



FRIEDRICH NAUMANN
STIFTUNG Für die Freiheit.

México

INFUNIDAD | CERO

denuncia.org



COMPLAINT CARD FOR

PEOPLE IN SITUATION OF
MOBILITY



Management team:

- ✓ Siegfried Herzog , Director Regional América Latina / Fundación Friedrich Naumann para la Libertad
- ✓ María José Salcedo Campos, coordinadora de Proyecto México / Fundación Friedrich Naumann para la Libertad
- ✓ Catalina Kühne Peimbert, Directora ejecutiva / Impunidad Cero
- ✓ Sandra Alvarez, Directora general / Sin Fronteras IAP

Editorial and research managers:

- ✓ Itzel Jiménez Ríos / Impunidad Cero
- ✓ Leslie I. Jiménez Urzua / Impunidad Cero
- ✓ Gerardo Salinas Camarena / Sin Fronteras
- ✓ Ajax Resendiz Velásquez / Sin Fronteras
- ✓ Sandra Garnica Gómez / Sin Fronteras
- ✓ Wendy Castro Martínez / Sin Fronteras

Designed by:

- ✓ Sol Abadía / Sin Fronteras



This material is designed to help you identify if you were a victim of a crime, give you tools so that, if you decide so, you can report it, and have the means of protection to stop experiencing violence.

THE USE OF THIS CARD WILL MAKE IT EASIER FOR YOU TO GIVE CONTINUITY TO THE REPORTING PROCESS

DETAILS

Number of my investigation folder:

Unique Case Number and/or Internal Control Number:

Date on which I filed my complaint: _____ of _____ of 20____

Name of the officer of the Public Prosecutor's Office (hereinafter, MP) who took my complaint:

Prosecutor's office where I filed my complaint: : _____

Unit where I filed my complaint: _____

Name of my legal advisor _____

Private individual: _____ Free of charge: _____

I have protection measures: Yes: _____ No: _____

What protective measures I have: _____

Date protective measures were initiated: _____ of _____ of 20____

Date on which the protective measures expire: : _____ of _____ of 20____

Comments:(what measures, issuing authority, if you have renewed them, etc.)

3

4



CONSIDER THAT THE FOLLOWING QUESTIONS

- WILL HELP GUIDE YOU ON THE STEPS TO FOLLOW IN CASE YOU HAVE BEEN THE VICTIM OF A CRIME

5

I THINK I WAS A VICTIM OF A CRIME, WHAT CAN I DO?

GET SAFE!

IF YOU WERE A VICTIM of a crime, the most important thing is to safeguard your safety and that of the people who are with you, for this it is necessary:

- ✦ Move to a safe place for you and the people you are with.
- ✦ Ask for help from a family member or acquaintance.
- ✦ If possible, go to any agency of the Public Prosecutor's Office or Women's Justice Center to file a complaint, it is important to know that they provide 24-hour service.
- ✦ In case of an emergency, call 911 or call the telephone number of the prosecutor's office in the state which you are

6



We suggest you have a support and a accompaniment network to report, because on many occasions the reporting process is long, so having the company of someone .

For this you can look for a civil organization or other institution that can advise you on the rights you have in case you want to denounce and can also help you to obtain documents that allow you to be in Mexico in a regular way.

To know the organizations enter to this link :
<https://contigosinfronteras.org/organizacion/>

CAN I FILE A COMPLAINT AS A MIGRANT?

THE ANSWER IS YES. In Mexico all people, Mexican and foreigners, have the right to access to justice. This obligation is enshrined in article 17 of our constitution, which states that in Mexico, everyone has the right to have justice administered.

It is common that public servants want to deny attention under the excuse that you do not have an immigration permit to stay in the country, so it is important that you remind them that your immigration status does not make you a criminal.

Having an irregular immigration status under Mexican law only has administrative consequences, not criminal ones, which means that you will never be at risk of ending up in prison for not having a permit to stay in Mexico. Your immigration status does not prevent you from having the right to file a complaint.



It is important for you to know that there are two reasons why a person may be in an irregular migratory situation:

1.

If they do not have a document that allows them to be in Mexico

The migratory documentation with which they accredit their situation is expired.

2.

The Mexican state has the obligation to protect your right to life, to reduce human rights violations of which you may be a victim and to fight against human smuggling and human trafficking.¹ So do not be afraid to

turn to the Mexican authorities for help, if you are a victim of a crime you have the right to report it.



¹ <https://www.ohchr.org/es/migration/global-compact-safe-orderly-and-regular-migration-gcm>

IF I AM A MIGRANT, HOW DO I IDENTIFY MYSELF?

YOU SHOULD KNOW THAT when you go to report a crime, you must have an identification that can show your name and nationality. For this you have several options:



If you have initiated an application before the Mexican Commission of Aid to Refugees (COMAR), you can go to denounce with your Proof of Process Initiation (Constancia de Inicio de Trámite) regarding the application for recognition of refugee status, which will also serve as official identification in the procedures you carry out, if you have already requested your provisional CURP, it is also important that you bring it with you.



Proof of recognition of refugee status granted by the Mexican Commission of Aid to Refugees (COMAR) once it studies your case and gives you a positive resolution.

Resolution of the National Institute of Migration (INM) recognizing you as a stateless person.

You have the right to report even if you do not have a document

In case you have not initiated any of these procedures, you can go with the identity card or credential of your country of origin.

If you do not have any of these documents, but you can go to the Consulate of your country, ask for a Certificate of Nationality with your full name and photograph. It will also serve to identify you.

WHAT IF I WANT TO REPORT MY LOST IDENTIFICATION DOCUMENTS?



WHEN IT COMES TO NON-VIOLENT THEFT or loss of identification documents or electronic equipment, you can file a report online. Check the requirements and how to do it :

<https://denuncia.org/denuncia-digital>

If you are unable to file your report online or if this option does not exist in your state, you can go to any public prosecutor's office.

WHAT HAPPENS IF I DO NOT HAVE ANY IDENTIFICATION DOCUMENTS?

REMEMBER THAT in case you do not have any document to identify yourself, you can approach an organization that will accompany you in the process to obtain any of the documents mentioned above, since you can obtain them through a process of immigration regularization such as obtaining a humanitarian visitor card, a temporary or permanent resident card, application for refugee status and naturalization

Know the organizations:
<https://contigosinfronteras.org/organizacion/>

Although not having an identity document does not take away your right to denounce, it is important that you do not miss the opportunity to regularize your immigration status, also the law gives you a period of time to denounce what happened to you.

HOW DO I CONTACT THE AUTHORITIES?

FOR ALL PROCEDURES with immigration authorities, you will be asked to provide an email address and telephone number:

- ✦ If you have your own number and email, you must give it to the authority at the time of reporting. If you are accompanied by a civil organization, it could provide a telephone number and institutional email to receive notifications and assist you in this process.
- ✦ If you do not have an email address and you are not accompanied by an organization, go to an internet café and ask for help to create one.

Make sure you can access the e-mail address you provide, as it will be the primary means for the authorities to contact you.

If you do not have your own telephone number, you can give the number of someone with whom you have regular contact.





NOW WE ARE READY!



LET'S LEARN A LITTLE MORE ABOUT THE CRIMINAL PROCESS.



HOW IS THE CRIMINAL PROCESS ACTIVATED? BY FILING A DENUNCIATION OR COMPLAINT.

THE DENUNCIATION is the act of informing the Public Prosecutor's Office of facts that may be a crime that is "prosecuted ex officio", that is, those that must be investigated immediately and effectively without the consent or presence of the victims. A homicide, femicide or rape are crimes that are "prosecuted ex officio".

THE COMPLAINT is also an act of informing the Public Prosecutor's Office about facts that could be a crime, but in this case, the facts can only be reported by the affected person, who in terms of Mexican law is called the victim or offended person, since his or her consent is required to initiate an investigation. For example: discrimination, sexual abuse or domestic violence.

BOTH THE DENUNCIATION AND THE COMPLAINT CAN BE RECEIVED BY AN AGENT OF THE PUBLIC PROSECUTOR'S OFFICE OR POLICE.



BUT WHAT IS CONSIDERED A CRIME?

A crime is the behavior of a person, which puts another person in a situation that affects him or her, or puts his or her rights and property, or those of society, at risk. When we are victims of a crime, we acquire a series of rights among which are included measures of care to ensure an effective resolution of the damage we suffer.

In this document we will help you identify the crimes of: **kidnapping, extortion, injuries, discrimination and forced disappearance.z**

WHAT DOES IT CONSIST OF?

The crime of **kidnapping** consists of depriving a person of his or her freedom, for any length of time, for the purpose of obtaining a ransom, forcing the authority or an individual to perform or refrain from performing a function or act, causing harm or damage to any person or any other benefit of any nature.

Migrants in Mexico may be more likely to be victims of kidnapping. This can happen during transit to Mexico or the United States, for example when a ransom is demanded in exchange for not killing or releasing a family member.



WHAT DO I HAVE TO CONSIDER?

1.

This crime can be reported by anyone.

2.

Stay calm and, if necessary, seek support from family members or people close to you to protect your safety.

3.

At the time of filing your complaint, you can show your proof of initiation of the process, identity card or credential from your country of origin or proof of nationality, as the case may be.

During the report the Public Prosecutor's Office or police should ask you for:

Name of the person you are looking for.

Date and place of abduction.

Time they were abducted.

Date of the last time you were in contact.

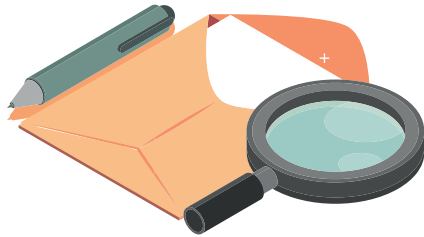
Telephone number or means by which you were contacted for the payment of the ransom.

LET'S IDENTIFY THE CRIMES THAT

AFFECT OR PUT YOUR RIGHTS AND ASSETS AT RISK



EXTORTION



This crime consists of forcing, requesting or attempting to force a person to perform an action with the intention of obtaining an economic benefit for oneself or for another. One of the most common types of extortion is by telephone, since criminal groups usually steal cell phones and thus obtain the telephone numbers of family members and close friends. Therefore, it is important to take security measures such as putting a password on your cell phone and not specifying links to your contacts (such as "mom", "dad", "uncle Juan", etc.).

It is very common that extortions are carried out by criminal groups, although sometimes it is the same officials who extort relatives and friends of people detained in Migratory Stations, Provisional Stays and airports, since they take away their cell phones and take personal data to make the searches.

A situation that could occur is that a family member travels to Mexico and upon entering the airport is detained by agents of the National Migration Institute, who ask for a certain amount of money in exchange for allowing him/her to enter the country.

TAKE INTO ACCOUNT...

1

This crime can be reported by anyone.

2

Stay calm and, if necessary, seek support from family members or people close to you to protect your integrity.

3

Then, try to identify the type of extortion of which you were a victim, for example: telephone, cyber or face-to-face.

4

At the time of filing your complaint, you can show your proof of initiation of the process, identity card or credential from your country of origin or proof of nationality, as the case may be.

5

If possible, bring videos or audios, papers or documents that serve as evidence.

6

In case there are witnesses to the extortion, provide the names and identification data of one or more persons who could testify.

INJURIES



The crime of **injury** occurs when a person affects your bodily integrity and the physical or mental damage produced by this act requires treatment, healing or medical or psychological follow-up. For example, if as a result of a fight, your face is affected in such a way that it requires medical attention in order to heal.

This can occur when a person or group of people attacks you because of your nationality, ethnic origin, language, skin color, sexual orientation, etc.

It is common for migrants to be victims of injuries by people who feel aversion towards foreigners (xenophobia), as a consequence of a robbery with violence and by cruel, degrading treatment and torture at the hands of criminal groups or State agents (National Migration Institute, National Guard, Navy, Army, police, among others).

TAKE INTO ACCOUNT...

1

In some states of the country, if the injuries were caused by traffic accidents and without intent to provoke them, the investigation is initiated by complaint.

2

If the injuries derive from an aggression, traffic accident, fight, among others, it is important that the MP personnel assess your physical condition.

3

If the injuries imply the transfer to a hospital, the doctor who makes the assessment of the injuries must inform the Public Prosecutor of the seriousness of the injuries.

4

If, before going to the public prosecutor's office to file your complaint, you go to a private doctor or psychologist, you can present this assessment of your health and treatment when you file your complaint.

DISCRIMINATION

The crime of **discrimination** occurs through actions or omissions that tend to provoke or incite hatred or violence, deny services or benefits to which they are entitled by virtue of being public and exclude, restrict or deny labor rights based on age, sex, marital status, pregnancy, race, ethnic origin, language, religion, ideology, sexual orientation, skin color, nationality, origin or social position, work or profession, economic position, physical characteristics, disability or state of health.

Migrants often face discrimination on a constant basis. For example, when they are denied health and educational services because they do not have documents proving their regular stay in the country, or when they are rejected for a job because of their physical appearance, religion, etc.



TAKE INTO ACCOUNT...

1

This crime is investigated by complaintz.

2

You should go to the public prosecutor's office closest to where the crime occurred, if you belong to any sexogenic dissidence you can go to the agency specialized in assisting users of the Lesbian, Gay, Bisexual, Transgender, Transvestite, Transsexual and Intersexual (LGBTITI) community (if there is one in the region where you are).

3

If the discrimination occurred in a public space (on public transportation, in the park, on the street, etc.) you can ask the police to tell you where to report it. If at that moment there is a police officer nearby, you can ask him/her to arrest your aggressor (in flagrante delicto) to present him/her to the public prosecutor's office.



It is important for you to know that the report of this crime is made to the MP. However, you also have the right to file a complaint with **COPRED** for cases of discrimination in Mexico City or carried out by public servants of Mexico City, and **CONAPRED** for cases of discrimination attributable to individuals, natural or legal persons, as well as federal public servants.

ENFORCED DISAPPEARANCE

An enforced disappearance is the arrest, detention, abduction or any other form of deprivation of liberty of a person, committed by an authority, of someone following the instructions of an authority or with its consent. It is also accompanied by denial of the deprivation of liberty and denial and concealment of information about the whereabouts of the person.

The difference with abduction is that enforced disappearance is committed by an authority (police, migration agent, etc.) or by a person following the instructions of the authority.

Persons in mobility can be victims of enforced disappearance when they are detained by agents of the INM, as well as the police or the Armed Forces. For example, if you know that a family member or friend is detained in a Migratory Station but the National Migration Institute refuses to give information or denies that he/she is detained, this may constitute an enforced disappearance.

Therefore, it is very important that you keep in communication with your relatives and close friends, so that you can let them know at all times where and with whom you are.

For example, if you are detained by the police, get in touch as soon as possible with your relatives or people who can support you and tell them what city you are in, who detained you and if possible, activate and share your location in real time from your cell phone.



If you are transferred to a Migratory Station or Temporary Stay, tell them where you are, in what condition you are in, the names of those who detained you and what institutions they belong to, if they took your belongings (such as money, cell phone, etc.), as well as feelings of danger, discomfort, suspicion, among other indications that something could happen to you.

TAKE INTO ACCOUNT...

1

This crime can be reported by any person.

2

When you go to report the crime, take with you your Proof of Initiation of Procedures or Identity Card or Proof of Nationality and, if possible, go accompanied by a person you trust.

3

At the moment of reporting the missing person, it is important that you have the following information at hand:



Full name.

A recent photograph of their face, preferably without filters.

A photograph or description of particular signs such as tattoos, scars, piercings, among others.

Cell phone number of the missing person.

Narrate the last place they were seen as well as the last contact you had with that person.

¿WHAT IS THE EXTERNAL SUPPORT MECHANISM ?

The External Support Mechanism for Search and Investigation consists of a set of actions, measures and institutions aimed at facilitating access to justice for people in the context of mobility and their families; it also seeks to promote the search for people in mobility who are missing, as well as the investigation of crimes related to people in the context of mobility.

This mechanism arose at the request of search groups and seeks to be a point of contact between the Attorney General's Office and the families of migrants.

The Mechanism is in charge of the Unit for the Investigation of Crimes against Migrants and is integrated by:



Conoce el mecanismo en:
<https://www.fundacionjusticia.org/que-es-mecanismo-de-apoyo-exterior/>

The head of the Unit for the Investigation of Crimes against Migrants, who is in charge of the mechanism.



Agents of the Public Prosecutor's Office



Non-ministerial personal

The Mechanism foresees a figure called "Attaché Offices" which are deconcentrated bodies, coordinated by the Head of the Coordination of International Affairs and Attaché Offices, the personnel of these bodies represent the Federal Public Prosecutor's Office abroad.

These personnel will receive the complaint abroad and take the necessary steps to initiate criminal proceedings, and will also be empowered to receive evidence and initiate investigation files.

Through institutional communication mechanisms, the attachés will be in constant coordination with the Federal Public Prosecutors' Offices located in Mexican territory.

HUMAN TRAFFICKING:

Consists of the recruitment, transportation, transfer, harboring or receipt of persons by means of threats, use of force or other forms of coercion, for abduction, fraud, deception, abuse of power or of a position of vulnerability, giving or receiving payments or benefits to obtain the consent of a person having authority over another for the purpose of exploitation.

Exploitative actions are:

- Slavery.
- The condition of serfdom.
- The prostitution of others or other forms of sexual exploitation.
- Labor exploitation.
- Forced labor or services.
- Forced begging.
- The use of persons under eighteen years of age in criminal activities.
- Illegal adoption of a person under eighteen years of age.
- Forced or servile marriage.
- Trafficking of organs, tissues and cells of living human beings.
- Illegal medical experimentation on human beings.

Migrants can be victims of this crime by being deceived with false job offers, romantic relationships, guaranteed crossing to the United States, among others.

This is a crime that can be reported by any person. The report should be made in a single act to avoid the need for additional statements. For this purpose, the following will be useful:

- Date and time of the facts; place of the facts (if you ignore it you can describe the place and provide data that help the location);
- Persons who intervened in the facts; If there is a relationship or kinship with those persons; If there was moral violence or threats; if in any way you were deprived of consciousness; if there are other people who have witnessed the facts; if you have continued to have contact with the aggressors.

Desde el momento de la denuncia la autoridad deberá de brindarte asesoría jurídica, evitando la revictimización, aclarando el derecho que tienes a la reparación del daño, las medidas cautelares que pueden decretarse en tu favor, el procedimiento penal que se llevará a cabo y el derecho a recibir asesoría jurídica para víctimas.



LET'S KNOW OUR RIGHTS

IN MEXICO THERE ARE VARIOUS LAWS
THAT PROTECT YOUR RIGHTS IN CASE YOU
ARE THE VICTIM OF A CRIME



From the moment you file your complaint, you have the right to receive technical and adequate legal advice from a legal advisor, as well as to receive information about your case during the investigation and the criminal process, by a person with a law degree and professional license.

You also have the right to:

DIGNIFIED TREATMENT

You have the right to be treated with respect, in a sympathetic manner and without discrimination of any kind.



INTERPRETER

In case you or any of your witnesses speak a language other than Spanish, you have the right to receive free of charge the assistance of an interpreter or translator by the competent authority.

TO COMPLAIN WITH THE ACTIONS OF THE PUBLIC PROSECUTOR.

You can go before a judicial authority in case the MP commits omissions in the investigation or decides that your process should not start, continue, or if it decides to suspend it.



ACCOMPANIMENT

You have the right to be accompanied when you file your complaint and during the expert tests that are carried out, either by a lawyer or by whomever you deem appropriate.



SHELTER AND FOOD

If your life and integrity, as well as that of your children if you have any, are in danger, you should receive immediate and emergency care. You have the right to be referred to specialized centers for comprehensive care, to receive physical, psychological and emotional treatment, as well as food.





ACCESS TO INFORMATION REGARDING YOUR INVESTIGATION FILE.

In order to continue with your complaint process, you have the right to access the investigation file that has been opened for your case. You have the right to be informed and notified of any decision made by the authority regarding your case.



REPARATION FOR THE HARM CAUSED.

You have the right to access truth, justice and full reparation for the violence you suffered.



PROTECTION MECHANISMS

You have the right to have the necessary measures applied to guarantee your life and integrity. The Public Prosecutor has the obligation to order them immediately when there is information that suggests that your life or integrity is in danger at the time of initiating the investigation. These are known as protective measures, which can also be granted to your witnesses. You can request these measures directly or through your legal advisor.

SOME OF THESE MEASURES ARE:

- 1 Prohibiting the person who assaulted you from approaching or going to your home
- 2 Limitation to the person who assaulted you to attend or go near your home or the place where you are
- 3 Immediate separation from the home you share with the person who assaulted you; *(the 3 previous ones are submitted to the consideration of the judge)*
- 4 Immediate delivery of your personal belongings or identity documents (INE, birth certificate, passport)
- 5 Prohibit the person who assaulted you from carrying out any conduct that intimidates or bothers you
- 6 Surveillance by police officers at your home
- 7 Protection by police officers
- 8 Immediate police assistance to your home
- 9 Transfer you to shelters, temporary shelters, as well as your children, in case you have them
- 10 To assign police personnel to accompany you to re-enter your family home

REMEMBER! The duration of the protection measures, whether or not they are subject to review by a control judge, will have a maximum duration of 60 days, but may be extended for an additional 30 days. In the case of the measures that were known by the control judge, when the cause that motivated the granted measure no longer exists, the accused person, his defense or, if applicable, the Public Prosecutor, may request the control judge that they no longer continue.

ACCESS TO IMMIGRATION REGULARIZATION

If you were a victim of a crime and reported it, you can access an immigration document in Mexico.

The Immigration Law provides for a condition of stay called "Visitor for Humanitarian Reasons", which is granted to persons who have been victims of a crime. This stay permit is valid for one year and can be renewed as long as the process continues.

After going to the Public Prosecutor's Office, keep a copy of the complaint you filed, this document is necessary to go to the delegation of the National Immigration Institute to request your Visitor's Card for Humanitarian Reasons, which will allow you to stay in the country in a regular manner until the process is concluded.

Do not forget to follow up on your complaint, because if it is filed or dismissed, you will have no way to renew the permit granted.



WHERE DO I
HAVE TO
GO? 



In several states of the country there are Specialized Prosecutor's Offices for the Attention of Migrants, these have trained personnel who must take your complaint. If there is no specialized prosecutor's office in the place where you are, you can go to any prosecutor's office or Public Prosecutor's Office to file your complaint.

Note: No Public Prosecutor's Office can refuse to receive your report on the grounds that you are not in the correct prosecutor's office.

UNIT FOR THE INVESTIGATION OF CRIMES AGAINST MIGRANT PERSONS - UIDPM

The Attorney General's Office has a UIDPM, where you can only report federal crimes. This means that you can report crimes such as human trafficking, crimes related to drug trafficking and arms trafficking. You can report the crime of which you have been a victim in the following ways:

IN PERSON AT:

Avenida Insurgentes, Number 20 de la Glorieta de Insurgentes, Colonia Roma Norte, Alcaldía Cuauhtémoc, C.P. 06700, Mexico City, 24 hours a day, 365 days a year.



DELEGATIONS OF THE ATTORNEY GENERAL'S OFFICE OF THE REPUBLIC OF THE STATE WHERE YOU ARE. HERE IS A DIRECTORY.

Enter to: www.gob.mx/cms/uploads/attachment/file/578735/-Delegaciones_FGR.pdf

BY PHONE: 55) 53460 000 ext. 508344, 508367, 508314

BY EMAIL TO:
unidadmigrantes@fgr.gob.mx



SPECIALIZED PROSECUTORS FOR MIGRANT CARE:

Only the states of Chiapas, Oaxaca, Veracruz, Coahuila, Tabasco, Campeche and Quintana Roo have them.

Enter to: www.wola.org/wp-content/uploads/2017/07/Accessoalajusticia_Versionweb_Julio20172.pdf

STATE

Chiapas



PROSECUTOR'S OFFICE

Tapachula
Decimoséptima Calle Ote. 9, Los Naranjos, Lazaro Cardenas, 30738 Tapachula de Córdoba y Ordoñez, Chis.

Palenque
Lienzo Charro S/N, Monterrey, 29960 Palenque, Chis.

Dirección de Atención a Personas Migrantes y Refugiadas (DAPMyR)
29960, Centro, Palenque, Chis.

STATE**PROSECUTOR'S OFFICE**

Oaxaca



Oaxaca
 Instituto Oaxaqueño de Atención al Migrante
 68270, Internacional 7, San Miguel 2da Secc, Tlalixtac de Cabrera, Oax.

Veracruz



Veracruz
 Dirección de atención a migrantes
 Palacio Federal S/N 2do. Nivel, Centro, 91000 Xalapa, Ver.

If you are not located in one of these States, you can go to the nearest Public Prosecutor's Office.

WHAT HAPPENS IF THE MP OR THE POLICE DO NOT WANT TO SERVE ME?

If there are irregularities during your treatment, such as delays, refusals, or demands for payment, you can go to the visitadurías or internal affairs areas, which are the internal bodies within the prosecutor's offices that are responsible for monitoring, receiving complaints and sanctioning the actions of the officials working in these institutions.

Enter to: <https://denuncia.org/visitadurias/>

You can consult the information you need to report irregular or corrupt acts by any public servant of the Prosecutor's Office and/or Attorney General's Office.

CAN I FILE A COMPLAINT IN ONE STATE AND CONTINUE MY CASE IN ANOTHER?



The answer is no. The complaint must be made in the place where the crime was committed, because the competent authority to investigate and punish the act of which you were a victim is the authority of the place where the act took place.

If you move, this process will not be transferable to another state and you will lose the possibility of following up on your case.

JURISDICTIONAL RECOGNITION OF THE RIGHT OF MIGRANTS TO FILE A COMPLAIN

For years, migrants have been victims of human rights violations, and in the face of these abuses, civil society has made an enormous effort to ensure that these violations are brought to light and prosecuted, and that the damage is compensated.

For this reason, the SCJN has issued resolutions that seek to strengthen the right of foreigners to denounce the crimes of which they are victims in Mexico and to be part of the process.

The Supreme Court of Justice of the Nation (SCJN) is the highest constitutional court in Mexico as well as the head of the Judicial Branch of the Mexican Federation. Among its responsibilities is to preserve the rights found in our constitution, to seek to maintain the balance between the different branches and spheres of government in Mexico, through the judicial resolutions it issues.

In this regard, the SCJN has pointed out the rights of persons in a situation of mobility, as well as specific situations that make them vulnerable within the justice system:

1 THE RIGHT TO HAVE THE INVESTIGATION FILE SENT TO THE MEXICAN EMBASSY IN THE VICTIM'S COUNTRY OF ORIGIN.

Enter to: <https://sjf2.scjn.gob.mx/detalle/tesis/2017614>

In the case of crimes related to human rights transgressions, the ministerial authority is obliged to digitalize all of the actions that make up the investigation file, make a summary of the case, and send all of the information electronically to the Mexican embassy in the respective state, so that the victims can consult the file and so that their right to access to justice is not violated.

This right is also extended to family members who are not in our country.

Enter to: <https://sjf2.scjn.gob.mx/detalle/tesis/2016067>

2 RIGHT OF INDIRECT VICTIMS TO ACCESS A PRELIMINARY INVESTIGATION IN CASES OF ENFORCED DISAPPEARANCE

Enter to: <https://sjf2.scjn.gob.mx/detalle/tesis/2015724>

In cases of disappearance of migrants, the ministerial authority is obliged to allow the family access to the investigation through the file under investigation.

**THIS POST WAS FUNDED
WITH THE SUPPORT OF THE
FRIEDRICH NAUMANN FOUNDATION
FOR FREEDOM MEXICO**

We appreciate the participation of all the
people from the organizations involved.



**FRIEDRICH NAUMANN
STIFTUNG** *Für die Freiheit.*
Mexico