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## **Immigration Issue Marginalized at Recent North American Summit**

*by LADB Staff*

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At a summit in late March, the US, Mexican and Canadian governments agreed to expand cooperation on economic matters, trade, and security through existing structures in the North American Free Trade Agreement (NAFTA). The meeting, hosted by US President George W. Bush at his ranch in Crawford, Texas, also included Mexican President Vicente Fox Quesada, Canadian Prime Minister Paul Martin, and several Cabinet members from the three countries. The leaders called their agreement the Security and Prosperity Partnership of North America.

Some observers said Bush used the meeting to impose the US agenda, which focused primarily on security and energy-related issues. "In fact, what's not on the agenda for the Bush-Martin-Fox meeting is almost as significant as what is to be discussed," said the Toronto Star newspaper. Sources for the three countries agreed that the summit laid the groundwork for meeting on a regular basis.

The agreement to expand cooperation, however, masked many areas of tension between the US and Canada and between the US and Mexico. For example, Canada made its concerns known about Bush's proposed missile-defense proposal and about continuing US restrictions on imports of Canadian beef and timber. Even though these issues were not addressed at length during the summit, Martin did not hesitate to present his grievances through the media, said the Mexico City daily newspaper La Jornada.

For Mexico, the greatest source of tension with the US centers on immigration policy. The issue was not discussed in depth at the summit, and opposition parties blamed Fox for not lobbying harder on immigration reform. "[Fox] was a silent guest at the summit," said Deputy Carlos Jimenez Macias, a member of the opposition Partido Revolucionario Institucional (PRI).

Fox did extract a promise from Bush to continue to push for an immigration agreement that would legalize the status of millions of undocumented workers in the US, but many analysts say the US president lacks the muscle to make this plan a reality. The Republican-dominated Congress has blocked any efforts toward an immigration agreement, including proposals for a guest-worker program (see SourceMex, 2005-01-12).

Furthermore, administration sources concede that a secure US-Mexico border is a prerequisite for an immigration agreement. "Immigration reform will be viable when the US people and US authorities feel confident that the border is secure," Tony Garza, US ambassador to Mexico, told reporters. Even Bush acknowledged that approval of an immigration accord would be difficult. "You've got my pledge, I'll continue working on it," Bush told Fox. "You don't have my pledge that Congress will act, because I'm not a member of the legislative branch."

## *US bill lets private groups pursue undocumented immigrants*

Rather than move toward an immigration agreement, the US Congress has moved in the opposite direction. In mid-February, the US House of Representatives overwhelmingly approved a homeland-security initiative that, among other things, empowers bounty hunters to pursue immigrants who have ignored deportation orders. The measure, which passed 261-161, was generally approved along party lines; 219 Republicans and 42 Democrats voted for the bill while 152 Democrats, eight Republicans, and one independent opposed it.

The US Senate has not taken a vote on the issue, but statements from some senators indicate that this legislative chamber is likely to take the same direction as US House. "What Mexico needs to understand is that migration is viewed largely as a security issue in the United States, and they appear to think that is not as important as we do," said Sen. John Cornyn (R-TX).

Bush has publicly supported the tenor of the homeland-security legislation approved by the House, calling the initiative a necessary tool to "fight terrorism." The US president has gone to great lengths, however, to denounce some portions of the bill such as the measure empowering bounty hunters. "I'm against vigilantes in the United States of America. I'm for enforcing law in a rational way. That's why you got a Border Patrol, and they ought to be in charge of enforcing the border."

A group calling itself Civil Homeland Defense (CHD) has already announced plans to launch the Minuteman Project along the San Pedro River Valley in Arizona on April 1. Organizers say they have recruited more than 950 volunteers, including 30 pilots with aircraft, to patrol the border. CHD leaders emphasize that they will not confront undocumented immigrants directly but will report sightings to the US Border Patrol.

The CHD campaign coincides with the deployment of more than 500 additional Border Patrol agents to Arizona. The US Department of Homeland Security said the deployment, part of Phase II of the Arizona Border Control Initiative, is intended to both discourage illegal immigration and prevent potential "terrorists" from entering the country. Skeptics, such as the National Border Patrol Council (NBPC), question the timing of the latest deployment of agents. "The timing is suspicious," NBPC president T.J. Bonner told the Los Angeles Times. "They don't want to be embarrassed by the Minutemen."

The NBPC is the labor union representing Border Patrol agents. Similarly, the Mexico City daily newspaper *El Universal* noted, "The announcement of this operation practically coincides with the April 1 start of the [Minuteman Project]." The US Customs and Border Protection (CPB) agency, however, claims the increased Border Patrol numbers could actually discourage confrontations between the bounty hunters and undocumented immigrants.

Even with the pledge by CHD volunteers not to confront immigrants directly, the threat of violent confrontations has become real. The notorious Central American gang *Mara Salvatrucha*, also known as MS-13, is said to have ordered members to attack the bounty hunters to "teach them a lesson."

CHD leaders said the MS-13 threat is not a major cause for concern. "We're not worried because half of our recruits are retired trained combat soldiers," said CHD leader James Gilchrist, who acknowledged that no one in his organization had received a direct threat from the MS-13.

The Minuteman Project, however, is facing strong opposition from community and immigrant-rights organizations and some local leaders in Arizona and Southern California, which have banded together to monitor the CHD's activities. "Our objective is to closely monitor the actions of these paramilitary groups," said Armando Navarro, director of the Ethical Studies Program at the University of California, Riverside.

Tucson, Arizona, Mayor Ray Borane has spoken out against the presence of the CHD in southern Arizona and has raised concerns about a possible international conflict. "If these people enter Mexican territory, there could be international conflict," said Borane. "They have no boundaries, and Mexico could then respond in who-knows-what fashion. They would damage diplomatic relations between both countries."

The Mexican government has lodged a strong protest regarding the Minuteman Project and has threatened to bring the matter to the International Court of Justice (ICJ) in The Hague. "We totally reject the idea of these migrant-hunting groups," President Fox recently told reporters. "We will use the law, international law and even US law, to make sure that these types of groups, which are a minority...will not have any opportunity to progress."

The Secretaria de Relaciones Exteriores (SRE) has already taken steps to bring legal action against the CHD by hiring an Arizona law firm. Legal complaints will be filed if the bounty hunters detain undocumented workers illegally, the SRE said.

### ***US House bill also encourages expansion of border fence***

The immigration measure approved by Congress in February contains other initiatives considered punitive to undocumented workers, such as a provision pressuring state governments to deny drivers' licenses to undocumented workers.

Additionally, the measure removes environmental restrictions preventing the expansion of a fence along the US-Mexican border in southern California. The original fence, known in Mexico as the Tortilla Wall, was completed in 1993 and runs 23 km from the Otay border crossing south of San Diego to the Pacific Ocean. Rep. James Sensenbrenner (R-WI), a lead sponsor of the immigration measure, said the bounty-hunter provision, the driver's-license initiative, and the expansion of the wall are all designed to help secure US borders. "This fence is going to save lives, it's going to prevent smuggling, it's going to be preventing illegal migration and it's going to be preventing this part of California from being further turned into a huge garbage dump," Sensenbrenner said at a news conference in San Diego.

Critics have questioned the need for an expanded and reinforced fence because illegal crossings have fallen significantly since the US government implemented Operation Gatekeeper at the San Diego-Tijuana Border Patrol district in 1994. The operation included an increase in the number of Border Patrol and immigration personnel assigned to the district (see SourceMex, 2001-02-21

and 2001-06-20). "As a security measure, I find it questionable because it's been long known that illegal migrants prefer to cross through this area by hiding in cars or using fake documents," said Guillermo Alonzo, an immigration expert at the Colegio de La Frontera Norte (COLEF).

The Mexican government also continues to criticize other recent anti-immigrant measures, such as Arizona's Proposition 200, which requires Arizona residents to show proof of legal status to receive social services (see SourceMex, 2004-11-17). The Mexican government has initiated efforts to challenge the measure through US courts. A Mexican Senate delegation recently traveled to Phoenix and other Arizona communities to gauge the effect of Proposition 200.

One delegation member, PRI Sen. Sadot Sanchez Carreno, said he detected a marked anti-immigrant sentiment during the visit to Arizona, and he raised concerns that this could spread to other states. "What is most dangerous about this law is that it set a precedent," said Sanchez, who chairs the human rights committee (Comision de Derechos Humanos) in the upper house. "We are now beginning to see similar initiatives proposed in other states such as Arkansas, Ohio, Nevada, Georgia, and Colorado."

Arizona's legislature has created more ill will in Mexico by approving an initiative allowing the state government to explore the possibility of constructing a private prison in Sonora to hold undocumented immigrants who have committed crimes in the US. The measure, approved by a legislative committee, said the construction of a private prison in Mexico would ultimately save the state money and reduce overcrowding by transferring 4,000 undocumented immigrants out of the Arizona penal system. "This (bill) is simply realizing that we have an issue, and trying to resolve the issue in the most reasonable and humanitarian way," said Republican state Rep. Russ Jones.

The Mexican government immediately rejected the proposal, calling the initiative an "insult" to Mexico's sovereignty. "To build any structure of that type would require authorization of the Mexican government, authorization that we are not going to give," said Foreign Relations Secretary Luis Ernesto Derbez. Despite the Mexican government's stance on private prisons, lawmakers in Texas have also raised the issue.

In mid-March, Republican state Sen. Craig Estes proposed a bill to allow the Texas Department of Criminal Justice to consider constructing a private prison in Mexico to house Mexican nationals who have committed crimes in Texas. This measure, he said, would free up as many as 7,700 spaces in the Texas correctional system for non-Mexican prisoners. (Sources: Inter Press Service, 02/04/05, 02/16/05; La Crisis, 02/14/05, 02/23/05, 02/28/05; United Press International, 03/01/05; The Arizona Republic, 02/17/05, 03/02/05; The Statesman (Austin, TX), 03/16/05; The Toronto Star, 03/22/05; El Financiero, 03/22/05, 03/23/05; Copley News Service, 02/11/05, 03/17/05, 03/24/05; The Dallas Morning News, 02/12/05, 03/22/05, 03/24/05; The New York Times, The Washington Post, 03/24/05; Agencia de noticias Proceso, 02/21/05, 03/07/05, 03/21/05, 03/23/05, 03/28/05; Associated Press, 03/03/05, 03/14/05, 03/29/05; Notimex, 03/07/05, 03/16/05, 03/22/05, 03/28/05, 03/29/05; Spanish news service EFE, 03/09/05, 03/15/05, 03/28/05, 03/29/05; La Cronica de Hoy, 03/09/05, 03/29/05; The Herald-Mexico City, 02/11/05, 03/10/05, 03/23/05, 03/29/05, 03/30/05; La Jornada, 02/17/05, 03/01/05, 03/08/05, 03/11/05, 03/17/05, 03/30/05; El Universal, 03/07/05, 03/09/05, 03/11/05, 03/24/05, 03/29/05, 03/30/05; Los Angeles Times, 03/24/05, 03/30/05; The San Diego Union-Tribune, Reuters, 03/30/05)

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