

XIII Meeting of the Mexico-United States Binational Commission

The XIII meeting of the Mexico-United States Binational Commission took place May 6 and 7 at a difficult moment for relations between the two countries because of the violence perpetrated against Mexican citizens in California recently, in one case resulting in the death of undocumented immigrants.

The high-level Mexico City meeting was a form of consultation to analyze and seek forms of cooperation on the broad range of topics which have an impact on the relations between the two nations.

The meeting was headed up by Mexican Foreign Affairs Secretary José Angel Gurría and U.S. Secretary of State Warren Christopher.

The government officials who participated in the meeting divided up into 16 working groups to discuss the following topics: political affairs; housing and urban development; environment and natural resources; energy; business promotion; fishing and tourism; fiscal, financial and customs matters; labor; agriculture; migration and consular affairs; legal matters and cooperation in the fight against drug trafficking; trade and investment; transportation; education and cultural affairs; health; science and technology; and cooperation on the border.

Among the many agreements which emanated from the meeting, the most outstanding include the steps forward in consular protection of nationals of both countries and human rights. The mistreatment and persecution of undocumented Mexicans in California by officers of the U.S. Immigration and Naturalization Service (INS) border patrol —commonly known as “la migra”— and by local police from border towns in April of this year were determining factors in the different working groups. Concretely, in the working group on migration and consular affairs, both delegations expressed their concern about the incidents. The U.S. delegation said

that the State Department was committed to following up the investigation and promptly informing the Mexican government on progress in the case. Also, it said that the U.S. Justice Department would work with local police officials in border areas to review procedures and establish training in human rights protection.

The Memorandum of Understanding About Consular Protection of Mexican and U.S. Nationals was signed precisely to safeguard the human rights of nationals from both countries and considers it in the interest of both governments to prevent situations which threaten the physical safety and human

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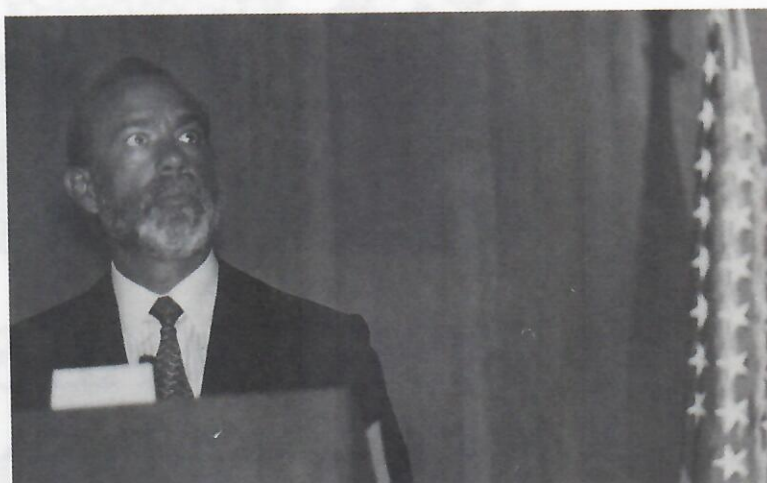


U.S. Secretary of State Warren Christopher.

dignity of their citizens when they are in the territory of another country. It also emphasizes the importance of fostering and setting up appropriate institutional mechanisms to efficiently deal with these situations as they arise.

The document establishes the following principles and goals:

1. *To include within the mandate of the Working Group on Migration and Consular Affairs of the Binational Commission, the discussion and evaluation of issues, problems and trends related to the consular protection and human rights of nationals of both countries and the understandings expressed in this memorandum as regular matters on its agenda, in order to make recommendations to the respective Governments, if mutually agreed upon.*
2. *To provide any individual detained by migration authorities with notice of his/her rights and options, including the right to contact his/her consular representatives, and to facilitate communication between consular representatives and their nationals. Both Governments will endeavor, consistent with the relevant laws of each country, to ensure that specific notification to consular representatives is given in cases involving the detention of minors, pregnant women and people at risk.*
3. *To endeavor to provide settings conducive to full and free exchange between the consular representatives and detained individuals in order to allow, consistent with the relevant laws of each country, consular officials to interview their respective nationals when they are detained, arrested, incarcerated or held in custody in accordance with Article VI, paragraph 2, section (c) of the Consular Convention between the United Mexican States and the United States of America of August 12, 1942, and in accordance with Article 36, first paragraph, of the Vienna Convention on Consular Relations of 1963.*
4. *To allow and to facilitate, consistent with the relevant laws of each country, consular officials to be present at all times at the trials or judicial procedures concerning their respective nationals, including those legal procedures relating to minors.*
5. *To bring to the attention of the Working Group on Migration and Consular Affairs significant reports concerning consular protection and respect for human rights of nationals of both countries discussed at the Border Liaison Mechanisms and the Consultation Mechanisms on Immigration and Naturalization Service Activities and Consular Protection.*



Mexico's Secretary of Foreign Affairs José Ángel Gurría.

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Among the other important documents signed during the meeting were the Cooperation Accord on the Energy Sector; a Memorandum for Cooperation in Health; the Letter of Presentation of the XXI Border Program; Letter of Intent on Rural Development; and the Agreement to Establish an Inventory of Natural Resources in the Border Area.

Commitments were made to work on plans for urban development of neighboring border cities using Laredo, Texas, and Nuevo Laredo, Tamaulipas, as a basis. The meeting also decided to foster investment in environmental technology; to set up a Coordinating Secretariat of NAFTA; to implement the La Jolla protocol for the protection of dolphins; to move forward in instrumenting NAFTA customs agreements; to deepen the agreements on cooperation in the fight against drug trafficking; to advance in the establishment of a Free Trade Zone of the Americas; and to implement many other agreements about the environment, health, education, the border, trade, migration, etc., that made this one of the most productive binational meetings in history. 