

First Bi-National Mexican-American Conference on
Immigration
May 8, 2018
Centro Cultural Tijuana, Mexico
Justice and Full Human Rights for Immigrants

RESOLUTION

Whereas on May 8, 2018, Lawyers and other citizens of Mexico and the United States met in Tijuana, Mexico for the First Bi-National Mexican-American Conference on Immigration to discuss ways of protecting the human rights of immigrants in this border town, and

Whereas the panel of experts on human rights and immigration from America gave presentations on various aspects of the protection of immigrants using international human rights law and procedures, and

Whereas the panel of experts and the hosts, organizers and participants now desire to take this knowledge learned about international human rights and immigration and communicate to the Mexican government and Congress and the people of Mexico about this topic,

Now therefore the Panel of Experts hereby communicates to them what they believe to be the following legal the following legal, political and morals truths:

As stated in the Preamble of the UNIVERSAL DECLARATION OF HUMAN RIGHTS (1948), an international human rights instrument whose norms have ripened into customary international law and are therefore legally binding upon all countries of the world, including Mexico and the U.S. :

- ... recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is **the foundation** of freedom, justice and peace in the world,

- And
- Whereas it is essential to promote the development of friendly relations between nations,
Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,
Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,
Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,
- THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance,

As stated in the International Covenant on Civil and Political Rights, a treaty ratified by, and binding upon both Mexico and the U.S.:

Recognizing that, in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying civil and political freedom and freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his economic, social and cultural rights,

- Considering the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and freedoms,
- Realizing that the individual, having duties to other individuals and to the community to which he belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the present Covenant,
- and
- And acknowledging that all human rights come not from the state, but that these rights derive from the inherent dignity of the human person, and are universal and inalienable for all human beings,
- And acknowledging the principles that all human rights are indivisible, inter-related and inter-dependant

- And confirming that all immigrants, whether documented or undocumented

Recognizing that under international human rights law Mexico and the US have the following legal obligations:

- to respect human rights
- to protect the rights among all persons subject to its jurisdiction
- to ensure that other states fulfill their human rights obligations, and

Call upon our governments in Mexico and the US to comply with all their respective human rights legal obligations

Call upon and encourage the Government of Mexico in dealing with the US regarding the issue of immigration and border control, to do the following for all human beings, regardless of their status, harmed or in danger of being harmed by the laws, policies and actions of the US:

Implement a human rights-based approach to issues involving the US and immigration and border control;

Educate and train all government agents and officials dealing with immigration or border control in the basic principles and norms of human rights;

Require that all such agents and officials use and incorporate specific international human rights norms and instruments in their press and other media reports and information concerning the US and immigrants;

Have the national will to file inter-state petitions against the US alleging violations of human rights in any human rights forum which may receive such petitions as has jurisdiction to judge the conduct and compliance of the US regarding immigrants, whether in the US or trying to enter the US, in such bodies as:

- the UN Human Rights Committee, under article 41 of the International Covenant on Civil and Political Rights;

- the Inter-American Commission on Human Rights, under article 20 of the American Declaration of the Rights and Duties of Man; or assist victims or organisations in filing such cases;

Where appropriate, complain against the US for violations of economic, social and cultural rights, even though the US has not ratified the International Covenant on Economic, Social and Cultural Rights

Require Mexican Consulates in the US to integrate international human rights norms and principles in their communications with the US regarding immigrants and border control and in expressing the position of Mexico regarding immigration issues;

Submit the US to the Forum of Shame by publishing US violations by using international human rights norms and instruments, such as the Convention against Torture, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the Convention on Elimination of Racial Discrimination, the Refugee Convention and Protocol

Educate Mexican journalists and teachers about the basic principles and norms of international human rights and encourage them to integrate human rights into their activities

Educate all those government agents dealing with refugees, immigrants and border control such as the police and border patrol and immigration officials about the basic principles and norms of international human rights and encourage them to integrate human rights into their activities;

Educate the Mexican public about the basic principles and norms of international human rights

Make reports to the Special mechanisms of the UN Human Rights Council, such as the Special Rapporteurs concerned with topics affecting immigrants