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**Promotion and protection of all human rights,
civil, political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by International Educational Development, Inc, a non-governmental organization on the roster

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[10 May 2013]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Human rights violations at the United States-Mexico border*

International Educational Development, Inc. and the Association of Humanitarian Lawyers welcome the prior efforts of the Special Rapporteur on the Rights of Migrants to address human rights violations suffered by migrants in the Southwest United States.¹ Our research into the current situation of the mainly Mexican migrants in the Southwest borderlands reveals continued violations of their rights, including deaths in the desert, controversial border control policies, abuses against indigenous peoples, arrests, detentions, deportations, state anti-immigrant laws, and lack of oversight and accountability.

Using both Johan Galtung's theory of structural violence and Pierre Bourdieu's definition of symbolic violence referring to the unwitting consent of the dominated, we have concluded that the rights violations against migrants are both structural and symbolic.²

Mexican migrants initially suffer violence placed upon them by the US and Mexican governments in a way akin to symbolic violence due to the unique set of economic policies, such as NAFTA, and endemic socioeconomic disparities. The need to migrate flows from the need to survive rather than from choice.

These migrants then face structural violence in the harsh deserts of the Southwest due to the increased militarization of the border area with enhanced manpower and new technology: scholars and journalists liken the desert borderlands to a war zone. Migrants seek ever more desolate and dangerous terrain, but the response has been to try to destroy potable water stations, and to use helicopters to dust migrants with the intent to scatter them. Both of these US Border Patrol tactics cause migrants to become lost, dehydrated, and starved. Some die due to exposure. Human remains are often discovered, some identified while others are not. Since 2004, the remains of 1,765 migrants have been recovered in Arizona alone, but that number may be much higher as in the desert areas bodies rapidly decompose and what does remain is covered over by dirt and sand.

Although illegal immigration into the US from Mexico is down and apprehensions are up, the number of deaths remains constant. Migrants are also attacked and sometimes killed by thieves and anti-immigrant vigilantes who know the migrants will not attempt to seek justice from local US authorities.

Detained migrants frequently face structural violence due to their conditions of detention which includes conditions that violate international standards. For example, detainee testimonials include complaints of verbal and physical abusive, withholding of food and water, being fed cat and dog food, and denial of medical attention. Families are separated.

Politicians from the area, state legislatures and government agencies publicly admit their goal is to reduce the numbers of Mexicans and other Latinos in the US. They are meeting this goal by using tactics described above, along with racial profiling and even banning ethnic studies such as has been attempted in Arizona. Anti-immigrant rhetoric, using derogatory terms targets and dehumanizes migrants is rampant today, especially as the

* The Association of Humanitarian Lawyers, an NGO without consultative status, also shares the views expressed in this statement.

¹ See A/HRC/7/12/Add.2 and E/CN.4/2003/85/Add.3. Association of Humanitarian Lawyers researcher Anna Manuel assisted in the preparation of this document.

² See, e.g. Bourdieu, Pierre, *Male Domination*. Oxford: Blackwell Publishers, (2001); Galtung, Johan, "Violence, Peace, and Peace Research," *Journal of Peace Research* 6:167-91 (1969); Galtung, Johan, "Peace: Research, Education, Action," *Essays in Peace Research*. Copenhagen: Christian Ejlertsen, Vol. 1 (1975).

United States is engaged in a process of immigration reforms. For example, a senior policy analyst at the Heritage Foundation argued in his 2009 dissertation that Hispanic immigrants have low IQs. He wrote:

No one knows whether Hispanics will ever reach IQ parity with whites, but the prediction that Hispanic immigrants will have low-IQ children and grandchildren is difficult to argue against. . . The low IQ of Hispanics is effectively permanent.”³

This disparaging and xenophobic language model provides a toxic racial environment in the Southwest and aids and abets violence there.

Taken in its totality, the situation of migrants in the border area has genocidal elements, such as deliberately inflicting on them life-threatening conditions while in transit or in detention. Structural and symbolic violence and the public vilification of them as a group aids in perpetuating these conditions.

We urge the Special Rapporteur to visit again the United States, and in particular, the Southwest border area, as the situation has worsened since 2007. Due to the increase in overtly racist rhetoric from politicians and those attempting to influence public policy regarding Hispanic migrants, we also urge the Special Rapporteur on Racism to join efforts to end structural and symbolic violence directed against Hispanic migrants and to realize fully their human rights.

³ Jason Richvine, “IQ and Immigration Policy,” Dissertation, Harvard University (2009). This dissertation surfaced due to the fact that some US politicians are urging that the US only allow persons with high IQs or who earn high salaries to become “legalized.”