



RESPONSES TO INFORMATION REQUESTS (RIRs)

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05 June 2006

MEX101375.E

Mexico: Whether police from one jurisdiction would process complaints related to crimes that occurred outside of their jurisdiction (May 2006)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

According to an official with the Directorate of Community Services (Dirección de Servicios a la Comunidad) of the Federal Attorney General's Office (Procuraduría General de la República, PGR), the type of crime committed determines whether it falls under state or federal jurisdiction (Mexico 19 May 2006). Offences such as illicit drug trafficking and arms smuggling fall under federal jurisdiction (*fuero federal*) and must be reported to the Federal Public Ministry (Ministerio Público de la Federación) (*ibid.*). Offences such as assault and robbery fall under state jurisdiction (*fuero común*) and the victim should, therefore, file a complaint with the police authorities closest to where the crime was committed (*ibid.*). Police from one jurisdiction do not have the authority to investigate a crime committed outside of their jurisdiction (*ibid.*). However, when police from one jurisdiction receive a complaint related to crimes that have been committed outside of their jurisdiction, they can send the information to the appropriate State Public Prosecutor's Office (Procuraduría General de Justicia del Estado, PGJE) who will take charge of the investigation (5 June 2006). No additional or corroborating information on whether police from one jurisdiction would process complaints related to crimes that occurred outside of their jurisdiction could be found among the sources consulted by the Research Directorate.

A report published by Amnesty International provided the following general information on Mexico's division of powers:

At the federal level, the Federal Public Ministry (Ministerio Público de la Federación), is part of the Office of the Public Prosecutor of the Republic, (Procuraduría General de la República, PGR), which is headed by the Attorney General, (Procurador General de la República). In the 31 states and the Federal District, the Public Ministry is part of the State Public Prosecutor's Office, (Procuraduría General de Justicia del Estado, PGJE). Each is headed by the State Public Prosecutor, (Procurador General de Justicia del Estado). The Attorney General and Public Prosecutors at state and federal level are members of the executive branch and are nominated or appointed directly by the President or governor. All crimes come under state jurisdiction (*fuero común*), unless defined as federal in legislation (25 Mar. 2003, 44).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

Amnesty International (AI). 25 March 2003. *Mexico. Unfair trials: Unsafe Convictions*. (AMR41/007/2003). <<http://web.amnesty.org/library/Index/ENGAMR410072003?open&of=ENG-317>> [Accessed 23 May 2006]

Mexico. 5 June 2006. Procuraduría General de la República, Dirección de Servicios a la Comunidad. Telephone interview with an official.

_____. 19 May 2006. Procuraduría General de la República, Dirección de Servicios a la Comunidad. Telephone interview with an official.

Additional Sources Consulted

Oral Sources: Comisión de Derechos Humanos del Estado de México (CODHEM), Comisión Nacional de los Derechos Humanos (CNDH), Embassy of Mexico in Ottawa, Procuraduría General de Justicia del Distrito Federal (PGJDF).

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