

<https://zetatijuana.com/2019/07/siguiente-legislatura-definira-limite-de-ensenada-y-rosarito/>

July 8, 2019

Next legislature will define the limit of Ensenada and Rosarito

Municipality of Playas de Rosarito, through its members, made known that the resolution given by the SCJN did not benefit the port

Deputies, businessmen and members of the Interdisciplinary Groups for the Defense of the Territory (GIT) for Ensenada, contradicted the statements made by the City Council Legal Officer Tomas Burns and the mayor Marco Novelo Osuna.

Both claimed to have won the Constitutional controversy 82/2016, related to the territorial conflict between Ensenada and Playas de Rosarito, where the town of Santa Anita, La Misión delegation, is at stake.

In a press release, the two highlighted that the first chamber of the Supreme Court of Justice of the Nation (SCJN) resolved, on June 26, to agree with Ensenada in a problem that has been going on for almost a decade.

Immediately there were reactions from the political and business sector that came out to deny.

The re-elected deputy Claudia Agatón Muñiz denied that the ruling was favorable to Ensenada, but rather, she clarified, it is a sentence that was expected from the Supreme Court.

She explained that it is a job that this legislature will not solve, but that they will leave the way for the next legislature to issue the law starting in August, but that they will begin the process of gathering existing information from both municipalities.

She insisted that this is not a battle won but just a step to resolve the conflict.

The lawyer and coordinator of the GIT in Ensenada, Alfonso García Quiñones, also a member of the Business Coordinating Council of Ensenada (CCEE), regretted the statements of the Lawyer and the mayor. "Unfortunately it's not true."

The ruling that resolved Constitutional Controversy No. 158/2016 filed in November 2016 by the XXI City Council chaired by teacher Gilberto Hirata, does not say that the 168 km² portion of territory in dispute belongs to the municipality of Ensenada.

The ruling indicates that procedural laws were violated and the SCJN declared that the decree issued by the XXI Legislature of the State Congress on September 27, 2016 is invalid.

Sentence

Minister Javier Laynez Potisek and private minister Luis María Aguilar Morales, defined that the State Congress must issue the Territorial Statute of the Municipalities of the State of Baja California.

That in an immediate term after the Department of Infrastructure and Urban Development of the Government of the State of Baja California prepares and provides the Legislative Power with the demarcation and description of the corresponding dividing perimeters.

That in order to guarantee the development of the technical works, the Legislative Branch must provide the State Executive Branch with the economic resources for such purposes, authorizing the extensions or transfers that may arise in the expenditure budget for the fiscal year two thousand and sixteen and, where appropriate, in the expenditure budget for fiscal year two thousand and seventeen.

During the session of June 26, Minister Medina Mora modified his project to recognize the legitimacy of both the Municipal President and the Attorney General.

Committee for the Municipality of Rosarito clarifies that SCJN resolution does not benefit Ensenada in territorial limits

The Committee for the Municipality of Playas de Rosarito, through its members, announced that the resolution expressed by the SCJN does not benefit Ensenada, in reference to the controversy of territorial limits that existed between both municipalities.

José Luis Ibarra Arenas, legal representative of the committee, reiterated in a press conference held on Wednesday, July 3, that the court annulled Decree 684 approved by the Baja California State Congress on September 28, 2016. , which ratifies the existing limits of Playas de Rosarito.

However, he stressed that opinion 137 did not have the same effect, as the municipality of Ensenada had proposed so that it would be invalidated, therefore, legally and administratively, Playas de Rosarito continues to preserve its territory as stipulated since the 1995 decree and as it was ratified in decree 166 of 1995, when it became a municipality.

With this, he said, Ensenada is not being agreed with as it was said at the time, which is why none of the parties such as Congress, the State and the two municipalities have yet to be notified.

He explained that, contrary to this, this brings up the demand of the Supreme Court itself to the State Congress to comply with preparing and publishing the territorial legal statute of the five municipalities, also called the Territorial Limits Law, which for 18 years is not carried out and which must be finished in this month of July.

Statute that "when it is published will put an end to all this controversy in which there is no affectation in the limits (for Rosarito)," he reaffirmed.

The representatives of this committee, among them Hugo Torres Chabert, president of the Land Limits Commission

<https://www.elimparcial.com/tijuana/rosarito/Rosarito-gana-pleito-limitrofe-a-Ensenada-20221130-0026.html>

Rosarito wins lawsuit bordering Ensenada
Tijuana News | THE IMPARTIAL
30 de Noviembre de 2022

Rosarito, BC.-Ensenada lost the border lawsuit that it had for more than two decades with Rosarito, after the First Chamber of the Superior Court of Justice dismissed the constitutional controversy filed by Cinderella of the Pacific.

José Luis Ibarra Arenas, President of the Legal and Territorial Commissions of the Pro-Municipality Group, explained that this Wednesday the issue related to the controversy over territorial limits was discussed and it was approved with four of the five votes of the ministers of the SCJN, who They are the ones that make up the first room.

He explained that the Ensenada lawsuit was dismissed, which means that it was not admitted by the commission that would study it and that the result, he said, remains as it was in Decree 15 approved in 2019, which is the one that was being objecting.

<https://ensenada.net/noticias/nota.php?id=71204>

Alfonso García Quiñonez from the GIT, with the President of CONSULTEN Julio Salinas
Note published on March 29, 2023
by Elizabeth Vargas

Almost four years after the Supreme Court of Justice of the Nation issued a ruling ordering the Congress of the State of Baja California to formulate a new resolution on the limits between Ensenada and Playas de Rosarito, local Deputies, have been ignorant of such compliance.

At the same time, the mayor of Ensenada, Armando Ayala, who has the legal authority to demand compliance with what was determined by the Supreme Court of Justice of the Nation, has not done so either.

In a meeting organized by the Ensenada Economic Advisory Council, lawyer Alfonso García Quiñones from the Interdisciplinary Group for the Defense of the Ensenada Territory (GIT), explained the current situation of this territorial conflict that began when the municipality of Playas de Rosarito on June 29, 1995.

On this date, Ensenada was the largest municipality in Mexico with 52,510 square kilometers that have been gradually reduced with the creation of the municipality of San Quintín and San Felipe.

However, it is with Playas de Rosarito where a territorial controversy has been maintained, since in 1995, the Secretariat of Human Settlements and Public Works (SAHOPE) today renamed as the Secretariat of Infrastructure, Urban and Territorial Development (SIDURT), ceded a portion to Rosarito of non-existent Tijuana and with it they took it from Ensenada to cover the missing square kilometers of the so-called fifth municipality.

Interviewed after meeting with members of the Ensenada Economic Advisory Council, promoters of the GIT since its creation, García Quiñonez explained that this matter, which is celebrating its 28th anniversary, is something that

"Improperly and illegally, the state government was created in 1995 by overlapping with information provided by the then SAHOPE, where the architect Víctor Hermosillo decided to distribute it"

In his participation, the lawyer Alfonso García Quiñonez, recalled that it is about 168 square kilometers; which is made up of a triangle-shaped space that totals 168 km², which goes from the line that starts from the confluence of the coast to the Pacific Ocean of the federal zone with the 32:10 parallel and up to the line that ends at Rancho Vallecitos .

He explained that before the founding of Playas de Rosarito, Tijuana had 1,584 km² and the boundary with respect to Ensenada was perfectly established: from the confluence of the 32:10 parallel with the Pacific Ocean coast, about 80 meters from the place of the place of the cairn.

When the State of Baja California was created, by law said vertex headed towards Rancho Vallecitos, which confirms the area of 1,584 km² of Tijuana, which the Law in 1989 expressly highlights and mentions.

However, in 1995, when the Municipality of Playas de Rosarito was created, due to work done by the State Government, they gave the new municipality 513 square kilometers and left Tijuana with an area of 1,239 km².

If they are added, they are no longer the 1,584 that Tijuana had to distribute, but 1,762 km².

That surplus of 168 km² is what Rosarito de Ensenada claimed, but they did not take it from Ensenada because the 1995 law that creates the municipality of Playas de Rosarito confirms that Ensenada retains the territory it has always had, there are no specifications about it . This created an overlap that Rosarito has since claimed belongs to her.

"In the 1995 decree, the municipality of Playas de Rosarito is created, the 1989 law is repeated where Ensenada kept its 52,510 km², but an overlap was created, they did not take it away from Ensenada and that overlap is what is keep on fighting."

He recalled that in 2016, the State Congress resolved a constitutional controversy in favor of Playas de Rosarito and the government of Gilberto Hirata challenged it before the Supreme Court.

This constitutional controversy was resolved in 2019 when the SCJN told Congress that its resolution was illegal and therefore annulled the Congressional ruling in favor of Playas de Rosarito.

He then ordered the Congress of the State of Baja California to issue a new resolution adhering to the law and that's it; "sleeping the sleep of the just since 2019, waiting for Congress to deign to issue a new ruling in accordance with the law."

It is a matter concluded, which corresponds to promote and demand the Mayor Armando Ayala and almost four years away, has been ignored.

Antecedentes de esta información :

