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US and Mexican Human Rights Defenders Seek Justice for Remaining Bracero Guest Workers

Atlanta, GA – In partnership with the Alianza de Exbraceros del Norte (Alliance of Former Northern Braceros) representing the Braceros in the lawsuit against the Mexican government, and the US-based Coordinating Team of Former Braceros, the US Human Rights Network (USHRN) issues this public statement calling upon the Ministers of the Second Chamber of the Supreme Court of Mexico to enforce the 2016 ruling of Judge Paula Maria Garcia Villegas, and upon the US Government to acknowledge its responsibility in making the remaining Bracero workers whole.

Over seventy years ago, in response to labor shortages resulting from World War II, the United States recruited 4.6 million Mexican agricultural workers to work in our fields and build our railroads through the “Bracero” program. These workers, many of them Indigenous Peoples, endured human rights violations in slave-like conditions, including unpaid labor, intentional exposure to toxic pesticides, sub-standard housing and water scarcity. At the time of the program, the United States government agreed to a non-consensual wage deduction of 10% of each Bracero worker’s salary. The Mexican government, to which the U.S. government transferred the withheld wages, has illegally held these funds for decades.

In 2016, a Mexican federal judge ruled that the Mexican government must pay back the Savings Fund owed to the Braceros and their survivors. The Mexican government refuses to comply with the sentence and resorted to an appeal to the Supreme Court of Justice of the Nation to review the sentence. The case has already been under review for nearly two years, with the ministers of the Court claiming that they have not been able to review the former Braceros’ case due to case overload. Meanwhile, the eldest of the remaining Braceros, a vulnerable and

impoverished population residing both in Mexico and the United States, are passing away. The Mexican Supreme Court has neither sanctioned the government nor accelerated the pace of this case.

The US Human Rights Network calls on Supreme Court Second Chamber President Javier Laynez Potisek to accelerate the Bracero case and require the Mexican government to create a reparations process and provide each Bracero who makes a claim out of the Savings Fund with a Certificate of Identity. We also urge the United States government to publicly call upon the Mexican government to comply with the court ruling and acknowledge the benefit of the Braceros guest-worker program to the US economy and its complicity in creating the worker conditions that violated the human rights of workers in the US.

Rosa Martha Zarate Macias of the Coordinating Team of Former Braceros offered the following statement:

Article 5 of the Constitution of Mexico clearly states that no one can be deprived of the product of their work, the United States constitution prohibits slavery, and we all have human rights to dignity and respect. As we approach nearly two years since the initial ruling, the Braceros and their families continue to suffer from the government's lack of accountability for their actions. As a vulnerable population with very little power, the Mexican government continues to take advantage of its native peoples.

Further, the Mexican Supreme Court must recognize that for many people who migrate from their country of origin - whether for work, escape from poor economic conditions, or as climate refugees - paper documentation is often lost, destroyed, or held hostage by unscrupulous employers. The Court should permit Braceros to self-identify, and put the onus on the Mexican government if they dispute a claim.

While the generational poverty resulting from these violations of the human rights to the Freedom from Slavery and the Right to Remedy by Competent Tribunal cannot easily be repaired, a clear process for accountability by the Mexican government will begin the healing process.

Colette Pichon Battle, Executive Director of the US Human Rights Network offered the following statement:

The United States repeatedly looks to migrant workers to solve labor shortages, whether it be during times of war, infrastructure investment or climate disasters. Working conditions are often environmentally hazardous and workplace protections are regularly suspended. While the Mexican government has the responsibility to make reparations to the Braceros, the U.S. government has a broader responsibility to ensure that people who contribute to the US economy are assured of basic human rights.

Today's immigrant guest worker programs function within the same exploitation structure, and with many of the same abuses, as they did when the United States began the Bracero program in 1942. To deny workers their lawfully earned wages is illegal, and it is the responsibility of government - particularly when that government participated in the wage withholding - to make these workers whole.

ABOUT THE US HUMAN RIGHTS NETWORK

The US Human Rights Network (USHRN) is a national network of organizations and individuals working to strengthen a human rights movement and culture within the United States led by the people most directly impacted by human rights violations. It is a network of over 300 organizational members that is working to popularize human rights in communities across the United States in order to secure dignity and justice for all. www.ushrnetwork.org