

No.
332

Newsletter

October 2020

BIENVENIDOS A MEXICO

The **CNDH** keeps an eye on the **Migrant Caravan's** human rights

The **CNDH** urges the Congresses of **Sonora** and **Guanajuato** to approve reforms in favour of same-sex **marriage**



Secretaría Ejecutiva





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October 22, 2020

The CNDH reiterates its desire for dialogue and invites the collectives to build among themselves a unified proposal that will allow to move forward

The National Human Rights Commission (CNDH) strongly endorses its commitment to dialogue as a means of resolving conflicts, and reiterates that it will exhaust it to extreme, but it will also continue to work in trustworthy compliance with its legal and constitutional mandate.

In the specific case of the appropriation of its facilities, since the CNDH became aware of the list of requests of the National Front “Ni Una Menos” (Not One [Woman] Less), the Collective Aequus Promoción y Defensa de Derechos (Aequus Promotion and Defence of Rights) and Bloque Negro (Dark Block) on the issue of feminicides and the struggle for women’s rights, we have taken firm steps to meet the demands, we subscribe them as legitimate and, since most of them are public policy situations, we announce the development of a General Recommendation that will address the problems in a comprehensive manner. We offered openness to analyse and discuss its content with those groups, which has not been done to date; therefore, and incorporating the demands they have made publicly, we are ready, in accordance with our Rules of Procedure, for the review and adoption of this Recommendation by the Advisory Council, so that it can be issued at soon as possible. Thus, we hope to be completing the fulfilment of the petition forms, as we promised 48 days ago.

The CNDH invites the collectives that intervened in the seizure of our facilities to propose a structured scheme between them to have a joint dialogue, comprehensive and summing-up, and immediately establish a single table to work together for the cause of the Protection of Human Rights.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_334.pdf

Event of the Month

DGC/335/2020

October 22, 2020

Open Forum for Dialogue: “Integral Health in the Face of the COVID-19”



The National Human Rights Commission (CNDH) virtually completed, in October, the Open Forum for Dialogue “Integral Health in the Face of the COVID_19”, organised by the Permanent Seminar on Human Rights and Culture, promoted by president Rosario Piedra Ibarra. In it, specialists, academics, human rights defenders, public servants and society in general spoke with a view to solving, through critical thinking, the problems that afflict the Mexican population.

Among the topics highlighted were the challenges faced in the field of comprehensive health and the improvements demanded by the public and private health systems, as well as the situation of different groups vulnerable to the

COVID-19, such as the elderly; people living in poverty; with chronic diseases and immunosuppressed people; health as a human right and the future perspectives arising from current experience.

The Open Forum for Dialogue had a great participation of public in social networks, which presented particular cases and questions about the right to health, which shows the importance of society in the defence and pursuit of human rights.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_335.pdf

Press Releases

DGC/314/2020

October 01, 2020

The CNDH demands recognition of the Human Rights of the inmates of the CEFERESO No. 2, West, of Puente Grande

Facing the disincorporation of the Federal Centre for Social Reinsertion No. 2 (CEFERSO No. 2, Spanish acronym), West, of Puente Grande, in Jalisco —part of the Federal Penitentiary System— the National Human Rights Commission (CNDH), through its National Mechanism for the Prevention of Torture (MNPT, Spanish acronym), called for full recognition of the Human Rights of persons deprived of their liberty who will be transferred, so that they can serve their prison sentence in the penal institution closest to their home, as established by law..

The CNDH details in its request that the transfer must comply with the principle of Reservation of Law, established in Art. 18 of the Constitution, where was embodied the will of the Constituent Assembly to enshrine a “fundamental” right



to serve the sentence of imprisonment in the penitentiary closest to the home of the sentenced person, when has been convicted of lawbreaking other than organized crime and do not require special security measures.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_314.pdf

DGC/315/2020

October 02, 2020

The CNDH urges the Congresses of Sonora and Guanajuato to approve reforms in favour of same-sex marriage



The National Human Rights Commission (CNDH) urges the Congresses of Sonora and Guanajuato to recognize marriage among same-sex persons, thus contributing to the elimination of systemic and structural discrimination against them, and ensuring legal certainty and their right to form a family.

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In addition, this National Organism convenes women and men legislators of both federal entities to take into consideration the observations of the Supreme Court of Justice of the Nation (SCJN) on this subject, to the effect that there is no constitutional reason not to recognize same-sex marriage, besides the fact that the legislators' freedom is limited by the fundamental rights to equality and non-discrimination, which operate transversely.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_315.pdf

DGC/316/2020

October 04, 2020

The CNDH keeps an eye on the Migrant Caravan's human rights



- The National Human Rights Commission (CNDH) requests the authorities of the three Government's levels to prevent acts that violate the rights of the members of the Migrant Caravan. This Commission is attentive to persons in the context of mobility who left Honduras for the United States of America, and who can eventually enter Mexican territory on their journey.

This National Organism calls on public servants to perform their duties within the legal framework, and to prevent acts of difficult or impossible reparation from being carried out against expatriates. Therefore, it requests the National Institute of Migration (INM, Spanish acronym) to implement the necessary mechanisms to guarantee the safety, protection and care of migrants, through an orderly registration and, if appropriate, the provision of the required care and accommodation, in appropriate and dignified conditions.

Through its various Foreign Offices, the CNDH will be attentive to the development of the facts, and in monitoring respect for the rights of migrants, issuing the proper pronouncement in accordance with the law.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_316.pdf

DGC/318/2020

October 07, 2020

The CNDH addresses a Recommendation to the CEAV for violating the rights of eight persons

The National Human Rights Commission (CNDH) directed the Recommendation 39/2020 to Andrés Carlos Vázquez Murillo, General Director of Federal Legal Counsel and Desk Officer of the Executive Commission for Attention to Victims (CEAV, Spanish acronym) for violations to human rights to Peaceful Free Demonstration and Dignified Treatment, omissions in the care of victims and improper exercise of public service, attributable to public servants of the CEAV in tort of eight persons.

Last February, two of the victims went to the CEAV facilities to demonstrate against the lack of attention of the officials of that Executive Commission, a demonstration which was subsequently joined by six other persons, with the result that the CEAV personnel ordered to close their access to the toilets and suspend the electrical energy service: these causes that one of the victims, who suffers from comorbidities, difficulty moving and visual impairment, defecate in his clothing.

The CNDH, therefore recommended to the General Director of Federal Legal Counsel and Desk Officer of the CEAV to schedule the two victims and their families in the National Register of Victims, and provide them with medical and psychological care; collaborate in the complaint filed against the two public servants responsible for the human rights violations, and attach in their labour files a copy of the decision issued by the Internal Control Body of the CEAV¹.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_318.pdf



1 This Recommendation has already been notified to its recipients and can be consulted at: https://www.cndh.org.mx/sites/default/files/documentos/2020-09/REC_2020_039.pdf

DGC/319/2020*October 09, 2020***The CNDH emits a Recommendation to various authorities of the state of Chiapas for the violation of the human rights of three indigenous women**

Derived from an appeal, the National Human Rights Commission (CNDH) pronounces the Recommendation 40/2020 to the General Attorney's Office, General Secretariat of Government, and Secretariat of Security and Citizen Protection of the state of Chiapas, as well as the Municipal Council of San Cristóbal de las Casas and the State Human Rights Commission of Chiapas.

On February 8, 2019, two human rights defenders filed a complaint with the local Human Rights Commission, in which they denounced the prevailing impunity in the femicide of a girl, and the criminalization, arbitrary detention and torture committed against three indigenous women—including a teenager— by public servants of the State General Attorney's Office.



Therefore, this CNDH determined the insufficiency of the Recommendation issued by the State of Chiapas Human Rights Commission and, in order to guarantee integral reparation of damage, it calls on the authorities indicating to carry out a public act of recognition of institutional responsibility, through a public apology addressed to the aggrieved, who must also be registered in the State Registry of Victims and grant medical, psychological and thanatological care, as well as legal assistance.²

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_319_0.pdf

DGC/320/2020*October 09, 2020***The CNDH investigates possible human rights violations of two women detained in Georgia, the United States, attributable to SRE and INM personnel**

The National Human Rights Commission (CNDH) investigates possible human rights violations of two women, who apparently were subjected to medical malpractices when they were under detention in Irwin County, Georgia, in the United States of America, attributable to personnel assigned to the Ministry of Foreign Affairs (SRE, Spanish acronym) and the National Institute of Migration (INM, Spanish acronym), who committed possible acts or omissions by not providing assistance to the victims.

When interviewed by CNDH personnel, one of them specified that, once deported, she arrived at the INM offices, where institutional staff informed her that three days before she had undergone surgery and she needed medical attention, as she had much pain. However, she was only checked by a nurse, who treated her wounds and gave her a prescription to buy medications. Once the process was finished, they ordered her to get on a bus to her destination.

Due to the facts, both women filed a complaint with this National Organism, which will promptly follow up the investigation and support the victims.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_320.pdf



² The Recommendation 40/2020 has already been notified to its recipients and can be consulted at: https://www.cndh.org.mx/sites/default/files/documentos/2020-10/REC_2020_40.pdf

DGC/322/2020

October 10, 2020

The CNDH tracks Mexicans facing the death penalty abroad

The National Human Rights Commission (CNDH) punctually monitors the procedural status of 53 Mexicans facing a death penalty sentence: two in China and 51 in the United States of America.

For this Autonomous Organism, the Right to Life is fundamental and indispensable for other prerogatives exercising, becoming the most valuable legal asset of the human being. In this sense, its safeguard extends to our compatriots abroad.

Within this framework, the CNDH joints the actions that the Mexican State undertakes to avoid the application of the aforementioned punishment, and considers it essential to undertake strategies to avoid the death penalty in Mexican cases that currently face a judicial process that could derive



Photo: The CNDH criticizes death penalty against 51 Mexican in the US and 2 in China, seeks to guarantee Right to Life | EFE.

in a sentence of this type, in order to guarantee the Rights to Life, Dignity, Bodily Integrity and Due Process.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_322.pdf

DGC/327/2020

October 15, 2020

The CNDH is open to dialogue for the construction of agreements with the members of the National Front “Ni Una Menos”



The National Human Rights Commission (CNDH) is the aspiration of many victims for access to Justice and damage reparation. Is it responsibility to promote the observance of their human rights and, in that sense, it is a priority that victims are treated with humanity and respect for their dignity.

In this sense, the most important thing for the National Commission has been the dialogue for the construction of agreements with the members of the National Front “Ni Una Menos” (Not One [Woman] Less), who took over our facilities on September 4 to attend and accompany victims of violence, especially women.

The CNDH considers the chance to have a house for the promotion and dissemination of culture and protection of women’s rights, art, learning, and collective action, from the cross-cutting and inter-institutional perspective of human and gender rights. An opportunity that contributes to the construction of a space for an effective dialogue with the Population, based on creativity, imagination and symbolization, and recognizing women’s actions for Justice. A place that is a meeting point for all feminist causes, national and international, a promoter of integration and a vindication generator for all women.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_327.pdf

DGC/331/2020*October 16, 2020***The CNDH invites the Legislative Power of the state of Zacatecas to promote and approve various reforms to guarantee the human rights of the LGBTTTIQ+ population**

This National Human Rights Commission (CNDH) recognises that legislative work is a cornerstone for guaranteeing human rights, and for that reason—in accordance with the provisions of Article 1 of the Constitution regarding the obligations of public servants—it extends an attentive invitation to those who make up this legislative body to watch over the dignity and human rights of lesbian, gay, bisexual, transsexual, transgender, transvestite, intersex and other people.

On the other hand, the CNDH considers of great importance to assure the respect of children and adolescents' human rights by studying in depth the unconstitutional nature of some initiatives, such as the Parental Pin, which seriously undermine the best interests of this group.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_331.pdf

DGC/332/2020*October 17, 2020***The CNDH urges the government of the state of Chiapas to guarantee life, personal integrity and safety of the inhabitants of Aldama and Chenalhó municipalities**

The National Human Rights Commission (CNDH), exhorts the Government of the state of Chiapas to promote—as a matter of urgency and with the active participation of the indigenous communities themselves—effective, safe and relevant strategies, with an intercultural vision, in the areas of Public Safety, Education, Health and Agriculture, which achieve reconciliation between the inhabitants of the municipalities of Aldama and Chenalhó, until dialogue and agreement are strengthened, in order to achieve and maintain peace and public safety in the zones bordering these localities which are currently in conflict.

In the exercise of its powers, this Autonomous Constitutional Organism ratifies its commitment to protect, defend and guarantee the human rights protected by the



constitutional and conventional legal order, in favour of those who constitute our native peoples in Mexico.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_332.pdf

DGC/333/2020

October 22, 2020

The CNDH demands the authorities of EDOMEX to guarantee due process to principles of presumption of innocence and minimum intervention in the case of activist Kenia Inés Hernández Montalván

The National Human Rights Commission (CNDH) demands that the authorities of the state of Mexico (EDOMEX) respect and secure due process in the case of defender Kenia Inés Hernández Montalván, coordinator of the “Zapata Vive” collective, who was arrested on October 18 —at around 8pm, in the municipality of Amozoc, Puebla— by members of the Ministerial Police attached to the General Attorney’s Office of EDOMEX, in compliance with an arrest warrant dated August 3, 2020.

The CNDH considers it essential that the authorities of that federal entity, in the exercise of their public powers, grant the minimum guarantees of due process to all person subject to their jurisdiction, ensuring all the legal requirements that must be observed in the procedural bodies, so that every



individual can defend himself adequately against any act emanating from the State which may affect his legal sphere.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_333.pdf

DGC/336/2020

October 23, 2020

The CNDH issues precautionary measures to INM to protect the health of migrants housed in the “Siglo XXI” Migrant Holding Centre and the “El Hueyate” Temporary Stay, in Chiapas



The National Human Rights Commission (CNDH) issued precautionary measures to the National Institute of Migration (INM, Spanish acronym)) in view of the inadequate conditions in which persons are housed in the context of international mobility in the “Siglo XXI” migrant holding centre and the “El Hueyate” temporary stay, located in the state of Chiapas, as well as the lack of health measures to prevent and, where appropriate, mitigate the spread of SARS-coV-2 (COVID-19) among this population.

When attending that stay, this National Organism found that facilities do not have light and water services; hygiene conditions are inadequate and on-site accommodation is provided for other people, including women with their children who, despite having no COVID-19 symptoms, live with people whose diagnosis was positive for such a condition, without taking the necessary health measures to prevent contagion.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_336.pdf

DGC/337/2020*October 28, 2020*

The CNDH requested precautionary measures from the SSPC of the state of Chiapas for women deprived of their liberty, their children and the personnel of the Centre for Social Reinsertion No. 4, in Tapachula



Following a visit to the Centre for Social Reinsertion of Sentenced Women No. 4, Tapachula Femenil, in the state of Chiapas, the National Human Rights Commission (CNDH) requested to issue precautionary measures for women deprived of their liberty, their sons and daughters, and the personnel working in that prison, to the General Commissariat of the Secretary of Security and Citizen Protection (SSPC, Spanish acronym) of the State of Chiapas and the Chief Undersecretary for the Execution of Criminal sanctions and security Measures of the same federal entity, because of the danger to the physical integrity of these persons due to the poor infrastructure and unhealthy condition of the building.

Staff from this National Commission detected that the penitentiary has several leaks in different areas, such as bathrooms, and water escapes, electrical cuts, mold on some walls, and gas tanks in the corridors, as well as poor hygiene conditions and deterioration in rooms, kitchen, strainers and common areas, and a large amount of harmful fauna.

It was also verified that there is only one woman, a career doctor, who occupies the position of nurse, since when medical support is needed, the personnel of the Centre for Social Reinsertion No. 3, located in the same federal entity, is requested.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_337.pdf

DGC/339/2020*October 28, 2020*

The CNDH addresses a recommendation to the OADPRS of the SSC for the death of a person in the CEFERESO No. 5 and the General Prosecutor's Office of Veracruz for the inadequate investigation of the case

The National Human Rights Commission (CNDH) addressed Recommendation 46/2020 to José Ángel Ávila Pérez, head of the Deconcentrated Administrative Organism Prevention and Social Rehabilitation (OADPRS, Spanish acronym) of the Secretariat for Citizen Security (SSC, Spanish acronym), for the inadequate care and attention given to a person deprived from liberty, who lost life in the Federal Centre for Social Rehabilitation No. 5 (CEFERESO No. 5, Spanish Acronym) located in Villa Aldama, Veracruz, and to Verónica Hernández Giadans, General Attorney of the entity, for the deficient investigation of the case.

After reviewing the evidence in file, the CNDH found violations on human rights to life, legal security, legality

and personal integrity of the victim by public servants of both units.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_339.pdf



DGC/341/2020*October 29, 2020***The CNDH addresses a recommendation to the Commissioner for Prevention and Social rehabilitation, for violations on the rights of 26 CEFERESO No. 6 inmates, in Huimanguillo, Tabasco**

The National Human Rights Commission (CNDH) addressed Recommendation 48/2020 to the Commissioner for Prevention and Social Rehabilitation, José Ángel Ávila Pérez, for violations on human rights to dignified treatment, integrity and personal security, legal security and legality of 26 persons deprived of liberty in the Federal Centre for Social Rehabilitation No. 6 (CEFERESO No. 6, Spanish Acronym), in Huimanguillo, Tabasco, by actions and omissions of their custodial staff.

This made it possible to warn of the injuries present in the 26 victims were the result of the excessive use of force by five responsible authorities, without any data to refer to existence of their own manoeuvres of subjection and/or subjection, or if they were inferred by other persons deprived of their liberty, in violation of article 13 of the Federal Centres for Social Rehabilitation Safety Manual, which states that when force is used it shall be recorded in the relevant minutes and shall be brought to the attention

of the competent authorities which are to intervene or take cognizance of the facts.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_341.pdf

**DGC/343/2020***October 29, 2020***The CNDH issues a recommendation to the Secretary for Security and Citizen Protection, Alfonso Durazo, and the INM**

The National Human Rights Commission (CNDH) issued Recommendation 50/2020 to the head of the Secretariat for Security and Citizen Protection (SSPC, Spanish acronym), Francisco Alfonso Durazo Montaña, and the Commissioner of the National Institute of Migration (INM, Spanish acronym), Francisco Garduño Yáñez, as a result of the attacks that the personnel of both institutions inflicted on members of the Migrant Caravan that entered the national territory in January of this year.



By allowing elements of the National Guard to carry out migratory review and detention of persons in the context of mobility, the INM violated the rights to legality and legal security of victims. In addition, the arbitrary or disproportionate use of force represented a violation of

the right to legality and personal integrity. Likewise, said authorities failed to safeguard the best interests of children and adolescents who were part of the migrant Population.

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/COM_2020_343.pdf



Recommendations

Recommendation	Case Topic	Authority
Recommendation No. 48/2020 October 20, 2020 https://www.cndh.org.mx/sites/default/files/documentos/2020-10/REC_2020_048.pdf	<p>On the violation of the rights to dignified treatment, to personal integrity and security, and to legal certainty and legality in the Federal Centre for Social Rehabilitation No. 6, in Huimanguillo, Tabasco.</p> <p>The actions were in detriment of 26 victims (V1, V2, V3, V4, V5, V6, V7, V8, V9, V10, V11, V12, V13, V14, V15, V16, V17, V18, V19, V20, V21, V22, V23, V24, V25 and V26), all inmates of the aforementioned centre.</p>	<p>Commission for Prevention and Social Rehabilitation</p> 
Recommendation No. 49 /2020 October 26, 2020 https://www.cndh.org.mx/sites/default/files/documentos/2020-10/REC_2020_049.pdf	<p>On the violation of the rights to health protection, life and health information, to the detriment of a victim (V) at the General Hospital of Zone No. 197 of the IMSS, in Texcoco, State of México (EDOMEX).</p>	<p>Mexican Social Security Institute</p> 
Recommendation No.50/2020 October 27, 2020 https://www.cndh.org.mx/sites/default/files/documentos/2020-10/REC_2020_050.pdf	<p>On the violations of the rights to legal security, personal integrity, dignified treatment and best interest of children and adolescents in the context of international mobility during two migration operations in the municipalities of Suchiate y Frontera Hidalgo, Chiapas.</p>	<p>Secretariat for Security and Citizen Protection</p>  <p>National Institute of Migration</p> 
Recommendation No.51/2020 October 29, 2020 https://www.cndh.org.mx/sites/default/files/documentos/2020-11/REC_2020_051.pdf	<p>On the violation of human rights to legal certainty, for breach of conciliation and failure to take corresponding measures to guarantee compensation for the damage in favour of a complainant and victim (QV) and his relatives, also victims, as well as health protection to the detriment of another QV and a second victim (V2), and the right to privacy of five victims (V2, V3, V4, V5 and V6) for having disclosed personal data.</p>	<p>Executive Commission for Attention to Victims</p> 
Recommendation No.52/2020 October 29, 2020 https://www.cndh.org.mx/sites/default/files/documentos/2020-11/REC_2020_052.pdf	<p>On the Violation of human rights to health Protection and life, as well as to health Information, in detriment of a victim (V), an elderly person, in the Family Medicine Unit No. 45 of the IMSS, in Mazatlán, Sinaloa.</p>	<p>Mexican Social Security Institute</p> 

Recommendations for Serious Violations

Recommendation No.39/2020

October 14, 2020

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/Rec-VG_039.pdf

On the investigation of the serious human rights violations of human rights that occurred during the social conflicts in the municipality of Amatlán, Chiapas, which resulted in the deprivation of the life of one victim (V1), and the arbitrary execution of two others (V2 and V3), with the tolerance and/or acquiescence of public servants of the above-mentioned federal entity and municipality.

Ministry of the Interior

SEGOB
SECRETARÍA DE GOBERNACIÓN



Constitutional Government of the State of Chiapas



General Attorney's Office of the State of Chiapas

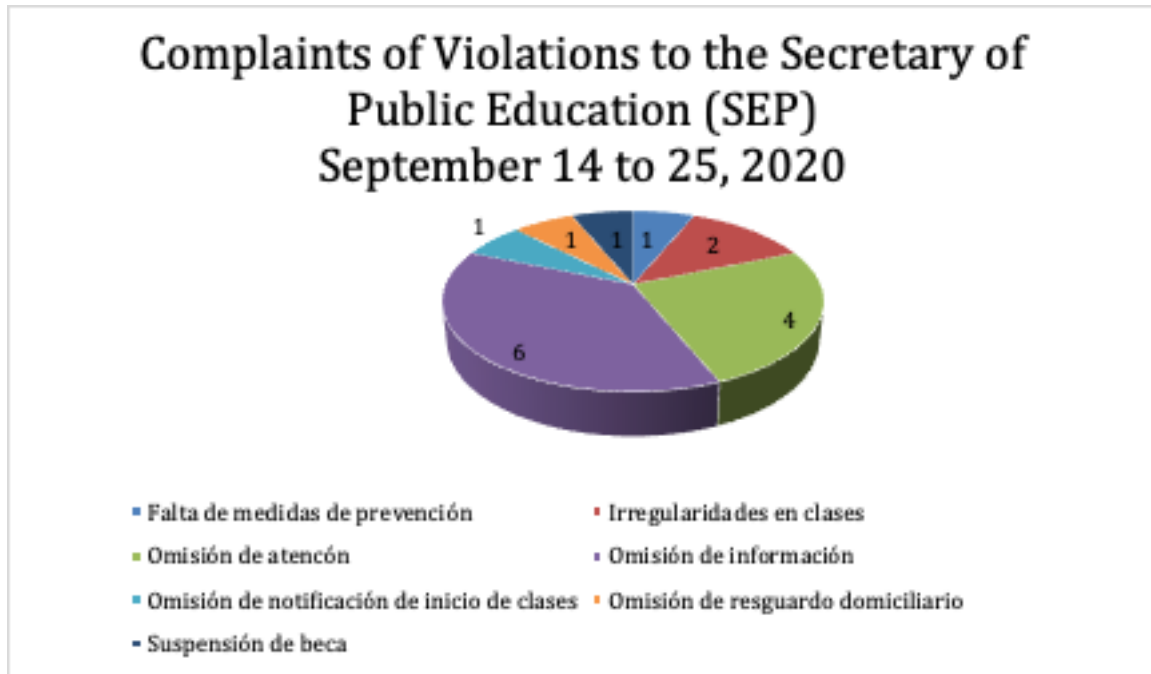


Municipal Presidency of Amatlán, Chiapas.

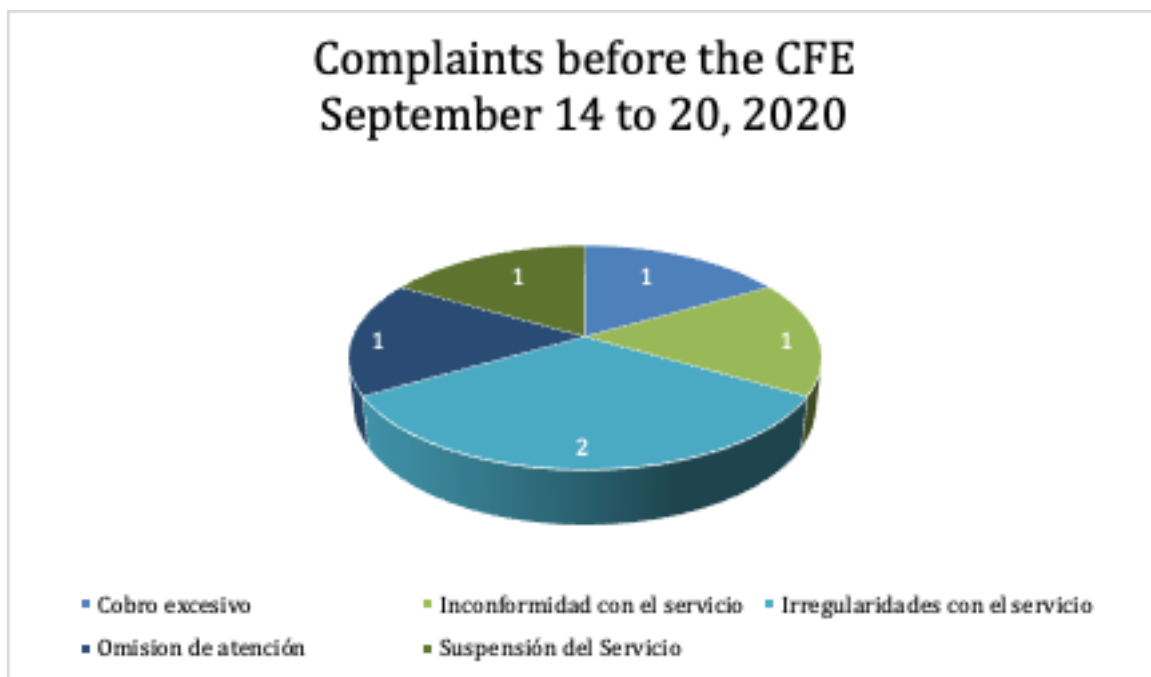
Actions in Defence of Human Rights

GENERAL REPORT

The National Human Rights Commission (CNDH) provides follow-up to complaints on different topics, including:



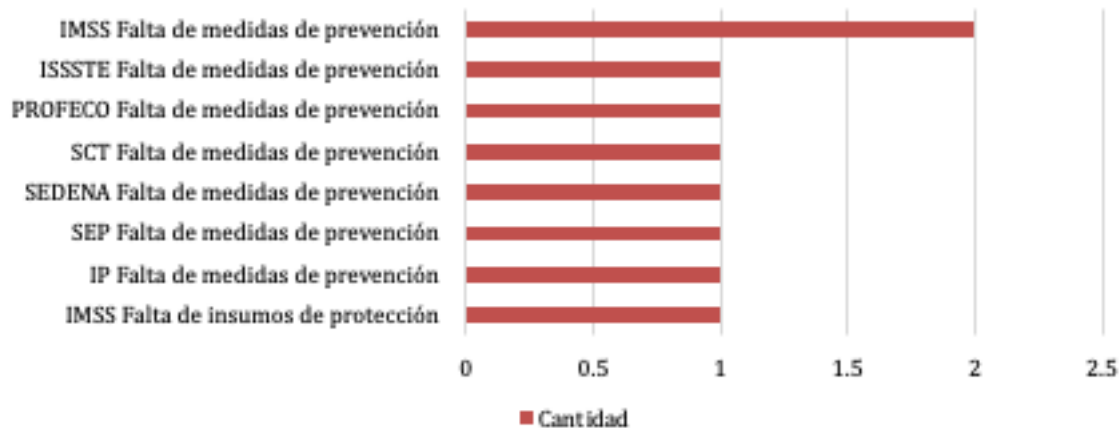
Note. From left column to right one, the violations are for: 1) Lack of Prevention Measures; 2) Omission of Care; 3) Failure to Notify the Classes Start; 4) Scholarship Suspension; 5) Class Irregularities; 6) Omission of Information; 7) Omission of Home Security.



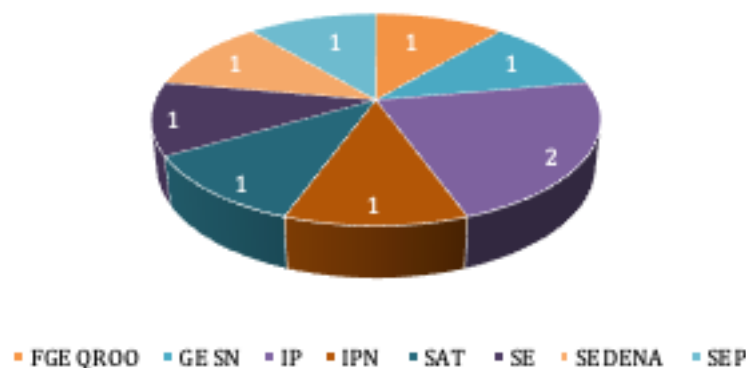
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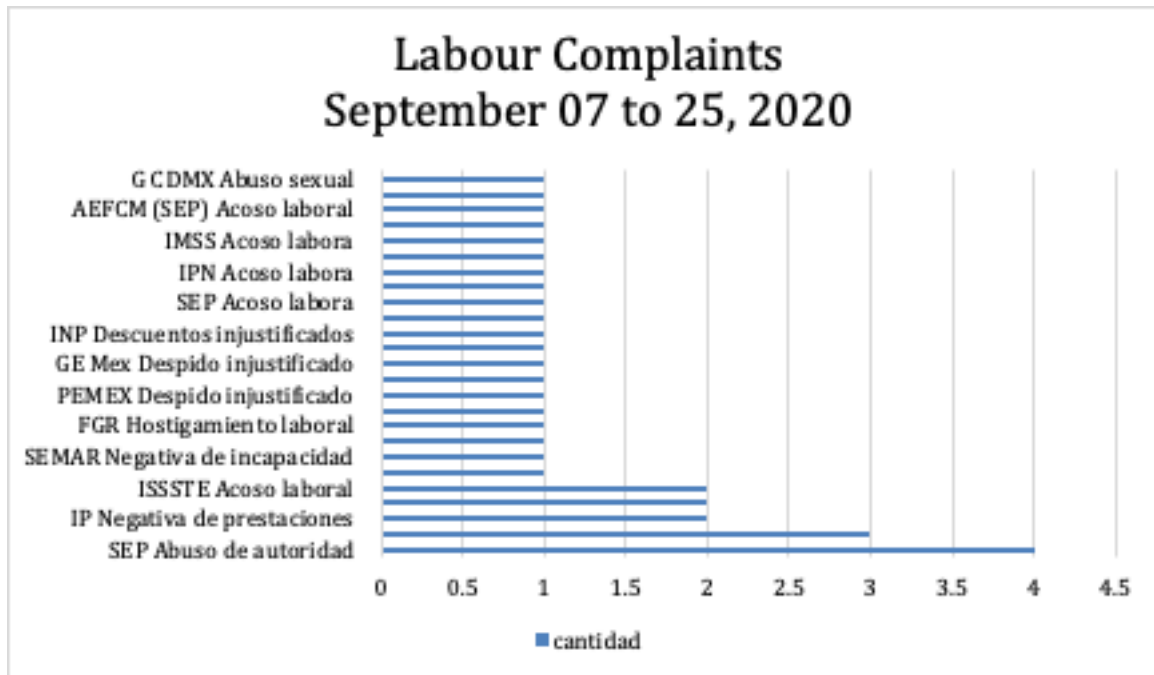
3 Note. From left column to right, the complaints are for: 1) Excessive Charge; 2) Lack of Attention; 3) Nonconformity with the Service; 4) Service Suspension; 5) Service Irregularities.

Complaints Received for Lack of Protection Measures or Inputs by Designated Authority September 07 to 25, 2020

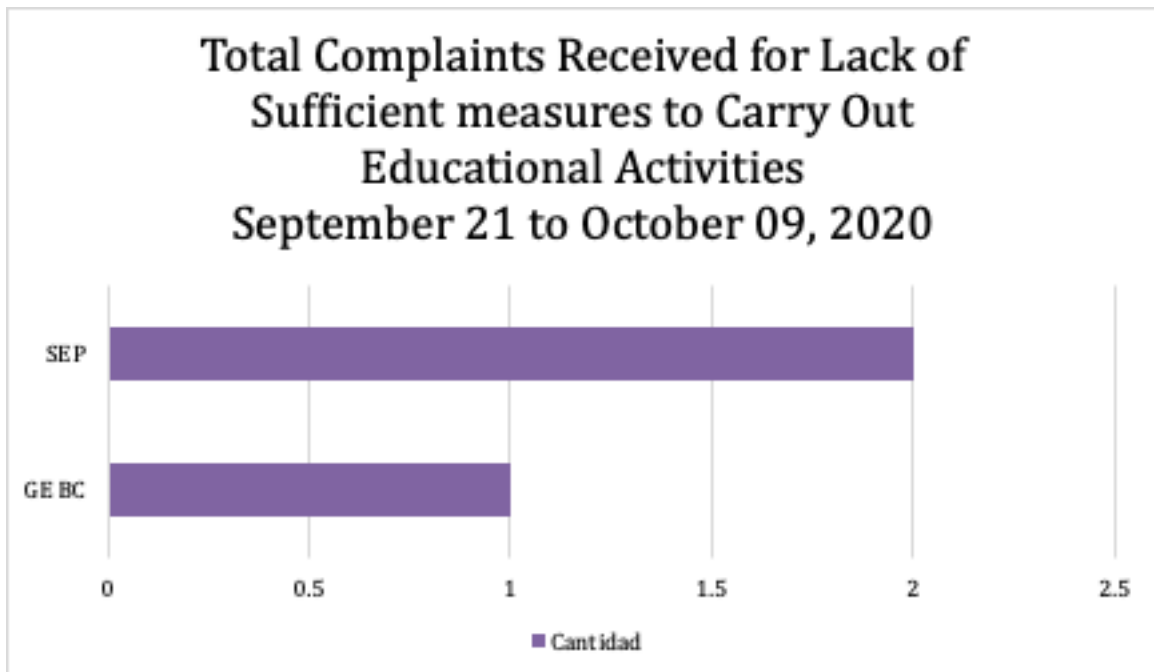


Total Complaints for Discrimination by Authority Designated as Responsible September 21 to October 09, 2020

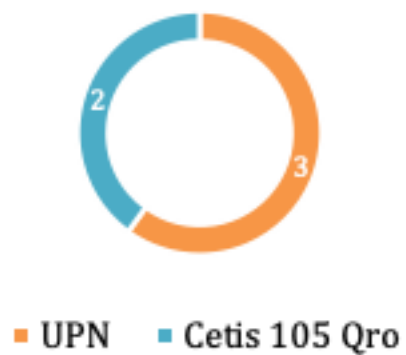




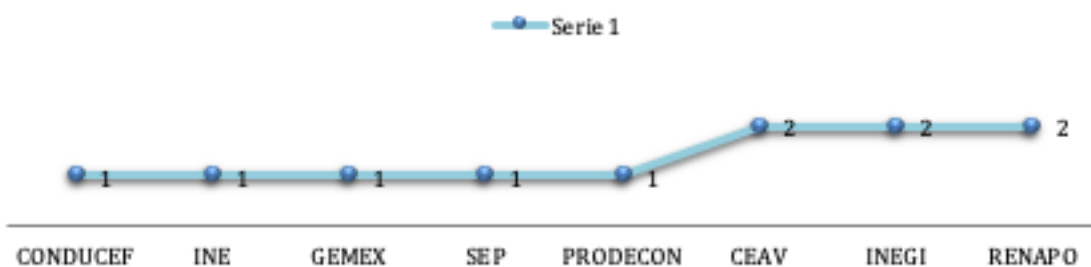
Note. The causes for the complaints are: 1) Sexual Abuse; 2) Labour Harassment; 3) Labour Harassment; 4) Labour Harassment; 5) Labour Harassment; 6) Unjustified Discounts; 7) Unjustified Dismissal; 8) Unjustified Dismissal; 9) Menacing at Work; 10) Incapacity Refusal; 11) Labour Harassment; 12) Refusal of Benefits; 13) Abuse of Authority.



Total Complaints Received for Denying Registration October 05 to 09, 2020

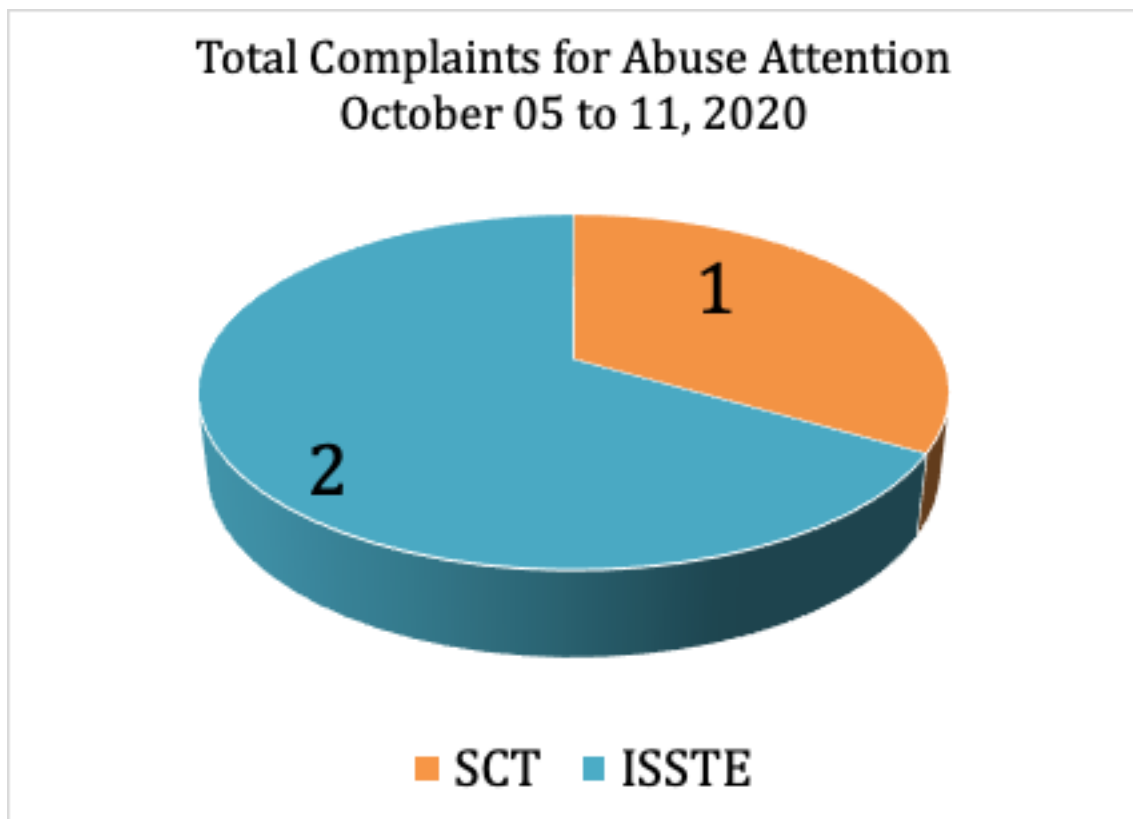
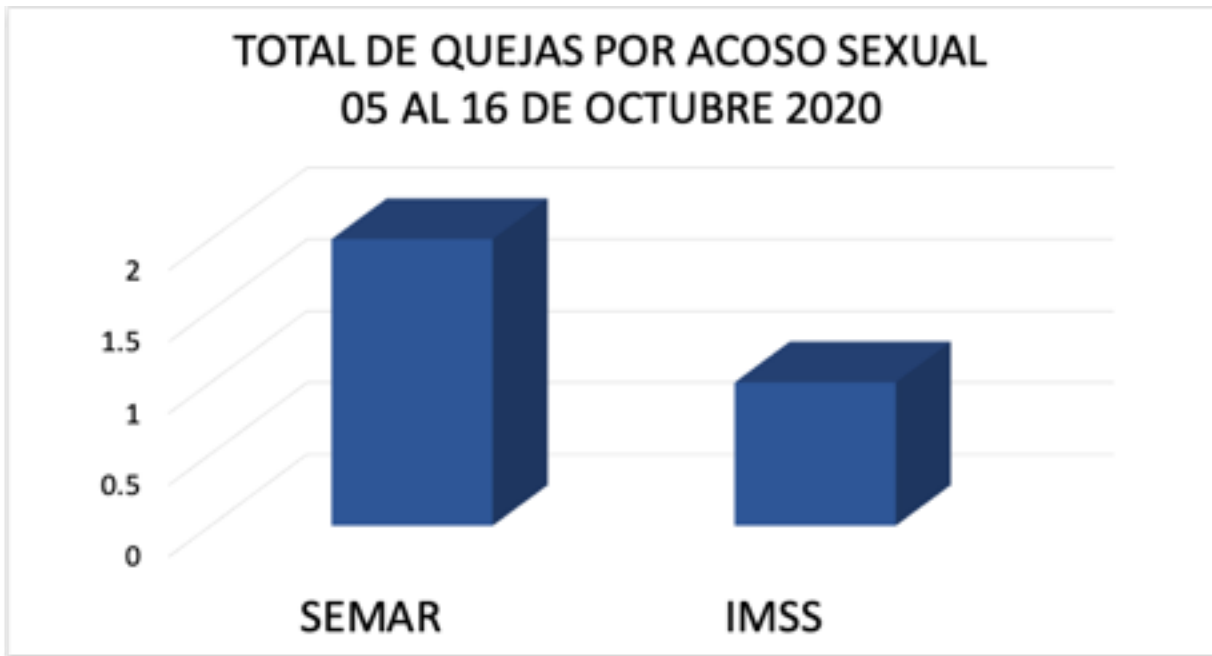


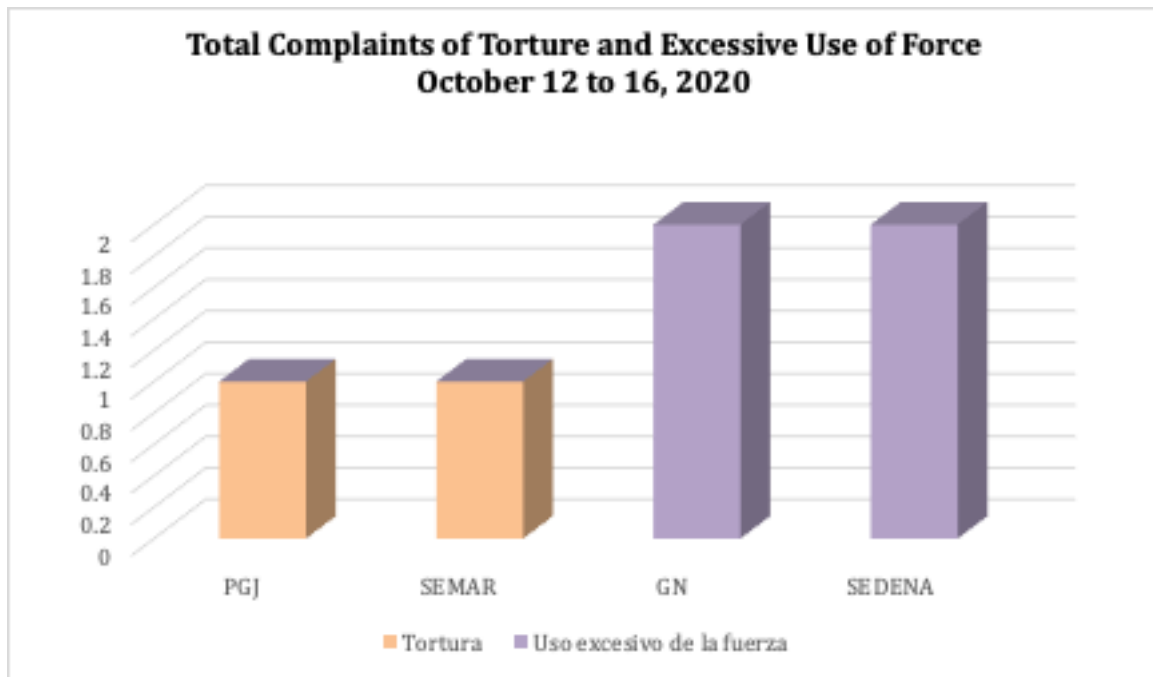
Total Complaints for Lack of Attention October 05 to 16, 2020



TOTAL NUMBER OF SEXUAL HARASSMENT COMPLAINTS

October 05 to 16, 2020





For further Information on the other issues related to the complaints addressed by the CNDH, please consult the following links:

October 23, 2020

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/Reporte_DH_25_2020.pdf

October 16, 2020

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/Reporte_DH_24_2020.pdf

October 02, 2020

https://www.cndh.org.mx/sites/default/files/documentos/2020-10/Reporte_DH_23_2020.pdf

T r e n d i n g T o p i c s



International Cooperation Actions in Defence of Human Rights



EXECUTIVE SECRETIARAT

With the objective of promoting and strengthening the culture of human rights in Mexico, as well as maintaining a permanent link and joint work with the international community, the National Human Rights Commission (CNDH), through its Executive Secretariat, encourages and strengthens relations with public, social and/or private international organizations; it updates, analyses and participates through studies on international treaties and agreements according to its attributions, in addition to upholding a communication strategy close to the national and international population, to stimulate through the coordination of diverse mechanisms the broadcasting of these activities.

NETWORKING AND COLLABORATION WITH UNITED NATIONS (UN) SYSTEM AGENCIES AND THE INTER-AMERICAN HUMAN RIGHTS SYSTEM (OAS)

UN Committee on the Elimination of Discrimination Against Women (CEDAW)

The CNDH delivered, to the president of the CEDAW, the alternate mid-term report on the Final Observations of the Committee on the Ninth Periodic Report of Mexico, as well as its Executive Summary, authorizing subsequently its publication on the CEDAW website.

Through the Executive Secretariat, the CNDH participated in the training workshop of the Inter-American System for

Monitoring Recommendations (SIMORE Interamericano, Spanish acronym), organized by the Section on Impact and Follow-up on Recommendations of the Inter-American Commission on Human Rights (IACHR), with the participation of the president and public servants of the IACHR, as well as representatives of various national human rights institutions of the American continent.

The *Update for the Year 2020 of the Inter-American Commission on Human Rights* (IACHR) was sent to the CNDH's Executive Secretariat. In addition, the international agency was requested to set up the SIMORE Interamericano account for the General Directorate for International Organisms of the aforementioned Secretariat, as well as the request for experts who could assist in the practice of the study called *Istanbul Protocol*, in favour of A1 and B1, prosecuted in criminal case 100/2015 and its accumulated 290/2015-V.

GLOBAL ALLIANCE OF NATIONAL HUMAN RIGHTS INSTITUTIONS (GANHRI)

Through its General Directorate for International Organisms, the Executive Secretariat responded to the GANHRI's survey *National Human Rights Institutions and COVID 19*, and participated in the Extraordinary General Assembly of the Global Alliance, where the Ombudsman of Ecuador was elected as president, along with the new members of the bureau.

NETWORK OF NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS IN AMERICAN CONTINENT (RINDHCA)

The Executive Secretariat, through its General Directorate for International Organisms, participated virtually in the preparatory meetings of the forum *Advances and Challenges on the Implementation of the Constitutional Block and the Control of Conventionality as a Mechanism to Enforce the Respect and Guarantees of Human Rights*, which was also attended by the Technical Secretariat of the Network of National Institutions for the Promotion

and Protection of Human Rights in American continent (RINDHCA, Spanish acronym).

IBERO-AMERICAN OMBUDSMAN FEDERATION (FIO)

Communication was established by e-mail with the coordinator of the Office of the National Ombudsman for Migrants of the National Commissioner for Human Rights of the Republic of Honduras (CONADEH, Spanish acronym), to clarify the situation of the departure from San Pedro Sula, Honduras, of the new migrants caravan bound for the north of America, and to request that interactions regarding the activation of the Procedures Protocol of the Ibero-American Ombudsman Federation (FIO) for the protection of persons in the context of migration, to hereinafter be addressed to the Executive Secretary and the General Director for International Organisms.

In the same way, a response was sent to activate the protocol so that the CNDH could provide support once the Group of approximately six hundred Hondurans who started the migrant route enters Mexican territory.

NATIONAL HUMAN RIGHTS INSTITUTIONS (NHRI)

The CNDH, through its Executive Secretariat, committed to support the Human rights Procurator of Guatemala and the Ombudsman of Ecuador for their participation in the international symposium *Strategic Topics in Human Rights from an Ibero-American Perspective*, as well as contributing to the update of the Agenda for this symposium.

LINKING AND COOPERATION ACTIONS

The request of the General Directorate for Human Rights and Democracy of the Ministry of Foreign Affairs on the petitions P-382-14, P-542-17 y P-548-16, currently before the Inter-American Commission on Human Rights (IACHR), was answered.

TOPICS ADDRESSED BY THE DIRECTORATE ON INTERNATIONAL NGOs

OCTOBER 2020

The Directorate of International Non-Government Organizations (NGOs) monitors on daily basis the activities of more than sixty civil Society organizations dedicated to the promotion and protection of human rights. As a result, a weekly systematization is carried out, in which all documents issued by these NGOs are index, highlighting the human rights violations of vulnerable populations of greatest concern, and those related to the COVID-19 pandemic. In addition, these pronouncements are recorded linking them to the violated rights protected by each of this CNDH's Visitation Offices, among other areas.

Graph 1. International Non-Governmental Organizations (INGOs)

It shows the ten organizations with the highest incidence during the month.



*Complete names of the INGOs reported⁴

Graph 2. Topics Related to COVID-19

This graphic shows the main subjects related to COVID-19, which concerned 36 pronouncements from the NGOs.



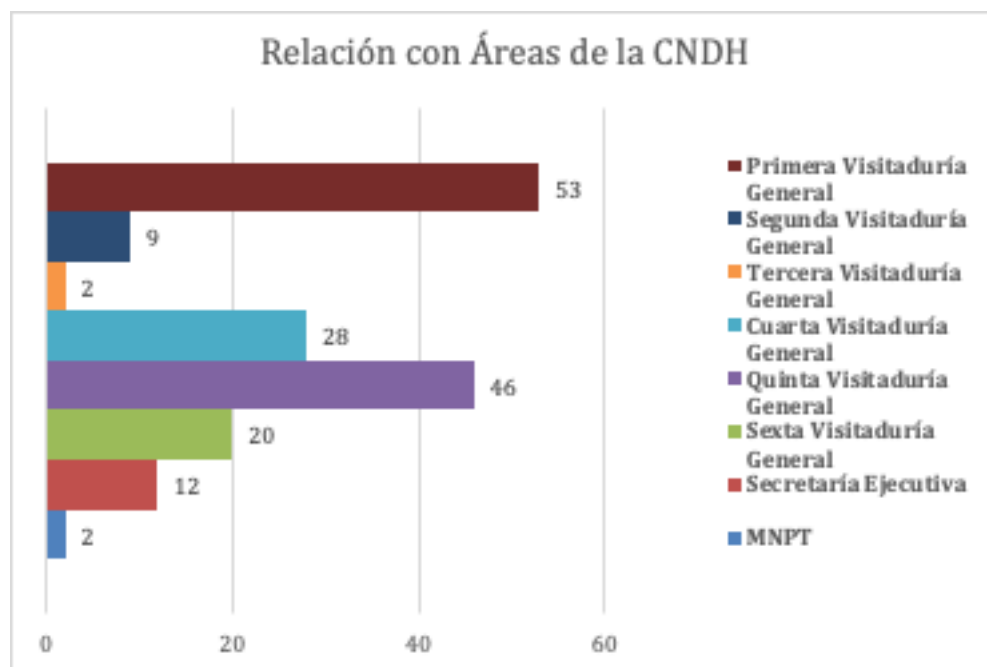
4 1. Human Rights Centre "Miguel Agustín Pro Juárez" (Centro Prodh) 2. Amnesty International (AI) 3. Article 19 4. Mountain Human Rights Centre "Tlachinollan" (C. Tlachinollan) 5. Greenpeace 6. National Network of Human Rights Defenders in Mexico (RNDDHM) 7. Médecines Sans Frontières/Doctors Without Borders (MSF) 8. National Network of Civil Human Rights Organizations. All Rights for All (Red TDT) 9. Mexican Commission for the Defence and Promotion of Human Rights (CMDPDH) 10. Without Borders IAP.

Graph 3. Most Relevant Topics

On This graphic we may see the NGOs' 21 most relevant topics during this period, with 136 pronouncements.

**Graph 4. Relationship with the CNDH Areas**

The following scheme shows the CNDH areas linked to the 172 INGOs pronouncements.⁵



⁵ To know more about the CNDH organization and its visitation offices, you may see the following link: <https://www.cndh.org.mx/cndh/estructura>

Executive Secretariat's Mechanisms for Broadcasting Information

Aware that one of the most effective ways to contribute to the building of a culture of human rights is to keep the population close and informed, through its Executive Secretariat the National Human Rights Commission (CNDH) provides the necessary to know what are the powers of this National Organism, and the activities it carries out inside and outside the country.

Through publications, forums and talks, among other resources, the CNDH offers society the possibility to stay updated in its work, and in a myriad of topics that various national and international institutions and agencies address to promote the protection and defence of human rights, particular those of the most vulnerable groups, from different spheres, thus facilitating the exchange and reflection with respect to trends in the international sphere for the implementation of strategies in this area..

In this regard, the following electronic publications are issued regularly through the Directorate of Analyses and Broadcast.

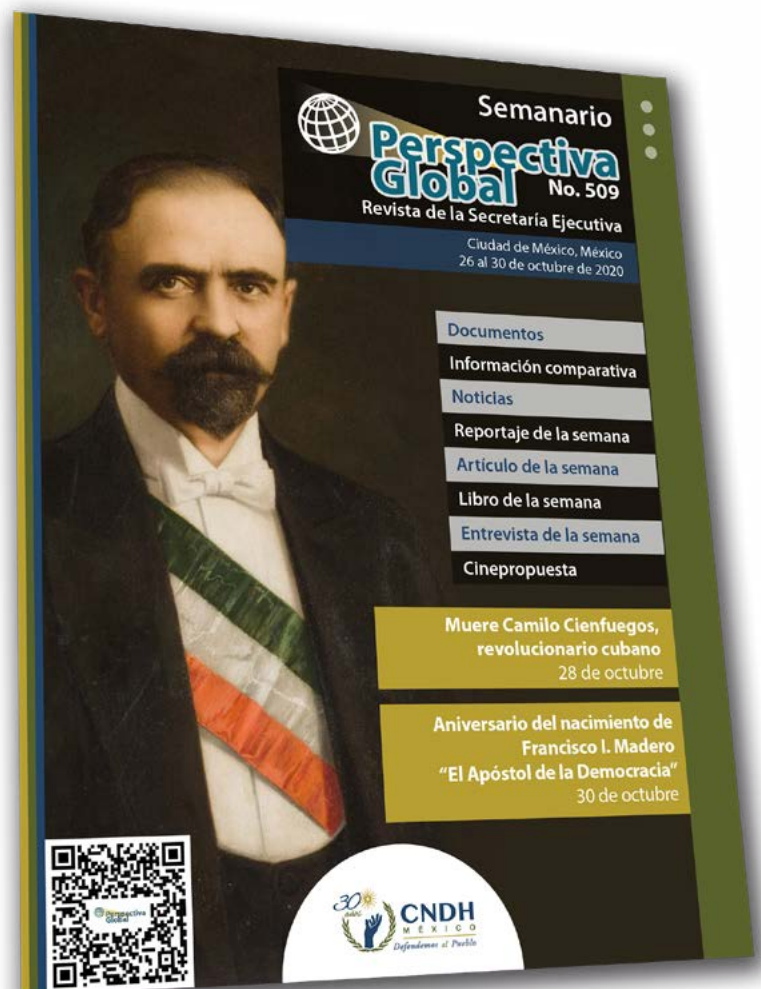
<https://www.cndh.org.mx/educacion/publicaciones-periodicas>

PERSPECTIVA GLOBAL (GLOBAL PERSPECTIVE)

Is a weekly edition, for all kind of readers; its content is thematic and includes news of national and international relevance in terms of human rights, reports, historical and contemporaneous articles, interviews, Recommendations, and books and films' reviews. It highlights important activities of various Ombudsmen's Offices in several countries, as well as the promotion and dissemination of commemorations corresponding to the special National and International Days of each week, among other topics. As its name suggests, the content is approached from a global perspective.

During September, four magazines of the weekly *Perspectiva Global* were produced and published on the CNDH website. Among the October's topics we have: World Mental Health Day; Belisario Domínguez, symbol of Protest, martyr and Apostol of Freedom, Truth and Dignity; Indigenous Resistance Day; Dolores Jiménez y Muro, ideologue of the Revolution; United Nations Day; Murder of Digna Ochoa, Mexican lawyer and human rights defender; Lázaro Cárdenas, builder of a nationalist and democratic policy.

For consulting *Perspectiva Global*: https://www.cndh.org.mx/Educacion/Perspectiva_Global



CARTA DE NOVEDADES AND NEWSLETTER

Is a monthly publication, which includes the main CNDH's activities, mainly those of its president, and the national and international events, actions in defence of human rights, summaries of the latest recommendations issued, some press releases, and relevant documents. It also present trends of the month on actions of international cooperation, unconstitutionality, unconstitutional controversies, and mechanisms of information, education and promotion in human rights, among other tasks. This electronic magazine is for further consultation by organizations and institutions specialising in human rights, and it is available on our institutional website, together with its English version: *Newsletter*.

For consulting the *Carta de Novedades*, in Spanish, and the *Newsletter*, in English: <https://www.cndh.org.mx/Educacion/Carta-Novedades>



COMMEMORATIVE DATES

In order to publish national and international days, weeks, years and decades, chronicles are produced for publication on the CNDH webpage. We find data on the more representative events, happenings or relevant facts related to human rights and other national or international issues of importance. They are a historic memory, which offers a reminder about the social organizations, struggles and movements in face of complaints and violations of their human rights, as well as contributions to the emergence and recognition of human rights that prioritize human dignity.

Some October relevant dates referred to the International Day of Older Persons; Massacre of Tlatelolco; First Nobel Prize to an African woman: Wangari Maathai, Kenyan political activist, for her contribution to sustainable

development; Capture and Murder of Ernesto Che Guevara in Bolivia; World Mental Health Day; United Nations Day; Fray Servando Teresa de Mier, hero of the independence of Mexico and first historian of the insurgency; Foundation of the *Confederación General de Obreros y Campesinos de México* (CGOCM, General Confederation of Workers and Peasants of Mexico); Murder of the insurgent Pedro Moreno.

Disponible en: <https://www.cndh.org.mx/fechas>



Action of Unconstitutionality

October 2020

In accordance with Article 105, Section II, Item g) of our Fundamental Canon, the President of the National Human Rights Commission (CNDH) has the constitutional power to promote actions of unconstitutionality before the Supreme Court of Justice of the Nation (SCJN) against general rules, such as laws issued by the Congress of the Union or local legislatures, as well as international treaties, which may infringe on the essential rights of individuals.

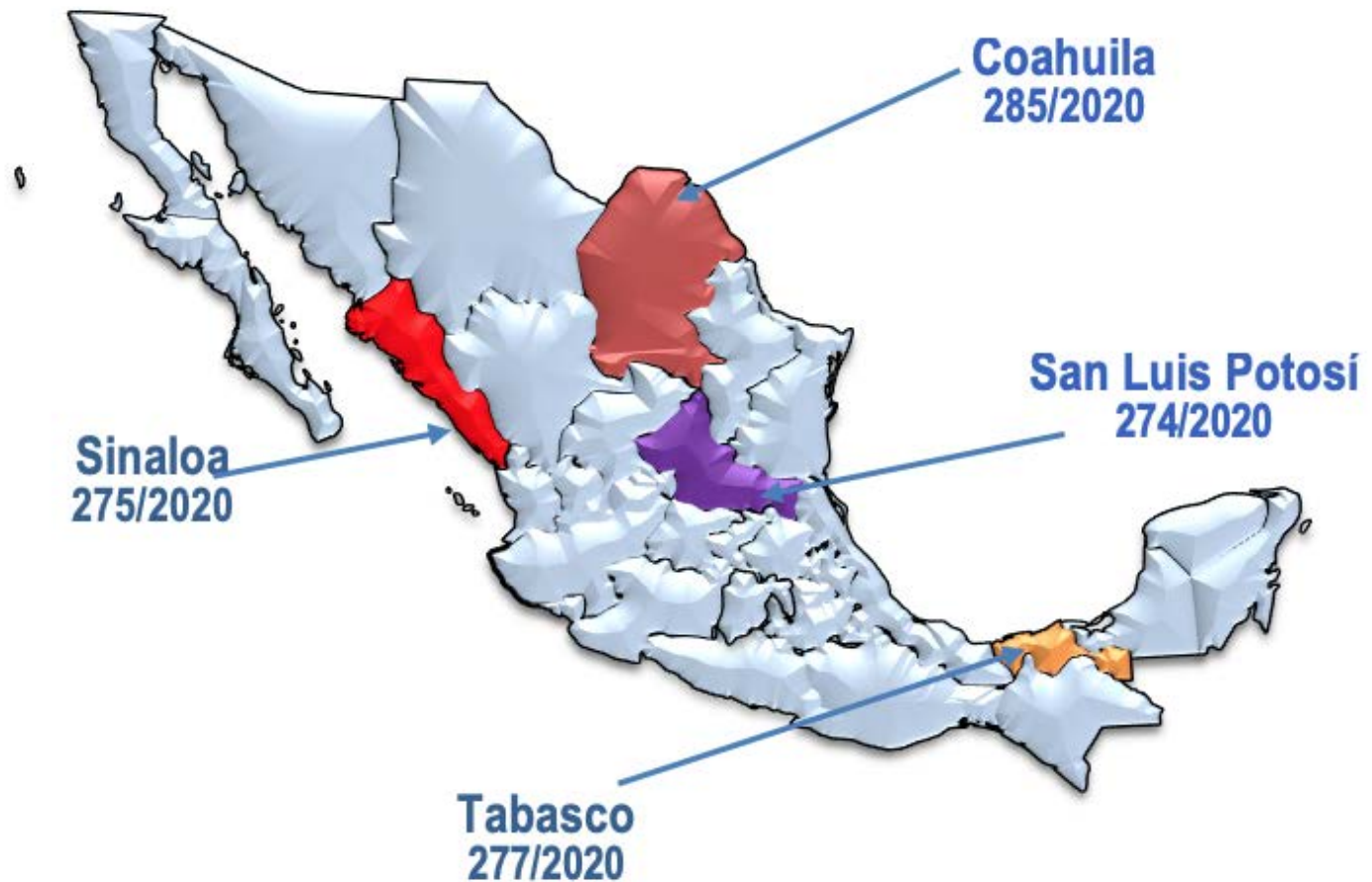
In October 2020, the publication of **137** regulatory changes issued by the legislative bodies of the federal entities and the Congress of the Union was detected, as shown in the following graphic —where the number of general rules detected during that period is identified—.



The head of the CNDH decide to exercise her legislative power to promote actions of unconstitutionality before the SCJN on four occasions during October 2020, thus presenting **4** lawsuits against the same number of general rules that were detected in the newspapers and governmental gazettes in four different states. These claims were filed against the following legal systems:

- ☐ **Coahuila: 1** (*Political Constitution of the State of Coahuila de Zaragoza*), that initiated an action of unconstitutionality pending filing. 285/2020
- ☐ **San Luis Potosí: 1** (*Law for the Inclusion of Persons with Disabilities in the State and Municipalities of San Luis Potosí*), that initiated the action of unconstitutionality 274/2020.
- ☐ **Sinaloa: 1** (*Sinaloa State Anti-Corruption System Law*), that initiated the action of unconstitutionality 275/2020.
- ☐ **Tabasco: 1** (*Tabasco State Judiciary Organization Organic Law*), that initiated an action of unconstitutionality pending Settlement. 277/2020

Unconstitutionality Actions Filed in October 2020



Summary of Unconstitutionality Actions Filed in October 2020

Action of Unconstitutionality	Case Topic	Constitutional and Treaty Stipulations Deemed to have been Violated	Fundamental Rights Deemed to have been Violated
274/2020 October 13, 2020 https://www.cndh.org.mx/sites/default/files/documentos/2020-11/Acc.Inc_2020_274.pdf	Complaint of unconstitutionality filed with the Supreme Court of Justice of the Nation (SCJN), against the Decree 0756, by which the <i>Law for the Inclusion of Persons with Disabilities in the State and Municipalities of San Luis Potosí</i> was amended, published in the Official paper of that entity on September 10, 2020.	<ul style="list-style-type: none"> - 1º of the Political Constitution of the United Mexican States. - 4.3 of the Convention on the Rights of Persons with Disabilities. - V of the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities. 	- Right to close consultation and active participation of persons with Disabilities through their representative organisations.

<p>275/2020</p> <p>October 13, 2020</p> <p>https://www.cndh.org.mx/sites/default/files/documentos/2020-11/Acc_Inc_2020_275.pdf</p>	<p>Complaint of unconstitutionality filed with the Supreme Court of Justice of the Nation (SCJN), against Article 16, Second paragraph, section IV, in the normative portion “and not having been convicted of any offence”, of the <i>Sinaloa State Anti-Corruption System Law</i>.</p>	<ul style="list-style-type: none"> - 1º and 5º of the Political Constitution of the United Mexican States. - 1, 2 and 24 of the American Convention on Human Rights. - 3 and 6 of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights “Protocol of San Salvador”. - 2 and 6 of the International Covenant on Civil and Political Rights. - 2 and 6 of the International Covenant on Economic, Social and Cultural Rights. 	<ul style="list-style-type: none"> - Right to equality and non-discrimination. - Freedom of work.
<p>277/2020</p> <p>October 26, 2020</p> <p>https://www.cndh.org.mx/sites/default/files/documentos/2020-11/Acc_Inc_2020_277.pdf</p>	<p>Complaint of unconstitutionality filed with the Supreme Court of Justice of the Nation (SCJN), against the Article 67 <i>undecies</i>, section IV, of the <i>Tlaxcala State Judiciary Organic Law</i>.</p>	<ul style="list-style-type: none"> - 1º and 5º of the Political Constitution of the United Mexican States. - 1, 2 and 24 of the American Convention on Human Rights. - 3 and 6 of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights “Protocol of San Salvador”. - 2 and 6 of the International Covenant on Civil and Political Rights. - 2 and 6 of the International Covenant on Economic, Social and Cultural Rights. 	<ul style="list-style-type: none"> - Right to equality and non-discrimination. - Freedom of work. - Right of access to public office.
<p>285/2020</p> <p>October 29, 2020</p> <p>https://www.cndh.org.mx/sites/default/files/documentos/2020-11/Acc_Inc_2020_285.pdf</p>	<p>Complaint of unconstitutionality filed with the Supreme Court of Justice of the Nation (SCJN), against the Decree 739, by which a third, fourth, fifth and sixth paragraphs were added, going through the subsequent ones, of Article 7 of the <i>Political Constitution of the State of Coahuila de Zaragoza</i>, published in the Official paper of that entity on September 30, 2020.</p>	<ul style="list-style-type: none"> - 1º and 2º de la Political Constitution of the United Mexican States. - 1, 2, 4, 5, 6 and 8 of the Convention 169 of the International Labour Organization (ILO) concerning Indigenous and Tribal Peoples in Independent Countries. 	<ul style="list-style-type: none"> - Right of indigenous and Afro-Mexican peoples and communities to prior, free, informed, culturally appropriate and <i>bona fide</i> consultation.

To consult the actions of unconstitutionality: <https://www.cndh.org.mx/tipo/209/accion-de-inconstitucionalidad>

Follow-up of the Promoted Actions of Unconstitutionality

During October 2020, the bodies that make up our Constitutional Court resolved various issues, highlighting that the Supreme Court of Justice of the Nation (SCJN) ruled **11** actions of unconstitutionality initiated by this CNDH.

Action of Unconstitutionality	1. 20/2020
Action of Unconstitutionality	1. 96/2020
Action of Unconstitutionality	1. 101/2020
Action of Unconstitutionality	1. 107/2020
Action of Unconstitutionality	1. 127/2019
Action of Unconstitutionality	1. 83/2019
Action of Unconstitutionality	1. 133/2019
Action of Unconstitutionality	1. 109/2016
Action of Unconstitutionality	1. 109/2019
Action of Unconstitutionality	1. 104/2020
Action of Unconstitutionality	1. 93/2020

Actions of Unconstitutionality resolved on October 2020



Executive Summary

Identified General Rules	137
General Rules Deemed Inconstitucional	4
Actions of Unconstitutionality Promoted	4
Submissions	21
Resolution of Actions of Unconstitutionality	11

EDUCA CNDH

One of the CNDH objectives is to contribute to create a culture of human rights respect through the education and tutoring of people; therefore, the general Directorate for Human Rights Education of the Technical Secretariat of the Advisory Council offers a series of On-site and online educational activities, through its "EDUCA CNDH" entrance. We invite you to explore our page and learn about our face-to-face and on distance educational offer. Courses, workshops diplomas and conferences provide an overview of human rights, facilitating their understanding and emphasizing the importance of respecting them in all the settings of our daily life.

Free online Education



EDUCA CNDH

La Comisión Nacional de los Derechos Humanos, a través del Portal EDUCA CNDH, pone a disposición del público interesado, una amplia oferta educativa con actividades presenciales y en línea que contribuyen a promover la cultura de los derechos humanos.

Portal
<http://educa.cndh.org.mx>

Educación Presencial
Oferta educativa impartida por personas expertas en diversos temas de derechos humanos, que tiene lugar en un momento y espacio determinado.
Cursos
Talleres
Diplomados

Educación a Distancia
Propuesta educativa que incorpora el uso de recursos tecnológicos que permiten estudiar y aprender de forma autónoma, en el lugar y momento que más convenga a las personas participantes.
Cursos en línea*
Videoconferencias

Herramientas de apoyo
EDUCA CNDH ofrece el micrositio "Herramientas para la Educación en Derechos Humanos" que alberga una diversidad de recursos digitales como e-books, infografías, videos, artículos y podcast para facilitar la comprensión de los derechos humanos.

*Cuentan con la validación de la Secretaría de la Función Pública para el Servicio Profesional de Carrera y se otorga constancia con valor curricular.

Todos nuestros cursos son gratuitos, conoce las condiciones de participación en el portal Educa CNDH

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

App

CNDH ATTENDS

The **free APP** where people can **enter a complaint online** when their human rights have been violated by actions or omissions from an Authority or public servant. Also, a space to know, according to the attention flow of a complaint, the procedural status of the cases previously registered.

Available in iOS y Android.



App COVID-19 Monitoring

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

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



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



THE CNDH PROMOTES AND PROTECTS YOUR RIGHTS

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