

RECOMMENDATIONS ON MEXICO MADE BY THE UN HIGH COMMISSIONER FOR HUMAN RIGHTS, MR. ZEID RA'AD AL HUSSEIN, FOLLOWING UP ON HIS OFFICIAL VISIT TO THE COUNTRY IN OCTOBER 2015

March 2016

1. *Advisory Council*: Establish an Advisory Council of renowned experts in the field of human rights and the fight against impunity to advise the Mexican State on strategies and reforms to foster the capacities to investigate and prosecute and to reverse the impunity rates prevailing in the country. The Council should elaborate and publicly present a national assessment on impunity and recommend a roadmap to address the issue, gage its effective implementation and present public periodic reports.

2. *Due investigations of serious human rights violations*: Strengthen efforts to ensure that all serious human rights violations, including torture, extrajudicial executions and enforced disappearances, are duly investigated and prosecuted by a specialized high level Office within the Attorney General's Office. This Office should be led by a renowned expert in the fields of human rights and the fight against impunity and contribute to the already existing specialized units and Prosecutors within the Assistant Attorney General's office for Human Rights. This Office should have adequate human, technical and financial resources to carry out its tasks in a professional and effective manner.

3. *Military Justice Code*: While welcoming the legal reforms made by the Government in 2011 and 2014 to limit military jurisdiction, further amend the Military Justice Code and other relevant norms so that civilian jurisdiction also encompasses cases of human rights violations committed against the military. Civilian authorities should fully comply with their duty to properly investigate any type of wrongdoing by elements of the armed forces, including command responsibility.

4. *Public security compliant with human rights*: Complement the efforts already made by the Government to promote a citizen security approach to public security with further measures to ensure that public security policies and operational instructions comply with international human rights standards and guarantee that effective accountability measures for violations committed by members of the armed forces are in place.

5. *Use of force*: Adopt a national law on the use of force by public servants, in accordance with international standards, and ensure its effective implementation.

6. *Forensic institutions*: Create an autonomous and independent national forensic institution with sufficient resources, which serves all bodies that administer justice, including the courts, law enforcement authorities and legal representatives.

7. *Registry of all arrests*: Complement the Government's existing efforts to register persons deprived of their liberty with the adoption of a national law establishing a solid unified registry of all kinds of arrests and persons deprived of their liberty, including specific preventative measures to avoid arbitrary arrests, torture and disappearances.

8. Autonomy of different organs: Take all necessary steps to guarantee the professionalism and independence of local and federal public organs, including those of the administration and prosecution of justice and human right institutions, and that of the persons who lead them. Investigate thoroughly any act of political pressure and corruption and remove public servants from their functions if found guilty.

9. Ratification of international instruments: a) Promote the signature and ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of the Child; recognize the competence of the Committee on Enforced Disappearances under articles 31 and 32 of the Convention; b) Sign and ratify all Inter-American human rights treaties adopted by the General Assembly of the Organization of American States, which still await ratification.

10. Inter-institutional high level mechanism: Ensure and monitor the implementation, both at the local and national level, of the international and regional human rights standards and recommendations by strengthening the inter-institutional high-level mechanisms created for this purpose and the national human rights statistics system. Both should include adequate mechanisms for the participation of civil society and stakeholders.

11. Indigenous peoples: Ensure that indigenous peoples are properly consulted when measures affecting their rights are taken or planned, particularly in the context of development projects, national and transnational corporations, as required by international human rights standards.

12. Women's public policies: Further incorporate a human rights perspective into women's public policies, especially those relating to combating violence against women, assuring the allocation of the necessary resources for their full implementation. In this regard the National Data Base for Information on Cases of Violence Against Women (BANAVIM) needs to be strengthened to provide up to date figures, and become a more accessible tool to the public.

13. OHCHR indicators framework: All federal and local institutions, in particular autonomous bodies, the judiciary and executive branches, should measure the impact of public policies related to human rights by fully implementing OHCHR indicators framework on human rights. The processes for public policy design should be based on the information generated through the indicators system and a policy on transparency should be implemented. Necessary funds for the data systems design should be allocated.

14. General laws on torture and disappearances. Adopt the general laws on torture and disappearances, in accordance with international human rights standards and with the participation of victims and civil society in order to adequately integrate their views. Ensure their effective implementation at the federal and state levels, including by building the required capacities and allocating the necessary human and financial resources.