



Comisión Nacional de los Derechos Humanos

México

Recommendation 018/2010

The following is a synopsis of the recommendation emitted by the CNDH . The complete version may be consulted on this institution's web page.

Mexico City, April 28, 2010

Subject: Regarding the case of minor V of Honduran nationality

Authority Responsible:

Commissioner of the National Immigration Institute

On November 26, 2008, a telephone call was received in this National Institution from the General Consul of Guatemala, in which he indicated that in the Immigration Station of the National Immigration Institute (INM) in Tenosique, Tabasco, he had recently interviewed migrant "V", who stated, among other things, that she was 17 years old, 35 weeks pregnant and had declared to the immigration authorities that she was Honduran.

That apparently, on the same date, INM resolved "V's" migratory status by issuing a written communication for her to leave the country; but that the consul, however, knew that she would be transferred to the shelter for migrants located in the Cristo Crucificado Parish in Tenosique, Tabasco, administered by Father Fray Blas.

C. In the event of possible actions or omissions perpetrated by civil servants from the INM, which by their nature may result in particularly serious events and constitute violations of human rights, along with the fact that minor "V" cannot be found, as was confirmed by the consular authorities from Honduras to personnel of this National Institution the decision was made to initiate an investigation.

From the legal logical analysis carried out on evidence that makes up the complaint file CNDH/5/2008/5869/Q, it was possible to confirm a violation to the rights of integrity, legality, legal certainty, as well as due process to the detriment of the migrant minor "V" perpetrated by civil servants from the local INM Delegation in Tenosique, Tabasco.

In view of the above, Madam Commissioner, the following recommendations are respectfully submitted to you:

Recommendations

FIRST. That full collaboration be provided to the Mexican National Human Rights Commission in the filing of the complaint that this National Institution brings before the Internal Control Body of the Civil Service Secretariat at the National

Immigration Institute against the civil servants who took part in the events stated in this case.

SECOND. That instructions be issued to whomever it may concern so that an inspection of current administrative immigration procedures for determining the immigration status of foreign minors traveling alone is carried out, and corrective measures are taken in order to prevent violations of minors' human rights, as in this case. And that once this is complied with, this National Institution is duly informed.

THIRD. That instructions be issued to whomever it may concern so that the necessary administrative measures are taken to guarantee appropriate attention to migrants held in the Immigration Station in Tenosique, Tabasco, particularly to minors who are pregnant.

FOURTH. Instruct whomever it may concern so that civil servants from INM are trained in the adequate observance of the rights of foreign minors traveling alone in order to prevent future omissions or irregularities such as those evidenced in this document.