



Irene Caldera, 74-year-old resident of Lomas del Poleo

LOMAS DEL POLEO:

SQUATTERS OR RIGHTEFUL OWNERS? by Armando Segovia

If at the end of a rainbow sits a pot of gold, the same could be said of an area that sits southwest of UTEP's line of sight. From this viewpoint, one can witness spectacular reddish-gold sunsets that seem to offer the promise of the good life, but on the other side of the border lays Lomas del Poleo, an enclave of farmers and working families struggling to keep their homes and lands.

For years, this land northwest of Cd. Juárez was considered barren. Recently, the region's value has risen significantly due to its proximity to the international border with United States. Today, amid plans of an ambitious, privately funded binational project to develop an industrial corridor, the land values in this area are skyrocketing, making Lomas del Poleo a long-term pot of gold.

But to make this project a reality, some have had to pay the price. In May 2003, some media outlets reported that a group of men, under the service of Chihuahua's wealthiest impresarios, Jorge and Pedro Fuentes Zaragoza, encircled and barricaded around 250 families, forcing them to leave or to negotiate with the Zaragozas. A group of 25 individuals decided to stay and fight for what they consider their land. Residents now claim that there is no way for the outside world, including relatives of those inside, to enter the area.

A lawyer, who works for the Zaragozas, recounts a different story. "They (the settlers) have accused my client of *despojo* (land grab), but they don't have a case," said Manuel Alfaro.

According to one of the residents, on Jan. 7, 2009, his homestead was burned to the ground. "This is what happens when Zaragozas' men see that there is no one home...they loot and burn our properties," says Salvador Agüero. He believes that this hostile treatment is intended to, "prevent displaced victims from entering back into the area and erase all standing proof that we ever lived there."

It's been almost 20 years since Agüero, while contemplating his future after his retirement, prospected for land where he hoped he would be able to return to the agricultural ways of his Zacatecas ancestors. "I was looking for a place where I could peacefully feed and grow my pigs," Agüero says.

As the number of settlers began to rise in the area, they also began efforts to legitimize their claims. Agüero says that according to the Mexican Constitution, individuals may obtain land that the government deems is in excess. Additionally, the clauses that guide this recourse also require that the land(s) in question are not only available; but that these also belong to the Mexican government.

The Zaragozas' legal team believes that the settlers don't have a case. "I have their voter registration cards, and these show that the people who claim to live there, in fact, do not," says Alfaro. "Most of them (settlers) are from El Paso, and they thought that they could build their *casas de campo* (farm houses) on my clients' land."

Agüero and the residents insist upon their right to be heard in the Mexican court system. "Look, many have accepted to move out under the terms of the Zaragozas," Agüero says. He adds that most of those had been in the area no more than three years, and it was relatively easy for those residents to accept an offer to resettle into another section of Lomas del Poleo.

"I am very scared because if he falls to sleep and the guards don't see anyone home, they will burn the property."

Not so, says David García, a 62-year-old who accepted the terms of resettlement. "To be completely truthful, I did not want to move. I had been there more than 17 years, but my conscience didn't let me stay," says García. "One day I went out to get supplies for my pigs, and I came back to find my neighbor murdered in front of the ashes of my home." García's account is about the death José Luis Guerrero, who in August 2005 was slaughtered outside of García's home as he tried to prevent Zaragozas' employees from leveling his neighbor's home. "It has been almost one-and-a-half years since I relocated under Zaragozas' terms, but I have not received the land title to my new plot."

Alfaro says that the Zaragozas donated a certain amount of acreage and material for new houses nearby for relocation, or they compensated residents with money for the structures that they built.

Agüero is optimistic about the outcome of an upcoming court hearing this spring, but, he is anxious about his elderly parents, who still reside inside the enclosure.

At an informal meeting held January 2009 at the Tonanzin Woman's Community Center in the lower section of Lomas del Poleo, residents say that the living conditions continue to deteriorate. They say they go on with their everyday lives in isolation. The residents also say they have been left to solve their public health issues, which are reaching a critical and hazardous level. "Mainly there are several unattended cases of diabetes and high (blood) pressure of old folks like myself, and no way for medical aid to make its way into our area," says Irene Caldera, who is Agüero's 74-year-old mother.

Caldera says that she was pleased that this particular session is being held on a Saturday because it coincides with her husband's day off from work. "I am very scared because if he falls to sleep and the guards don't see anyone home, they will burn the property," Caldera says.

Alfaro says that he is unaware of any claims of hardships or the bullying of residents. "I know Mrs. Caldera, she trusts me and I am not aware of such incidents," he says, adding that he walks the area everyday to see what people need.

Agüero admits that sometimes he feels that it would be best to just accept the Zaragozas' offer and resettle somewhere else, but says his ex-neighbor's plight gives him the resolve to keep fighting. "My friend David (García) accepted the terms, but ask him if he's received any type of compensation or if he's moved onto his new property?"

Por muchos años, Lomas del Poleo, una amplia zona al lado de la frontera internacional con Estados Unidos, fue considerada tierra estéril. Sin embargo, un ambicioso proyecto binacional para desarrollar un corredor industrial ha elevado el valor de esa tierra.

De acuerdo con reportes de la prensa local, en mayo del 2003, un grupo de hombres armados, supuestamente bajo el mando de Jorge y Pedro Zaragoza Fuentes, dos poderosos empresarios de Chihuahua, bloquearon el paso a alrededor de 250 familias que se habían asentado en Lomas del Poleo y los desalojaron del área. El argumento detrás de la acción fue que esas tierras son propiedad de los Zaragoza.

No todos los residentes fueron desalojados. Un puñado de 25 individuos decidió permanecer en el lugar y defender lo que consideran legalmente su tierra.

Salvador Agüero decidió quedarse para pelear por su tierra. Sin embargo, el 7 de enero de este año, la casa en la que vivió por más de 20 años fue incendiada.

Manuel Alfaro, un abogado contratado por los Zaragoza, cuenta una historia muy diferente. El argumenta que documentos legales de la familia Zaragoza acreditan plenamente la propiedad de la tierra y asegura que las personas que fueron desalojadas recibieron un tipo de compensación.

La solución de este conflicto esta, por ahora, en manos de la corte.

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