

# NEWS LETTER

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### MEXICAN OMBUDSMAN PROMOTES THE SIGNATURE OF A RELIGION TOLERANCE AGREEMENT.

On the occasion of the signing of a Collaboration Agreement to Promote Religious Tolerance, with the Ministry of the Interior and the National Institute for Indigenous Affairs, the President of the Mexican National Commission for Human Rights (CNDH), José Luis Soberanes Fernández, called for a frontal attack on the violations to human rights and fundamental liberties established in the Mexican Constitution.

During the event, in which 137 constitutive certificates to new religious associations were also handed out, the Mexican Ombudsman stated that we are still far from achieving full respect for the different conscientious objection and religious freedom.

Expressions of intolerance or persecution as a result of creed, Dr. Soberanes said, must be a priority concern for the Mexican State, as tolerance cannot be reduced to merely allowing religious acts to take place, but rather must be realized as an obligation to defend freedom of conscience.

Soberanes Fernández considered that respect for different religious manifestations is an issue which requires participation on the part of the authorities, the communities, and the institutions in charge of promoting actions to protect and defend human rights.

"The immediate past teaches us that any sign of religious antagonism, however small it might be, must be tended to and requires immediate action on the part of the State, actions which seek not only to avoid social conflict but also to strengthen the culture of respect for the essential rights of the human being, compliance with the law and reinforcement of democratic Rule of Law," he averred.

Moreover, the Minister of the Interior, Santiago Creel Miranda, declared that the non religious nature of the State is the platform which enables effective action on the part of public institutions to protect, guarantee and promote the exercise of freedom of thought and worship, without privilege for any single creed or particular religious institution.

The Minister stressed that liberty is the creed upon which all democratic systems are built, and is also the point of departure for human rights.

"A non religious State is essential for an inclusive society: it is the only one that can ethically and juridically guarantee the exercise of freedom of creed and public worship", said Creel Miranda, who agreed with the head of the CNDH that the signing of this Collaboration Agreement will promote a culture of tolerance and respect for religious plurality.

To this regard, the Director General of the National Institute for Indigenous Affairs, Marcos Matias Alonso, commented that this inter-institutional effort seeks to favor mediation, negotiation and dialogue in pacific settlements of religious conflicts in native Mexican villages and communities.

The auxiliary bishop of México and secretary general of the Mexican Episcopate Conference, Monsignor Abelardo Alvarado Alcantara, considered that the signature of this agreement express the political determination on the part of Mexican State authorities and institutions to guarantee the full exercise of one of the fundamental rights of the human being: religious freedom.

Nevertheless, he pointed out that legislations and agreements by themselves are not enough to totally eliminate all forms and manifestations of intolerance and put an end to an inertia of violence, because "ancestral mentalities cannot be changed overnight".

Carlos Amaro Hernandez, president of the National Baptist Convention of Mexico, exhorted all the religious associations to establish a commitment of honor to work in favor of the comprehensive and healthy development of Mexico, respecting the sphere of vocation and doctrine to "give Caesar what belongs to Caesar and not end up trying to be Caesar".

The agreement signed by the Mexican National Commission for Human Rights, the Ministry of the Interior and the National Institute for Indigenous Affairs has three main axes: the State's non religious nature, shared collaboration and responsibility on the part of the churches, and the federal authorities' commitment with democratic governability.

This event was attended by the undersecretary of Population, Migration and Religious Affairs belonging to the Ministry of the Interior, Javier Moctezuma Barragan; the secretary general of the Government of the State of Veracruz, Noemi Quirasco Hernandez, and representatives of religious associations and congregations. The issuance of these 137 "constitutive certificates" to newly registered groups makes a total of 5,854 religious associations registered since 1992.

#### RECOMMENDATIONS Recommendation No. 13/2001

June 1, 2001

Case: Derives from the refutation measure of M Jacobo Vergara Rayo.

Authority Addressed: The Constitutional Municipal President of San Miguel Totoloapan, Guerrero.

#### Recommendation No. 14/2001

June 29, 2001

Case: On the case of a Huichol sacred area and the zone of ecological conservation known as "Wirikuta".

Authority Addressed: Constitutional Governor of the State of San Luis Potosí.

### GENERAL RECOMMENDATIONS

In accordance with the reforms to the Internal Regulations of the National Commission for Human Rights (CNDH in its Spanish acronym), published in the Diario Oficial de la Federación, on November 7th 2000, Article 129 Bis establishes that the National Commission for Human Rights can also emit General Recommendations to diverse authorities throughout the country, in order to promote the changes and modifications of regulatory dispositions and administrative practices that constitute or in any way favor violations of Human Rights. These Recommendations will be made in a way similar to the individual ones and will be based upon studies made by the Commission in each one of the Inspections by previous Resolution by the President. Prior to their being emitted, they will be made known to the Council. The General Recommendations will have in their text the following: 1) Historical Background; 2) Situation and Juridical Basis; 3) Observations, and 4) Recommendations. The General Recommendations will not require acceptance by the authorities to whom they are addressed to and will also be published in the CNDH's publication: Gaceta.

On June 27th, the National Commission for Human Rights, emitted the first two General Recommendations of this year (1/2001 and 2/2001) pertaining to the indignant body searches that were done on visitors to the penitentiaries throughout the country, as well as for the practice of arbitrary detention that the Judicial Police and elements of several policy corps have been doing.

#### General Recommendation 1/2001

June 19, 2001

Case: Derives from the Practice of indignant body searches on visitors to the State and Federal penitentiaries in Mexico.

Authority addressed: Ministry of Public Safety, Governors of the States and Head of the Government of the Federal District.

#### General Recommendation 2/2001

June 19, 2001

Case: Derives from the practice of illegal detentions

Authorities addressed: Federal and State Attorney Generals, Minister of Public Safety and those responsible for Public Safety in all of the States.

## DOMESTIC RELATIONS

Agreement between the National Commission for Human Rights (CNDH) and the Ministry of Financial Comptroll and Administrative Development (SECODAM)

As a part of the reform and restructuring process that the National Commission for Human Rights recently initiated in order to offer a better and more efficient attention to the general population, the Commission today signed an agreement with the Ministry of Financial Comptroll and Administrative Development (SECODAM), with the purpose of making more transparent its administrative work through new rules in auditing, control and monitoring.

The agreement CNDH-SECODAM includes a series of courses and workshops about themes such as information and training, in fields such as responsibility and fiscal analysis, both at the theoretical level and in the practical process of integrating files and proceedings. These resources will be received by the employees of the Internal Fiscal Comptroller Office of the CNDH and will make use of all the experience in the field that SECODAM has accumulated up to now.

The National Ombudsman expressed that the Constitutional autonomy granted to the CNDH in 1999 does not mean that it is excluded from the National juridical order, nor from the Republican principles and values; this agreement, he added, and the experience of SECODAM in the field of administrative development, will be of fundamental use for us, in order to reach our objectives of modernizing the work of the Commission.

The head of the Ministry of Financial Comptroll and Administrative Development, CP Franco Barrio Terrazas, expressed that the agreement is the result of an initiative undertaken by the CNDH and added that the link between the two institutions is exemplary and unique in its field, as much as the Commission is an autonomous institutions and the Ministry which he heads, is part of the Federal Executive Power.

The agreement CNDH-SECODAM will start functioning immediately and will last indefinitely, and it can also be modified subject to the agreement of both parts.

Annual Cycle of Conferences and Round Tables: "Democratic Transition and the Human Rights Protection"

The Mexican National Commission for Human Rights, in collaboration with the Faculty of Law of the National Autonomous University of Mexico, organized two round tables throughout the month of June.

The first one took place on the 21st of June, and addressed the subject of "Racism, Xenophobia and Intolerance". The panel was made up by Oscar González, member of the Mexican Academy for Human Rights; Dr. Olivia Joanna Gall-Sonabend, professor at the Institute of Antropological Research of the National Autonomous University of Mexico; Dr. Isidro Cisneros, from Latin American Faculty of Social Science (FLACSO) and Armando González Morales, professor of the Autonomous University of Puebla (UAP)

The second round table met on June 28th and addressed the subject of "Traffic of children and women". The participants were Dr. Elena Azaola, from the Center for Research and Graduate Studies in Social Anthropology (CIESAS); Nelia Bojorquez from UNICEF, and Jorge Valencia Bautista, member of the Mexican Collective Help Group for Children.

### Training Courses

The National Commission for Human Rights, in accordance with the spirit promoted by the institution of the Ombudsman for the advancement of the study, education and diffusion of Human Rights, organized during the month of June eighty-eight activities related to the above mentioned subject.

Members of the Training Area gave 29 conferences, 10 courses, eight workshops courses, eight workshops and three forums. Besides, in response to a petition by the Social Security Institute for Federal Government Employees, a lecture was given to a group of elderly people, and in answer a the petition by the Federal Attorney General's Office in the State of Mexico, a course was given on Human Rights for those aspiring to be agents of the Federal Judicial Police.

In the same manner, in response to a petition by the YMCA House of Aid to Migrants from the State of Baja California, the seminar "The Protection of Refugees in Mexico" was given. And finally, the photographic exhibition "Views of Mexico" was presented both in the auditorium of the Legislative Assembly of the Federal District of Mexico, and at the Iztacala National School of Professional Studies.

Other work meetings took place with several organizations, among them with representatives of Integración y Desarrollo Social, A. C. (Social Integration and Development); and Caritas Bienestar del Adulto Mayor (Caritas Welfare for the Elderly Adult), to deal with issues pertaining to the Campaign Against Violence Towards Women, The National Network Against Violence Towards Women and Young Men, and the organizing committee for the National Youth Contest "Letter to My Parents".

The Commission was also present at the work sessions for the review of the Official Mexican Norm 001-SSA-1993, which established the architectural requirements needed to facilitate access, transit and the stay of disadvantage persons to establishments of the National Health System. Finally, a work meeting took place with public servants from the Executive Secretariat of the CNDH for the preparation of the World Summit Against Racism.

The subject matter of the training activities was extremely varied, such as "The Teaching of Values in School"; "Human Rights Promoters"; "Training Teachers on Human Rights"; "Human Rights Education"; "Conceptual Approach on Human Rights"; "Methodology of Education on Human Rights"; "Civil Rights"; "Human Rights and Public Safety"; "Human Rights and Freedom of Expression"; "Human Rights and Social Participation"; "Rights of Children"; "Childhood and Education in Mexican Law"; "New Ways for the Protection of Childhood and the Rights of Children in Danger"; "Family Values and Human Rights"; "The Human Rights of Elderly Persons"; "Family Violence and Mediation"; "The Armed Forces and Human Rights"; "National Non-Jurisdictional Protection System of Human Rights"; "General Aspects of Human Rights"; "International Humanitarian Law"; "The Role of Security and Custody and the Respect of Human Rights"; "Human Rights and Health"; "The Protection of Human Rights in Police Functions"; "Basic Course on Human Rights"; "Human Rights and AIDS"; "The Jurisdictional Protection of Political Rights"; "Prospective Analysis of Human Rights at the National Level"; "The Rights of Indian Villages and the Rights of Migrants Human Rights and Democratic Transition"; "Human Rights and Ecology"; "Human Rights and Social Security"; "The Social Administration of Non Governmental Organizations and Civil Liberties"; and "Human Rights and Curriculum" (relative to the inclusion of this theme in school programs)

## INTERNATIONAL RELATIONS

Meeting of the Working Group of the Network of National Institutions for the Promotion and Protection of Human Rights in the American Continent

In response to the agreements reached during the Video Conference that took place between members of the Working Group of the Network, the National Institutions of Mexico, acting as Technical Secretary pro tempore, Argentina, Honduras and Canada met on June 25 and 26, 2001, in the city of Buenos Aires for a work session designed to conclude the project of the Statutes.

The final version of the Statutes will be sent to all the National Institutions that belong to the Network for their information, and will be approved during the First Meeting of the Network on a date and place not yet agreed upon.

## PUBLICATIONS

Gaceta, Official monthly publication of the National Commission for Human Rights, No. 129, corresponds to the month of April 2001.

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