10-29-2003

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Chamber of Deputies Overwhelmingly Approves Dual-Citizenship Initiative

by LADB Staff
Category/Department: Mexico
Published: 2003-10-29

The Chamber of Deputies voted overwhelmingly to support changes to the Constitution to allow Mexicans who became naturalized citizens of another country to retain their Mexican citizenship. The initiative in effect overrides changes to Articles 30, 32, and 37 of the Constitution that were implemented in March 1997. These changes opened the door for dual citizenship, but created a time limit of five years, ending in March 2003, for Mexicans to present a request for dual citizenship.

The latest changes, approved by the Senate earlier this year and ratified by the Chamber of Deputies this month, eliminate the time limit. The Secretaria de Relaciones Exteriores (SRE) said about 30,000 Mexicans who had adopted US citizenship took advantage of the temporary window during the past three years.

The elimination of the deadline extends the opportunity for dual citizenship to another 3 million to 5 million naturalized US citizens of Mexican descent. The dual-citizen initiative also removes another obstacle for President Vicente Fox and the three major political parties to implement a system to allow expatriates to vote in Mexican elections.

The Fox government is pushing to give expatriates the right to vote in the 2006 presidential election (see SourceMex, 2003-07-23). Zacatecas state, the home state of many expatriates in the US, took the unprecedented step in August of this year to give former residents the right to vote for candidates in statewide and municipal elections (see SourceMex, 2003-08-27).

Unofficial estimates suggest that 10 million expatriate Mexican citizens are eligible to vote. Of those, about 1.5 million were registered to vote in the 2000 presidential elections but very few actually voted.

Some PRI members dissent, but initiative gains wide support

The dual-citizen initiative was approved in the lower house by a 387-37 vote with 16 abstentions. A handful of members of the former governing Partido Revolucionario Institucional (PRI) voted against the initiative, citing concerns that the measure did not place sufficient control over the process in the hands of Mexican consulates overseas. "This does not mean we oppose the concept of dual nationality," said PRI Deputy Alberto Aguilar Inarritu.

The majority of PRI legislators, however, joined fellow members of the Chamber of Deputies, downplaying the concerns raised by their colleagues. "The changes are intended not only to eliminate the time limit but to correct contradictions in Article 37, which establishes that Mexican nationality can never be lost regardless of whether another nationality is adopted," said a statement
drafted by representatives of the PRI, the center-left Partido de la Revolucion Democratica (PRD), the governing Partido Accion Nacional (PAN), and three smaller parties.

PRD Deputy Arturo Nahle Garcia said dual nationality gives expatriates another level of protection against discrimination and illegal persecution in the US. PAN Deputy Alvaro Elias Loredo said dual citizenship gives expatriates the option of returning to Mexico without worry. "After a productive cycle in another country, Mexicans may want to return to their home," said Loredo.

Legislators acknowledged that the dual-citizen initiative also represents an effort to recognize the contributions of expatriates to the Mexican economy. "In states like Zacatecas, Michoacan, Jalisco, Guanajuato, and others, the economy depends heavily on the remittances sent back by expatriates," representatives of the six parties said in their joint statement.

A recent study sponsored by the Inter-American Development Bank (IADB) and the Pew Hispanic Center suggests that the government may have been a little conservative in its reports on remittances sent back to Mexico by expatriates. The study found that these remittances are expected to reach US$14.5 billion, compared with the latest estimate of US$12 billion by the Banco de Mexico (central bank). Remittances are now Mexico's second-largest source of foreign exchange, surpassed only by oil exports. The money sent back by expatriates helped supplement income for at least one-quarter of Mexico's population of 100 million, said the study.

The increase in the amount of money sent back to Mexico runs contrary to earlier forecasts, which had predicted a shrinkage in remittances because of an expected decline in the number of undocumented workers crossing the border. This decline was anticipated because of tighter restrictions at the US-Mexico border and a generally weak US economy, which has limited the number of jobs in the service economy (see SourceMex, 2001-09-26, 2001-10-24 and 2003-04-02).

Experts say the flow of undocumented workers continued steadily because many Mexicans have few employment alternatives in their own country. "For most Mexicans the increased risks of crossing the border has had no impact on their willingness to migrate," said Roberto Suro of the Pew Hispanic Center.

**US Congress considers bill to legalize some farm workers**

The US Congress is expected to adopt a measure shortly that would allow some undocumented immigrants who are employed in the agriculture industry to legalize their status. A proposal cosponsored by Reps. Chris Cannon (R-UT) and Howard Berman (D-CA) would allow 500,000 undocumented US farm workers to become legal residents.

Proponents say this measure could pave the way for the US to legalize other categories of undocumented workers. "The first [immigration] legislation that could get adopted in Congress is the legislation dealing with agricultural workers, and that seems to be moving well," Rep. Sam Farr (D-CA) said during a trip to Mexico. "Hopefully, we might be able to get that bill moved before the end of the year." Farr was a member of a bipartisan delegation of US legislators who visited Mexico in late October to discuss bilateral relations with counterparts in Mexico. Farr, however, held out
little hope that any other reforms would be approved this year. "The rest of the agenda is going to take a little bit longer," Farr said. "It involves a lot of complicated issues."

Mexican authorities believe the US will have to negotiate an immigration agreement sooner or later because of a decline in the labor force. A study published by the Consejo Nacional de Poblacion (CONAPO) said the US government will be forced to seek ways to expand the work force to keep the Social Security System solvent, especially with the pending retirement of a large percentage of the baby boomer generation.

The study said the number of US workers reaching the age of 60 every year will jump from around 900,000 per year today to around 2 million per year during the period between 2014 and 2021. The working-age population in Mexico will increase 32% during the same period, said CONAPO.

Some immigration-reform advocates in the US are urging the Mexican government to use the country's oil resources as leverage to gain a quicker immigration agreement from the US. Ironically, this position was espoused by some Republicans in the US Congress, who demanded that the Mexican government open up PEMEX to private investment in return for an immigration agreement (see SourceMex, 2003-05-21).

The advocates said they would not go that far, but said some concessions should be made. "I'm not saying that we should turn over our oil wealth," said Frank de Avila, director of the Coordinadora de Asociaciones Mexicanas del Medio Oeste. "But we can sell oil to the US at a reasonable price and at the same time demand that the status of Mexicans be legalized."

The Mexican Senate is demanding that Fox make immigration reform the focus of his upcoming trip to the US. In a resolution to approve Fox's trip to Texas, New Mexico, and Arizona on Nov. 4-6, the Senate said Fox should protest the treatment of undocumented immigrants by US authorities.

Mexico is still angry because of a pilot program implemented by US authorities this year to deport Mexicans far from the areas where they crossed (see SourceMex, 2003-10-08). The Senate also urged Fox to push for agreement as soon as possible. At a short meeting during the recent gathering of the Asia Pacific Economic Cooperation (APEC) forum, Fox and US President George W. Bush pledged to reopen talks on an immigration agreement, which the US suspended because of increased security measures imposed in the aftermath of the Sept. 11, 2001, attacks in New York and Washington and its subsequent invasion of Iraq. (Sources: Santa Barbara Press, 04/15/03, WorldNetDaily, 04/18/03; Reuters, The Dallas Morning News, Agence France-Press, Los Angeles Times, 10/21/03; Notimex, 10/23/03; La Cronica de Hoy, 10/21/03, 10/24/03; Associated Press, 10/20/03, 10/22/03, 10/27/03; The New York Times, 10/28/03; La Jornada, 10/11/03, 10/20/03, 10/22/03, 10/24/03, 10/28/03, 10/29/03; Milenio Diario, 10/11/03, 10/22/03, 10/24/03, 10/29/03; Unomasuno, El Universal, 10/24/03, 10/29/03; The Herald, 10/28/03, 10/29/03; El Sol de Mexico, El Financiero, 10/29/03)

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