

# Newsletter

JULY, 2019



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## The voice of the president

### REMARKS ON THE PRESENTATION OF THE 2019 DIAGNOSIS ABOUT THE SITUATION ON HUMAN TRAFFICKING BY LUIS RAÚL GONZÁLEZ PÉREZ, PRESIDENT OF THE NATIONAL COMMISSION OF HUMAN RIGHTS

DGC/77/19

July 9, 2019

Mr. Antonino de Leo, Representative of the UN Office on Drugs and Crime in Mexico

Ms. Teresa C. Ulloa Ziaurriz, Regional Director de la Coalition against Trafficking on Women in Latin America and the Caribbean (CATWLAC)

Ms. Mónica Salazar Salazar, General Director of Dignificando el Trabajo A. C.

Ms. Alejandra Méndez Serrano, Director of Centro Fray Julián Garcés Derechos Humanos y Desarrollo Local A.C.

Members of civil society organizations, human rights defenders, academia members, journalists friends dealing with human trafficking, thank you for coming this morning to the presentation of the 2019 Diagnosis about the Situation on Human Trafficking in Mexico, which was made in the last years by the National Commission of Human Rights to make it public and to fight trafficking.

The trade of human beings for exploitation is widespread worldwide. Our country is not out of it. Nowadays, the fight for its eradication is a global goal and the approach has to have been reconsidered by factors like economic crisis, armed conflict, and violence that increase the vulnerability of millions of people whom in the search of a safe life, security and development, are an easy target of traffickers and exploiters.

As you know, in 2003, Mexico was one of the first countries to ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, assuming the commitment with the international community to carry out legislative reforms and to implement a comprehensive policy to preventing and punishing it, including the attention to victims.

However, after 15 years, the efforts to create a solid structure to effectively respond to the challenges fighting this complex and multicausal crime resulting in human rights violations, have not been enough.

One of the biggest obstacles that this national body has learned regarding human trafficking is the lack of proper research and diagnosis, which allow knowing the way trafficking occurs in the country. The only diagnosis put forward by the Federal Government five years ago was made by the UN Office on Drugs and Crime; such analysis was framed on the Law to Prevent and Punish Human Trafficking, repealed in June 2012. The efforts in the following years came from the academia and civil society organizations who carefully analyzed little visible aspects of trafficking like enforced labor.

This national commission has intended to contribute with different researches, including the "2014 National Diagnosis about the Situation on Human Trafficking", and recently, the "Study about the Intervention of Work Authorities in Preventing Human Trafficking and the Screening of Possible Victims in Farm Fields", and the book "Human Trafficking, an approach to National Reality". The goal was to provide an analysis for the discussion over the challenges to eradicate this crime in Mexico from various views.

Two beliefs motivated the document presented today. First, to analyze and assess whether strategies to eradicate trafficking have been effective is essential to have information of the national context based on official data, but also added by with other sources that allow seeing a closer view of reality. Second, knowing about trafficking and exploitation on different forms allows both authorities and society to overcome partial assessment and assumptions regarding the origin and implications of this problem on people and communities, so urgent topics can be addressed.

We think is vital that the first aspect that this study must have is the information on human trafficking victims. Having the data provided by both general attorneys and prosecutors, now we know that in the period June 15 2012-July 31, 2017, 5,245 victims were identified through the beginning of a previous inquiry. Nevertheless, the data we obtained from the information of the jurisdictional bodies, only 79 victims were reported coming from sentences on human trafficking. Additionally, we must add that these are victims not only of trafficking but also of some of the 26 crimes on the Law.

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We confirmed that in Mexico, just like in the world, human trafficking mainly damages women. According to the last report of the UN Office on Drugs and Crime, in 2016 and more recently, 72% of victims in 110 countries were women. However, in our country, this percentage is bigger because victims reported by justice authorities show that women represent 85% of victims of trafficking, while the information provided by tribunals shows that 95% of victims of all sentences are women.

Internationally, according to such report, sexual exploitation continuous being the main goal of trafficking, reaching 59%. In Mexico, this percentage represents 70% of all victims. Taking into account gender, women and girls represent 95%. Moreover, if we gather the victims of trafficking regarding enforced labor, the percentage reaches 17%. Concerning men and boys, 53% are victims of enforced labor, while women and girls represent 47%.

In Mexico, concerning the age of victims, most of them are adults, representing 73%, while minors represent 27%. This information contrast with the analysis we made from the monitoring of the press, which reflects that trafficking and exploitation mainly affect boys, girls, and teenagers.

About nationality, according to the information provided by the attorneys and prosecutors, 84% of victims are Mexicans, which shows the most cases happen within our borders. Furthermore, 50% of the victims suffered trafficking in their state of origin. Although we have data of most victims about their sex, age, and nationality, it is clear that attorneys and prosecutors were not able to give the information of 72% of all victims whether they are part of some vulnerability group, which hampers to have a national view of the population at risk.

This information we have provides data about the profile of victims. You will find on the diagnosis data also revealing regarding the attention given by authorities and their institutional capabilities. Now, in regards to the information we got on the administration of justice in the period June 15, 2012 - July 31, 2017, I would like to underscore the one I consider is essential to resume to present a view that requires urgent attention.

First, with the exception of Yucatán and Durango, all authorities reported at least one investigation, however, 70% of investigations took place in five states: Baja California, Chiapas, Mexico City, State of Mexico and Oaxaca. The prosecutors of these states report 55% of victims in the country.

Regarding the administration of justice in the same period, 29 jurisdictional bodies, both state and federal, reported having ruled sentences about human trafficking. Colima, Nayarit, Nuevo León, and San Luis Potosí informed not ruling any sentence over trafficking.

The prosecutors and attorneys reported 2,701 previous inquiries over human trafficking on a national level.

The number of sentences reported to this national body in the same period was 858, which 296 were an acquittal and 562 condemnatory. For both previous inquiries and sentences, we must say that these not necessarily have to do with trafficking according to article 10 of the general law; they may be one or more of the 26 crimes within that law. Yet, in both cases like the beginning of the investigation and sentences, the biggest part has to do with sexual exploitation.

We conclude that is necessary to carry out disciplinary discussions in the institutions to analyze if the lack of investigations on criminal forms is due to the absence of certain offenses on trafficking in Mexico, or if the efforts on the administration of justice have focused on some type of exploitation forms. The same thing happens in the states that do not report trafficking with those reported in the investigations and sentences.

There are 3,344 indicted people because of human trafficking nationwide. 69% are men and 31% women. In this regard, it is revealing the quality of the active subject. Although authorities reported that on 46% of the investigations the lack of information about this topic was present, in 224 previous inquiries it was identified that the indicted person had a consanguinity, civil or kinship relationship with the victim, 127 had the participation of organized crime, 80 of public servants and 2 the combined participation of public servants and one person with kinship with the victim. This information is so valuable in two ways; one, to define preventing actions towards the population because perpetrators are in many cases close to the victims; and two, to establish fighting actions aimed to the kind of criminality involved.



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We are conscious that limiting information over the official numbers about trafficking crimes would be ignoring that this problem grows because of impunity and the lack of timely detection by authorities. We consider necessary to include information from other sources like the media, civil society diagnosis and international reports.

Thus, we are sure that there are topics that are concerning to society like human trafficking related to child pornography, sexual exploitation and the so-called "sexual tourism"; in particular, the media has covered recently all over the country cases of trafficking, making visible modalities not recognized before like farm enforced labor and the recruitment of teenagers by organized crime to commit crimes.

Besides, the information gotten from these sources indicates the is necessary to look for new lines of investigation between the relation of trafficking and femicide, and disappearances in the country, as well as the need of deepening on populations that are not visible as vulnerable to human trafficking like persons with disabilities, older persons, and the LGBT community.

The answer that authorities have given about the duties established on international treaties and the national framework is also a way to know the situation on trafficking because the actions or the lack of these has direct implications on impunity, corruption, access to equal opportunities and security levels. Therefore, and because of the lack of an assessment mechanism of the steps forward in this regard, this national body thought that it was important to know the state of this fulfillment to complement the view that the two first chapters describe over human trafficking in Mexico.

In this regard, I will mention only a few of the most relevant discoveries.

The prevention actions implemented by the Federal Administration are mainly confined in the diffusion of information, putting aside essential aspects like the fighting to structural causes of trafficking and the attention to vulnerable groups and communities. The non-compliance of the making of models to fight these factors, as well as a diagnosis that allow to identifying regions with backlogs on the attention of trafficking crimes and the omission in the implementation of complementary programs within the general law, have stopped prevention to be a strategic mechanism of trafficking crimes.

It stands out the disregard of a sector of the population to which the prevention of trafficking is vital: girls, boys, and teenagers. The general law clearly states the duty of developing prevention modules for the different school years that must be included in the curriculum of elementary education and the mechanism of inter-institutional coordination in the states to prevent trafficking in the education system that was not elaborated.

We call on to put on operation a strategy for the special attention of isolated communities and urban zones that have been identified as vulnerable for crimes foreseen in the general law, to concentrate efforts to provide protection tools to boys, girls, and teenagers, and to identify to strengthen the actions that have accomplish a local and cross-cutting impact like those implemented through the Program of Support of Child Daycare Facilities by the INDESOL and INMUJERES, the adoption of the National Line against Human Trafficking from the Citizen Council of Mexico City, and the promotion of the National Conduct Code for the Protection of Girls, Boys and Teenagers regarding travel and tourism.

The training of public servants is essential to fight trafficking. However, since the general law was passed, the National System of formation, updating, and training for the Prevention, Attention, and Sanction of Crimes on Human Trafficking has not been implemented as the general laws states. Even though during the period of our diagnosis some actions were reported regarding the approval of a National Program of Training, this one neither has been consolidated nor has covered the needs of institutions or the goals in the legislation.

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Although tools like protocols and victims attention models have been developed, it does not exist an institutionalization of policies about trafficking in the country. The lack of formalization within the bodies that form the inter-ministerial commission which creates and approves protocols, models, and programs, as well as the lack of socialization and creation of actions that make public servants to implement them stops progress last in time, be enforceable and assessable and a guarantee of continuity in any institution independently of whom is in charge and of the current interest.

In this regard, it is necessary to review the protocols from the National Migration Institute, the Ministry of Labor and Social Welfare, the Ministry of Foreign Affairs, the Executive Commission for Attention to Victims, as well as those in the frame of the inter-ministerial commission, because we learned the lack of homologation on concepts implying interinstitutional actions of coordination.

The assistance and protection of victims of trafficking are not guaranteed in the country, nor do the victims have an access policy. The bodies forming the public administration with specific duties within the general law like SEGOB, FGR, Health, SEP, STPS and CEAV did not make vital actions to guarantee the rights of victims of trafficking like: the establishment of the Fund of Protection and Assistance of Victims of Crimes on Human Trafficking; the adaptation of the Program of Protection to Victims and Witnesses; the implementation and assessment of the Model of Assistance and Protection of Victims, Offended and Witnesses on Human Trafficking; the Protocol for the Use of Proceedings and Resources for the Rescue, Assistance and Protection of Victims and Possible Victims; the strategy to provide job opportunities to victims, as well as those aimed to guarantee the right to education and health until their rehabilitation and re-socialization.

Because of the lack of verifiable and assessable policy that ensures victims of trafficking are protected by authorities in charge of their attention, we call upon CEAV and its counterparts in the states to implement urgent actions since the information gotten by this national body, shows that there is no record about the continuous attention of both direct and indirect victims, what supposes that in each case files are open at the moment of giving them medical and psychological attention, but there is no punctual follow-up.

Along with the lack of a preventive and attention policy to victims, we face a serious problem, which is the lack of a homologated system for the administrative recording of human trafficking investigations.

Mexico does not have a reliable information system on human trafficking. The database of the Executive Secretary of the National System of Public Security gathers only the information of the 26 crimes on trafficking within the general law. Thus, it is impossible to have an accurate view of the crime prevalence of all conducts resulting in human trafficking crimes.

On this issue, we want to note that as of July 2017, the duty coming from the bodies mentioned on the general law of implementing reliable information about the crimes on human trafficking in system country had not been fulfilled. Although in 2014, the Ministry of the Interior tried to accomplish so the software named "National System of Information on Human Trafficking (SINTRA) be developed, until the last report of the inter-ministerial commission progress was reported, this tool was not still functioning and all involved institutions trained and coordinated.

This is just one part of the view that you will be able to consult on the 2019 Diagnosis about the Situation on Human Trafficking. From this moment, you can consult it online, and you will receive an executive summary at the end of this event.

We are at a very important moment in which a road can be redefine facing the elaboration of the new national program. This time, we have the opportunity of guaranteeing that this tool have goals, implementation measures, and operational indicators for all the crimes on trafficking within the general law. It also has to establish efficient mechanisms of inter-institutional linking and coordination, as well as of assessment aimed at the planning and instrumentation of state policy and accountability. We consider that the recommendations that you will find on this diagnosis may help this goal, which is the creation of a complete policy.

Because of this, last May, we sent to Ms. Olga Sánchez Cordero, Interior Minister, a document in which we compiled a series of policy proposals from a call that we made to civil society organizations and academic experts looking forward to they to provide their experience and expertise for the making of such national program. Some of the people who collaborated in this project join us today, and we want to thank them for their trust and commitment. We are sure that the content of this document will join this task of all of us and to which this national commission is always willing to unite efforts and capabilities.

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Similarly, we call on to resume the activities of the Inter-ministerial commission and to define an annual work program and fulfillment indicators, assuring the participation of the bodies that are part of it; assuring their intervention with an institutional definition and planning and with the participation of key actors acting under the duties of the general law.

On May 2012, the General Law to Prevent, Punish and Eradicate Crimes on Human Trafficking, and for the Protection and Assistance of Victims was published, which establishes the competence and ways of coordination amid the federal, the state and the municipal governments. From the analysis made out of the response from the federal and local authorities, it is urgent to resume and renew the commitment towards the human rights of trafficking victims and of the international community, when Mexico ratified the Palermo Protocol because of the lack of fulfillment of the most relevant aspects that the national legislation states regarding prevention, prosecution, attention of victims and inter-institutional coordination.

Guided by international law, our Constitution and overall legislation, but specially by the conviction that human rights approach has to lead us to eradicate human trafficking and human exploitation, I invite you to join the process which allow strengthening the common goal we have and bind us, no matter what other approach or stance we have about it: a society free of violence, slavery, and exploitation.

Thank you.

<https://www.cndh.org.mx/sites/default/files/documentos/2019-07/PALABRAS-LRGP-09072019.pdf>



## Event of the month

DGC/260/19

### THE CNDH CALLS ON PENITENTIARY AUTHORITIES TO ENCOURAGE, SPREAD AND APPLY THE “MANDELA RULES”, TO ACHIEVE DECENT AND HUMANE IMPRISONMENT CONDITIONS

July 10, 2019

The National Commission of Human Rights (CNDH) convened penitentiary authorities to encourage the implementation of the “*Mandela Rules*”, so imprisoned people can have humane and decent conditions, as well as to value the work of penitentiary personnel as an important social service.

Luis Raúl González Pérez, national Ombudsperson said it, and expressed the institutional conviction of the CNDH to strengthen the promotion, respect and guarantee the human rights of all people fulfilling the purpose pointed out by the UN at the celebration of the *Nelson Mandela International Day*.

Also, with a unity spirit, he invited to strengthen the culture of respect of human rights of all persons in penitentiary facilities. In the event, he was joined by Alejandra Frausto Guerrero, Minister of Culture from the federal government; Sergio Martínez Castuera, from the Prevention and Social Readaptation; Antonino de Leo, Representative of the UN Office on Drugs and Crime in Mexico; Ruth Villanueva Castilleja, Third General Visitor of the CNDH; representatives of the states, and authorities from the penitentiary system.

It was recalled that the UN General Assembly approved the “Mandela Rules”. Mandela once quoted one of his famous phrases: *“As I walked out the door toward the gate that would lead to my freedom, I knew if I didn’t leave my bitterness and hatred behind, I would still be in prison”*.

<https://www.cndh.org.mx/sites/default/files/documentos/2019-07/PALABRAS-LRGP-09072019.pdf>





### THE CNDH ISSUES A RECOMMENDATION TO COMAR FOR OMISSIONS AND DELAY DURING THE RECOGNITION PROCEDURE OF REFUGEE IN DETRIMENT OF 112 PEOPLE

**DGC/251/19**

*July 2, 2019*

The National Commission of Human Rights (CNDH) issued recommendation 38/2019 to Andrés Alfonso Ramírez Silva, General Coordinator of the Commission to Assist Refugees (COMAR) for violations to the human rights to legal safety, legality and superior interest of the child in detriment of 112 people who demand the recognition procedure of refugees; these violations are attributed to personnel from the COMAR.



This national body proved that 112 people during 2017 and 2018 asked the recognition of refugees before COMAR, which violated their right to legal safety and legality by not fulfilling what is stated on the Law on Refugees, Complementary Protection and Political Asylum. Delay was proved between the presentation of the application and the determination of admission, taking from one to eight months; during that time, that people remain without any documents to prove their application of refugees; in some cases, the authority even took from six to nine months to issue a prevention agreement for the petitioners to explain the reason why they did not file the application within 30 working days after their arrival to our country.

The CNDH also proved that despite the petitioners responded timely and correctly the prevention made by the COMAR, their application remained in a stand-by situation. In one case, the COMAR decided to have as “not filed” the application and did not notify the petitioner. It was also proved that the authority only issued to victims a procedure certificate which according to article 38, second paragraph of the Rules of Refugees, has 45 working days validity. The authority did not renew it, leaving these people in total helplessness; a year has passed for them without having a document supporting their condition of petitioners of refugees. It was also acknowledged that a public servant issued a procedure certificate with 34 working days validity with no legal basis.

[file:///C:/Users/melozano/Downloads/Com\\_2019\\_251.pdf](file:///C:/Users/melozano/Downloads/Com_2019_251.pdf)

### THE CNDH REGRETS THE DENIAL OF THE EXECUTIVE POWER TO ACCEPT THE RECOMMENDATION OVER CHILD DAYCARE FACILITIES, AND RESPECTFULLY URGES HIM TO RECONSIDER HIS DECISION AND TO FULFILL IT

**DGC/254/19**

*July 5, 2019*

The National Commission of Human Rights (CNDH) regrets that putting aside any possibility of dialogue and understanding, the Executive Power expressed his denial for the acceptance of recommendation 29/2019 aimed to four ministries, and to publicly discredit the job of this autonomous body, while he continues to ignore the superior interest of the child and the rights of working parents and guardians.



“Trying to silence the work of bodies of human rights protection and defense by falsehood is not decent coming from an authority who supposedly stands for democracy”, the CNDH noted.

On a press conference, Luis Raúl González Pérez, President of the National Commission of Human Rights, highlighted that because of such denial and the nature of the arguments on the recommendation, the national commission is free to ask the Senate to subpoena the involved authorities to make their case; and it is also free to denounce such denial and the perspective it has on human rights in general, about the respect of democratic institutionalism, and explain it in the regional and universal systems and other international instances.

[file:///C:/Users/melozano/Downloads/Com\\_2019\\_254%20\(1\).pdf](file:///C:/Users/melozano/Downloads/Com_2019_254%20(1).pdf)

## STATEMENT OF THE ADVISORY COUNCIL OF THE NATIONAL COMMISSION OF HUMAN RIGHTS ABOUT THE RECENT DOWNGRADING AND QUESTIONING REGARDING THE TASK OF THIS AUTONOMOUS BODY

**DGC/264/19**

July 12, 2019



The Advisory Council of the National Commission of Human Rights calls on those who recently have made unfortunate remarks about the work of this national body to reconsider that attitude and to avoid downgrading; this does not help the strengthening of the rule of law in a democracy to which the Mexican society looks forward to.

Such remarks show that the respect about human rights is not seen as a responsibility for all authorities, no matter what hierarchy or level of government. This kind of remarks make harder the work of helping victims from human rights violations and challenge the institutionality that we have given to ourselves as a republic.

Similarly, in a country where the work of defenders of human dignity entails high risk, the fact of stigmatizing those who make this defense task weakens both the non-jurisdictional system of human rights defense and promotion and the possibility of overcoming inequity, violence and discrimination.

Every institution is perfectible, not by insults but by the sum of efforts is the way that will allow reaching our common goal and the one that has no disagreements: people's dignity.

[https://testwebprod.cndh.org.mx/sites/default/files/documentos/2019-07/COMUNICADO\\_264-2019.pdf](https://testwebprod.cndh.org.mx/sites/default/files/documentos/2019-07/COMUNICADO_264-2019.pdf)

## THE NATIONAL OMBUDSPERSON URGES AUTHORITIES AND SOCIETY TO REJECT DISCRIMINATION, XENOPHOBIA, AND HATRED TOWARDS MIGRANTS, BECAUSE THEIR WORK NOURISH THE COUNTRIES THAT HOST THEM

**DGC/266/19**

July 12, 2019

Luis Raúl González Pérez presented the book "Murals, no Walls", and asked to appreciate the strength of those who transit searching for freedom and a better future. Elisa Carrillo, cultural ambassador and great dancing performer, joined him.

Luis Raúl González Pérez, national Ombudsperson, called on authorities and society to reject obstruction, discrimination, xenophobia and hatred towards migrants because countries are nourished by the work and dedication of foreigners. He demanded instead to admire and appreciate the strength of a community that walks to freedom and to a better future, no matter the harassment and danger found on the path.

He said that the world requires contemporary arrangements to address immigration worldwide. Now, the responsibilities are global and shared, so, exceptions coming from unilateralism should not lessen our efforts to make that global agreement can broaden human rights in all regions.

He also noted that visible or invisible walls are the denial of countries facing global inequity, and is unacceptable to start from unilateral decisions from supremacist countries that do not understand immigration and have not even understood that they were born from that same immigration. Racist and xenophobic speeches based on hatred pass from words to action and divide people, neighborhoods, and communities.



<https://testwebprod.cndh.org.mx/sites/default/files/documentos/2019-07/Com-2019-266.pdf>

**THE CNDH STRESSES THE IMPORTANCE OF ERADICATING DISCRIMINATION, STIGMATIZATION, AND PREJUDICE AGAINST YOUTH AND CALLS ON AUTHORITIES TO ENCOURAGE THEIR EFFECTIVE PARTICIPATION IN SOCIETY**

**DGC/269/19**

*July 15, 2019*

The National Commission of Human Rights (CNDH) considers that is important to eradicate discrimination, stigmatization, and prejudice against young people in our country. Youth also faces problems that block the full exercise of their rights like gender violence, barriers to access to education, lack of job opportunities, forced displacement, migration and teenage pregnancy, among others.

For this national commission, young people are one of the most discriminated groups, as shown in the 2017 National Poll on Discrimination, which shows that 36% of those who answered the poll said that their rights are barely or nothing respected; 38% of women and 39% of men in the poll rejected to coexist with the young privately. 39.8% said is justified to call the police when young people are together "on the corner of the street". Also, 63% of men and 58% of women believe that most young people are irresponsible, and 78% thinks that those who do not study or work "are lazy".

From 2012 to June 2018, the National Council to Prevent and Eliminate Discrimination (CONAPRED) learned 192 cases of alleged discrimination acts related to young people. The acts of discrimination mostly took place in education and work facilities due to physical appearance and disability. The most violated right was decent treatment (68%), right to education (60%), and equity of opportunities (30%).

[https://www.cndh.org.mx/sites/default/files/documentos/2019-07/COMUNICADO\\_269-2019.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2019-07/COMUNICADO_269-2019.pdf)



**THE CNDH AFFIRMS THAT SOCIAL POLARIZATION AND DOWNGRADING TOWARDS JOURNALISTS FROM GOVERNMENT PROMOTES SOCIAL DIVISION AND EXACERBATES VIOLENCE AGAINST THE PRESS**

**DGC/271/19**

*July 16, 2019*

The National Commission of Human Rights (CNDH) underlines that social polarization and discredit fostered from the government towards some journalists encourages social division and intensifies the critical situation of violence in Mexico. Consequently, now more than ever, the absolute respect of critic and different opinion has to be encouraged, as well as to avoid, deter and reject any sort of threatening remark against journalists and the media. The consolidation of democracy that our country requires greatly depends on this.

For this national body, although debate and discussion are important in a democracy and sometimes those debates and critics may be vigorous and uncomfortable, that must not transform into downgrading, stigmatization or insult towards journalists and the media, especially on circumstances like those we face years ago in the country, like violence against journalists.



The CNDH points out that this kind of conduct when performed and spread on social media, television, and radio, implies that a large part of society and different audience can replicate those aggressive remarks, and create an unfavorable environment for the freedom of expression and foster aggression against the press.

[https://www.cndh.org.mx/sites/default/files/documentos/2019-07/COMUNICADO\\_271-2019.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2019-07/COMUNICADO_271-2019.pdf)



**THE CNDH ISSUES A RECOMMENDATION TO SSPC AND GENERAL PROSECUTOR OF TABASCO FOR ACTS OF TORTURE AND ILLEGAL ACTIONS FROM THE FEDERAL POLICE AGAINST 23 PEOPLE, 10 OF THEM MINORS, FROM JUSTICE PERSONNEL WHO OBSTRUCTED ACCESS TO JUSTICE, IN MACUSPANA, TABASCO**

**DGC/281/19**

*July 21, 2019*



The National Commission of Human Rights (CNDH) issued recommendation 39/2019 to Francisco Alfonso Durazo Montaña, Minister of Public Safety and Protection (SSPC), and to Jaime Humberto Lastra Bastar, General Prosecutor of the State of Tabasco for the participation of public servants who obstructed access to justice. The violations consisted on illegally entering seven domiciles without a court order, illegal and arbitrary detention, illegal retention, acts of torture and bad treatment attributed to members of the Federal Police (PF), in detriment of 23 people, 10 of them minors, in Macuspana, Tabasco.

Once this national body concluded its investigation for these acts which occurred in the last administration, proved that members of the Federal Police violated the human rights to inviolability of domicile, to freedom and personal safety of 23 people; to personal integrity for cruel, inhumane and degrading treatment and acts of torture against 9 of them, and against the superior interest of the child in detriment of 10 minors, whereas personnel from the state prosecutor violated the right of access to justice in its modality of administration against one of the victims and his family.

[https://www.cndh.org.mx/sites/default/files/documentos/2019-07/Com\\_2019\\_281.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2019-07/Com_2019_281.pdf)

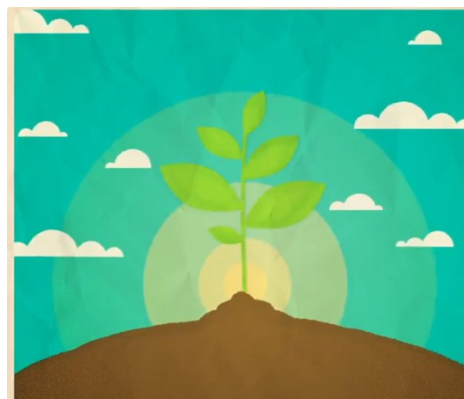
**THE CNDH JOINS THE DEMAND FROM UN EXPERTS TO THE MEXICAN GOVERNMENT TO RATIFY THE ESCAZÚ AGREEMENT ABOUT THE IMPORTANCE OF GUARANTEEING THE PARTICIPATION AND ACCESS TO JUSTICE REGARDING ENVIRONMENT**

**DGC/285/19**

*July 24, 2019*

The National Commission of Human Rights (CNDH) joins the exhort made by UN experts to the Mexican government to ratify the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean— known as Escazú Agreement—.

Such demand is compatible with the CNDH's statements about this topic because of the importance of the agreement to guarantee that the population, civil society organizations and human rights defenders can participate protecting and defending the environment.



The UN experts of 17 defense mechanisms of environmental, human rights, freedom of expression, indigenous and afro-descendants peoples, among others, sent a letter to the Federal Executive urging him to ratify before September 27 such agreement "as a priority matter". The CNDH asked the Mexican state to ratify it since its adoption on March 4, 2018 in Escazú, Costa Rica.

[https://www.cndh.org.mx/sites/default/files/documentos/2019-07/Com\\_2019\\_285.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2019-07/Com_2019_285.pdf)



## THE CNDH ISSUES PRECAUTIONARY MEASURES IN FAVOR OF MIGRANT SHELTERS IN SONORA AND COAHUILA AND CONDEMNS HARASSMENT AND THREATS FROM MILITARY PERSONNEL AND NATIONAL GUARD TO HUMAN RIGHTS DEFENDERS

**DGC/288/19**

July 25, 2019

The National Commission of Human Rights (CNDH) issued precautionary measures to the corresponding authorities in order to prevent violations to human rights and the irreparability of damage towards the people affected by members of the National Guard and of the Federal Police tried to get into the shelter Exodus Came, in Agua Prieta, Sonora, and Casa del Migrante, in Saltillo, Coahuila, with the intent of reviewing the migratory status and information of people staying in such shelters.



Likewise, the CNDH condemns the harassment, threats, and pressure that such personnel made against the job human rights defenders do in favor of migrants and to the shelters enabled by civil society. The CNDH also demanded three levels of government respect to the legal framework applicable to these facilities housing migrants.

On June 28, this national commission addressed the solicitation from the Director of Centro de Atención al Migrante Exodus Came, who denounced the presence of 3 cars and nearly 20 members of the National Guard who tried to get into the shelter to ask information of the people within the shelter.

[https://www.cndh.org.mx/sites/default/files/documentos/2019-07/Com\\_2019\\_288.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2019-07/Com_2019_288.pdf)

## THE CNDH ASKS THE PERMANENT COMMISSION OF CONGRESS TO SUBPOENA THE HEADS OF THE MINISTRIES OF WELFARE, FINANCE AND PUBLIC CREDIT, NATIONAL COMMISSION OF REGULATION BETTERMENT AND DIF NACIONAL, BECAUSE OF THEIR DENIAL OF ACCEPTING RECOMMENDATION 29/2019 OVER CHILD DAY CARE FACILITIES



Comisión Nacional de los Derechos Humanos

RECOMENDACIÓN No. 29 / 2019

**SOBRE EL CASO DE LA VIOLACIÓN A LOS DERECHOS HUMANOS DE LAS PERSONAS USUARIAS Y BENEFICIARIAS DEL "PROGRAMA DE ESTANCIAS INFANTILES PARA APOYAR A MADRES TRABAJADORAS".**

Ciudad de México, a 31 de mayo de 2019

LIC. MARÍA LUISA ALBORG GONZÁLEZ  
SECRETARÍA DE BIENESTAR.

DR. CARLOS MANUEL URZÚA MACÍAS  
SECRETARIO DE HACIENDA Y CRÉDITO PÚBLICO.

DR. CÉSAR EMILIANO HERNÁNDEZ OCHOA  
COMISIONADO NACIONAL DE MEJORA  
REGULATORIA.

LIC. MARÍA DEL ROCÍO GARCÍA PÉREZ  
TITULAR DEL SISTEMA NACIONAL PARA EL  
DESARROLLO INTEGRAL DE LA FAMILIA.

Distinguidas señoras y señores:

1. La Comisión Nacional de los Derechos Humanos con fundamento en lo dispuesto en los artículos 1, párrafo primero, segundo y tercero, 102, apartado B de la Constitución Política de los Estados Unidos Mexicanos; 1, 3, párrafo primero, 6, fracciones I, II y III, 15 fracción VII, 24 fracción IV, 42, 44, 46 y 51 de la Ley de la Comisión Nacional de los Derechos Humanos, y 128 a 133 y 136 de su Reglamento Interno, ha examinado los hechos y evidencias del expediente de queja

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**DGC/289/19**

July 26, 2019

Because of the continuous denial from authorities over recommendation 29/2019 about the case of violation to the human rights of beneficiaries of the "Program of Child Day Care Facilities to Support Working Mothers", the National Commission of Human Rights (CNDH) respectfully asked the Permanent Commission of Congress to subpoena the heads of the ministries of Welfare, Finance and Public Credit, National Commission of Regulation Betterment, and National System for Integral Family in order for them to explain the Senate the reason for their denial for accepting such recommendation.

Such petition is based on the considerations the CNDH made public in a press conference on July 5 and on what is stated in article 102, subsection B of the Constitution; article 15, section X and article 46, subsection a) of the Law of the National Commission of Human Rights, as well as article 265 Bis of the Rules of the Senate, so the Commission of Human Rights of the Senate subpoena such authorities. For that reason, the CNDH issued the entire recommendation 29/2019 and its response to the non-acceptance, including sold, constitutional and legal arguments.

[https://www.cndh.org.mx/sites/default/files/documentos/2019-07/Com\\_2019\\_289.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2019-07/Com_2019_289.pdf)

**THE CNDH AFFIRMS THAT DEFENDS RIGHTS, NOT PRIVILEGE, ON DEFENDING PEOPLE'S DIGNITY THERE ARE NO OPPONENTS THOUGH GOVERNMENTS OR REGIMES CHANGE**

**DGC/294/19**

*July 30, 2019*

The National Commission of Human Rights (CNDH) affirmed that its task is to defend rights, not privileges, and its main goal is to achieve the respect of people's dignity. In this task, there can be no opponents though governments or regimes change in our country; the nature of this institution that was born from civil society has not changed and will not change. Therefore, its autonomy ought to be strengthened to keep being a counterweight to power.

Luis Raúl González Pérez, national Ombudsperson said it at participating on the round table "The CNDH and the 4T", organized by the Seminar about Violence and Peace from El Colegio de México. He emphasized that the respect of human rights is not a custody of anyone but a duty of the Mexican state, and said that governments cannot be their own vigilant regarding the respect of fundamental human rights, especially when our country faces three combinations of problems: poverty and inequity, violence and insecurity, and corruption and impunity, as well as institutional weakness.

Right from the beginning, the national Ombudsperson noted that the name of the round table "The CNDH and the 4T" is not a confrontation but a dialogue and collaboration space. In this regard, he said, "we, the public human rights bodies are not opponents of the governments but coadjuvants, we want to collaborate, interact, and coordinate with each other, but also critical when the respect of human rights is exceeded".




[https://www.cndh.org.mx/sites/default/files/documentos/2019-07/Com\\_2019\\_294.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2019-07/Com_2019_294.pdf)



## RECOMMENDATIONS

Recommendation	Issue	Responsible Authority
<b>Recommendation No. 43/2019</b> July 15, 2019 <a href="https://testwebprod.cndh.org.mx/sites/default/files/documentos/2019-07/REC_2019_043.pdf">https://testwebprod.cndh.org.mx/sites/default/files/documentos/2019-07/REC_2019_043.pdf</a>	About the case of violation to the human rights to life, legal safety for the excessive use of force that resulted in the loss of life of V1, to access to justice in its modality of administration and to truth in detriment of the same person and his family, attributed to personnel of the former Attorney General's Office and the former Attorney General of the State of Guerrero.	General Prosecutor, and General Prosecutor of the State of Guerrero.   
Recommendation	Issue	Responsible Authority
<b>Recommendation No. 44/2019</b> July 15, 2019 <a href="https://testwebprod.cndh.org.mx/sites/default/files/documentos/2019-07/REC_044_2019.pdf">https://testwebprod.cndh.org.mx/sites/default/files/documentos/2019-07/REC_044_2019.pdf</a>	About the case violation to the human rights to access to justice in its modality of administration and to truth in detriment of V1, V2 and V3, attributed to personnel of the General Prosecutor of the State of Mexico.	General Prosecutor of the State of Mexico.   ESTADO DE MÉXICO
Recommendation	Issue	Responsible Authority
<b>Recommendation No. 45/2019</b> July 15, 2019 <a href="https://testwebprod.cndh.org.mx/sites/default/files/documentos/2019-07/REC_045_2019.pdf">https://testwebprod.cndh.org.mx/sites/default/files/documentos/2019-07/REC_045_2019.pdf</a>	About the case of violations to the human rights to freedom, personal safety and legality for the inviolability of domicile, arbitrary detention and illegal retention in detriment of V1, as well as to personal integrity for acts of torture, attributed to officials of the Ministry of National Defense.	Ministry of the National Defense.  

## RECOMMENDATIONS

Recommendation	Issue	Responsible Authority
<b>Recommendation No. 46/2019</b> July 18, 2019  <a href="https://testwebprod.cndh.org.mx/sites/default/files/documentos/2019-07/REC_046_2019.pdf">https://testwebprod.cndh.org.mx/sites/default/files/documentos/2019-07/REC_046_2019.pdf</a>	About the case of violations to the human rights to freedom personal safety and legality for the inviolability of domicile of V1, V2, V3, V4, V5 and V6, arbitrary detention and illegal retention of V1, V2, V3, V4 and V5, as well as to personal integrity for acts of torture in detriment of V1, in Tlalnepantla de Baz, State of Mexico, attributed to members of the Federal Police.	Ministry of Public Safety and Protection.  
Recommendation	Issue	Responsible Authority
<b>Recommendation No. 47/2019</b> July 26, 2019  <a href="https://testwebprod.cndh.org.mx/sites/default/files/documentos/2019-08/Rec_2019_47.pdf">https://testwebprod.cndh.org.mx/sites/default/files/documentos/2019-08/Rec_2019_47.pdf</a>	About the case of violations to the human right to health protection due to medical negligence for omission and to health information in detriment of V, in various hospitals of the IMSS.	Mexican Social Security Institute.   INSTITUTO MEXICANO DEL SEGURO SOCIAL SEGURIDAD Y SOLIDARIDAD SOCIAL
Recommendation	Issue	Responsible Authority
<b>Recommendation No. 48/2019</b> July 29, 2019  <a href="https://testwebprod.cndh.org.mx/sites/default/files/documentos/2019-07/RECO_2019_048.pdf">https://testwebprod.cndh.org.mx/sites/default/files/documentos/2019-07/RECO_2019_048.pdf</a>	About the violation to the human rights to education, privacy and participation, as well as to the principle of superior interest of the child because of the implementation of the "Backpack Operation" in elementary education schools in Mexico City.	Ministry of Public Education.  



## ARTICLE OF THE MONTH

### The book that deals with the global view of the problems of indigenous youth

The Global Indigenous Youth Caucus set itself a big challenge on the last UN Permanent Forum on Indigenous Issues: publishing a book that gathers the different problems that indigenous youth face in all regions of the world. If we advance twelve months, that yearning is a reality with the editing of the book "Global Indigenous Youth".

The presentation of "Through Their Eyes" took place during the last session of the UN Permanent Forum in New York. The book is published in collaboration with the Global Caucus and the Columbia University's Institute for the Study of Human Rights. The book is divided into thirteen chapters, which explore the hardship the indigenous youth face in the seven socio-cultural regions of the planet. The female writers who wrote the chapter on Central America, South America and the Caribbean were chosen by the region's Indigenous youth.

Two women had the honor to write it: Antonia Benito Tomas, a Mayan Poqomam from Guatemala who works as journalist and coordinator of the region in the Central American country, and Rayanne Cristine Maximo Franca, from the Baré indigenous community in Brazil's Amazonas. Despite having a clear illusion to fulfill that goal, both faced the first obstacle: the distance between their two countries and the difficulty to talk from their communities "being from corner to corner", Antonia said.

<https://news.un.org/es/story/2019/05/1456381>

## BOOK OF THE MONTH

### Conversations with myself

NELSON MANDELA

NUMBER OF PAGES: 520 PAGES.

BINDING: HARD COVER

PUBLISHER: PLANETA

LANGUAGE: CASTILIAN

ISBN: 9788408094555



Which thoughts had the leader and African icon Nelson Mandela at the end of the day during his 27 years in prison? For the first time in history, the Nelson Mandela Foundation reveals an entire written life: notebooks, letter drafts to heads of state, calendars, diaries and manuscripts in prison, as well as all kind of reflections along his last 50 years of life. Invaluable texts, a legacy without precedent. The first South African president democratically elected continues inspiring past, present and future generations. The man behind the autobiography.

<https://latam.casadellibro.com/libro-pe-conversaciones-conmigo-mismo/9788408094555/1799945>



## Newsletter

**The CNDH**  
Defends and protects your rights

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*Ismael Eslava Pérez*

**Second General Visitor**

*Enrique Guadarrama López*

**Third General Visitor**

*Ruth Villanueva Castilleja*

**Fourth General Visitor**

*María Eréndira Cruzvillegas Fuentes*

**Fifth General Visitor**

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**Sixth General Visitor**

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