



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Committee against Torture

List of issues prior to submission of the eighth periodic report of Mexico*

Specific information on the implementation of articles 1–16 of the Convention, including with regard to the Committee's previous recommendations

Issues identified for follow-up in the previous concluding observations

1. In its previous concluding observations,¹ the Committee requested the State party to provide information on the measures taken in follow-up to its recommendations on the incidence of the use of torture (para. 9 (a)–(b)); the development and adoption of a national programme to prevent torture and ill-treatment in accordance with the provisions of articles 69 to 71 of the General Act on Torture (para. 13); fundamental legal safeguards (para. 15); and the use of the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) (para. 27 (b)). In the light of the response received on 23 June 2020 to the Committee's request for information² and the letter of 24 September 2020 from the Rapporteur for follow-up to concluding observations, the Committee is of the view that the recommendations made in paragraphs 9 (a), 13 and 15 have been only partially implemented and the State party has provided insufficient information on the steps taken to implement the recommendation made in paragraph 27 (b). The Committee is also of the view that, since the adoption of the previous concluding observations, the State party has taken steps that are contrary to the recommendation made in paragraph 9 (b).

Articles 1 and 4

2. With reference to the Committee's previous concluding observations,³ please indicate whether the definition of the offence of torture contained in articles 24 and 25 of the General Act on Torture has been amended to expressly include acts of torture committed for the purpose of intimidating, coercing or obtaining information or a confession from a third person.

* Adopted by the Committee at its seventy-third session (19 April–13 May 2022).

¹ CAT/C/MEX/CO/7, para. 64.

² CAT/C/MEX/FCO/7.

³ CAT/C/MEX/CO/7, paras. 10–11.



Article 2⁴

3. With reference to the previous concluding observations⁵ and the information provided by the State party on follow-up,⁶ please provide updated information on any public statements made by the authorities of the State party on the absolute prohibition of torture and ill-treatment. Please also provide updated information on the steps taken to ensure that the National Institute of Statistics and Geography regularly conducts a national survey of persons deprived of their liberty and that the results of the surveys are published.

4. In line with the previous concluding observations⁷ and the information provided by the State party on follow-up,⁸ please indicate when the national programme to prevent and punish torture and ill-treatment is expected to be adopted, in accordance with the General Act on Torture. Please also indicate whether civil society organizations played a role in formulating the programme and what budgetary resources will be allocated to it. In addition, please describe the coordination mechanisms that will be put in place for its implementation.

5. With reference to the previous concluding observations⁹ and the information provided by the State party on follow-up,¹⁰ please provide updated information on measures taken to ensure that all detainees are afforded, in law and in practice, all fundamental safeguards against torture and ill-treatment from the moment of arrest, in accordance with international standards.¹¹ In that regard, please provide information on any disciplinary measures taken during the period under review against law enforcement personnel who did not immediately allow persons deprived of their liberty to benefit from these protections. Please also provide detailed information on the steps taken by the State party to strengthen the institutions of the public defender system. Please describe the provisions of the National Act on Detention Registers that relate to persons who are deprived of their liberty on the orders of military personnel and the restrictions that apply to persons accused of offences related to organized crime.¹² Finally, in the light of the previous concluding observations,¹³ please indicate whether any progress has been made in the effort to amend the Constitution to eliminate the possibility of precautionary detention without charge (*arraigo*).¹⁴

6. With reference to the previous concluding observations,¹⁵ please report on the steps taken by the State party to ensure that the National Mechanism for the Prevention of Torture has sufficient resources and the necessary qualified personnel, including on its Technical Committee, to effectively carry out its mission. Please comment on reports that the authorities have prevented the Mechanism's staff from entering certain places of detention. Please also indicate the steps that have been taken to follow up on and ensure the effective implementation of recommendations made by the Mechanism in connection with its

⁴ The issues raised under article 2 could also touch on issues raised under other articles of the Convention, including article 16. As stated in paragraph 3 of the Committee's general comment No. 2 (2007) on the implementation of article 2, the obligation to prevent torture in article 2 is wide-ranging. The obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment under article 16 (1) are indivisible, interdependent and interrelated. The obligation to prevent ill-treatment in practice overlaps with and is largely congruent with the obligation to prevent torture. In practice, the definitional threshold between ill-treatment and torture is often not clear. See also chapter V of the same general comment.

⁵ CAT/C/MEX/CO/7, paras. 8–9.

⁶ CAT/C/MEX/FCO/7, paras. 3–20.

⁷ CAT/C/MEX/CO/7, paras. 12–13.

⁸ CAT/C/MEX/FCO/7, paras. 21–31.

⁹ CAT/C/MEX/CO/7, paras. 14–15.

¹⁰ CAT/C/MEX/FCO/7, paras. 32–123.

¹¹ A/HRC/40/8, paras. 132.59–132.60.

¹² See the letter of 24 September 2020 from the Rapporteur for follow-up to concluding observations.

Available at

https://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/MEX/INT_CAT_FUL_MEX_4336_2_E.pdf.

¹³ CAT/C/MEX/CO/7, paras. 18–19.

¹⁴ CCPR/C/MEX/CO/6, paras. 34–35; and A/HRC/40/8, para. 132.61.

¹⁵ CAT/C/MEX/CO/7, paras. 42–43.

monitoring activities and the steps that have been taken to foster cooperation between the Mechanism and civil society organizations.

7. Bearing in mind the previous concluding observations,¹⁶ please provide updated information on the steps that have been taken to combat gender-based violence, particularly with regard to cases involving acts or omissions of the authorities of the State party or other entities that engage the international responsibility of the State party under the Convention. Please provide information on the steps taken during the period under review to harmonize the definition of the offence of femicide throughout the country, align the protocols for conducting criminal investigations into the offence and establish effective mechanisms for the processing and implementation of protection orders issued under the General Act on Women's Access to a Violence-Free Life.¹⁷ Please also provide updated information on the protection and support services available to victims of gender-based violence. Please include comprehensive statistical data, disaggregated by age and ethnic origin or nationality of the victims, on the number of complaints of gender-based violence made since the consideration of the seventh periodic report of Mexico and on the investigations, prosecutions, convictions and sentences resulting from those complaints. Please provide updated information on the steps taken to put in place mandatory training programmes for judges, prosecutors and law enforcement officials on the prosecution of cases of gender-based violence and to raise public awareness of all forms of violence against women.

8. With reference to the previous concluding observations,¹⁸ please provide updated information, disaggregated by the age, sex and ethnic origin or nationality of the victims, on the number of complaints, investigations, prosecutions and convictions recorded in cases of trafficking in persons since the consideration of the State party's previous periodic report.¹⁹ Please also provide information on protection measures and compensation granted to victims during the period under review. Please also report on the mechanisms established by the State party to identify and refer trafficking victims who may be detained in migrant holding centres.²⁰

Article 3

9. In the light of the previous concluding observations,²¹ please describe the measures taken during the period under review to ensure that no person is returned to a country where he or she would be at risk of torture.²² Please explain how, in practice, the State party ensures effective access to the refugee status determination procedure. Please indicate the measures taken to ensure compliance with procedural safeguards against refoulement. Please provide detailed information on the measures taken to identify persons in situations of vulnerability, such as victims of torture or similar trauma, among asylum-seekers and to ensure that their specific needs are taken fully into consideration and addressed in a timely manner. Please indicate whether all persons whose expulsion, return or extradition has been ordered are informed of their rights to seek asylum and to appeal a decision authorizing an expulsion, and whether such appeals have suspensive effect. Please provide information on how the State party ensures that asylum-seekers have access to legal aid and interpretation services during the asylum procedure.

10. Please indicate how many asylum applications have been received during the period under review, how many such applications have been granted and how many of those that have been granted were granted because the applicant had been tortured or might be tortured if returned to his or her country of origin. Please provide updated information on any avenues for appeal, any appeals that have been filed and the outcome of those appeals. Please include

¹⁶ CAT/C/MEX/CO/7, paras. 58–59. See also CCPR/C/MEX/CO/6, paras. 14–15; and A/HRC/40/8, paras. 132.76, 132.200, 132.203–132.205, 132.211–132.214 and 132.221.

¹⁷ CCPR/C/MEX/CO/6, paras. 14 (a) and (c) and 15 (a)–(b).

¹⁸ CAT/C/MEX/CO/7, paras. 60–61.

¹⁹ A/HRC/40/8, paras. 132.80, 132.95, 132.101, 132.140–132.142, 132.144–132.145, 132.147–132.149, 132.151–132.154, 132.164, 132.215 and 132.262.

²⁰ CAT/C/MEX/CO/7, para. 61 (c).

²¹ *Ibid.*, paras. 50–53.

²² A/HRC/40/8, paras. 132.135, 132.215, 132.255, 132.259, 132.261 and 132.263.

information, disaggregated by sex, age and country of origin or receiving country, on the number of persons who have been returned, extradited or expelled since the consideration of the State party's previous periodic report. Please provide a detailed account of the grounds for returning those persons and a list of the countries to which they were returned. Has the State party put in place mechanisms to monitor the situation of vulnerable individuals and groups in the countries to which they are returned? Please indicate what measures the State party has taken to prevent collective expulsions and to ensure that all expulsion orders are based on an individual assessment and are conducted in strict compliance with the principle of non-refoulement.

11. With reference to the previous concluding observations,²³ please indicate how many returns, extraditions and expulsions have been carried out by the State party during the period under review on the basis of the acceptance of diplomatic assurances or equivalent guarantees and in how many cases the State party has offered such assurances or guarantees. Please also provide details of the steps taken subsequently to follow up on those cases.

Articles 5–9

12. Please provide information on the legislative and other measures taken by the State party during the period under review to implement article 5 of the Convention, in particular to establish its jurisdiction over cases of torture where the alleged offender is present in any territory under its jurisdiction and it does not extradite him or her. Please also provide information on any extradition treaties concluded with other States parties and indicate whether the offences referred to in article 4 of the Convention are included as extraditable offences in such treaties. Please clarify what treaties or agreements on mutual judicial assistance the State party has entered into and whether such treaties or agreements have led in practice to the transfer of any evidence in connection with prosecutions concerning torture or ill-treatment. Please provide examples. Finally, with reference to the previous concluding observations,²⁴ please indicate whether the State party has considered abolishing the double criminality requirement for the crime of torture and applying the principle of *aut dedere aut judicare* when an individual suspected of having committed acts of torture abroad is present in its territory and it does not extradite him or her, in accordance with article 5 (2) of the Convention.

Article 10

13. With reference to the previous concluding observations,²⁵ please provide updated information on the training programmes on human rights and the prohibition of torture developed by the State party to ensure that all public officials, particularly police officers, members of the armed forces, judicial officials, prison staff, border guards, immigration personnel and medical personnel employed in prisons, are well acquainted with the provisions of the Convention and the absolute prohibition of torture and are fully aware that offences will not be tolerated and will be investigated and that the perpetrators of those offences will be prosecuted.²⁶ Please indicate whether law enforcement officials receive adequate training on the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Please provide information on the programmes used to train police officers and other law enforcement officials in non-coercive investigation techniques. Please provide detailed information on the results of any evaluations of the impact of training programmes carried out during the period under review.²⁷ Please also provide detailed information on training programmes that enable judges, prosecutors, forensic doctors and experts and medical personnel who work with persons deprived of liberty to detect and document the physical and psychological effects of torture and indicate whether the programmes contain specific training on the Istanbul Protocol.²⁸

²³ CAT/C/MEX/CO/7, paras. 54–55.

²⁴ *Ibid.*, paras. 56–57.

²⁵ *Ibid.*, paras. 44–45.

²⁶ A/HRC/40/8, para. 132.41.

²⁷ CAT/C/MEX/CO/7, para. 45 (c).

²⁸ *Ibid.*, para. 45 (b).

Article 11

14. Keeping in mind the previous concluding observations,²⁹ please describe the procedures in place to implement article 11 of the Convention and provide information on interrogation rules, instructions, methods and practices and arrangements for custody, especially those adopted or revised since the consideration of the State party's previous periodic report. Please also indicate the frequency with which they are revised. Please comment on reports that the National Act on the Use of Force³⁰ and the protocol thereto are not being effectively implemented, particularly in terms of adapting police training programmes and with respect to operations, transparency and accountability. Please provide information on the measures taken to ensure that members of the security forces can be properly identified while on duty.³¹ Please also provide information on the steps taken to ensure that the armed forces are not used in public security operations and that the National Guard is under civilian command and its members receive the corresponding training.³²

15. With reference to the previous concluding observations,³³ please describe the measures taken by the State party to improve conditions of detention, including those aimed at reducing overcrowding in prisons and other detention centres, particularly in state and municipal facilities, such as Chalco, Lerma and Jilotepec prisons in Mexico State, and juvenile detention centres, and promoting the use of alternatives to detention both before and after trial.³⁴ Please provide statistical data, disaggregated by sex, age and ethnic origin or nationality, on the number of pretrial detainees and convicted prisoners and on the occupancy rate of all places of detention. Please provide information on any progress made on the potential amendment or repeal of the constitutional provisions that provide for mandatory pretrial detention for certain offences.³⁵ Please also report on any progress made in establishing the intersectoral committee that will enable persons deprived of liberty to have access to the public health system.³⁶ Please provide information on measures taken to combat inmate self-rule,³⁷ in particular those aimed at ensuring that there are sufficient prison officers and other custodial staff to guarantee security inside prisons.³⁸ Finally, please provide detailed information on the number of judicial and disciplinary proceedings against prison officials and other custodial personnel accused of acts of corruption.³⁹

16. Please provide information on the measures taken by the State party during the period under review to address the needs of women and minors in detention.⁴⁰ Please indicate whether the State party has adopted clear guidelines regarding children who live with their mothers in detention centres and their living conditions there.⁴¹ Please indicate how the State party ensures that prisons are allocated the human and material resources needed for the provision of proper medical care, including obstetric and gynaecological care. Please also indicate whether there are protocols in place for the treatment of certain groups of prisoners, such as persons with disabilities, foreigners, older persons and lesbian, gay, bisexual, transgender and intersex persons.

17. In the light of the previous concluding observations,⁴² please report on the steps taken by the State party to ensure that solitary confinement is used only in exceptional cases and as a last resort for the shortest possible time (no more than 15 consecutive days), and that it is

²⁹ *Ibid.*, paras. 16–17.

³⁰ *Ibid.*, para. 31 (d).

³¹ *Ibid.*, para. 31 (e).

³² *Ibid.*, para. 31 (c); and [CCPR/C/MEX/CO/6](#), paras. 18–19.

³³ [CAT/C/MEX/CO/7](#), paras. 32–35.

³⁴ [CCPR/C/MEX/CO/6](#), paras. 36 and 37 (a).

³⁵ [CAT/C/MEX/CO/7](#), para. 33 (c).

³⁶ *Ibid.*, para. 33 (d).

³⁷ [CCPR/C/MEX/CO/6](#), paras. 36 and 37 (c).

³⁸ [CAT/C/MEX/CO/7](#), paras. 33 (e), 40 and 41 (c).

³⁹ [CAT/C/MEX/CO/7](#), para. 33 (f); and [A/HRC/40/8](#), paras. 132.86, 132.89, 132.95–132.96, 132.101 and 132.108.

⁴⁰ [CAT/C/MEX/CO/7](#), paras. 34–35.

⁴¹ [CCPR/C/MEX/CO/6](#), paras. 36 and 37 (d).

⁴² [CAT/C/MEX/CO/7](#), paras. 34, 35 (c) and 36–39.

subject to independent review and imposed only with the permission of the competent authority. Is the placement of minors in solitary confinement allowed?

18. With reference to the previous concluding observations,⁴³ please provide statistical data on the number of persons deprived of liberty who died during the period under review, disaggregated by the place of detention, sex, age and ethnic origin or nationality of the deceased and cause of death. Please describe how these deaths were investigated, what the outcomes of the investigations were and what measures have been taken to prevent similar cases in the future. Please indicate whether, in any of these cases, the relatives of the deceased received compensation. Please provide information on acts of inter-prisoner violence, particularly cases involving possible negligence by prison officials, and on the number of complaints filed in that regard and the results of investigations into those complaints. Please provide information on the specific measures taken during the period under review to ensure security inside prisons and prevent violent incidents. The Committee reiterates its request for information on the findings of the investigations into the 49 deaths that occurred in February 2016 during a riot in the state prison of Topo Chico, Monterrey, and the 13 deaths that occurred during a riot in the prison of Cadereyta, Nuevo León, in October 2017.⁴⁴ Please also indicate what measures have been taken to provide treatment for drug addiction and prevent infectious diseases in prisons. In addition, please indicate whether the strategies and programmes for the prevention and detection of suicide in prisons have been reviewed.

19. Keeping in mind the previous concluding observations,⁴⁵ please provide updated information on the number of asylum-seekers and migrants in an irregular administrative situation who are deprived of liberty in the State party. Please indicate any measures taken by the State party during the period under review to ensure that detention of asylum-seekers and migrants in an irregular situation is only used as a last resort, where necessary and for as short a period as possible, and to further implement in practice alternatives to the deprivation of liberty.⁴⁶ Please indicate whether the State party has considered: repealing the provisions of the Migration Act that require the mandatory or automatic detention of undocumented migrants and asylum-seekers;⁴⁷ establishing a reasonable legal limit on how long they may be held in administrative detention;⁴⁸ ensuring that minors and families with minor children are not detained solely because of their status as undocumented migrants;⁴⁹ and guaranteeing that migrants held in migrant holding centres are informed of their rights, including their right to seek asylum and to receive legal aid.⁵⁰ Please also indicate the steps taken to ensure that persons held in migrant holding centres have access to effective complaint mechanisms.⁵¹ Please provide information on the findings of the investigations into, and any disciplinary or criminal proceedings relating to, the protests at the El Cupapé migrant holding centre in Tuxtla Gutiérrez, Chiapas, on 24 March 2021; at the Siglo XXI migrant holding centre in Tapachula on 25 March and 15 June 2021; at the National Institute of Migration facility in Chiapa de Corzo on 26 March 2021; and at the migrant holding centre in Tenosique, Tabasco, on 31 March 2020.

20. Please provide information on the number of persons deprived of their liberty in psychiatric hospitals and other institutions for persons with intellectual or psychosocial disabilities. Please describe the situation with regard to alternative forms of treatment, such as community-based rehabilitation services and other forms of outpatient treatment programmes. Please provide information on measures to prevent torture and ill-treatment in psychiatric hospitals, detoxification centres and social assistance centres, including those for minors.

⁴³ *Ibid.*, paras. 40–41.

⁴⁴ *Ibid.*, paras. 40 and 41 (b).

⁴⁵ *Ibid.*, paras. 48–49.

⁴⁶ *Ibid.*, paras. 48 and 49 (b); [CCPR/C/MEX/CO/6](#), paras. 32 and 33 (b); and [CERD/C/MEX/CO/18-21](#), paras. 34–35.

⁴⁷ [CAT/C/MEX/CO/7](#), paras. 48 and 49 (a).

⁴⁸ *Ibid.*, paras. 48 and 49 (c).

⁴⁹ *Ibid.*, paras. 48 and 49 (d).

⁵⁰ *Ibid.*, paras. 48 and 49 (h) and (j); and [CCPR/C/MEX/CO/6](#), paras. 32 and 33 (e).

⁵¹ [CAT/C/MEX/CO/7](#), paras. 48 and 49 (f)–(g); and [CCPR/C/MEX/CO/6](#), paras. 32 and 33 (a).

Articles 12 and 13

21. Bearing in mind the previous concluding observations,⁵² please provide statistical data, disaggregated by sex, age, ethnic origin or nationality and place of detention, on reports of torture, including sexual violence, ill-treatment and excessive use of force,⁵³ at both the state and federal levels during the period under review. Please provide information on investigations, disciplinary and criminal proceedings, convictions and the criminal or disciplinary sanctions imposed.⁵⁴ Please provide examples of relevant cases or judicial decisions. Please include information on the training provided to justice officials to ensure that they have the necessary tools to be able to correctly determine which criminal offence is applicable in cases of torture and ill-treatment.⁵⁵ Please also indicate whether the Harmonized Protocol on the Investigation of the Crime of Torture has been reviewed.⁵⁶ Please also report on the steps taken to create a national register of cases of torture⁵⁷ and to establish the special prosecutors' offices provided for in the General Act on Torture.⁵⁸

22. With reference to the previous concluding observations⁵⁹ and the State party's replies,⁶⁰ please indicate whether the State party has considered establishing independent institutes of legal medicine and forensic science to assume the responsibilities that the Prosecutor General's Office currently fulfils in respect of the opinions used in the physical and psychological assessment of alleged torture victims and the accreditation of all medical experts applying them.⁶¹ Please provide information on the steps taken to ensure that physical and psychological assessments of alleged victims of torture are conducted in accordance with the Istanbul Protocol.⁶²

23. Bearing in mind the previous concluding observations,⁶³ please comment on the reports that allege a lack of diligence in the investigation of cases of enforced disappearance and question the efficacy of the various existing mechanisms and institutions that perform forensic identifications. Please also comment on the reports of the shortcomings and inadequate implementation of the Harmonized Protocol for the Investigation of Offences of Enforced Disappearance of Persons and Disappearance Perpetrated by Individuals⁶⁴ and of the failure to provide protection and support to relatives of disappeared persons who are conducting their own searches. Please provide updated statistical information on the number of cases of enforced disappearance that remain unresolved and the number of human remains that have still not been identified at the federal and state levels, including those cases involving disappeared migrants⁶⁵ (particularly migrants in Cadereyta, Camargo and San Fernando). Please also provide information on any progress made in the investigation into the disappearance of 23 persons in Tamaulipas in May 2018, allegedly at the hands of federal police officers,⁶⁶ and on the reparation awarded to victims during the period under review.⁶⁷ Please describe the specific steps that have been taken to ensure the efficient operation of the National Missing Persons System and to endow the National Search Commission and local missing persons commissions with sufficient resources to guarantee their effective operation. Has the process to adopt and create registers and databases on disappeared persons and

⁵² CAT/C/MEX/CO/7, paras. 22–27.

⁵³ *Ibid.*, paras. 30–31; CCPR/C/MEX/CO/6, paras. 20–21; and A/HRC/40/8, para. 132.41.

⁵⁴ CAT/C/MEX/CO/7, paras. 24–25; CCPR/C/MEX/CO/6, para. 31 (b) and (e); and A/HRC/40/8, paras. 132.71 and 132.100.

⁵⁵ CAT/C/MEX/CO/7, para. 25 (g).

⁵⁶ *Ibid.*, paras. 24 and 25 (d).

⁵⁷ *Ibid.*, para. 23 (b); and A/HRC/40/8, paras. 132.56–132.59.

⁵⁸ CAT/C/MEX/CO/7, para. 25 (f).

⁵⁹ *Ibid.*, paras. 26–27.

⁶⁰ CAT/C/MEX/CO/7, paras. 124–135.

⁶¹ CAT/C/MEX/CO/7, paras. 26 and 27 (a).

⁶² *Ibid.*, paras. 26 and 27 (b).

⁶³ *Ibid.*, paras. 28–29.

⁶⁴ *Ibid.*, para. 28.

⁶⁵ CAT/C/MEX/CO/7, paras. 28–29; and CCPR/C/MEX/CO/6, paras. 28–29.

⁶⁶ CAT/C/MEX/CO/7, paras. 28 and 29 (a).

⁶⁷ CCPR/C/MEX/CO/6, paras. 28 and 29 (c).

unidentified human remains been completed?⁶⁸ What is the annual budget of the forensic institution – including, in particular, the line item for the identification of bodies and human remains – and how many employees does the institution currently have (disaggregated by category)? Please indicate when the framework for cooperation between the Special Mechanism for Forensic Identification and the public prosecutors’ offices, which will allow the Mechanism to carry out its work, will be adopted and what the scope of the framework will be. Please indicate whether the State party has considered creating other specialized institutions with sufficient resources to address the issue of unidentified human remains.⁶⁹

Article 14

24. With reference to the previous concluding observations,⁷⁰ please provide information on measures of reparation and compensation, including means of rehabilitation, ordered by the courts or other State bodies and effectively provided to victims of torture or their families since the consideration of the previous periodic report.⁷¹ Please report on the steps taken to provide assistance to victims of torture and to move ahead with the creation of a comprehensive, specialized, multidisciplinary treatment and rehabilitation programme to deal with conditions arising from serious human rights violations, including torture.

Article 15

25. With reference to the previous concluding observations,⁷² please provide information on the specific measures adopted to ensure respect in practice for the principle of the inadmissibility of evidence obtained through torture.⁷³ Please give examples of cases that have been dismissed by the courts because of the introduction of evidence or testimony obtained through the use of torture or ill-treatment and provide information on the investigations launched and the disciplinary measures, sanctions and/or sentences imposed on the perpetrators. Please indicate the state of implementation of the public presidential decision of August 2021 that ordered the review of cases where individuals were tried or sentenced on the basis of evidence obtained by force or through torture. The Committee reiterates its request for information on progress made in the investigation into the death of Emmanuel Alejandro Blas Patiño, who reportedly died as a result of torture inflicted by members of the Ministry of Naval Affairs after his arrest on 27 October 2014.⁷⁴

Article 16

26. With reference to the previous concluding observations,⁷⁵ please provide information on the steps taken to ensure the safety and safeguard the physical integrity of journalists and human rights defenders. How many complaints of acts of violence and intimidation against journalists and human rights defenders have been filed during the period under review? Please provide detailed information on the outcome of the investigations and criminal proceedings relating to such complaints and the sanctions imposed on the persons responsible for attacks, acts of intimidation and other criminal acts targeting journalists and human rights defenders. Please include information on the steps taken to ensure that both the public prosecutors’ offices and the National Protection Mechanism for Human Rights Defenders and Journalists have the necessary resources.

27. Please indicate whether the State party has reviewed state criminal laws in order to harmonize national and state-level legislation and allow voluntary termination of pregnancy throughout the country in cases of rape or incest or where the physical or mental health of the mother is at risk.⁷⁶ Please also indicate whether the State party has considered eliminating

⁶⁸ CAT/C/MEX/CO/7, para. 29 (b); CCPR/C/MEX/CO/6, para. 29 (a); and A/HRC/40/8, paras. 132.83, 132.47, 132.51–132.54, 132.56 and 132.157.

⁶⁹ CAT/C/MEX/CO/7, para. 29 (c); and CCPR/C/MEX/CO/6, para. 29 (f).

⁷⁰ CAT/C/MEX/CO/7, paras. 46–47.

⁷¹ A/HRC/40/8, paras. 132.90 and 132.107.

⁷² CAT/C/MEX/CO/7, paras. 20–21.

⁷³ CCPR/C/MEX/CO/6, para. 31 (c).

⁷⁴ CAT/C/MEX/CO/7, para. 20.

⁷⁵ *Ibid.*, paras. 62–63.

⁷⁶ CCPR/C/MEX/CO/6, paras. 16 and 17 (a); and A/HRC/40/8, para. 132.179.

criminal penalties for women and girls who undergo abortions and for the medical providers who provide abortion assistance, as such penalties force women and girls to resort to unsafe abortions.⁷⁷

28. Please indicate the specific steps that the State party has taken to combat and prevent violence based on actual or perceived sexual orientation or gender identity.⁷⁸ In particular, please provide statistical data, disaggregated by the age, sex and ethnic origin or nationality of the victims, on complaints, investigations, prosecutions and convictions in cases of hate crimes committed against lesbian, gay, bisexual, transgender and intersex persons.

Other issues

29. Given that the prohibition of torture is absolute and cannot be derogated from, including within the framework of measures related to states of emergency and other exceptional circumstances, please provide information on any steps taken by the State party during the coronavirus disease (COVID-19) pandemic to ensure that its policies and actions comply with its obligations under the Convention. In addition, please specify the measures taken in relation to persons deprived of their liberty and in other situations of confinement, such as in homes for the elderly, hospitals or institutions for persons with intellectual and psychosocial disabilities.

30. Please provide updated information on the measures taken by the State party to respond to threats of terrorism. Please describe whether those measures have affected human rights safeguards in law and in practice and, if so, how they have affected them. Please also describe how the State party has ensured that those measures are compatible with all its obligations under international law, especially the Convention. Furthermore, please indicate what training is given to law enforcement officers in this area; the number of persons who have been convicted under legislation adopted to combat terrorism; the legal remedies and safeguards available in law and in practice to persons subjected to anti-terrorism measures; and whether there have been complaints of the non-observance of international standards and, if so, what the outcome was.

General information on other measures and developments relating to the implementation of the Convention in the State party

31. Please provide detailed information on any other legislative, administrative, judicial or other measures taken since the consideration of the previous report to implement the provisions of the Convention or the Committee's recommendations, including institutional developments, plans or programmes. Please indicate the resources allocated and provide statistical data. Please also provide any other information that the State party considers relevant.

⁷⁷ CCPR/C/MEX/CO/6, paras. 16 and 17 (b).

⁷⁸ *Ibid.*, paras. 12–13.