

ADVANCE QUESTIONS TO MEXICO (FIRST BATCH)

URUGUAY

- Uruguay agradecería conocer qué avances se han registrado en las consultas interinstitucionales en curso, a efectos de la ratificación del Convenio 189 de la OIT sobre las trabajadoras y los trabajadores domésticos, conforme a la recomendación realizada por nuestro país que fuera aceptada por México en el segundo ciclo de su examen periódico universal.

SWEDEN

- What measures have the Government of Mexico taken to implement the UPR recommendations from the last two circles, particularly the adoption of necessary measures to eradicate impunity for human rights violations and abuse?’
- How has the Government of Mexico ensured the implementation and enforcement of laws as outlined in the 2016 judicial reform, including the implementation of independent prosecutors at all levels and the prohibition of torture?
- What actions have the Mexican State taken to make the mechanisms and legal instruments related to the Gender Violence Alert against Women more efficient?

PORTUGAL on behalf of the Group of Friends on NMIRF’s

- Could the State-under-review describe its national mechanism or process responsible for coordinating the implementation of accepted UPR recommendations and the monitoring of progress and impact?
- Has the State-under-review established a dedicated ‘national mechanism for implementation, reporting and follow-up’ (NMIRF) covering UPR recommendations, but also recommendations/observations generated by the UN human rights Treaty Bodies, the Special Procedures and relevant regional mechanisms? If so, could the State-under-review briefly share its experience on creating such mechanism, including challenges faced and lessons learnt, as well as any plans or needs to strengthen the NMIRF in the future?

UNITED STATES OF AMERICA

- We note Mexico’s passage of landmark legislation on enforced disappearance in 2017. What budget has the federal Government of Mexico allocated to each mechanism established under the law, including the national search commission, DNA database, and special prosecutors?

- What will the Government of Mexico do to ensure the states are complying with their requirements under the disappearances law?
- We note Mexico's passage of equally landmark legislation on torture in 2017. What budget has the federal Government of Mexico allocated to each mechanism established under the law, including the national registry of torture complaints, special prosecutors?
- What will the Government of Mexico do to ensure the states are complying with their requirements under the torture law?
- The United Nations Office of the High Commissioner for Human Rights has identified credible evidence of torture against 34 detained persons in connection with the Attorney General's investigation of the Iguala/Ayotzinapa disappearances, most while in the custody of the Attorney General, and evidence of obstruction of justice and manipulation of evidence. What is the status of the investigation of these abuses? What is the status of the investigation of the disappearance of the students?
- Why has the Government of Mexico failed to establish the politically independent Fiscalía General envisioned by the 2014 constitutional reform? What steps will the Government take, and when, to insulate prosecutors from politics and establish a more professional and better trained and funded career prosecutor's office with continuity between presidential administrations and seek to pursue even the most sensitive corruption cases?
- How many convictions has the Special Prosecutor for Crimes Against Freedom of Expression (FEADLE) achieved for homicides of journalists? What is the budget of this office and the average years of prosecutorial experience of its prosecutors? What is the Government of Mexico's plan to strengthen the professional competence of this office and to improve its prioritization of cases and conviction rate for major crimes? How many journalists and human rights defenders have been killed while under the government's protection mechanism? What is the budget of the office and the training requirements for its officials? What is the Government of Mexico's plan to strengthen protections for human rights defenders and journalists?
- By what date will the Government of Mexico prepare its police to resume their role in charge of internal security and end the current practice of using military forces for this purpose?

SWITZERLAND

- **Entreprises et droits de l'homme** : La Suisse salue les progrès effectués par le Mexique dans l'élaboration de son plan d'action national pour la mise en œuvre des Principes directeurs des Nations Unies relatifs aux entreprises et aux droits de l'homme. Quand le Mexique a-t-il l'intention de publier son plan d'action national ?

- **Disparitions forcées** : Quelles mesures le Mexique est-il prêt à prendre afin d'assurer une mise en œuvre efficace du cadre légal interdisant la torture, les disparitions forcées et les exécutions extra-judiciaires ?
- **Liberté d'expression** : Quelles mesures sont prévues afin de mieux protéger les journalistes aux niveaux local et national et d'assurer que des enquêtes soient menées de manière rapide, impartiale et exhaustive en cas d'agressions à leur rencontre ?
- **Application de la loi sur la sécurité intérieure** : Quelles mesures le Mexique est-il prêt à prendre afin de mettre sa « Loi sur la sécurité intérieure » en conformité avec le droit international relatif aux droits de l'homme, en particulier les dispositions relatives à l'accès à l'information, à la surveillance nécessaire pour recueillir des renseignements et à l'usage de la force lors de manifestations ?

English version

- **Business and Human Rights**: Switzerland welcomes progress made by Mexico in the elaboration of its national action plan on the implementation of the UN Guiding Principles on Business and Human Rights. When does Mexico intend to publish its national action plan?
- **Enforced disappearances**: which steps is Mexico ready to undertake in order to ensure an effective implementation of the legal framework prohibiting torture, enforced disappearances and extrajudicial executions?
- **Freedom of expression**: which measures are planned in order to better protect journalists at the local and national levels and to make sure that aggressions against them are investigated promptly, impartially and exhaustively?
- **Law enforcement**: which steps is Mexico ready to undertake in order to bring its “Internal Security Law” in compliance with international human rights law, particularly in regards to access to information, necessary surveillance to collect intelligence, and the use of force during protests?

GERMANY

- What is the nationwide conviction rate for attacks against journalists and human rights defenders in Mexico since 2013? Which specific steps in terms of financing, capacity-building, and protective measures has Mexico taken to improve the security situation for journalists and human rights defenders and how does Mexico ensure the prosecution and convictions of those having committed violent attacks against journalists and human rights defenders? How is the use of spyware to surveil journalists and Human Rights Defenders investigated and how can it be prevented in the future?
- Which concrete measures has Mexico undertaken to fully implement the Federal Law on Disappearances on a nationwide basis; specifically: in which federal states have

Search Commissions (“Comisiones de Búsqueda”) been fully established and prae-mortem/post-mortem registers been fully implemented as foreseen by this Law? When will the National Search Commission be provided with adequate budget and staff?

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- What steps is the government taking to ensure that the Special Prosecutor for the Attention of Crimes Committed Against Freedom of Speech (FEADLE) - within the General Attorney Office in Mexico - promptly, impartially and thoroughly investigates crimes and cases of killings, attacks and threats against journalists given its role to reduce the rate of impunity for crimes against journalists?
- What measures are being taken to ensure the implementation of the “Uniform Protocol for the Search for Disappeared Persons and the Investigation of the Crime of Enforced Disappearance” at the federal, state and municipal levels? In how many cases has the Uniform Protocol been applied and under what circumstances?
- What actions is the government taking to eliminate the use of torture during investigations? In particular we are concerned about the 2014 report by former Special Rapporteur on Torture and other Cruel, Inhumane or Degrading Treatment or Punishment reporting an alarming increase in torture during the investigation phase of persons arbitrarily detained by the Armed Forces or State security agencies.
- In what ways does the Mexican State ensure that the Protection Mechanism for Journalists and Human Rights Defenders results in comprehensive protection measures that allow individually tailored responses to journalists and Human Rights Defenders and their family members at risk (addressing physical, psychological and digital attacks) and will the government guarantee sufficient funding for the mechanism for the next 6 years?
- On police and justice system reforms, what mechanisms have been developed to fight corruption and impunity, and what further steps is the government of Mexico planning to take to address reform at all levels (municipal, state and federal), in order to address the lack of public confidence in policing and justice and a reported increase in insecurity?

BELGIUM

- Dans le cadre de l'EPU du Mexique lors du deuxième cycle, le gouvernement du Mexique a répondu à la recommandation de la Belgique que le système de détention sous *arraigo*, qui autorise la détention et les enquêtes sans inculpation ainsi que le système de détention préventive, est uniquement appliqué dans des cas exceptionnels. Combien de fois (pourcentage) l'arraigo est-il appliqué par rapport à la procédure de détention provisoire normale?

- Quelles mesures le gouvernement mexicain a-t-il prises pour assurer la mise en œuvre de la loi générale relative aux victimes (2013) et la création de la Commission exécutive d'aide aux victimes?
- La Belgique salue l'adoption, en 2017, de la loi générale sur la prévention et la répression de la torture et autres peines ou traitements cruels, inhumains ou dégradants. Quelles mesures préventives le gouvernement mexicain prend-il pour empêcher la violation des droits de l'Homme par le personnel des forces armées, notamment l'usage de torture, les exécutions extrajudiciaires et les disparitions forcées?
- Malgré le fait que le Mexique dispose de l'un des cadres directeurs les plus avancés de la région pour combattre le féminicide, le nombre de féminicides reste très élevé, ainsi que l'impunité qui prévaut pour de tels actes. Quelles mesures additionnelles le gouvernement mexicain prend-il pour combattre le féminicide?
- Le gouvernement du Mexique entend-il renforcer le Mécanisme pour la Protection des Défenseurs des Droits de l'Homme et des Journalistes, afin de réduire les menaces, le harcèlement, les attaques et les meurtres dont les défenseurs et journalistes font l'objet, et de combattre l'impunité des auteurs de tels actes ?

SLOVENIA

- The Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child expressed the concern that legislation governing voluntary termination of pregnancy differed between the various federative entities, giving rise to serious discrepancies in access to abortion services and disproportionately affecting women with low income and those belonging to marginalized groups. We would be interested to learn on what steps have been taken so far to harmonize federal and state legislation with a view to decriminalize abortion at least in cases of rape, incest or danger to the women's health and life?
- We noted in your national report the mentioning of the Gender Alert Mechanism, could you give us more information about the modalities and functioning of the mechanism?