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Mexico: Evictions of indigenous communities fuel displacement in Chiapas

In the Mexican state of Chiapas, 5,500 people are still internally displaced, in addition to an unknown number who have sought anonymity or remain dispersed, more than a decade after the Zapatista Army of National Liberation (EZLN) led an uprising of indigenous communities against socio-economic exclusion and lack of access to land.

Up to 40,000 people were displaced as a result of the “Zapatista” rebellion in 1994, around half of them indigenous farmers supportive of the government. In 1995, the national army launched a counter-attack which caused the displacement of up to 20,000 supporters of the Zapatista movement, and at the same time paved the way for the return of displaced supporters of the government. This aggravated social divisions within the indigenous communities which have yet to be resolved.

A 1996 agreement recognising indigenous rights and culture and in particular the right to land has never been implemented. A de facto state of war reigns between the Zapatista movement and supporting indigenous communities on one side, and the government and affiliated indigenous communities on the other. There is no national or international response to the internal displacement situation, mainly due to the absence of an obvious humanitarian crisis and the lack of implementation of the 1996 peace agreement. In response to poor state services, the Zapatista movement has established “autonomous” municipalities in areas under their control with health and education facilities which also provide services to the IDPs.

The unresolved conflict reflects wider competition between government and private supporters of regional free trade agreements wishing to exploit the regions’ abundant natural resources and applicable free trade agreements, and indigenous communities reliant on traditional agriculture for their livelihoods. Since the elections in late 2006, the state authorities have reportedly started systematically to evict indigenous populations from land they occupied from large-scale private landowners in 1994, while paramilitary groups sharing the authorities’ objectives have used illegal means to force people from this land. This combination of paramilitary and state action against Zapatista communities may lead to armed confrontations and displacements of a larger number of people unless the parties negotiate an agreement.

Internal Displacement in Mexico



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Unresolved conflict over land and indigenous rights

The situation of internal displacement in the state of Chiapas is indicative of a national, historical and structural conflict that has since the colonial era pitted indigenous communities and an impoverished peasantry against state institutions and landowners of Spanish descent. The state, although rich in natural resources, has the lowest standard of living in the country with the indigenous population particularly hard hit (CNDH, December 2007). Mexico's indigenous communities include around 62 different ethnic minority groups, numbering more than 10 million out of the country's total population of over 100 million. Sustained repression, marginalisation and unequal distribution of resources has led to repeated outbreaks of violence, most recently and significantly in 1994 when the Zapatista Army of National Liberation (EZLN) in Chiapas took up arms against the federal government, occupied four county seats and land legally owned by large private holdings, and demanded autonomy for indigenous people.

The "Zapatistas" took control of an estimated 250,000 hectares of land and redistributed it to landless indigenous supporters (LAG, 29 November 2007). The army was deployed to quell the rebellion and started recruiting paramilitary groups from among other indigenous groups.

According to the EZLN, the uprising was triggered by constitutional reforms permitting the privatisation of communal land and the signing of the North American Free Trade Agreement (NAFTA), which came into effect on 1 January

1994, the day the uprising began (EZLN, 20 February 2003). Article 27 of Mexico's Constitution of 1917 allowed members of communal groups and their rights over land owned by absent large-scale landowners as long as they continued to work it and live on it. The government repealed Article 27 in 1992 to clear the way for Mexico's participation in NAFTA, which promoted the interests of large-scale agriculture over communities farming inherited small-holdings. The repeal of Article 27 reopened the door for absentee landlords to acquire Mexican farmland, and indigenous and other rural communities lost their land rights and livelihoods overnight.

In response to deteriorating socio-economic conditions in their home areas and difficulties in competing with the cheaper imported agricultural crops as a result of NAFTA, an estimated 30,000 to 40,000 people from Chiapas, mostly from rural areas, currently emigrate illegally to the United States every year (CIP, 5 December 2007; IDMC interview, October 2007). While millions of Mexican farmers face the same difficulties, the situation of the Zapatistas, including the few remaining IDPs in Chiapas, has been exacerbated by sustained oppression from the state and paramilitary organisations which it supports, including killings, physical assaults, death threats, destruction of crops, burning of houses, militarisation of the area and legal action to evict them from land they occupied from large land-holdings after the armed rebellion in 1994 (CAPISE; September 2007; CDHFBC, 21 August 2007).

The government identifies inter-community, inter-ethnic and religious conflicts as the root causes of displace-

ment in Chiapas, and sees NAFTA and other free trade agreements as a means to promote prosperity to the region. Yet human rights observers have long criticised the government for downplaying the political and agrarian struggles which affect the whole country, and for failing to address urgent issues such as paramilitary activity, the responsibility of the state in the conflict, land reform and indigenous rights (CDHFBC, 9 February 2005).

The signing in 1996 of the San Andrés Accords between the EZLN and the then President Zedillo, recognising indigenous autonomy and control of natural resources and cultural identity, raised high hopes for a peaceful solution to the conflict and a better life for the indigenous communities. But the accord was never ratified and a series of amendments rendered it ineffective. The 2000 election of Vicente Fox as President ended 71 years of unbroken Institutional Revolutionary Party (PRI) rule, but his apparently favourable policies failed to resolve the conflict in Chiapas. As Fox took office in December 2000, he ordered the closure of about 50 military checkpoints in Chiapas and submitted to Congress a constitutional reform building on the San Andrés Accords (SIPAZ, Chronology). However, the reform passed in April 2001 was significantly modified and fell short of the indigenous people's demands for the full realisation of their civic, cultural and land rights.

Although hailed by the President as a major step towards the resolution of the conflict in Chiapas, the reform was rejected by the EZLN, human rights advocates, national indigenous organisations, and by eleven states which were between them

home to 80 per cent of the indigenous population (FIDH, June 2003, p.10). It was also criticised as inconsistent with the International Labour Organization's (ILO) Convention 169 guaranteeing indigenous peoples' rights, which Mexico ratified in 1991. Since the constitutional reform was passed in 2001, the Zapatistas have retreated into non-violent resistance, setting up health and education services within the self-declared autonomous "Caracol" municipalities that they launched in 2003. Since the presidential elections in 2006, the human rights and livelihoods situation for indigenous communities and IDPs in Chiapas has worsened (LRAN, 28 September 2007).

Patterns of displacement

At its height, the armed conflict following the 1994 uprising forced up to 20,000 people – mostly indigenous peasants supportive of the government – to flee their homes (CDHFBC, 12 June 2003, p.3; Hidalgo, 1999, p.23).

In February 1995, as part of the counter-insurgency campaign, the army accompanied IDPs back to their home areas. This return movement triggered the displacement of a further 20,000 people, mainly supporters of the Zapatista movement (IDMC interview with CAPISE, 23 October 2007). Despite the absence of a negotiated settlement and simmering tensions due in part to paramilitary threats in their home areas, most of these displaced Zapatista supporters gradually returned in the years after the uprising.

In December 1997, the massacre of 45 indigenous people in the community of Acteal, San Pedro Chenalhó municipal-

ity, sparked the displacement of thousands of people. However, as of October 2007, there were only around 5,500 people affiliated to the movement who remained displaced, in Chenalo, north of San-Cristobal de las Casas (IDMC interview, 24 October 2007; CDHFBC, 9 January 2005; USCR, June 2003).

Human rights violations accompany evictions

In 2006 and 2007 federal and state authorities have intensified pressure to evict indigenous people affiliated to the Zapatista movement who occupied land after the 1994 uprising (CAPISE, September 2007; La Jornada, 22 March, 25 February 2007). The evictions have been accompanied by killings, death threats, destruction of crops, burning of houses and shots fired in the air by paramilitary groups in the guise of indigenous farmers' organisations (IDMC Interview, 24 October 2007; LRAM, 28 September 2007). One of these groups, the Organization for the Defense of Indigenous and Campesino Rights (OPDICC), has allegedly been responsible for the majority of the violence against the Zapatista communities since 2004. OPDICC has also initiated 68 judicial procedures to evict the Zapatistas from the land, through institutions such as the Agrarian Procurator's Office and the Secretariat of Agrarian Reform (IDMC interview, Chiapas, 24 October).

In August 2007, once such procedure led to the violent eviction of more than 30 indigenous people in the Ocosingo municipality in the area of Montes Azules, eastern Chiapas. A wide range of state and federal authorities, including the army and the police, arrived in helicopters without notice, consultation or legal

authorisation, and forced the people violently from their homes. In November 2006, an eviction in the same municipality resulted in the killing of six indigenous people and the disappearance of two more, all of them affiliated to the Zapatista movement. The event has not been investigated properly and there have been no resulting indictments (CDHFBC, 21 August 2007).

The evictions in the Montes Azules area are related to the expropriation at the beginning of the 1970s of around 600,000 hectares of land in favour of 66 indigenous Mayan families from the Caribbean region, known as the Lacondon indigenous group (IDMC interview, October 2007). This violated the land rights of around 4,000 indigenous people who had settled in 47 communities since the 1950s. A 1978 decree defined more than 300,000 hectares of the Montes Azules area as a biosphere reserve, and since then the indigenous communities have constantly been harassed, expelled, displaced and threatened, mainly on grounds of environmental conservation (IDMC interview, 27 October 2007; CEDH, 1 September 2003).

The government set up an inter-institutional conciliation commission in 2001 and gave assurances that these communities would no longer be evicted. As a result of negotiations, some of the communities accepted resettlement; others who did not have in fact faced an increased risk of eviction. The recent events in the Montes Azules area follow a pattern of unlawful evictions in which indigenous people are violently forced out of their homes, without prior notice or subsequent compensation for loss of assets, as stipulated by ILO Convention

169 and the Universal Declaration of the Rights of Indigenous People adopted by the UN General Assembly in 2006 (IDMC interview, 24 October 2007; SIPAZ, June 2003). Moreover, the evictions are alleged to have complied with requests from the World Bank and the Inter-American Development Bank to open the way to transnational firms interested in exploiting the area's biodiversity (IDMC interviews, Chiapas, 26 October 2007; CDHFBC, 29 May 2003).

In northern Chiapas, the government's military strategy has for years had the same objective – to evict Zapatista communities from land. The army has ostensibly removed 30 military barracks from the Zapatista dominated areas, but these have been replaced by Special Forces and paramilitary groups. There were still, as of 2007, more than 50 military camps in the state, most of them located near Zapatista communities (CAPISE, September 2007, p.14). The army has not attacked the communities, but its presence is reported to have caused further divisions and misery. Socio-economic hardship leads women into prostitution in the barracks, while young indigenous boys are invited to drink and socialise with the soldiers with the objective of undermining the support bases of the Zapatista communities, and finally of removing them from the land. While disputes over land and land tenure have divided local indigenous communities for decades, these actions suggest that the authorities deliberately polarise them into pro-government and Zapatista groups.

Moreover, the evictions follow a similar “divide-and-rule” pattern; in most cases they benefit indigenous communities affiliated to non-Zapatista political parties

and state authorities (IDMC interviews, October 2007). Thus, by giving access to land and preferential treatment to certain indigenous communities at the expense of others, as evidenced in the Montes Azules area, the authorities are fuelling intra-communal violence between supporters of some political parties and EZLN sympathisers, a dynamic which has been exacerbated since the elections in 2006. From the political perspective, successful evictions serve to replace political opponents with political supporters (CAPISE, September 2007; CDHFBC, 14 November 2007).

Access to justice, social, economic and cultural rights

In 2007, the estimated 5,500 IDPs in Chenalhó had poor access to water, sanitation and education facilities (IDMC field mission, October 2007; OHCHR, 1 January 2004). Humanitarian assistance was cut in 2004, and despite unresolved conflict and threats from paramilitary groups, most of the remaining IDPs have started returning to their home areas to cultivate the land by day, but return to the IDP sites at night due to their fear of reprisals. Only around 500 IDPs are dependent on food hand-outs, which they receive from the Zapatista movement. In 2003, self-established Zapatista institutions were turned into “good governance boards” known as “Caracoles”, largely to provide alternative public services such as health, sanitation and education, and to strengthen social cohesion within the communities (CDHFBC, 13 April 2004). While these services are reported to provide important support to the communities, including the IDPs in Chenalhó, health problems such as diarrhoea, and payment of salaries to teachers, have

been reported as severe challenges (IDMC interview, 24 October). Other obstacles faced by the Zapatista communities are the impaired freedom of movement as a result of heavy military presence, barriers to the conservation of sacred sites, and the provision of electricity.

The limited access to justice for past extrajudicial killings is considered one of the major obstacles to the restoration of faith in state institutions. The government has never recognised these communities and it has sought several times to dismantle them by force, committing or permitting extrajudicial killings which have never been adequately investigated. The National Human Rights Commission held public officials and the state government responsible for the 1997 Acteal Massacre by omission or commission. The massacre took place 200 metres away from a police post, and the authorities, including the Secretary Governor of the State of Chiapas, who had been informed of the massacre, “flagrantly” failed to prevent it and to intervene to assist the victims, according to the UN Special Rapporteur on arbitrary executions and other human rights organisations (CDHFBC, 9 February 2005; UN CHR, 23 December 2003; UN CHR, 25 November 1999, para.36). While some people have been unjustly imprisoned, as of October 2007, those behind the massacre are still unpunished, and no compensation has been made to the victims of forced displacement, murder and torture (IDMC interview, Acteal, 26 October 2007; SIPAZ, March 2005; AI, January 2005).

National and international responses

The national and international responses and attention to the conflict and displacement in Chiapas have almost completely ceased. The lack of interest in the conflict and its consequences for the civilian population is reflected in the complete absence of a national and international response, with humanitarian or peace-building goals.

In 2003, the UN’s Representative on IDPs undertook a mission to Chiapas and made concrete recommendations to help the government solve the conflict and protect the rights of the IDPs. Four years later, practically none of the recommendations had been implemented (IDMC interview, 25 October 2007). Worse still, the increasing number of small-scale forced displacements as a result of paramilitary action and the coinciding legal, commercial and military objectives to evict Zapatista communities from the land they have occupied since 1994 may be a clear indication that Chiapas is closer to an escalation of the conflict than to peace.

Note: This is a summary of the IDMC’s Internal Displacement profile. The full profile is available online [here](#).

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About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre, established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people. In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

For more information, visit the Internal Displacement Monitoring Centre website and the database at www.internal-displacement.org

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