



Comisión Nacional de los
Derechos Humanos
MEXICO

Newsletter

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MAY, 2012

The voice of the President

Access to water

*Dr. Raúl Plascencia
Villanueva*

During the last few years, access to water as a human right has acquired a particular relevance and has come to occupy an important place in the international agenda. The fulfillment of this right is closely linked with the enjoyment of other rights such as life, healthcare, welfare, recreation and development.

The World Health Organization has declared that lack of potable water and proper sanitation causes 80% of all illnesses in developing countries, which principally affects children. On its part, the United Nations Environment Program affirms that intestinal infections are the number nine cause of death among indigenous women in our country.

This, among other things, favored the recognition of the right "of every person to water access, availability

and sanitation for domestic and personal usage in a sufficient, healthy, acceptable and affordable manner", as well as the State's commitment to guarantee it, in article 4 of the Constitution, on February 8, 2012.

The law will define the bases, supports and modalities for the equal and sustainable use of hydric resources, with the participation of the three levels of government and society.



The right to access water should also be a priority issue in the national agenda and shall not be underestimated in face of the emergency resulting from situations such as public security, which might place the country in a very dangerous extreme once the security problem is overcome, as it will

surely happen in the short run. We do not want to turn around and discover an issue that has been left forgotten as priority and strategic at the global level.

The recurrence of droughts in the north of Mexico, where indigenous communities live in extreme lack of water, while the southern part of the country frequently suffers from floods and deficiencies in the water administration, compel us to think about the need of developing strategies that guarantee access to water in a healthy, sufficient and affordable manner to all the population.

The pollution of some natural resources, such as the Santiago River in Jalisco, has resulted in the impossibility of using its water for the human consumption and turn it into a real danger, to the extreme of causing diseases and death of children when falling to the river. This is just an example of the reality we have to work to revert.

This article can be accessed through:
<http://www.eluniversalmas.com.mx/editoriales/2012/05/58399.php>

Event of the month

Signing of a General Collaboration Agreement between the CNDH and the Association of Olympic Medalists of Mexico, A.C.



CNDH CALLS TO REDUCE ACCIDENTS AT WORK

CGCP/107/12

May 1, 2012

The National Human Rights Commission, made an appeal to redouble efforts in order to reduce accidents and diseases at work in the country, with a special emphasis in the prevention of them, particularly in the most risky sectors.

According to official data, during 2012 there were in Mexico 403,336 accidents at work; 3,466 people

who got a disease at work; 22,389 disabilities and 125 deaths.

In the opinion of this national Organism, prevention is the key to improve the health and security at work.

The CNDH considers it necessary to reinforce strategies in order to avoid accidents and diseases at work through a social dialogue that includes workers, employers and authorities. Health and security at work must be a funda-

mental part of the strategies that seek to promote productive and decent jobs.

The CNDH will remain firm in its task of guaranteeing that acts and omissions of administrative authorities related to the observance of human rights in work issues are in accordance to the existing national and international norms on this subject.

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

UNITE EFFORTS TO AVOID ENVIRONMENTAL DAMAGE

CGCP/108/12

May 2, 2012

Dr. Raúl Plascencia-Villanueva, president of the CNDH, made an appeal to society in order to unite efforts and protect the environment, making this issue a priority in the national agenda and not a cleavage one.

He urged to start working on prevention of ecological damage, through promotion, education and training in environmental issues

where we face a truly alarming scenario.

During the signing ceremony of a Collaboration Agreement between the CNDH and the Mexican Center of Environmental Law (CEMDA), the national Ombudsman underlined the importance of working in the framework of prevention and promotion of environmental rights, as a measure to stop its deterioration.

He highlighted that the Congress has recently

passed a modification to the National Commission's Law, for which he has decided to create the Sixth General Visitorship of the CNDH, which will be focused in environmental issues.

On his part, Gustavo Alanís -Ortega from CEMDA mentioned the importance of protecting human rights that, as the environmental one, seem to be forgotten but are actually of great relevance for sustainability.

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

CNDH CONDEMNS THE DEATH OF GRAPHIC JOURNALISTS

CGCP/109/12

May 3, 2012

According to instructions from its president, Raúl Plascencia-Villanueva, the CNDH will start an investigation on the death of two photojournalists of *Veracruznews*, Guillermo Luna Varela and Gabriel Hugué.

On the *World Press Freedom Day*, this national Organism condemns the fact that there are still attacks against journalists, and reaffirms its commitment towards their protec-

tion, as well as takes the opportunity to honor all those journalists who have lost their lives while working.

The CNDH is convinced that it is the State's obligation to prevent any act that violates freedom of expression. Every democratic society should have as one of its main components a free and independent press, who fulfills its social function in a safe environment.

In order to counteract the violent situation

in which this group works, this national Organism constantly enriches its *Guide to Implement Preventive Measures in Benefit of Journalists and Communicators* with opinions from different experts, journalists and civil society organizations. This guide may be accessed through the web page www.cndh.org.mx

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



THE CNDH RECEIVES APPROXIMATELY 1000 COMPLAINTS EACH MONTH

CGCP/110/12

May 4, 2012

During the first four months of this year, the CNDH has received 3,997 complaints, an average of 999 a month.

The main violations accused are: inappropriate public service (794), act against legality, honesty, loyalty, impartiality and efficiency while carrying out functions, at work, or commissions (760), and arbitrary detention (596). Each com-

plaint may contain one or many violations.

The omission of authorities to explain their acting (693), inhuman, cruel or degrading treatments (568), failure to provide the service of electricity (594), and the omission of authorities to reply to a request made by any person in their right (585) also outstand, as well as failure to provide proper medical assistance, wrongful provision of the service of education, non-compliance with all re-

quirements to issue a search order or during its implementation.

The CNDH deems fundamental that authorities act according to what is established in the Constitution and all other human rights norms

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

PROMOTION OF A CULTURE OF EQUALITY BETWEEN MEN AND WOMEN

CGCP/111/12

May 5, 2012

During its participation at the forum “Gender Stereotypes, Mass Media and Inequality between Men and Women”, the president of the CNDH, Raúl Plascencia-Villanueva affirmed that it is urgent to implement actions and programs that seek to eradicate all forms of discrimination, in order to strengthen a culture that prioritizes the values

of respect and equality between men and women.

Scholars, journalists and commentators agreed on the necessity of promoting actions to strengthen equality between men and women in the framework of national and international norms and treaties.

Attitudes and actions that go against equality and constitute human rights violations, both from authorities

and public servants of all levels of government as well as inside the families, couples and society, were denounced during this forum.



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

INCLUDING PERSONS WITH DISABILITIES AT WORK

CGCP/112/12

May 6, 2012

The National Human Rights Commission considers necessary to implement public policies that allow establishing workplaces for persons with disabilities.

According to official data, there are 5.7 million people with disabilities living in Mexico; 70.5% of them are in working age and unemployed.

This national Organism reaffirms its conviction that it is indispensable that the Mexican State guarantees equity conditions for this important population group.

Authorities must put into practice article 27 of the Convention of the Rights of Persons with Disabilities that deals with work issues.

In the framework of the Constitutional Reform on human rights of last June, 2011,

this Convention has acquired an obligatory nature in constitutional terms.

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

ACTIONS TO ERADICATE FAMILY VIOLENCE**CGCP/113/12***May 7, 2012*

In order to promote the respect of rights of victims of family violence, such as boys, girls, women and elders, the CNDH increases its activities around the country.

Official data indicate that there are 28.6 million households in Mexico; whenever there is violence inside them, there are situations that hurt the dignity and fundamental rights of its members.

4 out of 10 women who have or have had a relationship have been attacked by their partners at some point.

The CNDH develops workshops for parents with the purpose of promoting a culture of human rights and contribute to eradicate family violence, a problem that affects one out of three Mexican households.

With this support tool, people are capable of knowing their legal situation better

and they can be helped to solve their problem.

The CNDH offers the numbers 56 31 00 40 and 01800 715 2000, extensions 2133, 2119, 2333 and 1375 to provide information and assistance on this matter.

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

THE JAPDF AND THE CNDH SIGN A COLLABORATION AGREEMENT**CGCP/114/12***May 8, 2012*

The president of the National Human Rights Commission, Raúl Plascencia-Villanueva, affirmed that one of the main challenges for Mexico in the 21st century is to achieve that public institutions unite efforts with society when solving common problems.

He sustained that it is necessary to overcome the

old myth that responsibility for this country lies only in the hands of governments.

Today, he said, this must be part of a co-responsibility with public policies according to society's claims.

During the signing ceremony of the Collaboration Agreement between the Board of Private Assistance of the Federal District (JAPDF) and the CNDH, he pointed out that questions related to assistance,

support and help to those who need it the most is one of the CNDH's priorities.

The national Ombudsman declared to Rogerio Juan Casas Alatraste, president of the JAPDF, that it is important not only that rights are established in the Constitution and other norms, but to make them effective and, in this vein, to facilitate their knowledge.

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

**NECESSARY TO IMPROVE THE SITUATION OF WORKING MOMS: CNDH****CGCP/115/12***May 9, 2012*

The National Human Rights Commission that Raúl Plascencia-Villanueva presides considers fundamental to expand the progress achieved in terms of equality and to take the necessary measures to avoid women to continue suffering mistreatments and discrimination.

The CNDH develops an intense activity of promotion and protection

of women's human rights through diverse institutional programs.

Also, the Commission considers indispensable to eradicate cultural factors of submission, violence, inequality and injustice that hinder women's well-being.

In the framework of the commemoration of Mother's Day, it turns convenient to remember that, in 2011, women accounted for more than half of the population; however, it is undeniable that

they still face obstacles to access education, healthcare services and better jobs.

It is necessary that public institutions promote effective programs in order to eliminate any sign of discrimination in hiring, promoting and remunerating women, as well as to achieve more flexible work conditions in favor of women general, but particularly of working moms.

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

CNDH ATTRACTS CASE OF STUDENTS IN MICHOACÁN

CGCP/116/2012

May 10, 2012

The CNDH used its power of attraction to investigate alleged violations to human rights during the detention of 300 students of the Universidad Michoacán de San Nicolás de Hidalgo, carried out by local police members on April 28.

On that same date, the CNDH sent a group of 13 investigators to the city of Morelia, Michoacán. Lawyers, psychologists and

medical experts held interviews with the victims to get their testimonials, certify the injuries, and provide them with assistance and psychological attention; 57 of them formally filed their complaint to the CNDH.

That same day, April 28, the CNDH received from the Human Rights Commission of Michoacán a complaint from a citizen denouncing the way in which public forces broke into the Student House “Lucio Cabañas”, where they physically injured students

and proceeded to their detention. Information was requested to federal and local authorities.

After concluding the analysis of the evidence, this National Commission will issue the corresponding determination.

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

RPV WELCOMES TWO COMMISSIONS OF RELATIVES OF DISAPPEARED PERSONS

CGCP/117/12

May 11, 2012

The president of the CNDH, Raúl Plascencia-Villanueva, held a meeting with approximately 70 relatives of disappeared persons in different states of the country, who denounced the inefficiency of investigations.

The commissions, made up almost entirely by women, filed their complaint in order for the National Commission to intervene against the omission,

indifference and lack of disposition of public officials.

The national Ombudsman affirmed to the representatives of the “National Dignity Movement, Mothers Looking for their Children and for Justice”, that the CNDH considers a priority the attention of these cases and he reiterated the institutional commitment for them not to be forgotten.

He offered full support in order to demand to authorities the fulfillment of their functions.

He assured that each one of the cases of disappearances will have its own file with a specific investigation. He also informed them that the National Commission already has a database of persons considered disappeared or non-reachable.

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The national Ombudsman affirmed . . . “that the CNDH considers a priority the attention of these cases and he reiterated the institutional commitment for them not to be forgotten”

ATTENTION TO INDIGENOUS WORKING CHILDREN

CGCP/118/12

May 11, 2012

The CNDH, presided by Raúl Plascencia-Villanueva, considers necessary the adoption of new measures and public policies to confront the problems faced by millions of indigenous children who work.

It is urgent to propose viable alternatives that pay attention to the discrimination against these minors, as well as to the

eradication of poverty in their communities, their access to education, healthcare services and an integral development.

These were some of the considerations expressed at the forum “Child Work, Indigenous Youth and their Rights” organized by the CNDH in Mezquital, Durango.

One of the main objectives of this event was to attend to several recommendations of the UN’s Universal Periodic

Review to Mexico, which in general terms state the necessity of adopting measures to confront the discrimination suffered by indigenous children.

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CNDH INVESTIGATES ASSULT ON JOURNALIST

CGCP/119/12

May 12, 2012

Dr. Raúl Plascencia-Villanueva, president of the National Human Rights Commission, determined to start an *ex-officio* investigation on the assault against the journalists Gerardo Ponce de León, in Hermosillo, Sonora.

with Mr. Ponce's relatives to offer him support and legal advice.

The national Ombudsman instructed the personnel of the regional office in Nogales, Sonora, to hold an interview with the journalist and reiterate the readiness of the Commission to attend his case.

freedom of expression and that assaults on journalists are worrying, not only because they hurt people's life and integrity, but they also affect society's right to information.

Personnel of the CNDH established contact

This national Organism considers as an State's duty to prevent any act against

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CNDH FILED REQUEST FOR UNCONSTITUTIONALITY ACTION ON GEOLOCALIZATION

CGCP/120/12

May 13, 2012

The National Human Rights Commission, filed before the Supreme Court of Justice a request for unconstitutionality action related to the reform to Articles 133 quarter of the Federal law of Criminal Procedures, and Article 16, I appendix D and 40 bis of the Federal Law of Telecommunications. These reforms give the General Attorneys,

both national and local, attributions to request concessionaries of telecommunication services the geographical position, in real time, of mobile telecommunication devises, during the investigation of different crimes.

lack of any time limit and facilitate unlimited arbitrariness to the aforementioned authorities.

The contested norms do not consider the intervention of judges for the authorization of this measure, neither for its supervision or suspension.

Said reforms are considered against the guaranties of legality, certainty, legal security and privacy established in the Constitution. The request was filed on the basis that these reform

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GURANTEING INDIGENOUS PEOPLE ACCESS TO HELTHCARE SERVICES

CGCP/121/12

May 16, 2012

The National Human Rights Commission considers necessary to guarantee that indigenous communities have access to efficient, timely and free healthcare services, as well as to guarantee the supply of medicines.

as well as in education, employment and social security, which makes it necessary to redouble efforts in order for them to have decent life conditions.

services.

The CNDH reiterates its commitment to keep working for indigenous people around the country to get to know and enjoy their right to health protection.

This sector of population constantly suffers backlashes on this matter,

Official data show that 15.7 million people belong to this vulnerable group, out of which 5.4 million live in poverty and almost 3 million in extreme poverty. Of this total, only 29% have access to healthcare

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CNDH CONDEMNS DEATH PENALTY

CGCP/122/12

May 17, 2012

The National Human Rights Commission expresses its full condemn to the sentence to death to José Regino, Luis and Simón González Villarreal, by a court in Kuala Lumpur, Malaysia.

This national Organism has reiterated its rejection of death penalty given

that it is the most serious punishment, the application of which causes injustice, hurts human dignity permanently and provides no chance for reparation.

The national Ombudsman sent to his homologue, Sr. Tan Sri Hasmy Agam, President of the National Human Rights Commission of Malaysia (SUHAKAM), a plea for support and collaboration to act in defense of the Mexican citizens.

This national Organism maintains its firm demand for these Mexicans to receive legal and consular assistance, as well as it analyses the corresponding declarations so that their sentence is commuted to imprisonment.

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

CNDH OPENS INVESTIGATION ON JOURNALIST'S DEATH

CGCP/123/12

May 18, 2012

Dr. Raúl Plascencia Villanueva, president of the National Human Rights Commission, ordered to open an *ex-officio* investigation on the inquiry of the ministerial authority on the case of the death of René Orta Salgado, journalist of *El Sol* newspaper, whose body was found in the trunk of a car.

The Mexican State has the obligation of guaranteeing

the observance of human rights established by national and international instruments, as well as effectively investigating homicides and other violent facts against journalist, and sanctioning those who perpetrate them.

Therefore, the CNDH will remain seize of this inquiry in order to guarantee the due process in this and future cases, in order to exhaust all possible lines of investigation, with the purpose of eradicating systematic assaults on journalists and violations of human rights.

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

THE CNDH OPENS EX-OFFICIO INVESTIGATION ON THE DEATH OF A JOURNALIST IN SONORA

CGCP/124/12

May 18, 2012

With the news of the deprivation of liberty of Mr. Marco Antonio Ávila García, journalist of *El Regional de Sonora* and *Diario de Sonora*, whose body was found this afternoon, the number of journalists' homicides registered at the National Human Rights Commission, has risen to 81.

Raúl Plascencia-Villanueva, president of the National

Human Rights Commission, gave instructions to open an *ex-officio* investigation on the case, to hold interviews with his relatives and director of the newspapers where he worked, and offer this institution's support and assistance, as well as to remain seize of the inquiries made by ministerial authorities.

The CNDH condemns the events against Mr. Ávila García and his family; and warns that this type of assaults are particularly

serious and make necessary that the corresponding investigations are carried out in a timely, objective, effective, complete and independent manner, with the aim that these facts do not remain in impunity, as well as to send a clear message that they will not be tolerated.

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CNDH REQUESTS MALAYSIAN OMBUDSMAN TO PROTECT CONATIONAL'S HEALTH

CGCP/125/12

May 19, 2012

In a new communication addressed to Tan Sri Hasmy Agam, president of the Human Rights Commission of Malaysia, Raúl Plascencia-Villanueva, President of the CNDH, requested him to maintain his intervention in order to comply with the Malayan legislation and international norms to attend Mr. José

Regino González Villareal's physical health.

The Mexican Ombudsman expressed the necessity for the Malayan authority to provide urgent medical attention to the patient in order to protect his right to healthcare, independently of the criminal process currently carried out against him.

This is the second letter that the President of this national Organism sends

to his homologue with the purpose of preventing their rights from being violated, given that relatives of the González Villarreal brothers informed on the health conditions of José Regino González Villarreal.

The CNDH is convinced of the importance of promoting Mexicans' human rights abroad and, particularly, their right to life, dignity and health protection.

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

RECOGNIZING AND PROMOTING CULTURAL DIVERSITY

CGCP/126/12

May 20, 2012

In the framework of the commemoration of the *World Day for Cultural Diversity for Dialogue and Development*, the National Human Rights Commission deems necessary to eradicate discrimination of all kinds that affect a harmonious and peaceful coexistence.

Mexico is a multicultural, multiethnic and multilin-

gual country, and therefore we need to unite efforts in order to achieve the integration of social groups that have traditionally been discriminated against because of their skin color, place of origin, health conditions, religion, traditions, age or gender.

One of the main priorities of this national Organism has been the spreading of the Culture of Legality among new generations so that they know the rights they are entitled

to and be conscious on their duties towards themselves, their families, their community and their country.

In 2002, the UN declared the *World Day for Cultural Diversity for Dialogue and Development* on May 21, as an opportunity to recognize our differences.

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

NEW COMMUNICATION COORDINATOR AT THE CNDH

CGCP/127/12

May 21, 2012

Raúl Plascencia Villanueva, president of the National Human Rights Commission, appointed journalist Mayté Noriega, as Coordinator for Communication and Projects of this national Organism.

During the designation ceremony, the national Ombudsman affirmed that the better society knows its rights and the work

that can be done to guarantee them, the better we can protect them.

Therefore, he declared that Social Communication is of vital importance for this Institution, "the way we handle information, publicize the activities we carry out and the work of the CNDH is one of the highest priorities".

Mayté Noriega holds a degree from the National University (UNAM) and postgraduate studies at the Navarra University, Spain.

She is a respected journalist with a great expertise and professional career, which has worked in different spheres.

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MORE THAN 44 THOUSEND MIGRANTS ATTENDED AT THE CNDH

CGCP/128/12

May 22, 2012

From January, 2011 to April 2012, the CNDH personnel carried out more than 2,000 visits to migratory stations, where they attended 44,778 people resulting in the opening of 1,292 complaint files.

This Institution has documented that the most violated rights against migrants in Mexico are the right to legal security, decent treatment, personal integrity and security, legality and liberty.

During this period, officers of the CNDH carried out 7,366 processes in favor of migrants in migratory stations; it was achieved for them to get medical assistance and information on their legal and migratory situation, as well as food, cleaning and personal hygiene items, clean mattresses, access to the telephone, inventory of their belongings, extension of their declaration before authorities and supervision of the repatriation process.

The CNDH constantly reminds migrants of their rights inside

migratory stations, such as: to not being discriminated, to receive a decent human treatment, and to have the assistance of an interpreter.



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

EX OFFICIO INVESTIGATION ON ASSAULTS TO POLICEMEN

CGCP/129/12

May 23, 2012

The National Human Rights Commission opened an ex-officio file on alleged violations to human rights carried out by military members against local policemen of Tijuana, Baja California.

Officers and medical and psychological staff of the CNDH went to that city in order to establish contact with the victims and make the corresponding analysis.

On May 22, 2012 the media published the denunciation

of the affected policemen in which they declared having been taken by their superior to military facilities, where they were physically and psychologically tortured on March 8, trying to force them to confess their participation in different crimes.

The complaint is currently under investigation, and once the file is conformed, the corresponding determination will be issued.

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NEW HUMAN RIGHTS DYNAMIC

CGCP/130/12

May 24, 2012

Raúl Plascencia-Villanueva, president of the National Human Rights Commission, assured that a wide range of laws should be amended, renewed or bolstered in order to generate a new dynamic on human rights so that they exist not only in texts but become a reality.

During his participation at the First Legal Congress of the

Mayan Riviera, Plascencia-Villanueva affirmed that this dynamic requires that Mexicans get involved in this matter, given that "human rights are everybody's commitment, including the spheres of education, public service, and justice procurement."

He also declared that there are many pending legal reforms; among others, he referred to the necessity of establishing a new Federal Criminal Code that will not end up as a death letter, as well as a new

Amparo Law that eradicates formalisms in order to guarantee better efficiency.

He underlined the relevance of having public officers who know that they need to respect the law because otherwise they will have to assume the corresponding consequences.

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CNDH PROMOTES YOUTH RIGHTS

CGCP/131/12
 May 25, 2012



The knowledge and respect of youth rights, such as the right to live in a secure and free of violence environment, is a priority for the National Human Rights Commission.

This sector should not be discriminated based on considerations of age, gender, economic condition, or the way they think, dress or talk. They should also enjoy opportunities to study and get a job with a fair payment. There are

29,709,560 people between 15 and 29 years old in Mexico, which represents 26.4% of the total population. Out of these figures, 15.2 million are women and 14.5 million are men. According to the opinion of some young men and women during a national poll, the main problems they face are the lack of job opportunities, the risk of becoming addicts, and the insecurity of the social environment. Also, they consider that the lack of qualifications, the personal appearance and inexperience are among the main factors

that hinder their access to the labor market. This National Commission considers that a more tolerant, respectful and violence-free society can be consolidated as long as a human rights culture is promoted among new generations.

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

YOUR RIGHTS AND DUTIES ALWAYS WITH YOU

CGCP/132/12
 May 26, 2012



In order to boost a culture of legality in Mexico, the CNDH has distributed nearly 500 thousand issues of the leaflet "The Person's Rights and Duties" around the country.

This leaflet presents 20 commitments that are necessary to observe as individuals within a community in order to achieve a civilized coexistence based on what is established in our Constitution.

The leaflet, in the form of a foldable pocket book, easy to carry around and consult, includes the rights every person is entitled to, but also notes that we all have duties towards society, authorities, the country, our family and ourselves.

It also shows that we are all equal before the law, notwithstanding the ethnic or national origin, gender, age, disabilities, social differences, health conditions, religion, opinions, preferences, marital status or any

other condition that goes against human dignity.

Likewise, it signals the urgency of having social, economic and political actors assuming the commitment of fully respecting the law and comply with their duties in an exemplary fashion, because it is only in this way that a pacific social coexistence can be guaranteed.

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

CNDH: NECESSARY TO ERADICATE INEQUALITY IN ORDER TO IMPROVE WOMEN'S HEALTH

CGCP/133/12
 May 27, 2012



The CNDH deems necessary to provide women information on their human rights, and raise public awareness among society on the impact that gender inequalities have on women's health.

While commemorating the *International Day of Action for Women's Health*, on May 28, this national Organism reaffirms that

it is necessary to promote new practices that boost equality between women and men through research, prevention and integral attention to their health.

Through the *Program on Women's Affairs and Equality between Women and Men*, the CNDH contributes to eradicate the cultural and social barriers that along with discrimination and violations to the right to equality, all of which constitute

a risk factor to the health and life of women.

It is also necessary to pay attention to the specific needs of women and detect behaviors and attitudes that expose them to physical traumas, nutritional alterations, and depressive syndromes. These practices violate their human rights and prevent women from achieving a healthy and decent life.

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

TO EDUCATE ON HUMAN RIGHTS

CGCP/134/12

May 28, 2012

The CNDH considers that in order to build a society which values and respects the law it is necessary to provide education on human rights.

As a result of the constitutional reform of June, 2011, Article 3 now includes the obligation of the State to promote respect to human rights in the education systems. This national Organism affirms that the education system of our country

should be inclusive for all children and youth, as well as provide them quality learning for them to develop their personal capacities in order to become part of the society on an basis of equal opportunities.

The National Commission closely monitors discriminatory practices suffered by persons with disabilities in some education centers.

Likewise attention is provided to members of rural and indigenous communities in order to avoid having their rights violated, given that

they are usually excluded because of the lack of access to education.



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

CNDH SIGNS COLLABORATION AGREEMENT WITH OLYMPIC MEDALISTS

CGCP/135/12

May 29, 2012

Raúl Plascencia-Villanueva, the national Ombudsman, affirmed that sport is a discipline that enriches and strengthens the human being, while educating the body and the mind through knowledge, but also through perseverance that helps to build the personality, the spirit and the respect for the opponent.

During the Signing Ceremony of the Collaboration Agreement between the CNDH

and the Association of Olympic Medalists of Mexico, Plascencia-Villanueva expressed that the link between human rights and sports implies not only a right but also the opportunity of rebuilding the social tissue and the possibility of overcoming challenges.

Through this agreement both institutions will perform training and promotion activities of human rights together.

The role model of Olympic medalists in different levels of society certainly is a positive influence that contributes to the strengthening of the culture

of respect and legality that the CNDH constantly promotes.

The National Commission reiterates that this strategy of training and promotion ratifies its commitment towards a better society.



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

RIGHT TO HEALTH SERVICES FOR PEOPLE LIVING WITH HIV/AIDS

CGCP/136/12

May 30, 2012

The National Human Rights Commission deems necessary to guarantee access to medical services and medicines to people living with HIV/AIDS. According to NOM-010 the catalog of antiretroviral medicines must be supplied with no interruption.

The CNDH manifests that the lack of supply of antiretroviral medicines causes 36% of complaints filed by people living with HIV, followed by the deni-

al of or inadequate public health service.

This national Organism also considers fundamental the promotion and spreading of these people human rights; their health condition should not be a reason for discrimination, rejection or stigmatization.

Through the *Program for the Promotion of Human Rights of Persons Living with HIV and/or AIDS*, the National Commission works along other public bodies and NGOs to promote respect to this group of society.

To get more information on this issue, the CNDH has these numbers at the public's disposal: 53 77 35 75 and 01800 869 0000, as well as its website www.cndh.org.mx and the email address programavig@cndh.org.mx



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

EFFECTIVE APPLICATION OF INTERNATIONAL STANDARDS

CGCP/137/12

May 31, 2012

Raúl Plascencia-Villanueva affirmed that the constitutional reform on human rights from last June reinforces the application and efficacy of 108 international instruments signed by our country.

He informed that out of the 12 million crimes committed in Mexico every year, only 1 million 700

thousand are filed to the local prosecutors.

During his keynote speech, *“Conventionality Control and its Transcendence for Access to Justice”*, he said that it is regrettable that we cannot yet really talk of a real “constitutionality block” in our country that includes all 108 treaties, declarations and international commitments.

Plascencia-Villanueva af-

firmed that governors, legislators and judges have the primary constitutional duty of promoting, respecting, protecting and guaranteeing human rights.

Also, they should promote, investigate, sanction and repair the victims of violations of human rights.

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

RECOMMENDATIONS

RECOMMENDATION 19/2012

MATTER: On the case of inadequate medical attention at different IMSS Hospitals against V1

RESPONSIBLE AUTHORITY: General Director of the Mexican Institute of Social Security

May 17, 2012

The National Human Rights Commission opened filed CNDH/1/2010/3021/Q on the basis that starting on October 3, 2003 to the present date, V1, an 8 years old minor, has received diverse types of medical attention at different IMSS hospitals.

Due to the medical assistance received, the victim suffered a chronic kidneys infection given that the symptoms he had

were not accurately diagnosed nor treated on time, which generated a chronic kidney dysfunction resulting in his health deteriorating and having further complications.

Later, on January 19, 2010, he went through a transplantation surgery to receive Q1’s kidney; however, to the date of elaboration of the present recommendation, his health condition is still delicate.

From the legal analysis of the evidence contained in the aforementioned file, and according to article 41 of the National Human Rights Commission’s Law, there are enough elements to conclude that there were violations to the rights to health protection against V1, attributable to the IMSS’s medical staff.

Recommendation 19/2012 was thus issued.

<http://www.cndh.org.mx/sites/all/fuentes/documentos/Recomendaciones/2012/019.pdf>

RECOMMENDATION 20/2012

MATTER: On the case of inadequate medical attention at ISSSTE's Regional Hospital "Lic. Adolfo López Mateos" against V1

RESPONSIBLE AUTHORITY: General Director of the Mexican Institute of Social Security and Services for Employees of the State

May 17, 2012

The National Human Rights Commission opened file CNDH/1/2011/912/Q on the basis that on April 26, 2010, V1, an elder, was diagnosed with symptoms of a brunescens cataract in the right eye and an incipient cataract in the left eye, by AR1, physician of the Ophthalmology Service at the ISSSTE's Regional Hospital "Lic. Adolfo López Mateos".

He was then prescribed with an extracapsular extraction of the right eye's crystalline as well as the placement of an intraocular lens.

Based on this, on August 25, AR1 performed said medical procedure to V1; however, during the procedure, V1 suffered a back capsule break. She was later examined and received medical attention from other physicians of the Regional Hospital "Lic. Adolfo López Mateos" including AR2, AR3, and AR4.

On March 5, 2012, a medical expert of this national Organism certified the victim's health condition and declaring the following after the physical examination: normal oculomotor and photomotor reflexes in both eyes; a pterigion in the interior of the left eye (non-traumatic); a 50% hyperemic conjunctive, mainly internal; 60% bleeding in the internal cavity; diminished visual accuracy, only perceives light and movements at a 50 cm. distance; the rest of the organ cannot be examined due to the bleeding.

In this sense, on October 24, 2011, the ISSSTE's Board on Medical Complaints and Reimbursement Requests issued a medical opinion during its extraordinary session No. 02/2011.

In said opinion it determined that there was inadequate medical attention by the Ophthalmology Service of the ISSSTE's Regional Hospital Lic. Adolfo López Mateos; however, it did not establish the appropriateness of payment for the damages caused.

Likewise, through communication No. SG/SAD/JSCDQR-1269/12, the head of the Conciliation, Complaints Evaluation and Reimbursement Service informed this national Organism that if liabilities of public

servants were assumed, the Internal Comptroller would be called; however, it has not specified the file number of the inquiry as of to date, nor its status.

From the legal analysis of the evidence contained in the aforementioned file, and according to article 41 of the National Human Rights Commission's Law, there are enough elements to conclude that there were violations to the rights to health protection against V1, attributable to public officers of the ISSSTE's Regional Hospital "Lic. Adolfo López Mateos" in Mexico City. Recommendation 20/2012 was thus issued.

<http://www.cndh.org.mx/sites/all/fuentes/documentos/Recomendaciones/2012/020.pdf>

RECOMMENDATION 21/2012

MATTER: On the case of inadequate medical attention provided by personnel of the ISSSTE in Sonora, against V1

RESPONSIBLE AUTHORITY: Constitutional Governor of the states of Sonora

May 28, 2012

The National Human Rights Commission opened file CNDH/1/2008/965/Q after, on February 22, 2008, V1 filed a complaint before this national Organism declaring that after suffering a car crash, he had been taken to Hospital Socorro S.A. de C.V., subrogated from ISSSTESON, where he received medical attention from AR1, AR2, and AR3.

Later, the victim was transferred to another hospital of the aforementioned Institute, where he received complete heap prosthesis on January 29, that same year.

After completing the complaint file, the CNDH had enough elements to confirm violations to the right to health protection against V1, by AR1, AR2, and AR3, physicians of the Hospital

Socorro S.A. de C.V. subrogated from ISSSTESON and, according to article 120 of the Internal Law of the CNDH, on August 11, 2009, this national Organism addressed a settlement proposal to the Director General of ISSSTESON, that, although accepted, has not evidence of compliance to the present date.

On June 13, 2011, the victim requested the reopening of the case, opening file CNDH/1/2011/7572/Q.

From the legal analysis of the evidence contained in the aforementioned file, and according to article 41 of the National Human Rights Commission's Law, there are enough elements to conclude that there were violations to the rights to health protection, legal security and legality against V1, attributable to personnel of ISSSTESON. Recommendation 21/2012 was thus issued.

http://www.cndh.org.mx/Recomendaciones_1990_2012

RECOMMENDATION 22/2012

MATTER: On the case of arbitrary detention and illegal retention of V1

RESPONSIBLE AUTHORITY: Constitutional Governor of the state of Zacatecas

May 29, 2012

The National Human Rights Commission opened file CNDH/2010/3884/Q on the basis that on July 2, 2010, at approximately 20:30 hrs. V1, in company of Q1 and other people, left the facilities of the Electoral Institute in the City of Guadalupe, Zacatecas at the moment when a vehicle

arrived and five people dressed as civilians got off.

They asked for V1 and put him on the back of a van to take him to the facilities of the Ministerial Police. V1 was released until 2:15 hours of July 3, 2012, after SP1, then a prosecutor for kidnapping of the Attorney's Office of that state, indicated him so. In other words, he was kept hostage from July 2 at 20:30 hrs. until 2:15 hrs. the next day, that is more than five hours.

From the legal analysis of the evidence contained in the aforementioned file, and according to article 41

of the National Human Rights Commission's Law, there are enough elements to conclude that there were violations to the rights to personal freedom, due process, legality and legal security against V1, attributable to public officers of the General Attorney's Office of the state of Zacatecas. Recommendation 22/2012 was thus issued.

http://www.cndh.org.mx/Recomendaciones_1990_2012

RECOMMENDATION 23/2012

MATTER: On the case of inadequate medical attention at the ISSSTE's National Medical Center "20 de Noviembre" against V1 and V2, and lost of life of V2, a minor.

RESPONSIBLE AUTHORITY: General Director of the Mexican Institute of Social Security and Services for Employees of the State

May 30, 2012

The National Human Rights Commission opened file CNDH/1/2012/908/Q on the basis that on November 24, 2011, V1 went to the ISSSTE's National Medical Center "20 de Noviembre" in Mexico City, seeking medical assistance given that she was in the 38th week of pregnancy and had rupture of membranes.

She was admitted in that place and diagnosed that same day and the next one by AR1, AR2, AR3, AR4 and AR5, medical staff of the Maternity-Fetal Medicine Unit, who omitted to observe the symptoms of high risk pregnancy, due to the rupture

of membranes and urinary infection, practicing eight vaginal inspections.

At 15:55 that same day, V2 was born and kept under examination until the 27 of that same month by AR6, AR7, AR8, AR9, AR10 and AR11, medical staff who omitted to diagnosed the bronchopulmonary infectious process.

Finally, at 20:30 on November 27, 2011, V2 died, noting as causes of death in the death certificate: acute respiratory insufficiency, apnea and newborn sepsis; a situation that was corroborated by the autopsy performed by the Pathology Anatomy Service of the ISSSTE's Medical Center "20 de Noviembre", that signaled as causes of death resulted from the aspiration of amniotic liquid.

It is important to mention that this Organism is not aware of any preliminary investigation or administrative process having been initiated.

From the legal analysis of the evidence contained in the aforementioned file,

and according to article 41 of the National Human Rights Commission's Law, there are enough elements to conclude that there were violations to the rights to health protection and to life against V1 and V2, respectively, attributable to public officers of the ISSSTE's Medical Center "20 de Noviembre" in Mexico City. Recommendation 23/2012 was thus issued.

http://www.cndh.org.mx/Recomendaciones_1990_2012

BOOK OF THE MONTH

**THE HUMANIST RE-
FORM: HUMAN RIGHTS
AND CONSTITUTIONAL
CHANGE IN MEXICO**
(LA REFORMA HUMANIS-
TA: DERECHOS HUMA-
NOS Y CAMBIO CONSTI-
TUCIONAL EN MÉXICO)

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ABREU SACRAMENTO**

**EDITORIAL:
MIGUEL ÁNGEL PORRÚA**
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**OTHER AUTHORS: JUAN
ANTONIO LE CLERCQ**
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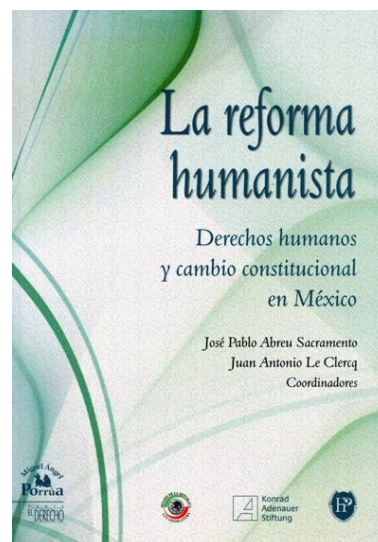
The Constitutional Reform
on Human Rights, enacted

on June, 2011, represents
one of the most relevant
legislative acts of the last
decades given the transfor-
mation of the State institu-
tions it implies.

After the coming into force
of said reform, all authori-
ties have the obligation of
promoting, respecting, pro-
tecting and guaranteeing
human rights; the pro per-
sona principle is now at the
center of the State activity.
We are, actually, in front of
a constitutional revolution.

In historic terms, we should
recognize a particular im-
portance to the new text in
terms of the widening of
the rights catalogue,
equivalent to the constitu-
tional processes of
1856 – 1857 and 1916 – 1917.

[http://www.gandhi.com.mx/
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ARTICLE OF THE MONTH

Criminal hunger and demographic explosion

Por José Carlos García Fajardo

“The death of a child by hunger is murder”, affirms Jean Ziegler, former UN Special Rapporteur on the right to food. He blames speculators, to whom he refers as “legal criminals” for trading with the prices of food and generating fortunes in benefit of big companies. He also accuses the banks and Western Governments for being “accomplices” by not providing the necessary means to end with food speculation.

The professor at the University of Geneva has qualified as “unacceptable shame” that in a “powerful” and “democratic” country like Spain one single child suffers from hunger after knowing the figures published by UNICEF in which it warns that 2.2 million children live under the poverty threshold.

During the presentation of his new book *Massive Destruction. Geopolitics of Hunger*, published by Editorial Península, Ziegler has explained that a child who is underfed for months is “doomed for life”, even if his social conditions improve in the future, because he will not develop properly, since it is childhood “the period when

neurons develop and need a greater amount of nutrients.”

He affirms that “hunger makes impossible to build a pacific society” and points out that the crisis in the South of Europe “might end with social peace”. In this conflict, Ziegler has tried to distinguish victims from victimizers. He refers to the International Monetary Fund, the World Trade Organization and the World Bank as the “horsemen of the Apocalypse”.

57,000 people died from hunger every day; an under-ten years old child every five seconds. This is absurd. Ziegler affirms that we live in a criminal and cannibal world order, with 500 multinationals that control 52% of the world wealth, and he adds that 1,000 million people live in a serious and permanent situation of underfeeding. At this point, he has mentioned the Millennium Development Goals and accused the Heads of Government of a “total hypocrisy” for not implementing the necessary measures to “fight speculation, end the stealing of land, eradicating agro-fuels and, definitively, confront financial oligarchies.”

In only one decade, the world population has reached 7 million people. This has consequences in terms of hunger, diseases, malnutrition,

environmental damage, scarcity of natural resources, desertification, and unfixable erosions; along with a feeling of despair and not having a reason to live. Not without cause, the number of suicides has increased steadily.

<http://www.adital.com.br/site/noticia.asp?lang=ES&langref=ES&cod=67311>

Newsletter

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Defends and Protects your Rights**

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