A RIGHTS-BASED ANALYSIS OF THE SUSTAINABLE RURAL CITIES PROGRAM:

THE CASE OF SANTIAGO EL PINAR



TABLE OF CONTENTS

About US				
Acknowled	gements			
Acronyms	Acronyms and Spanish Terms			
Exectutive	Summary			
I. Introduct	ion			
1.1	Purpose			
1.2	Methodology			
1.3	Organization of the Report			
II. Program	Overview —			
2.1	Social and Geographical Overview of Santiago el Pinar			
2.2	The SRC Program			
2.3	Social, Cultural, and Economic Rights			
III. Governa	nce and Social Services ————————————————————————————————————			
3.1	Participation and Transparency			
3.2	Relocation and Cultural Rights			
3.3	The Right to Health and Education			
3.4	Conclusion			
IV. Physica	I Infrastructure ————————————————————————————————————			
4.1	The Right to Adequate Housing			
4.2	Site Conditions			
4.3	Housing Conditions			
4.4	Conclusion			
V. Economi	c Viability ————————————————————————————————————			
5.1	The Right to Employment and an Adequate Standard of Living			
5.2	Existing Productive Projects			
5.3	SRC Cooperatives			
5.4	Transition to an Urban Market Economy: Implications for Food Security			
5.5	Conclusion			
VI. Conclus	ions and Recommendations ————————————————————————————————————			
List of Refe	erences			

ABOUT US

The authors of this report are ten graduate students in the fields of regional planning, public policy, and international development. Together, we have expertise in diverse areas, ranging from urban design and micro-finance, to agricultural development and soil-science. Some of us have previously worked in Latin America, Sub-Saharan Africa, the Middle East and Southeast Asia.

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ACRONYMS

ACDI Agricultural Cooperative Development International

ACE The Alliance for Educational Quality

CCAPCH Climate Change Action Program

CESCR Committee on Economic, Social and Cultural Rights

CMPIO Coalition of Indigenous Teachers and Promoters in Oaxaca

ICESCR International Covenant on Economic, Social and Cultural Rights

ICT information and communication technologies

IPPMAL Iniciativa de Política Pública para México y América Latina

MDGs Millennium Development Goals

NAFTA North American Free-Trade Agreement

NGO non-governmental organizations

OECD Organization for Economic Cooperation and Development

RNFE Rural Non-agricultural Employment

SRC Sustainable Rural Cities

UN United Nations

UNAM Universidad Nacional Autónoma de México

USAID United States Agency for International Development

UNDP United Nations Development Program

UNESCO United Nations Educational, Scientific and Cultural Organizations

VOCA Volunteers in Overseas Cooperative Assistance

WFP World Food Program

SPANISH TERMS

agentes local representatives/agents

cabecera county seat (location)
centro de acopio de café coffee collection center

ensambladora assembly plant granjas chicken coops

rezago social social backwardness

supermercados grocery stores

EXECUTIVE SUMMARY

The Sustainable Rural Cities Program is a Chiapas state government initiative to combat population dispersion and promote regional development. Launched in early 2009, the SRC Program aims to relocate isolated rural localities into newly-built 'rural cities' designed to deliver improved access to health, education and basic urban infrastructure services for poor households. At present, two SRC sites have been completed in Chiapas and three are under construction. However, the reality found at current SRC sites has invited widespread criticism of the program from non-governmental organizations (NGOs) in Chiapas and abroad. Many critics argue that the program does not improve the living conditions for the poor population in Chiapas, but infringes upon their rights and fails to respect their traditional rural culture and lifestyle.

The Chiapas state government has embraced the universal goals laid out in the Millennium Development Goals (MDGs), which capture the right of all to be free from poverty. The state government has recently aligned all of their development projects to meet the MDGs, including the SRC Program.

We are a group of graduate students from the Department of City and Regional Planning at Cornell University assessing the extent to which the SRC Program is consistent with the U.N. framework of economic, social and cultural rights. Given that the SRC Program objectives are closely aligned with the MDGs, which originated from a rights-based approach to development, we believe it is pertinent to assess the SRC Program's goals and implementation through this same rights framework. Our research builds upon a prior study of the SRC Program carried out by a class of Cornell students in the fall of 2010, although we narrow our research specifically to Santiago el Pinar; the second SRC site, inaugurated in late March 2011. Our assessment focuses on three central tenets of the SRC Program: governance and social services, physical infrastructure, and economic viability.

During our visit to Mexico, we conducted field observations, informal interviews, and meetings with local residents and political representatives. We also interviewed representatives from local NGOs and academic researchers familiar with both the SRC

Program and the local context. In our analysis, we draw upon the official literature of the SRC Program, international rights legislation, and relevant literature on policy, planning, and development.

The provision of basic services, including health-care and education, and the promotion of good governance and social cohesion are fundamental goals of the SRC Program. Based on field-observations, our research suggests that the program has led to improved educational and health facilities in Santiago el Pinar, addressing the rights to education and health as outlined in the ICESCR. However, these improvements come at the cost of good governance, social cohesion and the rights to self-determination and cultural expression. The SRC Program did not make use of participatory processes during implementation, or take into account the negative implications of relocation on households. We conclude that the lack of transparency and participatory processes in the implementation of the SRC Program have led to violations of the rights to self-determination and cultural expression.

The SRC Program requires the construction of urban infrastructure, housing and communal facilities. The Chiapas state government described the housing conditions in the rural localities as precarious, so a key aim of the program is to relocate households from localities into 'adequate housing', which is a recognized right in the ICESCR. We used a checklist of criteria to evaluate whether the SRC housing complied with the U.N. Habitat's description of adequate housing as we observed the site layout, the design of the housing, and the quality of the construction materials. We uncovered serious concerns over the habitability, accessibility, cultural adequacy, and availability of the infrastructure necessary for a healthy living environment (safe drinking water, heating and lighting, sanitation, refuse drainage, or adequate site drainage). Improvements to correcting these short-falls would include incorporating local needs and resident input into the design of the houses, the type of materials used, and the community layout.

One of the objectives of the SRC Program is to create employment opportunities for relocated residents within the site, minimizing their need to commute long-distances to supplement their income. Thus, several productive projects were established at the SRC site in Santiago el Pinar. These include agricultural projects focused on export-

oriented cash crops, such as greenhouses for producing cut-flowers, and non-agricultural projects that concentrate on creating wage labor like the assembly plant. All of these productive projects are set-up as cooperatives. However, our research revealed that these existing productive projects provide an inadequate number of jobs and insufficient income. Furthermore, in both agricultural and non-agricultural cooperatives, we observed an absence of the key factors necessary for successful cooperatives. The SRC site fails to provide the quantity, quality and sustainability of income-generating opportunities necessary to meet residents' economic right to an adequate standard of living.

Through the relocation process, the SRC Program forces residents to transition from a subsistence mode of production to an urban market economy. For many relocated residents at the SRC site, they must either seek wage earnings to secure food or regularly commute back to their previous residences to farm their land. Using the World Food Program's definition, we find that the SRC Program threatens the food security of households by implementing a relocation process without ensuring food availability, access and utilization. Based upon the ICESCR's recognition that all people have the right to be free from hunger, we conclude that the SRC Program has missed an opportunity to ensure the food security of residents.

Given that the SRC site at Santiago el Pinar has been established for only nine months, we are unable to give a full analysis on whether the SRC Program has contributed significantly to poverty alleviation in the region. However, we have expressed throughout the report serious concerns over the initial implementation of the SRC Program and the relocation process in Santiago el Pinar. We have found that while educational and health services have improved, the rights to self-determination and cultural expression have been compromised. At the SRC site, the poor layout, housing design, and quality of construction materials have not met the international standards for 'adequate housing'. Furthermore, while the SRC Program has established productive projects to provide residents with income-generating opportunities, the existing projects' quantity, quality and sustainability are not sufficient enough to meet the residents' right to an adequate standard of living. While many of the recommendations are specific to each section, they collectively indicate that the SRC implementation should place a stronger emphasis on engaging residents and their input in legitimate participatory processes.

I. INTRODUCTION

The Sustainable Rural Cities (SRC) Program was established to address problems of poverty and population dispersion in rural Chiapas, one of Mexico's poorest states. Initiated by the Chiapas state government, the SRC Program calls for the relocation of multiple rural localities to newly created 'rural cities', where households can have improved access to infrastructure and basic services. Since the program's inauguration in 2009, two SRC sites have been completed in Chiapas at Nuevo Juan de Grijalva and Santiago el Pinar. As of November 2011, three additional SRC sites are under construction in Jaltenango, Ixhuatán and Emiliano Zapata (Instituto de Población y Ciudades, 2011).

1.1 PURPOSE

The purpose of this report is to assess the extent to which the SRC Program provides development opportunities while also ensuring the economic, cultural, and social rights of its residents. In particular, we evaluate the degree to which the SRC Program conforms to the standards laid out in the International Covenant on Economic, Social and Cultural Rights (ICESCR), which Mexico ratified in 1981. The current administration of the Chiapas state government has been active in incorporating international standards into state-level development initiatives. In 2009, the Chiapas state constitution was revised to align with the U.N. Millennium Development Goals (MDGs) (Tercer Informe de Gobierno del Estado de Chiapas, 2009). Given that the MDGs originated from a rights-based approach to development, we believe it is pertinent to assess the SRC Program's goals and implementation through this same rights framework. This report focuses on the SRC Program's second site established in the municipality of Santiago el Pinar in early 2011. Our report evaluates the degree to which the implementation of the SRC Program ensures basic human rights and provides recommendations on how practices may be improved without compromising development objectives.

1.2 METHODOLOGY

This report builds upon existing research conducted in the fall of 2010 by Cornell graduate students, which is documented in a report entitled 'Analyzing the Sustainable Rural Cities Program' (De Leon et al, 2010). Whereas they analyzed SRC programs in Nuevo Juan de Grijalva and Santiago el Pinar, we chose to conduct a more intensive study of only one

site: Santiago el Pinar. Our research makes use of field observations and interviews with both the residents of the SRC site in the *cabecera* (or county seat) and Choyo, a locality within the municipality that was not relocated. Furthermore, our research focuses on three critical components of the program: governance and social services, physical infrastructure, and economic viability.

During our visit to the Santiago el Pinar SRC site in October 2011, we conducted field observations, twenty-two informal interviews and two group meetings with local residents and political representatives. We also collected information from interviews with representatives from local non-governmental organizations (NGOs) and academic researchers familiar with the SRC Program and the local context. We also gathered information from field observations, interviews and meetings in the small rural locality of Choyo. Through our research in Choyo, we gained insight into the rural lifestyle in Chiapas prior to the SRC Program construction, the realities of dispersion, and the divergent expectations and perspectives on the SRC Program. Follow-up interviews were conducted electronically in October and November 2011.

1.3 ORGANIZATOIN OF THE REPORT

The main body of this report is organized into three sections, which each discuss a central tenet of the program. These sections are preceded by an overview of the history of the SRC Program and a summary of the U.N. framework for basic rights, including the ICESCR, which we use as evaluating criteria (Section II). These international standards are particularly relevant to the SRC Program's goals and the Chiapas state government's development objectives. The first main section of the report (Section III) focuses on the implications of relocation on social and cultural rights and evaluates the provision of basic services. The second section (Section IV) addresses physical infrastructure, offering a systematic analysis on whether Santiago el Pinar's layout and housing meet the residents' right to adequate housing. The economic viability of SRC sites is examined in the third main section of the report (Section V) within the context of a right to employment and an adequate standard of living. The report concludes with a reiteration of the key findings and outlines recommendations that can be implemented to improve the ability of the SRC Program to conform to the international standards on economic, social and cultural rights (Section VI).

II. PROGRAM OVERVIEW

2.1 SOCIAL AND GEOGRAPHICAL OVERVIEW OF SANTIAGO EL PINAR

The municipality of Santiago el Pinar was created in 1999 as part of the Mexican federal government's municipal restructuring. (Instituto Nacional de Estadística y Geografía, 2010). Each of the municipality's thirteen localities elects two agents (*agentes*) to represent the locality's interests to the municipal president and to disseminate information to the locality from the municipal president (see Fig. 2.1 which shows a map of the municipality and some of its localities).

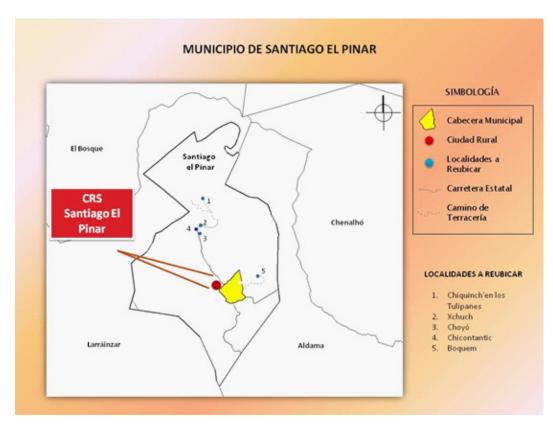


Figure 2.1 Municipality Map of Santiago el Pinar

Source: Ubicación Geográfica, Santiago el Pinar. Chiapas Gobierno del Estado. 2011.

The municipality has a total area of 16.5 square miles (Dirección General de Estadística, 2010) with an estimated total population of 3,245 people (Instituto Nacional de Estadística y Geografía, 2010). Furthermore, 41 percent of the population is under the age of 14 (Consejo Nacional de Población, 2010). In 2010, prior to the implementation of the SRC Program, 73 percent of the municipality's population lived in a rural setting (Consejo Nacional de Población, 2010). Additionally, 84 percent of the population lived in conditions of food poverty (Dirección General de Estadística, 2010).

In 2009, the only paved road in the municipality was an eight kilometer stretch of the state road that began in San Cristobal de Las Casas (Dirección General de Estadística, 2010). Prior to the SRC Program, the municipality did not have medical centers, outpatient facilities, or a hospital. By 2009, only 12 percent of households had access to safe drinking water, 95 percent of households had access to electricity, and 15 percent of households had access to drainage (Dirección General de Estadística, 2010). Further, 89 percent of households did not have a refrigerator, television, or washing machine, and only 0.01 percent of the population had a motorized vehicle. A full 94 percent of the municipality's population earned less than the minimum wage (Dirección General de Estadística, 2010).

2.2 THE SRC PROGRAM

The SRC Program was launched in 2009 as component of the larger state-wide Climate Change Action Program. In total, the SRC Program entails the development of between six and twenty-five prefabricated cities and community centers (Conant, 2011). While the SRC Program is a state initiative, an estimated 88 percent of its funding has come from the federal government (Reyes, 2010). According to the state government, these 'rural cities' are designed to "promote regional development, combat the dispersion and marginalization of local peoples, and play a significant role in making efforts cost efficient" (Tercer Informe de Gobierno del Estado de Chiapas, 2009). The SRC Program in the Santiago el Pinar municipality distributed resources unevenly across localities: some of them were relocated to the newly built area in the *cabecera*, other localities received partial support – mainly in the form of home improvements and some infrastructure projects and to a less extent new housing units were built – and finally some localities did not receive any resources.

The state government declared that the widespread dispersion of populations in Chiapas correlates with low levels of human development, high levels of social marginalization, and an overall backwardness of the local government (Tercer Informe de Gobieno del Estado de Chiapas, 2009). Furthermore, the state government argues that the dispersion of rural localities is a significant obstacle to providing basic health, education, and utility services (Reyes, 2010). The major objectives of the program, as outlined by the government of Chiapas' official report, are as follows: (1) to create cities in rural areas

in order to facilitate regional development; (2) to concentrate disperse populations living in areas that are at high risk for natural disasters; (3) to provide public services to rural residents; (4) to create job opportunities within the cities (productive projects) in order to employ the residents; (5) to diminish the destruction of the environment and ecosystems (Chiapas Gobierno del Estado, 2009).

The Chiapas state government has received praise from the United Nations and the federal government of Mexico for the SRC Program. U.N. Development Program (UNDP) official Mr. Villalobos Sanchez, who is in charge of disaster preparedness at the Chiapas field office, has called the SRC sites "a good option. [They] are an answer to disasters" (Conant, 2011). Furthermore, during a collaborative UN and Chiapas state government workshop on internal displacement, Mr. Chaloka Beyani from the U.N. High Commission for Refugees (UNHCR) credited Chiapas with "assuming a leadership position in many humanitarian aspects that also represent priorities for the United Nations system" (Cuarto Poder, 2011). Similarly, the Mexican National agency in charge of evaluating social development policy praised the Chiapas government, and in particular the SRC Program in Santiago el Pinar, as a successful example of a poverty reduction strategy (La Journada, 2011).

However, the program has been widely criticized by NGOs both in Chiapas and abroad, with most criticism grounded in the belief that the government is actually infringing upon the rights of the SRC residents. In an interview, Abraham Rivera Borrego, a social psychologist who worked for the recently disbanded think tank, Centro de Investigaciones Económicas y Políticas (CIEPAC) argues that "the project is a part of a regional integration strategy designed to move rural and indigenous people off their lands in order to gain access to strategic resources." (Conant, 2011a) He goes on to criticize the program for completely ignoring the realities of rural life due to its design, including housing, public space and agricultural conversion projects.

The second SRC site in Santiago el Pinar was inaugurated in late March 2011 and was selected by state officials because the municipality is one of poorest in the state of Chiapas. Within the municipality, four localities were relocated to the new SRC housing: Boquem, Chiquinch'en los Tulipanes, Chicumtantik, and San Antonio de Buenavista

(Instituto de Población y Cuidades Rurales, 2011). Additional investments were made in five other localities: Ninamó, Pusilhó, Santiago el Pinar, Nachón, and Pechultón. Six localities did not receive any support: Choyo, Santiago el Relicario, Xchuch, San Antonio de Buenavista, El Carmen, and K'alom¹. It remains unclear how particular localities within the municipality were selected to receive different levels of resources. Unlike the first SRC site at Nuevo Juan de Grijalva, which was an isolated construction project, the second SRC site was joined with the preexisting infrastructure in the *cabecera* of Santiago el Pinar. The SRC site at Santiago el Pinar now includes a central plaza with small stores, a health clinic, municipal government buildings and police headquarters, a church, a school, housing, greenhouses, and an assembly plant.

2.3 SOCIAL, CULTURAL, AND ECONOMIC RIGHTS

According to state government officials, the objectives of the SRC program are "based on the Millennium Development Goals of the United Nations, which in Chiapas are obligatory" (Tercer Informe de Gobierno del Estado de Chiapas. 2009). From the very beginning, the SRC Program has relied heavily on the United Nations for the promotion of the program. In 2009, the same year as the launch of the Climate Change Action Program, the government of Chiapas revised the state constitution to include a specific commitment to the U.N. Millennium Development Goals (MDGs), and official documents from the state government reiterate Chiapas' commitment to increasing development and eradicating poverty. Given that the MDGs originated from a rights-based approach to development, we believe it is pertinent to assess the SRC Program's goals and implementation through this same rights framework.²

While we cannot assess the overall outcomes of the SRC Program in Santiago el Pinar only nine months after the site's launch, we can evaluate how consistent the program's goals and implementation are with the rights approach that is advocated by the Millennium Declaration. One comprehensive treaty that encapsulates these rights is the International Covenant on Economic, Social and Cultural Rights (ICESCR) (Office of the U.N. High Commissioner for Human Rights [OHCHR], 1966).

¹ According to the SRC website, San Antonio de Buenavista has been relocated. However, according to our interviews, the locality has yet to receive any services.

² See Millennium Declaration produced by the United Nations, which basically states that every individual has the right to dignity, freedom, equality, and basic standards of living that include freedom from hunger and violence. The Declaration also encourages tolerance and solidarity.

The International Covenant on Economic, Social and Cultural Rights is divided into five parts. Part I addresses the right to self-determination: to freely determine political status and pursue economic and social objectives of one's choosing. It also condemns "the deprivation of a means of subsistence." Part II extends the aforementioned rights to any person, regardless of race, gender, religion, political affiliation, national origin, or birth/social status. It also establishes that the only condition under which these rights may be limited by law is for the purpose of supporting the general welfare of a democratic society. Part III lists individual rights, most of which fall into one of the overarching categories of labor rights, welfare rights, family rights, economic rights, housing rights, health rights, education rights, cultural rights, or food rights.

Each of the three main sections of this report examines the goals and implementation of the SRC site of Santiago el Pinar within the context of economic, social, and cultural rights. The relevant rights, as outlined in the different articles of the Covenant, appear in the report as follows:

- The social services and governance section addresses the right to selfdetermination (ICESCR, Article 1), the right to the highest attainable standard of physical and mental health (Article 12), the right to education (Article 13), and the right to take part in cultural life (Article 15).
- The physical infrastructure section examines the right to an adequate standard of living (Article 11) and incorporates the right to adequate housing, as outlined by the U.N. Office of High Commissioner on Human Rights (OHCHR) and U.N. Habitat.
- o The economic viability section addresses the right to work and gain a living, the right to choose one's employment, and the right to be free from hunger (Article 6).

III. GOVERNANCE AND SOCIAL SERVICES

This section is divided into two main parts. In the first section, we explore the extent to which the SRC Program incorporates local participation and transparency into the relocation process. Through our research, we examine how far the relocation process complies with the rights to self-determination and cultural expression, as described in the ICESCR. In the second section, we evaluate the degree to which households, once they have undergone relocation, have gained access to improved access to health, education, and basic urban infrastructure, given that the provision of these basic services is one of the main goals of the SRC Program. We examine these basic services in relation to the rights enumerated in the ICESCR.

3.1 PARTICIPATION AND TRANSPARENCY

"All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."

ICESCR Part I, Article 1

The ICESCR promotes the right of all people to self-determination, which is not possible without transparency. Without access to accurate information, people are unable to make informed decisions (Takesada, 2009). The SRC Program recognizes the importance of participation, which makes the issue of transparency and access to information particularly relevant. In particular, the SRC Program's plan for relocating people was designed to be participatory to account for "processes in which society, individuals and organizations are actively incorporated in definition and execution of actions, works and projects" (Ciudades Rurales Sustentables y Villas Rurales, n.d).

According to our interviews with local officials, specific steps were taken during the planning period in order to ensure transparency and participation. In December 2009, the Chiapas state government invited municipal heads from the 28 most marginalized municipalities to an SRC planning meeting. During the meeting, the municipal presidents were asked what their communities needed and were shown the newly built houses in Nuevo Juan del Grijalva, the first SRC site. The presidents were asked whether or not they wanted the new houses and improved infrastructure in their municipalities. The state

government requested that municipal presidents translate all information and decrees about the SRC Program into Tzotzil, the primary indigenous language in Santiago el Pinar and disseminate it to residents. According to interviews with municipal officials, the state and municipal officials then consulted residents and the *agentes* of each locality on the needs of the community and their desire to be included in the SRC Program. A month after this meeting with the municipal presidents, the Chiapas state government began construction of the SRC site at Santiago el Pinar.

During the consultation period, municipal representatives were asked to make decisions regarding the program based upon the houses built at the Nuevo Juan de Grijalva SRC site. However, the houses ultimately constructed in Santiago el Pinar are much smaller than those of Nuevo Juan de Grijalva (De Leon et al, 2010). Our research also reveals that the quality of the construction materials used in Santiago el Pinar is inferior. Residents from the locality of Choyo reported that they would rather live in their traditional self-built houses, constructed from adobe-block and wood, than transition to those provided at the Santiago el Pinar SRC site.

Despite the Chiapas state government's request that information on the SRC Program be translated and distributed around Santiago el Pinar, interviews with residents and agentes from Choyo and Xchuch indicated that they never received any information in Tzotzil or Spanish prior to the start of construction. A municipal official initially declared that he had translated all materials, but he later withdrew his claim. Furthermore, municipal officials reported that every locality that wanted to participate in the program had been offered the opportunity; however, residents from Choyo complained they had neither received any information nor been offered resources or infrastructure from the SRC Program. Agentes were informed that their localities would not be able to participate in the SRC Program later on, but they received no further information on who had made the decision or by what criteria localities had been selected.

Through interviews in Choyo, we found that many residents had been misinformed about the amenities that were included in the new SRC houses. Certain residents believed that the houses were equipped with telephones, televisions, refrigerators, and computers. Some residents in Choyo stated that they did not want to be relocated and they are

currently unaware that their locality is planned to be relocated to the *cabecera* (Ciudad Rural Sustenable Santiago el Pinar, 2011). These findings lead us to conclude that there is still a lack of transparency surrounding the goals and implementation of the SRC Program. A lack of transparency deprives residents of important information that allows them to make informed decisions that affect their lives and the lives of their families, thus depriving them of their right to self-determination.

3.2 RELOCATION AND CULTURAL RIGHTS

"All peoples have the right of self-determination. By virtue of that right they feely determine their political status and freely pursue their economic, social, and cultural development."

ICESCR Part I, Article 1

"The States Parties to the present Covenant recognize the right of everyone: (a) To take part in cultural life."

ICESCR Part III, Article 15, Section 1, Subsection A

One of the primary goals of the SRC Program is to "concentrate dispersed or at risk communities in order to provide services," (Instituto de Población y Cuidades Rurales. 2011), which has resulted in the relocation of many dispersed populations of Santiago el Pinar. According to interviews with various government officials, relocation to the SRC site is a completely voluntary process. However, the decision to be relocated is made at the local level, and all residents must unanimously agree either to move or to stay. Given that the majority of the population in Santiago el Pinar is indigenous, the SRC relocation process should give consideration to issues of cultural heritage and language acquisition.

Currently, there is no provision within the SRC Program for the development of services in localities that were not relocated or do not receive partial support³, nor were services offered to localities as an alternative to relocation. The lack of alternatives leaves localities with only two choices — relocate and receive improved services or choose to not relocate and receive nothing. While the decision to relocate is arguably voluntary on its own, it becomes increasingly less voluntary when made under financially and socially strained conditions (Cernea, 1993).

³ Localities that received partial support were provided with improved infrastructure, such as running water, waste disposal, and paved roads but were not asked to relocate.

The process of relocation can have long-lasting negative consequences for the resettled population and the original inhabitants of the resettlement site. Oftentimes, relocated populations lack land, jobs and houses, face increasing marginalization, disarticulation, and experience losses in education and food security (Cernea, 2003). While these risks are not unique to relocated populations, the relocation process exacerbates their effects. Populations that were relocated to the Santiago el Pinar SRC site had to transition from living in a small dispersed locality to a larger, more densely-populated 'rural city' setting. This shift in lifestyle affects the social structures, community organization, and land access of the relocated population (Gbre, 2003). The relocation process removes families from their farmlands and many SRC residents regularly travel the long distance back to their original plots to grow food. This disrupts the family cohesiveness and negatively affects the traditional family structure.

In addition to the general problems associated with relocation projects, there are significant cultural implications in separating rural and indigenous populations from their lands (Conant, 2011). The U.N. Declaration on the Right of Indigenous Peoples calls upon states to "consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them." (United Nations [U.N.], 2008). In addition to being removed from their lands, relocated populations are often separated from immediate family. During our visit to Santiago el Pinar, we spoke with families who had been relocated and had to leave their elderly relatives behind. Multigenerational households are an important factor in preserving indigenous language and cultures, since older generations are more likely to speak in indigenous dialects (Crawford, 1995). The education system is another way in which the indigenous cultures of Chiapas can be protected, either through changes in the curriculum or a focus on bi-lingual education. While the SRC Program improves educational infrastructure, the curriculum is under the purview of the federal government. The SRC Program documents do not address the need for educational content sensitive to indigenous culture and right to education taught in the native language.

3.3 THE RIGHT TO HEALTH AND EDUCATION

"The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health."

ICESCR, Part 3, Article 12, Section 1

"The States Parties to the present Covenant recognize the right of everyone to education."

ICESCR, Part 3, Article 13, Section 1

The ICESCR outlines the rights to health and education that should be afforded to every individual. Article 12 of the Covenant describes several steps that state parties should take to realize this right, including a reduction in child mortality, improving the environment, and guaranteeing medical services and attention in the event of illness. Article 13 goes on to describe the educational rights of individuals. The article provides further guidance by stipulating that basic education should be compulsory and free, while all other education should be provided and encouraged in a manner accessible to all. Article 14 requires each signatory government to provide, within two years of signing the Covenant, a detailed plan of action to reach the goals outlined in Article 13 (OHCHR, 1966).

The SRC Program's goals are to "create a subsystem of sustainable rural cities that allows for the concentration of dispersed localities, facilitates the provision of basic services, promotes good governance and social cohesion, and allows for better use of public resources" (Instituto de Población y Cuidades Rurales. 2011). The program aims to provide basic educational, health, and telemedicine services, using modern technology and up-to-date medical equipment (Instituto de Población y Cuidades Rurales. 2011). Access to necessary basic urban infrastructure services, such as a public water supply, drainage and sewage treatment, and household waste disposal are also central tenets of the SRC Program.

Based on field-observations, our research suggests that the implementation of the SRC Program has led to improved educational and health facilities in Santiago el Pinar. New schools have been built and they appear to be well staffed. Furthermore, the SRC Program constructed a new hospital and provided two ambulances to the municipality

of Santiago el Pinar. While the new hospital provides advanced medical services, the preexisting health clinic continues to operate in the area and provides basic health services to patients. The educational and health facilities are located in the *cabecera* and are accessible to the larger municipality population beyond the SRC site. The SRC Program has, by increasing the availability of these services, upheld the rights to health and education.

In addition to improved educational and health facilities, the SRC Program guarantees basic services such as access to fresh water, sewage services, and household waste disposal. While the infrastructure for these services is in place, we observed that few of the services are actually available for residents. We found that the water treatment and storage plant built in Santiago el Pinar are no longer functioning, resulting in piped water being cut-off from houses in the SRC site and the *cabecera*. Officials have given no timeline for repairs, and one resident reported fetching water from a nearby sinkhole. While toilets in the houses were connected to sewage drains, residents claimed that the system often clogs and overflows during heavy rains. In terms of waste disposal, the Chiapas state government provided Santiago el Pinar with a garbage truck to remove household waste. However, municipal officials reported that a landfill had not been properly designated or constructed for the proper disposal of this waste. Instead, household waste is being deposited in what officials called a 'lugarcito' or little place.

In sum, residents at the SRC site have in fact gained improved access to health and educational services, but there are serious concerns over the physical infrastructure. The extent to which the physical infrastructure, including housing and communal facilities, is inadequate is described in the following section of the report.

3.4 CONCLUSION

While the SRC Program has increased the availability of health and educational services, addressing the rights to health and education as outlined in the ICESCR, the relocation process has resulted in the violation of the rights to self-determination and cultural expression. The program has not included sufficient participatory processes in its implementation, as it has claimed to do, and we have identified several areas in which the program is negatively affecting the populations it sets out to assist through

the inadvertent effects of relocation. The lack of participation, transparency, and consideration of indigenous populations violates cultural rights and the right to self-determination delineated in the ICESCR. We believe that these issues pose a serious threat to the sustainability of the SRC Program.

The target population may be better served if the program were to provide services and infrastructure improvements to preexisting localities instead of relocating these localities an SRC site. Even if it has been determined by the government and the affected localities that relocation is the best means for providing basic services, then the participation of local residents in the implementation process may greatly improve the longevity of the SRC Program and circumstances of relocation. Increased participation, in addition to increased transparency, would encourage adherence to the self-determination rights outlined ICESCR as well as aid the sustainability of future SRC sites.

IV. PHYSICAL INFRASTRUCTURE

4.1 THE RIGHT TO ADEQUATE HOUSING

"The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions."

ICESCR, Article 11

While the ICESCR Article 11 recognizes the right to adequate housing, the Office of the U.N. High Commissioner for Human Rights (OHCHR) and U.N. Habitat provide a more detailed description that is appropriate for the SRC Program. The OHCHR states the right to adequate housing as the "protection against forced evictions and the arbitrary destruction and demolition of one's home; the right to be free from arbitrary interference with one's home, privacy and family; and the right to choose one's residence, to determine where to live and to freedom of movement" (OHCHR, 2009). In 2003, U.N. Habitat laid out their goals on adequate shelter for all in their 'Agenda Goals and Principals, Commitment and the Global Plan of Action' document. The U.N. Habitat Agenda declares⁴:

Adequate housing also means adequate privacy; adequate space; physical accessibility; adequate security; security of tenure; structural stability and durability; adequate lighting, heating and ventilation; adequate basic infrastructure, such as water-supply, sanitation and waste-management facilities; suitable environmental quality and health-related factors; and adequate and accessible location with regard to work and basic facilities: all of which should be available at an affordable cost. (U.N. Habitat, 2003: 22)

The factors discussed by U.N. Habitat, OHCHR and ICESCR provide a comprehensive checklist for how adequate housing can be evaluated to determine whether SRC housing is consistent with the rights of the population (Table 4.1). This checklist of seven factors is reaffirmed in the OHCHR and U.N. Habitat's joint publication, 'Indigenous People's Right to Adequate Housing: A Global Overview,' (U.N. Habitat & OHCHR, 2005), which is especially relevant to the case of Santiago el Pinar because of the municipality indigenous population.

⁴ ttAgenda Goals and Principals, Commitment and the Global Plan of Action' was the result of discussions as the second U.N. Conference on Human Settlement, Istanbul, June 1996.

Table 4.1 Seven Factors to Determine Adequate Housing (U.N. Habitat & OHCHR, 2005).			
Legal security of tenure		"Notwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats." (We will not focus on this particular factor in this report).	
Availability of services, materials, facilities, and infrastructure		"An adequate house must contain certain facilities essential for health, security, comfort and nutrition [including, inter alia, access to] safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, refuse disposal, site drainage and emergency services."	
Affordability		"Personal or household financial costs associated with housing should be at such a level that the attainment and satisfaction of other basic needs are not threatened or compromised States parties should establish housing subsidies for those unable to obtain affordable housing, as well as forms and levels of housing finance which adequately reflect housing needs. Tenants should be protected by appropriate means against unreasonable rent levels or rent increases."	
Habitability		"Adequate housing must be habitable, in terms of providing the inhabitants with adequate space and protecting them from cold, damp, heat, rain, wind or other threats to health, structural hazards, and disease vectors. The physical safety of occupants must be guaranteed as well."	
Accessibility		"Adequate housing must be accessible to those entitled to it. Disadvantaged groups must be accorded full and sustainable access to adequate housing resources. [Disadvantaged groups] should be ensured some degree of priority consideration in the housing sphere. Both law and policy should take fully into account the special housing needs of these groups."	
Location		"Adequate housing must be in a location which allows access to employment options, health-care services, schools, child-care centers and other social facilities. Similarly; housing should not be built on polluted sites or in immediate proximity to pollution sources that threaten the right to health of the inhabitants."	
Cultural Adequacy		"The way housing is constructed, the building materials used and the policies supporting these must appropriately enable the expression of cultural identity and diversity of housing. Activities geared toward development or modernization in the housing sphere should ensure that the cultural dimensions of housing are not sacrificed."	
I			

In addition to improving the provision of services to dispersed localities, the SRC Program aims to relocate households from precarious living conditions in those localities. It was the Chiapas state government that determined that the physical space in the localities was unfit for living and that the SRC site would better meet the population's right to adequate housing. This section will discuss the extent to which the current site conditions in Santiago el Pinar meet the international standards for adequate housing.

4.2 SITE CONDITIONS

a. RESIDENCES

As shown in Figure 4.1, the Santiago el Pinar SRC site has a linear-grid design that stretches up a hillside, which can present severe environmental issues. Although the initial program originated from the Chiapas state government's 2009 Climate Change Action Program and was designed to protect residents from climate related disasters, this SRC site is vulnerable to erosion and landslides. The residents of Santiago el Pinar could potentially become victims of the disaster the program claimed would be avoided by the relocation.

When it rains, the water-flow is forced to concentrate because of structures blocking the natural drainage system. The lack of a proper drainage system can lead to increased risks of landslides, which have the capability to destroy houses and agricultural land. The site has already started to display early signs of erosion, as seen beneath the house in Figure 4.2. Residents have reported concerns about the region's vulnerability to heavy rainfall and mudslides: "if heavy rain comes and brings down the hill, these houses won't hold up at all" (Conant, 2011). Overtime, this ground erosion will lead to the exposure of electrical systems that were buried at a shallow depth and the crumbling of the foundation, which compromises the safety of the entire structure.



Figure 4.1 View of Santiago el Pinar

Source: Authors' own.



Figure 4.2 Soil erosion under an SRC site house

The position of the SRC site on a hillside also has social implications for the relocated communities. Accessibility is one of the seven factors in the "Indigenous People's Right to Adequate Housing" that defines adequate housing. In particular, the publication emphasizes that "disadvantaged groups must be accorded full and sustainable access to adequate housing resources and should be ensured some degree of priority consideration in the housing sphere" (U.N. Habitat & OHCHR, 2005). Although the residents in the area are used to living on hillsides, due to the natural topography of the Chiapas region, the construction of Santiago el Pinar does not take into account the special needs of the elderly, injured, pregnant, or small children. For these groups, mobility, and therefore accessibility to basic services, can be severely hindered by the design of the site. In constructing a new development, the SRC Program neglected to provide housing that is accessible for all. This is a missed opportunity considering the SRC Program's mission to sustainably improve welfare conditions.

The nearby indigenous localities are self-built and are characterized by common spaces between homes where people socialize and work (Fig 4.3). In contrast, the plan for the SRC site involves a layout that is not conducive to community interactions (Fig 4.4). The SRC site lacks communal space in between homes and restricts residents' abilities to raise livestock, hang their laundry, or socialize. The land between the homes is also too steep and contains too many rocks to allow families to cultivate a small subsistence crop (Conant, 2011) and women cannot use the space to complete household chores.



Figure 4.3 typical common space found in Choyo



Figure 4.4 Problematic positioning of SRC houses on the steep slope.

Source: Authors' own.

b. COMMUNITY FACILITIES

The Santiago el Pinar SRC site includes a central plaza with small stores, a health clinic, municipal government buildings and police headquarters, and a church located at the base of the hill (Fig 4.5). During our visit to the central plaza, we noticed that the space allocated for a marketplace and several small convenience stores were not actively in use. Most of the store fronts that looked onto the marketplace were closed and only the small convenience stores were open, which sold packaged food items, bread, and daily necessities. A small fresh fruit and vegetable truck was parked by the central plaza, which served as the plaza's only source of fresh food.

Location is another factor on the adequate housing checklist and it states that "adequate housing must be in a location which allows access to employment options, health-care services, schools, child-care centres and other social facilities" (U.N. Habitat & OHCHR, 2005). On paper, the SRC Program does meet these location characteristics but in reality, it is evident that the public space is not being used. During the designing phase of the SRC site, the program missed the opportunity to engage residents in a local community participatory process, which could have incorporated local needs and resulted in a more

effective public space. Since the space was designed with little to no participation with the local community, it is in fact not meeting their needs for public space.

The agricultural productive projects that were established as part of the SRC Program are positioned at the highest point of the site (Fig 4.6). It is intended that the fields and greenhouses provide a space for relocated families to grow crops that are sanctioned by the state government. However, the hastily built fields and the greenhouses lack a proper irrigation system so members of the local community are working to create paths for water from the greenhouses to the farms.

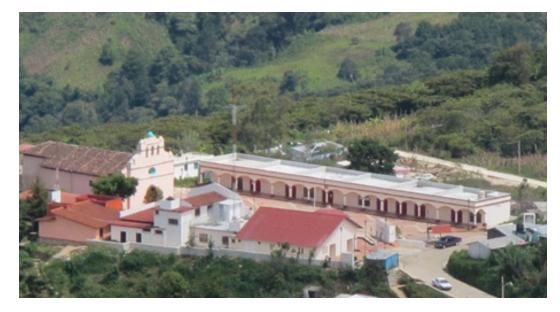


Figure 4.5 The plaza central church, market-place and municipal offices

Source: Authors' own.



Figure 4.6 The digging of an irrigation ditch at one of the SRC site's affiliated farms

4.3 HOUSING CONDITIONS

a. DESIGN

There are significant differences between the design of the houses at the SRC site and those in nearby localities, such as Choyo. As evident in Figure 4.7, residents in Choyo use the flat roofs on houses to dry corn. In contrast, the newly built houses at the SRC site have steep roofs, which make drying corn impossible. In addition, the front porches of SRC houses are too small for household work or for children to play on. With only 30 cubic meters of floor-space (Conant, 2011), the houses have little space for the kitchen, bathroom, living room, and two bedrooms. These houses are cramped and unsuitable for the large families present in the municipality. Outside the house, there is little practical space for the family to use recreationally. "Another aspect fundamental to the indigenous culture is cultivating and eating corn, and it's clear that [residents] will have no land to plant corn to eat, nor will they be able to make tortillas in the house, because tortillas are cooked over firewood" (Conant, 2011). Many families have opted to build small makeshift kitchens outside their residences so they are able to cook in the manner they are accustomed to.





Figure 4.7 Contrasting rooftops of homes in the SRC site (left) and Choyo (right)

In our discussions with SRC residents, they conveyed that they had no input into the design of the houses. The lack of participation in the SRC Program's implementation has been discussed in the previous section and is extended in this section to include a lack of consultation in the design of the SRC site's physical infrastructure. The current design of the houses in Santiago el Pinar, shown in Figure 4.8, did not incorporate any input from community members. During field visits, we collected information from residents of Choyo on the necessary changes that would make the SRC houses more habitable. We generated three-dimensional sketches based on this input of how the current design of the SRC houses could be adapted to include the important design elements found in the indigenous localities (Fig. 4.9). This second design makes use of local materials such as adobe block and includes a flatter roof and larger porch. The roof would allow space to dry corn, a food production technique employed by the indigenous communities, and a porch large enough for families to gather for work and children to play. The small shed beside the house provides families with an alternative kitchen space or storage.

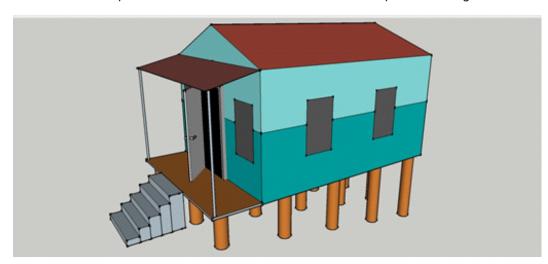


Figure 4.8 Current design of the SRC houses

Source: Authors' own.



Figure 4.9 Improved design of potential SRC house.

b. MATERIALS AND CONSTUCTION

The materials used for the construction of houses at the SRC site were not identified as local. In contrast, residents of Choyo constructed their own houses with adobe block and wood with tin-roofs. During our visit, we found an SRC resident who had built a small new home adjacent to his plot because he found both the materials and construction of the SRC house to be inadequate. However, most other SRC residents do not have the capital or space available to build a second home for themselves.

The poor quality of the construction materials being used for the SRC houses has resulted in fragile building that will not last long without constant repairs and replacement. The stilted houses have been critiqued for being built of chipboard "rather than walls of brick" (Conant, 2011). The chipboard being used is slowly eroding in the wet soil and the orientated-strand board (OSB) being used for the floorboards has shown signs of absorbing water (Fig 4.10). The use of these materials, combined with a poor design, has resulted in an insecure home, which violates the cultural adequacy factor on the adequate housing checklist. Cultural adequacy refers to how the "housing is constructed, the building materials used and [that] the policies supporting these must appropriately enable the expression of cultural identity and diversity of housing. Activities geared toward development or modernization in the housing sphere should ensure that the cultural dimensions of housing are not sacrificed." (U.N. Habitat & OHCHR, 2005). Since the construction materials being used for the SRC housing are neither local nor respectful of cultural practices, such as outdoor cooking spaces, the program falls short of providing culturally adequate housing.

With large amounts of rain in the area, the oriented-strand board (OSB) is seen to visibly swell with water (Fig 4.10), weakening the structure and acting as a host to bacteria and mold within the house. This is particularly problematic when sewage backs up from the toilet as it can seep into the floor and create a breeding ground for bacteria (Fig 4.11). Given that most SRC houses were only completed nine months ago, the extent of the damage is alarming. The habitability factor of the adequate housing checklist states that "housing must... protect them from cold, damp, heat, rain, wind or other threats to health, structural hazards, and disease vectors. The physical safety of occupants must be guaranteed as well." (U.N. Habitat & OHCHR, 2005: 40) At the most elementary level,

the SRC housing does provide shelter. However, the poor choice of materials that makes itself host to various bacteria and mould, with deteriorating foundations due to erosion and cramped spaces, the houses cannot be considered safe over a long period of time.

In addition to the lack of sustainability with materials, the construction of the homes is deemed unsatisfactory when compared with the habitability and availability of services, materials, facilities, and infrastructure factors of the adequate housing checklist (see Table 4.1). Poor construction of the house itself (Fig 4.12) and the improper installation of windows (Fig 4.13) increases the exposure of residents to the cold, damp, heat, rain, and wind.





Figure 4.10 OSB floorboard with visible water absorption

Figure 4.11 Typical toilet and shower of an SRC site residence

Source: Authors' own.

During a thorough examination of the SRC houses, we observed that many of them did not have adequate access to water, electricity, and sanitation facilities, despite the provision of these services being an aim of the SRC Program. The availability of these services is seen as a critical part of the availability of services, materials, facilities, and infrastructure factor on the adequate housing check-list: "An adequate house must contain certain facilities essential for health, security, comfort and nutrition... [including, inter alia, access to] safe drinking water, energy for cooking, heating and lighting,

sanitation and washing facilities, means of food storage, refuse disposal, site drainage and emergency services" (U.N. Habitat & OHCHR, 2005). Although there are pipes going in and out of the houses, there was no running water in the houses themselves. Furthermore, this resulted in the flush-toilets being unable to work. Several houses had disconnected their pipes as shown in Figure 4.14, and several residents informed us that the water-tanks were often stolen from beneath the homes. Finally, we observed that there was no access to effective storage facilities, for either food or other items in the houses.





Figure 4.12 The protruding nails and broken exterior walls of an SRC home

Source: Authors' own.





Figure 4.13 The crooked window of an SRC residence (with a visible gap between the window frame and wall)

Figure 4.13 Disconnected waterpiping on the exterior of an SRC residence

Source: Authors' own.

4.4 CONCLUSION

Although the SRC Program aims to provide improved housing for residents, there are serious safety concerns regarding the layout of the site and the design, quality of materials and construction of the houses and physical infrastructure. This section

compared the relevant factors of the adequate housing checklist housing against the site conditions in Santiago el Pinar. Although the SRC housing program does meet the requirements for affordability and location, it falls short on habitability, accessibility, cultural adequacy and the availability of services, materials, facilities and infrastructure (see Table 4.2).

Table 4.2 Physical Infrastructure Summary Table.					
Legal security of tenure	This section does not focus on this particular factor.				
Availability of services, materials, facilities, and infrastructure	Although the SRC does provide some facilities for health, it does not provide safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, refuse disposal, or adequate site drainage.				
Affordability	The SRC housing is provided to the residents free of charge and therefore is in compliance with the guidelines.				
Habitability	The SRC housing does not comply with habitability. Residents are not provided residents with adequate space or protection from cold, damp, heat, rain, wind or other threats to health, structural hazards, and disease vectors. The physical safety of occupants is currently not assured in the houses.				
Accessibility	The SRC site is accessible to most people, but the program missed the opportunity to design a site that is also accessible to disadvantaged groups such as pregnant women, small children, and the elderly.				
Location	The extent to which the SRC Program has provided residents with access to employment options, health-care services, schools, child-care centers and other social facilities is recorded in other sections of this report.				
Cultural Adequacy	The SRC houses do not comply with cultural adequacy. The houses are not designed to accommodate large families or the indigenous life-style. Local construction materials such as adobe block are not used.				

In sum, we conclude that the SRC housing at Santiago el Pinar does not meet the international standards understood to be part of the right to adequate housing (see Table 4.2). Furthermore, the Santiago el Pinar site plan and location are not conducive to forming social ties and community. The steep slope and lack of communal space makes it extremely difficult for residents to interact with one another close to their

homes, as they do in localities such as Choyo. The SRC Program's goals and the right to adequate housing can be met at Santiago el Pinar and future sites if the SRC sites if they are designed with careful consideration for the standards laid out by U.N. Habitat and OHCHR. With space for residents to interact, houses built to accommodate all family sizes, and long lasting materials and sustainable construction practices are employed, The SRC Program could provide the necessary improved housing conditions for SRC residents in poor communities in Santiago el Pinar.

V. ECONOMIC VIABILITY

In this section, we evaluate the SRC Program's initiative to create employment opportunities for residents and identify where this initiative falls short. We also examine the food security risks associated with relocation and the transition from a subsistence mode of production to an urban market economy.

5.1 THE RIGHT TO EMPLOYMENT AND ADEQUATE STANDARD OF LIVING

"The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right."

ICESCR, Part III, Article 6, Section 1

"The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions."

ICESCR, Part III, Article 11, Section 1

Articles 6 and 11 of the ICESCR specifically outline an individual's right to gain an adequate standard of living through work and the Mexican government's obligation to take the appropriate steps to ensure the realization of this right. The SRC Program aims to alleviate rural poverty through the creation of employment opportunities for its residents. A stated goal of the program is to provide sufficient income-generating opportunities so residents do not have to leave the SRC site to find employment or return to their farmlands (Social Communication Institute, 2011). As part of the program, several productive projects have been established at the SRC site, including a number of agricultural projects concentrated on export-oriented cash crops and non-agricultural projects focused on creating wage labor and entrepreneurial opportunities for residents.

5.2 EXISTING PRODUCTIVE PROJECTS

Agricultural projects at the SRC site include four chicken coops (*granjas*) and a coffee collection center (*centro de acopio de café*) for storing, weighing, and selling locally produced coffee. Additionally, four greenhouses are intended to produce fruit and flowers. Though, a resident working in the greenhouses informed us that they only produce roses. Non-farm projects include a furniture and tricycle assembly plant (*ensambladora*) and a small convenient store (Super Chiapas) located in the central plaza. There is also space

within the SRC site to accommodate small businesses in a newly constructed plaza near the hospital. Since these businesses have yet to be established, we have excluded them from our analysis. All productive projects were developed by the Chiapas state government and are organized as cooperatives.

Our findings indicate that the productive projects do not provide an adequate number of jobs for SRC residents. We found that not all localities within the municipality have their own productive projects, so residents take turns working for the SRC site's productive projects. Furthermore, we were told that the *ensambladora* has the capacity to support 150 workers, but currently employs 300. A local news article reported the following complaint, which was echoed by interviewees at the SRC site: "the land is not good for planting, and outside the *ensambladora*, there are no jobs" (Mirada Sur, 2011). We were unable to obtain clear information about how residents of the municipality are selected to participate in the productive projects or if relocated residents are given priority for jobs over those who were not relocated. Nevertheless, the lack of adequate employment opportunities and unclear job selection criteria is a source of frustration and disappointment for many residents.

Our research suggests that, in addition to an inadequate number of jobs, the productive projects do not provide enough income to sustain a household or keep residents from leaving the SRC site to supplement their income. We found that men in many relocated households frequently return to their previous residences to farm their land. For example, one resident told us that he travels four kilometers regularly to farm his agricultural plot and then sells what he grows, most of which is corn, to make a living.

Furthermore, residents working for agricultural productive projects have greater difficulty earning a stable income than residents working in non-agricultural projects. We found that several workers had abandoned the greenhouses because they were unable to earn sufficient income. While workers in the *ensambladora* earn a steady 3,000 pesos per month in wages (Social Communication Institute, 2011), agricultural workers only generate income from the crops they are able to sell during harvest season. Crop size varies throughout the year, resulting in significant fluctuations agricultural workers' wages. One greenhouse worker indicated that he generally sells 20 roses for about 10 pesos.

After his most recent harvest, however, he was able to sell 20 packets of 25 roses for a total of 200 pesos.

While the *ensambladora* provides greater and more stable income for residents, it lacks long-term sustainability as it is owned and heavily subsidized by the Chiapas state government. Based on our research, it is clear that the *ensambladora* does not operate like a for-profit cooperative and that the state government is the only buyer of tricycles and furniture produced by the plant. The employees' wages are paid for with government funds. As a result, some interviewees expressed concern that manufacturing jobs may disappear as government funding priorities change under different political leadership after the upcoming gubernatorial election in December 2012.

Despite the unsustainable nature of the *ensambladora* in Santiago el Pinar, the Chiapas state government recently opened a similar facility in Nuevo Juan del Grijalva that will produce tricycles, chairs, and tables. The training program for this new facility was set to begin in late November 2011. When the program is over, there will be a selection process to hire qualified workers. According to Chiapas Governor Juan Sabines Guerrero, priority will be given to hiring one person per family, with equal opportunities for both men and women and people of all ages (Perfil Fronterizo, 2011).

5.3 SRC COOPERATIVES

The productive projects established under the SRC Program are set up as cooperatives; therefore, we decided it would be most effective to evaluate the projects using key criteria—specifically, main factors of success—from the literature on cooperatives. According to the International Cooperative Alliance, a cooperative is defined as "an autonomous association of persons united voluntarily to meet their common economic, social, and cultural needs and aspirations through a jointly-owned and democratically-controlled enterprise" (International Cooperative Alliance [ICA], 2010). Cooperatives are based on the principles of "self-help, self-responsibility, democracy, equality and solidarity" (Tanzanian Federation of Cooperatives [TFC], 2006) and can often be a means for group empowerment (Food and Agriculture Organization [FAO], 2006).

It is not surprising that the Chiapas state government decided to set-up the SRC productive projects as cooperatives since the structure can be beneficial to both farm and non-farm producers through training programs in management and entrepreneurship and better access to markets and technologies. In agriculture, cooperatives can help increase the bargaining power of smallholder farmers with respect to land security rights, control over production, and market prices. They often allow farmers to negotiate higher prices for their crops and lower prices for agricultural inputs, such as seeds, fertilizer, pesticides, herbicides, and equipment (World Food Program [WFP], 2011).

Cooperatives have emerged as a relatively safe and sustainable means of protecting small producers and integrating them into Mexico's free-market economy (Godoy, 2011)⁵. Through the SRC Program, the Chiapas state government has demonstrated its interest in strengthening local producers by structuring its farm and non-farm productive projects as cooperatives. However, the SRC cooperatives in Santiago el Pinar face major limitations because they lack many of the key factors required for their success, as outlined in Table 5.1.

⁵ Since Mexico's trade liberalization under NAFTA in 1994, many small producers, especially smallholder farmers, have had difficulty competing in international markets (Solis, 2005).

Table 4.1 Seven Factors to Determine Adequate Housing (U.N. Habitat & OHCHR, 2005).

Government Support

"The government must provide the legal environment and support, including basic services and financial assistance, necessary for effective cooperative development (USAID, 1985; U.N., 2011). While government investment and involvement in the development of cooperatives is often critical, efforts should encourage a 'member owned and member managed' approach. Government actors must shift ownership and control to cooperative members to ensure that the autonomous and democratic nature of the cooperative is maintained (OCDC, 2009).

Democratic Governance

Cooperative membership should be voluntary and non-discriminatory. Further, cooperatives should be jointly owned by all members and democratically organized so that all members are given the opportunity to participate in decision-making (UN, 2011; ICA, 2010). Some traditional societies may have cultural institutions and norms that negatively impact cooperative governance and membership (USAID, 1985). It is important that cooperative managers are aware of these effects and try to mitigate them as much as possible.

Education and Training

Continuous education and training strengthens the productivity and competitiveness of cooperatives by developing workers' technical, entrepreneurial, and managerial skills (ILO, 2008; OCDC, 2009; Buse & Ludi, 2008). Supportive training ensures that cooperatives avoid common mistakes, acquire the skills to successfully lead and operate autonomously (UN, 2009), and understand how to meet the quality standards for export in a global economy (ILO, 2008).

Infrastructure

Successful cooperatives require adequate infrastructure for producing and distributing goods, including improved roads, electricity, water and sanitation systems, and communication technologies such as telephone and internet access (OCDC, 2009; Patrinos, 2007). The development of communication technologies is particularly important for isolated rural producers because it helps them gain access to markets and provides information on market conditions (Wiggings & Hazell, 2008; Driven, 2011).

Market Access

Cooperatives must be able to link local producers to robust markets. This requires improved access to information about market conditions. Effective cooperatives enable producers to collectively negotiate higher prices in the market place, reduce marketing and information-gathering costs and enter into high-value supply chains that they would otherwise not have access to as individuals (UN, 2009).

Although the Chiapas state government has provided the funding and support to establish cooperatives within Santiago el Pinar, we found that the SRC Program cooperatives are inconsistent with the criteria for success described under the first two factors outlined in Table 5.1 (Government Support and Democratic Governance). For instance, the SRC cooperatives are owned by the government and were imposed without giving residents the opportunity to participate in the planning process. Consequently, there is a clear disconnect between the government's top-down approach to developing cooperatives and the elements that traditionally characterize successful cooperatives, such as joint ownership, democratic decision making, member participation, and autonomy.

With respect to governance, our findings indicate that SRC cooperatives are not democratically controlled and that a few select individuals make most of the decisions. We found that cooperatives in Santiago el Pinar are typically organized around local politics and customs, which means that political parties and families manage the projects on their own terms. Therefore, cooperative management and membership largely depend on party and family connections, which tend to be very hierarchical and male-oriented. For example, one resident explained that everyone working at the *ensambladora* is from Alliance for Mexico, not from the Institutional Revolutionary Party (PRI)⁶. We were told that the men have taken over the *granjas* projects, which were originally established as a female empowerment project.

As outlined in Table 5.1, other factors for success include training and infrastructure. Workers at the SRC cooperatives in Santiago el Pinar can voluntarily participate in a training program for 15 days without salary prior to employment. Training services are provided by Iniciativa de Política Pública para México y América Latina (IPPMAL), a private company currently under contract with the government. Unfortunately, federal officials informed us that this contract will expire at the end of December 2011 and there is no formal plan to continue training services in the long-run. Moreover, a greenhouse worker indicated that only two of the four greenhouses are in operation and the broken

^{6 [1]} Alliance for Mexico is a grouping of multiple political parties in Mexico that includes the Party of the Democratic Revolution (PRD), the Labor Party (PT), the National Action Party (PAN), and Convergence. The Institutional Revolutionary Party (PRI) is the party in Mexico that was established during the Mexican Revolution. PRI stayed in power for six decades before democratic transition took place in 2000."

water system had resulted in his crop of roses dying. Even after he spoke to the director of the project about the issue, the water has yet to be fixed. Thus, our findings suggest that while the Chiapas state government provides training and infrastructure to support the SRC cooperatives, these services are unreliable and are not meeting the workers' right to sustainable employment.

The final factor required for success discusses connecting local producers to markets. We found that the greenhouses and *granjas* cooperatives have been able to penetrate regional markets in neighboring cities, but almost none of their goods are sold locally. For instance, we were told that roses are sold in San Andrés Larráinzar and San Cristobal de las Casas, and that eggs are sold in Comitán. But we found that local residents will not purchase local eggs because they want white eggs, not the red ones produced in the *granjas*. Additionally, the convenient store located in the central plaza has difficulty selling its products to local consumers. The store manager stated, "The truth [is the store] does not sell anything, there is little that people come to seek and some days, nothing flat" (Mirada Sur, 2011). The lack of local consumer demand for locally sold and locally produced goods is a missed opportunity for SRC cooperatives. If the SRC cooperatives were able to produce or sell goods that local residents are willing to buy, they may be able to expand their consumer base considerably.

The *ensambladora* has produced some desks and chairs that have been purchased by the state government for schools in Santiago el Pinar and Tuxtla. It also produces tricycles that are sold in Tuxtla. While there is potential for a vibrant market for these goods, there is concern about the extent to which the *ensambladora* relies on the government to purchase its products and pay employees' wages. As explained in the previous section, the *ensambladora*'s sustainability is threatened by its complete dependency on government funding.

One recent cooperative that is expected to significantly improve local producers' access to markets is the coffee collection center (*centro de acopio de café*). Municipal officials believe that this facility will allow local farmers to cut out the middlemen, who have a reputation of intentionally weighing the crops incorrectly and paying local farmers

unfairly. The officials are hopeful that the new facility will enable local coffee farmers to earn greater profits by allowing them to weigh their own coffee yields properly, store it independently, and sell it directly to retailers or larger buyers. Since the facility is brand new, officials said that it is too soon to tell whether the benefits of the coffee cooperative will be realized.

5.4 TRANSITION TO AN URBAN MARKET ECONOMY: IMPLICATIONS FOR FOOD SECURITY

"The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger...."

ICESCR, Part III, Article 11, Section 2

As stated in the introduction of this report, the Mexican government is obligated under Article 11 of the ICESCR to recognize the right of individuals to an adequate standard of living, including adequate food, and the "fundamental right of everyone to be free from hunger" (OHCHR, 1966). The Mexican government is expected to take appropriate steps to ensure the realization of these rights (OHCHR, 1966). According to the World Food Program (WFP), people are considered food secure when they have access to sufficient, safe, and nutritious food at all times to maintain a healthy and active life. For food security to exist, three conditions must be met: food availability, food access, and food utilization (WFP, 2011).

With respect to food availability, we observed a number of roadside vendors that sold fresh fruit and vegetables within and near the SRC site. One interviewee indicated that San Andres, which is located approximately 8.4 kilometers from the SRC site, is the main market place where residents can go to buy goods that may not be available locally, such as vegetables and chicken. However, he explained that every two weeks when residents in Santiago el Pinar receive their money from Progama Oportunidades⁷, vendors from San Andres and Chamula flock to the cabacera to sell their products.

Although there appear to be several places within or near the SRC site where residents

⁷ A national conditional cash transfer program for improving health and education among women and children.

can purchase healthy and fresh food, we found that the convenience store established under the SRC Program does not foster the consumption of fresh local food, which has the possibility of improving nutrition while also supporting a local market. The bulk of the merchandise sold in the store includes unhealthy snack foods such as soft drinks, crackers, cookies, and chips. Furthermore, much of the merchandise was brought in from outside of Santiago el Pinar. Thus, the convenience store is a missed opportunity to establish a strong local market that sells healthy foods produced by residents within the SRC. This would not only benefit consumers by making healthy foods more available, but would benefit local farmers who could sell their produce locally.

Traditionally, it is common for rural households to produce a mix of food crops, such as milpa⁸, for home consumption as well as higher value cash crops, including coffee, to generate the income necessary to acquire other essential goods, as observed in Choyo. Under the SRC Program, households are relocated from their traditional surroundings to an urban market economy environment where there is limited access to farmland. In fact, only 10 of the 45 hectares within the SRC site are available to residents for farming and must be shared by all 410 households that are intended to live on the SRC site. Additionally, the new houses are situated on very small, steep plots with rocky soil that are unsuitable for growing crops (Mirada Sur, 2011). As a result, it is reasonable to assume that households living within the SRC site become more dependent on incomegeneration and market conditions to meet their basic food needs than they were prior to relocation. However, as stated previously, the productive projects established at the SRC site do not provide residents with adequate number of jobs or income to support their families.

Given the inability to generate adequate income and the lack of access to sufficient farmland within the SRC site, many residents have not taken up permanent residency in the *cabecera* and continue to migrate back to their previous residence to farm their land. As a result, many households have been able to maintain a livelihood that is similar to what they had before relocation. However, our findings suggest that if households were to make a complete transition to the urban market economy and take on full-time residency at the SRC site, their lack of sufficient income and farmland could potentially reduce their

food access and increase the risk of food insecurity among SRC residents.

Food utilization is the last condition of food security that we evaluated within the SRC site. Our research shows that many of the houses were never equipped with the stoves or gas service that the government promised to provide. Thus, conditions within the SRC prevent household from properly preparing their food, which poses a threat to their health. Even if stoves and gas service were provided, it is likely that many residents would not use them because they would be unable to afford the cost of gas. Also, many residents may prefer cooking outdoors with wood stoves. However, as previously discussed in the physical infrastructure section, the individual plots for the newly built houses do not provide adequate space for residents to construct an outdoor kitchen. Additionally, we discussed in the social services and governance section that the water supply at the SRC site is unreliable which has resulted in residents having to buy water at a substantial cost. In an interview, an SRC resident stated that he and his family fetch water from a hole in the ground on a nearby street corner. The lack of stoves, an affordable source of energy, and outdoor space for cooking, as well as clean water for sanitary food preparation, poses a serious risk to the health and food security of households.

In sum, the aforementioned problems regarding food availability, food access, and food utilization within the SRC site implies that the program faces many challenges in ensuring food security. This extends to the program having difficulty meeting the ICESCR's rights to adequate food and freedom from hunger.

5.5 CONCLUSION

The ICESCR recognizes a person's right to employment, an adequate standard of living, and food security. To meet these rights, the SRC Program established productive projects that offer various income-generating opportunities so that residents do not have to leave the SRC site to find employment or supplement their income. However, our research concludes that these projects provide an inadequate number of jobs and insufficient income (see Table 5.2 for a summary of findings). As a result, residents regularly migrate back to their property to farm their land. Furthermore, in both agricultural and non-

agricultural cooperatives, we have observed inconsistencies with the various factors required for the success of cooperatives: government support; democratic governance, education and training; infrastructure; and market access. Finally, the SRC Program threatens the food security of households by implementing a relocation process without ensuring food availability, access, and utilization. Consequently, while the SRC Program has established productive projects to provide residents with income-generating opportunities, the productive projects' quantity, quality and sustainability are not sufficient enough to meet residents' right to an adequate standard of living.

Table 5.2 Economic Viability Summary of Findings

Existing Productive Projects

- Inadequate number of jobs
- Lack of stable and sufficient income, especially among residents working in agricultural projects
- The ensambladora provides greater and more stable wages, but is unsustainable because it is completely reliant on government funding
- Despite the unsustainable nature of the *ensambladora* in Santiago el Pinar, the government has constructed a similar facility in Nuevo Juan del Grijalva

SRC Cooperatives

- o Government-owned rather than member-owned
- o Lack of member participation in the planning process and democratic decision making
- Governance and membership is largely based on political and family connections and is centered around men
- o Inadequate training services and unreliable infrastructure
- Some cooperatives have managed to penetrate regional markets, but there is a lack of local consumer demand for their goods
- o Extensive reliance on the government for purchasing ensambladora's commodities.

Transition to an Urban Market Economy: Implications for Food Security

- o Food availability: there are several places within or near the SRC site where residents can purchase healthy and fresh food, but the convenient store does not provide fresh food or support a local market for such foods
- Food access: the inability to generate adequate income and the lack of sufficient farmland may increase the risk of food security among city residents
- Food utilization: lack of stoves, affordable source of energy, and outdoor space for cooking as well as clean water for sanitary food preparation

VI. CONCLUSIONS AND RECOMMENDATIONS

In this report, we assessed the extent to which the goals and implementation of the SRC Program complies with the U.N. framework on basic rights, focusing on the SRC site at Santiago el Pinar. This criterion for analyzing the program was deemed pertinent, given that the SRC Program—like other initiatives of the Chiapas state government—is framed under the basic rights-approach to development and aligned to the UN Millennium Development Goals. We conducted our research through field-observations, interviews, and meetings with local officials and residents in Santiago el Pinar. Information was also gathered from interviews with local NGO representatives and academic researchers familiar with both the SRC Program and the Chiapas context. Our research was supplemented with official literature on the SRC Program, international rights legislation, and relevant literature on policy, planning, and development.

In the governance and social services section (Section III), we first analyzed the extent to which the SRC Program's relocation process respects the rights to self-determination and cultural expression. We then looked at the ability of the SRC Program to provide improved health, education and basic services once households had relocated. Although the relocation process to the households is apparently voluntary, we found that there a lack of transparency and alternative options made available to residents. Evidence suggests that residents in Santiago el Pinar were not included in the planning processes, despite the SRC Program's stated intention to make use of participatory processes. Furthermore, the relocation process has had negative implications on social cohesion and the respect of cultural rights. Although we observed improved access to health and education services at the SRC site, which comply with the rights to health and education outlined in the ICESCR, there are potentially better options for service delivery to the dispersed localities without relocation.

In order to comply with the rights to self-determination and cultural rights, we would encourage that relocation is avoided and the program focused on providing services and infrastructure improvements to preexisting localities. If the state government and the affected localities should decide that relocation to the SRC site is the best means

for providing basic services, then heavy emphasis should be placed on including local residents in a participatory planning process from the start and follow best practice methods to ensure relocation costs are minimal (Cernea, 2003). Increased participation, transparency, and alternative service provision options would allow local residents more power to determine their own route out of poverty.

In the physical infrastructure section (Section IV), we used a checklist of key factors developed by U.N. Habitat to assess whether residents receive 'adequate housing' once they have relocated to the SRC site. We explored the appropriateness of the site's layout, the design of houses and the quality of the construction materials. Through field-observations, we uncovered serious environmental concerns over the linear-grid design and location of the SRC site on a steep hillside, which also included a lack of effective communal space for social interactions to take place. Due to their design, the houses at the SRC site were cramped and did not allow space for traditional household activities. Furthermore, the hasty construction and poor quality of materials has resulted in the houses not offering adequate protection from the weather or other safety hazards for inhabitants.

To improve the quality of the physical infrastructure at present and future SRC sites, greater compliance with the international standards laid out by U.N. Habitat should be encouraged. Sites should be designed to minimize environmental hazards and incorporate more culturally appropriate communal space for social interactions. This can be achieved if local residents are involved in the design process through participatory planning. The houses themselves should be built to accommodate all family sizes, with long-lasting materials and sustainable construction practices employed. In the section, we have shown how input from indigenous residents can be used to significantly alter the design of the SRC houses (see Fig 4.9).

We have acknowledged that the provision of sufficient income-generating opportunities within the SRC site is a key goal of the program. In the economic viability section (Section V), we assessed the extent to which the existing productive projects within the SRC have met the residents' right to an adequate standard of living. With both the agricultural and non-agricultural productive projects, we found that they provided an

inadequate number of jobs and an insufficient level of income to support a household. Furthermore, the cooperative set up of these projects lack the key factors that will ensure their success: a lack of democratic member-ownership; inadequate training opportunities, and infrastructure; low local consumer demand for products; and over-reliance on state government funding. It is yet to be seen whether the newly-built coffee warehouse cooperative will exhibit the necessary beneficial qualities. We also explored the implications of transitioning from a rural agrarian lifestyle to an urban market economy for SRC residents. Our research showed that the SRC Program threatens the food security of households by implementing a relocation process without ensuring food availability, access, and utilization.

The SRC Program could better ensure an adequate standard of living for SRC residents by providing effective and sustainable productive projects that offer all residents the potential to earn a sufficient, stable income within the SRC site. Productive projects can become more effective and sustainable if they are set-up to incorporate those key factors we have identified as being critical for their success. The availability and accessibility of food, plus the infrastructure for safe food preparation, should be taken into consideration and improved for existing and future SRC sites.

While many of the recommendations made in this report are specific to each section, many address the negative implications associated with the relocation process and the lack of participation and transparency. These short-falls of the SRC Program's goals and implementations have also translated into a lack of compliance with international standards and the U.N. framework on basic economic and social rights. Given our findings, we believe that serious consideration should be given to if the relocation of dispersed localities is strictly necessary. Furthermore, if the relocation of the dispersed population to an SRC site is necessary, there needs to be a stronger emphasis on incorporating residents in legitimate participatory processes to the planning of the site.

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