



**International Convention  
on the Protection of the  
Rights of All Migrant  
Workers and Members  
of Their Families**

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COMMITTEE ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT  
WORKERS AND MEMBERS OF THEIR FAMILIES

Fifth session

SUMMARY RECORD OF THE 40th MEETING

Held at the Palais Wilson, Geneva,  
on Monday, 30 October 2006, at 3 p.m.

Chairperson: Mr. KARIYAWASAM

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The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER  
ARTICLE 73 OF THE CONVENTION (agenda item 3)

Initial report of Mexico (CMW/C/MEX/1; CMW/C/MEX/Q/1 and Add.1)

1. At the invitation of the Chairperson, the members of the delegation of Mexico took places at the Committee table.
2. The CHAIRPERSON welcomed the delegation of Mexico, recalling the important role played by the Mexican Government over many years in promoting the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Mexico was a country of both origin and transit for migrant workers, sharing a long border with the United States of America to the north and a shorter one with Guatemala and Belize to the south. As a result, its country report covered every possible aspect of the Convention.
3. Ms. GONZÁLEZ (Mexico), introducing the initial report of Mexico (CMW/C/MEX/1), said that as the twenty-first century promised to be one of migration, all States needed to update their migration policies, but none could frame them single-handedly. There was widespread agreement that, in order to meet the new global challenges, cooperation among members of the international community should be strengthened and that the responsibilities for dealing with migration had to be shared, as had been pointed out at the General Assembly's High-Level Dialogue on International Migration and Development in September 2006. Against that background, the Mexican Government had paid particular attention in its foreign policy to promoting and safeguarding human rights, while seeking to bring domestic policies into line with international standards and objectives.
4. In its foreign policy, Mexico based its actions on two fundamental principles. The first was that the competent bodies and the experience of the international community could underpin the efforts of national institutions to promote human rights and democracy, enabling the country to make the structural changes it needed and overcome the delays that had dogged its efforts in those areas for so long. The second was that respect for human rights could be promoted by fostering the establishment of new, higher international standards to protect them. Mexico was not only playing an active role in the various human rights forums but was also endeavouring to strengthen and update its national legal framework. It had opened up fully to international scrutiny and attached overriding importance to complying with its international commitments, as demonstrated by its appearance before the Committee.
5. Mexico had encouraged greater participation by civil society in the debate on better practices for promoting and protecting human rights and creating a political culture of human rights, making full use of the opportunities offered by international cooperation. With respect to the protection of migrant workers' rights, it was seeking to establish a new labour culture in which work was seen as a way of expressing human dignity, ensuring individual fulfilment and raising living standards. It had sought understandings with Central American countries to ensure that migrant workers' employment conditions were improved, and had taken action to make the labour courts universally accessible, regardless of workers' migration status.

6. For its report, Mexico had drawn information not only from government sources but also from the United Nations system, the academic world and civil society organizations, and had submitted it to those organizations for their comments. The Mexican Government had done all it could to comply with its obligations under the Convention, developing special programmes and implementing the appropriate policies. Aware that much remained to be done to ensure that migrants in Mexico enjoyed their human rights in full, the Government had worked closely with the international community to improve their plight. Undoubtedly, with the help of the Committee's valuable observations and with the cooperation of other international human rights organizations, Mexico would make progress towards ensuring that all those who left, passed through or settled in the country enjoyed their human rights to the full.

7. Mr. CUETO MARTÍNEZ (Mexico) said that national and international scrutiny of the full exercise of migrants' rights had helped and would continue to help Mexico fulfil its commitments to protect and promote the rights of migrant workers and their families. The Mexican authorities would therefore greatly value the Committee's observations and recommendations.

8. Migration needed to be approached in a comprehensive and coherent manner, taking into account its full human and social dimension and the range of causes and effects in countries of origin and destination. Mexico therefore tirelessly urged all States to frame and apply laws and policies that guaranteed full respect for the dignity and human rights of migrants and their families, regardless of their status. The federal Government had held nationwide consultations with lawmakers, academics, civil society organizations and local authorities to achieve two medium- and long-term aims. The first was to construct a comprehensive State platform to address migration. The second was to lay the foundation for an integral migration policy for Mexico's southern border.

9. In the short term, Mexico had launched social, economic and political programmes to support migrants and guarantee their rights. It had also promoted and signed international agreements to protect the rights of all migrants and their families and had taken steps to train public officials and involve them in the promotion and protection of migrant's human rights and in ensuring that they had access to justice.

10. A country of origin, transit and destination for migrants, Mexico was the country with the largest number of migrants in the United States. In the previous four years, an average of 400,000 Mexican nationals a year had gone to work permanently in the United States. It was estimated that of the 10.6 million Mexican migrants in the United States, 6.2 million were in an irregular situation. The Mexican Government and migration authority worked ceaselessly to protect the rights of Mexican migrants in the United States and to ensure they had access to medical services, social benefits, justice and consular assistance. The understandings reached with the United States for the dignified, safe and orderly repatriation of Mexican nationals contained a specific chapter on the protection of the rights of vulnerable groups and family unity. According to the latest report issued by the United States migration authority, in 2005 alone there had been 1,024,000 acts of repatriation involving Mexicans, of whom, according to Mexican data, 17 per cent were women and 4.2 per cent minors. In the first half of 2006, there had been 330,562 such acts, 15 per cent and 7.3 per cent of them involving women and minors respectively.

11. Mexico also faced the challenge posed by the growing numbers of irregular migrants in transit across its territory on their way to the United States. In 2005 the Mexican authorities had repatriated almost 250,000 migrants, almost 95 per cent of them from Central America. It was estimated that just under 10 per cent of those repatriated were women and just over 5 per cent were minors. On the basis of data provided by the National Institute for Migration on trends in the migratory flows of vulnerable groups, it had been decided to allocate most of the Institute's human and financial resources to looking after migrants from Central American countries, with particular emphasis on women and unaccompanied minors.

12. By means of a coherent and responsible migration policy, Mexico's migration authority strove above all to promote and protect migrants' rights in full, while applying the best international migration management practices. In 2004 and 2005 Mexico had signed agreements with Guatemala and El Salvador for the orderly, speedy, dignified and humane repatriation of those countries' nationals. The agreements included chapters on migrant women and unaccompanied minors, who would be repatriated by air with the assistance of their respective consulates in Mexico. On 5 May 2006, Mexico had signed a similar agreement with Honduras, Nicaragua, El Salvador and Guatemala, who had pledged their cooperation with the relevant authorities to improve the repatriation processes, fully respecting migrants' rights, with special attention to be paid to vulnerable groups.

13. There were now 16 Beta groups for the protection of migrants, 12 along the northern border and 4 near the southern border, created with the principal aim of defending migrants' human rights and safeguarding their physical safety and personal belongings, regardless of their nationality or migration status. In 2005, 5,839 migrants in difficulty had been rescued and a further 5,657 had been rescued so far in 2006, some 24 per cent of whom were women. From October 2005 to May 2006, 79,562 migrant women had been assisted and 113,347 leaflets on migrants' human rights had been handed out.

14. Mexico had made progress in preventing and dealing with people-trafficking and in caring for its victims. Pursuant to the provisions of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, which had entered into effect in Mexico on 25 November 2003, Mexico had already set up a network for inter-institutional and international coordination. The National Institute for Migration had recently established migration facilities to enable trafficking victims to remain legally in the country and to have access to the financial and legal resources they required to undertake legal proceedings, so that the traffickers could be brought to justice. To back up that measure, the Institute had instigated inter-institutional coordination involving other government bodies and civil society, to ensure that victims had a decent income, housing, food and medical care and that they enjoyed decent living conditions while they remained in the country.

15. In 2003, the Government had launched a wide-ranging programme to upgrade the 49 migrant holding centres around the country. In March 2006, President Fox had inaugurated a new migrant holding centre in Tapachula, Chiapas, the part of Mexico where the largest numbers of Central American migrants were to be found. The equivalent of around US\$ 8 million had been invested in the centre, which had a temporary capacity of 960 migrants and overnight facilities for another 490. Covering 30,000 square metres, it was divided into

separate areas for men, women, families and minors. In November 2006, the National Institute for Migration would be inaugurating a new headquarters in Talismán, Chiapas, near the Guatemalan border and would begin to automate migration services, such as the issuing of official forms (the Visiting Agricultural Worker Migration Form (FMVA) and the Local Visitor Migration Form (FMVL)), repatriation processes for Central American nationals, and mechanisms for controlling tourism along the Maya Route. The Mexican authorities had agreed to let Guatemala's consular and labour authorities have offices in the new building with a view to improving the efficiency and transparency of migration services and protecting the rights of migrants and their families.

16. In recognition of the contribution made by regular migrants, Mexico offered foreigners the opportunity to regularize their situation. Since 1 September 2005, over 2,800 migrants had done so, most of them from Guatemala. In keeping with the commitments made at the Ninth Mexico-Guatemala Binational Meeting, held in Mexico in May 2006, the Institute had begun a process of consultations and legal procedures to extend the scope of the FMVA, so that Guatemalan nationals could work in other sectors, such as construction and domestic work, and that of the FMVL, so that those Guatemalans living in the border departments of Quiché and Petén could benefit in addition to those living in San Marcos. On that basis, the Mexican authorities would be able to respond to the proposal made in May 2006 by the Guatemalan authorities to adopt a comprehensive and permanent programme for seasonal workers.

17. It was vital to continue to strengthen international cooperation by sharing responsibilities and adopting approaches that allowed for legal, orderly and safe migration. Such approaches should guarantee respect for migrants' human rights, their human dignity and the principle of non-discrimination, regardless of a person's migration status. His Government was committed to finding new formulas and imaginative mechanisms for international cooperation that supported national efforts to address migration while complying fully with countries' international obligations to protect the human rights of migrants and their families.

18. Ms. CUBIAS MEDINA (Country Rapporteur) commended the Mexican Government for making migration a political priority, both at home and abroad. Internationally, Mexico had played a very active part in promoting the Convention's ratification. She welcomed the participation and contributions made by civil society, academics and government bodies in the preparation of the country report. It was noteworthy that Mexico's migration policy took into account the human rights of all migrants while combating illegal trafficking in persons. There had also been renewed efforts to avoid treating migrants as criminals. The Committee welcomed the Government's efforts to regularize the situation of thousands of migrants living in the country. It also praised the initiative of the National Institute for Migration to set up Beta groups in the Mexican states with the largest number of migrants in transit. The Beta groups carried out admirable humanitarian work to safeguard migrants' human rights. Mexico had also taken steps to pay special attention to vulnerable groups, such as unaccompanied migrant and repatriated children and young persons, both Mexicans and other nationals. She welcomed the establishment earlier in 2006 of the migrant holding centre in Tapachula, where all migrants' needs were properly cared for, and also the programme to upgrade other centres. The Government's efforts to disseminate information on migrants' rights were also welcome, as was the creation of the Institute for Mexicans Abroad.

19. She asked if the delegation could specify what stage in the legislative process the country's new migration bill had reached. She expressed concern over the situation of illegal migrants, in particular with respect to cases of violations of the human rights of women and children crossing Mexico to reach the United States of America. She deplored the lack of federal legislation to criminalize all forms of trafficking in persons, as required by the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. She further deplored the lack of coordination among local authorities to effectively protect the rights of migrants in transit, especially against discriminatory or xenophobic acts.

20. The Committee would like to know what steps the Mexican Government had taken to combat the assaults, thefts, extortions and abuse that youth gangs (maras) and local authorities inflicted upon migrants in transit. It would also like to know if there had been any legislative reform empowering a single authority to monitor or check migrants, and under what circumstances the migration authority could carry out those functions.

21. She asked how many reports of discriminatory acts committed by representatives of that authority had been received by the National Council for the Prevention of Discrimination or the National Human Rights Commission. She would appreciate an explanation of why public servants prevented illegal migrants from registering the birth of their children. The Committee would welcome further information on the consultation mechanisms for consular protection available to Central American countries as members of the Regional Conference on Migration, (the "Puebla Process"). It also wished to know more about the migration control and verification subcommittees on which different security forces of the three branches of Government were represented, and if those subcommittees were entitled to hold migrants. Lastly, she asked the delegation to say how illegal migrants were affected by their status in terms of access to health care, education and trade unions, and to describe the situation of indigenous migrants, especially women and children.

22. The CHAIRPERSON asked what steps Mexico had taken to ensure that its 31 states implemented the obligations taken on by the State party with regard to human rights in general and the Convention on Migrant Workers in particular, and how implementation was monitored. He further asked if there were any special provisions for the detention of minors.

23. Mr. EL-BORAI asked whether migrants were entitled to a judicial hearing, and sought clarification on the "migration-related offences" mentioned in paragraph 237 of the report. He also asked if migrants' right to freedom of movement was guaranteed by the Mexican Constitution or legislation.

24. Mr. CARRIÓN-MENA wondered how reliable Mexico's statistics were and where they came from. He also wondered how effective Mexico's policy on its southern border was. Finally, he asked what the outcome had been of applying stricter visa policies to several Latin American countries, including Ecuador, which had created some tension in the region.

25. Mr. SEVIM asked how Mexico expected migrant workers - Mexican workers abroad and migrants in Mexico - to have access to social security benefits for short periods of employment outside their home country in the absence of social security agreements between the countries

concerned. He also wondered whether there was a minimum waiting period for family reunification, and whether migrants were allowed to work in the public sector or to be self-employed.

26. The CHAIRPERSON inquired whether Mexico was considering the withdrawal of its reservation to article 22, paragraph 4, of the Convention.

27. Mr. CUETO MARTÍNEZ (Mexico) said 11 different proposals to amend the General Population Act, the in force migration legislation, were currently under consideration in Congress. He accepted that the Act needed to be updated and adapted to the new demands of migration in Mexico and to the international instruments ratified by Mexico.

28. Mexico had signed basic agreements with the United States of America on special treatment for migrant women and children and vulnerable groups. Its memorandum of understanding with Central American countries on the repatriation of Central American migrants also contained a chapter on special treatment for migrant women and unaccompanied minors.

29. Trafficking in persons took place in the south of the country and was on the increase, especially in the most populated cities of the country. However, two Mexican political parties had proposed a bill criminalizing trafficking in persons as an offence in its own right, and the bill appeared to enjoy widespread support. The migration authority contributed to the work of the inter-institutional consultation group led by the Ministry of Foreign Affairs to review the proposal before Congress on trafficking in persons. Furthermore, a special department dealing with trafficking in persons had been recently created within the Ministry of Public Security to prevent and prosecute that crime, while the Office of the Attorney-General provided assistance to the victims of trafficking.

30. An administrative decision had recently been taken to permit undocumented migrant victims of trafficking and other crimes to obtain the necessary legal status in Mexico so that they could assist the authorities in prosecuting such cases: in the past, trafficking victims had simply been repatriated. The Government shared many of the concerns expressed by non-governmental organizations such as Foro Migraciones and Sin Fronteras, and looked forward to working closely with them to tackle the problem of trafficking. The National Institute for Migration was working with other services, including the various attorney-generals' offices, to ensure that victims of trafficking had access to accommodation and medical services and to facilitate their cooperation with a view to prosecuting traffickers.

31. The criminal gangs known as maras were a national security problem in Mexico. The Mexican Government had hosted various discussions with the authorities of the countries affected by that form of international organized crime. The Government's approach to dealing with such gangs was understandably of concern to the Committee, as well as to non-governmental organizations. The authorities in Mexico, the United States of America and the countries of Central America were cooperating in terms of logistics and intelligence-sharing. It was of course in Mexico's interest to ensure that the rights of people accused of membership of such gangs were fully respected. Unfortunately, there had been cases of abuse of power and corruption in the migration services, in particular along the southern border. The delegation had

made available to the members of the Committee a document outlining a comprehensive policy on security along the southern border, which consisted in ensuring safety and order while progressively reducing the discretionary powers of the migration authority.

32. The Integrated System for Migration Operations (SIOM) made it possible to keep track of who was entering and leaving the country as documented migrants, but it had also proved effective in maintaining information on undocumented migrants who had committed offences in the country. The system should also allow the authorities to be in a better position to protect the rights of migrants and to take action against anyone who subjected them to abuse. There was no central registry of Central American migrants in holding centres. Many of those who were repatriated were sent back to their countries directly over the southern border, in accordance with bilateral agreements between Mexico and their countries of origin.

33. Mr. ASFURA PRADO (Mexico) said that the mechanisms established by the three levels of government had generally been set up in cooperation with the National Institute for Migration, working with other well-established governmental bodies such as the Office of the Attorney-General or the Federal Preventive Police, with the aim of verifying the status of migrants. The aim was not to detain or apprehend the persons in question, but merely to question them regarding their status and to verify the legality of their situation in Mexico. If their situation was not regular, the Institute was the sole body authorized by law to secure the person in question. However, if the foreign national had committed a crime or offence covered by the Criminal Code, the Office of the Attorney-General was authorized to intervene. Foreigners whose only offence consisted in not having regular status were subject to fines, or had their status regularized by the Institute, which informed them of their rights and obligations in Mexico. The Institute was scrupulous in ensuring proper care and treatment for minors. The separation of minors from adults was a preventive measure taken to protect them physically, mentally and psychologically. A distinction was made between minors who merely crossed the border and had irregular migration status and those who committed crimes covered by the Criminal Code.

34. Under Mexican law, minors who committed offences were not considered as delinquents, but as juvenile offenders, and as such they were given specific treatment. No criminal code at the federal or state level made provisions for the criminal trial of minors. Regardless of their migration status, they were covered by a specific law known as the Treatment of Young Offenders Act, which prohibited their detention in adult prisons and ensured that they were not treated as delinquents. Young offenders were held in specific facilities where they were given special multidisciplinary treatment that included the services of social workers and psychological specialists. Such treatment concentrated on their family and personal backgrounds to try to determine what had made them turn to crime.

35. Migrant minors, especially from Honduras, Guatemala and El Salvador, often crossed the border without their parents, but in the company of other adults. Those who were not suspected of committing criminal offences were immediately handed over to the migration authorities, where they were isolated from adults to protect them from exploitation and pressure. The National Institute for Migration went to great lengths to ensure the personal dignity of minors in its care.



36. Mr. ANDRADE SALAVERRÍA (Mexico) said that although under the Constitution all persons were guaranteed the same rights regardless of immigration status, a few exceptions were allowed under specific constitutional provisions. For example, for foreigners in Mexico, the Constitution ensured the right of association in professional organizations, but it also included an exception in respect of the right to conduct certain political activities. Article 123 of the Constitution guaranteed that all persons were able to join or refuse to join trade unions. With regard to article 372 of the General Population Act, which prohibited foreigners from being part of the leadership of trade unions, he explained that it originally stemmed from the 1931 Labour Act and had been taken up in the current version of the General Population Act, which dated from 1970. The reason for including the provision had apparently been to ensure that the leadership of trade unions in strategic industries and sectors did not include foreigners. If a foreigner acceded to such a position, it would be possible to challenge the validity of the provision first by resorting to the remedy of amparo, and later, if necessary, by appealing to the court of second instance, which for constitutional matters was the Supreme Court.

37. Mexico was a federation of 31 states and a federal district, which were fully sovereign for internal matters, although they must comply with the principles set out in the federal Constitution. The competencies of the federal Government and the states were established by the Constitution; any competency not expressly assigned to the federal Government devolved to the states. While the federal labour law was enacted by the federal Congress, its implementation was the responsibility of both the federal and the state administrations. Article 123 of the Constitution set out which industries and branches should be subject to oversight by the federal authorities, and also established that the federal Government should be responsible for occupational safety and health and for training. The National Planning Act established that the federal Government had a duty to coordinate its actions with those of the federal states, in particular through coordination agreements. It also called for other types of agreements, for example between the federal authorities and the private sector, to facilitate implementation of the federal Government's development plans. The federal Government had the authority to supervise the actions of the states only when it provided them with resources in cash or kind for federal programmes.

38. Mexico had entered both an interpretative declaration and a reservation to the Convention. The latter referred to article 33 of the Constitution, which made it possible to deny foreign nationals the right to a hearing. There had been a number of initiatives in recent years to reform that provision, but the procedure for reforming the Constitution was quite cumbersome, requiring a two-thirds majority of both houses of Congress and subsequent ratification by a majority of the state legislatures. The latest initiative would maintain the possibility of denial of the right to a hearing only in cases involving individuals who were threats to national security, as determined by law. Hopefully, the provision in question would be amended and would bring the Constitution into line not only with the Convention, but also with other international human rights instruments.

39. Ms. GONZÁLEZ (Mexico) said that the Labour Act was considered to be one of the pillars of the Constitution of Mexico drawn up after the Mexican Revolution. Therefore, discussions on the proposed amendments to article 123 had been very difficult, and the amendments had not been adopted. Some of the proposed reforms to the article were more controversial than others, but all would need a good deal of discussion before agreement could be reached.

40. Mr. VÁZQUEZ SOLÓRZANO (Mexico) said that the law provided for the detention of migrants, which in practice was carried out by various bodies: both migration officers of the National Institute for Migration and the Federal Preventive Police had the right to detain individuals. In practice, other authorities such as the municipal police also took undocumented migrants to migrant holding centres.
41. Mr. CUETO MARTÍNEZ (Mexico) said that he shared the Committee's concerns on the issue of detention and stressed that the migration authority was the only body legally permitted to deal with migration in Mexico. However, the General Population Act provided that the Federal Preventive Police could, if so requested by the migration authority, also secure migrants.
42. Mr. CARRIÓN-MENA asked about the standard of training, especially with regard to human rights, provided for officials authorized to detain migrants.
43. Mr. ASFURA PRADO (Mexico) said that migration officers did not arrest or detain migrants, regardless of how they were brought to the place where they were to be secured. It was a sensitive issue, but detaining a person because they were suspected of an offence was different from taking a person to a migrant holding centre to determine their migration status. Migrant holding centres were not prisons. Non-nationals were not arrested or detained. If, however, a non-national was accused or suspected of an offence, they would be physically detained and dealt with by the appropriate authorities. Legislation was due to be adopted to clear up the confusion on that issue.
44. The CHAIRPERSON, noting that the Committee needed to identify best practices in implementing the Convention, said that Mexico, as a sending, transit and receiving country, could provide important examples for others.
45. Considering that article 25 of the Convention stipulated that migrant workers must not be deprived of any rights by reason of any irregularity in their stay or employment, he asked, with regard to paragraphs 317-319 of the report, what the situation was of irregular migrants in Mexico in relation to issues such as remuneration, hours of work and the minimum age of employment.
46. It was indicated in paragraphs 374-392 of the report, concerning the implementation of articles 40, 41 and 42, that provisions had been introduced that gave voting rights to Mexicans abroad but that did not require the intervention of consulates and embassies. Was the system successful? It was often difficult for migrants to vote in countries that did not have an embassy or consulate there, so if the system was successful, other countries could learn from Mexico's experience.
47. Mr. BRILLANTES said that the United States Department of State had a system for classifying countries according to their human-trafficking situation, and enquired about Mexico's ranking in that system. The many laws referred to in the report indicated that Mexico was at the forefront of the fight against human-trafficking: how many convictions had there been recently? He would like to know if there was a licensing system that enabled the authorities to identify the recruitment agents and agencies who targeted the most vulnerable people. He would also like to know what liabilities such agencies had and what happened to agencies that were successful but not licensed.

48. Noting that Mexico had more than 40 consulates in the United States alone, he asked what action they could take to protect the rights of Mexican workers, particularly irregular migrants, in cases where they were abused by their employers.
49. Lastly, he asked what measures the Government of Mexico took to protect and promote the welfare of workers in danger as a result of natural disasters, civil unrest or war.
50. Mr. EL-BORAI said he was concerned that foreign workers had the right to join trade unions but not to be part of their leadership. He asked for clarification of the ranking of conventions ratified by Mexico in the hierarchy of the Mexican legal system: in particular, he would like to know if the International Labour Organization Convention No. 87 concerning Freedom of Association and the Protection of the Right to Organise took precedence over national law or not.
51. Ms. DIEGUEZ said that the regularization programme for migrant workers in the south of the country had been very beneficial, and noted that it had been extended at the request of the Government of Guatemala. Moreover, people in migrant holding centres now received three meals a day, which was another step forward.
52. The situation of the children of undocumented migrant workers was a particularly serious issue in border areas, where many children were not registered. In that connection, she would appreciate more information on coordination with the private sector. Noting that the rights of workers were not being respected on farms in Chiapas, she asked if the Government could make agreements with associations of Mexican farmers to guarantee the rights of Guatemalan workers.
53. It was difficult to ascertain whether adults travelling with children were actually their parents or whether the children were being trafficked. She appreciated that agreements on that subject had been negotiated and signed with the National Institute for Migration, but said that they needed to be translated into practice.
54. With regard to managing the often prejudiced behaviour of local authorities, she wondered if they could be trained to better implement the law. Perhaps the sharing of experience by the authorities along the northern and southern borders would help improve relations and guarantee the rights of irregular migrants.
55. Mr. CARRIÓN-MENA asked what training was given to ensure that migrants were taken to holding centres in accordance with the law. Officials with the power to secure migrants had limited training; increasing their knowledge of the law and of human rights would help them to be fairer and more effective.
56. Mr. SEVIM, referring to paragraph 234 of the report, asked about the property rights of migrants. He would like to know if the restriction on ownership of land or waters within a 100-kilometre zone along the borders and a 50-kilometre zone along the coasts was in accordance with the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. Could that provision of the Constitution of Mexico be liberalized? He would also like to know if the restriction applied to real estate within that zone.

The meeting rose at 6 p.m.