

Immigration and Refugee Board of Canada

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Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website.

29 July 2010

MEX103538.FE

Mexico: Whether copies of preliminary investigation (*averiguación previa*) files can be obtained from the consulates general of Mexico in Canada

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

In 26 July 2010 correspondence sent to the Research Directorate, an official of the Consulate General of Mexico in Montréal reported that the consulates general of Mexico in Canada cannot obtain a copies of preliminary investigation (*averiguación previa*) files in which a Mexican citizen is involved.

However, the Official indicated that Mexican citizens can go to the consulate to request a power of attorney (*poder especial o general*), which allows a member of their family, or their lawyer, to obtain in Mexico and under their name, a copy of the preliminary investigation file that involves the citizen (Mexico 26 July 2010). However, the Official indicated that the lawyer must first inform his or her client whether it is possible or not, according to the laws of the state where the preliminary investigation was conducted, to obtain a copy of the file (*ibid.*). Where possible, the lawyer must send the Mexican citizen the text with the most relevant legal provisions (*ibid.*). The citizen must present them to the consulate general, which will include them in the notarized power of attorney in order for the holder of the power of attorney to obtain the Mexican citizen's file in Mexico (*ibid.*).

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 sources consulted in researching this Information Request.

Reference

Mexico. 26 July 2010. Consulate General of Mexico in Montréal. Correspondence sent to the Research Directorate by an official.

Additional Sources Consulted

Oral Sources: Representatives from the embassy of Mexico in Ottawa and from the Consulate General of Mexico in Toronto were unable to provide information within the time constraints.

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