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# Newsletter

May 2020

Since grievances and aggressions to **human rights defenders** persist, the CNDH continues to demand safety conditions for its work and **full recognition** by authorities and society



The **CNDH** condemns the homicide of the journalist **Jorge Miguel Armenta Ávalos**



Secretaría Ejecutiva



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# Our President's Voice

**DGC/159/2020**

*May 28, 2020*

**The CNDH issues a recommendation to governments of the states of Guanajuato, Michoacán and Querétaro by omission in cases of serious human rights' violations in hostels managed by "Ciudad de los Niños Salamanca A.C."**



**T**his Autonomous Organism had knowledge of serious human rights' violations against different people staying in support centres run by "Ciudad de los Niños Salamanca A.C.", and subsequently obtained elements to prove the information. For this reason, it issued recommendation 32VG/2020 directed to: The Governments of the States of Guanajuato, Michoacán and Querétaro, the Aguascalientes and Guanajuato Justice Prosecutors' Offices, and the municipal presidents of the city councils of San Francisco del Rincón and San Luis de la Paz.

The CNDH had knowledge of the constitutional hearing at the Amparo Trial No. 1, which found that a number

of minors housed in the centres of "Ciudad de los Niños Salamanca A.C." were victims of physical and sexual violence. In the investigation of facts, the National Human Rights Commission (CNDH) had evidence to establish severe human rights violations attributable to the following authorities:

1.- The systems for the Integral Development of the Family (DIF) of the States of Guanajuato Michoacán and Querétaro, and the municipalities of San Francisco del Rincón and San Luis de la Paz, Guanajuato, by the failure to monitor the operational conditions in the support centres administered by "Ciudad de los Niños Salamanca A.C.", which led to: acts of torture in offence of 21 minors

and 10 adults living with disabilities; sexual violence against 9 adolescents and 4 people of legal age; cruel and inhuman and/or degrading treatment to the detriment of 17 minors and 12 adults; omission in providing comprehensive specialized care to 20 adolescents and 14 adults, necessary due to their medical, psychological and/or intellectual disability condition; inadequate school instruction in the aforementioned assistance centres; unworthy life conditions, of promiscuity, unhealthiness and risk, for at least 324 people (135 girls, boys and adolescents, and 191 adults with intellectual disabilities) in the various assistance centres run by the civil association.

2.- The Aguascalientes and Guanajuato Justice Prosecutors' Offices, for the delay and irregular integration of preliminary searches and investigation files related to criminal acts committed in the several shelters of "Ciudad de los Niños Salamanca A.C."

3.- The Civil Registry of the State of Guanajuato, due to inconsistencies in 169 birth certificates: the people were registered as biological daughters and sons of the President of the mentioned civil association.

4.- The Constitutional Governments of the States of Guanajuato, Michoacán and Querétaro, for inadequate implementation of public policies to reduce the indicators of extreme vulnerability in girls, boys, adolescents and people with disabilities in these states.

**Given all the above, this National Commission issued the Recommendation 32VG/2020 with the following proposals:**

- To provide victims with inclusive reparation for the damage, incorporating full and specialized medical and psychological and/or psychiatric care, in accordance with their physical and mental requirements, and compensation payment. To

offer direct victims an institutional public apology. In order to establish a complete program for the restitution of violated human rights, integrate an interdisciplinary group to analyse minor housed in the assistance centre of the aforementioned civil association, who are currently under its guard and custody. To collaborate extensively in the complaints and denunciations formulated by this Self-governing Body, before the internal control bodies and the law enforcement instances of the States of Guanajuato, Michoacán y Querétaro, against the male and female public servers who, by failing to fulfil their functions, tolerated the serious violations of human rights that originated this pronouncement.

- To cancel the legal register "Ciudad de los Niños Salamanca A.C.". To carry out the necessary steps to establish without doubts the affiliation and family network of the 169 persons registered as biological daughters and sons of the President of the indicted civil association. If appropriate, in the victims' best interest initiate the respective family trials so they can have the last names of their parents.
- As soon as possible, to begin the preliminary investigation due to the illegal deprivation of liberty of two adolescents, in order to determine their whereabouts.
- To settle on the probable responsibility of one of the members of the mentioned civil association in a sexual nature crime against a female adult with intellectual disability.

[https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM\\_2020\\_159.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM_2020_159.pdf)

[https://www.cndh.org.mx/sites/default/files/documentos/2020-05/RecVG\\_032\\_.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2020-05/RecVG_032_.pdf)

# Event of the Month

## Teacher's Day Message

**May 15, 2020**

On the occasion of the celebration of the *Teacher's Day*, this May 15th we send a warm congratulation to all the teachers of preschool, elementary, middle, high school and university education, expressing our appreciation for their commendable work in the training of knowledge, values, and the consequent cultural enrichment of our society.

Throughout history, the teachers' role has been significant and transcendental for the development of Mexico. Before the phase of Cuauhtémoc, the teacher was considered a wise guide, prudent and kind, to whom respect was shown. The education was rigorous, but immersed in a philosophy that gave life meaning. It came from the concept "the face and the heart" (*in ixtli in yóllotl*), and it built the personality. As Miguel León Portilla said, it was the teacher who exercised the action of "giving wisdom to the faces" and "heart firm as stone, strong as a log, skilful, understanding". *Ixtli*, the face, evokes moral physiognomy; *Yóllotl*, the heart, the essence or force of life.

The teacher was conceived as a *Master of Truth*, who helped others to develop and open their ears, illuminating and comforting the hearts of those who approached him. He came from and was part of the community, and share its knowledge with it, producing a new one, and thus fulfilling an important social function. Its educational system covered up diverse aspects of daily life, and its principles helped to shape a society that, in more less two centuries, consolidated itself as one of the most relevant cultures of Mesoamerica.

In the following stages of the education in Mexico, the presence of teachers continued to contribute significantly to social construction. Time later, being Mexico a sovereign nation, the path was opened for the consolidation of the teaching profession, with the creation of Teacher Training Colleges, High Schools and Higher Education centres or universities. In view of the growing need for teaching professionals, various educational processes were

promoted: in them, teachers, men and women, were a fundamental part of the construction of cultural capacities that allowed the development of broad segments of the population, and the formulation of a complex national and social identity.



Throughout our lives, female and male teachers are always present, closely. They form a guild characterized by the gift of ubiquity: they are present from the most rustic and distant corner of the country to the most central and populous neighbourhood of each city, providing a transcendental contribution to clarify reality among the population, generate links and values in families and social life and,

consequently, strengthen community building.

At different times of history, the teaching profession has faced difficult and adverse conditions, which have meant restrictions and limitations on the exercise of their rights, being part of the transformation and enrichment of Mexico's social and political life by inspiring and leading various struggles motivated by their desire to improve working conditions, guarantee democracy and a true trade union organization, and strengthen their community commitment.

Today, society values the different angles of the schooling profession: the teacher is appreciated not only as an educator, but also as a citizenship builder, community link and social fighter who has been, for years, one more within its community.

Educational practices, methods and technologies have changed over time, but the essence of Mexica education, "giving wisdom to faces", has been preserved in the education given by many teachers committed to the formation of a *new man*.

This celebration of May 15 is important to reaffirm our awareness of the enormous importance of teachers' social work, and their great responsibility and social commitment in the education of people.

# Press Releases

**DGC/152/2020**

**May 12, 2020**

**Since grievances and aggressions to human rights defenders persist, the CNDH continues to demand safety conditions for its work and full recognition by authorities and society.**

As a result of the current alarming context of violence within which human rights defenders in Mexico carry out their work, the National Human Rights Commission (CNDH) calls on the Mexican authorities to respect, promote and encourage the realization of their work, guaranteeing their full right to defend the victims.

It also urges the authorities to carry out a prompt, independent and effective investigation to prevent these attacks for going unpunished, contributing to prevent and

protect, and guaranteeing, the non-repetition of attacks against this sector, which is an irreplaceable part in the building of a solid and lasting democratic society.

In the last weeks, this national body has addressed and documented multiple cases related to attacks on the security and integrity of defenders, and to grievances against their right to life, an essential precondition for the enjoyment of other human rights.

In regard, from January to May of this year, seven homicides of defenders have been registered: four of them were committed in only seven weeks. Since 2006, 56 cases related to this crime have been dealt with. In all of them, the CNDH has been emphatic in condemning such aggressions and in requesting the authorities involved to give prompt attention and diligent intervention, as well as accompanying the victims ensuring that they have the care and protection they require.

[https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM\\_2020\\_152\\_0.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM_2020_152_0.pdf)



**DGC/153/2020**

**May 13, 2020**

**In view of the imminent resolution of the SCJN on the Mining Law, the CNDH pronounces itself guarantor of the human rights of the original peoples of Mexico.**



The National Human Rights Commission (CNDH) respectfully calls upon the female and male magistrates of the National Supreme Court of Justice (SCJN) in their decisions on the constitutionality of various normative portions of the *Mining Law*, to safeguard the possession of the lands, territories and reserves of the indigenous maseual communities of Tlatlauquitepec, Yaonáhuac y Cuetzalan del Progreso, in the state of Puebla, over and above the granting of titles for the usufruct of their natural resources, in accordance with section V, paragraph A, of the second article of the Constitution.

The Autonomous National Organism is making this pronouncement on the eve of the country's highest court

ruling on the draft judgement of Magistrate Javier Laynez Potisek, President on the Second Chamber, concerning the protection under review 928/2019 of the constitutionality of certain sections of the *Mining Law* corresponding to the land rights of those communities.

Considering that the community constitutes a guiding principle and structural component of the original peoples of Mexico, the CNDH vows for the Supreme Court to observe the constitutional and conventional standards of the matter to guarantee the conservation and preservation of their territories.

[https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM\\_2020\\_153.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM_2020_153.pdf)

**DGC/154/2020****May 14, 2020**

**The CNDH requests to implement precautionary measures for the urgent suspension of non-essential activities related to the “Maya Train” project.**

In face of the COVID-19 contingency, the National Human Rights Commission (CNDH) issued precautionary measures in favour of the native peoples of the Yucatan peninsula; addressed to the National Fund for the Promotion of Tourism (FONATUR), urgently requested the suspension of non-essential activities linked to the “Maya Train” project.

The National Autonomous Organism, guarantor in defence and protection of human rights, particularly those of Indigenous and Afro-Mexican peoples and communities, requested the suspension, since the update of the severity, urgency and possible damage to the health, personal integrity and life of the region inhabitants.

The motivation behind this was a complaint from the indigenous people and human rights civil organizations in the Yucatan peninsula, through which they reveal an imminent risk of COVID-19 contagion by the implementation of the “Maya Train” project during the health emergency declared by the Federal Government. In its approach, the communities and organizations claim the alleged violation of the human rights to health, personal integrity and life, enshrined in the articles: 4 and 29 of the *Political Constitution of the United Mexican States*; 12 of the *International Covenant on Economic, Social and Cultural Rights*; and 4 and 5 of the *American Convention on Human Rights* (Pact of San José, Costa Rica).

[https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM\\_2020\\_154.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM_2020_154.pdf)



**DGC/155/2020****May 14, 2020****The CNDH urges the H. Congress of the State of Guerrero to approve the draft reforms to the Constitution regarding indigenous rights.**

In order to respect, recognize and harmonize the rights to self-determination, autonomy and self-government of the Original Peoples of Mexico, the National Human Rights Commission (CNDH) advises the H. Congress of the State of Guerrero to urgently approve the draft decree to reform and add various articles to Section II of the Rights of Indigenous and Afro-Mexican peoples in the *Political Constitution of the Free and Sovereign State of Guerrero*.

Consequently, it is recommended to carry out in coordination with the State Executive the necessary mechanisms to generate the legal framework that guarantee their internal coexistence forms and social, economic, cultural and political organization.

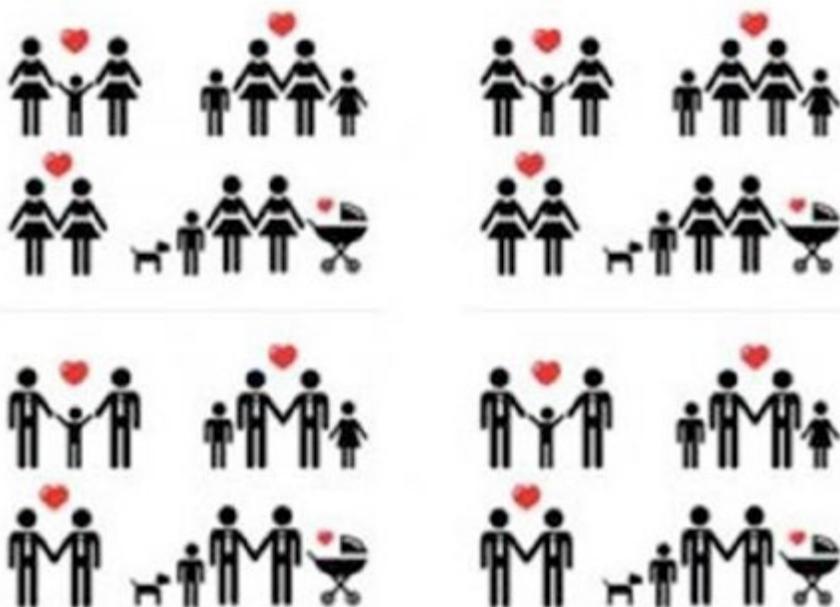
The importance of this constitutional reform lies in the complete recognition of rights in favour of the Original and Afro-Mexican Peoples of the State of Guerrero, among which are: recognition as subjects of public law; strengthening of their normative systems with a gender perspective; revocation of their mandate; access to original jurisdiction and justice system; political participation and representation; self-assignment; right to consultation; collective use and enjoyment of their lands, territories and natural resources, and linguistic rights.

[https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM\\_2020\\_155.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM_2020_155.pdf)



# MAY 15

## International DAY OF FAMILIES



**The CNDH makes a call to strengthen families and protect them from the phenomena of violence, insecurity, people disappearance and poverty.**

On the occasion of the *International Day of Families* (May 15), the National Human Rights Commission (CNDH) asks the authorities of the three government's levels to strengthen the economic, emotional, labour and social capacities of families in our country, inhabitants or in transit, and to protect them from the phenomena of violence, insecurity, people disappearance and poverty caused by humanitarian crisis, such as forced displacement, armed conflicts, and health emergencies like COVID-19.

For this Autonomous Organism it is a constitutional obligation of the Mexican State to respect, protect and guarantee the rights of families and their members, based on principles of equality and non-discrimination. This implies the recognition of the great diversity of family configurations that exist, and their characteristic differences according to the region where they live and their social and cultural belonging.

The CNDH also maintains that this protection must be comprehensive and based on the acceptance of the different family agreements that generate multiple legal consequences to be established in the current regulations, which require updating to harmonize with international and constitutional legal framework for human rights protection.

[https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM\\_2020\\_156.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM_2020_156.pdf)

DGC/157/2020

May 17, 2020

**The CNDH condemns the homicide of the Mexican journalist Jorge Miguel Armenta Ávalos, director of *Medios Obson* and *El Tiempo*, who was murdered by gunmen in Ciudad Obregón, Sonora.**

The National Human Rights Commission (CNDH) strongly condemns the murder of the Mexican journalist Jorge Miguel Armenta Ávalos, director of *Medios Obson* and *El Tiempo*, and expresses condolences to his relatives and solidarity with his colleagues, in those media and in the journalism union too. It demands that the law enforcement authorities investigate the facts exhaustively, with special attention to the possible relationship with the communicator's informative work.

With this homicide, 159 journalists and media workers have been killed since 2000, and it is the sixth case so far in 2020.

According to the media, on Saturday May 16 at 3:00 p.m. the journalist Armenta Ávalos was attacked by unknown individuals: he was shot with firearms when living a place where he has met with elements of local public security. In addition to the communicator, a member of this police corporation also lost his life.

This National Organism reaffirms its concern about the absence of coordinated actions and strategies of the instances of the Mexican State aimed at guaranteeing the life, safety and personal integrity of women and men journalists, as these attacks are an obstacle, and inhibit, for the full exercise of the right to freedom of expression in our country.

[https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM\\_2020\\_157.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM_2020_157.pdf)



DGC/158/2020

May 28, 2020

The CNDH makes a respectful call to all Mexican public and institutional servants so that –within the strict scope of their powers– they guarantee in a real and immediate way the human rights of the sexual diversity population.



Press Releases

Each May 17, *International Day* and *National Day Against Homophobia, Lesbophobia, Biphobia and Transphobia* is celebrated. In Mexico, the human rights of people continue to be discriminated against and violated based on their sexual orientation, gender identity and gender expression.

Civil society organizations, the United Nations High Commissioner for Human Rights, the Inter-American Commission and Court for Human Rights, the National Justice Supreme Court, and human rights collectives have spoken out (hundreds of times, and since decades) in favour of respecting dignity and rights of the LGBTI population. However, this does not seem to be echoed in certain daily actions of the Federal Executive Power and of the Federal Entities, the Congress of the Union and the local Congresses, and the Office of the General Attorney of the Mexican Republic and of the State Prosecutor’s Offices.

The Article 1 of the *Law of Religious Associations and Public Worship* indicates, as governing principle, the

Church-State separation in Mexico: in no case the religious conviction exempts from complying with the laws of the country, and no one may allege sacred motives to evade the responsibilities and obligations prescribed in the laws.

Consequently, all public servants and institutions of the country are urged to fulfil their constitutional obligation to promote, respect, protect and guarantee human rights in accordance with the principles of universality, interdependence, indivisibility and progressivity, and to prevent, investigate, sanction and repair their violations.

In order to delve into the National panorama of this topic, the entire population is invited to consult the Special Report on the situation of the human rights of lesbian, gay, bisexual, transvestite, transgender, transsexual and intersex people in Mexico. It was published on October 10, 2019, and is available at: <https://bit.ly/2QQFgff>

[https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM\\_2020\\_158.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM_2020_158.pdf)

**DGC/160/2020**

**May 29, 2020**

**In the conflict of Notimex, la CNDH calls, with the best reconciling spirit, to resolve the dispute between the parties from a democratic disposition and following the established pathways.**

To build a democratic environment is impossible without protection of labour rights, without press and expression freedom, and without exercising the own right to defend human rights. In a State of law like ours, this path for justice and equality also needs to use mechanisms to formulate any requirement.

The debate around labour rights and the exercise of authority in *Mexican State News Agency (Notimex)* is a sign of a citizenry committed to defending the rights of all women and men, vigilant and unwilling to, once more, allow an undue exercise of power in our country. The dispute is a sign of healthy democracy, and of the Mexicans dedication for a better future.

The National Human Rights Commission (CNDH) calls, with the greatest disposition of conciliation, to resolve the dispute



between the parties with that democratic spirit where any discrepancy must be resolved through the establishes channels, respecting due process and all parts' right to be heard. The principles of transparency, right to the truth and accountability must prevail, without leading to parallel procedures by extraordinary means. The CNDH trusts in the commitment of all factions to justice and human rights.

[https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM\\_2020\\_160.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM_2020_160.pdf)

Press Releases

**DGC/161/2020**

**May 29, 2020**

**Positioning of the CNDH in response to the answer of the Government of the State of Guerrero to the press release DG/155/2020.**

Through office number SGG/JF/0036/2020, from last May 19, signed by Florencio Salazar Adame as General Secretary of the Government of the State of Guerrero, the aforementioned government apparently responds to the press release DG/155/2020 issued by the National Human Rights Commission (CNDH) on May 14. In it, the H. State Congress of Guerrero was urged to approve the draft decree where are added several articles of the Section II of the Rights of Indigenous and Afro-Mexicans Peoples of the *Political Constitution of the Free and Sovereign State of Guerrero*.



However, in its answer the Government of the State of Guerrero is confused: it refers to the press release DG/142/2020 issued by the CNDH on last April 22. In this document, this Autonomous Organism recognized the decisions of the National Supreme Court of Justice (SCJN) when resolving unconstitutionality actions 80/2017, and its accumulated 81/2017, against the decrees 778 y 661 of the Legislatures of the States of Guerrero y San Luis Potosí, respectively, derived from the lack of prior consultation with the Indigenous and Afro-Mexican peoples and communities of these federal entities.

The CNDH reiterates its recognition of the decision of the highest constitutional court to declare the challenged norms invalid, and its convinced that the solution to the serious inequalities that afflict the Indigenous and Afro-Mexican peoples and communities must take place within the State, and must be a compromising political decision for the whole of society.

This National Commission reiterates its exhortation to the Legislature of the State of Guerrero to conclude the approval process of the draft reforms to the Constitution in the field of indigenous rights, in accordance with the *United Nations Declaration on the Rights of Indigenous Peoples*, the *ILO Convention 169*, the *American Declaration on the Rights of Indigenous Peoples*, and Article 2 of the *Political Constitution of the United Mexican States*.

[https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM\\_2020\\_161.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM_2020_161.pdf)

DGC/162/2020

May 31, 2020

**The CNDH directs four Recommendations to the ISSSTE for inadequate medical care in hospitals (in Hermosillo, Sonora; Guanajuato, Guanajuato; and Mexico City), causing the death of three people.**

The National Human Rights Commission (CNDH) directs the Recommendations 5/2020, 6/2020, 7/2020 y 8/2020 to the General Director of the Instituto de Seguridad y Servicios Sociales de los Trabajadores del Estado (ISSSTE, *Institute of Security and Social Services of State Workers*), Luis Antonio Ramírez Pineda, for deficient medical care to four people, who were attended at: the General Hospital “Dr. Fernando Ocaranza” in Hermosillo, Sonora; the Regional Hospital “1° de Octubre”; at the National Medical Centre “20 de Noviembre”, in Mexico City; and a clinic in Guanajuato, Guanajuato. As a result, three lost their lives and a minor was affected by its right to health and a full childhood.

This Autonomous Organism accredited violations of the human rights to health protection, life and access to health information. In two cases, the acts were attributable to the medical personnel of the hospitals, as they did not take

into consideration the vulnerability of an elderly person and the minor.

The CNDH noted anomalies in medical records and physical examinations, some of which were incomplete, and irregularities in the letters of informed consent, thus failing to comply with the NOM-004-SSA3-2012 of the clinical record.

Therefore, this National Commission asked the ISSSTE director to coordinate with the Executive Commission for Victim Assistance to fully repair the damages. According to the first three recommendations, if the families of the victims require the reparation, they will be given psychological and thanatological attention, a compensation, their registration in the Victims National Registry, collaboration and help with the complaints and/or against the medical personnel involved, and with the annexation of a copy in the respective Recommendations in their labour files.

When appropriate, to provide an adequate and professional service the corresponding medical personnel should be instructed by circular to undergo certification and recertification before the Medical Specialities Councils.

These Recommendations have already been notified to their receivers. They can be consulted at: [www.cndh.org.mx](http://www.cndh.org.mx)

[https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM\\_2020\\_162.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2020-05/COM_2020_162.pdf)



# Recommendations

Recommendation	Case Topic	Authority
<p>Recommendation No. 5/2020 May 19, 2020</p> <p><a href="https://www.cndh.org.mx/sites/default/files/documentos/2020-05/REC_2020_005.pdf">https://www.cndh.org.mx/sites/default/files/documentos/2020-05/REC_2020_005.pdf</a></p>	<p>Violations of the human rights of the victim to health and life protection and access to health information.</p> <p><b>Place:</b> General Hospital “Dr. Fernando Ocaranza” of the ISSSTE. Hermosillo, Sonora.</p>	<p><b>General Director</b></p> 
<p>Recommendation No. 6/2020 May 19, 2020</p> <p><a href="https://www.cndh.org.mx/sites/default/files/documentos/2020-05/REC_2020_006.pdf">https://www.cndh.org.mx/sites/default/files/documentos/2020-05/REC_2020_006.pdf</a></p>	<p>Violations of the human rights of the victim to health and life protection and access to health information.</p> <p><b>Place:</b> Regional Hospital “1° de Octubre” of the ISSSTE. Mexico City.</p>	<p><b>General Director</b></p> 
<p>Recommendation No. 7/2020 May 19, 2020</p> <p><a href="https://www.cndh.org.mx/sites/default/files/documentos/2020-05/REC_2020_007.pdf">https://www.cndh.org.mx/sites/default/files/documentos/2020-05/REC_2020_007.pdf</a></p>	<p>Violations of the human rights of the victim to health protection and access to health information, with higher interest since the victim is a minor, and grievance for also being the complainer.</p> <p><b>Place:</b> ISSSTE clinic in Guanajuato, Guanajuato.</p>	<p><b>General Director</b></p> 
<p>Recommendation No. 8/2020 May 19, 2020</p> <p><a href="https://www.cndh.org.mx/sites/default/files/documentos/2020-05/REC_2020_008.pdf">https://www.cndh.org.mx/sites/default/files/documentos/2020-05/REC_2020_008.pdf</a></p>	<p>Violations of the human rights of the victim to health and life protection, and access to health information, with higher interest since the victim is elder.</p> <p><b>Place:</b> National Medical Centre “20 de Noviembre”. Mexico City.</p>	<p><b>General Director</b></p> 

# Recommendations

Recommendation for Severe Violations	Case Topic	Authority
<p>Recommendation No. 32VG/2020</p> <p>May 19, 2020</p> <p><a href="https://www.cndh.org.mx/sites/default/files/documentos/2020-05/RecVG_032_.pdf">https://www.cndh.org.mx/sites/default/files/documentos/2020-05/RecVG_032_.pdf</a></p>	<p>Serious human rights violations to the detriment of various people staying at the shelters run by “Ciudad de los Niños Salamanca A.C.”, with tolerance and/or acquiescence of DIF personnel from the States of Guanajuato, Michoacán, and Querétaro; the Municipalities of San Francisco del Rincón and San Luis de la Paz, Guanajuato, and the States of Aguascalientes and Guanajuato Justice Prosecutors’ Offices.</p>	<p>Governments of the States of Guanajuato, Michoacán and Querétaro, the Aguascalientes and Guanajuato Justice Prosecutors’ Offices, and the Municipal Presidents of the City Councils of San Francisco del Rincón and San Luis de la Paz, Guanajuato.</p> 

# Actions in defence of Human Rights

May 18, 2020

## GENERAL REPORT

**The National Human Rights Commission (CNDH) has persisted that the expansionary measures in political and economic matters must remain within the limits of the authorities' obligations regarding human rights, therefore it maintains strict vigilance of the reports on the risks of contagion not considered during this stage of National emergency.**

Within this evaluation, in the framework of the return to the New Normality, the insufficiency to adopt protection measures for vulnerable populations stands out, whereby the CNDH remains attentive to the development of these events, since governments must attend to daily challenges and manage the crisis suggested by the COVID-19 contingency, regardless of their burden degree.

The most vulnerable social groups and the population living in poverty will be the most affected by the economic impact of the crisis; therefore, the main challenge is to guarantee, with all possible resources, economic recovery measures with a social solidarity approach, which include financial support and the strengthening of the public health system.

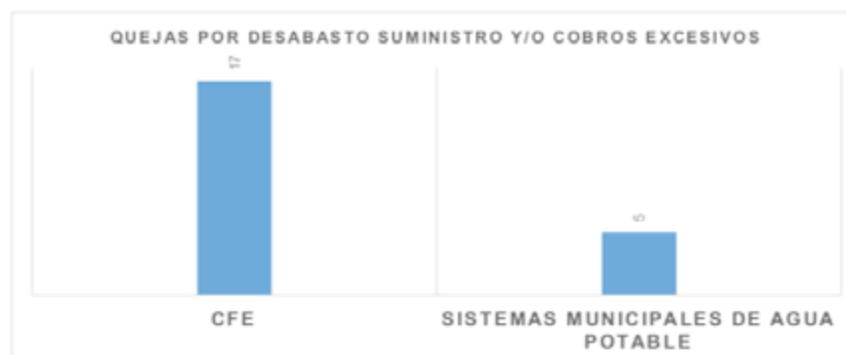
In the care actions, this Autonomous Organism proposes that the efforts to reduce risks include not only medical and nursing personnel, but also all women and men working on the front line, in, for example, areas such as street cleaning, collection of solid waste, hospital's workforce, cargo posts and public transport.

In the fight against the coronavirus it is also essential to have effective health care prevention systems, which is why monitoring on complaints for inadequate medical care, discrimination and/or lack of medication is permanent.



For the CNDH, the human rights must be at the forefront of all efforts to be made in favour of prevention, groundwork, containment and treatment to protect public health, giving

priority to vulnerable groups and people at high risk. Is applied the monitoring of actions guaranteeing rights to food and access to basic services such as drinking water and electricity.



COMPLAINTS ABOUT SHORTAGE IN ELECTRICITY AND WATER SUPPLY AND/OR OVERCHARGES

Precisely, this access to urban services must be governed by principles of equality and universality, which means a huge challenge to guarantee equitable and achievable access to resources.

Regarding indigenous issues, attention has focused on complaints related to the housing problem, a human right that has been protected in fifteen complaints filed between April 30 and May 15.

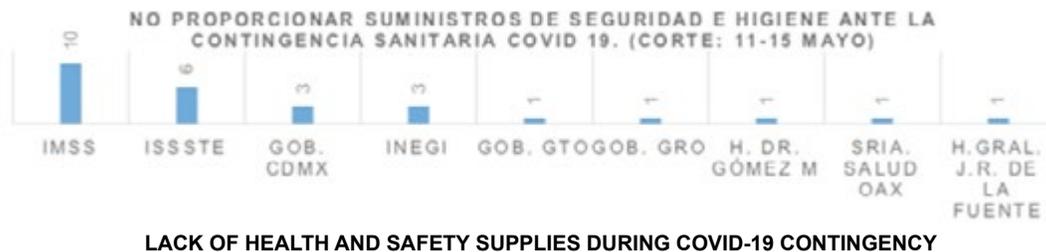


The CNDH received 21 complaints about impediments to being absent from work centres despite being considered within a population risk group.

The Instituto Mexicano del Seguro Social (IMSS, *Mexican Institute of Social Security*) has the largest number of grievances accumulated by the medical and nursing personnel who have requested authorization to stop attending work.



Likewise, is maintained the monitoring of 27 complaints from women and men workers that, in the face of the COVID-19 health contingency, demand supplies and a safety and hygienic labour environment.



Regarding the CNDH **Migrant Program**, a total of 146 calls or telephone negotiations with requesters and various authorities are reported in order to follow up on care and integration of papers, complaint files and reconciliation follow-ups. Of the 18 grievances received in this period (Cut: May 8-14), 8 correspond to the COVID-19 issue, and 26 intercessions have been taken with complainants and authorities (IMSS and SRE). The analysis and preparation of 3 applications to apply the *Istanbul Protocol* continue.

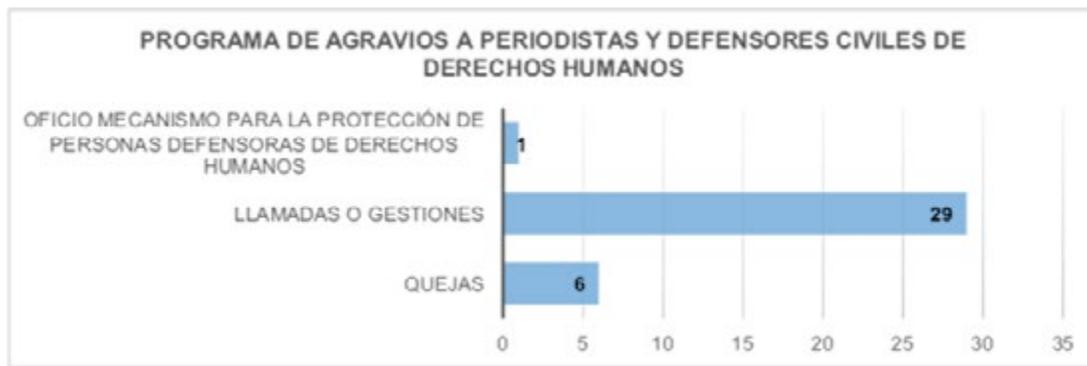


Within the aforementioned period, the **Human Trafficking Program** reports six complaints: in five, the IMSS was designated as the responsible authority; in the other, it was the General Attorney of the State of Guerrero. In order to follow up on care and integration of papers and complaint files, 26 calls or telephone negotiations with plaintiffs and various authorities are reported.



HUMAN TRAFFICKING PROGRAMM

From May 8-14, the **Program of Torts against Journalists and Civil Defenders Of Human Rights** received six pages with possible complaints for alleged human rights violations, all related to medical cases. The authority designated as responsible is: IMSS.



PROGRAM OF TORTS AGAINST JOURNALISTS AND CIVIL DEFENDERS OF HUMAN RIGHTS

The CNDH will remain vigilant so that each government takes population measures necessary to guarantee fundamental determining factors for health. Likewise, it reiterates before the people of Mexico the following: its doors, telephones, mail and institutional webpage are opened to attend to any complaint or denunciation, and without delay.

[https://www.cndh.org.mx/sites/default/files/documentos/2020-05/Reporte\\_DH\\_4\\_2020.pdf](https://www.cndh.org.mx/sites/default/files/documentos/2020-05/Reporte_DH_4_2020.pdf)

## GENERAL REPORT

### May 26, 2020

For the National Human Rights Commission (CNDH), the strict measures applied in the National Period of Healthy Distance, with its implication of imposed confinement, could cause an economic impact that disproportionately affects the most vulnerable ones. Under these conditions, the consequent loss of jobs requires an adequate government response, capable of guaranteeing coordination and solidarity between institutions in order to confront the crisis.

In the resumption of normal activities, should be used a strategy that allows the recovery of Jobs and income through the creation of working sources in strategic sectors, the growth of productivity and the encourage of the responsible use of technological advances.

In the surveillance of public policies, the CNDH follows up on complaints against poor compliance with the principles of transparency and popular participation in the implementation of social supports for the elderly.

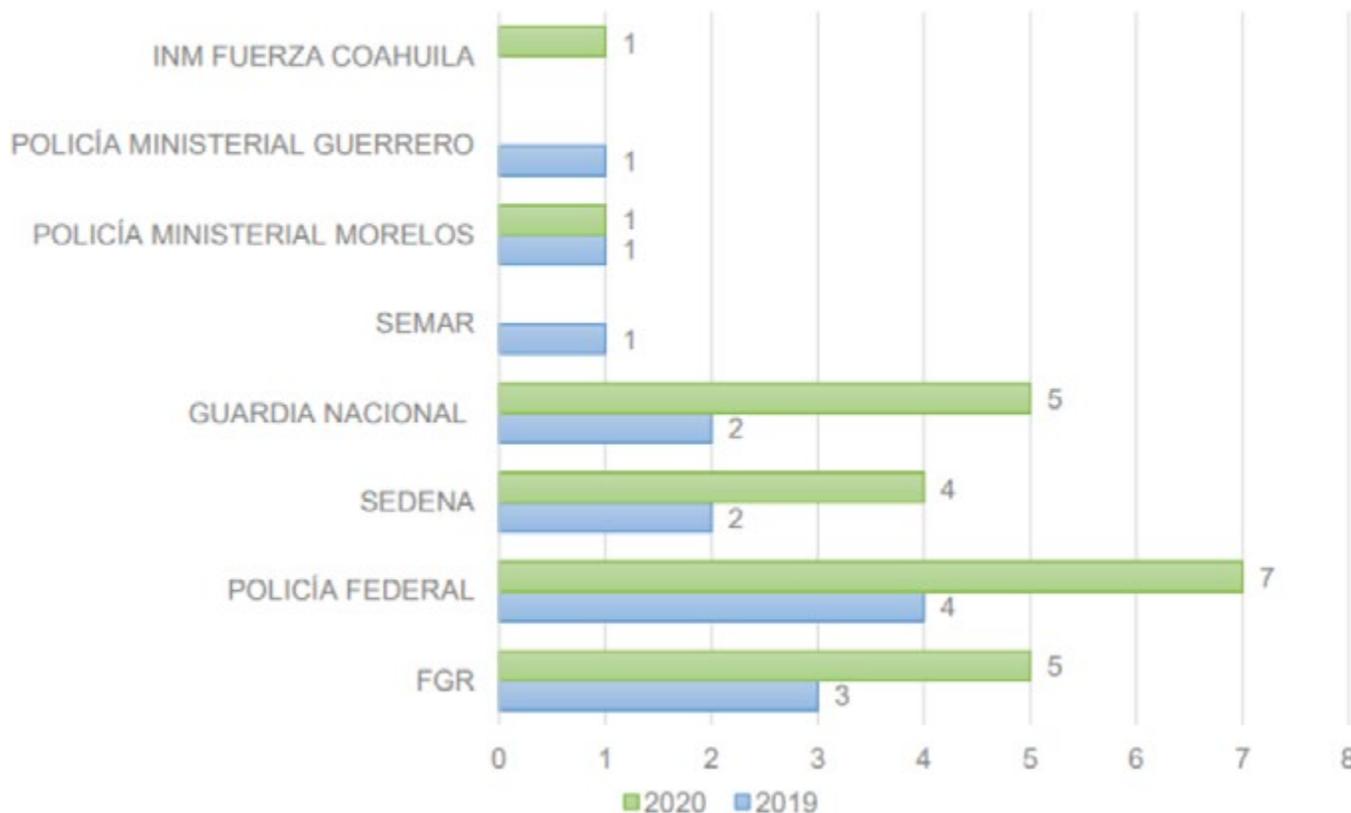


**SECRETARIAT OF WELFARE. ELDERLY WELFARE PROGRAM  
COMPLAINTS FOR SUSPENSION OF PAYMENTS**

At the current phase of the National Health Emergency, immediate measures are in place to try to mitigate the spread of the virus. However, the CNDH has urged that these mechanisms be based on human rights without limiting freedom, especially movement. There has been no other approach as effective in slowing the outbreak as one that upholds the rights of the most vulnerable to health and life.

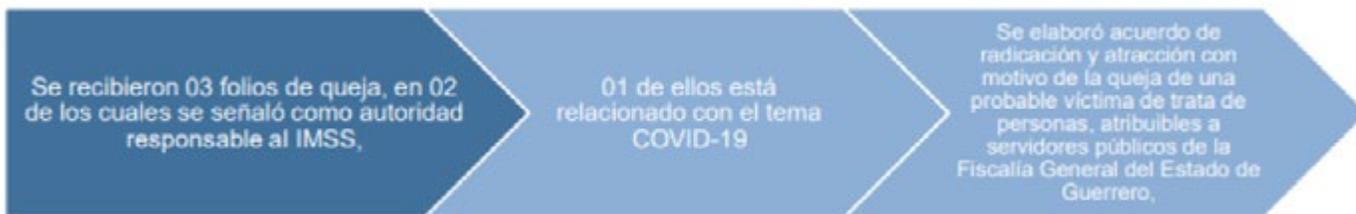
In the CNDH we constantly monitor that no government abuses its position and suppresses human rights, exercising undue power of its functions. The following diagram shows the complaints of mistreatment at the time of arrest, and the responsible institutions.

**DG1aV/QUEJAS POR DETENCIÓN ARBITRARIA MALOS TRATOS AL MOMENTO DE LA DETENCIÓN (Nov-Dic 2019/Ene-Mayo 2020)**



**ARBITRARY DETENTION AND ABUSE  
COMPLAINTS**

In the week of May 15 to 21, the following of the **Human Trafficking Program** reported 3 pages of complaints and the attraction of a case of a probable victim of human trafficking, attributable to public servers of the General Attorney Office of the State of Guerrero.

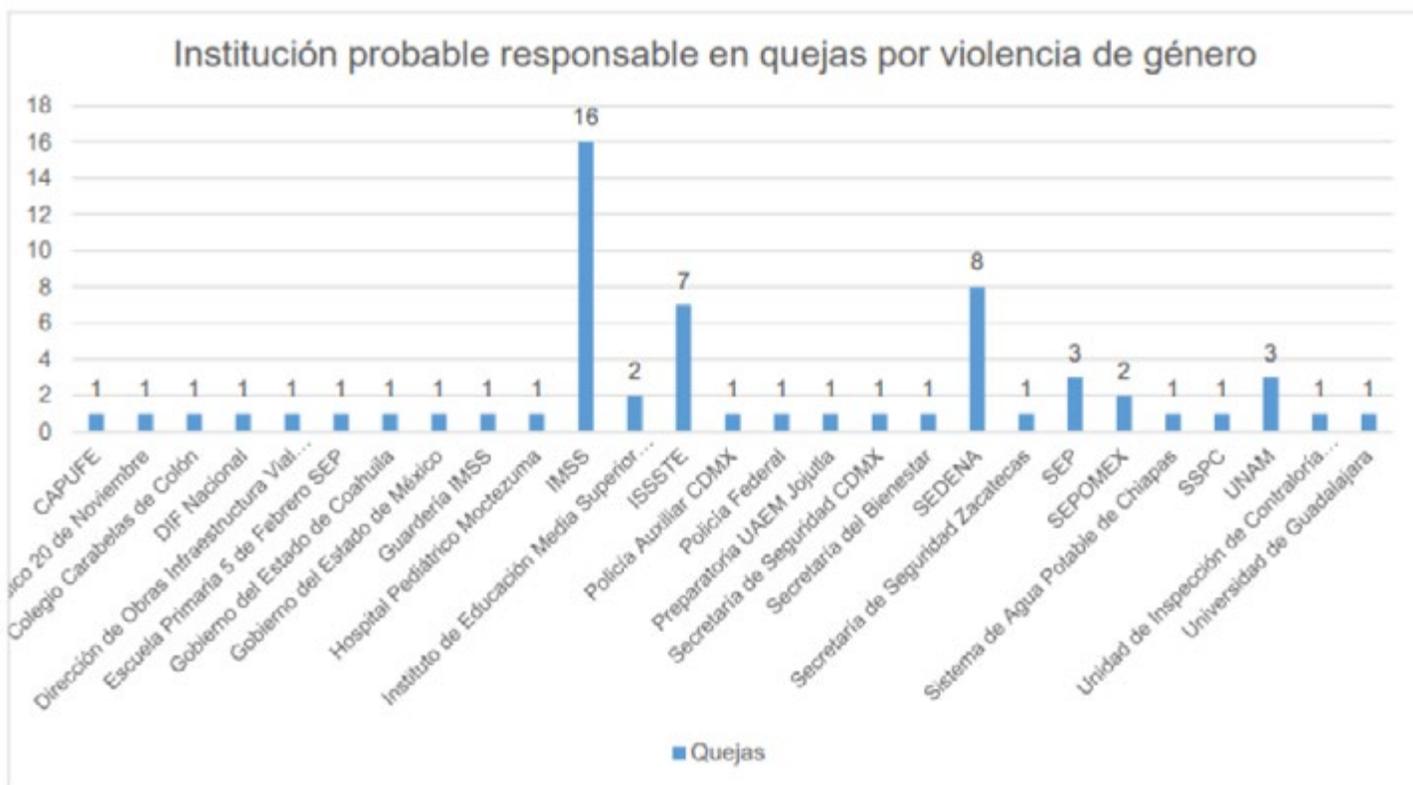


**HUMAN TRAFFICKING PROGRAM FOLLOWING**

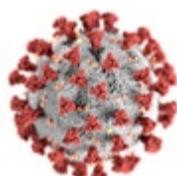
In addition to addressing these complaints, an international follow-up has been proposed on the gender impact of pandemics, epidemics and infectious diseases, emphasizing the increased risk of violence at the hands of their partner for those women forced by the circumstances to stay home.

Given the vulnerability of women, children, and adolescents, urgent measures must be taken to address the risks of violence they confront in their daily lives and in the face of pandemic restrictions.

The CNDH maintains vigilance and monitoring of complaints of gender violence, and urges governments to include essential services to address violence against women in response plans for COVID-19. These measures should mitigate that risk and reduce its effects.



**GENDER VIOLENCE PROBABLY RESPONSIBLE INSTITUTIONS**



## Know your Human Rights

### EDUCA CNDH



One of the CNDH objectives is to contribute to create a culture of human rights respect through the education and tutoring of people; therefore, the general Directorate for Human Rights Education of the Technical Secretariat of the Advisory Council offers a series of On-site and online educational activities, through its “EDUCA CNDH” entrance.

We invite you to explore our page and learn about our face-to-face and on distance educational offer. Courses, workshops diplomas and conferences provide an overview of human rights, facilitating their understanding and highlighting the importance of respecting them in all the settings of our daily life.

#### **Free online Education**

<https://educa.cndh.org.mx/>

# App CNDH ATTENDS

The **free APP** where people can enter a complaint online when their human rights have been violated by actions or omissions from an Authority or public servant.

Also, a space to know, according to the attention to a complaint, the procedural status of previously registered human rights matters.

Available in iOS y Android.



# App COVID-19 Monitoring



This App is developed to explain the general data about the COVID-19 pandemic. It presents international and national information from official sources, as well as an overview of the exposure and vulnerability of the Mexican population.

The material presented in this application is updated in real time depending on the source. International information is renovated hourly; national cases info is updated daily, and diagnostic information is described annually.

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



# Article of the Month

## International Day of Homophobia, Transphobia and Biphobia

*Achim Steiner\**

The *International Day of Homophobia, Biphobia and Transphobia* is a day to celebrate diversity and raise awareness of the human rights of lesbian, gay, bisexual, transgender and intersex (LGBTI+) people, and this year motif, “Breaking the Silence”, is more appropriate than ever.

LGBTI+ people still face serious challenges in their daily life. With 69 countries still criminalizing same sex relations, millions of lesbians, gay men and bisexual people live on fear of being who they are and showing whom they love. Transgender people are subjected to punishments in at least 26 countries and experience unprecedented levels of violence all over the world.

The COVID-19 pandemic is having a disproportionate impact on LGBTI+ people. With 4 billion people in lockdown worldwide, there are growing numbers of reports about emergency powers being used to target them. An example is the misuse of digital technologies to monitor people’s movement during lockdowns or constraints. LGBTI+ people are reporting an elevating risk of domestic and family violence, increased social isolation and anxiety as well as difficulties in accessing crucial HIV treatment and gender-affirming health services. The economic crisis is also disproportionately affecting LGBTI+

people, many of whom work in the informal sector or are unemployed and lack access to paid sick leave or unemployment compensation.

People and their rights must be placed front and centre in the COVID-19 response and recovery. We must *break the silence* when comes to the stigma and discrimination experienced by LGBTI+ people. At the United Nations Development Programme (UNDP), we are working as part of the UN family to help *break the silence* that injures LGBTI+ people and ultimately impacts us all. UNDP is working in 53 countries, partnering with LGBTI+ communities and policymakers, to strengthen inclusion of LGBTI+ people in national development initiatives.

On this day, let us raise our voices and recommit our efforts to put human dignity at the heart of all that we do to build more just and more inclusive societies.

*\*Achim Steiner. UNDP Administrator.*

<https://www.undp.org/content/undp/es/home/news-centre/news/2020/international-day-against-homophobia--biphobia-and-transphobia.html>



## THE CNDH PROMOTES AND PROTECTS YOUR RIGHTS

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