

Eddin, situated in the north of the country, was closed in July. The remaining prisoners were transferred to the central prison in Nouakchott.

1. Mauritania: Human rights defender threatened, life at risk: Aminetou Mint El Moctar (AFR 38/002/2014)
www.amnesty.org/en/library/info/AFR38/002/2014/en
2. Mauritania must end clampdown on anti-slavery activists (Press release)
www.amnesty.org/en/for-media/press-releases/mauritania-must-end-clamp-down-anti-slavery-activists-2014-11-12

MEXICO

United Mexican States

Head of state and government: **Enrique Peña Nieto**

There were new reports of enforced disappearances, extrajudicial executions and torture in the context of violent crime and lack of accountability in the police and military. Impunity for human rights violations and ordinary crimes remained the norm. More than 22,000 people remained abducted, forcibly disappeared or missing, according to official records, including 43 students from Guerrero state. Search efforts for missing people were generally ineffective. Reports of torture and other ill-treatment continued to be widespread, as was the failure on the part of federal and state prosecutors to adequately investigate complaints. The Supreme Court strengthened legal obligations to exclude evidence obtained under torture. Many human rights violations continued to be attributed to soldiers and navy marines, who continued to be deployed widely to carry out law enforcement operations including combating organized crime. Military jurisdiction over human rights violations committed by military personnel against

civilians was abolished after decades of campaigning by victims and civil society organizations. Human rights defenders and journalists were harassed, threatened or killed. Some faced politically motivated criminal charges. Irregular migrants in transit faced the threat of murder, abduction, extortion, sexual violence and human trafficking; perpetrators were rarely brought to justice. Despite laws to combat violence against women, gender-based violence was routine in many states. Development and resource exploitation projects in different parts of the country affecting Indigenous communities led to protests and demands for adequate consultation and consent.

BACKGROUND

The government continued its programme of legislative reforms affecting the energy sector, education, telecommunications and political organization. Despite publishing a National Human Rights Program, there was little evidence of substantive measures to address the human rights situation.

Several states including Puebla, Quintana Roo, Chiapas and the Federal District adopted or sought to adopt laws on the use of force by law enforcement officials during demonstrations. These changes were inconsistent with international human rights standards and posed a threat to freedoms of expression and association. In Puebla state, which had recently approved such a law, police officers were under investigation at the end of the year for the death of a 13-year-old boy who died in the context of a demonstration, possibly as a result of excessive use of force. The changes to the law were put under review after the incident.

In November the Senate appointed the new president of the National Human Rights Commission (CNDH) for the period 2014 to 2019. Human rights organizations requested full consultation and transparency, in compliance with international standards. However, Senators only allowed for one

meeting with civil society in which a limited number of organizations had to present their views briefly, without any further discussion. Human rights defenders reiterated their concerns over the ineffectiveness of the CNDH in addressing the grave human rights situation and called for the CNDH to fulfil its key role in the protection of human rights and the fight against impunity.

In response to massive demonstrations to demand justice in the case of 43 forcibly disappeared students, President Peña Nieto announced on 27 November a series of legislative and policy measures, including a constitutional change that would give the state control over local police. The measures were to be implemented in stages, starting in the states of Guerrero, Jalisco, Michoacán and Tamaulipas. The President also proposed setting up a nationwide emergency number 911, as well as special economic zones in the country's impoverished south.

POLICE AND SECURITY FORCES

Despite official claims that incidents of organized crime-related violence fell, the situation remained grave. The overall number of homicides in the first nine months of the year was 24,746, compared to 26,001 in the first nine months of 2013. In September, an official national survey estimated that the number of abductions in 2013 had reached 131,946, compared to 105,682 in 2012. Army and navy marines continued to carry out law enforcement duties in many states, often operating without effective accountability, resulting in reports of arbitrary detentions, torture and other ill-treatment and extrajudicial executions.

In response to the high levels of violence from organized crime, frequently in collusion with local authorities, several armed civilian self-defence groups emerged in Michoacán state. In consequence, the federal government deployed the armed forces and Federal Police in large numbers along with a new federal commissioner to oversee security policy in the state. Negotiations with

several self-defence groups resulted in their incorporation as rural police into official public security forces.

Indigenous communities in Guerrero state denounced the arrest and prosecution of some of their members and leaders. These communities had previously reached agreements with the government regarding their own law enforcement activities in their areas, against a backdrop of long-lasting neglect and rising crime levels. The cases appeared to be politically motivated.

In July, soldiers killed 22 people allegedly belonging to an armed gang in Tlatlaya, Mexico state, in what military authorities claimed was a firefight with gunmen. The Federal Prosecutor failed to investigate further, despite evidence that some of the victims were killed at close range. In September, media disclosed witness evidence indicating that after a brief exchange of fire many of those killed had been extrajudicially executed after surrendering. On 8 November, seven military personnel were charged and continued to be under investigation for the executions, but it remained unclear whether officials who had sought to cover up the incident would also be prosecuted in the civilian justice system.

After some delays, in August the new National Gendarmerie began operations with 5,000 officers forming a division of the Federal Police. The Gendarmerie was a significantly smaller force than originally proposed. Its role and operating practices remained unclear. The government failed to take on board recommendations to ensure strong accountability mechanisms, operating protocols and effective supervision to prevent human rights violations. The force was temporarily deployed in Mexico state and Guerrero to assume policing functions.

ENFORCED DISAPPEARANCES

Abductions and enforced disappearances continued to occur widely. The whereabouts of most victims remained undisclosed. During the year, federal officials made a series

of contradictory statements regarding the number of persons reported disappeared or missing and whose whereabouts remained undisclosed. In August, the government acknowledged some 22,611 missing persons, 9,790 of whom went missing during the present administration and 12,821 during the administration of President Felipe Calderón (2006 to 2012). The government failed to make public how it had arrived at this figure. Impunity remained the norm for cases of enforced disappearance. In April the government stated that only seven convictions had ever been achieved for the crime of enforced disappearance at the federal level, all between 2005 and 2010.

In September, municipal police in the town of Iguala in collusion with organized criminals were responsible for the enforced disappearance of 43 students from a teacher training college in Ayotzinapa, Guerrero state. Investigations uncovered several mass graves and a dump site containing human remains. In November, the Federal Attorney General announced that the main line of investigation, based on the testimonies of three gang members apparently involved in the case, indicated that the students were killed, burned and dumped in a river. His announcement failed to address the general levels of impunity, corruption and unresolved cases of disappearance in Mexico. More than 70 local public officials and gang members were arrested and charged in relation to the case. There was no information regarding the possible responsibility, by omission or commission, of public officials at the state or federal level. On 7 December, the Federal Attorney General announced that the remains of one of the students had been identified by independent forensic experts. By the end of the year, the whereabouts of the other 42 remained undisclosed.

TORTURE AND OTHER ILL-TREATMENT

Arbitrary detention and torture and other ill-treatment by members of the armed forces, as well as federal, state and municipal police

forces remained widespread throughout the country. These violations were frequently used to extract “confessions” and other information to pursue criminal investigations or for other purposes such as extortion. Despite scores of complaints at the federal and state levels, there were few prosecutions and almost no convictions of public officials responsible.

As in previous years, the special medical examination procedure of the Federal Attorney General's Office for cases of alleged torture was not applied in most cases. In the minority of cases where it was carried out, it usually produced results unfavourable to the complainant. Officials generally failed to apply the procedure in compliance with the principles of the Istanbul Protocol, including promptness and providing victims with full results. In two exceptional cases the Federal Attorney General's Office dropped charges against the victims of torture after finally accepting evidence that they had been tortured in order to falsely implicate themselves. The victims had spent between three and five years in pre-trial detention. Independent medical examinations, which were conducted in line with the Istanbul Protocol, were central to demonstrating that they had been tortured.

In May the National Supreme Court published its 2013 judgment on the case of Israel Arzate who was arbitrarily arrested and tortured by army officers in order to accuse him of involvement in the Villas de Salvárcar massacre in 2010. The judgment set out important criteria for the inadmissibility of evidence deriving from unlawful detention and the obligation to investigate allegations of torture. However, the judgment did not set a binding precedent for other courts.

JUSTICE SYSTEM

Public security and criminal justice officials frequently ignored human rights violations and remained ineffective at investigating and prosecuting common crime as well as human rights violations, reinforcing impunity and

distrust in the legal system. In March, a new National Criminal Procedural Code for all 33 federal and state criminal justice jurisdictions came into force as part of a gradual reform. The government argued that the application of the Code would improve the protection of human rights by making evidence obtained from human rights violations, such as unlawful detentions and torture, inadmissible. However, the Code had yet to be applied or the criteria for excluding evidence worked out in detail.

In January the Executive Commission for the Attention of Victims was established under the National Victims Law to provide victims of crime, including human rights violations, improved access to justice and reparations. It replaced the Social Procurator for victims of crime, but it remained unclear if it would enjoy the resources and powers sufficient to meet the needs of victims. The regulatory code for the National Victims Law was not approved, limiting implementation of the law.

In June, reforms to the Code of Military Justice came into force. The reforms, secured after years of campaigning by victims and human rights organizations, excluded from the system of military justice crimes committed by members of the armed forces against civilians. The reforms failed to exclude from military jurisdiction human rights violations committed against members of the armed forces. Nevertheless they were a major advance in ending impunity for abuses committed by military personnel. At the end of the year, four military personnel remained in detention in the civilian justice system accused of involvement in the 2002 rape of two Indigenous women, Inés Fernández Ortega and Valentina Rosendo Cantú.

HUMAN RIGHTS DEFENDERS AND JOURNALISTS

Many human rights defenders and journalists were threatened, attacked or killed in reprisal for their legitimate work. No perpetrators were known to have been identified or brought to justice. This was largely due to

flawed investigations frequently as a result of official disinterest, particularly by state-level authorities. The pervasive impunity increased the climate of insecurity within which defenders and journalists operated.

The federal Mechanism for the Protection of Human Rights Defenders and Journalists announced in November that it had received 72 cases in the first nine months of the year. In general, it continued to fail to provide timely and effective protection. The agreed protection measures were often reliant on the support of local authorities, even in those cases where local authorities were thought to be involved in the attacks. Several beneficiaries of protection measures were temporarily forced to leave their communities for security reasons. Other defenders and journalists continued to wait for the mechanism to review their cases.

Several human rights defenders and community activists faced prosecution on criminal charges that appeared politically motivated in reprisal for their legitimate activities, including participating in protests. Many faced lengthy legal battles in unfair judicial proceedings to prove their innocence.

VIOLENCE AGAINST WOMEN AND GIRLS

Violence against women and girls remained endemic throughout the country, including rape, abductions and killings. Many authorities continued to fail to implement legal and administrative measures to improve prevention, protection from and investigation of gender-based violence. The National System for the Prevention, Sanction and Eradication of Violence against Women refused to apply the “Gender Alert” mechanism, which is designed to mobilize authorities to combat widespread gender violence and elicit an effective, official response to cases of violence.

In January, the National Supreme Court ordered the release of Adriana Manzanares Cayetano, an Indigenous woman who spent six years of a 22-year sentence in prison after being convicted of killing her newborn

baby. Evidence that the child was stillborn was ignored, and violations of her right to an effective defence and the presumption of innocence resulted in an unsafe conviction.

REFUGEES' AND MIGRANTS' RIGHTS

Insecurity and social deprivation in their home countries drove increasing numbers of Central American migrants to cross Mexico to reach the USA, particularly unaccompanied children. Migrants continued to be killed, abducted and subject to extortion by criminal gangs, often operating in collusion with public officials. Women and children were particularly vulnerable to sexual violence and people trafficking. There were continued reports of ill-treatment by police and migration officials carrying out detentions. Irregular migrants continued to be held in administrative detention pending deportation.

Migrants' rights defenders providing safe havens to migrants and denouncing abuses suffered by migrants continued to face threats and intimidation. Several received protection measures, but in some cases these were not applied effectively and failed to prevent new threats being made. Those responsible for the threats were not brought to justice.

INDIGENOUS PEOPLES' RIGHTS

Indigenous communities continued to suffer discrimination in the criminal justice system as well as limited access to basic services, such as water, housing and health care.

The failure to effectively consult Indigenous communities in order to obtain free, prior and informed consent regarding economic development projects affecting their lands and traditional way of living resulted in protests and disputes. These in turn led to threats and attacks on community leaders and in some cases criminal prosecutions of activists, apparently based on politically motivated charges.

INTERNATIONAL SCRUTINY

In March, Mexico accepted 166 of 176 recommendations of the UN Human Rights

Council Universal Periodic Review of Mexico. In May, the UN Special Rapporteur on torture visited Mexico and issued preliminary conclusions that torture and other ill-treatment remained widespread. In June, the UN Special Rapporteur on extrajudicial executions published his report of his mission to Mexico in early 2013, which highlighted high levels of killings and impunity. In August the Special Rapporteur on migrants' rights of the Inter-American Commission on Human Rights issued his report of his visit to Mexico. The report detailed pervasive violence against migrants, the denial of due process and judicial protections, and other human rights abuses.

FREEDOM OF EXPRESSION

A telecommunications bill threatened to establish potentially arbitrary executive powers over the internet and insufficient judicial control over the interception of electronic communications.

MOLDOVA

Republic of Moldova

Head of state: **Nicolae Timofti**

Head of government: **Iurie Leancă**

Despite Moldova sentencing perpetrators of torture to terms of imprisonment for the first time, long-term systemic failings meant that the widespread problem of impunity persisted. The authorities failed to amend discriminatory legislation, leaving marginalized groups vulnerable.

TORTURE AND OTHER ILL-TREATMENT

The General Prosecutor's Office said it received significantly fewer complaints of torture and other ill-treatment than for 2013. For the first time, in July, three police officers were each sentenced to three years'