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Agrarian Reform Ministry Monitoring Dozens of Land Disputes

by LADB Staff

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The Secretaria de la Reforma Agraria (SRA) is working closely with officials from various states and residents of communal farms (ejidos) and indigenous communities to prevent an outbreak of violence resulting primarily from land disputes. Maria Herrera Tello, who led the SRA during the first two years of President Vicente Fox's administration, says the potential for violence exists in at least 400 communities in Mexico.

In an interview before leaving her post in early April, Herrera said most disputes that require attention from the SRA are in states with high indigenous populations. Herrera said her priority in the SRA the past two years was to try to solve problems through mediation. "Last year, we resolved 52 disputes through negotiation and dialogue," said Herrera. She expressed confidence that another 70 would be resolved by the middle of 2003.

Xochitl Galvez, director of Fox's special office for indigenous affairs (Oficina Presidencial para el Desarrollo de los Pueblos Indigenas), recently said the government had identified 18 potentially volatile land disputes in the states of Oaxaca, Chiapas, Guerrero, Michoacan, Veracruz, Chihuahua, Sonora, Puebla, Durango, Jalisco, and Nayarit.

Herrera acknowledged that the SRA must overcome some difficult structural problems in its efforts to mediate land disputes. "The conflicts regarding land are the result of poverty, marginalization, a lack of infrastructure, and in some cases differences in political or religious philosophy," said the secretary.

As part of its effort to deal with the problem, the Fox administration has developed the Programa de Atencion a Conflictos Sociales en el Medio Rural, which seeks to channel funding to areas with the highest risks of confrontations about land. The funds would be used to provide compensation to one or the other party for lost land. "Our objective is to end the controversies that have not been resolved through legal means," the SRA said.

Governors of some of the affected states, however, are frustrated by the inadequate financial resources to help resolve the conflicts. The SRA has the smallest budget of all Cabinet secretariats this year, with only 700 million pesos (US\$65 million) allocated for the agency. "We could see violence explode if the government does not allocate sufficient resources to resolve 60 priority land disputes in our state," said Oaxaca Gov. Jose Murat Casab.

Oaxaca has been the site of some of the most violent disputes regarding land in recent years. One especially violent case occurred in 2002, when members of one community in a remote region of the

state massacred more than two dozen residents of a nearby town in a dispute about timber rights (see SourceMex, 2002-06-12).

New SRA secretary to oversee mediation on land disputes

Herrera is the fourth member of Fox's Cabinet to leave her post, accepting a position as special counsel to the president. Other Cabinet ministers who left their jobs were Jorge G. Castaneda as foreign relations secretary, Ernesto Derbez as economy secretary, and Francisco Barrio Terrazas as federal comptroller (see SourceMex, 2003-01-15 and 2003-03-26). Derbez replaced Castaneda as head of the Secretaria de Relaciones Exteriores (SRE), while Barrio resigned to become a candidate for Congress in the July 2003 elections. Barrio's deputy secretary Eduardo Romero Ramos was promoted to replace him as head of the Secretaria de Contraloria y Desarrollo Administrativo (SECODAM), which will soon be formally renamed Secretaria de la Funcion Publica.

At the SRA, Herrera was replaced by Florencio Salazar Adame, who was appointed to the post after leading an intergovernmental office that worked with nongovernmental organizations (NGOs) on resolving conflicts. The office was established under the auspices of the Secretaria de Gobernacion (SEGOB).

Salazar's appointment was welcomed by organizations like the Confederacion Nacional Campesina (CNC), the Congreso Agrario Permanente (CAP), and the newly formed El Campo no Aguanta Mas, three of the principal groups representing small-scale and medium-sized farmers in Mexico. "The new secretary has ample knowledge of land conflicts in our country and has been a public servant for some time," said spokespersons for CAP and El Campo No Aguanta Mas. "This will help him become an effective mediator."

Salazar's appointment, however, was expected to draw some heat from indigenous communities because of his past role as coordinator for the Plan Puebla Panama (PPP). The PPP seeks to promote development through construction of infrastructure projects and manufacturing plants. This goal often involves purchasing land from indigenous communities and communal farms (see SourceMex, 2001-07-11).

The Congreso Nacional Indigenista (CNI) has not directly criticized Salazar's appointment but has opposed the neoliberal economic philosophy espoused by the PPP. At a conference in Guerrero state in early April, the organization reiterated its rejection of the government's policies regarding land use, some of which will come under the auspices of the SRA. "We will continue to fight the privatization of lands that belong to indigenous communities," the CNI said in a statement issued at the conference held in Xochistlahuaca, Guerrero state.

The conference, which was attended by 300 representatives of indigenous communities from 14 states, also advocated self-sufficiency for Mexico in food production and strongly condemned the North American Free Trade Agreement (NAFTA).

Salazar's appointment received mixed reactions in Congress, with the center-left Partido de la Revolucion Democratica (PRD) and the former governing Partido Revolucionario Institucional (PRI)

endorsing the decision. The appointment angered legislators from Fox's center-right Partido Accion Nacional (PAN) because of Salazar's past affiliation with the PRI. Many members of the PAN had hoped Fox would appoint former Jalisco governor Alberto Cardenas, who is currently director of the Comision Nacional Forestal (CONAFOR).

SRA mediates land conflict along Zacatecas-Durango border

One of Salazar's first tasks was to continue efforts to defuse a potentially volatile land dispute in northcentral Mexico. This feud stems from an arbitrary decision made during the administration of former President Ernesto Zedillo to take almost 5,500 hectares from communal farms, known as ejidos, in Zacatecas state and cede the land to residents of indigenous communities in nearby Durango state.

The communal farmers from Pajaritos and Bernalejo de la Sierra in Zacatecas had controlled the timber-rich land for generations, even though members of the Tepehuano indigenous groups in the Durango communities of Santa Maria Ocotan and Xoconostle also staked claim to the same parcel. Rather than allow the courts to decide the matter, the Zedillo administration issued a presidential decree recognizing the land as the property of the Tepehuano communities.

The decision brought strong protests from the Bernalejo and Pajaritos communal farmers, who worried that the Tepehuano communities only wanted to exploit the land for its timber resources. The ejido dwellers went as far as to ask Greenpeace Mexico in on the case. "They were saying that the Tepehuano communities would cut down the forests and ruin the rich environmental diversity of the land," said the newspaper Imagen de Zacatecas. Zacatecas Gov. Ricardo Monreal, a member of the (PRD), took the case to Mexico's highest court (Suprema Corte de Justicia de la Nacion, SCJN). In his complaint, Monreal cited "serious violations" of individual rights for the 64 affected families in Bernalejo de la Sierra and Pajaritos.

Observers said the chances were very slim that the court would agree to take the case. "In all its history, the high court has only accepted two cases involving individual rights, even though it is empowered by Article 97 of the Constitution to accept these cases," said the official news agency Notimex. There were no reports of major confrontations between members of the Zacatecas and Durango communities, but ejido dwellers said they lived in constant fear of being expelled from the land with "machetes and rocks," even though the case had gone to a federal agrarian court (Tribunal Unitario Agrario).

Some ejido dwellers, aware that a reversal to Zedillo's order is unlikely, have focused on obtaining adequate compensation from the federal government. In late March, an organization of local cattle and goat ranchers affected by the decision kidnapped an official from the Secretaria de Gobernacion (SEGOB) to demand that the government offer just compensation to the ejido dwellers.

The communal farmers were asking the government for 150 million pesos (US\$13.9 million), much more than the 32 million pesos (US\$2.97 million) the government had initially offered. The government later increased its offer to 51 million pesos (US\$4.73 million), which the communal farmers eventually agreed to accept. The kidnapping of the SEGOB official occurred just days before Manuel Ortega Gonzalez, a key figure in the land dispute, was murdered in the city of Zacatecas, the

state capital. Ortega was Monreal's chief representative in talks with representatives of the federal government and Durango state in the land dispute.

Federal authorities were investigating whether the murder was associated with the land dispute, although it appeared related to a personal feud. [Note: Peso-dollar conversions in this article are based on the Interbank rate in effect on April 9, reported at 10.76 pesos per US\$1.00] (Sources: CNI en Linea, 03/26/03, 03/28/03, 04/03/03; Associated Press, 03/28/03, 04/03/03; Notimex, 03/25/03, 03/26/03, 03/28/03, 03/31/03, 04/03/03, 04/04/03; Milenio Diario, 04/02/03, 04/04/03; La Jornada, 03/05/02, 03/28/03, 04/03/03, 04/04/03, 04/08/03; Imagen de Zacatecas, 06/02/02, 04/08/03, 04/09/03; Reforma, 03/20/03, 03/25/03, 03/28/03, 04/09/03; La Cronica de Hoy, 03/28/03, 04/09/03; El Universal, 04/02/03, 04/09/03)

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