

## I. Introduction

1. For decades, Mexico has faced an alarming human rights crisis that, far from diminishing, has deepened since the third cycle of the Universal Periodic Review (UPR). That review was conducted in November 2018, which coincided with a change in the federal administration.
2. This crisis is characterized by structural factors such as violence, impunity, inequality, and the weakness of the rule of law. Likewise, it has been influenced by the international context, mainly derived from the COVID-19 pandemic and the government's management of it, which evidenced and deepened the precarious situation of economic, social and cultural rights of the population, especially in relation to the rights to health, potable water, sanitation, and adequate housing.<sup>1</sup> Equally, the regional context has also an impact on the crisis, particularly due to the phenomenon of human mobility from Central and South America —increasingly on the rise from other latitudes— and the lack of coordination by involved countries to address the related challenges.
3. The government has placed the reduction of inequality as a central issue on its agenda, particularly through social programs. However, poverty continues to be a determinant factor: the latest national measurements indicate that, between 2018 and 2020, the rate of the population living in poverty increased from 41.9% to 43.9%.<sup>2</sup>
4. The construction of megaprojects has also been a central aspect of the current administration, under a policy that disregards compliance with environmental norms and attention to the climate emergency from a human rights perspective.<sup>3</sup> Among the projects, the Maya Train, the Tehuantepec Isthmus Corridor, the Dos Bocas Refinery, and the Morelos State gas pipelines are of particular note. These projects have caused environmental, social and territorial impacts and threats that affect rights such as health, access to water, housing, and adequate food,<sup>4</sup> as well as the right to prior, free and informed consultation and consent of indigenous and rural communities<sup>5</sup>.
5. Although the crisis is widespread, it has specific and differentiated impacts on groups that have historically been discriminated against and that continue to face structural inequalities, such as women; girls, boys and adolescents; indigenous peoples; afro-descendant peoples; populations in situations of mobility; among others. The complex conditions that Mexico is experiencing deepen the multidimensional and intersectional nature of human rights violations.
6. The resistance of the federal government to recognize the continuity of this crisis, and even to deny its existence altogether —making claims that human rights are no longer violated in Mexico<sup>6</sup>— has exacerbated the situation and has generated setbacks in the guarantees and protections of certain populations and rights. This position complicates the design of public policies and programs aimed at prevention and eradication. In addition, the federal government has expressed resistance to international scrutiny and has emitted messages delegitimizing the observance of the international community —including that of the United Nations— and the observation work of organized civil society.<sup>7</sup>
7. This report is presented by a broad range of organizations that make up the *UPRmx Collective*, formed as an effort to organize civil society in relation to this evaluation of Mexico by the Human Rights Council. It is also endorsed by various international organizations. In this

document we will present the main issues that reflect broadly the current situation and structural issues related to human rights in the country. In addition, from the Collective we have submitted a series of reports that expand upon particular themes addressed in this general report.<sup>8</sup>

## II. Weakening of the Rule of Law

### A. Autonomous Bodies and Institutions

8. During the period reviewed, significant setbacks were observed in the rule of law.<sup>9</sup> These setbacks were particularly evident in the weakening of autonomous and decentralized mechanisms and bodies pertinent to the guarantee of human rights and democracy.
9. After the appointment of the current president of the National Human Rights Commission (CNDH) in 2019, the independence and operating criteria of the institution have been questioned for various reasons: CNDH has links with the ruling party; its internal structure has weakened; it has adopted decisions in support of government policies that contravene its obligations as a national human rights institution and international standards on the matter.<sup>10</sup> By way of example, the CNDH endorsed the legislative reforms that institutionalized the militarization of public security, directly alluding to the government change at the federal level as the guarantee that the reforms did not violate human rights, without carrying out a legal, constitutional, or conventional analysis.<sup>11</sup>
10. Congress approved reforms to reduce the powers and capacities of the National Electoral Institute (INE) that directly affect its responsibility to organize elections at the federal level. However, the Supreme Court of Justice of the Nation (SCJN) invalidated these reforms for violations of the legislative process.<sup>12</sup>
11. The Senate has hindered the operation of the National Institute for Transparency, Access to Information, and Protection of Personal Data (INAI) by failing to appoint three of its commissioners, without whom plenary sessions cannot be held, jeopardizing the right of access to information and the protection of personal data of the population.<sup>13</sup>
12. Moreover, 10 years after its creation, the National System for Attention to Victims does not have the necessary operational and administrative capacity to carry out its work. The institutional framework of the Executive Commission for Attention to Victims (CEAV) has also deteriorated. The organism was without a head for an extended period and continues to face serious challenges in its functionality.<sup>14</sup> In addition, the trust for payment of attention and reparation measures for victims was eliminated, removing the legal guarantee that ensured that the Federation dedicate a minimum annual budget for this purpose.<sup>15</sup>
13. In this context of institutional weakening, the federal Executive presented an initiative to eliminate, merge, or integrate 18 decentralized and autonomous bodies into other institutions, which would result in the loss of their management and budget autonomy, the reduction of personnel, and, in some cases, even complete dismantlement.<sup>16</sup> Some of the government bodies included in this initiative are the National Anti-Corruption System, the National System for the Integral Protection of Children and Adolescents (SIPINNA), the National Institute for Older Persons (INAPAM), the National Council for the Development and Inclusion of Persons with Disabilities (CONADIS), the National Institute of Indigenous Languages (INALI), and the Mexican Commission for Refugee Assistance (COMAR).

14. In 2021, a reform of the Federal Judiciary was carried out.<sup>17</sup> The reform sought to address practices of nepotism and corruption, to strengthen the new system of precedents and to increase representation in the judicial profession. This legal reform also concentrated the knowledge of matters related to serious violations of human rights within the judicial bodies.<sup>18</sup>
15. Regarding access to justice, the Organic Law on the Attorney General's Office (*Fiscalía General de la República*, FGR) —which was passed in 2018 following a participatory design process in which civil society advocated for the autonomy of the institution— was reformed in 2021. This reform led to a series of counter-reforms, which limited the rights of victims, eliminated accountability mechanisms, eroded controls for the appointment of prosecutors, and removed the FGR from inter-institutional coordination mechanisms on highly relevant matters, such as the search for disappeared persons. These counter-reforms were justified with the argument that the FGR is an autonomous institution, a distorted view of its investigative autonomy.<sup>19</sup>

#### B. Deterioration of Civic Space

16. In the current period, civic space has deteriorated and reduced, perpetuating situations of risk for the exercise of the right to defend human rights and to freedom of expression in different contexts.
17. The federal Executive has regularly directed messages of delegitimization against civil society organizations, human rights defenders, activists, journalists, the media, and even justice operators and international bodies. Various international organizations have shown that the stigmatizing official discourse, particularly regarding the press, contributes to the deterioration of public debate and increases the risks inherent in journalistic work<sup>20</sup>.
18. The environment for the practice of journalism and the defense of human rights, already hostile and violent, has worsened. According to official figures, between December 2018 and June 2022, at least 106 defenders and 59 journalists were murdered.<sup>21</sup> According to civil society organizations that document murders of journalists, between December 2018 and the end of 2022, 35 journalists were murdered for reasons related to their work.<sup>22</sup> As of June 16, at least seven journalists have been killed during 2023.<sup>23</sup>
19. The situation of relatives of missing persons is particularly alarming, especially for those who have assumed the search for their loved ones. Between 2018 and May 2023, at least 10 searcher relatives (*buscadoras*) were murdered, four of them in the last year.<sup>24</sup>
20. Furthermore, there persists targeted violence against those who protect the environment or defend the land, including indigenous people. From 2019 to 2022, there were at least 82 murders related to their defense of the environment and 409 events of aggression.<sup>25</sup>
21. Regarding digital attacks, during 2022 and the course of 2023, new cases of espionage—presumably carried out by the Army<sup>26</sup>— were made known. The cases involved the use of the malware *Pegasus* to spy on three human rights defenders and two journalists; all five cases occurred during the current administration and current review cycle<sup>27</sup>.
22. The federal government denied the espionage and the Secretariat of National Defense (SEDENA) classified information on contracts related to *Pegasus*. However, official SEDENA leaked documents confirmed the use of malware for these purposes.<sup>28</sup> The leaked documents further revealed the monitoring and surveillance of civil society organizations, human rights

defenders, and activists, evidencing the stigmatization of these sectors by SEDENA and a vision far removed from democratic principles.

23. Since its creation in 2012, the Federal Protection Mechanism for Human Rights Defenders and Journalists (hereinafter “Protection Mechanism”) has shown structural shortcomings that to date have not been corrected. These shortcomings include failings and delays in the preparation of risk analysis, the lack of a human rights perspective, the lack of follow-up on the protection plans and measures, the placement of the burden of proof on the beneficiaries, and the complete lack of inter-institutional coordination and between levels of government.<sup>29</sup> Financial and human resources have not been sufficient to protect people at risk;<sup>30</sup> consequently, deficient levels of protection persist.
24. In the context of the escalation of violence against human rights defenders and journalists, in 2020, the State eliminated the trust that guaranteed an accessible and permanent budget to implement protection measures, among others trusts eliminated.<sup>31</sup>
25. Social protest is repressed and is subject to violence by the State. On the one hand, local<sup>32</sup> and federal<sup>33</sup> law reforms criminalize protest through ambiguous criminal offenses that allow the misuse of criminal law against acts of protest. On the other, multiple aggressions, arbitrary detentions, criminalization, excessive use of force, and even grave human rights violations, such as torture, have been documented in various protest events, with differentiated impacts on indigenous people protecting their territory,<sup>34</sup> migrants in detention or mobilizing in caravans,<sup>35</sup> and women in feminist protests who have been significantly stigmatized and criminalized during the review period.<sup>36</sup>

### C. Deepening Militarization

26. Throughout this six-year term, militarization has spread in various spheres of public life, via an unprecedented level of new legal reforms.<sup>37</sup> The government has perpetuated and institutionalized the participation of the Armed Forces in public security and more than 240 other tasks of a civil nature, including the construction of public works, the implementation of immigration policy, and the management of social programs, customs and ports.<sup>38</sup>
27. In 2019, the Constitution was amended to create the National Guard (GN) and designate it as the civil entity responsible for public security at the federal level. In practice, it has emerged as an effectively military body given the military background of many of its commanders and members, its militarized training, and the lack of effective civilian controls over its performance. In 2022, Congress approved secondary reforms to assign the GN to the administrative and operational control of SEDENA.<sup>39</sup>
28. In 2020, a Presidential Decree was issued to regulate —nominally and without established controls— the participation of the Permanent Armed Forces in public security functions until 2024, in accordance with the provisions of the 2019 constitutional reform. In 2022, Congress approved the extension of those Forces’ continued presence in public security work until 2028.<sup>40</sup>
29. The SCJN has played a crucial role in this area. although it declared the GN's affiliation to SEDENA unconstitutional. It did uphold the Decree by which the Permanent Armed Forces are authorized to conduct public security tasks as well as its participation in migratory control and verification tasks.

30. In this context, human rights violations committed by the Armed Forces persist, including arbitrary detentions and serious violations such as extrajudicial executions.<sup>41</sup> In these cases, the FGR abstains from investigating objectively and exhaustively.<sup>42</sup> In addition, military jurisdiction has been expanded *de facto* through parallel investigations of acts that violate human rights, which, when objectively assessed, bear no relationship with the purview of military jurisdiction: military discipline.<sup>43</sup>
31. The State still has not established a plan for the gradual withdrawal of the Armed Forces from public security tasks and for the institutional strengthening of civilian police forces, as recommended at the international level.<sup>44</sup> Given the lack of a withdrawal plan, it is important to note that the military's deployment has a differentiated impact on the indigenous peoples in whose territories military presence and activity has increased, without consent in accordance with international standards.<sup>45</sup>
32. Immigration policy has been militarized. By 2022, the GN had deployed a total of 15,494 elements<sup>46</sup>—both at the northern and southern borders and in the interior of the country—to carry out migration control and verification tasks, surveillance in detention centers, and deportation of migrants, even without coordination with the National Institute of Migration (INM) as established by the law<sup>47</sup>. Similarly, individuals with military training and profiles have been appointed to assume management positions in at least 18 of the 32 state representations of the INM.<sup>48</sup>
33. After a hack, confirmed by the Mexican government of the SEDENA servers in September 2022, a large cache of documents from the institution were released, revealing corrupt practices by the military,<sup>49</sup> cases of sexual abuse within the Army,<sup>50</sup> details on the obstruction of investigations in cases of serious violations of human rights where military agents likely participated,<sup>51</sup> among others matters.<sup>52</sup>

### III. Overview of Impunity and Human Rights Violations

34. The situation of generalized violence that Mexico faces is worsening in certain areas of the country, as are the high levels of corruption and collusion that foster impunity.<sup>53</sup>
35. From December 2018 to mid-June 2023, more than 158,000 intentional homicides were reported, according to official data;<sup>54</sup> and 2022 closed with an average of 85 homicides per day.<sup>55</sup> Regarding femicides, the year 2021 registered a historical maximum with 1,018 of femicides, in a context of increasing violence against women.<sup>56</sup> In 2022 the number of victims and crime rates in general increased as compared to 2021.<sup>57</sup>
36. The narrative of federal and state authorities seeks to justify the persistence of violence in various contexts under the argument that it is only a result of confrontations between criminal groups that do not affect the broader populace.<sup>58</sup> Unfortunately however, events of intense violence continue to be recorded and to affect entire communities, without accountability.<sup>59</sup> Furthermore, there have been emblematic cases of homicides in which the State has been unable to bring the perpetrators to justice.<sup>60</sup>
37. In this context, impunity is the rule: on average, 91.8% of crimes reported in the country are not investigated.<sup>61</sup> It is estimated that in 2021 only 10.1% of crimes were reported to the authorities and that an investigation was opened in only 67.3% of reported complaints; nothing further occurred or the complaint was not resolved in 50.8% of the cases in that subset.<sup>62</sup> The levels of

impunity are especially high in crimes such as enforced disappearance (98.9%) and intentional homicide (96.9%).<sup>63</sup>

38. Indigenous peoples continue to face obstacles in access to justice, as evidenced by the 2021 National Survey of Imprisoned Population (ENPOL), in which 62.1% of the indigenous people interviewed indicated that they needed and did not have a translation service when they were brought before the Prosecutor's Office.<sup>64</sup>
39. Corporate impunity is especially worrisome. While Mexican government policy and the financial system facilitate the operation of private, public, and mixed private-public companies whose activities negatively impact the rights of individuals and entire communities,<sup>65</sup> there is no normative framework in the country that regulates the accountability of these companies in regard to their human rights obligations and their responsibility in the commission of infractions and crimes as a result of their activities and supply chains.<sup>66</sup>
40. Attorney general's offices at the federal and state levels are characterized by their lack of a pursuit of justice policy that incorporates analysis of context and macro-criminality in order to respond effectively to current challenges. They currently lack the capacity to properly investigate complex crimes as well as those carried out with the collusion of authorities.
41. The FGR, created in 2018 to replace the Federal Prosecutor's Office (*Procuraduría General de la República, PGR*) and endowed –by law– with autonomy, has been ineffective in reducing rates of impunity and strengthening the justice system. In the midst of this impunity crisis, the FGR has not published the *Plan Estratégico de Procuración de Justicia* (Access to Justice Strategic Plan) that would define the investigative priorities for the efficiency and effectiveness of criminal prosecution, as required by law.<sup>67</sup> Additionally, its Chief Prosecutor has been questioned for lack of independence and for breaching his obligations of accountability and inter-institutional coordination.<sup>68</sup>
42. The Judiciary has faced criticism for the obstacles to access to justice described above, as well as for the inability of the attorney general's offices to carry out their duties, the increased use of *mandatory pre-trial* detention (*prisión preventiva oficiosa*). In addition, the Federal Executive has questioned the Judiciary for various of its decisions decided against major projects of the current administration.<sup>69</sup>
43. From April 2020 to the same month in 2023, the number of people in pretrial detention increased from 80,405 to 93,571.<sup>70</sup> In this context, in November 2022 and January 2023, the Inter-American Court of Human Rights (I/A Court H.R) issued two judgments in which it ordered the Mexican State to adapt its internal legal order on pre-trial detention, *mandatory pre-trial* detention and *arraigo* (pre-charge detention) including its constitutional provisions, so that it is compatible with the American Convention on Human Rights.<sup>71</sup>

#### D. Disappearances

44. According to official data, there are more than 111,000 disappeared persons in Mexico, more than 40,000 of these disappearances occurred during the current administration and current review cycle.<sup>72</sup> Although these figures include both recent and past cases, the number of disappearances has grown exponentially in recent years, closely related to the launch of the so-

called “war on drugs” in 2006 and the almost absolute impunity that perpetuates the “paradigm of the perfect crime.”<sup>73</sup>

45. The disappearance crisis in Mexico is widespread. In the cases that have occurred since 2006, a diversity of modalities and victims are observed; the perpetrators have also diversified – particularly criminal groups– with varying degrees of participation, acquiescence, or omission by agents of the State.<sup>74</sup> In addition, state responsibility further extends through its omissions in the search and investigation processes.<sup>75</sup> The cases prosecuted for this crime hover between 2% and 6%, and only 36 convictions have been handed down at the national level,<sup>76</sup> none against a high-ranking civil or military figure.<sup>77</sup> In this panorama, in recent years the disappearances of migrants, women, girls, boys and adolescents have increased substantially<sup>78</sup>.
46. There are serious shortcomings in the investigations by the attorney general’s offices, such as excessive bureaucracy and formalism, the absence of investigation plans and omissions in the carrying out of procedures, resistance to collaboration with the Search Commissions, and the lack of sufficient resources to fulfill its duties.<sup>79</sup>
47. State efforts to recognize the dimensions of the problem and create regulatory and institutional frameworks have not been entirely effective in addressing the crisis. There is not adequate coordination between institutions –particularly those responsible for policies on investigations and searches–, nor between the federation and the states. In general, the State does not have a comprehensive policy to prevent and eradicate this practice.<sup>80</sup>
48. At the same time, the country is facing a forensic crisis, with more than 52,000 unidentified remains of deceased persons in state custody. There are additional remains that have been found by families and have not been adequately processed by the authorities. The mechanisms implemented by the State, such as the Extraordinary Mechanism for Forensic Identification (*Mecanismo Extraordinario de Identificación Forense*, MEIF) and the National Human Identification Center (*Centro Nacional de Identificación Humana*, CNIH), as well as similar regional centers —although relevant initiatives— do not have the capacity nor the necessary budget to properly operate.<sup>81</sup> Faced with institutional ineffectiveness, relatives of disappeared persons have assumed the search work on their own, along with the risks that implicates in the current context.
49. On the other hand, the State's promotion of extraordinary clarification mechanisms in cases of recent and past disappearances—despite some advances—have not been able to grant truth and justice to the victims, nor have they become replicable mechanisms in the face of the magnitude of the crisis.<sup>82</sup>
50. More than 5 years after the General Law on Disappearances entered into force, there are deficiencies in the implementation of the key bodies created by the Law, such as the National Forensic Data Bank, the National Registry of Graves, the National Register of Unidentified and Unclaimed Deceased Persons, and the National Exhumation Program.<sup>83</sup>
51. In 2020, the Mexican State formally recognized the competence of the Committee on Enforced Disappearances (CED) to examine communications in individual cases, after a long litigation

driven by victims.<sup>84</sup> In May 2023, the Committee issued its first resolution in a Mexican case.<sup>85</sup> In 2021, the SCJN determined that the Urgent Actions issued by the CED are binding.<sup>86</sup>

#### E. Extrajudicial Executions

52. There has been a documented continuation of extrajudicial executions by state and federal security agents. According to official data, since its creation and until the end of 2022, the GN has used force with a firearm in 402 events, in which 162 civilians died.<sup>87</sup> The GN reported only three cases of excessive use of force in those years, referring exclusively to those in which the CNDH issued a recommendation.<sup>88</sup>
53. For its part, SEDENA has also been identified as responsible for executions in recent years.<sup>89</sup> Between December 2018 and August 29, 2022—a period entirely within the current administration’s mandate—, SEDENA reported having killed 739 civilians.<sup>90</sup> Later, on August 31 of the same year, the military killed a 4-year-old girl;<sup>91</sup> and in 2023, in the months of March<sup>92</sup> and June,<sup>93</sup> military agents executed 10 more civilians.
54. The Armed Forces frequently resorts to claims that information about these events relates to national security matters in order to refuse to disclose it. Even though, by law<sup>94</sup>, all public security forces have the obligation to issue detailed reports in events where force is used, the GN classified that information for five years. It later released only six reports. Meanwhile, SEDENA asserted that it does not have any registries; and the Secretariat of the Navy (SEMAR) argued that it is not obligated to publish them.<sup>95</sup>
55. Generally, these types of cases of executions and aggressions by the security forces are not duly investigated and prosecuted, much less sanctioned.<sup>96</sup> In addition, the chain of command is rarely investigated in these cases and those of other grave violations<sup>97</sup>.
56. In 2019, the National Law on the Use of Force was published, which—although it represents progress—has been ineffectively implemented. Additionally, it contains certain worrying aspects, such as the authorization of security forces to intervene in demonstrations, ambiguity regarding the duty to prepare reports, and the classification of weapons that can be used.<sup>98</sup> In 2021, the SCJN declared a portion of the regulations invalid due to omissions in the incorporation of the principles that should regulate the use of force. However, it validated the provisions on the use of lethal force and the use of force in protest settings.<sup>99</sup>
57. In this context, the fatality rate of the Armed Forces is high.<sup>100</sup> According to official figures, from 2018 to 2020, 681 civilians were executed as a result of gunfire by SEDENA and SEMAR agents,<sup>101</sup> Thus, in 2020 the ratio between the number of civilian killed and the number of civilians injured by security agents was 4.7:1 and 5:1 by SEDENA and SEMAR, respectively. Regarding deaths caused by state and municipal security agents in the same period, official data totaled 557 people, although press sources counted 962.<sup>102</sup> Against this background, the State has failed to create the observatory on accountability and monitoring the use of force,<sup>103</sup> as ordered by I/A Court H.R in 2018.<sup>104</sup>

#### F. Torture

58. Torture is a widespread practice committed by authorities at all levels of government, including security agents and prosecutors, as reflected in the more than 9,500 complaints for acts of torture



or cruel, inhuman or degrading treatment that were filed before the different state human rights bodies between 2019 and 2022.<sup>105</sup>

59. Six years since the General Law on the subject was passed, its implementation is deficient, as demonstrated by the lack of publication of the National Program to Prevent and Punish Torture and Other Cruel, Inhuman, and Degrading Treatment or Punishment, which, according to the regulations, the FGR had to carry out by December 2017.<sup>106</sup> The lack of a public policy on the matter has prevented coordination between the authorities and has favored the perpetuation of these serious violations.
60. Torture in detention contexts continues to be a persistent practice as a means of investigation. According to the 2021 ENPOL, 18.2% of the people deprived of liberty surveyed said that they gave or signed their testimony under threats or pressure; while 20% said they had been physically assaulted to coerce their guilty plea.<sup>107</sup> Women are especially vulnerable to this serious violation of human rights,<sup>108</sup> particularly to the persistent practice of sexual torture, as demonstrated by the National Diagnostic on Sexual Torture Committed against Women Deprived of Liberty in Mexico. The Diagnostic—presented by the State in 2022—revealed that more than 79% of the women surveyed in prison were victims of torture and other cruel, inhuman or degrading treatment or punishment; of which, more than 43% suffered sexual torture or acts with this connotation.<sup>109</sup>
61. The country does not have an effective policy for criminal prosecution of torture. Attorney general's offices are incapable of adequately investigating this crime, lacking resources and capacities. 8 out of 10 investigations begin because the courts instruct the prosecutorial authorities to investigate.<sup>110</sup> In 2022, four sentences for torture were issued at the federal level; that is to say, only 0.12% of the investigations initiated for this crime resulted in a sentence at the federal level (there are no adequate records at the local level).<sup>111</sup>

#### **IV. Conclusions and recommendations**

62. Of the 262 recommendations issued to Mexico in previous UPR cycles and accepted by the State, there is substantive non-compliance and -despite significant efforts mainly in the regulatory framework- no significant progress has been observed that has led to improvements in the living conditions of the population and in the situation and respect for human rights.
63. Therefore, when examining Mexico, it is essential that the Human Rights Council consider in its assessment both the persistence and the deterioration of some of the issues addressed in the previous recommendations, as well as the existence of problems not subject to previous specific recommendations, especially on issues related to militarization and its varied impacts.
64. In this sense and with awareness of the dimension of the challenges that the country faces to overcome this panorama, we urge the delegations of the States to consider issuing recommendations aimed at combating the main structural problems that the country faces, especially in the following aspects:
  - i. Design, adopt, and implement a policy on citizen security that complies with international human rights standards and guarantees the strengthening of civilian

- security forces, including the establishment of a plan for the gradual withdrawal of the Armed Forces from public security tasks.
- ii. Design, adopt, and implement a comprehensive policy of prevention and eradication of the disappearances and forensic crises, ensuring the immediate and adequate implementation of the General Law on the subject and promoting effective measures for the search and identification of disappeared persons.
  - iii. Implement actions and mechanisms to combat impunity, particularly in cases of serious human rights violations, including strengthening the resources, capacities, and regulatory framework of institutions dedicated to the pursuit and enforcement of justice.

<sup>1</sup> Inter-American Commission on Human Rights. (March 6, 2023). *VI Annual Report of the Special Rapporteurship on Economic, Social, Cultural and Environmental Rights (SRESCER) of the Inter-American Commission on Human Rights*, OEA/SER.LV/I Doc. 50, para. 1265-1266. [https://www.oas.org/en/iachr/docs/annual/2022/Chapters/IA2022\\_Anexo\\_REDESCA\\_EN.pdf](https://www.oas.org/en/iachr/docs/annual/2022/Chapters/IA2022_Anexo_REDESCA_EN.pdf); Office for Latin America of the Habitat International Coalition and Institute of Social Research of the National Autonomous University of Mexico. (May 19, 2021). *The rental situation in Mexico in the context of the health contingency by COVID-19*. <https://hic-al.org/wp-content/uploads/2021/04/Informe-situacio%CC%81n-inquilinaria-digital.pdf> [Spanish].

<sup>2</sup> National Council for the Evaluation of Social Development Policy. (August 5, 2021). *CONEVAL PRESENTS MULTIDIMENSIONAL POVERTY ESTIMATES 2018 and 2020*. Retrieved on July 5, 2023 from [https://www.coneval.org.mx/SalaPrensa/Comunicadosprensa/Documents/2021/COMUNICADO\\_009\\_MEDIACION\\_POBREZA\\_2020.pdf](https://www.coneval.org.mx/SalaPrensa/Comunicadosprensa/Documents/2021/COMUNICADO_009_MEDIACION_POBREZA_2020.pdf); (February 15, 2023). *CONEVAL PRESENTS THE 2022 SOCIAL DEVELOPMENT POLICY EVALUATION REPORT*. Retrieved on July 5, 2023 from [https://www.coneval.org.mx/SalaPrensa/Comunicadosprensa/Documents/2023/COMUNICADO\\_01\\_INFORME\\_DE\\_EVALUACION\\_2022.pdf](https://www.coneval.org.mx/SalaPrensa/Comunicadosprensa/Documents/2023/COMUNICADO_01_INFORME_DE_EVALUACION_2022.pdf) [Spanish].

<sup>3</sup> Inter-American Commission on Human Rights. (March 6, 2023), para. 1274-1289.

<sup>4</sup> Inter-American Commission on Human Rights. (March 6, 2023), para. 1282-1285.

<sup>5</sup> Inter-American Commission on Human Rights. (April 1, 2023). *Annual Report of the Inter-American Commission on Human Rights 2022, Chapter V, Seventh Follow-up Report on recommendations made by the IACHR in the Report on the situation of Human Rights in Mexico*, OEA/Ser.LV/II. Doc. 50 rev. 1, para. 310. <https://www.oas.org/en/iachr/docs/annual/2020/Chapters/IA2020cap.5.CO-en.pdf>

<sup>6</sup> Lopez Obrador, A. M. (September 1, 2021). *Speech by President Andrés Manuel López Obrador during the Third Government Report*. <https://lopezobrador.org.mx/2021/09/01/discurso-del-presidente-andres-manuel-lopez-obrador-durante-el-tercer-informe-de-gobierno/> [Spanish].

<sup>7</sup> Inter-American Commission on Human Rights. (2018, 2019, 2020, 2021 and 2022). *Annual Reports of the Inter-American Commission on Human Rights, Chapter V, Follow-up reports on recommendations made by the IACHR in the Report on the situation of Human Rights in Mexico*. <https://www.oas.org/en/IACHR/reports/IA.asp?Year=2022>

<sup>8</sup> 18 thematic reports were presented, namely: 1. Rights of persons with disabilities, 2. Internal forced displacement, 3. Business and human rights, 4. Implementation on international decisions on human rights in Mexico, 5. Impunity and the justice system 6. Childhood, adolescence and youth, 7. Militarization, 8. Human rights defenders and journalists, 9. Migrants and applicants for international protection, 10. People deprived of liberty, 11. Social protest, 12. LGBTTTIQ+ population, 13. Indigenous peoples, 14. Sierra Tarahumara region, 15. Situation on disappearances, 16. Torture; 17. Violence against women; and 18. Afro-descendant Peoples.

<sup>9</sup> In 2022, Mexico ranked 115 out of 140 in the World Justice Project Rule of Law Index, decreasing its score compared to 2018, going from 0.45 to 0.42. World Justice Project. (2022). *Global Rule of Law Index*. <https://worldjusticeproject.org/rule-of-law-index/global/2022/Mexico/>

<sup>10</sup> Animal Político. (December 16, 2022). *CNDH in 2022: deterioration advances*. <https://www.animalpolitico.com/analisis/organizaciones/la-lucha-cotidiana-de-los-derechos-humanos/cndh-en-2022-avanza-el-deterioro> [Spanish].

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<sup>15</sup> Animal Político. (February 23, 2021). *An injunction against regressions in the protection of victims*. <https://www.animalpolitico.com/analisis/organizaciones/la-lucha-cotidiana-de-los-derechos-humanos/un-amparo-contra-las-regresiones-en-la-proteccion-a-victimas> [Spanish].

<sup>16</sup> Chamber of Deputies. (April 18, 2023). *Parliamentary Gazette, Year XXVI, Number 6257-II, Initiative of the federal Executive with draft decree, by which various provisions of different legal systems are reformed, added and repealed, in matters of organic simplification*. <http://gaceta.diputados.gob.mx/PDF/65/2023/abr/20230418-II.pdf>. Although the initiative was withdrawn in the Chamber of Deputies, the president of the Political Coordination Board did not rule out the possibility that it be discussed during the next session. *La Jornada*. (April 26, 2023). *They withdraw the initiative to disappear 18 public organizations*. <https://www.jornada.com.mx/notas/2023/04/26/politica/retiran-iniciativa-para-desaparecer-18-organismos-publicos/> [Spanish].

<sup>17</sup> Official Gazette of the Federation. (March 11, 2021). *Decree by which various provisions of the Political Constitution of the United Mexican States are declared amended and added, relative to the Judiciary of the Federation*. [https://www.diputados.gob.mx/LeyesBiblio/ref/dof/CPEUM\\_ref\\_246\\_11mar21.pdf](https://www.diputados.gob.mx/LeyesBiblio/ref/dof/CPEUM_ref_246_11mar21.pdf) [Spanish].

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<sup>20</sup> Inter-American Commission on Human Rights. (March 6, 2023). *Annual Report of the Inter-American Commission on Human Rights 2022, Volume II, Annual Report of the Office of the Special Rapporteur for Freedom of Expression, OEA/Ser.L/V/II Doc. 50, para. 952 and 956*. [https://www.oas.org/en/iachr/docs/annual/2022/Chapters/IA2022\\_Anexo\\_RELE\\_EN.pdf](https://www.oas.org/en/iachr/docs/annual/2022/Chapters/IA2022_Anexo_RELE_EN.pdf); Article 19. (March 28, 2023). *Voices Against Indifference: Article19 Annual Report*, p. 39. <https://articulo19.org/wp-content/uploads/2023/03/Voces-contra-la-Indiferencia-INF-A19-22-PDF-Prel-vf.pdf> [Spanish];

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<sup>23</sup> Animal Político. (July 10, 2023). *#TheTruthIsNotKilled: Protests called for the murder of journalist Luis Martín Sánchez in Nayarit*. <https://www.animalpolitico.com/estados/periodistas-convocan-protesta-asesinato-periodista-nayarit>; NotiGAPE. (July 16, 2023). *Seventh journalist killed in Mexico*. <https://www.notigape.com/asesinan-a-septimo-periodista-en-mexico/262852>

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<sup>25</sup> Mexican Center for Environmental Law. (2023). *2022 Report on the situation of people and communities defending environmental human rights in Mexico*. <https://www.cemda.org.mx/report-on-the-situation-of-individual-and-community-environmental-human-rights-defenders-in-mexico-2022/>

<sup>26</sup> Network in Defense of Digital Rights. (April 19, 2023). *SEDENA is currently the only Pegasus operator in Mexico, Reveals NYT*. <https://r3d.mx/2023/04/19/la-sedena-es-actualmente-el-unico-operador-de-pegasus-en-mexico-revela-nyt/> [Spanish].

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<sup>28</sup> Jackson, L. (March 21, 2023). When a Military Spies on Citizens' Phones. *The New York Times*. <https://www.nytimes.com/2023/03/15/world/americas/interpreter-pegasus-spyware-mexico.html>; Network in Defense of Digital Rights. (2023). *Spy Army, Chapter II*. <https://ejercitoespia.r3d.mx/ejercito-espia-2023/> [Spanish].

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<sup>30</sup> Inter-American Commission on Human Rights. (March 24, 2022). *Press release R62/22, The Office of the Special Rapporteur warns about the normalization and worsening of violence against journalists in Mexico and urges the authorities to activate complementary measures*. <https://www.oas.org/en/iachr/expression/showarticle.asp?artID=1230&IID=1>

<sup>31</sup> Article 19. (October 21, 2020). *The elimination of the trusts puts the lives of human rights defenders, journalists and victims at risk*. <https://articulo19.org/la-eliminacion-de-los-fideicomisos-pone-en-riesgo-la-vida-de-personas-defensoras-de-derechos-humanos-periodistas-y-victimas/> [Spanish].

<sup>32</sup> In March 2021, the Congress of the state of Veracruz reformed the local Criminal Code, thereby increasing penalties and establishing aggravating circumstances for the crime of "outrages against authority", which was declared unconstitutional by the Supreme Court of Justice of the Nation in 2022. Article 19. (March 19, 2021). *Reform to the Criminal Code in Veracruz on the crime of insults is unconstitutional and violates freedom of expression*. <https://articulo19.org/reforma-al-codigo-penal-en-veracruz-sobre-el-delito-de-ultrajes-es-inconstitucional-y-violenta-la-libertad-de-expresion/>;

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<sup>49</sup> El Universal. (October 8, 2022). *Military sold hand-grenade for 26,000 pesos: Guacamaya Leaks.* <https://www.eluniversal.com.mx/nacion/guacamaya-leaks-militar-vende-granadas-en-26-mil-pesos-ejercito-tras-su-pista/#:~:text=Entre%20los%20m%C3%A1s%20de%204,venta%20de%20armas%20a%20criminales%20> [Spanish].

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<sup>56</sup> Inter-American Commission on Human Rights. (April 1, 2023), para. 266.

<sup>57</sup> National Institute of Statistics and Geography. (2022). *National Survey of Victimization and Perception of Public Safety (ENVIPE) 2022.* <http://en.www.inegi.org.mx/programas/envipe/2022/>

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<sup>59</sup> El País. (May 30, 2023). *Monsters, shootings and forced recruitment: crime strikes the population on the Chiapas-Guatemala border.* <https://elpais.com/mexico/2023-05-30/monstruos-balaceras-y-reclutamiento-forzado-el-crimen-golpea-a-la-poblacion-en-la-frontera-de-chiapas-con-guatemala.html> [Spanish]; BBC World. (January 6, 2023). *Ovidio Guzmán: how was the "Culiacanazo", the failed operation after which the Mexican authorities let Chapo's son escape in 2019.* <https://www.bbc.com/mundo/noticias-america-latina-64186716>; (January 6). *Ovidio Guzmán-López: Twenty-nine killed during arrest of El Chapo's son.* <https://www.bbc.com/news/world-latin-america-64179356>; CNN. (January 5, 2023). *This was the 'Culiacanazo', the failed 2019 operation to capture Ovidio Guzmán.* <https://cnnespanol.cnn.com/2023/01/05/asi-fue-el-culiacanazo-la-fallida-operacion-de-2019-para-capturar-a-ovidio-guzman-orix/> [Spanish]; CNN. (October 18, 2019). *Son of 'El Chapo' was caught during a massive shootout. Mexican officials say they released him to save lives.* <https://edition.cnn.com/2019/10/18/americas/el-chapo-son-custody-shootout-intl-hnk/index.html>

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