



# Newsletter



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## Words of the National Ombudsman, Mr. Luis Raúl González Pérez, in the Commemorative Ceremony of the Twenty-Five Years of creation of the National Human Rights Commission.

Mexico, D.F., June 4<sup>th</sup>, 2015

It is an honor for me, to welcome you all to this commemoration of the National Human Rights Commission.

First of all, I want to thank Mr. Peña Nieto, Constitutional President of the United Mexican States, for joining us today. I also welcome Mr. Miguel Barbosa Huerta, Chairman of Senate Bureau; Mr. Julio César Moreno Rivera, Chairman of the Deputies Bureau, Luis María Aguilar Morales, President of the Supreme Court of Justice; Mr. Mariano González Zarur, Constitutional Governor of Tlaxcala state and President of the National Governors' Conference; Mr. Miguel Ángel Mancera Espinosa, Head of the Federal District Government; Mr. Rubén Moreira Valdés, Constitutional Governor of Coahuila State and CONAGO's Coordinator of the Human Rights Commission and; Mr. José Narro Robles, Rector of the National Autonomous University of México (UNAM).

Distinguished Secretaries of State and members of the Cabinet of the Federal Executive Power; Members of the Advisory Council of CNDH; Heads of local organisms that protect and defend human rights; Representatives of non-governmental organizations; Mrs. Mireilli Roccatti Velásquez, Mr. Jorge Madrazo Cuéllar, Mr. José Luis Soberanes Fernández and Mr. Raúl Plascencia Villanueva; Representatives of the media; Ladies and Gentlemen:

"Utopia is on the horizon. I walk two steps, she moves two steps away. I walk ten steps and horizon runs ten steps further. As much as I walk, I will never reach her.

So, for what is utopia?

For that, to walk"

Eduardo Galeano on an idea,  
by Fernando Birri

Since its establishment, this National Organism had not faced such a complex and demanding context as the current one. Today, Mexico is not the same as it was 25 years ago. Mexico is not anymore the same, who saw the rise of the National Human Rights Commission. In itself, the recognition and the hierarchy of fundamental rights in our legal system is not the same. The catalogue of rights has been extended, the mechanisms to enforce them have been strengthened but, in contrast, the risks and aggressions against human dignity also have acquired new forms.

The status of respect for human rights in some parts of Mexico, doesn't give us any cause for celebration. Today that we commemorate the first 25 years of this National Organism, I consider it an opportune occasion to reflect about the relevant importance, objectives, and challenges that the institution faces in the future.

The Ombudsman has been, since its beginning, a necessary counterweight over the exercise of public power. It is an indispensable element to balance the interaction between authorities and the governed, as a parameter of human dignity and law enforcement.

CNDH's existence has given to Mexican State and society the opportunity to understand and make effective many values. In 1990, human rights were a distant and for many an unknown issue, which is why much of the society accepted with thoughtless fatalism that abuse of power, and was inherent to its exercise. Despite this, there were groups that frayed for human dignity respect under any circumstance, position that led the way, gain strength and has prevailed.

Many now think that human rights are being violated more than



before. I find it hard to tell, however, it is possible to understand that the increase on the number of inquiries between 1990 and 2015 obey, among others things, that today people know and are aware of their rights. Today there are places and people, who attend violations and provide support to victims. The options that people have to enforce their rights are becoming broader, as well as of public knowledge. The above, is complemented by the existence of an active and organized civil society, which is committed with the human dignity cause.

The strengthening of this basic notion on human rights has led the existence of this National Commission, as a benefit for society. The above, because society generates the conviction that there is an institution attentive to the protection of their dignity and that it acts on his behalf when it is violated. That fact, in itself, helps to inhibit contrary conduct to fundamental rights.

CNDH has contributed with the consolidation of democratic life in our country, because it has affected the construction of a new way of relating people with power. The best expression of this democratic evolution is contained in the 2011 constitutional reform on human rights, by which the State no longer grants human rights, but is obliged to recognize and respect them.

This National Commission is part of a social reformer and regenerative movement, which planned to modernize the country and strengthen its institutions. It is important to note that Mexico,

with its characteristics and history, with frequent authoritarian episodes, was able to generate in 1990 an institution that is at the same time: brake and conscience, as well as promoter of social change.

We cannot continue with this celebration without making a self-critical exercise and recognize that, during this 25 years, the National Commission have had absences, omissions, bureaucratic obstacles, and has faced the temptation to give into political pressure.

In contrast, CNDH has helped generate awareness in society and authorities about the importance and need for the respect of human rights. The above, by making visible many abuses, getting, in some way, that these violations do not go unpunished and promoting that fundamental rights are taken into account by public policy.

As an institution, CNDH has been adapting to new visions and logics that have prevailed in the field human rights, which main issue has been the gradual recognition of an even expanding catalog of fundamental rights. The idea of universality, interdependence, indivisibility and progressiveness realization of rights, has a key impact on how to protect and promote them.

In 1990, the rights that were occupied by the National Commission were those who, at that time, were called first and second generations, such as freedom, life, due process, and the right to health and freedom of expression. Twenty five years later, the distinction between generations of rights has been removed. The attention of the written complaints now involves weighing a wide range of human rights, because they are

interrelated and could be violated by multiple factors.

Additionally, practices and behaviors known by this National Organism in 1990, today unfortunately continue occurring, such as torture, enforced disappearance and problems related to persons in migrant conditions, aggravated by the presence of criminal organizations. This imposes on us the need to check whether human rights have been taken effectively as a priority to any government decision and if public authorities are really trained and have assumed respect for human dignity as a parameter of action.

The Ombudsman can't solve all social problems neither remedy many society's unconformities regarding public administration. However, in matters within its competence, México and Mexicans should have full assurance that resources will be maximized and power will be removed from weakness, so truth will prevail and also aid and assistance will reach to those who have been victims of some aggression.

A strong and independent Ombudsman suits everybody and strengthens Mexico. Undermine its autonomy or to pretend to politicize its function implies a serious damage to the democratic life of our country. Knowledge and respect for human rights, now has a more conducive environment than 25 years ago. But, if the full enjoyment of human rights is not achieved, we put in risk governance and the democratic system.

The National Commission has been unable to prevent cases such as of Aguas Blancas, Acteal, San Fernando, Chalchihuapan or Tlatlaya, but has made them visible. CNDH has avoided forgetting the related events of the cases, and sought to end impunity. In this respect, we already know facts occurred in Iguala, in Apatzingán and more recently in Tanhuato, where demand and

need for the truth to be known requires exhausted lawful, diligent and objective investigations.

Why after 25 years, human rights violations remain being a frequent topic in our country's public life? The answer goes beyond authorities' scope; it reaches each one of us and has as its central cause our culture of legality and respect for rule of law, also in law enforcement and on prevailing levels of impunity.

Authority is obliged to hold his actions as provided by the rules, to apply the law to whoever violate it, and avoid all forms of impunity. Authority's coherence and example is as important as the actions undertaken against anyone who disrupts the norms. As society, we should not only demand authorities to comply and respect the law, we should start observing the norms, to respect our fellow men, and to work every day to the greatness of our nation.

For nothing or very little would serve institutional changes, if we are not able to generate a cultural change in every member of our society, in the conscience of every Mexican, in order to assume the need and advisability of complying with the law and subject their actions to it, which implies respect for fundamental rights. Society needs to understand the fact that when someone breaks the law seeking personal gain in short term, causes damage in a long term and exceeds the individual, because it reaches the community and affects society itself.

Violence in some areas of the country has jeopardized the enjoyment of human rights and generated an alert for those who protect and defend them. The increase of violence plus social decomposition challenge institutions, including CNDH, evidence gaps in equality, lack of opportunities and response from authorities since many years ago, as well as rule of law weaknesses upon those areas.



The State's response to this violence, must go beyond purely reactive actions. We must understand and address its causes. A reaction based only on this perspective implies a serious risk on the approval of authoritarian actions or actions away from the provided by the law. The above, can't be afforded neither as society nor as country.

There is no room for indifference or insensitivity. The levels of violence we are experiencing create a new reality that we must not get used to, so we must demand us responsible actions and immediate commitments. The frequency and intensity of violent acts that also have been registered during the electoral process are of concern and may not be acceptable.

Do not let violence be key of our coexistence in coming years, nor our future history be stained with blood. I urge you to strengthen democratic life and culture, which is one of our most valuable assets as a society and are a historical product of the effort and sacrifice of many Mexicans.

Ladies and gentlemen, 25 years ago, the Ombudsman Jorge Carpizo noted that the prosecution of crimes was not incompatible with a regime based on human rights, that it was impossible the remediation of an injustice with the commission of a greater injustice, because a violation of human rights that has been unable to obtain full compensation, weakens the social and legal pact on which Mexican society rests. The key, before and now, is on the validity of the rule of law to ensure respect for all human rights.

We must defend the person with the law and its institutions. The observance of human rights is possible only when there is peace, and for this is indispensable the existence of security. Without justice there is no peace, without peace there are no conditions for



the full and integral development of the person. Peace is the goal that involves not only authorities, it is a process that can't be realized without the commitment of all Mexicans.

This National Commission respectfully calls, both the Federal Executive, as the governors of various states and the head of the Federal District's government through the head of CONAGO, to work together in the development of consensus and commitment for peace in our country, supported by law enforcement, justice, equality, and public freedoms, involving all State organs and society.

Risks and violence consequences are extremely serious; we still have time to reverse this process. This requires betting, not only to validity of law, but to culture and education, supported in human rights, which serves to build peace.

Associated costs with violence prevention are high, but will always be less than those implicit in allowing their advance. Education, and human rights, as well as constitutional law are indispensable for the prevention of violations on human dignity and in the construction of a more just, democratic and inclusive society. It is a priority, both factual and moral, which should not be ignored under any circumstances.

I conclude with a quote from the First President of this National Commission, to whom we Mexicans own for democratic institutions development, as well as the promotion and defense of human dignity in our country:

"One of the most beloved values for humans is the fulfillment of justice. That this value, which is indispensable part of the Ombudsman work, always guide our actions. That together, with our efforts and wills, does justice (beginning and end of human endeavor), so it can glow and strengthened. Justice as target and at the service of people. Justice that will perfect the legal system and will shine the fulfillment of real protection on human rights".

Thank you

<http://www.cndh.org.mx/sites/all/doc//Participacion/20150604.pdf>



## Meeting of National Human Rights Institutions of Mexico and Central America: Human Rights of People in Context of Migration.

Tapachula, Chiapas, June 10<sup>th</sup>, 2015

Participation of the President of the National Human Rights Commission, Mr. Luis Raúl González Pérez, at the "Meeting of National Human Rights Institutions of Mexico and Central America: Human Rights of People in Context of Migration".

## Press Releases

New Era, No. 268

# CNDH AND CIDH WILL INCREASE JOINT ACTIONS FAVORING JOURNALISTS, BASED ON INTERNATIONAL STANDARDS, TO ENSURE THEIR LIVES, INTEGRITY, FREEDOM AND SAFETY

CGCP/145/15

June 2<sup>nd</sup>, 2015

Through videoconference between the national Ombudsman, Luis Raúl González Pérez, and the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights (Spanish acronym- CIDH), Edison Lanza, was established a commitment to share international experience in defense of journalists, especially in preventing attacks, given the circumstances in our country.

It was agreed to increase joint work in order to implement human rights' preventive and protective actions of journalists in Mexico, according to international standards to ensure their life, integrity, freedom and safety while the performance of their profession.

The following themes were addressed: indirect means to restrict the freedom of expression, limits on freedom of expression of public officials, protection and prevention of violence against



journalists in the context of social protest.

González Pérez, noted that CNDH collaborates in the decriminalization of crimes of slander and libel in order that these behaviors are investigated by civil courts, in accordance to international parameters, as well as protection of journalistic professional secrecy at those country entities that have not yet regulated this concept.

The Special Rapporteur Edison Lanza explained general concepts of the Inter-American System of Human Rights as well as the legitimate limits on freedom of expression. He also spoke

about the indirect mechanisms or prohibited restrictions by the American Convention. In this regard, he considered that CNDH can be a fundamental ally in the training of judicial officers aiming to provide analytical tools and legal arguments that allow them analyze the cases under a human rights perspective.

[http://www.cndh.org.mx/sites/all/doc/Comunicados/2015/Com\\_2015\\_145.pdf](http://www.cndh.org.mx/sites/all/doc/Comunicados/2015/Com_2015_145.pdf)

## DECLARATION MADE BY THE ADVISORY COUNCIL OF CNDH UPON THE INDEFINITE SUSPENSION OF TEACHERS' EVALUATIONS. THE ADVISORY COUNCIL CALLED TO RESPECT THE RIGHT TO EDUCATION AND THE PRINCIPLE OF HIGHER INTEREST OF CHILDREN.

CGCP/155/15

June 8<sup>th</sup>, 2015

The Advisory Council of the National Human Rights Commission (Spanish acronym-CNDH), adds to the concern upon Statement 129 of the Public Education Secretariat, which reported that “on the occasion of new elements to be considered in the evaluation process for entry, promotion, and permanence in elementary and secondary schooling, there were suspended indefinitely the publication of the date for their application.

Education is a human right as a means to promote and realize hi-

gher values, such as justice, legality, peace, knowledge and respect for human rights. Its importance lies in seeking the transformation of the individual and of society in favor of human coexistence and dignity.

The principle of the higher interest of children imposes the obligation of placing girls, boys and adolescents at the very heart of educational policy. The granting and provision of the education service can't be conditioned by particular reasons or interests of groups.



The Advisory Council of CNDH urges competent authorities to analyze and, if necessary, reconsider the approved measure in order to avoid affecting Mexican children, and seek quality education for them, according to the principles and scope established by the Constitution.

[http://www.cndh.org.mx/sites/all/doc/Comunicados/2015/Com\\_2015\\_155.pdf](http://www.cndh.org.mx/sites/all/doc/Comunicados/2015/Com_2015_155.pdf)

## OMBUDSMEN OF MEXICO AND CENTRAL AMERICA AGREED IN THE DEVELOPMENT OF REGIONAL PROTOCOLS FOR HUMANITARIAN ASSISTANCE TO MIGRANTS

CGCP/160/15

June 11<sup>th</sup>, 2015

By participating in the Discussion: Migrants Human Rights Protection, the Mexican Ombudsman, Luis Raúl González Pérez and Central American human rights defenders from Guatemala, El Salvador, Nicaragua, Costa Rica and Panama, agreed to develop regional assistance protocols for the region, which will address more efficiently and humanely migrants from the southern border.

During the meeting, Central American defenders recognized this historic initiative, and the will of CNDH in Mexico to visit Tapachula, one of the spots where the phenomenon is accentuated. They also, invite CNDH to exchange points of view and initiatives upon possible solutions.

They agreed by suggesting to the Central American Council of Ombudsmen, CNDH participation, as an observer, at its regular meetings due efforts to address

the problem can't be isolated.

At the discussion, which was part of the Meeting of National Human Rights Institutions of Mexico and Central America: “Human Rights of People in Context of Migration”, the Mexican Ombudsman agreed with his counterparts that the issue wouldn't be resolved by deportations, and that to help migrants it must be take into account each country normativities and involve further consular network.

Other important issues discus-

sed at the meeting are related to the lack of security and crime that migrants face. At the request of the Ombudsman of El Salvador and the representative of the Prosecutor of Human Rights from Guatemala, CNDH was asked to be mediator between them, and the Mexican federal authorities upon serious and painful cases of their conational.

[http://www.cndh.org.mx/sites/all/doc/Comunicados/2015/Com\\_2015\\_160.pdf](http://www.cndh.org.mx/sites/all/doc/Comunicados/2015/Com_2015_160.pdf)



## CNDH: THE COMMISSION WILL STRICTLY MONITOR THE COMPLIANCE OF THE OBSERVATIONS MADE BY THE COMMITTEE ON THE RIGHTS OF THE CHILD TO THE MEXICAN STATE, TO END CHILD ABUSE

CGCP/161/15  
June 11<sup>th</sup>, 2015

The National Human Rights Commission (Spanish acronym-CNDH) will monitor the final observations made by the Committee on the Rights of the Child from the United Nations to the Mexican State, some of which match to ones this National Commission submitted to the cited international organism.

Some of them highlight the adoption of a series of measures for the effective implementation of the General Law on the Rights of Children and Youth at the federal, state and municipal levels. They also include the installment of the National System of Inte-

gral Protection, as well as the prompt regulation of this law.

Other proposals taken up are those related to the urgent need for structural measures for the proper care of street children. Also, for indigenous people in extreme poverty situation and those in vulnerable situations, including gender disparities.

CNDH, as an autonomous and independent body, made a call in order to resolve issues related to

the different types of violence and child abuse. In addition, the National Commission raised the need for comprehensive protection mechanisms for migrant children, mainly those who are non-accompanied.

[http://www.cndh.org.mx/sites/all/doc/Comunicados/2015/Com\\_2015\\_161.pdf](http://www.cndh.org.mx/sites/all/doc/Comunicados/2015/Com_2015_161.pdf)



## ON WORLD REFUGEE DAY, CNDH DEMAND THE MEXICAN STATE TO REINFORCE ACTIONS THAT PROTECT HUMAN RIGHTS OF PERSONS SEEKING ASYLUM

CGCP/173/15  
June 20<sup>th</sup>, 2015

On commemoration of the World Refugee Day, the National Human Rights Commission (CNDH-Spanish acronym), calls on the Mexican authorities to reinforce actions that protect human rights of persons seeking asylum.

It also notes the importance of complying with the pro-person principle and determining the best interest of the child in all instances involving children and youth who are applicants for refugee status. Furthermore, CNDH noted the importance of acting in a sensitive manner based on the national and international legal framework criteria that protects in a better way such persons.

June 20<sup>th</sup>, was established by the General Assembly of the

United Nations as the World Refugee Day, coinciding with the anniversary of the 1951 Refugee Convention, of which Mexico is party.

According to the Refugee Convention, it is considered a refugee any person who for founded fear of being persecuted for reasons of race, religion, nationality, membership of a specific social group or political opinions, is outside the country of his/her nationality and because of the aforementioned fears, he/she does not want to avail protection from that country.

According to the figures issued by the United Nations High Commissioner for Refugees (UNHCR), in Mexico during 2013 1,296 applications were registered, while from January to September 2014, this number reached 1'525,000 in accordance to figures issued from the Mexican Commission to Assist



Refugees (Spanish acronym-COMAR). CNDH gathered during the past five years, 116 complaints related to alleged human rights violations of people seeking for refuge or refugees. It also has issued in the last decade four recommendations to Mexican authority, identifying violations of the rights for legal security, fair treatment, equality, legality, safety and physical integrity, for petition and freedom.

In coordination with UNHCR, this National Commission develops joint actions of dissemination, protection, promotion and training on human rights of Refugees as well of the responsibilities that the Mexican State has acquired in this area.

[http://www.cndh.org.mx/sites/all/doc/Comunicados/2015/Com\\_2015\\_173.pdf](http://www.cndh.org.mx/sites/all/doc/Comunicados/2015/Com_2015_173.pdf)

Responsible Authorities	Issue	
<p>Constitutional Government of Michoacán State.</p> 	<p>On the inadequate enforcement in detriment of V1, V2, V3, V4, and V5, agricultural laborers who lost their lives, and of their relatives, in the Municipality of Yurécuaro, Michoacán.</p>	<p>RECOMMENDATION 16/2015 June 8<sup>th</sup>, 2015</p> <p><a href="http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2015/Rec_2015_016.pdf">http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2015/Rec_2015_016.pdf</a></p>

Responsible Authorities	Issue	
<p>Human Rights Commission of Quintana Roo State.</p> 	<p>On the appeal of V1 against the recommendation issued by the Human Rights Commission of the State of Quintana Roo.</p>	<p>RECOMMENDATION 17/2015 June 8<sup>th</sup>, 2015</p> <p><a href="http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2015/Rec_2015_017.pdf">http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2015/Rec_2015_017.pdf</a></p>

Responsible Authorities	Issue	
<p>Constitutional Government of Chiapas State, City Council of Arriaga, Chiapas.</p> 	<p>On the case of violations of personal freedom, defense, legal certainty and fair treatment in detriment of V1 and V2.</p>	<p>RECOMMENDATION 18/2015 June 16<sup>th</sup>, 2015</p> <p><a href="http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2015/Rec_2015_018.pdf">http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2015/Rec_2015_018.pdf</a></p>

Responsible Authorities	Issue	
<p>General Direction of the National Social Security Institute.</p> 	<p>On the case of obstetric violence and inadequate medical care in detriment of V1 and V2, in the General Hospital of Zone IV, Number 8, of the Mexican Social Security Institute, in Ensenada, Baja California.</p>	<p>RECOMMENDATION 19/2015 June 19<sup>th</sup>, 2015</p> <p><a href="http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2015/Rec_2015_019.pdf">http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2015/Rec_2015_019.pdf</a></p>

Responsible Authorities	Asunto	
<p>Constitutional Government of Morelos State.</p> 	<p>On the case of obstetric violence and inadequate medical care in detriment of V1 and loss of life in detriment of V2, in Tecala General Hospital "Dr. Rodolfo Becerril de la Paz", dependent on the health services of Morelos State.</p>	<p>RECOMMENDATION 20/2015 June 29<sup>th</sup>, 2015</p> <p><a href="http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2015/Rec_2015_020.pdf">http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2015/Rec_2015_020.pdf</a></p>

## OAS backs on democracy and Human Rights

J. EDUARDO PONCE VIVANCO  
OPINION

June 21<sup>st</sup>, 2015- 07:15 | Lima -

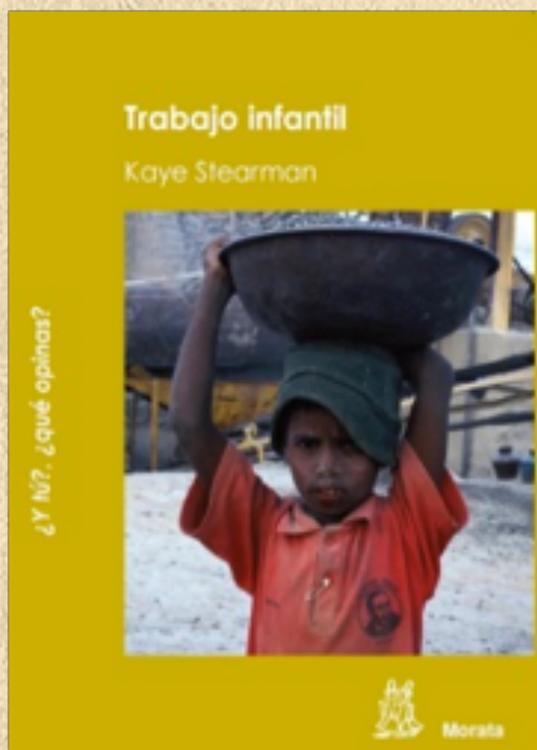
The 45th Assembly of the OAS presented as advances the same things that are setbacks in Venezuela crisis; as well it offered the defense of representative democracy and human rights. It is illustrated by the elections for the Commission and the Court of HR, and two shocking events that coincided with the meeting:

1. The unacceptable FAOS award to chauvinism to "reduce hunger" in a country where getting food is a daily martyrdom. For a simple vote, the automatic majority in the Third World can turn scarcity into abundance.
2. The surprising announcement of Venezuela in the General Assembly: Diosdado Cabello and the

Foreign Minister Rodriguez met with US to improve bilateral relations. Huge incongruity of Washington! While Cabello's prosecutors accuse him of leading the mob of generals who have turned its territory into a springboard of drug trafficking, American diplomacy negotiates with Maduro. Brazil orchestrated the approach. So Captain Cabello visited President Lula and Rousseff in Brasilia, from which he traveled to Haiti to meet with US (after two previous and secret meetings).

<http://diariocorreo.pe/opinion/la-oea-retrocede-en-democracia-y-derechos-humanos-596254/>

## Book of the month



### Child labor

PAPER VERSION

ISBN: 9788471126443

1st EDITION

ISSUE DATE: SEPTEMBER 30, 2011

NO. OF PAGES: 64

Dimensions: 170 x 240 mm

Why are so many children working in the world?  
Which measures have been taken to end this issue?  
Can you help stop the use of child labor at the market?

This literary work describes different types of labor carried out by children in the world today. This book talks about main existing debates regarding this issue, among them are included child trafficking and bonded labor. It explores arguments made by different parties involved in the debate and questions what is being done about it. Finally, you will discover how you can contribute to end child labor exploitation.

<http://www.edmorata.es/libros/trabajo-infantil>



## **The CNDH**

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# **NEWSLETTER**

### **President**

*Luis Raúl González Pérez*

### **First General Visitor**

*Ismael Eslava Pérez*

### **Second General Visitor**

*Enrique Guadarrama López*

### **Third General Visitor**

*Ruth Villanueva Castilleja*

### **Fourth General Visitor**

*Norma Inés Aguilar León*

### **Fifth General Visitor**

*Edgar Corzo Sosa*

### **Sixth General Visitor**

*Jorge Ulises Carmona Tinoco*

### **Executive Secretary**

*Héctor Daniel Dávalos Martínez*

### **Technical Secretary of the Advisory Council**

*Joaquín Narro Lobo*