

Joint UPR report 2018: Structural recommendations for Mexico

1) International anti-impunity mechanism: Create and install an anti-impunity mechanism to support the Mexican State in the design and implementation of legal and institutional reforms, as well as other strategies, to improve investigations and increase convictions for serious crimes and human rights violations committed by public and private actors. In this mechanism, renowned international experts in areas such as impunity, criminal investigation, macrocriminality, and others, would draw on their expertise to help strengthen criminal justice and lower impunity in the country, and could publish recommendations, findings, and periodic reports on their work.

2) Repeal of the Internal Security Law: Repeal the Internal Security Law during the first congressional session of 2019.

3) Transition to a citizen security model: Present, within six months of accepting UPR recommendations, a time bound plan to strengthen and reform Mexico's police institutions so that these bodies can take over public security tasks in the country, and for the withdrawal of the armed forces from these tasks; the plan should take into account input from experts (individuals and institutions) that work on these topics, including academia and civil society.

4) Tackling impunity through effective and autonomous criminal investigations: Create an autonomous and fully independent federal Attorney General's Office with the technical capacity to investigate the patterns of criminal conduct found in Mexico, with robust transparency and accountability mechanisms, and in particular:

(a) Guarantee the democratic nature of the designation of the new Attorney General through a competitive public process and the creation of an independent Designation Commission;

(b) Create a Deputy Attorney General's office or other specialized internal office to investigate serious human rights violations, with legal powers and technical capacity to investigate both direct perpetrators and intellectual authors, including chains of command;

(c) Adopt a Strategic Plan for Criminal Investigation for the new Attorney General's Office that includes techniques and tools to investigate in contexts of macrocriminality and illegal networks of powerful actors, taking into account input by institutions with expertise in these topics, including academia and civil society;

(d) Install an interdisciplinary Context Analysis Unit to systematize the information that is currently fragmented among the country's different prosecutors' offices, allowing for the detection of patterns of serious human rights violations, connections between criminals and authorities, and types of participation in illegal networks, and thus leading to the investigation and prosecution of high-ranking perpetrators and the dismantling of macrocriminal networks;

(e) Create, in compliance with outstanding recommendations by UN and inter-American human rights bodies, an Autonomous Forensic Institute to respond to the needs of investigators, prosecutors, public defenders, and any other institution that

requires forensic services; in this way, forensic experts will cease to be subordinate to prosecutors.

5) Efficient Victim Attention System: Guarantee the proper implementation of the General Victims' Law and strengthen the National Victim Attention System, ensuring transparent and effective participation mechanisms for victims' collectives and civil society, in particular through the following actions: alignment of state legislation with the General Law within eight months of accepting UPR recommendations; creation of state victim attention commissions with adequate financial, human, and technical resources in all states within a year of accepting UPR recommendations; adoption of pending regulations; and the implementation of simple, flexible, professionalized, non-revictimizing, and coordinated procedures between the Executive Victim Attention Commission (CEAV), state commissions, and the institutions with which they collaborate.

6) International mechanism to promote implementation of UPR recommendations: Update the Human Rights Council on the implementation of UPR recommendations in an annual oral statement under Item 6 of the Council agenda, in order to identify areas in which the Council and its member States can provide technical assistance to facilitate the implementation of recommendations.

For more information or for questions about these recommendations:

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