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Your Excellencies,

### **Questions from Human Rights Council Elections Pledging Event 2020**

On 9<sup>th</sup> September 2020, Amnesty International and the International Service for Human Rights held an online pledging event for candidate States to the Human Rights Council for the membership term 2021-2023.

This year's event, had around 250 online attendees and an overwhelming number of questions posed to candidates, providing an opportunity for candidates to present their visions for membership and to engage with a range of stakeholders on their human rights commitments and pledges.

We thank you for your participation in the event. With the goal of furthering dialogue, as well as improving adherence to Council membership standards and accountability, as articulated in UN General Assembly resolution 60/251, please find below the questions addressed specifically to Mexico as well as questions for all candidate States.

The questions, as well as your responses, will be shared on ISHR's website. We request that you please send your responses to Maithili Pai at [m.pai@ishr.ch](mailto:m.pai@ishr.ch) by 9th October 2020.

#### **Questions posed specifically to Mexico:**

1. *Centro de Derechos Humanos Fray Francisco de Vitoria and Dominicans for Justice and Peace:* "What are the processes that Mexico will put in place to ensure that civil society organisations can contribute to following and monitoring of the implementation of international recommendations made in regard to human rights?"
2. *Comisión Mexicana de Defensa y Promoción de los Derechos Humanos:* How does the Mexican State plan to comply with the decisions adopted by the UN treaty bodies? So far, more than five, as well as the recommendations issued to the country by the Deputy Secretary of the ONU-DH Mexico on retaliation?
3. *Comisión Mexicana de Defensa y Promoción de los Derechos Humanos: (Question posed during event):* "President Andrés López Obrador has systematically discredited, stigmatized and criminalized human rights defenders and journalists, including on the 28th of August when he launched a blistering

attack on several environmentalist NGOs and an independent media outlet, suggesting they were being paid by foreign foundations to oppose his controversial train project in the Yucatan peninsula. This smear campaign against human rights defenders and journalists, has created a climate of fear and sends an intimidating message to society at large. What will the Mexican government do to ensure that defenders and journalists are able to carry out their activities in a safe and enabling environment that empowers them to defend all human rights for all?”

4. *Centro de Derechos Humanos Fray Francisco de Vitoria and Dominicans for Justice and Peace*: “In the context of criminalization and constant targeting of civil society organisations, in what ways will Mexico guarantee the right to defend human rights? What steps will Mexico take to support this goal at the HRC?”
5. *I(dh)eas, Litigio Estratégico en Derechos Humanos (Question posed during event)*: “In 2019, the UN Human Rights Committee ruled against Mexico in three individual cases of Enforced Disappearances. According to the victims’ representatives, the Mexican State has not yet fully and effectively complied with these rulings. Can you explain why? Can you tell us if there is a mechanism for the implementation of UN decisions, and how is the Mexican State working towards compliance with these decisions?”
6. *I(dh)eas, Litigio Estratégico en Derechos Humanos*: “According to the UN Committee on Enforced Disappearances, Mexico has received 399 urgent communications in regard to people who have been victims of enforced disappearance. What has Mexico done to respond to these communications? Mexico is the second country in the world with the highest number of Urgent Actions issued by the Committee against Enforced Disappearances-CED (399 urgent actions). According to the victims’ representatives, the Mexican Government has not yet fully and effectively complied with the measures required by the Committee. Can you explain why?”
7. *I(dh)eas, Litigio Estratégico en Derechos Humanos*: “In Mexico there are at least 75,064 disappeared people. Can you tell us how many people have been sentenced for the crime of enforced disappearance in the country? How many of these have been members of the security forces?”
8. *Red por los Derechos de la Infancia en México*: “Will you promote or endorse any resolution or action to protect migrant children, in particular to halt detentions and repatriation of unaccompanied children, which are still common practices in Mexico and other countries?”
9. *Centro de Derechos Humanos Fray Francisco de Vitoria and Dominicans for Justice and Peace*: “Aside from consultations, what specific mechanisms will the Mexican state employ to ensure it complies with its obligation to respect, protect, promote and guarantee the right to the free, prior and informed consent of indigenous communities?”
10. *Centro de Derechos Humanos Fray Francisco de Vitoria and Dominicans for Justice and Peace*: “What will the Mexican state do to adopt a position that privileges human security over national security, which in turn guarantees the full enjoyment of all human rights by the migrant, refugee and asylum-seeking populations that live or transit through Mexico?”

11. *Human Rights Watch*: “Despite recent judicial reforms, impunity is a huge problem in Mexico. What concrete steps will the government take to ensure police & prosecutors properly and thoroughly investigate crimes & punish perpetrators?” What steps will Mexico take to improve protection of human rights defenders and journalists, ensure that killings of human rights defenders and journalists are properly investigated & punished and eliminate underlying causes of these attacks?”
12. *I(dh)eas, Litigio Estratégico en Derechos Humanos*: “Which concrete measures will Mexico take to improve the investigation, prosecution and sanction of human rights violations that keep occurring in the country as well as to reduce the current impunity rate of 95% for officially reported crimes?”
13. *International Media Support*: “How will Mexico tackle the structural causes of violence against journalists through a gendered lens and provide for protection from threats, attacks and harassment in attempts to stifle press freedom?”
14. *I(dh)eas, Litigio Estratégico en Derechos Humanos*: “What steps has Mexico taken to prevent and address the grave crisis of the disappearance of women and girls in the country and how will Mexico strengthen the early warning mechanism regarding gender-based violence, to protect women?”
15. *I(dh)eas, Litigio Estratégico en Derechos Humanos*: “What measures has the Mexican State taken to develop research on women and girls with gender perspective? Why has Mexico failed to comply with its international and not issued any ruling after UN rulings?”
16. *I(dh)eas, Litigio Estratégico en Derechos Humanos*: “In 2019, the United Nations Committee against Torture presented a report and recommendations to the Mexican State in which it claimed to be “seriously concerned” with the high level of torture and ill-treatments, including sexual violence, carried out by members of the State’s security forces and agents conducting investigations during the arrest of individuals and from the moment of their detention. It also raised concerns on the fact that confessions obtained during these arrests can be used against the defendant as a proof of guilt before Courts. The information provided by the Mexican government indicated that, in 2019, there were 4296 prior inquiries and 645 casefiles for the crime of torture. However, the Committee has not received complete information regarding the number of cases for which there have been criminal, judicial, and disciplinary proceedings. What are the existing mechanisms against torture? What are the number of convictions for torture in Mexico including sexual torture?”
17. *I(dh)eas, Litigio Estratégico en Derechos Humanos*: “Civil society organizations have asked Mexico to recognize the existence of crimes against humanity in the country and accept the support of the International Criminal Court to investigate them. What is the government’s position on this issue?”
18. *Comisión Mexicana de Defensa y Promoción de los Derechos Humanos*: “The NHRI in Mexico and the CNDH is facing severe challenges to comply with the Paris Principles. How does Mexico intend to guarantee its autonomy, independence and sufficiency of resources to adequately attend to victims?”

**Questions posed to all candidate states:**

19. *Jacob Blaustein Institute for the Advancement of Human Rights (Question posed during event)*: “the financial crisis affecting the UN has led to many human rights activities being cut back and impeded.

If elected, will you pay your assessed dues on time? And will you provide additional unearmarked voluntary funds to fill the gap?”

20. *Latter Day Saint Charities*: “How will your contribution to the HRC support, strengthen and sustain families, enabling economic growth and social stability?”
  21. *Permanent Mission of the Czech Republic to the United Nations*: “If (re)elected to the HRC, how would you tackle the issue of non-cooperation between countries and HRC mechanisms (e.g. not enabling visits by Special Rapporteurs)?”
  22. *Permanent Mission of Australia to the United Nations*: “In 2018, Australia led the development of an HRC Incoming Members Pledge. The pledge reaffirms the commitment of HRC members to the obligation in resolution 60/251 to “uphold the highest standards in the promotion and protection of human rights” and “fully cooperate with the Council”. Among other things, the Incoming Members Pledge confirms the need to:
    - Cooperate in good faith with the Council, its mechanisms and the OHCHR;
    - Address human rights concerns on their merits;
    - Engage in a spirit of self-reflection, in good faith and in a transparent manner;
    - Work in cooperation with civil society, including ensuring a safe and enabling environment for civil society, free from reprisals and intimidation.
- Since 2018, nearly two-thirds of incoming members have endorsed the pledge. Would you be willing to endorse the Incoming Members Pledge if elected?”
23. *Human Rights House Foundation*: “Is it appropriate that HRC members repeatedly abstain on country-focused situations addressed by the Council as a position of principle?”
  24. *CIVICUS and Human Rights Advocates*: “Do you support the participation of NGOs in the HRC? How will you engage with civil society in your role as an HRC member?”
  25. *The Swedish Federation for LGBTQI Rights and the World Benchmarking Alliance*: “Given that more than 92% of SDG targets are linked to specific provisions of international human rights instruments, how do you plan to connect human rights and the 2030 Agenda during your mandate in order to strengthen the role of the Human Rights Council and the implementation of human rights for all?”
  26. *Human Rights Watch*: “More than 150, 000 people have been forcibly disappeared and arbitrarily detained in Syria. What role can your country play to deal with this issue at the HRC?”
  27. *Attendee wishing to remain anonymous*: “In 2021, the Syrian conflict will enter its 10th year. Accountability and the ability investigate human rights abuses remains essential. Will your country vote in favour of the renewal of the mandate of the Commission of Inquiry on Syria as part of your country's pledge to protect and promote human rights at the HRC?”
  28. *Human Rights in China*: “Does your government uphold the principle of universality of human rights—that every human being, with no exception, regardless of national conditions, is equally entitled to a set of fundamental, non-derogable rights?”

29. *Institute for NGO Research*: “How do you plan to tackle politicization and disproportionate focus on some human rights issues while others go ignored?”
30. *Women Working Group*: “What is the best progress your country has made in implementing covenant human rights related to handling a pandemic?”
31. *Dr Virginia Marshall, the Indigenous Peoples Organisation*: “What is your recovery planning for post COVID 19 including for Indigenous Peoples? What are your three priority goals?”
32. *Defence for Children International*: “Global efforts are needed to free detained children. The UN Global Study on Children Deprived of Liberty found at least 1.5 million are locked up each year. How will you work to uphold child rights in your role as an HRC member?”
33. *Permanent Mission of the Netherlands to the United Nations*: “What actions will you take as a member of the HRC to ensure the human rights of all persons are protected, including minorities and other persons in vulnerable positions, such as women and girls, religious minorities and LGBTI persons?”
34. *Permanent Mission of the Republic of Poland to the United Nations*: “The latest rise of violence against religious communities and people belonging to religious minorities remind us in a tragic way that the freedom of religion as a fundamental human right is in danger and that hatred towards religious groups may lead to mass persecution including killings of people solely on the grounds of their religion or belief. What specific measures or initiatives regarding freedom of religious belief does the State plan to pursue during its mandate as an HRC member?”
35. *Anonymous attendee*: “What will your country’s engagement be on the climate change issue?”
36. *Andres Bello Catholic University, Venezuela*: “Venezuela has experienced a clear deterioration in the human rights situation in recent years. What would your country do in this regard?”

We look forward to hearing from you.



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