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### **Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21**

#### **Mexico\***

The present report is a summary of 43 stakeholders' submissions<sup>1</sup> to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. 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. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

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\* The present document was not edited before being sent to the United Nations translations services.

## **I. Information provided by the accredited national human rights institution of the State under review in full compliance with the Paris Principles**

1. The National Human Rights Commission (CNDH) drew attention to issues that had been addressed in the recommendations from the first universal periodic review of Mexico in 2009 and to other priority issues.<sup>2</sup>

2. CNDH reported on changes arising from 2011 constitutional reforms: the amendment of the provisions governing the remedy of *amparo* and amendments relating to human rights. As well as broadening the spectrum and giving international treaties priority status in the system of sources of law, the human rights reform provided the non-judicial protection system with a fundamental role, strengthened its autonomy and granted it the power to deal with cases of serious violations and call on the authorities to explain if they refused to implement a recommendation.<sup>3</sup>

3. CNDH pointed out that public officials should receive training, a priority scheme should be set up to deal with the backlog of cases in the courts and the law on reparations should be enacted.<sup>4</sup>

4. Illegal searches and arbitrary arrests and detention are issues of particular concern for CNDH. CNDH pointed out that detention procedures needed to be governed by appropriate regulations. The exclusion from trials of any evidence, confessions, statements and testimony obtained through human rights violations, particularly those related to torture, was something that remained to be done.<sup>5</sup>

5. CNDH drew attention to Supreme Court decision No. 912/2010, in which it found that judges should restrict the application of military law whenever there was a conflict regarding the scope of ordinary and military jurisdiction.<sup>6</sup> The Federal Prosecution Service needed to be strengthened and the rulings of the Inter-American Court of Human Rights must be complied with.<sup>7</sup>

6. CNDH pointed out that human rights training for federal and local public security officials was needed, protocols on the use of force should be drawn up and procedures for selecting public officials should be improved. Furthermore, it was imperative that there be a phased strategy for the return of the armed forces to their barracks.<sup>8</sup>

7. In its capacity as the national mechanism for the prevention of torture, CNDH has conducted visits to places of detention and issued reports in which it has flagged irregularities or risk factors. CNDH indicated that the use of torture and/or cruel, inhuman or degrading treatment is on the increase. The definition of the criminal offence of torture must be harmonized with the provisions of the Convention against Torture, the Inter-American Convention to Prevent and Punish Torture and the judgements of the Inter-American Court of Human Rights in order to provide for appropriate redress, establish that the crime of torture is not subject to any statute of limitation and ensure the effective implementation of the Istanbul Protocol.<sup>9</sup>

8. CNDH stated that the baseline study of the national prison supervisory system has been ongoing since 2006. Evidence of inmate self-rule has been documented, as has the fact that the majority of the establishments do not comply with standards and exhibit serious problems of overpopulation and overcrowding.<sup>10</sup>

9. CNDH drew attention to constitutional amendments that guarantee the right to a quality education up to the upper secondary level, but pointed out that the subsidiary legislation needs to be amended.<sup>11</sup>

10. CNDH indicated that subsidiary legislation is needed in order to lay the foundations for policies that would uphold the right to a sufficient supply of high-quality, nutritious food, which is recognized in the 2011 Constitution, as amended.<sup>12</sup>

11. CNDH drew attention to legislative amendments that incorporate the term “decent work” and pointed out that social security laws should be harmonized. Mexico has yet to ratify the International Labour Organization (ILO) Right to Organise and Collective Bargaining Convention, 1949 (No. 98) and Minimum Age Convention, 1973 (No. 138). It also noted the absence of specific regulations pertaining to migrant workers and informal work.<sup>13</sup>

12. The lack of equality between women and men and the existence of violence against women continue to be unresolved problems for the State of Mexico, according to CNDH. Judges and magistrates need to receive instruction regarding the provisions of international laws and treaties.<sup>14</sup>

13. CNDH indicated that complaints continue to be filed regarding violations of the human rights of indigenous peoples and communities; these violations concerned such matters as access to justice, impunity and security.<sup>15</sup> Promoting regional development in indigenous areas, strengthening local economies and improving living conditions in such areas were imperative.<sup>16</sup>

14. As of 2012, some 22 federal entities had a special law on human trafficking on their books. CNDH stated that policies should be developed to provide protection and care for victims and to address the factors associated with trafficking in children and young people.<sup>17</sup>

15. CNDH indicated that, despite the efforts that have been made, attacks on journalists and the impunity of their attackers continue to be a source of concern.<sup>18</sup> Between 2005 and 2011, CNDH registered 523 attacks on human rights defenders.<sup>19</sup>

16. Measures were needed to raise awareness of the rights of persons with disabilities and to promote their effective implementation.<sup>20</sup>

## **II. Information provided by other stakeholders**

### **A. Background and framework**

#### **1. Scope of international obligations**

17. Coalición OSC (a coalition of civil society organizations) pointed out that Mexico has not recognized the competence of the Committee on Enforced Disappearances to receive individual communications and continues to maintain its reservation to article 9 of the Inter-American Convention on Forced Disappearance of Persons concerning military jurisdiction.<sup>21</sup>

18. Coalición OSC reported that Mexico has still not ratified ILO Conventions Nos. 98 and 138, has not withdrawn its interpretative statement regarding article 8 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) relating to freedom of association, and has not ratified the optional protocol to that Covenant.<sup>22</sup> AIDA-CEMDA recommended that Mexico ratify the optional protocol to ICESCR.<sup>23</sup>

19. ECPAT, the Red por los Derechos de la Infancia en México (REDIM) (Mexican children’s rights network) and Save the Children Mexico (SCMx) recommended that Mexico ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.<sup>24</sup>

20. Coalición Mexicana por la Corte Penal Internacional (CMCPI) (Mexican coalition for the International Criminal Court) recommended that the interpretative statement regarding the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, ratified in 2002, be withdrawn.<sup>25</sup>

## 2. Constitutional and legislative Framework

21. CMCPI called for the adoption of the bill on cooperation with the International Criminal Court and the draft decree that would amend and add various provisions to the Federal Civil Code, the Code of Military Justice, the General Health Act and the Federal Code of Criminal Procedure.<sup>26</sup>

22. Coalición OSC stated that, the 2011 constitutional amendments in the field of human rights notwithstanding, the corresponding subsidiary laws had not been enacted and no progress had been made in the alignment of the states' constitutions.<sup>27</sup>

23. Amnesty International (AI) referred to accepted UPR recommendations<sup>28</sup> and indicated that the constitutional reforms established the obligation to comply with international human rights law, and where there is contradiction, the norm most favourable to the protection of the person shall be applied.<sup>29</sup> AI called on Mexico to establish a timetable to reform federal and state level legislation.<sup>30</sup>

24. OMCT noted that in 2008, Mexico passed a constitutional reform that creates the basis for an adversarial criminal justice system which contains measures that are critical for promoting greater respect for fundamental rights. The government has until 2016 to implement the reform.<sup>31</sup> Human Rights Watch (HRW) noted that the provision of *arraigo*, which allows prosecutors, to detain individuals suspected of participating in organized crime for up to 80 days before they are charged, in violation of Mexico's obligations under international law.<sup>32</sup>

25. OMCT noted that a *Federal Law to Prevent and Punish Torture* is in force since 1991, however, the State has failed to bring domestic legislation and the definition of torture in compliance with the UN Convention against Torture and the Inter-American Convention to Prevent and Punish Torture.<sup>33</sup> OMCT recommended harmonizing the criminalisation of torture in federal and state legislations. Specifically, OMCT recommended the adequate criminalisation of torture in the state of Guerrero.<sup>34</sup> Tlachinollan-HRCMorelo made a similar recommendation.<sup>35</sup>

26. AI noted that criminal law offences of enforced disappearance and torture in federal and state jurisdictions do not meet international human rights standards.<sup>36</sup> HRW recommended to amend or insert the definition of enforced disappearance in federal and state criminal codes in line with the International Convention on Forced Disappearance of Persons and the Inter American Convention on Forced Disappearance of Persons.<sup>37</sup>

27. SCMx recommended that Mexico finishes its proposal for the *General Law for the Guarantee of the Rights of Children and Adolescents*, ensuring that it reflects the *Convention on the Rights of the Child* and the *Optional Protocols*, and that the 31 states and Federal District harmonize their laws corresponding to UPR recommendations.<sup>38</sup>

## 3. Institutional and human rights infrastructure and policy measures

28. AI noted that despite legal reforms to strengthen human rights institutions, the capacity and impartiality of many of these remain limited. The National Human Rights Commission (CNDH) produces important research, however, it is frequently ineffective at securing compliance with its recommendations. Many of the local human rights commissions in the 32 states are weak – with important exceptions, such as the Federal District.<sup>39</sup>

29. OMCT indicated that the powers of the National Mechanism for the prevention of torture were attributed to the CNDH, however, it has shown shortcomings. For example, the NMP has refused to access prisons that are not federal, or without authorization, and it has not carried out a thorough inspection of the prisoners' situation.<sup>40</sup>

30. AI noted that the National Human Rights Programme remains largely unimplemented and the new government has yet to consult with civil society on the programme.<sup>41</sup>

31. REDIM recommended that Mexico set up a comprehensive system to protect children's and young people's rights,<sup>42</sup> develop a national strategy to prevent and address all forms of violence,<sup>43</sup> and create opportunities for participation.<sup>44</sup> SCMx also recommended developing a Mexican Child Protection System.<sup>45</sup>

## **B. Cooperation with human rights mechanisms**

32. The Human Rights Commission of the Federal District (CDHDF) recommended that the Government comply with the recommendations of national public human rights bodies.<sup>46</sup>

33. Coalición OSC pointed out that Mexico has not set up an inclusive mechanism for follow-up to the UPR recommendations. There has also apparently been no change in terms of the non-acceptance of recommendations concerning military justice, *arraigo* and transitional justice, and impunity in relation to past crimes.<sup>47</sup>

34. Tlachinollan-HRCMorelos recommended that a road map be drawn up in partnership with civil society for the implementation of the UPR recommendations and those of other human rights mechanisms.<sup>48</sup> Joint Submission 16 (JS16) recommended that a follow-up mechanism be set up that linked the federal, state and municipal levels of government.<sup>49</sup>

35. Coalición OSC highlighted the fact that, during the period under review, the Inter-American Court of Human Rights had found against Mexico in five cases.<sup>50</sup> Tlachinollan-HRCMorelos drew attention to the negligent response of the Mexican State with regard to interim measures of protection ordered by the Inter-American Court of Human Rights relating to attacks, threats and harassment of human rights defenders in Guerrero.<sup>51</sup> Coalición OSC and Tlachinollan-HRCMorelos recommended that Mexico comply with the judgements of the Inter-American Court of Human Rights.<sup>52</sup>

## **C. Implementation of international human rights obligations**

### **1. Equality and non-discrimination**

36. JS2 pointed out that, although the prohibition against discrimination based on "sexual preferences" was incorporated into the Constitution in 2011, it has not translated into policies that would permit the full exercise of their human rights by the lesbian, gay, bisexual, transgender, transsexual, transvestite and intersexual communities (LGBTITI), the UPR recommendations notwithstanding.<sup>53</sup> JS2 recommended that the category of gender in the Constitution be broadened by adding "(gender) identity and/or expression" in order to include transgender, transsexual, transvestite and intersexual persons. It also stated that the National Council for the Prevention of Discrimination (CONAPRED) should be free to investigate and punish anyone who contravenes the Federal Act to Prevent and Eliminate Discrimination.<sup>54</sup>

37. JS2 recommended that efforts be made to promote the implementation of a national programme to eradicate homophobic, anti-lesbian and transphobic bullying at all levels of education.<sup>55</sup>

38. SCMx recommended that Mexico ensure free birth registration and that public officials travel to communities to increase registration.<sup>56</sup>

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

39. AI indicated that the militarized public security strategy continues.<sup>57</sup> JS16 and Espolea recommended that the army be withdrawn from public security activities.<sup>58</sup> SCMx recommended that Mexico make it binding for state agencies to implement the 2012 Protocol for the Physical and Psychological Protection of Children and Adolescents in Violent Scenarios Related to Organized Crime.<sup>59</sup>

40. AI noted that the government acknowledged in 2012 that there had been more than 26,000 persons reported missing or disappeared between 2006 and 2012 – an unknown number of which are enforced disappearances. It further noted that there has been no progress on achieving accountability for enforced disappearances and other gross human rights violations committed during the 1960s, 70s and 80s.<sup>60</sup> AI called on Mexico to investigate allegations of human rights violations and ensure that perpetrators are brought to justice and victims receive reparations; implement the recommendations of the United Nations Working Group on Enforced or Involuntary Disappearances; institute a nationwide database; put in place a rapid search mechanism; and guarantee exhumation and identification processes.<sup>61</sup> HRW recommended to develop a national protocol for searching reportedly disappeared persons.<sup>62</sup>

41. In connection with the UPR recommendations,<sup>63</sup> CDHDF recommended that police conduct at the federal and local levels be monitored.<sup>64</sup>

42. CDHDF recommended that the Government put a stop to mass arbitrary detentions<sup>65</sup> and avoid the use of prolonged incommunicado detention.<sup>66</sup> JS6 made reference to the limited legal controls on the application of *arraigo* and the fact that its application was discretionary. JS6 recommended that *arraigo* should be eliminated in both law and practice at the federal and state levels.<sup>67</sup> JS17, OMCT and AI made similar recommendations.<sup>68</sup>

43. AI referred to complaints of torture and ill-treatment and of violations of the right to a fair trial of those held in “*arraigo*”.<sup>69</sup> AI called on Mexico, inter alia, to implement in full the recommendations of the United Nations Committee against Torture.<sup>70</sup> JS14 recommended that Mexico ensure independent and impartial forensic medical examination in accordance with the Istanbul Protocol.<sup>71</sup>

44. CDHDF recommended the implementation of a comprehensive, rights-based criminal and prison policy<sup>72</sup> and of policies designed to eradicate prison violence and ensure that investigations are undertaken to determine the identities of those responsible for any disproportionate use of force and for committing acts of torture against members of the prison population.<sup>73</sup>

45. Coalición por los derechos de las personas privadas de libertad en el Sistema Penitenciario (CDPPL) (Coalition for the rights of persons deprived of their liberty in the prison system) recommended that a general law be passed for the protection of human rights in the course of the enforcement of criminal penalties and measures; that prisoner classification systems be revised; that forced transfers not be carried out, that communication and family visits be encouraged, and that training in human rights and gender issues for security and custody personnel be stepped up.<sup>74</sup>

46. Coalición OSC pointed out that the mechanisms for the protection of women provided for in the General Act on Women’s Access to a Life Free of Violence did not

function properly in the case of alerts and protection orders.<sup>75</sup> JS16 recommended the investigation of cases of gender violence and femicide nationwide.<sup>76</sup> Equis recommended that the mandate of the Office of the Special Prosecutor for Violent Crimes against Women and Human Trafficking (FEVIMTRA) be reviewed within the framework of the Human Trafficking Act and noted its lack of effectiveness as a vehicle for the punishment of perpetrators of crimes involving violence against women and human trafficking.<sup>77</sup>

47. AI noted that although Mexico accepted recommendations to combat discrimination and violence against women,<sup>78</sup> these have not translated into effective measures to reduce violence and impunity. AI called on Mexico to prioritise measures to prevent and punish violence against women and implement in full the Inter-American Court of Human Rights judgement on the Cotton Field case in Ciudad Juárez.<sup>79</sup>

48. Global Initiative to End Corporal Punishment of Children (GIEACPC) referred to accepted UPR recommendations,<sup>80</sup> noting that corporal punishment of children is lawful in Mexico. GIEACPC recommended including the prohibition of corporal punishment in the draft new Law on the Protection of the Rights of the Child under discussion.<sup>81</sup>

49. ECPAT recommended that a national data collection system on the commercial sexual exploitation of children and adolescents<sup>82</sup> be set up and that steps be taken to ensure that victims receive protection and assistance in all states.<sup>83</sup>

50. SCMx recommended that Mexico develop a Child Protection System; and strengthen its social protection system to permit the conditions whereby the under-14 age limit to employment.<sup>84</sup>

51. CDHDF pointed out that there had been no change in the situation of children living on the streets<sup>85</sup> in Mexico City<sup>86</sup> and recommended that policies be established to safeguard their human rights and that initiatives that exacerbate discrimination against minors and may incite acts of “social cleansing” be discontinued.<sup>87</sup>

52. Conscience and Peace Tax International and International Fellowship of Reconciliation (CPTI-IFOR) reported on the classification of children attending military schools as members of the armed forces.

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

53. JS17 recommended full compliance with the *United Nations Basic Principles on the Role of Lawyers*; and ensuring that crimes and violations against lawyers are effectively investigated and prosecuted.<sup>88</sup>

54. CDHDF recommended carrying out the necessary reforms to bring the adversarial system of criminal justice into effect and to put a stop to the practice of having detainees appear before the media.<sup>89</sup> Equis recommended monitoring access to justice.<sup>90</sup>

55. JS2 recommended that due process be applied in cases involving homophobic hate crimes and that investigation procedures be improved.<sup>91</sup>

56. OMCT recommended using preventive detention as an exception; ensuring that no evidence obtained under torture is used in courts; initiating investigations ex officio to verify allegations of torture and other cruel, inhuman and degrading treatment; and shifting the burden of proof to the Public Prosecutor and judges.<sup>92</sup>

57. Coalición OSC stated that the military justice system had allowed human rights violations to go unpunished.<sup>93</sup> JS17 recommended that military courts should be prohibited from trying military personnel involved in human rights violations; and complaints should be investigated and offenders should be punished.<sup>94</sup>

58. AI indicated that between the end of 2006 and 2012, there were 7,441 complaints of abuses committed by the armed forces; however, these resulted in only 27 convictions. In 2012, Supreme Court judgments confirmed the jurisprudence of the Inter-American Court of Human Rights on the exclusion of human rights violations from the competence of the military justice system. The new government and the legislature have yet to enact the necessary reforms.<sup>95</sup>

59. AI called on Mexico to accelerate judicial reforms and to uphold human rights protections, such as the inadmissibility of evidence obtained under torture or ill-treatment and the right to effective defence; to end the misuse of the criminal justice system to detain and prosecute human rights defenders, indigenous peoples and others on the basis of fabricated or unsubstantiated evidence; ensure access to truth, justice and reparations for victims of human rights violations and other crimes, including full implementation of the General Victims' Law; and fully implement the judgements against Mexico of the Inter-American Court of Human Rights, including to reform the Code of Military Justice to exclude human rights violations from military jurisdiction.<sup>96</sup>

60. JS6 drew attention to the lack of appropriate compensation mechanisms for victims of human rights violations and recommended implementation of the 2013 Victims Act.<sup>97</sup>

61. Coalición OSC pointed out that the Federal Juvenile Justice Act entered into force in 2012 and that it provided for the replacement of the guardianship-based system of justice for minors. However, the new law stipulates that the trial is to be conducted "formally and in writing", which means that an inquisitorial system must remain in place.<sup>98</sup>

#### **4. Right to privacy, marriage and family life**

62. JS2 recommended that legislation be introduced under which the social security coverage enjoyed by one spouse in a same-sex marriage could be extended to the other spouse and his or her descendants and that legislation be introduced which provides that, in cases of gender reassignment, the biological gender of a transgender person would not appear on the person's new birth certificate.<sup>99</sup>

63. Privacy International (PI) referred to the adopted Federal Law for the Protection of Personal Data in Control of Private Persons, and an amendment concerning data protection in the Constitution, under formulation at the time of the last UPR of Mexico.<sup>100</sup> PI recommended that Mexico ensure that the use of surveillance software is strictly regulated and overseen by judicial and other independent authorities.<sup>101</sup>

#### **5. Freedom of religion or belief, expression, association and peaceful assembly**

64. Christian Solidarity Worldwide (CSW) recommended that Mexico ensure that legal guarantees for freedom of religion or belief are upheld for all its citizens, and that where other laws apply, for example in communities governed by the Law of Uses and Customs, that these be practiced in accordance with the Mexican Constitution and Mexico's international human rights obligations.<sup>102</sup>

65. CPTI-IFOR referred to the failure to make legislative provisions for conscientious objection to military services.<sup>103</sup>

66. While recognizing measures undertaken, PEN indicated that Mexico has failed to make progress towards implementing accepted UPR recommendations on freedom of expression.<sup>104</sup>

67. Referring to accepted UPR recommendations,<sup>105</sup> JS3 recommended addressing impunity and lack of safety and security of journalists and human rights defenders.<sup>106</sup> FrontLineDefenders indicated that journalists and human rights defenders are frequently subject to intimidation, legal harassment and the violation of due process rights, preventive



illegal or arbitrary detention, death threats, physical aggression, break-ins, stigmatisation, forced disappearances and killings. The perpetrators are frequently state authorities, state security forces, drug cartels and paramilitary groups many of whom have links to the Government and/or security services.<sup>107</sup> Similar concerns were raised by FrontLineDefenders, Committee to Protect Journalists (CPJ), PEN, JS3, JS10, ColectivoCAUSA, AI, Reporters Without Borders (RWB), AI, CIVICUS.<sup>108</sup>

68. FrontLineDefenders recommended that Mexico ensure that public officials refrain from making public statements stigmatising the legitimate work of human rights defenders; and guarantee that the Protection Mechanism for Human Rights Defenders and Journalists, established by law in 2012, provides effective protection.<sup>109</sup> CPJ recommended to work closely with the United Nations, press freedom groups and journalists to implement the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity.<sup>110</sup> PEN called on Mexico to ensure that murders, disappearances from previous periods<sup>111</sup> and attacks against journalists are promptly investigated and to take steps towards the decriminalisation of defamation in all 32 states.<sup>112</sup> AI called on Mexico to provide support to the Protection Mechanism for Human Rights Defenders and ensure the full cooperation at state and municipal levels.<sup>113</sup> Reporters Without Borders (RWB) recommended to reinforce the Special Prosecutor's Office for Crimes against Freedom of Expression.<sup>114</sup>

69. CDHDF recommended the implementation of policies and the passage of bills providing for the investigation of crimes targeting journalists and human rights defenders and for the punishment of those responsible for those crimes.<sup>115</sup> JS10 recommended that the role of women human rights defenders be recognized and that protocols based on a gender perspective be implemented.<sup>116</sup>

70. The Interamerican Association for Environmental Defense – Centro Mexicano de Derecho Ambiental (Mexican centre for environmental law) (AIDA-CEMDA) indicated that Mexico has not acted upon recommendations Nos. 23, 58, 59 and 60<sup>117</sup> and pointed out that, in 2009–2012, there had been 54 attacks targeting environmental advocates.<sup>118</sup>

71. CIVICUS indicated that citizens using social media and microblogging platforms to report on or identify suspected criminals or illegal acts committed by criminal organizations are increasingly becoming targets of violence.<sup>119</sup>

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

72. Coalición OSC reported that amendments to labour laws had been passed in 2012 that decreased workers' rights<sup>120</sup> and that there were still no guarantees in place for trade-union rights or secret trade-union ballots.<sup>121</sup>

73. CIVICUS referred to 2012 reforms of the Mexico's Federal Labour Law imposing preconditions for striking. Retaliatory dismissals against persons who attempt to establish independent unions remain rampant.<sup>122</sup>

74. Tlachinollan-HRCMorelos referred to violations of agricultural day workers' rights as a consequence of negligence by the State or the State's failure to take action and recommended that measures be put in place to prevent abuses.<sup>123</sup>

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

75. Coalición OSC indicated that the State does not guarantee the right to food, education, health and housing for 57.7 million persons with insufficient incomes. Underprivileged communities lack basic services such as electricity and drainage systems; 9.22 per cent of the nation's dwelling units do not have running water, and 21.2 million people suffer from food poverty.<sup>124</sup>

76. Tlachinollan-HRCMorelo recommended that inclusive, ethnically sensitive affirmative action to reduce extreme poverty rates.<sup>125</sup>

## **8. Right to health**

77. Referring to UPR recommendations on women's reproductive rights,<sup>126</sup> Information Group on Reproductive Choice (GIRE) recommended that Mexico harmonize state and federal penal legislation related to abortion, with the aim of eliminating discrimination based on women's place of residence;<sup>127</sup> ensure access to information and services, particularly adolescents and indigenous women; and guarantee access and free services to women who qualify for legal abortion.<sup>128</sup>

78. Coalición OSC indicated that it was difficult for women to gain access to safe abortions on the permissible legal grounds. It had become even more difficult since 2008 because 16 state constitutions had been amended through the addition of provisions that protect life starting from the moment of conception, which has engendered a climate of fear regarding the possibility of criminal prosecution and created confusion about the provision of reproductive health services.<sup>129</sup> JS2 recommended implementation of a national sex education plan based on a human rights perspective.<sup>130</sup>

79. JS2 indicated that no policies were in place on comprehensive health care for LGBTTTI persons, particularly those living with HIV/AIDS or other sexually transmitted infections, those who suffer from chronic degenerative diseases and victims of violence.<sup>131</sup>

80. Espolea recommended that a strategy should be designed for dealing with drug consumption as a health problem.<sup>132</sup>

## **9. Persons with disabilities**

81. Coalición México por los derechos de las personas con discapacidad (COAMEX) (Mexican coalition for the rights of persons with disabilities) reported on the situation with respect to the rights of persons with disabilities, the progress that had been made and the challenges that remained.<sup>133</sup> COAMEX recommended that a step-by-step approach should be taken to amending the nation's laws in order to bring them into line with the Convention on the Rights of Persons with Disabilities, that a master plan should be developed by and for persons with disabilities, and that measures to improve accessibility should be adopted.<sup>134</sup>

82. Documenta AC recommended that information be compiled on the situation of persons deprived of their liberty who had a mental disability, that individual support and legal representation be made available, that decisions regarding the application of the principle of immunity from prosecution on the grounds of disability should be made on a case-by-case basis, and that sufficient resources should be allocated.<sup>135</sup>

83. Fundación Paso a Paso (the step-by-step foundation) indicated that the community of indigenous persons with disabilities is proposing that an instrument be created for the certification of the legal personality of persons with disabilities, that mechanisms for the acceptance of indigenous persons with disabilities be incorporated into bilingual education programmes, and that indigenous women with disabilities be provided with sustainable livelihoods.<sup>136</sup>

## **10. Indigenous peoples**

84. Coalición OSC indicated that Mexico does not have federal laws that wholly reflect the provisions contained in ILO Convention No. 169.<sup>137</sup> AIDA-CEMDA indicated that, although Mexico accepted recommendation No. 77 in the course of the 2009 UPR,<sup>138</sup> it

does not have regulatory legislation that sets out effective measures for ensuring that the free, prior and informed consent of indigenous peoples will be sought.<sup>139</sup>

85. Coalición OSC referred to the poverty and marginalization of indigenous peoples.<sup>140</sup> GIDHS-EdPAC referred specifically to obstacles to the enjoyment of the right to decent housing, access to basic services and the arbitrary detention of human rights defenders in connection with civil resistance on the part of communities faced with high electricity charges in the State of Chiapas.<sup>141</sup>

86. Tlachinollan-HRCMorelos noted that the State treats movements demanding the rights of indigenous peoples as criminal activity and prosecutes participants in such movements. Tlachinollan-HRCMorelos indicated that an intercultural dialogue should be pursued that would enable indigenous peoples to have a genuine impact on decision-making.<sup>142</sup>

87. International Human Rights Clinic (IHRC-OU) noted that Mexico has failed to appropriately consult with indigenous communities before mining, drilling and development projects have been approved.<sup>143</sup> IHRC-OU also referred to concerns expressed by indigenous communities about genetically modified corn.<sup>144</sup>

## **11. Migrants, refugees and asylum seekers**

88. According to AI, Mexico's acceptance of recommendations to strengthen the protection of irregular migrants<sup>145</sup> has not led to an improvement. The extortion, abduction, rape, killing of irregular migrants continues and few criminals or officials responsible are ever prosecuted. A new law on migration adopted in 2011 improved the recognition of migrants' rights. However, a new regulatory code, published in 2012, raises concern as it grants wide discretionary powers to the Federal Police and officials of the National Migration Institute, which in the past has led to abuses.<sup>146</sup> AI called on Mexico to lead federal, state and municipal authorities in concerted actions to prevent and punish abuses against migrants; ensure access to complaints mechanisms and protection, including temporary visas, when victims or witness of abuse; establish a database of missing migrants; and ensure the protection of migrants' rights defenders.<sup>147</sup>

89. SCMx recommended to ensure the protection of unaccompanied migrant children and the development of a coordination system, lead by the National System for Integral Family Development, with clear responsibilities/procedures in channelling cases from the Ministry of Foreign Affairs and the National Migration Institute.<sup>148</sup>

## **12. Internally displaced persons**

90. Tlachinollan-HRCMorelos recommended that the security and personal safety of population groups who have been forcibly displaced by violence should be safeguarded and that work should be coordinated with international agencies such as the International Committee of the Red Cross and UNHCR.<sup>149</sup>

91. Internal Displacement Monitoring Centre-Norwegian Refugee Council (IDMC-NRC) urged Mexico to set up a response to address the vulnerability of people displaced by violence; create a national federal fund; document abuses and punish perpetrators; promote durable solutions and create cooperation channels.<sup>150</sup>

## **13. Right to development and environmental issues**

92. AIDA-CEMDA recommended that legislation be aligned with international standards, that full recognition be accorded to environmental defenders as human rights defenders, and that environmental and social sustainability be mainstreamed into all public policies.<sup>151</sup>

## Notes

- <sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org). (One asterisk denotes a national human rights institution with “A” status).

*Civil society**Individual submissions:*

AI	Amnesty International, London (United Kingdom);
ARTICLE	19 ARTICLE 19, London (United Kingdom);
Colectivo	CAUSA Colectivo CAUSA, México DF (México);
CIVICUS	World Alliance for Citizen Participation, Johannesburg (South Africa);
CPJ	Committee to Protect Journalists, New York N.Y. (United States of America);
CSW	Christian Solidarity Worldwide, United Kingdom; Documenta AC Documenta, análisis y acción para la justicia social, AC, México;
ECPAT	México ECPAT México;
Equis	Equis Justicia para las mujeres, México DF (México);
Espolea	Espolea, México DF (México);
FrontLineDefenders	The International Foundation for the Protection of Human Rights Defenders, Dublin (Ireland);
GIRE	Grupo de Información en Reproducción Elegida, A.C./ Information Group on Reproductive Choice;
GIEACPC	Global Initiative to End Corporal Punishment of Children, London (United Kingdom);
HRW	Human Rights Watch, Geneva (Switzerland);
IDMC-NRC	Internal Displacement Monitoring Centre/Norwegian Refugee Centre, Geneva (Switzerland);
IHRC-OU	International Human Rights Clinic – University of Oklahoma, United States of America;
OMCT	World Organisation Against Torture, Geneva (Switzerland);
Paso a Paso	Fundacion Paso a Paso, Hidalgo (México);
PI	Privacy International, London (United Kingdom);
RWB	Reporters Without Borders, France;
SCMx	Save the Children México, Mexico City, Mexico.

*Joint submissions:*

JS 1 – AIDA-CEMDA	Joint submission No. 1 by: Asociación Interamericana para la Defensa del Ambiente Centro Mexicano de Derecho Ambiental, Mexico City (Mexico);
JS 2	Joint submission No. 2 by: Programa Interdisciplinario de Investigación Acción Feminista (PIIAF A.C.), México; el Colectivo Hombres XX, México y la Iniciativa por los Derechos Sexuales (Action Canada for Population and Development; CREA-India; AKAHATA – Equipo de Trabajo en Sexualidades y Géneros; Polish Federation for Women and Family Planning, y otras);
JS 3	Joint submission No. 3 by Association for Progressive Communications , Johannesburg (South Africa) and LaNeta, México;
JS 4 – CDPPL	Joint submission No. 4 by the Coalición por los derechos de las personas privadas de libertad en el Sistema Penitenciario en México. Asilegal-Documenta – Instituto de Derechos Humanos Ignacio Ellacuría. Puebla (México);
JS 5 – CMCPPI	Joint submission No. 5 by Coalición Mexicana por la Corte Penal Internacional y Centro para el Desarrollo de la Justicia

- Internacional;
- JS 6 Joint submission No. 6 by: Comisión Mexicana de Defensa y Promoción de los Derechos Humanos (CMDPDH); Instituto Mexicano de Derechos Humanos y Democracia (IMDHD), México DF (México);
- JS 7 – CoalicionOSC Joint submission No. 7 by Acción Urgente para Defensores de los Derechos Humanos (ACUDEH); Asistencia Legal por los Derechos Humanos, A.C. (ASILEGAL); Casa de los Derechos de los Periodistas; Católicas por el Derecho a Decidir; Centro de derechos humanos de la montaña “Tlachinollan”; Centro de Derechos Humanos de las Mujeres (CEDHEM); Centro de Derechos Humanos Fray Bartolomé de las Casas, A.C.; Centro de Derechos Humanos Fray Francisco de Vitoria OP A.C.; Centro de Derechos Humanos Fray Juan de Larios; Centro de Derechos Humanos Fray Matías de Cordova; Centro de Derechos Humanos Miguel Agustín Pro Juárez A.C.; Centro Mexicano de Derecho Ambiental (CEMDA); Colectivo contra la Tortura y la Impunidad; Comisión Mexicana para la Defensa y Promoción de los Derechos Humanos (CMDPDH); Comité de Defensa Integral de Derechos Humanos Gobixha A.C.; Comité de Derechos Humanos de Tabasco A. C. (CODEHUTAB); Comunicación e Información de la Mujer A.C. (CIMAC); DECA Equipo Pueblo A.C.; Documenta A.C.; Equis: Justicia para las Mujeres; Espolea A.C.; Espacio de Coordinación de Organizaciones Civiles sobre Derechos Económicos, Sociales y Culturales (Espacio DESC); Frontera con Justicia; FUNDAR, Centro de Análisis e Investigación; Grupo de Información en Reproducción Elegida (GIRE); Iniciativas para la Identidad y la Inclusión, A.C. (INICIA); Instituto de Derechos Humanos Ignacio Ellacuría S. J. Universidad Iberoamericana Puebla; Instituto Mexicano de Derechos Humanos y Democracia (IMDHD); Observatorio Ciudadano Nacional del Femicidio (OCNF); Red Nacional de Resistencia Civil contra las altas tarifas de la energía eléctrica; Red Nacional de Organismos Civiles de Derechos Humanos, “Todos los Derechos para Todos y Todas” (RedTDT); Red por los Derechos de la Infancia en México (REDIM); SMR Scalabrinianas. Misión para Migrantes y Refugiados;
- JS 8 – COAME Joint submission No. 8 by COAMEX – Coalición México por los derechos de las personas con discapacidad, México DF (México) – APAC I.A.P.– Asociación Pro Personas con Parálisis Cerebral, Asociación Civil Judeo Mexicana para Personas con Necesidades Especiales y/o Discapacidad – KADIMA, A.C., Confederación Mexicana de Organizaciones en favor de la Persona con Discapacidad Intelectual – CONFE, A.C., Fundación Paso a Paso, A.C., Libre Acceso, A.C., Organismo Mexicano Promotor del Desarrollo Integral de los Discapacitados Visuales, I.A.P. y Voz Pro Salud Mental, A.C.;
- JS 9 – Consorcio Oaxaca Joint submission No. 9 by Comité de Defensa Integral de Derechos Humanos Gobixha A.C Consorcio para el Dialogo Parlamentario y la Equidad Oaxaca A.C. Foro Oaxaqueño de la Niñez (FONI) Servicios para una Educación Alternativa A.C. EDUCA Pedro Matias (periodista independiente);
- JS 10 Joint submission No. 10 by Red Nacional de Defensoras de

	Derechos Humanos en México, JASS – Fortaleciendo el Poder Colectivo de las Mujeres; Consorcio para el diálogo parlamentario y la equidad Oaxaca, México;
JS 11 – CPTI – IFOR	Joint submission No. 11 by Conscience and Peace Tax International, Belgium and International Fellowship of Reconciliation, The Netherlands;
JS 12 – GIDHS – EdPAC	Joint submission No. 12 by Grupo de Investigación en Derechos Humanos y Sostenibilidad de la Cátedra UNESCO en Sostenibilidad de la Universidad Politécnica de Catalunya (GIDHS) en colaboración con Educación para la Acción Crítica (EdPAC), Barcelona (España);
JS 13 – IIMA & VIDES	Joint submission No. 13 by Istituto Internazionale Maria Ausiliatrice – IIMA International Volunteerism Organization for Women, Education, Development – VIDES International;
JS 14	Joint submission No. 14 by International Rehabilitation Council for Torture, Copenhagen (Denmark) and Colectivo Contra la Tortura y la Impunidad;
JS 15	Joint submission No. 15 by Comité de Defensa Integral de Derechos Humanos Gobixha A.C; Consorcio para el Dialogo Parlamentario y la Equidad Oaxaca A.C.; Servicios para una Educación Alternativa A.C. (EDUCA); Foro Oaxaqueño para la Niñez (FONI);
JS 16	Joint submission No. 16 by Cátedra UNESCO de Derechos Humanos de la UNAM (CUDH-UNAM); Federación Mexicana de Universitarias, A.C. (FEMU); Red Mesa de Mujeres de Ciudad Juárez. Academia Mexicana de Derechos Humanos, A.C.; Alternativas Pacificas AC Arthemisas por la Equidad A. C.; Asociación Sinaloense de Universitarias; Centro de Derechos Humanos Victoria Díez A.C.; Centro de Estudios de Género Simone de Beauvoir A. C.; Centro de Estudios de la Mujer (CEM); Círculo de Estudios de Género; Ciudadanos en Apoyo a los Derechos Humanos A. C.; Comunicación e Información de la Mujer en Nuevo León A. C.; Grupo Promotor de los Derechos Políticos de las Ciudadanas; Pro Salud Sexual y Reproductiva A. C.; Programa Universitario de Estudios de Género –UNAM; Red de Investigadoras por la Vida y la Libertad de las Mujeres; Red de Mujeres Sindicalistas; Red de Profesores/as e Investigadores/as de la Cátedra UNESCO de la UNAM; Seminario de Bioética, Derecho a la salud y Educación de la Benemérita; Universidad Autónoma de Puebla;
JS 17	Joint submission No. 17 by Lawyers for Lawyers (L4L), Amsterdam (The Netherlands); The Law Society of England and Wales, London (United Kingdom); Lawyers’ Rights Watch Canada (LRWC), Vancouver B.C. (Canada);
JS 18 – PEN	Joint submission No. 18 by PEN International , London (United Kingdom) and PEN Guadalajara, México;
JS 19 – REDIM	Joint submission No. 19 by Red por los Derechos de la Infancia en México;
JS 20 – Tlachinollan-HRC Morelos	Joint submission No. 20 by Centro Regional para la Defensa de los Derechos Humanos “José María Morelos y Pavón, Guerrero (México) y el Centro de Derechos Humanos de la Montaña “Tlachinollan”, Guerrero (México);

*National human rights institution*

CNDH de México	Comisión Nacional de los Derechos Humanos*, México D.F. (México);
CDHDF	Comisión de Derechos Humanos del Distrito Federal, México D.F. (México).

- <sup>2</sup> CNDH, page 1.  
<sup>3</sup> *Ibid.*  
<sup>4</sup> *Ibid.*  
<sup>5</sup> *Ibid.*  
<sup>6</sup> *Ibid.*  
<sup>7</sup> CNDH, page 2.  
<sup>8</sup> *Ibid.*  
<sup>9</sup> *Ibid.*  
<sup>10</sup> CNDH, pages 2–3.  
<sup>11</sup> CNDH, page 3.  
<sup>12</sup> *Ibid.*  
<sup>13</sup> *Ibid.*  
<sup>14</sup> CNDH, page 4.  
<sup>15</sup> *Ibid.*  
<sup>16</sup> *Ibid.*  
<sup>17</sup> CNDH, page 5.  
<sup>18</sup> *Ibid.*  
<sup>19</sup> *Ibid.*  
<sup>20</sup> *Ibid.*  
<sup>21</sup> CoaliciónOSC, page 5.  
<sup>22</sup> *Ibid.*  
<sup>23</sup> AIDA-CEMDA, Executive Summary, paragraph 6.  
<sup>24</sup> ECPAT, page 4; REDIM, page 4; Save the Children, page 2.  
<sup>25</sup> CMCPI, page 2.  
<sup>26</sup> *Ibid.*  
<sup>27</sup> CoaliciónOSC, page 4.  
<sup>28</sup> AI, page 1. A/HRC/11/27, paragraphs 93.3. (Morocco); 94.4 (Spain); 93.5 (Azerbaijan); 93.6 (Bolivia, Guatemala, Spain, Turkey, Uruguay); and 93.7 (Canada, Switzerland).  
<sup>29</sup> AI, page 1.  
<sup>30</sup> AI, page 3.  
<sup>31</sup> OMCT, page 1. See also submission from Tlachinollan-HRCMorelos.  
<sup>32</sup> HRW, pages 1–2.  
<sup>33</sup> OMCT, page 1. See also submission from JS6: CMDPDH & IMDHD, page 6.  
<sup>34</sup> OMCT, page 4. See also submission from CoaliciónOSC, page 5 and AI, page 2.  
<sup>35</sup> Tlachinollan-HRCMorelos, page 4.  
<sup>36</sup> AI, page 2. See also submission from HRW.  
<sup>37</sup> HRW, page 4. See also submission from AI.  
<sup>38</sup> Save the Children, page 2. A/HRC/11/27, paragraphs 93.3. Pursue with reforms initiated to ensure the full enjoyment of human rights and fundamental freedoms to its citizens, in particular the harmonization of domestic legislation with its international commitments (Morocco); 93.4. Complete its institutional efforts ensuring that international human rights norms adopted by Mexico have constitutional status and are applied as supreme law in courts proceedings (Spain); 93.5. Effectively incorporate the provisions of the international human rights instruments into national legislation (Azerbaijan); 93.6. Harmonize federal and state laws with international human rights instruments (Bolivia, Guatemala, Spain, Turkey, Uruguay), in order to ensure their effective implementation (Turkey), and equal protection and guarantees (Spain), at federal and state levels (Spain, Turkey); 93.7. Ensure concrete implementation of international human rights standards at all levels (Canada, Switzerland), through the adoption of policies, laws and other measures at the federal and state levels and through regular consultations with key stakeholders, including states, civil society organizations and others (Canada); 93.41. Continue working towards the professionalization and the modernization of the judicial system in all areas, including law enforcement and administration of justice (Palestine).

- 39 AI, page 2.
- 40 OMCT, page 2.
- 41 AI, page 2.
- 42 REDIM, page 4.
- 43 *Ibid.*
- 44 REDIM, page 5.
- 45 SCMx, page 5.
- 46 CDHDF, page 10.
- 47 Coalición OSC, page 4.
- 48 Tlachinollan-HRCMorelos, page 5.
- 49 JS16, page 14.
- 50 CoaliciónOSC, page 4. See submission for cases cited.
- 51 Tlachinollan-HRCMorelos, paragraphs 40–45.
- 52 Tlachinollan-HRCMorelos, paragraphs 3–5.
- 53 JS2, paragraphs 1–3.
- 54 JS2, paragraphs 4–6.
- 55 JS2, paragraph 31.
- 56 SCMx, page 5.
- 57 AI, page 2. See also submission from CoalicionOSC, pages 8–9.
- 58 JS16, page 14 and Espolea, paragraph 28. See also submission from Tlachinollan-HRCMorelos.
- 59 Save the Children México, page 3. See also submission from CoaliciónOSC, page 14.
- 60 AI, page 2. See also submission from CoaliciónOSC, pages 9–10.
- 61 AI, page 4.
- 62 HRW, page 2.
- 63 CDHDF, page 1. A/HRC/11/27, paragraphs 93.26. Take all necessary measures to ensure the effective application of the Federal Act to prevent and punish Torture (Algeria, Portugal); 93.27. Take the necessary measures to prevent/prohibit the use of torture / ill-treatment (Japan, Uzbekistan); in particular by security forces in prisons, as noted by a number of special rapporteurs (France); 93.28. Ensure the timely, effective, and impartial investigations of all allegations concerning torture (Uzbekistan) and combat impunity in this regard (France, Japan); 93.40. Carry out a prompt implementation of the judicial reform to ensure that complaints in cases of torture, arbitrary detention and forced disappearances are exhaustively investigated (Peru), in strict conformity with international human rights standards and adequately involve civil society in this process (Italy).
- 64 CDHDF, page 9. See also submissions from JS14, JS6: CMDPDH & IMDHD and HRW.
- 65 CDHDF, page 5. A/HRC/11/27, paragraphs 93.38. Ensure that the rights of detainees are respected (New Zealand); 93.39. Evaluate the use of “*arraigo*” (Ireland); 93.40. Carry out a prompt implementation of the judicial reform to ensure that complaints in cases of torture, arbitrary detention and forced disappearances are exhaustively investigated (Peru), in strict conformity with international human rights standards and adequately involve civil society in this process (Italy).
- 66 CDHDF, page 10.
- 67 JS6: CMDPDH & IMDHD, pages 7–9. See also submission from CoaliciónOSC, page 7.
- 68 JS17: L4L-TheLawSociety-LRRWC, page 7; OMCT, page 4; AI, page 4.
- 69 AI, page 2.
- 70 AI, page 4. See also submission from CoaliciónOSC, pages 9–10.
- 71 JS14, page 5.
- 72 CDHDF, page 9.
- 73 *Ibid.*
- 74 CDPPL, pages 9–10. See also submission from CoaliciónOSC pages 7–8.
- 75 CoaliciónOSC, pages 13–14. See also submission from HRW, page 3.
- 76 JS16, page 14. See also submission from CoaliciónOSC, pages 6–7.
- 77 Equis, page 3.
- 78 AI, page 1. A/HRC/11/27, paragraphs 93.8 (Brazil, Chile); 93.11 (United Kingdom); 93.12 (Pakistan); 93.13 (New Zealand); 93.14 (Japan, Turkey); 93.15 (Netherlands, Chile, Ireland); 93.16 (Indonesia, Sweden, Algeria); 93.17 (Azerbaijan); 93.18 (Panama, Finland); 93.19 (Ukraine); 93.20 (Italy); 93.21 Bangladesh); 93.22 (Austria); 93.23 (Belgium); and 93.48 (Bolivia, Sweden).
- 79 AI, page 3.



- <sup>80</sup> A/HRC/11/27, paragraph 93.30. Curb prevalence of corporal punishment on children, in keeping with Mexico's international advocacy against such offences (Bangladesh), and take measures to ensure that children are fully protected from corporal punishment and other forms of violence or exploitation (Sweden).
- <sup>81</sup> GIEACPC, pages 1–3.
- <sup>82</sup> ECPAT, page 5.
- <sup>83</sup> ECPAT, page 8.
- <sup>84</sup> SCMx, page 5.
- <sup>85</sup> CDHDF, page 5. A/HRC/11/27, paragraphs 93.11. Take further steps to address discrimination against, protect and provide assistance to women and vulnerable groups including children, minorities and indigenous peoples (United Kingdom) and 93.31. Address the problems of street children by providing them state protection and vocational training (Pakistan).
- <sup>86</sup> CDHDF, page 5.
- <sup>87</sup> CDHDF, page 9.
- <sup>88</sup> JS17:L4L-TheLawSociety-LRRWC, page 7.
- <sup>89</sup> CDHDF, page 10. See also submission from CoaliciónOSC, page 7.
- <sup>90</sup> Equis, pages 1–2.
- <sup>91</sup> JS2, paragraphs 12–14.
- <sup>92</sup> OMCT, page 4.
- <sup>93</sup> CoaliciónOSC, page 9. See submission for cases cited. See also submission from Tlachinollan-HRCMorelos.
- <sup>94</sup> JS6: CMDPDH & IMDHD, page 10. See also submissions from CoaliciónOSC and Tlachinollan-HRCMorelos.
- <sup>95</sup> AI, page 3. See also HRW, page 1.
- <sup>96</sup> AI, page 4.
- <sup>97</sup> JS6: CMDPDH & IMDHD, pages 10–11.
- <sup>98</sup> CoaliciónOSC, page 6.
- <sup>99</sup> JS2, paragraphs 18–19.
- <sup>100</sup> PI, pages 2–4.
- <sup>101</sup> PI, page 8.
- <sup>102</sup> CSW, page 2.
- <sup>103</sup> CPTI-IFOR, pages 2–4.
- <sup>104</sup> PEN, page 1. A/HRC/11/27, paragraphs 93.1. Invite NGOs working on press freedom to a constructive dialogue on how Mexico can stop the violence against journalists and ensure press freedom (Norway); 93.2. Strengthen the rights of journalists and free media; the state as well as the municipal governments should fulfil their responsibility to protect a free media (Germany); 93.3. Undertake legal reforms to ensure openness and transparency of the media in the country (Russian Federation); review legislation governing radio, television and communication and follow-up on the Supreme Court's ruling for a new legal framework permitting diversity in the media (Netherlands); 93.4. Put into place more effective measures to tackle violence against journalists and media personnel (United Kingdom); provide greater guarantees to them (Peru); guarantee their safety and security (Bangladesh, Denmark, Peru), when they are discharging their professional duties (Bangladesh), in particular those that investigate and report cases of drug trafficking and corruption (Peru); 93.5. Create the proper legal framework that gives the Special Prosecutor for Crimes Against Journalists sufficient jurisdiction to investigate and indict perpetrators with greater independence (Netherlands); 93.6. Investigate cases of attacks / violence and threats against journalists and human rights defenders (Azerbaijan, Germany), in order to bring the perpetrators to justice (Germany); and step up efforts to ensure that investigation of attacks on voices for freedom of expression become a federal issue (Denmark); 93.7. Ensure that crimes and violations against human rights defenders, journalists and lawyers are effectively investigated and prosecuted; that those responsible are punished; that complaints of threats, harassment and intimidation of human right defenders, journalists and lawyers receive a prompt response and that adequate measures for their safety are taken (Norway); 93.8. Increase the effectiveness of the "precautionary measures" to protect human rights defenders (Germany), including through adopting effective and comprehensive prevention strategies, at central and local levels, to prevent attacks and protect the life and physical integrity of human rights defenders and journalists, and ensure that such programs are backed by a strong political

commitment and provided with adequate resources (Norway); 93.45. Combat impunity as one of the Government's priorities (Belgium), and make a concerted effort to tackle it nationwide (United Kingdom); 93.46. Investigate and prevent impunity in cases of human rights violations committed by law enforcement officials, throughout the national territory (Cuba); seriously deal with the allegation of systematic and excessive use of force and torture by law enforcing agencies, to end the culture of impunity (Bangladesh); Investigate the alleged cases of torture and other human rights abuses committed by police, military and security personnel and put an end to the climate of impunity (Azerbaijan); step up efforts to halt torture and ill-treatment, eradicate impunity for such acts and ensure that alleged perpetrators are brought to justice (Denmark); 93.47. Take firm action to eliminate corruption and impunity in the judicial, security and executive branches (Pakistan); redouble efforts in combating corruption at all levels (Cuba); strengthen measures against corruption and police excesses (Italy); and continue to develop and ensure an effective policy in combating organized crime and corruption (Belarus); 93.48. Adopt necessary measures to eradicate impunity for human rights violations, particularly against women and indigenous population (Bolivia) and journalists (Sweden); 93.24. Continue promoting the bill on enforced disappearances (Colombia); 93.25. Extend to other federative entities, the categorization of the crime of "forced disappearance" and the full compensation mechanism for victims and members of their families (Uruguay). See also submission from ARTICLE 19.

<sup>105</sup> A/HRC/11/27, paragraphs 93.56. Put into place more effective measures to tackle violence against journalists and media personnel (United Kingdom); provide greater guarantees to them (Peru); guarantee their safety and security (Bangladesh, Denmark, Peru), when they are discharging their professional duties (Bangladesh), in particular those that investigate and report cases of drug trafficking and corruption (Peru); 93.59. Ensure that crimes and violations against human rights defenders, journalists and lawyers are effectively investigated and prosecuted; that those responsible are punished; that complaints of threats, harassment and intimidation of human right defenders, journalists and lawyers receive a prompt response and that adequate measures for their safety are taken (Norway); 93.60. Increase the effectiveness of the "precautionary measures" to protect human rights defenders (Germany), including through adopting effective and comprehensive prevention strategies, at central and local levels, to prevent attacks and protect the life and physical integrity of human rights defenders and journalists, and ensure that such programs are backed by a strong political commitment and provided with adequate resources (Norway).

<sup>106</sup> JS3, paragraph 17a.

<sup>107</sup> FrontLineDefenders, pages 1–4. See submission for cases cited.

<sup>108</sup> See submissions from FrontLineDefenders, Committee to Protect Journalists (CPJ), PEN, JS3, ColectivoCAUSA, AI, Reporters Without Borders (RWB), AI, CIVICUS.

<sup>109</sup> FrontLineDefenders, paragraph 21.

<sup>110</sup> CPJ, page 4.

<sup>111</sup> PEN, page 6. See submission for cases cited.

<sup>112</sup> *Ibid.*

<sup>113</sup> AI, page 4.

<sup>114</sup> RWB, page 3.

<sup>115</sup> CDHDF, page 8. A/HRC/11/27, paragraphs 93.49. Place high on the agenda the human rights of indigenous peoples when addressing questions of impunity; and improve access to justice for indigenous peoples, including by strengthening public defence for indigenous peoples and providing better translation services (Finland); 93.53. Invite NGOs working on press freedom to a constructive dialogue on how Mexico can stop the violence against journalists and ensure press freedom (Norway); 93.56. Put into place more effective measures to tackle violence against journalists and media personnel (United Kingdom); provide greater guarantees to them (Peru); guarantee their safety and security (Bangladesh, Denmark, Peru), when they are discharging their professional duties (Bangladesh), in particular those that investigate and report cases of drug trafficking and corruption (Peru); 93.57. Create the proper legal framework that gives the Special Prosecutor for Crimes Against Journalists sufficient jurisdiction to investigate and indict perpetrators with greater independence (Netherlands); 93.58. Investigate cases of attacks / violence and threats against journalists and human rights defenders (Azerbaijan, Germany), in order to bring the perpetrators to justice (Germany); and step up efforts to ensure that investigation of attacks on voices for freedom of expression become a federal issue (Denmark) and 93.60. Increase the effectiveness of the "precautionary measures" to

protect human rights defenders (Germany), including through adopting effective and comprehensive prevention strategies, at central and local levels, to prevent attacks and protect the life and physical integrity of human rights defenders and journalists, and ensure that such programs are backed by a strong political commitment and provided with adequate resources (Norway).

<sup>116</sup> JS10, page 5.

<sup>117</sup> A/HRC/11/27, paragraphs 93.23. Set up structural measures to address systematically violence and violation of fundamental rights, of which women and human rights defenders are victims. (Belgium) 93.58. Investigate cases of attacks / violence and threats against journalists and human rights defenders (Azerbaijan, Germany), in order to bring the perpetrators to justice (Germany); and step up efforts to ensure that investigation of attacks on voices for freedom of expression become a federal issue (Denmark); 93.59. Ensure that crimes and violations against human rights defenders, journalists and lawyers are effectively investigated and prosecuted; that those responsible are punished; that complaints of threats, harassment and intimidation of human right defenders, journalists and lawyers receive a prompt response and that adequate measures for their safety are taken (Norway) ; 93.60. Increase the effectiveness of the “precautionary measures” to protect human rights defenders (Germany), including through adopting effective and comprehensive prevention strategies, at central and local levels, to prevent attacks and protect the life and physical integrity of human rights defenders and journalists, and ensure that such programs are backed by a strong political commitment and provided with adequate resources (Norway).

<sup>118</sup> AIDA-CEMDA, Executive Summary, paragraph 4.

<sup>119</sup> CIVICUS, page 4.

<sup>120</sup> CoaliciónOSC, page 4.

<sup>121</sup> CoaliciónOSC, page 5.

<sup>122</sup> CIVICUS, page 2. See also submission from HRW.

<sup>123</sup> Tlachinollan-HRCMorelos, paragraphs 46–48.

<sup>124</sup> CoaliciónOSC, page 6.

<sup>125</sup> Tlachinollan-HRCMorelos, paragraphs 49–53.

<sup>126</sup> GIRE, pages 1–4. A/HRC/11/27, paragraphs 93.8. Harmonize national and regional legislation in order to avoid discriminatory practices against women and indigenous peoples (Brazil) and eliminate all discriminatory elements still present in some state laws (Chile); 93.11. Take further steps to address discrimination against, protect and provide assistance to women and vulnerable groups including children, minorities and indigenous peoples (United Kingdom); 93.13. Conduct a time-bound review of legislation at state level which discriminates against women; commit to promptly repealing such legislation, with priority attention paid to family law that results in real or de facto discrimination against women and girls, and to legislation that prevents women’s access to justice, particularly in respect of the reporting and prosecution of family violence; and from the federal level, provide guidance to all states on the adoption of practical measures to ensure the implementation of these legislative changes at the local level (New Zealand); 93.69. Continue to extend and strengthen the system of primary healthcare and improve the quality of such services (Honduras); and redouble efforts to reduce the number of maternal deaths by training birth attendants and establishing more obstetric clinics (Holy See), with particular attention to indigenous women and peoples (Holy See, Honduras); 93.70. Continue efforts and take further steps/strengthen the national programme to ensure the right to food (Vietnam), to health (Saudi Arabia, Vietnam), and to education (Saudi Arabia), particularly for the vulnerable groups living in extreme poverty, including indigenous people (Vietnam).

<sup>127</sup> GIRE, page 2.

<sup>128</sup> GIRE, page 3.

<sup>129</sup> CoaliciónOSC, page 14.

<sup>130</sup> JS2, paragraph 29.

<sup>131</sup> JS2, paragraphs 22–23.

<sup>132</sup> Espolea, paragraph 28.

<sup>133</sup> COAMEX, pages 2–5.

<sup>134</sup> COAMEX, pages 6–7.

<sup>135</sup> DocumentaAC, pages 4–5.

<sup>136</sup> Paso a Paso, page 3.

<sup>137</sup> CoaliciónOSC, page 4.

- <sup>138</sup> A/HRC/11/27, paragraph 93.77. Adopt appropriate legislation in full conformity with international standards on the rights of indigenous peoples (Argentina); and take necessary measures to ensure the right of indigenous peoples / other marginalized communities affected by planned economic or development projects to be adequately and fairly consulted (Bolivia, Denmark), in accordance with the commitments undertaken by ratifying ILO Convention No. 169 concerning Indigenous and Tribal Peoples (Bolivia).
- <sup>139</sup> AIDA-CEMDA, Executive Summary, paragraph 2.
- <sup>140</sup> CoaliciónOSC, page 10. See also submission from GIDHS-EdPAC.
- <sup>141</sup> GIDHS-EdPAC, pages 1–10. See submission for cases cited.
- <sup>142</sup> Tlachinollan-HRCMorelos, paragraphs 62–71.
- <sup>143</sup> IHRC-OU, page 1.
- <sup>144</sup> IHRC-OU, page 4.
- <sup>145</sup> AI, page 1. A/HRC/11/27, paragraphs 93.79 (Pakistan); 93.80 (Guatemala); and 93.81 (Uzbekistan, Guatemala).
- <sup>146</sup> AI, page 1. See also submission from HRW, page 3.
- <sup>147</sup> AI, page 3. See also submission from CoaliciónOSC, pages 12–13.
- <sup>148</sup> SCMx, page 4.
- <sup>149</sup> Tlachinollan-HRCMorelos, paragraphs 59–61.
- <sup>150</sup> IDMC-NRC, pages 1–4.
- <sup>151</sup> AIDA-CEMDA, Executive Summary, paragraph 6.
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