



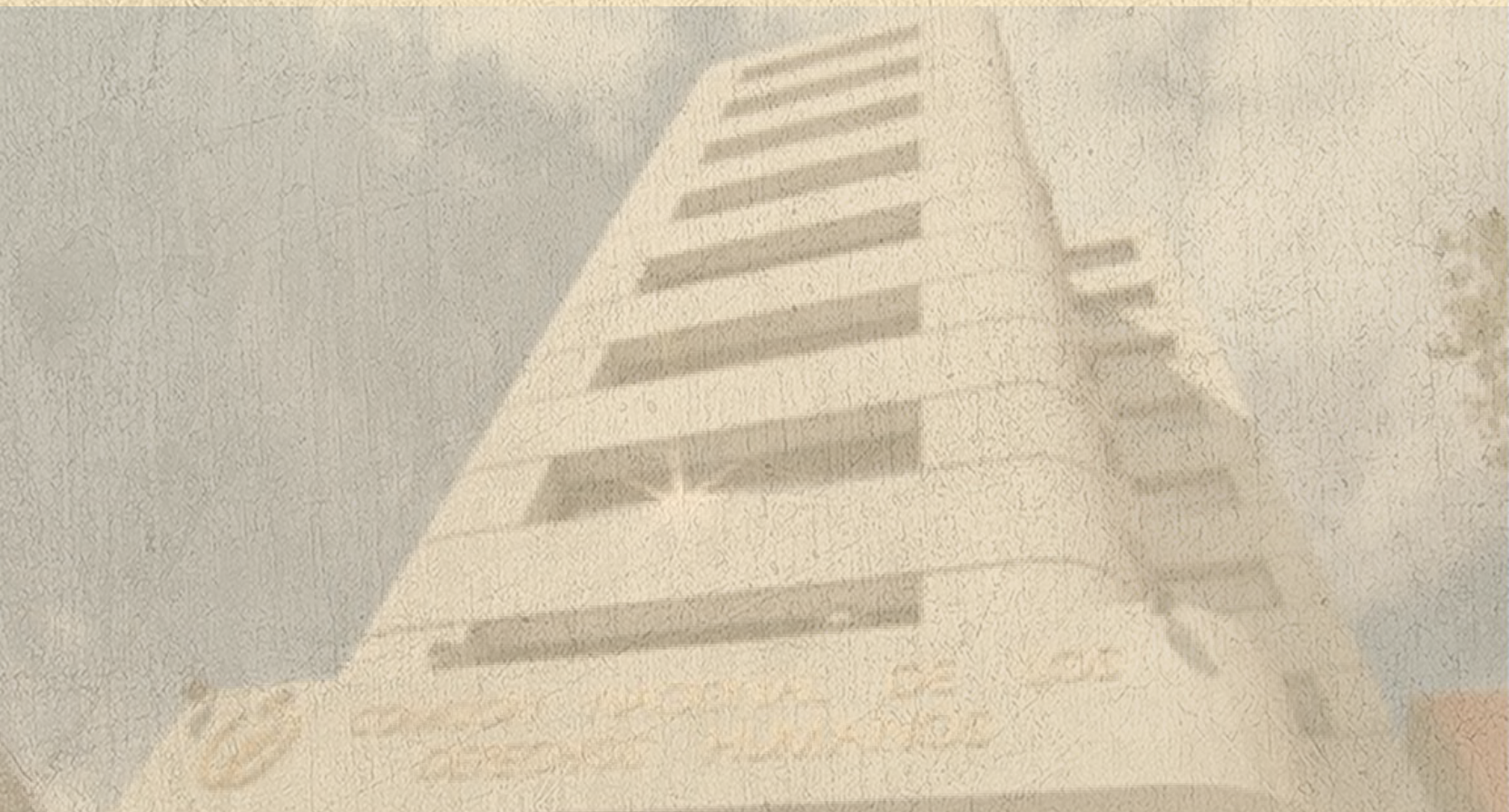
Newsletter





Index

The voice of the president	3
Event of the month	4
Press Releases	5
Recommendations	10
Article of the month	10
Book of the month.....	11



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The CNDH stated that it is urgent to ensure the right to a prior consultation with indigenous communities, before the development of big projects.

DGC/244/18
August 27, 2018

The National Commission for Human Rights (CNDH) concluded that, unfortunately, the demands in the field of human rights for indigenous people persisted, in the face of development projects, which are alien to them and are based on the exploitation of the natural resources. So, in the implementation of projects such as land allocation for the construction of hydroelectric plants, mining, resettlement of indigenous populations, exploitation of aquifer resources and tourism, among others, their right to be consulted should be guaranteed.

For the CNDH, the attention, protection and defense of the rights of indigenous' people and communities is essential to build a democratic country. One of the main objectives is to bring the legal, political and institutional reality closer to the international commitments assumed through international treaties on the matter.

The national Ombudsperson, Luis Raúl González Pérez, announced the above at the opening ceremony of the seminar "The Human Rights of Indigenous Peoples and Communities in the face of Development Projects". He highlighted that Rodolfo Stavenhagen's legacy should be addressed so that his sociological theories do not remain in the classrooms, but become tools for political mobilization of indigenous communities and peoples.

He expressed that the CNDH agrees with the report of the Special Rapporteur of the United Nations on the Rights of Indigenous Peoples, specially that "Current development policies based on megaprojects (extractive, energy, tourism, real estate, agriculture, for example) constitute a major challenge for the enjoyment of indigenous peoples' human rights. To the lack of self-determination as well as the prior, free, informed, culturally appropriate and

in good faith consultation are added territorial conflicts, enforced displacements, criminalization and violence against indigenous peoples who defend their rights."

González Pérez explained that because of this situation, the Committee of the professorship considered necessary to create a space that contributes to the reflection and discussion of the problems that aggravate the context of inequality, poverty and discrimination experienced by indigenous peoples and communities.

http://www.cndh.org.mx/sites/all/doc/Comunicados/2018/Com_2018_244.pdf



OMBUDSPERSON OF THE COUNTRY CALL THE GOVERNMENTS - CURRENT AND INCOMING- TO RATIFY THE FACULTATIVE PROTOCOL OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AS WELL AS TO ADOPT MEASURES THAT WILL END POVERTY AND INEQUALITY IN THE FRAMEWORK OF THE COMMITMENTS INCLUDED IN THE 2030 UN AGENDA

DGC/234/18
Guadalajara, Jalisco.
August 17, 2018

The Ombudsmen call the Mexican Governments -current and incoming- to ratify the Facultative Protocol of Economic, Social and Cultural Rights, which shows the commitment of our country in the effective realization of those rights in favor of everybody.

The national Ombudsperson, Luis Raúl González Pérez, announced the above during the Citizen Forum on the economic, social and cultural rights and the Sustainable Development Goals (SDGs). He also emphasized that in order to defend human dignity we should not wait, and in this moment of governmental transition in the country, the commitment with people and their rights cannot be diminished for political reasons but, on the contrary, the authorities must reinforce it.

When inaugurating the event, he demanded to strengthen the autonomous prosecutor's offices and take the next step for its realization at the federal and state levels, for effective access to justice, and for the real compliance of the Sustainable Development Goal No. 16, regarding the achievement of peace, justice and solid institutions.

He acknowledged that there has been a lot of progress in the recognition of economic, social, cultural and environmental rights, but it is necessary to work so that they can be effective and not mere expectations or programmatic postulates. For that, it is essential to act so that they can materialize in favor of all people. It is too necessary to strengthen the mechanisms or ways to enforce them or denounce their lack of validity.

The Special Rapporteur on Economic, Social, Cultural and Environmental Rights of the Inter-American Commission on Human Rights (CIDH), Soledad García Muñoz, was also in the presidium. In that sense, González Pérez acknowledged the work of the Rapporteurs of the Inter-American System for the Protection of Human Rights, who in a precise and impartial manner observe and point out the reality of fundamental rights in the States that they visit.

http://www.cndh.org.mx/sites/all/doc/Comunicados/2018/Com_2018_234.pdf



THE CNDH WELCOMES THE RESOLUTION ADOPTED BY THE UN HUMAN RIGHTS COMMITTEE REGARDING VIOLATIONS TO LYDIA CACHO RIBIERO’S HUMAN RIGHTS, WHO IS A JOURNALIST

DGC/220/18
August 04, 2018

The National Commission of Human Rights (CNDH) has learned of the resolution issued last July 31 by the Human Rights Committee of the United Nations Organization, which determined that the Mexican State violated the rights of the journalist Lydia Cacho Ribeiro. The rights violated were the following ones: an effective recourse, equality, the prohibition of torture or cruel treatment, the prohibition of arbitrary detention and freedom of expression.

This resolution comes from the request presented by the journalist before the Committee, with the representation of the organization Article 19, in which she claimed to be a victim of violation of different human rights because of the events that took place in December 2005. In that day, public servers of Quintana Roo and Puebla arrested her in the city of Cancun, because of the complaint filed by an employer against her for the crimes of defamation and calumny.

The Committee determined that the Mexican State has the obligation to guarantee an effective remedy through an impartial, prompt and exhaustive investigation about the facts reported by the journalist, as well as to prosecute, judge and punish those possible responsible with appropriate penalties and to offer her a compensation. The State has also the obligation to adopt measures to prevent similar violations in the future against defenders and journalists, including the decriminalization of defamation and calumny crimes in all states.

The CNDH welcomes the resolution of the UN Human Rights Committee, as it constitutes an important precedent on different rights and by establishing clear criteria on the non-use of criminal law to punish defenders and journalists for making use of their freedom of expression.

http://www.cndh.org.mx/sites/all/doc/Comunicados/2018/Com_2018_220.pdf



THE CNDH PROMOTES ACCESSIBLE TRAINING PROGRAMS IN ORDER TO PREVENT VIOLATIONS TO HUMAN RIGHTS

DGC/228/18

August 11, 2018



In order to provide education and prevent human rights violations as well as, to consolidate a culture that assumes its respect and defense, the National Commission of Human Rights (CNDH) - in coordination with the National Autonomous University of Mexico (UNAM) - pushes increasingly more diverse programs on the subject through its online platform EDUCA CNDH. In this educational offer highlights the course "Human Rights of Persons in Penitentiary Detention", which to date has 6,441 participants, of which 4,067 have already completed it satisfactorily.

Among the participants of this course are the staff of the State Commissions on Human Rights, General directions that serve the

prison system, ombudsmen and, in general, all the actors that impact on that system, since having properly trained personnel is a fundamental requirement for the due attention of people deprived of their freedom.

The responses to the educational offer, that this course represents, range from a small number of participants in some states to 100% of the trained personnel, as is the case of the state of Coahuila, whose entire prison staff accredited the aforementioned program.

This training, for its priority need to attend, has been referred to in different General and Particular Recommendations issued by this National Commission, as well as in Special Reports and Penitentiary Pronouncements.

http://www.cndh.org.mx/sites/all/doc/Comunicados/2018/Com_2018_228.pdf

CNDH PRESENTS PROGRESS OF LEGISLATIVE HARMONIZATION BETWEEN THE MEXICAN PENITENTIARY SYSTEM AND INTERNATIONAL STANDARDS, IN ORDER TO GUARANTEE THE RESPECT FOR HUMAN RIGHTS IN PENITENTIARY CENTERS

DGC/233/18

August 16, 2018

The National Human Rights Commission (CNDH) announced that the general percentage in the legislative harmonization between the Mexican Penitentiary System and international standards is of 87%. The above, demands to intensify the work to achieve the incorporation to the corresponding legal systems, to guarantee a useful effect in the promotion, respect, protection and guarantee of the human rights of the people who are private of their liberty in prisons.

Despite the high percentage, on average, of harmonization in this area, it should be pointed out that, unfortunately, the legal framework of the country's penitentiary system still does not provide the guarantees of the human right to religious freedom and freedom of religion for people who are deprived of their liberty. Therefore, the rating assigned to the country's legal system in this line was zero (0).

There were four legal provisions, of the 20 studied, that deserved a rating of only 60% of progress. This is the case of those relating to the rights of people who was deprived of their liberty to a dignified stay, to information, to due administrative process and to be close to their home. In this way, the remaining 15 reached a 100% score.

This study included the revision of the Political Constitution of the United Mexican States and



of two national laws: the National Law of Criminal Enforcement and the National Code of Criminal Procedures. Unlike other studies of this nature -that the CNDH has previously published-, which have included the analysis of harmonization in the states and Mexico City, on this occasion, the study limited itself to reviewing the cited ordinances. Since they are directly applicable by the authorities not only federal, but also the local, this was the reason why in the states only the legal norms related to social security will be repealed, and that is why a follow-up of the harmonization at the state level was not included.

http://www.cndh.org.mx/sites/all/doc/Comunicados/2018/Com_2018_233.pdf

THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS DECIDED TO GIVE PRECAUTIONARY MEASURES REQUESTED BY THE NATIONAL COMMISSION OF HUMAN RIGHTS AND OTHER NATIONAL INSTITUTIONS OF HUMAN RIGHTS, IN FAVOR OF MIGRANT CHILDREN IN THE UNITED STATES OF NORTH AMERICA WHO REMAIN WITHOUT BEING REUNIFIED

DGC/237/18

August 20, 2018

On August 16, 2018, the Inter-American Commission on Human Rights (IACHR) ordered the government of the United States of America to implement precautionary measures in favor of migrant children separated from their families, in order to protect them from the cruel and inhuman treatment to which they are being submitting because of the migration policy of that country.

The granting of these precautionary measures is the product of the alliance of six Ombuds-person of the region. Those who, for the first time and setting an important precedent for the coordinated work of the National Human Rights Institutions, joined together to request precautionary measures from the IACHR. The combined effort of the National Human Rights Commission of Mexico; the Ombudsman of Colombia, the Ombudsman of Ecuador, the Human Rights Ombudsman of Guatemala; The National Commissioner for Human Rights of Honduras and the Ombudsman's Office for the Defense of Human Rights of El Salvador, have resulted in the Inter-American Commission ordering the protection measures requested.

These precautionary measures seek to protect the human rights that are essential for children to enjoy an appropriate quality of life, such as their rights to personal integrity, health, family and personal freedom. These human rights must be protected especially in the face of the inhuman situation of migrant children, after being separated from their families as a result of the "zero tolerance" policy, implemented by the US government; taking into



consideration that the cruel conditions in which they are found, could affect their physical and psychological integrity.

The IACHR ordered the United States to adopt necessary measures to protect the rights of family life, the personal integration and the identity of the proposed beneficiaries, particularly by ensuring that these rights will be protected through the reunification of children with their relatives or their biological parents and in support of the best interest of the children.

It also ordered the adoption of the necessary measures while the reunification takes place, to immediately guarantee the free and regular, appropriate communication between the beneficiaries and their relatives according to their best interest. In addition, with the aim of protecting their rights, provide medical services and psychological assistance

among other measures that may be necessary, such as consular assistance. In that sense, the number of migrant children who would be beneficiaries of these precautionary measures would amount to 572 today, so these protective measures are of special importance.

The Commission requested that the Government of the United States inform it in a period of 10 days about the adoption of the precautionary measures and periodically update this information.

http://www.cndh.org.mx/sites/all/doc/Comunicados/2018/Com_2018_237.pdf

THE CNDH DEMONSTRATED THAT IT IS NOT “THE FROG” OR “THE GÜEREQUE” TO WHOM THE MATERIALS AUTHORS OF THE DISAPPEARANCE OF THE 43 NORMALISTS OF AYOTZINAPA SIGNED AS THEIR COMPLICIT, DESPITE THIS, SINCE 171 DAYS, ERICK URIEL SANDOVAL RODRÍGUEZ REMAINS IN PRISON FOR A WRONG ACCUSATION OF THE GENERAL ATTORNEY OF THE REPUBLIC

DGC/248/18
August 30, 2018

171 days have elapsed since Professor Erick Uriel Sandoval Rodríguez was improperly withheld detained by the Federal Police, since he remains in the CEFERESO number 14 of Durango unjustly deprived of his freedom.


99 days after the CNDH delivered the proof of the innocence of Erick Uriel Sandoval Rodríguez, the General Attorney Office’s has not done anything to correct his error. He maintains his unjust accusation against an innocent; who, according to his own tests, is the true participant of the facts, enjoys freedom in the most absolute impunity.

73 days ago the CNDH made public the case of the equivocal detention of Erick Uriel Sandoval Rodríguez, despite this, he is still unjustly deprived of his freedom. 69 days have passed since the CNDH presented the “Amicus Curiae” briefs on behalf of Erick Uriel Sandoval Rodríguez before the Courts that hear his case.

The mistaken arrest of Erick Uriel Sandoval Rodríguez emphasize the violation of the Right to Truth and Access to Justice that corresponds to the victims of the tragic events in Iguala.

http://www.cndh.org.mx/sites/all/doc/Comunicados/2018/Com_2018_248.pdf



Responsible Authority	Issue	Recommendation
<p>Ministry of the Navy, General Procurator of the Republic</p> <div></div>	<p>On the case of violations of human rights due to arbitrary detention, illegal detention and acts of torture against 17 victims ; sexual violence against 11 victims; illegal search against 1 victim, privacy against 5 victims, committed by naval personnel, as well as access to justice in the detriment of 17 victims, in 5 states of the Mexican Republic.</p>	<p>RECOMMENDATION 29/2018 August 31, 2018</p> <p>http://www.cndh.org.mx/sites/all/doc/Recomendaciones/2018/Rec_2018_029.pdf</p>

Article of the month

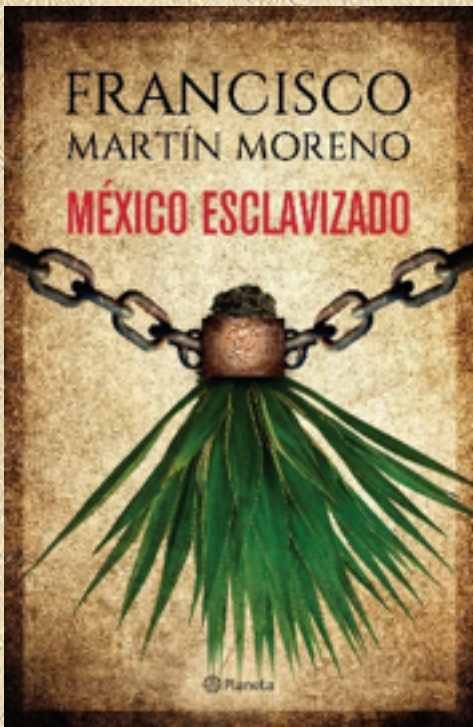
To a vote of making history: Deb Haaland promises to be the first indigenous woman to reach the Congress

Deb Haaland is one in a million, being little generous. It could be one among millions. The Indian and single mother is the favorite within the Democratic Party in New Mexico to get to the Congress and, if she succeeds, she would be the first Native American to achieve it. The exile suffered by Haaland’s grandparents - since they were both separated from their families - is what fuels the candidate’s fight against Donald Trump’s immigration policy.

On its website, she defines herself as the worst nightmare of the president, who could sleep under a dream catcher. “I am ready to go with a bat for any immigrant who fears being deported,” the candidate has challenged. Democratic ideals do not come from birth. His parents were Republicans, although they never got too involved in politics. Haaland’s mother, after decades on the red side, changed in 2014 to the Democratic Party to be able to vote for her daughter when she presented herself unsuccessfully to lieutenant governor of New Mexico.

“I’m a single mom and I know what it’s like to decide between paying rent and buying food. We need people who know those things. “ As an indigenous person, he defends the sacred lands; as a woman, abortion; as a single mother, a free and universal preschool; as a worker, a minimum wage of \$ 15 per hour; as a businesswoman, a macro- project of solar energy and as a minority, equality in the face of civil rights. Perhaps Deb Haaland, a member of the blue caucus, will be the first native woman to reach the United States Congress.

https://elpais.com/internacional/2018/05/29/actualidad/1527628869_209118.html



Book of the month

Francisco Martín Moreno
Format: EPUB - DRM
Editorial: PLANETA
Language: CASTELLANO
ISBN: 9786070748066

Olegario Montemayor, son of the most powerful henequen producer in Yucatan, moves to Victorian England in the early twentieth century to study in Oxford. Marion Scott, one of the few female students at that university, dazzles and catches her social concerns. Together, they travel to Yucatan to discover a brutal reality impossible to combat from the classroom: the obscene greed of the patriarch of the Montemayor family and its partners ignores any limit in their ambition to dominate the “green gold” market. Victims of an alliance between the Porfirian dictatorship, the clergy and the insatiable voracity of the farmers, thousands of laborers and peasants are subjected through the arms of the tyrant and the priestly homilies. In this scenario Marion and Olegario fight to try to eradicate the exploitation of the Maya and free them from the horrors of resignation.

<https://www.casadellibro.com/ebook-mexico-esclavizado-ebook/9786070748066/6362196>



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