

## Labor Contractors Suspected Farm Labor Organizer Murdered in Mexico

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By DAN La BOTZ

Santiago Rafael Cruz, an organizer for the Farm Labor Organizing Committee (FLOC) based in Toledo, Ohio, was found murdered in the union's office in Monterrey, Mexico on the morning of April 9. He had been bound hand and foot and beaten to death. Circumstances suggest labor contractors may have had him killed. Cruz, 29, had worked for FLOC in the United States for four years organizing immigrant agricultural workers. For less than a month working for the FLOC in the Monterrey office that was set up in 2005 to help process H2A visa workers whose employers were under FLOC contracts.

FLOC has asked the AFL-CIO and Rep. Marcy Kaptur's (D-Ohio) to request that the U.S. State Department press the Mexican government to conduct a thorough and speedy investigation to bring the killers to justice. John Sweeney, president of the AFL-CIO, has called on the Mexican and U.S. governments to ensure that there is a "thorough and professional investigation" of the murder. FLOC has asked the Inter-American Human Rights Commission to take on Cruz's murder as an official case.

Who would want Cruz killed? To answer that question we have to understand the labor contracting system in Mexico. In Mexico labor contractors usually funnel workers into the H2A Visa program which permits them to work legally for agricultural employers in the United States. To get these jobs, which pay more than ten times what they could make in agriculture in Mexico, workers often have to pay the contractors and to bribe various other middlemen.

That's how it worked for years. Then on September 16, 2004, after a five-year organizing campaign and boycott, FLOC won a contract for 8,000 H2A workers employed on 1,050 farms across North Carolina and working in a variety of crops. Under the contract, employers had to pay for the workers' visas and transportation, saving the workers two million last year alone, according to the union.

To support its members and to educate them about their rights before they arrived in the United States, as well as to protect them from exploitation by labor contractors, FLOC established the Monterrey office. Rather than paying large sums in bribes for H2A jobs, now workers would simply fill out forms to be dispatched. FLOC's Monterrey union office quickly came into conflict with the corrupt contractors who had been providing workers to the growers in North Carolina. FLOC's presence in Mexico meant that the racketeers were losing hundreds of thousands of dollars in exorbitant fees and bribes. Soon after the FLOC office was opened in Monterrey it was broken into and equipment and files were destroyed. While the Mexican police have yet to arrest or charge any suspects, the labor contractors had a motive and may well have been responsible. "It was a purely political attack," said FLOC president Baldemar Velásquez. "We think the

motivation was that the union contract was adversely affecting the labor contractors, the recruiters.

"FLOC's agreement eliminated the extortion of illegal fees from workers by criminal elements. They have been unhappy with the union taking away their goldmine. We disrupted not only the recruiters working for growers in North Carolina, but all the recruiters who recruit workers for all the other states: from Florida and Georgia, through South Carolina and Virginia, all the way up to Pennsylvania and New York. That is because our precedent applied to all of those recruiters."

Why in Monterrey?

While the murder of labor activists was common in the late 1960s and 1970s, few have been murdered in recent years. Usually employers or government controlled unions will fire union activists, and sometimes they beat them up, but few are murdered. The recent killing of 20 union and community activists in the in Oaxaca over the last six months arises from an unusual labor, community and political conflict. It is not typical of the recent experience. Nuevo Leon, the state of which Monterrey is the capital, is however almost another country. One of Mexico's most industrialized states, all of its industries--brewing, glass, steel--were for decades owned by the Garza-Sada clan which strenuously opposed the organization of the workers in its factories. When Mexican labor unions organized into the powerful Confederation of Mexican Workers (CTM) in the 1930s, Monterrey successfully fought off the union challenge. Later the CTM became a state-controlled and largely corrupt confederation, and in the late 1960s a rank-and-file insurgency swept the unions, but once again Monterrey remained virtually immune. In fact, the state of Nuevo Leon has its own its own labor unions, often called sindicatos blancos (white unions), company unions completely dominated by the state's most powerful corporations. The establishment of a FLOC office in Monterrey, Nuevo Leon represented not only a direct challenge to corrupt labor contractors, but also an implicit challenge to the Monterrey elite who have for years controlled the political and economic life of the city and had excluded genuine labor unions. While it is unlikely that anyone in the corporate elite would dirty his hands in a killing, and while they may not have had any direct role in the murder, the capitalists of Monterrey, the bastion of company unionism in Mexico, have created a climate that makes unions unwelcome and organizers pariahs. Murder and Impunity in Mexico Lamentably, Santiago Rafael Cruz's death represents just another murder among many in Mexico. Over the last decade, hundreds of women have been ritually murdered in Ciudad Juarez, and to date the mass murder remains unexplained. Over the last few years scores of people have been killed in the struggle between rival drug cartels in Mexico, and most of those murders remain unsolved as well. Most recently, local and state police, and the Federal Preventive Police have been used to crush social movements by steel workers at the SICARTSA plant in Lazaro Cardenas, Michoacan, at the town of Atenco, Mexico, and in Oaxaca. Approximately 25 people have been killed, several women raped, and many tortured and beaten in those operations. No police have been convicted and imprisoned. In all of these cases--the women, the drug cartel wars, and the repression of social movements--many

believe that the police are implicated in and possibly responsible for many of these killings.

While that has not been proven, what is known is that in Mexico murderers and other criminals enjoy impunity, a situation that suggests the collusion of the police and the justice system. Mexican human rights organizations and international organizations such as Amnesty International and Human Rights Watch, as well as U.S. State Department reports have called upon the Mexican government to reform its justice and police systems. The Nuevo Leon state police have suggested that they think Cruz's murder was the result of a "struggle between unions." This is not impossible, Mexico's corrupt and violent union bureaucrats, the charros as they are called, have been known to kill their rivals. But those who know Mexico also recognize that this is the political line of Monterrey's establishment always anxious to discredit the unions by suggesting that all unions are only rival mafias.

Santiago Rafael Cruz, FLOC's man in Monterrey, may well have fallen afoul of all of these: the labor contractors, Monterrey's anti-union environment, and Mexico's faulty criminal justice system. FLOC wants justice and rightly so, but it will be a battle.

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