refugees, whether they are men or women, should grow in harmony with a larger project that includes the promotion of the rights of all people, especially those who are more vulnerable and are victims of all types of injustice. The goal is to build a more humane world.

These observations show that the approach to international migrations from a human rights perspective and the shaping of public policies are very broad and complex subjects, which first require the creation of spaces of participation, dialogue, and debate. There is nothing more contradictory to the logic of human rights than to formulate public policies regarding questions of high complexity without the effective

participation of major sectors of society.

Following the opening statements, the participants shared their concrete experiences and proposed as a conclusion some (non-exhaustive) principles and objectives for the promotion of migration public policies attentive to the human rights of migrants.

### **Principles**

- The centrality of the human person and his/her dignity.
- The perspective of integration and longer-term solutions.
- Different profiles and interpretations of the migration phenomenon.
- Demographic impact (what migrations mean for both receiving and sending countries).
- The impact on society (through the entities for the defense of human rights of migrants it is possible to arrive at a code of ethics based on solidarity and cooperation).
- Ethnic minorities among migrants (indigenous populations).
- The reunification of families.
- The humanitarian management of migration flows.
- The absence of discrimination.
- Taking into consideration the international tools related to migrations.
- The participation of immigrants in the political process (citizenship).
- Viable and legitimate policies.
- The priorities of the State must be compatible with those of the human person.

### **Objectives**

Following the dialogue and debate on the above principles, the panel went on to examine some objectives as possibilities for shared action at the international level.

- To work for a minimum platform (a common denominator) on human rights to lobby governments in a coordinated fashion and educate society about rights.
- In talking about the human rights of migrants, prioritize the following:

the right to freedom, the right to work, the right to hold on to one's culture, and the right to the integrity of the family.

- Guarantee at the intra-national and supra-national levels the international and national means for the protection and defense of the human rights of migrants.
- To consider regional spaces of integration in order to define forms and establish mechanisms of joint operation for the protection and defense of the human rights of migrants.
- Engage in networking for a stronger voice to achieve better results and be more effective in defending and protecting the human rights of migrants.

The group emphasized that it is essential to work with the various sectors of society, social organizations, directly with the migrants and refugees, with national authorities and international organizations, for the protection and promotion of human rights. This process is necessary to help shape public policies. In addition to dealing with the principles that underwrite concrete initiatives, these policies also reinforce ethical values of tolerance, respect for human dignity, a culture of peace, and the removal of real and imaginary obstacles to advancing the right to universal citizenship. In this regard, it was pointed out that the creation of “networks” is a path and a mechanism that allows for greater inclusion and encourages participation from both organizations and migrants themselves, in the task of building peace.

Finally, after a brief evaluation of the positive aspects the debate, the above summary of principles and objectives was presented by way of a conclusion at the plenary session of the Forum.



## **Working Group 3: Migrants as Builders and Messengers of Peace through Work, Culture, Values, and Family Relationships**

### **Rev. Fabio Baggio**

*Director of Scalabrini Migration Center (SMC), Manila*

### **Rev. Francisco Pelizzari**

*Director of Casa del Migrante, Nuevo Laredo*

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The third workshop dealt with the topic of “*Migrants as Builders and Messengers of Peace through Work, Culture, Values, and Family Relationships*.” The session began with a brief introduction on the given topic by Fabio Baggio, Director of the Scalabrini Migration Center, in Quezon City, the Philippines.

Rev. Baggio began his presentation by stressing the fact that many receiving societies perceive migrants as “destroyers” of peace within their tranquil communities. In reality, migrants are builders of peace with their humble work, because they contribute to the growth of their families and communities, often impacting the country's development policies. In the country of arrival, migrants face “false democracies,” where human rights and the right to work are “universal” only for some. Migrants are also messengers and builders of peace with their culture, values, and family relationships, contributing to build societies more open to diversity. The migrants' determination in achieving their goals, their commitment and work ethic, their spirit of sacrifice, their great capacity for solidarity, their faith and their ethical values are helping receiving societies to rediscover the founding values of their own history and identity.

The migration experience brings the migrant to experience the “loss” of culture and values, and forces him to rely on the essentials of human dignity, love for family, and the presence of God, by valuing family relationships, communication among family members, a love that justifies even risking one's life for the welfare of the other members. All of these qualities can help us rediscover the concept of family, which continues to be at the base of modern societies.

At the end of his presentation, Rev. Baggio opened the debate with

the following questions:

- From your personal experience, what positive examples and models of migrants can we propose as messengers/builders of peace?
- Which are the factors that impede or delay the process by which migrants can develop their potential as builders of peace?
- What can be done concretely so that migrants become more conscious protagonists in the building of peaceful societies?

All the participants in this workshop had the opportunity to present their concrete experiences and suggested the following initiatives to ensure the participation of migrants as agents of peaceful coexistence on an international level:

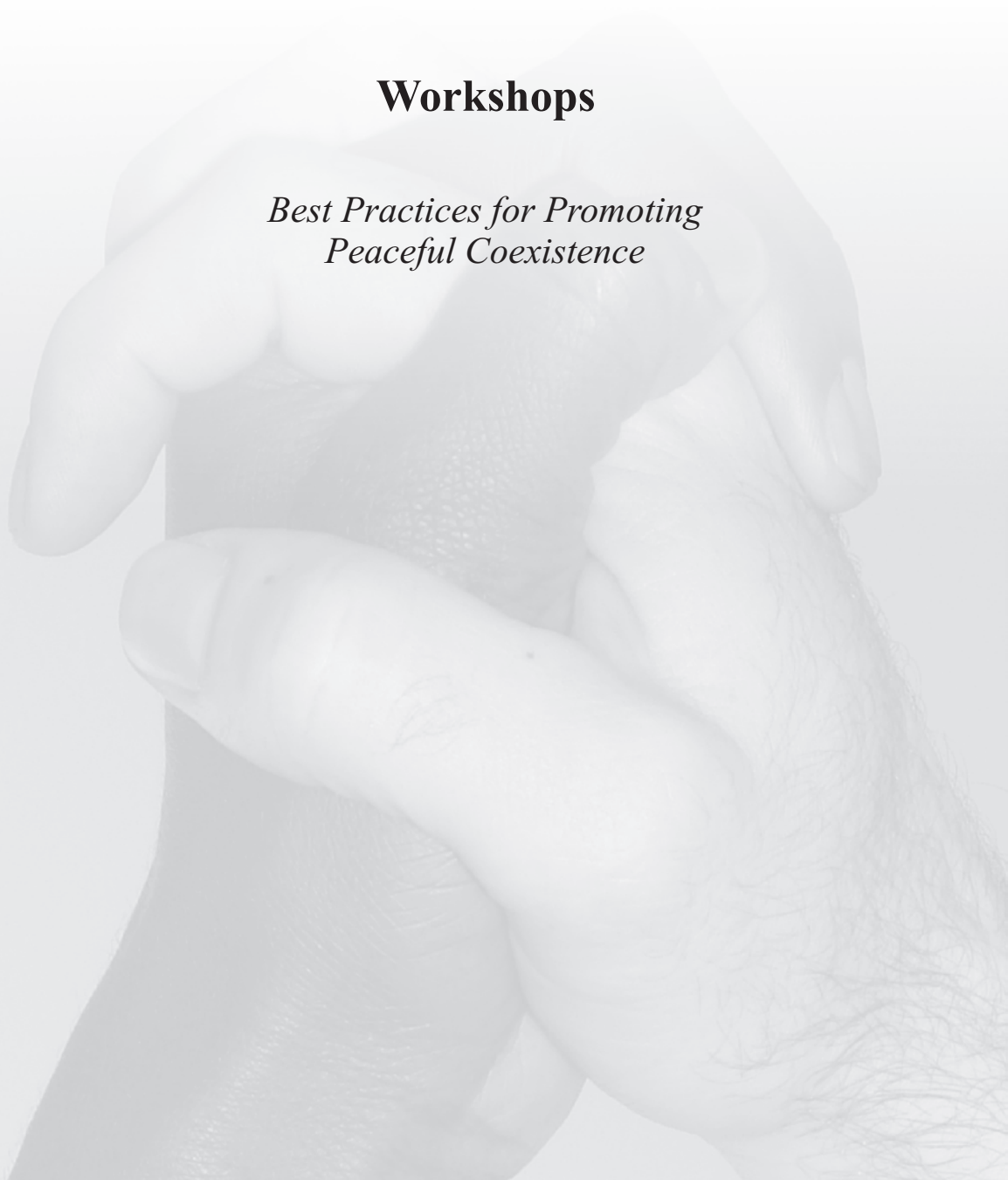
- Governments and social organizations must devise and implement programs to prepare migrants and make them more aware of their role as builders of peace, empowering them by using elements taken from their journey to and from the country of origin, and through the country of transit. In a special way, these programs must offer migrants a specific preparation before their arrival in the country of destination, so that they are able to facilitate the process of intercultural dialogue and become mediators of peaceful coexistence. A concrete example of this type of program is the Network of Scalabrinian “*Casas del Migrante*” on the borders between Mexico and the United States and between Guatemala and Mexico.
- The creation and the implementation of the above-mentioned programs must involve the migrants and the returnees, considering that they have direct experience and are more efficient communicators in the use of a language that is much more understandable to new migrants.
- Governments and social organizations are bound to promote the strengthening of migrant communities and associations in the country of arrival, keeping in mind that migrants can be more effective in their role as builders of peace both as a group and as individuals.



BORDERS: WALLS OR BRIDGES?

## **Workshops**

*Best Practices for Promoting  
Peaceful Coexistence*





## Best Practices Promoted by Catholic Relief Services

### Mr. Richard Jones

*Deputy Regional Director for Justice and Solidarity*

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The best practices group promoted by *Catholic Relief Services (CRS)* initiated its work with a brief introduction of the matter by Rick Jones. In this introduction Mr. Jones presented the following matters and best practices promoted by CRS in fostering peaceful coexistence:

- To include and serve the refugees as well as migrants in the receiving communities:

Migration and refugees can create pressures in receiving communities and competition for scarce resources. Both groups must be served for greater integration and social cohesion.

- Identify shared interests and specific solutions:

Links and opportunities must be discovered among the sending and receiving countries to strengthen social and economic ties: fair markets, links between *home town associations* and communities of origin, labor rights in the countries of origin and destination.

- Promote communication, images and civic events:

There is a lot of prejudice against migrants. Images and civic events can very powerfully affect perceptions and serve to humanize both immigrants and receiving communities.

- Generate dialogue and discussion within the Catholic Church:

Within the Church, there are sometimes people who are against migrants. In order to encourage integration, social cohesion and equality, we can begin within the Church (organizing encounters among Bishops, parish encounters, spaces where all voices and perspectives are heard).

- Have an input on immigration reform: this should be linked to development initiatives in the countries of origin.

Migration and development policies go hand-in-hand. People have the right to migrate and also the right not to migrate; better said: the right

to development. This can produce a true transformation. Promote links between Free Trade Agreements and migration, foreign aid, debt and related matters.

With this introduction as a starting point, the participants in the thematic group shared their specific experiences and proposed the following initiatives, which could broaden the best practices of CRS and the First International Forum on Migration and Peace, within the scope of promoting peaceful coexistence on an international level:

- Implementing programs for deportees and/or the returned to find jobs.
- Tend to the needs of refugees and receiving communities.
- Provide meeting spaces for dialogue between: employers and migrant workers; common and diverse interest groups inside the Catholic Church.
- Promote civic events and relations with the media to disseminate objective information.
- Link migration policies with development policies.

## Best Practices Promoted by TROCAIRE

### Lic. Blanca Blanco

*Program Officer, TROCAIRE, Guatemala*

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The best practices group facilitated by TROCAIRE Guatemala began the discussion with a brief introduction of TROCAIRE's approach to migration matters. This being a relatively recent area of work for our institution, one of the objectives is to strengthen the knowledge and analysis of our staff and institution on the matter, especially on the causes of migration and its impact. On the other hand, TROCAIRE assists local organizations legally, by strengthening the way of life of the population as an alternative to migration at the same time that migrant population rights are protected and promoted, providing humanitarian help when necessary, and making contacts for their rights to be respected in their countries of origin, transit, destination, and return.

To exemplify the work TROCAIRE sponsors for promoting peaceful coexistence in Guatemala and the Central American region, the following best practices were shared:

<b>Nicaragua</b>	<ul style="list-style-type: none"> <li>• Experience in the organization of Nicaraguan migrants abroad</li> <li>• Promote and reinforce the processes of inter-institutional coordination</li> <li>• Design and implementation of impact strategies</li> <li>• Supporting migrants in destination countries to legalize their status (gathering facts, family reunifications, among others)</li> </ul>
<b>Honduras</b>	<ul style="list-style-type: none"> <li>• Managing a Returned Migrant Assistance Center at the airport</li> <li>• Forming 5 family committees for migrants and committee network</li> <li>• Proposal for the productive use of remittances:               <ul style="list-style-type: none"> <li>• At the communities of origin</li> <li>• Generate local capacity</li> <li>• Follow up and auditing</li> </ul> </li> </ul>



<b>El Salvador</b>	<ul style="list-style-type: none"> <li>• Strengthening the organization processes and effectiveness of the migrant population abroad</li> <li>• Capacity for migrant population input in the country of destination</li> <li>• Promote efforts in the search of missing migrants</li> <li>• Monitoring of deportation process by land</li> <li>• Promoting and raising awareness of the right to migrate and not migrate</li> <li>• Forming alliances and coordinating efforts between countries of transit, destination, and return</li> </ul>
<b>Guatemala</b>	<ul style="list-style-type: none"> <li>• Offer attention, assistance and protection to the displaced population, refugees and migrants</li> <li>• Monitoring violations and abuses of human rights</li> <li>• Mapping of actors and risks</li> <li>• Preponderant role of the Catholic Church:             <ul style="list-style-type: none"> <li>• Reflection on the matter (causes and implications)</li> <li>• Education and training of human resources in the matter</li> <li>• High levels of input on the matter with different actors</li> <li>• Participation in settings for the formulation of public policies, etc.</li> </ul> </li> </ul>
<b>Regional Level</b>	<ul style="list-style-type: none"> <li>• Forming of groups, networks and forums on migration in each country</li> <li>• Institutionalization of Migrant Week celebration in each country</li> <li>• Regional Network of Civil Organizations for Migrations (RRCOM):             <ul style="list-style-type: none"> <li>• On migration issues in the region</li> <li>• Civil society negotiator with the government in formal settings (Regional Migration Conference RMC)</li> <li>• Contribution through revision of RMC guidelines in matters of migration and boy-girl-and-adolescent possible trafficking victims, women, disabled, etc.</li> <li>• Presentation of diverse proposals (human rights panel; migrant database; inclusion of Caribbean countries in the setting)</li> </ul> </li> </ul>
<b>TRÓCAIRE</b>	<ul style="list-style-type: none"> <li>• Comprehensive approach to the matter</li> <li>• Institutional strengthening of counterparts</li> <li>• Coordination of donor contributions</li> <li>• Alliances and coordination to improve lobbying and input</li> <li>• Training of staff</li> <li>• Training of staff</li> <li>• Research and development of a regional strategy</li> </ul>

We still face great challenges to continue sponsoring and strengthening migration work, including:

Fight for the cause of migration from a rights and development approach:

- Work on the matter of remittances, which is ethically and morally correct.
- Financing and sustaining programs and projects.
- Input in destination countries, this being currently a controversial matter.

With this introduction as a starting point, the participants in the thematic group shared their specific experiences and proposed a series of initiatives that could broaden the best practices of TROCAIRE and the First International Forum on Migration and Peace, within the scope of promoting peaceful coexistence on a national, regional, and international level:

- Vision and more integral work in the matter, beyond assistance programs, on its causes and effects, from a rights and development approach, and with the participation of migrants and their families.
- Political input strategies including monitoring and follow-up activities.
- Strengthen networking to interconnect the diverse areas, experiences, and best practices from the role of diverse actors.

## **Best Practices Promoted by the *Open Society Institute (OSI)* and the *Soros Foundation of Guatemala***

### **Dr. Elena Yolanda Díez Pinto**

*Executive Director of Soros Foundation of Guatemala*

### **Dr. María Teresa Rojas**

*Deputy Director of U.S. Justice Fund, Open Society Institute (OSI)*

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The group of best practices sponsored by the Soros Guatemala Foundation began with an introduction by María Teresa Rojas, Director of the *Justice Fund* of the *Open Society Institute (OSI)*. In her introduction, Ms. Rojas presented the best practices implemented by OSI in promoting peaceful coexistence on an international level:

The *Open Society Institute (OSI)* is a private foundation that gives donations or grants and was founded in 1993, in the United States, by investor-philanthropist George Soros. OSI seeks to influence the formulation of public policies to promote democratic governance, human rights, and economic, legal, and social reform.

OSI carries out its activities in Europe, Africa, Mongolia, Southeast Asia, Turkey, the United States, Latin America and the Caribbean. The Soros Foundation Network spans more than 60 countries, including the United States. The initiatives of OSI are directed to specific matters based in a broad regional or global network and are implemented in cooperation with the Soros Foundations located in the different countries and regions.

In Latin America and the Caribbean, OSI works closely with Soros Foundations in Haiti and Guatemala, as well as its Latin American program. The Latin American program is coordinated from Washington, DC and is geared to the strengthening of democratic institutions, securing international support for the goals pursued by OSI, and promoting transparency and accountability.

Since 1994, OSI has dealt with matters related to migrants, refugees, and asylum seekers, displaced people and people with no citizenship (stateless persons).

The work on migration at OSI is based on the belief that an open society must protect the fundamental rights of all individuals regardless of

legal status or citizenship, and must also promote policies that allow for all to fully participate in society.

The main approaches to this work are the following:

- Improve the human rights situations and other conditions in the countries of origin so that people will have the choice of migrating or not,
- Promote the rights of migrants in the countries of destination,
- Combat discrimination in the migration trajectory and in the countries of settlement.

The mechanisms adopted by OSI in the area of migrations are the following:

- Developing policies of reform,
- Reform by means of the legal system ,
- Research, Studies, Documentation,
- Strengthening Civil Society.

The thematic agenda of OSI's work is the following:

- In countries of origin: analysis of the causes of migration and the economic and social impact of migration,
- In the countries of transit and destination: distinctions based on legal status or citizenship, the undocumented, citizenship and identity, detention and deportation, human trafficking, forced labor, border control and public debate.

The objective of OSI is to create a strong civil society that can advocate for the rights of immigrants, and to develop policies and recommendations between governments and other sectors for migration to be managed in line with international interests and international norms for human rights.

Next, Dr. Elena Yolanda Díez Pinto, Executive Director of the Soros Guatemala Foundation, presented the following history and strategic priorities in the migration area of the Soros Guatemala Foundation:

- Within the framework of the Reconciliation program (1998-99) initiatives were supported to promote research and help in the repatriated, displaced, and demobilized communities. We

collaborated to bring education to the Communities of the Sierra Population in Resistance, during the transfer and relocation of settlements.

- Later, the work was oriented to research and support of initiatives that would increase the visibility of the growing phenomenon of migration to the United States, especially within the agendas of the governments (Guatemala and México).
- In 2002, the Foundation supported the *Facultad Latinoamericana de Ciencias Sociales* (FLACSO), in forming a group of specialists from Guatemala and México, with the goal of urging both governments to adopt a clear position on migration, and also to guide public policies, in view of possible legal reforms.
- In 2006-07, the Foundation supported the *Instituto Centroamericano de Ciencias Sociales y Desarrollo* (INCEDES) in the project “Observatory for Social Management of Migration to the United States,” whose goal was to deepen the knowledge, behaviors, features, and implications of the social phenomenon of migration in the communities of origin in Guatemala.
- In 2009, the Foundation supported the organization of the First International Forum on Migration and Peace, in Antigua, Guatemala.
- It is also financing the documentary film *abUSed: The Postville Raid*, which brings to the surface the violation of human rights, illegal detention, and the drama suffered by hundreds of migrants and their families, mainly Guatemalan, in Postville, Iowa (considered the worst migrant raid in the history of the United States).
- We will also support the efforts by the Pastoral of Human Mobility in sensitizing the population on the abuses and their prevention, reducing the migrants' human rights vulnerability, and improving the coordination and cooperation among migrant-serving organizations.
- We have included the initiative, *Migrants, Return and Opportunities*, in our Local Governability program.

The Soros Guatemala Foundation has among its pillars that configure its work dimensions the following:

- International migrations and their economic dimension: research and analysis of economic explanations of migrations, transparency in the remittance-banking system relationship, and its consequences locally.

- The criminalization of migrants in their places of origin, transit, and destination; the attention to migrants from the perspective of rights; *advocacy* work and communication media.
- Migration and Organized Crime: the phenomenon and its relationships with different forms of crime; generating research programs with national and international universities.

The Soros Guatemala Foundation assigns particular importance to the celebration of this First International Forum on Migration and Peace as a key setting for enriching its own strategy and that of OSI, and strengthening the dialogue with the different organizations that work actively with migrants, especially Central Americans.

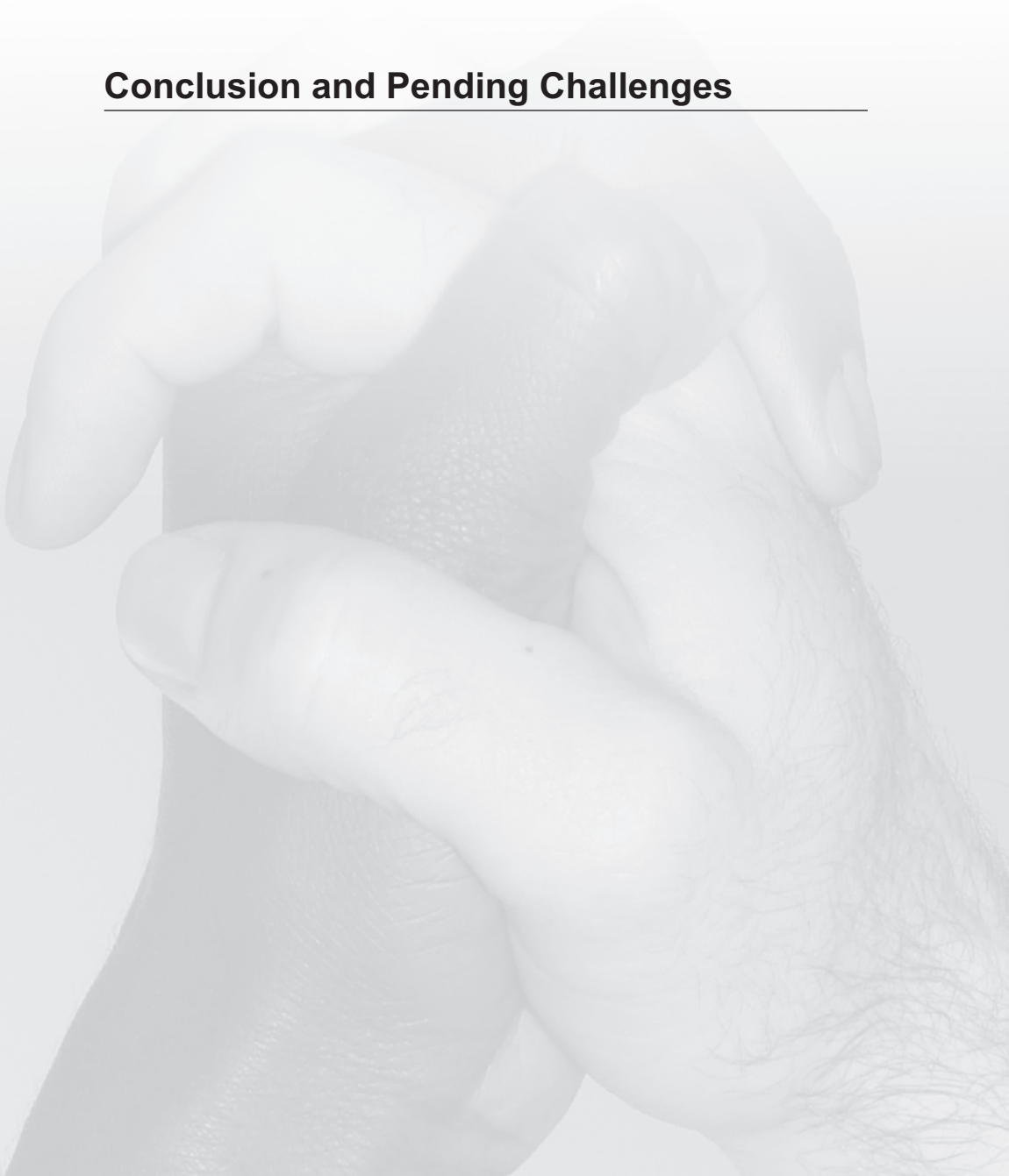
With this introduction as a starting point, the participants shared their specific experiences and proposed a series of initiatives that could broaden the best practices of the Soros Foundation, within the scope of promoting peaceful coexistence on an international level:

- Support the coordinated work on a bilateral level, between countries of origin and destination.
- Combat racism and discrimination and promote freedom of speech: investigate why migrants feel discriminated against and why they are criminalized.
- Increase the matter's visibility in the media to create awareness (provide a voice and freedom of speech for migrants). For this purpose, we propose educating people and utilizing the media (movies, documentaries).
- Create a Reintegration Program for the Postville deportees.
- Support assistance programs for the country's human trafficking victims (asylees in Costa Rica).
- Promote the study of security in the trajectory to the North, of those fallen in transit to the North, and those deported.



BORDERS: WALLS OR BRIDGES?

## **Conclusion and Pending Challenges**







## **Dr. Frank La Rue Lewy**

*President of Instituto DEMOS and  
United Nations Special Rapporteur  
on Freedom of Opinion and Expression*

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Good afternoon. We would like to conclude this First International Forum on Migration and Peace, first of all, by congratulating the *Scalabrini International Migration Network* (SIMN), for organizing this meaningful event, and all the foundations and institutions that supported it, as well as all the participants.

As Special Rapporteur of the United Nations for the Freedom of Opinion and Expression, I would like to offer a brief reflection about the freedom of expression in regards to immigrants. When we talk about freedom of speech, generally we think of freedom of the press or the protection of journalists, which evidently constitutes a fundamental principle of this right. However, since I became Special Rapporteur for the United Nations, I have promoted an additional facet of the views we have of this right: a focus on the freedom of speech of socially marginalized people and groups.

We, from the Special Rapporteur position, aim to promote the topic of eradicating racism and discrimination in regard to freedom of speech. It is for this reason that we have joined efforts with the current Special Rapporteur on Freedom of Speech for the Organization of American States (OAS). And in the same line we are coordinating different events from this platform: for the time being, we have thought about doing an event, probably in Bolivia, and another, regional one, in Guatemala for Central America, where there will be discussion on the topic of indigenous people and freedom of speech. Along these lines, we are working on some research on “populations in extreme poverty, access to communication, and access to information” for which we are also inviting and encouraging the participation of other sectors of the United Nations.

It is also important to mention that, during this Forum, I have already had conversations with the Special Rapporteur of the United Nations on Migrant Rights, Dr. Jorge Bustamante, to join efforts in the inclusion of the topic of freedom of speech, which is an undeniable topic for

all of the world's democracies, and also for the world's migrant population. It is through these alliances that we can contribute in taking down the walls of silence and building bridges of communication and peaceful international coexistence.

There are other topics also on which my office would like to work and reinforce its activities, and they are: children, adolescents, youth, and their access to media and freedom of speech. In sum, we want to promote freedom of speech for all the marginalized sectors, for all of those who have been or are being denied this fundamental right. This denial of freedom of speech is linked to racism and discrimination, but also, to the flawed application of laws, like the criminalization of social conflicts and international migrations.

In this sense, we aim to promote a vision of international migrations from a different perspective. In all the countries of Latin America, for example, we worry about our migrants going north, towards the United States, Canada, and Europe, but we do not assign the same dimension of importance to the migrants from other countries within our region, their protection, the exercise of their rights and their freedom of expression. Migrants, because of their different languages, cultures, or ethnic and racial origin, suffer discrimination. Migrants are also criminalized for entering another country undocumented. On the other hand, migrants themselves are self-marginalizing, or they keep silent so as not to call any attention; they make themselves invisible in the countries where they arrive.

We think that, just as freedom of speech is not subject to race, color, religion, sex, or socioeconomic background, it is also not subject to the fact of moving to another country with or without documents, whether you have a visa or not, or whether the passage was legalized or not. There are, of course, administrative measures that countries or governments can apply, but they may never treat them like criminals, because that they are not.

Moreover, they cannot be denied their freedom to express their opinion or to speak. The silence of the migrants, like the silence of the oppressed people of the world, is part of the reason for the existence of impunity and for the weakness of, and lack of justice in, the legal systems.

By virtue of this, and in conclusion, I would like to call for a continued joining of forces. We have already coordinated a meeting in Geneva with Father Leonir Chiarello of SIMN, for the purpose of bringing the topic of migrants' freedom of speech to the table, so they can raise their

voices, give their opinions, and be heard, before both national and international justice systems, as well as before the international public; so they no longer have to silence themselves voluntarily or become invisible.

I deeply believe that as the voices and expressions of migrants begin to be heard, the walls of impunity will crumble, and due process of law, together with the full exercise of human rights, will effectively prevail. For this reason, I take this opportunity to invite all the organizations here present, to join forces around the different issues, and as I said before build bridges communication, as a universal right of humankind.

Thank you very much.

## **Rev. Alfredo Gonçalves**

*Provincial Superior of the Scalabrinian Missionaries, São Paulo, Brazil*

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Good evening. I was given the task of synthesizing the topics discussed during these days of the Forum. To do this, I would have to perform a miracle. Confronted by a forum with so many people, so rich and dense in its contents, it seems to me that I would be doing it violence in trying to synthesize it. Each one of us is going to take with him a much richer experience than what I am going to say here. What I am proposing are four “axis” that can help define the guidelines for a real commitment as bridge-builders for peaceful coexistence:

First Axis: *Faces*. During this Forum, many faces have passed before our eyes: faces of migrants, faces of pastoral agents, faces of people of science, faces of experts, faces of politicians, faces of Nobel Peace Prize Winners, faces of people who are committed and want to be committed. Our own faces are a portrayal of the Forum.

Second Axis: *Paths*. According to this Forum, what paths do migrants trace on the map? What paths do migrants trace from north to south and from east to west? Where do migrants come from? Where are they going? We could redesign the map of migrations. And we are asking ourselves: Who accompanies them? Who welcomes them? Who is working for them?

Third Axis: *Roots*. Why are people migrating? Could we gather from this Forum some of the reasons that bring people to move around the planet? At the very core of the root causes of migration we will encounter the socioeconomic situation, political upheavals, violence, wars, the ideologies of neoliberalism, capitalism, and all the “isms” we have considered during the days of this Forum.

Fourth Axis: *Answers*. What answers could the Forum provide and did provide? What answers can be found in this Forum? It is not easy, but we can detect those experiences which belong to the process of building bridges. The answers that were presented here could be synthesized in this manner: in the present world crisis, the migrant is the protagonist of peace; the migrant is not a problem; migrants are an opportunity for peace. For many governments and for many institutions migrants are a problem. For

us, the migrant is an opportunity for peace. The very fact of migrating brings into focus a denial of citizenship and the loss of homeland, but it should also bring into focus the urgent need for change. The migrant himself, then, is the answer; the migrant is a prophet, the protagonist of peace. As he moves the migrant moves history and moves the Church and should also move governments.

Thank you very much.

## **Rev. Sergio Geremia**

*General Superior of the Scalabrinian Missionaries*

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I just want to say thank you from the bottom of my heart: thank you, Guatemala, for opening your doors and being the site of this Forum on Migration and Peace. I thank Guatemala in the person of the president of the Episcopal Conference, Bishop Vizcaíno, in the person of Most Reverend Alvaro Ramazzini, President of the Pastoral Commission for Human Mobility.

My gratitude goes to the people of Guatemala, whose work has made this Forum possible in such competent and splendid manner. Behind the scenes, there is truly a large number of people who have offered their cooperation. I want to thank the coordinating team that has made this Forum a reality: especially Fr. Leonir and Fr. Mauro and the entire support team. Special thanks to you, Leonir.

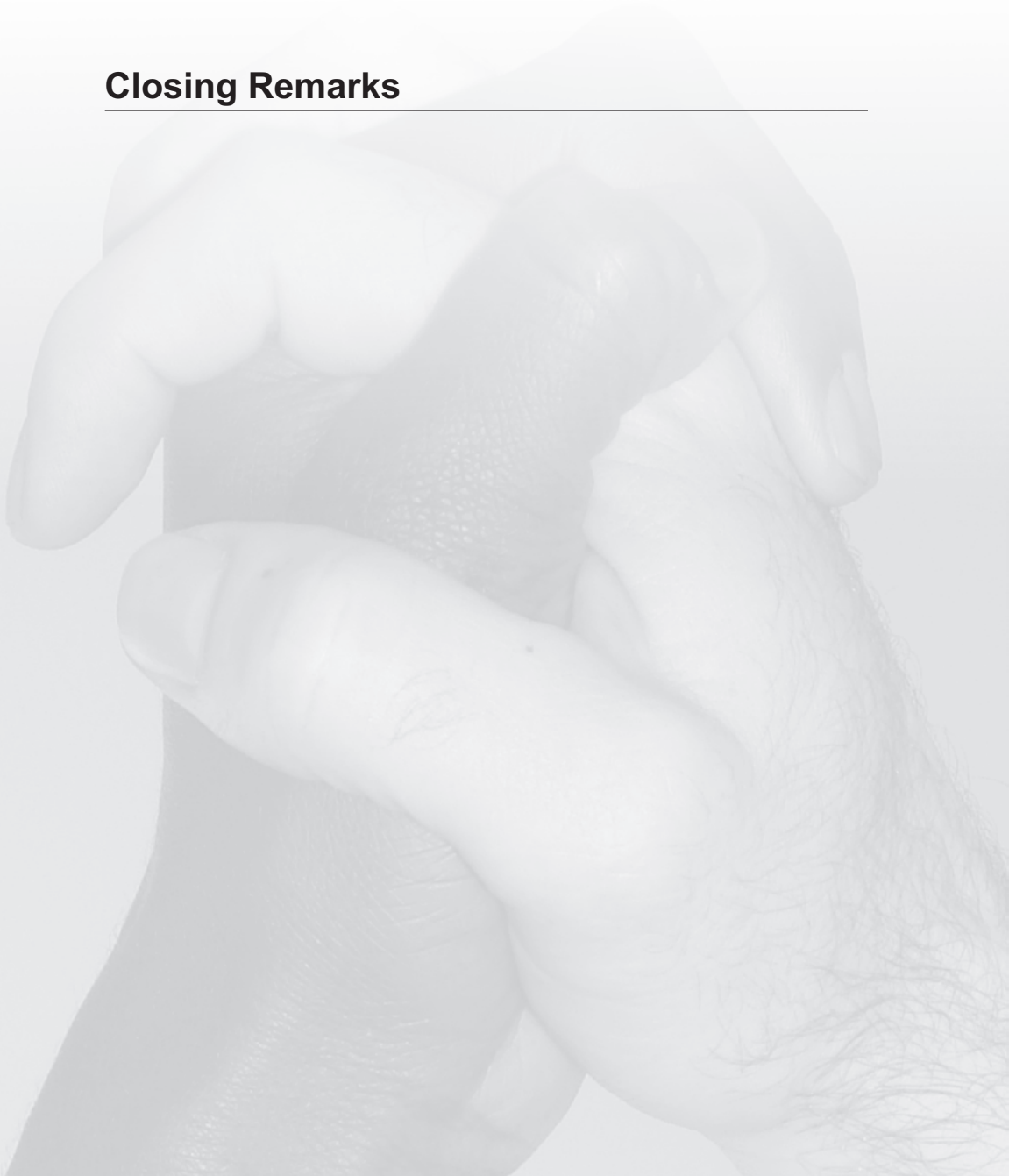
My thanks also go to those who through their contributions have made it possible to receive inputs from all the Central and Latin American countries. I will not mention everyone by name because I would need an entire sheet.

Thanks to all those who have passed through this venue; who sat on the panels; and who addressed their words to us. The Forum has relied on the interventions of such generous persons.

Finally, thanks to all of you, because together we have been the key players of this Forum. With our extensive attendance, we have created a warm environment and have worked together so that this Forum could be a success. The reason that has brought us here is the same one that we will carry with us: the migrant, a person who needs to be welcomed and loved most of all, because we are Christians.

## **Closing Remarks**

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## **Rev. Leonir Chiarello**

*Executive Director*

*Scalabrini International Migration Network (SIMN)*

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We began this Forum on Migration and Peace remembering Martin Luther King's dream that in his country one day all would be equals, and recalling a Brazilian song that says: "A dream one dreams alone could be a mere illusion; a dream that is shared is the sign of a solution." The Forum helped us recognize that the dream of peaceful coexistence between local communities and migrants needs very concrete actions and the personal commitment of each one of us in our different roles and personal responsibilities. The various panels and workgroups have directed us to overcome the walls of conflict before engaging in bridge-building and working for amicable coexistence. In this ongoing process, migrants and their families are the principal heroes.

I wish to thank all of you for your participation, and for the support you have lent to make this Forum possible. We thank the Forum participants, especially the moderators and experts who have taken part in the discussion panels and in the workshops for the excellent presentations they have shared; because of them this Forum has become a reality. We appreciate your excellent contributions, which we now publish in these Proceedings.

I would like to thank, in a very special way, the two representatives from the International Migration Network and the Center for Migration Studies in New York, Fr. Ezio Marchetto and Fr. René Manenti, for their help in the work of organizing and preparing the Forum; the *Centro Scalabriniano de Comunicação de Passo Fundo*, Brazil, with Fr. Sérgio Gheller and Camila Aparecida Panassolo, for their great work in setting up and preparing the technical equipment for the live "real time" broadcast of the Forum through Radio Migrantes; and Roseli Rossi Lara for her contribution in covering the event. I also thank Fr. Clair Orso for his services as webmaster, which made it possible for the Forum to be placed on the Internet.

We thank Bishop Alvaro Ramazzini, Fr. Mauro Verzeletti, Lilibeth Sánchez, and Amilcar Vásquez from the National Commission of the

Pastoral Office for Human Mobility for their cooperation in the overall coordination of the Forum. We thank the Guatemalan Bishops Conference for its support, as well as the personnel of the seminary and the Casa del Migrante: Miguel Angel Quiroz, Jacqueline Hernández, Carlos López, Abraham Ochoa, Abraham Euán, with special gratitude for Cecilia Aguilera, who took care of the “migrants” coming from other countries to help prepare this Forum, and always did it with a smile that showed her sincere and heartfelt Mexican joviality.

We cannot conclude without expressing a very special “thank you” to Einaro Bingemer, Ekke, for his presence during the entire preparation and celebration of the Forum; to María Isabel Sanza Gutiérrez, who has closely followed the overall coordination of the activities for the preparation and execution of the Forum; and to Claudia Figueiredo for her excellent support at the Forum secretariat.

On these occasions it is always easy to forget someone. However, we wish to express to each and every one who contributed or participated in any way to help bring about this Forum our most sincere gratitude.

At the Second Forum on Migration and Peace, which will take place in Santiago de Chile, we will endeavor to add new bricks for building bridges of peaceful international coexistence.

Thanks very much to all of you for your participation and for supporting this First International Forum on Migration and Peace.

## DECLARATION OF ANTIGUA

### At the First International Forum on Migration and Peace

In the city of Antigua, Guatemala, on January 29 - 30, 2009

#### CONVENED BY

the *Scalabrini International Migration Network (SIMN)*:

A federation of over 270 non-governmental organizations committed to the protection of the human rights of people on the move, and the promotion of a culture of peaceful coexistence between migrants and local communities. The role of SIMN is that of a mediator for the establishment of a more interconnected society, through its social and Christian commitment, prioritizing the most vulnerable people within the phenomenon of human mobility;

#### WITH THE SUPPORT OF:

The Guatemalan Conference of Bishops and the sponsorship, among others, of the Konrad Adenauer Foundation, the Cassamarca Foundation, TROCAIRE, the Soros Foundation-Guatemala, CRS-Guatemala, and 218 participants who attended the *First International Forum on Migration and Peace* representing:

NOBEL PEACE PRIZE LAUREATES, GOVERNMENTS,  
INTERNATIONAL ORGANIZATIONS, SOCIAL ORGANIZATIONS,  
CHURCHES, ACADEMIC INSTITUTIONS, MEDIA, MIGRANTS,  
AND PRO-MIGRANT ORGANIZATIONS,

SUMMONED TO A FORUM on  
“Borders: Walls or Bridges?”

**AWARE OF:**

THE conflicts generated by the negative and misguided perception of migration as an element linked to security, the reason behind building new, physical and legal walls;

THE opportunity created by the coexistence of migrants and local communities in the establishment of a society of cultural exchange and mutual enrichment;

THE sustainable development, created by the migrants in the countries of origin, transit and destination;

THE need to recognize the rights of every human being and ensure their safety in their right of movement and in their right of not having to migrate;

THE need to establish and nurture a culture of peace on the borders (geographical and human, political and cultural, individual and collective) to overcome division, racism, discrimination, conflict and poverty and to eliminate human trafficking and human rights violations, in particular violence and abuse against the most vulnerable;

THE desire to develop the full potential of international migration in the construction of a peaceful society and in the conception of borders as bridges, not walls.

**CONSIDERING:**

THAT migration is a phenomenon inherent to human nature, which has always existed and cannot be contained by restrictive policies or walls;

THAT social instability, inequality, natural disasters, armed conflicts, lack of a political culture of individual and collective responsibility in seeking the common good, and institutional weakness are some of the main causes of migration, both globally and in the Americas;

THAT the current process of globalization, the deepening social inequalities, and the economic imbalances among countries are factors contributing to forced migration, the movement of men, women and children who, because of their extreme poverty and need of a livelihood, are forced to leave their homes and places of origin;

THAT migrants expose such asymmetries and injustices and the need for structural change;

THAT human mobility, traditionally perceived as a significant contribution

to the economies and societies of sending and receiving countries, is currently perceived, by many countries of transit and destination, as a problem;

THAT migrants are all too often viewed as a threat and are subjected to discrimination, rejection and harassment, stemming from xenophobic actions by some segments of society;

THAT this negative perception is caused by the introduction of anti-immigration policies by governments in transit and destination countries, placing the migrants in situations of high vulnerability;

THAT the principles of reciprocity in social exchange are ignored and that each country should apply internally all they require internationally from other countries;

THAT borders, the “no man's land” of displaced people, are the “best place” for dialogue and communication, and contain in themselves the possibility of establishing a “new place” for mutual understanding and peaceful coexistence;

THAT migration policies in sending as well as transit and destination countries are too often not conducive to the creation of bridges of peaceful coexistence;

THAT this lack of consistency requires a redefinition of immigration policies that places at its core the protection of the human rights of all people, particularly the most vulnerable, such as migrants (understood as any person in mobility, be it within or without their country of origin).

### **DECLARE:**

THAT building walls is only the overt and symbolic act of the current immigration policies, characterized by their restrictive principles, and whose real purpose is not to close the avenues of migration, but to create a climate of terror and persecution against undocumented migrants, exposing them to extreme levels of vulnerability and exploitation, which foreshadow new forms of slavery;

THAT in this climate of suspicion, not only are there violations of human, political, economic (including employment), social and cultural rights, but also a denial of the significant and positive contributions migrants make to the host economies and societies;

THAT the countries of origin have become exporters of human capital, thereby jeopardizing, in the long run, their own development, even though migration may lift millions of families out of poverty, thus enhancing opportunities for future generations and providing the possibility of improving their wellbeing;

THAT migrants are actively involved in generating the necessary conditions for sustainable development in their home countries through their remittances, through the demographic changes that migration produces, and by becoming bridges of communication and cultural exchange;

THAT governments in the countries of origin may not use migrants' remittances to exempt themselves from their obligation to implement development policies that reduce the existing imbalances and prevailing social inequalities, and guarantee their people the right not to migrate;

THAT international migration, besides helping the development of the countries of origin, is a contributing factor on all levels for development in the countries of transit and destination;

THAT it is necessary to work for the designation of the border as a new place of enrichment and exchange, and to overcome the notion of multiculturalism with inter-culturalism based on those principles of reciprocity and solidarity which internal and international migrations call for;

THAT the creation of bridges of dignity requires the establishment of tools that enable the development of personal and individual responsibility in the knowledge of their rights and duties, in the trust of the institutions of the sending, transit, and receiving countries, and the recognition of their rights;

THAT this must be accompanied by a renewed concept of citizenship and the building of a greater confidence in the institutional apparatus of sending, transit and receiving countries, strengthening their role as protectors of the rights of all, both local citizens and migrant citizens, announcing the need for change towards the utopia of a universal citizenship;

THAT it is not through walls and anti-immigration policies that we can move towards effective dynamisms for building true bridges between Migration and Peace and develop a peaceful and mutually rewarding existence, but through the establishment of means for the recognition and protection of the rights of every person, like the International Convention on the Protection of the Rights of All Migrant Workers and Members their

Families passed in 1990 by the UN;

THAT although there has been significant progress at the policy level, relating to the protection and defense of migrant rights in the framework of regional and international bodies, the fact is that these conventions have not been ratified or applied by any of the major receiving countries.

### **WE COMMIT OURSELVES TO:**

DIRECT our joint efforts to maximizing the positive impact international migration has on development, both in the sending and receiving countries, calling on them to minimize the negative consequences of migration;

UNIFY our efforts to remove the issue of security from the core of the immigration agenda, and replace it instead with the issue of recognition and protection of all human, political, economic, social and cultural rights, while promoting peaceful coexistence, in recognition of the prime role of migration in the comprehensive development of sending and receiving societies, thus avoiding the criminalization of migrants as a way of regulating immigration flows;

PLACE development at the heart of our joint activities, which means attacking the root causes of forced migration and moving towards:

- Eradication of extreme poverty
- Creation of decent jobs
- Consistent migration policies
- Respect for the free movement of persons
- A commitment to migrants, as both a personal and institutional responsibility
- The adoption of principles of cooperation, solidarity, and fraternity, as guidelines for peaceful coexistence;

PROMOTE activities to eradicate all forms of violence, both institutional and from organized crime, as well as all forms of racism, xenophobia, discrimination, and abuse, in the societies of origin, transit, and destination of migrants, rising above the walls of *altero-fobia* and building the bridges of *altero-filia*;

JOIN FORCES so that countries of destination ratify international conventions and treaties on migration, especially the UN International Convention on the Protection of the Rights of All Migrant Workers and



Members their Families;

RECOGNIZE that migrants are the key players in building bridges of peaceful international coexistence;

CONSIDER the migrant always as the center of every policy, action, law, convention, or project on migration issues.

**Antigua, Guatemala, January 29-30, 2009**

BORDERS: WALLS OR BRIDGES?

**SEVEN ECHOES OF THE FIRST  
INTERNATIONAL FORUM ON MIGRATION  
AND PEACE**

**Borders: Walls or Bridges?**

Organized by  
*Scalabrini International Migration Network (SIMN)*

Interviews by José Luis Perdomo Orellana



## Introduction

It was the month of September of the now remote year of 2008, when the Soros Guatemala Foundation approved the project named “*Executing and Following up the First International Migration and Peace in the American Continent Forum*,” organized by *Scalabrini International Migration Network* (SIMN) to, among other high purposes, generate a high level debate on the relationship between the migration processes and the building of a peaceful international coexistence, a debate that engages the social and political actors in building effective bridges of peace between countries in the migration arena.

As part of this project, Soros-Guatemala Foundation searched and found the voices of the peace bridge builders and they met in Antigua, Guatemala, on January 29<sup>th</sup>-30<sup>th</sup>, 2009.

Here is, unedited, the echo of those seven voices, which, many months after the First International Forum on Migration and Peace, continues to be heard in La Antigua, Guatemala and also in many other places in this world, where close to 200 million human beings (plus the ones accumulated in the next few hours) are still being cornered into living (surviving) in countries where they were not born, because, as said by the Antiguan writer Luis Cardoza y Aragón from his exile, “the countries where they were born continue to expel them meticulously.”

*José Luis Perdomo Orellana*



## Interview with Rev. Mauro Verzeletti

*Scalabrinian Priest, Adjunct Secretary of the Human Mobility Pastoral Episcopal Conference in Guatemala*

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*“People who are in search of a livelihood cannot be criminalized anymore”*

*“Migrants cannot continue to be treated as an international security problem”*

**José Luis Perdomo (JLP):** Where does your last name come from?

**Rev. Mauro Verzeletti (MV):** My great-grandparents migrated from Italy to Brazil in another migration process. They settled in the south; in that part called Rio Grande do Sul, which is why the last name sounds Italian, yes. I am Brazilian and my heritage comes from Europe, from those people that came looking for other livelihoods.

**JLP:** So those who would be your grandparents and parents had not met yet and you were already being affected by migrations.

**MV:** Precisely, we have lived in Brazil within that context. Just when Juan Bautista Scalabrini had the intuition of founding a congregation, he met the drama of migration at the train station in Milan, where the emigrants boarded on the way to the coast to then board a ship and come to the Americas. He was strongly moved watching children, women, and men leaving, and it was a terrible pain. We suppose, it was at the end of the 19<sup>th</sup> century when hunger struck sharply in Europe and people looked for opportunities in the Americas.

Then Juan Bautista Scalabrini founded precisely the congregation for the migrants. But in that lapse, when the migrants were in America, many wrote, saying goodbye; they told about how the ships arrived, how they returned, within that context of coming and going, they wrote letters that took six months or a year to be relayed. The letters arrived and some said to the Bishop: “Send us someone to keep us company; to help us because we live here, in the middle of the jungle; we live and die without anyone to care for us. Who will be with us spiritually?”

From there, Juan Bautista Scalabrini called and searched for volunteers who wanted to come and give that care in the United States, South America, and Central America (on a small scale). Many priests volunteered to come on a mission for two or three years with these people. They came: they lived among them, offered spiritual and religious services, and gave legal advice. It was hard due to great distances between settlements in Brazil. The priests did not want to return to Italy and, since then, Juan Bautista Scalabrini thought he needed to do something more serious and he negotiated before the Vatican for a congregation to serve the migratory phenomenon.

***JLP:* Father, you are talking about a very unique congregation.**

***MV:*** Yes. This congregation was born specifically to address the phenomenon of migrations in the spiritual, human, social scope; to address the migrant population directly. Other initiatives were born later, but the only ones within the church are the St. Charles Missionaries, the Scalabrinians, for our founder, Juan Bautista Scalabrini, who had a great devotion for Saint Charles, named him protector of our congregation.

***JLP:* What brought you to join this wave of solidarity?**

***MV:*** There was a missionary church where I was born which was cared for by the Scalabrinian priests, who have always worked the conscience, the formation from childhood in relationship to the world of migrations. In my town, we are about 15 Scalabrinian priests, because of all that experience that was and continues to be present there, in my town, Rondinha de Rio Grande do Sul, a small town with a population of ten thousand, essentially agricultural, of much farm work, where the parents were always motivated to suggest working in the field of migration. Out of many youngsters, there is always someone, and I was one of them. With the additional fact that my paternal grandfather had four religious sisters and my grandmother had three brothers who were priests, none of them in the Scalabrinian Congregation, all were Pauline. I believe that God calls people to serve in specific places. My calling since childhood at school was drawing me toward social issues. There are congregations with different characteristics, some more spiritual, some less, but our congregation has a social characteristic: to watch for the needs of migrants in all dimensions, spiritual, material, human rights and all that. And this is the great motivation, the

great passion that led me to this congregation in 1979; fundamentally it was because of the social aspect that I spent 15 years studying: three in philosophy, four or five in theology, a year as a teacher, serving in the seminary, one year of pastoral experience, before undertaking the pastoral career.

***JLP:* In which other parts of the world were you living before arriving to the Guatemalan disaster?**

***MV:*** When I finished studies in Brazil, a year before finishing theology, I was in Mexico to learn from migration phenomenon because the congregation had already commissioned me to serve in this region. I was in Tijuana, in Mexicali, Caléxico, close to Arizona, during some time I studied Spanish, all this, still as a student. After finishing the studies, I was ordained in 1993, and was sent to work at the Mexico/USA border.

At the beginning, the congregation wanted me to work in the north and I say that it was by conviction, by ideological coherence; the north is not my place. I know of the pain and suffering endured by the migrants in the north, but my way of thinking, having lived through the military dictatorship, for what it did in Latin America and continues to do the in North American politics, I refuse to work in the United States.

I believe that the most pressing needs are in Latin America. There is much to do, a lot of work here. So there I was for four years at the border, then I studied for one year in Italy, later I spent one year in Houston, Texas, at a parish of immigrants, then I was in Canada working with Portuguese, Latinos, Italian immigrants... Some of that was the strategy of the congregation to be convinced that I was to work out there. But one can be in the service and not change one's way of thinking. Until one day those responsible thought again and brought me specifically to Central America, to Guatemala.

This was one of my requests. Before being ordained as priest, the congregation asks you where you want to work as a priest. My answer was: Central America and Brazil, rejecting from the beginning [going to] the United States. In other words, they sent me north to provoke me. Precisely one of those provocations that the congregation does to see how deep is the passion that one declares. At the end, they changed their mind and asked me to come to Central America.



I have been in Guatemala for ten years already; I am now starting my eleventh year of work in this region.

**JLP:** So you ended the 20<sup>th</sup> century in Central America and began the 21<sup>st</sup> century in Central America. What a deal!

**MV:** This is the outcome: a historic moment ends, a century, and another historic moment begins, another century, also in Central America. I am very pleased with this, because it is an important matter, watching all the drama of the Guatemalan population, of those who return, of those who leave, of the disintegrated families that remain, the violence, the drug dealers, organized crime, all of this which is in our countries is tremendous.

In these ten years, something I had not seen, I observed but not reflected on it, this week I was in Honduras, going back ten years just now I have confirmed, for example, that Honduras is a tremendously deteriorated country... we know very well that Honduras is one of the most damaged countries by the open-cast mining exploitation. It is being affirmed: out of Honduras a desert is remaining. I now understand why it is that 70 percent of the migrants that we serve are Honduran. And this is being repeated in Guatemala: the mining exploitation in San Marcos. It is an injustice that we must face. In this there should also be unity with the work that Most Rev. Alvaro Ramazzini is doing, one of the few times that it continues to be said in the Guatemalan arena.

San Marcos is becoming a desert. The same is happening in the east. Where the mines are, everything becomes a desert. This is very painful. The miners talk about development but there is only depreciation of nature. This will generate more forced migrations in our countries in this region. Unhappily, the governments are selling Central America.

Yesterday, while giving mass in Zone 18, I said, that peace is the new name for justice. What does peace contemplate? It contemplates economic, social, and cultural rights.

If we think in today's development model, the States are saying: "Yes, we are fulfilling the economical, social, and cultural rights." But they are within the logic of a neoliberal market, the most harmful in humankind history, the most disastrous, the cruelest, that which is generated in violence, unpunished corruption, the bankruptcy of the financial markets in the international scope... This is the development system of the neoliberal

market! We cannot accept it, nor can we stay quiet before such a system.

Within this perspective, this is what we have raised as Scalabrinian St. Charles missionaries in the International Migration and Peace Forum, where many clues on this are being given.

**JLP:** How did you see the migration tragedy ten years ago? How do you see it today?

**MV:** When I started activities in Guatemala in 1999, I found what was left by *Hurricane Mitch*; the people were beaten by *Mitch*. Guatemala had just approved the new migration law. If you review the free press from that year, there is an article in which I condemn the market system, the migration laws that arise out of the framework of these new politics. But there is also a fundamental element: Guatemala begins to come out of the dictatorship, because in 1996 peace agreements were signed, which practically have not been set in motion. The international community resources have been used in the name of development to build roads. Human development has never been considered. *Mitch* came and; what do the governments do in relation to the migration phenomenon? Some governments requested temporary protections or that the migrant in the north would not be mass deported. The Government of Guatemala did not make that request. On the contrary, they said: “We are developing the country; we don’t need that protection because the conditions for development are already in place.” And here comes the outcome. In '99, then, Guatemala signed a new migration law that, among other effects, it further encouraged corruption and human rights violations to migrants.

We have built this road by which Guatemala is seen as transit country. We cannot forget that it was in this region in '94 that the Zapatista movement appeared; it rose, among other motives, to protest against the free trade of the northern triangle that is established between México, United States and Canada. But, what happens? The free trade treaty does not take into consideration the situation of the “*Chiapanecos*”, of all of those people who work in Chiapas, of the poorest, of the indigenous. That is why the Zapatistas rose, to say: “No, this treaty is no good, because we are excluded.

Within that process, the border is moved to the southern border of Mexico. The Guatemala/México border is the new border of the neoliberal market, where all migration flow is now controlled. Unhappily, the governments dedicate themselves to controlling the migration flow but not

the drug traffic or the organized crime; so now we live this way because they have simply concentrated the strengths in controlling the migration flow of the undocumented.

**JLP:** In other words, controlling the poorest.

**MV:** The poorest, exactly. Because by bringing the free trade, the globalization, they have to stop the movement of the poor. What we experience in Central America is a consequence of that, because of the push for the free Trade treaty to be established here.

And then came September 11<sup>th</sup>, 2001, something that cannot be omitted in any historical framework. But, where does criminalization fall again?

**JLP:** On the poor...

**MV:** On the poor, exactly; on Latin America. Walls need to be built, borders have to be built, there has to be control... but they never control the drug trafficking or the organized crime.

**JLP:** Che Guevara recommended making two, three Vietnams. Is the recommendation of the North American migration policy to create two, three thousand Postvilles: shackles, jail, and expulsion?

**MV:** Exactly. It is the game of the neoliberal market politics against the weakest and the poorest in Latin America, primarily the migrants. Then come the raids, the incarcerations, and the family separation that has taken place since September 11<sup>th</sup> and which has become worse during the last four years. We have the clear example of Guatemala, where 28,000 Guatemalans were returned deported from the United States by air, and 40,000 by land through México.

**JLP:** How do you see the Mexican migration policy?

**MV:** The Mexican government is playing a dirty game: not efficient against drug traffic and organized crime. In its fights with little coherence and with little equity, it is very uneven.

**JLP:** What did the Scalabrinian priests do in 1999 and what are they doing today?

**MV:** In 1999 we were in Villalobos, located in the communities, there was a small center for the migrants here in Zone 1. A whole process has taken place from there. In 2000, when the Episcopal Conference initially asked us to assume the work of a more direct approach to the migration phenomenon, we assumed all the responsibilities of the “*Casa del Migrante*.”

From 2000 to 2002, monsignor Ramazzini asked the Scalabrinian Missionaries Congregation to assume the work of the Human Mobility pastoral, which takes place on the national scope: to join, give advice the whole pastoral areas in all the country's dioceses. In this process we are carrying out as Scalabrinians in the interior of the Episcopal Conference, to also develop a greater conscience, a greater sensitivity by the Bishops and other pastoral agents... practically, I have been all over this country in the past years.

**JLP:** Wishing the day was 72 hours long.

**MV:** Exactly. They are long work journeys and it is internal work. I want to make a parenthesis here. We had to move from the House of the Migrant in Zone 7 due to of all the violence that we have suffered by the neighbors, by the city, by the closing of streets; because of all of that the emigrants could not get to that location. Therefore, we made an effort to find a new location, which we found right here, where we are speaking, on Avenue 15 of Zone 1. Here is where, on one side, we tend to the immigrants, and on the other we will begin a process of formation for youth who wants to work in the world of migration, or as priests, or as lay people; from which maybe ten will join and one will get there, we are talking about conscious youth. I bring the experience of my peers, we joined in 1979, and we were 110, of which 10 became priests. But many of those peers are in social movements; they are in the fight, in the social arena.

**JLP:** Are there still “many called and few chosen”?

**MV:** They are chosen for different functions. I have peers whom today are syndicate leaders, that are in the movement [of the] “*Sin Tierra*” in Brazil, with the peasants, there are others that are teachers working in the

education, others are peasants themselves. I would also say that when there is truly a social conscience, God calls you where you can carry out the mission, a social work. The mission of the church is to shape people with conscience.

**JLP:** **Father, is the heart still on the left side?**

**MV:** It has to be there because that's certainly where we get conscience over justice and truth.

**JLP:** **Is generating that conscience one of the purposes of the International Migration and Peace Forum?**

**MV:** Precisely. In the 2009 framework, this forum begins with Nobel Peace awards, scholars, migration policy experts, to really call out the society and the world to treat the migration phenomenon in a different way.

We cannot criminalize people who search for a livelihood. This is a process that should be conveyed in the realm of the high society.

It was made clear in the final forum communication: the security agenda of the United States must be replaced by the development agenda. Migrants cannot continue to be treated as an international security problem.

Let's consider what the United States has done, what the European community is doing, and the requirements that they are imposing. Europe lost the historical conscience of the meaning of human development and all that immigrants have to offer. Our forefathers who immigrated to the Americas were those who lifted Europe and migrations developed Europe. That loss of historical reality is problematic. United States is also problematic. The United States has struck us with military dictatorships. We cannot negate that the corporate sector and military sectors of our countries also accepted all of their conditions, all of their strikes and dictatorships. During our college years we could not talk openly like we do today. I still remember being a college student and having the military rifle on my chest.

**JLP:** **As some Mexicans say: getting out of something bad to get into something worse “from Guatemala to *guatepeor*” (idiom).**

**MV:** Here I was under careful measures because I was open, coherent and honest. And the fear is always there. When you receive a death threat, there

is always worry and fear. But I believe what I have always said: beyond what one can do, of course, one needs to be prudent, one has to always be on truth's side, and one should never stop saying the truth.

**JLP:** Larsson, the Swedish writer, left us a phrase that says: “If we live in a world in which women, immigrants, and the poor do not have the same value as their fellow citizens, then this world is evil.” What do you say to this?

**MV:** It is within the context of Latin America, of the liberation theology. Perhaps, the liberation theology makes a new statement: we must turn towards the smaller ones, the excluded, and the marginalized. I have been in Guatemala for 10 years and, for example, I have developed inland and one feels the pain, the suffering, the poverty of the people. I have experienced Zone 12, a marginalized zone, Villalobos I, Unidos por la Paz; Villalobos II, Mezquitil. I know Zone 18, this area known as El Limón, Santa Elena, Juana de Arco, Esquipulas, la Maya... that is where you see the human drama of the men, the women, the boys, the girls. It is terrible.

Precisely the other day we were talking to Elena Díez, perhaps, the capital of Guatemala is decaying but in the marginal areas people are really marginalized, excluded. In other words, during the last few years, I was the only one going into this area of Zone 18 that I mentioned. None of the social organizations stayed and the police practically turned around and left in a hurry.

We have to rethink this globalized world, this world of neoliberal politics, in other words, capitalism; the way it is proposed, is simply set to enrich a few. We have to rethink nature, if we don't save the planet Earth, if we don't save Guatemala; we are just going to die. I believe that this is one of the voices we have to raise under all circumstances.

**JLP:** Where do you get the strength, amidst so much oppression, not to give up?

**MV:** First of all, it is the people. When one centers one's mission on the human being the spiritual strength is born from within, which is the liberating force. Yes. Spirituality is beyond praying at a chapel. Spirituality is to embody; embody the pain, the human pain and transform it into daily living. In other words, I have an experience, I have coherence, and

I have a dream. And that is the dream that one carries every day, from the time one rises to the time one lays down; perhaps this is the other world for which we have to continue to fight.

In my experience as a priest I say: if the poor are not a part of my life and my history, it would be like human and spiritual suicide because this was the reason I became a priest. From the time I was born, this has been the cause that leads my walk, my life and my vocation as a human being.

## Interview with Erik Camayd-Freixas

*Professor, Florida International University (FIU)  
and Federal Interpreter*

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*“The immigrants have brought 30 thousand lepers among them and they are also guilty of global warming”*

***José Luis Perdomo (JLP):*** Ambrose Bierce, in a harsh definition, said that an immigrant is a not so smart person who thinks that another country is better than their own. How do you define it?

***Erik Camayd-Freixas (EC-F):*** In the face of a labor migration, we migrants are people propelled by the dynamics of the world labor markets. These markets are tied to several aspects. It is something that implicates the free trade agreements and other aspects of the globalization. Migration is not a separate aspect from all the other aspects of the economy. It should be seen as an economic aspect, and not as a legal one.

To me, migrants, in their majority, are people who really suffer from a forced migration from poverty and hopeless circumstance in the regions of their origin. This is something that can be mitigated by the development of those communities. One of the aspects of the migration reform that has not been cleared up, and is very important, is the measures for mitigating the socioeconomic causes for forced migration.

***JLP:*** Your last names (family names) sound like they come from far.

***EC-F:*** Camayd is Lebanese and Freixas is Catalan. I am Cuban, my parents were born in Cuba, but my paternal grandparents were Christian Maronite Lebanese, and on my mother's side my grandfather was Catalan and my grandmother was Galician.

***JLP:*** So Carlos Fuentes was right in *The Glass Border (La frontera de cristal)*, where he said all comes from all over, all comes from outside.

***EC-F:*** It is like that. Let me tell you that Carlos Fuentes was my teacher, in Harvard, when I was studying my undergrad there and he was a beloved



person, a great teacher. I learned from him to have a certain unbiased vision of the national and international political opinions. His perspective was very valuable to me.

**JLP:** In his house in the Federal District in Mexico, Fuentes told me that he was conscious of the fact that while he was flying on an airplane and thinking about his next book, thousands of Mexicans and Latin Americans were trying to cross the border on foot and without documents, the one which he categorizes “a glass border.” Does this happen to you?

**EC-F:** Not so much when I get on an airplane, as when I walk the streets in the United States, because there, in terms of daily living conditions, the immigrants are living their daily life surviving a state of terror.

What is happening is that there have been more raids and arrests since 2006: they are going in a vertiginous incline, and at the same time, the American prison system has increased. Inmate population has tripled since 1987. Today, the United States has the highest incarcerating index in the world: 762 people in every 100 thousand. The fastest growing sector in the inmate population is the undocumented. Today 33,400 immigration detention centers are full to the maximum capacity any day of the week, because they go in and out. Many are deported, there are fewer arrests, there are 12,000 people wearing electronic shackles on their ankles and a great part of the prison industry is made up by private companies.

So, they are going straight to the “source of food,” in other words, the sources of employment, with these workplace raids, be it in farms, construction companies, custodial companies, slaughterhouses like Postville.

**JLP:** It is very easy to go “hunting employees”, as you say in *Postville: The Criminalization of Migrants*.

**EC-F:** It is more than a hunt. If they were really looking for “fugitives,” as they call them, criminal foreigners or terrorists, then it would be a real hunt. But going to the workplace with 700 warrants is like winning a small lottery, like picking the low hanging fruit, very easy. In addition, the workers are meek, they are laborers not criminals, so they present little or no resistance and... That way it's easy!

**JLP: What are the 297-G programs?**

**EC-F:** A section of the United States immigration code allows the immigration police and customs (ICE) to reach agreements with local police departments, with local, community police stations, so they can execute the immigration arrests. They [the police departments] receive federal funding by doing it, so there is an incentive. The city also receives funding, between \$97.00 and \$102.50 per day, for every undocumented person they keep in detention. It is therefore a business. In fact there are very lucrative contracts.

**JLP: One more time, “business is business.”**

**EC-F:** Exactly. Many prisons are fighting for the lucrative immigration contracts. But that is not the only thing, for the local police are the defenders of the community, they have a thorough local knowledge and a strict watch over who is and who is not local. This, together with the state and national intelligence system, allows the migration police and customs to create a totalitarian state for the immigrant.

So they are going to the workplace with the raids, a population control technique used by pest controllers: locating a pest in the house and getting ready for fumigating the pantry, the source of food that attracts the *insects*, the *plague*. This is a perverse strategy, they say it clearly: they are going to the workplace, which is the magnet that attracts the undocumented, they are poisoning the food.

Then, the community police is ambushing the undocumented when they go to church on Sundays, when they pick up the children at school, when they return from work, when they get off the bus; they are going house to house, they invade dwellings breaking doors, beating people, arresting them, anyway... They are also using racial profiling, so anyone who looks like a Central American, seen driving, gets pulled over, and they come up with any excuse to arrest them and deport them.

**JLP: Mexicans, Central Americans, South Americans... All the same?**

**EC-F:** Yes, because they look for “short,” of tan complexion, without distinction, and sometimes they call everybody a Mexican. It is part of a stereotype and of a racial prejudice.

**JLP:** What do you hear from the phrase of the Swedish writer Stieg Larsson, that says: “If we live in a world in which women, immigrants, and the poor do not have the same value as their fellow citizens, then this world is evil”?

*EC-F:* I don't believe the world is evil. I believe we have used it for the bad, but that bad use is a pendulum. There are some periods that are more positive, more just, and there are dark periods. Right now we are going through a dark period. During these months participating in this justice process with the immigrants, I have met hundreds and hundreds of North Americans committed to the immigrant cause; they are dedicating their professional life. They are admirable, a source of inspiration. These dark periods bring out the worst and the best out of humans. Then, through the joint effort of these conscious people we will make the pendulum swing to the other side. Give us time.

**JLP:** Don't you feel like Guatemalans were treated in Postville like meat that is not even good for recycling?

*EC-F:* These undocumented people were meat, forced through the judicial meat grinder.

**JLP:** Ten by ten, like sausages.

*EC-F:* Like that. We can make a lot of metaphors here, all of them awful. It is curious that Postville was the birthplace of the founder of the YMCA, the Christian youth association which created this world organization that promotes peace, migration, and contact between cultures.

**JLP:** Postville was the birthplace of another Nobel Peace Award winner. Do you have another contrast?

*EC-F:* As you enter you immediately find a sign on the right hand side that says: “The People of Iowa welcome you. Iowa, fields of opportunity.” You see those unending corn fields, a sea of corn and the hills and the friendly small towns. When you enter Postville, there is also a sign that says “The World's Town”, because there was a time when 34 nations and 17 languages were represented in Postville, a town of 2,300 people. The radio had programming in English, Spanish, Hebrew and Russian. The attitude of Postville was summarized in those and other welcome signs. There is no

irony here. The *true* welcome was the *attitude* of Postville. Of course, there was a whole cultural negotiation process between all those cultures, a process that was more or less painful, but they had already adjusted. The anthropological studies of that zone named towns like Postville as a model for ethnic integration for other rural communities in the United States. The raid came, and all of that went in *shock*.

**JLP:** Did you see this infamous process happen; from Postville to Kafka of *The Process and The Castle*?

**EC-F:** I saw it happen, and I see that you have a book from Noam Chomsky. Of course, I saw Michel Foucault happen and I saw Said happen, they have influenced me much in this, besides Father Bartholomew de las Casas, Francisco de Vitoria and all of the defenders of justice and liberty in the colonial epoch, which I studied well because I specialized in that period. When you read the works of these figures, and about their lives, they form one's moral fiber.

The case of Kafka is pretty much a negative effect. *The Castle* paints a dismal picture, *The Process*, all its novels, and of course there is a Kafkian in all of this that I call, in a book that I am preparing about the whole Postville case, I call the judicial process a legal theater.

Going back to the analytic influence of Chomsky, Foucault, and Said; notice that I studied in Boston at the end of the 1970s and beginning of the 1980s, and I remember that, during the Reagan elections, the Sandinista revolution had just succeeded. Carter was ready to recognize it and to establish diplomatic relations, and all of a sudden Reagan wins the elections. I was a 20-year-old kid, but with my social conscience, I immediately saw with an absolute clarity what was going to happen: Reagan came out and I said to myself "there is going to be a blood bath in Central America." I calculated between 30,000 and 50,000 deaths. I was about ten times short. But, well, in that time Chomsky began to declare himself politically against the United States support to the dictatorships in Central America in the name of the domino theory and anti-communism.

**JLP:** ...And the John Wayne movies...

**EC-F:** ...in which Ronald Reagan had a small role. The interesting thing is that Chomsky, in his linguistic theory, raises a generative grammar out of

two significant language levels: language has, according to him, a superficial structure and a profound structure shared with other languages. That is a method of analysis, an epistemological model that, of course, Chomsky uses and others too, to analyze his political events. I am a literary critic... therefore, to me, all that happened in the court and all related to the raid is a narrative of happenings, with a script, a language, its diverse languages and its susceptible rhetoric of analysis. What I did after finishing the judicial process was to investigate and reconstruct the events and the process in itself, and then tried to understand it in the largest national politics prospect since September 11<sup>th</sup>, 2001 and the anti-terrorism war and the new undeclared war against immigration. What I did was to look at the superficial languages of the government documents of the judicial process, and their actions, and analyze them and find the profound structure to show the real agenda of the government.

On the other hand, I see that the government of the United States is going through an apparent time of identity crisis, because 50 years ago, maybe more, there was a white Protestant majority, the archetype of the national identity. That has disappeared, it has diluted, because now there are people from all the countries in the world, of all colors, all races, all languages, all religions. The singular ethnic, racial or language archetype, is no longer possible and so there is the need to build a national identity from another vantage point. The only principle remaining is a legal principle, perhaps, the legality, to be a legal resident, to be a citizen. Said pointed out in his book *Orientalismo (Orientalism)*, in 1978, the way that human groups, even the individual, build their identity, is shaping the artificial and whimsy images of another who contrasts with the self. The second step is to demonize that other, in other words, to Project all the negative aspects of the self on the other, exorcize the demons of the self and adjudicate those negative characteristics to that other. Let's say there is a tendency in the actual collective conscience of the United States, to demonize the other and... Who is the Other? He or she is the one without legal status, the immigrant. Based in this demonization comes a whole series of negative propaganda through the media, which even twists or make up statistics. For example, TV has said that the immigrants have brought 30,000 lepers among them, they also accuse them of the current economic crisis, they have been accused of global warming and of the most implausible things. In this demonization we saw Postville, the criminalization of the worker; say, these

undocumented workers were treated legally, in fact, as possible terrorists.

**JLP:** Are your writings about Postville an exorcism?

**EC-F:** Absolutely. Before I went to Waterloo, where the Postville hearings took place...

**JLP:** Another coincidence: Postville as another Waterloo of humanity.

**EC-F:** That's right, it has been like that, at an iconic place. Before I finished and retired, I talked to the lawyer that I worked with, an extraordinary woman, of much courage, who fought, and I saw the frustration and pain in her face, as she tried to help these immigrants but could not do anything ... Before I left, I told her: I'm going to write a report about all of this, this is not the end of it. And she told me: very well, you will feel *less dirty* that way.

Ah, what truth she told me! That was the same way she felt. Although she fought for her clients as a defense attorney, she saw herself, the same as me, taking part of an injustice, enabling it in some kind of way, participating without being able to do something; for professional reasons we had to wait for all to be finished, for it to be pronounced. But I left that place with my hands dirty. And I have tried to clean them ever since, by all means.

**JLP:** Is it a coincidence that the raid was precisely two days after Mother's Day?

**EC-F:** That is interesting. I imagine that it is a coincidence, but there are so many that one has to ask, because there have also been raids on May 5<sup>th</sup> (*Cinco de Mayo*), December 8<sup>th</sup>, day of the Immaculate Conception.

**JLP:** And the day of the Virgin of Guadalupe?

**EC-F:** That too.

**JLP:** Were they enraged with the women of Postville?

**EC-F:** Allegedly, they freed them for humanitarian reasons; also allegedly, they put an electronic restraint on their ankles. Stripped of their pride and

dignity of being working moms, mothers have been reduced to begging for charity at the doorstep of the church. They put on the restraint, pending a deportation date. Eight and a half months after the raid, they have not been given a date. Around 47 women are in limbo. Some were given the date for May 12<sup>th</sup>, 2009, the first anniversary of the raid. This is something that only a perverse mind can imagine, I don't know if it is another coincidence.

There are so many raids... In 2008 there were almost 1,200; we are talking about a hundred raids per month. It is not strange that raids fall on every day of the year; from that point of view no date is safe, there is no sacred date.

**JLP:** Let's go back to the enlightening part. In your book you talk about a colleague that: "I feel a tremendous solidarity with these people." Has this solidarity increased or has it also fell in limbo?

**EC-F:** It has increased because somehow it has always been there, but there are vulnerable people, right? They don't dare take a stand because they can lose their job, amongst them many of my interpreter colleagues. I am fortunate to be a college professor, I have another job, I don't exclusively depend on the translations or translating for a federal court, I also interpret for presidential and I have other perspectives. I am not so vulnerable. Also, being a college professor gives me certain authority to disagree with judges and prosecutors.

**JLP:** Without mayor consequences?

**EC-F:** Let's say that I am a bit dumb or fearful, but when I see something like this I feel such indignation like I had then, I don't even look at the consequences.

**JLP:** In your book you say that you were even privileged to be a witness of historical events.

**EC-F:** Absolutely. Postville is a historical vertex for social politics, for the civil rights effort, for the fight for democracy in the United States. At first I did not realize, although I perceived something intuitively: Postville is an emblematic event of a whole generational fight. To me the immigration crisis in the United States, which in a rough way divides the nation, is the most important social crisis since the civil rights movement of 1964. For the

21<sup>st</sup> century it is the equivalent of what in the 19<sup>th</sup> century was the fight for the abolishment of slavery and the fight for civil rights in the 20<sup>th</sup> century.

***JLP:* Is this why you propose for “America to adopt Postville”?**

*EC-F:* Yes, because the federal authorities came and raided and have left a humanitarian crisis behind, in Postville, and have not helped the community in any way. And yet forth generation German immigrant children have met in this city to help the Latinos, the families, the churches, the college students, the whole community have gone to feed them, clothe them, they have helped them with the kids, and continue to sustain them.

Besides that, the economical impact has been devastating, let's not even mention the social impact. In other words they have destroyed, devastated Postville.

***JLP:* Devastation and fear.**

*EC-F:* Yes, and that is said by a native Postville resident in the film by Luis Argueta, a narrator.

***JLP:* Not an undocumented suspect?**

*EC-F:* No way. American, one hundred percent blonde, to use the stereotype. I went to Postville five months after the raid, the Guatemalan and Mexican workers, good people, family people, were expelled and were never completely replaced. The plant was never able to operate at more than 45 percent capacity. Because of the economic impact, the few businesses left have been closing and you go down the town streets and you see the empty buildings. It has made a tremendous impact. When you get to Postville you find an atmosphere of distrust, secrecy, whispering, people looking over their shoulders, a situation that you can only compare to Eastern Germany before the fall of the Berlin Wall.

***JLP:* Have they taken down the welcome signs?**

*EC-F:* They are still there; I think that with the hope of the town to resurge again, something that I see as very difficult. The regional impact of this raid in a 150 mile radius is a farm income loss of about \$300 million per year. Businesses begin to fall; the stock market has already hit the floor. There is a vanishing.



I had an enlightening moment when arriving at Postville: I had lunch with a city water and sewer worker and he told me, with much pain: “I wish you knew my town the way it was: a success story.” This was irreversibly damaged.

**JLP:** Another Waterloo for humanity.

**EC-F:** Such it is.

**JLP:** Is this about “keeping the rabble in line,” as translated from English to Spanish from Chomsky's book?

**EC-F:** One day I found out there were 94 Guatemalans from Postville who ended up in the Miami federal prison. One of them told me, with that popular wisdom that illiterate people have and show time after time: “Our parents could not give us education and that is why we are here suffering through this. We wanted to give education to our children, the education we could not have. We feel sorry about going back broke and in debt. Now we have to take the kids out of the school because we cannot afford the school supplies, we cannot afford their education. And that is what we did not want to do, because we did not want to sentence our kids to having to immigrate to this country in later years.”

The immigrant sees the need for emigrating like a sentence. Hear me: nobody leaves their homeland just because, only for major, strong reasons. And all of these individuals did not go with the idea of staying, but with the idea of working for some time, be temporary workers, send their remittances, save and come back to buy a small piece of land, build a house, buy a truck to start a small business.

That is the story of millions of immigrants around the world, many of which are Christians who bear no resentment. They keep giving the world countless moral lessons. These are people who continue to have an impressive work ethic, even if they were restrained by their ankles. These people only want to work. There is dignity in working. These are simple people now processing the suffering and the tragedy. It is a sad process. These simple people have given us a great lesson.

**JLP:** How would have Mark Twain looked at Postville?

**EC-F:** With that fine irony that characterized him, [Twain] would have

seen it as a loss, the destruction of some kind of ethnic paradise, of harmony accomplished after a painful ethnic negotiation process and basically as the destruction of a culture. With an infinite nostalgia because, in the cultural field, you cannot recover what is destroyed.

## Interview with Luis Argueta

*Muvie Director, Guatemala*

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***“I hope Mark Twain can recognize his country again and feel proud of being born there”***

***José Luis Perdomo (JLP): It is not hearsay when you talk about immigrants. Does this contact come to you since childhood?***

***Luis Argueta (LAr):*** No. I grew up in an idyllic and idealized surrounding, in a big house with lots of people, with animals and very isolated from the world. My first contact with immigrants was in Michigan, the first summer I was there after receiving a school scholarship. Someone told me that in the north, the cherry harvest brought in a lot of immigrants, and I went there. It was the first time I saw a migrant camp, it was people that arrived cyclically, from Florida, following the harvesting, and some had already stayed. It was the first time I had a Super 8 camera and I wanted to film a documentary. I was not able.

Most of them were Mexicans. Later I worked at the Social Services Department in Monroe, Ohio, south of where I was, and my job there was to receive the families that arrived, open a case or, most of the times, if you'll forgive the repetition, check the files and pull out the case that had been there for years, something that was reactivated every season. We saw if the family had grown, how many came, they were given food stamps, if there was an emergency they were given medical help and two or three times a week I went to the camps to see how they were. I don't remember seeing one Guatemalan.

Going back in time, we got to 1977 and we were on the coast of Guatemala.

***JLP: Did you acknowledge and feel Guatemalan?***

***LAr:*** I have always felt Guatemalan, although there were some years in which I did not want to think of Guatemala or to know about this place. It was with *The Silence of Neto* that I sealed my commitment to physically and emotionally return to my work.

Let's go back to 1977, on the Guatemalan coast, on a cotton farm, I had decided to make a documentary about the use of pesticides, I called a group of friends and I told them "guys', let's go to Guatemala and make a documentary, everyone pays their fare, everyone pitches in for the film, I will provide a house and food." All said yes.

That day, in the middle of a cotton field, a 40-year-old man that looked like 70, surrounded by children, told me that he made two or three "quarters" per day and when he saw my surprised face he added: "from something to nothing, there is a big difference." That is what I found many years later in Postville.

**JLP:** Doesn't Postville sound something like "postponed-ville"?

**LAr:** I think that a waitress in the documentary says: "You could now call Postville devastation and fear" she says, "*devastation and terror*." That is the best definition I have heard. A people, just like my childhood home, pleasant, a town where 30 nationalities coexisted, Russians, Guatemalans, Salvadorians, Mexicans, Philippines, Germans, Norwegians, who once a year had a festival called "Postville's Flavor," where everyone cooked their favorite dish and listened to their favorite music... And it took them 15 years to build that, the ICE, the Immigration Department, and state law enforcement destroyed it in one morning.

**JLP:** Did anyone imagine that people who got a long so well, would end up so badly?

**LAr:** People expected a raid, there was going to be one sooner or later. In Marshalltown, a nearby city, they had a tough raid a few months before, there were rumors, and it was like the story of the wolf. When "*La Migra*" (immigration authorities) got there, nobody believed it, but they could see the raid coming, [although] of course, not with the brutality that took place: a true military operation, prepared with perverse treachery and premeditation.

**JLP:** It was as if you were talking about "*kaibiles*" (elite soldiers) on a Guatemalan hill.

**LAr:** Ah! The helicopters arrived and the state and local police support, they had 900 federal agents equipped with long weapons, a small plane... They arrived like they were going to capture Bin Laden, not 400 peaceful

workers. Is hard for them to trap a terrorist, but it's easy to trap 400 workers in their workplace, while they were breaking their own backs and bottoms to feed their children.

**JLP: Why so much brutality on defenseless people, whose only mortal sin is being born in this mimicked homeland like Guatemala?**

**LAr:** To intimidate. This was a pilot operation designed to scare those who were there but also those who eventually find out about it. And the whole world found out about it.

**JLP: Did you hear about it on the phone, on the radio, or TV?**

**LAr:** On the radio, since I am Neto, I am a radio lover.

**JLP: Old customs.**

**LAr:** Customs from before TV in Guatemala. I heard of it on National Public Radio. During that time I was working on another screenplay, in the middle of another work, I had to go to Europe in June ... and I forgot about Postville. The news gave me a jolt, but I did not deeply understand it because I was busy with other things.

**JLP: Was this place closet to you or was it far enough to forget it soon?**

**LAr:** Postville is a town on the north east of Iowa, five hours of Chicago by land, two and a half hours from the nearest airport, is not easy to get there. From New York, where I live, to Postville, I have to take a plane to Chicago, change planes, get to Rochester, rent a car, and drive two and a half hours. This is a trip that begins at six in the morning and ends around five in the afternoon.

**JLP: Like going to Europe but without leaving the U.S.**

**LAr:** Yes. But now Postville is my second home and is every time closer to my heart. If there is one thing that I'm certain of, it's that this story needs to be told by me. So I went to Europe and on June 11<sup>th</sup> I read the *New York Times* and on the cover there was an article by Julia Preston that says "Interpreter raises his voice in favor of the immigrants." I read the article, I read the link where the whole essay was found and I did two things: I wrote to Camayd-

Freixas and told him that I congratulated him because it was a document written with the heart and with the head, I asked him permission to translate his article and I told all that I could, I did a summary, I told them that this had to be translated to Spanish, it needs to be published and read by all Guatemalans in any part of the world. Today I believe that it should be read by all the citizens of the world.

The second thing I did was to call the church of *Santa Brígida* and made arrangements to visit that place, because I wanted to see, like they say, with my own eyes, what was happening. Then I told my dear friend Vivian Rivas: “I’m going to Iowa, Do you want to go with me?” And she said yes. We went hoping to do a couple of interviews, film a public display of interest or a march, some testimonies, and then do a five to ten minute video, post it on the internet and done.

After being there for two days, Vivian told me: “I need to be here” and I said me too. On the Monday we were supposed to return to New York, on the way to the airport I told Vivian, “I can’t leave, I’m staying.” And I stayed one more week. That was the first trip of ten that I have made to Postville and three to Guatemala. In these 13 trips I have met the people, I have heard their stories. That’s what I want the world to know. It has been a seven and a half month project that has absorbed me completely, financed by Vivian and me, with the support of some people.

Another contact that I had with the immigrants was three years ago when together with Rosa María Mérida de Mora, general consul in New York, I visited mobile consulates and there I started interviewing immigrants. I have two of these works on YouTube: “*Recién llegada*” (*Newly Arrived*) and “*Deportado*” (*Deported*), small portraits of two, three minutes. I have bled with all of this: on the inside (with my heart), on the outside (with my wallet).

**JLP:** Is there not much nonsense in the savage event of Postville: doing the raid two days after Mothers' Day, at a place where a Nobel Peace Prize was born, at a kosher meat processing site which evokes images of a concentration camp?

**LAr:** I wish they were nonsense, but I fear not. In California there was a raid against Mexicans on December 12<sup>th</sup>, the same day of the Virgin of Guadalupe. In Postville they took them out from a cattle trace and took them in chains like animals into a cattle exhibition hall, to process them ten by ten

as if they were sausages. I don't believe this is a coincidence. Neither was it coincidental that they called them names, heckling things such as: "Clowns, midgets, hookers, what are you doing here, this is my home, get out!" All of that does not happen by coincidence. It is part of a policy, of an aberrant mindset and deviant. The world needs to know that and the world needs to pressure for this to change and I feel I have to tell. It is my mission. Within all this horror, this filth, and all this human baseness, there are some very strong rays of light.

**JLP: What are you thinking?**

**LAr:** In the solidarity of the Church, in the devotion of many people, people with immense compassion, conscious citizens.

**JLP: What does a place like Guatemala have and not have for a Guatemalan to walk for 40 days and 40 nights to get out of here, arrive in the United States and then be deported like a dangerous animal?**

**LAr:** Last Sunday I was in Chimachoy, there I met a 20-year-old kid who was treated like a dog. He does not have a mom because she died in childbirth; he has no dad because he was killed in the Chimachoy massacre, sponsored by the United States, and did not have anyone to offer him shelter. He left for that reason. It is a total and infernal circle. We are the other children of the "Llorona", those who saved themselves from drowning, went to hell. Now we will see if at the return of these other children, this country is waiting to finish drowning them or will help them in some way.

Unfortunately, this infernal paradise, as I call Guatemala, has always offered our people ignorance, violence and death. It is a collective task to contribute to the change and to shake off the primitive state in which we find ourselves.

**JLP: Is this about "keeping the rabble in line," as translated from English to Spanish from Chomsky's book?**

**LAr:** Chomsky's saying is very correct. In the United States, if you have money there is no problem to get in and stay there as long as you want. Marvin Danilo, from San Lorenzo el Cubo, tried to get there legally, went to the embassy, paid a professional who does all the paperwork to request the H-2B visa application. When he got to the interview they asked for his credit cards, his bank accounts and his property titles. Of course by having nothing, they gave him nothing.

**JLP:** The rabble has nothing.

**LAr:** Nothing, and that is why Danilo decided to go illegally. If someone with credit cards and properties asks for a visa, he gets it in half an hour. The rabble has nothing, and for the same reason, does not qualify.

**JLP:** Are there any open windows or are the doors closing airtight?

**LAr:** There are some rays of light, as I said, that break though this dark night.

**JLP:** How would Mark Twain have viewed the savage things *made in Postville*?

**LAr:** I would dare say that Twain would've said, just as the character from Valle-Inclán said: "What country are we Agrippina?" Twain would say: "I don't know or recognize this country." But, on the other hand, and I stress this, there are a lot of people that do not represent the North American politics. I have lived there for 40 years and I consider it to have many good things, in spite of the disastrous governments. There is an enormous consciousness about the need to begin recovering the nation's credibility. The image of the United States is low but there is hope.

So I hope that Mark Twain will soon be able to recognize his country and feel proud of being born there.

About the rest, it is time we recognize that we all have a responsibility towards the returned; they are also people who showed an enterprising spirit, whom can take risks and return with great skills that Guatemala is determined to waste.



## Interview with Jorge Jamil Mahuad Witt

*Former President of Ecuador*

*Nobel Peace Prize Nominee*

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*“Gandhi was intrigued to see how some human beings can only feel good if other human beings feel bad. This is something he was never able to understand”*

***JLP:*** What is your full name?

***JJM:*** Jorge Jamil Mahuad Witt, Jorge is my father's name, and my mother's last name is Witt, because my maternal great grandparents came from Germany to Ecuador.

***JLP:*** They are names and last names that come from far, president Mahuad, very fitting given the clash over migration and peace, right?

***JJM:*** Exactly, my grandparents came from Lebanon, my great grandparents from Germany and I am totally Ecuadorian but I have those roots.

***JLP:*** Have you been to those places where your last names come from?

***JJM:*** I have not visited those places, but I have family there. It is a special sensation when you find certain type of connection.

***JLP:*** You have been far, have been close, in constant movement.

***JJM:*** I believe so.

***JLP:*** Before you were born.

***JJM:*** Something like that, and now I have lived in the United States for eight years, so my perceptions are current.

***JLP:*** Do you feel like an immigrant in the United States?

***JJM:*** Let's see, Spanish is my language, my culture is Latin American and

I am in a country that has been very generous to me, but it has another culture and talks another language. Then you have to have an adjusting process: I am very grateful to them, at the same time I have yearnings for my country.

***JLP:*** How much does this concept of center and outskirts have to do with all this migration?

***JJM:*** I don't believe that migrations are the problem. Migrations are the symptom of the problem. People don't go there because they love to speak another language, because they like to eat another food, or because many of them like to be in extremely cold temperatures. They go because they have opportunities there; they feel they have better possibilities there, to improve not just themselves but their families. They are willing to pay the price as long as they get that opportunity. Then, as long as we do not have a better balanced development in the world; as long as the concentration of richness focuses more every time in developed countries and further every time from sub-developed countries, the concept of center-peripheral, I believe it will be very difficult for people to lose the incentive to leave. So, if we want to attack the structural cause we have to go to the distribution of wealth in the world, I think. In the meantime, we have to work together, tending to those who have problems, the immigrants, which is what the Scalabrinian Congregation is doing and it seems very important to me.

***JLP:*** While you answer and I ask, thousands of Ecuadorians, Guatemalans, and Latin Americans in general are moving without papers towards Europe and the United States. Isn't this a tragedy renewed everyday?

***JJM:*** I was thinking exactly that this morning. I see the migration from a double perspective: it is a loss and it is a profit, it is a difficulty and it is an opportunity. When migrants come to our countries, we think that our countries are so good, so generous, so welcoming, that people come and they stay and never leave, and then we think it is good that they come here. When our people go to other countries, we sometimes use a different lens and we say: "they have to go, they are forced", etc. Maybe as human beings all go through the same experience, maybe as human beings all had to leave things, loved ones that will always be missed...

I would prefer for people to leave their country not because they don't have opportunities, I would prefer that there were local opportunities

so that only those who prefer to live in another country would go. That is very far from being the current truth.

**JLP:** From your perspective, president Mahuad, are there more bridges at this time or do you see more walls?

**JJM:** It always got my attention that when we entered in the globalization processes, even more now, (because the biggest globalization of the world took place before the first World War, and we had a world commerce, we had a capital flow, we had people flow, the great migrations we had that time), we enter into the current globalization, first, we think this is the first time in the world, which is not true, and second, we give total freedom for capitals to flow, freedom of investing, technology flows, we can purchase technology and add restrictions to the movement of people... There is something there that is not right, I believe that this is a process of dialog, I always believe in dialog.

**JLP:** In what language?

**JJM:** In both, probably, because the principal language is the human language, if I respect you, if I consider your needs, if you feel I treat you kindly, I repeat, with respect, yes I feel we are not imposing anything, no matter what language you speak, because you perceive it in the way I treat you, translation is almost unnecessary.

On the other hand, if I break that and undermine it, I try to impose things or think that your role in life is not significant, or I think that between you and me there is nothing, or that you are so different from me, then it does not matter what language I speak, it is my attitude that offends you beyond words.

If we all realize that we have a divine spark within, if we realize that we share that spiritual element and we try to find it, that spiritual element will allow us to behave like brothers.

For many years I have used a phrase every time that Christmas is near: Christmas is any day of the year in which a person approaches another and considers her a sibling, and treats her like a sibling. For surely that is the key. The problem is that we get confused and we think that this is not the case.

**JLP:** A Swedish writer, who died at the age of 50, left this phrase: “If we live in a world in which women, immigrants, and the poor do not have the same value as their fellow citizens, then this world is evil.” What does Stieg Larsson's phrase tells you?

**JJM:** I agree, I agree. I heard a beautiful phrase in this forum. Someone said: “God immigrated to become human.” I think it has a deep poetic and symbolic message. We are all migrating, we are all changing, we are all relating with the other and building with different contributions, different joints, the world we want for the future.

Some people see it clearer, maybe they are more self confident and then more generous to others. Others have too much fear, but we have to respect that fear and try to dissipate it, instead of accusing them for having fear: all actions that do not come from love for another human being are based on fear. If we go to the main cause, which is fear, I believe that the person can change.

I have always been moved by Mahatma Gandhi. Remember when he marched for the salt in India: he was, without mercy, beaten together with his followers by British soldiers whom ended up exhausted from beating people; and with the act of non-violence, with the practice of non-violence, Gandhi's followers did not defend themselves, but someone took the beatings, fractured a clavicle or an arm, a group left and another came, until the soldiers hand no more strength to beat people. Then they [the soldiers] realized that what they were doing was irrational and inhumane, not because someone had told them they were inhumane, but because their own situation made it evident for them to see. How can they beat defenseless people? Some people refuse to defend themselves because they do not believe in violence; and there was a journalist in that famous moment covering the story and he asked Gandhi: “Will you prosecute them?” and Gandhi answered: “No, they think they are fulfilling their duty, how can I prosecute a person that is fulfilling their duty?” “But then, what are you going to do?” and Gandhi said: “I will pray for them, because the day the light enters their hearts, they will never again do what they are doing.”

**JLP:** Would a global evolution in the planet Earth erase the borders?

**JJM:** When you see the Earth from a satellite, when we see the pictures, you don't see borders, you don't see countries, you see oceans, you see land, cities, especially at night you see spots of light, but no borders. The national

states, like they exist now, it was not always like this, they were created in a historical moment when it was thought that with national states wars were avoided, it is important to remember this, the principle of “no intervention” was created, “you handle your state, I handle mine, you don't impose anything on me, I don't impose anything on you,” and there is the birth of international right and the concept of sovereignty, because before the feudal lordships fought all the time and there was no peace, so they believed that by establishing order and creating this national state, they were doing good for humanity and that was the function and it has worked for many years and many problems have been avoided but also many have been created.

The question is: a future, with the levels of interaction, of inter-communication, with the levels in which we share things, will it continue to exist the way it has existed so far? In fact many things don't anymore, it is said that many problems go beyond the national, drug trafficking, money laundering, diseases like AIDS, cannot be treated locally, global warming, there are many areas where we say “no, no, no”, there is a Humanity here no matter how we are divided, but there are topics that need to be taken like we were only one Humanity and the fact that we are human beings with fundamental rights, the right to work, for example, the right to have a family and to sustain it, is one of those rights. So I believe that, in the future, we will have to find other formulas.

**JLP:** Would you like to summarize and tell the readers of this interview what you came to say in this Symposium?

**JJM:** Three ideas were made clear to me in the symposium, first, that we should not confuse a problem's symptom with the problem itself; migration is not the problem. Migration is the manifestation of a problem, and the problem is, to simply name it, poverty, with all that it implies, with lack of opportunities, of work, etc. Second, we cannot solve the problem by using the same thought process that created the problem. We have to change this mental mold that we have in the head, then, in the same way we have seen that migration is a problem, we need to see that it is an opportunity and that in most of the cases it is generated by an absolutely unbalanced world, in other cases it is caused by wars, because of violence that needs to be avoided. And third, there are good stories, positive stories, good examples of things that have worked, which allow us to reduce the problems although, not eliminate them; we have to continue to work on those things.

I wanted to share with the seminar attendants the process of peace between Ecuador and Peru, because I was invited around the world to explain how it happened. Having been enemies and having so many wars, we accomplished the signing of a peace treaty ten years ago, which has only brought good news.

***JLP:*** When you say that you have been invited around the world, are you talking of the entire world?

***JJM:*** Yes, I have received invitations, I have not been able to go to all places, but for example there are mediator congresses where they ask me to explain this case. There are negotiation congresses where I have explained this case, universities, later I sometimes am somewhere and students come from around the world, publications, then I benefited much from the experience of others, it was useful for me to know what other presidents had done, other countries, I believe that my duty is to put my experience on the table so that maybe someone can benefit from it, and something that I am really proud of is that I can talk about such a delicate problem with so much respect for all, and without any hurt in my heart, that I feel that we are looking towards the future, look in towards the progress, that we do have painful pasts, that we cannot justify nor accept everything that happened, but is always better to look through the windshield and not through the rearview mirror, and sometimes we drive the car only looking through the rearview mirror.

***JLP:*** In this restoration, this reconstruction of “social tissue” as often said by social science scholars, would it be of help to see the colors used by Guayasamín in his paintings?

***JJM:*** I had, I would say, the pleasure on one hand, but moreover the indelible experience to have personally known Oswaldo Guayasamín a few years before he died and we developed a good friendship. Guayasamín painted, and I felt as if I was with a genius, or before a genius, or observing a genius, and I learned much from him. For example, I remember how important the face was to him, and he explained that when he had to paint a person, he looked for an angle on the face, a feature in the face that allowed him to anchor the painting. In some people it can be the mouth, [in others,] the nose or the eyes, but beyond the structure of the face, that's where the center [is] and it spins around that. He could read much about the

personalities by observing physical features, he could capture, let's say, the soul of the person through that. That was one of the many lessons I learned being with him. Unfortunately he died too soon, Oswaldo.

**JLP:** In this restoration, would the poetry of Jorge Enrique Adoum be of help?

**JJM:** Jorge Enrique is my favorite poet. When I took the presidency, at the inaugural speech before going to the congress to take possession, I went to Quito's largest square, in San Francisco, and we had an event with the people of Quito, with whom my relationship was always good, as mayor of the city for 6 years, there Jorge Enrique Adoum read a poem of his that he had written, and I asked him permission and included it almost verbatim in my message, in my inaugural speech, I changed the speech to include the poem by Jorge Enrique: that is the level of admiration, appreciation, and respect that I had for him.

**JLP:** When did you realize that you were born in Ecuador? When did you realize that Ecuador was in a place called Latin America, and when did you hear about a lost place like Guatemala?

**JJM:** What an interesting question! I was certain since my birth; it was obvious. But I came from a family of immigrants, my grandparents spoke Spanish with an Arabic accent and my great grandfather, on my mother's side, on the other hand, was a man who left many marks in the province of Loja, a small province where I was born.

My relationship with Guatemala has had various interactions, and I am pleased to answer the question. When I was finishing middle school, I had to do a thesis and the topic was literature, elective literature, and we studied the Latin American novel, and every student chose an author (Vargas Llosa, García Márquez, Guimarães, Carpentier). I chose Miguel Angel Asturias and then I read all his work, I read *El Señor Presidente* (Mr. President), *Hombres de maíz* (Men of Corn), *Leyendas de Guatemala* (Legends of Guatemala), everything he had related to *Popol Wuj*, and this idea made such an impact on me that, according to the Mayan/Quiché tradition, man is made of corn, not like in the Christians/western tradition where man is made of clay, and there the title *Hombres de maíz* (Men of Corn), because corn is so important in man's diet, in people's life that from this noble product that corn is had to be made of something more noble like

men.

That always made an impacted on me. Later, when I was mayor of Quito, the first president that visited Quito during my term was the president of Guatemala, and I gave him the key to the city. It was the first time, but also Quito was the first city that UNESCO declared Patrimony of the Humanity, and the restorers of the center of Quito, the architects, talked about an amazingly beautiful city called Antigua Guatemala, and I did not know it, and then the first city that I bonded with was Antigua Guatemala; we are sister cities with Quito and it was my honor to promote it, and now, I am here getting to know this marvel. Later, I think that Ecuador and Guatemala have an interesting characteristic; they are the only countries where several people have been both mayors and presidents.

Then the size of Guatemala, if you go to Ecuador and you take out the entire area near Amazonia, which is barely populated, we have an extension that is unequal. But you can compare the size, and the population: we both have between 12 and 15 million; I am playing with the scopes, but we are not in 40 we are not in 5, that's what I mean, so I have always been like very conscious of all these things we have in common.

**JLP:** The only radical difference, I would say, is that Guatemala has never been lucky to have a president like you. Two final questions: how did you hear about the barbaric things that happened in Postville?

**JJM:** First, I respect the Guatemalan presidents that I know, and I thank you for your generous expression. Second, on TV they showed Postville like an abuse to Guatemalan immigrants, but they could have been, you know, Ecuadorians, Salvadorians, and of course, there is such a flagrant violation of human rights that the emotions that one feels are a mix of indignation, pain and sadness. Going back to Gandhi, he said: "Something that gets my attention is how some human beings can only feel good if others feel bad, it is something I cannot understand." Therefore, sadness that among human beings, no matter from where or who, let's not do things like these.

I am not a person to point fingers at guilty ones. In Bosnia, where there were so many problems, I heard Bosnians say that every time you point the finger one finger points at the other and three fingers point back. I love that image. The idea then, is not to continue to persecute guilty ones or look for someone to blame. The idea is to ask oneself, here we have a problem, so then me, you, the others, are contributing to the problem, which is my



contribution to the problem and which is yours and how can we contribute to the solution instead of the problem? But for that, we must realize there is a problem. What happened in Postville is a ringing of the bells, a shake, and a call to attention for all.

**JLP:** To cure all these wounds, would the song “Imagine” from John Lennon help?

**JJM:** Of course.

**JLP:** Do you listen to it with some frequency?

**JJM:** Yes, and he wrote it during a time that a great effort needed to be made for that to happen all around the world. There is a book that I often recommend, titled *El Efecto Medici (The Medici Effect)* by the Medici of Florence. This family was the greatest bankers in Europe at that time, but they resolved that Florence was to be the birthplace for civilization and they brought all distinguished people, they brought Michael Angelo, they brought Da Vinci, they brought thinkers like Machiavelli... It was like bringing together the geniuses and the thinkers and the best products of the human intellect so that they could talk among themselves, so they would interact, and then it produced some kind of mutual affectation.

This book, the *Medici Effect*, written by a friend of mine, says that the greatest changes are only produced at the intersections: there are changes that are incremental. Let's say, if you increase the memory of your computer from 80 to 120 gigs it is an incremental change, it is a little more of the same, but directional change, those that make you see that is not good to head north but east, only at the intersections, only when you are exposed to something new and different, there is when you can imagine new, “Imagine”, like John Lennon said.

I believe that migration has the virtue of helping to imagine. I quoted Joseph Campbell today. Joseph Campbell is known as the world authority in mythology. He dedicated himself to study the myths of the world and to understand them, and the myths are as sacred as the writings in the tradition of a people, because many also are part of what is known as the collective sub-consciousness. And the same myth is in Australia and in Bolivia and in north Russia: there is some kind of common heritage for all Humanity that believes in the same symbols, the same values. Then Campbell was

asked: “How do you think we can make a better world?” And this genius professor, I think he was in Stanford, says: “With tourism.” And they said: “Mr. Campbell, tourism?” And he said: “Yes, because if most human beings were exposed and met new people, new religions, new regions, new climates, then they would lose the fear and could incorporate things from over there to be better.”

It is the lack of contact that makes us closed minded. I believe that we can imagine a much better world, and there are a lot of people working for that, not just imagining it, but doing concrete actions. In this interview I want to pay homage to all the people that I have seen here, who don't give speeches, who don't have expositions and have told me: “I helped the immigrants in this place, and we did these things and I have seen these human needs, I saw them stranded and had to help them with the airplane fare...” There are so many people doing that! They deserve our recognition.

## Interview with Jorge Rodríguez Grossi

*Former Minister of Economy of Chile*

*Dean of the Economy Faculty in the Alberto Hurtado University  
Santiago of Chile*

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*“There is already a small group of Latin American countries that are not expelling people but they are receiving them... and this coincides with their economic success”*

**José Luis Perdomo (JLP):** You did not come so far to give shallow speeches about the diverse topics that encompass the word migration. What is it that you brought to this encounter?

**Jorge Rodríguez Grossi (JRG):** I have tried to convey how bad it is for many immigrants who go to developed countries. Where they go to live and suffer a series of hardships. My message is that there are two parallel ways to tackle these hardships. One is, of course, working with the destination countries so they will respect the rights of the immigrant people.

But there is another way of doing it, which we have neglected in Latin America, and that has to do with trying to be better countries. The fundamental reason for migration is that people don't want to continue living where they were born, because they are living badly, and must go somewhere else, hoping to improve their well-being.

The focus was to advocate for their rights in the countries of destination, but at the same time to insist on what we are doing to have good governments. That way, I got into something that could be very obvious to some, but not for all, that is to point out: What is it that is failing in the majority of Latin American countries that makes poverty stay practically the same in many Latin American countries in the last 25-27 years?

I turned to the World Bank indicators or to an organization called International Transparency, and they illustrate that the majority of Latin American countries are ranked within the world's worse half, in terms of corruption, transparency, quality of government, quality of politics in general... also a bad environment to invest.

I got into this field for that reason: how do we make the political

world generate consensus that will last even when the governments change. Something that is normalized, so that these countries could have more stable policies, in a way that would attract investors, generate jobs, improve the salaries and avoid having so many people leave our countries to have a better life somewhere else.

**JLP:** Chile stopped expelling so many Chileans rejected in the 1970s. Is Chile an example? What kind?

**JRG:** There are at least to things to point out. There are migrations that have nothing to do with the economy, and one of those is the one provoked by political reasons, there are others from cataclysms, so on... But, surely, there is a flow of people who leave their countries for political, religious, and other reasons. And that can be difficultly managed by the economy.

Most of the migrations have to do, I would say, with economical reasons, with people who want to live better. In the case of Chile, but also in the case of Panamá and the Dominican Republic, it so happens that because they are countries that “are doing it right”, they are receiving immigrants. Costa Rica is doing it too.

Therefore, there is a small group of countries in Latin America that are not expelling people but receiving them... and this coincides with the fact that they are doing it well economically. Frankly, it is not a coincidence. The truth is that it is closely related; I showed it in statistical terms, in between good environments to invest and to generate businesses with important increase in the PIB per habitant and lower quantity of expulsion, or even an important proportion of incoming people from neighboring countries who come to these nations whom are doing it reasonably well.

The things is that one has to be capable to compete on a global level, taking investors from Switzerland, Germany, or Japan, because you offer a peaceful society, with stable politics, etc., that is the tool we have in Latin America and we must work. It is not free.

**JLP:** Does your last name come from Spain, and your second one from further?

**JRG:** In Chile it is very rare to find someone that does not have root in different places. We are countries of immigrants, all of us. We have indigenous roots and we have others. In my past, I have, in the beginning of

the 19<sup>th</sup> century, the Italian, which is Grossi, from Cerdeña, and among my great grandparents I have a Scottish on my father's side. I have no idea when the Rodriguez got here. There is a mix in all the Chileans and I imagine that the same happens in Guatemala.

**JLP:** “Leave, stay”, then, these verbs don't affect Chile so much anymore.

**JRG:** Well, we are quite affectionate, the proof for that is that of the many Chileans that were exiled, because of the Allende administration, many people left the country because of Allende, or they left afterwards because of the military coup. The great majority of those people have returned to Chile because we are very much islanders, as we say, we are of an island species even though we are on the continent. There are very strong ties, and even though we are a country where there has been much migration (Germany, Croatia, France, Italy, Spain), we tend to stay in Chile. We have many ties, different from, for example, the Argentineans, who easily move to other places, probably because their parents or grandparents were migrants.

**JLP:** “People who leave, people who stay.” How much of this do you relate to the concepts of center and outskirts?

**JRG:** It has been registered worldwide that, in the last 20 years more than 92 percent of the people who moved in the world, went to the developed world, they went north, to the United States, to Europe, to Japan. It is obvious: people want to go from a place they consider bad to a place they consider better, they go to developed countries.

**JLP:** The closeness between Neruda and Asturias was memorable for both and for others. In your case, how was it?

**JRG:** I have been to Guatemala many times, I have come to work, I have even come with my family to enjoy this wonderful country, I know Tikal, I know Chichi, Atitlán, Amatitlán. I have enjoyed myself here. I know Guatemala from up-close, and I am very fond of it. Also, we have had Guatemalan students at the Alberto Hurtado University and we hope to have more. This is about a great relationship with Guatemala, a country with truly an admirable culture.

**JLP:** Were you in Chile when the so called “Postville raid” took place?

**JRG:** Yes. Besides the quality of the Documentary by Luis Argueta showed [during the Forum], it is very impressive the abuse committed against these people for which their only sin was a desire to live better.

**JLP:** Is this about “keeping the rabble in line”, as translated from Chomsky's book?

**JRG:** Evidently, it is convenient for any country to receive very rich or well trained people; no doubt about that. Therefore, rarely do countries resist an immigrant who brings said characteristics. However, the typical characteristic of the immigrant, educated or not, is the courage they had to leave their country, to go where they have no acquaintances or important ties, above all in the case of Guatemalans and other Central Americans living in the United States, with great difficulties to get to that territory and enter. That personal courage possessed by that person, from the economical point of view is greatly valued.

When one talks about the settlers, one is talking about something easier than when you talk about the migrants that have to go across all of Mexico and submit to hardships in that journey, and also, the hardships of being mistreated in the United States. I think that a government that believes migrants are an excess, is a short-sighted government; except for those [migrants] who commit crimes, because sometimes some criminals get mixed with the migrants.

We are seeing this in Chile right now: we have around 18,000 Peruvians making a great contribution in our economy, manpower, with much effort, with a fighting spirit, because they are brave people.

**JLP:** Stieg Larsson, the Swedish writer said: “If we live in a world in which women, immigrants, and the poor do not have the same value as their fellow citizens, then this world is evil.” What does Stieg suggests?

**JRG:** I'm not surprised. It tells me that it is just the way human being is and that one must try to improve humanity. Around the world and throughout history, human being truly has essentially behaved the way we understand them today. I'm not surprised for what happens nowadays. Worse things happened before. At least we know about it. A raid in the United States is

known immediately. In the past, one had no idea about what went on in places where people were treated like slaves and nothing happened. So I believe it; and what that phrase tells me is that human beings have good and evil inside. We must work for good to prevail, in order for evil to shrink.

**JLP:** **Would it help to listen frequently to the John Lennon song “Imagine”?**

**JRG:** No doubt it would help, a song like that helps to entertain, to become more human, but, truth be told, what we have to do is build institutions that will defend human rights, that will propel the transparency.

I believe we need to continue working in the direction we are going. And I think we are doing well. I am an optimist and have never been on the side of pessimism. I believe that the world is progressing with giant steps. The globalization that many people criticize, I do believe it helps open borders. At the end, the most developed countries will have to accept people from sub-developed countries, because their own economies need manpower that they don't have and we have it in abundance.

So I do not look forward with pessimism or alarm, but, on the contrary, I think we are going well. But, oh well, the world will be full of thorns, like it is said; you have to be prepared for that.

## Interview with Lelio Mármora

Director of the Master Degree Program  
on “International Migration Policies”  
University of Buenos Aires, Argentina

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*“It seems there is some kind of historical amnesia: we welcomed them for 500 years, and now that we go there, we can't come in, or we have restrictions”*

**José Luis Perdomo (JLP):** In the past, people did not leave these countries. People came here from other countries. What changed so much, doctor?

**Lelio Mármora (LM):** Precisely yesterday a comment was made that Latin America was historically a land that received migrants, with this we talked about 500 years, right? In the last 20-30 years it has transformed into a place of origin for migration movements.

**JLP:** What are the reflections that you came to share?

**LM:** Well, basically the idea is to point out political responses of the administrations developing in the world: some bridges and some walls. In other words, there is no unanimity in the vision of migrations, or in the answers of the societies about the immigrants. And much less unanimity in relation to what the governments are developing as policies and as models of administration before the nations.

One could, at least, differentiate three logics or three types of answers to the political answer problem. One is the restriction, the *securitization*, which is the one being applied in a great part of the developed countries that receive migrants: [it is] the one applied by the United States, the one applied now by the European Union through the initiative and the returning pact, which are clearly restrictive initiatives about migration. This, for Latin America, is truly regrettable, because there is some kind of historical amnesia: we received them for 500 years, and now that we go back there, we can't come in or we have restrictions.

About the other vision, the second one is neither a bridge nor a wall.



It is a vision where migrations are seen as a variable of adjustment between the economies and the work markets. It is the birth of the “win win”, a politically correct concept, upheld by many international organisms, where migration appears as beneficial for the countries of origins and for the destination countries. For the destination countries, because it would cover an unsatisfied demand for manpower, and for the countries of origin because, on one hand, it would be an escape valve for a workforce over-supply, and on the other hand, they receive remittances that allow them to improve their standard of living. That is also where you drive concept of development and the vision of the “win win.”

And there is a third logic that some countries are applying in their politics, and it's not just discursive. It is the one of the human development within the migration, where the center is not focused on the security or the economy, but on the humanity of the migrant, in terms of respect of their rights and their protection.

As for the first of these logics or these political lines, what we find is a development of controls, walls, hindrances, a lot of the things we heard here yesterday about the abuses of authority with immigrants, humiliations, with a real negative, because no matter what, it is not the immigrant that takes the job from the one who is already there, but the migrant becomes a disloyal rival in an irregular situation. When one is exploited, when one has to take any kind of job, perhaps, as long as there is more illegality, there is more disloyal competition, as long as there is more restriction, there is more corruption.

In the case of the second perspective, the one of the “win win” and there is a possibility of establishing temporary migrations, we find that they give results, but reduced results, a small portion of migrations. In fact, temporary migrations are often discussed because of the fact that it is not always true that the migrant has all the securities. One of the mottos of this type of very applied perspective, [for example,] in the case of Philippines and the United Arab Emirates, there is an agreement, there is this way, this mechanism, and they are developed with the concept that the more secure the immigrant in term of his trade, the more productive he is. This is a concept in terms of benefits of the immigrants.

In the case of the vision of the human development of the migrations, there are some principles, there is the coherence principle, and you simply cannot ask other countries to do with the immigrants what we do

with our immigrants who come to our country. In other words, if we want our migrants to be respected, we also have to respect.

***JLP:*** The same coherence that should be between rural and urban populations.

***LM:*** Yes, there has to be coherence about what one wants for your people and when one does with the people that are not from your country or your region. On the other hand, another principle is the one of the amplified citizenship. In other words, the immigrant continues to have his civil rights: able to vote outside of his country, able to participate in the citizen life both in his country and in the country where he is. Another principle, of course, [is] the protection of the equality in treatment, of the free circulation and the free residence. There are also differences in these three positions about the space in which the government is conceived. In the first case, the logic of restriction of space is predominantly unilateral and sometimes bilateral, in the second, the space is fundamentally bilateral and multilateral, in the third is more multilateral, because it clings to the norms of the United Nations, to the immigrant protection agreements. Unfortunately, 18 after the formation of said agreement, only 40 countries have ratified it. And of those countries that have ratified it, almost all are countries of migrant origin and not developed recipient countries.

***JLP:*** Where does your last name come from, with which you had so many problems here? You said that there is a tilde on the first “a.”

***LM:*** My grandfather was Italian, he was a migrant and he came to Argentina wanting to work, and he was well received, so I am part of a migration process of people that arrived in this land, I feel Argentinean, I don't feel Italian-Argentinean, I am Argentinean descendant of Italian which is another thing. To me that is a part of the family folklore, and we had the opportunity, given to us by this land, to develop life and family.

***JLP:*** Do you feel like a foreigner somewhere?

***LM:*** I was exiled for seven years, two of those I spent in Colombia, some years in Peru, others in Colombia; off and on in Ecuador, and I never felt like a foreigner in a Latin American country.

**JLP:** How much to these concepts of center and outskirts have to do with all of this coming and going here and there? Are we the outskirts of the fifth hell, do we have to leave hell and seek the center?

**LM:** Let's say there is a center that could be Paradise and an outskirts that could be hell, but the problem here is also because of the perception of the phenomenon. The cause is not that people want to leave because they will it. Yesterday we talked about forced migrations. It is not because globalization has brought more communication and transportation possibilities, but they are the perverse effect of the neoliberal globalization, an excluding globalization, monopolized and asymmetric. Yesterday, Raúl Delgado explained well the case of Mexico with the United States: migration increased after the so called free trade agreement, which all it has done is to damage with adjustment plans the dismantling of the Mexican industry and the deterioration of the work industry, the socio-economical group of this society where people see themselves force to migrate to the United States. Perhaps, this problem not only comes from the characteristics of the country: that has more or less a democracy that is more or less transparent; it is by fault of those countries that people leave. We are immersed in a global system where there are winners and losers and, unfortunately, we are losers.

**JLP:** Your book: *Las Políticas Migratorias Internacionales (International Migration Policies)*, where does it point?

**LM:** This book is nowhere to be found, there I suggest, first of all, international order, for the international disorder in which, in this moment, take place, the international migration movements. In a second part I elaborate about which are the basis used by migration policies, the basis on the environment, security, job market, education, and health. And then [I describe] a development of the different types of migration policies that have traditionally taken place in the world. The opening policies at the end of the 19<sup>th</sup> century and at the beginning of the 20<sup>th</sup>, [when] people moved around freely, the policies of a restrictive migration, the policies on migration flow regulations, and the policies on migration integration. How does the immigrant integrate into the society that receives him? These are the topics.

**JLP:** Like Chomsky said in his book translated to Spanish, in the United States, is it about “keeping the rabble in line”?

**LM:** That is clear. I do not agree that we are in the migration era. The percentage of migrants today over the total world population is more or less, actually less than the percentage of migrants over the world population at the beginning of the 20<sup>th</sup> century. We are in the irregular migration era. There are more irregular migrations today than at the beginning of the 20<sup>th</sup> century. In the past there was no irregularity, people came and went even without a passport. That is one of the problems, and the other is the kind of migration, who is discriminated and who is not. He who comes with capital can come in perfectly, and [also] he who comes with human capital, in other words with education and training. Not only do they let him in but they attract him: it would take 20 years of remittances at this level to cover the cost that the country of origin had for the formation of qualified human resources that leave. Perhaps, in this case, the sub-development is financing the development. And the other is “keeping the rabble in line”: this implies that the non-qualified immigrants, the poor ones, are let in to cover specific needs and many times some pretend not to see those who need manpower, even if it is illegal, somewhere.

**JLP:** Was Borges another form of an immigrant?

**LM:** Borges suggested some interesting things. He was an intellectual immigrant. He was Argentinean, but his thinking was often times somewhere else, more so he is buried in Switzerland, he chose that himself. He suggested something interesting about something that we could mention many times, of the cultural crossbreeding. It is said that it comes and goes and that it is a conflictive form of coexistence among people, but that it is the future of humanity, and there is a phrase from Borges which says that, sometimes, the effect is before the cause and this happens with the crossbreeding: you never know which is the cause and which is the effect. For that reason we, as a Latin American region, have the privileged of being a crossbreed region, much more than being inter-cultural or multicultural, because we are not divided by our differences in color, religion, or origin, but we identify normally with our nationality or region.

**JLP:** Was *Sábato* another form of immigrant, who could have left but did not?

**LM:** Well, *Sábato* always lived in *Santos Lugares*; he lived there all his life.

**JLP:** Messi y Maradona would be another form of migration?

**LM:** The new migration, but a well paid migration; better paid than the migration of any fiction writer.

**JLP:** In the hour of migrations, would the spirit of the song “Imagine,” by John Lennon, help some?

**LM:** It would give hope; the hope that the world could be different.

## Interview with Aitor Zabalgogeoazkoa

*General Director of Doctors without Borders of Spain*

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*“You have to be capable of saying: well, in this place and at this time, with what I have, I can do this. That pragmatism gives us much capacity for action”*

**José Luis Perdomo (JLP):** Your name and last name sound like they are from afar.

**Aitor Zabalgogeoazkoa (AZa):** They come from Basque Country. The last name is a classic in the coast of Vizcaya.

**JLP:** Too many years ago, walking towards Fernando Savater's house to interview him, at the beach of La Concha, a couple drew a big and corny heart and in the center wrote DONOSTI. They never wrote SAN SEBASTIAN.

**AZa:** Is it because the language is a main characteristic there. If you had to point out something about the citizens of that region it would have to be the communion around the language. In fact, in Euzkera, Basque people are called People of Euzkera, the people who dominate the Basque language. This is very important.

**JLP:** You come from far, from so many fronts where Doctors without Borders continue to work daily, without reflections or media echoes. What did you come here to say?

**AZa:** Two things: I was sure that voices with more authority than ours would be here to talk about migration in general, although, yes, we have an extensive field experience. The thing is that we have it now primarily in Africa and Asia, and less in Latin America, which we will begin to look at because we have seen certain phenomenon becoming sharper, getting worse in general.

With the moving of the United States and Mexico border, to Guatemala in the south border, this is resulting in a frequent strategy in Europe as well, where the borders are being taken to Morocco, Libya, Egypt,

Turkey and other places.

**JLP:** For the Swedish writer Stieg Larsson, “If we live in a world in which women, immigrants, and the poor do not have the same value as their fellow citizens, then this world is evil.” Do you agree with Stieg?

**AZa:** I said it yesterday: for the humanitarians most urgent work, besides helping the immigrants survive the transit, in the movement of migration, is to return their dignity and to return their condition of humanity, that in many cases is negated to them not only by the managed mafias who can even move an old ship between Morocco and Spain, between Somalia and Yemen, but the sub-legal situations taking place in many detention centers in Europe, North America, Australia, etc. That is important to us.

**JLP:** When will Spain stop expelling Spaniards and, even if grumbling, begin to take in people from other countries?

**AZa:** I could not tell you exactly, but it must be a phenomenon that happened in the last 10-15 years. Spain, from having the “temporary” that were going to Switzerland and France, whom migrated to America, has begun to reconvert. And, well, there has been everything, from traditional migration which has been much assumed (everyone knows a mason from Morocco in Spain), until this adopted another dimension. Now the largest foreigner populations in Spain are Moroccans, Ecuadorians and Rumanians, and the other two are British and German.

Then, the question is always why are some supposed to cause problems and others not.

**JLP:** Doctors Without Borders elaborated some kind of inventory of the great humanitarian crisis that marked the 20<sup>th</sup> century...

**AZa:** This also has origin in the United States, when there was a report of the international information that the U.S. media had reported the least in the year. We copied the report, but trying to show the least reported crisis, the most forgotten crisis which surely had an important humanitarian impact, but, still had no major geostrategic political transcendence, because they did not show up in the media.

Right now, for us there are countries that have been on that list for many years, like Somalia or the Democratic Republic of Congo, which have

lived very long conflicts and neither the international community nor the press media really dedicate to it.

Another type of crisis that had its glory moment has been the cholera epidemic still taking place in Zimbabwe. And later, yes, we wanted to point out two that are global: one is child malnutrition, not only affecting Africa but also Southeast Asia and partially here in America, in Haiti and specially Guatemala and Brazil. Another crisis in the making is the tuberculosis, which is becoming a decrease of beginning of the century, that we are not done with it, that is little by little changing from multi-resistant, into extra-resistant, something that in the future will be a monumental public health problem.

***JLP:* Where does it come from Doctors Without Borders' capability of immediate reaction, but, above all, the integrity of continuing to be *Quixotes* in a world that is all the more robotic and selfish?**

*AZa:* I don't know. I see my peers as very normal people; like people from other humanitarian organizations, people who want to help. The thing is that we have a feature like, say, reading the humanitarianism rigorously, like it does the International Red Cross. We limit ourselves to be pragmatic and to help where we can and when we can.

If we thought about the global dimension of many of the conflicts and many of the crisis, we would end in paralysis. Then you have to be capable of saying: well, in this place and at this time, with what I have, I can do this. This pragmatism gives us much capacity for action.

And then, the other thing we have clear is that our work is with the people directly and, well, we should be with the populations that are in danger and in crisis. I believe that it is the great courage added to the great way of reacting that we have.

***JLP:* Do you remember the first time you heard about a place like Guatemala?**

*AZa:* I visited Guatemala in the nineties, and I was here often. I am a hiker and I am drawn to hiking active volcanoes. To me Guatemala was a true discovery: the Santiaguito and the Pacaya. Then my second experience was in a tough jungle like the one north of Flores. So I have a good memory and at the same time a tough one... and it was a bad time, in which Guatemala



was still coming out of the armed conflict and the repression and, well, I have a living memory of all of that.

**JLP:** Where were you when they baited the Guatemalans that worked in Postville?

**AZa:** I have documented references about that, but I have no idea where I was. What I did have very well located was the town from here, when I read “Calderas” I situated it very well. But, also, it is other peers that are following the migration thematic. We, additionally, if you want me to tell the truth, are so dedicated to the practice, we have few people to investigate or analyze, we have a few in each Doctors Without Borders office and the truth is that there are few people and we have to be spread out among wars and epidemics and all the business. So I can tell you that there are very few people in Doctors Without Borders that are directly following migration problems around the world.

What we do have is selective programs in many of the primary routes of international migration and this gives us a pretty good general vision about what is happening.

**JLP:** Between Chomsky's “rabble in line” and the *golden visas* that the customs countries usually hang on the necks of people with pedigree, it is clear that there is immigration and immigrations, there is us (the rabble) and there are the special guests, of course.

**AZa:** This is what I said of the immigration in Spain where the British citizen, German, faces no problem, but the Rumanian or Polish citizen, well, let's say, it wakes up certain resentment. At the end, the British, the German, is a retired person spending his money, and the Rumanian and Polish is coming to work as a plumber or picks up strawberries in the south of Spain, so they do contribute with something.

Because of that, we like to talk more about people that are moving, people in displacement, because the word migration still has a relation with the cause by which people are moving, and as humanitarian act what we care for is the consequence, the effect in that moment. We are worried about the cause, but we cannot influence it much. What we care is about helping the person survive the moment and for that critical moment of life, which is the transit of migration, so that they can do it, at least, surviving in less terrible

conditions and be affected the least possible.

***JLP:*** In your many humanitarian battles, has it ever helped listening to “Imagine” by Lennon or remembering León Felipe writing: “How many times, Don Quixote, at the time of despair I have seen you go by these flat lands”?

***Aza:*** There is everything. The phrase that we liked and made a shirt last year was the one of Ryszard Kapuscinski, the Polish author who died last year and who said that life consists in jumping borders, in crossing borders. I think that it identified well the spirit of many of the compeers that are always there trying to get in sometimes, most of the times, bureaucratic and physical borders to try and help people. I believe that phrase defines us well.



## **BORDERS: WALLS OR BRIDGES?**

Borders: a palette of languages and colors, flags and currencies,  
merchandise and cultures, races and towns;  
plural, noisy anthill, in an endless to and fro...

Borders: faces crunched into numbers, cards, forms, stamps;  
heaps of documents, bureaucracy, customs...

Borders: no-man's land and land of all, provisional motherland;  
fluid, porous ground, a quicksand steppingstone...

Borders: where the Other becomes friend and foe at once,  
buyer and salesman, stranger and brother...

Borders: open windows to encounters and mix-ups,  
to tension and conflicts, friendship and solidarities...

Borders: tacit agreements, codified language, changing limits,  
May we speak of a border culture? Ambiguous, hybrid,  
where hardening and relaxation intermingle...

Borders: sites of opportunity and risks, light and darkness,  
where migration and trafficking can be confused,  
where authorities and citizens confront each other  
where singular and plural are in mutual interchange...

Borders: strangers stumbling upon strangers,  
trading stares without looking back,  
wanderers who flee and seek, who lose themselves and meet again...

Borders: differences abolished, fragmented, or blurred,  
identities recovered, mixed, confused,  
chattered dreams or hopes reinforced,  
weaving ways and plans, lives and fates...

Borders: walls or bridges? Perhaps both;  
bridge to new horizons, open worlds,  
prison for a closed return forever failed...

Borders: *non place* for people without roots or papers,  
which becomes the *best place*, a privileged space,  
to seek and build the *new place*,  
a universal citizenship, utopia of the Kingdom of God.

*Rev. Alfredo Gonçalves*

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