

NEWS LETTER

Number 181

March 2008

CONTENTS

- La The CNDH answers to the report issued by the American Organization Human Rights Watch
- 5/2008 Case on the impugnation resource of Mr. Jesús Manuel Martínez Peñuelas
- 6/2008 Case of Lorenzo Rubio Forero and George Andrés Chérrez Calero
- 7/2008 Case of the religious communities Adventists of the seventh day, Baptist and apostolic church of the faith in Jesus Christ from San Sebastián Teponahuatlán, Municipality of Mezquitic, Jalisco
- 8/2008 Case on the impugnation resource of Mr. Enrique Palestina Huerta and others
- NATIONAL ISSUES
- INTERNATIONAL ISSUES

THE CNDH ANSWERS TO THE REPORT ISSUED BY THE AMERICAN ORGANIZATION HUMAN RIGHTS WATCH

Last March 12, the Advisory Council of the National Human Rights Commission answered to more than 45 of the mistakes contained in the recent report issued by the American organization Human Rights Watch and regretted that most of their statements seem to be the result of a noticeable lack of knowledge of the authors both of the Mexican law and of the work of this National Organism.

The Advisory Council of the CNDH withholds that the report of HRW focused its study matter from an incorrect perspective, and that its assessment and conclusions are incorrect and twisted, in which at least 40 adjectives are used to discredit the CNDH, calling it, for example, legalist, formalist and shy.

The report from HRW, released last February 13 – just two days before the President of the Republic attended the headquarters of the CNDH to hear the Annual Report from its leader José Luis Soberanes Fernández –, is based on statements where neither procedures, resolutions, criteria, nor the institutional structure of the Mexican Ombudsman are analysed; therefore, these statements lack any methodological base and rigour.

For the Council of the CNDH, the contents of the report should have included the systematic consultation of, at least, a series of documentary sources, among which it is possible to find annual activity reports of the CNDH, general and particular recommendations, special reports, a study of budget, legal reformations, and the analysis of the attributions contained in the law, in comparison to the activities developed.

In the answer to the report, the Advisory Council of the National Human Rights Commission informs HRW that the legal framework of its labour, its faculties, attributions and competences are established by the section B of article 102 of the Mexican Constitution and by the laws and regulations applicable to the functions of this National Organism. Therefore, the compromise of respecting the Constitution and the wide legal framework that results from itself is applicable for all parts of society, and does not allow any exception or omission, because it is the reaffirmation of the judicial, political and social principle that dictates that nobody can be above the law.

On the other hand, in the elaboration of the document of HRW it was omitted to consider the particularities of the non-judicial Mexican system of defence of human rights, so the assessments come from the personal criteria of the authors of the report regarding the functions and activities that they wished the CNDH developed, but they do not respond to the institutional design established by the legislation applicable to this institution.

To present a view from which it is pretended that the CNDH develops actions to go “beyond the law” based on “creative interpretations” is also incorrect and doubtful, because wanting a public institution to spread its faculties without a legal ground violates the juridical order and the principles of legality and of constitutional supremacy.

The work of the Mexican Ombudsman tends, in any circumstance, to the defence of the rights of the Mexican people, to their validity and respect and to the enlargement of the regime of fundamental rights, the defence of legality and ethics. The main tool to do this is the moral strength of its resolutions, because the institution of the Ombudsman does not issue compulsory fulfilling sentences such as a judge does, and its nature bars it from being a sanctioning authority, despite any opinion from HRW.

The HRW document does not point out which is its frame of reference to which it reviews the CNDH; it limited itself to invoke “international standards” omitting what standards they used to formulate conclusions, criticism, suggestions and actions that do not find support in the national juridical framework applicable to the CNDH. In some aspects, the report not only reveals a distorted and distorting vision of the situation of human rights in Mexico, but is also misleading about the service that the national institution gives and about its range of action.

Regarding the criticism and the budget analysis of the CNDH, there is no indication of what method was used to get to the conclusions or cost-benefit indicators. Considerations are based on suppositions, while conclusions and proposals are contrary to the juridical order, because they do not take into account the information that this National Commission generates year after year and which is contained in its annual reports of activities.

The document issued by the international organization omits to consider the organs of taxation, supervision and control to which the CNDH is subject to, and only takes into account the Federation Superior Auditing Body, ignoring that the fiscal authorities of the CNDH are similar to those of any other entity of the Federal Public Administration.

In its response, the Advisory Council of the CNDH regrets that, for the first time in 30 years, Human Rights Watch has left aside its roll as an analyzing entity of governments regarding their respect to human rights, a task which backed up that of the Ombudsman of the Continent, and that, instead, it has assumed a critical and poorly founded attitude, evidently bias, against an institution that defends human rights.

At the time HRW issued its report, the company Parametría performed a survey on the level of acceptance of the CNDH among the citizens, which results show that Mexicans, in their majority, trust in this National Commission. Additionally, according to the results from the company, the confidence of Mexican people in the CNDH has been stable since June 2002 to date.

Other surveys that report a high level of acceptance of the CNDH among the population – none of which were ordered by these National Organism – were performed by Milenio Diario, Banamex, IFE-Segob, UNAM and BIMSA, where the volume of favourable opinion sets the CNDH among the 5 institutions that generates more confidence among Mexican citizenry.

RECOMMENDATIONS

The following presents a synthesis of the recommendations issued by CNDH during the month of March. The complete version can be seen on our website.

Recommendation 5/2008

March 11, 2008

Case: On the impugnation resource of Mr. Jesús Manuel Martínez Peñuelas

Addressee Authority: Constitutional Governor of the State of Sinaloa

On August 1, 2007, this National Commission opened the file 207/264/4/RI, regarding the impugnation resource interposed by Mr. Jesús Manuel Martínez Peñuelas, against the rejection of the Recommendation 22/07, issued by the State Commission of Human Rights of Sinaloa, by the Justice General Attorney of the State of Sinaloa.

On April 18, 2007, between 08:00 and 09:00 hrs., in different points of the city of Culiacán, Sinaloa, Noé Alberto Martínez and Jesús Armando López Uriarte were intercepted by elements of the Model Unit of Police Investigation (UMIP) of the Justice General Attorney Office of the State of Sinaloa, who took them to the facilities of this police corporation, where, later on, ministerial personnel arrived to perform the actions related to the previous investigation CLN/DAP/009/2005/AP, opened for the homicide of Mr. Enrique Ávila Castro.

For that reason, on the same day, Mr. Jesús Manuel Martínez Peñuelas presented a complaint, by phone, to the State commission of Human Rights of Sinaloa, so that the staff of such Local Organism attended immediately to the facilities of the UMIP. The Coordinator of the Unit informed them that the people they were looking for were not there, also denying them the access to the building. Knowing with certainty that Noé Alberto Martínez Peñuelas and Jesús Armando López Uriarte were there, the staff of the State Commission stood outside of the building of the UMIP for, approximately, eight hours, accompanied by the President of this Local Organism.

Around the 18:55 hours, agents of the mentioned police corporation left the building with the aggrieved, who were handcuffed and to be taken to the interrogation cells of the State Ministerial Police Direction. They were going to be presented to the Public Prosecutor, due to the detention order issued against them, in the same facilities of the UMIP, at 18:00 hours of April 18, 2007.

The State Commission of Human Rights of Sinaloa, after having performed the corresponding investigations, found that the rights to legality and judicial security of Noé Alberto Martínez Peñuelas y Jesús Alberto López Uriarte had been violated, so on May 29, 2007, the Recommendation 22/07 was issued, addressed to the Justice General Attorney of the State of Sinaloa. The recommendation was rejected, so Mr. Jesús Manuel Martínez Peñuelas initiated an appeal to this National Commission, which was opened with the file number 2007/264/4/RI.

Derived from the juridical-logical analysis of the evidence that appear in the file 2007/264/4/RI, this National Commission agrees with the criteria supported by the State Commission of Human Rights of Sinaloa, noticing violations to the Human Rights of juridical safety

and legality, by the Public Prosecutors of the Direction of Previous Investigations and by the elements of the UMIP, both belonging to the Justice General Attorney Office of the State of Sinaloa, against Noé Alberto Martínez Peñuelas and Jesús Armando López Uriarte.

The latter was solved, because by the testimonies integrated by the authorities responsible, it is evident that the performance of the public officers of the Justice General Attorney Office of the State of Sinaloa did not satisfy the requirements of the fundamentals and motivation that any act issued by the authority must contain.

As well, this National Commission points out that, even when in three occasions, personnel of this National Organism established communication with officers of the Justice General Attorney Office of the State of Sinaloa, on November 15, 2007, the Justice General Attorney of the State of Sinaloa insisted on the rejection of the Recommendation 22/07 to this National Organism, manifesting a series of considerations of processing matters that had already been presented to the Local Organism, showing an attitude clearly contrary to the respect to the rights of the citizens of such federative entity under the argument that his public officers were allowed to deprive of freedom the aggrieved because there was a search warrant and order of appearance against them, pretending to ignore the inconsistencies and distortions contained in them, which are shown in such Recommendation.

So that, on March 11, 2008, this National Organism issued the Recommendation 5/2008, addressed to the Constitutional Governor of the State of Sinaloa, in which it is asked to fully comply with the Recommendation 22/07, issued on May 29, 2007, by the State Commission of Human Rights of Sinaloa. It is also to admonish the Justice General Attorney of the State, to abstain from barring the labour and functions of the public officers in charge of the surveillance and defence of human rights, both in state and national levels, and to issue precise instructions to respect and privilege the labour these officers do in favour of the community. As well, to implement continuous training courses on human rights to the staff of the Office in question.

Recommendation 6/2008

March 14, 2008

Case: Of Lorenzo Rubio Forero and George Andrés Cherrez Calero

Addressee Authority: Commissioner of the National Institute of Migration

On June 16, Mr. Lorenzo Rubio Forero was taken into custody at the Migratory Station of the Regional Office of the National Institute of Migration (INM) in Tlaxcala, where he applied for refuge on that same date, and which was sent to the Direction of Migratory Affairs of the INM. When the aggrieved realized that the INM did not process his application for refuge, he formulated, on the 22 of the same month, a new application for refuge before personnel of the Migratory Station of such Institute in Iztapalapa, Mexico City, which was sent via telefax to the Direction of Protection of the Mexican Commission of Refugee Aid (Comar), which started the process of the respective procedure under the scheme of first time as if the application made in Tlaxcala did not exist.

On August 10, 2006, the General Direction of Protection of the Comar informed the INM that the Work Group of the Eligibility Committee considered that the application for refuge presented did not fulfil the requirements needed to obtain the condition of refugee. This resolution was informed verbally to the aggrieved on the 11 of that same month, by personnel of the Comar.

Such resolution motivated the aggrieved to apply for an extension of the term, in order to sum up more elements for his application for refuge. Once he did, on September 20, 2006, the Working Group of the Eligibility Committee evaluated the new evidence and issued its opinion, which was addressed to the Eligibility Committee, considering again that the aggrieved did not fulfil the elements needed to obtain the condition of refugee.

In that same date, the General Direction of Protection of the Comar sent a memorandum to the Coordination of Migratory Control and Verification of the INM, to inform of the negative opinion about the reconsideration of Mr. Lorenzo Rubio Forero's case. In addition, personnel of the Comar, once again informed the aggrieved about this situation verbally.

There is no evidence that personnel of the INM have notified, formally and in written form, Mr. Lorenzo Rubio Forero the resolutions of August 10 and September 20, 2006.

Finally, on November 4, 2006, personnel of the INM took Mr. Lorenzo Rubio Forero to the Mexico City International Airport and executed the order of expulsion issued against him, informing him about it moments before being put into the plane which would take him to his country. They never informed him about the definitive resolution regarding the application for refuge; faculty that is exclusive to the National Institute of Migration.

In the case of Mr. George Andrés Cherrez Calero, the Working Group of the Eligibility Committee about Refugees of the Comar, on February 19 and March 16, 2007, determined, by means of the Statute of the Refugee, not to grant the condition of refugee to the solicitor. This resolution was never notified with the compulsory formalities, so he did not have the possibility to exert his right to appeal the resolution, before being expelled from the country.

Therefore, in the cases of Lorenzo Rubio Forero and George Andrés Cherrez Calero there is no evidence that the INM had integrated the procedures of refuge in terms of article 166, fraction V of the Regulation of the General Population Law, so that, for this National

Commission it is evident that the right to due process of the aggrieved was violated, one that should have been respected before the migrants were expelled; in consequence, the rights to legality and juridical security were transgressed.

Due to the facts previously exposed, on March 14, 2008, this National Commission issued the Recommendation 6/2008, addressed to Mrs. Cecilia Romero Castillo, Commissioner of the National Migration Institute, in which it is requested to begin the proper administrative process for the irregularities in which the public officers of the INM who participated in the process of the aggrieved to request refuge may have incurred, as well as for their actions and omissions. Among other matters, for tolerating that personnel of the Comar made use of the faculties that by law are assigned to the migratory authority. In the Recommendation it is also requested that instructions are given to establish a procedure to be followed by the public officers of the INM and departments involved, from the moment of the reception of an application for refuge, to the notification of the respective resolution, pointing out the corresponding terms and instances, in the frame established by the General Population Law and its regulation. Particularly, the terms and dispositions contained in the Regulation of the General Population Law and in the Administrative Process General Law and any other norm generated for the case must be regarded, where the due process of the people involved is guaranteed. It is requested as well that instructions are given to whom it is relevant to empower the public officers of the INM responsible of processing the applications of refuge, if they notice that personnel from the Comar is taking faculties that by law are assigned to the migratory authority, to involve the Internal Auditing Body of the Ministry OF Public Function, of the Ministry of the Interior, to delimit the administrative responsibility in which they participate.

Recommendation 7/2008

March 25, 2008

Case: Of the religious communities Adventists of the seventh day, Baptist and apostolic church of the faith in Jesus Christ from San Sebastián Teponahuatlán, Municipality of Mezquitic, Jalisco.

Addressee Authority: Constitutional Governor of the State of Jalisco

On July 8, 2005, this National Commission received the complaint of Mr. Dagoberto Cirilo Sánchez, presented initially in the State Commission of Human Rights of Jalisco, who stated facts that presumably violate the Human Rights of Huichol indigenous people from various communities of the municipality of Mezquitic, Jalisco, who practice the religion of the Adventists of the Seventh Day, Baptist and Apostolic Church of the Faith in Jesus Christ, attributed to the Subsecretary of Population, Migration and Religious Affairs of the Ministry of the Interior (Segob), to the National Commissioner for the Development of Indigenous Peoples (CDI), to the Governor of the State of Jalisco and to diverse state and municipal authorities of the federative entity.

The complaint was focused in the fact that indigenous people of the wixarikas who had joined a different religion than that of the traditional huichol religion had been object to aggressions, discrimination and rejection from the Huichol authorities and their communities, without receiving any solution from the government authorities previously mentioned. Moreover, there was the threat of expulsion against them by the Communal Goods Commissariat of San Sebastián Teponahuatlán, Mezquitic, who gave them a time limit until August 20, 2005 to come back to their religion or to leave their lands, and the President of Communal Goods of San Andrés Cohamiata warned them that they would do the same in the community of San Miguel Huaisitita, so they feared for the physical integrity of the parish. He also pointed out that there was a delay in the preliminary investigations 28/2003 y 89/2004, related to denunciations of religious intolerance.

From the logical-judicial analysis of the proof which integrate file 2005/2493/JAL/4/SQ, it is shown that, in a meeting with Huichol people, celebrated on May 26, 2005, the members of the Commissariat of Communal Goods of San Sebastián Teponahuatlán, of the municipality of Mezquitic, informed those who changed religion that they had to return to the Huichol tradition, otherwise they had to leave their community, and also their lands and rights that correspond them as members of such a community. Representatives of the Government of Jalisco, of the Subministry of Population, Migration and Religious Issues and of the CDI attended the meeting.

Facing a threat of expulsion, this National Organism, on August 9, 2005, asked the Subsecretary of Population, Migration and Religious Issues of the Segob and the Governor of the State of Jalisco for their intervention in order to adopt the necessary provisional measures in order to avoid violations of Human Rights that are difficult to repair; they were accepted. Notwithstanding, as a consequence of the treatment the dissident Wixarikas they were suffering, and fearing to be attacked and expelled, on August 2005, they left their homes and material goods to move to a shelter in the city of Tepic, Nayarit.

In the complaint file, it was dully documented that, despite the fact that the Government of the State of Jalisco had shown its will to find measures tending to solve the conflict and had participated in meetings held to that effect, its performance not only did not solve, but did not suitably prevent the displacement of these people either. The Government of the State failed to offer them human and material support before and after , even when the former General Secretary of Government accepted to have known from a public officer of SEGOB about the displacement before it happened.

Additionally, it was shown that, once the move had finished, the indigenous people affected received little support from the Government of the State of Jalisco, even the very General Secretary of Government assured that supplies and stocks of food were delivered and that, because these indigenous people were out of his jurisdiction, he did not consider "appropriate to carry on with such aid" (sic).

In January, 2008, personnel of this National Organism visited the displaced community to confirm the conditions they were living in after the move. They receive economic and social support by the Family Integral Development Program of the Government of the State of Nayarit.

As well, regarding the referred preliminary investigations, this National Organism confirmed the delay which happened in the preliminary investigation 69/2003, which contains the ministerial records 89/2004 y 154/2004 attached, both corresponding to the case of Mrs. Hermelinda Vázquez de la Cruz, who suffered injuries when her house caught fire and to the ministerial authorities who participated in the investigation, without any justification let the time pass excessively, not being possible to identify the perpetrators of the crimes, reassuring that, as a result of the investigations, there were not enough elements to prove acts of religious intolerance and the investigation was filed on reserve.

Therefore, this National Commission issued the Recommendation 7/2007, requesting the Governor of the State of Jalisco to give instructions, to whom it is relevant, to develop immediately, in coordination with the Federal Government, actions to solve the religious conflict happening in the Huichol community in the municipality of Mezquitic; in order to do that, it is necessary to generate the conditions to propose to the traditional authorities and to the religious group in conflict the systems of mediation and conciliation effective between the parties, establishing dialogue groups and assuring the right and exercise of religious freedom in this municipality. It is recommended as well to assist the problem of the Huichol indigenous people who were outcast from the municipality of Mezquitic, and to take the suitable measures to satisfy the basic necessities of housing and commodities, as well as education and health. It was also recommended that he order the Justice General Attorney of this federative entity to improve as soon as possible the preliminary investigation 69/2003 and that such is solved according to law.

Additionally, it is recommended to involve the Internal Auditing Body of that department, to begin the corresponding administrative process against those public officers who have been involved in the mentioned investigation and , if it is the case, to assume the respective responsibilities; it is recommended to give the necessary instructions to order whatever is needed to hold training courses for the public officers of the Government of the State and of the municipal governments of the federative entity, regarding the functions the public officers have according to the current legislation on the safeguard of the right to freedom of cult and belief, specially to prevent that acts of intolerance arise among the different religious associations; it is also recommended to instruct to whom it may concern in order to begin a bilingual publicity campaign about the rights and liberties on religious matters, its following and respect, specially in the zone of Huichol settlements, by means of talks, workshops and courses addressed to the society in general, as well as with posters, postcards, brochures and booklets whose purpose might be the diffusion of the Human Rights to religious freedom.

Recommendation 8/2008

March 27, 2008

Case: On the impugnation resource of Mr. Enrique Palestina Huerta and others.

Addressee Authority:H. Constitutional City Council of Terrenate, Tlaxcala

On January 14, 1999, Mr. Enrique Palestina Huerta and others, who were working as municipal policemen in Terrenate, Tlaxcala, were fired by the former Mayor. On March 9 of the same year they demanded to be reinstated before the Superior Court of Conciliation and Arbitration in the city of Tlaxcala, Tlaxcala, which started the labour trial 57/99, and on October 23, 2002, the Judge of the Bureaucratic Labour Room of the Justice Superior Court of the State issued a resolution, condemning the H. Constitutional City Council of Terrenate, of that federative entity to reinstall the aggrieved in the posts they were working in.

Therefore, and not fulfilling the H. Constitutional City Council of Terrenate, Tlaxcala the verdict issued against it in the referred labour file 57/99, Mr. Enrique Palestina Huerta and others, on August 8, 2005, presented a complaint before the State Commission, which opened the file CEDHT/181/2005-1, in which, once integrated, were reported violations to the right of access to justice administration, so that on February 27, 2007, The State Commission of Human Rights of Tlaxcala issued the Recommendation 02/2007, addressed to that H. City Council, in the following terms:

FIRST. To give instructions to whom it is relevant to immediately comply to the verdict dated on October 23, 2007, given by Judge María Esther Juanita Munguía Herrera, Judge of the Bureaucratic Labour Room of the Justice Superior Court of the State.

SECOND. To start the process of administrative responsibility against C. Amando Becerra Luna, Mayor of Terrenate, Tlaxcala, and who, if it is the case, could be responsible for the unfulfilment of the mentioned verdict and for failing to give the reports required by the Human Rights State Commission and according to the Law of Responsibility of Public Officers of the State of Tlaxcala.

In response to the recommendation document, the former legal representative of the H. Constitutional City Council of Terrenate, Tlaxcala, informed that, regarding the first point of the Recommendation 02/2007 it was accepted, but not the second point, arguing that it corresponds to the Finance Ministry of the Government of the State, by affecting the budget entries to the city councils and/or municipalities, to fulfil the verdict, considering that, for this cause, the Mayor did not accomplish his responsibility.

Therefore, Mr. Enrique Palestina Huerta and others, on May 24, 2007, presented an appeal before the Local Organism, which was sent to this National Commission on May 31, 2007, so that file 2007/191/1/RI was opened.

From the analysis of such file, this National Organism considered that the violation to the fundamental rights of juridical security and legality was fully proved, as well as the right to justice administration, when the H. Constitutional City Council of Terrenate, Tlaxcala did not fulfil with the resolution of the Superior Labour Court, causing a damage to Mr. Enrique Palestina Huerta and others both in their economy and social security.

For this reason, this National Commission confirmed Recommendation 02/2007, issued by the State Commission of Human Rights of Tlaxcala to the H. Constitutional City Council of Terrenate, Tlaxcala, and emitted on March 27, 2008 to H. City Council Recommendation 08/2008, in order to give instructions to whom it is relevant to fulfil the Recommendation issued by the State Commission of Human Rights of Tlaxcala on February 27, 2007.

NATIONAL ISSUES

The CNDH proposes to modify the Federal Labour Law.

On March 5 of the current year, the National Human Rights Commission proposed to the Senate of the Republic to modify the Federal Labour Law, in order to provide all the migrants, even those that are illegal, with the same labour rights that the rest of the workers of the country.

The CNDH considers that, although the Mexican labour legislation establishes the general conditions of defence of the workers' rights, it is loose and imprecise about the rights that the migrants have, who are mostly from Central America and who, legally or illegally, enter the Mexican territory to work and whose fundamental and labour rights are systematically violated.

By means of a letter sent to the chairman of the Directive Board of the Senate of the Republic, Santiago Creel Miranda, the National Ombudsman, José Luis Soberanes Fernández, highlights the need for congruence between the Mexican labour law and the Resolution of the UN Human Rights Commission of April 19, 2005 regarding the obligations of the States with immigrant workers, as well as with the Advisory Opinion #18 of the Human Rights Interamerican Court, promoted by Mexico and published on September 2003, which states that "the illegal migrant workers have the same labour rights than any other worker of the State where they are employed."

Just a few days before the ninth anniversary of the date in which Mexico subscribed the International Convention on the Protection of the Rights of All the Immigrant Workers and Their Relatives –March 8, 1999–, this National Organism declares itself in favour of the harmony between the Federal Labour Law and such international instrument.

This National Commission demands that Mexico, as a country of origin, destination and transit of migrants, constitutes itself as an example in matters of migration management and of respect to the fundamental rights of those who come from other nations. Besides, this way our country will fulfil its juridical and moral obligations and will be more congruent with a spirit that encourages the fight in favour of the rights of the Mexicans abroad.

The CNDH supports the idea that it is necessary to improve a new paradigm in migratory matters, to set migration in the social and development agendas and which is based on a perspective of human rights, specially when practices of abuses, extortions and mistreatments persist by authorities of the three orders of government against migrants.

INTERNATIONAL ISSUES

Cooperation actions between the CNDH and the Public Defenders of Human Rights in El Salvador and Honduras.

To confront the accelerated and worrying advance of the trafficking and illegal trading of people, last March 9, the National Ombudsmen of El Salvador, Honduras and Mexico agreed to increase the juridical assistance and the regional actions of defence of the fundamental rights of the people affected by this illegal kind of commerce, mainly migrants who are victims to networks of "hooks" who attract them with the bait of having a job and welfare in other countries.

"As it happens with other ways of abuse against migrants, it is frequent that the nets of trafficking and illegal trading of people, which operate in Mexico and in countries of Central America, are linked to the organized crime and the tolerance or cooperation of many agents of the authority", regretted the chairman of the CNDH, José Luis Soberanes Fernández, who pressed to the exchange of the information available on these and other conducts which violate the fundamental rights of migrants.

In separate meetings with the Ombudsman of the Republic of El Salvador, Oscar Humberto Luna, and of the Republic of Honduras, Ramón Custodio López, the chairman of the CNDH urged to enforce the cooperation among the public organisms of defence of the human rights of Mexico and of the Central America region by means of efficient information networks on migration matters, both between neighbouring countries and between States of origin, transit and reception of migrants.

"In a matter of defence of the fundamental rights of those affected by the commerce and illegal trade of people – activity whose economic importance places it just behind drug dealing – , the organisms of protection to fundamental rights should not be left behind" stated the Mexican National Ombudsman.

Dr. Soberanes Fernández expressed that the CNDH will carry on insisting– in general– that the purely criminal views on migration must be dismissed, because they are useless and wrong, until succeeding in the despenalization of migration and that migrants are free from the threat of getting physical punishments or any other kind of abuse.

Along with this, the National Ombudsman National of Mexico subscribed an Agreement of Collaboration with the Ombudsman of Honduras, to put into effect the rights of the International Convention on the Protection of Migratory workers and their Relatives.

The agreement includes the training of specialized staff in the defence of the rights of migrants, operative workshops, information interchange, elaboration of regional reports and diverse academic activities. Additionally, it makes a compromise to generate spaces for the training of Honduran consular officers detached in Tapachula, Veracruz and Mexico City, to safeguard the human rights of Honduran migrants that are taken to migration detention centres in Mexican territory.

According to official statistics, around 185 thousand Hondurans migrate every year to the North, mainly to the United States of America, and travel under risk of deportation through the territories of Guatemala and Mexico.

"The criminalization of illegal migration is part of a dangerous, unfair and wrong tendency that violates the rights of women and men who for different circumstances leave their hometown in the search of a better life", stated Dr. Soberanes Fernández in the act of subscription to the agreement, held in the headquarters of the chancellery of Honduras, with the attendance of the representative of the Ministry of Foreign Relations of that country, Eduardo Enrique Reina.

As well, during his work tour in El Salvador, in which he was accompanied by the Fifth General Inspector of the CNDH, Mauricio Farah Gebara and the Executive Secretary, Javier Moctezuma Barragán, the Chairman of the CNDH held a meeting with the Ombudsman of El Salvador and with his team of collaborators.

The representatives of the Human Rights Defence Attorney's Office of El Salvador stated their worries about the increasing violence of gender that rises the figure of femicides registered in this Central American country to 2 thousand and 845 in the last 20 years. The CNDH offered to add information resulted from the attention given to the cases of women murdered and missing in Ciudad Juárez.

In addition, it was agreed to make, in a joint fashion between both institutions, and exchange of information and of assessments on the phenomenon of gangs, specially about the so called "Mara Salvatrucha", farther from the purely criminological views, taking into account aspects of other nature that affect sectors of the population of youngsters and adolescents who end up deepening their social exclusion and out casting and cause their incorporation to mobs and gangs of crime.

The cooperation actions that the CNDH supports with the public defenders of human rights of El Salvador and Honduras, also include the reinforcement of the existing agreements with the Ombudsman of Nicaragua and, soon, the subscription to the agreements with other Central American countries.

DIRECTORY

President

José Luis Soberanes Fernández

First Visitor

Raúl Plascencia Villanueva

Second Visitor

Susana Thalía Pedroza de la Llave

Third Visitor

Andrés Calero Aguilar

Fouth Visitor

Mauricio Ibarra Romo

Fifth Visitor

Mauricio Farah Gebara

Secretary Executive

Javier Moctezuma Barragán

Technical Secretary of the Consulting Council

Jesús Naimé Libián