



Comisión Nacional de los
Derechos Humanos
MEXICO

Newsletter

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Voice of the President

Eradicate violence against women

Raúl Plascencia Villanueva

Tuesday November 22, 2011

In the last two decades, there have been significant improvements in terms of women protection, however, it has not yet been possible to establish truly efficient mechanisms to protect every and each of their recognized rights in the Mexican legal system.

Nowadays, there are important challenges in this area, such as ending gender violence and discrimination at work, at home, at schools, and in the society. Most of these cases stay unpunished.

Despite the legislative efforts, both national and international, to fight against these situations, we have not been



able to eradicate it. Some of the improvements in this area are: the Federal Law to Prevent and Eliminate Discrimination; the General Law on Men and Women Equality; the Law to Prevent and Sanction Human Trafficking; the General Law of Women Access to a Violence-Free Life; and the Inter-American

Convention on the Prevention, Punishment and Eradication of Violence against Women.

It also necessary to emphasize that all of the federal entities of our country have issued specific laws to guarantee a violence-free life to women. Additionally, 27 of them have already issued the corresponding regulations and all of them have institutions to promote and protect women's rights.

The transformation of the Mexican legal system in order to regulate this issue is not enough to eradicate violence against women.

[http://www.eluniversalmas.com.mx/
editoriales/2011/11/55799.php](http://www.eluniversalmas.com.mx/editoriales/2011/11/55799.php)

Event of the month

Participation of the President of the CNDH in the Global Forum to Prevent Torture



VISIT TO THE CNDH OF A DELEGATION FROM THE REPUBLIC OF KOREA

CGCP/273/11

1st November, 2011



During their visit to Mexico, Raúl Plascencia Villanueva, President of the CNDH, received Ri Seokjun, Choi Yijo and Park Seonghoon from the Korean National Human Rights Commission, who emphasized the importance of strengthening the collaboration between our two institutions.

Some of the issues discussed during this meeting are migration, the fight against discrimination and protection to vulnerable groups, public insecurity, violence, impunity, forced disappearances and abuses against indigenous communities.

Likewise, the officials of both institutions signaled the efforts needed for the fulfillment of international standards in human rights

issues. This encounter follows from the International Coordination Committee meeting and the Asia Pacific Regional Conference on “*Business and Human Rights*”, held during October in the Republic of Korea.

<http://www.cndh.org.mx/node/37>

INVESTIGATION ON THE CASINO ROYAL CASE

CGCP/274/11

2nd November, 2011

The National Commission of Human Rights carries out an investigation into the Casino Royal case and reaffirms its commitment to all victims and their relatives by inquiring the facts with the objecting of determining responsibilities and avoiding re-victimization.

In this particular case, the authorities' indolence, who still have not located the public officers who have allegedly failed to their duties in terms of supervising the security measures with which the venue had the obligation to comply.

On the bases of article 1, paragraphs 1, 2 and 3; and article 102, section B of the Mexican Constitution, this National

Organism has deemed convenient to investigate facts that imply grave violations to human rights.

In this sense, and in conformity with article 6, fractions II and III of its Fundamental Law, the CNDH will issue a determination in compliance with the applicable law.

<http://www.cndh.org.mx/node/37>

ATTENDING INDIGENOUS PEOPLE: A PRIORITY ISSUE

CGCP/275/11

3rd November, 2011



During his participation in the forum “*Human Rights of Indigenous People in the New Criminal Justice*”, Dr. Raúl Plascencia Villanueva, President of the CNDH, said that the State has an undeniable commitment to provide equity conditions to these communities. He also considered that there have been some improve-

ments in terms of guaranteeing decent attention, but there are still missing more actions to make the protection of their human rights a full reality.

“Progressive measures are fundamental here, there must be improvements, and these guarantees must keep expanding. However, there is also the question of making them effective as provided for in the Legal System.” In the presence

of federal and local authorities, lawyers and scholars, Dr. Plascencia deemed fundamental the harmonization of the criminal legal system in benefit of the indigenous peoples. He also underlined all national and international mechanisms which preclude ethnic discrimination and demand consideration to specific customs in legal procedures.

<http://www.cndh.org.mx/node/37>

CNDH RECEIVES COMPLAINTS FROM JOURNALISTS

CGCP/276/11

3rd November, 2011

The National Commission of Human Rights received the complaint made by two journalists attacked while reporting a demonstration in Ciudad Juárez, Chihuahua.

Personnel of that Regional Office immediately reacted to provide legal advice and psychological attention to the victims.

This autonomous institution will make sure the victims get medical attention and will support them in the denunciation process in case they decide to initiate it before the corresponding authorities.

This Commission considers the enjoyment of freedom of expression as provided for in the Mexican Constitution as an essential requirement for the preservation of the rule of law and the democratic system. In this sense, once the complaint is processed,

the National Commission will issue a determination in compliance with the applicable law. According to CNDH data, there have been 87 complaints for attacks against journalists during this year.

<http://www.cndh.org.mx/node/37>

CHILDREN PROMOTE HUMAN RIGHTS

CGCP/277/11

4th November, 2011

In order to promote a Culture of Lawfulness, the CNDH has created programs targeted to children with the fundamental objective of promoting the rights they shall demand and the duties they shall meet.

Through the Coordination for the Program on Women, Childhood and Family Issues, this Commission fosters the knowledge, spreading and respect

to human rights among students in basic education.

This action is called "Promoting Children". All boys and girls participating in it learn that in order to achieve better coexistence, there are some obligations to be observed at home, in school and in the community.

Children have conversations and reflection exercises with their parents and teachers on how to exercise their rights while developing a self-care behavior in the family,

school and social environments.

Through collaboration with specialists in psychology, pedagogy and sociology, this Commission has developed training materials for this program.

The constitutional reform promulgated last June establishes in Article 3 the obligation of promoting knowledge and respect of human rights during basic education.

<http://www.cndh.org.mx/node/37>

OBLIGATION TO COMPLY WITH INTERNATIONAL TREATIES

CGCP/278/11

5th November, 2011

In his lecture "*Constitutional Reform on Human Rights and its Importance in the Administration of Justice*", during the 35th National Congress of the Mexican National Commission of Superior Courts of Justice (Conatrib), Dr. Raúl Plascencia Villanueva, President of the CNDH, emphasized that the recent constitutional reform on human

rights forces all judges to take international treaties into consideration as a new formal legal sources.

Likewise, judges are bound to exercise the conventionality control in order to base their acting on principles of universality, interdependence, indivisibility and progression.

They must also ground their resolutions on the Mexican Constitutions as well as on the 108 binding international

instruments on human rights.

Dr. Plascencia argued that in a world full of poverty, environmental disasters, financial crisis, terrorism, insecurity and violence, acknowledgment and protection of human rights can offer some hope.

<http://www.cndh.org.mx/node/37>

PERMANENT COMMITMENT TO VICTIMS

CGCP/279/11

6th November, 2011

The National Commission of Human Rights has the conviction and permanent commitment to providing attention every victim of crime or abuse of power in any part of the country.

In terms of the Program to Attend Crime Victims (Províctima), the CNDH

has received 1,544 requests, from January 2010 to date, on an average of 200 requests per month.

The objective of the program is to guarantee the respect of human rights by all authorities of the three levels of government, so that there are no reasons to re-victimize a person. More importantly, the program also aims at guaranteeing access to justice and damage

reparation, if applicable, to every person.

The CNDH also has a National Alert System on Human Rights Violations, which identifies authorities identified as probable violators and the state in which the alleged situation occurs.

<http://www.cndh.org.mx/node/37>

JOINT CNDH AND HOUSE OF REPRESENTATIVES SEMINAR

CGCP/280/11

8th November, 2011

The National Commission and the House of Representatives finished the seminar "*Human Rights and the Constitutional Reform of June 10, 2011*", held in the Congress facilities on September 5-7, 2011.

The principal objective of this seminar was to update all those committed

to research, study, promotion and realization in this subject in our country.

There were 300 people participating, including public officers, civil society representatives, as well as members of the Judicial Branch of government as well as congressmen from different political parties.

One of the main focus of the seminar taught by personnel

of this National Commission, was the importance of this reform in terms of rising human rights to the constitutional level and its harmonization with international treaties.

Also, the new competences of the Organisms that form the System of Non Jurisdictional Protection of Human Rights were analyzed.

<http://www.cndh.org.mx/node/37>

FAIR TRIALS FOR INDIGENOUS PEOPLE

CGCP/281/11

9th November, 2011

The National Commission of Human Rights considers as a challenge for authorities to guarantee access to justice to members of indigenous communities.

This is the reason why this National Organism seeks to establish a new relationship between these communities and State powers in order to protect their

culture as well as their constitutional and human rights.

The Commission supports a comprehensive legislation that includes their requests and principles, and that does not harm their individual and collective rights, while working to harmonize their normative systems with positive law.

The CNDH endorses access to better social, legal and economic conditions

for these communities by promoting national and international legal instruments translated to indigenous languages.

Likewise, the Commission supervises the State obligation to create equity living conditions for these communities as for the rest of the mexicans, which will help to consolidate a just legal system.

<http://www.cndh.org.mx/node/37>



JOINT ACTIONS TO PREVENT TORTURE

CGCP/282/11

10th November, 2011

During his participation in the Global Forum to Prevent Torture, inaugurated this morning in Geneva, Switzerland, Dr. Raúl Plascencia Villanueva, President of the National Commission of Human Rights said that "torture and cruel, inhuman or degrading treatment are one of the most deplorable human rights violations against human dignity, integrity and health, for which it is absolutely intolerable."

The non-governmental organization Association for the Prevention of Torture (APT) hosted this event that gathered representatives from 87 countries.

Dr. Plascencia commented on the necessity of strengthening and incrementing the work and presence of National Prevention Mechanism in every region of the world, particularly in Mexico.

He also mentioned the actions undertaken to guarantee a more efficient protection and to reinforce

the mandate of these National Mechanisms.

The CNDH has expressed its disposition to collaborate with APT in the design of training and implementation programs of the National Mechanisms in nations which have not yet started a formal operation on this area, more specifically in American, Asia and Africa.

The National Commission is working with other organisms in order to comply with all international dispositions on this subject.

<http://www.cndh.org.mx/node/37>

IRREGULARITIES AND OMISSIONS IN TABASCO FLOODS

CGCP/283/11

10th November, 2011

The CNDH issued its Recommendation 61/2011 to the National Water Commission, the state government and eight municipal authorities, due to unfinished constructions, omissions and alleged corruption and breaches of norms all of which hindered the prevention of damages during the flood in Tabasco in 2010.

"Circumstances which, in this Commission's opinion, the inter-

nal authorities of CONAGUA and the General Attorney's Office will have address in order to determine responsibilities. Official prevention plans were not developed according to requirements; and neither did the victims receive attention as protection as needed.

This National Organism has demonstrated violations to the right to legal security, legality, property and possession. Also, rights to decent treatment, health protection, decent housing and development were not dutifully observed.

Additionally, without any authorization or previous notification, hundreds of persons of different communities were evacuated from their homes by force.

These facts affected 5,710 direct victims and more than 130,000 potential victims. Inhabitants of 56 communities made a complaint before the CNDH. Recommendation 61/2011 can be consulted in www.cndh.org.mx

<http://www.cndh.org.mx/node/37>

*Recommendation
61/2011*

*can be consulted in
www.cndh.org.mx*

SORROW FOR AIR TRAGEDY

CGCP/284/11

12th November, 2011

In plenary meeting, the Mexican Federation of Public Human Rights Organisms (FMOPDH) expressed their condolences for the tragic events in which lost their lives José Francisco Blake Mora, Secretary of the Interior; Felipe de Jesús Zamora Castro, Undersecretary for Legal Affairs and Human Rights;

José Alfredo García Medina, Director General of Communication, Diana Miriam Hayton Sánchez, Technical Adviser of the Secretary; Mejor René de León Sapién; Lieutenant Colonel Felipe Bacio Cortés, Lieutenant Pedro Ramón Escobar Becerra; and Second Sergeant Jorge Luis Juárez Gómez.

The CNDH, which Dr. Raúl Plascencia Villanueva presides, as well as local commissions, attorney's offices and human

rights councils joined the national grief.

The encounter was held this weekend in Guadalajara, during which actions undertaken to promote a real promotion and protection of human rights culture were evaluated.

<http://www.cndh.org.mx/node/37>



CNDH ADDRESSES COMPLAINT FROM VERACRUZ LOCAL

CGCP/285/11

15th November, 2011

The National Commission of Human Rights received a complaint from newspaper *El Buen Tono's* (Córdoba, Veracruz), according to which its building was set on fire by

a group of people. Everything was destroyed by the fire except for the rotary area.

On the request of this newspaper, the CNDH has opened a file in order to follow the inquiry process of local and federal

authorities. The CNDH will gather information and undertake the corresponding actions. In due time, it will also issue a recommendation in compliance with the applicable law.

<http://www.cndh.org.mx/node/37>

IT IS NECESSARY TO RESPECT DIVERSITY

CGCP/286/11

15th November, 2011

On occasion of the International Day for Tolerance, celebrated on 16th November, the National Commission of Human Rights signals the necessity of recognizing our differences in order to have a better country.

The actual context demands a more participative society, as well as dialogue promotion, collabora-

tion and respect for human rights.

For this Commission it is absolutely necessary that authorities and society undertake greater actions to keep moving forward in terms of respect for diversity and equality.

We need to promote values such as tolerance and solidarity among present and future generations, as well as and encourage them to know their rights and obligations

as members of a community.

As established by the recent constitutional reform, in force since June, 2011, an education on human rights in all school levels constitutes an undeniable task in which we all need to work together.

<http://www.cndh.org.mx/node/37>

PROTECTION FOR MIGRANT CHILDREN

CGCP/287/11

16th November, 2011

The National Commission of Human Rights verifies the respect for fundamental rights of children and adolescents crossing the national territory to get to the United States in border cities, shelters and migratory stations.

Through its regional offices located in different states, the CNDH holds regular visits in order to supervise the protection of their integrity and that they are

receiving adequate attention.

While promoting respect for the higher interest of children, this Commission also supervises that they get the corresponding assistance from migration authorities.

According to official data, from January to September, 2011, in 68% of the 3,000 cases of children from Central America returned by Mexican authorities, children were travelling unaccompanied.

Also, in 67% of the 12,000 cases of children returned to Mexico from the United States, children were travelling unaccompanied.

The National Commission has assumed the task of strengthening programs to vulnerable groups.

<http://www.cndh.org.mx/node/37>

REINFORCE SUPPORT FOR YOUTH

CGCP/288/11

17th November, 2011

Dr. Raúl Plascencia Villanueva, President of the CNDH, gave the lecture *"Social Responsibility and Human Rights"* at the Universidad del Valle de Mexico in Mexicali, Baja California.

While answering some questions from students, Dr. Plascencia affirmed that youth crime must be prevented inside the family but supported by State projects that promote

collaboration with public institutions.

He added that "youth is entitled to the most favorable and privileged treatment; we should encourage them, support them and orient them to grow in the right way".

From all of this results the necessity of working on prevention and promoting education on human rights and a legality culture, so as recreational activities, in a joint effort in which everybody do their part.

He also expressed the benefits of an accountability regime that allows calling officer before the corresponding authorities when he/she oversees the recommendations issued by the CNDH.

Excellency is possible; however it implies a commitment to the exercise and protection of rights.

<http://www.cndh.org.mx/node/37>

IT IS NECESSARY TO ATTEND INDIGENOUS CHILDREN

CGCP/289/11

19th November, 2011

The National Commission of Human Rights deems as urgent that society, public institutions and civil organizations work together to address those conditions that keep indigenous children in underdeveloped and poor environments.

In the commemoration of the Universal Children's Day,

on November 20, the CNDH highlights the necessity of improving the living conditions of 1.5 millions of children aged 3 – 14 who speak an indigenous language.

The lack of economic resources results in many of them dropping out of school and entering productive activities as agriculture and trade.

For this Commission it is fundamental to erase from popular

culture all traditions and customs that promote discrimination, exploitation or mistreatment suffered by indigenous girls based on their gender.

This adds up to the difficulty of accessing education and health services, as well as other social programs, when living in small, distant communities.

<http://www.cndh.org.mx/node/37>



STRENGTHENING ATTENTION TO MIGRANT WOMEN

CGCP/290/11

22th November, 2011

The National Commission of Human Rights informed that between 2005 and 2011 there have been 3,997 complaints from migrants, out of which 19.4% correspond to attacks on women.

In 2010, according to official data, 8,663 migrant women from Central America were

returned to their countries.

Through the Program for Migrant Attention, the CNDH constantly works to promote among society and authorities the respect for their dignity and the protection of their rights.

Also, the Commission has insisted on the necessity of supporting humanitarian organizations that provide them with assistance during their journeys,

guaranteeing their right to legal security and designating female personnel to attend them.

One of the permanent tasks is to establish contact with migrant women in airports, bus stations and transnational crossings in order to provide orientation on legal procedures and receive their complaints.

<http://www.cndh.org.mx/node/37>

COMPLAINT ABOUT EXPLOSION IN A MINE

CGCP/291/11

23th November, 2011

The National Commission of Human Rights initiated a complaint process for the explosion occurred in the coal mine 2 in Piedras Negras, Coahuila, in which 4 people lost their lives.

Personnel of this National Organism immediately arrived in the place to inquiry about the facts and possible human rights violations.

This Commission will stay in contact with the victims' families in order to provide them legal advice and psychological support, as well

as guaranteeing they receive medical treatment if needed.

The CNDH will collect all testimonies and will request information to different authorities, after a strict analysis of which will determine the corresponding decision what according to the applicable law. <http://www.cndh.org.mx/node/37>

URGENT TO ERRADICATE VIOLENCE AGAINST WOMEN

CGCP/292/11

24th November, 2011

Dr. Raúl Plascencia Vilanueva, President of the CNDH, affirmed that violence against women is one of the most degrading practices that have harmed women's dignity through history.

During the XVI General Assembly of the Ibero-American Ombudsman Federation, in which he participated with the lecture "*Violence against*

Women: Regional Situation and Contributions of Human Rights Institutions",

he considered this phenomenon as cause and effect of the social, cultural and economic subordination that women must confront.

In presence of ombudsman, commissioners and presidents of public human rights commissions from Latin America and Spain, Dr. Plascencia, emphasized that the actual context points to a lack of aware-

ness and sensibility regarding universal values.

He also added that the main challenges are to guarantee access to education, a fair salary and an efficient legal system. Women's access to a violence-free life must be a reality that allows us to build truly fair and democratic societies.

<http://www.cndh.org.mx/node/37>



COMPLAINTS ON WOMEN DISAPPEARANCES RISE

CGCP/293/11

25th November, 2011

The National Commission of Human Rights received a complaint from a woman after her daughter's disappearance in Ciudad Juárez, Chihuahua.

According to the woman, she has gone to other institutions, particularly of law enforcement, to present her case but has not received a satisfactory reply.

She thinks that she has not been adequately attended as crime victim.

Joined by representatives of the civil society, from Misión Internacional and from Campaña Regional por Acceso a la Justicia para las Mujeres, she exposed her case and everything she has done to find her daughter before CNDH officers.

This issue will be oriented to the National Information System for Missing, Death or Unidentified Persons (SINPEF), where all actions aimed at localization of the victim will be undertaken.

Also, the National

Commission will inquire possible human rights violations.

Based on complaints received during this year, the CNDH has the register of 102 women missing. Last year, this Organism had knowledge of 17 cases in this sense.

With the objective of contributing to the eradication of violence against women, this National Organism is currently working on a diagnosis of the status of women murder and disappearances in Mexico. <http://www.cndh.org.mx/node/37>

FIGHTING BULLYING AS A FUNDAMENTAL INTEREST

CGCP/294/11

26th November, 2011

Bullying is a spreading issue in our country which has made necessary that all agents involved come together in their efforts to prevent it and attend its victims.

The CNDH develops training programs and promotes respect for human rights of all minors. Promoting healthy and peaceful relations

among children and youth will help to avoid harassment and violence, which has also developed through information technologies (cyberbullying), webpages or social networks in which images, pictures or texts are uploaded to harm, threaten, offend or ridicule a person, damaging his/her dignity and inter-personal relations.

According to official data known in May this year, there are 32.8

millions of internet users in Mexico, out of which 36.2 are minors of less than 18 years old.

Self-respect and respect for others are values we need to share with children and youth in order to diminish cases of aggression that potentially harm persons' development and rights.

<http://www.cndh.org.mx/node/37>

LOCAL POLICE OFFEND MIGRANTS

CGCP/295/11

27th November, 2011

The National Commission of Human Rights issued Recommendation 65/2011 to members of municipal government of Teapa, Tabasco, on the case of local policemen who offended migrants.

Personnel of the Public Safety Directorate of this town harmed with a gun a woman from Honduras and took

the belongings of other three people from Central America.

There is also an issue of delay, since they gave notice to the Attorney General's Office 34 hours after the facts occurred.

After analyzing the file and all the evidentiary support it contains, the CNDH found violations to the rights to integrity, legality, and personal and legal security of the victims.

This National Organism has asked the local authorities to make all the necessary arrangements and proceed to damage reparation of the victim, among other recommendations.

The complete text of Recommendation 65/2011 can be found in www.cndh.org.mx

<http://www.cndh.org.mx/node/37>



CNDH SUPERVISES THE PAISANO PROGRAM

CGCP/296/11

29th November, 2011

The National Commission of Human Rights supervises the *Programa Paisano*, winter 2011, in order to guarantee respect for human rights and attend all possible complaints from mexicans returning from the United States and Canada.

Personnel of the CNDH will be in the main crossings along the northern border until January 8, 2012.

They are located in airports, car and pedestrian crossings, international bridges, fiscal patios, vehicles entry areas, migrant stations and Custom Offices in Tijuana, Nogales, Ciudad Juárez y Reynosa.

This National Organism supervises that authorities comply with the law and promote respect of fundamental rights of our mexicans returning to our country.

The CNDH asks all local, state

and federal authorities to provide adequate protection to migrants in order to avoid that they become crime victims. To request more information and legal advice from any part of the country there is a CNDH toll-free phone number in service 01 800 715 2000.

<http://www.cndh.org.mx/node/37>

INADEQUATE CONDITIONS IN COAL MINE ZONE IN COAHUILA

CGCP/297/11

30th November, 2011



The National Commission of Human Rights prepared the *“Special Report on Security and Hygiene Conditions in the Coal Mine Zone in the State of Coahuila”*, based on the information of complaints files, reports of NGOs, legislation, statistics and interviews conducted by personnel of this Organism during work visits.

The evidence suggests that mine exploitation does not comply with requirements established in the national legislation and international mechanisms.

This report emphasizes the complexity of the situation of mine zones in Coahuila, which is developing under suboptimal education conditions and with a lack of employment opportunities that force workers to work without neither training nor sufficient protection equipment.

For this reason, the CNDH made several proposals to the Secretariat of Economy, Secretariat of Labor and the local government in Coahuila.

For this National Commission, all workers are entitled to the right to work in optimal conditions, and it is the State that has to make this guarantee a reality. The report can be accessed through www.cndh.org.mx.

<http://www.cndh.org.mx/node/37>

RECOMMENDATIONS

RECOMMENDATION 61/2011

MATTER: On the case of floods in diverse parts of the state of Tabasco

RESPONSIBLE AUTHORITIES: Director General of the National Water Commission, Constitutional Government of the State of Tabasco, Members of the Town Halls of Centro, Huimanguillo, Cárdenas, Cunduacán, Paraíso, Cental, Jalpa de Méndez and Nacajuca, in Tabasco

10th November, 2011

The National Human Rights Commission analyzed the documents and evidentiary support contained in file [CNDH/1/2010/5069/Q](http://www.cndh.org.mx), on the floods occurred in different parts of the state of Tabasco, where it was observed that due to unfinished constructions, omissions, possible acts

of corruption and non-compliance with norms of the National Water Commission, the Constitutional Government of the State of Tabasco, members of the Town Halls of Centro, Huimanguillo, Cárdenas, Cunduacán, Paraíso, Cental, Jalpa de Méndez and Nacajuca, it was not possible to prevent major risks during these floods in 2010.

In the National Commission's opinion, these circumstances shall be investigated by the internal authorities of CONAGUA and the General Attorney's Office in order to determine responsibilities, given the poor development of the official prevention plan according to the established guidelines, and the inadequate attention and protection provided to victims.

This National Organism evidenced violations of the rights to legal security, legality, property and possession, as well as to decent treatment and health protection, decent household and development.

Also, without authorization or previous notification, hundreds of inhabitants were evacuated from their homes with the use of force. These situations affected 5,710 victims directly and more than 130,000 potentially. Inhabitants of 56 different communities presented a complaint at the CNDH who, in turn, issued Recommendation 61/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 62/2011

MATTER: On the case of the improper provision of public service offense of V1 and V2

RESPONSIBLE AUTHORITIES: President of the Board of Directors of the LX period of the Congress of the state of Tabasco and members of the Centro Town Hall, in Tabasco

14th November, 2011

The National Commission of Human Rights opened the file CNDH/1/2010/5964/Q which contains violations to the right to legal security against V1

and V2 because of acts ascribable to public officers of the Centro municipality in the state of Tabasco, consistent with diverse irregularities on services of drinkable water, drainage, and sewage treatment and disposal, which they have the duty to provide and have not done so in this case.

Based on this information, on June 30, 2011, this National Commission sent a conciliation proposal to the municipal president of Centro, Tabasco, which to the date of writing this pronouncement has not been

accepted, neither have evidence of its compliance has been sent.

For all this, the CNDH issued Recommendation 62/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 63/2011

MATTER: On the case of arbitrary detention of V1, V2, V3 and V4; illegal withholding of V1 and V4; torture against V1 and inhuman treatments against V2 and V3, occurred in the state of Colima

RESPONSIBLE AUTHORITIES: Secretariat of the Navy

13th November, 2011

The National Commission of Human Rights opened the file CNDH/2/2011/1290/Q

for human rights violations against V1, V2, three years old V3, and V4 made by AR1, AR2, AR3 and AR4, relating to their integrity, personal security, decent treatment, household inviolability, legality, and legal security, for inconsistencies and non-compliance with the formal requirements to issue a search warrant, arbitrary detention, illegal withholding, inhuman treatments and torture, committed by personnel of the Secretariat of the Navy in the state of Colima, who answered and anonymous call that informed about V4's address where V1, V2, V3 (minor), and V4 were found among other people, allegedly armed

and belonging to a criminal organization.

For these reasons, the CNDH issued Recommendation 63/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 64/2011

MATTER: On the case of illegal withholding of V1

RESPONSIBLE AUTHORITIES: General Attorney and Constitutional Governor of the state of Chiapas

22th November, 2011

The National Commission of Human Rights opened the file CNDH/1/2010/2098/Q, according to Article 41 of this Commission's Fundamental Law.

After analyzing the case, this National Organism had sufficient elements to confirm violations of the rights to legality and legal security against V1, for acts consistent with illegal withholding, delays in his/her presentation before the corresponding authority, and actions against the rights of detainees relating to unjustifiable transfer, attributable to public officers of the General Attorney's Office and the Secretariat of Security

and Civil Protection of the state of Chiapas.

It is also important to mention that this Commission has also opened the file CNDH/3/2010/3895/Q related to unconformities with the custody conditions of V1 in the Federal Detention Center No. 4 "Noroeste", in the state of Nayarit, which is still in process. For these reasons, the CNDH issued Recommendation 64/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 65/2011

MATTER: On the case of V1, V2, and V3 from Honduras

RESPONSIBLE AUTHORITIES: Members of the Teapa Town Hall in Tabasco

22th November, 2011

The National Commission of Human Rights opened the file CNDH/5/2010/1833/Q related to V1, of Honduran nationality, who on March 26, 2010, around 02:00 hrs. was on a train in Teapa, Tabasco with V2 and V3 when they noticed that personnel of the Municipal Directorate General of Public Security approached a group of Central American migrants, took their belongings and aimed their guns at them.

When seeing this, V1 tried to leave the place, but there was a weapon explosion in that moment that injured her left arm.

V1, V2 and V3 asked other local police officers who were nearby, driving car No. 279, for their support. These officers took them to Teapa general Hospital to receive Medical Attention.

On March 26, 2010, started the migratory administrative procedure 1 against V1 in the Regional Office of the National Migration Institute in the state of Tabasco, for not having demonstrated her legal stay in the country and who on May 10, 2010 left the national territory with a definitive exit letter. V2 and V3 chose the voluntary repatriation.

On March 27, 2010, AR2 presented a report before the District Office of the Attorney's Office of the state of Tabasco which resulted in ministerial act 1.

On March 30, 2010, the initial inquiry 1 for the charges of injuries

and others that might result against V1 started in the Attorney's Office of the state of Chiapas, after V2's testimony.

This inquiry, based on correspondence of the authorities, was transferred to the Attorney's Office of Tabasco on October 8, 2010 and added to the ministerial act 1, which changed into initial inquiry 2 on August 30, 2010.

After analyzing the file of the complaint, the CNDH informed of violations of the rights to legality and legal security against V1, V2 and V3; as well as to integrity and personal security against V1 by personnel of the Municipal Directorate General of Public Security. Based on these facts, the CNDH issued Recommendation 65/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 66/2011

MATTER: On the case of life deprivation of V1 and cruel treatments against V2 in Tepehuanes, Durango

RESPONSIBLE AUTHORITIES: Secretary of Defense

24th November, 2011

The National Human Rights Commission opened the file CNDH/2/2010/12/Q related to the case of life deprivation of V1 and cruel treatment against V2, who on December 3, 2011, went out to collect cattle in a lot near Chicorimpa community in the municipality of Guadalupe y Calvo in the state of Chihuahua, when they passed by elements of the Army who were destroying a marijuana drying place and had some people in custody.

V1 and V2 were also detained and mistreated, including injuries all over their bodies.

Later, V1's body was found presenting a neck fracture that had caused his/her death, skin burns in the chest, back, and arms and legs, ecchymotic injuries in wrists and ankles, and bone fractures in the right leg. V2 suffered severe injuries in the face, hands and chest, which caused a fracture in the left side arch.

After analyzing the evidence contained in the file, this Commission found that members of the 2nd battalion of Special Forcer of Temamatla, State of Mexico, operating under ARI's orders in Chihuahua, supporting Military Zone 42/a, violated V1's and V2's rights to life, integrity and personal

security, health, freedom and legal security, by arbitrary detention against V1 and V2, cruel treatments against V2 and life deprivation of V1.

Based on this information, the CNDH issued Recommendation 66/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 67/2011

MATTER: On the case of life deprivation of minor V1, native nahuatl

RESPONSIBLE AUTHORITIES: Secretary of Defense and Constitutional Governor of the State of Guerrero

29th November, 2011

The National Human Rights Commission opened the file CNDH/2/2010/5873/Q due to the life deprivation of 17 years old V1 by members of the 93/o Infantry Battalion of Military Zone 35/a of the Defense Secretariat, on October 26, 2010, when searching for an animal in the proximities of the community of San Juan Bautista Cuapala, in the municipality of Atlixac, Guerrero.

The military authority expressed through a press communique that the soldiers were attacked by alleged members of a criminal organization and that V1 was carrying an AK 47.

On November 3, 2010, inhabitants of this municipality reported human rights violations by members of the aforementioned battalion and expressed that V1's relatives are low income natives, which made impossible for V1 and his parents to have such a gun.

For these reasons they asked that soldiers who took V1's life are tried. After analyzing the evidence contained in the file, the CNDH confirmed violations of the rights to life, legality, integrity and personal

security, access to justice and law enforcement for acts of life deprivation, arbitrary use of public force and wrongful exercise of public office against V1 and attributable to personnel of the Defense Secretariat and public officers of the Attorney's Office of the state of Guerrero.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 68/2011

MATTER: On the case of V1's death in detention Center Number 5 "Oriente" in Villa Aldama, Veracruz

RESPONSIBLE AUTHORITIES: Public Security Secretary and Constitutional Governor of the State of Veracruz

24th November, 2011

The National Human Rights Commission opened the file CNDH/3/2010/4773/Q after receiving on September 1, 2010, the complaint document from Q1, who affirmed that on February that year his brother V1 was transferred from Detention Center Number 4 "Noroeste" in Tepic, Nayarit to Center Number 5 "Oriente" in Villa Aldama, Veracruz, signaling that V1 was severely ill or had died. It should be mentioned that V1 had been transferred on March 4, 2010 and, when entering, informed the medical personnel that he had had leukemia for 5 years and was prescribed with the drug Glivec; notwithstanding, there were not lab studies made to confirm this information and, if true, continue the treatment prescribed.

On April 27, 2010, V1 was feeling increasingly sick, but it was not until 15 or 16 hours later that they gave him an intra-

muscular medicament, presenting complications later and dying that same day.

The corresponding initial inquiry started without the penitentiary authorities providing the victim's relatives' information to notify his death. Also, the death certificate was made with information of a negligently performed necropsy.

At the end, the Office of the Attorney agreed to start the corresponding process to bury the body in the common grave of the municipal graveyard of Perote, Veracruz "for health reasons", and on December 2, 2010 decided on the reservation to initial inquiry 1.

After analyzing the evidence contained in the file, the CNDH reported violations of V1's human rights, specifically of rights to health protection, legality and legal security; likewise, the relatives' rights in the last two categories were also violated by members of the Decentralized Prevention and Rehabilitation Administrative Office of the Public Security Secretariat and members of the Detention Center Number 5 "Oriente" in Villa Aldama, Veracruz, who authorized the transfer to a penitentiary institutions that did not have sufficient conditions to pro-

vide medical attention to V1, without presenting the detainee's file of the Detention Center of precedence; they did not provide due medical attention nor did they made the corresponding medical file and blocked his relative's localization to notify his death.

On their part, personnel of the Attorney's Office of the state of Veracruz violated the rights to legality and legal security, as well as to law enforcement of V1's relatives by not getting the correct elements to determine the cause of death and locating the relatives, negligently practicing a necropsy and elaborating a death certificate with doubtful information. Based on this, the CNDH issued Recommendation 68/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 69/2011

MATTER: On the case of V1 and V2, crime victims in the state of Durango

RESPONSIBLE AUTHORITIES: General Attorney and Constitutional Governor of the State of Durango

30th November, 2011

The National Human Rights Commission examined the contents and evidence of file CNDH/1/2010/6297/Q on the case of V1 and V2.

On September 23, 2010, around 19:00 hrs., a group of unidentified people illegally deprived V1 of his liberty in the municipality of Nuevo Ideal in the state of Durango.

V2 requested support from elements of the Defense Secretariat and reported the facts, after which the agent of the Attorney's Office attached to the Specialized Unit on Kidnapping of the General Prosecu-

tor of the state of Durango started the initial inquiry No. 2 before the Federal Public Prosecutor Office attached to the Deputy Prosecutor Office for Specialized Investigation on Organized Crime of the General Attorney's Office.

However, the authorities in charge of the investigations did not make the necessary arrangements for the clarification of the facts occurred against V1.

On February 2, 2011, V2 died because of three injuries produced by a fire weapon outside his business in Nuevo Ideal, Durango. Until the day of V2's death there was no information regarding V1's location, which boosted initial inquiry No. 3. Today, inquiries 1, 2 and 3 are in process and according to what the agent of the Federal Public Prosecutor Office, on September 7, 2011, the body of V1 was found in the community of Palmas,

in the municipality of Santiago Papasquiaro, Durango.

After analyzing the evidence contained in the file opened after V2's complaint and later by Q2, this National Organism had sufficient elements to confirm violations of the rights to legal security, law enforcement, integrity and personal security, because of omissions that affected the rights of the crime victims V1 and V2, attributable to public officers of the General Attorney's Office and the General Prosecutor Office of the state of Durango.

For these reasons, the CNDH issued Recommendation 69/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 70/2011

MATTER: On the case of violations of the rights to honor, private life and protection of personal information of V1 by the Federal Electricity Commission

RESPONSIBLE AUTHORITY: Director General of the Federal Electricity Commission

30th November, 2011

The National Human Rights Commission examined the elements and evidence contained in file CNDH/2/2011/3010/Q related to the case of V1, who worked in the Federal Electricity Commission and suffered a labor accident that took his life.

The public enterprise issued

a "Mortal Accident Bulletin" in which it was determined that the victim caused the accident by not taking adequate security measures, besides declaring emotional issues that resulted in the accident.

After analyzing the file, this Commission observes that public officers of the Federal Electricity Commission violated V1's rights to honor, private life and protection of personal information, provided for in article 6, paragraph 1, section II; article 7, 1st paragraph; and Article 16, 2nd paragraph of the Mexican Constitution; article 11.2 and 13.2a) of the American Convention on Human Rights; article V of the American Declaration of the Rights and Duties

of Man; 17 and 19.3a) of the International Covenant on civil and Political Rights; and article 12 of the Universal Declaration of Human Rights, by determining V1's responsibility without complying with the constitutional requirements for the exercise of freedom of information and by wrongfully providing his personal information.

Based on this, the CNDH issued Recommendation 70/2011.

RECOMMENDATION 71/2011

MATTER: On the case of arbitrary detention, illegal withholding and torture against V1

RESPONSIBLE AUTHORITY: Navy Secretary

30th November, 2011

The National Human Rights Commission received a complaint document from Q1, originally presented to the Human Rights Commission of the state of Coahuila, and opened the file CNDH/2/2011/4819/Q.

According to Q1, the 22nd of that same month and year, between 8:30 and 9:00 hrs., her son T1 was with a group of friends in her home in Saltillo, Coahuila, when members of the Navy Secretariat violently entered the building.

Once inside the household, they threatened the inhabitants and destroyed some household affairs. Later, a group of marines started to beat T1 while asking him about

his father's (V1) job and address; when they found out he did not live there, they asked T1 to take them to V1's house.

While going to where V1 was, also in Saltillo, the marines entered by force and instantly started beating V1, T2 and T3; they took photographs of some members of the family and arrested V1.

After analyzing the evidence contained in the file, this National Organism observed violations of the rights to legality and legal security, freedom, access to justice,

and personal integrity and security because of arbitrary detention, illegal withholding and torture against V1, attributable to members of the Navy Secretariat.

For these reasons the CNDH, issued Recommendation 71/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 72/2011

MATTER: On the case of illegal search practiced in V1, V2, V3, and V4's household and intimidation against V2, V3, and V4

RESPONSIBLE AUTHORITY:
Navy Secretariat

30th November, 2011

The National Human Rights Commission analyzed the elements and evidence contained in the file CNDH/2/2011/8153/Q, related to a search conducted by members of the Navy Secretariat in V1's household, because of an alleged anonymous report.

V1 was not at home and his wife V2 informed him

by phone that around 30 members of the Navy Secretariat knocked on the door and asked to get inside in an arrogant manner.

In a later phone call, V2 informed V1 that the marines had her and her children, V3 and V4, threatened with guns while searching the household, including the garden, the garage and the proximities arguing they had received an anonymous report about armed men on block away.

After analyzing the evidence contained in the file, the CNDH found violations of V1, V2, V3, and V4 human rights (V3 and V4 are 16 and 14 years old, respectively) by personnel of the Navy Secretariat, corre-

sponding to the persons' integrity, personal security, privacy, household inviolability, by non-compliance with the corresponding search ordered and recurring to intimidation.

Based on this, the CNDH issued Recommendation 72/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 73/2011

MATTER: On the case of life deprivation of V1 in Monterrey, Nuevo Leon

RESPONSIBLE AUTHORITY:
Constitutional Government of the State of Nuevo Leon

30th November, 2011

The National Human Rights Commission examined the elements and evidence contained in the file CNDH/2/2011/4942/Q, opened because on April 18, 2011, around 5:40 hrs., on the side lanes of Av. Lázaro Cárdenas, in the Valle las Brisas neighborhood in Monterrey, Nuevo León, V1 was driving to his work when he was killed

by gunshots of members of the Public Security Secretariat of Nuevo Leon who were patrolling the neighborhood, due to the Human Rights Commission of the state of Nuevo Leon declared itself incompetent to determine if federal authorities had participated in the facts.

After analyzing the evidence contained in the file, this National Commission found that the members of the state Public Security Secretariat violated the rights of V1 and his relatives to life, honor, legality and legal security, and access to justice, because of the acts of life deprivation, arbitrary use of force, altering the crime scene,

irregular preservation of signs, and wrongful accusations.

For these reasons, the CNDH issued Recommendation 73/2011.

<http://www.cndh.org.mx/node/32>

The social consensus about “considering” women as *personas* and as a social category is still very far of being in equality conditions to men in every sphere

Article of the month

CULTURE AND SYMBOLIC VIOLENCE

Mercedes Arriaga Florez

In our culture, the woman has been conceived, categorized, defined, “talked about”, by a thought exclusively built by men who, while building their own identity, relegated the feminine to the “Other”, to the silence, to nature, to matter, to symbolic ambivalence, to “the opacity side”. (Amoros, 1985: 25)

By: Mercedes Arriaga Florez*

Two definitions of culture significantly matter: the first one is the one that defines it as “inheritance”, either of material objects (material culture) or of “ideas, technical processes, customs and values socially transmitted.” (Malinowski, 1970: 135). The second definition puts culture as a mechanism that determines behaviors. We cannot forget that both inherited knowledge and social norms are profoundly marked by an androcentric and patriarchal conception of the world.

Transforming the cultural arbitrariness of the “logical and natural” conscience of the state of things between men and women is one of the patriarchate’s operations to perpetuate the subordination of the femi-

nine and justify the submission of women. This cultural arbitrariness determines the nature and function of women independently of the role they play in society, as well as their civil and political rights.

Such arbitrariness is marked by inequality in relation to the masculine and as Eva Gilberti and Ana Fernandez affirm: “inequality-discrimination-violence form a particular circuit of mutual feeding that unfolds through social production of different ways of agreement that legitimize these inequalities as discriminatory practices and, at the same time, make violence invisible.” (Gilberti and Fernández, 1989: 17.

Abstract egalitarianism. Equality between men’s and women’s rights and obligations, as provided for by current legislations, leave almost unaltered the inequality of men and women in their private lives, on one hand, and their opportunity inequalities presented in social life, on the other.

Such inequalities are founded in a consensus, sometimes unconscious and some others not, around the “natural” inferiority of women and that perpetuates itself through culture in both of its aforementioned definitions, more specifically through social gender “habitus”:

“norms system deeply assimilated that are never totally or systematically expressed” (Rodríguez Méndez, 2003: 145), and that are the ones regulating behavior, attitudes, movements, positions, and even the use of language in the world.

Among the limitations imposed on women through the centuries, these are the most persistent, those that affect the individual sphere of “being a woman in the world”, that is, the possibilities of female subjectivity and self-projection/identification in social identity. The social consensus about “considering” women as *personas* and as a social category is still very far of being in equality conditions to men in every sphere.

All women experiment the separation existing between the law and its social realization, between theories and practices regarding us. As affirmed in a study of the University of Sevilla “it is necessary to find solutions to the abstract egalitarianism’s insufficiency.”

<http://palabrademujer.wordpress.com/2011/11/20/cultura-y-violencia-simbolica/>

Book of the month

“¡BASTA! 100 MUJERES CONTRA LA VIOLENCIA DE GÉNERO”

This work gathers the greatest number of female writers ever published in Chile.

(“ENOUGH! 100 WOMEN AGAINST GENDER-BASED VIOLENCE”)

Consecrated writers such as Lina Meruane, Alejandra Costamagna, Andrea Jeltanovic and Malucha Pinto participate together with poets such as Rosabetty Muñoz, Alejandra Basualto and María Inés Zaldívar.

Compiler: Pía Barros

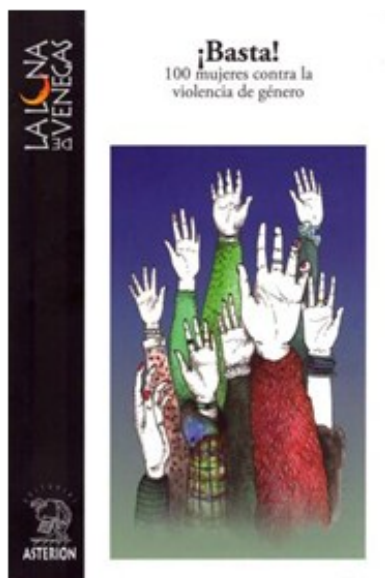
Editorial: Asterión

115 pages

Chile

It is an outstanding anthology that gathers 100 female writers who portrait the thousands of nuances violence can have in the life of women.

http://www.letrasdechile.cl/mambo/index.php?option=com_content&task=view&id=1944&Itemid=30





Newsletter

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Oscar Elizundia Treviño

Periférico Sur 3469,
Col. San Jerónimo Lídice,
Delegación Magdalena Contreras,
C.P. 10200, México D.F.
Telephone (55) 56 81 81 25 y 54 90 74 00
Toll free code 01800 715 2000

Executive Secretary

Bld. Adolfo López Mateos, 1922, 1er piso,
Col. Tlacopac, Del. Álvaro Obregón,
C.P. 01049, México, D.F.
Telephone (52.55) 17 19 20 00 ext. 8725
Fax (52.55) 17 19 21 53
Toll free code 01 800 715 2000

Correspondence

anadarbella@cndh.org.mx

