

Newsletter







AUGUST, 2019





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### The voice of the president

#### THE CNDH PRESENTS A SPECIAL REPORT ON RIGHT TO ACCESSIBILITY WITH PROPOSALS TO REMEDY THE LACK OF A NATIONAL PROGRAM REGARDING THIS TOPIC WHOSE IM-PLEMENTATION WOULD BENEFIT 63% OF POPULATION

#### DGC/330/19

#### August 28, 2019

The National Commission of Human Rights (CNDH) presented the Special Report on the Right to Accessibility which provides proposals to remedy the lack of a National Program of Accessibility according to Recommendation 20 of the Committee on the Rights of Persons with Disabilities, whose implementation would benefit not only 7.3 million people with this condition but almost 63% of all population, including older people and with degenerative chronic diseases. Also, people in an accidental manner could benefit from it, like people with temporary injuries, indigenous or migrants, among others.

Luis Raúl González Pérez, national Ombudsperson, said it and underscored that accessibility is a previous condition for people with disabilities to live independently and fully participate in society; therefore, is a human rights and development issue. He also asked authorities to strengthen the National Council for the Development and Inclusion of People with Disabilities (CONADIS) or even a mechanism of strategic planning that coordinates policies related to people with disabilities with human, financial and material resources allowing to have enough capacity to create a national strategy to address deficiencies pointed out in this special report, to systematize actions of the different levels of government, as well as to write reports to have data to properly assess management and implementation of accessibility in all its sides.

He also noted that accessibility is an evolving concept, a central principle for the realization of other rights and a human right as well. He emphasized that accessibility is exclusively linked to people with disabilities, and often with people with motor disability. It must be considered the physical environment like urban surroundings, transportation, products, services, information, and communications, as well as technologies, utilization, and transmission. In addition, natural environments like beaches, natural parks and if possible archeological sites. It is necessary the commitment and effort of many people who not always are aware of that responsibility; in the meantime, countries that ratified the Convention have the highest political commitment.

The national Ombudsperson explained that nowadays there is no document on a national level about accessibility which analyzes policies for its right management and implementation; that is why this national commission reviewed and analyzed information from periods 2006-2012 and 2012-2018 to learn the current situation, which resulted in reviewing 76 documents and reports issued by the Executive Branch and its entities, autonomous bodies, human rights bodies, and civil society organizations. Such information shows the actions taken by 70 government entities, as well as 6 reports from civil society. Ismael Eslava Pérez, First General Visitor and journalist Katia D'Artigues joined the national Ombudsperson in the event.

He added that from 2008 to 2018, 5,239,850 pesos were allocated for accessibility on the Federation's Expenditure Budget; from that amount, 4,050 million went to the Fund for Accessibility in Transportation for People with Disabilities (FOTRADIS) and 1,189, 500 pesos for other actions regarding physical environment; although it was possible to identify authorized amounts executed by FOTRADIS, there is no report or assessment which shows efficiency or a real impact to people with disabilities. The spending should have focused on the buying special vehicles with certain characteristics, building ramps, remodeling and adjustments in parks.

## The voice of the president

During the Second Meeting of the Framework of Monitoring of the Convention on the Rights of Persons with Disabilities, González Pérez noted that 13 norms, guidelines, manuals and memos about accessibility were reviewed, of those, 7 had to do with the physical environment, and 4 are mandatory. 4 of them were about information and communication technologies and only one was mandatory regarding air transportation.

Later, Ismael Eslava Pérez, First General Visitor, pointed out the need of modifying the "Norma Oficial Mexican O34" from the Ministry of Labor and Social Welfare to make a reality the implementation of accessibility in facilities of less than 50 workers. He also said that Mexican norms refer to physical accessibility partially, and do not consider its cross-cutting feature and applicability.

He underlined that the normativity is focused on regulating accessibility in the physical environment, and there is no binding normativity for transportation, communications and information technologies. There is a lack of coordination amid levels of government to avoid isolated and low impact actions. In addition, norms and manuals neither are binding nor are updated according to international standards. Professional training is necessary and the certification of interpreters on Mexican sign language. There have to be mechanisms of supervision and sanction for the non-compliance of such poor legal framework. The technical material that was reviewed is only specific for certain sectors and does not cover all sides of human activity nor the government or private activity. Therefore, there are loopholes in the information.

Consequently, Eslava Pérez presented proposals like harmonizing national legislation to international standards over accessibility; making a General Law on Accessibility and reform specific laws from the duty of the State to promoting, protecting and assuring the full exercise of the right to accessibility of all people; developing a National Program of Accessibility with short, medium and long term from a national strategy for the implementation of the particular right considering what is new, preserving what is already accessible and adapting what is not.

Another proposal is to organize the National Strategy of Accessibility from a universal design perspective considering that benefits will be for everyone. The adoption of such a concept has to be promoted publicly and privately. The plan for the implementation of accessibility ought to cover concrete and measurable actions under the principle of progressivity; thus, the coordination mechanism should have human, financial and material resources to have the ability to create a national strategy, to address deficiencies and to implement a policy based on the universal design that covers three levels of government.

This national body stresses the importance that the goals, concepts, and provisions of the Convention on the Rights of Persons with Disabilities be learned, understood and assumed in society as a whole, from public servants to lawmakers, judges, heads of international bodies and civil society; also including construction, education and health professionals; human rights institutions, entrepreneurs, and the Media, too; as well as people with disabilities, their representatives and the entire population.

The National Commission of Human Rights expresses its desire that the information on this special report helps to substantially improve the quality of life of people with disabilities and that the goal of promoting better practices of inclusion under a schema of equal opportunities, accessibility and nondiscrimination is fulfilled permanently and be a turning point in the history of inclusion in México.

## The voice of the president

Journalist Katia D'Artigues said that is necessary to leave behind the vision of considering people with disabilities as "charity receivers" and not as citizens with rights, because this is a group that faces difficulties to get job, education and justice opportunities; thus, the State must lead setting the example and guaranteeing accessibility.

In the presentation of the special report, people with disabilities from different parts of the country were present, as well as Joaquín Alva Ruiz Cabañas, Head of the People with Disabilities area from the CNDH.

https://www.cndh.org.mx/sites/default/files/documentos/2019-08/Com_2019_330.pdf



#### **Event of the month**

DGC/308/19

#### THE CNDH WARNS THAT MEXICO'S INTERNATIONAL PROTECTION SYSTEM COULD CO-LLAPSE DUE TO THE BIG NUMBER OF ASYLUM APPLICATIONS IF ENOUGH INFRAS-TRUCTURE IS NOT IN PLACE WHICH PUTS GIRLS, BOYS AND TEENAGERS WHO ASK FOR REFUGEE IN A HELPLESSNESS SITUATION

#### August 9, 2019

The National Commission of Human Rights (CNDH) warned that Mexico's international protection system could collapse due to the big number of asylum applications if proper infrastructure is not in place and trained personnel is not available. This situation put girls, boys, and teenagers in a helplessness condition because their applications might not be addressed despite according to the Inter-American Court of Human Rights kids cannot be rejected in the border without an adequate and individualized analysis of their applications.

Luis Raúl González Pérez, national Ombudsperson, and Michelle Bachelet, UN High Commissioner for Human Rights held a meeting in which they exchanged ideas and information about the problems in Mexico regarding the high flows of migrants who are waiting for the resolution of asylum proceedings in the United States of America. Meanwhile, migrants are returned to Mexico while they wait for such resolution.

In this regard, he highlighted the number of people taken before the National Migration Institute (INM) increased by 41% between 2018 and January-May 2019. The Migratory revision has increased in the southern border, the INM facilities are overcrowded where human rights of migrants are violated; furthermore, the presence of the National Guard has grown to hold back migrants. He noted that in northern border, shelters are saturated and the infrastructure is not sufficient to host all migrants.

This meeting, fourth in this year, took place to strengthen links and to establish a common agenda of collaboration on defending human rights. The meeting was held on the occasion of the participation of the CNDH in the review of the periodic report of Mexico before the UN Committee on the Elimination of Racial Discrimination. This was the fourth meeting this year between both institutions.



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#### THE CNDH A\$K\$ BOTH THE GOVERNMENT AND GENERAL PROSECUTOR OF CHIHUAHUA TO IMPLE-MENT PRECAUTIONARY MEASURES FOR THE \$TAFF AND FACILITIES FROM EL MONITOR DE PARRAL FOR THE ATTACK YESTERDAY MORNING

#### DGC/297/19 August 1, 2019

In order to safeguard the life and personal integrity of the staff, heads and collaborators of the newspaper "*El Monitor de Parral*", whose facilities were attacked with Molotov cock-tails, the National Commission of Human Rights (CNDH) asked the Government Secretary and General Prosecutor, both from the State of Chihuahua, the implementation pre-cautionary measures.



This autonomous body expresses its solidarity to the staff of such newspaper and all journalists of Chihuahua. At the

same time, the CNDH demands authorities an exhaustive investigation to bring those responsible to justice and prosecute them.

The attack Wednesday morning is already part of 53 attacks against media facilities since 2006, which shows the violence perpetrated to inhibit journalism and to create fear amid those who work in different areas of the media.

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#### THE CNDH A\$K\$ AUTHORITIE\$ OF COAHUILA PRECAUTIONARY MEA\$URE\$ DUE TO A POLICE ACTION THAT RE\$ULTED IN THE KILLING OF A MIGRANT AND CAU\$ED HI\$ 8-YEAR-OLD DAUGHTER TO BE LEFT ALONE

#### DGC/298/19

August 1, 2019

Comisión Nacional de los Derechos Hu Dirección General de Comuni

> Ciudad de México, a 01 de agosto de 2019 Comunicado de Prensa DGC/298/19

Solicita CNDH a autoridades de Coahuila medidas cautelares por acciones policiales contra personas migrantes que privaron de la vida a un hombre y dejaron desamparada a su hija de 8 años de edad.

 Personal de este Organismo Nacional se trasladó al lugar de los hechos para brindar acompañamiento a las personas migrantes involucradas y garantizar que se salvaguarden sus derechos humanos

La Corrisión Nacional de los Derectros Humanos (CNDH) condena la detención de personas en contento de migratión y ser di salitico. Cantalua, esprese asus condencias y subidirada a los familiares de la vicitma y solicita a diversas autocidades de seu estidada la implementación emididas cautalences, que na fueren establemente molticadas a insu definitarios y porte hecinos en ou a parsecer personal del Carpos de Openaciones Especiales de esta entidad hondurales en contendo de errigicando, que visiba con su amonte híad de a fando de edida.

Eite Organismo Constitucional Autónomo socioló a las Secretarias de Gobierro, de Salud y de Segnidad Pública, as cionos Fiscalia General y Procumento para Niñas. Niños y la Familia, todas de testado de Coshuda, que de maieres coordinada y en el ámbio de sus competencias es las troida almonitar de las de las estados es las estados es las conselencias es las troida almonitar de las des y se colabore con la representado, es una derecho a las unidad familiar de la niña de 8 alfos, y se colabore con la representador, comular de Henduras, a efecto de que de cuento de las personas falícicas es arganizados es montarias de las derechos a las estes fortes almontes de las personas falícicas es arganizados es montarias de las derechos es as estes de las de cuentos de las personas falícicas es arganizados es manteriados.

Mediante dició origido al Secretario de Cobierno, José María Franto Biller, Secretario de Sudar, Roberto Bernal Comez, Secretario de Seguridad Púlicia, José Las Pilego Corroz, Franta General de Estado, General de Altrado, Carrinos y Procuradona para Millon, Millar y Line construitario estargente estargente estargente estargente estargente estargente resulta procedente, sin pelsigad esta cuestargente estargente estargente indicatores cuentes de los hechos que resulta procedente, sin pelsigad esta cuestargente estargente estargente indicatores estargente estargente indicatores estargente estargente indicatores estargente estargente indicatores estargente estargent

medidas que resultan hece as dura para que, em instatur habitan encourse ingrandes que se encuenten en la Estacion provisional de Satillas, familiares de la persona que faiteció y algunos regionar de la construcción Ratela la lagades accesso de 1000 (construcción) Ratela la lagades accesso de 1000 (construcción) The National Commission of Human Rights (CNDH) condemns the detention of migrants yesterday in Saltillo, Coahuila, and expresses its condolences and solidarity to the family of the victim who was killed and asks to various authorities the implementation of precautionary measures who were duly notified. Apparently, personnel of the Group of Special Operations shot and killed a migrant from Honduras who was traveling with his 8-year -old daughter.

This autonomous body asked the government Secretary, the Ministries of Health, Public Safety, the General Prosecutor, and the Administrator for Girls, Boys and Family from Coahuila to safeguard the physical integrity of the surviving migrants; to provide them medical, psychological attention and legal advice. Also, to guarantee the 8-year-old girl the right to family unity and collaborate with the consulate from Honduras to facilitate the repatriation of the migrant's corpse.

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#### PRE\$\$ RELEASE\$

THE CNDH CONDEMN\$ THE MURDER OF JOURNALI\$T ÉDGAR ALBERTO NAVA, IN ZIHUATANEJO, AND DEMAND\$ AUTHORITIE\$ TO INVE\$TIGATE IT WITHOUT DI\$REGARDING HI\$ JOURNALI\$T JOB A\$ A CAUSE

#### DGC/300/19

August 2, 2019



The National Commission of Human Rights (CNDH) condemns the murder of journalist Édgar Alberto Nava, who was also Director of the news webpage "La Verdad de Zihuatanejo"; with this murder, the number of journalists killed since 2000 reaches 151. This year, 10 of them have been murdered. The CNDH expresses its condolences to his family and asked the Government Secretary and the General Prosecutor of Justice from the State of Guerrero to safeguard the life and integrity of his family and colleagues.

Likewise, this national commission demanded authorities an investigation focusing on his journalism work, who was Director of Rulings of the Municipality of Zihuatanejo too. Deputy Visitors from this national Body are on their way to Zihuatanejo to gather information and provide accompaniment and advice to the victim's family.

Guerrero holds the second place of killings of journalists in the country with 17 cases, just behind Veracruz with 22. Oaxaca and Tamaulipas have 16 each, and Chihuahua has 14 cases. In these five States, more than half of the murders committed against

journalists have happened in Mexico. This shows the urgent need of addressing this problem and to implement public actions to solve it, especially in such States.

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#### THE CNDH WORKS WITH AUTHORITIES OF COAHUILA AND CONSULATES OF HONDURAS TO REUNITE MINORS WITH THEIR FAMILIES WHO WITNESSED TRAUMATIC EVENTS AND TRY TO SOLVE THEIR IMMI-GRATION STATUS

#### DGC/301/19

#### August 3, 2019

The National Commission of Human Rights (CNDH) works to help migrants who were supposedly assaulted by the Group of Special Operations of the Government of Coahuila. Minors witnessed traumatic events and the CNDH tries to reunite them with their families and to solve their migratory situation so they can return to their countries by air.

In "Casa de los Niños y las Niñas" of Coahuila from the State DIF System, Edgar Corzo Sosa, Fifth General Visitor and specialized personnel in medicine and psychology, interviewed a 8-year-old girl whose father, a migrant, died on July 31, and a 2-year-old boy from El Salvador who was separated from his mother and sister during another raid. They remain in a migratory station. In both cases, the CNDH worked with the Administrator for Boys, Girls and Family (PRONIF) from Coahuila to carry out family reunions and proceed with the return of those people to their countries.



Regarding the 8-year-old girl, such reunion would take place with her uncle who was arrested and remains in a migratory station. Therefore, she will be reunite with her mother who is in Honduras.

After another raid carried out by the National Migration Institute (INM) and the Federal Police (PF) hours before the raid made by the Group of Special Operations of the Government of Coahuila on July 31 the 2-year -old boy was found alone and taken to the shelter "Casa de los Niños y las Niñas" of Coahuila, to reunite him with his mother and sister prior review of their family bond by the Consulate of El Salvador.

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CNDH'S PERSONNEL IS IN SALTILLO, COAHUILA, INVESTIGATING THE DEATH OF A HONDURAN MI-GRANT, AND TRYING TO CREATE RIGHT CONDITIONS FOR HIS 8-YEAR-OLD DAUGHTER, AND ALSO HELPING TO REUNITE HER WITH HER FAMILY

#### DGC/304/19

August 4, 2019

Regarding the reunion of the Honduran 8-year-old girl whose father died on July 31, with her uncle who is detained in the migratory station in Saltillo, Coahuila, the CNDH continued working with Administrator for Boys, Girls and Family (PRONNIF) from Coahuila and National Migration Institute (INM), to guarantee the girl a proper space for such reunion because some of the proposed places like civil society shelters did not have right conditions for it. The minor must have the necessary privacy for being a witness of tragic acts. After reviewing some options, it was decided that the reunion would be in "Casa de las Niñas y Niños" of the State DIF System, where she will remain from August 1.



To this end, personnel of the INM along with the CNDH transferred her uncle from the migratory station in Saltillo to "Casa de las Niñas y Niños"; the encounter and reunion was held successful-

So far, authorities of Coahuila have not arranged a right place so the Honduran minor and her uncle can meet permanently; so, the reunions will be held in the "Casa de las Niñas y Niños" as long as necessary.

https://www.cndh.org.mx/sites/default/files/documentos/2019-08/COMUNICADO%20304-2019a.pdf

#### THE CNDH DEMAND\$ SOCIETY TO COMMIT TO ERADICATE POVERTY, EXCLUSION INEQUALITY, ABUSE AND MARGINALITY THAT SUFFER INDIGENOUS AND AFRO-MEXICANS PEOPLES IN THE COUNTRY

#### DGC/307/19

ly.

August 9, 2019



The National Commission of Human Rights (CNDH) demanded three levels of government, civil society organizations, lawmakers human rights defenders, the academia and researches to endorse their commitment to eradicate poverty, exclusion, inequity, abuse and marginality that suffer indigenous and Afro-Mexicans communities and peoples. Such characteristics stop their constitutional rights to be valid and respected.

On the occasion of the International Day of the World's Indigenous Peoples celebrated on August 9, this national body reaffirms its commitment in favor of the collective rights of more than 12 million people from these communities (10.1% of the country's population), and recognizes them as a bulwark of national identity whose fundamental rights have to be recognized, respected and protected by the Mexican State.

According to the 2015 Inter-Censal Poll and the Indigenous Home Approach of the National Institute of the Indigenous Peoples (INPI), the indigenous population reaches 12,025,947 people. From that number, 7,387,341 people 3 years or older speak some indigenous language and represent 6.5% of the total population of that age in the country. 12.3% speak only one language, while 4,623,197 million do not speak an indigenous language but live and keep a family relation with the chief, spouse or some ancestor who speaks an indigenous language.

https://www.cndh.org.mx/sites/default/files/documentos/2019-08/Com 2019 307.pdf

LA CNDH OBSERVA POSITIVO EL DICTÁMEN DEL COMITÉ DE DERECHOS HUMANOS DE LA ONU EN EL CASO DE DESAPARICIÓN FORZADA DEL SEÑOR CHRISTIAN TÉLLEZ PADILLA QUE CONSTITUYE UN IM-PORTANTE PRECEDENTE PARA NUESTRO PAÍS

DGC/309/19

August 11, 2019



The National Commission of Human Rights (CNDH) considers positive the ruling delivered on August 5 from the UN Human Rights Committee in Geneva Switzerland about the case of forced disappearance of Christian Téllez Padilla that took place in 2010 in the State of Veracruz. The CNDH also believes it is an important precedent for our country.

In such ruling, adopted on July 15, 2019, regarding Communication 2750/2016, the Mexican State is required to carry out an exhaustive, rigorous, impartial, independent and effective investigation over the cir-

cumstances in the case of Téllez Padilla and sets a 180-day period from its publication to inform about the measures adopted. This represents a unique opportunity for the Mexican State to properly apply international standards included both in the Covenant on Civil and Political Rights and in the International Convention for the Protection of All Persons from Enforced Disappearance.

The significance of this resolution, is sponsored by the Strategic Human Rights Litigation IDHEAS, concludes the facts about the case of Christian Téllez Padilla have all the elements of a forced disappearance which represents continuous violations of various rights included on the International Covenant on Civil and Political Rights and its Optional Protocol, ratified by Mexico on March 23, 1981, and on March 15, 2002 respectively.

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#### LA CNDH RECONOCE A LAS JUVENTUDES Y SU POTENCIAL TRANSFORMADOR DEL DESARROLLO NACIO-NAL, Y LLAMA AL ESTADO MEXICANO A FAVORECER SU EMPODERAMIENTO A TRAVÉS DE ESPACIOS PARA PARTICIPAR ACTIVAMENTE EN LA SOCIEDAD

#### DGC/310/19

August 12, 2019

On the occasion of the International Youth Day celebrated on August 12, this national body calls on all authorities of the Mexican State to implement actions for the young can develop themselves in environments free of violence and discrimination, with equal opportunities of education and job. These actions have to guarantee the right to free expression and freedom of association. In addition, their abilities and capabilities must be encouraged; participation spaces ought to be opened so their inventiveness and opinion be valued and put into practice to solve the problems affecting society.

Worldwide, there are nearly 1,800 million young people from 10 -24 years old, becoming the largest young population in history. In Mexico, the youth reaches 30.6% million from 15-29 years old what represents 25.7 % of the total population.



Global crisis and national problems show that it has not been possible to fully guarantee the rights of the young because many live where violence and insecurity remain. Others have difficulties accessing the job market; they need housing and face stigmatization and prejudice that label them as immature, rebel, lazy and indifferent.

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#### THE CNDH \$TRONGLY CONDEMN\$ THE VICIOU\$ MURDER OF NANCY FLORE\$ GARCÍA, WHO WORKED IN THE FIR\$T GENERAL VI\$ITOR\$HIP OF THI\$ NATIONAL BODY

#### DGC/311/19

August 12, 2019

The National Commission of Human Rights expresses its deepest condolences to the family and friends of our partner Nancy Flores García, who used to work in the administrative coordination of the First General Visitorship. The CNDH also presents its sympathy to her colleagues of this national body.

Nancy Flores García, 40-years-old, disappeared on August 10, in El Tanque neighborhood, Magdalena Contreras county in Mexico City. Unfortunately, her body was found yesterday in the Municipality of Valle de Bravo, State of Mexico.

The CNDH strongly condemns this serious act of violence in which a woman died. Likewise, the CNDH demands authorities to carry out an exhaustive investigation to find those responsible and not allowing the case to remain in impunity.



This national body expresses its rejection to all forms of violence, especially those against women. The CNDH demands to put into place effective and strong actions to prevent and eradicate such violence against them.

La CNDH reiterates that will be vigilant of the proceedings of authorities until they solve this crime.

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#### THE CNDH PROPOSES TO THE SENATE TO REVIEW FEDERAL AND STATE LEGISLATION TO MAKE SUCH CRIMES IMPRESCRIPTIBLE AND TO BE PUNISH ACCORDING TO INTERNATIONAL STANDARDS IN ORDER TO PREVENT, ADDRESS AND ELIMINATE SEXUAL VIOLENCE AGAINST GIRLS, BOYS AND TEENAGERS

#### DGC/312/19

#### August 13, 2019

By participating at the Forum "Child and Teenage Sexual Violence: Legislative challenges", Ismael Eslava Pérez, First General Visitor of the CNDH, presented proposals to prevent, address and eliminate sexual violence against girls, boys and teenagers. Therefore, the National Commission of Human Rights (CNDH) proposed to the Senate to review federal and state legislation to make these crimes Imprescriptible and punished according to international standards. Also, the CNDH asked to remove any legal prevision that maintains impunity; for example, the marriage between the attacker and the victim to erase such crimes.



This national body noted the need of drafting a homologated general protocol for the entire country to prevent, detect, address, denounce and prosecute cases of child sexual violence, so the local education authorities, administrators of protection of girls, boys, and teenagers and prosecutors of justice follow a unique proceeding to protect the integrity of minors.

Eslava Pérez presented before lawmakers and specialists in the Octavio Paz Auditorium in the Senate important proposals of normative changes and legislative challenges to prevent, address, and eliminate sexual violence against girls, boys, and teenagers.

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THE CNDH AFFIRMS THAT THE LEGISLATIVE BRANCH MUST BE ACTIVE AND CENTRAL PART OF OUR CONSTITUTIONAL SYSTEM OF CHECKS AND BALANCES. LEGISLATING SHOULD NOT BE DONE TAKING INTO ACCOUNT POLITICAL COMMAND, IDEOLOGIES, BELIEF, WISH AND PERSONAL OR GROUP DESIRE



#### DGC/313/19

August 13, 2019

El Ombudsperson Nacional, Luis Raúl González Pérez, aseguró que el Luis Raúl González Pérez, national Ombudsperson, assured that the legislative branch is and must be an active and central part of our constitutional system of checks and balances because its task is an essential part of the democratic governance. The legislative work requires autonomy, professionalism, vast knowledge and a solid commitment with the truth.

That is why political interest, ideologies, belief, wish and personal or group aspirations cannot be the ground in which our laws are created. It is necessary to listen to society and civil society when drafting laws to strengthening democracy. "Speeches can manipulate person-

al perception, but they cannot modify facts and reality", he said.

The President of the National Commission of Human Rights (CNDH) highlighted the importance of a real open parliament where society, the academia, and all people can participate. He said it at the session of the first activities report from Senator Emilio Álvarez Icaza Longoria at the 64th Legislature.

He noted the need for recognizing that Mexico faces hard times when human rights cannot be ignored or left aside. He stressed that the legislative branch is one of the main ways to realize human rights and be a reality for everyone.

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#### THE CNDH EXHORTS THE LEGISLATIVE BRANCH TO PUT FIRST THE SEARCH FOR PRESERVING THE AC-KNOWLEDGMENT AND RESPECT OF HUMAN RIGHTS, INSTEAD OF PERSONAL INTEREST AND POLITICAL MAJORITIES IN CONGRESS

#### DGC/314/19

#### August 17, 2019

Luis Raúl González Pérez, President of the National Commission of Human Rights (CNDH) said that in order to overcome the challenges Mexico faces it is a priority the work and commitment of lawmakers; that is why he exhorted them to put first the search of preserving the acknowledgment, respect, and dignity of human rights instead of personal interest and political majorities in Congress.

He noted that even though there are many topics and various challenges, lawmakers have to do their job to make human rights possible and be respected, so Mexico can fulfill its human rights obligations through its Constitution and the rest of the legal framework. The legislative branch has both the duty and opportunity to influence with its work to make rights a reality for everyone, especially for those in a vulnerability situation.

The national Ombudsperson underscored that the daily situation we Mexicans face makes us to implement new and better mechanisms to guarantee human rights and strengthen peace, democracy and plurality. He said it at the session of the first work report from Senator Josefina Vázquez Mota, who spearheads the Commission of Childhood and Adolescence of the Senate.

https://www.cndh.org.mx/sites/default/files/documentos/2019-08/ Com_2019_317.pdf



CNDH I\$\$UE\$ A RECOMMENDATION TO THE MINI\$TRY OF NATIONAL DEFENSE, THE GENERAL PROSECU-TOR'S OFFICE, AND GENERAL PROSECUTOR OF THE STATE OF MEXICO FOR GROSS VIOLATIONS TO THE HUMAN RIGHTS OF SIX PEOPLE WHO DIED BY THE HAND OF MILITARY PERSONNEL

#### DGC/316/19

August 18, 2019

The National Commission of Human Rights (CNDH) issued Recommendation 22VG/2019 to Luis Cresencio Sandoval González, Secretary of National Defense (SEDENA), to Alejandro Gertz Manero General Prosecutor (FGR), and to Alejandro Jaime Gómez Sánchez, General Prosecutor of Justice of the State of Mexico for gross violations to the human rights to life for excessive use of force in detriment of six people who died, two of them



women. The acts are attributed to military personnel. Including violations to legality, legal security and administration of justice in detriment of their families due to actions and omissions from public servants of both prosecutor offices².

After its investigation, this autonomous body could challenge the legality, need and proportionality of the use of lethal force from military elements assigned to Infantry Batallion 102/o. of the SEDENA. The acts took place on October 30, 2014, in the Municipality of Luvianos, in the State of Mexico, where a raid was carried out and six people died in a clash between civilians and military personnel. The CNDH learned that chemical test made by the FGR to the six weapons found near the victims were not fired.

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## THE ADVISORY COUNCIL OF THE CNDH CONDEMNS VIOLENCE IN ALL ITS FORMS, AS WELL AS HATE AND POLARIZING SPEECH FROM ANY PART OF SOCIETY



#### Comisión Nacional de los Derechos Humanos Dirección General de Comunicación

Ciudad de México, a 18 de agosto de 2019 Comunicado de Prensa DGC/317/19

Condena Consejo Consultivo de la CNDH la violencia en todas sus expresiones, así como discursos de odio y polarizantes desde cualquie instancia de la sociedad

- El Organismo emite Posicionamiento de 8 puntos ante hechos de violen registrados en los últimos días, dentro y fuera del país
- Demanda a autoridades investigar delitos cometidos y emprender acciones penerar un entorno más seguro y pacifico.
- Sostiene que México requiere una transformación hacia el auténtico respeto y vigencia de los derechos humanos, la legalidad, la verdad, el fortalecimiento de la institucionalidad democrática, la reconciliación nacional y la paz, al margen de

El Consejo Consultivo de la Comisión Nacional de los Derechos Humanos (CNDH) rechaza la violencia en todas sus expresiones y condena los discursos de odo y polarizantes desde cualquier instancia de las sociedades, toda vez que son opiniones negativas preconcelidas o suposiciones entereolipadas que generan condiciones propicias para incitar a la

Consider que los discursos de odo contradicen la cohesión social, los derechos humanos y el Estado de Derecho: soci una forma externa de inicipancia que contribuye a los crimenes de odo. Sostiene que es prioritaria su condena y prevención porque producen en los países y en las sociedades, un estado de riña, contonitación y unimariyenia pro nortar de gruposo o personas, por su origen éfinico, nacionalidad, género, orientación o preferencias isexuales, crencias, e inclusive por ophinores o preferencias políticas e dedodocas.

Así lo consigna el Posicionamiento emitido por el Consejo Consultivo de la CNDH ante los nechos de violencia registrados en los últimos días, dentro y fuera del territorio nacional, en los sue cersonas de diversas nacionalidades han cerdido la vida o resultado lesionados.

En ocho puntos, el Organismo rechaza la violencia en todas sus expresiones y demanda de las autoridades de los distintos riveles y órdenes de gobierno, que los deltos cornetidos se investiguen y se empendan acciones para generar un entorno más seguro y pacífico en el país, así como para brindar a las victimas los apoyos y asistencia que requieran.

Asegura que México requiere una transformación hacia el auténtico respeto y vigencia de los derechos humanos, la legalidad, la verdad, el fortalecimiento de la institucionalidad democrática, la réconciliación nacional y la paz, al margen de preferencias o intereses políticos o ideológicos.

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#### DGC/317/19

#### August 18, 2019

The Advisory Council of the National Commission of Human Rights (CNDH) rejects all forms of violence and condemns hate and polarizing speeches from any part society because they are preconceived negative opinions or stereotyped assumptions that create conditions to incite discrimination, hostility, and violence.

The Advisory Council considers that hate speeches contradict social cohesion, human rights and the rule of law. They are an extreme form of intolerance that provokes hate crimes. Condemnation and prevention are important because these crimes create fights, confrontation, and animosity against certain groups for their ethnic origin, nationality, gender sexual orientation, belief and even for political and ideological opinion.

The statement of the Advisory Council expresses this because of the violence perpetrated within and out of the country recently against people of different nationalities who lost their lives or got hurt.

In eight points, the body rejects all forms of violence and demands authorities from all levels that crimes are investigated and actions are taken to create a safer and peaceful environment in the country; and to provide victims the support and assistance they need.

https://www.cndh.org.mx/sites/default/files/documentos/2019-08/Com 2019 317.pdf

#### THE CNDH ENCOURAGES A CULTURE OF RESPECT TO HUMAN RIGHTS ON THE ENTERPRISES TO ACHIEVE A MORE JUST AND EQUAL SOCIETY



#### DGC/318/19

August 20, 2019

To reach a more just and equal society and to strengthen our economy it is necessary to join efforts to get a culture to respect human in the enterprises of our country. Such culture must have a commit to costumers, service users and communities.

The goal of industry and commerce of getting profit is not against respecting human rights; that is why the creation and implementation of inclusive and sustainable policies is paramount, these policies have to be based on the respect of people's dignity and ought to be lined up with the UN Guiding Principles on Business and Human Rights.

Luis Raúl González Pérez, national Ombudsperson, said it during the signature of a collaboration agreement between the National Commission of Human Rights and the Ministry of Economy, which marks first, a step to fulfill General Recommendation 37 issued by this body in May, and second, a step to reach the goals of the 2030 Agenda of Sustainable Development.

The national Ombudsperson pointed out that enterprises in our country have a great responsibility to low the levels of poverty and inequality, to get better work conditions and fine salaries; also, they must guarantee the right to food and gender parity regarding labor, among others.

https://www.cndh.org.mx/sites/default/files/documentos/2019-08/Com_2019_318.pdf

#### THE CNDH REGRETS THE DENIAL OF THE PERMANENT COMMISSION OF CONGRESS TO SUBPOENA PUB-LIC SERVANTS WHO DID NOT ACCEPT RECOMMENDATION 29/2019 ABOUT CHILD DAYCARE FACILITIES

#### DGC/320/19

#### August 22, 2019

Regarding the decision from the Permanent Commission of Congress to stop the hearing of the heads of the Ministries of Welfare, of Finance and Public Credit, National Commission of Regulation Betterment, National System for Integral Family Development, who refused to accept Recommendation 29/2019, about the cancellation of the Program of Child Daycare Facilities, the National Commission of Human Rights expresses its deepest concern and regrets that putting aside arguments, concrete evidence, and the necessary defense of the human rights of girls, boys, mothers and working parents, the vote of the majority in the Senate has been negative for the enforcement of the second paragraph, Section B, of article 102 of the Constitution.

This decision cancels the possibility that the victims, whose human rights violations are recognized on Recommendation 29/2019, get a clear and solid explanation by authorities. The victims are entitled to get such an explanation enshrined in the Constitution; also, a public hearing would have allowed discussing with the lawmakers the reasons for the negative vote. It is disturbing that the arguments given by those who opposed the hear-

ing of the heads of the ministries were mainly ideological or political and not considering any objective and verifiable information; besides, a plural debate was ignored regarding especially the human rights of childhood and women.

https://www.cndh.org.mx/sites/default/files/documentos/2019-08/ Com_2019_320.pdf



## THE CNDH URGES THREE LEVELS OF GOVERNMENT TO INCREASE EFFORTS TO GUARANTEE ACCESS TO JUSTICE AND RESTORE THE RIGHTS OF VICTIMS OF HUMAN TRAFFICKING, SPECIALLY OF MIGRANTS DUE TO LIMITED ACTIONS FOR THEIR IDENTIFICATION

#### DGC/321/19

August 23, 2019

The National Commission of Human Rights (CNDH) underlines the lack of a policy to restore of the rights of human trafficking victims and of different forms of exploitation that are sanctioned by our legislation. Authorities have not identified victims yet despite Mexico ratified international instruments and has a legal framework on that topic.

On occasion of the International Day for the Remembrance of the Slave Trade and its Abolition –August 23–, the CNDH exhorts the general attorneys and prosecutors, the National Migration Institute, the Executive Commission for Attention to Victims and its counterparts in the States to intensify actions to identify human trafficking victims, to fulfill the duties on the general law about this crime, the international instruments, and institutional protocols to that end, and finally to guarantee the principle of maximum protection to possible victims from Mexico or abroad.



Similarly, this national commission extends its call to all public servants who have "first contact" like job inspectors, personnel of attention to crime victims, police, migratory agents, and health personnel to train themselves and to learn their duties on detection and identification of human trafficking victims in order to fight this growing problem that affects victims and vulnerable communities permanently.

https://www.cndh.org.mx/sites/default/files/documentos/2019-08/COMUNICADO-321-2019.pdf

#### DEFENDING HUMAN RIGHTS OF BOYS, GIRLS, MOTHERS AND WORKING PARENTS IS NOT DEFENDING POLITICAL INTEREST

#### DGC/322/19

#### August 23, 2019

Regarding the statement made by the President of the Republic today, in which once again he criticizes and challenges the work, professionalism, and credibility of the National Commission of Human Rights (CNDH) as result of the issuance of Recommendation 29/2019, concerning the cancellation of the Program of Child Daycare Facilities, this national body states the following:

1. The CNDH regrets and expresses its concern for the repeated insults about its work coming from the Presidency without any reality check, with the intent to mislead society and to confuse the public creating a wrong perception of that case.

2. The defense of human rights and particularly one of girls, boys, women, and other vulnerable groups is not about any political or ideological interest. It is a duty and responsibility of the Mexican State, public servants, included the President of the Republic to promote, respect, protect, and guarantee human rights according to the principles of universality, interdependence, indivisibility, and progressivity.



3. Recommendation 29/2019, whose content is available to be analyzed by the public was the result of a serious, punctual and based on objective information and evidence; it was also the product of an analysis of the national and international legal framework, criteria and standards concerning this issue.

https://www.cndh.org.mx/sites/default/files/documentos/2019-08/ Comunicado-322.pdf THE CNDH EXPRESSES ITS CONCERN FOR THE REPEATED VIOLATION OF THE HUMAN RIGHTS OF 5.9 MI-LLION FARMERS, AND UNDERLINES THE IMPORTANCE OF EMPOWERING CIVIL SOCIETY ORGANIZATI-ONS AND HUMAN RIGHTS DEFENDERS SO THERE CAN BE A DECENT LIFE IN THE COUNTRYSIDE



#### DGC/325/19

#### August 25, 2019

The National Commission of Human Rights (CNDH) expresses its concern for the repeated violation of fundamental rights of 5.9 million people who are part of the farm community in our country. The CNDH stressed the need for empowering and provide civil organizations and human rights defenders tools to positively influence on the protection and promotion of such prerogatives. Furthermore, it is an important task to make visible the violations to those rights so authorities can meet their constitutional duties and the farmers have a decent life.

For this national body to recognize the importance of defending human rights is paramount to influence development policies for everyone to have vital elements for the full enjoyment of those rights. In 2017, only 3 out of 10 women who worked in the countryside were paid for working, and it must be considered health problems for the impact on the environment, production activities and the work itself, as the National Farming Poll of that year shows. The percentage of girls, boys, and teenagers who did prohibited work for them in the farm area reached 34.5%, service jobs with 22.3% and trade jobs with 20.3%.

Luis Raúl González Pérez, national Ombudsperson said it at the inauguration of the Diploma Course of Human Rights for civil, peasants organizations and Community leaders which will be developed at the same time in Culiacán, Sinaloa; Chihuahua, Chihuahua; Mérida, Yucatán; Comitán, Chiapas; Chilpancingo, Guerrero, and Mexico City. He also highlighted the importance of improving the situation of those who work hard in the countryside and to help organizations that defend and look after the human rights of farmers.

https://www.cndh.org.mx/sites/default/files/documentos/2019-08/COM 325-2019.pdf

#### THE NATIONAL HUMAN RIGHTS INSTITUTIONS FROM ARGENTINA, COSTA RICA, ECUADOR, GUATEMALA, HONDURAS, PANAMA, AND MEXICO EXPRESS THEIR CONCERN FOR THE FIRE IN THE AMAZON RAINFO-REST AND CALL ON AUTHORITIES AND SOCIETY TO RAISE AWARENESS TO CREATE A SUSTAINABLE ECO-NOMIC AND ECOLOGICAL DEVELOPMENT

#### DGC/332/19

#### 29 de agosto de 2019

The national human rights institutions from Argentina, Costa Rica, Ecuador, Guatemala, Honduras, Panama, and Mexico express their deep concern for the devastating fire in the Amazon Rainforest considered as the world's lung. The fire takes place in different countries of South America with a serious impact on population, ecosystems, and biodiversity.

These national human rights institutions solidarize with indigenous, tribal, and peasants peoples and communities that share the Amazon Basin. Likewise, the NHRIs recognize its value as a natural heritage of humankind; its fragility is evident due to the increase of fires in that region, the devastation of various portions of such rainforest, and therefore the serious environmental impact.

The NHRIs from Argentina, Costa Rica, Ecuador, Guatemala, Honduras, Panama, and Mexico share the remarks of Antonio Guterres, UN Secretary-General, about that: "In the midst of the global climate crisis, we cannot afford more damage to a major source of oxygen and biodiversity. The Amazon must be protected". This stance along with the commitments from the international community with the 2030 Agenda highlights the importance of the commitment of States to safeguard and administration of human rights, specifically those that have to do with Goal 6, clean water and sanitation; goal 11, sustainable cities and communities; goal 13, climate action; and goal 15, life on land.

https://www.cndh.org.mx/sites/default/files/documentos/2019-08/COM 2019 332.pdf

Las Instituciones Nacionales de Derechos Humanos de Argentina, Costa Rica, Ecuador, Guatemala, Honduras, Panamá y México expresan precoupación por los incendios en la Selva Amazónica y llaman a autoridades y sociedad a generar conciencia para procurar un desarrollo económico y ecológicamente sostenible

Las Instituciones Nacionales de Derechos Humanos de Argentina, Costa Rica, Ecuador, Cuatemala, Honduras, Panamá y Mexico expresar su profunda precupación por los devastadores incendios que afectan la región de la Selva Amazónica, considerada pulmón del mundo, curvida en territorio de varios países de Sudamérica, con graves impactos sobre la población, los ecosistemas y la diversidad bulogíza de la zona.

Estas Instituciones Nacionales de Derechos Humanos se solidarizan con los pueblos y las comunidades indígenas, tribales y campesinas que comparten la cuenca amazónica.

Igualmente, reconocen el valor que como patrimonio natural de la humanidad tiene, así como su fragilidad ambiental, la cual ha sido evidenciada mediante el creciente aumento de los incendios forestales en la región, la devastación de varias porciones de la floresta amazónica y sus altos impactos ambientales.

Las INDH de Argentina, Costa Rica, Ecuador, Cuatemala, Honduras, Panama y México comparten el posicionamiento del Secretario Ceneral de Naciones Unidas, Antonio Guterres, en cuanto a que: "En medio de la crisis global climática, no podemos permitir más daño a una de las mayores fuertens de oxígeno y biodiversidad. La Amazonia debe ser protegida".

Esta postura, aunada a los compromisos que ha adquirido la comunidad internacional en el marco de la Agenda 2030, apunta la gran trasendencia del compromiso de los Edados en materia de salvaguarda y procuración de los derechos humanos; en específico, los que se atienden en dicho documento en sus Objetivos 6 sobre Agua Limpia y Saneamiento; 12 enfocado a Cutadase y Comunidades Sostenibles; 13 respecto de la Acción por el Clima; y 15 acerca de la Vida de Ecosistemas Terrestres. THE CNDH EXPRESSES ITS SOLIDARITY WITH MORE THAN 40,000 VICTIMS OF FORCED DI-SAPPEARANCES AND THEIR FAMILIES; IT ALSO URGES AUTHORITIES TO PROPERLY ALLOW ACCESS TO TRUTH AND JUSTICE FOR THEM

#### DGC/333/19

August 30, 2019

The National Commission of Human Rights (CNDH) expresses its solidarity and commitment with more than de 40,000 disappeared, whether victims of forced disappearances or committed by private individuals and their families who still are waiting to know the truth over that disgraceful practice which is contrary to human dignity and implies the absolute denial of all human rights. They also need to know the whereabouts of their love ones, to have access to justice, damage reparation, and have the guarantee of non-repetition.

This national body welcomes the decision of the President of the Republic today to accept the competence of the UN Committee on Enforced Disappearances to receive and review individual communications; the last administration did not address that situation despite several exhorts made by the CNDH; to invite the committee to make an official visit to Mexico during the second part of 2020; to address international decisions concerning cases of disappearances; to present a bill that allows to make effective the extraordinary mechanism of forensic identification. Also, it is important that the Search Unit of the Federal Police and the National Search Commission were aimed to carry out tasks of search and localization of people disappeared.

This autonomous body notes that according to official data made public today, more than 3,000 clandestine graves have been found where the exhumation of human remains has been made. However, no conditions are in place to give proper attention to such problem as yet, what shows a lack of interest and will from authorities from all over the country to address the claims from victims and society. All of this will help recovering peaceful coexistence, confidence in the institutions and the rule of law.

https://www.cndh.org.mx/sites/default/files/documentos/2019-08/COMUNICADO_333-2019.pdf











#### Forced disappearances

The legal term "forced disappearance" may sound hard, but the human history that lies beneath is simple: people disappear, literally, amid their love ones and their community when State officials (or with the State's consent) arrest them in the street or at home, later, they deny it or refuse to tell where they are. It is a crime of international law. Often, these people are never freed and their fate is never known. Many times, victims suffer torture and constantly live with the fear of being killed.

Victims know that their families do not know their whereabouts completely, and that is unlikely that someone comes to help. Even if they cheat death and are freed, psychical and psychological scars remain. Family and friends of disappeared people suffer slow psychological distress, without knowing if a son, daughter, mother or father are still alive, where they are or how they are treated.

To search the truth may entail grave danger for the entire family. Forced disappearance is often used as a strategy to create terror in society. The sense of insecurity and fear that comes from itcrime is not limited to close members of the family of the disappeared but it also affects communities and society as a whole. Its use has become a world problem. Widely used by military dictatorships in the past, now, disappearance es occur in many internal conflicts, especially when there is an intent to repress political opposition.

https://www.es.amnesty.org/en-que-estamos/temas/desapariciones-forzadas/

#### **BOOK OF THE MONTH**

#### Smiles from Bombay: the trip that changed my destiny

JAUME SANLLORENTE NUMBER OF PAGES: 196 PAGES. BINDING: SOFT COVER PUBLISHER: PLATAFORMA LANGUAGE: CASTILIAN ISBN: 9788496981010



Back in 2003, Jaume Sanllorente was a young journalist with a successful life in Barcelona. One day, a travel agency convinces him to spend his vacation in India. Jaume was shocked on that trip to sacred cows' country, especially because of the heartbreaking poverty he sees in the street.

Numerous coincidences and facts occurred by sheer luck bring Jaume to be aware of the world he lives in and to think that he can do something to fix it. After going to a small orphanage in Bombay, which is going to close and its forty kids about to get back to the brothels of the city, Jaume makes a decision that will change the rest of his life. Consequently of many more. His destiny is written in the sidewalks of Bombay.

https://latam.casadellibro.com/libro-sonrisas-de-bombay-el-viaje-que-cambio-mi-destino-5aa-ed/9788496981010/1168456



#### **Newsletter**

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