

INVESTIGATION INTO GOVERNMENT DELEGATE BAILEY'S CASE

CGCP/235/11

21 September 2011

The National Human Rights Commission is carrying out the corresponding investigation into the events that occurred in Monterrey, Nuevo León, in the morning of Thursday, September 15.

On this date, alleged members of the Secretariat of the Navy entered the federal government delegate Eduardo Bailey Elizondo's place of residence, under the argument that they received

an anonymous phone call.

This national Institution shall request information from several authorities, federal, state and municipal, in order to gain greater rudiments.

It is important to highlight that the Consulting Council of the National Human Rights Commission issued the General Recommendation number 19, published in the Official Diary of the Federation on August 12 of this year, in which the magnitude of the problem of illegal searches is emphasized.

Furthermore, the authorities in charge of public safety of the procurement of justice at federal level as well as federal entities are recommended to adopt a series of administrative methods, to encourage legal reforms aimed at eliminating this practice, which violates the right to inviolability of residency and privacy. This is overseen by the Political Constitution of the United Mexican States as well as numerous international instruments.

<http://www.cndh.org.mx/node/37>

CODE OF VERACRUZ REFORM UNDER ANALYSIS

CGCP/236/11

22 September 2011

The National Human Rights Commission analyses the addition made to the Penal Code of Veracruz, article 373, which now establishes the crime of "Public Order Disturbance". The article approved by the local legislature, was set in the following terms:

"Article 373. To whomever, through whatever means, falsely claims the existence of explosive or other appa-

ratus; fire arm attacks; or chemical, biological or toxic substances that can cause damage to health, causing disturbance to public order, they shall be sentenced to between one and four years of prison and a fine of between five hundred to one thousand days of salary, depending on the alarm or disturbance of order effectively produced".

The CNDH reviewed correspondingly and evaluated the constitutionality of the

precept, in particular regarding freedom of speech.

The aforementioned Penal Code was published in the Official Gazette of the government of Veracruz on September 20, 2011.

For the National Human Rights Commission, the State has the obligation to prevent acts that may infringe rights such as freedom of speech as well as to encourage legal reforms that guarantee freedom of speech.

<http://www.cndh.org.mx/node/37>

TRAINING TO PREVENT TRAFFICKING

CGCP/237/11

22 September 2011

In honor of the *International Day against Sexual Exploitation and Trafficking of Women and Children*, commemorated on September 23, the CNDH highlighted that human trafficking violates basic rights to life, integrity, freedom and dignity, and that consequently it is necessary to offer full protection to those that become victim to it.

Through the Program against Human Trafficking, the National Human Rights Commission has trained, so far this year, more than 19 thousand citizens in order to encourage prevention and reporting of the crime.

During the same time period they distributed a variety of material, free of charge, of particular mention, a short film on DVD that explains what

the crime consists in and how to prevent it. Additionally, by bringing about the training of civil servants of the Commission's 15 constituent institutions, the CNDH has followed up the collaboration agreement signed by the Inter-secretarial Commission for Preventing and Sanctioning Human Trafficking.

<http://www.cndh.org.mx/node/37>

HINDRANCE TO ASSISTANT VISITORS' WORK

CGCP/238/11

23 September 2011

The work of National Human Rights Commission Assistant Visitors was hampered during the investigation being carried out in Huatabampo, Sonora.

Authorities from the Social Correction Institution interfered in the progress of the procedure being carried out by CNDH workers with a person that had launched a complaint. It is the case of an intern accused of theft in the Sonora government house, last month in March.

The person in question claims to have been victim of solitary confinement and torture. Initially, access was given to National Commission staff and the collaboration demanded by law was allowed.

However, afterwards a guard impeded that the activity progressed with the argument that he was acting under instruction from his boss. Later, the same penal chief, accompanied by four guards ordered the removal of the video camera that the Assistant Visitors were using.

This occurred despite the fact

that they had received prior permission to enter and carry out the relevant tasks.

Therefore, the CNDH requested precautionary measures to the governor of Sonora in order to protect the life and integrity of the intern that took part in the procedure.

Additionally, the CNDH asked that measures be taken regarding the civil servants that impeded the visitors in completing their duty.



<http://www.cndh.org.mx/node/37>

LACK OF POLITICAL WILL TO RESPECT HUMAN RIGHTS

CGCP/239/11

24 September 2011

The president of the CNDH, Raúl Plascencia Villanueva, stated that a reform, even at a constitutional level, **“is not enough alone to bring an end to violations to human Rights”**.

He said that political will, social commitment, training and education are necessary. The national Ombudsman spoke these words in the city of Puebla, where he headed the signing of three Collaborative Agreements.

One of the accords signed between the National Commission and the Superior Court of Justice of the state of Puebla, aims to implement international instruments in projects and programs directed towards training, academic research and education in human rights material for magistrates, administrative staff and civil servants.

The second agreement was signed with the state commission and the third with the Benemérita Autonomous

University of Puebla.

They were signed for training, education and promotion, as well as for the coordination of the Diploma in Human Rights Education, respectively. Later, the chairman of the national Institution led the magisterial conference Constitutional Reform in Human Rights Issues and its Transcendence in Legal Administration.

<http://www.cndh.org.mx/node/37>

MIGRANT PROBLEM REQUIRES GREATER ATTENTION

CGCP/240/11

25 September 2011

Migrants continue to be victims of extortion, trafficking, kidnapping, murder, and xenophobic laws. It is a situation that demands the articulation of a policy not only in national territory, but also as common place in neighboring countries; in particular in those that share this problem of international proportions.

For the CNDH the aim must be to guarantee their right

to public security, freedom, integrity, justice and life. In order to increase this knowledge, the CNDH and the Autonomous Metropolitan University organize Migration and Human Rights Sessions.

Mexico: Global Frontier, from the 26th to the 29th of the current month in the General Rectory installations of said studio house. Different social actors shall speak and exchange ideas and experiences that strengthen respect of migrants' basic rights.

This space for reflection shall include an international talk, photographic exposition, workshops, a series of documentaries and a book fair with the analysis of the migratory phenomenon and its consequences as the central topic. Human rights defenders, academics, disappeared relatives' organizations, diplomats, communicators and artists from a variety of countries will take part.

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GREATER PROTECTION OF MIGRANTS NEEDED

CGCP/241/11

26 September 2011

During the inauguration of the *Migration and Human Rights Sessions. Mexico: Global Frontier*, Raúl Plascencia Villanueva, president of the National Human Rights Commission highlighted the importance of analyzing this phenomenon not only regarding the design of public policies and the legal framework, but also, taking into account the challenges

of a reality that on occasions surpasses the imagination.

He pointed out that recently the issue has received greater attention internationally due to the fact that its complexity has gone beyond the limits of simplistic explanations, which implies a new process of interdisciplinary research, in order to understand it and offer an answer.

He mentioned in the event

organized by the National Human Rights Commission and the Autonomous Metropolitan University, important proposals for seeking solutions to this type of problem shall be debated between the 26th and the 28th of September, and will include an international talk, conferences, educational workshops, a series of documentaries and a photographic exposition

<http://www.cndh.org.mx/node/37>

PRIZE AWARDED TO CNDH FOR SPOT

CGCP/242/11

28 September 2011

The National Human Rights Commission received recognition for its TV promotional work in which the culture of equality between men and women is promoted.

The distinction was granted by the Municipal Women's Institute of Guadalajara and the National Council

to Prevent Discrimination, in the competition Annual Women and Publicity Award: For a Culture of Equity in the Media 2011.

Said recognition was achieved by the television spot on women's rights, which aimed to forge equity.

The award giving took place at the Town Hall of the city of Guadalajara.

The commemorative mini-statue and the diploma were received by the general coordinator of Communication and Projects of the Institution, Arturo Zárate Vite, on behalf of the president of the CNDH, Raúl Plascencia Villanueva

<http://www.cndh.org.mx/node/37>

DIALOGUE BETWEEN CNDH AND CIDH

CGCP/243/11

29 September 2011

The national Ombudsman, Raúl Plascencia Villanueva, received a visit from one of the departments of the Inter-American Commission on Human Rights (CIDH), represented by its Special Rapporteur and the Special Rapporteur on Rights of People Deprived of Freedom, Rodrigo Escobar Gil. They agreed on the urgency to seek and maintain the exchange of information

in terms of contributing towards the strengthening of respect and protection of society's human rights.

Plascencia spoke of how the work of the CNDH has multiplied as a consequence of the increase in complaints related mostly to the insecurity facing our country.

During his dialogue he discussed several issues, of them, impunity, violence, enforced disappearances, freedom of speech

and violation of indigenous people's rights.

The president of the CNDH gave the Rapporteur the General Recommendation 18, on the human rights situation of interns in penitentiary centres of the Mexican Republic and the National Diagnostic of Penitentiary Supervision 2011, which were both elaborated by the National Commission.

<http://www.cndh.org.mx/node/37>



WOMEN CONTINUE TO SUFFER DISCRIMINATION

CGCP/244/11

30 September 2011

The National Human Rights Commission considers it necessary to recognize the growing female participation in the work sphere of our country and eradicate any gender difference that limits their progress.

The CNDH promotes amongst the autonomous institutions of each entity, the vigilance of actions that apply to state governments, monitors the federal programs and follows up

work of women's institutes and secretariats.

The conclusions of the Forum "Economic Equality for Women in the Constitutional Reform of Human Rights", organized by the CNDH, reflected that women carry out a double and triple working day with unpaid domestic work.

One of the situations that they encounter is salaries of lower value for a job of equal value to those carried out by men and a low representation in positions of high hierarchical level.

13.1% of women earn a salary below the minimum wage, 26.7% receive between one and two times the minimum wage, 19% more than two times, 15.9% between three and five times, 8.7% between five and ten and only 3% receive more than 10 times the minimum wage.

More than 17.3 million female workers in our country, on average receive remuneration 20% lower than that of men, despite the existence of a national and international legal framework that protects them.

<http://www.cndh.org.mx/node/37>

RECOMMENDATIONS

RECOMMENDATION 51/2011

MATTER: On the case to the loss of clinical file of V1, at Hospital Clinic "Dr. and Gen. José María Rodríguez" of ISSSTE, Coahuila

RESPONSIBLE AUTHORITY: General Director of the Institute for Security and Social Services of the State Workers

September 6, 2011

The National Human Rights Commission examined the elements and evidence contained in file CNDH/1/2010/5869/Q, regarding the case of V1, a 71 year old woman, with symptoms of diabetes.

From August 19th, 2010, V1, was brought in on three occasions to the Hospital Clinic "Dr. and Gen. José María Rodríguez", of ISSSTE Saltillo, Coahuila, being discharged for the last time on September 24, 2010. However, according to Q1's statement, the medical attention provided was insufficient, which provoked them

to launch a complaint before the local institution of human rights protection on October 13, 2010.

The complaint was passed on to the National Commission on the 19th of this month and year. Despite the complaint, Q1 informed staff at the National Commission, on October 21, 2010 that the patient was discharged from the ISSSTE Hospital Clinic "Dr. and Gen. José María Rodríguez", that same day. Later, on October 28, 2010, civil servants of the Institution's Centre of Attention for the Rightful Claimant, informed the assistant visitor dealing with the case, that AR1, director of the aforementioned Hospital Clinic, had stated that V1 had not received adequate treatment whenever the hospital was lacking space, therefore they were going about getting her treatment at another place. On November 19, 2010, staff from the ISSSTE Centre of Attention to the Right Holder informed the national institution that Q1 could have an-

other appointment with AR1, director of the Hospital Clinic "Dr. and Gen. José María Rodríguez", to attend to the case of V1.

However, Q1 pointed out that the health conditions of the victim had deteriorated due to the neglect of staff at the aforementioned Hospital Clinic.

Consequently, Q1 stated that they did not wish to attend said appointment and that the victim was receiving medical attention at the General Hospital of Múzquiz, Coahuila, of the Secretariat of Health of this federal entity, where on November 28, 2010 the victim eventually passed away. The national institution drew evidence that proved transgressions to the rights of legal security and health protection to the detriment of V1. This led to the issue of Recommendation 51/2011.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 52/2011

MATTER: On the case of illegal retention and torture to the detriment of V1

RESPONSIBLE AUTHORITIES: Secretary of National Defense

September 14, 2011

The National Human Rights Commission examined the elements and evidence contained in file CNDH/3/2010/2689/Q, regarding the case of V1, who showed National Commission staff that he managed to escape an armed confrontation that broke out in El Lindero, located in the municipal district of Pánuco, Veracruz.

He stated that he reached a nearby town, the name of which he cannot specify,

where he was detained by the aforementioned military officers, at approximately 14:00 hours of the same day.

The detention was due to probable responsibility for crimes committed that are set out in the Federal Law against Organized Crime; carrying of fire arms of exclusive use by the National Army, Armada and Air Force and kidnapping.

He was taken to the military installations, where AR3 carried out a medical certification on him. In the time the offended remained at the disposition of the detaining officers he was physically attacked with electric shocks to the body, to force acknowledgement of his participa-

tion in the criminal activity earlier described and identify his alleged accomplices.

He was at the disposition of the Federal Public Ministry officer, assigned to the Department of the General Attorney's Office in the state of Veracruz. We inform that the human rights of V1 were violated, in particular the right to legality, legal security, integrity and personal safety, as well as dignified treatment, by AR1 and AR2, officer of the Secretariat of National Defense, who detained him on April 21, 2010.

As a result, Recommendation 52/2011 was issued.

<http://www.cndh.org.mx/node/32>

RECOMMENDATION 53/2011

MATTER: On the case of Recourse to Impugnation of V1

RESPONSIBLE AUTHORITY: Constitutional Governor of the State of Guerrero

September 30, 2011

The National Human Rights Commission implemented the recourse to impugnation CNDH/1/2011/53/RI, in terms of article 41, of the Law of the National Com-

mission and drew together elements that provide confirmation of the recommendation 051/2010 issued by the Human Rights Defense Commission of the state of Guerrero.

This is because civil servants of the General Hospital "Adolfo Prieto", of the Secretariat of Health of the federal entity, violated the rights to protection of health and life to the detriment of V1 and V2, respectively.

Consequently, upon evaluation of the components of the case Recommendation 53/2011 was released.

<http://www.cndh.org.mx/node/32>

BOOK OF THE MONTH

CRIMES AGAINST HUMANITY, THE STRUGGLE FOR GLOBAL JUSTICE

(CRÍMENES CONTRA LA HUMANIDAD. LA LUCHA POR UNA JUSTICIA GLOBAL)

In the new Edition of the book that inspired the global justice movement, Geoffrey Robertson explains why we must place responsibility on political and military leaders for the crimes against humanity such as mass genocide, torture and murder that have disfigured the world.

He shows how governments, armies and cruel multinational

corporations can be forced to comply with basic principles of human rights.

This fundamental piece of work contains a critical perspective on recent events such as the invasion of Irak, the torture of Abu Ghraib, the killings in Darfur, the death for Milosevic and Sadam Husein's trial.

This Edition of the work, although prudently optimistic regarding the possibility of ending the impunity of Bush's diplomats, politicians and advocates as well as all those that evade international laws, is also relentlessly critical

of them and offers greater guidance on the movement that fights for the imperialism of justice in world affairs.

This edition has been extended by Joan E. Garcés, the directing lawyer for the private and public prosecution of the Pinochet case.



ARTICLE OF THE MONTH

Trafficking and exploitation of children

Article written by Cielo Salviolo, executive secretary of the CASACIDN for Social Journalism

The Triple Frontier of Iguazú Falls (Brazil), City of the East (Paraguay) and Port Iguazú (Argentina) is a zone that has come to experience high levels of violations to the rights of children and adolescents, such as child domestic labor, trafficking and commercial sexual exploitation of boys.

These are three phenomenon closely interlinked in which journalists and local social organizations on occasions fight

an unequal battle against mafias, within a network of accomplices which involve authorities and even sectors of society.

Social Journalism was in the region, which was replete with tourists and prosperous for business, in order to get to the heart of the matter. They spoke with social organizations, civil servants and journalists from the area about the causes of the serious situation, the possibilities of its reversal and the place that civil society and the media hold for doing so.

Complex Panorama
The panorama is, in itself, complex: some 880 thousand boys and girls live in the zone and

represent on average 45 percent of the border's population shared by the three countries. This is according to the report "The Situation of Childhood and Adolescence on the Triple Frontier Argentina, Brazil and Paraguay: Challenges and Recommendations", produced by the UNICEF offices of the three countries for the analysis of the situation of childhood in the 62 municipal districts of the Triple Frontier.

The investigation shows that poverty and insufficient basic social services that guarantee health, education and protection are some of the problems that many children of the region face.

<http://www.casacidn.org.ar/leer.php/120>



Newsletter

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Defends and Protects your**

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