

Monthly summary of CNDH actions MAY 2024 | N° 375



# cultura de paz

Second day of awareness-raising Gender Equality: Dialogue with women workes and trade unionists.

#### Pronouncement

14/2024 joins the call to avoid the political use of the cause of the search for missing persons in electoral campaigns. 32 Ordinary Recommendations and 2 for serious violations: 15 of them were issued to the Mexican Social Security Institute (IMSS).

#### 12 Actions of Unconstitutionality:

Promoted due to the violation of the principle of proportionality of penalties and prohibition of unusual penalties, amog others.

#### Diseño y formación

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# **PROMOTION OF** HUMAN RIGHTS

# THE PRESIDENT'S VOICE

Message from the President at the Permanent Seminar "Science is your right. Advances and challenges of the General Law on HCTI on its first anniversary

The National Council of Humanities, Science and Technology (Conahcyt) organized the cycle "Advances and challenges of the General Law on HCTI in its first anniversary", within the framework of the permanent seminar *Science is your right*.

The President of the National Human Rights Commission, Rosario Piedra Ibarra, participated in this event and shared an interesting study on why this law is relevant in the context of human rights.

#### Good afternoon to all of you

I greet with great appreciation all the people who are with me here in the Presidium, especially Dr. María Elena Álvarez-Buylla, Director General of the National Council of this new Conahcyt. I am going to read a study on how we see the Law with respect to human rights.

# To know, share, transform and emancipate the human right to science

The human right to science is not a new concept, but at times it may seem so, when in fact it is a fundamental pillar in the construction of just societies based on a culture of critical peace and human rights. This right, among other aspects, recognizes the importance of guaranteeing equitable access to science and its benefits for all people, without discrimination of any kind; its importance should be social impact to promote socioeconomic development and solve structural challenges such as poverty and inequality.

Conahcyt understood this and expressed it in the law on humanities, sciences, technologies and innovation with the following words: "This first General Law is relevant for the current times and for the future of our country; it accompanies and reflects the popular will for a democratic and peaceful transformation of the institutions and regulatory frameworks inherited from neoliberalism".

#### A collective right

Indeed, it is imperative to understand the human right to science in its entirety, encompassing both its individual and collective dimensions. At the personal level, this right implies the possibility of access to scientific and humanistic education, to participate in research activities and to enjoy technological advances. However, its true scope is manifested in the collective sphere where science becomes an engine of development that drives social transformation and common welfare, i.e., to speak of the human right to science is to speak of the right to social justice, to a living, human, popular, integral and intercultural development, and only then, sustainable.

#### Freedom in commitment to the people

However, this right is not only limited to access to scientific information, it also includes freedom of research and expression, as indicated in the executive summary of the law. Freedom of expression is a fundamental human right for democratic life; however, its exercise must be in harmony with the right to information and congruent with other basic rights of the population.

This mentioned by Conahcyt implies guaranteeing enabling environments for those engaged in research to develop an academic freedom but committed to the challenges of the people and the construction of new social horizons, and is that knowledge can no longer be a privilege of closed spheres, the lack of equitable access to science education, especially in marginalized and rural communities where learning opportunities in this field are limited, adding to the lack of attention to community knowledge, are part of the factors that have allowed the various violations of human rights.

If before there was an absence of effective public policies to promote scientific and humanistic research, now there must be a multiplicity of policies that come from both academic, scientific and humanistic sectors, as well as from the territories, from the communities and with intercultural and intersectional approaches. Although there are advances in the dissemination and popularization of scientific and humanistic knowledge among the Mexican population, as is the case of this law, there are still great challenges.

The lack of scientific and humanistic literacy, the presence of disinformation or fake news contribute to popular depoliticization, phenomena that only serve the interests of the market, whose primary interest is profit and not people.

Corruption and lack of transparency in the management of resources represented a serious obstacle to scientific and humanistic development. From a critical management, the proper administration of public funds, without opacity in the allocation processes and with accountability, strengthens confidence in institutions, therefore, this law that we celebrate today has taken giant steps to put in order and chart the way towards another way of understanding the sciences, humanities, knowledge, from a practice of territory, from an intervention of the public and from the agency of the communities.

# Critical reading and the critique of capitalist culture

In such a context, critical reading allows people to objectively evaluate information, discern between solid data and discourse and biased, manipulative opinions, and thus make fundamental decisions on issues related to health, the environment, food sovereignty, technology, social participation and other disciplinary fields from a political and popular dimension.

Integrating critical reading into the school curriculum enables critical devices that stimulate social participation and thus also contributes to scientific and humanistic development. In a world where information is readily available through various platforms and media, the ability to read critically becomes an essential tool to discern between fact and fiction, truth and manipulation; in this sense, encouraging critical reading among the Mexican population from scientific and humanistic scales is a way to counteract the depoliticization so harmful and so in vogue today, and thus generate a critique of the rapacious, inhuman, classist, discriminatory and full of multiple violence mercantile culture.

The relationship between science and social transformation is undeniable, science as the axis of action and of a critical, radical and emancipatory participatory pedagogy. If on the one hand it is a matter of providing innovative solutions to current challenges, it is also necessary to link communities and territories to build theories, methodologies, knowledge and tools together to understand and address problems from their complex dimension, from the eradication of diseases, climate change mitigation or dialogue with knowledge. In other words, we need to forge another culture that, based on peace,



Photograph by CNDH

collaboration and inter-subjective dialogue, addresses the diversity of perspectives and approaches in the search for solutions to common problems. In short, new ways of problematizing, questioning and doubting, not to live in corruption, but to sow, to pollinate, to dismantle the inhuman and mercantile world through interdisciplinary research and collaboration between academia and communities, civil society and, in short, all social actors.

#### The complexity of the challenge

The barriers to the human right to science in Mexico are complex and multidimensional, part of deeply rooted structural inequalities in society. In many marginalized and rural communities, educational infrastructure is deficient, with a shortage of resources and trained personnel to provide sound science education. This disparity in access to science education perpetuates cycles of social inequality and limits development opportunities for future generations.

Another important barrier is the digital divide that excludes large segments of the Mexican

population. Definitely not everything is Internet, but the lack of access to the network and technological devices in rural and marginalized urban areas limits access to scientific and humanitarian information and training; it limits online educational opportunities and the tools for scientific communication and collaboration are not within reach; in addition, socioeconomic inequality is a fundamental barrier that prevents the full exercise of the human right to science in Mexico.

Disparities in access to financial resources and educational opportunities create a divide between those who have the capacity to take advantage of the benefits of science and those who are left behind. This inequality undermines the social fabric and limits the development potential of the country as a whole, and it is important to note that, as a human right, it is not an isolated right, but is intertwined with all other rights, particularly economic, social, cultural and environmental rights.

Gender discrimination and lack of representation of diversity in science are also

important barriers that perpetuate exclusion and marginalization. Women and people of indigenous or Afro-descendant origin face additional obstacles in accessing educational and professional opportunities in science and technology, which limits their participation in decision-making and the generation of scientific knowledge.

## Education from a pedagogy of human rights

The role of education in promoting the human right to science is fundamental to overcome existing barriers and ensure equitable access to the benefits of science and technology in Mexico. An inclusive, science and humanities-oriented education is essential to give agency to individuals and communities, providing them with the skills and knowledge necessary to participate actively and critically in the construction of new societies; to achieve this, it is necessary to reform educational systems to emphasize the importance of scientific, humanistic and technological literacy at all educational levels: to promote social critical pedagogical approaches that encourage research and problem solving in a situated manner and from the universe that each community represents. In addition, fragmentation and lack of coordination among institutions are major obstacles that hinder the implementation of effective science policies. It is necessary to think from an integral and long-term strategy to promote science, humanities and technology in the country and to identify priorities.

Although there are many challenges that hinder the full exercise of this right in the country, critical reading not only allows us to objectively evaluate scientific information, but also enables us to participate actively and reflectively in debates on scientific and technological issues that affect our lives and communities, as well as in the production of scientific and humanistic knowledge.

Ultimately, the promotion of the human right to science is not only a matter of equity, but also of social justice and sustainable development for the country, in addition, it is necessary to develop and implement comprehensive public policies that address the existing barriers to the exercise of the human right to science in Mexico. These policies should focus on guaranteeing equitable access to science education, promoting equal opportunities for research and innovation, and fostering a scientific, humanistic and technological culture in society.

Likewise, collaboration and knowledge sharing can generate ideas and projects that benefit society as a whole and promote inclusive and sustainable development in Mexico; therefore, it is essential to encourage the participation of society in decisionmaking related to science and technology, this implies promoting scientific literacy among the population, fostering open and transparent dialogue on humanistic scientific and technological issues, as well as ensuring the equitable participation of all groups of society in the formulation of scientific and technological policies.

Ultimately, promoting the human right to science through critical reading is not only a matter of equity, as we have already said, but also of social justice and sustainable development for the country. By adopting this approach and working together towards a more inclusive and prosperous future, we can build a society where everyone has the opportunity to participate in and benefit from scientific and technological knowledge, so pronounces the law in relation to the human right to science.

The general law on humanities, sciences and technologies confirms it as a fundamental right and recognizes its importance in guaranteeing other human rights, such as the right to food, health, access to information and a healthy environment, among others. In congruence with the constitutional mandate from which the recognition and guarantee of the human right to science derives, they are the neuralgic center around which the new law revolves, articulates and develops, hence the new law expressly assumes as its purpose to contribute to the guarantee of the human right to science according to the principles of universality, interdependence, indivisibility and progressivity with the purpose that every person may enjoy the benefits of scientific development and technological innovation, as well as other human rights.

All of this also contributes to the path towards a culture of peace, as we jointly expressed in

### the Los Pinos Declaration. For a culture of peace, equality and human rights:

"We commit ourselves to guarantee that education is a right that institutes all human rights by consolidating it as a formative, comprehensive practice, driven by the progressive transformation of the national education system to foster active citizenship. We commit ourselves to defend the right to universal access to education, science, knowledge and culture, and to defend an education that recognizes and vindicates the knowledge of Afro-descendant and Afro-Mexican peoples and indigenous peoples, as well as the invaluable contributions they have made to the education. science and culture of humanity. In this way we will build a new paradigm of attention and eradication of violence with a cross-cutting, non-legal human rights approach; intersectional, inclusive, feminist, intercultural, decolonial,

focused on the protection of biodiversity, cultural diversity, human rights and social justice. In short, a pedagogical practice that generates emancipatory horizons to forge a new generation of human rights defenders and collectivities with a critical perspective.

We will promote training spaces that allow for diverse dialogues based on non-hegemonic knowledge, as well as the influence of different collectivities".

And I believe that this path is already on course with this law that we are celebrating today, which contributes to popular knowledge and a critical culture of peace where the people recover their necessary centrality.

Thank you very much for your attention. Words from the President: https://goo.su/slrAJH Remarks by the President at the inauguration of the second day of awareness-raising *Gender Equality: Dialogue with women workers and trade unionists* 

During the second day of awareness-raising entitled *Gender Equality: Dialogue with Women Workers and Trade Unionists,* held with Partners of the Americas in the framework of International Workers' Day, the President of the National Human Rights Commission, Rosario Piedra Ibarra, opened the event.

#### Good morning.

Thank you for your presence at the second day of awareness-raising entitled *Gender Equality: Dialogue with women workers and trade unionists.* I extend a warm welcome to Dr. Alma Clarisa Rico Díaz, technical director of the project "Improving Substantive Gender Equality in the Workplace in Mexico", GEM project, at Partners of the Americas, as well as to the speakers who will participate in the roundtable discussions.

The awareness-raising events organized by Parterns and the CNDH are framed within the framework of two important commemorative dates. The first on the occasion of International Women's Day and the second on Labor Day. This coincidence is not fortuitous, it seeks to reflect critically on the greater integration of women in the workplace, access to formal work and the need for public policies and legislative advances that allow them equal pay, effective reconciliation of work, family and personal life, as well as social co-responsibility for care, among other aspects.

Although the participation of women in the labor force has increased, leading to significant changes in gender roles in the family and the workplace, it is necessary to focus our attention on the challenges and pending actions that limit, hinder or prevent their effective incorporation. On this occasion, our distinguished speakers will address the importance of having workplaces free of violence and discrimination, and will refer to collective bargaining as a tool for substantive equality. The International Labor Organization has pointed out that violence and harassment in the world of work have serious differentiated impacts on women, affecting their participation in employment, the quality of their work, their personal and professional development, as well as feminizing poverty. According to data presented by the organization in Latin America and the Caribbean, 39% of working women, almost 4 out of 10, reported having been victims of violence and harassment; however, this situation is not uncommon in other regions of the world.

Therefore, in 2021, OTI conducted the first global survey on experience of violence and harassment at work. The survey revealed, among other information, that the groups most likely to be affected by different types of violence include young workers, migrants and women. When all these circumstances are interrelated in a woman with others. such as disability or self-description as indigenous or Afro-descendant, to name just a few, it is clear that they are placed in a situation of greater vulnerability and risk of violations of their human rights, so efforts should focus on having relevant and reliable data to understand the problem. strengthening, expanding and updating the mechanisms to prevent and address violence in the workplace, so that they are effective, generate confidence in people and contribute to the non-repetition of these events and raise awareness about violence in the workplace, its identification as a cause of psychosocial illnesses and address its impact on people's lives.

At the CNDH, we have established a concrete project: to mainstream the culture of peace in all our processes. In previous months we unveiled the "Make more peace" campaign, which aims to promote peace and address phenomena such as machismo, mistreatment, discrimination, elitism and encourage social participation. Peace building implies respect for other people and



Photograph by CNDH

the awareness that otherness is constitutive of who we are, as well as the recognition of the importance of laws that are based on fundamental values and criteria, such as freedom and justice. This principle should be considered in work environments regardless of the sector, activity or size of the workplace. In this sense, projecting peace implies that the voice and participation of women should be increased and strengthened in different areas and spaces so that their needs, problems or proposals are considered in order to reverse inequalities and discrimination. In particular, and certainly in the development of this day, we will go deeper in this regard.

Collective bargaining is identified as a fundamental instrument for the promotion of gender equality in employment, because through it some basic conditions can be ensured, for example, making effective the principle of equal pay for work of equal value, equal opportunities for access to better and more qualified jobs, elimination of discriminatory elements in the selection and promotion processes, elimination of situations of sexual and labor harassment, and the extension of legal protection for maternity and paternity. The rest will be to strengthen female union leaderships, since women certainly still face barriers to become part of union structures, therefore, gender mainstreaming can contribute to generate concrete actions to reduce these barriers.

The benefit and positive impact of women in the economy, as in other areas, is fundamental for the development of countries; let's make it possible for them and for us to fully enjoy its benefits.

Thank you for your kind attention and we wish you every success in this journey.

Words from the president: https://goo.su/zGVzWN4

# EVENTS OF THE MONTH

#### Second day of awareness-raising Gender Equality: Dialogue with women workers and trade unionists

Within the framework of two transcendental commemorations, International Women's Day and Labor Day, the President of the National Human Rights Commission (CNDH), Rosario Piedra Ibarra, inaugurated the Gender Equality Awareness Day: Dialogue with women workers and trade unionists, organized by the National Commission and Partners of the Americas. The event was held at the National Center for Human Rights (CENADEH) "Rosario Ibarra de Piedra".

At the inauguration, the President emphasized that peace building implies respecting and recognizing the importance of applying laws based on fundamental values and criteria, such as freedom and justice, which must be addressed in all work environments. In this sense, she added that "projecting peace implies that the voice and participation of women is increased and strengthened in different areas and spaces so that their needs, problems or proposals are considered to reverse inequalities and discrimination".

Ms. Rosario Piedra recalled that collective bargaining is a fundamental instrument for promoting gender equality in employment, since it makes it possible to ensure equal pay and equal opportunities to access better jobs, eliminate discrimination in the selection and promotion processes, eliminate sexual and labor harassment, and extend legal protection to maternity and paternity.

Finally, she considered that strengthening female union leadership is a challenge: "Women still face barriers to becoming part of union structures. Therefore, gender mainstreaming can contribute to generate concrete actions to reduce these barriers. The benefit and positive impact of women in the economy, as in other areas, is essential for the development of countries. In her participation, Dr. Alma Clarisa Rico Díaz, technical director of the *Improving Substantive Gender Equality in the Workplace* project of Partners of the Americas, pointed out that since the founding of the International Labor Organization in 1919, wage equality continues to be a pending task, and highlighted the sensitivity of the president of the CNDH to the problems faced by women, including the family burden that limits their full growth and participation in public life.

During the awareness-raising day, two round tables were held. The first, entitled "Right to a work life free of discrimination and violence", was attended by Alma Álvarez Villalobos, general director of MásProyectos; Valeria Uribe, country director for Mexico of the Pan American Development Foundation (PADF); Leonor Quiroz Carrillo, president of the Ethics and Integrity Commission of Coparmex; and Blanca Estela Ortiz Méndez, director of Complaints on Women's Issues and Equality between Women and Men of the CNDH.

The second round table, "Collective bargaining as a tool to achieve substantive equality", was attended by Mónica Cerón García, member of the National Executive Committee of the Confederación Obrera de México and of the Asociación de Abogados Litigantes de México; Rosario Ortiz Magallón, collegiate coordinator of the Red de Mujeres Sindicalistas; Rosalba Calva Flores, national coordinator of Equity and Gender of the Frente Auténtico del Trabajo (FAT); and Ana García, national gender officer of the International Labor Organization.

> Consult the complete event: https://goo.su/8EY5p1

#### The Ombudsman's Office We Deserve

On May 29, the National Center for Human Rights (CENADEH) "Rosario Ibarra de Piedra" held a discussion on *The Ombudsman's Office we deserve*, where Rosy Laura Castellanos, director of the center, was in charge of welcoming the participants.

During this exercise, several human rights experts participated. Below, we share some excerpts from their contributions.

The National Human Rights Commission (CNDH) has undergone many reforms in terms of its functions and its regulatory framework for its feasibility and the linkage of its recommendations/pronouncements. A key inclusion of peoples must be understood in relation to the human element and not just individuals. Both discursively and practically, an image has been built around the groups for their denomination as peoples (abstract figure) and thus segregate the exercise of human rights.

These reforms have empowered the Commission from the observance of international law and international treaties, such as the Paris Principles, through which the basis for the creation and promotion of national human rights defense mechanisms, as well as their obligations and designations, are established.

The recommendations of human rights institutions have pointed to the scheme of legitimacy to comply with them, presupposing their own compliance with human rights. However, non-jurisdictional protection for the defense of human rights is closer at hand (e.g., the filing of a complaint).

The work of the CNDH is, among many others, to help promote and defend human rights by proposing direct contact between the authorities and the complainant, following the principles of immediacy and speed and seeking to guarantee in all circumstances the protection and restitution of the rights of the complainants.

Reforms in this area, such as that of 2011, presuppose a reiteration of other constitutional articles. This block of constitutionality only reaffirms what already

exists. The positivization or expansion has been relegated to the background of the non-binding nature of the recommendations, so that the proposal for the creation of the General Human Rights Ombudsman would be reaffirming what is already there, what already exists.

# Prevention as a fundamental axis of the institutional framework

#### Dr. Marcela Landazabal

A glimpse of prevention is fundamental in terms of the institution's practices, and not only in terms of reparation and justice. In this sense, it is very important to identify certain patterns to highlight the need for a binding character.

- Prevention must identify risk factors, reconstruct the past, locate structural causes, observe patterns of repetition and establish interdisciplinary work.
- Establish early warning mechanisms that help to complement the enforceability of justice.
- To observe and follow up with a territorial approach; to recognize risk contexts and structurally violated areas.
- » Understand and comprehend problems through intersectionality, and highlight elements through multidisciplinarity (abstraction).

#### The fourth power

Institutions are human creations. Institutionality must be understood as an element created from people with good and bad practices, in a specific contextual situation. This is why one must turn to the history of the first violations to observe the discourse of human rights, which is a palliative of "behaving well".

It is necessary to think in institutional terms from the approach with people, in order to understand the social construction. The cases must be processed according to the cases. The ideal is to make a sum of the cases in order to generate general collective visions of the existing problems. To this end,



Photograph by CNDH

non-jurisdictionality must be taken into account, remembering the fourth power: the press and public opinion.

The real punishment is public shame. Evidence is identified as a necessary mechanism by reason of anyone's advocacy. Advocacy is not required to prove things. One must prove the situation that shows that there are injustices. Formalism is not everything. There are lower standards of proof, one should not be so strict. Seriousness is not synonymous with legal-legal formalism.

# Power consists of focusing power relationships

Dr. Guillermo Pereyra

Dr. Pereyra highlighted the jurisdictional non-jurisdictional through the contrasts that exist in the other human rights defenders in Latin America (the ombudsmen's offices in contrast to the CNDH). A politicization of human rights must be established, since a national popular democratic logic can rescue the failed Marxist revolution. This vision of human rights requires a long-term and progressive observance, thinking of the country as a whole, that is, of the different existing groups.

The progressiveness and evolution of the exercise of human rights can be seen

in historical struggles; in the words of Foucault, power consists in bringing into focus, that is, in rescuing the presence of power relations, also from Hannah Arendt, where political responsibility is recognized from the collective instance; the question is never whether an individual is good, but whether he is good for the world in which he lives. Restorative justice can be the political weapon to put personal responsibility, social and community politics at the center of attention.

# A historical vision for building a culture of peace

Betty Aguilera, Bachelor's Degree

Generating a historical vision/perspective will make it possible to observe the nonjurisdictional system and strengthen it, as well as the mechanisms already in place to meet the demands and needs of the people in order to have a more effective mechanism to follow up on the recommendations issued. It is also possible to turn to public shaming and the use of the media as useful mechanisms in enforcement practices.

Prevention contributes to consolidate the culture of peace in our country; it is a component that must be strengthened, it is a need that must be prioritized in the country. There is a need to consolidate and reinforce the autonomy of this body before any type of economic and political power, without any intervention, so that human rights do not become the rights of a few people, but are truly human.

#### A high intensity democracy

Dr. Francisco Octavio López

Understanding humanism involves focusing on the needs and grievances experienced by different social groups:

- » Observing corporealities.
- » An economy subordinated to the needs of the population.
- That the institutions function at the service of the population, and not the other way around.

There is a post-violatory logic of human rights instead of attending to the ideal logic of prevention, so there is a need to dynamize and recognize human plurality, not a replicated individuality, but to attend to common urgencies.

A high intensity democracy: democracy, more than a political regime, is a social situation where people have the capacity to strengthen their needs, not only as an aspect of suffrage, but other needs, such as defending the human right to democracy.

#### Office of the Ombudsman of Colombia

Sebastián Alejandro García. Bachelor's Degree

Context, foundation and background of the Ombudsman's Office in Colombia. The Ombudsman's Office only existed until the issuance of the 1991 Political Constitution.

In this context, debates are generated around how to reconcile or relate the dogmatic part of a constitution and the organic part. In this sense, every institution responds to a specific context: violence and a systematic violation of human rights and restriction of individual freedoms (humanitarian constitutionalism).

Knowing the normative and fundamental frameworks of the ombudsman's office leads to understanding and rapprochement

with the institutions. The general social recognition of violations of human rights is sought and not only in the bureaucraticlegal issue, where awareness and social recognition is important.

#### Dr. Graciela Muñoz

Austerity is an issue to be reviewed, as well as its impact on authority and governance (Norberto Bobbio), as a dialogue between ethics and politics. In terms of budget and authority, it is necessary to consider mechanisms of transparency; mechanisms of dialogue between the state and the people, seeking progressiveness and respect for the rights of the people.

Austerity policies do affect the general population (costs, time, projections, continuity). On the other hand, we must also consider that the public value of human rights and victims must be placed at the center, without leaving aside ethics and politics, the ethical responsibility of public officials and the defense of human rights.

Consult the complete conversation: https://goo.su/UaViHH

#### **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 May an edition was published, available on the CNDH website.



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

#### **NEWSLETTER** AND UPDATE



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 English version: Newsletter.

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 to the recognition and exercise of human rights.



To consult the Relevants Dates: https://www.cndh.org.mx/fechas

# HUMAN RIGHTS IN THE WORLD

### **Ombudsman Offices**

The purpose of this section is to provide information on the activities, actions or positions of the various ombudspersons around the world. Based on the international context, it offers an analysis of initiatives, laws or reports carried out in different countries, with the purpose of observing regional coincidences that add up to valuable contributions regarding the defense and protection of human rights.

On this occasion, the relevant actions of the ombudsmen's offices of Panama, Colombia, Uruguay and Brazil are presented. In the case of Colombia, the Ombudsman's Office worked in relation to the rights of missing persons, as it participated in the inauguration of the National Search System (SNB) for persons reported missing due to the armed conflict. Similarly, the Ombudsman's Office of Uruguay worked with the Attorney General's Office, the organization Mothers and Relatives of Detained and Disappeared Uruguayans and the Argentine Forensic Anthropology Team (EAAF) to guarantee the rights of victims and their families.

On the other hand, the actions of the ombudsmen's offices of Panama and Brazil with respect to human rights training are shown, highlighting the upcoming awareness programs, specific courses and collaboration strategies for the dissemination of human rights. The courses will be given to students, teachers and parents to help them understand their rights and their application in different areas.

In addition, the actions related to the right to internet of the ombudsmen's offices of Uruguay, Colombia and Panama were emphasized, including the launch of the App BiblioDDDHH, which offers the population free and free consultation of digital books on human rights, and the installation of private networks to provide internet service to various communities and thus guarantee their rights.

In the last part of the section, we present the reports of the ombudsmen's offices of Uruguay and Panama on the situation of children and youth, published with the aim of analyzing the progress and challenges regarding the protection of the rights of children and adolescents to education, health and a life free of violence, with the purpose of creating plans and issuing recommendations to the corresponding authorities to ensure the best interests of children.

#### **AMERICA** Missing persons' rights

#### COLOMBIA



The internal armed conflict in Colombia continues to persist and has caused the death of thousands of people. Taking into account this social problem, the Ombudsman's Office participated in the inauguration of the National Search System (SNB) for persons reported missing due to the armed conflict. The role of the Ombudsman's Office will be to observe the process of search, identification and dignified delivery of bodies to relatives.

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

#### URUGUAY





The National Human Rights Institution and Ombudsman's Office (INDDHH) worked with the Attorney General's Office, the organization Mothers and Relatives of Detained and Disappeared Uruguayans and the Argentine Forensic Anthropology Team (EAAF). As a result, they identified the body of a person who disappeared during the Uruguayan dictatorship. In this way, the work for the right to truth, access to information, justice and reparation for the victim's relatives continues.

More information: https://goo.su/DZjkHv1

#### Actions of the Ombudsman's Offices ARGENTINA (PROVINCE OF JUJUY)



In current times, the application of the gender perspective in the elaboration of actions in favor of equality among people in the legislative sphere has gained relevance. In this sense, the Ombudsman's Office highlighted the relevance of incorporating this perspective in the drafting of laws and the delivery of workshops, in order to build a culture of peace without discrimination and with equal opportunities.

More information: https://goo.su/DZjkHv1



COLOMBIA

The Ombudsman's Office participated in the preparation of the development plan for Risaralda, a town located in the center-west of the country. The document prioritizes attention to the needs of children and adolescents, establishing protection measures and access to the right to education, drinking water, and food, among others. Likewise, several provisions were established for other groups in vulnerable situations: migrants, people with disabilities and missing persons.

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

#### BOLIVIA



The Ombudsman's Office inaugurated the *National Volunteer Plan*, a project whose purpose is to strengthen citizen participation in the promotion and protection of human rights among the Bolivarian society. It should be noted that the main objective is the regeneration of the social fabric through training in human rights for 2,054 registered persons and 138 civil society organizations, so that they become agents of transformation in their communities through the dissemination of human rights.

More information: https://goo.su/Bq7y6E

BRAZIL



The Tapeba indigenous community of Caucaia has suffered several episodes of violence with firearms and threats of expulsion from their territories by organized crime groups. As a result, the DPU presented the case to the Inter-American Commission on Human Rights (IACHR), which accepted the request for provisional measures prepared by the Ombudsman's Office. Thus, the Brazilian State is required to implement a program of measures for the protection of the community's right to life, personal integrity and territory.

More information: https://goo.su/bxfASr1

#### TRAINING AND DISSEMINATION OF HUMAN RIGHTS

#### URUGUAY



The National Human Rights Institution and Ombudsman's Office (INDDHH) offers a specific course for educators of the National Institute for Adolescent Social Inclusion (INISA), with a complete overview of human rights and their application in areas of work with adolescents and young people.

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





The Ombudsman's Office continues an awareness program aimed at students, teachers and parents of public and private schools nationwide. The workshops address various topics: school bullying, mechanisms for prevention and identification of possible cases of *bullying*.

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





The Public Defender's Office of the Union (DPU) and the Public Defender's Office of the State of Tocantins (DPE/TO) met to discuss collaboration strategies for the dissemination of human rights, especially access to justice among the indigenous communities located in the Alto Araguaia region. The initiative is relevant because it contemplates the creation of an ombudsman's office in the area, which implies an approach to the population to convey their needs and problems.

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

#### **INTERNET AND WEBSITES**

#### URUGUAY



From 1973 to 1985, Uruguay underwent a military dictatorship that violated various human rights of the Charrúa population. Aware of this past, the National Human Rights Institution and Ombudsman's Office (INDDHH) built "The Memory Site of the former Defense Information Service (SID)" inside its facilities. It also set up a web page to make the material available for consultation by the general public.

> More information: https://goo.su/f1FM Consult the memory site: https://goo.su/fEzue

#### COLOMBIA



The Ombudsman's Office launched the *BiblioDDHH App* in order to offer the Colombian population a smartphone and the possibility of consulting free digital books on human rights. In addition, the Ombudsman's Office has a page for its virtual library, where it is possible to consult not only books on human rights, but also on literature, law, environment, history, manga, feminism, geopolitics, peace, economics, among other topics.

> More information: https://goo.su/eubEpxG Consult the library website: https://goo.su/w6tJji

#### PANAMA



In 2011, the United Nations (UN) declared free internet access as a human right. For this reason, the Ombudsman's Office and the United Nations High Commissioner for Refugees (UNHCR) coordinated the installation of private data communication networks via satellite, which will provide internet service to various communities. They will be used by schools and non-governmental organizations to promote human rights.

More information: https://goo.su/8cQ38

# REPORTS ON THE SITUATION OF CHILDREN AND YOUNG PEOPLE

#### URUGUAY



The Ombudsman's Office presented the report Overview of childhood and adolescence from a regional perspective. Status of INAU's special protection system in the Eastern region from the monitoring of the National Prevention Mechanism. The report identifies strengths and challenges in the protection of the rights to education, health, and a life free of violence, among others. It also calls for the planning of a protection system in the places visited, and calls on the child and adolescent population to raise their problems and concerns.

Consult the report: https://goo.su/dFZs

#### PANAMA



The Ombudsman's Office and the Office of the United Nations High Commissioner for Human Rights for Central America and the Caribbean (OHCHR) presented the Ombudsman's Report on the Human Rights situation of children and adolescents in human mobility and in Panama's border areas, 2024. The report shows that 113,180 children and adolescents (NNA) crossed the Colombian border; of these, just over 3,000 were unaccompanied or separated from their families; so they were exposed to sexual violence. For this reason, the Ombudsman's Office issued a series of recommendations to the corresponding authorities , in order to ensure the best interests of children in all measures implemented. It is worth mentioning the process of strengthening and expanding the "Casita Transitoria" program, where children and adolescents are given a home and protection while their legal situation is being resolved.

Consult the report: https://goo.su/OmhzhY

# **INTERNATIONAL** LINKAGE

# The CNDH meets with the mission of foreign visitors of the OAS General Secretariat and the European Union Electoral Experts Mission

The president of the National Human Rights Commission (CNDH), Rosario Piedra Ibarra, met with both missions, which will observe the June 2, 2024 elections. The meeting was relevant because they addressed the protection of the political rights of Mexican citizens, as well as the respect for democratic principles. In this sense, the CNDH reaffirmed its commitment to the right to democracy as a fundamental part of the defense and protection of human rights in electoral contexts.

During the meeting, this autonomous organization shared with the missions the analysis and follow-up it has carried out in relation to the right to democracy. The CNDH expressed its full confidence that these elections, considered the largest and most important in the history of our country, will be carried out freely, with broad citizen participation and full respect for the right of the Mexican people to elect their rulers.

More information: https://goo.su/Skzj5Kn



Photograph by CNDH



#### Recommendations

During May, the National Human Rights Commission issued 32 ordinary recommendations for human rights violations, and 2 for serious violations.

Fifteen of these were issued to the Mexican Social Security Institute (IMSS) because the agency violated several human rights: the protection of health, personal integrity, freedom from obstetric violence, the principle of the best interest of the child, the right to life, access to health information, freedom from obstetric violence, the right to a life plan and dignified treatment.

On the other hand, the Commission sent two recommendations for serious human rights violations; one to Irving Barrios Mojica, Attorney General of the State of Tamaulipas -for the violation of the human rights to dignified treatment, integrity and personal safety-, and the other to José Rafael Ojeda Durán, Secretary of the Navy -for the violation of the human rights to dignified treatment, integrity and personal safety.

#### 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, 12 petitions of unconstitutionality were approved, filed due to the violation of the principle of proportionality of penalties and the prohibition of unusual penalties; the violation of the rights to legal certainty and the principle of legality; equality and nondiscrimination; the violation of the principles of taxation, tax proportionality and legality; the right to hold public office, constitutional supremacy, access to information and identity; principles of taxation and legality, to hold public office, to constitutional supremacy, to access to information and identity; freedom of assembly; principles of free access to information, of taxation applicable to administrative penalties, to the best interest of the child, among others.

#### Pronouncements

The CNDH published three pronouncements during the month; in them it calls for the promotion of a culture of peace and dialogue in Morelia, Michoacán, between local authorities and the autonomous indigenous community of Arantepacua, following the regrettable acts of violence in the city of Morelia, Michoacán, during the march commemorating the events of April 4 and 5. 2017 (Pronouncement 13/2024): joins the call to avoid the political use of the cause for the search for the disappeared in electoral campaigns (Pronouncement 14/2024), and denies the alleged attempt to censor, by this Commission. relevant information in recommendations issued from 1990 to 2015 (Pronouncement 15/2024).

#### **Press releases**

This month the CNDH published 19 communiqués. Among them, one related to the Sixth Meeting of National Monitoring Mechanisms of the Convention on the Rights of Persons with Disabilities (151/2024); another, where the CNDH reaffirms its commitment to ensure the respect and promotion of the human right to science as an integral part of the defense and protection of human rights in Mexico (154/2024); one more, where it reports on the inauguration, together with the organization Partners of the Americas, of the second day of awareness-raising Gender Equality: Dialogue with women workers and trade unionists (159/2024), and the one in which he reports on the meeting he held with the mission of foreign visitors of the OAS General Secretariat and with the Mission of Electoral Experts of the European Union in view of the June 2 elections (165/2024).

# RECOMMENDATIONS



#### ON VIOLATIONS OF THE HUMAN RIGHTS TO THE PROTECTION OF HEALTH, TO PERSONAL INTEGRITY, TO A LIFE FREE OF OBSTETRIC VIOLENCE, TO HEALTH INFORMATION AND TO THE PRINCIPLE OF THE BEST INTERESTS OF THE CHILD

The CNDH issued a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute, following human rights violations committed by public servants of the institute. The CNDH recommended that they collaborate in order to register the victims in the National Registry of Victims and provide them with the medical and psychological attention they require. It also requested that they provide training courses on the right to health protection, the right of women to live a life free of obstetric violence, and the protection of human dignity; in addition, they should issue a circular addressed to the personnel, containing the appropriate measures for supervision and prevention in medical care.

Learn more

#### ON VIOLATIONS OF THE HUMAN RIGHTS TO THE PROTECTION OF HEALTH, LIFE AND THE PRINCIPLE OF THE BEST INTEREST OF THE CHILD

The CNDH sent a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute, due to human rights violations attributable to public servants of such institute. The CNDH recommended that they collaborate in order to register the victims in the National Registry of Victims and provide them with psychological and/or thanatological care. In addition, it requested that they provide a training course on human rights related to the right to health protection and the best interests of the child; and that they issue a circular to medical personnel, containing the appropriate measures to inform and train parents on the extraction, storage and conservation of breast milk.

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# RECOMMENDATION

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

The CNDH issued a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute, following human rights violations attributable to public servants of that institute. The CNDH recommended that they collaborate to register the victims in the National Registry of Victims and provide QVI with the psychological and/or thanatological care she requires. On the other hand, it requested that they give a training course on human rights related to the prevention, diagnosis, treatment and control of breast cancer; in addition, they should issue a circular to the personnel, instructing them to implement the pertinent measures of prevention and supervision that guarantee the due integration of the clinical file.

Learn more

#### ON VIOLATIONS OF THE HUMAN RIGHTS TO THE PROTECTION OF HEALTH, TO LIFE, TO THE VIOLATION OF THE PRINCIPLE OF THE BEST INTERESTS OF THE CHILD, TO ACCESS TO HEALTH INFORMATION AND TO A LIFE PLAN

The CNDH sent a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute, after inadequate medical attention attributable to the persons public servants of that institute. The CNDH recommended that they collaborate in order to register the victims in the National Registry of Victims and provide them with the psychological and/or thanatological care they need. It also requested that they design and give a training course on human rights and the best interest of the child; furthermore, they should issue a circular addressed to the management and medical personnel, containing the pertinent measures of prevention on the issues of human rights to the protection of health, life and the best interest of the child.





#### ON VIOLATIONS OF THE HUMAN RIGHTS TO HEALTH, TO LIFE, TO THE BEST INTEREST OF THE CHILD, TO A LIFE FREE OF OBSTETRIC VIOLENCE AND ACCESS TO HEALTH INFORMATION, AS WELL AS TO A LIFE PLAN

The CNDH issued a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute, derived from inadequate medical attention by public servants of that institute. The CNDH recommended that they collaborate to register the victims in the National Registry of Victims and provide them with psychological and/or thanatological care for the facts. In addition, it requested that they provide a training course that addresses the right to the protection of the health and life of women and people with the capacity to bear children, the identification of risk factors in pregnancy, and the application of a gender perspective by medical personnel in the provision of health services.

Learn more



#### REGARDING VIOLATIONS OF THE HUMAN RIGHTS TO HEALTH, TO LIFE, TO THE BEST INTEREST OF THE CHILD, TO A LIFE FREE OF OBSTETRIC VIOLENCE AND ACCESS TO HEALTH INFORMATION, AS WELL AS HARM TO THE LIFE PLAN

The CNDH sent a recommendation to Bertha María Alcalde Luján, general director of the Institute for Social Security and Services for State Workers, following human rights violations by public servants of this institute. The CNDH recommended that they collaborate in order 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 give a training course related to the right to the protection of the health and life of women and people with gestational capacity, as well as the application of a gender perspective by medical personnel in the provision of health services.

#### Learn more

#### **ON VIOLATIONS OF HUMAN RIGHTS TO A HEALTHY ENVIRONMENT**

The CNDH issued a recommendation to Ángel Carrizales López, executive director of the Security, Energy and Environment Agency, derived from human rights violations. The CNDH recommended that they proceed to attend and investigate the popular complaint filed and identify the cause of the hydrocarbon contamination and, if necessary, impose safety measures to contain spills and leaks and prevent future accidents. It also requested that they provide a comprehensive training course on the human right to a healthy environment for public servants assigned to the General Directorate of Litigation.





#### ON VIOLATIONS OF THE HUMAN RIGHTS TO A HEALTHY ENVIRONMENT, TO DRINKING WATER, PARTICIPATION AND ACCESS TO PUBLIC INFORMATION ON ENVIRONMENTAL MATTERS

The CNDH sent a recommendation to Germán Martínez Santoyo, general director of the National Water Commission; Blanca Mendoza Vera, federal environmental protection attorney, and Cuitláhuac García Jiménez, constitutional governor of the state of Veracruz, following irregularities in the provision of public water services in Veracruz. The CNDH recommended that they collaborate in the remediation and prevention plan to implement the control and mitigation of environmental contamination in the bodies of water in the area. It also requested that they give a course to the personnel on the human rights to drinking water, a healthy environment, access to information and public participation.

Learn more

#### WITH RESPECT TO VIOLATIONS OF THE HUMAN RIGHTS TO HEALTH, TO LIFE AND TO DIGNIFIED TREATMENT, AS WELL AS TO ACCESS TO HEALTH INFORMATION AND HARM TO THE LIFE PROJECT

The CNDH issued a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute, derived from inadequate medical attention by public servants of that institute. The CNDH recommended that they collaborate in order to register the victims in the National Registry of Victims and provide them with the psychological and/or thanatological care they require. It also requested that they give a training course on human rights related to the right to health protection; furthermore, they should issue a circular addressed to medical personnel, with the appropriate measures of supervision for the integration of the clinical file and prevention work in medical care.

**120**/2024

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RECOMMENDATION

# ON VIOLATIONS OF THE HUMAN RIGHTS TO HEALTH, TO LIFE AND TO ACCESS TO HEALTH INFORMATION

The CNDH sent a recommendation to José Sifuentes Osornio, general director of the National Institute of Medical Sciences and Nutrition "Salvador Zubirán", after a negligence in the medical service attributable to public servants of such institute. The CNDH recommended that they collaborate to register the victims in the National Registry of Victims and provide them with the psychological and/or thanatological care they need. In addition, the CNDH requested that they provide a training course on human rights that considers the principles of accessibility, acceptability, availability and quality related to the right to health protection; they should also issue a circular to the personnel, with adequate supervision measures for the integration of the clinical file, supervision of resident doctors, as well as prevention tasks in medical care.

#### ON VIOLATIONS OF THE HUMAN RIGHTS TO HEALTH, TO LIFE, TO DIGNIFIED TREATMENT, TO HARM TO THE LIFE PROJECT AND TO ACCESS TO HEALTH INFORMATION

The CNDH issued a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute, derived from medical negligence by public servants of such institute. The CNDH recommended that they collaborate in order to register the victims in the National Registry of Victims and provide them with the psychological and/or thanatological care they need. It also requested that they implement a course on training and education in human rights that considers the principles of accessibility, acceptability, availability and quality related to the right to health protection; in addition, should issue a circular to medical personnel, with appropriate measures of supervision for the integration of the clinical record and preventive work in medical care.

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#### REGARDING VIOLATIONS OF HUMAN RIGHTS TO HEALTH, LIFE, DIGNITY, DAMAGE TO LIFE PLANS, AND ACCESS TO HEALTH INFORMATION

The CNDH sent a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute, following human rights violations by public servants of that institute. The CNDH recommended that they collaborate to register the victims in the National Registry of Victims and provide them with psychological and/or thanatological care. In addition, it requested that they give a training course on human rights in relation to the right to health protection in terms of national legislation and the American Convention on Human Rights, and that they issue a circular to medical personnel, with the appropriate supervisory measures for the integration of the clinical file and preventive work in medical care.

Learn more

#### ON VIOLATIONS OF THE HUMAN RIGHTS TO HEALTH, TO THE BEST INTEREST OF THE CHILD AND TO ACCESS TO HEALTH INFORMATION

The CNDH issued a recommendation to Bertha María Alcalde Luján, general director of the Institute for Social Security and Services for State Workers, derived from inadequate medical attention attributable to public servants of such institute. The CNDH recommended that they collaborate in order to register the victims in the National Registry of Victims and provide them with the medical and/or psychological attention they need. It also requested that they give a course on human rights training and education that considers the principles of accessibility, acceptability, availability and quality related to the right to health protection; and they should issue a circular to medical personnel that addresses respect for the best interests of children and preventive work in medical care.





#### ON VIOLATIONS OF THE HUMAN RIGHTS TO A HEALTHY ENVIRONMENT AND TO WATER SANITATION

The CNDH sent a recommendation to Germán Martínez Santoyo, general director of the National Water Commission; to Félix Ladrón de Guevara Benítez, director of the Water Commission of the state of Veracruz; and to Luis Medina Aguirre, municipal president of Tlacotalpan, Veracruz, following human rights violations. The CNDH recommended that they enter into an agreement for the Environmental Protection, Restoration and Integral Reparation of the damages caused to the Papaloapan River; in addition, they should initiate the execution of an Integral Sanitation Program for the river and its tributaries. It also requested that they provide a training course on human rights that specifically addresses the rights to water sanitation and a healthy environment.

Learn more

# REGARDING VIOLATIONS OF THE HUMAN RIGHTS TO A HEALTHY ENVIRONMENT AND WATER SANITATION

The CNDH issued a recommendation to Germán Martínez Santoyo, general director of the National Water Commission; Armando de la Barrera, municipal president of Juan Galindo, Puebla; and Rogelio López Ángulo, municipal president of Huauchinango, Puebla, derived from the contamination of the Necaxa dam. The CNDH recommended that they enter into an agreement for the Environmental Protection, Restoration and Integral Reparation of the damages caused to the Necaxa dam, as well as an Integral Sanitation Program for the Mixteco River. It also requested that they provide a human rights training course that specifically addresses the rights to water sanitation and a healthy environment.

Learn more



#### ON VIOLATIONS OF THE HUMAN RIGHTS TO INTEGRITY, PERSONAL SAFETY, LIFE, PROTECTION OF HEALTH AND THE RIGHT TO EFFECTIVE ACCESS TO JUSTICE AND TO THE TRUTH

The CNDH sent a recommendation to Antonio Hazael Ruíz Ortega, commissioner of the Decentralized Administrative Body for Prevention and Social Readaptation; and to Petronilo Diaz Ponce Medrano, attorney general of the state of Nayarit, following human rights violations. The CNDH recommended that they collaborate to register the victims in the National Registry of Victims and provide them with psychological and/or thanatological attention. It also requested that they train the Security and Custody personnel of Cefereso No. 4, through a course on the right to personal integrity and the life of persons deprived of liberty; in addition, they should design a strategic plan so that there is permanent surveillance in the modules, and carry out actions to ensure that those who require psychiatric care are assessed in a timely manner.

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#### ON VIOLATIONS OF THE HUMAN RIGHTS TO HEALTH, TO LIFE, TO DIGNIFIED TREATMENT AND TO ACCESS TO HEALTH INFORMATION

The CNDH issued a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute, derived from inadequate medical attention attributable to public servants of that institute. The CNDH recommended that they collaborate in order to register the victims in the National Registry of Victims and provide them with the psychological and/or thanatological care they need. It also requested that they implement a training course on human rights related to the right to health protection; furthermore, they should issue a circular addressed to the medical personnel, containing the appropriate measures of prevention and supervision in order to satisfy the medical treatments.

RECOMMENDATION

Learn more

#### ON VIOLATIONS OF THE HUMAN RIGHTS TO HEALTH, TO A LIFE FREE OF OBSTETRIC VIOLENCE, TO LIFE, TO THE PRINCIPLE OF THE BEST INTEREST OF THE CHILD, AS WELL AS TO LEGALITY, TO INFORMATION ON HEALTH MATTERS

The CNDH sent a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute, after inadequate medical attention was provided by public servants of the institute. The CNDH recommended that they collaborate in order to register the victims in the National Registry of Victims and provide them with the psychological and/or thanatological care they require. It also requested that a training course be given on the General Health Law and the IMSS Medical Services Regulations; in addition, a circular should be issued to medical personnel containing preventive measures on the human rights issues of health protection, the right to life and access to health information.

Learn more

#### ON VIOLATIONS OF THE HUMAN RIGHTS TO HEALTH, TO LIFE, TO DIGNIFIED TREATMENT AND TO ACCESS TO HEALTH INFORMATION

The CNDH issued a recommendation to Bertha María Alcalde Luján, general director of the Institute for Social Security and Services for State Workers, derived from inadequate medical attention attributable to public servants of that institute. The CNDH recommended that they collaborate in order to register the victims in the National Registry of Victims and provide VI with psychological and/or thanatological care. In addition, the CNDH requested that they give a training course on human rights regarding the knowledge of the Quick Guide for the detection of acute traumatic head injury in adults; likewise, they should issue a circular addressed to the personnel, containing preventive measures on the issues of human rights to the protection of health, to life and access to health information.



# ON VIOLATIONS OF THE HUMAN RIGHTS TO HEALTH, TO LIFE AND TO ACCESS HEALTH INFORMATION

The CNDH sent a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute, after deficiencies in the medical attention provided by public servants of that institute. The CNDH recommended that they collaborate to register the victims in the National Registry of Victims and provide them with the psychological and/or thanatological care they require. It also requested them to provide a training course related to the right to health protection and to issue a circular to the medical personnel describing the supervisory measures to guarantee the medical management of the victims.

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

The CNDH sent a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute, following human rights violations attributable to public servants of that institute. The CNDH recommended that they collaborate in order to register the victims in the National Registry of Victims and provide them with the psychological and/or thanatological attention they need. In addition, it requested that they give a course on human rights training and education that considers the principles of accessibility, acceptability, availability and quality related to the right to health protection, and should issue a circular to medical personnel, with adequate supervision measures for the integration of the clinical file and preventive work in medical care.

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# ON VIOLATIONS OF THE HUMAN RIGHTS TO HEALTH, DIGNIFIED TREATMENT AND ACCESS TO HEALTH INFORMATION

The CNDH issued a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute, due to inadequate medical attention by public servants of that institute. The CNDH recommended that they collaborate to register the victims in the National Registry of Victims and provide them with psychological and/or thanatological care. It also requested that they give a training course on human rights to prevent similar events, and that they issue a circular to the medical staff of the Emergency Department of HGZ-98, with adequate supervision measures for the integration of the clinical file and preventive work in medical care.

#### ON VIOLATIONS OF THE HUMAN RIGHTS TO HEALTH AND TO LIFE

The CNDH sent a recommendation to Franz Pérez Ancona, general director of theHigh Specialty Regional Hospital of the Yucatan Peninsula, derived from the deficient medical service provided by public servants of that institute. The CNDH recommended that they collaborate in order to register the victims in the National Registry of Victims and provide them with the psychological and/or thanatological attention they require. In addition, it requested that they implement a comprehensive course on human rights that considers the principles of accessibility, acceptability, availability and quality, related to the right to health protection; and they should issue a circular addressed to the medical personnel, describing the supervision measures in order that the persons receive an assessment by trained personnel familiar with the respective condition.

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

The CNDH issued a recommendation to Zoé Alejandro Robledo Aburto, general director of the Mexican Social Security Institute, following inadequate medical attention attributable to public servants of that institute. The CNDH recommended that they collaborate to register the victims in the National Registry of Victims and provide them with psychological and/or thanatological care. It also requested that they give a training course on human rights related to the right to health protection, to life and to the regulation of health services; furthermore, they should issue a circular addressed to medical personnel, containing the pertinent measures of prevention on the issues of human rights to health protection, to life, to dignified treatment as an elderly person and to access to health information.

Learn more

# ON VIOLATIONS OF THE HUMAN RIGHTS TO HEALTH, TO LIFE AND TO ACCESS TO HEALTH INFORMATION

The CNDH sent a recommendation to Bertha María Alcalde Luján, general director of the Institute of Security and Social Services for State Workers derived from human rights violations committed by public servants of such institute. The CNDH recommended that they collaborate in order to register the victims in the National Registry of Victims and provide them with the psychological and/or thanatological attention they need. In addition, it requested that they give a training course on human rights related to the right to the protection of health and the dignified treatment of people with chronic degenerative diseases; they should also issue a circular containing the measures for the proper integration of the clinical file and adequate medical attention.

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# RECOMMENDATION

#### ON VIOLATIONS OF THE HUMAN RIGHTS TO HEALTH, TO LIFE AND TO THE PRINCIPLE OF THE BEST INTEREST OF THE CHILD, 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, after a medical negligence attributable to public servants of that institute. The CNDH recommended that they collaborate to register the victims in the National Registry of Victims and provide them with the psychological and/or thanatological care that requires. It also requested that they give a human rights training course that considers the principles of accessibility, acceptability, availability and quality, related to the right to health protection, and should issue a circular to medical personnel, describing the principles of accessibility, acceptability, availability and quality related to the right to health protection, so that people with similar conditions receive an assessment by trained specialists who are familiar with it.

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#### WITH RESPECT TO VIOLATIONS OF THE HUMAN RIGHTS TO PERSONAL INTEGRITY IN CORRELATION WITH THE RIGHT TO SOCIAL REINTEGRATION, AND THE RIGHT TO ACCESS TO JUSTICE AND TO THE TRUTH

The CNDH sent a recommendation to Antonio Hazael Ruíz Ortega, commissioner of the Decentralized Administrative Body for Prevention and Social Readaptation; and to Uriel Carmona Gándara, attorney general of the state of Morelos, following human rights violations. The CNDH recommended that they collaborate in order to grant and guarantee V, if required, medical and psychological attention. It also requested that they employ lines of action for the management of riots within the penitentiary establishment, within the framework of respect for human rights, and execute a program of revision in the rooms with strict adherence to national and international standards on human rights.



Learn more

RECOMMENDATION

#### ON VIOLATIONS OF THE HUMAN RIGHT TO EDUCATION

The CNDH issued a recommendation to Ramón Jiménez López, general director of the Tecnologico Nacional de Mexico, following acts violating the human rights of the student community by public servants of the institute. The CNDH recommended that they issue a communiqué addressed to the students in which they acknowledge that the events that occurred in the facilities violated the full exercise of the right to education, which affected their dignity and their rights as students. It also requested that they give a course in which the Codes of Ethics and Conduct of Federal Public Servants of the Tecnológico Nacional de México are observed, focused on the protection of human rights, particularly the right to education.

### REGARDING VIOLATIONS OF THE HUMAN RIGHTS TO LEGAL SECURITY AND PERSONAL LIBERTY

The CNDH sent a recommendation to Francisco Garduño Yáñez, commissioner of the National Migration Institute, due to human rights violations attributable to public servants of this institute. The CNDH recommended that they provide the victims of the human rights violations with the medical and psychological attention they require. It also requested that they give a course on human rights, specifically with respect to legal security, legality and personal liberty, as well as the pro persona principle; furthermore, they should issue a circular letter to the persons assigned to the INM's migratory station in Nuevo Leon in order to implement measures to ensure that the foreigners housed in these facilities have adequate and clean spaces, thus guaranteeing their right to dignified treatment.

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#### REGARDING VIOLATIONS OF THE HUMAN RIGHTS TO LEGAL CERTAINTY, LEGALITY, FREEDOM OF TRANSIT AND PERSONAL FREEDOM, AS WELL AS ACCESS TO JUSTICE

The CNDH sent a recommendation to Francisco Garduño Yáñez, commissioner of the National Migration Institute, derived from the human rights violations committed by public servants of this institute. The CNDH recommended that they collaborate in order to register the victims in the National Registry of Victims and provide them with the psychological attention they need. In addition, it requested that they give a training course on human rights, with emphasis on the rights to legal security and legality, freedom of transit for people in mobility; and they should issue a circular to the personnel assigned to the Mexico City International Airport, instructing them that the determinations of admission and/or rejection of foreigners should be duly motivated and founded.

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# ON VIOLATIONS OF THE HUMAN RIGHTS TO LEGAL CERTAINTY AND PERSONAL LIBERTY

The CNDH issued a recommendation to Francisco Garduño Yáñez, commissioner of the National Migration Institute, following human rights violations attributable to public servants of that institute. The CNDH recommended that they collaborate in order to provide QV with the medical and/or psychological attention he requires. It also requested that they provide a training course on human rights, specifically with respect to the right to legal security and personal liberty of persons in mobility; in addition, they should issue a circular to the Representative Office in Veracruz, instructing them to avoid any delay in the initiation and resolution of the Administrative Migratory Proceedings.



# 46/2024

# ON VIOLATIONS OF THE HUMAN RIGHTS TO SOCIAL REINTEGRATION AND THE RIGHT TO EQUALITY AND NONDISCRIMINATION

The CNDH sent a recommendation to Antonio Hazael Ruíz Ortega, commissioner of the Decentralized Administrative Body for Prevention and Social Readaptation, due to human rights violations. The CNDH recommended that they collaborate in order to provide V1, V2, V3, V4 and V5 with medical, psychological and/ or psychiatric attention that would favor their metal, physical and emotional health. It also requested that they instruct the areas of Social Work, Psychology, Criminology and Medicine to analyze and study the particular cases of the women deprived of their liberty, in order to detect any signs of mental health problems; it also requested that they train, through a course, the heads of the Medical, Psychology and Social Work areas on mental health, in accordance with national and international standards on the right to health protection of persons in prison contexts.

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# ON SERIOUS VIOLATIONS OF HUMAN RIGHTS TO DIGNIFIED TREATMENT, INTEGRITY AND PERSONAL SAFETY

The CNDH issued a recommendation to Irving Barrios Mojica, attorney general of the state of Tamaulipas, following serious human rights violations. The CNDH recommended that they collaborate in order to register the victim in the State Registry of Victims and provide her with the psychological and medical attention she needs. It also requested that they provide a training course on human rights for the staff, which should be focused on the respect for human rights and the prevention and eradication of torture and other cruel, inhuman or degrading treatment or punishment.

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TSSVG/2024

# ON SERIOUS VIOLATIONS OF THE HUMAN RIGHTS TO DIGNIFIED TREATMENT, INTEGRITY AND PERSONAL SAFETY

The CNDH issued a recommendation to José Rafael Ojeda Durán, Secretary of the Navy, derived from human rights violations committed by public servants of that ministry. The CNDH recommended that they collaborate in order to register the victim in the National Registry of Victims; provide psychological and medical attention, and instruct whoever is appropriate to collaborate in the presentation and follow-up of the complaint filed before the Attorney General's Office. It also requested that they design and impart a training course on human rights, focused on the respect for human rights in the prevention and eradication of torture and other cruel, inhuman or degrading treatment or punishment.

# ACTIONS OF UNCONSTITUTIONALITY

#### UNCONSTITUTIONALITY ACTIONS FILED DURING MAY 2024

During this month, the National Human Rights Commission filed 12 lawsuits of unconstitutionality, through which 88 general norms were challenged.

- » On May 2, 2024, an action of unconstitutionality 95/2024 was filed before the SCJN, filed against article 277, section II, in the normative portion "or suspended for a term of five years in the exercise of such profession" of the Penal Code for the state of Tamaulipas, due to the fact that it violates the principle of proportionality of the penalties and prohibition of unusual penalties.
- » On May 6, 2024, an action of unconstitutionality 100/2024 was filed before the SCJN against Article 32 of the State Law of Civic Justice, Chihuahua, considering that it violates the right to legal certainty and the principle of legality.
- » On May 6, 2024, an action of unconstitutionality 101/2024 was filed before the SCJN, filed against several precepts of the Revenue Law of the Municipality of Oaxaca de Juárez, Distrito del Centro, Oaxaca, for the fiscal year 2024, since it violates the rights to legal certainty, equality and nondiscrimination; principles of taxation applicable to administrative sanctioning matters, tax proportionality and legality.
- » On May 8, 2024, an action of unconstitutionality 103/2024 was filed before the SCJN, filed against articles 111, section IV, in the normative portion "or



disqualified to perform a job, position or commission in the public service", 117, 118 and 119 of the Archives Law of the State of Durango; in this way, by assessing that the rights to equality and prohibition of discrimination, to occupy a public position, legal certainty and principle of legality are violated.

- » On May 13, 2024, a petition of unconstitutionality 107/2024 was filed before the SCJN, filed against article 47, section IX, in the normative portion "or whoever delegates" of the Law on Disappearance and Search for Persons for the State of Baja California, since it violates the right to legal certainty; principles of legality and constitutional supremacy.
- » On May 13, 2024, an action of unconstitutionality 108/2024 was filed before the SCJN, filed against the 46

Municipal Revenue Laws of the State of Oaxaca, for the fiscal year 2024, as they violate the rights to legal certainty, equality and non-discrimination, access to information and identity; freedom of assembly; principles of free access to information, of taxation applicable to administrative sanctioning matters, of tax proportionality, of legality and of the best interest of the child.

- » On May 17, 2024, an action of unconstitutionality 110/2024 was filed before the SCJN against article 52 Bis of the Health Law of the State of Zacatecas, since it violates the rights to health, personal integrity, life and legal security, the principle of legality and the obligation to respect and guarantee human rights.
- » On May 20, 2024, the SCJN was presented with a petition of unconstitutionality 111/2024, filed against various precepts of 32 municipal revenue laws of the state of Oaxaca, for the fiscal year 2024, because they violate the rights to legal certainty, equality and non-discrimination; principles of taxation applicable to administrative sanctioning matters, tax proportionality and legality.
- » On May 20, 2024, a petition for unconstitutionality action 112/2024 was filed before the SCJN, filed against article 113, section I, in the regulatory portion "by birth" of the Law for the Inclusion and Development of Persons with Disabilities or in a Situation of Disability of the State of Sonora, given that it violates the right to legal certainty and the principle of legality.
- » On May 24, 2024, an action of unconstitutionality 113/2024 was filed before the SCJN against article 234 Ter of the Penal Code for the Free and Sovereign State of Quintana Roo, which violates the right to legal certainty, the principle of legality and taxation in criminal matters.

- On May 27, 2024, an action of » unconstitutionality 115/2024 was filed before the SCJN, filed against article 40, in the normative portions "solely and exclusively" and "without the possibility of creating compound surnames or registering more than two simple surnames of a single person" of the Civil Registry Law of the State of Yucatan, since it violates the rights to privacy, private life, to private and family life, to the name, to choose the name of the daughters and sons; prohibition of arbitrary interference; obligation to respect, promote, protect and guarantee human rights.
- On May 30, 2024, a petition of » unconstitutionality action 117/2024 was filed before the SCJN, filed against Articles 170 Bis and 229 Bis, first paragraphs, in the normative portions "and a fine of one thousand times the daily value of the unit of measurement and updating.", and "To whoever uses, traffics or commercializes with the stolen medicines, will be imposed from six to twelve vears and a fine of two thousand times the daily value of the unit of measurement and updating."The second, in the normative portion "Article 464 Bis of the (sic) General Law of Health of the State and those that are derived from" of the Penal Code for the Free and Sovereign State of Guerrero, Number 499, since it violates the right to legal certainty; principles of legality, taxation in criminal matters and proportionality of penalties.

# PRONOUNCEMENTS

#### **PRONOUNCEMENT 13/2024**

THE CNDH CALLS FOR THE PROMOTION OF A CULTURE OF PEACE AND DIALOGUE IN MORELIA, MICHOACÁN, BETWEEN LOCAL AUTHORITIES AND THE AUTONOMOUS INDIGENOUS COMMUNITY OF ARANTEPACUA

One month after the regrettable acts of violence in the city of Morelia, Michoacán, during the march commemorating the events of April 4 and 5, 2017 in the Community of Arantepacua in that state, it is essential to condemn any act that threatens the physical integrity of the participants and of people outside the demonstration.

In response to the demands of the affected citizens, we respectfully call on all social actors involved, including authorities and protesters, to respect the constitutional framework, especially Article 9 of our Magna Carta, which guarantees the right to free assembly, demonstration of ideas and peaceful expression.

The CNDH reaffirms its commitment to support victims in their search for justice and to collaborate with authorities to find peaceful solutions to social conflicts. We also urge mutual respect among all parties involved and the construction of agreements through dialogue and active listening.

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



#### **PRONOUNCEMENT 14/2024** THE CNDH JOINS THE CALL TO AVOID THE POLITICAL USE OF THE CAUSE OF THE SEARCH FOR THE DISAPPEARED IN ELECTORAL CAMPAIGNS

The National Human Rights Commission (CNDH) joins the demand that the more than 90 collectives grouped in the Movement for Our Disappeared in Mexico (MNDM) make to the political parties, since it is inadmissible that the cause of the victims of disappearance and their relatives be used during electoral campaigns. We support the call to all political parties and authorities to join efforts for the clarification, search, justice and prevention of disappearances in Mexico, a historical debt that remains and that summons the entire Mexican State.

As the highest instance of defense, protection and promotion of human rights, we reiterate our commitment, especially with the victims and their families, starting by exposing our historical memory, so that the facts are never repeated. We respectfully call on the authorities who have in their hands the care of our democratic life, to allocate all necessary cooperation to achieve the ideal of our history: the free and full exercise of suffrage by the people, since it is essential that the votes are not manipulated and that the voting process is carried out with honesty, so that human rights always prevail.

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

#### **PRONOUNCEMENT 15/2024** THE CNDH DENIES ALLEGED ATTEMPT TO CENSOR RELEVANT INFORMATION IN RECOMMENDATIONS ISSUED FROM 1990 TO 2015.

In response to the information disseminated this May 27 by the digital media Animal Político and Artículo 19, in which they claim that this National Human Rights Commission (CNDH) violated "the rights to truth and public information of the population", the Commission makes the following clarifications: it is false: what we did was to correct an omission that dated back years ago, adjusting to the provisions of the General Law of Personal Data in Possession of Obligated Subjects. Therefore, during the year 2023, we dedicated ourselves to adapt the recommendatory instruments according to the stipulations of the law, without this implying a violation of the rights to truth and public information.

Regarding the lawsuit against our Commission for not publishing data of 2,543 recommendations, we would like to point out that it was closed because it was not demonstrated that there was a valid reason to do so. Likewise, we clarify that, in the case of *Recommendation 26/2006*, its public version can be found in the institutional portal of the CNDH, as established in the aforementioned General Law of Personal Data, and in full compliance with the General Law of the National Human Rights Commission.

More information: https://goo.su/0xaRX



Photograph of the web



Photograph os the web



#### 151/2024 Sixth Meeting of National Monitoring Mechanisms for the Convention on the Rights of Persons with Disabilities is held

Rosario Piedra Ibarra, president of the National Human Rights Commission (CNDH) and of the National Monitoring Mechanism of the Convention on the Rights of Persons with Disabilities, inaugurated the Sixth Meeting of National Monitoring Mechanisms of the Convention in Mexico City.

During his inaugural speech, he urged to promote the "right to consultation" of persons with disabilities, to develop laws and implement public policies at federal and local levels with the objective of integrating their perspectives. For this reason, he highlighted that the CNDH has presented more than 30 actions of unconstitutionality before the Supreme Court of Justice of the Nation (SCJN) due to the lack of consultation with persons with disabilities and their families, for the elaboration of laws and in the implementation of public policies.

In the presence of thirty Public Human Rights Organizations, he called for strengthening the dialogue among all the members of the Mechanism, in order to facilitate the exchange of experiences and lessons learned for the benefit of persons with disabilities in the country.

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

#### 154/2024 The CNDH reaffirms its commitment to ensure respect for and promotion of the human right to science as an integral part of the defense and protection of human rights in Mexico

The president of the National Human Rights Commission (CNDH), Rosario Piedra Ibarra, participated in the permanent seminar *Science is your right. Advances and challenges of the General Law on HCTI in its first anniversary.* During her speech, she explained that this organization recognizes the human right to science as a fundamental pillar for the integral development of people and societies.

It also urged the competent authorities to adopt effective measures to guarantee equitable access to scientific education, promote equal opportunities in research and innovation, and foster a scientific and technological culture among Mexican society.

For her part, the general director of Conahcyt, María Elena Álvarez-Buylla Roces, mentioned that the General Law on Humanities, Science, Technology and Innovation has been in force for one year to guarantee the human right to science and that all people can continue to enjoy this important activity.

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

#### 159/2024 CNDH and Partners of the Americas inaugurate second day of awareness-raising Gender Equality: *Dialogue with women workers and trade unionists*

The President of the National Human Rights Commission (CNDH), Rosario Piedra Ibarra, inaugurated the second day of awareness-raising Gender Equality: Dialogue with Women Workers and Trade Unionists, organized by the National Commission in collaboration with Partners of the Americas, in the framework of Labor Day.

President Rosario Piedra Ibarra emphasized that peace building implies respect and recognition of the importance of applying laws based on fundamental values and criteria, such as freedom and justice; she stressed that these must be considered in work environments, regardless of the sector, activity or size of the workplace. She also recalled that collective bargaining is a fundamental instrument for promoting gender equality in employment; finally, she considered that strengthening female union leadership is a challenge, since women still face barriers to becoming part of labor structures.

During the awareness-raising day, two round tables were held: "The right to a work life free of discrimination and violence" and "Collective bargaining as a tool for achieving substantive equality".

More information: https://goo.su/XH23lc

#### 165/2024 CNDH meets with the mission of foreign visitors of the OAS General Secretariat and with the European Union Electoral Experts Mission in view of the June 2 elections

Rosario Piedra Ibarra, president of the National Human Rights Commission (CNDH), met with both missions, which will observe the elections next Sunday, June 2. During the meeting, they addressed various issues concerning the protection of human rights and respect for democratic principles, and reaffirmed the CNDH's commitment to the right to democracy in electoral contexts.

In addition, the CNDH shared with the missions the analysis and follow-up it has conducted on the right to democracy, as well as the concerns and censorship it has been subjected to due to the decisions of the Electoral Tribunal of the Federal Judiciary. However, the CNDH expressed its confidence that, for the first time, these elections will be carried out freely, with broad citizen participation and full respect for the right of the people to elect their rulers.

More information: https://goo.su/9NF3R



Defendemos al Pueblo