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Support it or reject it?
by Edgar Bezares.

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"DILIGITE JUSTITIAM QUI JUDICATIS TERRAM." "Ye who judge the earth, give diligent love to justice"

Migrant Caravan: Support it or reject it?

by Edgar Bezares.

The migratory phenomenon has always existed since the most remote times in the history of society. At the beginning, border crossing was made in groups with the purpose of looking for bigger sources of foodstuff and satisfying essential needs; then, it has the objective to get better living conditions. Nowadays the migration is also a consequence of academic and professional requirements.

The exponential growth of the world population caused a huge increase of migration in huge dimensions, responding to economic, political, social and cultural issues, which has forced States to pursue migration policies that both safeguard the national security and respect the human rights of migrants. This is how the Migratory Act arise in order to regulate the emigration of population that leave their country and the immigration of people called “foreigners” who enter into a country. Each state determines who its nationals and foreigners will be.

In recent times it has become widely known that, since October 13, 2018, a first caravan of about 1,000 migrants, among children, adults, elders and pregnant women, fled the poverty and criminality that plagued their country, leaving San Pedro Sula, in Honduras. On their way lots of people from El Salvador and Guatemala joined them, all of them with the same goal: reaching the United States.

The members of the caravan began their journey only with the essential: their closer family, some documents and very few possessions, as the way was so long and they mostly needed clothes to resist the walk of at least 4500 kilometers to Tijuana, Mexico’s main border city, where they hoped to cross to the United States, despite the repeated statements of President Donald Trump that anticipated that no immigrant of such caravan could ever cross the USA border, but their necessity or naivety made them persist.

The problem in Mexico began when the caravan used its massive force to knock down the fence located on the bridge that joins Guatemala and Mexico, what triggered a havoc in which Mexican federal police members were harmed, so the migrants crossed the border and entered in the Mexican territory. From then on, Mexican authorities knew that all those immigrants would have a very long permanence in this country because of their impossible task.

Since the caravan is in Mexico, citizens have supported the immigrants according to their possibilities by giving them food, clothes or money and the Mexican government has also done it but in an excessive way, because too many public resources have been allocated to satisfy the growing needs of more than 8,000 migrants who stay in our country in precarious conditions, what, at least to the municipality of Tijuana, generates a cost of \$500,000.00 pesos (about \$25,000 USD) per day. It is precisely this point what arises the dilemma: to what extent should the needs of the irregular migrants be put before Mexicans’? What should the Mexican government do about it?

According to the article 33 of the Political Constitution of the United Mexican States as well as article 2, section IV, of the Nationality Law, all members of the migrant caravan are foreigners, because they are not Mexicans by birth or by naturalization. However, they enjoy unrestrictedly their human rights recognized by the Constitution and the international treaties by the fact of staying in Mexican territory, as expressed in the articles 66 and 67 of the Migration Law, regardless their migratory status is not regular.

Although migrants’ human rights are safeguarded in México, that does not mean they are unpunished and can violate Mexican law with their acts and behaviors, just as it cannot be tolerated that the authorities remain passive in this situation just because they want to be seen internationally as tolerant and politically correct, which puts both the national security and Mexican population at risk.

Mexican authorities must consider that the Migration Law allows foreigners to access in the country as long as they obey and respect the duties and requirements that this law states¹, which implicates that the foreigners: (i) show their

1.- Article 16 of the Migration Law.

passport, personal identification or resident visa to the officials whenever they are required to; (ii) give all the information required by officials; and (iii) hold the necessary Mexican visa if it is required according to the foreigner's nationality or to the purpose of their visit².

Contrary to this, the members of the migrant caravan entered in our country by force on October 19, 2018, destroying the fence that was placed to avoid their massive entry and assaulting police officers and other officials who were "obstructing" their way. That is why those migrants did not fulfill with the procedure of entry to our country, their identities could not be corroborated, nor their visas were required properly, despite to the residents from Honduras, El Salvador and Guatemala the Mexican visa is mandatory to visit Mexico.

Anyway, everything results in the fact that there is no official registry of identity of approximately 8,000 people, so nobody knows, even authorities, how sure it is to have them here, but the only accurate affirmation we have is that they will not reach their goal of crossing the USA border, on the contrary, they will stay here in Mexico, because it offers to them a better living than their own countries, especially if Mexican government provide them of the minimum elements to stay, what is a severe risk to us.

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According to the Migration Law there are three migratory states: visitor, temporary resident and permanent resident. Just in case the migrant caravan members had been reasonable and prudent in their behavior, respecting the legal procedures for entering Mexico, they could have requested the Migration National Institute to grant them the status of "visitors for humanitarian reasons"³, which gives foreigners wide privileges and possibilities in our country by getting the condition of permanent residents, so they can work and make business to restart their lives here. The recognition of that specific migratory status depends on whether the migrants have emigrated because their life, security or freedom are at risk in their countries of origin given the internal conditions thereof, as established in the Law on Refugees, Complementary Protection and Political Asylum, which states the requirements and procedure to obtain such status⁴.

Notwithstanding how attractive that legal possibility might be, the immigrants did not even contemplate it, since that was not their purpose, but they were only "passing through" Mexico to reach our neighboring country the USA, although, paradoxically, they will remain indefinitely here or, in other words, until our government decides to act in accordance with the law to deport them to their respective countries.

Hence if there are legal means in our national legislation to protect migrants who ask for help and express their desire to remain in Mexico given the serious risk to their rights and integrity in their countries and, in spite of that, the members of the caravan in question did not accept such benefits, it is unquestionable that the Mexican government must apply the law and order the immediate deportation of these individuals, instead of allocating resources to provide precariously services that the Mexicans themselves lack of, because allowing them to continue in the streets or in unhealthy refuges at the border area puts at risk not only the public health safety of Mexicans, but also the migrants themselves.

Humanity and solidarity should not be confused with permissibility and illegality in the maximum expression, especially if there are population sectors in our own country that require public and private assistance urgently, but for years they have dealt with the indifference of federal and local governments, for example, the people affected by the earthquakes of September 19, 2017, who have lost all of their patrimony and keep living in the streets, or lots of indigenous settlements who are located in isolated mountains and remain invisible for the government.

2.- Articles 37 and 40 of the Migration Law.

3.- Article 52, section V, b) and c) of the Migration Law.

4.- Article 13 of Law on Refugees, Complementary Protection and Political Asylum.

Mexico's Pemex likely to launch McDermott offshore platform in April.

Mexico's state-run Pemex is expected to start operating in April the largest offshore oil platform built in the country in a decade, which was constructed by McDermott International, an executive of the engineering firm. The new platform will replace a similar one that was damaged by a large fire in 2016 that killed three workers. Pemex has long been focused on the area, which is expected to see more activity from private producers that have won development rights there since 2015. <https://www.reuters.com/article/us-mexico-oil-mcdermott-intern/mexicos-pemex-likely-to-launch-mcdermott-offshore-platform-in-april-idUSKCN1N65YZ> 01/11/2018.

Mexican bank stocks sink on incoming government's proposed commissions cut.

Mexico's banking stocks plummeted after a senator from the president-elect's party unexpectedly presented a proposal to stop banks from charging certain commissions, deepening fears about the leftist's economic policy. Mexico's S&P/BMV IPC stock index fell 5.8 percent, its biggest one-day loss in more than seven years. Shares in Grupo Financiero Banorte (GFNORTEO.MX) tumbled nearly 12 percent, and Santander's local unit (BSMXB.MX) dropped 8 percent. Inbursa and the bank Gentera (GENTERA.MX), both fell about 10 percent after the news that President-elect Andres Manuel Lopez Obrador's party was unveiling the bill. <https://www.reuters.com/article/us-mexico-banks/mexican-bank-stocks-sink-on-incoming-governments-proposed-commissions-cut-idUSKCN1NE03Q> 08/11/2018.

Incoming Mexico government sends marijuana bill to Congress.

Mexico's incoming government submitted a bill to create a medical marijuana industry and allow its recreational use, part of a crime-fighting plan that would make Mexico one of the world's most populous countries to legalize the drug. The bill would permit companies to grow and commercialize marijuana. People would also be allowed to cultivate plants for private use, as long as they register in an anonymous government listing and produce no more than 480 grams (1 lb) of marijuana per year. Smoking pot in public places would also be permitted. <https://www.reuters.com/article/us-mexico-drugs/incoming-mexico-government-sends-marijuana-bill-to-congress-idUSKCN1ND30H> 08/11/2018.

U.S. and Mexico face stark choices as new president takes over.

Mexican President-elect Andres Manuel Lopez Obrador listens during a meeting in Mexico City. Migrants, trade, crime, the border wall: The challenges to the modern U.S.-Mexico relationship have perhaps never been as stark and divisive as they are now, at a critical juncture for both countries. <https://www.ctvnews.ca/world/u-s-and-mexico-face-stark-choices-as-new-president-takes-over-1.4197142> 28/11/2018.

Mexico's Oil Refineries Are Operating Like It's 1990 Again.

Petroleos Mexicanos's refineries are operating at the lowest level in almost three decades. And unlike last year, this time there's no earthquakes, floods and fires to blame it ony. <https://www.bloomberg.com/news/articles/2018-11-28/mexico-s-oil-refineries-are-operating-like-it-s-1990-again> 28/11/2018.

US, Canada, Mexico sign NAFTA replacement at G20.

The United States, Mexico, and Canada have signed the USMCA, the trade deal that replaces NAFTA. The leaders of all three countries inked the pact Friday on the sidelines of the G20 summit in Buenos Aires, Argentina. This new agreement will ensure a future of prosperity and innovation for Mexico, Canada, and the United States. The USMCA is essentially NAFTA 2.0, an updated version of the nearly 25-year-old trade treaty with some major changes on cars and new environmental and labor standards. <https://www.vox.com/world/2018/11/30/18117826/usmca-deal-nafta-signing-trump-g20> 30/11/2018.

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