

MEXICO-U.S. RELATIONS

En Route to a Collision or Dealing Together with Immigration?¹

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Since the outset of the Zedillo administration, Mexico expressed its willingness to develop a “new understanding” with the U.S. government. This strategy seeks to adjust the framework of the bilateral relationship based on mutual respect and clear, direct dialogue, as well as increased cooperation.

The aim is to avoid differences around one of the many issues that make up the bilateral relationship hindering cooperation in any other. That is, the goal is to deal with each issue on its own merits, not allowing any aspect of our agenda to contaminate the whole of our bilateral relationship. Whether this strategy can be successfully applied is something that I will come back to later.

In immigration we could not find an easier, calmer, steadier and more predictable scenario:

In the United States, the cyclical anxiety about immigration came around again. The political establishment (legislators, the presidential contenders) and its surrogates (the think tanks, researchers), NGO's, the [Catholic] Church and, last but not least, the media started a nationwide debate that made it clear that immigration would become the first topic on the bilateral agenda.

The U.S. Congress began what has been defined as the most fundamental change in migratory legislation in many

years. We are still facing the possibility of a new law with several provisions oriented, in my personal view, to formalizing, institutionalizing, current Immigration and Naturalization Service (INS) policies: strengthened controls at the southern border, increased worksite enforcement and verified employer compliance with the law. Plus other niceties, such as allowing states to prohibit children of undocumented immigrants from attending public school.

On the Mexican side, the economic cyclical crisis also made itself felt: devaluation, macroeconomic adjustments, recession, risk of uncontrolled inflation and, last but not least, the menace of increased numbers of young unemployed Mexicans preparing to rush to the North.

It is in this context that we need to situate and understand Mexico's approach with respect to the flows of Mexicans migrating to the United States. The topic immediately became a priority in the binational meetings. The bilateral agenda covers a very wide number of issues that deal with the innumerable formal and infor-

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Regional conferences on immigration promote better understanding of its international nature.

mal daily contacts between public officials on both sides. Some could argue that trade, finance or even drug trafficking are more important topics, but I think that none of them represents as big a challenge to both countries as the migration of Mexicans to the United States.

In my view, migration between Mexico and the United States, past, present and future, is the most sensitive, complex and difficult issue facing us today. I will now briefly describe what we have achieved.

BILATERAL MIGRATION MECHANISMS

The Working Group on Migration and Consular Affairs, established in 1977, is one of the 16 different bilateral groups in the Binational Commission.

Over the last 18 months, there have been numerous negotiations between representatives of the two governments which began by agreeing on a common set of principles to regulate our dialogue and basic understandings. That has allowed us to find concrete solutions to some specific migratory and consular problems.

For instance the group has established:

- Criteria and procedures for the dignified return of Mexican immigrants to Mexico once they are apprehended and repatriated by INS agents in the U.S. border area and beyond;
- mechanisms to ensure respect for their civil and human rights;
- measures to facilitate documented border crossing;
- procedures for sharing information in order to actively cooperate in the fight against traffickers and combat violence and crime on the border;
- measures to prevent the existence of the so called "lane runners" in the Tijuana-San Diego corridor;
- ways to establish a pilot program for voluntary repatriation to the interior of Mexico.

One revealing aspect of these meetings has been seeing how little each side knows about the other. It is difficult to accept that although immigration is an old and persistent topic, in the past neither party has been interested enough to really understand what is happening on the other side of the border, what people in charge of immigration policies think and do, what their political constraints and demands are,

their experiences in the field, in day-to-day work, and their ways of solving ordinary logistical operational problems, or of dealing with their respective laws and institutions.

BORDER LIAISON MECHANISMS

Border-liaison mechanisms were established a few years ago to prevent border incidents and to allow local issues to be dealt with locally, thereby helping to solve problems and difficulties that otherwise could become a cause of conflict at the federal level. This is based on the conviction—born of long experience—that the best solutions are found locally, in the field, rather than at the desks of Washington or Mexico City bureaucracies.

Local and state authorities from both sides of the border (consulates, Mexico's National Institute for Migration [INM], the Attorney General's Office, Health Department/INS, customs, the FBI, local police) meet regularly to dis-

cuss and exchange information about different topics, including specific immigration problems affecting their jurisdictions.

These mechanisms are a response to an increased atmosphere of violence and delinquency on both sides of the border. They also aim to establish and promote the facilitation of legal crossings, improve border infrastructure and coordinate the different agencies involved. In short, they are the germ of a comprehensive border-management approach.

CONSULTATION MECHANISMS ON INS ACTIVITIES AND CONSULAR PROTECTION

INS policies and programs in 1996 gave priority to worksite enforcement and employment verification. Therefore, we have met to ensure that this is carried out in a manner consistent with respect for the human and civil rights of Mexican immigrants.



Cuartosuro

One of Mexico's central concerns is that INS policies be implemented in a manner consistent with respect for the human and civil rights of immigrants.

Mexico has 40 consular offices in the United States—probably the largest number in a single country in the world—that cover all the states of the union. Today, each of them has a formal liaison mechanism with the INS and Border Patrol officials of their jurisdiction.

We have proven that regular contact between them enhances mutual understanding and learning for Mexican officials: it has been useful to learn about the laws, rules and procedures that the INS labors under. It has also been useful for U.S. officials to learn about the legal functioning of our consulates in performing their activities to protect Mexican citizens' rights.

BILATERAL STUDY ON IMMIGRATION

Probably for the first time, both governments agreed to support a bilateral study on immigration conducted by Mexican and American researchers and academics. The study is comprehensive and ambitious and seeks to analyze the multiple facets of this issue objectively and scientifically. We hope that from their work, policymakers of both sides will find new elements of analysis and diagnosis, that may be translated not only into a better understanding of the phenomenon, but into specific policy and political decisions.

MULTILATERAL INITIATIVES

It is in our interest to promote a better understanding of the international nature of migration and to find ways to cooperate among all the countries involved. That is why in March of this year Mexico convened the "Regional Conference on Migration," attended by all the Central American countries, including Belize and Panama, as well as Canada and the United States. Its formal result was expressed in a communiqué, but probably more relevant was that the

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conference permitted an interesting, extensive, open dialogue between the heads of the immigration offices of the region, plus high level officials from the foreign affairs ministries in charge of their countries' migration, refugee and asylum policies. This was the first time that they got together and had a chance to meet each other face to face, to listen and talk directly about their different perspectives and experiences and the way they experience the migration challenge.

It was surprising to identify so many problems. The determination exists to continue this initial encounter in order to find ways to cooperate and learn from one another. All of the participants recognized the need to deepen the analysis and understanding of the regional implications that immigration has.

I started by saying I would attempt to present Mexico's approach to the question of migration to the United States. I will try to summarize with the following ideas:

1. It was clear for us that the most immediate, urgent need was to establish bilateral formulas and understandings that would allow us to react promptly and strengthen our ability to protect our migrants in the United States. We can see that this is not new, and it has even been considered a limited policy followed by the Mexican government in the past. That is probably true, but the completely new mechanisms, dialogue and agreements that I just described, although minor and obviously insufficient, are practical contributions that make up what can be described as a previously non-existent "network" of channels of communication.
2. The debate about immigration's role in the United States in recent years has been blurred in some cases and its negative impacts highlighted by some sectors, and what is worse, an unfair and risky association made between immigrants and criminals.

The historical contributions of immigrants, and specifically Mexican workers, to the U.S. economy and culture have been disregarded, if not completely denied. It is a paradox, an irony and even a contradiction, that, today, a few years after Mexico and the United States signed NAFTA, committing ourselves and Canada in a long-term, permanent partnership, seeking increased trade and in-

vestment as the real way to eliminate the need of many Mexicans to come to find a way to support their families, we are eying each other with mistrust and even bitterness, something that we thought belonged to the past.

Old images deep in the collective memory of many Mexicans have reappeared, erasing what seemed to be the beginning of a different, more positive relationship between our two countries.

Therefore, we think it is necessary to promote a better understanding of the complexities of this phenomenon. The present and future reality of Mexico-U.S. migration requires additional and updated research that will allow public opinion on both sides, as well as policy-makers in both governments, to have better elements of judgement for understanding its real nature and to translate those studies into viable measures. I think NAFTA is a turning point in the Mexico-U.S. relationship. I hope its long term effects will be beneficial and create more and better jobs in Mexico. Meanwhile, we have to think about how to refocus and deal with the migration between the two countries.

3. The root causes and structural factors of U.S.-bound migration differ in many ways from those of other countries. One of the main differences is the degree of real integration and interdependence, despite the asymmetry of the economies of our two countries. Mexican migrant workers in the United States have responded not only to the so-called "push factors" in Mexico (scarcity of jobs), but also to the U.S. "pull factors" (demand for labor, especially in agriculture and services).

We can differ in the analysis about the net contributions of these workers, but it seems to me that the existence of a regional labor market is hard to deny.

We need not think in terms of traditional programs and past solutions. We are on the verge of the end of the century, living in an international community that is going through dramatic, unexpected changes or at least changes which were not expected to happen with the speed and depth that we face today. Conventionalism in all scientific fields has been questioned, challenged and, on many occasions, rejected. Probably it is time to incorporate this new thinking into the labor markets in North America.

4. Every year there are more than 300 million legal crossings in both directions at the Mexico-U.S. border. This unique movement of people reflects the intensity of the links that unite our countries. Today, the measures adopted to enforce the law in the United States, are building not only walls and barriers, but also the potential for increased tension, insecurity and violence, affecting the lives of citizens and communities on both sides of the international border.

In the short term, there is a need to find alternative measures to "manage the border" in a safer, less aggressive way that puts a priority on the social and economic development of the region. We are committed to continue to search for mutually agreed-upon solutions that represent significant changes locally, and all together these apparently minor solutions should be addressed to the common objective of having a safe and efficient border.

In conclusion, the near future promises both an excellent opportunity and an enormous challenge. Both countries have the option either to work together in the difficult search for new, viable, structural, long-term solutions for jointly managing immigration between them, or to follow a route that will lead to an undesirable, still avoidable, collision. **W**

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