

Monthly summary of CNDH actions AUGUST 2024 | N° 378



The CNDH recognizes the inter-institutional work on the **Gender violence Alert in the state of San Luis Potosi.**  The CNDH and the Rosario Castellanos University signed a collaboration agreements for the promotion and study of the culture of peace and human rights. 21 Ordinary Recommendations and 4 for serious violations: 10 of these were issued to the Mexican Social Security Institute (IMSS).

#### 1 Actions of Unconstitutionality:

Promoted because it violates the right to prior. free, informed, culturally appropriate and in good faith consultation of indigenous pepples and communities.

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# **PROMOTION OF** HUMAN RIGHTS

# THE PRESIDENT'S VOICE

#### Message from the President at the inauguration of the Second Mexican Journal of Critical Thinking in Health and Health Sovereignty

Welcome to all those who join us in person in the auditorium of the National Human Rights Center "Rosario Ibarra de Piedra", and to those who follow us through the networks of the Latin American and Caribbean region.

I would like to thank Marcos Cantero Cortés. Secretary of the General Health Council on behalf of Jorge Alcoser, Secretary of Health of the Government of Mexico; Pablo Vommaro, Academic Secretary of the Latin American Council of Social Sciences (CLACSO) in Buenos Aires, Argentina; Ruy López Ridaura -who is not here in the Presidium-, Undersecretary of Prevention and Health Promotion of the Government of Mexico; Dr. Olivia López Arellano, Secretary of Health of Mexico City, welcome; Álvaro Velarca, Secretary General of the Inter-American Conference on Social Security (CISS); Mayra Carrillo, Director of the College of Sciences and Humanities of the University of Mexico City; [Inaudible]; William Alves de Oliveira, Health Coordinator of the Intercontinental University; Óscar Feo, professor at the University of Carabobo in Venezuela; Gonzalo Basile, regional coordinator of the Clacso International Health and Health Sovereignty Working Group; and Rosy Laura Castellanos, general director of CENADEH, who is coordinating these conferences with the core group of researchers.

Welcome to the representatives of the convening institutions and the invited personalities from academic institutions. I would like to begin by highlighting that, in an unprecedented event in Mexico, on August 15, 16 and 17, 2023, with this National Human Rights Center "Rosario Ibarra de Piedra" as its headquarters, the First Mexican Conference on Critical Thinking in Health and Sanitary Sovereignty was held, with a significant number of attendees from Mexico and the region, both in person and virtually.

For more than a year, the CNDH, which through CENADEH is already an associated academic center of CLACSO, has accompanied and built together with the Working Group on International Health and Health Sovereignty this space for meeting, reflection and exchange.

Today we celebrate the second edition of the conference, which has allowed us and allows us to coincide with other critical voices to propose other methodologies, concepts and alternative models to the neoliberal health model, which has done so much damage to the people of Mexico and the Latin American and Caribbean peoples, and that our duty is to leave behind. Through dialogue, but above all through the results generated by our collective work, we have been building an alternative vision of ideas and critical proposals that seek to overcome



Photograph by CNDH

the traditional approaches to public health and the right to health.

On this occasion, we will listen to reflections that distance themselves from the privatistempiricist and eminently individualistic and neoliberal model, in order to move towards a Latin American critical approach structured around the axes of health sovereignty and the democratization of knowledge and know-how on health and human rights.

Among the activities programmed for this conference will be the presentation of the publication Mexico in Latin American critical thinking in health from the South, a commitment fulfilled in the agreements of the Mexican conference held in 2023; This is an important contribution because, as stated in the book co-edited by CLACSO and the CNDH, we are at a crucial moment for reflection and action in the field of health in Latin America and the Caribbean, as we face the profound challenges posed by the universalization of services in a scenario of profound shortages and deficiencies, the result of years of neglect. It is a matter of reaching everyone because that is the claim and the commitment, but also and above all, to do so by guaranteeing respect for dignity, health and health protection, not only as a theoretical exercise, but as a vital and ethical practice that commits all of us who promote and defend human rights.

With the same optimism of meeting with you and generating viable answers and opinions to build the better future that our peoples deserve, I greet the beginning of these Second Mexican Journal of Critical Thinking in Health and Health Sovereignty, and I do so with the best of good wishes.

Congratulations and good morning to all of you.

Consult the complete event in: https://goo.su/ob1q3x

# EVENTS OF THE MONTH

#### Conversation on gender equality and an agenda with a human rights perspective

In 2025, the Fourth World Conference on Women in Beijing, China, which marked a turning point for the global gender equality agenda, will be 30 years old.

In this sense, on August 27, the National Human Rights Commission (CNDH) held the "Rosario Ibarra de Piedra" Conversatory for the balance in matters of equality between women and men, an event held in the auditorium of the National Center for Human Rights (CENADEH) "Rosario Ibarra de Piedra". In her opening speech, Rosy Laura Castellanos Mariano, general director of the center, highlighted Mexico's participation in the Beijing Conference, where a balance was made in terms of equality between men and women.

Jorge Yáñez López, member of Trodos Circle of Masculinity; Gloria Verónica Chalé Góngora, from the Instituto Universitario de Investigación Ortega y Gasset; Margarita Elena Tapia Fonllem, from the Universidad Pedagógica Nacional; and Alba Adriana Jiménez Patlán, director of Equidad y Género, Ciudadanía, Trabajo y Familia A.C., participated in the conversation.

Jorge Yáñez explained the relevance of the feminist movement at the international, regional and local levels in Mexico, which led to the publication of the National Women's Program 1995-2000, which in turn led to the creation of the National Women's Institute. This led to the gradual adoption of the gender perspective in the federal public administration.

Verónica Chalé recognized the progress made in legislative matters, such as the enactment of the Law on Domestic Violence and the General Law on Women's Access to a Life Free of Violence. She also recalled the process of making women visible in a plural sense, which encompasses diverse experiences and contexts, thus enriching an integral perspective in the elaboration of public policies. She also recognized the pending cultural and social challenges, especially with respect to machismo, which is still very present in different parts of the country.

Margarita Elena Tapia then mentioned that the themes of the Beijing Conference -education, labor, health, security, among others- were gradually incorporated by the Mexican government at the time, especially the decriminalization of abortion and sexual and reproductive rights. She also addressed various laws, emphasizing the work of struggle, resistance and progressiveness of women's human rights, which have achieved a democratic and educational opening in favor of equity and equality.

Finally, Alba Adriana Jiménez explained how the historical demands of women have united different generations of girls, adolescents and women. In addition, she emphasized that certain demands and problems stand out at a certain time, so that at different stages of the evolution different needs are made visible that provide alternatives to the expansion of women's human rights.

In the closing message, the participating specialists agreed on the relevance of this type of exercise, where dialogue and exposure of different ways of thinking, being and acting are the ideal combination to generate proposals for the defense of human rights.

> Consult the complete conversation: https://goo.su/8nw7jF

#### Presentation of the book Mexico in LatinAmerican critical thinking on health from the South

On August 29, 2024, the National Human Rights Commission (CNDH) presented the book Mexico in LatinAmerican critical thinking on health from the South, at the Vasconcelos Library, located in Mexico City. It should be noted that the book was the result of coordinated work between the CNDH and the Latin American Council of Social Sciences (CLACSO).

The event was participated by Odeth Santos Madrigal, coordinator of the International Health and Health Sovereignty Working Group of Clacso; Gonzalo Basile, director and researcher of the International Health program of the Council in the Dominican Republic; Luis Enrique Pérez Silva, researcher associated with the study group Refundación de los Sistemas de Salud; and Laura Vázquez Vega, researcher of the National Council of Humanities, Sciences and Technologies.

During the presentation, participants discussed how this book can help to decolonize our knowledge of health. In this sense, Odeth Santos commented that everything we have learned and how we have learned about health should be questioned, without losing sight of regionalization and its characteristics.

For his part, Gonzalo Basile explained that the content of the articles in the book is innovative in itself because it implies a questioning of the Eurocentric approach to health and public hygiene, in which Europe is conceived as the center of the world and imposes its vision, problems and needs on



Photograph by CNDH

the particularities of other countries. It also criticized the neoliberal health system in the 1990s, which generated inequality in access to these services.

In his participation, Luis Enrique Pérez recognized the deconstruction of the European and Anglo-Saxon model of health, and stressed that health should not be a field of individual mercantilization, but rather a responsibility of the State based on the design of comprehensive, quality and intercultural policies that guarantee access to the right to health for the entire Mexican population.

Finally, Laura Vázquez Vega recognized the work of the CNDH in the organization of the Mexican Health Days, which reflected on collective health projects with a human rights approach and a gender perspective.

Consult the complete presentation: https://goo.su/p3XAe6w

#### International Forum on Socioenvironmental Conflicts and Human Mobility. Challenges from Policies and Activisms

On August 29 and 30, the Center for Interdisciplinary Research in Sciences and Humanities (CEIICH-UNAM) and the National Center for Human Rights (CENADEH) "Rosario Ibarra de Piedra" held this international forum. The objective was to build and promote knowledge that influences the definition of policies, the formation of public opinion and the positive transformation of the living conditions of the most vulnerable and discriminated populations.

It is worth noting that various activities were planned as part of the event: training workshops, social dialogue roundtables, cultural activities and book presentations, among others. During the inauguration, Rosy Laura Castellanos Mariano, director of Cenadeh, highlighted that the current administration of the CNDH has promoted a critical reading of human rights based on the respect and dignity of people. Through critical thinking, the neoliberal and capitalist model that established human rights as a privilege is questioned; instead, a fair and egalitarian perspective that allows the free exercise of human rights is advocated.

On the second day, roundtable 3 was held, also at CENADEH. On this occasion. migration related to socio-environmental conflicts and public policies were discussed. Then, another round table was held with the presentation of the book Climate Change and the Environment. Political struggles for the good life, the result of the compilation of papers from the call for papers "Environment, Climate Change and Good Living in Latin America and the Caribbean: conflicts, struggles and policies". The speakers highlighted the content of the articles, which propose starting points to influence the public and social environment and help counteract the impacts of climate change and the extractivist model of exploitation of nature.

On the other hand, in round table 5, "Migratory movements, human mobility and regional geopolitics", the speakers presented the advances and challenges faced by people who find themselves in a context of



Photograph by CNDH

mobility. In this regard, they agreed that in countries where there is a flow of migration and emigration in a given context, the international legislative framework is a guide for recognizing and guaranteeing access to human rights, for example, medical care as part of the right to health. However, each country must adapt this framework according to its administrative, social and economic context.

At the closing of the event, they highlighted the relevance of the reflections and comments made during the forum, since they represent a starting point for designing and implementing appropriate projects and public policies.

Consult the forum: https://goo.su/Q8zquLr

## **GLOBAL PERSPECTIVE**

Monthly publication for the dissemination of human rights, aimed at all audiences. The content includes national and international news on human rights; reports, articles, interviews and talks, as well as national commemorations that promote historical memory and disseminate social and institutional contributions to the recognition of human rights. During the month of August an edition was published, available on the CNDH website.



To consult more issues of Global Perspective: https://www.cndh.org.mx/tipo/4113/perspectiva-global

## **NEWSLETTER AND UPDATES**



Monthly publication on the activities carried out by the CNDH staff, as well as its head, at the national and international level. It also presents the actions carried out in order to defend human rights; a summary of the latest recommendations issued; press releases and relevant documents. In addition, it includes monthly trends on international cooperation actions, unconstitutionality, constitutional controversies, information mechanisms, education and promotion of human rights, among other tasks of the organization. It is available on the CNDH website, as well as its Spanish version: *Carta de Novedades*.

To consult the Newsletter in English and Spanish: https://www.cndh.org.mx/Educacion/Carta-Novedades

## **RELEVANTS DATES**

In order to publicize relevant national and international dates in the field of human rights, brief research documents are prepared on events and people related to these and other related topics. In addition, a reminder is offered on the organization, struggles and movements that have arisen in the face of violations of fundamental rights, as well as the contributions that have led the recognition and exercise of human rights.



To consult the relevants dates: https://www.cndh.org.mx/fechas

# HUMAN RIGHTS IN THE WORD

# **Ombudsman Offices**

The purpose of this section is to report on the activities, actions or positions of the different ombudspersons around the world. Based on the international context, we offer an analysis of the initiatives, laws or reports carried out in different countries, in order to observe regional coincidences that add valuable contributions regarding the defense and protection of human rights.

Over the course of the month, the ombudsmen's offices of Panama, Bolivia, Colombia and Latvia carried out various actions to ensure that girls, adolescents and women enjoy the right to live in an environment free of violence. In Panama, Colombia and Latvia, awareness campaigns were carried out to eliminate stigma, sexual harassment and discrimination against women in schools and the workplace, while in Bolivia a report was published on the situation of women deprived of their liberty in order to call on the State to resolve the structural problems that prevail in prisons.

Likewise, in Colombia, Latvia and the Czech Republic, actions in favor of attending to and including priority groups stand out. For example, in Colombia they consolidate the protection of the right to sports, which sometimes represents a way out of violent environments for young people, so that the exercise of this right can have an impact on the development of their life project. Also noteworthy is the job training program for people with cognitive disabilities in the Czech Republic, whose purpose is to provide work experience to this priority group and improve future projects of this nature.

On the other hand, measures for the protection and promotion of the human rights of indigenous communities in Ecuador, Colombia and Costa Rica stand out. These measures include dialogue with the populations in a context of empathy and understanding, which represents a fundamental act in the development of public policies that are appropriate to their problems and needs. In this regard, the Colombian ombudsman's office organized working groups with representatives of the Atlántico region to learn about the situation in these territories in terms of security, education, health and public order. The Costa Rican ombudsman's office spoke in favor of the right to cultural identity and the participation of indigenous peoples in the preparation of a project that includes recognition of and respect for their rights to territory and access to justice.

Finally, a couple of initiatives on the right of access to truth and justice in Chile and Peru stand out. Both cases coincide in the comprehensive reparation of damages for direct and indirect victims of the violence committed during the military dictatorships, and therefore represent an invaluable opportunity to consolidate access to transitional justice through mechanisms and measures in favor of truth, justice, reparation and non-repetition.

# **AMERICA** Women´s Rights

### PANAMA



During August, the Ombudsman's Office invited non-governmental organizations to join the Panamanian Observatory against Gender Violence, in order to develop awareness-raising plans in schools. In this context, the Ombudsman's Office joined the project "Communities United against Domestic Violence", led by the Ministry of Women. The purpose of the project is to prevent, address and raise awareness of violence among the Panamanian population through campaigns, workshops and training in schools. The project also emphasizes the right of women and girls to denounce any violation of their human rights.

More information: https://goo.su/UVKuRm

## BOLIVIA



The Ombudsman's Office published the report Women in Prisons in Bolivia, to analyze and recognize the problems of the prison system: overcrowding, excessive use of pretrial detention, lack of access to health services, among others. The document recognized the increased risks for pregnant women, women living with their children, girls, and Afro-Bolivian women. Therefore, the Ombudsman's Office called on the corresponding authorities to solve the structural problems, and recommended the installation of a permanent dialogue table with the participation of women deprived of their liberty.

More information: https://goo.su/Fy4tlbc

## COLOMBIA



World Breastfeeding Week is being celebrated from August 1 to 7, with the theme this year being "Closing the gap: breastfeeding support for all". As part of the commemoration, the Ombudsman's Office called on public entities and private companies to install "Breastfeeding Family Friendly Rooms in the Workplace": appropriate and safe spaces for breastfeeding mothers to express and store breast milk during the working day.

More information: https://goo.su/vgKUe

# LATVIA



At the beginning of the year, there were several cases of sexual harassment in different universities in Latvia. Conscious of its role as a protector of human rights, the Ombudsman's Office invited representatives of all universities to participate in a survey to obtain information about this unfortunate situation. The responses would be analyzed and, based on this analysis, standards of conduct and effective complaint mechanisms would be developed, and the information obtained would help to strengthen support measures for victims.

More information: https://goo.su/zl8zkgm

# Protection and Promotion of the Human Rights of indigenous communities

## ECUADOR



At the end of 2023, the Ombudsman's Office of Ecuador developed the project of the "Cities of Human Rights and Nature" ombudsman seal, through which it recognizes the actions of prevention and promotion of human rights carried out by the municipal decentralized autonomous governments in accordance with the environment. Within this framework of recognition, the Ombudsman's Office awarded the first ombudsman seal to the head of the government of the city of Otavalo, for its compliance with the following parameters: habitat and housing, good governance, life and dignity, protection and prevention through the design of public policies.

More information: https://goo.su/hrtjCj

## COLOMBIA



The working groups represent a space for social participation where representatives of authorities or organizations meet and dialogue with the ombudsmen (officials who defend the interests of society and promote human rights) on proposals on a topic of common interest. For this reason, the Ombudsman's Office carried out a series of working groups with ombudsmen of the Atlántico region on the situation of their municipalities in the following areas: security, education, health, conditions of the population deprived of liberty, quality of public services, among others. As a result, the Ombudsman's Office reaffirmed its commitment to work together with the ombudsmen to implement concrete solutions and improve the protection of human rights in the territories.

More information: https://goo.su/LUdCnCH

### **COSTA RICA**



Currently, a critical situation persists with respect to the rights of indigenous peoples in Costa Rica because they are constantly excluded, due to the omissions and inadequate actions of public institutions. Consequently, the Ombudsman's Office has spoken out in favor of respect for cultural identity; it has also stressed that the participation of indigenous peoples in the development of a national project that includes favorable actions for the restitution of their rights and access to justice is essential.

More information: https://goo.su/B94kHn

## LATVIA



ATM withdrawals, bill payments, among other banking services, are a normal activity for the majority of the population; however, for guardians of persons with limited capacity these financial activities pose a permanent challenge in daily life; therefore, the Ombudsman's Office issued the material Recommendations for guardians, sworn attorneys, courts, orphan's courts and credit institutions on the provision of banking services to persons with limited legal capacity. In the publication they explain the processes to be followed to ensure the management of financial assets of persons with limited legal capacity.

More information: https://goo.su/fF9Jz8u

### **CZECH REPUBLIC**



People with disabilities face a series of adversities in the search for access to education and employment. In an exercise of inclusion and preparation for the future, the Ombudsman's Office implemented the "Transit" program, where 30 high school adolescents with cognitive disabilities were able to obtain work experience in the course of a year, as they attended their internships once a week. It should be noted that the Ombudsman's Office supervised that the working conditions were suitable for the particular situation of each participant. They were also provided with information on their labor rights.

More information: https://goo.su/a8FnD

#### COLOMBIA



In 1991, the Political Constitution of Colombia recognized that Colombians have the right to practice sports. In recent times and in the context of the internal armed conflict, sports have represented on several occasions an opportunity for children and youth to move away from conflict zones. In this sense, the Ombudsman's Office held a discussion aimed at the student community of the Harvard Pedagogical Institute; the event focused on the relevance of the right to sports in relation to the life project, recreation and the use of free time, especially for those who are in vulnerable situations.

More information: https://goo.su/p2fnHzR

## **Right of Access to Truth and Justice**

CHILE



August 30 is the National Day of the Detained and Disappeared in Chile, so the National Human Rights Institute paid tribute to the victims of the dictatorship and their families, and announced the analysis of files to detect the trajectories of people who disappeared after 1973. He also highlighted the delivery of files to the families of the victims, as well as to the Courts of Justice in order to begin the corresponding investigation.

More information: https://goo.su/KmleuE

#### PERU



The Andean country suffered a period of violence from 1980 to 2000, in which there was military repression against members of the Peruvian Communist Party Shining Path, although it later spread to the civilian population. For this reason, the Ombudsman's Office provided training to 40 people displaced by violence on the Comprehensive Reparations Plan (PIR); the objective is to disseminate information so that victims can request the protection of their human rights. Likewise, the Ombudsman's Office pointed out that the State must implement a preventive system of timely reparation for the victims, including the right of access to health care for the elderly, as well as insurance against any act of violence and excessive use of force by members of the police or the army.

More information: https://goo.su/nSof

#### Recommendations

During August, the National Human Rights Commission issued 21 ordinary recommendations for human rights violations, and 4 for grave violations.

Regarding the ordinary recommendations, 10 of them were issued to the Mexican Social Security Institute (IMSS) due to the fact that this agency violated several human rights: to the protection of health, to life, to dignified treatment, to access to health information. to a life free of obstetric violence. It also sent 4 recommendations, also ordinary, to the Instituto de Seguridad y Servicios Sociales de los Trabajadores del Estado (ISSSTE), for violations of the human rights to health protection, to personal integrity, to freedom and reproductive autonomy, to a life project, to access to health information, to legality, to legal security and social security, and for not accepting a conciliation proposal regarding violations of the human rights to legality, to legal security and social security.

On the other hand, the Commission sent 4 recommendations for serious human rights violations: one to Alejandro Gertz Manero, Attorney General of the Republic, and to Rosa Icela Rodríguez Velázguez, head of the Secretariat of Security and Citizen Protection - for serious violations of the human rights to personal integrity and security, and the right to access to justice and truth-; another, to José Luis Cervantes Martínez, attorney general of the State of Mexico, and to Xóchitl Flores Jiménez, municipal president of the municipality of Chimalhuacán, State of Mexico - for serious violations of the human rights to due process, to access to justice and to a life free of violence; one more to Antonio Hazael Ruíz Ortega, head of the Secretariat of Prevention and Social Reinsertion of the Secretariat of Security and Citizen Protection - for serious violations of the human rights to personal integrity and to life -; and another to Rosa Icela Rodríguez Velázguez, head of the Secretariat of Security and Citizen Protection - for serious violations of the human rights to personal integrity through acts of torture, as well as to liberty, personal security and legality -.

#### Actions of unconstitutionality

The Political Constitution of the United Mexican States establishes that the National Human Rights Commission has standing to sue, before the Supreme Court of Justice of the Nation, the invalidity of laws that are issued or reformed and that are considered to violate human rights. Once the law is published in the official media in question, the National Commission has a term of thirty calendar days to challenge the norms that are deemed to violate fundamental rights.

In this sense, during this month, an action of unconstitutionality was approved, filed because it violates the right to prior, free, informed, culturally appropriate and in good faith consultation of the indigenous peoples and communities.

#### **Pronouncements**

The CNDH published a series of statements during the month. In them, it recognizes the inter-institutional work on the Gender Violence Alert in the state of San Luis Potosi and the determination to lift said alert; it regrets the frivolous expressions with which the attempt to blind the democratizing attempt of the Judicial Power, and of the CNDH itself, is being used; and it calls on the authorities to implement public policies that allow the location of the victims of forced disappearance, as well as the reconstruction of the social fabric.

#### **Press Releases**

Among the statements published by the CNDH this month, the ones that stand out are 233/2024, regarding the fact that the CNDH and the Universidad Rosario Castellanos signed a general collaboration agreement for the promotion and study of the culture of peace and human rights; and 238/2024, concerning the signing of an agreement between the Commission and the 17, Institute of Critical Studies on human rights to professionalize public servants.

# RECOMMENDATIONS



#### ON VIOLATIONS OF HUMAN RIGHTS TO HEALTH PROTECTION, LIFE, DIGNIFIED TREATMENT, AND ACCESS TO INFORMATION IN MATTERS OF HEALTH

The CNDH sent a recommendation to Zoé Alejandro Robledo Aburto, General Director of the Mexican Institute of Social Security. It recommended that they collaborate to register the victims in the National Victims Registry and provide them with psychological and/or thanatological care, if needed. It also requested that they conduct a training course on human rights, related to the right to health protection, which includes the appropriate prevention and supervision measures with a differentiated approach for older adults.

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#### REGARDING VIOLATIONS OF HUMAN RIGHTS TO HEALTH PROTECTION, LIFE, DIGNIFIED TREATMENT. AND ACCESS TO INFORMATION IN HEALTH MATTERS

The CNDH issued a recommendation to Zoé Alejandro Robledo Aburto, General Director of the Mexican Institute of Social Security. It recommended that they collaborate to register the victims in the National Victims Registry and provide them with psychological and/or thanatological care. Additionally, it requested that they cooperate with the investigating authorities in following up on the administrative review that this National Body presents before the Internal Control Body of that Institute, in order to initiate the corresponding procedure; and that they issue a circular that includes the appropriate prevention and supervision measures regarding human rights to health protection and life, with a differentiated approach for older adults.

# 92/2024

LIFE PROJECT

#### REGARDING VIOLATIONS OF HUMAN RIGHTS TO LEGAL SECURITY, SOCIAL REINSERTION, EQUALITY AND NON-DISCRIMINATION

The CNDH sent a recommendation to Antonio Hazael Ruiz Ortega, Head of Prevention and Social Reinsertion, and Iván García Álvarez, Secretary of Public Safety and Citizen Protection of the State of Oaxaca. It recommended that they provide the victims with the medical, psychological, and/or psychiatric care they need in order to promote their mental, physical, and emotional health, and instruct the staff through a circular to act based on the highest standards of human rights for persons deprived of liberty. Additionally, it requested that both authorities work together to propose an update to the Agreement for the detention of detainees and sentenced individuals under federal jurisdiction and detainees under state jurisdiction, so that it is governed by the principles of progressivity and pro persona in favor of persons deprived of liberty.

#### REGARDING VIOLATIONS OF HUMAN RIGHTS TO PERSONAL INTEGRITY, AS WELL AS TO EQUALITY AND NON-DISCRIMINATION AND DAMAGE TO THE

The CNDH issued a recommendation to Antonio Hazael Ruiz Ortega, Head of Prevention and Social Reinsertion of the Secretariat of Public Security and Citizen Protection. It recommended that they provide the victims with psychological care, and that a group of experts in gender-based violence design a Protocol for the Care of women deprived of liberty who are victims of various forms of violence, including sexual violence. Furthermore, it requested that they strengthen the security and custody strategies within the modules of CEFERESO No. 16, which should include, in strict respect for human rights, permanent surveillance of the population in order to prevent violent incidents committed by or against women deprived of liberty.

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#### REGARDING VIOLATIONS OF HUMAN RIGHT TO HEALTH PROTECTION, LIFE, AND THE RIGHT TO INFORMATION IN HEALTH MATTERS

The CNDH sent a recommendation to Zoé Alejandro Robledo Aburto, General Director of the Mexican Institute of Social Security. It recommended that they collaborate in registering the victims in the National Victims Registry and provide them with psychological and/or thanatological care. Additionally, it requested that they cooperate in processing and following up on Administrative Files 3 and 4, which were initiated as a result of the administrative reviews presented by this CNDH before the OIC-IMSS, in order to determine and/or clarify the respective responsibility. Furthermore, they must issue a circular describing the supervision measures for the proper implementation of the recommendations contained in the GPC-Diagnosis and Treatment of Infectious Peritonitis in Chronic Peritoneal Dialysis in Adults and GPC-Evaluation, Diagnosis, and Treatment of Anemia Secondary to Chronic Kidney Disease.

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RECOMMENDATION



REGARDING THE APPEAL RELATED TO VIOLATIONS, OF HUMAN RIGHTS TO DIGNIFIED TREATMENT, NON-DISCRIMINATION, THE RIGHT TO EDUCATION, AND THE RIGHT OF MINORS TO HAVE THEIR PHYSICAL AND PSYCHOLOGICAL INTEGRITY PROTECTED

The CNDH issued a recommendation to Rosa Aidé Domínguez Ochoa, Secretary of Education of the Government of the State of Chiapas. It recommended that they collaborate to register the victims in the National Victims Registry, and that they establish the guidelines under which the Secretariat, in compliance with the recommendations issued by the Chiapas State Human Rights Commission or any other Human Rights Protection Organization, must coordinate with the authorities who, according to their powers and competences, may collaborate in providing the comprehensive reparation of harm to the victims.

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#### ON VIOLATIONS OF HUMAN RIGHTS TO HEALTH PROTECTION, PERSONAL INTEGRITY, LIBERTY AND REPRODUCTIVE AUTONOMY, THE RIGHT TO LIFE PROJECT, AND ACCESS TO HEALTH INFROMATION

The CNDH (National Human Rights Commission) sent a recommendation to Bertha María Alcalde Luján, the General Director of the Institute of Social Security and Services for State Workers (ISSSTE). It recommended that they collaborate to register the victim in the National Victims Registry and provide medical and psychological care. Furthermore, it requested that the relevant authorities be instructed to cooperate in the follow-up of the Administrative File currently under processing at the OIC-ISSSTE, in order to determine the administrative responsibility arising from the failure to provide adequate medical attention, and to determine and/or clarify the respective responsibility.



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# ON VIOLATIONS OF HUMAN RIGHTS TO LEGALITY LEGAL SECURITY, AND SOCIAL SECURITY

The CNDH (National Human Rights Commission) issued a recommendation for Bertha María Alcalde Luján, the General Director of the Institute of Social Security and Services for State Workers (ISSSTE). It recommended that the necessary and appropriate actions be taken to ensure the full payment of the pensions for retirement and widowhood to which the victim is entitled; and that the relevant actions be carried out to promote the modification of the ISSSTE Law, the Regulations for Granting Pensions to Workers Subject to the Transitional Article Ten of the Decree that Issues the Law of the Institute of Social Security and Services for State Workers, and other regulatory standards as needed, in order to eliminate any provisions within the pension framework that establish invalid constitutional limitations restricting the human right to social security.

# **PRECOMMENDATION**

#### REGARDING VIOLATIONS OF HUMAN RIGHTS TO HEALTH PROTECTION, LIFE, DIGNIFIED TREATMENT, AND ACCESS TO HEALTH INFORMATION

The CNDH sent a recommendation to Zoé Alejandro Robledo Aburto, General Director of the Mexican Institute of Social Security. It recommended that they cooperate to register the victims in the National Victim Registry and provide psychological and/or palliative care if needed. Furthermore, it requested that they collaborate in the integration and follow-up of the CII currently being processed at the FGR, and that they design and deliver a comprehensive course on human rights, which should consider the principles of accessibility, acceptability, availability, and quality related to the right to health protection.

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# REGARDIG VIOLATIONS OF HUMAN RIGHTS TO LEGAL SECURITY, DUE PROCESS, AND LEGALITY

The CNDH issued a recommendation to Francisco Garduño Yáñez, Commissioner of the National Institute of Migration. It recommended that they register the victim in the National Victim Registry and collaborate in presenting and following up on the administrative hearing that this National Body will present before the Specialized Internal Control Body within the Ministry of the Interior. Furthermore, it requested that they deliver a comprehensive training course on human rights, specifically regarding the right to legal security, due process, and the legality of foreign individuals who are subjected to a secondary inspection. 199/2024

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# REGARDING VIOLATIONS OF HUMAN RIGHTS TO LIFE AND THE IMPACT ON THE LIFE PROJECT

The CNDH issued a recommendation to Guillermo Nevárez Elizondo, General Director of CFE Distribución. It recommended that they cooperate to register the victims in the National Victim Registry and provide psychological and/or palliative care if needed. Furthermore, it requested that they collaborate in the follow-up of the CI, which was initiated at the FGJ-SON due to the events subject to this file, specifying the actions taken in this criminal procedure; and that they deliver a comprehensive training course on human rights, specifically regarding the CFE Law, NOM001-SEDE-2012, and NOM DCIAMBT, which regulate the public service of electricity distribution.

# 201/2024

#### REGARDING VIOLATIONS OF HUMAN RIGHTS TO LEGAL SECURITY, THE BEST INTERESTS OF THE CHILD, A LIFE FREE FROM VIOLANCE, INTEGRITY, TRUTH, AND THE LIFE PROJECT

The CNDH sent a recommendation to Gilberto Higuera Bernal, Attorney General of the State of Puebla; to Daniel Iván Cruz Luna, Secretary of Public Security of the State of Puebla; and to Javier Aquino Limón, Secretary of the Interior of the State of Puebla. To the Secretaries, it recommended that they ensure the permanent union of QV1 and V2 as a family, facilitating their relocation to a safe area in the state for this purpose, and provide financial support to QV1 in the event of job loss; guarantee access for QV1 and V2 to affirmative actions and public social programs they may be eligible for, according to their needs, and provide educational scholarships for V2 as long as necessary. To the Attorney General, it requested that he cooperate to register the victims in the State Victim Registry; and, in collaboration with the SSP, guarantee that QV1 receives continued medical, psychological, and psychiatric care as needed, as well as psychological, psychiatric, and/or pediatric psychiatric care for V2, if required.

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RECOMMENDATION

#### REGARDING VIOLATIONS OF HUMAN RIGHTS TO HEALTH PROTECTION, LIFE, DIGNIFIED TREATMENT, AND ACCESS TO HEALTH INFORMATION

The CNDH issued a recommendation to Zoé Alejandro Robledo Aburto, General Director of the Mexican Institute of Social Security. It recommended that they cooperate to register the victims in the National Victim Registry, collaborate in presenting and following up on the administrative hearing that this National Body will present before the Internal Control Body within the IMSS, and deliver a training course on human rights, which should consider the principles of accessibility, acceptability, availability, and quality related to the right to health protection, life, and dignified treatment of elderly individuals.



REGARDING VIOLATIONS OF HUMAN RIGHTS TO HEALTH PROTECTION, PERSONAL INTEGRITY, AND LIFE IN CORRELATION WITH THE OMISSION OF THE DUTY OF CARE, AS WELL AS THE RIGHT TO ACCESS TO JUSTICE AND TRUTH

The CNDH sent a recommendation to Antonio Hazael Ruiz Ortega, Head of the Prevention and Social Reintegration Department of the Secretariat of Security and Citizen Protection, and to Alejandro Gertz Manero, Attorney General of the Republic. To the Head of the Prevention and Social Reintegration Department, it recommended that they cooperate to register the victims in the National Victim Registry and provide psychological and/or palliative care to VII and VI2. To the Head of the Attorney General's Office, it requested that instructions be given to the relevant authorities to forward a copy of this recommendation to the competent authority so that it can be included in the investigation file, and that the findings outlined in this recommendation be taken into account regarding the various irregularities in the actions of the public servants assigned to Cefereso No. 11, who were involved in the medical, psychological, and psychiatric care provided to V.

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RECOMMENDATION

#### REGARDING VIOLATIONS OF HUMAN RIGHTS TO A LIFE FREE OF OBSTETRIC VIOLENCE, TO THE PROTECTION OF HEALTH, TO LIFE AND DIGNIFIED TREATMENT, AND TO ACCESS TO INFORMATION IN HEALTH MATTERS

The CNDH issued a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute. It recommended that they collaborate in the follow-up of the administrative hearing that this National Organism presents before the OIC-IMSS, in order to initiate the corresponding procedure; and provide a training course on human rights, related to the right to the protection of health, as well as the due observance and content of the Official Mexican Standards NOM-007-SSA-2-2016 and NOM of the clinical record; the Guide for the clinical use of blood, GPC- Treatment of Preeclampsia, in the GPC Treatment of Hypertensive Diseases in Pregnancy and GPC- Treatment of Diabetes in Pregnancy.



ON VIOLATIONS OF THE HUMAN RIGHTS TO THE PROTECTION OF HEALTH, TO LIFE AND TO DIGNIFIED TREATMENT, AS WELL AS TO ACCESS TO HEALTH INFORMATION

The CNDH sent a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute. It recommended that they collaborate to register the victims in the National Registry of Victims, and provide them with psychological and/or thanatological care, if required. It also requested that they collaborate with the investigating authority in the processing and follow-up of the EI-OIC-IMSS, which is integrated in the Specific Internal Control Organ of the IMSS, in order to integrate the corresponding administrative procedure, and that they issue a circular containing the pertinent measures of prevention and supervision, on human rights issues regarding the protection of health, life and access to health information; as well as the due observance and content of the Mexican Official Standards and the Clinical Practice Guide.

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RECOMMENDATION

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#### REGARDING VIOLATIONS OF THE HUMAN RIGHTS TO THE PROTECTION OF HEALTH AND LIFE, AS WELL AS ACCESS TO INFORMATION ON HEALTH MATTERS

The CNDH issued a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute. It recommended that they collaborate to register victims in the National Registry of Victims, and provide a comprehensive course on human rights training and education that considers the principles of accessibility, acceptability, availability and quality, related to the right to the protection of health and life, as well as the due observance and content of the GPC-Absceso Profundo de cuello, GPC-Hemorragia Aguda and GPC-Sepsis y Choque Séptico, NOM del Expediente Clínico and the LGS.

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REGARDING VIOLATIONS OF THE HUMAN RIGHTS TO THE PROTECTION OF HEALT, TO LIFE AND TO DIGNIFIED TREATMENT, AS WELL AS ACCESS TO HEALTH INFORMATION

The CNDH issued a recommendation to Bertha María Alcalde Luján, general director of the Institute of Security and Social Services for State Workers (Instituto de Seguridad y Servicios Sociales de los Trabajadores del Estado). It recommended that they collaborate to register the victims in the National Registry of Victims, and provide them with the psychological and/or thanatological attention they require. It also requested that they collaborate in the follow-up of the request for the reopening of the administrative investigation file that this CNDH makes to the OIC-ISSSTE, so that it is that instance that determines what is legally appropriate; and to provide a comprehensive training and education course on human rights, which considers the principles of accessibility, acceptability, availability and quality related to the right to health protection, life and dignified treatment of the elderly in terms of national legislation and the Inter-American Convention on the Protection of the Human Rights of Older Persons.

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RECOMMENDATION

#### ON THE NON-ACCEPTANCE OF THE CONCILIATION PROPOSAL REGARDING THE VIOLATIONS OF THE HUMAN RIGHTS TO LEGALITY, LEGAL SECURITY AND SOCIAL SECURITY

The CNDH sent a recommendation to Bertha María Alcalde Luján, general director of the Institute of Security and Social Services for State Workers. It recommended that they immediately and as a matter of priority carry out the necessary actions to reactivate QV's widow's pension, in accordance with the pro persona principle, under the most adequate and effective procedures, without restricting her rights to legality and legal security, as well as to social security, due to the work she performs; and that they recognize QV, on behalf of ISSSTE, as a beneficiary of PA and, consequently, provide her with all the economic benefits and benefits in kind that she is entitled to in accordance with ISSSTE regulations. In addition, it requested that they propose to the competent legislative authority the draft amendment to the provisions of the ISSSTE Law, the ROPDT and other internal rules that so warrant in order to eliminate, within the framework of the compatibility of pensions, the hypotheses that establish constitutionally invalid limitations that restrict the human right to social security of the beneficiaries.

# RECOMMENDATION

#### REGARDING VIOLATIONS OF THE HUMAN RIGHTS TO THE PROTECTION OF HEALTH, LIFE AND DIGNIFIED TREATMENT, AS WELL AS ACCESS TO HEALTH INFORMATION

The CNDH issued a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute. It recommended that they collaborate to register the victims in the National Registry of Victims, and cooperate in the processing and follow-up of the administrative file that was initiated due to the administrative hearing that this CNDH presented before the OIC-IMSS because they did not provide optimal medical attention and for the inadequate integration of the clinical file in the HGR-1, as well as for the warnings against administrative and managerial personnel, in order to determine and/ or determine the respective responsibility. It also requested that they issue a circular letter addressed to the medical staff of the Emergency and Traumatology and Orthopedic Services of HGR-1, describing the supervisory measures for the proper implementation of the recommendations contained in the Second Level of Care Procedure.

#### REGARDING VIOLATIONS OF THE HUMAN RIGHTS TO THE PROTECTION OF HEALTH, LIFE AND DIGNIFIED TREATMENT, AS WELL AS ACCESS TO HEALTH INFORMATION

The CNDH sent a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute. It recommended that they collaborate to register the victims in the National Registry of Victims, and that they cooperate in the processing and follow-up of the administrative file that was initiated due to the administrative hearing that this CNDH presented before the OIC-IMSS because they did not provide adequate medical attention to V and against the personnel who failed to supervise the performance of PMR according to the NOM-Medical Residencies.



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RECOMMENDATION

#### ON SERIOUS VIOLATIONS OF THE HUMAN RIGHTS TO PERSONAL INTEGRITY AND SECURITY, AS WELL AS THE RIGHT TO ACCESS TO JUSTICE AND TRUTH

The CNDH sent a recommendation to Alejandro Gertz Manero, Attorney General of the Republic, as well as to Rosa Icela Rodríguez Velázquez, head of the Secretary of Security and Citizen Protection, due to the fact that several people suffered acts of torture and degrading treatment. For this reason, the CNDH recommended that they provide them with comprehensive medical and psychological care, and give a training course for the staff of the Specialized Prosecutor's Office for Organized Crime and the General Directorate of Forensic Medical Specialties. Likewise, a circular is requested to be issued to the personnel of the Special Prosecutor's Office for the Investigation of the Crime of Torture, so that their investigations are carried out under the principles of immediacy, due diligence, maximum protection, the pro persona principle, legal security and legality.



#### REGARDING SERIOUS VIOLATIONS OF THE HUMAN RIGHTS TO DUE PROCESS, ACCESS TO JUSTICE AND TO A LIFE FREE OF VIOLENCE

The CNDH issued a recommendation to José Luis Cervantes Martínez, attorney general of the State of Mexico; and to Xóchitl Flores Jiménez, municipal president of the municipality of Chimalhuacán, State of Mexico, due to the participation of members of these authorities in an operation in which one person was sexually abused, while another was detained and accused of crimes he did not commit. Consequently, the Commission recommended their collaboration to register the victims in the National Registry of Victims, and to provide them with free medical and psychological care.On the other hand, it requested that they design and impart training courses where they promote models to attend and protect women who suffer violence in a comprehensive manner.

#### Learn more

RECOMMENDATION

# REGARDING GRAVE VIOLATIONS OF THE HUMAN RIGHTS TO PERSONAL INTEGRITY AND TO LIFE

The CNDH sent a reocmendaocno to Antonio Hazael Ruíz Ortega, head of the Secretariat of Prevention and Social Reinsertion of the Secretariat of Security and Citizen Protection, for the inadequate conditions of governance in the now Federal Center of Social Reinsertion 11, in Hermosillo, Sonora. It recommended that they provide integral and specialized medical follow-up to the injured persons, and grant psychological and/or thanatological attention to the direct and indirect victims. It also requested that they establish adequate classification criteria to avoid problems of coexistence in the center.

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ICCOMMENDATION

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#### ON SERIOUS VIOLATIONS OF THE HUMAN RIGHTS TO PERSONAL INTEGRITY DUE TO ACTS OF TORTURE, AS WELL AS TO LIBERTY, PERSONAL SECURITY AND LEGALITY

The CNDH sent a recommendation to Rosa Icela Rodríguez Velázquez, head of the Secretary of Security and Citizen Protection, due to the fact that a person was tortured in 2010 by elements of the extinct Federal Police (PF) in Tampico, Tamaulipas. For this reason, the CNDH recommended that they include compensation measures in accordance with the terms of the General Victims Law, and provide medical and psychological care. It also requested that they give a comprehensive course on human rights, specifically on the eradication of illegal detentions and the prohibition of torture and cruel, inhuman or degrading treatment.

# ACTIONS OF UNCONSTITUTIONALITY

#### UNCONSTITUTIONALITY ACTIONS FILED DURING AUGUST 2024

During this month, the National Human Rights Commission filed 1 action of unconstitutionality, through which 1 genereal norm was challenged.



» On August 19, 2024, an action of unconstitutionality 143/2024 was filed before the SCJN, filed against articles 87, section V, in the regulatory portion "indigenous peoples", 183, second paragraph, in the regulatory portion "Regarding ceremonies and traditional rites, it must be guaranteed that the viability of the populations is not affected and that the techniques and means of use traditionally used by the indigenous communities and native peoples are preserved", 184, 185, 186 and 267, section III, normative portion 'native peoples and neighborhoods, indigenous communities' of the Environmental Law of Mexico City; The aforementioned is a violation of the right to prior, free, informed, culturally appropriate and in good faith consultation of the indigenous peoples and communities.

# PRONOUNCEMENTS

#### **PRONOUNCEMENT 26/2024**

THE CNDH RECOGNIZES THE INTER-INSTITUTIONAL WORK ON THE GENDER VIOLENCE ALERT IN THE STATE OF SAN LUIS POTOSÍ AND THE DETERMINATION TO LIFT THE ALERT

The Gender Violence Alert against Women (AVGM) consists of a set of emergency governmental actions to confront and eradicate feminicidal violence and/or the existence of a comparative grievance that impedes the full exercise of women's human rights in a given territory.

For this reason, the National Human Rights Commission (CNDH) highlighted the joint effort made regarding the possible deactivation of the Alert in the municipalities of Matehuala, Tamazunchale and Tamuín, in San Luis Potosí. The action will depend on the effective implementation of the measures established in the Resolution of the Ministry of the Interior, regarding the request for the Gender Violence Alert against Women due to feminicidal violence in that entity, in order to ensure minimum protection conditions for women, adolescents and girls. The CNDH and the National Commission to Prevent and Eradicate Violence (Conavim) reiterated their commitment to continue working for women to live a life free of violence and to provide comprehensive care to those who have been victims.

#### **PRONOUNCEMENT 27/2024**

The CNDH rearets the frivolous expressions that attempt to blind the attempt to democratize the Judicial Branch and the CNDH itself

The National Human Rights Commission (CNDH) regrets the opportunistic and frivolous bias of the leader of the National Action Party (PAN) regarding a proposed law initiative that our president, Rosario Piedra Ibarra, presented to the plenary of the Congress of the Union in January 2023.

During this administration, the position of the CNDH has been in favor of democracy, for which the election by popular vote of the head of the CNDH, in order to guarantee legitimacy and autonomy in the process, is the best vehicle for the empowerment of the people. Likewise, the proposal to transform the CNDH into an Ombudsman's Office has been expressed on several occasions. The objective is to put an end to the authoritarian and neoliberal inheritance.

More information: https://goo.su/z2hohr



More information: https://goo.su/3zOSJ7q



Photograph by web

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#### **PRONOUNCEMENT 28/2024**

On the International Day of the Victims of Enforced Disappearance, the CNDH calls on the authorities to implement public policies that allow for their location and the reconstruction of the social fabric

In the framework of the International Day of the Victims of Enforced Disappearance, the National Human Rights Commission (CNDH) has reaffirmed its commitment to the rights to truth, justice and memory, with its contribution to the search for truth and justice, and to remain vigilant of the respect for human rights.

In this sense, during this administration, several actions have been carried out in this area, such as the creation, in January 2020, of the Special Office to Investigate Repression and Enforced Disappearances due to State Political Violence during the Recent Past. Based on its investigations, it documented that political violence was systematically perpetrated by the State from the 1950s until 2016. As a result, it succeeded in drafting general recommendation 46/2022 and for serious violations 98VG/2023, which included testimonies of survivors and indirect victims. For this reason, joining the voice of the families of victims of forced disappearance, it has indicated a route to build clarification, memory, the promotion of justice, in addition to generating measures of non-repetition of serious human rights violations, especially forced disappearance, which affects family members and society.

Consequently, the CNDH calls on the responsible authorities to fulfill their obligation and implement adequate measures in the search and location of the persons reported missing, to guarantee the right to truth for their families and, in turn, for the people of Mexico; and highlights the importance of implementing comprehensive public policies that allow the reconstruction of the social fabric, the recovery of trust in the authorities and, mainly, the generation of social and cultural conditions that allow ending once and for all with these despicable practices.

More information: https://goo.su/nKnb



Photograph by web



#### 233/2024 The CNDH and the Universidad Rosario Castellanos sign a general collaboration agreement for the promotion and study of the culture of peace and human rights

The formation of a critical citizenship and public service with a human rights perspective is fundamental to build a society free of violence and discrimination. In this sense, the National Human Rights Commission (CNDH) and the Rosario Castellanos University (URC) signed an agreement that will allow for joint academic actions in the promotion, study and dissemination of the culture of peace and human rights.

Among the objectives are the joint elaboration of a postgraduate study program to be taught by researchers and academics from the URC and the National Center for Human Rights (Cenadeh, the academic area of the CNDH), in addition to forming a working group on the culture of peace and human rights from a critical reading.

More information: https://goo.su/NBFFhB

#### 238/2024 CNDH and 17, Institute for Critical Studies sign agreement for the professionalization of public servants in human rights

Within the framework of training and professionalization of public servants, the president of the National Human Rights Commission (CNDH), Rosario Piedra Ibarra, and the director of 17, Instituto de Estudios Críticos, Benjamín Mayer Foulkes, signed a general collaboration agreement, which will support the substantive activities carried out by the Commission.

In this sense, Ms. Rosario Piedra Ibarra pointed out that the agreement seeks to build the bases and mechanisms of collaboration and coordination for activities in cultural matters, as well as to analyze the current problems in the defense of human rights in order to propose lines of action to consolidate the culture of peace and human rights. He also warned that, at this time, in which the work of this institution is changing, its personnel need to have at their disposal references that update and strengthen their values in order to carry out their activities effectively in favor of the defense of the Mexican people.

More information: https://goo.su/jhu18



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