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Speech made from Luis Raúl González Pérez, in presenting The Annual Report of CNDH's 2014 activities, in presence of the President Enrique Peña Nieto, at the official residence of Los Pinos.

Mexico City, March 25th, 2015

He established that simulation, omission, partiality and lack of commitment of administrative procedures and responsibilities fulfillment, submitted by the National Human Rights Commission, constitutes by itself a new violation of human rights. This, because it re-victimized the aggrieved and engages in behavior that directly increase impunity and undermines the rule of law.

González Pérez stressed that the Ombudsman isn't antagonist neither of authorities nor of public powers; because by its activity and the exercise of his functions benefits the fight against impunity. In addition it debugs strengths and consolidates institutions.

He highlighted that when a public server has been accused of human rights violations, The National Human Rights Commission encourage authorities to clear and strength their com-

mitment with human rights by not allowing such events to stay unpunished, to enable damage repair and to prevent recurrence of such events.

González Pérez required the Federal Executive, turn instructions in order that information requirements and documentation which are formulated by CNDH to different departments and agencies of the Executive Branch, be properly and timely addressed. He also requested, to review the compliance of recommendations addressed to them, as the implementation of pendant actions in order to achieve their integral and real success as well as the establishment of measures such as the issue of the Enforced Disappearance General Law; the development of a National Research System for Not Located People and a National System of Genetic Information, as Peña Nieto offered last November 27th, besides the



attendance of the United Nations Committees suggestions to collaborate and accept regional mechanisms jurisdiction on human rights matters.

Finally, he pointed out that this report is based on data and records that he found by assuming the presidency of CNDH, as well as what was done in the first weeks of his administration. He referred that some procedures have proved inadequate timely and effective operation of CNDH; this has derived from delay on resolution of the cases. This is why it has been addressed as an institutional priority.

The CNDH 2014 activities report could be consulted at the webpage:

www.cndh.org.mx/sites/all/fuentes/documentos/informes/anuales/2014.pdf

Event of the month

XIII General Assembly of the Network of National Human Rights Institutions in the Americas

*Geneva, Switzerland
May 13th, 2015*

Participation of the President of the National Human Rights Commission, Mr. Luis Raúl González Pérez, during the XIII General Assembly of the Network of National Human Rights Institutions of the Americas, as part of the work of the United Nations.



CNDH HIGHLIGHTS THAT SERIOUS VIOLATIONS OF HUMAN RIGHTS SHOULD BE MADE PUBLIC

CGCP/046/15

March 2nd, 2015

Ismael Eslava Pérez, CNDH's First General Inspector, highlighted that acts constituting serious violations of human rights should be of public knowledge, and not restricted information. He said that there is a specialized body responsible for investigating human rights violations facts,

including those that are determined as serious.

By participating in public hearings held by the Senate of the Republic to dictate the legislative initiative that includes a draft decree by which it is issued the General Law of Transparency and

Access to Public Information, he pointed out that severity rating should always be supported by minimum essential elements to make that determination, that is why there is not an specific time for such determination.

Eslava Pérez, stated that CNDH believes that access to public information is inherent of a democratic system of law, and therefore its protection must be ensured particularly in cases where there are serious human rights violations.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2015/COM_2015_046.pdf



CNDH ISSUED SPECIAL REPORT ON INTERNAL CENTERS FOR YOUTHS' TREATMENT, WHO VIOLATE CRIMINAL LAWS



In announcing the Special Report on Internal Centers for Youths' Treatment, the National Human Rights Commission concludes that in such facilities there are insufficient conditions to fulfill the objectives of social and family reintegration as full development of his personality and capabilities, even though it is a constitutional and conventional imperative for the Mexican State.

Observations made by CNDH in this report, are primarily intended to boost the necessary actions so that attention to the problems of these centers is realized through the commitment of both: the Federation and local governments. This, to focus their efforts on the implementation of public policies designed to ensure that offenders access to all their rights established in national and international laws, with the support of specialized and sufficient staff to meet their needs.

In its research, the National Commission found related physical and psychological abuse facts. This is a direct violation to the right of having a dignified treatment. Furthermore, these events constitute a probable risk of torture and cruel inhumane and degrading treatment by authorities, mainly when a group of people is involved in a special situation of vulnerability as those who are underage.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2015/COM_2015_049.pdf

THE NATIONAL OMBUDSMAN MEETS WITH EXPERTS OF IACHR



CGCP/051/15
March 5th, 2015

The national ombudsman, Luis Raúl González Pérez, met with members of the Interdisciplinary Group made of Independent Experts of the Inter-American Commission on Human Rights (IACHR). They will provide the

Mexican Government technical assistance in investigating the whereabouts of the disappeared students of Iguala, Guerrero.

González Pérez endorsed the will of the National Human Rights Commission to work in coordination and commitment to support all what contribute to the unders-

tanding and locating the missing youth.

He recalled that this meeting was agreed with IACHR, last January, aiming both to keep communication and collaboration regarding this case, in accordance with each one's responsibilities and respective powers scope.

During the meeting, it was underlined the relevance of establishing open and permanent lines of communication upon the advances of the investigations, in order to assist in clearing up the tragic events, as to contribute on the determination of human rights violations.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2015/COM_2015_051.pdf

THE OMBUDSMAN SAID TO EUROPEAN UNION AMBASSADORS THAT TO FOLD IMPUNITY IN MEXICO IS THE CHALLENGE OF HUMAN RIGHTS

CGCP/054/15
March 8th, 2015

The National Ombudsman, Luis Raúl González Pérez, admitted to European Union ambassadors in Mexico that one of the most important challenges in the field of human rights is to fold impunity. "There are problems of violations of human rights in our country and we should recognize them and speak the truth", he pointed out.

González Pérez highlighted that Mexico has exemplary human rights legislation, both nationally and internationally, as he stressed that it has signed most significant international agreements and conventions on the subject. "The problem here is that advanced legislation is not reflected significantly in practice within the country. Another human right challenge is how to enforce those laws into everyday life", he emphasized.

Regarding impunity, the Ombudsman argued that it is a sensitive issue considered by the National Human Rights Commission, but recognized that it is not easy to eradicate.

http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2015/COM_2015_054.pdf



CNDH RECEIVES COMPLAINTS FROM MIGRANTS HELD IN DETENTION CENTER SIGLO XXI, IN TAPACHULA, CHIAPAS

CGCP/062/15
March 20th, 2015

CNDH detected several anomalies that could constitute violations of migrants' human rights, during the working visit that was led by The Fifth General Inspector, Edgar Corzo Sosa, in Tapachula city, Chiapas. Specially, when he explored the detention center Siglo XXI.

The Fifth General Inspector met with leaders of social organizations and identified with the staff

of the Foreign Office of that national agency, strategies. He also, received complaints and disagreements of detainees, to whom he gave them advice.

During the visit to this migratory center, the General Inspector spooked with migrants lodged there and let them know their rights. On the other hand, migrants expressed their dissatisfaction; including the fact that they could not make a phone call to their families, the lack of mattresses, insufficient food provi-

sion, and slowness in procedures that prove their nationality, as well as hostilities and mistreatments committed by agents of the National Migration Institute. Subsequently, Corzo Sosa met representatives of civil society organizations working on the issue, with whom he agreed a new meeting to delve into the problems of migrant centers.


As a result of this visit, it was learned about the real migrants' situation at the southern border, the way that shelters operates, the needs of the Foreign Office of Human Rights in terms of space, staff training, vehicles fleet, and handing complaints. It was also noticed the problems and challenges that Siglo XXI migration center faces in terms of facilities, operations and treatment given to migrants.





http://www.cndh.org.mx/sites/all/fuentes/documentos/Comunicados/2015/COM_2015_062_2.pdf


Recommendations



Authority	Matter	
<p>Government of the State of Campeche</p> 	<p>On the appeal of V1 against the breach of the recommendation issued to the Ministry of Public Safety and Community Protection of Campeche.</p>	<p>RECOMMENDATION 06/2015 March 11th, 2015</p> <p>http://www.cndh.org.mx/sites/all/fuentes/documentos/Recomendaciones/2015/REC_2015_006.pdf</p>

Authority	Matter	
<p>General Direction of the Institute for Social Safety and Services Institute for State Workers. (Spanish acronym- ISSSTE).</p> 	<p>On the case of inadequate medical care of V1 and loss of life of V2, at the Hospital “Dr. Baudelio Villanueva Martínez”, from the Social Safety and Services Institute for State Workers of the State, in Reynosa, Tamaulipas.</p>	<p>RECOMMENDATION 07/2015 March 11th, 2015</p> <p>http://www.cndh.org.mx/sites/all/fuentes/documentos/Recomendaciones/2015/REC_2015_007.pdf</p>

Authority	Matter	
<p>City Council of Ocotlán of Morelos, Oaxaca.</p> 	<p>On the appeal of V1 and V2, brought by the local recommendation accepted by the City Council of Ocotlán, Morelos, Oaxaca, but without evidence of fulfillment.</p>	<p>RECOMMENDATION 08/2015 March 12th, 2015</p> <p>http://www.cndh.org.mx/sites/all/fuentes/documentos/Recomendaciones/2015/REC_2015_008.pdf</p>

Authority	Matter	
<p>National Security Commission, Ministry of the Interior.</p> 	<p>On the case of violations of the dignified treatment and social reintegration of inmates of the Federal Social Rehabilitation Center No. 11 “CPS SONORA” in Hermosillo, Sonora</p>	<p>RECOMMENDATION 09/2015 March 30th, 2015</p> <p>http://www.cndh.org.mx/sites/all/fuentes/documentos/Recomendaciones/2015/REC_2015_009.pdf</p>

Article of the month

CNDH and serious violations to human rights

March 5th 2015
By Ismael Eslava Pérez/I

Last Monday I went to the Senate, invited by the National Human Rights Commission in order to participate in public hearings regarding the draft of the General Law on Transparency and Access to Public Information project.

In my speech, I mainly referred to one fundamental aspect of the project: who and when should make the rating of facts that may constitute serious violations of human rights. In this regard, let me emphasize five important aspects:

1. CNDH is convinced that access to public information is inherent to a democratic system of law, and therefore its protection must be ensured, mainly in those cases where there are serious human rights violations.

2. The General Constitution of the Republic establishes a clear distinction between the attributions given by article 6th to the guarantor body for transparency and those that article 102, paragraph B, gives CNDH as the agency in charge of human rights protection, with specific and explicit competency to hear and investigate serious human rights violations.
3. The determination of the facts that lead to the violation of human rights, and the classification of its severity, are issues that are constitutionally reserved for CNDH because it is the body that can carry out research on them. Therefore, such determination should occur by the moment that there are gathered the indispensable elements; at the beginning or during the research.
4. The rating of serious human rights violations must be performed with weights and proportionality in relation to other rights, attending the principles of universality, interdependence, indivisibility and progressiveness mentioned in the first article of the General Constitution of the Republic.
5. Severity's classification on serious human rights violation facts, itself turns access to information accessible and then at any time, nobody can place obstacles for society to be well informed.

Thereupon, there is not any discussion about access to information in the case of events constituting serious human rights violations.

Considerations

Serious human rights violations should be classified by the National Institution on Human Rights Protection, under the investigation framework ca-

ried out. Without ignoring that such determination, keeps a high degree of complexity because it requires having minimum essential elements to warn the circumstances of the alleged violation fact.

Recently, the High Court of the Nation has established, in short, that in determining the seriousness of human rights violations is necessary to verify their social significance because in that way neither the victim nor the society will be affected by the intensity of the rupture represented by the constitutional order. This is established by quantitative or qualitative criteria; between the first aspects there are: intensity, amplitude, generality, frequency or prolongation in the time, while the second refers to the characteristic or quality that gives them a specific dimension.

The Inter-American Court of Human Rights has stated that severity lies essentially, in the following next characteristics: i) multiple violations in the same criminal phenomenon; ii) special magnitude of the violations in relation with the nature of the affected rights; and iii) a significant participation of the State (being the acts committed by state agents or with acquiescence, tolerance or support of State).

The rating of gravity that is made in the context of an investigation and following the parameters indicated, must at all times be publicly accessible, it means that the information can't be regarded as confidential, as has been pointed out.

<http://www.lajornadadeoriente.com.mx/2015/03/05/la-cndh-y-las-violaciones-graves-a-los-derechos-humanos/>

Book of the month

Unite against racism, racial discrimination, xenophobia and all related intolerance

This publication brings together the texts adopted by the Declaration and Program Action of Durban (August 31 to September 8, Durban (South Africa)), the Final Document of Durban Review Conference (20 to 24 April 2009, Geneva (Switzerland) and the Declaration of the High Level Meeting that marked the tenth anniversary of the adoption of

the Declaration and Program Action of Durban (September 22 2011, New York (United States).

These documents offer a comprehensive international framework to address the scourge of racism and to place the victims at the center of the efforts made by the international community to prevent, combat and eradicate



racism, racial discrimination, xenophobia and related forms of intolerance.

The hope of millions of victims is based on the application of these documents.

<http://www.un.org/es/letsfightracism/>

NEWSLETTER

The CNDH

Defends and Protects your Rights

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Second General Visitor

Enrique Guadarrama López

Third General Visitor

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