



Maryknoll Office for Global Concerns

# NewsNotes

*A bi-monthly newsletter of information on international justice and peace issues*

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# U.S. government shutdown over a border wall

*Maryknoll missionaries are in Washington, D.C. and on the U.S.-Mexico border. The following article is our analysis of the partial government shutdown over border wall funding as of Day 20.*

The pain of the government shutdown for millions of individuals and families, especially those facing poverty and food insecurity, grows deeper each day that passes without a resolution. As the shutdown continues, access to nutrition assistance, housing programs, Indian Health Services, and other critical programs grows in ever greater jeopardy. Preventing struggling families from accessing these essential services because of harmful demands over the border wall is beyond reckless governing; it is simply immoral.

## Top Three Shutdown Solutions

With little progress in negotiations between Republicans and Democrats, we can imagine three possible shutdown solutions.

**Solution Number One:** President Trump will declare a national emergency at the border. The courts intervene and stay the order. Congress re-opens the government while the case is litigated. President Trump declares a victory. The Democrats declare a victory. This is the most likely scenario.

**Solution Number Two:** The Democrats agree to some wall funding and the Republicans agree to legislative relief for Dreamers. This is less likely because it is difficult to imagine a compromise on Dreamers that the Republicans will support.

**Solution Number Three:** The Republicans in the Senate and the House begin to waiver in their support for President Trump. Under threat of veto override, President Trump agrees to some compromise with the Democrats. This is the least likely scenario.

No matter the solution, it will likely take until the end of February to be resolved.

## Top Four Impacts on Migrants and Refugees

We hear in the news about missed paychecks and delayed paperwork and services but we don't hear much about the effects on the very people that the shutdown is about – migrants and refugees. Here's what we know as of Day 20:

1. The eight refugee resettlement agencies working with the State Department (including the U.S. Conference of Catholic Bishops) are operating without cooperating agreements for 2019 with the U.S. government, which means it is very difficult to make plans for the year on important matters such as staffing and programs.

2. The Religious Worker Program, part of the Department of Homeland Security, is not operating. This is the visa program that allows foreign nationals to come to the U.S. for religious formation. This could affect Maryknoll Sisters and Maryknoll Fathers and Brothers.

3. Immigration courts operated by the Department of Justice for those not held in detention are on hold. This means the backlog of court cases grows larger.

4. The Legal Orientation Program which offers legal information to people held in detention facilities is not operating.

## What is the moral response?

On January 10, President Trump visited the border town of McAllen, Texas, site of the largest immigration processing center in the United States, "to meet with those on the front lines." Maryknoll Sisters Ann Hayden and Patricia "Pat" Edmiston are on mission at a Catholic church nearby, where many undocumented residents live in fear of deportation while working in the factories and on the farms that line the border. "We try not to gather all the parishioners together in one place but in the mission church nearest to them or we visit them in their homes," Sister Hayden wrote in her July 2018 article in *NewsNotes* entitled "Life under zero tolerance."

This is a moral moment in the United States. What is the just and humane way to secure our borders and treat those fleeing persecution? It is not with a border wall. In a joint statement in 2017, together with 37 interfaith organizations with experience on the border, we said border walls hurt communities, increase risk of floods, infringe on the rights of indigenous border communities, and ultimately do not deter migration. "As communities of faith, we believe that government spending should reflect our values," our statement reads. "Funding for further border militarization falls far short of these values."

Again, we ask: What is the moral response? Love is moral. Faith is moral. Charity is moral. Justice is moral. Peace is moral. The sanctity of family is moral. The dignity of the person is moral. The dignity of work is moral. A wall is not moral.

**Faith in Action:** Urge your Senators to support the House legislation and fund the government. <http://bit.ly/EndShutdown2019>

# A call to empathy, a call to live in the light

*Maryknoll Lay Missioner Maria Montello in Cambodia reflects on the rise in reported hate crimes in the United States.*

In Chapter 4 of Ephesians, St. Paul encourages the people of Ephesus to be “kind and compassionate... imitators of God, as beloved children, and live in love.” How far we are from following Paul’s commissioning, from accepting this responsibility.

I was dismayed to hear about recent violent acts in the United States. Within 72 hours, eleven Jews killed in a synagogue, two African-Americans killed while shopping, more than a dozen pipe bombs sent to politicians and people who have been criticized by the president.

Reported hate crimes in the United States rose 17 percent in 2017, the third consecutive year that such crimes increased, according to FBI data that shows an even larger increase in anti-Semitic attacks.

It seems it’s not safe to do much of anything these days: open your mail, shop at a grocery store, go to religious services, a music concert, school, you name it. While the perpetrators of these crimes appear to be mentally unstable people and not representative of the average American, one can’t help but ask where are the “good people”?

Are Americans not good and noble people?

In the history of the United States, important social and political movements have often been driven by ideas: the Suffragettes thought women should vote, the Allies thought Jews should be protected, Americans thought black citizens should have equal treatment, young people thought the United States shouldn’t be killing Vietnamese, people of reason thought the growth of nuclear weapons should be stopped, and on and on. These were good ideas and, in several cases, those ideas led to good actions.

Americans, what has happened to good and noble ideas and good and noble actions?

Many philosophers argue that actions are motivated by emotion more than rational thought or ideas. Even if only partially true, this is worth examining.

Emotions can be dangerous. Emotions such as fear and anger, are powerful forces. Their strength lies deep within us at the level of self-preservation and their roots are old. When we were knuckle-dragging primates, we didn’t likely have the capacity to feel someone else’s pain. We had only to think about protecting our children and hunting for food. Fear and something like anger were necessary for survival. Good and noble ideas were not.

Emotions such as empathy are evolutionarily newer. People’s concern for women, black and Jewish Americans, and people living in poverty—where did that concern come from? Is it not from stepping into the shoes of those people and seeing the world as they see it? Such ideas and actions stem from that which is most human in us. Research in philosophy, in psychology, even in the hard sciences, states that it is empathy that sets humans apart from other animals. Empathy is at the root of our most generous actions. Empathy is a powerful, if not the most powerful, deterrent to violence.

What is behind these recent acts of violence? Surely they are justified by bad, hateful ideas. But, it is likely the perpetrators of the violence are motivated by a lack of empathy. They are broken.

This is a defining characteristic of the psychopath – no capacity for empathy. The men who committed the three violent acts within 72 hours will likely be diagnosed as such. Some will say they are less than human, an aberration of nature – or not.

It is estimated that one in one-hundred men are psychopaths. They are not only the people who send pipe bombs to politicians and open fire on innocents. They run companies and nations. Some are nasty. Some are relatively benign. It depends on the environment in which they live. For a psychopath to be “activated” to commit an act of violence, there need to be certain tools and conditions: social isolation perhaps, a hateful ideology, a weapon. These tools and conditions are readily available, unfortunately, on the internet and in a society where it is easy to buy a gun.

What are our leaders doing to the United States?

Stoking fear and hatred. Reinforcing hateful ideologies, knowingly or unknowingly. Actuating psychopaths.

St. Paul warns against “suggestive talk” and being deceived by “empty arguments”. He reminds us: “You were once darkness but now you are light in the Lord.” Today is not only a time to think critically, to examine talk and arguments carefully. It is a time to reclaim our humanity and let empathy motivate and inspire our ideas and actions. Most importantly, it is a time to reclaim our place as children of God and, as St. Paul says, to “live as children of light.”§

# The power of lawsuits in fossil fuel divestment

*The following article examines financial dangers facing fossil fuel companies due to climate change lawsuits.*

Beyond the real threat to the valuation of fossil fuel companies due to the carbon bubble, there is a myriad of lawsuits around the world that threaten to bring notable costs to the oil and gas industry, both in dollars and reputations. Many of these lawsuits took shape after two investigative reports were released in 2015 – one by Inside Climate News and the other the Los Angeles Times – which laid bare layers of deceit in the industry about the impact of fossil fuels on the climate.

The reports showed, through internal documents and interviews with employees, that for decades, Exxon had proof that burning fossil fuels was causing climate change yet the oil giant maintained publicly that the evidence was unclear. At the same time, Exxon was “quietly incorporating climate change projections into the company’s planning and closely studying how to adapt the company’s Arctic operations to a warming planet.”

Since then, the number of lawsuits related to climate change has grown exponentially. Some are directly against fossil fuel companies while others focus on governments and their responsibility to follow international commitments and protect current and future generations.

The first legal challenge began in 2015 when a group of youth, together with the Our Children’s Trust organization, sued the U.S. government for threatening the fundamental Constitutional rights to life and liberty of future generations due to its inaction in mitigating climate change. Since then nine similar lawsuits have been launched at the state level.

Soon after the release of the investigative reports, New York, Massachusetts, and the Virgin Islands began investigations of Exxon using subpoena power. Beginning in 2017, eight cities and counties in California, along with New York City and municipalities in Colorado and Washington state, have filed civil lawsuits against several oil and gas companies. The cases make a range of arguments from negligence and public nuisance for hiding inherent dangers and engaging in massive campaigns to consume more of their products to disinformation campaigns. The cities and states want compensation for financial costs from the impacts of rising sea levels and other effects of climate change. Some of these suits are similar to the tobacco industry lawsuits in the 1990s in which tort lawyers used “failure to warn” and “design defect” arguments in the hopes of large payouts.

According to Patrick Parenteau, senior counsel in the Environmental and Natural Resources Law Clinic at

Vermont Law School, these cases face long odds. “There are very, very few judges that would be willing to push these climate issues in court,” Parenteau said. “But all roads lead to the Supreme Court, and that’s where it would die.” Though in November, the Supreme Court denied the Trump administration’s request to dismiss *Juliana v. United State*, the youths’ lawsuit.

While these cases face difficulties in court, two other types of lawsuits have more favorable odds. First, the New York attorney general and a shareholder in Texas are suing Exxon for providing shareholders “false misleading assurances that it was effectively managing the economic risks posed by policies and regulations it anticipated being adopted to address climate change.”

Second, a case filed in November pits crab fishers against 30 fossil fuel companies for financial losses due to warming ocean waters. This case is different, Parenteau explains, “The ‘industry versus industry’ does put another spin on it,” he told Inside Climate News. “This is real cold dollars and sense.” Other industries could come forward with similar lawsuits.

A May 2017 survey of climate change-related cases registered 654 cases in the U.S. and another 230 in 25 other countries. Courts in Colombia and the Netherlands have ordered their governments to protect forests and cut emissions. These cases have used human rights arguments, a new legal tactic. The survey noted seven trends:

- 1) Holding governments to their legislative and policy commitments
- 2) Linking the impacts of resource extraction to climate change and resilience
- 3) Establishing that particular emissions are the proximate cause of particular adverse climate change impacts
- 4) Establishing liability for failures (or efforts) to adapt to climate change
- 5) Applying the public trust doctrine to climate change
- 6) Climate refugees
- 7) Increasing number of lawsuits in Global South

The fossil fuel industry has responded forcefully with a number of countersuits and other tactics but these lawsuits, whether challenging corporations or governments, have the potential to have a drastic effect on the bottom line of fossil fuel companies. §

# UN climate change conference falls short

*With the latest reports on climate change from the United Nations and the U.S. government sounding alarms, world leaders have failed to rise to the challenge of the climate crisis.*

The UN released a special report in October that says the world has twelve years to take action if we are to keep Earth's overall global average temperature increase to 1.5°C (or 2.7°F). Two months later, 13 U.S. government agencies released the fourth U.S. National Climate Assessment, a yearly report mandated by Congress, that says the United States is already feeling the impacts of climate change and that these impacts will only grow more severe. When asked by the press, President Trump said he does not believe his own administration's report.

At the same time, world leaders met in Poland in December to follow up on the 2015 Paris climate agreement at the annual UN climate change conference. Held in the coal mining city of Katowice, this gathering was considered by many to be the most consequential climate conference since Paris.

The goal of the Paris agreement is to keep Earth well below 2°C and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. The difference between a 1.5°C and a 2°C world is vast in its consequences for the environment.

In Poland, negotiators from 174 nations and the European Union met to both assess the collective impact of their "nationally determined contributions" and to begin to discern new commitments to be announced in 2020. They also gathered to finalize how the Paris Agreement will be operationalized, also known as the "Paris Rulebook."

These contributions include finance to mitigate the impacts of climate change and to assist communities and countries in adapting to the new climate reality. Negotiators also discussed ways to share technologies developed by rich countries with middle and low income countries. As of yet, countries have failed to agree to financing loss and damage to assist countries that end up underwater or whose land becomes completely uninhabitable. This is of critical importance to small island nations and sub-Saharan African countries.

## Outcomes of the conference

Ultimately, political stagnation trumped the bold and necessary systems change that the climate challenge needs. Advocates who pushed for bolder reforms faced a culture of fear by the host country.

By the end of the conference, civil society (including faith-based organizations such as our partner CIDSE) gathered in the conference halls to protest the

weak outcomes and their failure to rise to the challenge of the climate crisis. Youth and young adults played a critical role in both this protest and others throughout the week.

Laurence Blattner, a Dominican representative at the UN commented, "Overall, I feel quite disappointed with the results, especially in terms of the content of the Paris Rulebook. References to human rights have been taken out completely. Next year's conference will be hosted by Chile. We hope that this country, strong on environmental democracy, will put pressure on all States to step up their climate ambition. Despite this, I was happy that the Dominicans could be present at the conference, thanks to an invitation from the Maryknoll Sisters."

## Oppression of civil society

Leading up to the conference, Poland began restricting freedoms and expanding penalties for protest. Some conference participants, especially civil society members from Eastern Europe, were detained, prevented entry, or expelled from the country during the conference. Activists took to the streets to oppose the crackdown.

## The Trump effect

President Trump announced his intention to pull the United States out of the Paris agreement in 2017. Since then, the Trump administration has been steadily gutting federal regulations on oil, coal and gas emissions and expanding fossil fuel operations.

In Poland, U.S. negotiators joined Russia, Saudi Arabia and Kuwait to oppose a vote to "welcome" the findings of the UN special report which calls for decisive climate action within the next twelve years.

Brazil's new far-right government, which hopes to align closely with the Trump administration, is considering pulling out of the Paris Agreement. Brazil already withdrew their offer to host next year's UN climate conference, which will now be hosted by Chile.

## Signs of hope

Polls show that the majority of people in the United States believe climate change is real, human caused, and requiring action. State and local governments, faith communities, businesses, and everyday people are moving forward. As a new generation comes into power, climate change is becoming a higher priority. The new Congress plans to introduce a "Green New Deal" – a roadmap for action to keep us within the 1.5 orbit. §

# Progress made toward nuclear disarmament

*The following is a list of notable international developments toward nuclear disarmament in the past year.*

As of the end of 2018, nineteen governments have ratified the 2017 Treaty on the Prohibition of Nuclear Weapons (TPNW). Commonly known as the nuclear ban treaty, it will become international law once that number reaches 50. It is just short of 40 percent toward its target number of ratifications and subsequently entering into force.

Like previous prohibitions against landmines, chemical weapons, and biological weapons, the nuclear ban treaty prohibits the development, testing, production, stockpiling, stationing, transfer, use, and threat of use of nuclear weapons. The treaty is seen as a way to establish an important international norm against these weapons of mass destruction.

Yet juxtaposed with this reality, the United States is developing “usable” nuclear weapons. As John La-Forge writes in Nukewatch, one such weapon is the new B61 gravity bomb (model 12), commissioned by the National Nuclear Security Administration and now being developed by more than a dozen U.S. companies contracted to design, test, build and maintain the B61-12s (a gravity bomb dropped from fighter jets and heavy bombers), and set for mass production in 2020.

The biggest weapons profiteers in the world are cashing in on the B61 project. The list includes: Boeing, Lockheed Martin, Honeywell, and others.

Other notable developments:

## **Pope Francis to visit Hiroshima and Nagasaki**

The pope has expressed interest in visiting the two cities in the second half of 2019. This would be the first visit to Japan by a pope since 1981. On January 7, in an annual speech to diplomats informally known as his “state of the world” address, Pope Francis again condemned the arms trade and possession of nuclear weapons, lamenting that past efforts at nuclear disarmament had given way to “the search for new and increasingly sophisticated and destructive weapons.”

## **Major progress on “Don’t Bank on the Bomb”**

The Don’t Bank on the Bomb report and campaign by PAX, the Netherlands affiliate of Pax Christi and partner of ICAN, has succeeded in moving major financial institutions to divest from nuclear weapons. The list of institutions includes the Norwegian Government Pension Fund Global (worth over \$1 trillion), Germany’s Deutsche Bank, Belgian bank KBC, and ABP, the fifth largest pension fund in the world.

## **Switzerland, Australia move closer to TPNW**

The Swiss parliament requested that the government join the nuclear ban treaty along with the Australian Labor party as ICAN aims to reach the 50-state mark that will bring the treaty into force.

## **California state legislature supports TPNW**

California’s state legislative body passed a resolution calling on the U.S. federal government to sign the TPNW, make nuclear disarmament the centerpiece of national security policy, and spearhead a global effort to prevent nuclear war.

## **Representative Barbara Lee supports TPNW**

On December 21, 2018, Congresswoman Lee of California became the fifth member of Congress to sign ICAN’s Parliamentary Pledge, a commitment by parliamentarians around the world to work for their government to join the TPNW. She joined nearly 1,000 parliamentarians from 30 countries as well as Representatives Holmes Norton (D-DC), McCollum (D-MN), Ellison (D-MN), and McGovern (D-MA).

## **Kim Jong Un’s 2019 New Year’s Address**

The North Korean leader included a key strategic message in his annual address on January 1. Kim warned that “we even might find ourselves in a situation where we have no other choice but to find a new way for defending the sovereignty of the country and the supreme interests of the state and for achieving peace and stability of the Korean peninsula,” which experts point to as a reference to an expectation of increasing support from China and aimed at President Donald Trump.

## **Back from the Brink**

Back from the Brink: The Call to Prevent Nuclear War is a national grassroots initiative seeking to fundamentally change U.S. nuclear weapons policy. Over the past year they have been successful in urging several major cities, namely Baltimore and Los Angeles, to adopt resolutions against nuclear weapons. You can join the effort as an individual at <https://www.preventnuclearwar.org/>.

## **Stop Banking on the Bomb targets PNC Bank**

Stop Banking on the Bomb is a campaign against PNC Bank, which loaned over \$600,000,000 to six corporations who manufacture nuclear weapons. The campaign is demanding that PNC divest of their financial commitments in the manufacture of these weapons and that they adopt a corporate policy never to loan money to or in any way financially support corporations involved in the manufacture of or sale of nuclear weapons. §

## U.S.-Mexico border: Humanitarian crisis

*Maryknoll Father Frank Breen visited El Paso, Texas in December, where he met up with Maryknoll Father Bill Donnelly of St. Patrick Parish. Together they toured some of the shelters for migrants and refugees. Father Breen filed this report.*

The number of migrants and refugees arriving at the southern border town of El Paso, Texas, skyrocketed in the month of December, from 300 a week to over 2,000, stretching resources for the churches and groups operating eighteen shelters in El Paso and nearby Las Cruces, New Mexico. The Catholic organization Annunciation House is the lead organizer and needs immediate assistance of funds and volunteers. It is also crucial that U.S. immigration policy changes.

We first visited Tepeyac, the diocesan compound that contains the Chancery, Seminary and Pastoral Center, which has been turned into a shelter able to accommodate up to 125 adults and children each night. We arrived in time for lunch and saw 120 immigrants who had been brought to the shelter the previous evening by U.S. Border Patrol, to have their on-going travel arrangements facilitated by volunteers at the shelter.

On that day, over a dozen volunteers from a local parish were cooking three meals for the day and a snack before bed-time, and making phone calls to sponsors, i.e. family, relatives or acquaintances who live elsewhere in the United States, who will send transport fare for these newly arrived migrants to join them. In most cases the migrants are able to travel on within a day or two, mainly by bus, but some receive airplane tickets.

The scene in the large room after lunch – of teens watching a Spanish program on a large television screen, little children playing with toys and putting on warm winter coats, adults preparing for the next stage of their journey, and young men with a soccer ball outside waiting for the game to begin – belied the treacherous journey that these refugees had made to the United States, the majority from Mayan parts of Guatemala. At a subsequent shelter, where the Diocese of El Paso rents rooms in a motel, we learned how drastic – punitive even – their first reception is once entering the United States.

Fr. Donnelly met a Guatemalan woman from the first town in which he did ministry in that country in the 1960s, who narrated in graphic details what happened when she was apprehended by Border Patrol. “My seven-year-old son and I were put in cells for six days, forced to sleep on the cold floor with only one blanket. After five days they woke us up in the middle of the night to take a four-minute shower, two minutes each. The soap they gave me was terrible. I seriously thought

of going back to Guatemala.”

All of the refugees are treated in this fashion. We have to presume that it is the policy of U.S. Border Patrol to treat those in detention harshly to try to discourage others from coming – but it doesn’t seem to be working. Conditions back in their home countries, primarily Guatemala, El Salvador, and Honduras, are so dangerous, so violent and impoverished, that they are willing to risk how they will be treated in the United States. Ruben Garcia, the director of Annunciation House, was quoted saying that he expected the numbers to rise to perhaps 3,000 a week. This will overwhelm the resources of the diocese and the shelters.

We were fortunate to meet with Bishop Mark J. Seitz of El Paso, who acknowledged the recent spike in numbers of migrants and refugees and the toll it is taking on local volunteers. He mentioned other matters of diocesan advocacy:

First, migrants without sponsors in the United States are returned to Ciudad Juarez, Mexico. There the asylum process is so slow and cumbersome that church officials are advocating that the process be expedited.

Second, the draconian conditions in detention cells are a blemish on our national reputation. Church officials are advocating for humane treatment of all migrants in the U.S. and especially children. The harsh conditions in the detention cells may have contributed to the recent deaths of the two Guatemalan children.

Bishop Seitz issued a pastoral letter in 2017, in which he stated: “Building walls, deploying a mass deportation force and militarizing our border are not long-term solutions to the challenges of migration. Only comprehensive immigration reform will bring lasting solutions.”

He went on to list components of reform, such as legal avenues for migrants, putting families first, and addressing unjust structural relationships between the U.S. and Central America that drive migration.

In the meantime, the humanitarian crisis continues to worsen. Annunciation House is seeking Spanish-speaking volunteers. To learn more, visit <https://annunciationhouse.org/volunteer/> or email [volunteercoordinator@annunciationhouse.org](mailto:volunteercoordinator@annunciationhouse.org). To make a donation, visit <https://annunciationhouse.org> and click on “Donate.”§

## What is in the 'new NAFTA'?

*A new trade deal between the United States, Mexico, and Canada makes improvements in a few areas but expands corporate rights in others.*

On December 1, the three North American countries signed the United States-Mexico-Canada trade agreement (USMCA) to replace the twenty-five year-old North American Free Trade Agreement (NAFTA). Commonly referred to as the 'new NAFTA' or 'NAFTA 2.0,' the USMCA will only go into effect after it is ratified by each country's legislature.

Overall, the USMCA makes tweaks around the edges of the original deal and leaves in place a broken economic model that will not lift people out of poverty or allow creation's glory to flourish.

### Medicines

The USMCA rolls back protections for medicines, giving more power to the pharmaceutical industry. NAFTA already enabled drug prices to rise in all three countries. Domestically, U.S. legislators and the Trump administration want to reduce wait times for generic drugs and lower medicine prices but the new deal will lock in current U.S. law.

For the first time, biologic drugs – costly but life-saving drugs for cancer and existential conditions made of living cells – will be patented. The patent will be longer than other drug classes. The agreement will also allow companies to reformulate a drug from a capsule to a liquid and extend the patent life.

### Labor

The USMCA offers improvements for workers in Mexico and the United States. In order for the agreement to go into force, Mexico must first pass reforms such as contract transparency, the right to collective bargaining, and protections for union activities. The three countries must also meet obligations to the International Labor Organization Declaration on the Rights at Work.

The new deal mandates that 40-45 percent of auto content be manufactured by workers making at least \$16 per hour. This could raise wages for Mexican autoworkers and prevent further job loss in the United States' auto industry. Real wages have stagnated in Mexico by nine percent since NAFTA went into effect in 1994. These improvements will be useless without strong enforcement measures, however, which the USMCA lacks.

### Environment

Mexico's water and land became more polluted under NAFTA due to the boom of maquiladoras and extractive industries. The new NAFTA will roll back environmental protections. It doesn't mention all seven

multilateral environmental treaties standard in trade agreements.

One bright spot is the cut of a NAFTA chapter on "energy proportionality" which required the United States and Canada to export a portion of oil and gas to each other. This will make it easier for the countries to reduce greenhouse gas emissions.

Similar to the labor chapter, enforcement measures remain inadequate.

### Deregulation

The new deal mostly ends privileges that allow corporations to sue governments for lost profits when they feel their investments have been treated unfairly. Litigated in secret and judged by a panel of corporate lawyers, this process was used by companies to avoid regulations protecting public health, the environment, and others that serve the common good. Maryknoll-supported DHUMA (Association for Human Rights and the Environment) in Peru defended indigenous communities in one such case against a Canadian mining company.

Unfortunately, the USMCA provides a provision for oil and gas companies to continue using the mechanism. If the deal goes into effect, all companies will have three years to use the mechanism before it is phased out.

The elimination of this mechanism is welcomed, but a new chapter may give corporations an even stronger voice in regulatory laws. The deal's "good regulatory practices" and sectoral rules go beyond the system and allow corporations to challenge, delay, and weaken new regulations. It also encourages deregulation.

### Political Timing

In February, the House is scheduled to convene a series of hearings on the USMCA text and impacts of NAFTA. Congress has 90 days to vote up or down on legislation to approve the text based on rules established in the "Fast Track" trade authority legislation. Once the International Trade Commission releases its economic assessment of the new deal in late February or early March, a vote in Congress will likely follow.

The Maryknoll Office for Global Concerns is working with the Interfaith Working Group on Trade and Investment and the USCCB to advocate for greater access to medicines in the final text. We also plan to advocate for tougher enforcement of environmental and labor provisions. §

## Brazil: New president, new concerns

*The following article examines the actions of Jair Bolsonaro as president-elect and on his first day as president of Brazil to get an indication of what a Bolsonaro administration may look like.*

Jair Bolsonaro was sworn in as Brazil's president on the first of the year after running a campaign focused on radically changing governance in order to "save Brazil from socialism." Bolsonaro provided few concrete policy proposals during his campaign, resorting mostly to catchphrases such as "a good bandit is a dead bandit" and avoiding policy debates with other candidates. Even in his two priority areas, anti-corruption and anti-crime, Bolsonaro gave few details of what he would do as president, saying that he would appoint qualified ministers to define and carry out specific policy prescriptions.

Though Bolsonaro repeatedly stated during the campaign that "our ministers will not be composed of those condemned for corruption as it was in previous governments," half of his Cabinet are under investigation or have been found guilty of corruption. There is not one black person in Bolsonaro's cabinet in a country where 54 percent of the population is black. Ten percent of the ministers are women and 40 percent are current or former members of the military. Also, for the first time in history, there is no minister from the north or northeastern regions, the poorest in the country, where Bolsonaro received little support from voters.

Some of his ministers show strong ideological tendencies. His foreign relations minister, Ernesto Henrique Fraga Araujo, a 28-year career diplomat, has written that "globalism is economic globalization that became controlled by cultural Marxism... It is an anti-human and anti-Christian system," as well as writing that climate change is "an ideology of the left."

Araujo has also stated that Brazil will withdraw from at least two international treaties – the Global Compact for Migration and the Paris Accord on Climate Change – because they infringe on Brazil's sovereignty even though both agreements are voluntary and have no enforcement mechanisms. Bolsonaro already withdrew Brazil's offer to host COP-25, the continuation of the Paris climate agreement negotiations in 2019.

Under Foreign Minister Araujo, Brazil will move its focus away from alliances in the Global South, including Mercosul, to strengthening ties with the United States. It will be interesting to see how Bolsonaro resolves the conflict between his ideological distaste for Arab countries and China and the fact that these countries are major trading partners. His announcement to move the Brazilian embassy in Israel to Jerusalem

caused serious concern among Arab countries that are important customers of agriculture companies that support the new president.

Bolsonaro has also expressed concerns regarding privatizations and the fact that China would likely be an important buyer, while his economic minister, Paul Guedes, has stressed the importance of privatizing as much as is possible. Guedes, a 1978 graduate of the University of Chicago in economics, was an active part of the "Chicago Boys" that helped create and implement Augusto Pinochet's economic policies during his brutal dictatorship. Under the leadership of Milton Friedman, they oversaw extensive privatization of government-owned companies and services, including the pension system, things he hopes to repeat in Brazil.

The new agriculture minister, Tereza Cristina, was a representative from the state of Mato Grosso do Sul and president of the Agriculture and Livestock Parliamentary Front, a congressional caucus aligned with agricultural corporations. Her appointment was especially worrisome when Bolsonaro announced that her ministry would now be responsible for defining borders of indigenous and other traditional communities' land as well as resolving land conflicts. After a strong reaction from civil society, Bolsonaro stepped it back within hours, stating that sensitive issues will be resolved by an inter-ministerial committee of some sort.

A strong concern for many is how Bolsonaro may use the government to persecute his opponents. On his first day in office Bolsonaro's chief of staff, Onyx Lorenzoni, announced the "de-PT-ization" of the government, referring to the Worker's Party, the former ruling party in Brazil which in Portuguese is known as Partido dos Trabalhadores (PT). Lorenzoni said he would remove close to 320 employees who have "ideological ties" to the Workers' Party from his ministry and he suggested that all other ministers do the same.

Also, for the first time, the Government Secretary will have the responsibility to "supervise, coordinate, monitor and accompany the activities and actions of international organisms and non-governmental organizations," a worrisome change that has provoked reactions from around the world. Bolsonaro also said that social movements will be considered as terrorist organizations, a threat he did not act on in his first day, but will likely follow through in coming weeks. §

## Uganda welcomes refugees

*Uganda is one of the largest refugee-hosting countries in the world. With few resources to offer to more than one million displaced people, Uganda represents a case study for generous refugee-hosting policies.*

Uganda is a nation with a long history of refugee movement that deserves consideration. In the early 1960s, the newly-independent east African nation received thousands of refugees from both Rwanda and Sudan, confining them to designated camps. In 1971, hundreds of thousands of Ugandans fled the horror of the government of Idi Amin into Sudan. In the late 1980s fighting in Sudan caused Ugandans to return home and Sudanese to follow them. The 1994 genocide in Rwanda resulted in over 200,000 refugees entering Uganda.

In 1999, Uganda participated in the UN Self Reliance Strategy for refugees which allocated land to refugees in relocation settlements and offered them free access to health and educational services. Initially they were provided food, with amounts declining over time. The goal was to encourage refugees to become as self-sufficient as possible while restricting their movement. It wasn't until the Refugee Act was passed in 2006 that refugees could work and move freely throughout the country.

By 2017, Uganda had received one million refugees from South Sudan alone. Refugees from the Democratic Republic of the Congo and Burundi brought the total to 1.4 million. How can a country with a 2018 estimated population of 45 million people cope with such an influx of refugees?

Europe experienced a similar influx of refugees in 2015. In September 2016, the UN General Assembly adopted the New York Declaration to address some of the urgent needs of both refugees and host countries through a four-point framework:

- Ease pressures on host countries
- Enhance refugee self-reliance
- Expand access to third country solutions
- Support conditions in countries of origin for return conditions in safety and dignity

Uganda agreed to implement the framework in January 2018 and developed a Refugee and Host Population Empowerment Strategy. Refugees are integrated into development by settlement policies that are supported by loans from the World Bank. The aim is to transition from emergency measures and incorporate host populations in the process. The '30-70 Principle' requires that 30 percent of refugee interventions target host community needs. All of this was developed by the current National Resistance Movement (NRM) government of Uganda,

resulting in a mainly top down approach.

However, all of these government policies could not have come into existence without the active, welcoming attitude of the host populations. Many Ugandans in the north remember the welcome they received when they left their homes for Sudan and were freely given refuge. Stories are told of Ugandans sharing their land and hiring refugees with needed skills for building and other services. These people truly see one another as brothers and sisters when confronted with immediate needs that demand compassion.

But the northern Ugandans bear the largest brunt of the current influx of refugees. Often their land is appropriated without compensation and the forests are being denuded. As numbers increase the need increases and resources are stretched very thinly. People are human and certainly become frustrated by long lines at the water pumps and jealous of food rations, seeds and school supplies that bypass them on the way to refugees.

The NRM has ruled for 32 years and seeks to be seen as a leader in promoting progressive policies for refugees. Their record for accepting refugees, as compared to countries with larger resources, is truly impressive. However, reports from the ground suggest that some funds from international agencies disappear into government bank accounts and NGOs reserve employment for Ugandan nationals.

The NRM needs to be held accountable to the needs of the refugees and host communities in tandem. Likewise, the International Refugee Rights Initiative questions how this generous government policy can be sustained when external funding ends. They highlight four important steps to improve this process:

1. International actors need to deliver on promises of significant financial support.
2. The Ugandan refugee crisis needs a more robust discussion about durable solutions or it will drag on.
3. Refugees and local communities must be consulted in a more meaningful, systematic way.
4. Rigorous policy making is required to better attune to the daily needs of the refugees as they unfold.

Uganda's historical experience can be a foundational model for providing basic human needs in times of crisis. Other nations confronted with massive migration would be wise to learn from them if they have respect for human rights and any compassion at all. §

## Philippines: Rays of hope amid the darkness

*The following article is written by Loreta Castro, the program director of the Center for Peace Education at Miriam College, in Quezon City, Philippines, and a member of the steering committee of the Catholic Nonviolent Initiative, a project of Pax Christi International. Castro promotes peace education and nonviolent conflict resolution both nationally and internationally. At present, she actively supports the work of fellow peace advocates who are upholding the sacredness of human life and human dignity amid challenges stemming from Philippine President Rodrigo Duterte's 'war against drugs' that has resulted in many killings and fueled his legislative priority to reintroduce the death penalty. Along with her colleagues and young people within and outside of the Center for Peace Education at Miriam College, Castro has co-organized interfaith forums and prayer services and has joined public actions, to speak out against the killings and promote nonviolent conflict resolution.*

The challenges in the Philippines under the current administration are many. They are like looming dark clouds, and yet there are a few bright rays on the horizon, sustaining us with a sense of hope.

The government's brutal 'war against prohibited drugs' has caused the death of thousands of suspected users and pushers since 2016, mostly from the poor sector. The deaths are extra-judicial killings, done with impunity and with no regard for human life or for human dignity.

The Catholic Bishops' Conference of the Philippines has said, through their statements since 2016, that although they know that drug trafficking has to be stopped, they "are deeply concerned due to many deaths and killings in the campaign against prohibited drugs... (that) the solution does not lie in the killing of suspected drug users and pushers.... Those who kill them are not brought to account. An even greater cause of concern is the indifference of many to this kind of wrong. It is considered as normal and, even worse, something that (according to them) needs to be done."

Many children have been orphaned by this campaign. Amid the weariness, some individuals and organizations are working to offer relief. Church clergy, parishioners, and youth organizations (including the Pax Christi group of Miriam College) have been reaching out to the victims' surviving children to help materially and through other support programs. In one case, the slow wheel of justice moved faster after public outrage over

the death of a 17-year-old boy in August at the hands of three police officers who falsely claimed the teenager was a drug pusher. In November, a Philippine court convicted the three officers of murder and sentenced them each to up to 40 years in prison, the first such convictions in this "war on drugs."

Another looming dark cloud is the increasing stifling of dissenting voices. In recent months, for example, an opposing politician, a well-known journalist, and some bishops who are critical of the administration's policies have been targeted with various kinds of challenges (including legal ones and fake news) that they say are motivated by their "speaking truth to power." Like in some other countries, the democratic space won decades ago appears to be shrinking. Sadly, a culture of silence seems to be creeping in. But again, there is a ray of hope in the form of individuals and organizations (both within and outside the Catholic Church) steadfastly committed to non-violent socio-political change.

Poor and corrupt governance continues to plague the country and is a root cause of injustice. The misery and poverty experienced by many Filipinos are due to this socio-political disease. Efforts to raise awareness of this phenomenon and its seeming social acceptance continue, with the hope that the electorate will connect the dots and grow wiser in their choice of political leaders. Congressional and local elections are scheduled to be held in May and although the struggle for good governance is a difficult and long winding road, we have no choice but to travel it with tenacity and a sense of mission so that our hard-earned democratic institutions will not go to waste. §



*Logo of the Center for Peace Education at Miriam College, formerly Maryknoll College, in Quezon City, Philippines.*

## Resources

- 1) **Romero, the Film Collector's Edition**, updated and available on DVD and Digital. In honor of Blessed Oscar Romero of El Salvador, The Romero Collector's Edition film has been remastered and chronicles the amazing true transformation of an apolitical, complacent priest to a committed leader, who started a revolution without guns, without an army, without fear. Starring Golden Globe winners Raul Julia and Richard Jordan. [www.romerofilm.org](http://www.romerofilm.org)
- 2) **South Sudan:** Fr. Victor-Luke Odhiambo, SJ was killed during an attack by unknown assailants against the Jesuit community in Cueibe on November 15. The Society of Jesus (Jesuits) in Africa and Madagascar released a statement on November 19 in which the Society condemns the murder and calls for a set of actions to address the protracted violent conflict in South Sudan. <http://bit.ly/JesuitSouthSudan>
- 3) **Venezuela:** The Washington Office on Latin America (WOLA) suggests action the U.S. government can take to help bring about a peaceful solution to the country's ongoing crisis. <http://bit.ly/WOLAVen>
- 4) **Guatemala:** The Latin America Working Group (LAWG) issued a statement urges Guatemalan President Jimmy Morales to comply with the Guatemalan Constitutional Court ruling which overturns his decision to abruptly cancel the mandate of the anti-corruption agency CICIG. <http://bit.ly/LAWGstatement>
- 5) **Torture:** The North Carolina Commission of Inquiry on Torture issued a report on its investigation into the role North Carolina-based Aero Contractors played in the CIA's rendition flights – the flights it used to transfer prisoners overseas to be tortured in CIA facilities and by foreign countries. <http://nctorturereport.org/>
- 6) **Extractive Industry:** The participants of the Thematic Social Forum on Mining and Extractivist Economy in Johannesburg in November issued a final declaration entitled “Beyond Extractivism: Reclaiming People's Power, Our Right to Say No!” <http://bit.ly/2H3Bahs>
- 7) **The Price of Free:** a documentary on child labor and child slavery that premiered at the 2018 Sundance Film Festival, where it won the U.S. Documentary Grand Jury Prize, is now available free to watch on Youtube. <http://bit.ly/PriceFree>
- 8) **Child Labor:** U.S. Department of Labor's 2017 Findings on the Worst Forms of Child Labor Report is available on at <http://bit.ly/ChildLabor2017> and the Department of Labor's 2018 List of Goods Produced by Child Labor or Forced Labor <http://bit.ly/2TJmGES>
- 9) **Human Trafficking:** The 2018 UN Global Report on Trafficking in Persons covers 142 countries and provides an overview of patterns and flows of trafficking in persons at global, regional and national levels, based primarily on trafficking cases detected between 2014 and 2016. <http://bit.ly/GlobalTraffick>
- 10) **U.S. Border Wall:** “Border Wall Costs to Date: The Costs of Physical Barriers along the U.S.-Mexico Border” by Taxpayers for Common Sense <http://bit.ly/BorderWallCost>
- 11) **Legal action against border wall:** Bishop Daniel Flores of Brownsville issued a statement on October 29 saying the federal government is attempting to take church property to build a border wall. Bishop Flores says the wall would limit the church's freedom to exercise their mission and would be contrary to it. The bishop also says that the government has notified the Diocese that court documents have been filed in federal court to try to gain access to their land. <http://bit.ly/DioceseBrownsville>
- 12) **Legal action against pipeline:** The Adorers of the Blood of Christ petitioned the U.S. Supreme Court to stop the construction of a government-sanctioned gas pipeline on their property in Pennsylvania because it is a violation of the Religious Freedom Restoration Act (RFRA). If constructed, the Atlantic Sunrise pipeline would run directly through the religious order's land. <http://bit.ly/AdorersLand>
- 13) **Plan now to attend Ecumenical Advocacy Days (EAD)** in Washington, D.C., April 5 – 8. The theme is “Troubling the Waters for the Healing of the World.” More information is available at <https://advocacydays.org/>