



The Elastic Frontier

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The Elastic Frontier

MICHAEL FLYNN

Bulletin of the Atomic Scientists

Karl Eschbach has told you about the impact that tightened border controls have had on migrants in recent years. What I would like to do is describe for you how, concurrent with these high-profile border control efforts, the United States has been busy quietly formulating and putting in place a strategy aimed at pushing migrant interdiction, detention, and deterrence into neighboring countries. These beyond-the-border efforts have led some observers to describe what they see as the southward migration of the U.S.-Mexico border, or to call the border an elastic frontier that extends outwards in an effort to keep migrants from reaching U.S. territory.

I first learned about these efforts while investigating migration issues in southern Mexico and Guatemala last spring as part of a Pew Fellowship in International Journalism. Researching news stories from the region in preparation for my reporting trip, I came across a story in the *Miami Her-*

ald describing the plight of several dozen undocumented migrants from India who had been languishing for months in a Guatemala City detention center.

Several things about the story struck my attention: First, of all the places in the world an Indian migrant might choose to go, Guatemala, an extremely poor, desperate, and often violent country halfway across the globe, seemed the least likely destination. So how did these migrants end up there? Second, the *Herald* claimed that Guatemalan authorities didn't mind the growing costs of holding the migrants because the United States was paying all the expenses – which amounted to about \$8 a day per migrant. The obvious question that came to mind was what in the world was the United States doing paying a foreign country to lock up migrants who had committed no crime against this country? Finally, the story mentioned in passing how one of the migrants, a man named Kanu Okany Patel, had committed suicide after repeatedly being denied medical care for his severe cardiac pains. I guess \$8 a day isn't enough to pay for urgent medical attention, not even in a poor, underdeveloped country like Guatemala.

Intrigued, I searched the internet for more information. Although I did find several stories from Guatemalan newspapers covering the migrants' plight – they had apparently made quite a splash in the country – I found nothing else in the U.S. press. I did, however, come across a press release on the web site of the Heartland Alliance, a Chicago-based nongovernmental organization that works on immigration issues. The group expressed concern that the funding of detention centers in foreign countries might be part of a new U.S. strategy. They also said that Patel's suicide "illuminated" what they called a pattern of growing U.S. influence in the region that was causing neighboring countries to implement harsh anti-migration policies.

An example of these policies was a plan put in place by the Mexican government in early 2001 to deport extraregional migrants back to Guatemala if it could be determined that they had entered from that country. According to the U.S. Committee for Refugees (*World Refugee Survey, 2002*), some 1,000 migrants from India, Pakistan, Sudan, China, Colombia, Ecuador, and other countries were deported to Guatemala that year, with the United States covering most of the transportation costs.

It was this deportation scheme, which many observers claim contravened binational accords between the countries and international law, that apparently caught Kanu Patel and his compatriots. But making their case particularly strange was their claim to have never set foot on Guatemalan

soil until they were “sent back” there.

Patel, it turns out, died without ever knowing why he was in Guatemala. As one of the detained Indians said to a reporter in Guatemala in December 2001: “We are not understanding this. The U.S. tells Mexico, ‘Deport these people,’ and Guatemala accepts us? Our fortune is not too good.”

Initially, my efforts to establish what role U.S. authorities may have played in this or any other migrant detention activities in the region turned up little. I found next to nothing in the U.S. press. The INS web site did not mention anything about funding detention centers in foreign countries, and INS officials I spoke to in the United States claimed to know nothing about such activities. Nor did any of the migration institutes here in the United States have any reports on the subject.

Finally, I came across a press release from the U.S. Catholic Conference of Bishops, who in 2000 had sent a delegation to Central America to study regional migration issues. As part of the trip, they visited a prison in Tegucigalpa, Honduras that was filled with migrants who had been detained during a U.S.-led operation called “Operation Forerunner.” Here is what the press release said:

We are gravely concerned with the human impact of Operation Forerunner, a multilateral regional effort purportedly designed to apprehend and prosecute human smugglers, or ‘coyotes,’ who provide transport to migrants through the region and on their journey north. We strongly agree that these smugglers, who charge migrants as much as \$5,000 to shepherd their trip, should be captured and brought to justice. However, Operation Forerunner has had the effect of targeting migrants more than the persons who smuggle them, resulting in many migrants being placed in substandard prisons in the region without representation or the opportunity to apply for asylum. In our visit to the Central Penitentiary in Tegucigalpa, Honduras, for example, we spoke with many migrants who had been detained for weeks in miserable conditions, sometimes without adequate food or sanitation. Of course, most had no access to legal representation and many did not know when they would be returned to their country of origin.

The results of Operation Forerunner give us pause as to the real objectives of the initiative. In each of the countries visited, the governments apprehended only a handful of ‘coyotes’ while capturing several thousand migrants, jailing many of them, and returning them to their countries. The U.S. government has been intimately involved in these interdiction efforts, offering teams of ‘advisors’ to the Central American governments and paying for the return of extra-regional migrants to their homes. As one U.S. embassy official informed us, ‘It is less expensive to take care of the problem here than when they reach the United States.’

The detention center in Guatemala City that had held Patel and his compatriots, which was only one of two centers that had received funding from the United States, was apparently in no better shape than the prison in Tegucigalpa described by the U.S. bishops.

Although the centers had been closed by the time I arrived in Guatemala last spring, several migrant advocates described them for me. One advocate told me how, during one period in 2001, the centers were filled with migrants from all over the world as a result of yet another U.S.-led anti-smuggling operation, this one called "Crossroads International." The advocate said: "After they initiated 'Coyote 2001' [Guatemala's name for the operation], the centers were filled with people from everywhere – from Ecuador, India, Peru, Syria, Cuba. In one space there were 40 people. Everything was being destroyed, there was no light, there was no air. They were worse than our jails."

Overrun with detainees from this operation, Guatemala turned to the U.S. embassy for support. In a letter to the U.S. ambassador, the country's migration chief (who was fired a few days after Patel committed suicide), wrote: "Taking into consideration that migration is an international problem, I appeal to you for humanitarian aid to help avoid this immigration and thereby contribute to the American dream that they desire and to contribute as well to national security. The aid that we ask for consists in helping us rent *albergues* [shelters] and to pay for flight tickets to transport undocumented people back to their countries of origin."

According to an embassy press attaché I spoke with, the ambassador responded favorably to the request out of humanitarian motives. When I asked if U.S. officials were aware of the conditions of the facilities they were funding or that detainees were being denied medical care, I was told to speak with a man named Hipolito Acosta, who was then the head of the INS regional office in Mexico City. Acosta told me only that yes, officials had eventually visited the facility and that they had found it wanting. He said: "We determined that the facilities Guatemala was using were not acceptable. Guatemala is now looking at another location to build a new detention center, which will be almost like a model for Central America. . . . I sent my deputy director to check it out because we are greatly concerned."

So, where did Operation Forerunner and Crossroads International come from? When were they developed? Who participates in them? Who exactly is detained in these operations? And do detainees, many of whom

come from countries torn apart by conflict, receive proper asylum hearings?

Trying to answer these questions is not an easy task. As I mentioned earlier, the U.S. press has published little on the topic. And as far as I can tell – remember, I am no specialist so it is likely that I have not looked in all the right places – most migration think tanks and research institutes in this country have done little to assess these programs. However, I have been able to trace a meager paper trail in the form of INS press releases, congressional testimony and other publicly available policy documents that helps to answer some of these questions.

The trail dates back to June 1993, when President Bill Clinton issued Presidential Decision Directive-9 (PDD-9), which was titled “Alien Smuggling.” Prompted in part by the rise of Asian migrant-smuggling syndicates, PDD-9 directed a passel of government agencies to “take the necessary measures to preempt, interdict, and deter alien smuggling in the U.S. ... We will deal with the problem at its source, in transit, at our borders, and within the United States. We will attempt to interdict and hold smuggled aliens as far as possible from the U.S. border and to repatriate them when appropriate.”

The president outlined the responsibilities each government agency would shoulder:

Justice and INS will be responsible for criminal enforcement and all U.S. prosecutions and for conducting law enforcement operations and investigations outside the U.S. State will be responsible for international policy and relations with foreign governments and international organizations. Transportation and Coast Guard will be responsible for interdiction at sea with appropriate support by Defense.... The Director of Central Intelligence will be responsible for foreign intelligence in support of interdiction efforts.... The Border Security Working Group will be responsible for coordinating the interagency effort overall. Efforts at the Source State will approach source nations whose nationals, businesses, and/or infrastructure provide assistance to alien smuggling and to develop common policies to prevent the departure of criminal-sponsored, non-refugee, and undocumented aliens.

Various elements of this directive would later be crystallized in an INS-led initiative called “Operation Global Reach,” a massive and far-flung anti-smuggling operation first developed in 1995, and then implemented in 1997.

During a 1997 news conference announcing the initiative, then-INS Commissioner Doris Meissner argued that Global Reach was a necessary

response to the growing problem of alien smuggling: "Let me be clear about the problem. Migrant trafficking is ruthless, and it has become global... These smuggling organizations will use any means whatsoever to produce profits. We have seen instances of mistreatment as well as cases of murder, rape, torture, forgery, and extortion. All too often, unwitting customers are forced into prostitution, virtual bondage, or criminal activities."

Although Meissner focused on anti-smuggling as the rationale for Global Reach, the Justice Department describes the operation as being aimed at undocumented migrants. According to a Justice fact sheet, Global Reach is a "strategy of combating illegal immigration through emphasis on overseas deterrence." As part of the operation, says the fact sheet, the INS has established "40 overseas offices with 150 U.S. positions to provide a permanent presence of immigration officers overseas," "trained more than 45,000 host-country officials and airline personnel in fraudulent document detection," and "undertaken special operations to test various illegal migrant deterrence methods in source and transit countries."

Although Global Reach is an international program – U.S. officials collaborate with their counterparts in Greece, Spain, India, Turkey, Thailand, China, Vietnam, as well as dozens of other countries – arguably its greatest impact has been in Latin America. As the primary sources of undocumented migration to the United States – as well as the principal regions through which traffickers and migrants from across the globe are funneled before reaching the country – Mexico, Central America, and the Caribbean have been a central focus of U.S. overseas interdiction, even before Global Reach was initiated.

An early indication of U.S. activities in the region came in 1995, when Meissner announced in a press briefing that the INS "was working overseas to deter illegal immigration in places even further distant than the borders themselves." During a Q & A about U.S.-Mexico collaboration on interdicting Chinese smuggling vessels, Meissner admitted that the United States was funding Mexico's repatriation of Chinese migrants.

Then, in 1996, the INS District Office in Mexico City began a series of intelligence and anti-smuggling operations called "Operation Disrupt," which targeted migration and smuggling activities in the Dominican Republic, Costa Rica, Ecuador, Honduras, and Canada. In 1997, testimony before the House Subcommittee on Immigration and Claims, George Regan, then an INS acting associate commissioner, claimed that as part of

Disrupt, INS had undertaken joint operations with foreign counterparts to break up several Latin American and Chinese smuggling organizations.

In 1997, after Disrupt activities became a part of the overall Global Reach initiative, the INS significantly broadened the scope of its Latin American activities, undertaking annual multilateral interception operations with law enforcement personnel from dozens of Latin American countries. According to activists in these countries, during the operations, INS agents accompany local authorities to restaurants, hotels, border crossings, checkpoints, and airports to help identify and apprehend suspicious travelers.

In a series of yearly press releases, the agency proudly announced the results of each operation. In 2000, for example, the INS declared that year's Disrupt operation, "Forerunner," to be the "largest anti-smuggling operation ever conducted in the Western Hemisphere." Involving agents from six Latin American countries, the operation nabbed 3,500 migrants and 38 smugglers.

Forerunner was followed in 2001 by "Crossroads International," which the INS again described as the "largest multinational anti-smuggling operation ever conducted in the Western Hemisphere," this one resulting in the arrest of 75 smugglers and the interdiction of some 8,000 migrants from 39 countries. "The wide-ranging anti-smuggling operation was directed by the INS Mexico City District Office and involved . . . law enforcement officers in Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Jamaica, Mexico, Panama, and Peru," said a press statement.

After the Crossroads International press release, the paper trail dries up. Although advocates in the region claim that U.S. officials remain heavily involved in interdiction activities in their countries, since 2002, the INS – and now the Department of Homeland Security – have not publicized any information about its activities abroad. When I called the INS office in New York a couple months ago inquiring about the fate of Disrupt and whether the United States remained involved in detention operations in the region, a spokeswoman told me that although Global Reach remained in operation, officials were no longer participating in large, multilateral efforts. Instead, she said, the United States was focusing on individual cases on a country-by-country basis.

There can be little doubt that since the September 11, 2001 terrorist attacks, the United States has stepped up its involvement in migrant detention operations abroad. But because the U.S. press has failed to pur-

sue these policies, and because the U.S. government says little about its activities, the story remains shrouded and the fates of many of the detainees uncertain.