



General Assembly

Distr.
GENERAL

A/HRC/WG.6/4/MEX/3
19 December 2008

ENGLISH
Original: ENGLISH/SPANISH

HUMAN RIGHTS COUNCIL
Working Group on the Universal Periodic Review
Fourth session
Geneva, 2-13 February 2009

**SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER
FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 (C)
OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1***

Mexico

The present report is a summary of 18 stakeholders' submissions¹ to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review.

* The present document was not edited before being sent to the United Nations translation services. Late submission.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations

1. Amnesty International (AI) informed that domestic legislation implementing the Rome Statute of the International Criminal Court has not yet been adopted² Joint Submission One (JS1)³ added that although Mexico recently ratified the International Convention for the Protection of All Persons from Enforced Disappearance, the Government did not recognize the competence of the Committee to receive and consider individual communications.⁴

B. Constitutional and legislative framework

2. JS1 reported that hundreds of civil society organizations presented a proposal to Congress to reform the Constitution in harmony with Mexico's human rights obligations, with the purpose of guaranteeing the effectiveness of international human rights instruments in the Mexican system.⁵ Joint Submission 2 (JS2)⁶ indicated that actions taken at the federal level have not been reflected at the state and/or municipal levels, where delays to legislative harmonization continue.⁷ JS1 added that the Human Rights Policy Commission has not contributed to any concrete advances in this area, having been irregular in its work and inadequate in its inclusion of civil society.⁸

3. JS1 reported that Federal and state legislation regarding domestic violence fails to incorporate obligations under the CEDAW, and that local legislation is often insufficient or even contrary to Mexico's international obligations.⁹ Joint Submission Six (JS6)¹⁰ expressed similar concerns.¹¹ For its part, the Latin American and Caribbean Committee for the Defence of Women's Rights (CLADEM) pointed out that domestic violence was not considered an offence against life and integrity but as an offence against the family, which encourages the use of law enforcement standards that seek to maintain marital ties at the expense of women who are victims of violence.¹²

4. According to the National Human Rights Commission (CNDH), Congress needs to take steps to enable a comprehensive system of juvenile justice to be established, in accordance with the Constitution and the international treaties to which Mexico is a party.¹³

C. Institutional and human rights infrastructure

5. According to AI, the network of Human Rights Commissions, comprising the CNDH, the 31 state level Commissions and the Federal District Human Rights Commission, is not sufficiently independent from local governments and some of the Commissions are reluctant to act decisively on reports of human rights violations.¹⁴ As noted by Human Rights Watch (HRW), the CNDH has repeatedly failed to pursue remedies and promote reforms to improve Mexico's human rights record, mainly because of its own policies and practices by inter alia, abandoning the human rights cases it documents before they are resolved and excluding victims from the "conciliation" process.¹⁵

6. AI also reported that human rights units in the Army, the Public Prosecutor's offices and the police forces have been established to coordinate human rights training and respond to investigations conducted by the network of Human Rights Commissions. However, these units are administrative in nature and are largely without investigative powers.¹⁶

D. Policy measures

7. According to JS2, the National Human Rights Programme (NHRP) is a federal instrument with no possibilities of being used for concrete action at the state or municipal level.¹⁷ FIACAT

added that the NHRP is not linked with the Diagnosis of the Human Rights Situation in Mexico,¹⁸ has no specific budget and has limited links with the development of National Plans on violence against women and children.¹⁹ AI called on the Government to establish a clear timetable and mechanisms for the implementation and evaluation of the NHRP at federal, state and municipal levels.²⁰

8. JS2 indicated that the National Agreement for Public Security, Justice and Legality of August 2008, fails to attack the underlying problems denounced by human rights organizations and victims of crime.²¹ For its part, CNDH expressed regret that the government strategies contained in the official programmes of the past 10 years, including the “Ten actions by the federal executive to combat organized crime” and “Platform Mexico”, had not achieved the desired results, owing to the lack of continuity in official plans and programmes, improvization within the public service, corruption and impunity.²²

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

9. According to JS2, although Mexico has extended an open invitation to international human rights groups, has received a large number of rapporteurs, and has been the subject of numerous recommendations, these have not led to concrete actions or to human rights becoming a public policy priority.²³

B. Implementation of international human rights obligations

1. Equality and non-discrimination

10. CNDH reported that progress had been made in drawing up a legal framework to combat discrimination. The big challenge now is to properly apply the standards contained in the legislation and to eliminate the discriminatory situations in which many Mexicans find themselves.²⁴ According to CNDH, it is essential to carry out a comprehensive review of the legislation relating to persons with disabilities, establish a mechanism to monitor the rights set forth in the Convention on the Rights of Persons with Disabilities, and consider withdrawing the Government’s interpretative declaration on the Convention.²⁵

2. Right to life, liberty and security of the person

11. According to JS1, torture remains a systematic, generalized, and unpunished practice. Serious problems concern the lack of will to investigate torture; of impartiality and independence in the application of the Istanbul Protocol; of standardization of the crime of torture; and of alignment with international standards in various states. JS1 also indicated that public prosecutors classify acts which could be described as acts of torture as different and less serious crimes when they are investigated.²⁶

12. CNDH reported that arbitrary detention was still a common occurrence, so that supervisory mechanisms were needed to ensure that the relevant internal oversight bodies were apprised of the situation and, where appropriate, that preliminary investigations were undertaken to identify those responsible. Forced disappearances were still taking place in Mexico, and were closely linked to arbitrary detention.²⁷ JS2 reported flagrancy being used as a means to detain leaders and members of social movements without arrest warrants.²⁸ As noted by JS1, the broad understanding of the term “flagrant” has given rise to countless human rights abuses.²⁹

13. JS2 indicated that the Government has assigned police functions to the army for public safety, the fight against drug trafficking, the fight against terrorism, and to contain social movements and insurgents. According to JS2, there is a virtual state of exception in Chihuahua, where the army has maximum authority. Until June 2008, the Chihuahua State Human Rights Commission registered 13 complaints of torture. JS2 also reported a low-intensity war in Chiapas, where illegal searches, abuse of authority, arbitrary imprisonment and torture of civilians continue, and paramilitary groups trained by the army have been reactivated. JS2 further reported 12 cases of human rights violations by the army in Guerrero between June 2007 and May 2008, characterized by abuses and outrages committed, above all, at roadblocks, during house searches and the setting up of camps.³⁰

14. According to JS1, Mexico is experiencing a public security crisis characterized by growing levels of violent crimes, which requires a professionalized response by the police, and the prevention and punishment of corruption in security forces. The Government has instead reacted by carrying out acts of repression against wide sectors of the population, making penalties more severe, deploying the military to fight criminals in the streets, and implementing other measures that violate human rights.³¹

15. JS1 noted that the legal framework, both at the state and federal levels, does not concretely regulate the use of force by security officials and is thus a starting point for a pattern of systematic excessive use of force, especially as a response to social protest. JS1 cited cases in Michoacán in 2006; Guadalajara in 2004; Oaxaca starting in 2006; and San Salvador Atenco in 2006.³² JS7 reported that the most serious repression had taken place in Oaxaca in 2006 and 2007, leaving 26 people dead and 500 in detention.³³ It also mentioned seven cases of detainees disappearing between 2007 and 2008, and reported that CNDH had recorded the illegal detention of 304 persons between June and December 2006.³⁴ JS7 called on the Government to allow for the verification in situ of the seriousness of the violations in Oaxaca, by taking further action on the open invitation it had extended to the special procedures of the Human Rights Council.³⁵ JS2 indicated that at least 26 women were sexually abused in San Salvador Atenco. Furthermore, leaders of the social movement were punished with 112 years in prison.³⁶ According to CNDH, the Ministry of Public Security rejected its recommendations regarding the abuse of authority by the police in Michoacán and San Salvador Atenco, and ruled out the possibility of investigating the conduct of police officers.³⁷ The federal authorities have argued that they do not have jurisdiction to investigate the responsibility of state level officials, as noted by AI. Even in cases where federal authorities are directly implicated, investigations by the Federal Attorney-General's Office have often failed to lead to prosecution.³⁸

16. JS1 reported the deficient or non-existent investigation and punishment of violence against women, accompanied by a lack of training and awareness among officials. JS1 indicated that the serious problem of murders of women (femicide) remains unresolved. It emphasized the closure of the Commission to Prevent and Eradicate Violence against Women in Ciudad Juárez and the ineffectiveness of the Special Prosecutor for Crimes of Violence against Women and Human Trafficking (FEVIMTRA).³⁹ CLADEM also expressed concerns over the effectiveness of this body.⁴⁰ According to JS2, *femicide* has not been classified as a federal crime, and a national register of women who have been murdered or disappeared has not been designed. The National Citizen Observatory for *femicide* would have reported 1,088 murders of women in 15 states, from June 2006 to June 2007.⁴¹

17. AI cited a national survey stating that in 2006, 67 per cent of women over the age of 15 reported some form of violence in the home, workplace, community or school. AI also indicated that one in four women over the age of 15 living with a partner reported physical or sexual violence at the hands of her partner.⁴² FIACAT considers that the General Law for Access of Women to a

Life without Violence is a good measure but has not generated institutional changes and new laws at the local level.⁴³ JS2 added that this law has only been implemented in 23 states, of which only three have corresponding regulations.⁴⁴ CLADEM considers that the regulations for this law should specify and expand on the responsibilities of the three branches of government in preventing, tackling and eradicating violence against women.⁴⁵

3. Administration of justice, including impunity, and the rule of law

18. Following the 2000 elections, the Government committed itself to clarifying the numerous grave human rights violations of the past. For this purpose it created the Special Prosecutor for Social and Political Movements of the Past (FEMOSPP), which found that there was conclusive proof of 476 cases of forced disappearance. FEMOSPP closed in November 2006 having presented only 16 indictments - none of which led to any sanctions.⁴⁶ FEMOSPP's cases were returned to the Federal Attorney-General's Office (PGR), as noted by AI. These cases have not advanced, despite a report by the Special Prosecutor which indicated more than 100 extrajudicial executions, 700 disappearances and thousands of cases of arbitrary detention and torture.⁴⁷ HRW recommended that Mexico request for the PGR to prioritize these cases, order the Minister of Defence to end the military obstruction to investigations, and establish an independent truth commission to reinforce the work of prosecutors.⁴⁸ Furthermore, the International Center for Transitional Justice (ICTJ) reported that the whereabouts of the historic institutional archives are unknown, and that there is no public database to consult them.⁴⁹ ICTJ recommended that the State present a public report about the current state of transitional justice, and release all the historical documents used by the Special Prosecutor's Office.⁵⁰

19. CNDH concludes that there has been no improvement in the efficiency of the Public Prosecutor's Office, that there is no less impunity, and that corruption has not been stamped out.⁵¹

20. JS1 reported that in June 2008, the Government published a series of Constitutional reforms in the area of criminal justice, including several which represent setbacks for human rights. For example, the establishment of a regime of exception that restricts basic due process guarantees for individuals accused of involvement with organized crime, and the inclusion of a form of pre-charge detention known as *arraigo*, which allows detention for up to 80 days before any charges are brought against the detainee.⁵² JS2 further indicated that the definition of organized crime is different to that of the United Nations Convention against Transnational Organized Crime, with innocent people and members of social movements having been falsely accused, for political rather than legal reasons, of belonging to organized crime groups.⁵³

21. JS1 underscored that the *amparo* legal action, which the Government considers as the appropriate channel to protect human rights, has proven inadequate.⁵⁴

22. As noted by JS1, impunity remains for abuses by military forces carrying out public security tasks, partly due to the illegal extension of military jurisdiction over cases of human rights violations. The Mexican Constitution establishes that military jurisdiction subsists for crimes and offences against military discipline, but military authorities investigate cases even when they can in no way be classified as offences against military discipline.⁵⁵ AI indicated that the CNDH has not asked for cases like these to be removed from military jurisdiction, despite international human rights mechanisms' recommendations that civilian authorities and courts should handle such cases.⁵⁶ HRW recommended that Mexico ensure that civilian authorities investigate human rights abuses committed by the military, and guarantee that military officials fully cooperate with civilian prosecutors and judicial authorities in prosecuting and punishing in civilian courts military officials of all ranks.⁵⁷

23. JS1 mentioned that the use of severe prison sentences and the excessive use of preventive detention cause serious overcrowding in the country's penitentiaries.⁵⁸ CNDH added that the rare use made of early release contributed to prison overcrowding and prevented detention centres from functioning properly, as well as giving rise to violations of the right of appeal and the rights to social rehabilitation and legal guarantees. CNDH recommended that standard criteria and objectives should be established, in both federal and local legislation, for granting early release to anyone who deserved it and was no danger to society.⁵⁹

4. Freedom of movement

24. CNDH said that it had received many complaints about roadblocks set up by various police and national army units, as such measures had no real basis in the Constitution and sometimes led to assaults and the killing of innocent people.⁶⁰ JS2 reported that these roadblocks would serve as a mechanism to monitor and control the movement of citizens, in particular indigenous peoples.⁶¹

5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

25. According to JS1, 96 per cent of all commercial television channels are controlled by two families. In April 2006, the Government passed a series of reforms on the Federal Law of Radio and Television and the Federal Law of Telecommunications which, as recognized by the Supreme Court, violate the right to freedom of expression by failing to guarantee equitable access to the full range of media, in particular the right of indigenous and similar communities to operate their own media.⁶² Joint Submission Three (JS3)⁶³ remained concerned over the Legislative's lack of political will to impel the legal reform necessary to democratize the mass media.⁶⁴

26. JS1, CNDH and Article 19 (A19) reported that in recent years, at least 24 journalists and media workers have been murdered and 8 more remain disappeared.⁶⁵ JS1 added that dozens more have been threatened or assaulted in retaliation for their work, in a climate of impunity. This situation has generated a climate of generalized censorship and self-censorship, among journalists who investigate drug trafficking, as well as community and indigenous journalists.⁶⁶ JS3 reported that aggressions against community media have increased since 2006, including closing of radios with or without due permission, physical threats, arbitrary detention, torture, attempted homicide and homicide.⁶⁷

27. According to A19, State agents continue to be the principal persecutors of journalists, and are responsible for 42 per cent of recorded cases.⁶⁸ A19 adds that the Special Prosecutor's Office for Crimes against Journalists (FEADP), which is attached to the Office of the Attorney-General (PGR), has processed only one of the 174 cases brought before it since its establishment in 2006. FEADP dealt with 163 cases in 2007, but 112 of these were not dealt with directly by FEADP, but by other bodies within the PGR, leaving FEADP reduced to the role of a privileged observer with no direct influence over outcomes.⁶⁹ Reporters Without Borders (RSF) added that the divisions between the federal and state governments slow down efforts by the judiciary and federal authorities to fight impunity.⁷⁰

28. AI indicated that human rights defenders and social activists face threats and harassment and that State-level investigations are usually inadequate and leave defenders at risk of further intimidation or attack.⁷¹ JS2 added that people participating in demonstrations and protests are singled out as delinquents and subversives and charged with political crimes or crimes against national security (classified as serious crimes). Leaders or members of movements are jailed and

subject to trial.⁷² JS2 registered 60 cases of criminalization of social protest in 17 states. Many of these protests related to human rights violations in the development of economic projects, in particular in the context of disputes over natural resources.⁷³

6. Right to work and to just and favourable conditions of work

29. JS1 indicated that Mexico has failed to regulate the situation of persons who work in the informal sector, and needs to widen programmes of support and work placement for persons seeking employment. JS1 stressed that 60 per cent of the economically active population is categorized as occupying the informal sector, and programmes such as the National Development Plan (PND) and the Sectorial Plan of the Department of Labour and Social Services are restricted to the formal sector.⁷⁴ Similar concerns were expressed by JS5.⁷⁵

30. According to JS1, Mexico's policy of salary containment violates the ICESCR as it does not respect the adjustment of salaries in order to increase purchasing power and ensure dignified living conditions.⁷⁶ JS5 expressed similar concerns.⁷⁷ JS1 further reported the repression and forced dismissals of workers that seek to create independent unions or democratize existing ones, as well as an increase in collective contracts favouring employers.⁷⁸ JS5 pointed out that collective "employer protection" agreements accounted for 90 per cent of existing contracts, resulting in salary adjustments equal to the increase in the inadequate minimum wage, denial of the right to strike, rigged elections of union representatives, etc.⁷⁹

31. According to the Juridical Commission for Auto-Development of First Andean Peoples (CAPAJ), farm workers who travel from November to March to states in the north of the country work and live in conditions of near slavery.⁸⁰

7. Right to social security and to an adequate standard of living

32. JS5 reported that the amendment to the Act on the Welfare and Social Services Institute for State Employees (ISSSTE) of March 2007 was a backward step and unconstitutional, as it violated the International Labour Organization (ILO) Convention concerning Minimum Standards of Social Security (No. 102). According to official data, finding a job does not guarantee that an employer will pay social security contributions. The most recent job figures show that 62.6 per cent of the working population in Mexico has no access to health facilities.⁸¹

33. JS5 said that the National Health Programme, through its four social programmes, ignored the notion of universality - a basic requirement if the right was to be guaranteed - in favour of focused interventions.⁸² CNDH added that appropriate measures needed to be taken in public health institutions to ensure the adequate and timely provision of medicines, medical equipment and supplies for the medical team.⁸³

34. According to JS1, the gap between the health conditions of the indigenous population and the rest of the population continues to grow and discrimination in health services accompanies this trend.⁸⁴ JS5 reported on the alarming problems of malnutrition among indigenous children, high maternal mortality rates among indigenous women and high mortality from intestinal and respiratory infections.⁸⁵

35. The overall rate of undernourishment (slight and severe) among under-fives in rural areas was also worrying. In 2006, the percentage of the population reported to be suffering from food poverty was 24 per cent in rural areas and 7.5 per cent in urban areas. Wage policy could not guarantee that workers earning up to three times the minimum wage had adequate access to enough food for themselves and their families.⁸⁶ JS1 added that there is no access to information with respect to

government budget resources in terms of food security. According to them, the right to food is not protected by the Constitution and those affected have no means of denouncing related violations.⁸⁷

36. JS1 further indicated that legislative harmonization relating to abortion is required at federal and state levels. Furthermore, women are limited in their access to a wide range of contraception options, above all emergency contraception.⁸⁸ According to JS2, victims of rape and incest have limited access to legal abortion and receive no information related to abortion either before or after filing charges. When victims do visit legal authorities, they find that neither health nor legal procedures for performing abortions exist, or officials of the Public Prosecutor's office refuse to issue the relevant authorization.⁸⁹

37. JS6 reported that since the current Government had taken office, the National Centre for the Prevention of HIV/AIDS (CENSIDA) had been under threat of closure, and made various recommendations to ensure that the Centre worked with and for teenagers and young people.⁹⁰

38. According to JS1, Mexico lacks a legal and administrative framework that guarantees housing security to all persons and legal protection from harassment and involuntary eviction, as the Housing Law of 2006 lacks implementation. Official information on forced evictions is also lacking. In addition, governmental programmes do not respond adequately to the housing needs of the poor and do not provide housing at a reasonable cost, while irregular settlements are criminalized.⁹¹ Similar concerns were expressed by JS5.⁹²

39. Joint Submission Four (JS4)⁹³ reported the lack of effective judicial remedies to guarantee the protection of the right to a healthy environment. While accessible administrative and judicial actions do exist in Mexico, their flaws and lack of application have rendered them ineffective in upholding human rights.⁹⁴ Inter alia, JS4 recommended that Mexico establish effective investigation and enforcement mechanisms for the responsibility of harms.⁹⁵

8. Right to education and to participate in the cultural life of the community

40. According to JS1, public investment in education, currently less than 8 per cent of GDP, has not been enough for the 2.1 million children between 5 and 14 years old that do not receive basic education. No public policy on education takes a human rights perspective into account and many programmes do not comply with international standards. The lag in educational standards especially affects children of agricultural day workers, street children, disabled persons and indigenous peoples.⁹⁶

41. According to CNDH, another concern was the shortage of teachers in primary and secondary schools in many isolated areas populated by indigenous people. Those areas had the highest illiteracy rates and a high percentage of children under the age of 16 were working, especially on farms.⁹⁷ JS5 expressed similar concerns.⁹⁸

9. Minorities and indigenous peoples

42. CNDH reported that the National Development Plan for 2007-2012 acknowledged that indigenous peoples still did not enjoy a social and economic situation conducive to their development, and that they continued to find it difficult to find work, were paid extremely low wages and were not on an equal footing with other population groups.⁹⁹

43. According to CNDH, there is a need to reform and update legal and administrative instruments to deal with the agrarian conflicts that prevent many indigenous communities from

exercising their rights to land tenure, development, justice and peace.¹⁰⁰ A particular concern is the situation faced by indigenous people when they come into contact with judicial bodies. In most trials or proceedings involving indigenous persons or communities, it is unlikely that their customs and cultural characteristics will be taken into account, and it is rare for them to be assisted by interpreters or lawyers who know their language.¹⁰¹

44. The Juridical Commission for Auto-Development of First Andean Peoples (CAPAJ) said that the army interfered in indigenous communities, interrogating, detaining and intimidating people on the grounds that it was fighting drug trafficking.¹⁰² It was reported that indigenous peoples in Guerrero had to put up with torture, extrajudicial executions, arbitrary detention and forced disappearances, with no hope of justice being done, especially when the perpetrators were soldiers.¹⁰³

45. According to Joint Submission Seven (JS7),¹⁰⁴ the indigenous peoples in Oaxaca have been subjected to, among other things, the systematic ransacking of their natural resources and culture, and the situation has grown worse in the past four years. Attention is drawn to the attack by military forces on primitive indigenous people from the Sierra Sur in that state in August 2008, and to the implementation of the hydroelectric project in Paso de la Reina. It is estimated that over 10,000 hectares of communal property in the Istmo de Oaxaca region have already been earmarked for the construction of wind farms.¹⁰⁵

46. According to JS1, several development projects promoted by the State neither respect nor guarantee the right of peoples to self-determination, to receive appropriate information, to be consulted and to participate in decision-making processes.¹⁰⁶ JS2 and AI expressed similar concerns.¹⁰⁷ Joint Submission Five (JS5)¹⁰⁸ said it had documented a number of cases of violations and threatened violations of human rights in relation to giant infrastructure and other projects involving public and/or private national and transnational investors. The social and environmental impact of those projects had not been thoroughly analysed by the Mexican authorities before permission for them had been granted. JS5 reported that in many cases the hardest-hit communities were the peasants and indigenous people in the area, who had been deceived and pressured by various means, and who had been, or were in danger of being, displaced from their lands with none of the compensation required by law. Moreover, members of those communities, or their organizations, were treated as criminals for opposing the projects.¹⁰⁹

47. According to the International Indian Treaty Council (IITC), throughout the industrialized agricultural areas of Mexico, particularly where indigenous peoples live, the Government allows the use of dangerous chemicals and pesticides. IITC further mentions testimonies of birth defects, cancers and deaths due to exposure to toxic pesticides by Yaquis.¹¹⁰ IITC indicated that the same dire consequences are experienced by the Mayo Peoples of Sinaloa, and the Huichol Peoples of Nayarit,¹¹¹ reporting that no enforcement efforts have been made by the Government to hold those responsible accountable.¹¹²

10. Migrants, refugees and asylum-seekers

48. CNDH reported that undocumented migrants were subjected to a wide range of abuse, aggression and human rights violations by both agents of the State and ordinary criminals and organized gangs. Since 2007, growing numbers of migrants have been kidnapped, with ransoms for their release being demanded of their families. The prevailing climate of impunity is also said to have given rise to the formation of gangs that attack migrants and rape the women and girls on side roads. In some cases, such groups are aided and abetted by police officers.¹¹³

49. JS1 highlighted the need for authorities which are not competent for the verification of migratory status and detention to cease their participation in these activities; the need for requests for auxiliary support by way of the use of force to be made in writing by the National Institute of Migration; and the need to allow for simple and accessible mechanisms that permit migrants to denounce any authority that breaks the law.

50. JS1 further reported that the Law to Prevent and Punish Human Trafficking, still lacks implementing regulations nearly a year after its promulgation. In addition, there are no appropriate databases or statistics that would allow for a full understanding of the problem of trafficking, nor is there a programme of prevention that incorporates a gender perspective and provides holistic attention to victims.¹¹⁴ Similar concerns were expressed by JS2.¹¹⁵

11. Right to development

51. According to the Mexican Electricians Union (SME), Mexico is one of the States that has signed the most agreements on free trade and the free flow of investment, but this has not led to any improvement in social conditions. It also claims that social policy has been subordinated to the conditions set out in those agreements, significantly limiting the exercise of the right to self-determination and the use of resources.¹¹⁶ SME recommends, among other things, that the Scheme for the Democratic Planning of National Development should be reviewed to incorporate the relevant provisions of the Declaration on the Right to Development, and also to harmonize it fully with the planning exercises drawn up by indigenous communities, local councils and federal bodies.¹¹⁷

12. Human rights and counter-terrorism

52. According to JS2, the crime of terrorism legislated in 2006, is so ambiguous that it can be used against social movements. It includes prison sentences of between 6 and 40 years and fines for any person who, inter alia, performs acts against persons, objects or public services that may cause alarm, fear or terror in the populace or a group or sector of the populace, by means of an attack on national security or by exerting pressure on authorities to make a decision.¹¹⁸

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

53. According to JS1, the Government has opened the way for international scrutiny by issuing an open invitation to United Nations human rights mechanism to conduct visits, and by having, inter alia, an agreement with OHCHR, an OHCHR country office, a national human rights programme, and a human rights policy commission.¹¹⁹

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

N/A.

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

N/A.

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a non-governmental organization in consultative status with the Economic and Social Council. Two asterisks denote a national human rights institution with “A” status).

Civil society

AI	Amnesty International*, London, UK
A19	Article 19, London, UK
CAPAJ	Comisión Jurídica Para el Autodesarrollo de los Pueblos Originarios Andinos*, Lima, Peru
CLADEM	Comité de América Latina y el Caribe Para la Defensa de los Derechos Humanos de las Mujeres, Bogota, Colombia
FIACAT	International Federation of Action by Christians for the Abolition of Torture*, Paris, France
HRW	Human Rights Watch*, Geneva, Switzerland
ICTJ	International Center for Transitional Justice, New York, USA
IITC	International Indian Treaty Council*, San Francisco, USA
JS1	Civil Society Organizations for the Universal Periodic Review (joint submission), Mexico City, Mexico
JS2	National Network of Human Rights Civil Organizations “Todos los Derechos para Todas y Todos” (joint submission), Mexico City, Mexico
JS3	World Association of Community Radio Broadcasters* (AMARC-Mexico) and the Mexican Association of Right to Information (AMEDI) (joint submission), Mexico City, Mexico
JS4	Interamerican Association for Environmental Defense, Mexican Environmental Law Center (CEMDA), Presencia Ciudadana Mexicana, and Mazahui (joint submission), Mexico City, Mexico
JS5	Organizaciones Civiles y Redes Sobre la Situación de los Derechos Económicos, Sociales, Culturales y Ambientales en México (joint submission), Mexico City, Mexico
JS6	Global Youth Coalition on HIV/AIDS (GYCA) y la Iniciativa por los Derechos Sexuales (joint submission), Mexico City, Mexico
JS7	Servicios para una educación alternativa (EDUCA), Comité de Liberación 25 de Noviembre, La Liga Mexicana por la Defensa de los derechos Humanos (LIMEDDH) filial Oaxaca, Centro Regional de derechos Humanos “Bartolomé Carrasco Briseño” (BARCADH) y Consorcio Para el Dialogo Parlamentario y la equidad Oaxaca (joint submission), Mexico City, Mexico
RSF	Reporters Without Borders*, Paris, France
SME	Sindicato Mexicano de Electricistas, Mexico City, Mexico

National human rights institution

CNDH	Comisión Nacional de los Derechos Humanos**, Mexico City, Mexico
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² AI, p. 4.

³ JS1: Academia Mexicana de Derechos Humanos, A.C. (AMDH); Asociación de Derechos Humanos del Estado de México (ADHEM); Asociación de Familiares de Detenidos Desaparecidos y Víctimas de Violaciones a los Derechos Humanos en México (AFADEM-FEDEFAM); Asociación para el desarrollo integral de personas violadas, A.C. (ADIVAC); Asociación para la Defensa de los Derechos Humanos y la Equidad de Género (ASDDHEG); Casa y Ciudad de Coalición Hábitat México; Cátedra UNESCO de Derechos Humanos de la Universidad Nacional Autónoma de México; Católicas por el Derecho a Decidir A.C.; Centro de Derechos Humanos “Fray Francisco de Vitoria, O.P.” A.C.; Centro de Derechos Humanos Coordinadora 28 de Mayo, A.C.; Centro de Derechos Humanos Fray Matías de Córdoba, A.C.; Centro de Derechos Humanos Miguel Agustín Pro Juárez, A.C. (PRODH); Centro de Estudios Fronterizos y Promoción de los Derechos Humanos, A.C.; Centro de Estudios Sociales y Culturales Antonio de Montesinos (CAM); Centro de Reflexión y Acción Laboral (CEREAL) de Fomento Cultural y Educativo; Centro Mexicano de Derecho Ambiental, A.C.; Centro Nacional de Comunicación Social A.C. (CENCOS); Centro Operacional

de Vivienda y Poblamiento, A.C. (COPEVI); Coalición Pro Defensa del Migrante; Colectivo Contra la Tortura y la Impunidad, A.C.; Comisión de Derechos Humanos de Chiapas; Comisión Mexicana de Defensa y Promoción de los Derechos Humanos, A.C.; Comité de América Latina y el Caribe para la Defensa de los Derechos de la Mujer (CLADEM- México); Comité de Derechos Humanos de las Huastecas y Sierra Oriental (CODHSSO); Comité Nacional de Educación en Derechos Humanos - México; Comunicación e Información de la Mujer A.C. (CIMAC); DECA Equipo Pueblo; Defensoría del Derecho a la Salud; Elige Red de Jóvenes por los Derechos Sexuales y Reproductivos; Escuela de Graduados en Administración Pública y Política Pública (ITESM CEM); Espacio de Coordinación de Organizaciones Civiles sobre DESC (Espacio DESC), capítulo mexicano de la Plataforma Interamericana de Derechos Humanos, Democracia y Desarrollo; FIAN Sección México; Fundación Daywalka México, A.C.

Fundación Diego Lucero, A.C.; Fundar, Centro de Análisis e Investigación, A.C.; Grupo de Información en Reproducción Elegida, A.C. (GIRE); Iniciativa Ciudadana y Desarrollo Social, INCIDE social, A.C.; Instituto Mexicano de Derechos Humanos y Democracia, A.C.; Instituto Mexicano para el Desarrollo Comunitario (IMDEC); Instituto Tecnológico de Monterrey Campus Estado de México, Escuela de Graduados en Administración Pública; Liga Mexicana por la Defensa de los Derechos Humanos, A.C. (Limedd); Radar-Colectivo de estudios Alternativos en Derecho; Red Nacional de Organismos Civiles de Derechos Humanos “Todos los Derechos para Todas y Todos”; Red por los Derechos de la Infancia en México; Red Solidaria Década contra la Impunidad A.C.; Red Universitaria de Monitores de Derechos Humanos (RUMODH); Salud Integral Para la Mujer, A.C. (SIPAM); Servicio Jesuita a Migrantes - México; Sin Fronteras, I.A.P.; Asociación Mundial de Radios Comunitarias - México (AMARC); Fédération Internationale des ligues des Droits de l’Homme (FIDH); Regional Latin America and Caribbean Office of The International Habitat Coalition (HIC-AL); World Organization Against Torture (OMCT); Peace Brigades International (Observer); Inter American Platform on Human Rights, Development and Democracy (PIDHDD); Food First Information and Action Network-FIAN International.

⁴ JS1, p. 3.

⁵ JS1, p. 1.

⁶ JS2: The National Network of Human Rights Civil Organizations “Todos los Derechos para Todas y Todos” formed by: Asistencia Legal por los Derechos Humanos, A.C. (Distrito Federal); Asociación Jalisciense de Apoyo a los Grupos Indígenas, A.C. (Guadalajara, Jal.); Asociación para la Defensa de los Derechos Ciudadanos “Miguel Hidalgo”, A.C. (Jacala, Hgo.); Católicas por el Derecho a Decidir, A.C. (Distrito Federal); Centro “Fray Julián Garcés” Derechos Humanos y Desarrollo Local, A.C. (Tlaxcala, Tlax.); Centro de Apoyo al Trabajador, A.C. (Puebla, Pue.); Centro de Derechos Humanos “Fray Bartolomé de Las Casas”, A.C. (San Cristóbal de Las Casas, Chis.); Centro de Derechos Humanos “Fray Francisco de Vitoria O.P.”, A.C. (CDHFFV) (Distrito Federal); Centro de Derechos Humanos “Miguel Agustín Pro Juárez”, A.C. (PRODH) (Distrito Federal); Centro de Derechos Humanos “Don Sergio” (Jiutepec, Mor.); Centro de Derechos Humanos “Fray Matías de Córdova”. A.C. (Tapachula, Chis.); Centro de Derechos Humanos de la Montaña, Tlachinollan, A.C. (Tlapa, Gro.); Centro de Derechos Humanos, “Juan Gerardi”, A.C. (Torreón, Coah.); Centro de Derechos Humanos Ñu`u Ji Kandíí, A.C. (Tlaxiaco, Oax.); Centro de Derechos Humanos Solidaridad Popular, A.C. (Monterrey, N.L.); Centro de Derechos Humanos Tepeyac del Istmo de Tehuantepec, A.C. (Tehuantepec, Oax.); Centro de Derechos Humanos Victoria Diez, A.C. (León, Gto.); Centro de Derechos Indígenas “Flor y Canto”, A.C. (Oaxaca, Oax.); Centro de Derechos Indígenas A.C. (Bachajón, Chis.); Centro de Estudios Fronterizos y Promoción de los Derechos Humanos, A.C. (Reynosa, Tamps.); Centro de Justicia para la Paz y el Desarrollo, A.C. (CEPAD) (Guadalajara, Jal.); Centro de Reflexión y Acción Laboral (CEREAL-DF) (Distrito Federal); Centro de Reflexión y Acción Laboral (CEREAL-Guadalajara) (Guadalajara, Jal.); Centro Diocesano para los Derechos Humanos “Fray Juan de Larios”, A.C. (Saltillo, Coah.); Centro Regional de Defensa de DDHH José María Morelos y Pavón, A.C. (Chilapa, Gro.); Centro Regional de Derechos Humanos “Bartolomé Carrasco”, A.C. (Oaxaca, Oax.); Ciencia Social Alternativa, A.C. - KOOKAY (Mérida, Yuc.); Ciudadanía Lagunera por los Derechos Humanos, A.C. (CILADHAC) (Torreón, Coah.); Ciudadanos en Apoyo a los Derechos Humanos, A.C. (CADHAC) (Monterrey, NL); Colectivo Educación para la Paz y los Derechos Humanos, A.C. (CEPAZDH) (San Cristóbal de Las Casas, Chis.); Comisión de Derechos Humanos “La Voz de los sin voz” (Coyuca de Benítez, Gro.); Comisión de Derechos Humanos y Laborales del Valle de Tehuacan, A.C. (Tehuacan, Pue.); Comisión de Solidaridad y Defensa de los Derechos Humanos, A.C. (Chihuahua, Chih.); Comisión Independiente de Derechos Humanos de Morelos, A.C. (CIDHMOR) (Cuernavaca, Mor.); Comisión Intercongregacional “Justicia, Paz y Vida” (Distrito Federal); Comisión Parroquial de Derechos Humanos “Martín de Tours”, A.C. (Texmelucan, Pue.); Comisión Regional de Derechos Humanos “Mahatma Gandhi”, A.C. (Tuxtepec, Oax.); Comité de Defensa de las Libertades Indígenas (CDLI) (Palenque, Chis.); Comité de Derechos Humanos Ajusco (Distrito Federal); Comité de Derechos Humanos “Fr. Pedro Lorenzo de la Nada”, A.C. (Ocosingo, Chis.); Comité de Derechos Humanos “Sembrador de la Esperanza”. A.C. (Acapulco, Gro.); Comité de Derechos Humanos “Sierra Norte de Veracruz”, A.C. (Huayacocotla, Ver.); Comité de Derechos Humanos de Colima, No gubernamental, A.C. (Colima, Col.); Comité de Derechos Humanos de Comalcalco, A.C. (CODEHUCO) (Comalcalco,

Tab); Comité de Derechos Humanos de Tabasco, A.C. (CODEHUTAB) (Villahermosa, Tab); Comité de Derechos Humanos y Orientación Miguel Hidalgo, A.C. (Dolores Hidalgo, Gto.); Comité Sergio Méndez Arceo Pro Derechos Humanos de Tulancingo, Hgo AC (Tulancingo, Hgo.); Frente Cívico Sinaloense. Secretaría de Derechos Humanos. (Culiacán, Sin.); Indignación, A.C. Promoción y Defensa de los Derechos Humanos (Chablekal, comisaría del municipio de Mérida, Yuc.); Instituto Guerrerense de Derechos Humanos, A.C. (Chilpancingo, Gro.); Instituto Mexicano para el Desarrollo Comunitario, A.C. (IMDEC), (Guadalajara, Jal.); Instituto Tecnológico y de Estudios Superiores de Occidente, - Programa Institucional de Derechos Humanos y Paz. (Guadalajara, Jal.); Programa de Derechos Humanos. Universidad Iberoamericana-Puebla (Puebla, Pue); Programa Universitario de Derechos Humanos. UIA - León (León, Gto.); Respuesta Alternativa, A.C. Servicio de Derechos Humanos y Desarrollo Comunitario (San Luis Potosí, S.L.P.); Servicio, Paz y Justicia de Tabasco, A.C. (Villahermosa, Tab.); Servicio, Paz y Justicia, México (SERPAJ-México) (Comalcalco, Tab.); Taller Universitario de Derechos Humanos, A.C. (TUDH) (Distrito Federal).

⁷ JS2, p. 1.

⁸ JS1, p. 1.

⁹ JS1, p. 5.

¹⁰ JS6: Global Youth Coalition on HIV/AIDS (GYCA); la Iniciativa por los Derechos Sexuales (una coalición que integran, entre otros, Mulabi - Espacio Latinoamericano de Sexualidades y Derechos; Action Canada for Population and Development, y Creating Resources for Empowerment and Action-India).

¹¹ JS6, pp. 4, 5.

¹² CLADEM, p. 4.

¹³ CNDH, p. 5.

¹⁴ AI, p. 3.

¹⁵ HRW, pp. 3, 4.

¹⁶ AI, pp. 3, 4.

¹⁷ JS2, p. 1.

¹⁸ See OACNUDH, *Diagnóstico sobre la situación de los Derechos Humanos en México*, México, 2003, available at, <http://www.hchr.org.mx/documentos/libros/diagnosticocompleto.pdf>.

¹⁹ FIACAT, p. 2.

²⁰ AI, p. 7.

²¹ JS2, pp. 7, 8.

²² CNDH, p. 1.

²³ JS2, p. 1.

²⁴ CNDH, p. 4.

²⁵ CNDH, p. 5.

²⁶ JS2, p. 3.

²⁷ CNDH, pp. 2, 3.

²⁸ JS2, pp. 3, 4.

²⁹ JS1, p. 2.

³⁰ JS2, pp. 5, 6, 7.

³¹ JS1, p. 2.

³² JS1, p. 3.

³³ JS7, p. 2.

³⁴ JS7, pp. 1, 3.

³⁵ JS7, p. 5.

³⁶ JS2, p. 3.

³⁷ CNDH, p. 3.

³⁸ AI, p. 5.

³⁹ JS1, p. 5.

⁴⁰ CLADEM, pp. 3, 4.

⁴¹ JS2, p. 9.

⁴² AI, p. 5.

⁴³ FIACAT, p. 2.

⁴⁴ JS2, p. 8.

⁴⁵ CLADEM, p. 2.

⁴⁶ JS1, p. 3.

⁴⁷ AI, p. 4.

⁴⁸ HRW, pp. 4, 5.

⁴⁹ ICTJ, p. 4.

⁵⁰ ICTJ, p. 5.

⁵¹ CNDH, p. 2.

⁵² JS1, p. 2.

⁵³ JS2, p. 8.

⁵⁴ JS1, p. 2.

⁵⁵ JS1, pp. 2, 3.

⁵⁶ AI, p. 4.

⁵⁷ HRW, p. 4.

⁵⁸ JS1, p. 2.

⁵⁹ CNDH, p. 4.

⁶⁰ CNDH, p. 3.

⁶¹ JS2, p. 6.

⁶² JS1, p. 4.

⁶³ JS3: The World Association of Communities Radios (AMARC-Mexico) and the Mexican Association of Right to Information (AMEDI).

⁶⁴ JS3, p. 3.

⁶⁵ JS1, p. 4; CNDH, p. 3; A19, p. 1.

⁶⁶ JS1, p. 4.

⁶⁷ JS3, p. 4.

⁶⁸ A19, p. 2.

⁶⁹ A19, pp. 3, 4.

⁷⁰ RSF, p. 1.

⁷¹ AI, p. 5.

⁷² JS2, pp. 3, 4.

⁷³ JS2, p. 2.

⁷⁴ JS1, p. 6.

⁷⁵ JS5, p. 5.

⁷⁶ JS1, p. 6.

⁷⁷ JS5, pp. 3, 4.

⁷⁸ JS1, p. 6.

⁷⁹ JS5, p. 4.

⁸⁰ CAPAJ, p. 4.

⁸¹ JS5, p. 4.

⁸² JS5, p. 2.

⁸³ CNDH, pp. 6, 7.

⁸⁴ JS1, p. 6.

⁸⁵ JS5, p. 3.

⁸⁶ JS5, p. 3.

⁸⁷ JS1, p. 6.

⁸⁸ JS1, pp. 7, 8.

⁸⁹ JS2, p. 9.

⁹⁰ JS6, pp. 1-3.

⁹¹ JS1, p. 7.

⁹² JS5, p. 5.

⁹³ JS4: Interamerican Association for Environmental Defense; Mexican Environmental Law Center (CEMDA); Presencia Ciudadana Mexicana; Mazahui.

⁹⁴ JS4, p. 1.

⁹⁵ JS4, pp. 9, 10.

⁹⁶ JS1, p. 7.

⁹⁷ CNDH, p. 7.

⁹⁸ JS5, p. 5.

⁹⁹ CNDH, p. 5.

¹⁰⁰ CNDH, p. 5.

¹⁰¹ CNDH, p. 6.

¹⁰² CAPAJ, p. 5.

¹⁰³ CAPAJ, p. 7.

¹⁰⁴ JS7: Servicios para una educación alternativa (EDUCA); Comité de Liberación 25 de Noviembre; La Liga Mexicana por la Defensa de los derechos Humanos (LIMEDDH) filial Oaxaca; Centro Regional de derechos Humanos "Bartolomé Carrasco Briseño" (BARCADH); Consorcio Para el Dialogo Parlamentario y la equidad Oaxaca.

¹⁰⁵ JS7, pp. 4, 5.

¹⁰⁶ JS1, p. 5.

¹⁰⁷ JS2, p. 2, AI, p. 6.

¹⁰⁸ JS5: Academia Mexicana de Derechos Humanos, A.C. (AMDH); Centro Mexicano de Derecho Ambiental, A.C. (CEMDA); Centro Operacional de Vivienda y Poblamiento, A.C. (COPEVI); Iniciativa Ciudadana y Desarrollo Social,

INCIDE Social, A.C.; Espacio de Coordinación de Organizaciones Civiles sobre DESC (Espacio DESC), capítulo mexicano de la Plataforma Interamericana de Derechos Humanos, Democracia y Desarrollo; Casa y Ciudad de Coalición Hábitat México; Cátedra UNESCO de Derechos Humanos de la Universidad Nacional Autónoma de México; Centro de Derechos Humanos Miguel Agustín Pro Juárez, A.C. (PRODH); Centro de Estudios Sociales y Culturales Antonio de Montesinos (CAM); Centro de Reflexión y Acción Laboral (CEREAL) de Fomento Cultural y Educativo; Comisión Mexicana de Defensa y Promoción de los Derechos Humanos, A.C.; DECA Equipo Pueblo; Defensoría del Derecho a la Salud; FIAN Sección México; Instituto Mexicano para el Desarrollo Comunitario (IMDEC); Liga Mexicana por la Defensa de los Derechos Humanos, A.C. (Limeddh); Oficina Regional para América Latina y el Caribe de la Coalición Internacional del Hábitat (HIC-AL); Radar-Colectivo de estudios Alternativos en Derecho; FoodFirst Information and Action Network (FIAN Internacional); Plataforma Interamericana de Derechos Humanos, Democracia y Desarrollo (PIDHDD); Social Watch.

¹⁰⁹ JS5, p. 1.

¹¹⁰ IITC, pp. 1, 2.

¹¹¹ IITC, p. 3.

¹¹² IITC, p. 4.

¹¹³ CNDH, p. 6.

¹¹⁴ JS1, p. 5.

¹¹⁵ JS2, p. 10.

¹¹⁶ SME, p. 2.

¹¹⁷ SME, p. 4.

¹¹⁸ JS2, p. 5.

¹¹⁹ JS1, p. 1.
