

MEXICO

The applications

1. The number of applications

According to the Central Authority for Mexico, they received 41 incoming return but no incoming access applications in 1999. Additionally, they made 55 outgoing return but no outgoing access applications in that year. Altogether, therefore, the Central Authority for Mexico handled 96 new applications in 1999. Interestingly, no applications for access were either made or received by the Mexican Central Authority.

2. The Contracting States which made the applications

Requesting States

| | Number of Applications | Percent |
|--------------|------------------------|------------|
| USA | 35 | 85 |
| Germany | 1 | 2 |
| Italy | 1 | 2 |
| Norway | 1 | 2 |
| Portugal | 1 | 2 |
| Colombia | 1 | 2 |
| Cuba | 1 | 2 |
| Total | 41 | 100 |

As can be seen in the table above, the majority of applications (85%) made to Mexico were from the USA. This is perhaps predictable given the geographical proximity of the two countries, however, no other Central Authority has had such a high percentage of its overall caseload from one country. No other Contracting State made more than one application to Mexico.

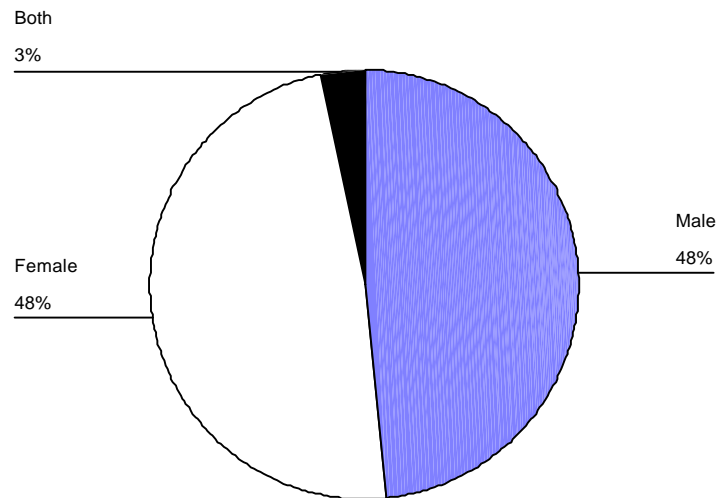
The taking person

3. The gender of the taking person¹

Gender of the Taking Person

| | Number | Percent |
|--------------|-----------|------------|
| Male | 15 | 48 |
| Female | 15 | 48 |
| Both | 1 | 3 |
| Total | 31 | 100 |

¹ Additionally, in 10 applications, the gender of the taking person was not stated.

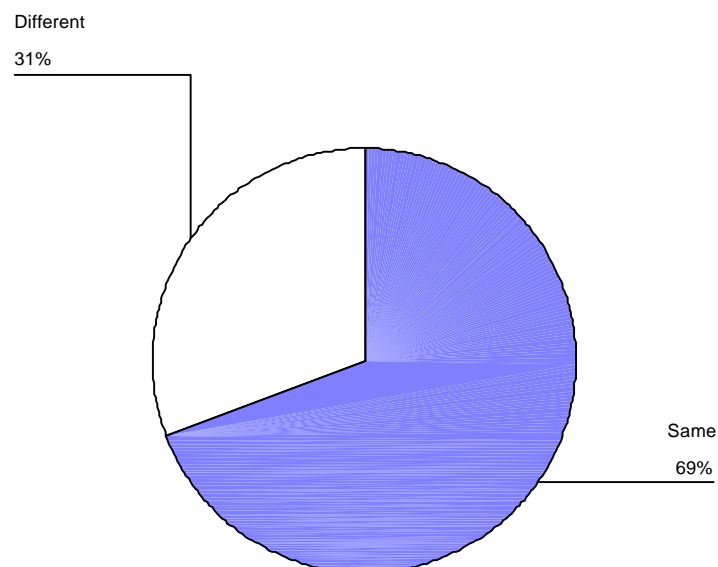


Compared with the global norm of 69%, there was a lower percentage of female taking persons, 48%. Indeed, there were the same number of male and female taking persons. In the application where there were two taking persons, the taking persons were the children's father and grandmother.

4. The nationality of the taking person²

Taking Person Same Nationality as Requested State

| | Number | Percent |
|-----------------------|-----------|------------|
| Same Nationality | 18 | 69 |
| Different Nationality | 8 | 31 |
| Total | 26 | 100 |



² Additionally, in 15 applications, the nationality of the taking person was not stated.

A significantly higher proportion (69%) of taking persons in the applications to Mexico had Mexican Nationality compared with the global norm of 52% of taking persons having the nationality of the requested State.

5. The gender and nationality of the taking person combined



69% of male taking persons and 75% of female taking persons had Mexican nationality. This was considerably higher than the global norms of 53% of males and 52% of females having the nationality of the requested State.

The children

6. The total number of children

There were 58 children involved in the 41 return applications received by Mexico in 1999.

7. Single children of sibling groups

Single Child or Sibling Group

| | Number | Percent |
|---------------|-----------|------------|
| Single Child | 30 | 73 |
| Sibling Group | 11 | 27 |
| Total | 41 | 100 |

Number of Children

| | Number | Percent |
|--------------|-----------|------------|
| 1 Child | 30 | 73 |
| 2 Children | 6 | 15 |
| 3 Children | 4 | 10 |
| 4 Children | 1 | 2 |
| Total | 41 | 100 |

73% of applications to Mexico involved single children, as against a global norm of 63%. At 15%, the proportion of applications involving 2 children, was half the global norm of 30%, and the proportion of applications involving 3 children, 10%, was double the global norm of 5%.

8. The age of the children³

Age of the Children

| | Number | Percent |
|--------------|-----------|------------|
| 0-4 years | 12 | 31 |
| 5-9 years | 20 | 51 |
| 10-16 years | 7 | 18 |
| Total | 39 | 100 |

Applications to Mexico concerned more children in the middle age bracket of 5-9 years, compared with the global norm of 42%. Globally, 38% of children were aged between 0 and 4 years, and 21% of children were aged between 10 and 16 years. For Mexico these proportions were 31% and 18% respectively.

9. The gender of the children

Gender of the Children

| | Number | Percent |
|--------------|-----------|------------|
| Male | 31 | 53 |
| Female | 27 | 47 |
| Total | 58 | 100 |

The proportion of male and female children was identical to the global norms.

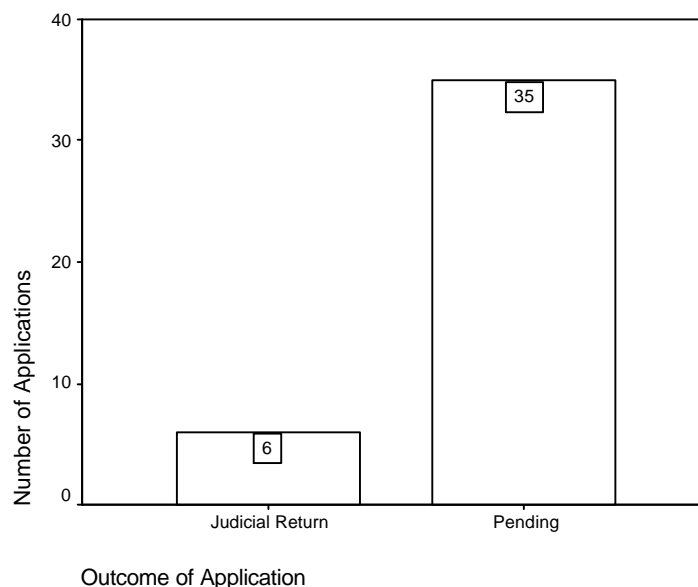
³ The age of 19 children was not available.

The outcomes

10. Overall outcomes

Outcome of Application

| | Number | Percent |
|------------------|-----------|------------|
| Rejection | 0 | 0 |
| Voluntary Return | 0 | 0 |
| Judicial Return | 6 | 15 |
| Judicial Refusal | 0 | 0 |
| Withdrawn | 0 | 0 |
| Pending | 35 | 85 |
| Other | 0 | 0 |
| Total | 41 | 100 |



Out of all the Contracting States analysed, Mexico had the highest proportion of applications that were still pending, 85% of all applications. Globally, this figure was 9%.⁴ All these applications were still pending on 31st May 2001. 8 out of the 35 applications that were still pending, were because the child had not been located. This may be because the Mexican Central Authority is reluctant to reject an application due to the child not being located, which is supported by the fact that there were no rejections. Alternatively, it could be that Mexico has poor child location facilities.⁵ It is also worth noting that there were no voluntary returns, and that none of the applications that reached the court resulted in a judicial refusal.

⁴ If the Mexican cases are excluded, globally, 6% of cases were still pending as of June 30th 2001.

⁵ Indeed, we understand that the Mexican Central Authority has just made an agreement with a different police force who will act to locate children.

Speed**11. The time between application and outcome**

No information was available regarding timing in relation to the judicial returns.

12. Appeals

No judicial decisions were appealed.