

Health and Human Rights Along the United States – Mexico Border

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Introduction

Due to the current immigration law being discussed in Congress, many Americans are aware that an immigration issue exists. Attention has been brought to increasing security at our border from criminal activities as well as dealing with undocumented immigrants who have been situated in the United States for many years.

The effects of immigration have largely been discussed in economic and political terms. While politicians argue about making the border a more “secure” place, they ignore the real issues that are taking place at the border every day. The deaths of those crossing the border for a better life have been ignored. The government has argued that they are not to blame for the deaths of these migrants- it is the “environment and the smugglers” that kill them.⁷ Harsh security measures are supported by those unaware that the majority of people attempting to cross the border are not criminals, just people looking for a better life.

Considering that the death rate of migrants increased sharply soon after Clinton’s administration installed the first border safety operation in 1993, and the number of deaths per year has remained steadily at over three hundred in the past twenty years, it is clear that the government has a large role to play in this tragedy.² Researchers, journalists, and non-governmental organizations throughout the world have come to allege that the United States is violating the human rights of undocumented immigrants by ignoring their distress and allowing the deaths to continue occurring.⁷

The Root of the Problem

Most undocumented migrants come to the United States with the intent of making a living wage sufficient to support their family or to reunite with loved ones.¹

The economic strife that has been pushing people to migrate north can be said to have been brought about by the North American Free Trade Agreement (NAFTA), which was put in place 1994 to reduce trade barriers between Mexico, the US, and Canada.⁴ Surprisingly, the treaty meant to stimulate economic growth and decrease the wage inequality in Mexico led to an increased income gap.⁸ Thus, lower skilled workers who were previously making a small but livable wage now faced being paid a more meager sum, and turned to the hope that they would be able to work in the United States for a couple of years and bring back money to support their struggling families. Currently, most hopeful migrants come from the southern parts of Mexico, and some also come from Central America to attempt to cross the border illegally.

The path to living and working in the US is long and difficult. The estimated period to become a citizen is over twenty years- a time many desperate Latinos cannot afford to wait. Almost half of those living in the country illegally entered the U.S. legally but overstayed their visa.⁶ This is not possible for those that cannot spend the time or money to apply for paperwork. And as the US disburses only 200,000 guest worker program authorizations per year, the only option seen by many poor Mexicans is to enter the U.S. illegally.³

Border Strategy and Crossing Dangers

In 1993 the Immigration and Naturalization Service (INS) was established to promote border safety; a time when most of those crossing the border were day commuters.² The new border safety strategies (Operation Gatekeeper in California, Operation Safeguard in Arizona, and Hold the Line in Texas) were created to divert undocumented immigrants away from ports of entry and purposefully force them to cross via more dangerous routes in order to discourage them from entering.³

The Border Patrol has focused their efforts on securing ports of entry by using 700 miles of wall, stadium lights, infrared sensors, drone aircrafts, motion sensors, and heavy manpower along the border. These dehumanizing tactics have encouraged the proliferation of a very lucrative human smuggling business. Most of the times migrants have to pay a guide- or “coyote” – hundreds of dollars with a promise to pay more once they reach their destination.⁷

Those attempting to cross the first time are generally unaware of the dangers they are facing. It is impossible to truly prepare for the extreme temperatures and terrain the migrants experience while crossing the border and reaching civilization. Many are lied to by coyotes and are told that, for example, Tucson is 5 miles away from the border when in fact it is a seven days’ hike through a treacherous environment. There is also a worry by authorities that if the migrants are more aware of the journey ahead they would not be deterred but rather try to better prepare for it.¹ Besides mortal peril migrants also face sexual and physical assault, robbery, kidnappings, and swindling.⁷

Human Suffering

Since 1994 there have been over 5,000 human deaths of those attempting to cross the border.⁵ Several organizations and educated individuals are outraged by the government’s inactivity in lowering the deaths. The Inter-American Court of Human Rights has charged that “the US has flagrantly abused its right to control the border by resorting to a strategy which is designed to maximize the physical risks”, as well as leading to the establishment of complex human smuggling businesses.⁷ Regardless of the risks, people are still illegally crossing the border in the hundreds every day, and many attempt to cross the border several times before they succeed, give up, or succumb to the perils of the desert.

The deaths have not gone completely ignored by the government, as in 1998 the Border Safety Initiative Operations (BORSTAR) was established jointly with Mexico to decrease fatalities by warning migrants of the dangers of crossing, by keeping records of migrants that are apprehended, and also especially by training agents for search-and-rescue missions. However, studies show that this program has had no effect on the number of migrant deaths.³

Another tactic created to prevent deaths is the Border Patrol’s Lateral Repatriation Program which deports apprehended migrants to a different location along the border far from where they were found and most likely in another state. The intentions of this program are to send people to a less dangerous but unknown location where they will not have a connection to their coyote, thus discouraging them from another attempt. Studies show that this program along with BORSTAR has no significant impact on the reduction of deaths.³

The criminalization of being undocumented has contributed to the growth of a human trafficking business as well as the increased vulnerability of immigrants. The discussion of immigration has focused only on the economic, political, and judicial aspects when it should be taking into account the ethical considerations of treating immigrants with the dignity and respect they deserve.

Basic human rights exist to offer protection from undue suffering. As a part of the United Nations, the United States has agreed to support the Universal Declaration of Human Rights. However, by turning a blind eye to the border deaths, the US has violated Article 3 which states that “everyone has the right to life, liberty, and security of person”.⁷

There are several non-profit organizations such as Kino Border Initiative, Frontera de Christo, Los Samaritanos, and No More Deaths as well as many others that focus on serving vulnerable migrants on the local level. Services in Mexico border towns include soup kitchens, migrant resource centers, and shelters where volunteers attempt to inform the migrants about the journey ahead of them to discourage them from crossing. Efforts made by US citizens on this side of the border include placing water jugs in strategic locations and offering food and aid to migrants in need in the desert.

Conclusion

The issue of economic inequality was exacerbated rather than alleviated with the liberalization of trade in North America in 1994 through NAFTA. Economic repercussions were most felt by those with the least money, and the poor desperately sought to (and continue to seek) economic security by working in the United States. While most undocumented migrants come to the US for

work, many also come with hopes of reuniting with loved ones. This is a humanitarian issue, and should not be mistaken for solely an economic or political matter. Current perceptions of undocumented migration as a crime as well as the border safety strategy of “prevention through deterrence” have led to the growth of robust smuggling networks as well as to the increased danger for migrants crossing in more remote parts of the desert.

In order to humanely assist desperate migrants crossing the border, an immediate action both Mexican and United States governments can take would be to train more search and rescue agents. A migrant’s chance of survival is 84% when a BORSTAR agent responds versus a regular Border Patrol agent due to the BORSTAR’s extensive training in search and rescue, which regular Border Patrol Agents lack. Although, as previously stated, this program does not significantly reduce the number of migrant deaths each year, it still makes a difference on the individual level.³

On a broader scale, the US government should recognize that border crossings are not a national security threat and that it is in fact an international humanitarian crisis.⁵ The most effective manner in which to reduce the number of migrant deaths and tackle undocumented immigration as a process is to reform immigration policy and make it more humane, as well as expanding the possibility for more people to legally live in and work in the US.

The United States has increased manpower, surveillance, and tactics in attempting to secure the border, yet none of these have been successful in warding off potential border crossers.⁵ Undocumented immigrants come to the US for the same reasons as those who are more economically stable. They come in search of a better life for their families, and no

amount of obstacles can destroy their determination.

Sources

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Helpful Links

2013 Immigration Reform Bill Proposal:
<http://s3.documentcloud.org/documents/686558/immigration-bill.pdf>

Humanitarian organizations:
KinoBorderInitiative.org
FronteradeChristo.org
JustCoffee.org
PartnersforJustTrade.org

U.S. Border Patrol:
http://www.cbp.gov/xp/cgov/border_security/border_patrol/

U.S. Citizenship and Immigration Services:
<http://www.uscis.gov/portal/site/uscis>