



Photo by Jim Block.

James Cavallaro describes investigating the Iguala disappearances; to his right are Stephanie Leutert and Maria Echaveste.

Macro Trends: Security, Violence, and Migration

Rafael Fernández de Castro opened the second session of the conference by placing the session topic within the context of macro trends in violence in Mexico and Latin America over the past decade. In that time, violence has become “chronic” in Mexico. Fernández de Castro recalled that on a radio program in 2006, he was asked whether the situation in Mexico could become as violent as that in Colombia, to which he answered, “certainly,” a prediction seemingly, yet tragically, borne out. Now, Fernández de Castro, explained, the entire region of Latin America is living through a “crisis of violence.” “Today,” he warned, “every country in Latin America” could be affected by such chronic insecurity. One major reason, he argued, is a lack of state capacity — “police, prosecutors, judges, prisons in the region” — an institutional “problem that spans borders.”

Problems within the state institutions charged with maintaining security form the context for the infamous case of 43 students from a rural teachers’ college in Ayotzinapa who were forcibly disappeared near Iguala, in the state of Guerrero, Mexico, on September 26, 2014. “The Ayotzinapa case is a window into the main human rights, security, justice, and violence challenges that the Mexican government faces,” suggested James Cavallaro, Professor

at Stanford Law School and member of the Inter-American Commission on Human Rights (IACHR). Furthermore, he argued, “the ways the Mexican government at all levels has responded” — from the local government to the police, military, federal government, and even the presidency — reveals much about the institutions that will have to face these challenges and the seriousness of changes that will have to be made.

Cavallaro reviewed the basic facts of the case, summarizing the tragedy of the 43 disappeared students from his perspective as the IACHR Rapporteur for Mexico in 2014. At the behest of the Mexican government, the IACHR created the Grupo Interdisciplinario de Expertos Independientes (GIEI, Interdisciplinary Group of Independent Experts), whose mandate was to conduct an independent investigation into how students commandeering five buses for a trip to Mexico City ended as the victims of such macabre violence.

“The initial theory, the official truth” that the Mexican authorities provided “was certifiably, scientifically false,” Cavallaro observed. To understand how grossly out of proportion the level of force employed was, he explained, one must understand that “bus commandeering” is a normal, common occurrence in Guerrero state.

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Discussing the challenges facing the United States and Mexico at the Futures Forum.

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The bus companies even build it into their procedures. In this case, however, dozens of people ended up dead, including some soccer players from an unrelated group of students whose bus was inadvertently targeted that day. “The response was brutally disproportionate,” noted Cavallaro, “the question is why.”

Several specific aspects of the government’s story did not withstand scrutiny, according to Cavallaro. To account for the disappearance of the bodies, the official narrative posited incineration at a garbage dump and then disposal in a nearby river. However, Cavallaro explained, the intensity of such a blaze would have required 60 hours of fire with flames 20 feet high and smoke up to 1,000 feet high. No evidence of such a tremendous fire in that area on those days has been offered, despite satellite records. On October 28, 2014, the day before human remains were “found” on the Río San Juan, there is film of federal investigator Tomás Zerón, a close associate of the president of Mexico, on the same river with a black garbage bag like the one later “discovered” as supporting evidence to the official story.

Moreover, the “investigation of the investigation” by the internal affairs division of Mexico’s federal investigators was never entered into the record, and the investigator was “summarily dismissed.”

The GIEI discovered that one of the buses that was commandeered by the students did not appear in the official investigation: the so-called “fifth bus.” Noting that “local police, state police, federal police, and military were involved and around the site” on that evening, Cavallaro continued, “one and a half hours were blocked out of the recordings of their radio traffic.” Given the many problems with the official investigation and narrative, tensions with the GIEI were all but guaranteed. After the expert group issued two reports, the Mexican government withdrew the GIEI’s invitation, “and they left,” said Cavallaro.

Cavallaro proceeded to offer his views on a plausible theory of the case. The “fifth bus,” he proposed, “might have been a bus running heroin between Iguala and Chicago.” The students “took the wrong bus,” he continued. The cargo on this bus would have been worth millions of

dollars, suggested Cavallaro, and its seizure may have led “the traffickers to call all their contacts in the local police, several municipalities, in the state police, in the federal police, and... in the military,” with a message along the lines of “no buses with young men leave Iguala tonight.” This theory would also explain why a bus carrying a soccer team, not the students from Ayotzinapa, was also targeted in the crackdown and shot at.

“If that’s what happened,” continued Cavallaro, drawing out the implications for the key institutions in Mexico, “drug traffickers... have infiltrated every level of government... able to shut down buses leaving from Iguala, kill 40-odd people, but they’re also able... to have an investigation done that reaches a conclusion that is physically impossible... and have that version sold at the highest level” — all the way to the president — “and have that version defended over and over for two-plus years.” Indeed, after the GIEI left Mexico, it was discovered that the Mexican government had eavesdropped on and monitored the group, despite its diplomatic immunity. According to Cavallaro, the identity of the agency or group within the Mexican state that conducted the prohibited activities remains uncertain.

Finally, Cavallaro addressed the broader inferences about the human rights situation in Mexico that the

Ayotzinapa disappearances bring into focus. He talked about the group Los Otros de Iguala (The Others From Iguala), a civil society organization of more than 400 people, including family members seeking justice for the many other victims of violence in and around the city. In an area that Cavallaro noted was not very heavily populated, such a large total — including some in mass graves — speaks to a profound human rights crisis. Cavallaro recalled the mother of one of the missing “Others” bitterly exclaiming, “I hate to say this, it’s painful, but thank God for the disappearance of the 43, because now people know about us and about all the other people who are disappeared in our region, and maybe there will be some justice.” However, Cavallaro argued, the state response showed that the government cares more about public relations and damage control than acknowledging and responding substantively to this human rights crisis, one Cavallaro believes is only likely to get worse with time.

Stephanie Leutert, Director of the Mexico Security Initiative at the Robert S. Strauss Center for International Security and Law at UT Austin, addressed another dimension of the intertwined security and human rights crises in Mexico. Specifically, she spoke to the surge in “transit migration” from Central America through Mexico with the intent of entering the United States. In 2014–2016,

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A woman holds a photo of her husband, one of “Los Otros de Iguala,” the other disappeared whose cases have gained new attention.



Photo by Dario Lopez-Mills/AP Photo.

Leutert noted, people from the Northern Triangle countries of Guatemala, Honduras, and Nicaragua, were transiting through Mexico at a rate of 400,000 people per year. This figure represents more than 1 percent of the population per year from a region that numbers roughly 30 million people. Their reasons for migration are many and complex, including climate change, economic issues, family reunification, and more recently, security issues. In fact, a recent demographic shift has seen more unaccompanied minors and family units, as well as greater numbers of asylum applicants and those citing security concerns. Leutert reported data that asylum applications in Mexico have increased from 800 in 2013 to more than 8,000 in 2016, with a projection for more than 20,000 in 2017, a rate of increase mirrored on a larger scale in the United States.

In interviews with Central American women seeking asylum in the United States — as part of the “credible fear” process mandated by U.S. asylum law — a broad range of motivations for migration were articulated, even among those seeking asylum; these motivations also varied from country to country. For example, Leutert noted that based on those 167 interviews, 90 percent of women from El Salvador reported “gang-related” fears for their security, compared to 55 percent of those from Honduras and 45 percent of those from Guatemala. For these Honduran and Guatemalan women, the most commonly cited reason for seeking asylum was an abusive partner, with gang-related reasons appearing second and third on the list of reasons given, respectively. These factors and complexities are generally neglected in both analysis and policymaking.

Once the decision has been made to migrate, Leutert continued, migrants enter an “extremely well-organized” yet “incredibly decentralized” people-smuggling system. The smuggling networks need connections with authorities to operate, driving the well-organized nature of the groups even as the networks are not very large. “The costs are very high,” she explained, with \$7,000 to \$10,000 being a current norm. The methods vary greatly for the smuggling transit itself, but “the common factor” Leutert summarized, is “you have to pay someone at some point, or multiple people.” That could take the form, she explained, of either payment at checkpoints or to the gangs that control the railroad lines. The most universal cost is collected to cross the U.S.–Mexico border, a transaction Leutert estimated at \$400 dollars per crossing in Nogales, Arizona. This amount, if multiplied by the number of apprehensions at the border last year, implies \$164 million in “fees” to “la Mafia,” two organized crime groups that mainly control border crossing. Leutert observed that when these funds are combined with income from



Photo by Miller Gruppe.

A house in El Salvador is marked by the slogan:

kidnapping and other illegal activities, “these numbers are massive.”

Finally, Leutert spoke to solutions that might allow the U.S. and Mexico to “work together to move forward.” She pointed to the centrality of addressing “the root causes” and “structural issues” that drive migration. Leutert recalled a migrant telling her, “if all governments did their jobs, you wouldn’t see this migration.” This observation stands in marked contrast to policy today and over the past decade, which has focused on “stopping migrants in transit” without addressing these underlying dynamics.

However, Leutert also emphasized the need for more short- and medium-term solutions to reduce some of the harms associated with mass migration. “In the short term,” she insisted, “the efforts have to be on protection.” This undertaking would mean “finding, prosecuting, and getting convictions for the people who are the worst offenders, the people who are kidnapping and torturing and disappearing migrants,” she continued, explaining that over the past decade, as many as 70,000 migrants have disappeared attempting to cross through Mexico. She also spoke about the “need to improve detention centers”

“In this house we want a life free from violence against women.”

and “immigration infrastructure” to “improve the whole migration experience” in the short term. On a medium-term scale, Leutert addressed regional integration, burden, and information sharing to address the crisis.

In the longer term, Leutert suggested, it is realistic to consider building more “sustainable economic bases” that would address some of the most pressing structural motivations to migrate. She likewise advocated for comprehensive immigration reform in the United States, although she acknowledged that this was also not a short-term prospect, given current dynamics in U.S. politics.

During the discussion that followed the presentations, Leutert expanded on some of the empirical trends of violence in Mexico. She cited homicide data showing that 28 of 31 Mexican states saw increases from 2016 to 2017 and that where murders had decreased, it was by 5 percent or less. Violence “is everywhere now,” she concluded. Raphael Fernández de Castro noted violence began climbing dramatically in Mexico in 2008–2009 and recently began rising again after plateauing for the preceding three years. He suggested a multi-causal explanation that went beyond narcotics trafficking to issues of mass urbanization, inequality, and lack of state capacity.

As a way of addressing “how to deal with the structural problems” brought out in the previous presentations, Maria Echaveste framed her own comments and reflections around the line of “if the governments actually did what they were supposed to do.” Specifically, she argued, “we need to take a closer look at... the weakness of the institutions” as well as “the weakness of civil society.” These ought to be “the fundamental building blocks of holding your government accountable, your corporations accountable.” The weakness of these institutions is evidenced by “the levels of corruption” at local, state, and federal levels, as well as “inequality and concentration of wealth,” which itself “contributes to that weakness of the institutions,” she added.

In considering potential solutions, Echaveste reflected on historical instances of large-scale U.S. government intervention in foreign countries that helped stabilize situations and contributed to building strong institutions. She mentioned post-World War II developments in Germany and Japan and in South Korea after the war in that country. Echaveste acknowledged, however, that “Unfortunately, given U.S. history, especially in Latin America, I can’t imagine a situation in which a country would really want the United States, particularly at this point... to be a true partner in trying to rebuild the institutions.” Echaveste specifically pointed to the Cold War intervention of the United States in Central America and U.S.–Mexico history as negatively effecting attitudes towards further U.S. involvement. Nevertheless, Echaveste continued, “I would argue that notwithstanding that checkered and — in fact — difficult history, the U.S. does not have the luxury of abstaining.”

In that vein, Echaveste discussed the more recent history of “the success the U.S. had in Colombia” in the form of the security cooperation agreement between the U.S. and Colombian governments called Plan Colombia. According to Echaveste, that policy concentrated heavily on “investments in hardware, in military, in strengthening the police force in Colombia.” Still, “there were resources both in Plan Colombia,” as well as in the more recent Plan Merida security cooperation agreement between the U.S. and Mexican governments, Echaveste explained, “for modernizing, for institution building.” However, “it gets very little attention and it gets very little support within the U.S. government at times because the results take so long to see.” While “it’s so much easier to see a tank,” Echaveste insisted that “strong institutions” are “absolutely essential... to create the conditions in which a society can function so that its people don’t move.”

In the discussion following Echaveste’s presentation, James Cavallaro brought up concerns with Plan Colombia

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as a model for U.S. intervention in Mexico, noting the well-documented human rights violations associated with some of the military and police actions under its aegis. One example of the “massive abuses” he cited was the “false positives” scandal in Colombia. In that scheme, Cavallaro recalled, 3,000 poor or mentally impaired civilians were lured by the military and murdered, their bodies presented as guerrilla fighters to inflate enemy body counts. While Echaveste conceded that “there is plenty to criticize about Plan Colombia,” for many Colombians there had been “a change for the better.”

Another perspective on U.S. involvement in the deteriorating security trends in Mexico was provided by Amalia García, Secretary of Labor of Mexico City and a leading figure in the Partido de la Revolución Democrática (PRD, Party for the Democratic Revolution). She spoke to the region’s structural links that connect the U.S. and Mexico with respect to the issues of violence and insecurity. One example she gave was the U.S. weapons industry, the point of origin for nearly 90 percent of the weapons used in crimes in Mexico and Central America. García expounded upon the large and growing economic interest this type of border-crossing trade represents “in one of the most violent regions in the world.” Just as violence is chronic

in Mexico, “Honduras and El Salvador have the highest number of young people killed with a weapon.”

A second issue linking the regional political economy of violence, García continued, is the massive U.S. market for illegal drugs, the final destination for nearly the entire trade. She noted that while many U.S. states were relaxing penalties and decriminalizing and legalizing marijuana and other drugs, “millions are still suffering” from the effects of this trade, especially insecurity, in Mexico and the region as a whole.

García also addressed a final issue: the wages and development differential between the United States and Mexico. She argued that most migration from Mexico to the United States continues to be driven by severe inequality in Mexico and the enormous difference in wage rates, a differential built into the structure of the current economic and trade relationship between the two countries.

Gordon Hanson next spoke to the economic theory behind potential solutions to the current dysfunctional migration system that would address migrant safety, economic realities, and the immense negative externalities of illegal migrant smuggling discussed in the session. He urged people to “think about some fanciful alternatives to our current immigration policy,” which he reiterated “has been very good for the smuggling business.” Hanson

Amalia García and Chris Edley discuss wages, development, and migration at the Forum.



Photo by Jim Beck.



Photo by Perla Nation.

At the Forum, Maria Echaveste advocates policies for strengthening Mexico’s institutions to enhance security.

explained that the \$7,000 to \$10,000 cost migrants pay to reach the United States owes in large part to “the way in which we’ve militarized the border since 2000 ... spending on the order of \$30 billion a year on border- and immigration-related enforcement in the United States.” Granting that low-income immigrants bring some fiscal burden — mainly in the form of schooling and health care for their children — he supposed \$8,000 per year in such initial costs for a family of four, based on the high-end estimate of a recent National Academy panel. Comparing that cost with the smuggling fee, he imagined the possibility of the U.S. government charging a legally migrating family of four that \$8,000 instead. Such a policy would “drive the smugglers out of business,” while it might also “neutralize one source of political opposition to immigration,” he argued. Despite its political unfeasibility, the point of such an economic thought experiment is the realization that “what we are doing is creating a massive loss for ourselves, and there is no reason to do so,” Hanson concluded.

C.R. Hibbs, a donor and foundation consultant and an expert on Mexican civil society and development, offered a critical view of the state of civil society and governance institutions in Mexico. She described a

Mexico with “restricted movement” and “issues around territorial control” because of violence and increasing levels of corruption in the private sector and the judiciary. “This issue of institutions being so incredibly weak,” she explained, drives the crucial importance of personal relationships, which in turn drives rampant corruption. “The civil society organizations that over the last decade have been at the forefront of...fighting corruption,” she continued, “are really also under siege” from state surveillance, interference, and lack of funding. “We’re seeing perfect storms in many places,” Hibbs concluded. “And the dimension...is much bigger than we’re acknowledging or wrapping our heads around.”

Chris Edley noted that such institution-building efforts had been a standard part of aid and development programs for decades, in Mexico as elsewhere. Therefore, he suggested, the reasons for the failures of previous efforts needed to be closely studied. Steve Silberstein offered a suggestion “as to why it’s been more difficult to build these institutions,” which he attributed in part to the “background of widening” inequalities. This trend of growing differentials, both within and between countries, drives both crime and corruption, he noted, and needs to be addressed by policy in its own right.

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Photo by Ginette Riquelme

An employee of Mexico City's Department of Labor takes information to help a recently returned deportee find a job.

Finally, Amalia García and Harley Shaiken closed the session reflecting on two programs that offer ideas about pathways that might address the deeper structural issues and social dynamics under discussion. García looked at the Mexico City public policy geared towards migrants called “diversity and cultural recognition.” Under this law, non-Mexican migrants are considered “guests.” For example, three times a week 135 deported migrants are flown from the U.S. to Mexico City. While they take off in handcuffs and leg chains, they are released before landing and are received at the airport by city workers offering aid. They are given six months of unemployment insurance, training, certification, and job-search assistance. This approach is a matter of both dignity as well as security, since having access to a job and basic security make crime a considerably less attractive alternative.

Harley Shaiken addressed programs in Medellín, Colombia, that directly spoke to the issues of education and jobs. Shaiken noted that at its peak, the city “had the astronomical murder rate of 370 per 100,000.” Under the leadership of then-Mayor Sergio Fajardo, the city administration concentrated on three things: “education, building civil society, and jobs.” In part, these social programs helped lower the murder rate to fewer than

60 per 100,000. Like the program García discussed, the approach in Colombia can “prevent young people from being sucked into criminal activity” and violence by investing in civil society and public works infrastructure at the neighborhood level. This type of investment might address the most important underlying causes of violence and migration in the region.

On the Table: NAFTA, Wages, and Development

Harley Shaiken opened the concluding session by framing the discussion of NAFTA within the context of the 2016 U.S. presidential election. NAFTA was “a critical issue” in the election, he noted, and “the decision of the Trump administration to re-open it in the current context has created a lot of controversy.”

Gordon Hanson began by summarizing the main economic and development challenges faced by the United States and Mexico. For the U.S., it is “wage stagnation for the bottom 50 percent of wage earners in the United States,” a trend Hanson dated to around 1980. He explained that the U.S. experienced “a spectacular century” from 1870-1970, growing at an average annual rate of greater than 3 percent. “In the 1970s,” Hanson continued, “things changed for a complicated set of