



Newsletter





Index

The voice of the President	3
Event of the month	5
Press Releases	5
Recommendations	9
Article of the month	11
Book of the month	12



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Words of Mr. Luis Raúl González Pérez, President of the National Human Rights Commission, in the conference of the Special Report about Forced Internal Displacement in Mexico

Mexico City, May 11th, 2016

Forced internal displacement is a problem that exists in Mexico, that directly or indirectly is linked to multiple violations of human rights, to which, the National Human Rights Commission prepared this Special Report presented today, in order to expose and visualize this situation, to provoke government action for prevention and to establish plans of care for victims under a humanitarian profile, with effective actions and durable solutions, to the return of displaced persons to their place of origin or their resettlement.

While it is true that not all internal population movements in the country could be considered as forced displacement, it is also true that violence, insecurity, impunity and, in general, the weakness of our rule of law and the lack of suitable conditions for the proper development of those people, have resulted in several regions of the country that a considerable number of Mexicans leave their natural places of residence to search, not only better living conditions, but many times, basic issues such as the preservation of their life and physical integrity, as well as to their families.

Internationally, the United Nations has conceptualized them as "persons or groups of persons who have been forced or obliged to escape or to run away of their homes or places of habitual residence, in particular as a result or to avoid the effects of an armed conflict, or situations of generalized violence, or violations of human rights or natural disasters or human-caused, and who have not crossed an internationally recognized state border".

By the very nature of this phenomenon, there is no comprehensive, current and verifiable information on the number of victims, though some estimates made by

various national and international bodies and organizations. The forced internal displacement in Mexico is a problem which magnitude and real scope has yet to be investigated and determined in an objective and comprehensive manner.

To carry out the Special Report presented, this National Commission conducted a sampling work through questionnaires and visits that were made in the 32 states of the Republic. The results of this exercise does not allow us to formulate a valid overall projection on the dimension of the phenomenon of forced internal displacement in Mexico, since this requires an effort of a greater scale and scope that culminates in a national registry implemented under international standards. However, they are sufficient to demonstrate the necessity and urgency of addressing this problem by the authorities of the three branches of our government and the generation of consciousness, both by the State and the Mexican society, about its existence and impact.

The difficulties to address this issue begin from the fact that it doesn't exist in the Mexican legal system, a rule setting that defines internal forced displacement or that establishes a framework for action against it. In our country, the one who suffers forced displacement remains vulnerable, both by the inherent conditions to the fact of the displacement itself, and for the lack of rules and specific institutional capacities for the protection, support and assistance of the victims.

Forced internal displacement involves infringement, direct or indirect, of human rights such as those related to the movement and residence, health, personal security, public safety, food security, employment and educa-

tion. The victims of displacement, are men and women of all ages, with aggravating consequences to those populations that are already in a vulnerable condition, such as children and adolescents, women, the elderly and indigenous people. Similarly, journalists and human rights defenders, have special needs for protection and guidance in this area.

Forced internal displacement is not a new issue in our country since, in various forms and with different magnitudes, it has been present for several years now, being one of the main causes that have historically motivated the events of 1994 in Chiapas; violations of human rights; natural disasters or caused by humans; development projects; violence generated by religious themes; violence caused by clashes between organized crime groups; the activities of paramilitary groups, and threats arising from the exercise of journalism.

It is necessary that the Mexican government officially recognizes the existence of this problem, and that takes an unequivocal position on the issue and that undertakes specific actions to its attention.

Because of its own characteristics, the attention of forced displacement requires coordinated action by federal, state and municipal government. The actions to date that have been undertaken in this area are isolated, focused on temporary care support, without comprehensive planning and not implemented based on serious and reliable diagnoses. If the implemented measures aspire to have a positive impact on this issue, should be more preventive than reactive, in order to encourage viable, effective and lasting solutions rather than implement palliative and short-term measures.

It is precise to develop a national and official diagnosis of forced internal displacement in Mexico, as an essential tool for building effective public policies and programs, addressing social, economic, legal and political consequences in the country. In this regard, conducting a census survey that includes forced internal displacement would be of great relevance.

They should also consider the legal and juridical assistance measures to the displaced people to guarantee the investigation of the fact, the restitution of the violated rights and the defense of the affected goods.

Likewise, there should be and establishment of the safety conditions against the organized crimes, just as the voluntary return of the displaced people of their original place and their relocation in new settlement zones.

This is the first report that emits an institution of the Mexican State related to forced internal displacement, in which the causes, manifestations and principal problems of our country are analyzed, proposing some measures and preventive actions, just as the protection of displaced people.

We consider that it is necessary a creation of a general law about forced internal displace-

ment that establishes a basic legal framework for the distribution and determination of the simultaneous powers and obligations of the Mexican authorities in the matter, since, nowadays, the only normative references are from the international scope.

http://www.cndh.org.mx/sites/all/doc/Participacion/20160511_1.pdf



Intolerance and Discrimination because of Homophobia put at risk the Freedoms System and the Protection of the Human Rights in the Country: CNDH

Mexico City, May 17th, 2016

During the Forum “Homophobia, Transphobia and Human Rights” and in occasion of the National Day against Homophobia, May 17th, the National Human Rights Commission (CNDH) calls the authorities and the society in general to give timely and quick attention to the intolerance and discrimination because of homophobia that persists in our country, not to risk the freedom system, the integrity and protection of the human rights of people that fight against stigma and discrimination for homophobia, lesbophobia, biphobia and transphobia.

This National Organism high-

lights the importance of avoiding intolerant and discriminatory conducts because of homophobia through the capacitation of the different sectors on the subject of society, besides promoting the culture of legality, recognizing the problem and giving it the proper attention.

Labeling or stigmatizing a group of people because of their sexual orientation attempts against the human dignity and leads to discriminatory acts that isolate individuals and hinder

the normal development of their personality. Against this background, there is a requirement thorough public policies that help eradicate intolerance and combat factors of violence, especially in the fields of education, health, justice and employment.

<http://www.cndh.org.mx/sites/all/doc/Co->



Press Releases

ON THE OCCASION OF THE INTERNATIONAL LABOR DAY, THE CNDH URGES AUTHORITIES AND ENTREPRENEURS TO STRENGTHEN THE ACTIONS IN FAVOR OF THE WORKERS

CGCP/119/16
May 1st, 2016

On the occasion of International Labor Day, May 1st, and in order to recognize the enjoyment of the human right to work, the National Human Rights Commission (CNDH) urges authorities and entrepreneurs to strengthen programs, rules and mechanisms to promote economic, social and cultural development of the workers, as well as to receive a decent remuneration and ensure a fully and productive employment.

This National Institution notes that the effective exercise of this right includes to live an honorable life, the full development of the person, having a job, adequate and fair salary to satisfy their needs and their family's, also the enjoyment of rational and favorable working conditions, without discrimination.



The right to work not only seeks to provide economic and material security, also promotes access to other rights such as food, education, health and housing. This right is protected in Articles 5 and 123 of the Mexican Constitution, as well as in several international instruments, including the Universal Declaration of Human Rights; the International Covenant on Economic, Social and Cultural Rights; the American Declaration of the Rights and Duties of Man; the Additional Protocol to the American Convention on Human Rights regarding Economic, Social and Cultural Rights (Protocol of San Salvador); and numerous conventions adopted in the framework of the International Labor Organization (ILO).

http://www.cndh.org.mx/sites/all/doc/Comunicados/2016/Com_2016_119.pdf

CNDH DENOUNCES THE PENDING SUBJECT OF THE MEXICAN STATE, THE OBLIGATION TO ENSURE THE SAFETY OF JOURNALISTS IN THEIR PRACTICE

CGCP/121/16

May 3rd, 2016

On the occasion of the World Press Freedom Day, May 3rd, the National Human Rights Commission (CNDH) highlights that the freedom of expression is going through one of its most critical stages and therefore prevails as a pending subject the obligation for Mexico to ensure the safety of journalists in their professional performance.

In accordance with the data of the Program of Attacks on Journalists and Civil Defenders of Human Rights, from 2000 to date there has been 113 murders of journalists, 20 journalists have disappeared since 2005 and there has been 49 attacks on media since 2006, which proves the seriousness of the problem.

This National Commission calls on the authorities of the three levels of the government to end impunity before the increased frequency and severity of threats and direct attacks on journalists and the media, who have

become in recent years the target of violent acts.

Among the fundamental rights that the State, as duty bearer, is obliged to protect, there stands the fact that media professionals should have the necessary guarantees to safeguard their integrity and legal security, as well as their right to proper administration and the impartation of justice. In this context, the position of journalists as a particular target of aggression and violations of their fundamental rights, and the need to protect their public activity for the benefit of the democratic life of the country, must be recognized.

In this situation, on February 8th of this year, the Advisory Council of this National Commission approved the General Recommendation 24 "On the exercise of freedom of expression in Mexico", which highlights the risk faced by journalists and communicators in the country, and

where accusations are made to the authorities of the three branches of government, to establish public policies that result in protection.

http://www.cndh.org.mx/sites/all/doc/Comunicados/2016/Com_2016_121.pdf



THE NATIONAL COMMISSION OF HUMAN RIGHTS ENDORSES ITS COMPROMISE IN FAVOR OF PERSON'S RIGHTS WITH DISABILITIES

CGCP/122/16
May 3rd, 2016

To mark the eighth anniversary of the worldwide entry into force of the United Nations Convention on the Rights of Persons with Disabilities, this National Commission reaffirms its commitment to the inclusion of all people with disabilities regardless of their circumstances.

The Convention on the Rights of Persons with Disabilities was adopted by the United Nations General Assembly on December 13th, 2006 and was open to signature and ratification on March 30th, 2007. Mexico signed it on March 30th, 2007, and we ratified it on December 17th, 2007.

The Convention on the Rights of Persons with Disabilities is the first international human rights agreement of the XXI century, the first to talk exclusively about the human rights of persons with disabilities and the first one that is legally binding. The main ob-



jective of the Convention is to promote, protect and ensure the full enjoyment and equality of all human rights and freedoms that persons with disabilities are holders.

Among the objectives outlined in the CNDH for 2016, it wants to progress in the work of a National Independent Monitoring Mechanism and the 32 State Independent Monitoring Mechanisms in each one of the entities of the country to promote, pro-

tect and monitor the implementation of the Convention in accordance with Article 33, paragraph 2 of the Convention on the Rights of Persons with Disabilities.

http://www.cndh.org.mx/sites/all/doc/Comunicados/2016/Com_2016_122.pdf

CNDH AND UABJO TEACH AFRO-MEXICAN WOMEN OF GUERRERO AND THE OAXAQUEÑA COAST IN MATTERS OF HUMAN RIGHTS, EDUCATION, HEALTH, DISCRIMINATION, RACISM, XENOPHOBIA AND VIOLENCE

CGCP/132/2016
May 14th, 2016

During the II Itinerant Chair of Afro-Mexican Women (CIMA) organized by the National Commission of Human Rights (CNDH) and the Department of Equity and Gender of the Autonomous University Benito Juarez of Oaxaca (UABJO), which was held in the languages center facilities of the UABJO at Puerto Escondido, Oaxaca, aimed to inform women in the fields of education, culture, sexuality, health and economy; where and how to file complaints when their rights are violated, as

well as to introduce them to both national and international regulations that force the Mexican State to protect those rights.

During the event, the participants agreed that the recognition of the rights to this sector of the population makes it more vulnerable on being excluded and ignored, and one of the ways to fight this type of discrimination is by training them to demand their rights.

Among the participants they were: Rosa Castro Salinas, counselor and founder of CIMA; Sandra Villalobos Rueda, director of Equity and Gender of UABJO;



Beatriz Amaro Clemente, member of the Academic Council of the CIMA; Arcelia Garcia Santiago, member of the Alliance of Indigenous Women of the Americas; Guadalupe Martinez Perez, representative of the Alliance of Indigenous Women of Central America and; Helen Peña Martínez, director of the International NGOs of the Executive Secretariat of the CNDH.

http://www.cndh.org.mx/sites/all/doc/Comunicados/2016/Com_2016_132.pdf

CNDH RECONGNIZES THE CULTURAL DIVERSITY THAT THE INDIGENOUS PEOPLE HAVE IN MEXICO

CGCP/138/16
May 21st, 2016

On the occasion of the World Day for Cultural Diversity for Dialogue and Development commemorated on May 21st, the National Commission states that the essential foundation of our identity is in the multicultural composition contributed by the indigenous peoples, which is one of the great strengths of the country. The cultural manifestations of indigenous peoples, such as painting, architecture, cuisine, music, dance and poetry, identify us as nation and are part of the legacy that Mexico gives to mankind.

In addition, this National Commission emphasizes that the Article 2 of the Constitution recognizes Mexico as a multicul-

tural nation, originally based on its indigenous peoples with their own social, economic, cultural and political institutions.

Many violations of human rights of indigenous people continue to be committed individually, and against their communities and towns, that are full of inequality, discrimination and poverty, which represent some of the obstacles needed to overcome in order to achieve full respect of their fundamental rights.

The educational backwardness, lack of basic services and lack of respect for their territory, customs or language, affect not only the indigenous population but the country as a whole, since a plural and inclusive society

should further boost the fight against discriminatory behavior and intolerance.

The CNDH remembers that despite advances in the legal framework concerning the rights of indigenous peoples there is still a pending legislation such as the recognition of their rights in local legislation, since it is not recognized in all states.

http://www.cndh.org.mx/sites/all/doc/Comunicados/2016/Com_2016_138.pdf

21 DÍA MUNDIAL DE LA
DIVERSIDAD CULTURAL
PARA EL DIÁLOGO
MAYO Y EL DESARROLLO



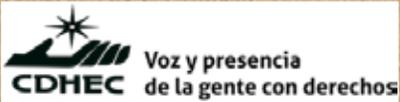
CNDH
M É X I C O

Responsible authority:	Issue:	Recommendation
<p>Tamaulipas's state government</p> 	<p>About the case of violation of the right of access to justice when administration of justice occurs, and freedom of expression, in detriment of V in Tamaulipas's state.</p>	<p>RECOMMENDATION No. 19/2016 May 2nd, 2016</p> <p>http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2016/Rec_2016_019.pdf</p>

Responsible authority:	Issue:	Recommendation
<p>Ministry of the Navy</p> 	<p>About the case of the violations of the rights of personal freedom, arbitrary detention and illegal retention; to the inviolability of the trespassing of the home and to humane treatment, for acts of torture, committed in detriment of V1 and V2 in Ciudad Mendoza, Veracruz.</p>	<p>RECOMMENDATION No. 20/2016 May 12th, 2016</p> <p>http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2016/Rec_2016_020.pdf</p>

Responsible authority:	Issue:	Recommendation
<p>General Director of Petróleos Mexicanos</p> 	<p>About the case of the violations of the right to the protection of health and the right to live in grievance of V, in the General Hospital of Pemex in Veracruz.</p>	<p>RECOMMENDATION No. 21/2016 May 12th, 2016</p> <p>http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2016/Rec_2016_021.pdf</p>

Responsible authority:	Issue:	Recommendation
<p>National Institute for Migration</p> 	<p>On the case of violations to human rights; to personal freedom, transit, non-discrimination, integrity and personal safety as well as access to justice against V1, V2, V3 y V4 that are Mexican nationals.</p>	<p>RECOMMENDATION No. 22 /2016 May 22nd, 2016</p> <p>http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2016/Rec_2016_022.pdf</p>

Responsible authority:	Issue:	Recommendation
<p>Coahuila's Human Rights Commission of Zaragoza</p> 	<p>About two appeals contesting Q1 against the concluding agreements for lack of interest, issued by the Coahuila's Human Rights Commission of Zaragoza.</p>	<p>RECOMMENDATION No. 23 /2016 May 25th, 2016</p> <p>http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2016/Rec_2016_023.pdf</p>

Responsible authority:	Issue:	Recommendation
<p>State of Oaxaca Constitutional Government, State of Oaxaca LXI Legislature, Santa Cruz Xoxocotlan, Oaxaca Municipal Government.</p> 	<p>About the legal appeal of V against the non-acceptance of the Recommendation issued the People's Office Rights Defender of Oaxaca.</p>	<p>RECOMMENDATION No. 24 /2016 May 27th, 2016</p> <p>http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2016/Rec_2016_024.pdf</p>

Responsible authority:	Issue:	Recommendation
<p>Hermosillo, Sonora Municipal Presidency.</p> 	<p>About the appeal of R, because of the violation to his right to legal certainty and to legality.</p>	<p>RECOMMENDATION No. 25 /2016 May 30th, 2016</p> <p>http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2016/Rec_2016_025.pdf</p>

Responsible authority:	Issue:	Recommendation
<p>Mexican Social Security Institute</p> 	<p>On the case of inadequate health care and loss of life of V1, at General Hospital "Dr. Mauro Belaunzarán Tapia", of the State of Morelos, and at the General Hospital Family Medicine Unit No. 7 of IMSS, at Cuautla, Morelos.</p>	<p>RECOMMENDATION No. 26 / 2016 May 31, 2016</p> <p>http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2016/Rec_2016_026.pdf</p>

Responsible authority:	Issue:	Recommendation
<p>National Security Commission</p> 	<p>On the case of violation to right to health protection and life of V, who was inmate at the Federal Center for Social Rehabilitation No. 16, at Coatlán del Río, Morelos.</p>	<p>RECOMMENDATION No. 27 /2016 May 31st, 2016</p> <p>http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2016/Rec_2016_027.pdf</p>

Responsible authority:	Issue:	Recommendation
<p>Baja California Sur State Government, Ministry of Labor and Social Welfare.</p> 	<p>On the case of indigenous Rarámuri (Tarahumaras) that are farmworkers, in Baja California Sur.</p>	<p>RECOMMENDATION No. 28 / 2016 May 31st, 2016</p> <p>http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2016/Rec_2016_028.pdf</p>

Article of the month

Can business contribute to the SDG?

Business have to contribute with solutions to the strengthen of a local inclusive economy in the developing countries

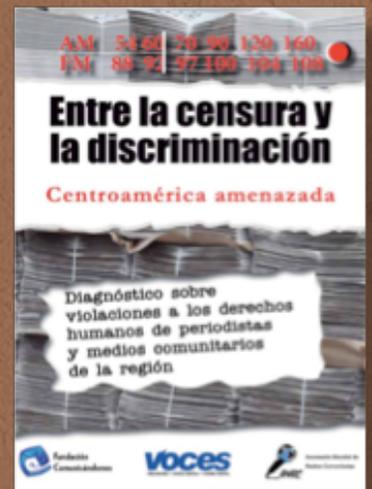
*Federico Buyolo
(Generalitat Valenciana)
May 5th, 2016*

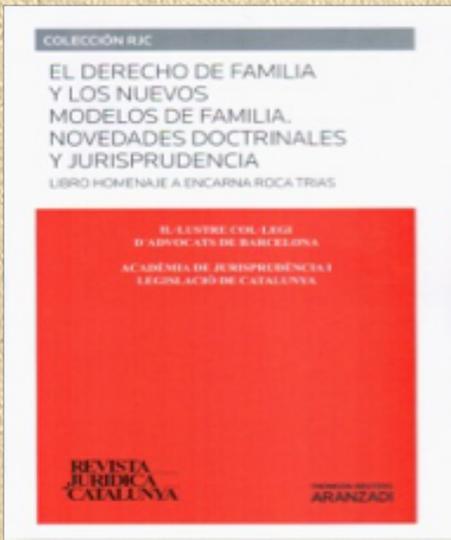
“We recognize the role played by different members of the private sector, from microbusiness and cooperatives to multinationals, and the role of civil society and philanthropic organizations in the implementation of the new Agenda. (...) We urge all companies to use their creativity and innovation to solve problems related to sustainable development. (...)”.

The 2030 Agenda for Sustainable Development adopted by the General Assembly of the United Nations last September 27th, 2015, is a unique opportunity to lay the foundations of a global transformation leading to models of inclusive and sustainable development, both national and internationally.

The 17 objectives and the 169 goals are more than just a compilation of macro-policy measures, it is and it represents a true paradigm shift where social, economic and environmental sustainability promotes a possible world. Only with the integration of these three dimensions it is impossible to talk about sustainable development.

http://elpais.com/elpais/2016/05/04/planeta_futuro/1462384393_827372.html





Right of the family and the new models of family. Doctrinal developments and jurisprudence

Tribute book to Encarna Roca Trias

Vázquez Albert, Daniel (Dir.).

Editorial: Aranzadi

ISBN: 978-84-9059-898-6

Pages: 356

Bookbinding: Rústica

Edition date: 2015

Edition: 1ª ed.

In this work, which arises as a tribute of the Law Magazine of Catalonia to Her Excellency. Ms. Encarna Roca Trias for her career as Director of that magazine for seventeen years, eminent experts in Family Law, analyzed from a legislative, doctrinal and especially jurisprudential perspective, the legal challenges of the “new models of family”.

Its authors, including the honored one, as well as those who are judges of the Constitutional Court, the Supreme Court and Provincial Court, professors and lawyers of prestige, analyze issues as hot as blended families and plurality of keepers, marriage, affiliation and divorce between couples of the same sex or the covenants in anticipation of family breakdown.

<https://www.dykinson.com/libros/derecho-de-familia-y-los-nuevos-modelos-de-familia-novedades-doctrinales-y-jurisprudencia-libro-homenaje-a-encarna-roca-trias/9788490598986/>



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