

# NEWS LETTER

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## CONTENTS

- XIII GENERAL ASSEMBLY AND CONGRESS OF THE IBERO-AMERICAN OMBUDSMAN FEDERATION AND VII GENERAL ORDINARY ASSEMBLY FOR THE NETWORK OF NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS OF THE AMERICAS
- 55/2008 Case of torture of A1
- 56/2008 Case of Special Tactical Team of the Municipal Police of the city of León, Guanajuato
- 57/2008 Case of explosion in the Municipality of Nadadores, Coahuila
- 58/2008 Appeal of Mr. Policarpo Pineda Baltazar
- 59/2008 Case of Gamaliel López Candanosa and Gerardo Paredes Pérez, reporter and cameraman for TV Azteca north east
- 60/2008 Case of torture of A1
- NATIONAL ISSUES
- INTERNATIONAL ISSUES

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### XIII GENERAL ASSEMBLY AND CONGRESS OF THE IBERO-AMERICAN OMBUDSMAN FEDERATION AND VII GENERAL ORDINARY ASSEMBLY FOR THE NETWORK OF NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS OF THE AMERICAS

The XIII General Assembly and Congress of the Ibero-American Ombudsman Federation (Spanish initials – FIO) took place on 20th and 21st November. The VII General Ordinary Assembly for the Network of National Institutions for the Promotion and Protection of Human Rights was held simultaneously in Merida, State of Yucatán.

The ombudsmen for Mexico, Spain, Andorra, El Salvador, Costa Rica, Panamá, Venezuela, Ecuador, Perú, Bolivia and Paraguay took part in said meeting, as well as the representatives from Portugal, Nicaragua and Argentina. Also, 13 Human Rights General Attorneys from the Autonomous Communities in Spain were present at the event, seven representatives of the Provincial Human Rights Defence Offices in Argentina and the 22 Presidents of the Mexican States Commissions.

During the XIII Assembly, the President of the FIO presented his Report, the admission requests for new memberships were analysed and accepted, the Regional Programme for the Support to Ibero American Human Rights Defence Offices (Spanish initials – PRADPI) was presented, as well as the Report on the current situation of the Special Fund for Ombudsmen and National Institutions of Human Rights in Latin America and the Caribbean.

Among the activities carried out, the proposal to make an amendment to the FIO's Statute stands out. This was requested in order to incorporate the participation to different Thematic Networks, the topics and characteristics for their intervention inside the Federation, as well as the choice of Madrid, Spain, as the location for the XIV General Assembly and Congress of the FIO.

Simultaneously to the activities carried out by the FIO, the VII General Ordinary Assembly for the Network of National Institutions for the Promotion and Protection of Human Rights of the Americas (Spanish initials – RED) took place. Ivonne Ortega Pacheco, Governor of the State of Yucatán, and Dr. José Luis Soberanes Fernández, President of the National Human Rights Commission and Secretary General of the Red and Dr. Beatriz Merino, Peruvian Human Rights Attorney General and First Vice President of the FIO, were in charge of the inauguration.

Among the topics discussed by this Assembly, the most important were: the Declarations and Resolutions approved by the General Assembly of the OEA, the Report on the IX International Conference of National Institutions of Human Rights, held in Nairobi, Kenya, on 25th October, as well as the presentation of the 2008 Activity Report of the Red's Secretary General.

It is important to point out that the Coordination Committee was held during the Assembly. This was integrated by the Human Rights Attorney General of El Salvador, the Human Rights Attorney General from Ecuador, the Commissioner in Chief of the Canadian Commission of Human Rights and the Human Rights Attorney of Venezuela, who was also elected as Secretary General of the Red for the 2008-2011 mandate.

## RECOMMENDATIONS

The following presents a synthesis of the recommendations emitted by the CNDH during the month of November. The complete version can be consulted on the website of this institution.

Recommendation 55/2008

18th November 2008

Case: Torture of A1

Addressee Authority: Secretary of Public Safety

On 21st September 2007 this National Commission received the written complaint filed by Mrs. Silvestra Palacios Rodriguez, in which she declared presumed violations against the Human Rights of her son, Mr. Francisco Javier Atilano Palacios. Public officials belonging to the Federal Preventive Police were accused of the violations, since on 16th September 2007 they searched her home, looking for drugs and weapons. During said operations, her son was detained and beaten all over his body. Finally, she indicated that, on an unspecified day, she visited her relative at the offices of the Attorney General in Torreón, Coahuila, and she noticed a number of injuries on his face and he complained of a pain in his side.

From the logical-judicial analysis carried out on the evidence in the file, this National Commission was able to substantiate the violations to the Human Rights of legality, juridical safety and physical integrity committed against Mr. Francisco Javier Atilano Palacios, at the hand of public officials belonging to the Federal Preventive Police, as they entered the home of the plaintiff without a written and justified warrant, as it is requested by the Political Constitution of the United States of Mexico, and therefore they affected the Human Rights of legality, juridical safety and inviolability of the private home.

Also, taking into consideration the different documents and elements of proof gathered, the National Commission could establish that the dynamics of the injuries which the aggrieved presented did not correspond at all with the declarations made by the public officials of the Federal Preventive Police who had carried out the arrest. This is the reason why it concluded that the aggrieved had been tortured.

Therefore, on 18th November 2008, the National Commission sent Recommendation 55/2008 to the Secretary of Public Safety, in order to decide on the corresponding measures to redress the damages caused and to offer the psychological and rehabilitative support necessary to re-establish the physical and psychological conditions of the aggrieved prior to the violation against his Human rights took place. The National Commission must be kept informed of the advances made and the results of the implementation of the above measures. The Internal Controlling Body of the Federal Preventive Police should be allowed to view the documents presented by the Joint General Management for the Promotions of Human Rights belonging to the Sub Secretary for Prevention, Liaison and Human Rights of the Secretary of Public Safety, as it was specified in document SPVDH/DGDH/DGADH/1500/2008, on 30th April 2008. The above is to make sure that administrative file DE/163/2008 includes the observations made by the present recommendation, in order to reach a lawful conclusion. The National Commission must be kept informed of the advances made in this file until its closure. Instructions must be given to those involved in the investigation, to make sure the Federal Attorney General is informed of the observations contained in this document, and for the Federal Public Ministry Agent in charge of prior investigation to include this new evidence which will allow the agent responsible to solve the case in a lawful manner. The National Commission will be kept informed of the advances made and the results of the implementation of the above measures. Instructions must be given to those responsible in order to implement the necessary actions to offer adequate training on the subject of Human Rights to the staff of the aforementioned Secretary, in order to avoid the repetition of incidents similar to the one which led to the present document. The National Commission must be kept informed of the advances made and the results achieved with the implementation of the above measures. Finally, all necessary instructions must be issued to this Secretary to make sure that the corresponding administrative measures for its staff will be taken to prevent the excessive use of strength, for them to observe in a correct and permanent manner the content of the regulations which rule over their duties, since they must adopt the necessary preventive measures to safeguard the Human Rights of the citizens. The National Commission must be kept informed of the advances made and of the results obtained by the implementation of the above measures.

Recommendation 56/2008

23th November 2008

Case: Special Tactical Team of the Municipal Police of the city of León, Guanajuato

Addressee Authority: President of the Management Committee of the LX Legislation of the H. Congress of the State of Guanajuato.

On 1st and 2nd July 2008, a number of national papers published articles with reference to the "training in a number of torture techniques" offered to the Special tactical Team of the Municipal Police of León, Guanajuato. The National Commission decided to supervise this case, (the Human Rights Attorney for the State of Guanajuato had opened an investigation on 30th June) in accordance with article 14 of its Internal Regulation, since it concluded that the incidents relating to the case transcended the interests of the federal entity and had an effect on national public opinion. File CNDH/1/2008/3483/Q was opened, and a request was made to the public authorities involved to supply the corresponding reports.

The analysis of the evidence gathered in file CNDH/1/2008/3483/Q led the National Commission to substantiate human rights violations to the Human Rights of legality, juridical safety and physical integrity, established in articles 14, second paragraph, and 16, first paragraph, of the Political Constitution of the United States of Mexico, at the hands of public officials of the Municipal Presidency of León, Guanajuato. The above was due to the training course offered to the officers of the Special Tactical Team of the municipality, which taught them a number of torture techniques, through simulations, causing the mistreatment and/or cruel treatment to some of the officers involved during the course.

As a consequence, this National Commission substantiated that during the training course offered to the Special Tactical Team of the Municipal Police of León, Guanajuato, torture techniques were transferred to its members. Also, a number of exercises to simulate these techniques were implemented during which the aggrieved were humiliated, denigrated and vexed for a period of time covering the duration of the training course. The above constituted an attempt against the right which all human beings have for the respect of their physical integrity and dignity.

Therefore, on 24th November 2008, the National Institution issued Recommendation 56/2008, directed to the President of the Management Committee of the LX Legislature of the H. Congress of the State of Guanajuato and to the members of the H. City Council of León, Guanajuato. Firstly, it requested the issuing of the necessary instructions to determine the responsibility incurred by the Mayor of León and the public officials of the City Council who took part in the incident in accordance with the body of the present Recommendation, and, if it were necessary, to proceed in a lawful manner to issue the documents that support such a decision. Also, the corresponding measures need to be implemented to analyse the manner in which public expenses are being carried out in the field of training for public officials on the subject of public safety in the different Municipalities of the State. Training courses in torture techniques should be avoided. Similarly, the Public Ministry who conducted prior investigation 4/2008 should have access to the present Recommendation, in order to use it, if it were necessary, as part of the investigation.

The Comptroller of the City Council of León, Guanajuato, should be informed of the above to open and determine, in a lawful manner, the administrative investigative procedure to be followed against the public officials of the Municipal Presidency of León, in said federal entity, due to the considerations made in the observations chapter of the present document. The National Commission should be kept informed at all the different stages. The Attorney General for the State of Guanajuato should have access to all the necessary documentation in order to complete prior investigation 4/2008 lawfully, which can be found at the Agency of the Public Ministry Specialised in High Profile Homicides at the Sub-Attorney of Specialised Investigations. The National Commission must be kept informed on the tasks conducted to achieve such results, until the closing of this file. Similarly, clear instructions must be sent to public officials in charge of public safety to implement the training courses its police force needs, under their supervision and authorisation, and in accordance to the Human Rights of its public officials, in order to prevent any form of ill treatment that may cause physical or psychological damage to the participants. Finally, instructions must be sent to those in charge to implement the necessary actions to offer the staff of the City Council of León, Guanajuato, adequate training on the subject of Human Rights, to avoid irregular practices, such as the ones that brought about the present document.

Recommendation 57/2008

28th November 2008

Case: Explosion in the Municipality of Nadadores, Coahuila

Addressee Authority: Secretary of National Defence

On 14th September 2007, the National Commission filed the complaint which was included in case 2007/3860/5/Q, regarding the investigation into the explosion of a vehicle, carrying 25 tons of explosive materials, in the Municipality of Nadadores, State of Coahuila.

On 9th September 2007, a truck with its container attached, property of the company Fletes y Traspaleos, S.A de C.V., was loaded with 25 tons of explosive materials, inside the premises of Explosivos Mexicanos ORICA SA de CV, in Monclova, Coahuila.

Approximately 15 minutes after leaving the premises, at 19:45 hours, at km 37+300 of federal highway 30 Monclova-San Pedro, between Monclova and ejido San Juan Boquillas, State of Coahuila, a Ford vehicle crashed against the truck causing a fire due to diesel combustion. 20 minutes later, the 25 tons of explosives carried inside the truck exploded, causing the death of 28 people, more than 131 injured, material damages in a number of houses in the village of Las Flores, municipality of Nadadores, as well as in 55 vehicles, the destruction of the pavement and a crater 25 metres wide and 2.5 metres deep. The shockwave covered an area of approximately 10 hectares.

Due to the above, the General Attorney for the State of Coahuila, filed prior investigation C-PI-080/2007, which was sent to the Federal Public Ministry, since the driver of the Ford vehicle died in the accident, in order to investigate into the responsibilities incurred due to the explosion of the truck's load. Because of this incident, federal investigation AP/PGR/COAH/MONC-I-050/D/07 was opened and continued until 3rd October 2008.

It was established that the companies responsible for the sale and transportation of the explosive materials involved in the accident had the necessary permits issued by the National Secretary of Defence (Spanish acronym – Sedena) to carry out such activities, in accordance to the dispositions of the Federal Law of Fire Arms and Explosives.

Similarly, it was established that on 7th September 2007 Sedena had been informed that on 9th of the same month a load of 25 tons of explosives was going to be moved inside a unit belonging to Fletes y Traspaleos S.A. de C.V. and that it would leave the premises of Explosivos Mexicanos ORICA S.A. de C.V. in Monclova, Coahuila, to reach Coquimaltán, State of Colima, at approximately 21:00 hours. The above was stated in the travel itinerary specified in the loading order sent by ORICA to Military Areas 20/a and 6/a. The removal of this load was explicitly authorised by Sedena.

However, despite the above, members of the Secretary did not show up at the premises of the issuing company, in order to check: that the explosives to be moved were authorised in accordance with the general licence; or that the right quantity of the product would be loaded in accordance with the authorisation; or that the truck was authorised by Sedena to move explosives, according to the corresponding licence; or that the vehicle corresponded to the one authorised by the SCT, in licence and number plates issued for federal transportation; or that the engine was in the right conditions to carry out the transportation of explosive materials.

In accordance to the Federal Law of Fire Arms and Explosives, it is the responsibility of the National Secretary of Defence to carry out the necessary actions for the control and surveillance of activities and industrial and commercial operations that deal with explosives, among other products, and it is the Secretary's responsibility to issue the specific licences to develop such activities and establish the corresponding safety measures.

Due to the above, Sedena omitted the exercise of its faculties of control and surveillance, since it did not carry out the supervision and it did not foresee the minimum necessary conditions to carry out such transportation, considering the peak and off-peak times of vehicle movement, the number and density of the existing population in the towns affected by the removal, as well as the conditions of the roads in the rural and urban areas affected, which surely would have been an essential factor in reducing the risk associated to the transportation of this type of materials and offering the intervention of the federal and local services of the civil guard.

As a consequence, the National Commission could substantiate that the human rights to legality and juridical safety were violated, to the grave detriment of the inhabitants of the Nadadores municipality, as well as the people that on 9th September 2007, at approximately 19:45 hours, transited on federal highway 30, at km 37+300 Nadadores-Sacramento, State of Coahuila.

Due to the above, it was considered the right course of action to recommend Sedena to: file the necessary investigation regarding the administrative responsibility incurred by public officials of the Secretary; to carry out the physical investigations prior to the authorisation for the transportation of explosive materials; to develop the legal framework to establish clearly the mechanisms for the implementation of general licences issued by Sedena for the handling of explosive materials on the national territory. Finally, in accordance with the dispositions of the general licences, it should indicate the routes, schedules and days for the removal of explosive materials, in order to reduce the risks and guarantee the immediate reaction of the civil guard following an accident.

Recommendation 58/2008

28th November 2008

Case: Appeal of Mr. Policarpo Pineda Baltazar

Addressee Authority: H. Constitutional Municipality of Acapulco de Juárez, State of Guerrero

On 13th July 2007, this National Commission received the contestation appeal presented by Mr. Policarpo Pineda Baltazar against the Commission of Human Rights for the State of Guerrero, due to the non-compliance with Recommendation 019/2005, on behalf of the Mayor of Acapulco de Juárez, Guerrero.

From the logical-judicial analysis carried out on the evidence included in file 2007/271/5/RI, it is substantiated that the municipality of Acapulco de Juárez, Guerrero, issued official letters 14 and 23 which informed the tenants of the tourist market La Dianathat they had 72 hours to remove the stalls and/or goods which obstructed the corridors or invaded the green areas and bushes of this market, otherwise "drastic measures would be taken".

The plaintiff presented a complaint to the Court of Administrative Litigation of the State of Guerrero against the dispositions of the above letters, which opened file TCA/SRA/II/2920/2004. On 7th October 2004, the suspension of said dispositions was granted. The Mayor and the Markets' Director, both in Acapulco, were notified of said decision, on 13th October 2004. However, on 1st December 2004, the Markets' Director of Acapulco carried out a police operation against the tourist market, confiscating the goods for sale at Mr. Pineda Baltazar's stall, goods which were never recovered by the owner.

On 22nd December 2004, Mr. Policarpo Pineda Baltazar presented a complaint to the Commission of Human Rights for the State of Guerrero due to the above incident, resulting in the opening of file CODDEHUM-CRA/009/2005-IV. On 3rd May 2005, the State's Commission, following an investigation into the incident, sent Recommendation 019/2005 to the Mayor of Acapulco, Guerrero, which was accepted by the municipal authority, but not fulfilled completely.

With regards to the above, the National Commission integrated the appeal file, with the conclusion that the human rights to legality, to juridical safety and to due process of the aggrieved had been violated, due to the police operation carried out on 1st December 2004 at the tourist market La Diana.

Consequently, on 28th November 2008, the National Commission sent recommendation 58/2008 to the City Council of Acapulco de Juárez, State of Guerrero, in order to inform in writing those responsible to comply with all the terms included in recommendation 019/2005, issued by the Commission of Human Rights for the State of Guerrero, on 3rd May 2005 and to inform the Commission of its fulfilment.

Recommendation 59/2008

28th November 2008

Case: Gamaliel López Candanosa and Gerardo Paredes Pérez, reporter and cameraman for TV Azteca north east

Addressee Authority: Government of the State of Nuevo León

On 14th May 2007, the National Commission was informed, through media reports, of the unjustified absence of Messrs Gamaliel López Candanosa and Gerardo Paredes Pérez, respectively reporter and cameraman for TV Azteca north east. The above took place on 10th May 2007 when the communications with them were interrupted as they were carrying out an assignment in the metropolitan area of Monterrey. The Public Ministry filed the corresponding investigations, opening inquiry 35/2007-I-1.

Considering that the incident described above is especially serious, that it has an effect on the national public opinion and that it transcends the interests of the State of Nuevo León, the National Commission decided to investigate the case, opening file 2007/2084/5/Q.

The National Commission substantiated the behaviours and omissions committed by public officials belonging to the Attorney General of the State of Nuevo León in violation of the Human Rights of Messrs Gamaliel López Candanosa and Gerardo Paredes Pérez.

The above conclusion was reached after the analysis carried out on prior investigation 35/2007-I-1, which observed how the Public Ministries specialised in Crimes against Life and Physical Integrity, in charge of the investigations, incurred into a number of delays and committed essential omissions in the completion of their investigation.

The aforementioned conduct caused the violation of fundamental human rights such as the access to justice, to legality and juridical safety, as well as the due management of justice, because of omissions, as the public official did not carry out a number of duties to clarify the incident, even though there had been evidence of threats against one of the reporters. The above was concluded in accordance with the dispositions elicited in articles 14, 22 clauses I, III and IV, 23 paragraph VII, IX and X of the Organic Law of the Attorney General for the State of Nuevo León, which indicate the duties that Public Ministries must carry out during the investigation and conviction of a crime. The corresponding actions described in these articles ensure the respect of legality and of Human Rights within the sphere of their competences, as well as offering a prompt, complete and impartial application of the law.

Consequently, this National Body sent Recommendation 59/2008 to the Governor of the State of Nuevo León, on 28th November 2008, indicating the following points:

Instructions need to be sent to the Attorney General of the State, in order to instruct the corresponding Public Ministry agent to file, continue or complete the investigations which were not carried out in prior inquiry 35/2007-I-1, considering the elements described in the present Recommendation, in order to continue with this investigation and eventually come to a lawful conclusion.

The Internal Controlling Body of the Government of the State of Nuevo León needs to be instructed to start the corresponding administrative proceedings against the civil servants from the Attorney General of this federal entity who took part in prior investigation 35/2007-I-1.

Public officials, of all levels, from the Attorney General of the State of Nuevo León have to be instructed to act lawfully during the implementation of their duties, in order to guarantee that a similar incident is not repeated in the future.

Recommendation 60/2008

28th November 2008

Case: Torture of A1

Addressee Authority: Secretary of National Defence

On 19th February 2008, the National Commission received the complaint compiled by Q1, at the Commission of Human Rights for the State of Coahuila. This complaint declared that during the early hours of 11th December 2007 he was at home when T2 showed up to inform him that A1 had been arrested by Mexican Army personnel. Even though he immediately went to the city of Torreón, Coahuila, accompanied by a lawyer to the premises of the Mexican Army and the Federal Attorney General, he was never informed of A1's whereabouts.

He added that, due to the above, he decided to file a recourse complaint, through which, along with the support of a judicial actuary, he was informed that his relative was detained inside the premises of the Federal Attorney General, in Torreón Coahuila. He therefore went there and, once he saw the aggrieved, he observed he presented a number of injuries.

From the logical-judicial evaluation of the evidence presented to this National Commission, a number of violations were verified against the rights to legality, to juridical safety, to personal freedom and personal integrity, to the detriment of A1. The above consisted in acts of torture, arbitrary detention and illegal arrest, committed by officers belonging to the 33rd Infantry Battalion of military area six in Torreón, Coahuila.

Similarly, the National Commission also substantiated that medical surgeon M1 did not describe in the report issued on 11th December 2007 the injuries presented by the aggrieved at the moment of his check-up. The above is in contempt of penal law, described in article 57, clause II, paragraph a) of the Military Justice Code, and arts. 7, 8 and 9 of the Federal Law of Administrative Responsibilities of Public Officers, in accordance with articles 2 and 3 of the Disciplinary Code of the Mexican Army and Air Force.

Due to the above, on 28th November 2008, this National Institution sent Recommendation 60/2008 to the National Secretary of Defence. It requested the Secretary to instruct those responsible to redress the damage caused to A1, through the psychological, medical and rehabilitation care necessary in order to allow him to re-establish the physical and psychological condition he was in prior to the violation committed against his Human Rights. The Commission needs to be informed of the results of these measures. Instructions need to be sent to offer support to the witnesses and victims of the aforementioned incident and the corresponding security measures need to be put in place to avoid and prevent any acts of intimidation or vengeance against them. Similarly, the Military Attorney General should be informed of the detailed considerations contained in the observations chapter of this Recommendation. The above is to ensure these are followed by the Public Ministry in charge of the prior investigation filed against personnel of the 33rd Infantry Battalion of the Sixth Military Area in Torreón, Coahuila. It was filed as a follow-up to inquiry AP/PGR/COAH/TORR/AGI-II/37/2008, presented by the Federal Public Ministry from the Second Investigative Agency Table Two in this city against those responsible for the crimes of torture and abuse of authority committed to the detriment of A1. The National Commission needs to be kept informed of all the proceedings which may develop during this investigation, during its integration and legal fulfilment until its conclusion, as well as the measures implemented to guarantee that similar acts are not repeated. Moreover, the representative of the Inspection and Control Body for the Mexican Army and Air Force must be informed, in order to file administrative proceedings into the corresponding investigations against personnel of the 33rd Infantry Battalion from the Sixth Military Area in Torreón, Coahuila. It should also be involved from the beginning to the conclusion of the inquiry. Also, the Military Attorney General should be informed, in order to file a prior investigation against the commander of the Sanitary Platoon of the 33rd Infantry Battalion of the Sixth Military Area in Torreón, Coahuila, keeping this Institution informed until the conclusion of such proceedings. Similarly, the representative of the Inspection and Control Body for the Mexican Army and Air Force should be informed to file the corresponding administrative investigative proceedings against the commander of the Sanitary Platoon of the 33rd Infantry Battalion of the Sixth Military Area in Torreón, Coahuila, and inform the National Commission of the developments and solution of the inquiry. Furthermore, in order to guarantee the impartiality and objectivity of the military medical personnel with regards to the certificates of physical condition it issues, a number of training courses need to be organised to verify their compliance with juridical and ethical duties, in accordance with medical practice regulations. They should not avoid the description of the injuries they may observe, and have the obligation to denounce to the Public Ministry any cases in which they suspect the use of torture or mistreatment. Similarly, a number of training and evaluation courses need to be organised for the personnel of the Mexican Army, in relation to the implementation of operations conducted within the framework of the National Coordination System for Public Safety. The above would guarantee the respect to life, physical integrity, dignity, freedom and personal possessions, preferring the use of non violent measures, in accordance with the respect of Human Rights. Finally, the corresponding measures need to be implemented to make sure that the citizens detained during operations which involve Mexican Army personnel are not moved to their premises, but immediately handed over to the competent authority. The Commission requests to be informed at all stages of the results of such measures.

## NATIONAL ISSUES

The CNDH suggests that illegal immigrants who are victims of crime on Mexican soil should have access to justice

On 2nd November last, the National Human Rights Commission presented to the Senate of the Republic a proposal for illegal immigrants to have access to the justice system if they are victims of any type of crime whilst in Mexico, without having to demonstrate their immigration status.

Through an official request sent to the President of the Management Board of the Senate, Gustavo Enrique Madero Muñoz, the national Ombudsman, José Luis Soberanes Fernández, suggested (in accordance with article 6, clause VII of the CNDH Law) the derogation of Article 67 of the General Population Law, which orders federal, state and local authorities to request the foreigners who file complaints to demonstrate their immigration status in order to do so.

He indicated that even though the recent reform to the General Population Law has decriminalised migration, which erases opportunities for corruption, delinquency and the systematic violation of the human rights of migrants, "it is important, in this commitment to legislative evolution, to ensure the access to justice to all those migrants unable to show documentations to credit their

legal status in this country, who are then discriminated against with such anti-judicial behaviours” and “to privilege their status as victims of crime, independently of their migratory status”.

He stated that the General Population Law and the current Regulation (dated 1974) are “insufficient and unable to respond to the current needs of the migratory phenomenon, since they are based on a restrictive view of migration, which has been the cause of a repressive and limitative policy, which results incongruent and in opposition to the spirit of the international instruments on the subject of migration and human rights subscribed by Mexico, such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families”.

Dr. Soberanes Fernández explained that Mexico has turned into fertile ground for painful violations of human rights of migrants, who suffer from abuses, extortions and kidnappings whilst on Mexican soil at the hands of organised crime and other types of groups of people who make a living out of the vulnerability of illegal immigrants.

## INTERNATIONAL ISSUES

Meeting of the Board of Directors of the International Ombudsman Institute (IOI)

The meeting of the Board of Directors of the International Ombudsman Institute took place in Hong Kong, China, from 5th to 8th November. The CNDH, as Vice President for Latin America and the Caribbean, presented the report of the activities carried out in the region. Part of the agreements made during this meeting of the Board of Directors of the IOI was to set the 2009 session at the same time as the Bicentennial celebrations for the Swedish Ombudsman, from 8th to 12th June, in Stockholm, Sweden.

Asian-Pacific Forum of National Institutions of Human Rights

Within the framework of the Asian-Pacific Forum of National Institutions of Human Rights, held from 10th to 12th November, Dr. Javier Moctezuma Barragán, CNDH Executive Secretary, in representation of Dr. José Luis Soberanes Fernández, as Secretary General of the Network National Institutions for the Promotion and the Protection of Human Rights of the Americas, participated in the International Conference Human Rights of Migrants in a Multi-cultural Society which took place in Seoul, Korea. During this conference a presentation was made which reflected the experience of the CNDH, as well as the regional experience on the subject of human rights of migrants. Similarly, in compliance with the Zacatecas and Santa Cruz Declarations, on the Human Rights of Migrants, the CNDH took part in the negotiation and adoption of the Seoul Guidelines on the subject.

## DIRECTORY

President  
José Luis Soberanes Fernández  
First General Visitor  
Raúl Plascencia Villanueva  
Second General Visitor  
Susana Thalía Pedroza de la Llave  
Third General Visitor  
Andrés Calero Aguilar  
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Technical Secretary of the Consulting Council  
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