

NEWSLETTER

#325

México, a 20 de febrero de 2020.



MARCH 2020

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THE VOICE OF THE PRESIDENT

DGC/111/20
March 31st, 2020

The CNDH will remain vigilant in order to Health Safety Measures, announced yesterday by the General Health Council to respond covid-19 emergency in our country, to be applied with strict adherence to law and human rights.

The National Human Rights Commission (CNDH-acronym in Spanish) will remain vigilant and will follow up within its constitutional powers, in order to agreements and Health Safety Measures, announced yesterday by the General Health Council to respond to this emergency in our country, to be applied in strict adherence to law and human rights.

This National Autonomous Organism also demands the country's population, to follow up authorities' indications since this will be in the best interest of their health and integrity. Likewise, it reiterates the importance of working together, because it is impossible to understand any State or Government action without participation and social solidarity.

As Authorities have explain, our lives, and health integrity forced us to limit our mobility. Unfortunately, this health emergency does not im-

ply that human rights are automatically observed, and before that, we must be vigilant that it does not become an excuse to delve in rights violations because feminicides, assaults and murders of journalists and activists continue on daily basis. In addition, there are threatens to employment and to women integrity, minors and elders in their homes, so that, if we are not fully aware, all of this can overwhelm the situation.

It is necessary to ensure basic services. Also, it is essential to avoid cessation of substantive economic activities, becoming fundamental to count with labor conditions assuring employees life and health. We respectfully call on businessmen and businesswomen to take measures not only on this pandemic containment and mitigation, but also on its medium- and long-term effects. To avoid cessation of labor relations, non-payment of salaries, or to incur in any violation of the labor rights of their employees, exposing them to attend indoor places or over-populated areas.

It is of special interest to ensure labor rights to domestic workers, who cannot be dismissed abusively, neither to get suspended without payment. Many domestic workers live from day to day and they will not have a chance to subsist during this health emergency without his/her salary.



This Commission urges not to forget that in all labor relationship, rights of all employees contained in the Constitution, Labor Federal Act, in the Social Security Act, in the Federal Regulation on Safety and Health in Workplace, in Official Standards and other applicable provisions in the matter, must be guaranteed.

The CNDH reiterates that it will continue to provide attention and support required by the population through its offices directly, giving priority to online complaint www.cndh.org.mx, email: correo@cndh.org.mx, telephone: 800 715 200 and 56818125, or the "CNDH Atiende" mobile phone application. This service is free and available 24 hours a day.

Stay at home.

EVENT OF THE MONTH

DGC/073/2020

March 6th, 2020

It is a matter of concern to The CNDH the upsurge of inequity, discrimination and violence against women and girls, and calls to redouble the effort to safeguard their lives, liberty, dignity and justice.

The National Human Rights Commission (CNDH) stressed to confirm to governmental authorities that human rights fulfillment importance is linked to budgetary exercise, therefore, no reduction or adjustment of the budget can be on protection of such prerogatives or compromise people's dignity, since its exercise must be at the core of the public budget.

The president of the National Human Rights Commission (CNDH), María del Rosario Piedra Ibarra, manifested her concern to the upsurge of inequity, discrimination and violence against women and girls and called upon authorities, civil society organizations and public in general, to redouble efforts to safeguard their life, liberty, dignity and justice.



As part of the commemoration of The International Women's Day (March 8th), the National Ombudsperson led the event "Dialogue between CNDH women on working women rights", where she reiterated her personal commitment and of the National Organism to continue working to ensure equality, respect to women and girls rights, and eradicate all kind of violence, through activities of dissemination, training, promotion and observance.

At the meeting, which brought together women workers from the CNDH, Piedra Ibarra raised need to strengthen solidarity to victims of all kind of violence and encourage sorority upon their rights defense.

She announced the National Human Rights Commission will join the Women's National Walkout on march 9, as a way to echo in society of clamor, not only nationally but internationally, and we will have to shake society's conscience, so that it helps to reflect and to see which way to go, not only to reduce, but to disappear crimes as feminicides. Likewise, she informed to feminine workers of this National Organism that would like to participate in the Walkout, may be absent of their workplaces, without sanctions.

DGC/047/2020 20 de Febrero de 2020

CNDH and SFP coordinate efforts for the training, professionalization, and exchange of information on human rights for public servants.



The heads of the National Commission for Human Rights (CNDH), María del Rosario Piedra Ibarra and the Secretary of the Public Function (SFP), Irma Eréndira Sandoval Ballesteros, signed a Collaboration Agreement for the implementation of training, professionalization actions, coordination and exchange of information, in the field of human rights, for the public servants of both organizations, seeking to strengthen the institutional capacities of the Federal Public Administration.

The accord will strengthen the monitoring mechanisms and attention to the Recommendations, conciliation proposals and requests for information from the CNDH. Likewise, programs, congresses, seminars, symposia, forums and other training activities in the field of Human Rights will be established in order to sensitize the personnel of both organizations on the importance of respecting these guarantees.

Both parties agree to help carry out training and awareness activities for the public servants as-

signed to each of them, in this area in order to contribute to the fulfillment of their purposes and powers provided by law. For this, the computer platforms, mechanisms and tools for the delivery of the courses will be provided, in order to provide training.

In this act that took place in the SFP's Aula Magna, the head of the CNDH pointed out that for this National Organism the signing of the Agreement is a transcendent fact and expressed its votes so that it yields positive results for the well-being of the Homeland; offered the assistance of the personnel of the National Commission in all that is necessary for the proper fulfillment of the Accord.

For her part, Irma Eréndira Sandoval Ballesteros celebrated the signing of the Agreement, because it will allow to collaborate together to fight two of the worst evils that our country has suffered in recent decades and which are also the main concerns of Mexicans: corruption and the crisis in security and human rights. Both said they were convinced of the importance of observing human rights provisions, which makes it necessary to strengthen inter-institutional cooperation ties and the exchange of information and tools on the situation of public servants of the Federal Public Administration.

DGC/064/2020

March 1st, 2020

The CNDH calls to eradicate violence faced by girls, adolescents and women, at Zero Discrimination Day.

The National Human Rights Commission (CNDH) calls upon society and authorities to eradicate violence faced by girls, adolescents, adult and elderly women, women living with HIV, transgender and sex workers, as it is contrary to their dignity since it constitutes a form of discrimination, overriding or undermining of their rights free exercise.

To this National Commission discrimination experiences by women such as poverty, lack of access to education, health services, employment opportunities and belonging to sectors of the population in vulnerable conditions, places them at risk of abuse, violence and exploitation. ►

In addition to that, all kind of discrimination against women violate their principles of equity rights and respect for human dignity, limiting their well-being and full development.

On the occasion of the 2020' Day of Zero Discrimination, whose theme is "Zero Discrimination against Women and Girls" in all its diversity, intended to sensitize and to call on action to promote equity and empowerment, the CNDH notes relative lack of women's rights is growing exponentially as additional vulnerability situations are added.

https://www.cndh.org.mx/sites/default/files/documentos/2020-03/COM_2020_064.pdf

DGC/070/2020
March 5th, 2020

It is a matter of concern to The CNDH the lack of public policies of the Mexican State to assist basic needs of indigenous people with disabilities, from native communities of Chihuahua, Hidalgo and Yucatán.



The National Human Rights Commission (CNDH) expressed its concern about indigenous people with disabilities from communities in Chihuahua, Hidalgo and Yucatán, belonging to the original Tarahumara, Otomí and Mayan groups, who are socially disadvantaged and severely vulnerable because they are excluded from specific programs designed to improve their fundamental rights exercise, as stated by the President, María del Rosario Piedra Ibarra, who also stressed out that historically, indigenous peoples and communities have been set aside from social progress, mainly women with disabilities, who have been excluded double or triple to fully enjoy their fundamental rights such as education.

During the presentation on the first "Study on Legal Framework of Rights of Indigenous People with disabilities at Mayan, Otomí and Tarahumara communities", carried out by this National Commission, she specified that we must work to achieve respect to indigenous peoples' rights, due to social gap accentuating communities' poverty conditions.

https://www.cndh.org.mx/sites/default/files/documentos/2020-03/COM_2020_070.pdf

DGC/072/2020
March 6th, 2020

The CNDH requested to Petróleos Mexicanos to implement precautionary measures to ensure hemodialysis treatment,

free of contaminants, to 138 patients at the Regional Hospital of PEMEX in Villahermosa,



Tabasco.

The National Human Rights Commission (CNDH), requested to Petróleos Mexicanos (PEMEX) to apply precautionary measures on behalf of 138 patients with hemodialysis treatment at Regional Hospital of PEMEX (HR-PEMEX- acronym in Spanish) in Villahermosa, Tabasco, to ensure they get needed care and conduct a thorough review of medications and inputs and equipment to make sure they're free of contaminants and have proper expiration date.

This Agency demanded PEMEX to immediately provide hemodialysis treatment, needed by the beneficiaries at HR-PEMEX, or where applicable, to surrogate the service to public hospitals or private, ensuring optimal conditions, free from any kind of bacteria affecting health.

In the most recent visit to the hospital, staff of this National Commission interviewed ten people entitled to this hospital, who stated that seventeen patients with hemodialysis treatment were affected by the application of the drug Heparin and that seven of them had died.

https://www.cndh.org.mx/sites/default/files/documentos/2020-03/COM_2020_072.pdf

**PRESS
RELEASES**

DGC/075/2020

March 11th, 2020



The CNDH calls on local Congresses of different federal bodies to promote regulatory alignment to guarantee same-sex marriage.

To ensure right to same-sex marriage throughout the country, the National Human Rights Commission (CNDH) respectfully calls on different local congresses to promote pending alignment to regulations in their civil and/or family codes, to guaranteed all persons' full access to their human rights.

As of today, apart Mexico City, States guaranteeing same-sex marriage within civil or family codes are Southern Baja California, Campeche, Coahuila, Colima, Hidalgo, Michoacán, Morelos, Nayarit Oaxaca, Quintana Roo and San Luis Potosí.

Furthermore, through Unconstitutional Actions interposed by this National Agency before the Supreme Court of Justice, it declared the invalidity of normative portions only ensuring this right to heterosexual couples, having as one of its purpose for procreation in entities as; Aguascalientes, Chiapas, Jalisco, Nuevo León and Puebla. It should be noted that in some municipalities in the country and through administrative agreements, this right has been recognized.

For this National Autonomous Organization, this reality undermines the dignity of many people, since they must make unnecessary economic expenditures in order to exercise their right to marry, expenditures that are not imposed on heterosexual couples. For this reason, it warns that the will reflected on legislators' determination will open doors to guarantee rights derived from marriage.

https://www.cndh.org.mx/sites/default/files/documentos/2020-03/COM_2020_075.pdf

DGC/078/2020

March 12th, 2020

The CNDH condemns assault on journalist Mireya Ulloa Valencia, editorial director of "La Opinión de Poza Rica" newspaper, stabbed because of her journalistic work

The National Human Rights Commission (CNDH) condemns assault on journalist Mireya Ulloa Valencia, editorial director of "La Opinión de Poza Rica" newspaper, who was stabbed when she was arriving to her home at cited municipality in Veracruz, on early Wednesday morning.

This National Organism requested to the three level of government authorities to conduct comprehensive investigation and expeditiously, in order this assault not to remain unpunished, without investigation line omission related to journalistic exercise.

After assault, the journalist was taken by her relatives to a private clinic where she was given medical care for stab wounds to the abdomen and fortunately reported stable.

According to information from "La Opinión" newspaper, Ulloa Valencia herself denounced the aggression to the State Commission for the Attention and Protection of Journalists (CEAPP-acronym in Spanish) from which, according to that media, she did not found support, since its holder, Jorge Morales, minimized the case by calling it as simple assault with violence; nevertheless, It is claimed that the assault was direct and at no time did the attacker attempt to take the communicator's belongings.

https://www.cndh.org.mx/sites/default/files/documentos/2020-03/COM_2020_078.pdf

DGC/080/2020
March 14th, 2020

The CNDH issues precautionary measures to all national penitentiary system authorities in order to generate optimal, acceptable and sufficient preventive conditions for health protection of persons deprived from their liberty, visitors and prison staff.

Derived to global situation, as a result of disease known as COVID-19 coronavirus infection, on March 11th 2020, the General Director of the World Health Organization (WHO), determined to consider it as pandemic (epidemic disease that spreads simultaneously in several countries of the world) after being confirmed and surpassing 118,000 cases, in 114 countries.

On March 13th, 2020, General Director of Epidemiology department of Mexico's Health Secretariat, informed there are, up to date, 26 confirmed cases, so it is necessary to take reasonable measures for its prevention.

Mainly to persons deprived of their liberty along the country, they should adopt specific measures, given conditions of internment in which they are, in order to safeguard their physical integrity; thus, it is necessary to carry out preventive measures respectively for penitentiary system population, visits (relatives and defenders) and staff.

https://www.cndh.org.mx/sites/default/files/documentos/2020-03/COM_2020_080.pdf

DGC/087/2020
March 20th, 2020

The CNDH and the Financial Intelligence Unit of the Ministry of Finance and Public Credit of Mexico (UIF-acronym in Spanish), will promote human rights respect and combat to corruption and impunity.

The National Human Rights Commission (CNDH) and the Financial Intelligence Unit of the Ministry of Finance and Public Credit of Mexico (UIF), signed collaboration agreement to develop strategies to identify, prevent and combat operations with illicit origin related to the commission of possible human rights violations.

The UIF shall provide the National Commission with intelligence products containing information derived from reports and warnings with respect to acts and operations to be submitted by the regulated entities, in terms of applicable regulations, which could favor serious human rights violations investigation.

Likewise, events, forums, seminars, discussions and workshops will be held to institutional receptiveness for exchange knowledge, besides any other action or strategy, allowing strengthen human rights prevention and protection mechanisms.

During signing of the agreement, the President of the CNDH, María del Rosario Piedra Ibarra, recognized corruption being a complex phenomenon affecting human rights in its



wholeness, mainly to development right; weakens governance and to democratic institutions, encourages impunity, undermines the rule of law and exacerbates inequality.

https://www.cndh.org.mx/sites/default/files/documentos/2020-03/COM_2020_087.pdf

DGC/092/2020
March 23rd, 2020

The CNDH welcomes judge's decision to convict one of the material co-authors of 2017 journalist Miroslava Breach Velducea murder

The National Commission imposes Mexican impunity in journalist massacre of Miroslava Breach Velducea, communicator of "El Norte" in Chihuahua and journalist of "La Jornada" newspaper, in 2017.



At facing constant aggressions against journalists and media in the country, and to these cases

90% impunity, this National Organism insists upon need to implement public policies to tackle vulnerable situations suffered by those who exert freedom of speech and considered vehicle to access to information for society.

The CNDH reiterates its proposal in order that each investigation related to grievances to journalists, these facts to be clarified and to exhaust all investigation lines, particularly those related with journalists' labor and to be determined as soon as possible.

The National Human Rights Commission will continue procedures' monitoring progress for various investigation lines, in this and other cases.

https://www.cndh.org.mx/sites/default/files/documentos/2020-03/COM_2020_092.pdf

DGC/095/2020

March 24th, 2020

The CNDH condemns Issac Medardo Herrera Avilés murder, human rights defender and environmentalist.

The National Human Rights Commission (CNDH) condemns Isaac Medardo Herrera Avilés homicide, human rights defender and environmentalist, who was murdered the night of March 23rd, 2020, in a house located at Jiutepec municipality, State of Morelos.



The CNDH strongly deplores all violence committed against human rights defenders in the country; in this case, cited environmentalist carried out actions favoring nature reserve "Los Venados", in this entity.

This national autonomous agency expresses its condolences to his relatives, to whom the CNDH staff already provided with accompaniment and observation to steps taken by authorities.

It concerns to this Commission the increasing number of homicides committed against defenders, as by with this crime adds to 51 defenders murdered since 2006 to date; two defenders have been killed so far this year.

https://www.cndh.org.mx/sites/default/files/documentos/2020-03/COM_2020_095.pdf

DGC/098/2020

March 25th, 2020

The CNDH urges to public prosecutor's offices and General Prosecutors' Offices of the country to fully accomplish with the General Act to Prevent, Sanction and Eradicate, Human Trafficking and Protection and Assistance for these Crimes Victims.

The National Human Rights Commission (CNDH) urges to public prosecutor's offices and General Prosecutors' Offices of the country to fully accomplish with the General Act to Prevent, Sanction and Eradicate, Human Trafficking and Protection and Assistance for these Crimes Victims (General Act), to anticipate precautionary measures in areas and high vulnerability groups, and provide proper and dignified care to victims, by investigation files integration.

According to diagnosis on 2019 Human Trafficking Situation in México, developed by this National Organism, at national level it was recorded 5,245 human trafficking crime victims by public prosecutor's offices and General Prosecutors' Offices (between June 2012 and July 2017), in which 85% were girls and women, and 15% boys and men.

From total victims only 790 derived from final convictions. By its part, the Citizen Council of Mexico City underlines in its recent report that, between January 2019 and January 2020, 87% of human trafficking victims were women, 10% men and 3% unspecified, demonstrating human trafficking clear bias of gender.

https://www.cndh.org.mx/sites/default/files/documentos/2020-03/Com_2020_098.pdf

DGC/102/2020

March 26th, 2020

The CNDH demanded authorities in Chiapas, to implement precautionary measures on behalf of Mr. Cristóbal Sántiz Jiménez, indigenous people, deprived from his liberty at State Center for Social Rehabilitation (CERSS-acronym in Spanish) 14 "El Amate", located in Cintalapa, where he was victim of cruel, inhuman and degrading treatment.

The National Human Rights Commission (CNDH) demanded to the Governor of Chiapas, General Government Secretary and Citizen's Security and Protection Secretariat of the state, to implement precautionary measures on behalf of Cristobal Sántiz Jiménez, who is being deprived from his liberty at State Centre for Social Rehabilitation (CERSS) number 14 "El Amate", in that entity.

On March 20th this year, the CNDH received complaint denouncing human rights violations to Mr. Sántiz Jiménez, committed during his detention and confinement.

Given the nature of the case, personnel of the National Commission conducted proceedings by gathering information in which it was warned, that Mr. Sántiz Jiménez manifested during his detention he was victim of cruel, inhuman and degrading treatment by Prosecutors' Office personnel of the State of Chiapas; as well as, he was not provided with appropriate medical and mental health care, finally he requested his transfer to CERSS number 5, based in San Cristobal de las Casas, Chiapas; for being closest to his home and family.

https://www.cndh.org.mx/sites/default/files/documentos/2020-03/COM_2020_102.pdf



DGC/107/2020

March 26th, 2020

The CNDH calls upon to implement actions of prevention and attention to violence issues against girls, boys and adolescents, mainly, in families and social assistance centers during the National Healthy Distance Day to avoid COVID-19 infections.

The National Human Rights Commission (CNDH) calls upon specialized authorities in childhood and adolescents, to implement precautionary measures on rights comprehensive approach, to provide proper attention to underage victims of violence at home or assistance centers, derived from isolation, healthy distance, and the cessation of work and school activities.



This National Autonomous Organism stresses that implemented measures by health authorities to contain of COVID-19 infection, imposed new and complex dynamics on society and families that can cause stress, fear or frustration, in fact, to have mechanisms for legal guidance and psycho-emotional support to families requiring it, and if necessary, special protection measures with the appropriate health care precautions.

Therefore, it urges health authorities to disseminate in mass media information aimed at strengthening capacities and skills of families to raise their children, as well as practical tools to improve family life and resolve daily conflicts without violence. The aforementioned, considering gender perspective, cultural diversity and promoting children and adolescent's participation, in order to establish harmonious, close and non-violent relationships.

Given the restrictions on coexistence imposed by the COVID-19 pandemic, it is vitally important to generate content providing accessible and understandable information regarding health contingency to children and ado- ►

**PRESS
RELEASES**

lescents according to their different stages of growth, and to strengthen and expand, with an inclusive approach, academic and cultural activities that have been developed by the Ministries of Education and Culture on open television channels and other media.

https://www.cndh.org.mx/sites/default/files/documentos/2020-03/COM_2020_107.pdf

RECOMMENDATIONS

RECOMMENDATION No. 03/2020

March 3rd, 2020

Subject matter: About case of human rights violations to healthy environment and water sanitation, in regard to Suchiapa River contamination and its tributaries by uncontrolled municipal wastewater discharges, as well as by inadequate management of urban solid waste; to detriment of inhabitants of the state of Chiapas.

Responsible Authority: Secretariat of Environment and Natural Resources, National Water Commission, Government of the State of Chiapas, Municipal Presidency of Chiapa de Corzo, Chiapas, Municipal Presidency of Ocozocoautla de Espinosa Chiapas, Municipal Presidency of Suchiapa, Chiapas, Municipal Presidency of Tuxtla Gutierrez, Chiapas, Municipal Presidency of Villaflores, Chiapas.

https://www.cndh.org.mx/sites/default/files/documentos/2020-03/Rec_2020_003.pdf

RECOMMENDATION No. 04/2020

March 12th, 2020

Subject matter: About deficiencies violating women human rights deprived from their liberty in prisons in the State of Baja California.

Responsible Authority: Municipal Presidency of the State of Baja California

https://www.cndh.org.mx/sites/default/files/documentos/2020-03/REC_2020_004.pdf

SEMARNAT
SECRETARÍA DE MEDIO AMBIENTE Y
RECURSOS NATURALES



ARTICLE OF THE MONTH

The Right to the Truth

Originally, the IACHR considered this right, as right of families to know the fate of their loved ones, a right that flows from the States' obligation, under Article 25, to provide victims or their next-of-kin simple and prompt legal recourse to fundamental rights violations. Currently is considered, at least by the Commission, that right to the truth is a right that belongs both to victims and family members and to society as a whole. Under this current understanding, the right to the truth is based not only in Article 25, but also in Articles 1(1), 8, and 13 of the Convention.

The Commission's 1998 report about a group of cases from Chile, was first time the IACHR considered Article 13 in context of right to the truth, as well as, the first time the Commission recognized that this right belong to society members in general, just as families of victims of human rights violations. In this group of cases, petitioners argued that continued application of amnesty law in Chile violated rights of victims of repression during Pinochet regime. According to the law, crimes committed between 1973 and 1978 were pardoned, preventing crimes investigation and punishment and granting impunity to those responsible. The Commission considered that the State has violated, among other rights, the right of the victims' families and of society to know the truth about what occurred in Chile. Furthermore, the Commission stated that "Court's interpretation on Castillo Páez case regarding generic obligations established in Article 1(1) leads to this conclusion 'right to the truth' arises as a basic and indispensable consequence for every State Party".

<https://www.oas.org/es/cidh/expresion/showarticle.asp?artID=156&IID=2>

COVID-19 Monitoring Application

This application has been developed to inform the population about Coronavirus pandemic (COVID-19) general situation. This application notifies regarding international and national information from official open sources, as well as a picture of exposure and vulnerability of the Mexican population.

The information presented in this application is updated in real time depending on the source. International information is updated every hour, national cases information is updated every day and diagnostic information is updated annually.

<https://www.cndh.org.mx/web/aplicacion-para-el-monitoreo-del-covid-19>



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