



Comisión Nacional de los  
Derechos Humanos  
MEXICO

# Newsletter

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## The voice of the President

**Remarks by Dr. Raúl Plascencia Villanueva, president of the National Human Rights Commission on the occasion of the signing of Cooperation Agreement with the International Committee of the Red Cross**

Mexico, D.F.

February 25<sup>th</sup>, 2013

Mr. Karl Anton Mattli, Chief of the Regional Delegation for Mexico, Central America and Cuba of the International Committee of the Red Cross

Mr. Romaric Ferraro, Legal Adviser of the Regional Delegation for Mexico, Central America and Cuba of the International Committee of the Red Cross

Mr. Fernando Suinaga Cárdenas, President of the National Council of Directors



of the Mexican Red Cross Ladies and Gentlemen

Two years ago we restarted with the International Committee of the Red Cross, through Mr. Karl Anton Mattli, the joint work we do from our respective scopes in favor of human rights. Today we take a step towards that direction.

The sum of institutional efforts has a strategic purpose of the greatest importance: to create synergies that strengthen the attention that both institutions provide, especially to the sectors of the population that are at bigger risk of vulnerability.

With the signing of this agreement reinforce these

synergies and strengthen our links and communication channels in the exchange of information and experiences.

The International Committee of the Red Cross and the CNDH share values and principles. We are guided by the objective of protecting the rights of people and offer our help and assistance without distinction of nationality, religion, social condition, race or political belief. Both institutions work with impartiality and without taking sides in disputes or controversies of any kind.

The challenges that we have ahead are not minor. In the case of the migrants, on their way through Mexico have become targets of criminal groups that have made of migratory flows a source of illicit money.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/PalabrasRPV/20130225\\_2.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/PalabrasRPV/20130225_2.pdf)

## Event of the month

**The International Committee of the Red Cross and the CNDH sign cooperation agreement**



[http://www.cndh.org.mx/Galeria\\_Fotografica?page=1](http://www.cndh.org.mx/Galeria_Fotografica?page=1)

**MISSION OF NORWEGIAN PARLIAMENTARIANS VISITS THE CNDH****CGCP/034/13***February 1<sup>st</sup>, 2013*

The president of the National Human Rights Commission received the visit of Norway's members of the Local Administration and Government Committee.

The mission of norwegian parliamentarians, that was headed by Aksel Hagen, President of the Norwegian Parliament, showed interest in two specific subjects: the indigenous human rights and of the migrants in our country.

The national Ombudsman

told them that one of the main objectives of the National Commission is that public servants fulfill completely the functions that law defines, and they apply it with all harshness to guarantee the respect of human rights of the citizens with special emphasis in the vulnerable groups as the indigenous and the migrants, although he recognized that not everything is resolved, and as a proof, the 350 thousand attention requests that each year arrive to the CNDH.

By his part, Aksel Hagen said that Norway's popu-

lation reaches five million, an active international policy and that his country's government works closely with Mexico's government in subjects that have to do with: human rights, disarmament, environment, migration and indigenous people. He indicated that his country has an ethnic minority and a considerable immigration, so he believes that is necessary to know other experiences, to adjust its judgment in that sense.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_034.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_034.pdf)

**THE CNDH REQUESTS FOR PRECAUTIONARY MEASURES FOR THE INSTALLATION OF POPULAR TRIBUNAL****CGCP/035/13***February 2<sup>nd</sup>, 2013*

The CNDH requested the Guerrero's government the application of precautionary measures, of indefinite manner, with the purpose of safeguard the human rights to life, physical integrity, juridical safety and legality of the people retained by the denominated groups of self-defense.

Regarding the investigation of the case related with this movement, formed by different citizen

organizations of diverse municipalities of the state, it turns out a notorious fact the installation of the popular tribunal in El Mesón community, municipality of Ayutla de los Libres, that has as objective to judge the people that have been retained in the raids carried out by members of the called communitarian police in the municipalities of Ayutla and Tecoaapa.

This, taking in consideration that the usages and customs of the indigenous people, for no reason can't contravene the Political

Constitution of the Mexican States, neither the constitution of the sovereign and free state of Guerrero nor the current laws. This state authority has a maximum period of three days to notify this National Human Rights Commission whether the measures previously mentioned are accepted, with basis on article 117, second paragraph, of its internal rules of procedure.

<http://www.cndh.org.mx/sites/all/fuentes/documentos/>

**CNDH INITIATES AN EX OFFICIO INVESTIGATION AND REQUESTS PRECAUTIONARY MEASURES IN THE "ISLAS MARIAS" PENITENTIARY COMPLEX****CGCP/036/13***February 3<sup>rd</sup>, 2013*

The CNDH requested to the commissioner of the prevention and readjustment non-concentrated Organ of the Interior Ministry, the application of precautionary measures favoring the inmates of the "Islas Marias" penitentiary complex, in order to guarantee the respect to the right to life, to integrity and personal safety of the penitentiary population, avoid cruel, inhuman and degrading treatments, af-

fording immediate medical attention to the people that required it and prevent retaliations against the inmates that rioted.

At the moment of learning the news of the riot in the "Laguna de Toro" Maximum Security Penitentiary Center, due to the deficient conditions to which the inmates have been submitted, the CNDH initiated an ex officio procedure; plus, from November 29<sup>th</sup> to December 7<sup>th</sup> 2012, visitors from the National Commission carried out

a visit to the mentioned penitentiary complex, derived from various and numerous irregularity complaints, so the CNDH makes a call to necessary measures to be taken in order to improve, urgently, the conditions of internment and stay of the inmates of the "Islas Marias" penitentiary complex, and the requested precautionary measures are accomplished.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_036.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_036.pdf)



## THE CNDH ACCOMPANIES EL BARZÓN'S MEMBERS, IN CHIHUAHUA CGCP/037/13

February 4<sup>th</sup>, 2013

Personnel of the CNDH accompanies the cavalcade "Journeys for Justice", headed by El Barzón members, integrated by more than 150 riders that go to Chihuahua's capital, who demand the state and federal governments, the clarification of the murder of a communal leader, more rural financial support and a final solution of the conflict for the distribution of water, among other social demands.

The cavalcade is accompanied by a group of 45 families of victims of forced disappearances, mostly women, boys and girls, who demand the clarification of the disappearance of at least 12 people, in Cuauhtémoc city.

Representatives of diverse contingents announced that next Tuesday, a popular assembly will be organized, just outside the Government's palace, in Chihuahua city, in which will also participate land owners and indigenous communal leaders coming from the mu-

nicipalities of Bocoyna, Urique and Delicias.

The personnel of the CNDH will remain in the route and with narrow communication with the authorities of the three governmental levels, in order to apply the measures that guarantee, all the time, the security of the demonstrators.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_037.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_037.pdf)

## THE NATIONAL OMBUDSMAN PRESENTS 2012 ACTIVITIES REPORT BEFORE THE PRESIDENT OF THE REPUBLIC

CGCP/038/13

February 7<sup>th</sup>, 2013

The president of the National Human Rights Commission invited the authorities that integrate the Federal Public Administration to carry out their work with a genuine service vocation and with absolute conscience that the complete achievement of their functions has a direct impact in the life of people.

By presenting the 2012 report on activities, before the head of the federal executive branch, Enrique Peña Nieto, the national Ombudsman assured

that public servants have a main role in the successful implementation of the 2011 constitutional reform, that is, as he said, one of the great advances on the subject of human rights, since 1917.

He commented that is necessary that the content and reach of the precepts are known for each authority, and he confirmed that the CNDH will join the training of public servants, in order to provide them the conditions to understand it and apply it correctly, without excesses or omissions coming from the lack of knowledge of its reach and importance.



[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_038.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_038.pdf)

## THE CNDH INITIATES INVESTIGATION ON ISSSTE'S DAYCARE FACILITY CGCP/039/13

February 8<sup>th</sup> 2013

The CNDH initiated an ex officio investigation regarding the alleged facts in violation of human rights in prejudice of minors that receive services and attention in the child daycare for well-being and development number 36, of the State's Employees' Social Security and Social Services Institute (ISSSTE), in the City of San Luis Potosí. This autonomous national organism initi-

ated the investigation, from the collected evidence and that point the bad conditions of the building which holds the daycare.

The information indicates that in an emergency case it wouldn't be possible to evacuate the daycare facility and the children's and workers' integrity of the aforementioned daycare facility would be in jeopardy; plus, it's pointed that the lack of budget is the reason for the no implementation of the security measures recommended by municipal civil pro-

tection authorities and by the fire department.

According to the evidence, the daycare facility director has informed this situation to different ISSSTE's authorities, however, the problem hasn't been solved nor security measures have been taken in the referred daycare facility. Due to this, the national Ombudsman agreed to initiate the pertinent ex officio investigation.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_039.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_039.pdf)

**ADDING ACTIONS IN FAVOR OF THE ELDERLY PEOPLE**

**CGCP/040/13**

*February 9<sup>th</sup>, 2013*

The CNDH considers necessary that the authorities in the three levels of government and society add efforts to increase the number of actions orientated to the promotion of the human rights of the elderly people, in order to overcome the challenges of family, labor, political economic and social marginalization that face this group in our country. It

ought to be guaranteed to the 10.1 million people over the age of 60 that live in Mexico, an environment in which their human rights are recognized and respected.

Last year, the national Commission carried out 335 promotion and training activities on the subject of human rights to which 18,178 people assisted, including public servants that work in clinics and hospitals. Thorough the Children's affairs and family

program, the CNDH continues giving free counsel and orientation on subjects of labor discrimination, alimony and family violence, on the phone number 5631 0040 and toll free 01800 869 0000, extensions 2327, 2305, 2333 and 2105.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_040.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_040.pdf)

**ERADICATING MIGRATORY VERIFICATIONS OUT OF LAW**

**CGCP/041/13**

*February 10<sup>th</sup>, 2013*

Before the constant abuse that migrants suffer who go across the country, the National Human Rights Commission considers necessary that the police authorities, migration authorities and the justice providers, strictly fulfill their functions and act only within the specific confines of their responsibilities.

According to article 81 of the Immigration Law and its regulations, only the

federal police can act at National Immigration Institute's request (INM), this means that the police elements are unable to execute in independent form, functions of control, verification and migratory review.

The CNDH has documented as a common practice the participation of authorities, as well as federal, state and municipal, in control and verification actions of the migratory quality of people, without having the faculty to do it.

Municipal polices are who often commit legal faults, and respect to human rights in the performing of their functions, resulting in the violation to the right of legal safety of the migrants.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_041.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_041.pdf)

**ERADICATE HUMAN TRAFFICKING ON WOMEN**

**CGCP/042/13**

*February 11<sup>th</sup>, 2013*

For the National Human Rights Commission is essential that authorities from the three levels of government and society in general reinforce the actions carry out to fight human trafficking on indigenous girls and women, one of the groups in a most vulnerable situation.

This autonomous public Organism holds that the Mexican state must pay special attention to the complaints of women and

girls disappeared and to design strategies that improve the quality of life of the 15.7 million indigenous people recognized in Mexico.

The National Commission through its program against human trafficking trains public servants and civil society representatives, who are engaged to spread, in their communities, the knowledge learned and contribute to create conscience about their rights and the need to defend them.

All along 2012, the CNDH trained more than 20

thousand people, which contributed to encourage prevention and denounce of facts that might constitute the crime of human trafficking. Plus, in coordination with other institutions, the CNDH have made a permanent human trafficking prevention campaign that has been translated to different indigenous languages in several regions of the country.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_042.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_042.pdf)



**ERADICATE DISCRIMINATION AND VIOLENCE AGAINST WOMEN**

**CGCP/043/13**

*February 12<sup>th</sup>, 2013*

For the National Human Rights Commission the full respect of women’s human rights will become a reality, when they are in the conditions to enjoy and make prevail their guarantees. That’s why this organism has developed a series of programs and tasks orientated to achieve it.

In September 2012, the CNDH launched the campaign “Join for the human rights to eliminate the violence against women in Mexico”, that will end in 2015. In 2012, this

autonomous national Organism carried out 170 training activities, aimed to a total of 12 thousand 861 people, with which increased in 31 percent the number of assistants in comparison with the prior year.

Likewise, it identified that four states of the republic don’t have a local legislation on subject of equality between women and men. Also, 21 states have a specific law to prevent and eliminate discrimination, and in just one state exists a specific regulation. Regarding to laws related with the eradication of violence against

women, all the states already have a law and six regulations are still pending. The CNDH reaffirms its commitment to contribute to the protection, promotion and spreading of human rights, in order to build an enclosed, egalitarian society and respectful of everyone’s rights.



[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_043.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_043.pdf)

**COMPLETE, PROMPT AND UNOBSTRUCTED JUSTICE**

**CGCP/044/13**

*February 13<sup>th</sup>, 2013*

The President of the National Human Rights Commission assured that Mexicans need a modern, complete, prompt and unobstructed justice that recovers and comprehends the constitutional reform parameters; that it engages us all and brings better results to society.

During the signing of the General Agreement of Collaboration between CNDH and Morelos state’s executive, legislative and judiciary powers, the na-

tional Ombudsman affirmed that nowadays, the human rights compliance is a basic requirement to preserve peace and to encourage development.

He admitted that Mexico has had progresses not seen before referring to the harmonization of the national legislation and the human rights international instruments

During his Morelos’ state travel, the national ombudsman held a working meeting with the state’s superior level educative institutions with whom the CNDH signed collaboration

agreements containing tasks on prevention, training, teaching, promotion, spreading and divulgation on human rights.



[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_044.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_044.pdf)

**ALERT SOCIETY AGAINST HUMAN TRAFFICKING**

**CGCP/045/13**

*February 14<sup>th</sup>, 2013*

The National Human Rights Commission considers necessary to encourage informative campaigns to alert and prevent the population about human trafficking.

Each year thousands of people are victims of this crime worldwide, particularly women, girls and boys, who are captured, moved and sold with exploitation purposes in all its modalities.

For the CNDH is fundamental that people know the methods used by the criminals to hook their victims, among others: attractive work opportunities, friendship or marriage promises or kidnapping.

The use of social networks is frequent as a mean to recruit victims.

Through the human trafficking program, this autonomous national Organism gives training courses aimed to public servants, with the purpose to afford the necessary tools that

will allow, on one hand, the right performance of their functions and the right application of the law, and on the other hand, afford a right protection and assistance for the victims.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_045.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_045.pdf)

## CNDH INITIATES INVESTIGATION IN THE NATIONAL IMMIGRATION INSTITUTE

**CGCP/046/13**

February 16<sup>th</sup>, 2013



The CNDH initiated an ex officio complaint file regarding the events, presumably out of the legal framework, that took place in the National Immigration Institute (INM).

This autonomous national Organism initiated the investigation, based on the revelation of the INM's delegate, in the state of Mexico, who received the order to "grant the departure from the country to a

Salvadorian, confessed member of the Mara Salvatrucha, through the figure of assisted voluntary return".

According to the information published in the entry site of a nationwide newspaper, such order was given by the head of control and verification of the INM, through a phone call.

The delegate considered inadmissible the request, because the foreigner committed crimes in our country, so he had to be deported in the terms estab-

lished in article 144 of the immigration Law.

Plus, the migrant filed a constitutional protection suit to avoid returning to his country and requested a humanitarian visa before the Mexican Commission for Aid of Refugees (COMAR).

Therefore, the national Ombudsman agreed to initiate the pertinent complaint file.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_046.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_046.pdf)

## OBLIGATION OF THE AUTHORITIES TO PROVIDE SECURITY TO SOCIETY

**CGCP/047/13**

February 17<sup>th</sup>, 2013

For the CNDH is fundamental to reassure the rejection of forming self-defense groups in the Mexican Republic, and non-delegable duty of the authorities of the three levels of government to fulfill their responsibility to guarantee the physical integrity and property of the population and the right to public safety, as it establishes the Political Constitution of the United Mexican States. This autonomous Organism expresses its concern for the existence of

armed groups with different interests to the self-protection, which breaks the stability of institutions, because there is a fine line between these self-defense organizations and paramilitary groups.

The CNDH considers a priority that authorities fulfill with the essential function of providing public security to society, before the risk that these armed groups are spreading to other states of the republic, and that they assume attributions of legislators, public ministry, judges and even-

tually, executors of penalties.

This situation is extremely worrying because violations of due process committed by these groups can hardly be validated by ministry officials or judges, who may eventually release people probably responsible for crime, encouraging the impunity they try to fight.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_047.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_047.pdf)

## CNDH SUPPORTS EDUCATION OF HUMAN RIGHTS IN CHIAPAS

**CGCP/048/13**

February 18<sup>th</sup>, 2013

For CNDH's President is vital that judges ensure that when there is more than one interpretation legally valid, they prefer the one that adheres to the human rights contained in the Constitution and in the international instruments.

By giving the Lecture "Human Rights and the control of compliance" in the Law Faculty of the

Autonomous University of Chiapas, Raúl Plascencia Villanueva said that for no reason and in no circumstances should be applied a legal rule hierarchically inferior, contrary, incompatible or restrictive, they should seek at all times, he said, an interpretation in favor of people, in order to choose the rule that better protects or less restricts.

Before an audience of young law students, the national Ombudsman spoke of the need of a

change of concept of public powers in their relation with the governed, and that they're now compelled, according to article one, paragraph three of the Constitution, to promote, respect, protect and guarantee human rights.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_048\\_1.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_048_1.pdf)

## OBSTACLES MUST BE OVERCOME CONCERNING PROTECTION AND DEFENSE OF HUMAN RIGHTS

**CGCP/049/13**

February 19<sup>th</sup>, 2013

The national Ombudsman made a call to the state bodies and to society to overcome the obstacles for the protection and defense of human rights.

By attending the presentation of the annual report of work of the President of the Human Rights Commission of the State of Puebla, Adolfo López Badillo, Raúl Plascencia Villanueva said that thanks to

the progress achieved with the human rights reform to our constitution, the individual is located at the center of the action of public authorities.

However, he said, it's required the commitment of the State to ensure compliance with full respect of these rights under Mexican law and international treaties.

He said the exercise of informing the achievements in the constitutional responsibility as human rights agencies, is a

clear manifestation of respect for society, which affects the development of a culture of transparency and accountability for society to evaluate the management of all public servants.



[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_049\\_1.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_049_1.pdf)

## HUMAN RIGHTS WATCH AND CNDH MEET TO DISCUSS ISSUES ABOUT MISSING PEOPLE

**CGCP/050/13**

February 20<sup>th</sup>, 2013

The President of the CNDH Raúl Plascencia Villanueva, held a working meeting with Mr. José Miguel Vivanco, director of Human Rights Watch's Americas division (HRW), who delivered him a report entitled "Mexico's disappeared: the enduring cost of a crisis ignored".

At this meeting José Miguel Vivanco said the report in question was able to document 249 cases of which 149 had conclusive evidence in the involvement of public servants of the

Mexican state in such disappearances, and in others, they didn't have enough elements to make conclusive comments on this, although not ruled out their participation. The worst of all the issues, said Vivanco, is that none has been investigated by authorities in charge of providing justice, favoring, largely impunity.

The national Ombudsman thanked the visit of HRW to the CNDH and reiterated the importance of making a joint commitment of the issue to allow the rights of Mexicans be translated from words to reality.

He said that, as in these and other cases, in which abuse of power has prevailed, it's essential that justice is provided, to punish those responsible and to repair the damage.



[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/Com\\_2013\\_050.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/Com_2013_050.pdf)

## WORKING MEETING BETWEEN THE CNDH AND THE UNION OF PEOPLES AND ORGANIZATIONS OF THE STATE OF GUERRERO

**CGCP/051/13**

February 21<sup>st</sup>, 2013

The CNDH received the leader of the Union of Peoples and Organizations of the State of Guerrero, Bruno Plácido Valerio and his group, as part of the investigation that the CNDH has opened because of the actions and omissions of the authorities of the government of Guerrero, explaining the creation of the self-defense groups.

The national Commission reiterated its position that it must be rejected any delegation by the state authorities, implying

that citizens assume the role of ensuring the human right to public safety, for provision of the Constitution, is given to such authorities and he reiterated the need for the state to take action to recover security in those communities.

As part of monitoring of the file opened, the Second Visitor General and a team of advisor visitors, medical experts and psychologists will attend the Costa Chica communities in the state of Guerrero next Monday February 25th. The CNDH will listen carefully the concerns of residents and reiterates its commitment to insist in the need for the state authorities to fulfill

the obligation to guarantee the personal safety and property of the inhabitants.



[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_051.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_051.pdf)

## INTEGRAL COLLABORATION BETWEEN MEXICO AND NIGERIA ON THE SUBJECT OF HUMAN RIGHTS

**CGCP/052/13**

*February 22<sup>nd</sup>, 2013*



The president of the National Human Rights Commission, Raúl Plascencia Villanueva received Professor Ben Angwe, Ombudsman of Nigeria, who signed a comprehensive cooperation agreement in order to encourage actions aimed to the promotion, protection, defense and dissemination of human rights between the two institutions.

During the signing of this agreement, the Ombudsman of Mexico and Nigeria, agreed on the importance of joining efforts and strengthen the attention to victims, primarily those linked with migration, which have been subject of torture and cruel treatments; as well of those who are detained in penitentiary centers.

For his part, Professor Angwe acknowledged the work done by the CNDH's President during his tenure, and particularly after the

promulgation of the Constitutional Reform on June 2011 on the subject of Human Rights, in his opinion, this has been fundamental to consolidate the issue internationally.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_052.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_052.pdf)

## REDOUBLE EFFORTS TO ERADICATE SCHOLAR HARASSMENT OR BULLYING

**CGCP/053/13**

*February 23<sup>rd</sup>, 2013*

For the CNDH is necessary that both authorities and society organizations joint efforts, in order to implement measures aimed to guarantee to children and teenagers an environment free of violence.

The CNDH, in coordination with the Human Rights Commission of the State of Yucatan (CODHEY) held the forum "Youth under Construction", which

involved 300 students from different colleges and universities, and who exchanged opinions about themes of their environment, like scholar harassment or bullying, discrimination, social networks, internet security and rights of the young.

In this forum was said that one of the problems that affect young people the most is violence in the school environment so that ought to be addressed urgently by authorities, educational institutions and family.

It was told that the role of schools in the training process of students is to provide alternatives and answers to doubts and problems that young people have, with the purpose to contribute to the formation of a society that respects freedom, dignity and rights of the people.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_053.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_053.pdf)

## CNDH STARTS A COMPLAINT FOR ABUSES COMMITTED IN A ESTABLISHMENT OF NUEVO LEÓN

**CGCP/054/13**

*February 24<sup>th</sup>, 2013*

The CNDH initiated a complaint for the events occurred on February 14 in the city of Monterrey, where, apparently, public servants of PGR's Federal Ministerial Police raided a local with no justification, arrested several people with violence and extorted the owner of the establishment.

According to versions of the complainants, they were attacked, their belongings were taken away and were forced to pay money to be released.

From the moment this national Organism knew about the events, a brigade of the Program for Victims of Crime was moved to the capital of Nuevo León, to verify the condition and collect the necessary testimonies of the aggrieved people for ap-

propriate integration of the case.

The national Commission will be alert of the actions that authorities in charged for providing justice carry out to determine responsibilities, and in its proper time, will issue a determination under applicable law.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_054.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_054.pdf)



## CNDH SIGNS COOPERATION AGREEMENT WITH THE JEWISH COMMUNITY IN MEXICO

**CGCP/055/13**

*February 25<sup>th</sup>, 2013*

CNDH's President, Raul Plascencia Villanueva received this afternoon members of the Central Committee of the Jewish Community, with whose president, Rafael Zaga Kalach signed a cooperation agreement that aims to: promote individual training, the research and teaching of human rights, work in the defense of the rights inherent on the human

being and, participate in the spreading human rights issues through social campaigns, of information and advice, organized by both organizations or other institutions

During the ceremony, the national Ombudsman said: this agreement "commits us to build a more democratic and inclusive society."

The culture of human rights, said Raul Plascencia, is the best antidote against discrimination and intolerance, so the Central

Committee of the Jewish Community and the CNDH corroborate their institutional and personal commitment to human rights.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_055\\_.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_055_.pdf)

## CNDH SIGNS COOPERATION AGREEMENT WITH THE INTERNATIONAL COMMITTEE OF THE RED CROSS

**CGCP/056/13**

*February 26<sup>th</sup>, 2013*

CNDH's President, Raul Plascencia Villanueva received Karl Anton Mattli, Head of the Regional Delegation for Mexico, Central America and Cuba of the International Committee of the Red Cross (CIRC) with whom he signed a collaboration agreement.

Through this agreement, both parties committed themselves to establish collaboration and support mechanisms to develop joint actions on education, promotion and information on the

subject on Human Rights and International Humanitarian Law, with special emphasis on migrants, health care, people missing, detainees, prison issues and international instruments.

The national Ombudsman stated that the CIRC and the CNDH share values and principles, and work impartially without taking sides in conflicts or in various disputes.

Karl Anton Mattli said that the signing of the agreement renews the ties that, for long time have united the CIRC and the CNDH, and he expressed his respect for the inspiring work

that Dr. Plascencia has made, leading the CNDH, to elevate the values of human dignity.



[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_056.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_056.pdf)

## CNDH MEETS WITH UPOEG'S MEMBERS IN AYUTLA DE LOS LIBRES, GUERRERO

**CGCP/057/13**

*February 26<sup>th</sup>, 2013*

The CNDH by monitoring the meeting held on Thursday with the leader of the Union of Peoples and Organizations of the State of Guerrero (UPOEG), Bruno Plácido Valerio, made presence in Ayutla de Los Libres in Guerrero state on Monday February 25th, at the framework of the investigation that has opened on the occasion of the actions and omissions of the authorities of the three levels of government to

guarantee the right to public safety.

The meeting took place even though the original site was modified at the last minute due to the absence of Plácido Valerio.

The national Commission's staff could testify the abandon of public safety in several municipalities of the Costa Chica and that the unconformity of the population is basically focused on the actions and omissions of the state and municipal authorities, and therefore it reiter-

ates its call to such authorities to take urgent actions to guarantee the population's right to safety, without delegating such responsibility to the public, abdicating their functions and increasing the risks to the population.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_057.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_057.pdf)

**FOR DECISION TAKING,  
ESSENTIAL EDUCATION ON HUMAN RIGHTS: RPV**

**CGCP/058/13**

*February 27<sup>th</sup>, 2013*

The CNDH's President participated in the inauguration of the study programs: Promotion and Defense of Human Rights and "Innocent Program" by the Autonomous University of Baja California (UABC), the latter in coordination with the California Western School of Law.

He stated that universities must become an instrument of projection of values like tolerance, respect for others, equality, solidar-

ity and mutual support.

The CNDH's President informed that the Organism under his charge and the UABC will encourage training programs on the subject of human rights aim for public servants of state and municipal administrations, in order to increase the levels of quality of attention that they provide to service users.

Raúl Plascencia inaugurated the library specialized in human rights and congratulated the university authorities for investing in human development that

is the best that can be done, because it ensures that young people embrace the values of freedom and justice.

Afterwards he gave a lecture about education in human rights, which, he said, can only become reality if people demand respect thereof.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_058.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_058.pdf)

**THE CNDH, FOR A CULTURE OF HUMAN RIGHTS**

**CGCP/059/13**

*February 27<sup>th</sup>, 2013*

CNDH's President led the signing of cooperation agreements between the CNDH and Civil Society organizations.

During his working trip to Baja California, Raúl Plascencia Villanueva also signed a cooperation agreement between the CNDH and the Coalition Pro Defense of the Migrant, A.C., he said that vulnerability of migrants is get-

ting worse because they are easy prey for kidnapping, extortion and human trafficking committed by criminal groups.

He urged the Mexican authorities of the three levels of government to run programs and actions to fight effectively the problem. Later, in the federal high school, Lázaro Cárdenas del Río, from which he's a graduate, gave a lecture about the new challenge that represents the learning of human rights for schools, and the need for them to

improve their offer of themes on the subject. He reiterated that education on human rights contributes to prevent abuses from authorities and constitutes an investment in the transformation of Mexico, in a more fair and inclusive country, in which the human rights of all people are valued and respected.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_059\\_.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_059_.pdf)

**NOTHING JUSTIFIES VIOLENCE AGAINST WOMEN**

**CGCP/060/13**

*February 28<sup>th</sup>, 2013*

CNDH's President inaugurated the Seminar "Administration of Justice before the phenomenon of Violence against Women", where he deplored the moral, psychological, economic and physical violence forms committed against them in the family, work and school environments.

Accompanied by the Governor of the State of Mexico, Eruviel Ávila Villegas, Raúl Plascencia Villanueva recalled that since last year the CNDH initiated a national campaign entitled "Unite for human rights, to eliminate violence against women in Mexico".

In his working trip through the entity, he signed a cooperation agreement with the University of the State of Mexico and 10 high level educational institutions as adherents.

He said that the CNDH bets for the strengthening in the performance of the state's public institutions, and searches strategies that allow public servants to fulfill in the best way with the engaged function.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM\\_2013\\_060.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2013/COM_2013_060.pdf)



## RECOMMENDATIONS

### RECOMMENDATION 05/2013

**MATTER:** About the case of V1, V2, V3, V4, V5, V6, V7, V8, V9, V10, V11, V12, V13, V14, V15, V16, V17, V18, V19, V20, V21 y V22, crime victims in the State of Guerrero.

**RESPONSIBLE AUTHORITY:** The Attorney General and the Constitutional Governor of the State of Guerrero

February 20<sup>th</sup>, 2013

The National Human Rights Commission initiated the complaint file CNDH/1/2010/5871/Q, due to September 30, 2010, V1, V2, V3, V4, V5, V6, V7, V8, V9, V10, V11, V12, V13, V14, V15, V16, V17, V18, V19, V20, V21 y V22, all of them males with ages back then, from 22 years to 58 years, coming from the State of Michoacán, who arrived to the city of Acapulco, Guerrero, with the purpose to have a vacation. In that same date, 20 of these people were deprived of their freedom by an armed group; later, on November 2<sup>nd</sup>

and 3<sup>th</sup> of that same year, the bodies of 18 of the 20 referred victims were found without life, in a clandestine grave sited in the mentioned federative entity; to this date two of them (V19 and V20) are still missing.

For the events 7 preliminary investigations were initiated, however it must be highlighted that to the date this Recommendation was issued, this organism had no evidence that any proceedings were initiated against any public servants in charge of the integration of the referred inquiries, for diverse irregularities committed.

Now, from the juridical analysis made to the evidence that integrated the aforementioned file, this Organism counted with elements that allowed watching transgressions to the rights of legality, juridical safety, and to integrity and personal safety, to the detriment of V1, V2, V3, V4, V5, V6, V7, V8, V9, V10, V11, V12, V13, V14, V15, V16,

V17, V18, V19, V20, V21 y V22, all of them crime victims, derived from irregularities attributable to public servants of the Office of the Mexican Attorney General and the Office of the Attorney General of the State of Guerrero. Therefore, Recommendation 05/2013 was issued.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Recomendaciones/2013/REC\\_2013\\_005.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Recomendaciones/2013/REC_2013_005.pdf)

### RECOMMENDATION 06/2013

**MATTER:** About the case of the inappropriate medical attention in the General Hospital of Zone No.1, of the IMSS in the State of Durango, to the detriment of V1 and V2, and the loss of life of V2.

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

February 20<sup>th</sup>, 2013

The National Human Rights Commission initiated the complaint file CNDH/1/2012/273/Q, due to October 5, 2011, V1, a 23 year old woman with 39.5 weeks of gestation, presented hypertensive disease of pregnancy, so she went to General Hospital of Zone No. 1 of the IMSS in Durango, Durango, where she had a medical assessment by the doctors AR1, AR2, AR3 and AR4, without being diagnosed with a high risk pregnancy neither detected that the umbilical cord was

wrapped around V2's neck. The following day, at 18:10 hours a cesarean was practiced to V1; however, V2 didn't cry at birth, indicating to the medical personnel, that such situation was originated from the aspiration of amniotic fluid; therefore, the newborn was taken to the neonatal intensive care unit of the referred sanatorium, where at 14:00 hours of October 7<sup>th</sup> 2011 she died, appointing as cause of death, meconium aspiration syndrome, with 18 hours of evolution.

It must be highlighted that to the date this Recommendation was issued, this organism had no evidence that any preliminary investigation or any proceedings were initiated against any public related to the facts.

Plus, notwithstanding that this National Commission was informed about the validity of a payment in favor of V1, no proof has been received to confirm that such payment has

been made. So from the juridical analysis realized to the evidence group that integrated the referred file, this national Organism observed transgressions to the right of health protection and to life, to the detriment of V1 and V2, respectively, attributable to AR1, AR2, AR3 and AR4, assigned doctors to General Hospital of Zone No. 1 of the IMSS in Durango, Durango. Therefore, Recommendation 06/2013 was issued.

[http://www.cndh.org.mx/sites/all/fuentes/documentos/Recomendaciones/2013/REC\\_2013\\_006.pdf](http://www.cndh.org.mx/sites/all/fuentes/documentos/Recomendaciones/2013/REC_2013_006.pdf)

## BOOK OF THE MONTH

### **The Convention on the Rights of the Child: Instrument of progressivity in International Law of the Human Rights**

Author(s): Carmona Luque, Ma del Rosario  
 ISBN:978-84-9982-070-5  
 Edition: 1ª 2011  
 Series of International and European Studies of Cadiz

The Convention on the Rights on the Child was adopted by the General Assembly of the United Nations on November 20 1989 and entered into force on September 2nd 1990, soon becoming the international human rights treaty of the United Nations' universal framework with the biggest number of ratifications of the States parties.

The universal practice reached today is accompanied of the holistic character of this treaty that contains the totality of rights whose owner is the child. These notes highlight the 1989 Convention as the definitive threshold towards a perception of the child and his rights in the international community and in the legal system that regulates. And precisely on this idea this book is developed, which tries to manifest the contributions of this treaty to the progressivity of International Law of the human rights.

The first chapter attempts to justify the opportunity to adopt a convention on the rights of the child in the United Nations' framework, considering its histori-

cal background and valuing certain characteristics of this treaty that show its progressive character: its universality, the holistic character of the proclaimed rights, the establishment of general principles, the adoption of optional protocols; and its minimal norm condition.

The second chapter deals with the influence of the Convention in the progressive development of the international subjectivity of the individual, by consolidating a concept and general definition of the child, who despite his limitations, stands in universal reference for the international law and the domestic regulation, allowing likewise to specify its reach regarding different areas or situations on the child's life: schooling, access to employment, marital consent, justice administration, armed forces enlistment; participation in combat, etc. Finally, the third chapter will allow to deepen in the contribution of the convention to the definition on the rights of the child and, from its referred holistic character and attending different criteria from international law, propose an "essential core" of such rights that allows to guarantee the respect to a minimal content and promote its progressive implementation.

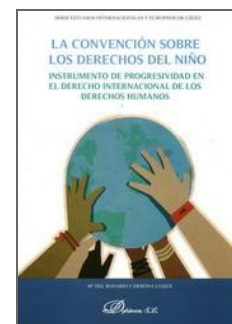
The book approaches recent issues in the life of the Convention, like the works in process of an Optional Protocol about the presentation of communications and the adoption of the final observations of the

Committee on the Rights of the Child to the last report from Spain, and ends with some conclusions that expect to serve as synthesis but warn about the opened spirit with which is conceived and that it's opened to new reflections and studies about child's rights in the international order.

Index: Ch. I. Opportunity of a convention on the rights of the child in the United Nations' Universal framework.

Ch. II. Progressivity *ratione personae*: the child owner of rights.

Ch. III. Progressivity *ratione personae*: ¿towards the definition of an essential core of the child's rights?



[http://www.dykinson.com/book--La\\_convencion\\_sobre\\_los\\_derechos\\_del\\_nin%3Bo--40611....1.html](http://www.dykinson.com/book--La_convencion_sobre_los_derechos_del_nin%3Bo--40611....1.html)

## ARTICLE OF THE MONTH

### March is defining for the American system of human rights

By Clarinha Glock

PORTO ALEGRE, Brazil, February 27 (IPS) – March will be a key month to define the future of the stoned American System of Human Rights.

March 22<sup>nd</sup> is the deadline for the Members of the Organization of the American States (OAS) to present reform proposals to this international justice system that was born in 1948 in order to promote and protect fundamental guarantees established in the American Declaration of the Rights and Duties of Man and in the Universal Declaration of Human Rights.

Two autonomous organs form such System: The Inter-American Commission on Human Rights, based in Washington, and the Inter-American Court of Human Rights, based in San José.

Its main function is to monitor the fulfillment of the American Convention on Human Rights, adopted in 1969.

Ecuador's government gave the initial kick, and also leads an effort to create a parallel justice system, in the framework of the Union of South American Nations (UNASUR), that hasn't been accomplished so far.

Venezuela denounced the American Convention on September 2012.

The debate was started on June 2011 with the creation of a working group within the OAS. Since then, forums, public hearings and electronic consultations are carried out to study different recommendations.

It stands out the proposals to restrict the power of the Commission to adopt precautionary measures, suppress exhaustive analysis of countries with massive violations and limit the faculties of the special rapporteurs, like the freedom of expression. The Commission has

political faculties –conducts specific visits and issues recommendations and reports– and quasi-judicial: receives petitions from individuals or organizations, decides whether they're admissible, requests to member States precautionary measures and presents cases to the Court.

This Court has contentious functions, consultative and of adoption of provisional measures, its decisions are definitive and not subject to appeal.

The relations between Brazil and the Commission got deteriorated when the latter requested on April 2011 to "immediately suspend" with a precautionary form the licensing of the Belo Monte Hydroelectric project over the amazon Xingú River, to protect the health of the indigenous communities affected by the work.

Brazil's government rejected the petition. But the Brazilian position was misunderstood, according to the Human Rights Division of the Ministry of Foreign Affairs, which appointed one of its representatives to answer IPS, asking to not identify him.

Brazil was already fulfilling the requests of the Commission from the demands of national supervised organs, and its support wasn't unchained by that judgment, the diplomatic source said.

The truth is that Brasília retired its ambassador before the OAS and its candidate to integrate the collegial body that the Commission leads. In March ends the period for the countries to present candidates and, according to Human Resources Division of the Foreign Ministry, until the middle of this month there wasn't a decision about this.

"The reform proposals are presented just when the Commission and the Court are fulfilling the agreed obligations in the Convention", activist Jair Krischke criticized. President of the no governmental movement of justice and human rights based in this southern city of Porto Alegre, who acquired notoriety

for contributing to reveal the Condor Plan, a repressive coordination of the military regimes in South America.

For Krischke, the Brazilian posture not only obeys to the Belo Monte case, but a Court's sentence, which ordered in 2010 to deliver the remains of the missing in the military repression of the Araguaia Guerrilla, between 1972 and 1975, and to repair the damage to the victims' families.

The government says that has already made the repairs, but not the moral damages, as mandated by the Court, Krischke emphasized to IPS.

"In Uruguay (before another similar sentence) the government held a ceremony in the parliament, with the presence of the president of the Republic and apologized for its missing. In Brazil, not even the sentence of the Court was published", he compared.

The dissatisfaction of the governments with the Inter-American Human Rights System is incomprehensible, associated professor Deisy de Freitas Lima Ventura stated, from the International Relations Institute of the University of São Paulo.

"When a sovereign State is part of a regional system is precisely to hear critics and receive recommendations or a sentence", said to IPS.

The governments of Bolivia, Colombia, Ecuador, Peru and Venezuela are in this campaign because this justice system touched crucial aspects of the agendas of their presidents, the professor described.

<http://ipsnoticias.net/nota.asp?idnews=102427>



## **Newsletter**

**The CNDH  
Defends and Protects your Rights**

**President**  
*Raúl Plascencia Villanueva*

**First General Visitor**  
*Luis García López-Guerrero*

**Second General Visitor**  
*Marat Paredes Montiel*

**Third General Visitor**  
*Guillermo Andrés G. Aguirre Aguilar*

**Fourth General Visitor**  
*Cruz Teresa Paniagua Jiménez*

**Fifth General Visitor**  
*Fernando Batista Jiménez*

**Sixth General Visitor**  
*Juan Pablo Piña Kurczyn*

**Executive Secretary**  
*Nabor Carrillo Flores*

**Technical Secretary of the  
Advisory Council**  
*Oscar Elizundia Treviño*

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

**Executive Secretary**  
Blvd. Adolfo López Mateos, 1922, 1er piso,  
Col. Tlacopac, Del. Álvaro Obregón,  
C.P. 01049, México, D.F.  
Telephone : (52 55) 17 19 20 00 ext. 8712  
Fax: (52.55) 17 19 21 53  
Toll Free Code: 01 800 715 2000  
Correspondence  
[anadarbella@cndh.org.mx](mailto:anadarbella@cndh.org.mx)

