



Newsletter



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Remarks made by Mr. Luis Raúl González Pérez, President of the National Human Rights Commission, at the forum's opening "Towards an effective search and scientific research of all missing persons" in commemoration of the International Day of Victims of Enforced Disappearances".

Mexico City,
August 27th, 2015

Good afternoon to everyone:

Highly respected families of people who have been victims of enforced disappearance; we know the work you have been undertaking in this regrettable family tracing. We are in full solidarity with you.

Mr. Jesús Peña Palacios, Deputy Representative of the United Nations Office of the High Commissioner for Human Rights.

Mrs. Angélica de la Peña, President of the Senate Human Rights Commission;

Mr. Roberto Campa, Undersecretary for Human Rights at the Ministry of the Interior;

Mr. Eber Betanzos, the Assistant Prosecutor of the Attorney General's Office;

Mr. Ismael Eslava; First Inspector of the National Human Rights Commission;

Dear Miguel Álvarez, President of Servicios y Asesoría para la Paz SERAPAZ;

Mrs. Marieclaire Acosta, Counsellor of the Advisory Council of the National Human Rights Commission, thank you for joining us;

State Human Rights Commission's colleagues, Heads of the same, I'm grateful for the interest shown as the displacement that you have done today in order to attend one of the most sensitive issues that nowadays faces our country. Welcome and thank you very much;

Ladies and gentlemen representatives of Civil Society organizations;

CNDH Colleagues;

Representatives of the Press and Media:

Ladies and gentlemen:

Enforced disappearance of persons is a shameful practice, is contrary to human dignity and implies the absolute denial of all human rights. It is a cruel practice that offends society, and also affects and threat, not only the missing person, but also their loved ones, their relatives, who face the pain of the absence and have to live with uncertainty, anguish and despair upon the fate of the one who has disappeared.

By its nature and implications, is a multi-offensive and extremely serious crime, which in no way should go unpunished when it happens and should require priority attention from the State. In that way, each case should reach the truth of what happened through a comprehensive and relevant research that locates missing persons, identifies those responsible, and promotes their punishment according to law.

It is worth emphasizing that, in case of enforced disappearance of persons, identification and punishment of those responsible is not enough. The exercise of the right to the truth and due attention of victims requires, as a priority, the location of those who are missing.

At several occasions and forums, both national and international, the National Commission has underlined the urgent need of recognizing the existent problem in our coun-

try in terms of enforced or involuntary disappearances, as well as the implementation of actions in order to attend it. The above, consists from the proper definition of the enforced disappearance crime in accordance with international standards to the appropriate registration of cases implying enforced disappearance that distinguishes those who are attributed to individuals or members of organized crime organizations, as well as of persons who are lost or not located.

We could point out many conditions that have somehow produced a new pattern of enforced disappearance crime, among them worth mentioning the following:

- The existence of a number of inconsistencies in its legal definition in relation to the core international instruments on human rights.
- The fact that some Mexican states have not criminalized it as an autonomous offense;
- The lack of a comprehensive law regulating all aspects of enforced disappearance;
- The absence of effective vertical and horizontal coordination among federal, state and municipal authorities to pursue and sanction it;
- The omissions or inadequacies in the integration and using in registry of detained persons;
- Procrastination, flaws and omissions on the presentation at the competent authorities of those who are arrested for this crime;

- The lack of professional teams for missing persons, as well as the need for a strong and centralized database on missing persons.

The problem of enforced disappearances is not a new issue in our country. We have as an antecedent, the enforced disappearances occurred during the 70's and early 80's that are accredited by this National Commission at the Recommendation 26/2001, which served as a starting point to recognize and expose the problem.

Although the context and scope are different, in our time, unfortunately the practice of enforced disappearance has not been eradicated. This has been highlighted by the unfortunate events occurred on 26th and 27th September 2014 in Iguala, Guerrero, and it has been reiterated by other cases that occurred in some other regions. These cases must not go unpunished, because this could lead to recurrence.

The problem of enforced disappearances is not limited to 43 students, but we are not able to assess it because of the lack of reliable and updated databases, which contain the needed elements to determine with certainty the exact number of cases on enforced disappearances that should be attributable to State. Furthermore, this lack of information doesn't allow us distinguish enforced disappearances cases from those whose responsibility should be of private individuals or of members of the organized crime.

Likewise, Iguala case has brought to light the existence of other highly sensitive issues, which demand our urgent attention, such as findings of mass graves in some states of the Republic. According to

data released by some media as a result of access information requests, the findings of these mass graves would be estimated by the Attorney's General Office during the past 8 years, at least in 149.

Each body located in these graves must be registered and properly identified, the circumstances of their deaths must be investigated and those who are responsible for the crimes must be punished for each case.

One enforced disappearance represents an unavoidable challenge for any State, because its justice machinery and investigation is tested toward its citizens, the civil organizations and the internationally community. The existence of a single case of enforced disappearance is unacceptable and must move us as authorities and society to reach the truth and to encourage the extinction of this practice.

About 6 months ago I went to the United Nations Committee on Enforced Disappearances to issue an independent report from the one that was presented by the Mexican Government, in relation to this field situation in our country. At that time, the body in my office proposed measures in order to deal with this issue in addition to those suggested by the UN Committee and by the United Nations Working Group on the subject.

While it is clear that there have been some advances in the current period, as the amendment of the constitutional Article 73 that will enable the issuance of a General Law on the subject, as well as the development of several protocols that have been announced, up to date the advances are not the expected and still there are many unresolved issues.

It is therefore appropri-

ate to insist on this date and at this forum, the need to adopt, among other the following measures for comprehensive care of the problem on missing persons in Mexico:

- a) To have an effective and comprehensive National Registry of Missing and Disappeared Persons, from clear, approved and public parameters, upon how disappearances complaints are classified, upon the investigation that is being conducted and the way cases are reported;
- b) The professionalization of public officials in charge of processing and reporting information, as well as to those responsible for investigating cases and carrying out search at federal and local levels.
- c) The necessary conformation of an adequate National System for the Search of Disappeared Persons or not located people;
- d) The creation in the field of law enforcement bodies, of trained groups specialized on finding missing persons or no located people;
- e) Setting up a National Genetic Information System in order to include such material as biological samples from relatives of missing or not located persons. Also to analyze genetic information from human remains found in mass and clandestine graves;
- f) The issue of a General Law to Prevent, Investigate, Punish and Repair the felonies on Enforced Disappearance and Persons' Disappearance by Individuals. This Law should be developed by listening to victims, meeting their needs and opinions, as well as of civil society organizations, academics and specialists in the

field. It should also include among its provisions, the obligation to continue the search for victims even when it has been determined the responsibility in case of an enforced disappearance. Therefore I welcome the comments made by the Undersecretary of Human Rights and of Senator Angélica de la Peña in regard to conduct sufficient consults allowing enforced disappearance victims' relatives, to be heard and to address their concerns.

g) The criminalization of disappearance crime by privatising individuals and, as it has been said, the importance on declaration of absence.

Defense and protection of human rights can't wait and be subject of political or other type of interests. It is necessary to address immediately the recommendations and proposals that have been made on enforced disappearances, in order to improve our current situation at the shortest possible time.

Finally, on the eve of the commemoration of the Interna-

tional Day of Victims of Enforced Disappearances, this August 30th, I can't overlook this Forum organization: "Towards an effective search and scientific research of all missing persons", represents a joint effort made by many people and organizations to whom I recognize their interest and commitment to contribute that the existing problems in this area are known and addressed.

Thank you

<http://www.cndh.org.mx/sites/all/doc//Participacion/20150827.pdf>

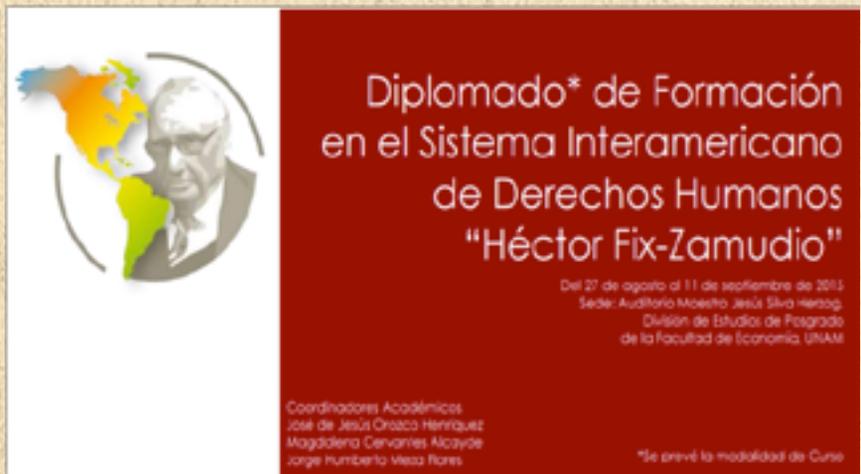
Event of the month

Opening of the post grade programme "Training in the Inter-American Human Rights System

Héctor Fix Zamudio"

Mexico City, August 27th, 2015

Participation of the President of the National Human Rights Commission (CNDH), Luis Raúl González Pérez, during the inauguration of the post grade programme "Training in the Inter-American Human Rights System "Héctor Fix Zamudio".



Press Releases

MEETING BETWEEN THE NATIONAL OMBUDSMAN AND THE AFRICAN LEADING ADVOCATE OF WOMEN RIGHTS OLAYINKA AINA KOSO-THOMAS

CGCP/233/15
August 9th, 2015

The President of the National Human Rights Commission, Luis Raúl González Pérez, met Olayinka Aina Koso-Thomas, a prominent African activist and advocate of woman rights in her continent, who has been distinguished by UNAM with an honorary doctorate.

In the meeting, González Pérez and Olayinka Aina Koso-Thomas agreed that education is key for modifying patterns on discrimination against women.

They also agreed that education and training should be mainly conducted to men in order to mitigate discrimination practices against women. Likewise, to maintain dialogue and to explore cooperation mechanisms favoring

women rights, tending to diminish and, as possible, eradicate violence to which they are exposed.

The National Ombudsman, remarked the progress that has been achieved in our country in terms of gender equality, and highlighted that it is not enough to have good laws, because they also must be respected and fulfilled.

He noted importance of the General Law on Women's Ac-

cess to a Life Free of Violence, as well as actions undertaken by the National Human Rights Commission (CNDH) at combating violence against women and workplace discrimination, access to public services for maternity and breastfeeding, as well as the enjoyment and exercise of the right to equal education, among others.

Likewise, he explained her the Program for Equality between Women and Men, which aims at monitoring compliance, the following up and evaluating of national policy in the area, for which it has the power to develop an Information System in order to inform the society of the situation on this issue in our country.

During this meeting, the President of the CNDH, Luis Raúl González Pérez, was accompanied by the Fourth General Inspector, Norma Inés Aguilar León, and the Executive Secretary, Héctor Dávalos Martínez.

http://www.cndh.org.mx/sites/all/doc/Comunicados/2015/Com_2015_233.pdf



LAUNCH OF THE IBERO-AMERICAN AWARD ON HUMAN RIGHTS EDUCATION OEI-SM FOUNDATION: “ÓSCAR ARNULFO ROMERO”

CGCP/239/15

August 12th, 2015

In order to recognize, retrieve and disseminate the labor of public, private and community education elementary centers that act in an exemplary manner in the defense and promotion on human rights, it was presented the First Edition of the Ibero-American Award on Human Rights Education OEI- SM Foundation: “Óscar Arnulfo Romero”.

The award, which will be held in each of the 22 countries members of the OEI, counts with the collaboration of the National Human Rights Commission

(CNDH), which together with the Ministry on Public Education SM Foundation will boost new practices at education institutions that impact and strengthen human rights knowledge and their exercise.

This award, will recognize educational institutions as centers of refection and social transformation, and as public spaces for social interaction in which human rights culture can be developed. Besides, it will count with two fundamental stages; one of national concern, in which each country’s region, will convene and select a winner.

At the second stage, a representative of the winning institution will participate in an International Seminar on Human Rights Education, to be held in Peru at December. The Advisory Council of the Institute of Human Rights Education OEI, which will serve as jury will select the best experience that will be awarded with 20,000 that will be reinvested in the program highlighted.

http://www.cndh.org.mx/sites/all/doc/Comunicados/2015/Com_2015_239.pdf



THE “LÓPEZ VENEGAS AGREEMENT”, IS BEING DISSEMINATED BY CNDH AND ACLU TO UNDOCUMENTED MEXICAN MIGRANTS’ BENEFIT DEPORTED FROM USA BY “VOLUNTARY DEPARTURE”

CGCP/244/15
August 16th, 2015



The National Human Rights Commission (CNDH) disseminate among undocumented Mexican migrants deported by “Voluntary Departure”, the Conciliation Agreement “López Venegas”, which allows them to go back to the United States in order to present themselves before a migratory judge and obtain legal migratory status.

These cited agreement beneficiaries, should have left our neighbor northern country between June 8th, 2009 and August 28th, 2014.

“López Venegas” Conciliation Agreement was signed in 2013, between the American Civil Li-

erties Union, (ACLU) and the Government of the State of California, which derivation is from collective demand that allows undocumented conational that, due to subsequent disinformation or fear, signed voluntary departure letter in the indicated period, could have opportunity to return to that country. CNDH started this benefit dissemination in the State of Oaxaca, through its external office in Ixtepec. Also it will communicate with municipalities of Ixtlán, Santa Gertrudis, Zimatlán, Ocotlán y Mihuatlán, among others, where the returned population will gather and will be informed about this program.

Likewise, CNDH will release cited agreement among undocumented migrant population deported from the United States, through its external offices at Nogales, Sonora; Reynosa, Tamaulipas; San Cristobal de las Casas y Tapachula, Chiapas; Villahermosa, Tabasco; Tijuana, Baja California; San Luis Potosí, Ciudad Juárez Chihuahua, and Coahuila de Zaragoza, Veracruz, where informative material will be distributed at strategic points, mainly where people transit in their way to the United States.

http://www.cndh.org.mx/sites/all/doc/Comunicados/2015/Com_2015_244.pdf

CNDH REAFFIRMS ITS COMMITMENT TO WORK AND ALWAYS BE NEXT TO VICTIMS

CGCP/247/15
August 19th, 2015

Mexico requires strong and committed institutions with fundamental rights cause, for which the National Human Rights Commission (CNDH) has set as objectives: to stand beside the victims and to be the paradigm of public institutions as a fundamental contributor for the development of a culture on respect for human dignity.

In commemoration of the

World Humanitarian Day, the National Human Rights Commission stressed the importance to live up to the aspirations and demands of society, it also highlighted that there must be a commitment that should be materialized in helping the victims recover and reconstruct their lives.

It is essential to think about victims as people who lived complex psychological processes, which imply the responsibility to provide them medical services, psychological and legal assistance, as well as tools that allow them to resume their lives and achieve self-sufficiency.

CNDH works towards the humanist State maceration of the century, based on the above. A humanist State should be understood as one in

which all the recognized human rights are protected, respected and promoted in a concerted and permanent action by civil society and State bodies as a whole.

The United Nations General Assembly, decided by its Resolution 62/139 to commemorate every August 19th as the World Humanitarian Day, in honor of those who lost their lives by providing humanitarian services and those who provide assistance and relief to millions. Likewise, in order to attract worldwide attention towards humanitarian needs and of the importance on international cooperation to fulfill them.

Today the apparent increase in targeted attacks against humanitarian personnel of the United Nations, as well as their increasing vulnerability around the world, is cause for great concern.

http://www.cndh.org.mx/sites/all/doc/Comunicados/2015/Com_2015_247.pdf



THROUGH CINEMA, CNDH SEEKS TO MAKE VISIBLE THE MIGRATORY PHENOMENON AND PROMOTE HUMAN RIGHTS CULTURE AT LARGE SCALE.

CGCP/253/15
August 25th, 2015

The National Human Rights Commission (CNDH) expresses its concern about the course that irregularly migration phenomenon takes each day. For that reason it seeks through new communication tools, such as cinema, to show the problems and promote human rights culture at large scale.

Therefore, as part of the commemoration of its 25th anniversary, CNDH cosponsored the realization of the 4th edition of the International Film Festival of Gender (MIC Género 2015).

The theme of the festival this year will be "Human Mobility and Migration", which will be held in different cinemas halls of the country, from September 3rd

to October 29th, and will testify of how human displacement and migration disrupts directly social and gender roles practices.

Some of the activities contemplated by the sample are: the exhibition of 140 itinerant movies; panel discussions, lectures and an International Colloquium;

there will be a special movie entitled Isabel Coxet, a tribute to Gena Roswlands and an allusive catalog will be also, printed.

http://www.cndh.org.mx/sites/all/doc/Comunicados/2015/Com_2015_253.pdf



Recommendations

Responsible Authority	Issue	
Commission of the National Migration Institute 	On the case of violations of the right to health protection and legal certainty violations in detriment of V1, Honduran boy in situation of non-accompanied migration. .	RECOMMENDATION 27/2015 August 24th, 2015 http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2015/Rec_2015_027.pdf

Responsible Authority	Issue	
General Attorney, State of Veracruz 	On the case of improper administration of justice in detriment of V1, missing person, and of their relatives, at the State of Veracruz	RECOMMENDATION 28/2015 August 28th, 2015 http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2015/Rec_2015_028.pdf

Responsible Authority	Issue	
General Directorate, Mexican Social Security Institute 	On the case of obstetric violence and violations to the right of health protection in detriment of V1 and the right to life in detriment of V2.	RECOMMENDATION 29/2015 August 31st, 2015 http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2015/Rec_2015_029.pdf

Responsible Authority	Issue	
General Directorate, Social Security Institute for State Workers 	On the case of inadequate medical care and loss of life on V1, elderly, at ISSSTE Clinic Hospital at Uruapan, Michoacán.	RECOMMENDATION 30/2015 August 31st, 2015 http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2015/Rec_2015_030.pdf

Article of the month

Inspiring humanity within these days challenges

WILLIAM LACY SWING
 AUGUST 19th, 2015

Imagine this scene at the international humanitarian and aid office in Erbil, Iraq: a family has been waiting for hours under the burning sun in order to inquire some details about aid distribution. However, they fail because for lack of communication: the guard is unable to help them because he doesn't know how to get a response from his superior and he doesn't know how to help the needy ones. This is how missions fail to achieve their objectives.

Scenes like this ones, are very common in the numerous and complex humanitarian crises around the world. Unfortunately, despite our common commitment to show greater responsibility towards people affected by the crisis, usually we fail. The patient waiting of the mother standing with her child at Erbil clearly demonstrates this situation.

Due to the escalation of the unprecedented and concurrent humanitarian crisis, with serious consequences, IOM believes as essential the role played



by humanitarian workers in order to achieve a better communication with communities, with the ultimate goal of saving and protecting human lives in a proper way.

<http://www.iom.int/es/oped/inspirando-la-humanidad-en-los-desafios-de-estos-tiempos>

INDIGENOUS PEOPLE IN CONQUER OF THEIR RIGHTS

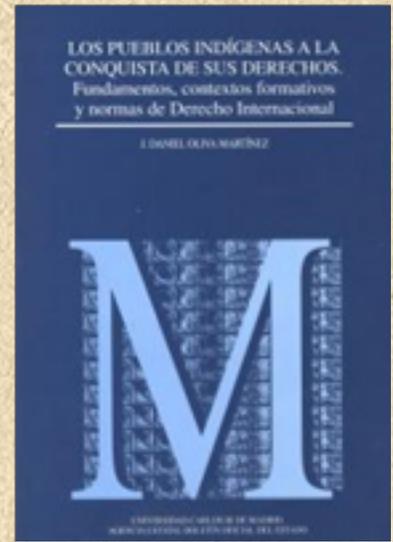
BY J. DANIEL OLIVA MARTINEZ,

Editorial: Government Gazette
Year of publication: 2012
ISBN: 9788434020207
Binding: Paperback
Number of Pages: 912 pp.
Language: Castilian

Synopsis

Included in the second goal within the activity area "cooperation and development", this book focuses on policy and institutional development that has been settled un-

der the international framework of human rights protection for different kind of groups. This book is aimed to the recognition of indigenous people and communities to which corresponds several specific collective rights. For its realization it has taken a research strategy that has deepened in the technical, legal and formal dimensions (regulations), axiological (foundation) and socio-historical (training context), considering the complex web of issues that intersect at the establishment of this new legal framework, that is still under construction, and



with which the international institutions are associated.

<http://mx.casadellibro.com/libro-pueblos-indigenas-a-la-conquista-de-sus-derechos/9788434020207/2013348>



La CNDH

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