



**Optional Protocol to the
Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

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**Subcommittee on Prevention of Torture and Other Cruel,
Inhuman or Degrading Treatment or Punishment**

**Visit to Mexico undertaken from 12 to 21
December 2016: observations and
recommendations addressed to the State party**

Report of the Subcommittee*, **

* In accordance with article 16 (1) of the Optional Protocol, the present report was transmitted confidentially to the State party on 15 December 2017. On 6 March 2018, the State party requested the Subcommittee to publish the report, in accordance with article 16 (2) of the Optional Protocol.

** The annexes to the present document are being circulated in the language of submission only.



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I. Introduction

1. The Subcommittee on Prevention of Torture carried out its second regular visit to Mexico from 12 to 21 December 2016, in accordance with the provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
2. The Subcommittee was represented by the following members: Mr. Felipe Villavicencio Terreros (head of delegation), Mr. Enrique Font, Mr. Emilio Ginés Santidrián and Ms. Nora Sveaass.
3. The Subcommittee delegation was accompanied by three human rights officers and two security officers from the Office of the United Nations High Commissioner for Human Rights.
4. As in its first regular visit, owing to time constraints and the sheer scale of the State party's territory, the Subcommittee visited a selection of federative entities and places of detention. While the findings and recommendations in this report broadly relate to the places of detention visited, **the Subcommittee urges the State party to ensure that the recommendations are implemented in all places of detention to which they are relevant.**
5. The Subcommittee visited a total of 32 places where persons were or may have been deprived of their liberty in Baja California, Coahuila de Zaragoza, Guerrero, Mexico City, Morelos, Nuevo León and Veracruz, and held meetings with authorities from the three branches of government, the National Human Rights Commission, officials of the United Nations system and representatives of civil society.¹ The Subcommittee would like to thank all of them for the valuable information they provided.
6. The Subcommittee welcomes the legislative and other measures taken by the State party since its first regular visit regarding the prevention of torture and other cruel, inhuman or degrading treatment or punishment, including:
 - (a) The adoption of the General Act of 17 November 2017 on the Enforced Disappearance of Persons, Disappearances Perpetrated by Individuals and the National Missing Persons System;
 - (b) The entry into force on 26 June 2017 of the General Act on the Prevention, Investigation and Punishment of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
 - (c) The entry into force on 18 June 2016, throughout the State party's territory, of the criminal justice system reform provided for in the 2008 constitutional reform;
 - (d) The adoption of the National Criminal Enforcement Act in 2016;
 - (e) The adoption of the National Act on the Comprehensive Juvenile Criminal Justice System in 2016;
 - (f) The 2015 constitutional reform, which empowers Congress to issue general laws on torture and enforced disappearances;
 - (g) The adoption of the General Victims Act in 2013;
 - (h) The creation of the Special Unit for the Investigation of the Crime of Torture of the Office of the Attorney General of the Republic in 2015 (Agreement A/101/15);
 - (i) The constitutional reform of 2011, which granted constitutional status to human rights recognized in the international treaties to which Mexico is party;
 - (j) Jurisprudential improvements made by the Supreme Court of Justice in the area of torture prevention.

¹ See annexes I and II.

7. The Subcommittee also notes with satisfaction that, at the time of its visit, no persons were placed in preventive custody.

8. **In the Committee's view, this demonstrates that such practices are not necessary in the fight against organized crime. Recalling its previous recommendation (CAT/OP/MEX/1, para. 336), the Subcommittee recommends that the State party should take the necessary legislative measures to abolish preventive custody from the legal system.**

9. At the end of its visit, the Subcommittee orally presented its confidential preliminary observations to the authorities. In this report, the Subcommittee presents its findings and recommendations concerning the prevention of torture and ill-treatment of persons deprived of their liberty in Mexico. It uses the generic term "ill-treatment" to refer to any form of cruel, inhuman or degrading treatment or punishment.²

10. The Subcommittee is grateful to the Mexican authorities for their positive cooperation and facilitation of the visit. The Subcommittee had prompt, unhindered access to places of detention, including to persons deprived of their liberty whom it wished to interview privately, and to the records and reports it requested. Focal points appointed by the State party effectively resolved any delays — for example, at the offices of the National Institute of Migration. The Subcommittee wishes to draw attention to the unique situation that arose with respect to the 27th Infantry Battalion based in Iguala. While the Subcommittee was denied entry at the time of its unannounced visit, the authorities of the State party later explained that they had misunderstood the scope of article 4 of the Optional Protocol and, within the framework of a cooperative dialogue, issued an invitation and made the necessary arrangements so that the Subcommittee could visit such installations. However, the Subcommittee could not accept the invitation as its visit would no longer have been unannounced.

11. **The Subcommittee considers it opportune to recall its jurisprudence on the scope of article 4 of the Optional Protocol.**

12. **Article 4 places within the scope of the Optional Protocol any public or private institution under the State party's jurisdiction or control in which persons are or may be deprived of their liberty and are not permitted to leave, whether by virtue of an order issued by a judicial, administrative or other authority or at the instigation or with the consent or acquiescence of the latter.**

13. **In accordance with the preventive approach underpinning the Optional Protocol, interpretation should be as broad as possible to maximize the preventive impact of the work done by the Subcommittee and national preventive mechanisms. The Subcommittee takes the view that any place in which persons are or may be deprived of their liberty should fall within the scope of the Optional Protocol, provided that such deprivation of liberty relates to a situation in which the State exercises or might be expected to exercise a regulatory function. The Subcommittee stresses the need for the State party to guarantee that the national preventive mechanism has all the facilities it needs to carry out visits to any place where persons are, or in its opinion may be, deprived of their liberty.**

14. The Subcommittee thanks the State party for providing an update during the visit on the efforts made to implement the recommendations from the Subcommittee's previous visit report (CAT/OP/MEX/1). However, it was concerned to find during its second visit that many of the observations and recommendations made in 2008 still applied.

15. **The Subcommittee urges the State party to redouble its efforts to fully implement all recommendations made in the Subcommittee's first visit report in addition to the recommendations in this report.**

16. **The Subcommittee requests that the State party reply to the present report within six months from the date of its transmission, giving a full account of the actions taken to give effect to the recommendations contained herein.**

² In accordance with article 16 of the Convention against Torture.

17. The present report will remain confidential until such time as the State party decides to make it public, as stipulated in article 16 (2) of the Optional Protocol. The Subcommittee is firmly of the view that publishing the report can contribute positively to the prevention of torture and ill-treatment, since the wide dissemination of the Subcommittee's recommendations would help to pave the way for a transparent and productive national dialogue on the issues dealt with in the report.

18. **The Subcommittee recommends that the State party request the publication of the present report in accordance with article 16 (2) of the Optional Protocol, as was recommended for the Subcommittee's first visit report in 2008.**

19. The Subcommittee wishes to draw attention to the Special Fund established in accordance with article 26 of the Optional Protocol. Recommendations contained in Subcommittee visit reports that have been made public can be used by the State party as a basis for applying for funding from the Fund for specific projects.

II. Allegations of torture and ill-treatment

20. During its visit, the Subcommittee was concerned by the numerous allegations of persons deprived of their liberty, including women, minors and migrants, who claimed to have been subjected to acts of torture and/or ill-treatment in various circumstances, in particular at the time of deprivation of liberty, during transfer, on arrival at places of detention and during interrogations. Several of those interviewed alleged that they had been subjected to torture or ill-treatment to force them to sign or record self-incriminating statements or even sign blank sheets of paper to which false confessions were subsequently added.

21. Most of the persons interviewed who claimed to have been victims of torture or ill-treatment said that the main culprits were police officers (municipal, state, federal and criminal investigation), in some cases army officers and, in the case of migrants, migration authorities.

22. Many of the persons interviewed, including minors, claimed to have been subjected to torture and/or ill-treatment when they were deprived of their liberty and/or during their first few hours of detention.³ Several of these individuals claimed to have suffered ill-treatment either on their arrival or during the early stages of their confinement at municipal detention centres and criminal investigation or state police facilities. Some, including minors, alleged that upon admission they had been stripped naked and forced to perform squats during body searches. Such ill-treatment tended to occur in places where there were no surveillance cameras, such as in bathrooms, on stairways or in storage facilities adjacent to detention areas. For example, during its visit to the Centre for Public Safety and Highways of Monterrey (Alamey), the Subcommittee observed two persons handcuffed to the handrails of an access ramp outside the compound.

23. The Subcommittee also heard allegations of torture and/or ill-treatment in places where persons were deprived of their liberty for prolonged periods, such as municipal detention centres and social rehabilitation centres. For instance, it was alleged that one night a few days before the Subcommittee's visit, Nuevo León state law enforcement officers (referred to as the "death squad") came to the Alamey centre and, before cameras and in the presence of prison officers who were on duty, entered a cell and beat inmates there. Further allegations were made in relation to other centres, specifically self-governing centres to which certain powers had been devolved, according to which detainees had been subjected to torture or ill-treatment by either prison authorities or other inmates with the acquiescence of prison officers. At the Regional Social Rehabilitation Centre of Chimpalcingo, detainees said they had seen other inmates being subjected to torture and taken to the "Adán room" to be beaten.

³ Some of the persons interviewed claimed that, at the time of their arrest, they were asked for money in exchange for being set free.

24. Most of the allegations of torture and ill-treatment described to the Subcommittee were of detainees being slapped, punched, kneed, kicked and struck with firearms, in some cases by several officers, even after they had been immobilized and handcuffed. Some of the other methods described included the prolonged use of handcuffs in various positions, threats, twisting of the upper limbs and deprivation of food and water. There were also numerous allegations of victims receiving electric shocks to the face and other parts of the body, including the genitals, with stun guns known as *chicharras*, being asphyxiated with plastic bags, having water forced up their noses and having their teeth broken with pliers. Lastly, the Subcommittee heard allegations of tasers being used against inmates of Federal Social Rehabilitation Centre No. 1 (“Altiplano”).

25. In several interviews with persons deprived of their liberty, the Subcommittee noted various recent injuries consistent with the forms of torture and/or ill-treatment described. Many of those interviewed chose not to have their injuries examined or to seek medical assistance for fear of reprisals. In the few cases where individuals asked the Subcommittee to assist them in having their injuries checked and obtaining medical treatment, the Subcommittee enlisted the services of forensic doctors from the National Human Rights Commission and the Nuevo León state Human Rights Commission. In other cases, the Subcommittee found that examinations were adequately documented by doctors at the detention centres. Where they were not, the Subcommittee asked for medical examinations to be performed, in some cases in front of them, and for the National Human Rights Commission to follow up the cases and protect the victims from reprisals. Some of the injuries presented by victims called for diagnostic consultations and urgent medical treatment, which were also requested by the Subcommittee.

26. The Subcommittee interviewed numerous juvenile detainees, particularly boys, who alleged that they had been subjected to ill-treatment at the hands of guards. At Alamey, the Subcommittee heard allegations of two minors being beaten and handcuffed for several hours to the banisters of a staircase out of sight of security cameras. At the Detention and Rehabilitation Centre for Juvenile Offenders in Monterrey, the Subcommittee heard allegations of inmates being verbally abused, threatened, hit across the head with officers’ radio antennas, slapped on the neck and in the area of the waist, kicked and slammed against walls, and denied use of the bathroom between 10 p.m. and 7 a.m. (with some exceptions). There were also allegations of disproportionate punishments, such as deprivation of mattresses and/or blankets, deprivation of certain meals, placement in punishment cells overnight without a mattress or blanket, and being made to stand against the wall in the same position for prolonged periods. The Subcommittee wishes to highlight the case of a juvenile foreign national detained in that facility who requested the Subcommittee’s intervention the day after prison staff had allegedly subjected him to ill-treatment, banging his head hard against a wall. The Subcommittee requested the immediate intervention of the National Human Rights Commission, which notified the relevant prison authorities and the Nuevo León state Human Rights Commission. The Subcommittee accompanied the aforementioned entities while they documented the case and was pleased to note that the doctor of the state Commission conducted a detailed medical examination of the injuries described. It commends their swift and effective handling of the minor’s case, including his transfer to the Detention and Rehabilitation Centre for Juvenile Offenders in Escobedo. However, it is concerned at the situation of other minors detained at the centre in Monterrey: many of the children interviewed said that they did not report ill-treatment for fear of reprisals.

27. Most of the persons interviewed in the migrant holding centres and short-stay facilities of the National Institute of Migration said that they were well treated by officers. However, some said that they had been subjected to ill-treatment, including threats, at the time they were deprived of their liberty.

28. The Subcommittee urges the State party to ensure that all authorities empowered to deprive persons of their liberty fully implement the standards of reasonable and proportionate use of force, with a focus on human rights.

29. It is recommended that the State party should periodically provide police and prison officers with clear guidance on the absolute and non-derogable prohibition of torture and ill-treatment and ensure that this prohibition is incorporated into any

general rules or instructions that are issued with regard to the duties and functions of police and prison personnel.⁴

30. Emphasizing its previous recommendations (CAT/OP/MEX/1, para. 310), the Subcommittee urges the State party to take the necessary steps to create and strengthen internal and external mechanisms for the control and oversight of all bodies empowered to deprive persons of their liberty, and to ensure that such mechanisms provide for a proactive approach to facilitate the prevention, detection and effective punishment of acts of torture and ill-treatment committed at the time of deprivation of liberty, during transfer and on admission to places of detention.

31. The Subcommittee recommends that the State party should improve the education and training of all federal, state and municipal officers empowered to deprive persons of their liberty and/or potentially involved in the custody, transfer, interrogation or treatment of persons subjected to any form of deprivation of liberty, including minors and migrants, on the provisions of the Convention against Torture and the reasonable and proportionate use of force.⁵ It should also develop and implement a methodology to assess the effectiveness of training and educational activities.

32. The Subcommittee recommends that the national preventive mechanism, the National Human Rights Commission and state human rights commissions should give priority, in their programmes of visits, to unannounced inspections of all places to which persons are admitted, or through which they transit for identification or registration purposes, or in which they remain immediately following the deprivation of their liberty, regardless of whether such deprivation is based on administrative, migration-related or criminal grounds.

33. The State party should take immediate and effective measures to protect minors in the Detention and Rehabilitation Centre for Juvenile Offenders in Monterrey and to ensure that no children deprived of their liberty are subjected to torture or ill-treatment. The Subcommittee reiterates its previous recommendation on the training and awareness-raising of staff responsible for dealing with minors in custody (CAT/OP/MEX/1, para. 343).

III. Impunity

A. Legal framework

Definition of torture

34. In its first visit report, the Subcommittee expressed concern at the fact that definitions of torture in the various pieces of legislation adopted in the State party were not sufficiently in line with international standards.

35. The Subcommittee welcomed the 2015 amendment of article 73 of the Constitution, which authorized the Congress of the Union to enact a general law that would, at the very least, define the crimes of torture and other cruel, inhuman or degrading treatment or punishment and the penalties applicable to them.

36. During its visit, the Subcommittee regretted the delay in adopting the legislative measures necessary to ensure that the definition of torture applied in the State party conforms to international standards and noted with concern the negative consequences for the proper investigation and punishment of torture arising from that delay. The

⁴ Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly in resolution 3452 (XXX) of 9 December 1975, art. 5.

⁵ Taking into account the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, as well as the inherent dignity and value as human beings of persons deprived of their liberty, in accordance with rules 1 and 5 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

Subcommittee noted that variations in the definition of the crime of torture among the federative entities continued to create actual or potential legal gaps that gave rise to impunity.

37. The Subcommittee therefore welcomes the adoption of the General Act on the Prevention, Investigation and Punishment of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was published in the Official Gazette on 26 June 2017.

38. The Subcommittee urges the State party to ensure that the Act is effectively implemented at the state and federal levels and to develop the capabilities required for the implementation of the Act by public officials throughout its territory.

B. Detecting torture and ill-treatment

39. International bodies and experts agree that torture is a widespread phenomenon in Mexico (Committee against Torture, 2003; Subcommittee, 2008; Special Rapporteur on torture, 2014; United Nations High Commissioner for Human Rights, 2015; Inter-American Court of Human Rights, 2016). The Subcommittee has received information from a wide range of civil society organizations and persons deprived of their liberty who were interviewed. However, the official data received indicate that penalties are only rarely imposed for this crime. The Subcommittee considers that the discrepancy between the number of reports of torture, which is acknowledged to be widespread, and the negligible number of convictions for that offence indicates that impunity for acts of torture is prevalent.

40. This is evident from the official reports indicating that, between 2008 and 2010, the number of investigations into torture initiated by the Office of the Attorney General of the Republic was extremely low. This figure began to rise in 2012, when some 300 investigations were initiated, and currently stands at over 4,700. However, this increase in the number of investigations launched is not reflected in an equivalent increase in the number of prosecutions for torture (none in 2008, 2009 or 2011; two in 2012; five in 2013; and six in 2014). The number of convictions for this crime, at both the federal and local levels, remains extremely low, with 5 and 10 convictions, respectively.

41. The Subcommittee notes that the Special Unit for the Investigation of the Crime of Torture has been established within the Office of the Attorney General of the Republic.

42. The Subcommittee recommends that the State party ensure that the Unit has sufficient resources to carry out its tasks professionally and effectively. The Subcommittee also recommends that information on the number of complaints lodged and the places where they were lodged should be transparent and publicly accessible.

43. On the basis of its two visits, the Subcommittee has determined that the following factors contribute to the prevalence of impunity in Mexico.

Shortcomings of the Federal Prosecution Service

44. As prosecutors tend to focus on the charges, they have difficulty recognizing that a person suspected of having committed a crime or an administrative offence may, at the same time, be a victim of torture and should be treated as such and that the alleged act should be properly documented and investigated. It is worrying to note that federal prosecutors dismiss allegations of torture made by defendants and sometimes argue that such allegations are a stratagem used by defendants to exculpate themselves. Several sources have indicated that prosecutors tend to classify acts of torture as less serious offences.⁶ The Subcommittee has found, through interviews, that public trust in the Federal Prosecution Service is low.

⁶ Report of the Special Rapporteur on torture (A/HRC/28/68/Add.3, para. 24); Committee against Torture, Concluding observations on the combined fifth and sixth periodic reports of Mexico (CAT/C/MEX/CO/5-6, para. 16).

Detection of torture and inadequate implementation of the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol)

45. Neither medical staff in places of detention, nor judges, nor prosecutors, nor officers in police stations nor defence lawyers have a proactive attitude towards the effective detection, documentation and reporting of torture. The Subcommittee found this to be the case even when there are obvious signs of ill-treatment. From the numerous, concurring allegations made by persons deprived of their liberty, interviews with medical staff and examinations of medical records, the Committee concluded that doctors did not consider the obligation to document and report torture to be an integral part of their work, as required by the Istanbul Protocol.

46. Following its visit in 2008, the Subcommittee's recommendation that the State party strengthen the implementation of the Istanbul Protocol led to numerous training courses being held. However, the Subcommittee found that the majority of doctors in places of detention, defence lawyers and prosecutors who were interviewed were unaware of, or did not properly implement, the Istanbul Protocol. This finding was corroborated by interviews with persons deprived of their liberty. The fact that inadequate investigations of ill-treatment and torture could be legitimized through shortcomings in the implementation of the Istanbul Protocol gives cause for concern. It is also worrying that doctors who suspect that an individual has been tortured might fail to refer that individual to a hospital for expert evaluation owing to a lack of funds.

47. The Subcommittee noted that, in most of the places of detention that it visited, the medical staff report to the same administrative authority that manages the place of detention. The Subcommittee is concerned by the fact that this administrative structure guarantees neither the independence nor the clinical autonomy of doctors and hinders the proper detection, documentation and reporting of torture. Despite the requests that it made during its visits, the Subcommittee was not informed of any investigation into torture initiated at the request or on the instructions of doctors in places of detention.

48. The Subcommittee witnessed medical examinations in three prisons in the State party and found that doctors classified physical injuries under only three simplified categories, despite the fact that several methods of torture do not leave visible marks and torture does not cause only physical harm. Even when they detect serious injuries, doctors file their reports in the records and do not bring them to the attention of the public defence system or the Federal Prosecution Service.

49. The Subcommittee is concerned that medical examinations are carried out in different circumstances in the presence of armed police officers.

50. The Subcommittee also noted with concern that, in a number of cases observed during the visit, persons deprived of their liberty in police stations were unaware that the staff attending to them were medical staff as they were not dressed appropriately and lacked basic medical equipment.

Shortcomings in forensic investigations

51. The Subcommittee has been informed that the legal procedures used by the Office of the Attorney General of the Republic continue to give preference to official forensic medical examinations as evidence in trials. The Subcommittee is concerned at the length of time taken by the Office of the Attorney General to issue specialized reports and at several other reported shortcomings, including indications of bias and a tendency to cover up for colleagues, which hinder the investigation of torture. The fact that forensic agencies report to the offices of the state attorneys general represents a structural problem that hinders the investigation, and thus the prosecution, of the crime of torture.

52. The forensic analyses observed by the Subcommittee left much to be desired. The majority recorded only injuries that would take more than 15 days to heal, whereas various torture techniques often do not leave marks. Conflicts of interest were identified, as the experts are hierarchically subordinate to the state attorneys general. **The Subcommittee recommends that experts perform their role in a wholly independent manner.**

Institutional shortcomings of the public defence system

53. The Subcommittee is concerned at the quality of the public defence services provided to persons deprived of their liberty. Many concurring reports indicated that interviews with public defenders were rarely held prior to hearings as the defendants did not meet their lawyers until they entered the courtroom or only moments before the hearing began. With few exceptions, the interviewees said that the public defenders had not asked them if they had been victims of torture or ill-treatment.

54. The Subcommittee is concerned about the clear disparity between the number of defence lawyers employed by the public defence services in relation to the number of prosecutors employed by the public prosecution services and the human resources required for these services to fulfil their roles. This disparity between the two institutions makes it difficult for public defence services, using a human rights-based approach, to play a central role in detecting torture and representing and assisting victims in order to ensure that they have access to justice and that cases that come to light are investigated and brought before the courts.

Shortage of judges

55. The Subcommittee notes that the shortage of judges (each of whom, according to reports, receives 500 new cases each year) and the resulting overuse of pretrial detention constitutes an additional factor that enhances impunity. The low number of judges presiding over criminal enforcement courts prevents the effective detection of torture.

Shortcomings in complaints mechanisms

56. In most cases, complaints mechanisms in prisons consisted of a box for receiving suggestions and complaints that was often not closed and therefore did not guarantee confidentiality. The Subcommittee noted that the right of access to complaints mechanisms is not guaranteed because most detainees were unaware of the follow-up given to their complaints, could send their petitions only through guards and did not know how to submit complaints about their treatment to the central prison authority, the judiciary or other competent authorities, including those vested with reviewing or remedial power. Persons deprived of their liberty indicated that complaints mechanisms were ineffective, mainly because they feared reprisals.

57. The Subcommittee has concluded that the widespread problem of inadequate record-keeping on cases of deprivation of liberty in the State party creates gaps in the protection of persons from torture and ill-treatment and is one of the causes of impunity.

58. **The State party should take necessary and effective steps to:**

(a) **Ensure that all allegations of torture and ill-treatment are investigated promptly, thoroughly and impartially by independent bodies, in accordance with articles 12 and 13 of the Convention against Torture, and that no institutional or hierarchical relationship exists between the authorities in charge of the investigation and the alleged perpetrators;**

(b) **Ensure that the alleged perpetrators are brought to trial and, if found guilty, punished in accordance with the seriousness of their actions;**

(c) **Ensure, without prejudice to the presumption of innocence, that the alleged perpetrators are immediately suspended from duty for the duration of the investigation, particularly when there is a risk that they might otherwise be in a position to repeat the alleged act, commit reprisals against the alleged victim or obstruct the investigation;**

(d) **Ensure that an investigation is automatically initiated wherever there are reasonable grounds for believing that an act of torture or ill-treatment has been committed.**

59. **The State party should ensure that, in accordance with article 15 of the Convention against Torture, statements made as a result of torture or ill-treatment are not used as evidence in any proceedings, except against a person accused of**

torture as evidence that the statement was made. Attention is drawn to the Committee's previous recommendation in this regard (CAT/C/MEX/CO/5-6, para. 15).

60. It is recommended that the State party establish, within federal prosecution services, standards of conduct and protocols for the proactive detection, documentation, reporting and subsequent investigation of cases of torture in accordance with the standards set out in the Istanbul Protocol. It should also promote the investigation of allegations of torture or ill-treatment and ensure adequate protection against those offences.

61. With regard to medical evaluations, the Subcommittee recommends that the State party:

(a) Define the obligation for doctors working in the criminal justice system to assess and detect possible signs of torture and ill-treatment as part of the medical service provided;

(b) Establish conditions, including in relation to the confidentiality of consultations, that make it easier for physicians to meet their obligation to carry out both clinical assessments and assessments relating to torture or ill-treatment;

(c) Define a procedure by which allegations or observations of cases that may involve torture or ill-treatment can be reported and investigated;

(d) Establish a system for ensuring the safety of health professionals that does not require the presence of police officers or staff responsible for guard duties;

(e) Ensure that doctors who document torture and ill-treatment are not subjected to reprisals or threats;

(f) Ensure that medical examinations are not conducted in the presence of armed police officers and that appropriate means are used to ensure the safety of doctors.

62. The Subcommittee recommends that, as part of the process of establishing an adversarial system, the State party should provide the public defence services with sufficient public defenders, support staff and resources to ensure the proper exercise of the right of defence from the outset of detention. It should also ensure that the principle of equality of arms between the defence and the federal prosecution services is observed and that a human rights and active defence approach to the detection, investigation and punishment of torture is developed.

63. The Subcommittee urges the State party to establish a national unified registry of all types of detention, including the detention of migrants and persons deprived of their liberty.

64. The State party should adopt more effective measures to ensure that no one who is deprived of his or her liberty is subjected to torture and/or ill-treatment, either by the prison authorities or by other inmates with their acquiescence. In that regard, the State party should guarantee security inside prisons by providing appropriate training to prison staff and by developing strategies to reduce violence among prisoners. It should also ensure that persons deprived of their liberty can, in confidence and without fear of reprisals, report any act of torture or ill-treatment to an independent body, that the effectiveness of the available complaints mechanisms is periodically assessed, and that, when a complaint of torture or ill-treatment is made, the persons in charge of the place of detention concerned take immediate steps to report the complaint to the relevant authorities and to protect the individual against reprisals.

65. The State party should ensure that the Office of the Attorney General of the Republic is independent, well trained and sufficiently well resourced to enable it to professionally and effectively check and document all allegations of torture and ill-treatment and provide quality services to the bodies that administer justice.

66. To ensure that the burden of proof does not fall solely on victims, judges must admit reports drawn up, not only by officials of the Office of the Attorney General of the Republic, but also by independent experts.

67. In its replies to the present report, the State party should provide statistical data, disaggregated by nationality, age and sex, on complaints relating to torture and ill-treatment and on any related investigations, prosecutions and criminal and disciplinary sanctions.

IV. Detention conditions and regimes

A. Municipal centres

68. The conditions were deplorable in all the municipal centres that were visited. The cells were fitted with concrete beds and a toilet but did not always contain washbasins. The Subcommittee noted that the infrastructure, hygiene and services were of poor standard. The cells had little or no natural light and were poorly ventilated and very cold, especially at night. Blankets were generally unavailable. In some centres the bathrooms were inadequate, there was no access to drinking water, and soap and toilet paper were lacking. In one centre, drinking water had to be obtained from a small tap in the cells that also served as the only means by which persons could wash their hands after using the toilet. As toilet paper was unavailable, this arrangement constituted a serious risk to health. Some cells were empty while others were overcrowded. The majority of the staff responsible for guarding women deprived of their liberty were men.

69. The distribution of food and water was inadequate, especially on weekends. The Subcommittee found many persons deprived of their liberty, including minors, who had consumed no food or drinking water for more than 24 hours. In some centres, telephone calls could be made only to landlines. Only in one centre were calls to mobile phones permitted.

70. **The Subcommittee, noting that its previous recommendations have not been implemented, urges the State party to improve the material conditions in police stations and municipal centres and ensure that:**

- (a) All cells in police stations and municipal centres are clean and large enough for the number of people detained there;**
- (b) Light and ventilation conditions are adequate;**
- (c) Detainees are provided with mattresses and blankets when they are held in such facilities overnight;**
- (d) Detainees are provided with the basic necessary personal hygiene products, have access to drinking water and are given food of sufficient quality and quantity;**
- (e) Persons detained for more than 24 hours can engage in physical exercise for one hour each day and are allowed to receive visits;**
- (f) Both men and women are put in charge of guarding detainees and areas containing women detainees are supervised by women;**
- (g) Detainees can use mobile phones to communicate with their families when they do not have a landline number on which to contact them.**

71. In some municipal centres that were visited, the doctors were present primarily to interview persons being admitted. Contacting them in case of necessity was a lengthy and rarely used process. The Subcommittee was informed by persons deprived of their liberty that the guards did not always notify the doctor when a detainee was in need of medical care. Access to medicines was highly restricted. The Subcommittee noted that some establishments lacked basic medicines and equipment. Persons deprived of their liberty relied on their families to provide medicines, which created difficulties for those with no

family connections or families on low incomes. In situations where medicines are absolutely necessary, as in cases of diabetes, an inability to obtain them puts the lives of persons deprived of their liberty at risk.

72. The Subcommittee urges the State party to ensure that health services in detention facilities are in line with the Nelson Mandela Rules, that the provision of health care is improved and that medicines are made more widely available in places of detention.

73. Although some cells in municipal centres were equipped to accommodate persons for only a few hours, the Subcommittee found that all the places visited contained persons deprived of their liberty who had been there for much longer periods, including periods of several months and, in one case, two years. These persons had no access to fresh air or any kind of activity. In at least one centre, persons deprived of their liberty could not receive visits.

74. The Subcommittee recommends that the State party implement rules 58 and 105 of the Nelson Mandela Rules concerning the right to receive visits without discrimination and the right to have access to recreational and cultural activities.

75. The Subcommittee found that children deprived of their liberty in municipal centres are being held in poor conditions. Although the children in question are not meant to spend more than 24 hours in these centres, the conditions were seen to be inadequate. On the Subcommittee's two visits to the Alamey centre in Monterrey, it was noted that children were held together in a room without heating, mattresses or blankets and that many of them were sitting on the floor in appalling sanitary conditions, lacking access even to toilet paper. Many of these minors anxiously stated that they had not been able to communicate with their families as they were not allowed to place calls to mobile phones or could not remember their families' numbers, which they had stored on mobile phones that had been confiscated or stolen at the time of their detention. Many minors said that they did not have adequate access to drinking water and food.

76. In order to comply with international standards, and taking into account the best interests of the child, the Subcommittee recommends that the State party should:

(a) **Ensure that deprivation of liberty is applied as a measure of last resort and for the shortest possible period of time and that it is reviewed periodically with a view to eliminating it;**

(b) **Ensure that minors deprived of their liberty have access to an independent and effective mechanism for reporting ill-treatment;**

(c) **Take all necessary measures to bring detention centres for minors into line with international standards, in particular with regard to shelter, hygiene and food;**

(d) **Ensure that minors are always able to contact their families and that, when they do not have a landline number on which they can call them, mobile telephones or other means of communication are made available.**

77. In the case of administrative detentions carried out by municipal authorities, extra precautions should be taken to ensure that such measures are in strict compliance with the fundamental rights of individuals and that a thorough check is performed to ensure that an administrative offence has actually been committed and that detentions do not involve any risk of cruel, inhuman or degrading treatment. The State party should take steps to amend article 21 of the Constitution in order to eliminate this form of detention.

B. Prisons

78. With regard to the social rehabilitation centres that were visited, the Subcommittee noted that conditions were better in Federal Social Rehabilitation Centre No. 1 (Atilplano) and in women's prisons, especially the one in Cuernavaca.

79. In other centres, such as the Chilpancingo Regional Social Rehabilitation Centre and the Topo Chico Preventive Social Rehabilitation Centre, the infrastructure, hygiene and services were not of adequate standard, especially in protected areas and disciplinary cells. The centre in Chilpancingo suffered from overcrowding (its capacity is 600 but its population at the time of the visit was 948), a poor general standard of hygiene and inadequate cell size (9 inmates were being held in a cell measuring 12 m²). Even the bathrooms are used for sleeping. Persons deprived of their liberty suffered from skin infections, the cells were dirty and insects and worms were reported to be a problem. Other centres were particularly overcrowded, especially in safe cells and disciplinary cells. Persons held in safe cells and disciplinary cells in Chilpancingo said that they do not receive visits from family members or representatives of the National Human Rights Commission and do not receive adequate medical care. In most of the facilities visited, the food was of poor quality and the quantities were small. Inmates generally complained to the Subcommittee that they depended on family contributions to supplement or replace their diet.

80. The Subcommittee noted that many minors were being held in poor conditions. During another visit to the Monterrey Detention and Rehabilitation Centre for Juvenile Offenders, it was found that conditions in the centre continue to be inadequate, particularly in the area for adolescent boys, which differed significantly from the area for adolescent girls. There was no access to natural light in either the girls' or the boys' sleeping quarters. The Subcommittee was informed that adolescent girls spend all day together in one room doing a range of activities but are unable to go outdoors. The cells in which adolescent boys sleep were very cold and testimonies indicated that only one blanket per person was available and the lights were kept on all night. Information was also received that adolescent boys have physical education twice a week but have no access to outdoor spaces for the rest of the week. Adolescent boys who do not receive visits have the right to only one phone call every 15 days.

81. Better conditions were observed in the communal areas of the Escobedo Detention and Rehabilitation Centre for Juvenile Offenders, where, during the day, adolescent boys carried out a number of activities. These activities should be replicated, particularly in the Monterrey centre.

82. The Subcommittee urges the State party to take immediate steps to give effect to the regulations set out in the new Criminal Enforcement Act, especially in those prisons visited where, among other situations identified, there are persistent problems with overcrowding, unhygienic and unsanitary conditions, health risks to inmates, inadequate cell sizes, poor quality and inadequate quantities of food and arbitrary punishments imposed without disciplinary proceedings or time limits, representing a serious violation of international rules such as the Nelson Mandela Rules.

C. Delegation of authority, inmate self-rule and corruption

83. In several of the prisons visited, the Subcommittee found various systems of delegated authority and self-rule. Different forms of corruption and collusion were found to exist between groups involved in complex crime and the prison staff and authorities; staff numbers were inadequate and staff were inadequately trained and/or supervised. As a result, a number of the State's tasks and responsibilities are performed by persons deprived of their liberty. Such tasks include cleaning, distributing food, organizing access to medical treatment, opening and closing cells and corridors, caring for persons who cannot be held criminally responsible and allocating cells to such persons. This delegation of authority includes informal regimes in which groups of persons deprived of their liberty exercise discipline over others with the tolerance or collusion of prison staff (*talacha*).

84. The misuse of power created by these forms of delegation gives rise to varying degrees of self-rule in prisons. In the places of detention visited where the State's responsibility for running the institution has been delegated to, and taken over by, criminal factions or groups involved in complex crime, self-rule reaches the most extreme and problematic levels. The delegation of authority, inmate self-rule and corruption increase the

possibility that persons deprived of their liberty will be victims of systemic forms of exploitation, ill-treatment, torture and even homicide while the perpetrators are likely to go unpunished. The Subcommittee noted that, in prisons in which delegation and self-rule take place, a pervasive feeling of fear exists among the inmates.

85. The Subcommittee urges the State party to take immediate steps to eradicate the various forms and degrees of informal delegation of authority, self-rule and corruption created by collusion between groups involved in complex crime and the authorities and prison staff, especially in those prisons visited by the Subcommittee and the National Human Rights Commission.

D. Migrant holding centres and short-stay facilities run by the National Institute of Migration

86. The Subcommittee noted major differences between the migrant holding facilities that it visited, in terms of both physical conditions and the treatment afforded to migrants. At the holding centre in Tijuana, the Subcommittee observed that women, children and adolescents were held in overcrowded, unhygienic cells where, despite the cold, there was no access to clothing, even for the youngest girls. The food was scarce and of poor quality and no distinction was made between the food given to adults and that given to children.

87. At the Saltillo holding centre, the Subcommittee noted that unaccompanied girls had good conditions of accommodation. This was not the case for unaccompanied boys, who were held in very cold rooms. Some of the children interviewed said that they had received few clothes to wear and that the water for bathing was cold. Adults and accompanied minors spent almost the whole day in a very cold, covered yard and were not given access to more than one blanket each. The Subcommittee was informed that, during the night, all adults and their children were placed in closed rooms (with women and children kept separate from men). The sleeping quarters for women and children had no light while the light in the men's quarters could not be switched off. The authorities informed the Subcommittee that children received food suited to their needs and that other special needs were also taken into account. However, some mothers reported that not all children were provided with food suited to their needs.

88. The Subcommittee is concerned at the conditions observed in the category B short-stay migrant holding centre in Monterrey. Although individuals may stay no more than seven days in category B short-stay migrant holding centres, the Subcommittee interviewed persons who had been there for much longer (including one person who had been there for three weeks). It was noted that the rooms where people were held were very small and dark, with no access to natural light or outdoor space. The Subcommittee was concerned at claims that these very small rooms had on occasion housed up to 13 women with children and up to 26 men (with only 14 mattresses) in unhygienic conditions, especially in the men's bathroom.

89. Access to telephones was variable. In Tijuana, the right to make telephone calls to family members outside Mexico was restricted as such calls could be made only with cards that the migrants themselves were required to buy. In Saltillo, however, all migrants were allowed to make telephone calls every day, including calls abroad.

90. In general, migrants were not given sufficient information about the reasons for their detention or the procedures governing deportation or applications for international protection. Furthermore, officials displayed an unwillingness to do what they could to assist migrants, for example, by helping them to contact their families or return to their country of origin. The Subcommittee was informed that civil society organizations that work with migrants have restricted access to migrant detention centres.

91. In two of the holding centres visited, doctors were available most of the time and could be consulted on request. Access to medicines was variable. At one of the centres, doctors said that they found it very difficult to refer patients to hospitals as migrants were considered to be persons deprived of their liberty and were therefore ineligible to use the regular health system.

92. The Subcommittee noted that conditions were difficult for children and adolescents as they had to stay in their rooms all day with nothing to do and no access to outdoor spaces. In some centres, it was noted that used nappies were not removed and litter was present in children's play areas. The Subcommittee is concerned that, in one centre, mothers whose babies cried a lot were threatened with having the babies transferred to the National System for the Comprehensive Development of the Family if they did not stop crying. The Subcommittee informed the director of the centre that such a measure would be seriously harmful to the mental health of both mothers and children.

93. **The Committee urges the State party to:**

(a) **Improve the material conditions of detention, including the quality of accommodation and food, taking into account the special needs of families with children and those of women, children, adolescents and minors who are unaccompanied or separated from their families. The Subcommittee recommends that the State party close the category B short-stay centre in Monterrey;**

(b) **Ensure that all migrant detention centres are equipped with adequate recreational, physical and cultural facilities, especially facilities for children and adolescents;**

(c) **Ensure access to all necessary services, including doctors, medication and telephone calls;**

(d) **Take effective measures to ensure that migrants are not held in short-stay migrant holding centres for longer than the legally permitted period;**

(e) **Take especially rigorous measures to ensure that migrant children are not held in detention;**

(f) **Immediately transfer unaccompanied and separated children to state and local agencies of the National System for the Comprehensive Development of the Family instead of holding them in migrant detention centres;**

(g) **Ensure that migration officers notify both adult and child migrants of their right to apply for asylum;**

(h) **Ensure that migrants are properly informed, in a timely manner, of the date on which they are to be deported and the procedures that will be followed;**

(i) **Enable civil society organizations to have access to all migrant detention centres.**

E. Mental health

94. The Subcommittee noted that the prison system is currently unable to provide appropriate support to persons deprived of their liberty who have mental health problems. The Subcommittee is concerned about the situation of persons with mental health problems held in solitary confinement in the men's prison in Cuernavaca, Morelos. Some of the men concerned have spent several years in solitary confinement, enduring subhuman material conditions without specialist medical care. The Subcommittee also visited the sectors for persons found to be exempt from criminal responsibility and male and female psychiatric patients at the Topo Chico centre. It noted with concern that the men's sector was operated and guarded by other inmates. It also noted the poor hygiene conditions endured by the persons housed there.

95. The Subcommittee is concerned that persons with acute or chronic mental illness had not been transferred to appropriate psychiatric facilities and were held in solitary confinement in conditions that were much worse than those established under disciplinary regimes.

96. The Subcommittee believes that the denial of qualified psychiatric assistance, under such circumstances and in such conditions, may amount to ill-treatment. The Subcommittee

is also concerned that there is no national strategy on the provision of mental health care in places of detention.

97. **The Subcommittee recommends that the State party urgently undertake a review of the mental health of persons deprived of their liberty in that part of the prison in order to assess their mental state and provide them with suitable treatment.**

98. **The Subcommittee recommends that persons who have served their sentences be transferred to shelters if their families are unable to accommodate them.**

99. **High priority must be given to the issues of hygiene, ventilation and recreation in places of detention.**

100. **The Subcommittee recommends that the State party develop a national strategy on the provision of mental health care in places of detention.**

101. The Subcommittee visited the Fray Bernardino Álvarez Psychiatric Hospital for acute patients over the age of 18 who are normally hospitalized for no more than three weeks. The hospital also receives chronic patients who normally live elsewhere but occasionally require assistance from the hospital.

102. Some 90 per cent of patients enter involuntarily but do not receive treatment without their or their family's consent. Restrictive measures were reportedly used only rarely. Psychiatric drugs are used with the consent of the patients or their families. Electroconvulsive therapy is applied regularly, usually with the consent of the family.

103. This hospital has good professional resources and a policy that aims to ensure that treatment is offered on a voluntary basis for a short period of time. The only area of doubt concerns the use of patients' informed consent; in practice, it is the family that effectively gives its consent.

104. The Subcommittee noted that the hospital authorities sent weekly lists of all persons admitted involuntarily to the Federal Prosecution Service. After meeting with the competent prosecutor, the Subcommittee was informed that it only took note of the information and did not take action in any case, leaving the persons concerned without legal representation.

105. **The Subcommittee recommends that, in accordance with article 12 of the Convention on the Rights of Persons with Disabilities, safeguards be established for persons operating with the informed consent of patients exercising their legal capacity.**

106. **It is also recommended that legal representation be provided to persons who are involuntarily hospitalized.**

V. National preventive mechanism

107. In accordance with article 72 of the General Act on the Prevention, Investigation and Punishment of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the national preventive mechanism due to be established should, in accordance with the Optional Protocol, be a specialized and independent body attached to the National Human Rights Commission. To date, however, the regulations that will govern the structure, composition and functioning of the national preventive mechanism and the commissions of the federative entities, such as local preventive mechanisms, have not been drawn up.

108. **The Subcommittee will continue to offer its technical advice, especially with regard to the provisions of the General Act relating to the national preventive mechanism.**

109. There is a significant gap between the number of acts of torture and ill-treatment identified by the national preventive mechanism and those detected by international agencies and experts and civil society. The Subcommittee believes that this is because the national preventive mechanism does not employ a prevention-based approach, because scheduled visits are used in preference to unannounced ones and because its methodology, which is based on visits and interviews, is not suited to the detection of torture and ill-

treatment. In this regard, the widespread use of structured interviews instead of open, in-depth interviews with persons deprived of their liberty leads to the underreporting of torture and ill-treatment. Furthermore, suitable conditions for conducting confidential interviews and examining identified cases of torture and ill-treatment, and the systemic conditions that make them possible, have not been established.

110. While reports are issued after visits, recommendations are not made and steps are not taken to establish a cooperative dialogue with senior government officials. There is no appropriate follow-up of cases and no suitable policy to reduce the risk of reprisals.

111. The national preventive mechanism has not managed to differentiate itself from the National Human Rights Commission. Although it recently adopted a different institutional image, it has yet to develop its own methodology for visits or a different way of engaging in dialogue. As a result, it has remained invisible in the eyes of civil society and of persons deprived of their liberty, a situation that could be improved by the effective implementation of the General Act.

112. There is evidence that the national preventive mechanism lacks legitimacy and fails to interact with civil society, as it is required to do under the Optional Protocol. The Subcommittee wishes to point out that these problems were acknowledged by the National Human Rights Commission in dialogues held during the visit. The Subcommittee recognizes the efforts undertaken by the National Human Rights Commission to consolidate the national preventive mechanism, especially since the appointment of the current chair. During the visit, the Subcommittee noted that the National Human Rights Commission has staff with the technical capacity required to carry out the necessary changes. The Subcommittee welcomes the fact that the new law promotes the participation of civil society in the activities of the national preventive mechanism and calls for civil society to play that important role in practice.

113. The Subcommittee is grateful for the adequate response provided by the National Human Rights Commission and the State Commission of Nuevo León to its requests concerning the identification of victims of torture and ill-treatment requiring urgent intervention.

114. In accordance with its mandate, the Subcommittee will continue to offer its technical advice, especially with regard to the provisions concerning the national preventive mechanism, to ensure that:

(a) A separate team is established that, following the adoption of the General Act against Torture, operates exclusively as a national preventive mechanism in all the federative entities;

(b) The national preventive mechanism, in coordination with the local preventive mechanisms of the federative entities, functions in accordance with the jurisprudence of the Subcommittee and the mandate of the Optional Protocol;

(c) An agreement is established on the referral of individual cases identified by the national preventive mechanism during its visits in order to ensure that complaints, reports and medical findings are processed by the National Human Rights Commission and the commissions of the federative entities;

(d) The team reporting to the national preventive mechanism conducts more regular, unannounced visits;

(e) The national preventive mechanism leads the implementation of the Optional Protocol in the states, including the legal and methodological frameworks to be adopted by the commissions of the federative entities;

(f) The national preventive mechanism interacts effectively with civil society and ensures that civil society participates effectively in the implementation of its mandate and in the comprehensive development of its activities;

(g) The national preventive mechanism interacts with state judicial institutions to enable them to prevent torture and punish the perpetrators.

VI. Impact of the visits

115. In accordance with article 15 of the Optional Protocol and the policy of the Subcommittee on reprisals in relation to its visiting mandate,⁷ the Subcommittee calls on the State party's competent authorities to take the necessary measures to ensure that no reprisals are taken against persons whom it visited, met with or received information from during its visit, including State officials. The Subcommittee requests that the State party include in its reply detailed information on the steps it has taken to prevent the possibility of reprisals.

VII. Conclusion

116. **The Subcommittee hopes that its second regular visit, and the present report, will make it possible to strengthen the constructive dialogue that began when it first visited the State party in 2008 with a view to ensuring that the State party complies fully with its obligations under the Optional Protocol in order to achieve the shared goal of preventing torture and ill-treatment.**

117. **The Subcommittee recommends that the State party make this report public, in accordance with article 16 (2) of the Optional Protocol, as it did the report on the visit conducted by the Subcommittee in 2008, bearing in mind that this act in itself constitutes a preventive measure. The Subcommittee recommends that the State party distribute this report to all the relevant public authorities and institutions.**

⁷ CAT/OP/6/Rev.1.

Anexo I

[Spanish only]

Lista de las autoridades y personas con quienes se reunió el Subcomité

Autoridades

Secretaría de Relaciones Exteriores

- Subsecretario para Asuntos Multilaterales y Derechos Humanos de la Secretaría de Relaciones Exteriores
- Director General de Derechos Humanos y Democracia
- Directora General Adjunta de Política Internacional de Derechos Humanos

Secretaría de Gobernación

- Subsecretario de Derechos Humanos de la Secretaría de Gobernación

Procuraduría General de la República

- Subprocuradora de Derechos Humanos, Prevención del Delito y Servicios a la Comunidad Procuraduría General de la República
- Subprocurador Especializado en Investigación de Delitos Federales
- Encargado de la Unidad de Investigación contra la Tortura
- Coordinador de Asuntos Internacionales y Agregadurías
- Directora General Adjunta de la Dirección General de Cooperación Internacional

Secretaría de la Defensa Nacional

- Director General de Derechos de la Secretaría de la Defensa Nacional

Secretaría de Marina

- Jefe de la Unidad Jurídica de la Secretaría de Marina
- Director de Derechos Humanos

Secretaría de Salud

- Directora para Asuntos Multilaterales de la Dirección General de Relaciones Internacionales de la Secretaría de Salud
- Directora General de Relaciones Internacionales
- Subdirectora para Organismos Multilaterales de la Dirección General de Relaciones Internacionales
- Dirección General de Servicios de Atención Psiquiátrica
- Director de Gestión de Servicios de la Dirección General de Servicios de Atención Psiquiátrica

Instituto Nacional de Migración

- Director de Estaciones Migratorias
- Directora de Asuntos Internacionales

Comisión Nacional de Seguridad

- Titular de la Unidad de Asuntos Jurídicos
- Titular de la Unidad de Desarrollo e Integración Institucional

Órgano Desconcentrado de Prevención y Readaptación Social

- Coordinador General de Asuntos Jurídicos, Derechos Humanos, Normatividad e Implementación del Órgano Administrativo Desconcentrado de Prevención y Readaptación Social

Suprema Corte de Justicia de la Nación

- Subdirector General de la Suprema Corte de Justicia de la Nación

Consejo de la Judicatura Federal

- Directora de Derechos Humanos

Senado de la República

- Presidenta de la Comisión de Derechos Humanos del Senado de la República
- Secretario técnico de la Comisión de Derechos Humanos del Senado de la República

Comisión Nacional de Derechos Humanos y Mecanismo Nacional de Prevención de la Tortura

Comisión Nacional de Derechos Humanos

- Presidente de la Comisión Nacional de Derechos Humanos
- Secretario Ejecutivo de la Comisión Nacional de Derechos Humanos
- Tercera visitadora general

Mecanismo Nacional de Prevención

- Director General del Mecanismo Nacional de Prevención de la Tortura

Naciones Unidas

- Coordinador Residente de las Naciones Unidas y Representante Residente del Programa de las Naciones Unidas para el Desarrollo (PNUD) en México
- Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos (ACNUDH)
- Oficina del Alto Comisionado de las Naciones Unidas para los Refugiados (ACNUR)
- Fondo de las Naciones Unidas para la Infancia (UNICEF)

Comité Internacional de la Cruz Roja

- Jefe de delegación regional del Comité Internacional de la Cruz Roja

Sociedad civil

- Amnistía Internacional
- Asistencia Legal por los Derechos Humanos

- Centro de Derechos Humanos Fray Matías de Córdova A.C.
- Centro de Derechos Humanos Miguel Agustín Pro Juárez
- Centro de Derechos Humanos Zeferino Ladrillero
- Ciudadanos en Apoyo a los Derechos Humanos (CADHAC)
- Colectivo contra la Tortura y la Impunidad
- Colectivo por una política integral hacia las drogas
- Comisión Mexicana de Defensa y Promoción de los Derechos Humanos
- Disability Rights International
- Documenta
- Fundar
- Grupo de Trabajo sobre Política Migratoria
- Instituto para la Seguridad y la Democracia
- Liga Mexicana por la Defensa de los Derechos Humanos
- Red por los derechos de la infancia en México
- Scalabrinianas Misión con Migrantes y Refugiados
- Sin Fronteras

Anexo II

[Spanish only]

Lista de lugares visitados por el Subcomité

A. Recintos policiales y fiscalías

Ciudad de México

- Agencia del Ministerio Público núm. 50
- Coordinadora Territorial núm. 4 de Tlalpan de la Procuraduría General de Justicia de la Ciudad de México
- Fiscalía Antisecuestros de la Procuraduría General de Justicia de la Ciudad de México
- Fiscalía de Homicidios de la Procuraduría General de Justicia de la Ciudad de México
- Fiscalía Desconcentrada de Investigaciones de Tlalpan

Coahuila

- Dirección Policía Preventiva Municipal de Saltillo

Guerrero

- Fiscalía Antisecuestros de Chilpancingo
- Policía Antisecuestro de Acapulco
- Policía Ministerial de Acapulco (separo)

Morelos

- Estación de policía de Cuernavaca
- Estación de policía de San Gabriel de las Palmas
- Fiscalía General del Estado de Morelos (separo)
- Policía municipal de Amacuzac

Nuevo León

- Agencia Estatal de Investigaciones de la Procuraduría General de Justicia de Nuevo León
- Seguridad y Vialidad de Alamey
- Seguridad y Vialidad de San Nicolás

B. Centros penitenciarios

Ciudad de México

- Centro Federal de Arraigo
- Centro Femenil de Reinserción Social de Santa Martha de Acatitla (visitado conjuntamente con el Mecanismo Nacional de Prevención)

Estado de México

- Centro Federal de Reinserción Social núm. 1 “Altiplano” (visitado conjuntamente con el Mecanismo Nacional de Prevención)

Guerrero

- Centro Regional de Reinserción Social de Chilpancingo
- Centro Regional de Reinserción Social de Iguala

Morelos

- Centro Femenino de Reinserción Social de Cuernavaca
- Centro de Reinserción Varonil de Cuernavaca

Nuevo León

- Centro Preventivo de Reinserción Social “Topo Chico”

C. Centros de internamiento y adaptación para adolescentes

Nuevo León

- Centro de Internamiento y Adaptación para Adolescentes Infractores de Monterrey
- Centro de Internamiento y Adaptación para Adolescentes Infractores de Escobedo

D. Prisión militar

Ciudad de México

- Prisión Militar Adscrita a la I Región Militar

E. Estaciones y estancias provisionales del Instituto Nacional de Migración

Baja California

- Estación migratoria de Tijuana

Coahuila de Zaragoza

- Estación migratoria de Saltillo

Nuevo León

- Estancia provisional Tipo B de Monterrey

Veracruz

- Estación migratoria de Acayucan

F. Hospital psiquiátrico

Ciudad de México

- Hospital Psiquiátrico Fray Bernardino Álvarez
-