



Comisión Nacional de los
Derechos Humanos
MEXICO

Newsletter

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JULY, 2012

The voice of the President

Remarks by Dr. Raul Plascencia Villanueva, president of the National Human Rights Commission

At the lunching ceremony of the RENAPRED Model of Integral Treatment of Disabilities: Tizayuca, municipality 100% inclusive

July 1st, 2012

People with some kind of disability, whether physical, sensorial, intellectual or mental, are one of the issues that must be a priority for any state. The exclusion, marginalization and discrimination are common barriers that hinder the development of inclusive policies that fully protect the rights of all.

According to INEGI statistics, by 2010, 5 million 739 thousand 270 people had some type of disability, which represents 5.1% of the total population. The same study

states that approximately 150,000 people with some type of disability live in the



state of Hidalgo, which gives an idea of the need to remove barriers that prevent access to a person on equal terms to all areas of life and social environments.

Importantly, in both the national and international fields, there has been significant progress in this area, as in the case of the General Law for Inclusion of Persons with Disabilities (issued May 30, 2011), the Convention on the Rights of Persons with Disabilities (December 13, 2006) and its Optional Protocol, which seeks to promote, protect and create fair

conditions for the inclusion of individuals.

These legal instruments are part of a wider process, which should be directed on the basis of international standards. Topics such as respect for dignity, individual autonomy, non-discrimination, accessibility and equal opportunities should be fundamental axes of national institutions.

When signing an international instrument, the State acquires the obligation to gradually eliminate the barriers that make difficult for people with some type of disability to be fully integrated into the labor market, reduce isolation, dependency, foster respect, and promote dignity and individual autonomy.

<http://www.cndh.org.mx/node/40>

Event of the month

International Seminar "Sexual Harassment at Work", organized by the National Human Rights Commission with the participation of UN and OAS



PROTECTING OLDER PERSONS RIGHTS

CGCP/167/12

July 1st, 2012

The CNDH considers that promoting the reporting of acts that threaten the dignity of older persons will improve their quality of life.

There are many cases of abuse in institutions and public places where elders go to seek health services, employment opportunities, social assistance or to report a crime.

During the first five months of 2012, the CNDH has filed 309 complaints for alleged violations of their fundamental rights, an average of two complaints a day.

There have been documented cases where they are not given medical care, impeded or denied social security benefits, negligence in providing medicines and non-payment of their pension.

Through the National Campaign for the Promo-

tion and Diffusion of Human Rights of Older Persons, the National Commission promotes a culture of respect, in recognition of the importance that this social group has in the life of the country as a source of knowledge and experience.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_167.pdf

LOSES AN EYE AFTER BEING SHOT BY FEDERAL POLICEMEN

CGCP/168/12

July 2nd, 2012

The CNDH issued Recommendation 30/2012, addressed to the Ministry of Federal Public Security (SSP), on the case of a 28 years old man that was arbitrarily detained by elements of the federal police while circulating in a vehicle in the city of San Luis Potosí; they fired shots with their guns that caused him to lose his right eye.

In the information

submitted to the National Commission and also delivered to the ministerial authority, the members of the SSP indicated that the victim lost his eye from a blow he caused to himself with the edge of the sidewalk while stumbling, and not by a fire arm projectile; however, research conducted by the CNDH established that things did not happen that way.

This national Organism confirmed violations to human rights, integrity

and personal safety, fair treatment, legality, legal certainty and truth, by acts of arbitrary detention, cruel treatment, violation of presumption of innocence and false reporting. Recommendation 30/2012 can be accessed through www.cndh.org.mx.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_168.pdf

PROTOCOL OF ATTENTION TO VICTIMS OF DISPLACEMENT

CGCP/169/12

July 3th, 2012

The CNDH prepared a *Protocol of Attention to Victims of Forced Internal Displacement*. It is a tool for authorities, defenders and victims to be aware of the obligations that the Mexican Government has in order to assist displaced persons, during their transfer to the host communities.

Starting in 2006, a new

form of displacement has been detected, caused by clashes between elements of crime and public safety in some areas of the country.

This social phenomenon is most evident in the states of Chihuahua and Tamaulipas, and to a lesser extent, in Michoacán, Durango and Sinaloa.

According to the UN Guiding Principles, Internal Displaced People are persons who have been forced

to flee or to leave their homes, within their own country, as a result of armed conflict or to avoid situations of generalized violence, violations of human rights, and natural or human-caused catastrophes.

Under these principles, states have the primary responsibility to protect people displaced within their territory.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_169.pdf

PROTECTING RIGHTS OF WORKING PREGNANT WOMEN

CGCP/170/12

July 4th, 2012

The CNDH deems essential to ensure full respect of labor rights and access to health services to pregnant women.

These women often suffer discrimination; they are forced to take pregnancy tests before being hired and are victims of unfair dismissal or reduction of salary.

This national Organism calls

to respect Mexican laws and international treaties, to eliminate the practice of exclusion and effectively to protect the pregnant woman and her son.

Article 153 of the Federal Regulations of Safety, Health and Working Environment; establishes that these provisions "are intended to protect the health of pregnant working women and nursing mothers, as well as the product of conception".

The CNDH reiterates its commitment to support this population group, and offers telephones 5490-7400 and 5681-8125, extensions 1026, 1027, 1028 and 1061, and the toll free 01800-715-2000 as well as its website www.cndh.org.mx.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_170.pdf

GUARANTEEING DECENT HOUSING TO INDIGENOUS PEOPLE

CGCP/171/12

July 5th, 2012

The CNDH considers necessary to ensure indigenous people access to decent and decorous housing, where they can have privacy, security and basic needs covered.

This vulnerable group constantly faces problems such as poverty, discrimination, marginalization, unemployment and lack of opportunities for social development.

The precariousness of their lives is reflected most of the times in their homes with no firm ground or the most basic services.

The Mexican State has the task of designing and implementing public policies that guarantee the right to decent housing.

According to figures from international organizations, there are 15.7 million indigenous people in our country. Eight out of 10 of them are poor and, according to official data,

66.8 percent of the houses in which they live do not have piped drainage; 11.8 percent lack sanitary ware and 19.5 percent have dirt floors.

For the CNDH it is important to reinforce measures directed to stimulating respect and protection of human rights of the various ethnic groups of our country to change the conditions of inequality and marginalization in which they live.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_171.pdf

ASSAULTS ON JOURNALISTS AFFECT SOCIETY AS A WHOLE: CNDH

CGCP/172/12

July 7th, 2012

The National Human Rights Commission considers that assaults on journalists and media affect society, because they violate freedom of expression.

The CNDH is concerned that at the same time that there is greater openness in our country, there are also adverse conditions that affect the work of journalists.

Given the violence situation faced by media workers, the national autonomous Organism prepared the *Guide to implement precautionary measures in favor of journalists and media workers in Mexico*, allowing more efficient protection provided by the authorities of different Government levels to safeguard the integrity of journalists.

The National Commission has the power to request precautionary measures that can

either be of conservation or restitution nature, in order to avoid the consummation of irreparable threats. In the past seven years, the CNDH has requested their application in favor of journalists 71 times.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_172.pdf

STOPPING VIOLENCE AND SEXUAL HARASSMENT AGAINST WOMEN

CGCP/173/12

July 8th, 2012

"Tackling violence against women in all its manifestations, must become the priority of the State", said Raúl Plascencia-Villanueva, president of the National Human Rights Commission, while inaugurating the International High Level Seminar "Sexual Harassment at Work", organized by the National Human Rights Commission with the participation of the UN and the OAS.

In his inaugural speech, he emphasized that equality is a necessary condition for the development of a nation and that legal systems should take steps to guarantee them.

He called on society to unite efforts that will lead to the eradication of gender based violence, particularly sexual harassment against women. José Miguel Insulza, General Secretary of the American States' Organization, sent a message to participants of the

seminar in which he congratulated the President of the CNDH for its organization and hoped that cooperation between the two agencies will result in a greater human rights protection and the elimination of all forms of violence against women.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_173.pdf

TO ERADICATE ABUSES AGAINST INDIGENOUS PEOPLE

CGCP/174/12

July 9th, 2012

The promotion of respect of the human rights and dignity of indigenous people living in our country is a priority for the CNDH.

At present there are 15 million people, of different ethnicities, living in conditions of discrimination and abuse.

From January 2011 to date, the National Commission has addressed 205 com-

plaints of alleged violations of their rights, of which 64 correspond to 2012.

Most of them come from the states of Oaxaca, Chiapas, Veracruz, Sonora, Guerrero and Michoacán, and concern: arbitrary detention, cruel, inhuman or degrading treatment, and situations where the principle of equality before the law is ignored, among others.

Among its primary activi-

ties, the CNDH considers the encouragement of public federal, state and municipal servants to respect the rights of indigenous peoples and their customs. This national Organism organizes campaigns in different indigenous languages, so that they know their rights and can demand them against any arbitrariness or abuse of power.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_174.pdf

RESPECT TO HUMAN RIGHTS MUST BE PROMOTED AMONG CHILDREN

CGCP/175/12

July 10th, 2012

Knowledge of human rights is a very important element to strengthen a culture of legality that fosters their respect and protection. The CNDH has taken special interest in the issue of Human Rights Education with the full conviction that this is the most effective mechanism to promote the values that serve to prevent violations of such rights.

Article 3 of the Mexican Political Constitution imposes to the Mexican State the obligation of providing education that tends to develop harmoniously all the faculties of man and develop in him, at once, the love for his country and respect for human rights, among other things.

In this context, education provided to children and adolescents is essential in building a country where respect for the law prevails.

The National Ombudsman calls on the authorities, especially those responsible for public policies in the field of education in México, to update the contents of curricula and textbooks in the terms established in the Constitution.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_175.pdf



TO ERADICATE MARGINALIZATION IN FAVOR OF PERSONS WITH DISABILITIES, RPV

CGCP/176/12

July 11th, 2012

During the ceremony to start actions to make the locality of Tizayuca, Hidalgo the first 100% inclusive on in México and Latin America, Raúl Plascencia Villanueva, president of the CNDH, declared that "the State has the duty to establish inclusive public policies aimed at eliminating the exclusion and discrimination that disabled people are subjected to, and that prevent them from having equal political

social and economic development opportunities".

Within the framework of the National Campaign for Comprehensive Approach to Disability, the national Ombudsman said that accessibility goes beyond building ramps or assigning exclusive parking spaces for people with disabilities.

It is necessary, he said, to incorporate these people into the labor market, reduce their isolation and dependency, and to promote respect of their dignity and their individual autonomy.

He called upon the different levels of government, agencies and civil society organizations to join efforts to promote respect for the persons' dignity.



http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_176.pdf

INDIGENOUS CHILDREN WITHOUT CLASSES BECAUSE OF AN IRREGULAR SWAP

CGCP/177/12

July 12th, 2012

The CNDH issued Recommendation 25/2012, addressed to the Government of Guerrero that because of ambiguous provisions of local education authorities, has maintained without any assigned teacher Indigenous Early Education Center, "El Porvenir" in the Loma Macho community in Acatepec, Guerrero.

For this reason, leaders of the Parents' Association of the community filed a complaint to the Human Rights Defense Commission in the state

of Guerrero, which issued Recommendation 063/2011 to the Ministry of Education of Guerrero.

The authority only partially accepted the recommendation and the victims filed a complaint to the CNDH that, after investigating the case, declared the violation of the human rights to education and equal opportunities for children, as enshrined in our Constitution.

The fact of omitting to assign teachers to the Indigenous Preschool Center "El Porvenir" in Loma Macho, represents an obstacle to the full realization

of the right to education, not only for students already enrolled in the school, but of those under age to be incorporated in subsequent cycles.

Therefore, in its Recommendation 25/2012, the National Commission requests the Government of Guerrero to accept and fully comply with the State's Ombudsman Recommendation 63/2011. Recommendation 25/2012 can be accessed through www.cndh.org.mx

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_177.pdf

CNDH SIGNED MORE THAN 140 COLLABORATION AGREEMENTS

CGCP/178/12

July 13th, 2012

The CNDH reaffirmed its commitment to work in coordination with society organizations in the protection, promotion, respect and observance of human rights.

During a meeting with various civil society organizations of the Federal District and Mexico's Metropolitan Area, 112 registration certificates before the

National Autonomous Organism were issued and more than 140 cooperation agreements between the CNDH and various civil organizations were signed.

The signing of these agreements prevents the dispersion of efforts, and channels the energy, the strength, the will and the work of these groups in favor of a society that finds in the respect of human rights the ideal way to consolidate its democracy.

The civil society organizations, meanwhile, assumed the calling of the National Commission to make this reality and contribute to the consolidation of a society in which the culture of legality prevails, through the promotion of the rights and duties of individuals.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_178.pdf

LOST OF VISION BECAUSE OF POOR MEDICAL CARE AT ISSSTE

CGCP/179/12

July 14th, 2012

The CNDH issued Recommendation 20/2012, addressed to the Institute of Security and Social Services for State Employees (ISSSTE), due to deficient medical attention that caused an elder to lost his vision in one eye.

The patient was diagnosed with clinical cataract, however, the omissions and misconduct of the medical personnel of the Ophthalmology Service of the Regional Hospital Adolfo

López Mateos in México City, led to the deterioration of his eye health.

Without any prior protocol examination, an extracapsular extraction of the lens in the right eye was performed, and during the procedure a posterior capsule rupture occurred, which constituted a serious complication due to "mass aspiration" improperly performed, that was neither subsequently treated properly.

At the conclusion of its investigation, this National

Autonomous Organism had enough elements that had allowed to prove violations to the right to health protection of the patient and decent treatment. Therefore, in its Recommendation 20/2012, the CNDH requests the ISSSTE to repair the damage caused to the victim by reason of the institutional responsibility incurred by the staff of that hospital. Recommendation 20/2012 can be accessed through www.cndh.org.mx

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_179.pdf

PROMOTION OF RIGHTS IN INDIGENOUS COMMUNITIES

CGCP/180/12

July 15th, 2012

The CNDH states that education on human rights is an essential tool to change the reality of indigenous people.

Therefore, during the first half of the year, it strengthened its outreach activities targeting children and young people belonging to any ethnicity in different regions of the country.

Through the Fourth General Inspector's Office, 58 educational institutions have been visited to promote awareness of the rights and duties conferred on them by the national and international legal order.

Indigenous children are one of the most vulnerable groups in terms of human rights violations, due to, among other factors, their living in marginalized areas where often there are

no health services, education and social assistance.

Therefore, the CNDH considers important to educate new generations in the knowledge of their rights, in order to achieve the elimination of discriminatory practices, popular beliefs and stereotypes that affect their development and inclusion in social dynamics.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_180.pdf



THE CNDH ISSUED 2,200 RECOMMENDATIONS IN OVER 22 YEARS

CGCP/181/12

July 16th, 2012

The National Human Rights Commission has issued a total of 2,257 recommendations addressed to 2,739 authorities, over 22 years of work, as a result of investigation of complaint filed to it.

One thousand 668 authorities have fully complied with recommendations, 407 have not satisfactorily complied and 293 public agencies have not accepted the recommendations. Recommendations to 371

authorities remain in process. Of these, 302 are still pending to be complied with and 69 did observe other compliance reasons.

From June 30, 1990 to May 31, 2012, the 10 authorities that the CNDH has sent the largest number of recommendations are: the Attorney General's Office, the Mexican Social Security Institute, the Ministry of National Defense; and the constitutional governments of the states of Chiapas, Oaxaca, Guerrero, Puebla, Veracruz, Michoa-

cán and the State of México. In the 22-year period under review, the CNDH also issued 19 General Recommendations, 30 Special Reports, a recommendation for serious violations and 23 claims of unconstitutionality.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_181.pdf

WOMAN DIES AT ISSSTE BECAUSE OF LACK OF ATTENTION

CGCP/182/12

July 17, 2012

The CNDH issued Recommendation 15/2012 addressed to the ISSSTE, on the case of a 79 years old right holder, who died after being admitted and remained hospitalized for seven days in the General Hospital "B" of the institution, in Pachuca, Hidalgo, whose fractures caused by a fall, were treated improperly.

Although the state of the woman's health was delicate, care was limited to supplying serum

and providing general care. In addition, she was abandoned by the medical staff, and even delegated the attention of only residents, which deteriorated her physical condition and led to her death.

After an investigation, the CNDH had conclusively elements to demonstrate violations to the rights to life and health protection, attributable to medical personnel assigned to that hospital.

Therefore, in its Recommendation 15/2012, this national Organism requests the ISSSTE

to take steps to repair the damage to the victim's family, based on its institutional responsibility. Similarly, the ISSSTE is called to collaborate in the investigation process that, by reason of the facts, this National Commission presented before the Attorney General's Office, and the Internal Comptroller of that Institute.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_182.pdf

PROVIDE INTEGRAL HEALTH SERVICES TO INDIGENOUS PEOPLE

CGCP/183/12

July 18th, 2012

The CNDH considers necessary to ensure that indigenous communities have access to efficient, timely, free health services that comply with medicines' supply. Geographic isolation, dispersion of indigenous communities, remoteness of clinics and hospitals, lack of medical personnel, adequate equipment and lack of medicines are some of the elements involved in the lack of access to health to people

of different ethnic groups in our country.

The CNDH has as one of its main tasks to promote and disseminate indigenous people's human rights, including the right to health, enshrined in our Constitution, and therefore calls upon authorities to promote equal opportunities to indigenous people, eliminate discriminatory practices against them and ensure their effective access to health services.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_183.pdf



SIXTH GENERAL INSPECTOR'S OFFICE TO ATTEND LABOR RIGHTS AND "DESCA"

CGCP/184/12

July 19th, 2012

The CNDH opened its Sixth General Inspector's Office in charge of the defense of labor, economic, social, cultural and environmental rights at the national level.

Resulting from the reforms to 11 constitutional articles enacted last year, the CNDH has been provided with additional powers, among which stand out surveillance, defense and promotion of human rights at the workplace.

It also acquired authority to investigate rights known as "DESCA," which are economic, social, cultural and environmental human rights.

The new office has opened 194 files on matters related to lack in providing pensions, of which 131 correspond to the Mexican Social Security Institute and 63 to the Institute of Social Security and Services for Employees of the State; it has also received 71 written complaints of alleged delay of proceedings by the Conciliation and Arbitration Federal Board.

The CNDH Sixth General Inspector's Office is not to hear about a dispute between an employer and a worker, but will monitor labor authorities that do not fulfill their legal duty attending labor lawsuits in a timely and proper manner.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_184.pdf

MORE THAN 43 THOUSAND VOLUMES IN THE LIBRARY OF THE CNDH

CGCP/185/12

July 20th, 2012

The CNDH currently has a bibliographic *acquis* of 43,863 volumes. The Documentation Centre and the CNDH's Library have both increased their collection of documents through the program of acquisitions of specialized material and the collaborative relationships with more than 700 national and international organizations for the exchange of publications.

These volumes include sup-

porting documents for both the National Commission's staff and the public interested in the activities related to the study, teaching, research and dissemination of human rights; specialized materials on human rights and related issues, such as books, essays, reports, dissertations, research papers, dictionaries, encyclopedias, magazines, cassettes, CDs and movies.

Services offered by the library are general query, loan of materials in reading room, home and interlibrary loan, materials reserve, online consultation,

projection of videos and alert service.

Information is available directly in the library's database or through the Internet. It has a virtual library accessible through www.cndh.org.mx where several hundred works on the subject are available to the public.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_185.pdf

ACTIONS TO DISCOURAGE CHILD LABOR EXPLOITATION

CGCP/186/12

July 21st, 2012

The CNDH is promoting a series of actions to prevent child labor and enforce national and international legislation.

Although our legal framework specifically prohibits labor use of persons less than 14 years old, thousands of children, whose ages range from 5 to 13 years old, perform some work activity.

Official figures show that 4 out of 10 children who work do not attend school, which is a violation of their right to education and thereby their chances to improve their living conditions and those of their families through education, significantly diminish.

It is imperative to ensure the safety of more than three million children between 5 and 17 years old, who have entered the labor market, because

they are exposed to accidents.

The CNDH argues that children are not the future but the most hopeful present of Mexico, and therefore calls upon society to join the commitment to prevent child labor and enforce the law to protect children against exploitation and defend their rights.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_186.pdf



CHILD DIES BY LACK OF EXPERTISE IN GREEN CROSS HOSPITAL AT "EL SALTO" MUNICIPALITY

CGCP/187/12

July 22nd, 2012

The CNDH issued Recommendation 28/2012, addressed to the authorities of the municipality of "El Salto", Jalisco, on the case of a five year old that died due to lack of expertise of medical personnel of the Green Cross Medical Services of the municipality. It was determined that child's death was caused by a hypovolemic shock resulting from a superior thyroid vein perforation caused by medical instru-

ments, along with by pneumonia.

From the investigation, the National Commission had elements which revealed violations the rights to health protection and life against of the deceased infant, attributable to medical personnel assigned to the Green Cross hospital in the municipality.

Therefore, in its Recommendation 28/2012, the CNDH compels the authorities of the municipality of "El Salto"

to take steps to repair the victim's mother, based on the liability of the medical staff of the municipality's Green Cross, as well as to collaborate with the CNDH in the complaint and accusation process filed to the Internal Comptroller of the municipality and the General Attorney's Office of the state of Jalisco. Recommendation 28/2012 can accessed through www.cndh.org.mx

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_187.pdf

THE CNDH HAS RECEIVED OVER 140 THOUSAND COMPLAINTS

CGCP/188/12

July 23th, 2012

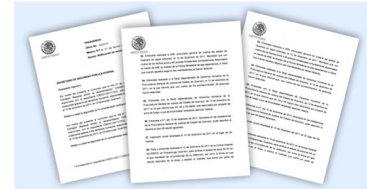
The CNDH received 140,699 written complaints, of which 136,376 have been completed, for 22 years of work. Violations to human rights were confirmed in 34,651 of these cases, while in 101,725 there was no grievance found.

With respect to the latter, the CNDH provided the victims with guidance and information related to the relevant authorities to solve their problems, and if so needed, the complaints were forwarded to the State Human Rights Commis-

sions. In the period from June 30, 1990 to May 31, 2012 the top 10 authorities identified as responsible for such violations were the PGR, IMSS, the Ministry of the Interior's General Directorate of Prevention and Social Reintegration, SEDENA, SEP, ISSSTE, CFE, INM, the SSP's Detached Administrative Organ of Prevention and Social Reintegration, and the SHCP.

The main violations reported were: improper provision of public services; breaches of legality, honesty, loyalty, fairness and effectiveness in carrying out tasks, jobs, charges and commissions; arbitrary

detention, denial to petition's right, undue exercise of office, cruel, inhuman or degrading treatment, negative or inadequate provision of public health service and non-execution of sentences.



http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_188.pdf

BABY DIES BECAUSE OF DENIAL OF ATTENTION AT A HOSPITAL IN VERACRUZ

CGCP/189/12

July 24th, 2012

The CNDH addressed its Recommendation 27/2012 to the Government of Veracruz, on case of a pregnant woman who, despite severity of her condition, was denied urgent medical attention in the entity's Regional High Specialty Hospital.

So, she had to go to a private clinic where she underwent a cesarean, but because the delay in the attention, her child was born with several compli-

cations that caused his death 15 days later.

The Commission found violations to the rights to health protection and life, against the mother and her child, attributable to the institutional liability incurred by the medical staff of that Highly Specialized Hospital.

Therefore, in its Recommendation 27/2012, the CNDH calls upon the government of Veracruz to take steps in order to repair the damage to the victim, including the required medical, psychological and rehabilitation attention.

It also asks extensive collaboration with the CNDH in the process of filing the complaint before the entity's General Comptroller and the General Attorney of the state of Veracruz, against the personnel involved in the incident. Recommendation 27/2012 may be accessed through www.cndh.org.mx.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_189.pdf

PRESERVATION OF HUMAN RIGHTS IN DETENTION CENTERS

CGCP/190/12

July 25th, 2012

The CNDH deems essential to preserve human rights of people who are in a detention center and to take the necessary measures to ensure a safe and decent stay in such places.

In this sense, the National Commission constantly performs visits to verify the conditions in which the inmates are kept. Official data indicates that in 2011, 171 inmates died

in the country, in 49 incidents like fights, homicides, escape attempts, suicides and fires.

The proper control of penitentiary centers is a major responsibility of the Mexican State to which public authorities cannot and should not resign, because it impacts directly in security and the procurement of justice.

The CNDH considers it necessary to intensify actions oriented to prevent abuses in detention centers and to safeguard

the rights to life and dignity, in order to fulfill the mandate established in the second paragraph of Article 18 of our Constitution, in the sense that the prison system shall be organized on the basis of respect to human rights, labor, training, education, health and sports, as means to achieve reintegration of the sentenced and prevent them from re-offending.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_190.pdf

CNDH REQUESTS URGENT APPLICATION OF PRECAUTORY MEASURES IN COAHUILA

CGCP/191/12

July 25th, 2012

The CNDH asked the ministries of Economy and Labor and Social Prevision, as well as the state government of Coahuila, the application of precautionary measures to preserve the rights of miners trapped in a coal hole located in the municipality of Muzquiz and of their families.

CNDH staff located in the Regional Office of Coahuila,

in coordination with the State Human Rights Commission, went to the site to identify victims and contact their families in order to accompany them and give them the attention they require.

This autonomous national Organism opened an officio file on these facts, and after requesting information, analyzing and evaluating the evidence, will determine what it considers appropriate according to the law.

The CNDH reaffirms that, in terms of Article 1 of the Mexican Constitution, it is important to remember that all authorities in their areas of competence are compelled to promote, respect, protect and fulfill human rights, and in case of violation, investigate, punish and redress such violations in the terms established by the law.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_191.pdf

IMPUNITY PREVAILS IN CASES OF ASSAULTS ON JOURNALISTS

CGCP/192/12

July 26th, 2012

The CNDH hopes that the new Law and Protection Mechanism for Human Rights Defenders and Journalists will contribute to decrease the high rates of impunity in cases of assaults to these people.

Since the year 2000, this public institution has recorded 82 cases of murder of journalists,

16 disappearances and 28 attacks on different media.

According to reports received by the CNDH, only 19 percent of those 126 cases have been filed before a jurisdictional authority, and only in seven percent of them, has a judge issued a judgment of conviction; these figures result in a rate of 71 percent of impunity. For this national Organism impunity is largely due

to the fact that authorities responsible for integrating the preliminary investigations do not fulfill their obligation to investigate and collect evidence to get to the truth of the facts.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_192.pdf

"MIXES" INDIGENOUS PEOPLE WERE ATTACKED BECAUSE OF AUTHORITY'S NEGLIGENCE

CGCP/193/12

July 27th, 2012

The CNDH issued Recommendation 31/2012, addressed to the government of Oaxaca, on the attacks by an armed group against a group of indigenous people, called "Mixes", residents of the communities of San Juan del Río and Santo Domingo Latani, municipality of Santiago Choapam, Oaxaca, where 10 people were killed and 19 more were injured.

On May 14, 2011, "Mixes" from the aforementioned indigenous communities, headed to the municipal

capital in order to establish the Municipal Electoral Council with the purpose of holding special elections based on their habits and customs.

However, while passing through the area known as "El Portillo", they found the road blocked with dirt and when trying to take it down, they were victims of an attack.

On these facts, the CNDH recommended to the Governor of the state of Oaxaca, the reparation of damage to identified victims and those who prove to also be entitled to it; that the State

General Attorney investigates the facts, resolves the preliminary investigation according to law and guarantees compliance with the resulting arrest warrants.

The National Human Rights Commission calls upon the public officers, responsible of enforcing the law, to promote, respect, protect and guarantee human rights, in their field of competence and in the terms established in the Mexican Constitution. Recommendation 31/2012 may be accessed through www.cndh.org.mx.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_193.pdf

CNDH ENCOURAGES REGIONAL COMMITTEES AGAINST HUMAN TRAFFICKING

CGCP/194/12

July 28th, 2012

The CNDH deems fundamental the coordination of actions and joint efforts among society in order to prevent and fight against human trafficking.

The CNDH considers the effective and decisive fighting against human trafficking as an urgent priority, in order to eradicate violations of victims' human rights that result from this crime.

Therefore, this national Organ-

ism has installed 13 Regional Committees against human trafficking to protect and assist victims, and ensure compliance with the law by public officers.

The combined efforts of the three levels of government, human rights state commissions and national and international cooperation organisms has allowed to channel, immediately, allegations of the civil society to the authorities responsible for prosecuting offenses and boost awareness and prevention measures locally.

Thus, the CNDH combines ef-

forts with civil society, governments and legislators of federative entities, to promote effective combat of human trafficking and an appropriate treatment for victims.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_194.pdf

CNDH CONTINUES WORKING TO ELIMINATE BULLYING

CGCP/195/12

July 29th, 2012

The CNDH considers it indispensable to take measures to ensure that children and adolescents live in an environment free of violence, both at home and at school. It has therefore developed strategies addressed to students, teachers and parents, in order to promote non-violence, respect and tolerance.

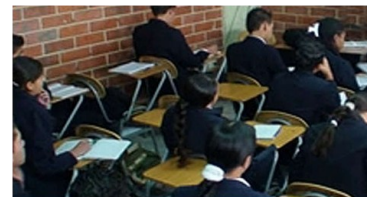
Through the National Campaign to Reduce and Eliminate School Violence, *"Put on your*

shirt against school violence", forums and training courses in primary and secondary schools are organized seeking to promote awareness of children's rights, and the right to a violence-free education that tends to develop harmoniously all human faculties.

In Mexico, it is estimated that 4 out of 10 students between 6 and 12 years old have experienced some form of aggression by one fellow student.

The CNDH reiterates its commitment to continue working

to promote among Mexican children the values that contribute to form a society in which the axes are respect, peace and tolerance.



http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_195.pdf

THE CNDH PUBLISHED MORE THAN 3.3 MILLION TEXTS

CGCP/196/12

July 30th, 2012

During the first half of the year, the CNDH published three million 311 thousand 520 volumes on the respect, promotion, protection and dissemination of human rights.

Through its Editorial and Publications Program, the national autonomous Organism carries out an open process of distribution and marketing of books,

pamphlets, booklets, posters and CDs, which aims to bring to society knowledge on human rights.

The publications are distributed freely among civil groups and public agencies which protect and defend human rights, with the goal of fostering a culture of respect for human rights and knowledge among the entire population.

This editorial program benefits different academic institutions,

libraries, state entities, detention centers, immigration offices, embassies and public officers, from the three levels of government, and the general public that can have access to this wide literature.



http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_196.pdf

CNDH IS AGAINST PHYSICAL INSPECTION

CGCP/197/12

July 31st, 2012

The CNDH deems essential to impose public policies and join efforts at all levels to ensure a dignified treatment to people and guarantee the protection of their human rights.

This national autonomous Organism considers necessary to regulate corporal inspection that takes place at the country's airports, in order to safeguard individuals' integrity.

This, as a result of a complaint brought by a woman who had cancer and wears a breast prosthesis that sometimes make detectors sound, and who underwent a physical inspection in which security elements ordered removal of prosthesis and place it in a tray at sight of those who were in a passenger and hand baggage checkpoint at the International Airport of Villahermosa, Tabasco.

For the CNDH this fact constitutes an unjustified act of exhibition and arbitrary

interference, disproportionate and unnecessary, and therefore considers that it violated the rights to privacy, honor and decent treatment, which obliges public officers to abstain from having a humiliating and demeaning behavior.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2012/COM_2012_197.pdf

ARTICLE OF THE MONTH

Human Rights in the Eurozone

Eccio León R. / El Universal

Monday July 2, 2012

The increasing flow of refugees, many of whom have been forced to run away because of human rights violations, is a clear example of the situation prevailing in the world; many governments, compelled to protect the rights of its own citizens, engage in other interests in international relations, and often are against the defense of human rights, as evidenced in the selectivity with which they exert their influences. Sometimes, human rights become beneficiaries of short-term self-interests, other times they are victims of political convenience.

None economic and financial crisis in the Eurozone should diminish the responsibility of State authorities and the international community with respect for human rights. This is the warning of the UN Human Rights Council to the Eurozone members, as well as of organizations such as Amnesty International, the Center for Economic and Social Rights and the DESC Observatory.

Families have faced expulsion for not being able to meet payment from mortgage or rent, cuts in public health are announced. Facts like these have led to three organizations to address the members of the Eurozone, reminding them that within the context of an economic crisis, they should not forget the States' duty of respecting economic, social and cultural rights.

Access to adequate housing, the opportunity to enjoy the maximum health level, and to have a quality education are human rights that Europeans have the obligation to guarantee. This should be kept in mind when designing any measures to respond to the current economic crisis.

The three organizations have reminded European governments the progressive compliance without setbacks to achieve the full realization of economic, social and cultural rights, to ensure them even in times of severe economic resource constraints.

Protecting people belonging to particularly vulnerable groups and / or facing discrimination by conducting an assessment of the possible impact those pub-

lic spending cuts could have on these groups, as well as that the economic recovery measures do not further aggravate the situation.

Undertake a comprehensive review of all possible alternatives before adopting measures that could deteriorate the regressive socio-economic situation of vulnerable groups. The United Nations DESC Committee, which monitors Pidesc's compliance, stressed that there is a strong presumption about regressive impermissible measures to implement.

Prioritize the cooperation, including contributions to the international system of human rights protection of the United Nations, human rights promotion and protection of most vulnerable groups.

For the three organizations it is essential that respect for human rights should be the main issue, not only within laws or measures that will be undertaken, but also during process of decision-making.

<http://www.eluniversal.com/opinion/120702/derechos-humanos-de-la-eurozona>

BOOK OF THE MONTH

VICTIM'S INTERNATIONAL LAW

Author: Carlos Fernández de Casadevante Romani

Pages: 316
Editorial: Porrúa
Language: Spanish
Release Date: 01/09/2011
ISBN: 9786070908088
Format: Paperback
Number of Volumes: 1
Country of Publication: México

The situation of a victim of terrorism is often delicate and even of greater disadvantage in relation with other crimes.

First, the dramatic dimension of the fact—which is the goal of the terrorist—dilutes its own presence in the crime, as if it suddenly was only about the destruction of buildings and public places and not the homicides involved; on the other hand, when the irremediable, even desirable, route of negotiation is entered—which implies a kind of tacit-forgiveness—the blurring of the victim and frustration is even greater.

The delay in the capture and punishment of terrorists, and even his political future to the extent that it moves them

away from punishment, is a permanent humiliation for the victim of the attack. Constituting the crime of terrorism as one against humanity could help to avoid major dysfunctions in International Law.

<http://www.gandhi.com.mx/index.cfm/id/Producto/dept/libros/pid/479138>

<http://www.diazdesantos.es/libros/fernandez-de-casadevante-romani-carlos-el-derecho-internacional-de-las-victimas-LO521101500041.html>



RECOMMENDATIONS

RECOMMENDATION 31/2012

MATTER: On the case of indigenous people "Mixes" residents of San Juan del Río and Santo Domingo Latani, Santiago Choapam municipality, Oaxaca

RESPONSIBLE AUTHORITY: Constitutional Governor of the state Of Oaxaca

The National Human Rights Commission opened complaint file CNDH/4/2011/4008/Q, on the basis that on May 14, 2011, indigenous people called "Mixes", residents of the communities of San Juan del Río and Santo Domingo Latani, at the municipality of Santiago Choapam, Oaxaca, headed to the municipal capital in order to set up the Municipal Electoral Council for holding special elections; however, while passing through the area known as "El Portillo", they found the road blocked with dirt and when attempting to remove it, they were victims of an attack by an armed group, in which 10 people were killed and 19 were injured.

The then-municipal administrator of Santiago Choapam indicated that he had warned the state government authorities that there were safe conditions for the aforementioned Electoral Council to be set up. Also, the General Director

of the State Electoral Institute and Civic Participation of the entity, requested the responsible authority to provide public security, swivel his instructions in order to shield security and ensure people's physical integrity for those who participated in that event.

Meanwhile, the regional security director of the State Police asked ARI, general inspector commander of the State Police of Central Valleys of Oaxaca, to establish a monitoring plan for May 14, 2011, in order to guarantee public security to electoral officials and citizens, at the aforementioned special election; however, said request was ignored, resulting in the loss of several lives other people being injured.

By these facts, the General Attorney's Office of the state of Oaxaca initiated three accumulated previous inquiries, and criminal action was taken against the alleged perpetrators.

The Second District Criminal Judge of the Centre in Santa Maria Ixcotel, Oaxaca, issued the corresponding arrest warrants, leaving the inquiries opened to continue the investigation of the case, which led them to the criminal case 2, of the Joint Trial Court of First Instance of Santiago Choapam,

conducting to new arrest warrants against other persons identified as alleged perpetrators.

Even though in May 27, 2011, 18 arrest warrants against an equal number of alleged perpetrators were issued, on October 20, 2011, 13 people denounced that the PGJO had not executed them, reason why the authority was required to give effect as soon as possible; as of this date there is no evidence that they have taken steps aimed at compliance, since none has been executed.

From the legal analysis of the evidences contained in the aforementioned file, this national Organism confirmed violations to the human rights to life, legality, legal security, public safety and access to justice, attributable to officers of the Ministry of Public Security and the General Attorney's Office of the state of Oaxaca that derived in deprivation of life of many people and attacks on personal integrity of others, as well as the delay to execute arrest warrants issued against the alleged responsible. Recommendation 31/2012 was thus issued.

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

RECOMMENDATION 32/2012

MATTER: On the improper handling of a clinical record at the ISSSTE's General Hospital "B" in Pachuca, Hidalgo, against V1

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

July 9th, 2012

The National Human Rights Commission opened complaint file CNDH/1/2011/4901/Q on the basis that V1, an elder, was admitted on March 7, 2011, at 00:59 hours in the emergency department of ISSSTE's General Hospital "B" in Pachuca, Hidalgo, with antecedents of diabetes treated with insulin, degenerative rheumatoid arthritis and arterial hypertension, and was diagnosed with symptoms of acute urinary retention, hematuria (blood in urine) and a severe infectious process of urinary tract, prescribing to correct the hydroelectrolytic imbalance and antibiotic supply as treatment.

However, V1's health continued to deteriorate, being admitted for attention at the Intensive Care and Internal Medicine Service, where she died at 23:40 pm on June 16, 2011, identifying as causes of death:

metabolic acidosis, hydroelectrolytic imbalance, mixed encephalopathy and diabetes mellitus type II.

The National Commission requested the ISSSTE to provide the relevant reports and copies of medical records of V1; the analysis of the documentation that was sent to this national Organism allowed to note that the aforementioned file was incomplete, because it only featured some medical notes concerning V1's evolution until April 5, 2011, while she remained hospitalized until June 16 of that year.

Meanwhile, the ISSSTE's Medical Complaints Committee passed a complaint on administrative responsibility and incomplete medical records, in addition to an official letter dated January 31, 2012, where ISSSTE's Head of Conciliation Services and Complaints and Refunds Certification, reported that they would send the case to the Internal Comptroller Body in the Institute.

However, as of the date of the issuance of this Recommendation there are no records attesting that any investigation or process to establish liabilities had 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 Law, this national Organism had enough elements to confirm violations to the human rights to legal certainty and health protection against V1, attributable to ISSSTE's medical staff at General Hospital "B", in Pachuca, Hidalgo, especially ARI, director of that hospital. Recommendation 32/2012 was thus issued.

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

RECOMMENDATION 33/2012

MATTER: On the case of denigrating inspection of V1 at security checkpoint at the International Airport of Villahermosa, Tabasco

RESPONSIBLE AUTHORITY: Secretary of Communications and Transport

July 1st, 2012

On February 2, 2011, the National Human Rights Commission received a complaint from V1, stating that she has a breast prosthesis because of a breast cancer mastectomy, which in its interior has small pieces of metal.

She specified that a day before, on February 1, 2011, when she was at a passenger and hand baggage checkpoint at International Airport of Villahermosa, Tabasco, the alarm sounded while she was crossing the arch, and therefore she was stopped and had to undergo through a denigrating inspection in front of other passengers.

The CNDH opened complaint file CNDH/2/2011/1263/Q, however, to the date of the issuance of this recommendation, there is no knowledge that any administrative proceeding has been

initiated, against the authorities involved in the event, even though V1 had filed a complaint at the International Airport of Mexico City, with number A/04 that same day, February 1, 2011.

However, AR3 then Civil Aviation Security Deputy Director, made contact with her once, in order to ask her to send her flight voucher via email. The head of the Legal Affairs Unit of the Ministry of Communications and Transport informed the National Commission by official letter received on September 21, 2011, that AR3 had stated that he was waiting for company 1 to provide additional information to determine whether violations were committed according to aeronautical legislation.

From the legal analysis of the evidence contained in the aforementioned file, and according to article 41 of the National Human Rights Commission Law, this national Organism had enough elements to confirm violations to the human rights to decent treatment, honor, to privacy and personal integrity, against V1, attributable to private security personnel of company 2, hired by company 1, which is of public participation

and concessionaire to the International Airport of Villahermosa, Tabasco; members of Local Airport Security Committee, to AR1, commander of the aerodrome, to AR2, Civil Aviation General Director, and to AR3, then Civil Aviation Security Deputy Director. Recommendation was thus issued 33/2012.

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

RECOMMENDATION 34/2012

MATTER: On the case of arbitrary detention and disappearance of V1, V2, V3, V4, V5 and V6, illegal search of V1 and V2's household and cruel treatment of V7, V8, V9, V10, V11, V12 and other relatives of the missing persons, in Jilotlán de los Dolores, Jalisco

RESPONSIBLE AUTHORITY: National Defense Secretary

July 1st, 2012

The National Human Rights Commission opened the accumulated complaint file CNDH/2/2010/5600/Q, because according to statements by V7, V8, V9, V10, V11 and V12 in two complaints received, on October 2, 20 and 22, 2010, on day 1 of that month and year, at approximately 06:00 hours, military personnel aboard five official vehicles arrived at V1's home in Jilotlán de Dolores, Jalisco, where he met with V2, V3, V4, V5 and V6 and other partners to go together to the avocado fields to work.

Military elements the referred household arbitrarily and remained there for about an hour, after which victims were taken out

and put into military vehicles, driving them by the road out of Tepalcatepec, Michoacán.

Given that the victims were not taken to any authority and that their families did not know their whereabouts since the day of the detention, CNDH asked the National Ministry of Defense to issue a report on the facts.

On said report, received in the National Commission on December 8, 2010, from the Complaints Department of the General Directorate of Human Rights of the National Defense Ministry, it was observed that the Internal Comptroller of that Ministry had not initiated any administrative process on these events. Also, the National Defense Ministry has not performed any act tending to the reparation of the victims' relatives.

From the legal analysis of the evidence contained in the aforementioned file, and according to article 41 of the National Human Rights Commission Law, this national Organism had enough elements to confirm violations to the human rights to life, personal liberty, integrity and security of person,

decent treatment, legality and legal security, committed by elements of the National Defense Ministry for acts involving arbitrary detention and enforced disappearance of V1, V2, V3, V4, V5 and V6, legality and right to inviolability of household against V1 and V7, by entering their address without a search warrant, and finally, to the right to humane treatment against V7, V8, V9, V10, V11, V12 and their relatives, by intimidation and threats against the first, and cruel or inhuman treatment against all of them. Recommendation 34/2012 was thus issued.

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

Newsletter

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Defends and Protects your Rights

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